

**An Emperor's Anger: Political Sentiment
and Document Structure in Late Roman Law,
an Analysis and TEI-XML digital edition
of the *Novellae Valentiniani***

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for the degree of Doctor of Philosophy in Religious Studies

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Abstract

This dissertation utilizes a variety of theoretical and digital methods to argue that the Late Roman emperor Valentinian III (ruling as *augustus* from 425 to 455 CE), often regarded as a reason for the fall of the western Roman Empire, was not incompetent and overly emotional when it came to issuing laws. Instead, he was operating within an acceptable range of behavior when compared to other emperors, given the limited options he possessed for resolving problems during this age of crisis. The laws examined are the unabridged "new laws" (*novellae*) issued by Valentinian III and other emperors after the adoption of the fifth-century Theodosian Code as the standard legal reference for the empire, but before the creation of the sixth-century Justinian's Code.

The core of this research is to apply, by way of analogy, a "religious studies" approach to Late Roman law, where laws are forms of "sacred" text within a context, and there is greater interest in analyzing what results than in the logic of the laws alone. This is in contrast to what I interpret as more traditional "theological" approaches, where law is a legal science and its experts actively try to discern and adhere to the internal consistency of that body of "sacred" text.

This "religious studies" approach is taken in the following ways. (1) The dissertation uses Marxian-inspired Critical Legal frameworks as a basis for re-interpreting Valentinian's laws through a political lens so that they no longer seem unsound; (2) it takes modern sentiment analysis techniques and applies them to the Latin in the post-Theodosian *novellae* to compare their emotional intensity and to establish which groups were politically favored or disfavored by emperors; (3) it hybridizes the sociological theories of Michael Mann and the social conflict theories of Late Roman historian Peter N. Bell to create a new understanding for the classification and imperial management of political conflict as they appear in the laws; and lastly (4) it employs eXtensible Markup Language (XML) using the Text Encoding Initiative (TEI) schema to assist in the creation of a new digital edition of the post-Theodosian *novellae*.

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Part I: Context

1. Introduction

THE PROBLEM

The new laws, or "novels," of the western Roman emperor Valentinian III (425-455 CE) are not well-regarded by experts of Roman law. Legal historian Tony Honoré said that they showed "no firm grasp of the demands of justice" and "shallow judgment."¹ This is in large part the result of a perceived heightened emotionality emanating from the emperor himself within the law, which Honoré called a form of "breast-beating." He also said that the officials in charge of drafting these laws, called *quaestores*, paint a picture suggesting Valentinian as "excitable and given to extreme opinions."²

As an example, in the first law (sometimes called a constitution) in the collection of his unabridged laws, he orders delinquent taxes to be remitted. But how Valentinian phrased his directive to prevent erroneous tax collections was that he has "barred all avenues to the revival of any **trickery**."³ In another law, he attacks his own officials, saying "they have been **beguiled** to this course by the presumption of their past impunity, with the result that by their continued **crimes** they shall incur the more grievous **stings** of severity."⁴ And in a last example, when the emperor demands that farm overseers supply recruits to the army, Valentinian says anyone who does not follow this command "confesses to a certain extent that he is not a Roman."⁵

¹ Honoré 1998: 261, 263.

² Honoré 1998: 261.

³ "...*omnisque recidivae **calumniæ** aditus praestruentes...*" (Nov. Val. 1.1.1, tr. Pharr).

⁴ "...*ad hoc praeteritæ impunitatis praesumptione **decepta**, ut continuato **scelere** graviores **aculeos** severitatis incurrerit.*" (Nov. Val. 7.1.0, tr. Pharr). n.b. The style for citing the first paragraph or preface to a Roman law varies. The most common method is to abbreviate it as ".pr" (e.g. Nov. Val. 7.1.pr) for *praefatio*/preface. Because of my digital edition, I am opting instead to number it with 0 (e.g. Nov. Val. 7.1.0) so as to ease machine processing.

⁵ "...*sese quodammodo confitetur non esse Romanum*" (Nov. Val. 6.2.2, tr. Pharr).

But it is not just the emotional intensity that gives Valentinian's novels a bad reputation, it is also the perceived lack of legal consistency. Honoré says that Valentinian was impatient, and had a tendency to listen to the first complainant without further inquiry. This resulted in the emperor having to issue laws which would be quickly repealed upon further developing circumstances,⁶ which presumably muddled the waters of jurisprudential application.

Honoré interprets the problems of these novels as meaning that Valentinian must have been directly involved in the constitutions' drafting, i.e. the laws are so poorly thought out that they must have involved the emperor,⁷ possibly overriding any concerns of his *quaestor*.

Honoré is not alone in his dismissive view of the legal quality of Valentinian's novels. One of only two scholars to treat Valentinian's reign and his novels with a full monograph in any language, Maria Bianchi Fossati Vanzetti, still considered Valentinian's novels "often repeated, specific in an apparently useless way" as well as "tortuous."⁸ Even more recently, legal historian Peter Riedlberger viewed all the post-Theodosian novels, including those of Valentinian, similarly as "difficult to understand" and filled with frequent "legal incompetence and carelessness."⁹

Part of the reason for these opinions of Valentinian's novels as "incompetent" is because he was already viewed as a failed emperor as a result of the events that occurred during and at the end of his reign.¹⁰ He was elevated to the rank of senior emperor (*augustus*) as a child (425 CE)

⁶ Honoré 1998: 260-1.

⁷ Honoré 1998: 259.

⁸ "...*spesso ripetuto, precisato in modo apparentemente inutile.*" and "*Che questa sia la ragione di questi procedimenti tortuosi e minuziosi è detto da Valentiniano stesso quando scrive...*" (Bianchi Fossati Vanzetti 1988: 38).

⁹ "...*der Text oft schwer verständlich bleibt...*" and "...*drittens wird mit juristischem Fachvokabular nicht eben pfleglich umgegangen, was sich einerseits aus einem unbedingten Streben nach lexikalischer Variation erklärt, andererseits offenbar auch aus juristischer Inkompetenz und Sorglosigkeit...*" (Riedlberger 2020: 227). Riedlberger (2020: 51) also mentions Valentinian's "tirades against sanctioned groups ... which can be quite contradictory (...*Schimpftiraden gegen die sanktionierten Gruppen ... die mitunter durchaus widersprüchlich sein können*)" and gives Nov. Val. 31.0. as an example (2020: 51 n.62).

¹⁰ Honoré (1998: 258) says his legal incompetence is directly due to his personal behavior, as he begins his chapter on the novels of Valentinian by saying that the emperor "overestimated his standing," "evidently thought that ... he

and thus many considered him a puppet to his "regent" mother Galla Placidia. It was during his reign that the rich taxpaying regions of north Africa fell to Vandal conquest, with downstream negative effects on the ability of the state to pay for western Roman armies.¹¹ This may have contributed to the other major disaster of his reign, when Attila the Hun invaded and ravaged significant parts of western Europe and Italy. Valentinian died in 455 CE, assassinated as a consequence of what was regarded as his poorly thought-out murder of his own chief army master,¹² Aetius, a year previously.¹³ Valentinian's death quickly led to the Vandal sack of Rome in the same year, and in a few short decades, the western imperial office would be dissolved. Thus, Valentinian III is often seen as one of the main catalysts for the fall of the western empire, and so the specter of eventual failure seems to haunt how he is seen in his laws as well.¹⁴

In summary, the problem is that Valentinian III is viewed as an incompetent issuer of laws because of his personal failings, which is why his novels have such emotional content and legal inconsistency. And because his time, the fifth century CE, is known to be lacking in sources for traditional political history,¹⁵ it leaves us with few options for the consideration of alternative motives.

could dispense with the military-diplomatic prestige that Aetius possessed," and "The western empire did not long survive the sudden loss of its last legitimate ruler and its ablest general."

¹¹ Wickham 2009: 78, 83-4, 108; Elton 2018: 190.

¹² "Army master" is a term I am choosing for the various Roman military leaders perceived to have significant executive power over the imperial office, which include *magistri militum*, *magistri utriusque militiae*, and *patricii* (King 2017: 34-5). Alternate modern names for this position include *generalissimo* (O'Flynn 1983).

¹³ e.g. Joh. Ant. Fr. 200.1 (ed. Müller; Umberto's edition renumbers it as Fr. 293.2) where a court official tells Valentinian III regarding his murder of Aetius, "you have cut off your right hand with your left" (tr. Gordon 2013: 52). This fragment is considered spurious by Mariev (2008: 8*, 16*, 594) as to whether it should belong in the collection of fragments considered authored specifically by John of Antioch, but that does not mean that the fragment is not possibly still of ancient provenance.

¹⁴ One of the few exceptions to this perspective is from Febronia Elia (1999: 15), author of the only other scholarly monograph on Valentinian III (besides Bianchi Fossati Vanzetti 1988), who asks for contextual caution "to avoid easy conclusions about his limited government skills and the responsibilities attributed to him (*per evitare facili conclusioni sulle sue limitate doti di governo e sulle responsabilità a lui attribuite*)..."

¹⁵ Blockley 1981: vii.

HYPOTHESIS

At its core, this dissertation proposes that Valentinian III was not an incompetent issuer of laws. It seeks to demonstrate that the reason we perceive his new laws as failures is because we read them through a primarily legalistic/jurisprudential framework, particularly since we have so few non-legal sources for his life. If instead we view his novels in a different framework, as purely political documents, we can instead see Valentinian as operating within the existing norms and practices of other Roman emperors around his time.¹⁶

This new framing would mean Valentinian was doing the job all emperors had to do to survive, which was to manage and/or arbitrate between the competing political groups within or involved in the Roman state. This hypothesis is in line with recent research rethinking Valentinian's imperial predecessor (and uncle) Honorius as also not an incompetent monarch who was responsible for the fall of the west, but a similar pragmatic survivor.¹⁷ It would also mean, at least with regard to his novels, that we should remove Valentinian's supposed personal deficiencies as the reason for his legal "style."

The main difference then between Valentinian III and previous emperors was that, as the empire was falling apart at the seams, the dire circumstances of his reign as well as of those who came after him meant that the laws they issued had to compensate for the lack of economic and military resources that previous emperors could have used to pressure political groups. This resource deficit seems to be why Valentinian in particular displayed so much heightened

¹⁶ Riedlberger (2020: 229) does ultimately believe that the style of Late Roman constitutions in general "did not result from inability, but rather followed a conscious will (...*nicht aus Unfähigkeit resultierte, sondern einem bewussten Wollen folgte*...)," despite their legal consistency issues.

¹⁷ McEvoy 2013: 218; Doyle 2018.

emotionality in his laws. What he could not accomplish with a carrot or a stick, he had to do with his voice.

In a nutshell, he was not incompetent, just unlucky.

THE RESEARCH PLAN

From the aforementioned conjectures, a few steps need to be taken to demonstrate the central hypothesis that Valentinian III was "not incompetent" with regard to the issuing of his new laws. The steps will be to find:

1. An alternate political framework for interpreting his and other imperial novels, i.e. not the jurisprudential one which views Valentinian's laws as legally unsound;
2. A methodology for comparing emotionality between emperors, so as to establish a normative baseline for Valentinian in comparison to other emperors and to suggest pragmatic reasons for his invective language;
3. Theories for the classification and imperial management of interest groups revealed by our emotion methodology, so as to recreate the political environment of a time known to have limited historical sources;¹⁸
4. And lastly, a technical means to encapsulate and analyze our evidence using our chosen methodologies, frameworks, and political theories.

The plan of this dissertation, before resolving the above issues, is first to lay out some background. We begin with a brief outline for any non-specialist readers of the political and legal

¹⁸ The last monograph on Valentinian III (Elia 1999: 33) also encountered difficulty in trying to identify the interest groups that influenced his policies; a prosopographical approach was opted for in that analysis.

history of the high to later Roman Empire up to the sixth century CE, allowing us to contextualize emperors involved in the legal sources core to our analysis, such as Valentinian III, as well as emperors important as background but not directly a part of the analysis, such as Justinian. Afterwards, we discuss these late Roman imperial sources, detailing their types, how they are created, and the transmission of specific legal collections like the Sirmondian constitutions and the post-Theodosian novels.

Next, we discuss our solutions to the problems raised by the four steps listed previously as to what is needed to demonstrate this dissertation's hypothesis, with the details and their justifications being specified in the methodology chapters.

For the alternate framework, this dissertation operates within the sphere of Critical Legal and Legal Discourse Studies. Both are closely-related Marxian-inspired frameworks with the core ideas binding both are that they primarily view law as an extension of political enforcement by the ruling classes.¹⁹ They do not agree with the jurisprudential or "legal science" framework common to the legal community, which suggests that law can be systematically applied for a similar outcome, given comparable originating circumstances. As an analogy, this reframing is akin to the difference between a theological vs. a religious studies approach to the same body of "sacred" texts; the former seeks an idealized application from within a normative text, whereas the latter wants to analyze the practices that result from outside the law.²⁰ This "politics-first" framework, which I view as a "from outside the law" approach, allows us similarly to side-step dealing with

¹⁹ In Goodrich's *Legal Discourse* (1987), one of the most important texts in the field, he makes it plain that the complexity of legal language is "geared to the reproduction of an economic elite and the discriminatory values that such an elite serves" (Goodrich 1987: 81). Tushnet (2005b) in a survey article on the state of Critical Legal Studies in the mid-2000s also summarizes its essential position as "law is politics."

²⁰ Law as a form of religion is examined extensively in Goodrich (1987: 126-7) and will be discussed more in the upcoming chapter "5. Legal Discourse Framework, Discourse and the law."

the idealized, and arguably "mythic,"²¹ logic of legal consistency, or lack thereof, in our Roman laws.

Transitioning from more traditional text-based frameworks to the digital tools that will take advantage of those frameworks, we move into the techniques used for comparing emotionality, our marker for imperial political disfavor. The methodology that we will work with is lexical sentiment analysis, a technique borrowed from the more modern field of social media analysis. In our implementation, we create a sentiment lexicon by assigning scores to Latin words expressing negative sentiment, with a higher value for words generally considered negative, and a lower value for words only contextually considered negative.²² Then we attach those negative scores to the political interests being targeted by an emperor within a constitution. A core methodological conjecture of this dissertation is that by determining the frequency and positioning of such negativity, such as whether it appears more in context than command sentences, we can uncover imperial inclinations towards these groups within the context of an individual law. With these inclinations, the thinking is that we can paint an overall picture of the political priorities of the imperial office as it seeks to manage those interests. This is all in support of the overall hypothesis that the negative emotion employed by Valentinian III was not personal, but had a tactical purpose and was within a recognizable range of imperial expression. The final sentiment lexicon appears in the dissertation's appendices.

With sentiment analysis identifying who the political groups are and imperial inclinations towards them, we still need an explanation for their place in Roman society and their relationships

²¹ Goodrich 1987: ix.

²² The difference between "generally" and "contextually" negative will be outlined in greater detail in the upcoming chapter, "6. Sentiment Analysis," but as a brief summation "generally" negative means the overall preponderance of a word's definitions are viewed as negative, whereas "contextually" negative means only some of the word's definitions are viewed as negative.

to each other and the imperial office. For this we rely upon a merging of the theories of sociologist Michael Mann and late Roman historian Peter N. Bell. Both theories are also Marxian-inspired, with Bell's theory taking some inspiration from Mann. Mann posits a division of social power into four types: ideological, economic, military, and political,²³ with societal groups utilizing various prioritizations and configurations of these types as a means of securing power. We use Bell to improve upon the theories of Mann by using the former's historically contingent, rather than sociologically general, theory for late Roman inter-power conflicts by declaring group management and arbitration as the ultimate role of the emperor.

Lastly for methodology, we need a technical system to organize and analyze our evidence, since at the very least, we are already dealing with the complex task of attaching sentiment scores to a large number of words in our Latin legal sources, and then establishing relationships between those words and the political groups to whom an emperor is referring. For this task, we encode our sources in eXtensible Markup Language (XML) using the most well-known standard for digital humanities, the Text Encoding Initiative (TEI) schema. By encoding in TEI-XML, a digital edition can be readable to others within a uniform standard and any analysis can be performed faster with tools like XQuery than if compiled by hand. The final digitized TEI-XML Latin edition of the post-Theodosian novels along with some useful XQuery code is available in the dissertation's appendices.

With the background and methodology laid out, the last major part of the dissertation is to organize and explain the analytical results.

The first analysis chapter is a chronologically-ordered historical contextualization of imperial constitutions accompanied by their sentiment scores. This part is split between western

²³ To avoid confusion with its lay connotations, the political type should be thought of specifically as the power of the state, in both administration and diplomacy (Mann 1986: 27).

and eastern emperors. This is done because many of the imperial novels are grouped by emperors and subject, not necessarily date,²⁴ so a diachronic ordering may allow us to see if there are any obvious differences in policy thinking from emperor to emperor. In addition, since this analysis is also a look at western and eastern empires, we can see if there are any patterns or differences of sentiment between the two halves of the Roman state. A corollary conjecture being tested by this dissertation's methodology is that western imperial novels had far more negative sentiment than eastern imperial novels.

The second analysis chapter is a comparison of selected imperial novels which discuss similar themes, namely tax collection and remission, non-theological clerical misbehavior, interactions regarding soldiers, and inter-status marriage/unions. The constitutions chosen reflect a certain geotemporal diversity, so as to encompass as many different emperors as possible, as well as be representative of both the western and eastern empire. This time we also scrutinize the political interest groups to which negative sentiments are attached, since an element of inter- and intra-power conflict is present in the selected novels. This gives closer insight into how different emperors, including Valentinian III, dealt with similar conflicts between political groups of various social power types.

The last chapter summarizes and connects the results from the analytical chapters to the contextual and framework chapters so as to restate the case that Valentinian's "incompetent" constitutions were, in fact, pragmatic political orders issued within the range of constitutions ordered by other emperors considered more competent.

²⁴ Post-Theodosian novels are grouped slightly differently from the Theodosian Code and Justinian's Code. The top level grouping for the novels is by emperor, whereas it is by theme in the two codices. Under the novel groupings by emperor, there are titles on particular legal subjects. Titles themselves can consist of one or multiple constitutions, although multi-constitution titles only appear for the novels of Theodosius and Valentinian. If there are multiple constitutions in a title, then those are organized by date, even if the overall titles themselves are not.

2. Political and Legal History

This chapter is a summary of the political history of the high to later Roman Empire as it intersects with the legal sources and emperors we are examining.

As a basic road map of priority (but not chronology) to what is being explained, this background chapter ultimately seeks to contextualize the fifth century post-Theodosian novels that act as our primary sources, and so by extension the Theodosian Code that came before it a few decades earlier. But to understand the Theodosian Code, it helps to situate it against the more well-known but later sixth century civil law of Justinian. In addition, to understand both bodies of law, it seems useful to look at their earlier legal predecessors, and so we will also talk about the late third century Gregorian and Hermogenian codes, as well as jump back to the origins of all late Roman law, the earliest surviving imperial constitutions issued in the second century CE, as well as their non-imperial legal equivalents, jurist decisions and educational manuals.

This chapter is thus limited as a basic history and likewise should not be considered comprehensive for the later Roman Empire, its legal history, or a history of legal thinking. In fact caution should be exercised even with the historical synthesis because there is little consensus by academics in this field as to which themes should be considered the most salient. And so, this summary should only be thought of as a flawed outline for scholars interested in the digital humanities elements of this dissertation, but with little or no background in ancient history or the history of Roman law.

HIGH EMPIRE (2nd to early 3rd century)

The earliest relevant point of Roman history to this dissertation is the era some consider the peak of the Roman Empire, from the Age of the Antonines to the Severan dynasty (96-235

CE). In this long span, particularly under the Antonine "dynasty" of adopted emperors Nerva, Trajan, Hadrian, Antoninus Pius, and Marcus Aurelius, the empire saw significant expansion and/or stability on multiple fronts, be it military, economy, culture, or law. This high point of the empire was understood to be made possible thanks to the competent leadership of the aforementioned five emperors at the helm of the Roman state.²⁵

Hadrian (117-138 CE), the third of the five emperors, was instrumental in the empire's transition toward late Roman law, both in terms of overall procedure and the role of the emperor in the legal system. Before Hadrian, legal procedure was still ostensibly operating along late republican and early imperial lines; cases were brought to trial with an official overseeing it and the case would be decided on the basis of existing magistral edicts, formulary procedure, senatorial and comital legislation (but with heavy imperial input), or relevant legal expert opinions.²⁶ One change Hadrian enacted was to make permanent the accumulated edicts of the urban praetors of Rome, the official in charge of law courts in the capital city.²⁷ These edicts had acted as the closest thing to an evolving civil law for the Romans, which, as one legal historian put it, "combined the stability of statutory legislation with the flexibility and adaptability of magisterial judgments."²⁸ Their influence is most visible in the fact that the later Theodosian Code roughly followed the same order of topics as the Praetor's Edict.²⁹ But by reducing magistral freedom, new law would have to emerge from elsewhere.

²⁵ "Age of the Antonines" as a description for this supposed golden age for Rome led by these emperors of "virtue and abilities" derives from Gibbon (1788: 1). More modern assessments caveat this rosey picture, but still view the empire in these years as having "survived, even prospered, by evolving in response to external and internal challenges" (Bowman et al., "Preface", *CAH* 11, 2000: xix).

²⁶ Honoré, "law and procedure, Roman," *OCD*, 2012: 805.

²⁷ Nicholas, "edict," *OCD*, 2012: 486-7.

²⁸ Johnson et al. 1961: 183.

²⁹ Matthews 2000: 100-1.

To fill this gap, legal specialists known as jurists came to the forefront, particularly in the Severan dynasty, and worked effectively to create new law by trying to resolve hypothetical problems, albeit not actual cases, through their expertise.³⁰ Their theorizing on such matters were the result of an attempt to create a "scientific approach to legal thought."³¹ Their legal opinions were held in such high esteem that the second and early third century CE during which these jurists lived and wrote was considered by later medieval and modern scholars as the classical era of Roman law.³² Their writings would be collected later in the sixth century by the emperor Justinian into a volume of his great body of civil law called the *Digesta*, although not every jurist was equal. One Severan jurist, Ulpian, was so well regarded that he provided more than two-fifths the material for Justinian's Digest.³³ One of the second century jurists, Gaius, wrote an essential teaching manual called the *Institutiones* that would also be adapted by Justinian in his codification. However, the classical era of Roman law lasted for only a relatively short period of time³⁴ because imperial adjudication started to overtake jurist interpretations as the main form of new lawmaking. Here, Hadrian again had an important role.

Emperors, as a sort of supreme magistrate, always possessed an ability to issue directives and make decisions when they acted as judges. However, despite emperors only technically having similar authority to other magistrates, they practically possessed more power than any other official,³⁵ so their new interpretations and decisions on law began to carry more weight. Starting

³⁰ Carrié and Rousselle 1999: 55-7.

³¹ Ibbetson, "High classical law," *CAH* 12, 2005: 184. On the other hand, Corcoran (2010: 434) says that jurists "do not generally worry about what we would call 'jurisprudence' or the philosophy of law to any significant degree, although questions of general principle are raised and developed."

³² Frier, "law, Roman, sociology of," *OCD*, 2012: 801-2.

³³ Honoré, "Domitius Ulpianus," *OCD*, 2012: 474-5.

³⁴ Ulpian and Paul, the two jurists whose opinions would constitute about half of Justinian's *Digesta*, were mostly active from 190 to 220 CE (Ibbetson, "High classical law," *CAH* 12, 2005: 186).

³⁵ The ambiguity between unofficial and official imperial power is often thought to be by the design of Augustus. He kept the nature of his power unclear for his own survival and to allow him to choose a successor without provoking

with Hadrian, there began a shift in these imperial actions and responses, called *constitutiones*, to be considered as having the formal force of law, not just a practical one; this was a legal opinion issued by none other than the aforementioned Gaius.³⁶ And thus, this evolving imperial role as a higher authority made them the increasing target for legal appeals and petitions, which in turn increased the speed of constitutions and laws being issued by them.³⁷

Later on, the emperors would be the sole place for the creation of new law, with the decisions of the most important jurists being relegated to a similar, but still vital, position as the urban praetor's edict, that of a fixed ancient law. It is worth noting too that in Justinian's later code, the oldest constitution preserved in it is a solitary one of Hadrian,³⁸ which although most likely a chance survival, might also be a testament to his role in the shift of Roman lawmaking.³⁹

CRISIS AND TETRARCHY (mid 3rd to early 4th century)

In 235 CE, following the assassination of the last emperor of the Severan dynasty, the Roman Empire went through extended convulsions that lasted almost 50 years, sometimes called the Crisis of the Third Century.⁴⁰ In this period, the empire almost fell apart completely, racked by constant civil wars and usurpations, with the empire at one point fracturing into three separate states. Continual assassinations or deaths in battle reduced the average reign/lifespan of an

assassination or civil war, which was the circumstance and aftermath for his predecessor Julius Caesar (Gruen 2005: 30). And so this ambiguity should continue to be read into situations where emperors of the early principate were handed what seems like more official power than a "regular" magistrate, a point raised by Brunt (1977) in his analysis of the *Lex de Imperio Vespasiani*.

³⁶ Honoré, "law and procedure, Roman," *OCD*, 2012: 806.

³⁷ Honoré, "law and procedure, Roman," *OCD*, 2012: 805-6; Metzger, "law and procedure, Roman," *OCD*, 2012: 808. See also Millar (1977) for an extensive analysis on the emperor as a reactive position made possible through systems and expectations of petition and response from the populace.

³⁸ *CJ* 6.23.1.

³⁹ Hadrian's major role in the shift toward imperial adjudication is a central argument of Tuori (2016: 239-40), which he views as an aspect of imperial projection of themselves as "ideal judges." The other possibility is that Hadrian is simply the oldest chance survival for an imperial constitution.

⁴⁰ Carrié and Rousselle 1999: 89-144.

"emperor" to only a few years.⁴¹ This resulted in a constant crisis of imperial legitimacy which also weakened the Roman frontiers, leading to persistent incursions from Germanic groups and the Persian empire, now led by the new Sasanid dynasty which had overthrown the former Arsacid dynasty.⁴² The economy was affected as well, with a significant reduction of long-distance trade and spiraling inflation as emperors sought to pay for their armies while simultaneously suffering from dwindling resources.⁴³

After 50 years of crisis, the empire was finally stabilized through the efforts of the emperor Diocletian (284-305 CE). Diocletian restructured almost every aspect of the Roman state to set it on a firm footing again.⁴⁴ Arguably, his most important decision was to systematize the splitting of the imperial office between multiple colleagues, first with two joint emperors then eventually four working in tandem instead of one. Diocletian's final plan involved two senior *augusti* with him as the most senior and two junior *caesares*; each emperor operated in a different geographical region in a system that is now known as the Tetrarchy, meaning "rule by four." This division allowed the emperors simultaneously to tackle multiple threats from a variety of directions. Although not initially a territorial demarcation of the emperors' spheres of control, it is often thought that this initial split was the origin for what would become the permanent separation of the empire into distinct western and eastern entities.

Another major change implemented by Diocletian was legal reform. Even with the third century anarchy ongoing, emperors continued to issue decisions and responses to petitions throughout the third century, especially since jurists had been eclipsed as a mechanism for new

⁴¹ Williams 1985: 18.

⁴² Potter 213-25.

⁴³ Blois 2002; Corbier, "Coinage and taxation," *CAH* 12, 2005: 390-2; Nappo 2007; Harl 2012: 42.

⁴⁴ Carrié and Rousselle 1999: 145-215; Mitchell and Greatrex 2023: 60-70.

lawmaking. And so, as part of Diocletian's restructuring efforts, he had two collections of specific imperial responses, called *rescripta*, gathered from the archives. There was the *Codex Gregorianus* for rescripts issued from the time of Hadrian up to 291 CE, and the *Codex Hermogenianus* for those from the years 293-4 CE, with the former being published in 291 CE and the latter in 295 CE.⁴⁵ However, it should be noted that neither codex survives in a contemporary form; we only have extracts from the two codes preserved and compiled as part of the overall Code of Justinian or the Breviary of Alaric II centuries later.⁴⁶

The reasoning for the compilation of the two codes is not stated directly, but some scholars have conjectured that it was to reduce administrative load upon the imperial office by having a consultative reference for similar petitions⁴⁷ or to promote the legitimacy of the Tetrarchic regime even if only as a tangential purpose.⁴⁸ However the Gregorian and Hermogenian Codes only represented a partial compilation of surviving imperial constitutions. The collection only contained rescripts on specific problems as encountered by local officials or private persons. What was missing and what would have to be left for later were constitutions that had general application across the empire.

Another major legal reform of Diocletian was his Edict on Maximum Prices, issued in 301 CE.⁴⁹ It was an attempt to stem inflation by capping prices for a complex and almost exhaustive list of goods and services at a specified maximum. In some ways, his edict is similar to the later

⁴⁵ Johnston, "Epiclassical law," *CAH* 12, 2005: 202-3.

⁴⁶ Johnston, "Epiclassical law," *CAH* 12, 2005: 202.

⁴⁷ Honoré 1994: 182; Corcoran 2000: 42; Connolly 2010: 40-1.

⁴⁸ Corcoran (2000: 41) is mixed on whether imperial promotion was a reason, since the two codes are not named for the two *augusti* Diocletian and Maximian, but does not dismiss the possibility. Addressing this issue, Connolly (2010: 41) points out that, strictly speaking, "Theodosian Code" was not the compilation's original name either, despite its clear commissioning from Theodosius II. Connolly says the Gregorian and Hermogenian Codes may have been named as such as special honors to the editors, Gregori(an)us and Hermogenianus, which in no way diminished the imperial approval necessary for such a compilation to be undertaken.

⁴⁹ Carrié and Rousselle 1999: 580-2.

novels of Valentinian III, as it began with a long, rhetorical preamble filled with what legal historian Simon Corcoran calls "strong emotive language" which describes inflation as "a raging barbarian enemy, wild, frenzied, monstrous, inhuman, with a perverted religion" before delving into the need for emperors to act.⁵⁰ The edict, however, is regarded as a serious failure,⁵¹ with almost no one adhering to the prices except when the state was a coercive purchaser, such as with military clothing; the edict is thought to have been repealed quickly within a few years.⁵²

The very last Diocletianic "reform" (more accurately a failed measure) that is relevant here was the persecution of Christians that started under his reign in 303 CE but continued even after it. The persecution is sometimes thought to have been initiated as a response to the spread of "new" religions that were seen as a threat to the traditional values and beliefs of Rome which Diocletian had sought to restore later in his reign.⁵³ It quickly became an opportunity to purge the army and imperial administration of Christians, and to reduce the power and influence of churches and bishops that had emerged as important parts of the social order throughout the empire. Enforcement was sporadic but severe when concentrated, with, in some areas, churches destroyed, holy books burned, and Christians tortured or executed.⁵⁴

Diocletian, along with his senior co-emperor, "retired" in 305 CE.⁵⁵ This was part of Diocletian's plan to make the Tetrarchy an adoptive emperor system; their retirement allowed the

⁵⁰ Corcoran 2000: 207-13.

⁵¹ Williams 1985: 132; Lo Cascio, "The Emperor and his Administration. The New State of Diocletian and Constantine: From the Tetrarchy to the Reunification of the Empire", *CAH* 12, 2005: 178.

⁵² Corcoran 2000: 233.

⁵³ Clarke, "Third-century Christianity," *CAH* 12, 2005: 647-9.

⁵⁴ Clarke, "Third-century Christianity," *CAH* 12, 2005: 650-2.

⁵⁵ Although Diocletian and Maximian "officially" stepped down in terms of their position as *augusti*, it remains an open theoretical question whether this constituted an actual retirement, considering Maximian's attempts to return to power, and the ability for Diocletian, even while retired, to dictate at Carnuntum the terms of a new Tetrarchy after the initially unapproved elevation of Constantine. Flaig (1992: 550-1, 566) questions whether abdication is even possible within the imperial system.

two former junior emperors (*caesares*) to become the new senior emperors (*augusti*), with new juniors appointed. One of the former junior now *augusti*, was Constantius, father to the man who would be known as Constantine the Great.

CONSTANTINE AND THE FOURTH CENTURY

Only one year after his appointment to *augustus*, Constantius died suddenly in 306 CE. His son Constantine, who had previously not been appointed to any imperial office by the Tetrarchy, was declared his father's replacement (whether by himself or his father's army) as a new Tetrarchic emperor. Although Constantine was temporarily accepted as *caesar* by the others, his father's death and his accession completely disrupted the adoptive succession system of the Tetrarchy, with the end result being 18 years of tension and/or civil war.⁵⁶

Without going too deeply into the collapse of the Tetrarchy, an important factor of the conflict was the fight over Christians, whether as support or as targets.⁵⁷ Constantius supposedly had not greatly enforced Diocletian's persecution while *caesar*, and as *augustus* he ceased active persecution altogether, with his son Constantine maintaining this cessation. Constantine, in fact, actively courted Christian support once he became emperor. In his accession year, he restored seized church property and offered freedom for Christians in his realm.⁵⁸ Before his victory at the battle of the Milvian Bridge in 312 CE when he captured the city of Rome, he is said to have seen the sign of a cross in the sky and ordered his soldiers to mark their shields with the sign.⁵⁹ Constantine also issued the so-called Edict of Milan,⁶⁰ which was an order, along with another

⁵⁶ Mitchell and Greatrex 2023: 70-8.

⁵⁷ Carrié and Rousselle 1999: 224-32.

⁵⁸ Clarke, "Third-century Christianity," *CAH* 12, 2005: 652.

⁵⁹ Nicholson 2000; Bhola 2015.

⁶⁰ Nicholson, "Letter of Licinius," *ODLA*, 2018: 898.

emperor with whom he was temporarily allied, to cease the persecution of Christians in the remaining eastern half of the empire, effectively "re-legalizing" the religion.

When Constantine finally dispatched his last rival in 324 CE and became sole ruler, he continued his active patronage of Christianity with new church construction such as old St. Peter's Basilica, the granting of privileges to the clergy, and organizing the pivotal Council of Nicaea to resolve theological debates. In addition, he refounded the existing city of Byzantium as his new eastern Roman capital, Constantinople, which would be a center of the Roman Empire for almost a thousand years after the end of its western half.

It is for these massive achievements that Constantine has an outsized presence not only in world history, but in the later Roman Empire's own history, and in particular their legal history. When the fifth century Theodosian Code was compiled, its mandate was to start with the imperial constitutions from Constantine onward.⁶¹ The oldest unabridged constitution that survives from the textual tradition (i.e. through manuscript copying and not from an inscription or a papyrus fragment) is also from Constantine.⁶² Beyond his issuing of laws, he also expanded his power through appeals and other legal enactments. Publicly this was done to bring benefit and justice to the Roman people, but privately it may have been used as a populist check on his own administration.⁶³

Constantine mostly cemented the final re-organizations started by Diocletian. The main exception to this was his desire to return to a hereditary dynastic system, rather than the adoptive

⁶¹ *Gest. Sen.* 4 = *CTh* 1.1.5.

⁶² *Sirmond.* 1, tr. Pharr, dated May 5, 333 CE. The oldest abridged constitution in the Theodosian Code is possibly *CTh* 13.10.2, which although the subscription date is Jun. 1, 313, i.e. the third consulship of Constantine and Licinius, it references "Our Lord and father Diocletian, the senior Augustus," possibly indicating it was issued while he was alive. Diocletian died in either late 311 or early 312 (Barnes 1973: 35), suggesting the law's date as Jun. 1, 311. Seeck (1919: 159) also believes this constitution was issued in 311.

⁶³ Dillon 2012.

one that had initially excluded him from rule.⁶⁴ In 337 CE, he was baptized on his deathbed, thus becoming the first Christian Roman emperor. Soon after, three of his sons, as a new sort of "Tetrarchy" (in terms of a multi-emperor system as opposed to a specific four-emperor system), would take over their respective regions of the empire.

The fourth century continued with its share of civil wars and campaigns against non-Romans. Christianity, now having not only legal status but active patronage from the emperors, would take firm root throughout the Roman world, even as its upper ecclesiastical leadership continually wrestled over questions of orthodoxy.⁶⁵ The Constantinians would eventually give way to the Valentinians as the new ruling dynasty. All the while, emperors continued issuing new laws on a variety of subjects; they would be posted publicly in forums, sent as official letters, actively consulted, or gathering dust in imperial archives and private collections.

MIGRATION AND DIVISION (late 4th to early 5th century)

In the late fourth century, an event occurred that would have large scale repercussions for the empire, the arrival of Gothic groups from beyond the Danube River in 376 CE. Although there had been wars against Goths and other barbarian tribes before, the conflicts with them occurring from the late fourth century onward resulted in a significant and permanent weakening of the empire. These Goths in 376 CE were fleeing attacks from other barbarian groups, and requested permission to cross and settle into the empire. Permission was granted, but the crossing was seriously mishandled; the Goths rose up in revolt over their poor treatment, and their *ad hoc* army began to snowball, with even some disaffected Romans joining their forces. After two years of rampage in the Balkans, the eastern empire gathered a large force to confront them. However, at

⁶⁴ Carrié and Rousselle 1999: 247-50.

⁶⁵ Potter 2014: 433-73.

the battle of Adrianople in 378 CE, the imperial army was heavily defeated, losing two-thirds of its soldiers and with the eastern emperor dying in battle.⁶⁶ This emergency situation caused the senior western emperor Gratian, himself only 19 at the time, and surviving eastern military officials to elevate a new emperor in the next year, Theodosius I.⁶⁷

Theodosius I was an active emperor; he campaigned against and ultimately settled with the Goths who had fought at Adrianople, he battled usurpers in hard-fought civil wars, and he took the lead in converting the empire over to his preferred form of Christianity.⁶⁸ After the death of his first wife, Theodosius I married into the Valentinian family, creating a certain dynastic continuity with the previous regime. His two sons from his first marriage, Honorius and Arcadius, he elevated as *co-augusti*, although they were both still children at the time.⁶⁹

After Theodosius' death in 395 CE, his young sons settled in as emperors in their respective halves, Honorius in the west, and Arcadius in the east. Even though the empire remained a legal and ideological unity, in practice, the two halves functioned as separate, if allied, states.⁷⁰ In 402 CE, Honorius decided to move his political residence to Ravenna. In the immediate term, this move happened due to the perceived insecurity of the former imperial headquarters at Milan after barbarian raids reached the city (Ravenna was seen as an easier point of defense and communication), but in the longer-term, this action was arguably part of a continuing imperial distancing from the city of Rome as the old capital.⁷¹ In that same year, the nine-month-old son of Arcadius, Theodosius II, was made *co-augustus*. Arcadius died in 408 CE, leaving the child

⁶⁶ See Kulikowski (2006: 123-43) for more detail on the context of the Danube crossing and the leadup to the battle of Adrianople.

⁶⁷ Errington 1996; Matthews 1998: 91-3.

⁶⁸ Errington 2006: 212-59; Mitchell and Greatrex 2023: 91-5.

⁶⁹ For more information on the phenomenon of child emperors in the later Roman Empire, see McEvoy (2013).

⁷⁰ Mitchell and Greatrex 2023: 109-11.

⁷¹ Deliyannis 2010: 46-51.

Theodosius II as the nominal leader of the east. However, the eastern half of the empire seemed to be on more solid footing than the west.

In the early 400s, the western empire suffered through a series of conflicts that could be alternatively thought of as barbarian invasions or military revolts. In either 405 or 406 CE,⁷² a large group of barbarians, including those known as Vandals, crossed the Rhine river and wreaked havoc throughout Gaul.

From 408 to 410 CE, a military force which later historians called Visigoths (meaning "western Goths") alternately besieged and negotiated over Rome, before finally sacking the city in 410 CE, an event that sent shockwaves throughout the empire. Amongst the hostages captured during the sack was Galla Placidia, imperial half-sister to both Honorius and Arcadius. The Visigoths wandered through Italy and then to southern Gaul after the sack.⁷³ After returning Galla Placidia to Honorius, the Visigoths entered into a treaty with the empire, and in 418 CE, were settled under terms in the Aquitaine region in southwest Gaul.⁷⁴

In 423 CE, Honorius died heirless at the age of 38. After several months without an emperor, a palace official named Johannes decided to proclaim himself western emperor. This was not accepted by the eastern emperor Theodosius II, and so a multi-pronged invasion was organized, joined by a new eastern-approved western emperor, Valentinian III, Galla Placidia's young son and Theodosius II's cousin.⁷⁵ The invasion was a success, and in 425 CE, Valentinian III was crowned as an *augustus* in the west (he was already a *caesar* as of 424). Once again, both halves of the empire were back under the same imperial dynasty.⁷⁶

⁷² Kulikowski 2006: 171.

⁷³ Kulikowski 2006: 173-84.

⁷⁴ Burns 2002.

⁷⁵ Elton 2018: 186.

⁷⁶ Matthews 1998: 377-81.

(DIS)UNITY OF EMPIRE (mid to late 5th century)

Valentinian III was only six years old when he was made a *augustus*. Practical rule came from the court, which possibly included his mother Galla Placidia.⁷⁷ Although Valentinian and Galla were both of the imperial dynasty, after two years of civil war and with a youth nominally at the helm, anything that could be done to shore up legitimacy was likely welcomed. It is possibly in this context that we see the issuing of what is known as the "Law of Citations" in 426 CE.⁷⁸

Despite the "classical era" (itself an *ex post facto* designation) of Roman law only constituting a few decades around 200 CE, the answer to the question of which jurist opinion a judge should apply was often unclear, particularly when they differed on a legal subject. The "Law of Citations" sought to rectify this by mostly confining citable opinions to just five specific jurists, with a provision that in the event their views were not unanimous, some slightly complex counting of opinions would resolve the conflict. Such a law would presumably speed any court processes that might have previously been delayed by uncertainty over which opinion had precedence.⁷⁹

The fact that the "Law of Citations" along with other laws on senatorial privileges and succession were issued so soon after Valentinian III and Galla Placidia took power in Italy, suggest a desire to placate important elites and political groups in the aftermath of the war against Johannes.⁸⁰ This mood of using law as a means of promoting imperial legitimacy also applied in

⁷⁷ There are a couple of fifth century primary sources for interpreting Galla Placidia's involvement in western imperial governance. The first is from Olympiodorus who reported that after the death of Johannes, one of his subordinates (Aetius) who had just returned with barbarian reinforcements "made an agreement with Placidia and Valentinian and he received the rank of count (ἔπειτα σπονδὰς ὁ Αἰτίος τίθεται πρὸς Πλακιδίαν καὶ Οὐαλεντινιανὸν καὶ τὴν τῷ κόμητος ἀξίαν λαμβάνει)" (Olympiodorus *Fr.* 43.2, ed. and tr. Blockley). The second is from Socrates of Constantinople who said "This cousin (Valentinian III) he (Theodosius II) created Caesar, and sent into the Western parts, committing the administration of affairs to his mother Placidia (Τοῦτον τὸν ἀνεψιὸν Καίσαρα καταστήσας ἐπὶ τὰ ἐσπέρια μέρη ἀνέπεμψε, τῇ μητρὶ αὐτοῦ Πλακιδία τὴν φροντίδα τῶν πραγμάτων ἐπιτρέψας)" (Soc. 7.24.3, ed. Hansen and tr. Zenos).

⁷⁸ *CTh* 1.4.3. In Pharr's (1952: 15 n.10) translation, he surmises Galla Placidia as a possible author.

⁷⁹ Matthews 2000: 24.

⁸⁰ Herrin 2020: 41-3.

the east. In 429 CE, Theodosius II commissioned a group of legal experts to create a compilation and abridgment of all laws of general force (i.e. the laws not covered by the Gregorian and Hermogenian Codes), starting from the first Christian emperor Constantine onward.⁸¹ This compilation would eventually bear the name of the commissioning emperor, and is thus known to us as the *Codex Theodosianus*. The code was completed in 437 CE, incidentally the same year that Valentinian III reached adulthood and arrived in Constantinople for an imperial marriage. However, although the compilation was complete, the editors or the emperor seemed to have decided not to harmonize its laws by altering or excising any contradictory constitutions.⁸² Regardless, the code was promulgated the year after in 438 CE, and came into full force throughout the empire in 439 CE.⁸³

Meanwhile, significant events also occurred in the same ten years between the code's inception and its activation. In 429 CE, the Vandals who had previously been causing turmoil in Gaul and then Spain crossed over into Africa. In 431 CE, they captured the city of Hippo Regius in modern day Algeria, home to the famed bishop Augustine, who died during the siege. Although the Vandals signed a peace treaty with the empire, they broke it in 439 CE, and then proceeded to capture Carthage and all of Roman north Africa,⁸⁴ one of the richest tax-producing regions in the western empire.⁸⁵ This was a massive blow to economic stability which quickly translated into

⁸¹ Matthews 1993; Sirks 1993.

⁸² Matthews (2000: 57-60) interprets the task of collecting and creating the Theodosian Code as an intermediary act. He said the ultimate goal was for Theodosius II's editors to create a full body of law, incorporating Gregorian and Hermogenian Codes alongside jurist opinions, i.e. what Justinian would accomplish a century later. However Matthews mentioned that codification could not occur without first having a compilation to act as a reference as to what laws needed to be modified. For an unspecified reason, but likely due to the time and expense of compilation, the ultimate goal for a codification was abandoned by Theodosius II's editors.

⁸³ Honoré 1998: 97.

⁸⁴ Mitchell and Greatrex 2023: 119-20.

⁸⁵ Wickham 2009: 40; Merrills and Miles 2010: 52.

military insecurity, and like in the third century, soon there was difficulty paying for and supplying western imperial soldiers.⁸⁶

Even in this unstable environment, new legislation continued to appear even after promulgation of the Theodosian Code. Hence, many new laws, or *novellae*, issued by both western and eastern emperors were kept unabridged for a presumably future legal compilation and edit.⁸⁷ The post-Theodosian novels that survive were issued by the western emperors Valentinian III, Majorian, Libius Severus, Anthemius, and Glycerius. For the eastern emperors, there are only the later laws of Theodosius II and Marcian.

Although the 440s continued to be a time of strife, serious legitimacy challenges emerged in the 450s. In the east, there was the surprise death of Theodosius II when he fell while horseback riding in 450 CE. The new emperor, Marcian, married the former emperor's elderly sister as a way to tie himself to the ruling dynasty. Because of concerns over his legitimacy and perhaps backed by particular church factions within the eastern capital, he convened the Council of Chalcedon in 451 CE in an attempt to settle ongoing theological disputes.⁸⁸ The final canons were not universally accepted, and led to a lasting split with churches in the eastern Mediterranean that remain unreconciled to this day.

In the west, the empire was faring far worse in the 450s. There were the bloody attacks of Attila the Hun in Gaul and Italy for the years 451 and 452 CE. In 454 CE, Valentinian III killed his chief army master Aetius, likely as an attempt to become an independent ruler not beholden to military strongmen. However, he was in turn murdered by Aetius' followers a year later in 455 CE.

⁸⁶ Wickham 2009: 83-4.

⁸⁷ See Matthews (1993: 32, 41) and Sirks (1993: 46-7, 50) on the question of whether imperial archives existed and the upcoming subsection "3. Roman constitutions, Transmission, Post-Theodosian novels" for a brief discussion on the private collection of laws.

⁸⁸ Holum 1982: 208-16; Burgess 1994.

Valentinian III had no sons or obvious successors to take over as emperor, and in the chaos that followed, a Vandal fleet arrived and sacked Rome, the second time barbarians had done so in 50 years and this time more thoroughly than with the Visigoths.

A slew of non-dynastic emperors followed, often overshadowed by the true power behind the throne, the army master Ricimer. Some western emperors were recognized by the eastern empire, such as Majorian (457-461 CE) and Anthemius (467-472 CE). Others were not, such as Libius Severus (461-465 CE) and Glycerius (473-474 CE).

Two years after the reign of Glycerius, in 476 CE, the western imperial office was considered unnecessary and dissolved by those in charge of Italy, and with its dissolution went a western empire as a functionally separate entity. In its wake would be an assortment of post-Roman barbarian successor states.

LAW AND LEGITIMACY (6th century)

The Mediterranean of 500 CE was significantly different from that of 400 CE. In the west, there were various barbarian kingdoms that had emerged as essentially fragmented localized versions of the western Roman state. There were Merovingian Franks in northern Gaul, Burgundians in southeastern Gaul, Visigoths in southwestern Gaul and Spain, Ostrogoths ("eastern Goths") in Italy, and Vandals in north Africa. In the east, the Roman Empire continued.

Each new barbarian state tried to craft its own legitimacy, sometimes in new ways, but often in old Roman ways. One of the most surefire paths was to issue some kind of law code in the Roman manner so as to govern their polity. The Franks had their *Lex Salica*, regarded as having the least amount of influence from Roman law.⁸⁹ The Burgundians had the *Lex Romana*

⁸⁹ Drew 1991: 30; Wood 1993b: 113.

Burgundionum, which in contrast actively mirrored the Theodosian Code, perhaps as a signal that their nation viewed itself as a Roman successor.⁹⁰ The Vandals, on the other hand, issued no such independent legal code,⁹¹ perhaps opting to simply continue using existing Roman law.⁹²

The *Lex Romana Visigothorum*, sometimes called the Breviary of Alaric II, should be considered the most Roman of the barbarian legal codes, since it was a compilation of Roman imperial constitutions as well as the works of some jurists. The Visigothic breviary contained large sections of the Theodosian Code, as well as constitutions from the significantly older Gregorian and Hermogenian codes and unabridged constitutions from various post-Theodosian novels. The Breviary would prove vital to early 20th century reconstructions of the Theodosian Code and its novels.⁹³

Existing between Roman and barbarian were the laws of the Ostrogoths in Italy. Unlike the other successor states, the Ostrogoths openly accepted the eastern emperor as their ultimate master, even though practically they ran an independent kingdom under their ruler Theoderic. Because of their recognition of imperial suzerainty, Theoderic could not technically issue "laws (*leges*)" of general applicability since only the emperor had that right. What he could issue, as a nominal administrator for the emperor, were letters of direction to various officials or people, or he could issue edicts, which were allowed to Roman officials in the past such as praetorian prefects.⁹⁴ For the letters of direction, many survive being written in Theoderic's name by his *quaestor* Cassiodorus in his collection called the *Variae*.⁹⁵ They are written with a strong degree

⁹⁰ Charles-Edwards, "Law in the western kingdoms," *CAH* 14, 2000: 284.

⁹¹ Liebs, "Roman Law," *CAH* 14, 2000: 238.

⁹² Liebs, "Roman Law," *CAH* 14, 2000: 259.

⁹³ Wood 1993a; Matthews 2000: 87-9.

⁹⁴ Lafferty 2013: 5.

⁹⁵ The desire of the Ostrogothic regime to show continuity with the old western Roman Empire is seen in their use of the title *quaestor*, who during the late empire was the senior legal official in charge of drafting laws (Honoré 1998).

of similarity to post-Theodosian novels,⁹⁶ filled with elaborate prose and emotional language, but unlike the novels, their sentiments were both positive and negative. With regard to edicts there was his *Edictum Theoderici*.⁹⁷ The commands in his edict are far shorter, sometimes only a sentence long, and more blunt in tone. There is clear influence in content and concern from Roman law,⁹⁸ but its lack of adornment puts it in closer line with "more barbarian" legal codes like the *Lex Salica*.

While this was all happening in the west, the east was about to embark on an ambitious campaign to restore Roman supremacy under the aggressive emperor Justinian (527-565 CE).⁹⁹ He would come at this goal from almost every direction, although not all of his plans were successful. In architecture, he ordered the restoration or new construction of buildings like the Hagia Sophia, the previous version destroyed in the aftermath of deadly riots against his rule. In religion, he would try to resolve splits left by the Council of Chalcedon by offering to condemn works deemed heretical by important non-Chalcedonian priests, although this caused other theological problems to emerge. In conquest, he tasked his generals with recovering north Africa and Italy. His generals were successful with the former but only marginally successful with the latter, since the 20-year-long Gothic War in Italy happened at the same time as a great plague that spread throughout the empire, destroying communities and causing manpower shortages. The last arena for Justinian's campaign to restore the greatness of the Roman Empire, was that of law.

As mentioned previously, the last major Roman codification left much unfinished. What was needed, and what the codifications of Justinian did, was to gather a comprehensive body of imperial law of both general and specific force, harmonized/altered/abridged so as to remove

⁹⁶ Bjornlie 2013: 209.

⁹⁷ A minority opinion exists that views the *Edictum Theoderici* as actually written by the Visigothic king Theoderic II. Lafferty (2013: 23-35) highlights the problems with those arguments and reaffirms the Ostrogothic king Theoderic as the most likely author.

⁹⁸ Lafferty 2013: 60-99.

⁹⁹ Corcoran 2016: xcvi-xcviii ; Stephenson 2022: 192-218.

contradictions, and covering the entire span of the older imperial rulings and new constitutions issued since the Theodosian Code.¹⁰⁰

A year after he became the sole *augustus*, Justinian convened an elite commission of officials and legal scholars to work on this codification, and after an astonishingly short 14 months, the first edition of the *Codex Justinianus* was completed and promulgated in 529 CE.¹⁰¹ Over the course of the 530s, the codification work continued and expanded. In 533 CE, a comprehensive collection of jurist literature from the classical era was organized as the *Digesta*, superseding the now insufficient fifth century Law of Citations. Accompanying the Digest was an introductory book for new lawyers, the *Institutiones*, which borrowed from and replaced the one written by Gaius in the second century CE. In 534 CE, taking into account the Digest and the Institutes, a second edition of Justinian's Code was issued.¹⁰² It is this second version that survives to the modern day, the first now only existing in sparse fragments.

Similar to the post-Theodosian *novellae*, Justinian issued his own "new laws" as circumstances arose, but he did seem to intend for these new laws to eventually be included into the legal corpus. These too, like the post-Theodosian novels, were also unabridged. Justinian's successors continued to issue laws after his death, with the latest laws included in what came to be known as the Novels of Justinian dating to 574 CE, during the reign of Tiberius II Constantine.¹⁰³ Other novels continued to be issued even after the dynastic changeover into the Heraclian dynasty (610-711 CE) and the traumatic reduction of the eastern empire into its shrunken Byzantine form after the seventh century Arab Conquests. In fact, it was only in the ninth-century that the novels

¹⁰⁰ Corcoran 2016: xcvi-xcix.

¹⁰¹ Dillon, "Justinian's Code," *ODLA*, 2018: 848.

¹⁰² Corcoran 2016: ci.

¹⁰³ *Nov. Just.* 164; Miller and Sarris: 2018: 1019 n.1.

of Justinian would finally be incorporated with the rest of his civil law in a reduced Byzantine legal code called the *Basilika*.¹⁰⁴ By then, the state and relevance of classical Roman law in the new medieval east and west was dramatically different.

¹⁰⁴ Dillon, "Justinian's Code," *ODLA*, 2018: 848-9.

3. Roman Constitutions

This section offers background on the Roman imperial constitutions which are this dissertation's main sources. First it will describe the various types of constitutions as well as their purpose and scope. Next it will detail the life and structure of a constitution, from its initiation to its abridgment as part of a Roman legal code. Afterwards, it will discuss the survival and transmission of the most relevant collections to this dissertation, namely the Sirmondian constitutions and the post-Theodosian novels.

This chapter supports the overall dissertation argument by establishing that our chosen laws were intended to be in effect across the empire despite practical limits to dissemination. This chapter also suggests that the surviving laws are a sizeable minority of all general legislation, and so they can thus be analyzed as representative of imperial policy. Discussions on constitution structure help explain why the positioning of emotive language within a document matters, since they are a key unit of our political analysis.

TYPES

This section discusses the different types of imperial constitutions relevant to this dissertation, both from the "classical" high empire perspective of the first to the third century CE¹⁰⁵ and a "contemporary" late Roman perspective of the fourth to the sixth century CE.¹⁰⁶ Their difference is important because typology dictates applicability, and by extension the scope of

¹⁰⁵ Essential modern overviews on imperial constitutions and their typologies can be found in the following: Jolowicz and Nicholas 1972: 365-73 and 460-3; Kunkel 1973: 127-30; *CAH* 14, "Roman law," 2000: 242-4; Mousourakis 2003: 350-1; Nicholas, "constitutions," *OCD*, 2012: 368; Domingo 2018: 55-7.

¹⁰⁶ The most recent and comprehensive examination of late antique constitutions is Riedlberger 2020. Harries (2004: 19-31) has a section on late imperial constitutions and rescripts, as does Stachura (2019: 43-9).

public dissemination. The latter point is key to understanding which political groups the imperial office expected to contact through such pronouncements.

With that said, the typologies were not quite the same between the classical and late Roman eras. In the late empire, the "classical" types were not always adhered to, resulting in newer practical types that defied easy classification according to the original scheme. However, the earlier typologies were still remembered, owing to their honored place in the legal literature.

"Classical"

The "classical" constitution types were edicts (*edicta*), decrees (*decreta*), mandates (*mandata*), and rescripts (*rescripta*). The first three types were considered to have "general applicability" with the last one, rescripts, considered to have mostly "specific applicability." Laws of general applicability/force meant that an imperial enactment in a constitution was supposed to apply broadly throughout the empire as a norm, citable in any legal case. The alternative were laws of specific applicability/force, where such an enactment was to be relevant in only the specific circumstance being adjudicated. Specific applicability was also supposed to give way to laws of general applicability, when a conflict arose.¹⁰⁷

The Theodosian Code was directly ordered only to gather laws of general force,¹⁰⁸ although the ability to determine a constitution's type or generality was not always clear-cut.¹⁰⁹ The Gregorian and Hermogenian Codes are thought to have contained mostly private rescripts because of the Theodosian Code's general contents;¹¹⁰ those two earlier codes were still in force and so the

¹⁰⁷ See Mousourakis (2003: 350-1) for an overview of general vs. specific force. Roman legal definitions for what constitute general force are in *CJ* 1.14.2-3.

¹⁰⁸ *CTh* 1.1.5.

¹⁰⁹ See Riedlberger (2020: 153-68) on the problems of defining "general force" for late Roman legal scholars.

¹¹⁰ Corcoran 2000: 39.

Theodosian Code was brought into being to compile laws on topics of concern not covered (or no longer covered) by the earlier codes. Justinian's Code, on the other hand, contained both rescripts and laws of general applicability.

Returning to our constitution types, the first one, an edict, is a public proclamation made as part of an emperor's power as a magistrate. They could cover a wide scope of topics, and need not be prompted by any pre-existing situation on the part of the courts or administration. The most famous edicts are the previously mentioned Praetor's Edict and the Edict on Maximum Prices, as well as the Edict of Caracalla, which conferred Roman citizenship on all free men and women within the empire,¹¹¹ clearly affecting the population in general.

A decree, on the other hand, is more narrowly defined, although still considered of general force. Decrees are imperial rulings on conflicts within the existing law, with an emperor's proposed solution being, in effect, new law.¹¹² Although Roman law did not technically work on a precedent system like English common law, decrees were recognized as binding for all future cases, which resulted in a similar effect.¹¹³

Then we have mandates. This constitution type is similar to decrees in being both general and narrowly defined. They were used for when emperors had particular overall directives to their officials, like provincial governors. Because they were often internal to government¹¹⁴ and dealt more with public administrative law rather than private contract law (the latter being the kind in which most legal scholars were interested), they were not mentioned by the jurists Gaius and Ulpian when they defined constitutions.¹¹⁵

¹¹¹ Honoré, "constitution, Antonine," *OCD*, 2012: 368.

¹¹² Kunkel 1973: 130.

¹¹³ Jolowicz and Nicholas 1972: 368.

¹¹⁴ Kunkel 1973: 128.

¹¹⁵ Gai. *Inst.* 1.5; *Dig.* 1.4.1.

The last constitution type is the rescript. These are, at their core, written imperial replies to legal queries. There are two common subsets of rescripts, the first is letters (*epistulae*) to officials, individuals of high rank, or cities, the second is responses (*subscriptiones*) to private requests, both intended for a specific ruling on a legal point. Rescripts were intended only to apply existing law, not create new law,¹¹⁶ which would be the purview of the decree. However, more often than not, rescripts were employed for circumstances outside their original scope, creating questions as to their applicability.¹¹⁷

The scholarly literature on rescripts is arguably the largest body of research on imperial constitutions.¹¹⁸ This is for a couple of reasons, the first being the ambiguity of their classification. The definition of *rescripta* is made difficult by the fact that *epistulae* could be considered their subset or superset. Gaius and Ulpian only identified three constitution types, *edicta*, *decreta*, and *epistulae*,¹¹⁹ with the last covering what we would call *rescripta* as a likely subcategory, thus making *epistulae* the superset. But to add to this confusion, Tony Honoré and Jill Harries for the late empire prefer to call *rescripta* that we have just identified as the subcategory *subscriptiones* and *epistulae* as a subset for responses to officials.¹²⁰ Jolowicz and Nicholas split the difference by calling the superset "*epistulae* in the general sense" and the subset "*epistulae* (in the narrow sense)."¹²¹ Riedlberger views all late antique legislation as letters, even edicts.¹²²

¹¹⁶ Liebs, "Roman law," *CAH* 14, 2000: 243.

¹¹⁷ Matthews 2000: 18. Corcoran (2000: 163, 198, and 201-2) also talks about the difficulty of distinguishing between private rescripts and general letters, particularly when a single, often non-surviving, original law may be the source for multiple citations in a collected code.

¹¹⁸ The following three are a small sample of full monographs on rescripts and their collection: Honoré 1994, Corcoran 2000, Connolly 2010. Although not fully on the subject of rescripts, imperial petition and response are important subjects of these monographs: Millar 1977, Hauken 1998, Millar 2007, Dillon 2012, Tuori 2016.

¹¹⁹ Gai. *Inst.* 1.5; *Dig.* 1.4.1.

¹²⁰ Honoré 1994: 33; Harries 2004: 21.

¹²¹ Jolowicz and Nicholas 1972: 368-9.

¹²² Riedlberger 2020: 64.

This difference between high and late empire definitions is related to the second reason for intense academic interest in rescripts; they are seen as emblematic of the shift away from juristic "legal science" toward a more *ad hoc* lawmaking through imperial constitutions, sometimes called "vulgar law."¹²³ Rescripts were seen (at least as interpreted by modern legal scholars) as interfering with juristic legal procedure, since what was the point of spending a long time analyzing the ideal state of a law if an emperor can come around and change it at will.¹²⁴ The conflict between a static legal science and evolving imperial responses was the reason why there was a need for legislation to restrict rescript use,¹²⁵ or for codification such as with the Gregorian and Hermogenian Codes to reduce the need to issue new laws.

Few scholars these days would adhere to such a definition of late antique law as "vulgar,"¹²⁶ but some do acknowledge that it represents a shift in the ways laws were produced.¹²⁷ The imperial legal process had changed, creating new constitution types that did not always adhere to previous typologies, even though older constitutions from the above four types were still floating around to be collected into codifications.¹²⁸

¹²³ Jolowicz and Nicholas 1972: 473-7; Kunkel 1973: 152-3.

¹²⁴ The following are illustrations of the unstated philosophical conflict between jurists and emperors on the running of the legal state. Ibbetson ("High classical law," *CAH* 12, 2005: 197) reminds us that "juristic thinking was based upon a fundamentally static model of law" and that "classical legal science, concerned with rationality and self-consistency, was not well able to incorporate authoritative rulings as to what the law actually was." Tuori (2016: 216) said "the aims of the jurists were not in line with the aim of the emperor to appear as a good judge and great king. The fact that the emperor could respond to a petitioner and his word would have the power of law would make much of the task of legal interpretation redundant.." Andriollo (2020: 265) points out that late Roman laws were not primarily issued to convey norms, but "to keep track of moments within the juridical and administrative process."

¹²⁵ *CTh* 1.2.11.

¹²⁶ Harries (2004: 3) points out that "vulgar law" is primarily a complaint from a juristic perspective on law, rather than an imperial one. This was presaged decades earlier by Honig (1960: 25) back when such concepts on the "vulgarization of law" were in vogue, when he said that we would have to "free ourselves from the prejudice that the language of classical jurists is a universal standard" to properly understand late Roman law.

¹²⁷ Dillon 2012: 62-3.

¹²⁸ Mandates appear under their own heading in Justinian's Code (*CJ* 1.15; Mousourakis 2003: 351), although it is an open question whether decrees are in the code as well (See Riedlberger 2020: 41 n.39).

Late empire

By the late empire, the fourfold division had already become outdated in practice. Mandates and decrees were already superseded or replaced by other forms,¹²⁹ but even edicts and rescripts became difficult to distinguish; they were frequently subject to, as one historian called it, "abusively generic use"¹³⁰ when modern scholars attempted to understand which laws were which types. It was no longer clear whether one could shoehorn the old system into the new.

Modern late antique scholars have instead noted what new constitution types seemed to exist in practice. In this period, it was edicts (*edicta*) as still being issued, letters (*epistulae*) as now specific to public officials, rescripts (*rescripta*) for private concerns, formerly the purview of the *subscriptiones*, and orations (*orationes*) to the Senate.¹³¹ Two notable subtypes were annotations (*adnotationes*), considered a form of rescript, and pragmatic sanctions (*pragmaticae sanctiones*).

The first of the "new" types was the oration to the Senate. *Orationes* had been known since the high empire, when they were simply letters to the Senate from an emperor, indicating what he felt ought to be done. They would then pass a *senatus consultum*, a legislative statute from the Senate, to enact the emperor's "advice."¹³² This was the system for when the formal legal role of an emperor was still ambiguous by the intention of emperors, and the Senate was seen as the official venue for law-making. In the late empire, that role for the Senate was practically dispensed with. Now the imperial oration to the Senate was the law, without needing a discussion or a vote. Notably, *orationes* did not specify dissemination details; presumably the reading of the oration was sufficient for it to be made official.¹³³

¹²⁹ Stachura 2019: 45; Mousourakis 2003: 351.

¹³⁰ Riedlberger 2020: 41.

¹³¹ Harries 2004: 20-21; Riedlberger 2020: 40-2.

¹³² Momigliano and Cornell, "senatus consultum," *OCD*, 2012: 1348; Riedlberger 2020: 63-4.

¹³³ Riedlberger 2020: 63.

The second new constitution type was a subset of the rescript called the annotation.¹³⁴ These were responses to requests for special privileges written in the margin of a petition, and thus "annotations." However, they were distinguished from regular responses because such writing involved the emperor's own hand, giving it a more sacred and honored status than one simply drafted and written on the emperor's behalf by his officials.¹³⁵

The last late imperial constitution type was that of the pragmatic sanction. Scholars seem divided on whether this type should be thought of as an edict or a rescript.¹³⁶ For my part, I have chosen to consider it separately as its own category. Pragmatic sanctions seemed to be issued in response to petitions over public administration, but the remit of which covered a region, town, or a large organization.¹³⁷ The most famous pragmatic sanction was that of Justinian after the "end"¹³⁸ in 554 CE of the destructive Gothic War. This pragmatic sanction granted a restoration of some privileges and tax relief to the people of Italy who had suffered through nearly 20 years of war.¹³⁹

Although I have not come across an analysis for all post-Theodosian novels, one study has detailed the constitution types present in the novels of Valentinian. They seem to be a mixture of edicts, letters, and particularly for that collection, pragmatic sanctions, although laws guiding the usage of *adnotationes* and *rescripta* are in the laws also.¹⁴⁰ But again, the collecting principle for

¹³⁴ Liebs, "Roman law," *CAH* 14, 2000: 243; Mousourakis 2003: 351; Stachura 2019: 48-9.

¹³⁵ Liebs, "Roman law," *CAH* 14, 2000: 243; Turpin 1988: 291, 306-7.

¹³⁶ Mousourakis (2003: 350) views it as an edict, whereas Stachura (2019: 48-9) and Liebs ("Roman law," *CAH* 14, 2000: 243) view it as a rescript. Riedlberger (2020: 30) says "no term in late antique legislation is more controversial than that of *pragmatica*."

¹³⁷ Liebs, "Roman law," *CAH* 14, 2000: 243; Kunkel 1973: 461-2.

¹³⁸ See Lin (2021, 2023) for the continuation of war in northern Italy against the Franks but also holdout Ostrogoths who were now their temporary allies. The last Ostrogothic holdouts in a major Italian city, Verona, surrendered in 561 CE.

¹³⁹ *Const. Prag.*; Salzman 2021b: 243-99.

¹⁴⁰ Bianchi Fossati Vanzetti 1988: 69-93.

the novels of Valentinian was for laws of general force,¹⁴¹ which on cursory glance appears to be also the case with the other post-Theodosian novels.

Returning to the purpose of understanding these constitution typologies, knowing the difference allows us to get a sense of the practical and theoretical readership of these laws. A judgment returned to a specific petitioner is different in practical readership from a directive passed to a provincial governor who was ordered to disseminate it broadly, just as a law posted in a public forum has a different audience from one read aloud only in the Senate chambers.¹⁴² Likewise, whether a law has specific or general applicability has an impact on theoretical readership. On the one hand, laws of general force are supposed to be known by everyone and so provisions should be made for their consultation, even if they were not well implemented.¹⁴³ On the other hand, laws of specific force are more likely the purview of legal experts as they seek comparable niche examples for their clients, so those judicial decisions may be tougher to find, perhaps in private collections. The difficulty of consultation was, of course, a significant reason for codification. It matters then, in terms of the intended readership and scope of the laws in our chosen sources, that the bulk of the unabridged constitutions are for laws of general force; it means their issuing can be understood as the emperor intending to shape and arbitrate conflicts between wider swathes of society, even if the piecemeal survival of the novels was through private hands. For if the

¹⁴¹ How the novels of Valentinian were collected and their rationale is discussed in an upcoming section in this chapter, "3. Roman constitutions, Transmission, Post-Theodosian novels."

¹⁴² This statement does not ignore the fact that rescripts themselves often survive because they end up being cited for circumstances far beyond their original context. The way this is reconciled is that, even though some rescripts are given wide dissemination, because we do not know the true total numbers of issued rescripts, the vast majority of them likely remained private and had limited reach.

¹⁴³ See Matthews (1993: 32, 41) and Sirks (1993: 46-7, 50) in Harries and Wood (1993) for the differing positions on whether imperial legal archives existed for the purposes of consultation. However, even though laws of general force applied to everyone, widespread dissemination and foreknowledge of the law was not a requirement for its validity (Riedlberger 2020: 82-6). This will be discussed more at the end of the upcoming subsection "3. Roman constitutions, Creation, Dissemination."

unabridged post-Theodosian novels did include rescripts, the question would have to be raised whether such novels were instead only intended to act as reference for private interests.

With the bulk of our sources now understood to be destined for wide circulation, there then remains only a constitution's content to dictate which specific groups of the general public were intended as targets for an emperor's law/message.

CREATION

The life cycle of an imperial constitution has a direct impact on its structure and its geographic reach, and so this section is vital support for one of the overall arguments that imperial laws should be thought of as forms of political communication and management. We will begin by outlining the process by which constitutions are initiated, drafted, then distributed.

Deliberation

Laws are inevitably created because there is a problem or a non-ideal circumstance from which resolution from the state is required or requested. Hence, the very first thing that needs to happen for a law to be issued, is the state, or in our particular case the Roman imperial office, has to be made aware of the problem in order for it to act. This can happen in four ways, and is in fact outlined in a law issued by the court of Valentinian III in 426 CE, which again reaffirms the competency of his imperial office.

The four pathways are: (1) an emperor finds out on his own and acts through a "spontaneous impulse (*spontaneus motus*)," (2) a "report (*relatio*)" is given to him by an official,

(3) he receives a request to adjudicate a "pending lawsuit (*lis mota legis*)," or (4) he receives a "petition (*precatio*)" from a private individual.¹⁴⁴

In many ways, these different avenues for becoming aware of and resolving a situation requiring legal intervention mirror the late empire constitution types we have just discussed, although the match-ups are not perfect. "Spontaneous impulse" is the likely manner for a general edict if an action has not been specifically pre-requested. A report or proposal from an official (more commonly called a *suggestio* in late empire constitutions)¹⁴⁵ is best answered with a formal letter of instruction back to that official. A similar written response occurs when an emperor adjudicates a pending lawsuit in the form of a rescript. And lastly, a petition that has risen to the emperor's notice can be quickly approved with his annotation.

Once a problem has been discovered, then it is up to the leading officials to figure out what to do. However, the process by which a problem is discussed and then resolved is a subject I view as unresolved within the scholarship. I would summarize the three possibilities for imperial deliberation as follows: (1) an open debate in a formal council called the *consistorium*, a closed debate within an informal inner circle, and lastly private "debate" from one-on-one discussions.

The standard scholarly position is that deliberations over state policy happened within an official deliberative body called the consistory. This group varied in its composition over time, but often consisted of the heads of various departments within the palace bureaucracy, the chief regional administrators of the empire, the praetorian prefects, and military leaders like the *magistri militum*.¹⁴⁶ Legal officials like the *quaestor*, were likely there as well, especially since the

¹⁴⁴ *CJ* 1.14.3 tr. Blume; Harries 2004: 36.

¹⁴⁵ Harries 2004: 47-53.

¹⁴⁶ Harries 2004: 38.

consistory also acted as a supreme court.¹⁴⁷ What made this council "formal" was the idea that free debate could occur between members who might be hostile to each other, and people could disagree in front of and to the emperor.¹⁴⁸ This does not mean that such actions ended well for those that decided to speak frankly, but the possibility itself was not automatically precluded.

The minority position is a much older one held by the famed late Roman historian A. H. M. Jones in the middle of the last century. He noted that consistory sessions had grown more formal by the fifth and sixth centuries, even as they still seemed to conduct day-to-day business. Jones wondered if this was because the consistory by this point had become ceremonial as an "assembly of notables,"¹⁴⁹ not unlike the Senate, which itself was originally an advisory body that turned into a ceremonial one. There are signs that a separate inner cabinet of officials was making the real decisions, with Jones pointing to a mention of *proceres palatii* or "senior officials of the palace" from a 446 CE law.¹⁵⁰ In a way, such a privy council harkens back to the early empire, where no formal cabinet existed, only "friends (*amici*)" of an emperor in a close circle known as the *consilium principis*. These "friends" were constantly dropping in and out of favor within that association, and not all of them had an established administrative position.¹⁵¹ This informality and perhaps reliance upon good relationships is what I would consider "closed debate" over imperial policy and judicial rulings. If any animosity existed, it would likely have to be managed carefully, lest the risk emerge of no longer being in this inner decision group.

¹⁴⁷ Jones 1964: 333.

¹⁴⁸ Honoré 1998: 13-14; Harries 2004: 40-1.

¹⁴⁹ Jones 1964: 337-8.

¹⁵⁰ *CJ* 1.14.8; Jones 1964: 338. Corcoran (2013: 191) agrees with Jones regarding the consistory, saying "how genuine consistory debates were is difficult to tell ... its effective role seems to have become increasingly nominal, at least in the 6th century."

¹⁵¹ Crook 1955.

The last option is that perhaps no council, whether formal or informal, was used for actual deliberation. Jones also advanced this claim, suggesting the possibility that there was no active coordination of state policy, and the emperor simply went to the relevant ministers directly when something needed to be done; this was in fact Jones' direct position based on his reading of the post-Theodosian novels.¹⁵² Another historian of late Roman administration, Roland Delmaire, expressed similar sentiments when he pointed out that palace intrigue was a staple of imperial power, and so "real" deliberations happened in the private recesses of the palace,¹⁵³ presumably also in one-on-one meetings between scheming officials or with the emperor.¹⁵⁴ Jones does acknowledge that such direct engagement would be impossible with a weak or a child emperor,¹⁵⁵ but in defense of his idea, perhaps in circumstances where there was only one power behind the throne, such as with army masters like Ricimer, they performed this direct departmental communication when absolutely needed in place of the emperor.

Drafting

However deliberations occurred, once a decision was made as to how to resolve a problem by legal means, a law would have to be drafted in order to enact the state's ruling. But here too, there is disagreement in the scholarship over exactly who drafted the law.

¹⁵² Jones 1964: 339.

¹⁵³ Delmaire 1995: 174-5.

¹⁵⁴ Although Elton (2018: 225) believes in a strong consistory in the fifth century, one of his earlier works, "Imperial Politics at the Court of Theodosius II" (2009: 135-6) describes how such one-on-one power could be achieved by individuals with direct access to the emperor. However, he does caution that presuming a single individual could wield influence would be to ignore those with competing agendas who also have direct access (2009: 136). My take is that independent of the power of such "scheming" individuals, the fact that such conflicts would continue to occur in private one-on-one engagements with the emperor validates the possibility of a "no-council" government for "real" as opposed to prearranged deliberation, for which then consistory discussion would only act as a performance.

¹⁵⁵ Jones 1964: 341.

Traditionally, it was thought that the emperors drafted the laws themselves, at least in the high empire and possibly into the Tetrarchy; this was the position of Fergus Millar. Presumably they would have had help for stylistic or jurisprudence issues, but it was imagined that such experts acted in an advisory capacity which did not overshadow the desire for an emperor to draft much of a law himself as a demonstration of his own literary abilities.¹⁵⁶

In contrast to this older view was the newer one advocated by Honoré, that in the late empire starting with emperor Valentinian I (364-375 CE), the person serving as *quaestor*, or chief legal counsel, drafted imperial laws with general applicability, but with the legal content still being subject to the emperor and the consistory.¹⁵⁷ Core to his theory was that the *quaestor's* vital role could be proven by comparing stylistic similarities in certain laws to the writings of known or possible *quaestores*, a technique he first pioneered with an analysis on Justinian's chief legal advisor Tribonian.¹⁵⁸

Honoré's perspective does seem to be the scholarly standard, but he has some detractors. John Matthews pointed out that even if we can attach a *quaestor* to a law, there is no guarantee that a *quaestor* did not simply task an underling or colleague to write it for him,¹⁵⁹ something even Honoré concedes.¹⁶⁰ Riedlberger echoes these concerns, saying that although some stylistic relationships can be found with chronologically close laws, Honoré simply stretches the evidence too far in his claim that every law was written by the *quaestor* during his tenure.¹⁶¹ The sharpest critique of Honoré comes from Michal Stachura, who calls the conclusions from his methodology

¹⁵⁶ Millar 1977: 206-7.

¹⁵⁷ Honoré 1998: 13.

¹⁵⁸ Honoré 1978: xv.

¹⁵⁹ Matthews 2000: 179.

¹⁶⁰ Honoré 1994: 31.

¹⁶¹ Riedlberger 2020: 116-18.

as on "the verge of absurdity."¹⁶² Stachura views it as more realistic to attribute a collective authorship to imperial constitutions, engaging not just the consistory, *quaestor*, and emperor, but even the author of the original *suggestio*.¹⁶³

I adhere more closely to Stachura's views than I do Honoré's or Millar's. Honoré himself has admitted that his methodology may be "over-ambitious" and "subjective."¹⁶⁴ Despite several monographs utilizing the same procedures, nothing had changed with regards to the basic problems of his techniques.¹⁶⁵ Thus, I feel wary about letting his claims regarding *quaestores* as sole legal drafters be accepted as standard on simply the weight of momentum, rather than any updated methodology. For this reason, I instead choose a position of deliberate ambiguity with regards to drafting.

A similar reticence is why I am also uncertain how debate occurred over imperial policy. I am not certain how laws were discussed in the late empire, and likely it varied from emperor to emperor, and from one half of the empire to the other. For this reason, I choose uncertainty with regards to both deliberation and drafting by saying that it is the "imperial office," in its ever-shifting possibilities, be it an emperor alone, a broad committee acting in his name, or something in between that creates a new constitution.

Dissemination

The last thing that has to happen after a law's drafting is its dissemination, sometimes referred to as a promulgation after the Latin verb *promulgare*, meaning "to make known."¹⁶⁶ Here

¹⁶² Stachura 2019: 62.

¹⁶³ Stachura 2019: 61-2.

¹⁶⁴ Honoré 1994: 70.

¹⁶⁵ Honoré 1998.

¹⁶⁶ For a detailed analysis of the promulgation of late imperial laws, see Riedlberger (2020: 77-112).

the means of promulgation affects the practical readership for a law.¹⁶⁷ The options, and they are not exclusive, seem to be for a law to be (1) posted in a public forum, (2) ordered to be disseminated by another official, (3) presented to the Senate, or (4) sent as a letter directly back to its original official or petitioner.

We can use a couple novels of Valentinian for some illustrative examples of dissemination. In *Nov. Val.* 2.2 on pleadings in court, the emperor responds to the *suggestio* of a praetorian prefect, and at the constitution's end says "By the edicts of Your Magnitude you shall cause this law to become known to all judges and provinces,"¹⁶⁸ reflecting option (2). But after this promulgation line, is the issuing circumstances of the law, which say "Posted on the ides of August at Rome in the Forum of Trajan in the year of the consulship of the Most Noble Dioscorus,"¹⁶⁹ which reflects option (1). In the constitution just before, *Nov. Val.* 1.3 on the remission of taxes, the issuing circumstances instead say "Read in the Senate by the Illustrious Proconsul, Postumianus, on the day before the ides of March,"¹⁷⁰ reflecting option (3) since it is likely an oration type. The last option (4) is simply the default one when there is no specific mention of dissemination. This "dissemination" form is there because the very first line of most constitutions begin with a letter address, e.g. *Nov. Val.* 2.2, "Emperors Theodosius and Valentinian Augustuses to Faustus, Praetorian Prefect,"¹⁷¹ and so in lieu of any other distribution details, it is presumed the

¹⁶⁷ Matthews (2000: 187-95) also has vivid reconstructions of how dissemination must have looked from the ground level.

¹⁶⁸ "*Hanc autem legem edictis amplitudinis tuae omnibus iudicibus ac provinciis facias innotescere*" (*Nov. Val.* 2.2.5, tr. Pharr). "Your Magnitude (*amplitudo tua*)" is a standard honorific for the praetorian prefect.

¹⁶⁹ "*Prop(osita) id(ibus) aug(usti) in foro Traiana Dioscoro V(iro) C(larissimo) Cons(ule)*" (*Nov. Val.* 2.2 *subscriptio*, tr. Pharr). Roman yearly calendars were dated by the consuls for the year, rather than our modern system which derives from the presumed birth year of Jesus.

¹⁷⁰ "*Recitata in Senatu per virum illustrem proconsulem Postumianum prid(ie) id(ibus) Mart(is)*" (*Nov. Val.* 1.3 *subscriptio*, tr. Pharr).

¹⁷¹ "*Imp(eratores) Theod(osius) et Valent(inianus) A(ugusti) Fausto P(raefecto) P(raetori)o*" (*Nov. Val.* 2.2 *inscriptio*, tr. Pharr). n.b. In the actual Latin edition, there is an additional P and A in the abbreviation for *imperatores* and *augusti* (e.g. "IMPP." and "AA.") with the number of each letter indicating the number of *augusti* emperors issuing the constitution, which in this case is two.

official/petitioner received the letter in some way. Once a person received an imperial response in the form of a constitution, they could disseminate it further by having it recopied by others for reference, or in particularly notable cases, to have parts or the whole imperial response inscribed into stone in a prominent place.¹⁷²

The last point to be discussed regarding dissemination is concern over validity, which has an impact on the theoretical readership for these laws. Even though constitutions of "general force" were considered to be widely applicable, the modern debate is over what constitutes "widely."

One perspective presumes laws were only applicable in the geographic remit of the official asking for imperial action,¹⁷³ which in the case of praetorian prefects could be as massive as one quarter of the empire, but would still not be the whole empire. This is likely based upon the fact that there exist constitutions in the post-Theodosian novels where emperors from one half of the empire state they are confirming the new laws of the other half.¹⁷⁴ Does this mean confirmation in the other half of the empire has to happen before it is valid throughout the empire? If this were the case, then the legal scope of such constitutions would restrict the size of the theoretical readership to just the designated regions.

Riedlberger challenges this presumption in a position I view as convincing. He points out that it is a modern projection that laws should be published and accessible for them to be valid, whereas it was not abnormal for Roman judges to have to deal with and confront legal texts with which they were unfamiliar.¹⁷⁵ He cites the particular examples of Pliny and Augustine when they

¹⁷² As an example, see Hedrick (2000) for an examination of an early fifth century inscribed constitution regarding Nicomachus Flavianus. See also Hauken (1998) for an entire analysis on a third century imperial petition and response that was inscribed into stone for the town of Skaptopara, now in modern day Bulgaria.

¹⁷³ Schmidt-Hofner 2008: 24-5.

¹⁷⁴ *Nov. Val.* 26 confirms the new laws of eastern emperor Theodosius II, and *Nov. Anth.* 2 confirms a law of eastern emperor Leo I which Anthemius cites in *Nov. Anth.* 3. For whatever reason, the surviving novels of eastern emperors do not contain confirmations of the new laws of western emperors.

¹⁷⁵ Riedlberger 2020: 85-6.

acted as judges; both encountered situations where they were presented with unfamiliar laws, but upon consultation with incomplete provincial or imperial records, they could neither easily dismiss as falsified nor accept them as genuine.¹⁷⁶ Solving these validity problems was the ultimate goal of Roman legal codification, so as to avoid such confusion. However, both Pliny and Augustine still had to begin from the assumption that such previously-unknown laws could be legitimate.

Thus, if there was no requirement for widespread knowledge or access for Roman laws to be valid, then, according to Riedlberger, there was no requirement for laws being issued to a specific official to be for only the remit of that official, especially if there was no statement of restriction.¹⁷⁷ This would mean that, unless a constitution was specifically delimited, its theoretical scope and readership would be the entirety of the empire, effective immediately.

SECTIONS WITHIN A CONSTITUTION

Here we detail the various internal sections within a full/unabridged constitution, which supports this dissertation's ancillary conjectures that the frequency and positioning of emotional words within different parts of a post-Theodosian novel is revelatory of imperial priorities.

First, it should be made clear that the division of unabridged constitutions into sections is a relatively modern interpretive act. The manuscripts that comprise the sources for modern editions of both Theodosian or Justinianic novels have no such sectional division, although many do have rubrication (meaning to highlight in red ink) for titles.¹⁷⁸ In the case of the novels of Justinian, it was a 16th century scholar named Antoine Leconte (or Antonius Contius) who first divided them

¹⁷⁶ Riedlberger 2020: 20-3; Pliny *Ep.* 10.72, 10.73, 10.65, 10.66; Augustine *Ep. Divj.* 24.2.

¹⁷⁷ Riedlberger 2020: 89-90.

¹⁷⁸ One example can be seen in Vatican Library MS Ott.lat.2225, fols. 93r-137v, which contains post-Theodosian novels as part of the Breviary of Alaric II.

into distinct prologue, chapter, and epilogue sections.¹⁷⁹ In the case of the post-Theodosian novels, this was later, with J. L. Wilhelm Beck's 1815 edition, considered the first to compile and unify all novel constitutions before Justinian and the first to distinguish words with "paragraphs," i.e. sections.¹⁸⁰ The most important preceding version of the novels, that of Johann Daniel Ritter in 1750, contained no paragraph/section divisions. Both Gustav Haenel's 1844 edition and Paul Meyer's 1905 edition, the last of which is the one most modern scholars use, follow Beck's system of internal constitution division. Although not explicitly stated, Beck's numbered sections follow similar prologue, chapter, and epilogue demarcations to Leconte's edition of the Justinianic novels.

So what do we mean by prologues, chapters, and epilogues? Technically speaking, the terms for the division of an unabridged constitution into sections are not agreed upon, partly because of the language used for terminology (Latin or Greek, reflecting the different languages of post-Theodosian vs. Justinianic novels) as well as the temporal direction of classification, i.e. whether we approach them from the standpoint of classical rhetoric or medieval diplomatics.¹⁸¹

The classical perspective is particular to Greco-Roman culture, and so it will look for sections understood to be core components of Greco-Roman rhetoric, such as an *exordium* (a catchy opening).¹⁸² On the other hand, the medieval diplomatics perspective views itself as universal, i.e. as a framework capable of analyzing documents from cultures beyond the western European.¹⁸³ Although the field borrows their understanding of document form from a common Latin past, it still needs to incorporate different text styles and structures from societies as divergent

¹⁷⁹ Noailles 1914: 52.

¹⁸⁰ "...*constitutionum verba paragraphis distinguuntur*..." (Meyer 1905: lxxvi).

¹⁸¹ Diplomats is the study of "diplomas," i.e. not diplomacy, which originates in the analysis of medieval Latin documents whose forms themselves take inspiration from classical texts such as speeches, letters, and laws. See Boüard (1929: 255) and Boyle (1992: 97-99).

¹⁸² e.g. "*Inventio in sex partes orationis consumitur: in exordium*..." (*Rhet. Herr.* 1.3.4, tr. Caplan).

¹⁸³ Foscarini 2012: 403-4.

as the entirety of the Middle Ages itself. And so, even though diplomatics might use Latin words like *narratio* (summarization of the problem) or *sanctio* (spiritual or temporal threat),¹⁸⁴ it presumes even documents outside direct western classical influence would occasionally employ those rhetorical tropes out of communicative necessity.

When it comes to the post-Theodosian novels, there is a general agreement among scholars about the different sections within an unabridged constitution, although as mentioned, specifics and choice of nomenclature vary. We will be using examples from an unabridged constitution to illustrate specific our points. *Sirmond.* 10 is chosen for the example because it is one of the constitutions that was edited for inclusion into the Theodosian Code and is also a part of our political sentiment analysis under the topic theme of non-theological clerical misbehavior. It was issued on May 8, 420 CE by Honorius in Ravenna with the title: "Clerics shall not live with extraneous women; the ravishers of holy maidens shall be punished with exile by deportation."¹⁸⁵

We begin with the *inscriptio* or direct address. Here an emperor indicates who he is (which normally includes his recognized co-emperors) and the official, institution, or person whom he is addressing. For *Sirmond.* 10, the *inscriptio* reads "Emperors Honorius and Theodosius Augustuses to Palladius, Praetorian Prefect."¹⁸⁶ In the case of late Roman constitutions, the most senior co-emperor will be listed first, even if they are not the issuing emperor.¹⁸⁷ *Inscriptio* as a technical term for the address line to a constitution seems to be recognized universally.

¹⁸⁴ Boüard 1929: 256-7; Boyle 1992: 98.

¹⁸⁵ "*Ut clerici cum extraneis feminis non habitent et sacrarum virginum raptorez deportatione plectantur*" (*Sirmond.* 10, tr. Pharr).

¹⁸⁶ "*Imp(eratores) Honor(ius) et Theod(osius) A(ugusti) Palladio P(raefecto) P(raetori)o*" (*Sirmond.* 10, tr. Pharr). The *inscriptio* is in square brackets in the Mommsen edition, meaning it was missing in the manuscripts and is inserted as a reconstruction. However the format is fairly standard and we have the *inscriptio* of the *CTh* entries that derive from *Sirmond.* 10, in particular *CTh* 9.25.3 but also *CTh* 16.2.44.

¹⁸⁷ e.g. *Nov. Val.* 1.1, where the *inscriptio* begins with "*Theodos(ius) et Valentin(ianus)*," even though the issue location is Ravenna where Valentinian resided.

Next comes the context or description part of the law in the form of a preamble. Here the terminology does vary. In the Greek novels of Justinian, this section is referred to as the *prooimion* (προοίμιον),¹⁸⁸ which is analogous to another Greek word sometimes used to describe this section, the *prologos* (πρόλογος)¹⁸⁹ from which we derive the English word "prologue." The Latin term for this section is *praefatio* from which we derive the English word "preface," which is one of the more common scholarly terms for this section. *Praefatio* was, in fact, first used by Leconte in his side-by-side Latin translation for the novels of Justinian, although he employed no equivalent word for his facing Greek edition. In both Greek and Latin, the words all mean the same thing, which is "before speaking."¹⁹⁰ This section often contains the most emotional language from an emperor because it not only describes but also morally judges the issue at hand. As an example, in *Sirmond.* 10, when Honorius wanted to rebuke male priests for associating with women, in that section he says "rumor contaminates and the addition of the opposite sex gives an opportunity for evil morals..."¹⁹¹ The rhetorical flourishes in the *praefatio* are why some scholars prefer to subdivide this section into two. In their opinion, there is first an *exordium*, where an emperor may echo or elaborate on the emotional sentiments of petitioners.¹⁹² Second would be the *narratio*, which lays out the details of the circumstance.¹⁹³ For this dissertation's purposes, I am choosing to opt for *praefatio* or "preface" as the preferred single term for the overall introductory context and description section at the beginning of an unabridged constitution, rather than engaging with a separate *exordium* or *narratio*.

¹⁸⁸ In Schoell's (1912) Greek edition of the novels, he uses *προοίμιον*. Other scholars who prefer this term for the introductory section are Hunger (1964), Kearley (2010: 380), and Bjornlie (2013: 209).

¹⁸⁹ Ries 1983.

¹⁹⁰ *προοίμιον* technically means "before the path," but it is obviously the same metaphorical meaning as the others.

¹⁹¹ "...fama contaminat, datque sinistris moribus locum alterni sexus adiunctio..." (*Sirmond.* 10, tr. Pharr).

¹⁹² Hauken 1998: 264-7.

¹⁹³ Hauken 1998: 268-71, Bjornlie 2013: 209.

Next comes the part of the law where the emperor commands something to be done about the problem. Leconte did not give this command section within a Justinianic novel a specific name, although he did subdivide imperial orders within the constitution by chapters, which, when written in the singular as a section division, is *caput* in Latin and *kephalaion* (κεφάλαιον) in Greek. There seem to be two common terms for this command section. The first is *dispositio*.¹⁹⁴ This term originally meant "arrangement" and was known to classical rhetoricians, but was used primarily in the context of the arrangement of argumentation.¹⁹⁵ In medieval diplomatics, it instead has a meaning closer to the modern French word *le dispositif*, which does not mean disposition, but a plan of action or provision.¹⁹⁶ The second option for describing imperial commands is *sanctio*.¹⁹⁷ In a way, this word overlaps with *dispositio*, but the difference is in the attachment of a specific "sanction" to the action, be it a spiritual or worldly threat.¹⁹⁸ As an example of a command, in *Sirmond*. 10, the emperor orders "if any ravisher, prodigal of his own life, should solicit a maiden consecrated to God, his goods shall be confiscated and he shall be punished by deportation."¹⁹⁹ Because of the possibility of confusion over *dispositio*, this dissertation is opting to use *sanctio* as its term for the section containing legal commands from the emperor, which is itself subdivided by chapters.

The penultimate section, when one exists, is the part containing promulgation or dissemination instructions. The term in most common usage is *epilogos* (ἐπίλογος), from which

¹⁹⁴ Bjornlie 2013: 209.

¹⁹⁵ *Rhet. Herr.* 3.9.

¹⁹⁶ Boüard 1929: 257; Boyle 1992: 98.

¹⁹⁷ *Sanctio* was understood as a legal concept in antiquity, most easily identified by the previously mentioned *pragmaticae sanctiones*. Biener (1824: 22) in his early study on the history of the novels of Justinian called the section following the introduction the *Sanktion*, in German. See also Kearley (2010: 380).

¹⁹⁸ Boüard 1929: 257; Boyle 1992: 98.

¹⁹⁹ "...*quisquis dedicatam deo virginem prodigus sui raptor ambierit, publicatis bonis deportatione plectatur...*" (*Sirmond*. 10, tr. Pharr).

we derive our word "epilogue," meaning roughly "upon/after speaking." Leconte used the Latin version of this word, *epilogus*, to differentiate this part within his Latin translation of the Justinianic novels.²⁰⁰ The alternate term for this section would be a *conclusio*, from which we derive the modern word "conclusion,"²⁰¹ but meaning roughly "in closing." However, there is no difference in technical meaning from *epilogus* with regard to it as a part of a constitution. In Leconte's edition, most of the new laws of Justinian with one of his *caput* sections also contained an *epilogus*. This is not the case with the post-Theodosian novels that are the subject of our study. First, much like *praefatio*, *epilogus* is an informal term in the modern edited Latin texts of the post-Theodosian novels. At best, such as with Meyer's edition, there is a number attached to that section of a post-Theodosian novel, indicating a difference of content; in the case of the Sirmondian constitutions, no such delineation exists. Second, not every surviving unabridged constitution contains promulgation instructions; our example constitution, *Sirmond. 10*, does not. As mentioned previously, this happens if the constitution type does not require promulgation, such as with an oration or perhaps with a direct letter. We can instead look to the previous constitution, *Sirmond. 9*, for an example of promulgation. This law exists in the context of the serious reduction in the number of city officials on the municipal council, often because serving on the council was a harsh financial burden and thus many fled to the church instead. The law states that those who leave or are kicked out of the church, if they had previous council obligations, would have to return to them. At the end of the letter, the emperor Honorius directs his praetorian prefect to "cause this regulation to come to the knowledge of all by means of letter issued to the judge/governor of each

²⁰⁰ On the Greek edition side, Leconte only indicated the *epilogus* with an indent.

²⁰¹ Bjornlie 2013: 209.

province, so that edicts duly posted shall publish this regulation to the whole world."²⁰² For our purposes, we choose *epilogus* as our preferred term for the promulgation section.

The final section, much like the first, has uniform agreement in terminology. This part is called the *subscriptio*, which should be thought of as meaning "writing at the bottom." This section gives the geotemporal issuing information for the law, indicating when and/or where one was issued, posted, or received.²⁰³ One thing to be mindful of when looking at the date information, is that even in the late empire, years were still calculated according to the Roman consuls holding office that year. This means that, as in the example case of *Sirmond. 10*, we have to consult ancient sources such as yearly calendars called *fasti* to determine that its year of issue was 420 CE. Otherwise, the raw year itself is simply "in the year of the ninth consulship of Our Lord Theodosius Augustus and the third consulship of the Most Noble Constantius,"²⁰⁴ which can be easily subject to scribal confusion due to their use of numbers rather than words, resulting in a wrong year calculation.²⁰⁵

In the Latin editions of the post-Theodosian novels, there is also the appearance of an explanatory section called the *interpretatio*. However, these sections are from the *Breviary*, which is of course dated to after the end of the western empire,²⁰⁶ and so they will not be examined by this dissertation.

²⁰² "...in omnium notitiam datis ad singularum iudices provinciarum litteris faciet pervenire, ut universis id proposita sollemniter edicta declarent." (*Sirmond. 9*, tr. Pharr).

²⁰³ The majority of laws only have geotemporal information for one of three statuses of issuing, posting, or receipt of a law. A few dozen, as outlined in Jones (1964 vol. 3: 90 n.75-6) have information on issuing/posting and receipt, making it possible to hazard a guess as to the travel time needed for a law to reach its destination. However the date information, and in particular the year, is not always reliable, owing to either copy errors, misinterpretation of abbreviations, or perhaps guesses based on available *fasti* on the part of imperial compilers (Sirks 2007: 176-7).

²⁰⁴ "*Dom(i)no n(ostro) Theodosio Aug(usto) VIII et Constantio III V(iro) C(larissimo) cons(ulibus)*" (*Sirmond. 10*, tr. Pharr).

²⁰⁵ For modern scholars, we rely upon pre-compiled lists of consuls from the ancient era to check these *subscriptio* entries against calendar dates, the most important of which is Seeck's *Regesten der Kaiser und Päpste für die Jahre 311 bis 476 n. Chr.* (1919).

²⁰⁶ Matthews 2001: 11-32.

Otherwise, these divisions within the post-Theodosian novels and Sirmondian constitutions should still be considered guidelines, and not necessarily strict divisions. As will be seen in later analysis, context is not only provided at the beginning of a constitution, but can appear in the middle of a law. This could be either to begin a new command section, or to insert an opinion inside a command. It appears that it is not until the novels of Justinian when the opening section is specifically reserved for context, and so we should not automatically project such a structure after the fact onto the post-Theodosian novels.²⁰⁷

ABRIDGMENT

As an illustration of why the preface and context sections are so important to our analysis, it may be useful to see how an unabridged constitution gets stripped of the two in order to form a statute within a code, so that we can see what details we are otherwise missing. In the example below, we will highlight how the law whose text is preserved in *Sirmond.* 10 was abridged into two separate entries in the Theodosian Code, *CTh* 16.2.44, and *CTh* 9.25.3.

The left column is the Sirmondian constitution, the right column is the Theodosian abridgement, and the translation is below the two spanning both columns. The divisions into sections in capital letters are my own. The Latin text and its adaptations are from John Matthews.²⁰⁸ Bold indicates words that are in the Theodosian Code entries. Words in square brackets are additions in the abridgment, or replacements if the Sirmondian text has an underline (in the translation, the underline is replaced with a strikethrough to indicate modification). Words italicized in square brackets indicate the translator did not change something in the English

²⁰⁷ Volterra 1971: 1087.

²⁰⁸ Matthews 2000: 143-5.

translation (likely to avoid redundancy) that was changed in the Latin. Words or letters in parentheses indicate an expansion, whether of an abbreviation or a date in a modern format.

Table 1: Comparison of Sirmondian and Theodosian Code constitutions

<i>Sirmond. 10</i>	<i>CTh 16.2.44, 9.25.3</i>
INSCRIPTIO: Impp. Honor(ius) et Theod(osius) AA. Palladio p(raefecto) p(raetor)i.	
INSCRIPTION: Emperors Honorius and Theodosius Augustuses to Palladius, Praetorian Prefect.	
PRAEFATIO: Religiosi sacerdotis fida suggestio exigit probabilem saeculo disciplinam. agit enim bonis moribus, ne clerici sacris ministeriis servientes feminis iungantur externis, quas decolore consortio sororiae appellationis excusant. credimus quidem hanc devotis mentibus dei inesse reverentiam, ut divorsorii huius habitaculum conscientia pravae persuasionis ignoret. Sed hac societate seu amicitia non penetret, fama contaminat, datque sinistris moribus locum alterni sexus adiunctio, cum foris positos ac publico iure viventes ad illecebram criminis trahit obscaenae suspicionis exemplum.	<i>CTh 16.2.44.0:</i> [Eum, qui] probabilem saeculo disciplinam agit, [decolorari] consortio sororiae appellationis [non decet.]
PREFACE: The faithful recommendation of a religious priest demands [it is not seemly that a man who] a discipline that is commendable to the world [lives a commendable life of stern discipline in this world] . For in accordance with good morals he insists that clerics who serve the sacred ministries shall not be joined to extraneous women whom they excuse [should be tarnished] by the disgraceful association of the appellation of "sister." For We trust that there is such reverence for God in consecrated minds that the consciousness of a wicked persuasion does not know the habitation of this licentious retreat. But though such wicked persuasion may not enter into such an association and friendship, rumor contaminates and the addition of the opposite sex gives an opportunity for evil morals, since the example of obscene suspicion entices to the allurements of crime those persons situated outside and living according to the public law.	
SANCTIO 1: Quae cum ita sint, illustris et praeclsa magnificentia tua praesentis oraculi sanctionem propositis ubique divulget edictis, ut noverint cuncti, qui cuiuscumque gradus sacerdotio fulciuntur vel clericatus honore censentur, extraneorum sibi mulierum interdicta consortia: hac sibi tantum facultate concessa, ut matres, filias adque germanas intra domorum suarum saepa contineant. In his enim nihil scaevi criminis aestimari foedus naturale permittit. Illas etiam non relinquere castitatis hortatur affectio, quae ante sacerdotium maritorum legitime meruere coniugium. Neque enim clericis incompetenter adiunctae sunt, quae dignos sacerdotio viros sui conversatione fecerunt.	<i>CTh 16.2.44.1:</i> Qui [cumque igitur] cuiuscumque gradus sacerdotio fulciuntur vel clericatus honore censentur, extraneorum sibi mulierum interdicta consortia [cognoscant] ; hac [eis] tantum facultate concessa, ut matres, filias atque germanas intra domorum suarum septa contineant. In his enim nihil scaevi criminis aestimari foedus naturale permittit. Illas etiam non relinquere castitatis hortatur affectio, quae ante sacerdotium maritorum [legitimum] meruere coniugium. Neque enim clericis incompetenter adiunctae sunt, quae dignos sacerdotio viros sui conversatione fecerunt.
SANCTION 1: Since these things are so, Your Illustrious and Excellent Magnificence by posting edicts everywhere shall publish the sanction of the present imperial oracle, so that [if any person] [therefore] relies upon any rank whatever in the priesthood or is distinguished by the honor of the clergy, he [they] shall know that consorting	

with extraneous women is forbidden to him. This concession alone is granted <i>[to him]</i>, that he may have within the bounds of his own home his mother, daughters, and sisters german; for in connection with these, the natural bond permits no perverse crime to be considered. Chaste affection, moreover, demands that those women who <i>[lawfully]</i> obtained marriage before their husbands assumed the priesthood should not be deserted. For those women who have made their husbands worthy of the priesthood by their association are not unsuitably, joined to clerics.	
SANCTIO 2: Illam vero desiderii partem legum quoque praeceuntium scita solidarunt, ut quisquis dedicatam deo virginem prodigus sui raptor ambierit, publicatis bonis deportatione plectatur, cunctis accusationis huius licentia absque metu delationis indulta. Neque exigi convenit proditorem, quem pro pudicitia religionis invitat humanitas.	CTh 9.25.3.0: [Post alia: Si quis dicatam] deo virginem prodigus sui raptor ambierit, publicatis bonis deportatione plectatur, cunctis accusationis huius licentia absque metu delationis indulta. Neque [enim] exigi convenit proditorem, quem pro pudicitia religionis invitat humanitas.
SANCTION 2: The decrees of the foregoing laws also confirm that part of the recommendation, namely, that [After other matters: if any] ravisher, prodigal of his own life, should solicit a maiden [consecrated] to God, his goods shall be confiscated and he shall be punished by deportation. The right is granted to everyone to make this accusation without fear of the charge of being an informer. [For] A person must not be demanded as an informer if his humanity invites him to this course for the sake of the purity of religion.	
SUBSCRIPTIO: Dat. VIII id. Mai. Ravennae Domno n. Theodosio Aug. VIII et Constantio III V. C. cons. (420 Mai. 8).	
SUBSCRIPTIO: Given on the eighth day before the ides of May at Ravenna in the year of the ninth consulship of Our Lord Theodosius Augustus and the third consulship of the Most Noble Constantius. (May 8, 420).	

Here are some brief observations of the abridgment.

First, the original constitution was issued after the imperial office received a *suggestio* from a member of the clergy. This suggests the constitution is of the letter type.

Second, this unabridged law was split into two abridged ones. However, even in the two *sanctio* sections, not all of the "sentences" in them are commands.²⁰⁹ In *sanctio* 1, what appears after the colon explains rather than orders, such as with the statement "this concession alone is granted (*hac sibi/eis tantum facultate concessa*)."²⁰⁹ Likewise, this is the same case in *sanctio* 2, where it says "for a person must not be demanded as an informer if his humanity invites him to this course for the sake of the purity of religion (*neque [enim] exigi convenit proditorem, quem pro pudicitia religionis invitat humanitas*)," this statement is also not a direct demand.

²⁰⁹ The problem of the identification of "sentences," themselves a modern construct, will be discussed later in "6. Sentiment analysis, Sentences and scoring."

Third, the emotive words in some of the contextual sentences of the *sanctio* section, e.g. "perverse crime (*scaevi criminis*)" seem more similar to the intensity of negative phrasings in the *praefatio*, e.g. "the allurements of crime (*illecebram criminis*)," than to neighboring command words in the same *sanctio* sections, e.g. "consorting with extraneous women is forbidden to him (*extranearum sibi mulierum interdicta consortia*).\" Although we have not yet laid out our sentiment methodology in order properly to compare word intensity, the gut-level similarities are in line with what has been previously said, that context, particularly of the negative kind, is not always left securely in the *praefatio* part of a law.

And so, as a brief summary of the relevance of this abridgment to the research, even though some phrases from the *praefatio* are preserved in the abridged entry, we can see that supplemental emotional language is missing when a law is shortened for codification. Being able to analyze an entire law to compare context intensity with command intensity is only possible with unabridged constitutions, which is why we are focusing on them as our main sources.

TRANSMISSION

Here we discuss the transmission of our main two sets of primary sources, the Sirmondian constitutions and the post-Theodosian novels. Understanding their manuscript tradition is key to getting a sense as to the collections' representativeness of overall legislation or impact, even if assigning a definitive value is near impossible.

Sirmondian constitutions

The Sirmondian constitutions are a collection of unabridged laws on religious concerns dating to between 333 to 425 CE.²¹⁰ As previously mentioned, the oldest unabridged constitution from the manuscript tradition is in them, *Sirmond. 1*, from Constantine. Likewise, they are also the principle source for unabridged constitutions for other emperors from the fourth and early fifth century from the tradition of intentioned collection of laws.²¹¹ For our purposes, the importance of these laws to this dissertation is that it allows us some limited temporal comparisons with our main sources, the novels issued in the century afterwards.

Because, as was seen above, some Sirmondian constitutions were abridged into the Theodosian Code, they have special value as a behind-the-scenes look at the codification process. It is through them that we were able to verify that the Theodosian editors minimally modified the wording from the original into their statute form,²¹² unlike the editors for Justinian's Code, who were allowed and often did alter original laws significantly to suit their legal harmonization.²¹³

The constitutions are so named after a Jesuit priest named Jacques Sirmond, who gathered them from the end of a manuscript that also covered western church matters from the fourth to the sixth century.²¹⁴ Sirmond decided to name his collection of these constitutions "An Appendix to the Theodosian Code (*Appendix Codicis Theodosiani*)."²¹⁵ Because of this original, and some

²¹⁰ The main works on the Sirmondian constitutions are Vessey (1993), Matthews (2000: 121-67), and Sirks (2007: 238-53).

²¹¹ Technically speaking, various constitutions of the emperor Julian (361-363 CE) have been preserved as part of letter collections which were later recopied into manuscripts. However, they are not complete constitutions in the literal sense since they do not preserve their *subscriptio*.

²¹² See Matthews (2000: 129-60) for a detailed look of what was changed in the Sirmondian constitutions during the abridgment process.

²¹³ Corcoran 2016: ci-cvi.

²¹⁴ Matthews 2000: 121-2.

²¹⁵ Vessey 1993: 178-9.

would say misleading,²¹⁶ titling, the Sirmondian constitutions have remained ever attached to the Theodosian Code, including in Haenel's 1844 and Theodor Mommsen's 1905 edition.

Because the collection had constitutions up to 425 CE, it was assumed by scholars like Haenel and Mommsen that it was gathered at roughly the same time, perhaps as a contemporary or precursor to the Theodosian Code, which was promulgated in 438 CE.²¹⁷ Most current scholars disagree with this early collection date, but they seem divided on alternatives.

Mark Vessey advanced an opinion, based on the context of the manuscript, that the collection dated to the late sixth century. The preceding documents in the manuscript were a reference to the first church council of Mâcon in the early 580s CE, held in the Burgundian kingdom. Notably, the topics of discussion for both the first and subsequent second council of Mâcon in 585 CE overlapped significantly with the contents of the Sirmondian constitutions.²¹⁸ This would suggest that the collectors scoured what archives they possessed in order to find supporting legal evidence for their positions.

John Matthews does not disagree with most of Vessey's conclusions, but highlights that there is no reason to presume the initial collection occurred at Mâcon. A collection may have been made earlier for a different rationale, with the Mâcon clergy appropriating that collection for their own purposes some time later.²¹⁹ Matthews surmises, given the overlaps with abridged versions of Sirmondian constitutions in the Breviary of Alaric II (promulgated 506 CE), that the collection may have started then, and perhaps not even in the same form we possess now. Matthews suggests its first incarnation might have been that of a larger collection of abridged constitutions, which

²¹⁶ Vessey 1993: 179.

²¹⁷ Vessey 1993: 179-80.

²¹⁸ Vessey 1993: 197.

²¹⁹ Matthews 2000: 123.

only over the decades was fleshed out with unabridged content as it progressed towards a smaller Mâcon edition.²²⁰ If a larger first version did exist, it may be impossible to identify the reasons for its initial collection, although the later Mâcon version's rationale would remain the same as suggested by Vessey.

The last possibility is that of Boudewijn Sirks. He suggests the collection dates to the post-Theoderic period of the Ostrogothic kingdom, around the early 530s just before the start of the eastern Roman invasion of Italy. Its context then was the attempt by the church to claw back judicial authority from the secular state and even to expand it, in light of the weakened political circumstances of Theoderic's successor Athalaric.²²¹

Ultimately, what we are left with is a wide range of possible dates for the collection, from as early as the fifth century up to the end of the sixth century. Although we do not doubt the constitutions are genuine, without knowing the context or duration of their gathering, we cannot assess how widely accessed or referenced these particular constitutions were throughout either the period of their issuing as distinct individual laws or during their later collection and dissemination, if in fact the Sirmondian constitutions in either form were ever widely distributed. Their utility to us, then, must remain as the only comparative examples to our main body of novels.

Post-Theodosian novels

Because there is already significant literature on the transmission of the post-Theodosian novels,²²² this section is going to summarize the evidence from the scholarship as it pertains to points that are relevant to the dissertation.

²²⁰ Matthews 2000: 123-7.

²²¹ Sirks 2007: 251-3.

²²² Meyer 1905: xi-xc; Bianchi Fossati Vanzetti 1988: 1-15; Sirks 2007: 227-37.

We begin with the manuscript tradition itself. Meyer, the main and most recent editor of the novels, identified three groupings of manuscripts.

The first was the collection of novels from the eastern emperor Theodosius II, the western emperor Valentinian III, and the later western emperor Majorian. It is thought that this collection was made during the reign of Majorian, and so its gathering may have been to boost his legitimacy by including his novels with those of his more-well known predecessors in both halves of the empire.²²³ It is also thought that this collection, like many others, was the result of private individuals as opposed to members of the state bureaucracy,²²⁴ since the manuscripts contained no imperial orders for compilation. In addition, the main manuscript for this grouping, MS. Vat.lat. 7277²²⁵ is missing constitutions under known titles²²⁶ and has titles with no body text.²²⁷ The latter would mean laws were known, but could not be found, even though both issue and collection likely occurred in the short four years of Majorian's reign. This would be an unlikely situation if the collection was organized from within the imperial administration, albeit not impossible.

The second grouping comes from the Breviary of Alaric II. This collection had additional constitutions, albeit in shortened epitome form, from the same emperors as in the first grouping (Theodosius II, Valentinian III, and Majorian) as well as one from the western emperor Libius Severus. Thus it was presumed that it derived from an original manuscript that had a more full list of constitutions than the first grouping.²²⁸

²²³ Sirks 2007: 229.

²²⁴ Bianchi Fossati Vanzetti 1988: 2.

²²⁵ Vatican City, Biblioteca Apostolica Vaticana, MS Vat.lat. 7277 is known in Meyer's (1905: vi) sigla as Γ.

²²⁶ Meyer 1905: xiv-xvi.

²²⁷ Meyer 1905: 155; *Nov. Maj.* 8, 10.

²²⁸ Sirks 2007: 229-30.

The third grouping comes from a later version of the Breviary, but this one contained more constitutions in their unabridged forms, including those from the existing three emperors from the first grouping, and others from later western emperors Anthemius and Severus, as well as the eastern emperor Marcian.²²⁹

One further western emperor, Glycerius, has a constitution that survives, although it was not included in Meyer's edition. It was likely not included because this novel existed outside the legal compilation tradition.²³⁰ Instead, it appears in a collection of unstructured church canons and decrees called the *Collectio Teatina*, which is dated to around 525 CE but survives in a manuscript from the 8th-9th century CE.²³¹ Its survival is likely due to it being a law on simony, which was a useful legal reference for medieval ecclesiastical concerns.²³²

Although the post-Theodosian novels (alongside the Theodosian Code itself) survived the fall of the western empire to influence and be included in early medieval legal codes such as the Breviary in western Europe,²³³ they were eventually forgotten or superseded upon the "rediscovery" of Justinian's Code.²³⁴

Of the post-Theodosian novels that survive to the present day, none issued by western emperors were adapted into Justinian's Code. The question is open as to whether this was because

²²⁹ Sirks 2007: 230.

²³⁰ Sirks 2007: 236.

²³¹ *Nov. Glyc.*; Kéry 1994: 24.

²³² For an older translation and notes on *Nov. Glyc.*, see Coleman-Norton (1966: 904-7). Just published recently is Vanspauwen's (2024) new critical edition of *Nov. Glyc.* which incorporates multiple manuscripts, rather than the single one of Haenel. However, I do not use his text for my digital edition because it remains under copyright. Salzman (2021a) also contextualizes that law within the general problem of late Roman simony.

²³³ The direct influence of post-Theodosian novels on Germanic legal codes and writing can be seen in Bjornlie (2013: 209-10) for Cassiodorus' *Variae*, Lafferty (2013: 93) in the Edict of Theoderic, and Heather (2012: 187) on Burgundian law. The influence of the Theodosian Code itself on western law is discussed in Wood (1993a) and Walters (1993), both in Harries and Wood (1993).

²³⁴ See Walters (1993: 201, 211) for when the last vestiges of the Theodosian Code ceased being referenced in the high medieval era. See Corcoran (2016: cxx-cxxix) for discussions on how Justinian's Code was never really "lost."

the western laws were irrelevant to the east, not sent in the chaos of the last years of the western empire, or simply sent then lost in eastern imperial archives.²³⁵

On the other hand, many of the novels of the eastern emperors were included. Out of 48 known constitutions for Theodosius II in Justinian's Code with the same start dates as his novels and continuing to his death,²³⁶ 20 are identified as from those novels.²³⁷ For Marcian, the number is lower. Out of 21 total constitutions that appear in Justinian's Code,²³⁸ only 4 appear to be from the novels of Marcian.²³⁹ The numerical difference may be a byproduct of the length of their reigns as well as the date of the compilation of the novels. Marcian's (450-457 CE) last recorded novel dates to 455 CE, but he issued 6 more constitutions which appear in Justinian's Code for the remaining two years before his death. Theodosius II (402-450 CE) issued 34 novels for the six years from the beginning of his collection of novels in 438 CE to the last one in 444 CE (excluding *Nov. Th.* 2, which as an outlier was issued Oct. 1, 447). However he also issued 8 more

²³⁵ There are in fact no laws issued in the western empire in Justinian's Code after 432 CE, the last one being *CJ* 12.16.3 from Ravenna, which itself is drawn from *CTh* 6.23.3. n.b. The *CJ* entry is misnumbered as 12.10.3 in Frier (2016: 3165).

²³⁶ After eliminating duplicates split apart from an original single law with the same date and addressee, 48 is the number of constitutions in the time frame from the start of the collection of Theodosius II's novels (*Nov. Th.* 3, issued Jan. 31, 438 CE) and toward his death (Jul. 28, 450 according to Theodorus Lector *HE* 2.64). In Frier's "Chronological List of the Constitutions in Justinian's Codex" (2016: 3166-7), this begins with the constitutions having a date/addressee of "*prid. k. Febr. Cp. Florentio pp.*" (*CJ* 1.5.7, 1.7.5, 1.9.18, n.b. the last one is misnumbered in Frier as 1.9.19) and ends with those having a date/addressee of "*III non. April. Hormisdas pp.*" (*CJ* 6.52.1).

²³⁷ The 20 constitutions adapted from the novels of Theodosius in Frier's (2016:3166-7) chronological list are: 1. "*prid. k. Febr. Cp. Florentia pp.*" (*Nov. Th.* 3), 2. "*prid. non. Nov. Cp. Aureliano c.r.p.*" (*Nov. Th.* 6), 3. "*XIII k. Febr. Cp. Florentia pp.*" (*Nov. Th.* 7.1), 4. "*VIII id. April. Cp. Florentia pp.*" (*Nov. Th.* 8), 5. "*VII id. April. Cp. Florentio pp.*" (*Nov. Th.* 9), 6. "*XIII k. Mai. Cp. ad Florentium pp.*" (*Nov. Th.* 10.1), 7. "*VI id. Iun. Cp. ad Florentium pp.*" (*Nov. Th.* 5.2), 8. "*VI id. Iul. Cp. ad Florentium*" (*Nov. Th.* 11), 9. "*III id. Aug. Cp. Thalassio pp.*" (*Nov. Th.* 13), 10. "*VII id. Sept. Cp. Florentio pp.*" (*Nov. Th.* 14), 11. "*prid. id. Sept. Cp. Florentia pp.*" (*Nov. Th.* 16), 12. "*XIII k. Iun. Cp. Eudoxio c.r.p.*" (*Nov. Th.* 19), 13. "*XI k. Oct. Cp. Cyro pp.*" (*Nov. Th.* 20), 14. "*prid. non. Mart. Cp. Cyro pp.*" (*Nov. Th.* 7.4), 15. "*VIII id. Mart. Cp. ad Apollonium pp.*" (*Nov. Th.* 22.2), 16. "*prid. id. Sept. Cp. Noma mag. off.*" (*Nov. Th.* 24), 17. "*XVII k. Ian. Cp. ad Apollonium pp.*" (*Nov. Th.* 22.1), 18. "*XVII k. Febr. Cp. Noma mag. off.*" (*Nov. Th.* 25), 19. "*X k. Mai. Cp. Zoila pp.*" (*Nov. Th.* 17), 20. "*XII k. Dec. Cp. Hermocrati pp.*" (*Nov. Th.* 12).

²³⁸ The 21 constitutions in Justinian's Code that span Marcian's whole reign begins in Frier's (2016: 3167-8) chronological list with "*sine cons. Vincomalo mag. off.*" (*CJ* 12.40.10) and ends with "*xv k. Aug. Constantino pp.*" (*CJ* 10.22.3).

²³⁹ The 4 constitutions adapted from the novels of Marcian in Frier's (2016:3168) chronological list are: 1. "*V id. Oct. Cp. edictum ad populum*" (*Nov. Marc.* 1), 2. "*XV k. Febr. Cp. Palladio pp. Or.*" (*Nov. Marc.* 3), 3. "*prid. non. April. Cp. ad Palladium pp.*" (*Nov. Marc.* 4), and 4. "*X k. Mai. Cp. Palladio pp.*" (*Nov. Marc.* 5).

constitutions that appear in Justinian's Code before his death. In both cases of unabridged novels and constitutions which appear in Justinian's Code, all seem to be ones of general force.²⁴⁰

Following the pattern for Theodosius II, this suggests that for the novels of him, Valentinian III, Marcian, and possibly Majorian, we have at least a significant minority of the total laws issued of general applicability. Below is a table for some calculations, but using slightly different date ranges, comparing only within the total inclusive years in which surviving post-Theodosian novels were recorded.

²⁴⁰ Corcoran (2016: cvi) notes that "there are no certain private rescripts in the Codex (*Justinianus*) after 305 (CE)..."

Table 2: Comparison of major post-Theodosian novels and constitutions

	Theodosius II ²⁴¹ 438 to 444	Marcian ²⁴² 450 to 455	Valentinian III ²⁴³ 438 to 452	Majorian ²⁴⁴ 458 to 460
Novels collection years, inclusive	7 years	6 years	15 years	3 years
Novels issued	34	5	46	12
Novels issued/year	4.86	0.83	3.07	4.00
CJ constitutions issued ²⁴⁵	41	15		
CJ constitutions issued/year	5.86	2.50		
Novs./CJ const. overlap	20	4		
Novs./CJ const. overlap (%)	48.78%	26.67%		

What this chart shows us is the number of surviving constitutions of general force issued per year in both the post-Theodosian novel collections and the Code of Justinian for the same span of time. Combined with information on how often overlaps between the two exist for eastern emperors, it may be possible to take a measured guess as to the representativeness of the novels from our western emperors to the overall volume of general laws they issued, provided we accept

²⁴¹ First novel is *Nov. Th.* 3 (Jan. 31, 438) with the last being *Nov. Th.* 26 (Nov. 29, 444). I am excluding *Nov. Th.* 2 (Oct. 1, 447) because it is self-referential as a ratifying novel for the other novels of Theodosius II, and because there is a three year gap between *Nov. Th.* 2 and any other novel, making it an outlier. Last constitutions within the span are shared date/addressee *CJ* 12.36.6 and 12.52.3 for the year 444, but which have no month or day information.

²⁴² First novel is *Nov. Marc.* 1 (Oct. 11, 450) with the last being *Nov. Marc.* 5 (Apr. 22, 455). Last constitution within the span is *CJ* 1.51.12, which is for the year 455 but has no month or day information.

²⁴³ First novel is *Nov. Val.* 1.1 (Jul. 8, 438) with the last being *Nov. Val.* 36 (Jun. 29, 452). *CJ* constitutions issued and overlap fields are blank because Valentinian III and Majorian as western emperors have no novels abridged into Justinian's Code.

²⁴⁴ First novel is *Nov. Maj.* 1 (Jan. 11, 458) with the last being *Nov. Maj.* 11 (Mar. 28, 460). Excluded is *Nov. Maj.* 12 which is likely later than *Nov. Maj.* 11 on the basis of chronological numbering, but no text or date entry has been preserved. The number of novels issued include similar titles to *Nov. Maj.* 12 with no body content which are *Nov. Maj.* 8 and 10.

²⁴⁵ As a reminder, this row means the number of original unabridged constitutions with the same date/addressee, not the number of abridged constitutions from an original unabridged one. In addition, the numbers 41 and 15 are different from the previous list of 48 and 21 because the cut off date has been changed to the date of the last novel appearing in a collection, rather than the date of those emperors' death.

one conjecture on faith, since there is otherwise no supporting evidence for it. The conjecture is that there are similar rates of attrition and loss of legal documents in both halves of the empire. If we accept this conjecture, then based on the above calculations, I conservatively estimate for the above four emperors that we have between 15 and 40 percent of all their general laws for their respective dates of collection. This percentage range is lower than what we see in our calculations of 26.67 percent for Marcian and 48.78 percent for Theodosius II; this is to account for the likelihood that some laws were discarded or missing by the time they reached compilation for Justinian's Code. At the very least, it seems that the survival percentage for constitutions should not be in the low single digits of percentage. This 15 to 40 percentage range also works for Majorian, since he is backed a comparable number of novels issued per year as other emperors. This is alongside the conjecture that the original organizer had an interest in preserving as many of Majorian's novels (as well as those of his predecessor Valentinian III) so as to boost his legitimacy, albeit with the limitation that the collection was still a private not an official one. The outlier novels-per-year for Marcian can be explained by the fact that the later compilations were focused on western emperors and collected in the west, and so collections of laws from an eastern emperor might be incomplete. Marcian's more "normal" constitutions-per-year output when calculated from laws in Justinian's Code also backs the idea that the original compiler simply had an incomplete collection from Marcian.

With that said, it is worth cautioning that these estimates remain conjectures, even with some numerical data. There remains the possibility that there was a vast sea of uncollected laws that were discarded even with Justinian's codification. This is certainly the case with the Theodosian Code itself, as scholars note how much is already known to be incomplete, i.e. the first

five books, setting up the stage for how much they do not know to be missing.²⁴⁶ My only defense against scholarly concerns about the impossibility of estimating the total volume of late Roman legislation is that those anxieties usually center on hidden but alluded to masses of private imperial rescripts.²⁴⁷ Perhaps the situation is different for laws of general force. Still, my above percentages remain the limit of my willingness to estimate. As for the other emperors in the post-Theodosian novels, I would not attempt to hazard a guess.

Ultimately, a key difference in the relevance of fifth century laws was whether they were incorporated into the Justinianic codifications of Roman law. Because the western post-Theodosian novels were not, they were, in effect, orphaned from the European legal system. Novels were already highly situational because of their nature as reactions to emerging problems not resolved in existing legal references. But with the rapid demise of the western empire only a few years after the last recorded western novel, those laws would never get a chance to be incorporated into future Roman jurisprudence in the east, and by extension would have no or little place in Byzantine or western medieval legal thinking, especially once Justinian's laws were re-emphasized in the west after the turn of the millennium. This would mean that the western novels' interest, at best, would be as examples from a distant marginally-relevant legal era to medieval European states (which is what they were),²⁴⁸ or alternatively only as historical footnotes (which they remain now).²⁴⁹ Clearly they are due for a reconsideration.

²⁴⁶ "The first five books, by contrast, which are based only two very incomplete manuscripts, must be reconstructed from a variety of sources" (Matthews 2000: 85). See Matthews (2000: 85-120) for an explanation on the construction of the modern text from manuscripts and its difficulties.

²⁴⁷ Jones 1964: 284; Turpin 1991: 101; Corcoran 2000: 12, 30.

²⁴⁸ Walters 1993; Wood 1993a.

²⁴⁹ The following is a list of (relatively) modern works, to the best of my search ability, specifically on the post-Theodosian novels that have not already been cited. Ensslin, "Valentinians III. Novellen XVII und VIII von 445" (1937); Caes, *Le statut juridique de la sponsalicia largitas échue à la mère veuve sui iuris selon la nov. 6 de Majorien et la nov. 1 de Sévère* (1949); Selb, "Episcopalis audientia von der Zeit Konstantins bis zur Nov. XXXV Valentinians III" (1967); Voss, "Juristen und Rhetoren als Schöpfer der Novellen Theodosius II" (1980); Härtel, "Die zeitgeschichtliche Relevanz der Novellen des Kaisers Anthemius" (1982); Wieling, "Iniusta lex Maioriani" (1991);

McBurnie, "A commentary of Majorian's sixth novel" (1997); Oppedisano, "Maioriano, la plebe e il defensor civitatis" (2011); Simon and Backhaus, "De paternis et maternis bonis, On CT 3.8.2, NT 14 and its adaptation by Justinian" (2012); Salway, "The Publication and Application of the Theodosian Code Nth 1, the Gesta Senatus, and the Constitutionarii" (2013); Saracyn, "Novella XVII in the Light of Lex Iulia De Maiestate" (2021). From Jun. 29 to Jul. 1, 2022, a workshop funded by the European Research Council as part of a Consolidator Grant awarded for the project "Understanding Late Antique Top-Down Communication: a Study of Imperial Constitutions" was held in Bamberg, Germany titled "Novel Trends in Research on Unabridged Constitutions." An edited volume is not expected, although presumably some presentations will appear in peer-reviewed publications. (https://www.uni-bamberg.de/fileadmin/erc-stg-aco/Flyer_2022_NovelTrends_V2.pdf)

Part II: Frameworks and Methodologies

4. Overview

Part Two of the dissertation describes the frameworks and methodologies for the identification of basic analytical units from our primary sources, the organization of such units, and how I choose to understand the collected evidence. Here I will briefly summarize the chapters that follow.

Chapter Five on legal discourse frameworks contextualizes and then describes the axioms and ideas underpinning our decision to read the evidence not as "laws" but as political texts. The chapter concludes by identifying emotion within our legal sources as a main marker of imperial inclinations towards political groups.

Chapter Six lays out a way for converting our theoretical emotional unit into an actual analytical unit, through a pre-existing methodology called lexical sentiment analysis.

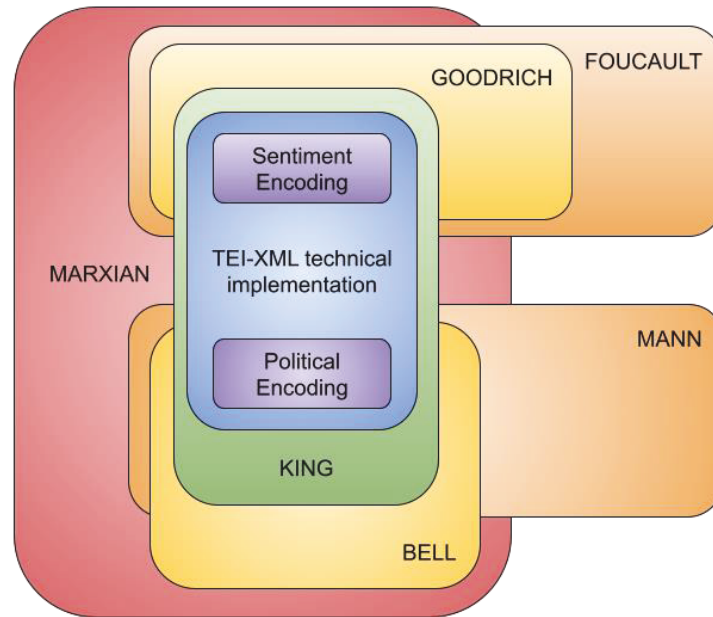
Chapter Seven discusses two related social theories, those of Mann and Bell, which I hybridize as a means of understanding the interest groups in the political world being portrayed by the collection of sentiment evidence.

Finally in Chapter Eight, I explain how to digitally import our sources through TEI-XML and how to digitally unitize emotion and political interests within those sources, for the ease of querying and analysis. The resulting data will form the basis for our ultimate conclusions.

The reason why the chapters alternate between frameworks (Chapters Five and Seven) and implementation (Chapters Six and Eight) is because frameworks require an implementation for unitization and analysis, but a successful implementation then requires new frameworks for

understanding the results.²⁵⁰ As a guide to how these frameworks and methodologies interact, below is an illustrative diagram.

Figure 1: Diagram of frameworks and methodologies



The underlying framework is Marxian,²⁵¹ i.e. the belief that law is an emergent element atop materially productive society, which will be explained shortly.

Near the top half of the diagram is the overlap of Foucault's ideas on discourse and Marxian conceptions of law and material society. The overlap is only partial because Foucault viewed himself as being inspired by Marxian thinking, but did not consider himself a Marxist.²⁵² Goodrich as a discourse analyst similar to Foucault thus also has incomplete overlaps.

²⁵⁰ The repetition and inversion of framework and implementation is the hallmark of mixed-methods (i.e. qualitative and quantitative) analysis. For more, see Creswell (2018).

²⁵¹ For clarification, I view the difference between Marxian and Marxist as the difference between those who align themselves with but also adapt the ideas of Marx as need be, against those who adhere more rigidly to Marx and his writings as a semi-closed philosophical system.

²⁵² Foucault 1991: 105.

On the bottom part of the diagram are the theories of sociologist Mann and late Roman historian Bell. Mann incorporated aspects of Marxian thinking, but he rejected their prioritization of the economy as a basis for power, hence the incomplete overlap.²⁵³ Bell talks extensively about the problems of class and status,²⁵⁴ so I view him as encapsulated within the Marxian tradition, but he also acknowledges and incorporates some influences from Mann, and thus there is overlap as well.²⁵⁵ I (King) hybridize the two to create a localized framework for understanding social power conflict (Mann) and its imperial management (Bell), although I apply my syncretized ideas to the fifth century western empire, rather than the sixth century east (Bell) or the entirety of history (Mann).

Atop both legal discourse and social management theories is the technical implementation in TEI-XML, sentiment encoding for the former, political encoding for the latter. The results of these encodings underpin my ultimate conjectures about how fifth-century emperors, and in particular Valentinian III, managed the complex political interests of their world, through law and emotional rhetoric.

²⁵³ Mann 1986: 10-14.

²⁵⁴ Bell 2013: 40-7.

²⁵⁵ Bell 2013: 30-2.

5. Legal Discourse Frameworks

This section begins with a pair of questions: what are frameworks and why do we need them? In essence, a framework is an underlying set of axioms or beliefs that cannot be backed by anything other than a person's choice to adhere to them, since most philosophical problems cannot be resolved without a system for evaluating whether a position is correct or not.

Frameworks are necessary even in fields where it is not obvious. For example, empirical science depends upon an axiomatic assumption on the repeatability of observed phenomena. But as people may know from stock market investing, past performance is no guarantee of future returns. This is known as the problem of induction, a fundamental stumbling block of the scientific method, since science can operate only if one believes that past occurrences will likely repeat.²⁵⁶ Likewise, even something as supposedly clear as mathematics also requires axiomatic acceptances. Gödel's famous incompleteness theorems demonstrated that it was impossible to create a complete and consistent set of axioms to describe all math, since there would always be statements that are true but unprovable. The result is that it has to be taken on "faith" that math is correct despite its ultimate limitations.²⁵⁷

Thus, when a philosophical system claims that it has no axioms, that itself is an axiom that simultaneously hides its other presuppositions from open view. The philosophy of law and legal interpretation is likewise subject to axiomatic necessities, even if often unstated.

The normative position for most jurisprudence, which even filters down to the lay understanding of it, is that there is such a thing as an ideal application of the law. This is

²⁵⁶ For more on the Problem of Induction, see Henderson's (2022) entry in the *Stanford Encyclopedia of Philosophy*. As for how the Problem of Induction relates to issues within empiricism and the philosophy of Science, one useful overview is written by Vodovotz and An (2015).

²⁵⁷ For a detailed explanation of Gödel's Incompleteness Theorems, see Raatikainen (2020) as another useful *Stanford Encyclopedia of Philosophy* entry. A more lay friendly explanation is written by Wolchover (2020).

independent of whether the law is moral or even "legitimate"; it is assumed that based upon what has been stated as law, there are clear answers to legal questions, so long as one works systematically at uncovering a law or legal system's scope, priorities, and terminologies.²⁵⁸

The main point being advanced by this section is that there are frameworks that hold that most laws are not issued in such a rigorous way as to have clear legal outcomes. Instead, resolutions to legal questions are often *ad hoc* to serve political necessities and/or reinforce ruling class priorities. The Marxian and critical frameworks with which we choose to examine our evidence assert that this is not a systemic flaw but a systemic design in all legal systems, and so by extension in our late Roman legal system as well.

However, I should emphasize here that I am not saying that the jurisprudence framework of idealized application is wrong *per se*. It is a model, and like any other model it is essentially a useful fiction in so much as it can explain phenomena. When the model fails to have explanatory effect, that is when alternate models have to be considered.²⁵⁹

Modern and "classical" Roman jurisprudence models function well and appear stable for the empire around the turn of the third century, since jurist interpretations seemed supreme and imperial constitutions were not yet regarded as the main form of lawmaking. But that juristic model becomes problematic when there are too many changes to that stability owing to imperial interventions, as in the period from the late third to the early fifth century, just before the Theodosian and Justinianic legal codifications. This is why in common law systems, there is a supposed check on interruptions to legal interpretation that could come from every new ruling in

²⁵⁸ "Ideal application of the law" will be explained in the upcoming subsection, "5. Legal discourse framework, Conceptions of law" and "5. Legal discourse framework, Marx and Critical legal studies."

²⁵⁹ This is how "paradigm shifts" occur, as detailed in Kuhn's *The Structure of Scientific Revolutions* (1996). The book is an explanation of how knowledge frameworks in science, or paradigms, change with rapid tipping points when new evidence cannot be accounted for in older models, resulting in a newer model of understanding.

stare decisis, which means "to stand by things decided." This creates some form of judicial consistency in the face of changing law.

But as a result of increasing political crises in the mid to late fifth century, that consistency can be seen as breaking down into so-called "legal incompetence and carelessness."²⁶⁰ At this point, I would argue that the jurisprudence model ceases to have explanatory effect. Without an idea of legal consistency, we are simply left with law as a screen and a sham²⁶¹ interposing an additional layer atop what would otherwise be the blunt politics of socio-economic conflict. A legal discourse framework takes that "blunt politics" perspective as the starting one. It presumes that laws are not stable guides to publicly stated normative expectations, but chosen solutions to unstated political and class conflicts, in particular when we look at unabridged constitutions that retain their context sections explaining the rationale for a law. Therefore, a legal discourse framework has greater explanatory capacity for these laws of "shallow judgment"²⁶² while at the same time considering the laws that seem more "stable" as in fact quite ephemeral; this is because the shallow laws simply reveal and attempt to resolve the base layer political and class conflict, rather than have that conflict be hidden by legal logic and language.

I do not make a claim that this legal discourse framework is universally correct either; the framework has its limitations, but where it offers a better explanation than a jurisprudential one is

²⁶⁰ Riedlberger 2020: 227. This perspective is usually equated with scholars who have a more "traditional" view of Roman law as evolving from a "classical" standard into a "vulgar" form (however defined) over the course of the transition into the later Roman Empire. This traditional perspective can be seen, as a few examples, in Jolowicz and Nicholas (1972: 473-7), Tellegen-Couperus (1993: 124-8), and Mousourakis (2003: 356). However many scholars do not accept the classification of later Roman law as vulgar, highlighting that such a perspective prioritizes the jurist era of Roman law arbitrarily (Honig 1960: 25; Harries 2004: 2-3).

²⁶¹ Syme (1939: 15) used this phrase in reference to the Roman "constitution," here meaning the underlying rules for governance in the Roman state.

²⁶² Honoré 1998: 263.

precisely our period in time where attempts at legal consistency have been dispensed with in favor of political necessity.

However, in order to understand the critical discourse framework, we need to understand the normative conception of law to which it is responding, which will be explained in the next section "Conceptions of law." After this foundation is laid, then we will move onto discussing critical frameworks inspired by Marx in the section "Marx and Critical Legal Studies" and including those of Foucault in the section afterward called "Discourse and the law." Finally we will highlight what other conceptions for Roman law have already been advanced in the historical (as opposed to theoretical) literature in the section "Alternatives in Roman legal scholarship."

CONCEPTIONS OF LAW (NATURAL VS. POSITIVIST)

The oldest conception of law in the western tradition is what we call "natural law." Aristotle in the fourth century BCE had an idea of it when he divided laws between the particular, established by each people (*νόμον ... ἴδιον μὲν τὸν ἐκάστοις*), and the common, based on nature (*νόμον ... κοινὸν δὲ τὸν κατὰ φύσιν*).²⁶³ The idea behind the division was that laws created by people varied by society, but that universal or "natural" laws were the same for all humanity. The Romans had a similar framework, since in the very beginning of the Institutes, Gaius says that the law that people establish for themselves is a civil law, whereas the law of nations (*ius gentium*) is established by natural reason (*naturalis ratio*) and is followed by all peoples alike.²⁶⁴ By the time of Justinian's codification, and particularly because of the religious conversion of the empire, the moral backing of the Christian God, i.e. divine providence (*divina ... providentia*), was appended

²⁶³ Aristotle *Rhetorica* 1.13 (1373b.2).

²⁶⁴ Gai. *Inst.* 1.1.

to what were regarded as universal imperatives.²⁶⁵ Thomas Aquinas in the thirteenth century CE is thought to be the first person to articulate an explicit definition of what would become the basis to modern natural law. He states that law "is nothing other than an ordinance of reason (*rationis ordinatio*), for the common good, issued by one who has care of the community, and promulgated."²⁶⁶ Although Aquinas was a medieval monk, the lack of mention of God in this phrase is convenient for modern natural law theorists. Although they may have dispensed with divine providence, these modern theorists retained the notion that there are fundamental reasons underpinning law. That underlying rationale for the purposes of benefitting the common good is the reason why natural law is also the source for a cornerstone principle of modern human rights, i.e. an unjust law is no law at all.²⁶⁷

Legal positivism views law quite differently, although it is necessary to know that legal positivism has no relationship to the scientific positivism of the 19th century.²⁶⁸ It is "positivist" in that law is seen as something that is "posited," i.e. resulting from human rather than divine or "natural" rules.²⁶⁹ Although strands of this view had existed in the early modern era and into the early twentieth century, including a 1934 book by Hans Kelsen called *The Pure Theory of Law*, it was with the first publication in 1961 of H. L. A. Hart's book *The Concept of Law* that legal positivism was given a definitive modern treatment. In a nutshell, legal positivism argues that there need not be any relationship between the morality, reason, or social circumstance of a law and the validity of a law, or the obligation to follow it.²⁷⁰ In essence, Hart argued that law was essentially

²⁶⁵ *Inst.* 1.2.11.

²⁶⁶ Aquinas *Summa Theologiae* 1a2ae Q.90 A.4, tr. Murphy (2005: 16).

²⁶⁷ Often cited in Latin as *lex iniusta non est lex*, it is regarded as the slogan for natural law (Murphy 2005: 19). It follows Martin Luther King Jr.'s *Letter from Birmingham Jail*, who quotes Augustine as saying "an unjust law is no law at all."

²⁶⁸ Bix, "legal positivism", *DLT*, 2004: 120.

²⁶⁹ Marshall 2003: 67.

²⁷⁰ Hart 2012: 185.

a morally neutral social act, and therefore it could be examined as its own conceptual category free from contextual baggage.²⁷¹ In a way, I view legal positivism as not too dissimilar to the emergence of neo-liberal from classical economics; its main divergence was also a separation of moral and community context from the practice of the field itself. However this framework for separating morality from the law has left legal positivism open to accusations. The use and cooperation of lawyers and legislatures in the carrying out of Nazi ideology through laws is a commonly cited attack, with modern scholars wondering if such actions were backed or influenced by strands of legal positivism.²⁷²

Despite the sharp differences between natural law and legal positivism, there is one common bond; they are both considered "determinate," as opposed to Marxian frameworks that might be thought of as "indeterminate." To distinguish "determinate" from "indeterminate", one must ask whether legal materials (be they the law itself, the legal training of the officials, or the legal culture's stated principles) are sufficient enough to "determine" a single right answer to a legal question.²⁷³ If a system is "determinate," the answer is yes; if the answer is no, a system is "indeterminate," which would mean legal answers are far more subject to a judge's personal or unconscious biases.²⁷⁴ Despite the fact natural law and legal positivism have completely different fundamental frameworks regarding their underlying basis (i.e. morals/reason vs. social construction), both presume that more often than not,²⁷⁵ if one applies the expectations of their

²⁷¹ Bix, "conceptual analysis", *DLT*, 2004: 37-8; Bix, "analytical jurisprudence", *DLT* 2004: 6.

²⁷² Bix 2004: 31.

²⁷³ Bix, "indeterminacy," *DLT*, 2004: 97-8.

²⁷⁴ Previously I have used the terms legal science, idealized application, and jurisprudence synonymously with this concept of legal determinacy, but here it is an explicit technical term.

²⁷⁵ Leiter (2005: 64) points out that Hart's legal positivism does not deny the existence of indeterminacy in the system, but the difference is over the question of degree, namely, is law only occasionally indeterminate (Hart's position), or mostly indeterminate (Realist's position)?

framework upon a law, one will get a clear judicial outcome. This is not the perspective of the next legal framework, that of Critical Legal Studies.

MARX AND CRITICAL LEGAL STUDIES

Critical Legal Studies emerged from two particular traditions, one philosophical, the other legal.

The philosophical tradition harkens back to Marx and his ideas about the productive nature of society. Marx's particular innovations were to invert the previous philosophical order, with him asserting that it was the material world that created ideas as opposed to the other way around.²⁷⁶ In my interpretation of Marx, laws are an emergent, albeit symbiotic,²⁷⁷ property of the underlying and pre-existing conflicts and relationships between those who produced in a society and those who controlled production and producers, sometimes termed "class struggle." This emergent property is what some Marxists refer to as the "superstructure" of society, built atop a "base" of the relationships of production controllers and producers.²⁷⁸ As an example, I would say it is akin to a coercive relationship already existing between a farm overseer and a farmer before any laws were set down stating the terms of that relationship. This would be in opposition to previous philosophical frameworks that say that ideas and laws about that coercive relationship had to be set down before the relationship could begin. Likewise, I view this as also meaning that, were written laws to disappear, the coercive relationship would still remain in some form, since the law

²⁷⁶ Marx, "Postface to the Second Edition, *Capital vol. 1*," 1982: 102-3.

²⁷⁷ The preferred Marxist term here is "dialectic" (Marx 1982: 102) rather than symbiotic, although I feel symbiotic is sufficient as a synonym, given Engels' statement on the subject: "The economic situation is the basis, but the various elements of the superstructure ... also exercise their influence upon the course of the historical struggles and in many cases preponderate in determining their form. **There is an interaction of all these elements** (*Es ist eine Wechselwirkung aller dieser Momente*), Engels 2013: 467, ed. Callesen and Gavrilcenko), in which ... the economic movement finally asserts itself as necessary" (Engels 1934: 475, tr. Torr).

²⁷⁸ Marx, "Excerpt from *A Contribution to the Critique of Political Economy*," 1989: 43-4.

was only one expression of class conflict (as an emergent property), not the basis of conflict itself (as an underlying property).

The legal origin of Critical Legal Studies, on the other hand, was not Marxist at all. It originated from a now infrequently used framework called American Legal Realism. The Realists were among the first to suggest that law was rationally and causally indeterminate, which meant that stated legal reasons could not justify or explain a judicial decision.²⁷⁹ This itself was a reaction to older legal theories like formalism which suggested that law could be mechanistically applied for a consistent result,²⁸⁰ which is regarded as the strongest form of determinate law. The Realists suggested that law should instead incorporate bodies of knowledge outside itself like sociology and psychology, and that they should use empirical testing and/or personal candor as a means for judicial decisions, rather than legal reasoning.²⁸¹ However, in Hart's *The Concept of Law*, he devoted an entire chapter to criticizing varieties of legal realism for not being actionable theories, only useful instead as thought experiments.²⁸² The result of his critique was that Realism fell out of fashion shortly thereafter.²⁸³

Critical Legal Studies emerged in the aftermath of Hart's critique. It arose out of the confrontation between younger more leftist legal academics and older more conservative ones over the revolutionary social changes that occurred throughout the western world in the 1960s and 70s. The younger leftist academics viewed the status quo of legal theory as being unable to mitigate social problems such as racial or economic inequality, perhaps by design, and so they adapted the Realists' perspective on the indeterminacy of law. The significant difference between the creators

²⁷⁹ Leiter 2005: 51.

²⁸⁰ Leiter 2005: 50.

²⁸¹ Leiter 2005: 50, 58.

²⁸² Leiter 2005: 61-2; Hart 2012: 138.

²⁸³ Leiter 2005: 61, 64.

of Critical Legal Studies and Realists was that the former viewed law as completely indeterminate, rather than only partially indeterminate. To them, indeterminacy occurred for reasons beyond individual judicial arbitrariness; it happened broadly because of the political and class interests of judges and legislators, even at the expense of legal consistency.²⁸⁴ Their ideas emerged out of their observations on how judicial conflicts were "realistically" resolved. In the minds of Critical Legal scholars, the resolution of judicial conflicts was indistinguishable from the way society dealt with political conflicts, which relied as much on coercion as on determinate reasoned arguments. After all, such conflicts were never permanently resolved because the same issues would re-emerge over time in legal debate.²⁸⁵ This was why the central axiom for Critical Legal Studies was the phrase "law is politics,"²⁸⁶ which of course alludes back to Marx himself who viewed law as only an expression of class conflict. However, much like American Legal Realism, a main critique of Critical Legal Studies was that it was more theoretical than functional when it came to the application of law itself.²⁸⁷ Those who continued to align themselves with the framework rebutted that criticism by saying it had only fallen out of fashion precisely because legal systems have incorporated some of their critiques and policy proposals into the judicial process.²⁸⁸

Despite the slogan "law is politics," many Critical Legal Theorists would not go so far as to say that law is indistinguishable from pure politics, only that its operation seems very close to it. This is because most theorists remained legal professionals, opting to work inside the system to reform it, and for that reason, they used more humanist Marxian-inspired theories more than the

²⁸⁴ Tushnet 2005a: 80-1.

²⁸⁵ Leiter 2005: 65; Tushnet 2005a: 80.

²⁸⁶ Tushnet 2005a: 80.

²⁸⁷ Tushnet 2005a: 85-6.

²⁸⁸ Tushnet 2005a: 88.

more revolutionary impulses of Marx from his earlier writings.²⁸⁹ In essence, although they believed law as it currently stood was indeterminate, I interpret their goals as reserving the possibility that it could be made "determinate" in some fashion for the benefit of actual society, as opposed to only benefitting legal theory as an intellectual exercise.²⁹⁰

At the same time, there were others both in the field and outside it who embraced the core "law is politics" idea, because they did not feel the same need to preserve the system. For critical scholars specializing in legal discourse as a textual rather than a judicial field, law was indeed indistinguishable from pure politics.

DISCOURSE AND THE LAW

Although the body of literature on discourse is quite large, I am going to focus on the key points most relevant to this dissertation. I define discourse as "statements which have the ability to establish power through the exercise of language as a normative medium."²⁹¹ This concept was best pioneered by Michel Foucault. Foucault was a historian and philosopher, as opposed to a legal specialist, who emerged from a Marxist tradition having attended university in the late 1940s when Louis Althusser, another famous Marxist philosopher, was teaching. He also briefly joined the French Communist Party, but left because of a certain disillusionment.²⁹² Thus he was no stranger

²⁸⁹ Tushnet 2005a: 83-4.

²⁹⁰ I put "determinate" in quotation marks because those who view themselves as Critical Legal theorists would likely disagree that their goals were to make the system determinate, since that remained a fundamental impossibility on the basis of the definitional necessity to embrace the indeterminacy thesis (Tushnet 2005a: 86). At the same time, I view Critical Legal theorists' goal as to continue using law as a system for social benefit, and so an idealized application would still exist, even if not "determinate" according to their strict legal philosophy definitions.

²⁹¹ Here I follow Foucault's statements in *Archaeology of Knowledge* (2002) where he defines discourse as the "general domain of all statements" (2002: 90), but that its analysis was about "what was being said in what was said" which includes showing "what other forms of statement it excludes" (2002: 30-1). In addition, Foucault viewed such statements as capable of transforming not only language meaning, but material power "in the administration of scarce resources" (2002: 136).

²⁹² Gutting 2005: 24.

to the ideas of Marx and his successors regarding class conflict and the use of law for the enforcement of such relationships, even if there were aspects of Marxist theory with which he disagreed.²⁹³ Foucault's analysis of the link between discourse, power, the law, and the state, is a common theme throughout many of his more famous books, such as *Madness and Civilization* and *Discipline and Punish*. However, his intellectual topics ranged widely, and so although he touched on law and its relationships with language and power, he was not purely interested in the law in itself, partly because he viewed the law as merely one kind of discursive formation,²⁹⁴ as opposed to other frameworks that suppose it to be a different order of language.

Peter Goodrich, on the other hand, was interested in that relationship. He wrote a major work on the subject entitled *Legal Discourse: Studies in Linguistics, Rhetoric, and Legal Analysis*, which was based on his 1984 doctoral dissertation. Goodrich was trained as a legal academic, but also viewed himself as a leftist and associated with the Critical Legal Studies movement, and so explicitly viewed law through the Marxian lens as emerging out of a historical and material basis. Given the field's establishment in the late 1970s, Goodrich wrote the foundations for his book in what he viewed as Critical Legal Studies' more "radical and rebellious" early days, before it settled into what he saw as its more sedate "institutionalization"²⁹⁵ period, a phase to which he seemed to view himself as currently belonging. Still, *Legal Discourse* reflected the more polemical early spirit of the field, and so it expressed more interest in critique of the legal system than in reform.

The core premise of *Legal Discourse* was that the language of law (i.e. its word choices, grammar, or style) revealed the reasons for its creation as well as how it was used for social

²⁹³ Foucault 1991: 105.

²⁹⁴ Foucault 2002: 197.

²⁹⁵ Goodrich et al. 2013: 603-4.

enforcement.²⁹⁶ In addition, Goodrich argued that this was not a modern invention, but was part of a continuum of philosophical thought regarding the law stretching all the way back to classical thinkers like Plato, Aristotle, and Cicero.²⁹⁷ Goodrich's claims of the antiquity and continuity of law as an extension of politics make his theories relevant for our own late Roman context, which saw itself as also being influenced by those same ancient theorists.²⁹⁸

Goodrich also made several other key assertions useful to this dissertation. One assertion was that law is akin to, or possibly a form of, religion. Its modern western foundations originated with the medieval study of Justinianic law as a form of sacred text, utilizing analysis procedures similar to Biblical exegesis.²⁹⁹ Like a body of sacred text, "no attempt was to be made to question the rationality, the utility or the historical and social conditioning of those legal or scriptural authorities;"³⁰⁰ one was simply given the canon and then left to defend it. This idea is relevant to us because if law can be thought of as like a religion, then with our modern analytical frameworks, we can step outside a need to think about law's internal theology (i.e. jurisprudence). That is to say, we can make law a subject of religious "study" external to its own understanding of itself, and, given our underlying Marxian frameworks, we can remove law's sacral status, and examine it as a political text like any other.

Another relevant assertion Goodrich made was to say that law was an elite political imposition. Echoing Marx, Goodrich said that "law is the monopoly and codification of authorised and organised public violence" and that its efficacy "presupposes organised force and mechanisms

²⁹⁶ Goodrich 1987: ix, 1-3.

²⁹⁷ Goodrich 1987: 91-106.

²⁹⁸ Van Zyl 1991; Kroger 2009; Giltaij 2016; Schmidt-Hofner 2019.

²⁹⁹ Goodrich 1987: 33-4, 126-7.

³⁰⁰ Goodrich 1987: 34.

of fear whose real basis far exceeds the bounds of the specifically legal institutions..."³⁰¹ This power over non-elites extends beyond the patently coercive branches of the state and even into the legal education system, since "the entire process of socialisation into the legal institution is a question of learning deference and obedience" which results in "restrictions upon who may speak and the scope and topics that their discourse is entitled to."³⁰²

This last statement of Goodrich leads into what I view as his most important point, that legal language itself creates discursive power as a form of rhetoric. Complexity, generalization, omission, and favoritism in legal language are all used to serve ruling class interests. Legal language is often understood to seem impenetrably obscure to the layperson, necessitating experts for its decipherment. Goodrich views this as another aspect of elite imposition, since "its archaic terminological obscurity and its pedagogic specialisation, are all geared to the reproduction of an economic elite and the discriminatory values that such an elite serves."³⁰³ Likewise, legal language also uses generalization to establish "distance, impersonality and the possibility of rapid generalisation or exit from a concrete and unique instance of material conflict..."³⁰⁴ Omissions or silences within a legal text are equally important to Goodrich as well as to Foucault from a discourse analysis perspective,³⁰⁵ considering that what is not said is often as important as what is said. Its inverse is thus also true, that the statements that are favored, by whatever rhetorical means, give clues about the power relationships behind the legal language. And here is where emotion comes in as part of the arsenal of linguistic weapons for the ruling class. Although Goodrich does not spend a lot of time talking about emotion as a specific subset of legal rhetoric, he notes as an

³⁰¹ Goodrich 1987: 174.

³⁰² Goodrich 1987: 173.

³⁰³ Goodrich 1987: 81.

³⁰⁴ Goodrich 1987: 180.

³⁰⁵ Goodrich 1987: 204; Foucault 2002: 31.

example that in a police report on race riots in London in 1981, "the narrative sequence of the report systematically opposes a vocabulary and syntax of rationality in the narration of police activity, to a syntax of emotion and irrationality when the actions of 'blacks' are reported."³⁰⁶ This creates a contrast between the publicly stated ethos of law as requiring emotional detachment to the reality of its insertion when it suits the interests of the legal state.

The problems of complexity, generalization, omission, and topic favoritism in the law that Goodrich highlights as impositions of ruling class power upon non-elites are echoed in our late Roman sources as well. Emperor Valentinian III assails his own tax collectors over their abuse of citizens with "clouds of minute computations, confused with inexplicable obscurity, which among men who are ignorant of cunning bring about all the more that they cannot understand them."³⁰⁷ Generalization into codified abridged laws could have been undertaken for the purposes of reducing the volume of direct imperial response to people in need.³⁰⁸ In Jones' 1964 economic and administrative history of the later empire, he observed that "certain classes are conspicuous by their absence"³⁰⁹ in the legal codes. Perhaps not a shock, the peasantry were some of the least visible, followed by craftsmen, shopkeepers, and merchants outside the capital cities of Rome and Constantinople; in essence the lower and "middle" classes were poorly represented in the laws, although most surprisingly to Jones, he viewed the army as also underrepresented.³¹⁰ For topic favoritism, there is the fact that Roman legal codes mostly talk about the subjects important to elites, whether those elites are the original Romans who drafted those laws, or medieval European

³⁰⁶ Goodrich 1987: 182.

³⁰⁷ "...*praetendit minutarum subputationum caligines inexplicabili obscuritate confusas, quae inter homines versutiarum nescios hoc amplius agunt, quo minus intellegi possunt*" (Nov. Val. 1.3.2, tr. Pharr).

³⁰⁸ This was seen as a main purpose for rescripts (Connolly 2010: 243), although Corcoran (2000: 293) feels there is not enough evidence to establish whether the disappearance of rescripts from legal evidence is simply the result of poor source survival, as opposed to reduced usage.

³⁰⁹ Jones 1964: 358.

³¹⁰ Jones 1964: 358-9.

elites that selected Roman laws to be copied. Here the parties of greatest interest are the church, landowners, lawyers, and the upper aristocracy.³¹¹ One last marker of topic favoritism is the use of emotion in legal language, since a core conjecture for this dissertation is that rhetorical emotion is revelatory of imperial political priorities, especially considering the relative rarity of emotion in laws dating before our unabridged constitutions. Here, the imperial sentiment we have observed in the post-Theodosian novels could serve as a contrast to the "sober objectivity" of the opinions of classical jurists,³¹² a reflection of the ideological conflict between the two legal camps. Such emotions enabled emperors to self-legitimize authoritarian decisions through invoking moral or even religious rhetoric,³¹³ for the topics and interest groups of their choosing.

Now that we have explained our choice of framework for the analysis of late Roman laws, it might be good to take a step back to see what other options scholars have utilized to understand late Roman law and its underlying social concerns, in order to see where a discursive sentiment analysis might fit or be supported.

ALTERNATIVES IN ROMAN LEGAL SCHOLARSHIP

Because Roman Law is a massive field and because the main purpose of this dissertation is not an examination of Roman legal theory, the chief aim of this section is to contextualize the novelty of a discursive sentiment framework by showing its alternatives and overlaps. After all, most modern scholarship on Roman law seems to follow an unstated legal positivist ethos focused on the idealized application of specifically legal texts, because of positivism's status as the

³¹¹ Jones 1964: 360-5.

³¹² Honig 1960: 25.

³¹³ Honig 1960: 19, 25-6.

normative discursive position.³¹⁴ Most notably, Honoré as an oft-mentioned Roman legal specialist in this dissertation, was in fact a close colleague of Hart. Both were professors at Oxford and collaborated frequently, with Honoré cowriting with him *Causation in the Law* and also being prominently mentioned in Hart's introduction to *The Concept of Law*.³¹⁵ It would not be surprising then to suppose that Honoré also followed legal positivism in his analysis of Roman law.

In lieu of that approach, what follows is a non-exhaustive listing of scholarly alternatives (i.e. not purely positivist or natural) to the understanding of the normative ordering (i.e. not "legal" power but discursive power) imposed on Roman society and the Roman state (i.e. not specifically legal texts, but "law" conceived broadly). The main categories being highlighted are: constitutional theory (foundations of imperial authority as normative power), legal pluralism (overlapping systems of normative power), social and cultural expectations (non-legal normative power), economy (control of productive relationships as normative power), and legal rhetoric/style (wording rather than idealized application as normative power). The last two categories align the most with this dissertation's approach.

The first category is constitutional theory. For some countries like the United States, a constitution³¹⁶ is often thought of as a foundational document indicating what the operating guidelines for the state itself are. However, the Roman state had no such document and similarly neither does the United Kingdom. This does not mean that neither had a constitution. A definition derived from the British system that is still applicable to the American one is "that assemblage of

³¹⁴ I would thus consider some of the most frequently cited Roman legal historians in this dissertation, such as Honoré (1978, 1994, 1998), Matthews (2000), Sirks (2007), or Riedlberger (2020) as operating within a legal positivist framework. I have not identified any modern scholars that explicitly say they analyze Roman law within a natural law framework.

³¹⁵ Hart 2012: vii.

³¹⁶ Here the word "constitution" obviously should not be confused with the same word deriving from the Latin *constitutiones*, which we had previously indicated meant imperial laws.

laws, institutions and customs, derived from certain fixed principles of reason directed to certain fixed objects of public good that compose the general system, according to which the community has agreed to be governed."³¹⁷ In essence, a constitution could just as much be an amorphous and unwritten set normative practices as it could be a fixed document. In legal positivism, this idea is echoed in Kelsen's theory of a *Grundnorm*³¹⁸ and Hart's "Rule of Recognition."³¹⁹ The search for such a legal foundation for the emperor and empire has resulted in some of the more interesting statements within the field of Roman studies. Mommsen was famous for declaring that the emergence of the imperial office had no legal basis, and the entire imperial system was simply "an autocracy tempered by legally permanent revolution."³²⁰ Echoing this statement was Syme who said "The Roman constitution was a screen and a sham" and that "Insistence upon the legal basis of Augustus' powers ... can only lead to schematism and a dreary delusion."³²¹ Mommsen and Syme of course predate Hart, although Kelsen's first edition of his book on legal positivism appeared in 1934, five years before Syme's *Roman Revolution*. Syme does not cite Kelsen's ideas regarding the foundations of law not needing to be written, but perhaps he either did not know about the book or felt he had no need for a legal theory defense for what he viewed as an adequate construct under the framework of unwritten constitutionalism.³²² Large volumes of research would continue to be written on identifying a constitutional theory for the empire,³²³ including one book

³¹⁷ From Bolingbroke's 1734 definition, cited in Cloud ("The Constitution and Public Criminal Law," *CAH* 9:13, 1992: 491).

³¹⁸ Knight translates Kelsen's (1967: 8-9) *Grundnorm* as "basic norm."

³¹⁹ Kelsen 1967: 193-224; Hart 2012: 100-10.

³²⁰ Mommsen 1877: 844, 1077.

³²¹ Syme 1939: 15, 321.

³²² Syme said that Rome had an unwritten constitution that was actually "no constitution" (1939: 152), which meant that revolution or "treason," i.e. usurpation that could be legitimized after the fact, could just as easily lay the foundations for future Roman rule (1939: 156).

³²³ Just as a short listing from my own research into the subject includes Gizewski (1988) on normative totality as a framework for understanding the late Roman constitution, Lintott (1999) for a more traditional and legal understanding of constitutionality but under the Roman republic, Ando (2000) on the creation of an ideology of consensus throughout

which stretched the "right of revolution" as the foundation of the Roman state even into the whole Byzantine era.³²⁴ But at the end of the day, the common theme within constitutional theory scholarship and its ultimate relevance to our dissertation is that even for legal specialists, law is not confined to only that which is formally written down.

The second category of alternate approaches is what I view as legal pluralism. Legal pluralism is traditionally understood as overlapping legal systems operating within a society.³²⁵ Sometimes these multiplicities could fall under the idea of customs, such as detailed by Caroline Humfress in "Law and Custom in Rome."³²⁶ At other times they could be thought of as local laws not subject to centralized imperial codification, such as when Patricia Crone made the controversial argument that the origins of Islamic sharia law lay with provincial Roman law.³²⁷ And at other times it could be thought of as private arbitration, such as with a book by Gagos and van Minnen, which analyzed the letters of Dioscorus of Aphroditos as he tried to mediate an internal family dispute over property.³²⁸ As we can see from the examples just mentioned, these are all avenues of regulating behavior or settling disputes in ways recognized as akin to law, although not from the position of being recognized as formal law. The question of whether these norms that seem like laws are laws or not is one of the concerns of the field of legal anthropology,³²⁹ which is in fact in the title to Gagos and van Minnen's book, *Settling a Dispute: Toward a Legal*

the empire, Dagron (2003) on the insertion of the patriarch into Byzantine constitutionality, Gruen (2005) on the careful navigation and creation by Augustus of a new constitutional order which could be transferred to his successor Tiberius, Flaig (1992) who tackles the subject of usurpation and how the Roman system was content with it, and Pfeilschifter (2013) who continues Flaig's thesis into the late empire.

³²⁴ Kaldellis 2015.

³²⁵ See Humfress (2024) on the definitions and problems of the framework of legal pluralism, particularly as applied to pre-modern historical study.

³²⁶ Humfress 2011b.

³²⁷ Crone 1987.

³²⁸ Gagos and van Minnen 1994.

³²⁹ Gagos and van Minnen 1994: 35; Donovan 2008: 4.

Anthropology of Late Antique Egypt. This understanding of legal anthropology, with unwritten norms acting like laws (necessary so as to identify law in societies without writing),³³⁰ sounds close to legal pluralism with its multiplicity of laws and law-like systems operating concurrently. Although working under a legal anthropology framework, Jill Harries in *Law and Empire in Late Antiquity* shared sentiments on law that would not be unfamiliar to legal pluralists. She said that fixating on law as a conflict over power was "simplistic" and that instead late Roman society should be thought of as "a multiplicity of relationships, in which the law was used as a tool of enforcement, an expression of power, or a pawn in the endless games played out between emperor and citizen, centre and periphery, rich and poor."³³¹ It is with these overlapping layers of society competing and cooperating under the aegis of law, however conceived, that she says can make us rethink the problem of efficacy in law. Often scholars have viewed repetition in legal codes as indicative of a lack of efficacy and systemic failure.³³² Instead, Harries says that we need to think of repetition instead as a form of communication, since laws and complaints of their ineffectiveness were both communications as well.³³³ The relevance of this insight and pluralism to the dissertation is that the purposes and efficacy of law were as multilayered as those who used it. In our specific case, a failure of "legal consistency" (considered a purpose to legal experts) should not be considered fatal to the imperial system if laws are successful as political communication (considered efficacy in another realm, perhaps to overtaxed farmers), and so we should be mindful of spheres of usage other than those preferred by lawyers and jurists.

³³⁰ Legal anthropologist Simon Roberts (1979: 28-9) prefers the term "clearly conceptualized or articulated" in lieu of "written," but the sense remains very close in my opinion.

³³¹ Harries 2004: 8.

³³² Jones 1964: 741, 752.

³³³ Harries 2004: 212, 78.

In a similar category would be what I call non-legal normative behavior. Here we are dealing with the normative ordering of society by practices that are not really considered law. In the field of Late Antiquity, one of the more important books that I slot into this category is Peter Brown's *Power and Persuasion in Late Antiquity*. In it, Brown argues that elite power was shaped just as much by rhetorical culture as coercion.³³⁴ This culture was maintained through the educational system of the upper classes, termed *paideia*,³³⁵ and this is what allowed the empire to be administered by people who were co-opted into the system. It could occasionally benefit those from below in the requests they made to those above, while at the same time, such culture and ceremony could simultaneously bind the upper classes through the power of behavioral expectation,³³⁶ although this system would transform as the empire converted to Christianity.³³⁷ Related very closely to Brown's ideas were those of J. E. Lendon. Lendon viewed the sparseness of early imperial administrative staffing as a feature, not a flaw of the empire. What kept the state working was not extensive laws or a large number of officials, but "honor" as a framework of behavior, similar to how *paideia*, according to Brown, could bind both the ruled as well as the rulers.³³⁸ Related to expectations of behavior, but this time in a more concrete literary form, was the argument of Kaius Tuori, who said that historical narratives and literature acted as much as a binding example for emperors as laws might.³³⁹ His particular phrasing was that "an emperor is what the emperor is believed to be,"³⁴⁰ suggesting that tradition laid down through stories the

³³⁴ Brown 1992: 30.

³³⁵ Brown 1992: 3-4.

³³⁶ Brown 1992: 30, 56.

³³⁷ Brown 1992: 4.

³³⁸ Lendon 1997: 23-7.

³³⁹ Tuori 2016: 2-3, 17.

³⁴⁰ Tuori 2016: 2.

emperors themselves might have known about, were also a form of constitution.³⁴¹ The relevance of these three scholarly works is to show that normative power can come from outside the confines of strictly legal texts. In this dissertation's particular instance, that would mean that the emotional rhetoric located in the prefaces and other context sections of a post-Theodosian novel should not be disregarded just because they are not strictly commands.

The next category is scholarship that looks at normative power through economic relationships. Some perspectives concentrate on how those with more economic power have an ability to influence legislation more than those with less, but other perspectives also include how behavior is structured, i.e. "normalized" through economic logic that approaches rule-like status.³⁴² The most explicitly Marxist book of the ones being mentioned is G.E.M. de Ste. Croix's *Class Struggle in the Ancient Greek World* which deals with both the influence/imposition of the rich upon the working classes and how societal behavior is structured by its economic logic. De Ste. Croix works out how the conflict and relationships between the upper and lower classes actually functioned with detailed source backing, something Marx himself could only guess at as a non-specialist when he talked about how pre-modern economies functioned.³⁴³ De Ste. Croix did not write much on law, reiterating only the expected points that it benefitted primarily the upper class,³⁴⁴ and that laws for the lower classes were often only the minimum necessary to claim

³⁴¹ Tuori 2016: 10.

³⁴² An example of such a rule is the "coercive law of competition," which at its core states that in a capitalist environment, competition will force owners to be exploitative to their workers independent of their intentions, lest they be driven out of business themselves (Harvey 2010: 123). It is the same concept as free-market competition, but inverted with an eye toward the suffering of the workers rather than the benefit of the owners. Whatever its chosen name, the concept acts as a fundamental economic "rule" of human societies as a whole, even if a select few individuals choose to disregard it.

³⁴³ Wickham (2021: 5) points out in reference to Marx that "no one working in the 1850s and 1860s knew enough about feudal societies to be able to make any kind of systematic analysis of their underlying economic logic."

³⁴⁴ de Ste. Croix 1981: 329-30.

something was done.³⁴⁵ However he also made a point about the emperorship that will be relevant to us later. The imperial office continued existing because there was an upper class benefit; without an emperor as a dispute arbiter, "their own privileged position might be imperilled if too many individuals among their number were allowed, as in the Late Republic, to plunder the empire too freely."³⁴⁶ Chris Wickham performed a similar class analysis in *Framing the Early Middle Ages*, but instead of concentrating on only the Greek world, he looked at the entire Roman Mediterranean and northern Europe, specifically in the early medieval period up to 800 CE. Positioned in his analysis of the various transformations of the former empire is his conjecture that although the demise of the Roman state greatly reduced aristocratic wealth, it simultaneously gave peasants greater autonomy from extractive laws and landlord coercion.³⁴⁷ Exact details of the reworking of Late Roman elite exploitation of the working classes can also be seen in Peter Sarris *Economy and Society in the Age of Justinian*. Using papyrological archives for routine administrative writing which survived almost nowhere else other than Egypt, Sarris scrutinized how powerful landowners could leverage their position to influence or place favorable administrative officials to secure their exploitative legal control over their contract wage-laborers.³⁴⁸ Sarris suspects the magnates would even hire underemployed imperial soldiers for the labor enforcement on their estates,³⁴⁹ thus dominating every coercive avenue possible against workers, the economic, the legal, and the armed. If a trend can be detected from the mentioned works, it is to reiterate for our research the point that we should be cautious about the claims of imperial munificence to the lower classes in

³⁴⁵ de Ste. Croix 1981: 502.

³⁴⁶ de Ste. Croix 1981: 501.

³⁴⁷ Wickham 2005: 525, 533-5.

³⁴⁸ Sarris 2006: 147-8, 69-70.

³⁴⁹ Sarris 2006: 166.

our fifth century laws, and try to remember that it remains upper class concerns that drive the bulk of imperial decision-making.

The last category to be discussed is that of rhetorical or stylistic analysis of the law. Rather than focus on the logic or the idealized application of legal commands, this approach looks at how words are selected in order to make a meta-argument. Some scholars have a meta-argument that the rhetorical style is a political expression, fitting with a more social analysis approach. Other scholars have an unstated meta-argument that rhetorical style is an aesthetic choice worth admiring for its own complexity or artistry.³⁵⁰ This dissertation obviously prefers the former approach and will only discuss a few works that match that framework.³⁵¹ Richard Honig wrote a book on how *humanitas* (humanity) was used as a rhetorical concept in late Roman laws. He observed that imperial legal language from that period seemed to borrow from church language to frame its messages,³⁵² which is why the laws seem less "objective" than earlier imperial ones, because emperors are trying to construct their laws as moral guides.³⁵³ In addition, rhetorical stylings increased in the law concurrent with strains on the state, particularly if the political expedience of rhetoric could be used where material resources were lacking.³⁵⁴ Gerhard Ries analyzed the form and function of prologues and epilogues in ancient laws, including late Roman ones. He said their existence and detailed nature is a result of the accumulation of power in a single person, since as that power increased, so too did the necessity of rhetorical justification for that power.³⁵⁵ Ries also

³⁵⁰ Although not dealing with law and instead more on the subject of late antique poetry and art, a notable book in this vein is Roberts' *The Jeweled Style* (1984).

³⁵¹ To accept a position that there is no political influence upon the form of Roman law would render this entire dissertation moot. That position remains valid and possible, but discussing those sources would serve little purpose within this paper as a form of argumentation for its opposite.

³⁵² Honig 1960: 149.

³⁵³ Honig 1960: 25-6.

³⁵⁴ Honig 1960: 39.

³⁵⁵ Ries 1983: 222.

made observations echoing Goodrich that the chosen grammar of laws mattered. For example, whether a law says "do not steal" vs. "if you steal you will be punished" vs. "one who steals will be punished" has an impact on the perceived seriousness of the law based on differences in verbal grammatical mood,³⁵⁶ i.e. whether a law is direct, conditional, or impersonal. Michał Stachura is a scholar with the closest approach to this dissertation. He analyzed "language aggression" in the Theodosian Code, post-Theodosian novels, and the Sirmondian constitutions. Based on classical invective sources, he identified a list of words that were the hallmarks of imperial anger towards subjects in a legal text,³⁵⁷ allowing him to identify the "enemies" of the late Roman order. The list is well argued from a literary perspective. However the main reason this dissertation is not using his list for sentiment analysis, is that, despite the work Stachura put into identifying candidate "offensive words," their total number from his methodology within both abridged and unabridged laws is too scant to form the base of any quantitative analysis, likely because of the limited list being the result of purely human selection as opposed to more rule-driven justification. Along with Stachura, Sebastian Schmidt-Hofner has also showed recent interest in applying innovative techniques to the analysis of late Roman law as propaganda. His 2025 paper advocated for a narratological approach to the post-Theodosian novels, which he suggested could explain the "particularly elaborate narrative character" of the laws.³⁵⁸

Ultimately, the relevance of the works in this category remains the same, as a reminder that rhetorical and emotional style should not be thought of as purely aesthetic. And so in the case of our post-Theodosian novels, the fact that negative emotional sentiment was used means we need to understand the underlying political rationale for its use.

³⁵⁶ Ries 1983: 1.

³⁵⁷ Stachura 2019: 72-6.

³⁵⁸ Schmidt-Hofner 2025: 138.

FRAMEWORK SUMMARY

With our legal discourse framework chosen, historically contextualized, and theoretically situated, this chapter fulfills the necessities of the first step to explaining our hypothesis as listed in the plan: to find an alternate political framework for interpreting Valentinian III's and other imperial novels that is not the jurisprudential one which views his laws as legally unsound.

We have seen how Critical Legal Studies and Legal Discourse emerged from their philosophical and legal context, in particular from Marxian frameworks that do not pre-suppose that law acts in a consistent manner, and do not suppose that law as a whole is somehow politically neutral. We have also seen how the legal discourse theoretician with which this dissertation most aligns, Goodrich, has created a basis for an external critique of law by viewing it as akin to a religion. In addition, he has described law as a ruling class imposition; through the normative use of language complexity, generalization, omission, and favoritism (which includes the selective deployment of emotional sentiment), the ruling class has created systems of normative power which are then imposed upon the lower classes. Lastly, we have seen how frameworks tangential or intersecting with Goodrich have expressed similar ideas, although not in the same organized manner and not for his goals of expressing the inherent socio-political problems with law and legal discourse, goals which suit this dissertation's need to explain a late Roman imperial system which also has visible socio-political problems with law and legal discourse.

With our framework now explained, we move on to implementing it in a manner which can be analyzed in detail through a pre-existing methodology called sentiment analysis.

6. Sentiment Analysis

BACKGROUND

Sentiment analysis, sometimes also known as opinion mining, is a massive and popular field within computer science defined by a senior expert as "the field of study that analyzes people's opinions, sentiments, appraisals, attitudes, and emotions toward entities and their attributes expressed in written text."³⁵⁹ The field is so large that a relatively recent 2017 paper that attempted to create an overview for the discipline had to resort to computer-assisted and partially-automated text mining and analysis itself in order to identify the salient literature from approximately 7,000 scholarly works, with 99 percent of them published after 2004.³⁶⁰ Its popularity is linked to the rise of the Internet,³⁶¹ as massive amounts of human and machine content were moved or generated online, along with the commercialization and the takeover of the Internet as the venue for a significant percentage of all social, political, and economic interactions. This easy access to data and a need to understand human emotions attached to it has driven major businesses such as Microsoft, Google, and Facebook to fund and incentivize academic expansion in the field as a way to create new markets.

Because the field is so large and diverse, sentiment analyses vary in terms of their base units of examination. The oldest methods focus on words as discrete sentiment units. The best example of this that is still used is the General Inquirer, a computer database and program dating to the 1960s that was created for content analysis. Included in its dataset was a list of 3,000 of the most frequently used words in the English language with 2,490 of them assigned a positive or

³⁵⁹ Liu 2020: 1.

³⁶⁰ Mäntylä et al. 2017: 16-17.

³⁶¹ Mäntylä et al. 2017: 17.

negative affect value. A panel of three or more human judges would assign various values for each word, including sentiment, and afterwards, the scores would be compared and then averaged to determine the final values.³⁶² Despite its age, the fact that those sentiments were assigned manually by humans with their innate linguistic sense of positivity or negativity, made this database useful for later comparison with machine scoring of sentiment. As an example, popular sentiment databases like Micro-W(ord)N(et)Op(inion) and SentiWordNet both cross-check their machine-assigned sentiment scores against the General Inquirer list.³⁶³ The necessity of human evaluation as a baseline is the reason the term "Gold Standard" was adopted in sentiment analysis to represent the most human and least machine-derived sentiment list for the purposes of comparison.³⁶⁴

However, many modern methods move beyond pre-established wordlists for their sentiment analysis. Some are algorithmically-driven mathematical models which look at words in context for their sentiment within phrases, sentences, or larger linguistic units.³⁶⁵ For our purposes, we will be working with the older practices where words are treated as standalone units, since many of our sentiment inquiries will be looking at words independently, and the more complex contextual analysis models³⁶⁶ are currently unsuitable for use with Latin, in addition to being too technical for me to implement.

Those models' unsuitability is due to the fact that Latin, while having relatively large bodies of source text, cannot compare to the volume generated daily on the Internet by modern languages, nor are surviving ancient sources as diverse in type with consideration to volume.³⁶⁷

³⁶² Stone et al. 1966: 188-9.

³⁶³ Cerini et al. 2007: 202; Esuli and Sebastiani 2006b: 419, 421.

³⁶⁴ Cambria et al. 2017: 44.

³⁶⁵ For an overview of the most commonly used methods of the last few years, see Cambria et al.'s *Practical Guide to Sentiment Analysis* (2017) or Liu's *Sentiment Analysis: Mining Opinions, Sentiments, and Emotions* (2020).

³⁶⁶ These are sometimes called sentiment analyzers, one of the more popular being VADER, or Valence Aware Dictionary and sEntiment Reasoner (He et al. 2022: 2).

³⁶⁷ Sprugnoli et al. 2020b: 3078.

The training data for modern languages not only include formal prose, the writing type most likely to survive from antiquity, but a large amount of spontaneous casual conversation, which at best survive in limited graffiti from ancient sites. This extra volume and diversity in modern languages helps clarify marginal cases of contextual sentiment ambiguity, which can always be tested with new incoming data or supplemented by native speakers, who exist in far greater numbers than ancient language specialists. Models attempting to train on Latin, on the other hand, suffer from the more limited number of native texts that survive. The exception to this might be the very infrequent discovery of new texts, although those texts would still require interpretation from human specialists of Latin rather than a community of native speakers, which does not exist. And so, where incompleteness or ambiguity exist in the determination of sentiment through algorithmically-driven models (and such problems would occur far more often in Latin than with a modern language), those problems might remain unresolved, or alternatively, answers might be "hallucinated" by the "artificial intelligence" program or large language model.³⁶⁸

It is for these reasons that we rely upon the older practices of identifying word or word sense sentiments through pre-established lists called prior polarity lexicons, since the scores for words are established prior to and independent of their usage in context.³⁶⁹ Pre-established sentiment lexicons can be used without needing complex formulas, large data training sets, or repeated validation, since the scores were either manually encoded by native-speaking humans, or have already been trained and vetted by humans as sufficiently accurate. In addition, human correction is made easier without disrupting the process of sentiment encoding, as might happen

³⁶⁸ Guerreiro et al. 2023.

³⁶⁹ Sprugnoli et al. 2020a: 61-2.

with a more sophisticated model, since the intervention would take place with individual words, rather than adjusting the core algorithm for a word's contextual sentiment calculation.

For English, one of the larger and more widely-used³⁷⁰ sentiment lexicons is SentiWordNet, which in its 3.0 version scores all entries in WordNet, a public database of about 155,000 words structured into about 117,000 synsets (short for "sense sets" which are a grouping of words with similar meanings akin to a thesaurus entry).³⁷¹ However, despite SentiWordNet's size and utility, English is not our target language. The main stumbling block, then, resides in what sentiment lexicons exist for the language of our primary sources.

Currently, I can find only one sentiment lexicon for Latin: the LatinAffectus project from the Centro Interdisciplinare di Ricerche per la Computerizzazione dei Segni dell'Espressione (CIRCSE) out of the Catholic University of the Sacred Heart in Milan, spearheaded by Rachele Sprugnoli. In essence, their methodology consisted of two Latin experts manually encoding, in their 2.0 version,³⁷² 1,879 nouns and adjectives on a scale from -1 to 1 in 0.5 intervals, the polarity of a word at -1 indicating strong negative polarity, 0 indicating no perceived polarity, and 1 indicating strong positive polarity. After harmonization of scores occurred between those two experts, the human, or "gold", standard was then used to algorithmically train another 2,245 words as a "silver" standard for a total of 4,124 words in the lexicon.³⁷³ The main limitation for LatinAffectus then is that its total size does not encapsulate all known Latin words, and since it does not cover words that are not nouns or adjectives, less than half of the words are scored by human Latin experts.

³⁷⁰ Husnain et al. 2021.

³⁷¹ Baccianella et al. 2010; <https://wordnet.princeton.edu/documentation/21-wnstats7wn>.

³⁷² Since the initial writing of this chapter, the LatinAffectus sentiment list has been updated and is now at version 4.0 with a total lexicon of 5,909 unique words.

³⁷³ Sprugnoli et al. 2020a, 2020b; https://github.com/CIRCSE/Latin_Sentiment_Lexicons.

Given the limitations of LatinAffectus, I put forth the following solution: I propose to create a sentiment lexicon where scoring is done by aggregating the sentiment polarities of the component English definitions for Latin words, but with human oversight in the event a pre-existing English sentiment score seems questionable, or if the balance of polarity scores from the definitions is not perceived to reflect its known usage. The English sentiment lexicons I choose to use will be SentiWordNet 3.0 through its derivative SentiWords, which aggregates through a weighting formula the multiple senses within a SentiWordNet word to give a single word score per part of speech,³⁷⁴ e.g. "light" has separate entries for its different parts of speech as a noun, verb, and adjective.³⁷⁵

Although this procedure also involves working from the English, the major difference is that we are dealing with word definitions rather than passage translations. In the latter, the translator is attempting to convey with words a narrower and more appropriate sense for a passage in detail, rather than the broader and various possible meanings for words in a passage in general. Scoring the English words in only the translation runs the risk of conveying different sentiments because of the imposition of the interpretive layer of a translator. Instead, scoring the various English definitions for a Latin word allows us better to get a feel for the broader semantic and sentiment range for the original word without needing to deal with a translator-added interpretation.

These issues can be briefly demonstrated by comparing the difference between a purely averaged SentiWords sentiment scoring of Pharr's English translation and the scoring of the English definitions of the original Latin words in Meyer's edition, using *Nov. Val.* 1.3.3 as an

³⁷⁴ Gatti et al. 2016; <https://nlpplab.fbk.eu/tools-and-resources/lexical-resources-and-corpora/sentiwords>.

³⁷⁵ SentiWords however does not distinguish between multiple definitions within single part of speech, e.g. "bark" as the sound a dog makes and "bark" as the skin of a tree are classified as a single entry with its different and underlying SentiWordNet scores both aggregated into one.

example. In the scoring done below, negative numbers indicate negative polarity, positive numbers indicate positive polarity, a polarity of 0 indicates a word is neutral, and -1 or 1 represent the highest possible maximum value for negative or positive polarity. It should also be noted that this purely averaged calculation of the score of all words is not our intended methodology, but simply a means of showing scoring differences between translation and definitions.

*"We (0.000) extinguish (-0.126), O (0.000) Conscript (0.000) Fathers (0.000), the (0.000) brands (-0.010) of (0.000) this (0.000) pernicious (-0.444) fire (-0.202), and (0.000) We (0.000) do (0.111) not (-0.389) permit (0.033) it (0.000) to (0.000) rage (-0.668) further (0.000), to (0.000) the (0.000) destruction (0.000) of (0.000) the (0.000) exhausted (0.004) provincials (0.000)."*³⁷⁶

*"Hunc (0.000) nos (0.000), patres (0.000) conscripti (0.000), fomitem (0.000) perniciosi (-0.513) ardoris (0.188) extinguimus (-0.327) nec (-0.196) patimur (-0.071) ulterius (0.000) ad (0.000) exhaustorum (-0.092) interitum (-0.375) desaevire (-0.159)."*³⁷⁷

One immediate difference we can see between the scoring of the English vs. the Latin is not only in the number of words (27 in the English vs. 15 in the Latin), but the number of words with negative sentiment and their severity, as well as the number of neutral words. This difference between the two affects the averaging of an overall sentiment score, with the English scoring less negative at -0.063 compared to the Latin at -0.103. In addition, individual words are scored differently, even when the English translation is clearly descended from the Latin original, such as with "pernicious" (-0.444) and "perniciosi" (-0.513) or "extinguish" (-0.126) and "extinguimus" (-

³⁷⁶ Not all English words are in SentiWords. Specific exclusions are common pronouns, prepositions, articles, conjunctions, and interjections. For our sample passages, these missing common words are scored as 0.000.

³⁷⁷ The sample SentiWords scoring for the Latin passage only displays the average from the multiple scores within a Latin word's definition. The full component scores, drawn from the key Whitaker's Words definitions for each entry, are as follows. *Hunc* ("this" 0.000, "these" 0.000) *nos* ("we" 0.000), *patres* ("father" 0.000, "head of household" 0.000) *conscripti* ("enroll" 0.000, "write down" 0.000, "compose" 0.000), *fomitem* ("kindling" 0.000) *perniciosi* ("destructive" -0.480, "dangerous" -0.615, "pernicious" -0.444), *ardoris* ("fire" -0.202, "flame" 0.000, "heat" -0.064, "brightness" 0.556, "flash" 0.143, "gleam" 0.000, "color" 0.547, "ardor" 0.074, "love" 0.767, "intensity" 0.061) *extinguimus* ("quench" 0.159, "extinguish" -0.126, "kill" -0.797, "destroy" -0.542) *nec* ("and" 0.000, "not" -0.389, "neither" -0.198) *patimur* ("suffer" -0.707, "allow" 0.312, "undergo" 0.000, "endure" 0.009, "permit" 0.033) *ulterius* ("beyond" 0.000, "further" 0.000, "more than" 0.000, "besides" 0.000) *ad* ("to" 0.000, "towards" 0.000, "near" 0.000, "at" 0.000, "until" 0.000, "on" 0.000, "by" 0.000, "almost" 0.000, "about" 0.112) *exhaustorum* ("draw out" 0.082, "drain" -0.348, "drink up" 0.000, "empty" 0.000, "exhaust" -0.238, "impoverish" 0.000, "remove" -0.232, "end" 0.000) *interitum* ("ruin" -0.682, "death" -0.829, "extinction" -0.446, "destruction" 0.000, "dissolution" 0.080) *desaevire* ("rage" -0.668, "rave" 0.190, "vent" 0.000).

0.327). This is of course not even taking into account that this paper's readers, as well as I myself, may disagree with some of the automated scoring.

However, whether one believes that the translation or the original source is more or less negative overall or in detail is not the point. The point of the above example was to highlight that the two are different, and that scoring the translation imposes an additional semantic and sentiment layer through the eyes of the translator, which can be sidestepped if we work with the original source language, albeit through the eyes of our Latin dictionaries.

At the very least, our proposed procedure, to sentiment score the definitions for ancient words, is actually very close to the methodology for the scoring of the SentiWordNet English lexicon itself. In it, scores were created by seeing if the gloss entry of a WordNet synset contained relationships or proximity to words that were pre-identified as positive or negative.³⁷⁸ Thus, our proposed scoring methodology for Latin is in line with pre-existing and accepted methodologies for modern language sentiment scoring.

This procedure does have some limitations. Occasionally the automated scoring of a word's polarity does not conform to native speakers' expectations. An example of this would be the fact that the word "ludicrous" has a positive score. This is surmised as possibly being the result of the structure of a gloss entry, in that the words surrounding an entry may be "more likely to be associated with a positive term than a negative one,"³⁷⁹ since the creation of a SentiWordNet score is not due to any intrinsic understanding by an algorithm of a word's meaning, but by the proximity of certain target words as a calculation. Thus at the end of the day, we need to rely upon some sort of human validation to double-check that the scores we assign overall are mostly acceptable to

³⁷⁸ Esuli and Sebastiani 2006: 418.

³⁷⁹ Ohana and Tierney 2009: 8.

native speakers. This would be impossible if our list was excessively large, but with a final count of 699 words in our sentiment lexicon, manual verification and/or adjustment for each entry seemed feasible for increasing accuracy at the cost of this researcher's own human labor.³⁸⁰

The aforementioned existence of the LatinAffectus2 corpus allows us to perform a partial external human validation for this paper's methodology for Latin.

Using procedures that will be outlined shortly which focus on negative polarity words, out of 699 Latin words categorized as "negative" within the post-Theodosian novels, 229 also appear in the LatinAffectus2 corpus of nouns and adjectives. Of these, 170 words from the post-Theodosian novels were marked as "generally negative" and 59 were marked as "contextually negative". When our novels' wordlist "sentiments" were matched against the LatinAffectus2 sentiments, we had the following results. As a reminder, -1 represents strong negative score, 1 strong positive score, 0 being neutral, and +/- 0.5 indicating moderate positive or negative polarity.

³⁸⁰ See Vicente and Saralegi (2016) for an analysis of the optimal tradeoff in time between automatic and human creation of sentiment lexicons and Boghe (2020) on whether it is even necessary to automate sentiment analysis at all with the smaller textual datasets that are common in humanities.

Table 3: Correlation of post-Theodosian (PT) to LatinAffectus2 words (LA2)

(LA2) Sentiment	(PT) Generally negative (words)	(PT) Generally negative (%)	(PT) Contextually negative (words)	(PT) Contextually negative (%)
-1	141	82.9%	22	37.3%
-0.5	24	14.1%	19	32.2%
0	3	1.8%	14	23.7%
0.5	1	0.6%	2	3.4%
1	1	0.6%	2	3.4%

Out of the post-Theodosian novels' wordlist, 170 words in total were marked as "generally negative" with LatinAffectus2 concurring with 141 of them as strongly negative, a correlation of 82.9 percent, and 165 of them as overall negative, a correlation of 97.1 percent. Although there were five words which do not correlate,³⁸¹ it should be noted that all five of those words were from the "silver standard" wordlist of machine-scored sentiments, rather than the human-scored "gold standard" wordlist.³⁸²

The "contextually negative" percentages require a little more elaboration. As will be explained in the upcoming procedure section, "contextually negative" means there are certain circumstances where a word can be construed as negative, and other times when it might not. Given that the distribution of sentiment from strongly negative to neutral is fairly staggered at roughly 37, 32, and 24 percent, this pattern suggests that LatinAffectus2 would be in general

³⁸¹ The generally negative words which LatinAffectus2 disagreed with were *ignominia*, *ignorantia*, *incuria*, *inscientia*, and *noxius*.

³⁸² Although I have not had the time to verify in detail correlations between my sentiment lexicon and the updated LatinAffectus4 list, a comparison of only the human-scored "gold standard" words in LatinAffectus4 shows an 87.1% correlation (122 PT words divided by 140 LA4 words) with our lexicon. This increase in correlation suggests that the external validation performed with the LatinAffectus2 list continues to hold true.

correlation with our definition for "contextually negative", with a roughly similar number of words viewed as strongly negative, others as moderately negative, and still others as neutral. As for the four words in dispute, i.e. those words LatinAffectus2 considered positive where our wordlist considers them potentially negative, they constitute only a very small 6.8 percent minority which are not correlated. And in a manner similar to our generally negative words, three³⁸³ out of four the words were from the "silver standard" wordlist of machine-scored sentiments. The remaining word, *expugnatio*,³⁸⁴ is from the human-scored "gold standard" wordlist, and for this last word, I do not disagree that it could be conceived of as positive if from the perspective of an attacker, but wants to emphasize that it could just as equally be thought of as negative in certain contexts, particularly from the perspective of a defender, thus fulfilling our criteria for a word to be "contextually negative."

All of this is to reiterate that our proposed methodology is in concurrence with the limited expert human sentiment scoring that exists for Latin.

IDENTIFYING NEGATIVE WORDS

In this section, we will elaborate on our linguistic units of analysis, consisting of what we call "injurious" negative polarity words, sentences and command segments, and various diplomatic/form structures for our laws. Because the core of our analysis consists in the sentiment scoring of words, we begin by explaining the procedure and logic for the identification of candidate words. We will be using a sample passage from the Novels of Valentinian for the forthcoming sections to illustrate how our methodologies will be applied. The passage is chosen because it

³⁸³ The three positively-scored "silver standard" words were *calliditas*, *callidus*, and *pudor*.

³⁸⁴ The Whitaker's Words entry for *expugnatio* defines it as "storming, taking by storm; assault." n.b. *expugnatio* remains the only word in disagreement, i.e. scored as positive instead of negative, between our wordlist and the updated LatinAffectus4 list.

contains all of the different features we need to explain our procedures and analysis: there are words of general and contextual negativity, there are context and command sentences, and there are human political interests and non-human resources.

"Hunc nos, patres conscripti, fomitem perniciosi ardoris extinguimus nec patimur ulterius ad exhaustorum interitum desaevire. nobis perit deterior possessor effectus, nobis proficit non gravatus. venduntur indutiae his qui non possunt esse solvendo, cum dilationis redemptio publicam magis adtenuet functionem. amittit sine dubio fiscus, quod commodo suo exactor augmentat. Superiorum igitur, patres conscripti, omnium temporum reliqua tam arcalium quam utriusque aerarii usque ad incipientem primam indictionem iubemus ad indulgentiam pertinere: nemo prorsus quaelibet usque ad designatum tempus transacta discutiat. sola est numquam calumnianda securitas, quam aeternitas nostra concedit." (Nov. Val. 1.3.3, ed. Meyer)

"We extinguish, O Conscript Fathers, the brands of this pernicious fire, and We do not permit it to rage further, to the destruction of the exhausted provincials. A landholder who has been made poorer is lost to Us, but if he is not overburdened, he profits Us. Postponements are being sold to those persons who cannot be solvent, although the purchase of delay further attenuates the public service. Without doubt the fisc loses whatever the tax collector increases to his own advantage. Therefore, O Conscript Fathers, We order to belong to this remission the delinquent taxes of all previous times, those of the chest as well as those of both treasuries, up to the first year of the indiction which is beginning. No person hereafter shall investigate anything whatever that has been settled up to the designated time. That security alone must never be calumniated which Our Eternity has granted." (Nov. Val. 1.3.3, tr. Pharr)

1. Examine the primary source text in Latin along with its translations, and identify candidate words that seem "injurious."

Although the goal is to create a list of "negative" words, defining "negative" is difficult without being self-referential or tautological. So to act as a practical constraint on the definition, I am anchoring negativity to a word considered key to the concept of Roman law, *laedere*.

The word appears in the opening to Justinian's *Institutiones*, where its authors defined the guiding principles of law (*iuris praecepta*) as "to live honorably (*honeste vivere*), to injure no other person (*alterum non laedere*), and to give each their due (*suum cuique tribuere*)."³⁸⁵ This statement is older than Justinian's sixth century codification, as it was lifted entirely from Ulpian, who lived in the early third century CE.³⁸⁶ Scholars have suspected Ulpian's statements themselves derive

³⁸⁵ *Inst.* 1.1.3, tr. Moyle.

³⁸⁶ *Dig.* 1.1.10.1, tr. Watson.

from older Stoic philosophical traditions³⁸⁷ or possibly even Plato,³⁸⁸ with similar threefold definitions of law also appearing in the writings of Cicero.³⁸⁹

The statement has had a long lifespan beyond antiquity, as *alterum non laedere* was seen as a foundation for tort and criminal law.³⁹⁰ Gottfried Wilhelm Leibniz would paraphrase the Ulpianic phrase as "*neminem laedere*" in his book *On Notions of Law and Justice*, and so too would Immanuel Kant in *Metaphysics of Morals* when he said regarding the substance of legal theory as "Tue niemandem Unrecht (*neminem laede*)."³⁹¹

Although the common English translation for *laedere* is "to injure," in Latin "*laedere*" has a broader connotation beyond the physical injury to also include "to cause pain or annoyance, displeasure," "to offend" senses or feelings, or "to damage the interests" of others, according to the *Oxford Latin Dictionary*.³⁹² This means that embodied in the Latin definition are meanings beyond the English's sense of serious physical injury and its non-physical metaphorical equivalents. *Laedere* also encapsulates lower-level psychological annoyance and social offense more directly than the English "to injure."

And so, from our sample passage, we can use the first sentence as an example to highlight candidate words that seem to express this broader sense of "injury".

*"Hunc nos, patres conscripti, fomitem **perniciosi** ardoris extinguimus nec patimur ulterius ad **exhaustorum interitum desaeuire**."*

"We extinguish, O Conscript Fathers, the brands of this **pernicious** fire, and We do not permit it to **rage** further, to the **destruction** of the **exhausted** provincials."

³⁸⁷ Kroger 2009; Honoré 2010.

³⁸⁸ The assertion that Ulpian's formulation originated with Plato is the specific argument of Petrak (2014).

³⁸⁹ Petrak (2014: 697) says we can see Ulpian's three principles in Cicero: (1) *honeste vivere* in *De Officiis* (1.10.31) "*fundamenta iustitiae, primum ut ne cui noceatur*", (2) *alterum non laedere* in *De Finibus* (2.11.34) "*consentire naturae, quod esse volunt e virtute, id est honeste vivere*", and (3) *suum cuique tribuere* in *De Inventione* (2.53.160) "*Iustitia est habitus animi communi utilitate conservata suam cuique tribuens dignitatem*."

³⁹⁰ Petrak 2014: 695.

³⁹¹ Petrak 2014: 696.

³⁹² "laedo", *OLD*, 1968: 995-6.

Out of this sentence, four words stand out as possibly "injurious": *perniciosi* (pernicious), *exhaustorum* (exhausted), *interitum* (destruction), and *desaevire* (to rage).

2. Find out if the usage of the word points to the existence, within the sentence, of the following undesirable "injury" circumstances from the perspective of the law's implied writer: Physical, Psychological, Social/Economic.

The purpose of this tripartite classification of physical, psychological, and social/economic, is to encompass the scope of "injuries" previously mentioned as understood within the meanings of the word "*laedere*." Social/economic is combined since Marxian perspectives view the economic as not separate from the social. Defining an injury classification as only "social" misses out on the material impacts many laws have on people, even if they are unstated within the legal text.

The phrase "from the perspective of the implied writer" is to accept that the identification of "injury" is not objective, but a subjective one created by the presumed author of a law who has definite predispositions, be they positive, negative or neutral, on the parties involved. The word "implied" here is to reflect my aforementioned position that it is uncertain exactly who drafted laws, whether it be the emperor, a *quaestor*, a team of officials, or some mix of all three.

Illustrating the injury potential of our words, within our examined sentence, *perniciosi* (destructive) intensifies the fire which *desaevire* (rages) and is a reference to the *interitum* (destruction) of *exhaustorum* (exhausted taxpayers). This all creates a sense that, while metaphorical, there is physical (a destructive and raging fire, physically exhausted victims),

psychological (mentally exhausted victims), and social/economic (destroyed property and livelihoods) harm happening.

As will be detailed later in an upcoming section,³⁹³ it is understood that a "sentence" as we understand it is a modern as opposed to a Roman construct. For our immediate goals here, a sentence is only thought of as a demarcation of an arbitrarily fixed linguistic unit for the purposes of analysis.

3. If the word seems to be "injurious", identify its various dictionary definitions.

The purpose of gathering dictionary definitions is to create a definition standard for our candidate words to be examined and compared with others. Understandably, words can have many meanings, even more so when they are used ironically or satirically. However, since it would be impossible to incorporate all possible interpretative meanings, we rely upon definitions collected by "modern" scholars, i.e. 19th to 21st century, in standard dictionaries of ancient Latin as a starting, but understandably limited, benchmark.

For the gathering of definitions in Latin texts, we rely upon the software Latin dictionary Whitaker's Words as an aggregator. Whitaker indicates within his software methodology that, while he draws on a variety of dictionaries, the *Oxford Latin Dictionary* "is taken as the most authoritative source," Lewis and Short is "next in authority," followed by other more specialist dictionaries.³⁹⁴ This indicates that Whitaker's Words can be reasonably assumed to follow a somewhat systematic, rather than purely *ad hoc*, synthesization of its entries. In addition, each

³⁹³ 6. Sentiment analysis, Sentences and scoring.

³⁹⁴ "OLD (Oxford Latin Dictionary) is taken as the most authoritative source and if it is in OLD then it was used in classical times within a very limited period. An entry with source O will have AGE X (or C if it is unique to classical). This also define good Latin and the usage should be valid for all ages. Lewis and Short (S) is next in authority and also somewhat in time. It covers, in addition to classical, a later period." (Whitaker, "Source," 2006; <https://mk270.github.io/whitakers-words/dictionary.html#source>).

entry also comes with codes indicating not only its dictionary source (if not viewed as a common definition), but also temporal era, topic specialization, geographical usage, and frequency of usage.³⁹⁵

All words identified as "injurious" will be listed in the appendices for reference and consultation, alongside their various and collected component meanings in English. Following our methodology and applying it as an example of an appendix entry, we expand out the meanings, which in Whitaker's Words are separated by a semicolon, for our four candidate injury words from *Nov. Val. 1.3.3*, *perniciosi*, *exhaustorum*, *interitum*, and *desaevire*.³⁹⁶ For our lemma forms, we are choosing to use first-person singular present indicative active form for verbs,³⁹⁷ the nominative singular form for nouns, and the nominative singular masculine form for adjectives and adverbs derived from adjectives.

It should also be noted that, although the ordering of the below definitions follows Whitaker's Words, which itself occasionally follows other dictionary orders like the *Oxford Latin Dictionary*, I do not only consider order of appearance within a dictionary as authoritative towards our understanding of a word's regular use.³⁹⁸

³⁹⁵ "Several codes are associated with each dictionary entry (e.g., AGE, AREA, GEO, FREQ, SOURCE)." (Whitaker, "Dictionary codes," 2006; <https://mk270.github.io/whitakers-words/dictionary.html#dictionary-codes>).

³⁹⁶ "Semicolon is used to separate sets of meanings that differ in intent. This is just a general tendency and is not always rigorously enforced." (Whitaker, "Signs and abbreviations in meaning," 2006; <https://mk270.github.io/whitakers-words/operational.html#signs-and-abbreviations-in-meaning>).

³⁹⁷ The choice of first-person singular present indicative active over infinitive forms as a lemma is for the ease of digital processing, since verbs in Whitaker's Words start with the first-person form as part of the standard order for verb principal parts in Latin. In addition, the *Oxford Latin Dictionary* uses the same first-person form for its entries.

³⁹⁸ The 1968 first edition of the *Oxford Latin Dictionary* ("Publisher's note", *OLD*, 1968: v-vi) states that it follows the *Oxford English Dictionary*'s guidelines for the ordering of different entries, which is "that sense is placed first which was actually earliest in the language" (Murray et al. 1933: xxxi). Since Whitaker's last update to Words was version 1.97 in 2006, the version of the *OLD* being aggregated must be the 1968 edition (the second *OLD* edition was not published until 2012), and so by extension, the first *OLD* edition utilized the 1933 *Oxford English Dictionary* guidelines for ordering the meaning of words by date in its entries.

Table 4: Possible sentiment words with their definitions

WORD	DEFINITION 1	DEFINITION 2	DEFINITION 3	DEFINITION 4	DEFINITION 5
<i>desaevire</i> (<i>desaevio</i>)	rage, rave furiously	work off / vent one's rage			
<i>exhaustorum</i> (<i>exhaurio</i>)	draw out	drain, drink up, empty	exhaust, impoverish	remove	end
<i>interitum</i> (<i>interitus</i>)	ruin	violent / untimely death, extinction	destruction, dissolution		
<i>perniciosi</i> (<i>perniciosus</i>)	destructive, dangerous, pernicious				

4. Identify the sentiment score for each definition.

Now that we have separated the definitions, we need to assign a sentiment score to them. Where the definition (or comma-separated subdefinition) is a single easily-identifiable part-of-speech word, this is not a problem. Examples of this would be the definitions "(to) remove" (-0.232) and "(to) end" (0.000) for the verb *exhaurio*, or "(to) rage" (-0.668) for the verb *desaevio*, which are single words easily identifiable in the SentiWords wordlist.

Assigning a score becomes more difficult when the definition has multiple words. For example, within *desaevio*'s definitions are "(to) rave furiously" and "(to) work off / vent one's rage." We could score the words individually within these definitions, in which case we would have "rave (0.190) furiously (0.169)" and "work_off (0.000) / vent (0.000) one's (0.000) rage (-0.606)."³⁹⁹ However, some words can have definitions or subdefinitions that are whole phrases of

³⁹⁹ SentiWords will occasionally have scores for common two or three word expressions, such as "work_off" as one word, even though "work" and "off" exist also as two separate words. Where such an expression exists, they will be chosen over scoring their component words as separate, when necessary.

five or six words long,⁴⁰⁰ or contain more than a dozen separate definitions,⁴⁰¹ each containing their own multi-word phrased subdefinitions. At that point, scoring each word individually would become unwieldy.

The proposed solution, then, is that we only use the score for what is judged to be the most relevant word within a definition or subdefinition, or if multiple subdefinitions seem particularly divergent in polarity, we score the words perceived as most divergent. This would also pertain to circumstances where a slash "/" is used, such as with the *desaevio* definition "work off / vent," to indicate the interchangeability of a word within a (sub)definition. If the slash-separated words are close in polarity, only one will be chosen, whereas if the two seem divergent in polarity, both may be scored. In the case of *desaevio*, the most relevant word in the case of the second definition of "(to) work off / vent one's rage" would simply be that of the noun form of "rage" (-0.606), with "work off", "vent", and "one's" being irrelevant to the core meaning of the definition.

However, with regard to the first definition of *desaevio*, "(to) rave furiously," we encounter a second problem: what happens if we disagree with SentiWords' scoring? In the case of this phrase, both "rave" (0.190) and "furiously" (0.169) have positive scores according to SentiWords, which some of us may disagree with, on the basis of their meanings having to deal with emotionality and anger. As mentioned previously, these counterintuitive scores may be the result of the structure of the underlying SentiWordNet gloss for a word sense, or it may be because the aggregate of multiple word senses, some of which may have been negative, resulted in an average resulting score that was positive. There are several options to rectify this.

⁴⁰⁰ e.g. *adgressio*, which has a second definition of "action of setting about/undertaking (task)."

⁴⁰¹ e.g. *depono* and *foedus* with 14 definitions.

The first option, is to move past the SentiWords single-word scoring, and examine the underlying SentiWordNet synset scores. Here "rave" in its verbal form offers a good example.⁴⁰²

```
<rave.v.01: PosScore=0.0 NegScore=0.0>  
Defn: participate in an all-night techno dance party  
  
<rave.v.02: PosScore=0.375 NegScore=0.25>403  
Defn: talk in a noisy, excited, or declamatory manner  
  
<rave.v.03: PosScore=0.375 NegScore=0.0>  
Defn: praise enthusiastically
```

Notably, the very first synset includes a definition whose precise form ("participate in an all-night techno dance party") would be unknown to our ancient Latin speakers; this definition is a good example of where an automated score may not match with human expectation. The second definition, *rave.v.02*, has a negative score but also carries a positive score with which we may disagree. If we only wanted to deal with this particular word sense and its negative score, we can revalue the score for "rave" in our wordlist to (-0.250) and indicate the revaluation with the abbreviation "{swn}" for "SentiWordNet" in curly brackets. However, because the other neutral and positive verbal senses to "rave" also make sense (excepting the first one for "techno dance party"), we will not revalue the word in this instance.

On the other hand, I disagree with "furiously" having a positive aggregate SentiWords score, as well as its component SentiWordNet scores also being positive or neutral.

⁴⁰² SentiWordNet scores and WordNet entries were accessed through a Python script with the Natural Language Toolkit library installed.

⁴⁰³ n.b. The original label for this synset is actually "rant.v.01," since in WordNet, "rant" is the initial word within the synonymic grouping, which includes "rave." The full synset is "rant, mouth off, jabber, spout, rabbit on, rave," all of which share the same gloss definition of "(to) talk in a noisy, excited, or declamatory manner."

```
<furiously.r.01: PosScore=0.0 NegScore=0.0>  
Defn: (of the elements) in a wild and stormy manner  
  
<furiously.r.02: PosScore=0.25 NegScore=0.0>  
Defn: in a manner marked by extreme or violent energy  
  
<furiously.r.03: PosScore=0.125 NegScore=0.0>  
Defn: in an impassioned or very angry manner
```

In this case, there is no pre-existing negative SentiWordNet score to draw from. So we have to move onto other options for rectifying our disagreement with the original score.

The next option is to consult other dictionaries for meanings that might have been missed in the initial set of definitions, and to score those. Although it is an imperfect example, we can demonstrate this from the third definition from Whitaker's Words for *exhaurio*, which is "(to) exhaust (-0.238), impoverish (0.000)." Supposing we found those two scores insufficient, we could consult a dictionary like the *Oxford Latin Dictionary* to see if any meanings were missed. Although there is not an exact match for Whitaker's Words' third definition, the fifth definition in the *Oxford Latin Dictionary* for *exhaurio* is "to deprive of possessions, resources, etc., drain, exhaust; to deprive of manpower etc., exhaust, deplete." For this entry, we use the alternate meaning word "(to) deprive", which when consulting SentiWords has a score of (-0.372). Should we view this score as being more representative than the other word scores, we could add it to the entry with the word in square brackets and its score, as "[deprive] (-0.372)," although I do not intend to do so formally for this definition because better options will be detailed shortly. If the square brackets surround a single letter as a part of speech, such as the definition "caution [n] (-0.422)" in the verb *admoneo*, this means the word being scored is the noun version.

If an alternative word is not easily found in a comparable dictionary, then we may simply add and score a suitable related word. A good example of this would be the third definition for *interitus*, which is "destruction (0.000), dissolution (0.080)." I find the score for destruction particularly unacceptable. Since destruction is the substantive noun form of the verb "(to) destroy",

we can look up and work with that score, which at a value of (-0.542) seems far more appropriate. So to add this score to the entry, we would put the word in curly brackets, with the score to follow, e.g. "{destroy} (-0.542)." If the curly brackets surround a single letter as a part of speech, such as the definition "overthrow {n} (-0.346)" in the verb *adfligo*, this means the word being scored is the noun version.

The last option is to simply declare that a word in a (sub)definition has a strong negative sentiment, when the score seems inherently incorrect. Here we return to the third definition of *exhaurio* as an example, particularly the word "(to) impoverish (0.000)." The neutral SentiWords score seems inappropriate to the definitions and connotations of the word, so in lieu of previous alternatives, we can simply deem it incorrect and consider it as having a strong negative sentiment. We do this simply by attaching a question mark after the original score, e.g. "impoverish (0.000)?" and treat it as if it had a negative polarity score of -0.200.⁴⁰⁴ And so we apply this not only to "impoverish" but also to other words whose scores we took issue with, namely "furiously (0.169)?" and "destruction (0.000)?".

5. Determine the level of negative sentiment polarity for each definition from its scores.

Now we can return to our wordlist, which has appropriately attached sentiment scores, and attempt to determine the level of negative sentiment polarity for each "injurious" (sub)definition, and eventually the full word itself.

For our purposes, I have decided that words with scores from -0.200 to -1.000 are to be considered as having strong negative polarity, words from -0.100 to -0.199 are to be considered as

⁴⁰⁴ For those concerned about overuse for this override score, out of 3,683 definitions and subdefinitions in our sentiment wordlist of 699 words, only 173 (sub)definition entries have their scores overridden, a rate of only 4.7 percent.

having moderate negative polarity, and words from 1.000 to -0.099 are to be considered as not having sufficient negative polarity.

If all of the displayed scores within a definition are -0.200 or of greater negative value, we consider that definition as a whole as having a strong negative polarity, and we color it red. If only some of the displayed scores within a definition are -0.100 or of greater negative value, while other scores have greater negative value than -0.100, it is considered of mixed negative polarity, and we color it orange. If there are no scores -0.100 or of greater negative value, it is not considered as having a negative polarity, and is not colored.

One example of how the color coding might look is shown below.

Table 5: Sentiment words with their definition and color coding

LEMMA	DEFINITION 1	DEFINITION 2	DEFINITION 3	DEFINITION 4	DEFINITION 5
<i>desaevire</i> (<i>desaevio</i>)	rage (-0.668), rave (0.190) furiously (0.169)?	work off / vent one's rage (-0.606)			
<i>exhaustorum</i> (<i>exhaurio</i>)	draw out (0.082)	drain (-0.348), drink up (0.000), empty (0.000)	exhaust (-0.238), impoverish (0.000)?	remove (-0.232)	end (0.000)
<i>interitum</i> (<i>interitus</i>)	ruin (-0.682)	violent (-0.648) / untimely (-0.368) death (-0.829), extinction (-0.446)	destruction (0.000)?, dissolution (0.080), {destroy} (-0.542)		
<i>perniciosi</i> (<i>perniciosus</i>)	destructive (-0.480), dangerous (-0.615), pernicious (-0.444)				

6. Classify the entire word as either "generally negative", "contextually negative", or do not classify, on the basis of the preponderance of strong or moderately negative polarity amongst its definitions.

Because the number of definitions in a word may greatly vary, and certain definitions may be utilized more often than others in different contexts, this next step of classifying a word on the basis of how many negative polarity entries there are is acknowledged as an inherently interpretative one. Still, a few general guidelines remain that can be illustrated by our example sentence.

If the overwhelming majority of definitions are strongly negative, the word is classified as "generally negative." With our sample sentence, *desaevio*, *interitus*, and *perniciosus* fit our criteria to be "generally negative," having only solitary or undisplayed definition sentiments that are not strongly negative.

If a significant number of definitions, albeit not an overwhelming majority, are of strong or mixed negative polarity, then the word may be classified as "contextually negative." Here *exhaurio* fits the description for "contextually negative," with its mixture of strongly negative, neutral, and even slightly positive sentiments within its definitions.

If only a few definitions are of negative polarity, we may decide to leave the word unclassified as being insufficiently "negative." Although none of our candidate words fit this description, the word *ardor* might. Given the chart below, we can see that there is one subdefinition that has a strong negative polarity, albeit right at the cusp of our scale. Although the existence of a strong negative subdefinition may suggest it as a possibility for being "contextually negative," the preponderance of other non-negative (sub)definitions, as well as the understanding of *ardor*'s

common use, suggests instead that the word should be considered as more neutral, and thus remain unclassified.

Table 6: Excluded sentiment word with its definitions

LEMMA	DEFINITION 1	DEFINITION 2	DEFINITION 3	DEFINITION 4	DEFINITION 5
<i>ardoris</i> (<i>ardor</i>)	fire (-0.202), flame (0.000), heat (-0.064)	brightness (0.556), flash (0.143), gleam or color	ardor (0.074), love (0.767), intensity (0.061)		

Finally, exceptions to the above guidelines for classification may be made occasionally on an intuitive "sense" basis if there are a few particular definitions for a word which seem to be the predominant sense for the word in regular usage despite being outnumbered by other entries. An example from our sample sentence would be *extinguo*, where even though the other two definitions are very strongly negative, suggesting a "preponderance," the main sense of the word is judged as closer to the mixed polarity of the first definition, and so the word is classified as "contextually negative" rather than "generally negative."

Table 7: Adjusted sentiment word with definitions

LEMMA	DEFINITION 1	DEFINITION 2	DEFINITION 3	DEFINITION 4	DEFINITION 5
<i>extinguimus</i> (<i>extinguo</i>)	quench (0.159), extinguish (-0.126)	kill (-0.797)	destroy (-0.542)		

7. Once the "injurious"/negative-polarity word is identified and classified, using its lemma form, find other instances of the word and verify the word's "generally negative" or "contextually negative" status from those sentences. Make adjustments to its general or contextually negative status as needed according to its usage.

The word *extinguo* continues to be a good illustration for the need to cross-reference other instances of negative words. As mentioned previously, it seemed appropriate for *extinguo* to only be considered "contextually negative." However, it was not considered at all as a candidate word

in *Nov. Val.* 1.3.3 at the beginning of the process, because its context only suggested a meaning of "(to) extinguish," and certainly did not suggest it as "injurious" for that specific sentence. Elsewhere, this might not be the case, where its other more strongly negative meanings, such as "(to) kill" or "(to) destroy" may apply.⁴⁰⁵

Thus, the final step in our identification procedure is to add the main lemma forms for "injurious" words to a masterlist so that they can be rechecked for other instances in other constitutions. It is through the iterative result of this procedure that we end up with the final 699 word list of negative words for the post-Theodosian novels and three selected Sirmondian constitutions.

SENTENCES AND SCORING

Sentences comprise the second layer of sentiment scoring above words, since part of the analysis procedure is to separate constitutions into sections of context sentences and sections of command sentences. The latter are the ones most often preserved in codifications, whereas the former are more often than not stripped out. As a reminder, one of the main proposals of this dissertation is that the frequency and positioning of negativity in a law is revelatory of imperial priorities; the locating of negative words in either context or command sentences is an aspect of such positioning.

With that said, it should be emphasized that the sentences this project is using to demarcate as second level units of analysis, i.e. groups of words separated by specific sentence-ending

⁴⁰⁵ e.g. *Nov. Maj.* 9.0, tr. Pharr. "Not only leniently, but even negligently you have considered the outrage that resulted in another man's sorrow, in that you judged that in a case of the disgrace of **destroyed** chastity and that highest crime in which is contained all that is unworthy of a man, the offender should escape without losing his life. (*Non solum leniter, immo neglegenter pensasti alieni doloris iniuriam, ut maculam pudoris **extincti** et eius summam criminis, in quo quidquid viro indignum est continetur, elabi vita superstite iudicares.*)."

punctuation like periods, are in fact "modern" constructions. For much of the early and high empire, *scriptio continua*, or writing without separation for words or syntactical units, was the main style for how texts were committed to physical media. It was considered a mark of skill for a reader to identify where divisions within the text should occur for rhetorical effect or basic understanding, and thus why unprepared sight-reading was also considered unusual. Separations within writing were known and understood, such as with a *periodus*, *colon*, or *commatum*, but they were not systematically punctuated until later in the early medieval period.⁴⁰⁶

This too would be the state of the our laws as they appear in their source manuscripts. The previously mentioned MS. Vat.lat. 7277, which is a 10th century copy of an earlier original,⁴⁰⁷ has some punctuation marks, but they do not correspond at all to sentence divisions. Most likely they are using the low, medial, and high point punctuation as described by Isidore of Seville,⁴⁰⁸ but again, this was likely the result of individual scribal preference for pauses, not for systematic syntactical clarity. The earliest edition of the novels with periods in them that I can find is in the partial collection by Johannes Sichardus in 1528. At least for *Nov. Val.* 1.3 within the Sichardus edition, the periods and sentence markers were mostly retained by Meyer in his 1905 edition.⁴⁰⁹ However, this further reinforces the point that sentences as a punctuated syntactical unit are a relatively modern innovation. Arbitrariness of sentence division extends beyond the Latin editions.

⁴⁰⁶ Parkes 1992: 10-11.

⁴⁰⁷ Sirks: 2007: 229.

⁴⁰⁸ Bischoff 1990: 169; Parkes 1992: 21-3.

⁴⁰⁹ Sichardus 1528: 100-1; Meyer 1905: 74-7. Some small exceptions from where Meyer changed from Sichardus in *Nov. Val.* 1.3 are "*conciderunt: et*" over "*conciderunt. Et*", "*debentis. re*" over "*debentis: Re*", "*perisse. innumerae deinde*" over "*perisse innumere. Deinde*" (*Nov. Val.* 1.3.2), "*suppleri; palatinos*" over "*suppleri. Palatinus*", and "*consumant. dici*" over "*consumant: Dici*" (*Nov. Val.* 1.3.7).

Modern translations, with different tastes for brevity and readability with each respective language, differ in where they demarcate sentences.⁴¹⁰

The only permanent solution to the problem, which is beyond the scope of this dissertation, would be a re-editing of the novels according to the rules of *clausulae* (concluding phrase) endings.⁴¹¹ As has been known for a few decades, laws in the Theodosian Code and the post-Theodosian novels were actually written in conformity to a Latin poetic meter called *cursus mixtus* as they approached the end of a thought.⁴¹² This insight was unavailable to Mommsen and Meyer when they edited their laws more than a century ago, and so their choice of which words to include from disparate manuscripts as well as where sentences should end were more arbitrary, whether through their own choices or through their acceptance of the decisions of past editors. A new edition according to *cursus mixtus* could change all that by creating "sentence" divisions more reflective of the internal thought process for the laws' drafters. However, this task has yet to be performed, and so we are left just with the Latin editions that we have, i.e. Mommsen and Meyer, which pre-date the *cursus mixtus* insight.

Despite their artificiality, this dissertation still chooses, when calculating negative sentiment scores, to follow the sentence divisions from Meyer's Latin edition over other alternatives, for the sake of some analytical consistency. Without some form of division, we would otherwise be forced to sentiment score entire constitutions with no capacity to distinguish context from command sections, which would make impossible in-depth analysis into the political

⁴¹⁰ Within *Nov. Val.* 1.3, Pharr's translation sometimes splits into separate sentences where Meyer had a different punctuation mark such as a colon, e.g. "*pertinere: nemo*", "*tuentur: cum*", "*discrimen; revocatur*", and "*adplicari: cum*."

⁴¹¹ The need for re-editions according to *clausulae* rules extends beyond the post-Theodosian novels. As an example, Gavin Kelly has made the case for the necessity of such new editions for the history of Ammianus Marcellinus (Kelly 2022).

⁴¹² Hall and Oberhelman 1985.

relevance of the frequency and positioning of negative sentiment words, a position considered core to this dissertation.

Given their necessity to the overall argument, I will outline the difference between context and command sentences. A context sentence is easier to define; it is simply any sentence in the text portion of a law (i.e. not an *inscriptio* or a *subscriptio*) that is not a command sentence. A command sentence, on the other hand, has a stricter definition.

Command sentences are in the first person (most often plural like the royal "we") or third person, which also includes impersonal verbs. The person of the verb reflects the directionality of the command, either the emperor issues an order (first person), people are issued an order (third person), or the situation itself is ordered (impersonal). The verbs are in primary tenses (i.e. present, perfect, or future) as opposed to secondary/historic tenses, and the mood of the verbs is in the indicative or the subjunctive in a jussive or conditional syntax. The verbs themselves are often ones of ordering, allowance, necessity, knowledge, or circumstance.⁴¹³

Grammar and syntax for a command sentence ultimately have a real purpose behind them, as its goals are to create an externally-actionable and desired near-future state for the emperor issuing a law, so as to correct or clarify a non-ideal circumstance currently existing within the Roman state. Externally-actionable is a necessary condition to separate enforceable external social/physical conditions from unenforceable internal mental states, which may otherwise have the trappings of a command sentence. An example can be seen in *Nov. Val.* 1.3.4 in the difference between "The public consideration of Our Sublime Father and Patrician and also the Magnificent

⁴¹³ e.g. *iubemus* (*Nov. Val.* 1.3.3) as a first-person plural present indicative active verb of ordering, *praestamus* (*Nov. Val.* 2.2.4) as a first-person plural present indicative active verb of granting, *oportet* (*Nov. Val.* 32.0) as a third-person impersonal present indicative active verb of necessity, *sciat* (*Nov. Val.* 1.1.1) as a third-person impersonal present subjunctive active verb of necessity of knowledge, *habuerit* (*Nov. Val.* 3.1) as a third-person perfect subjunctive (or future perfect) active verb of circumstance as a conditional.

praetorian prefect **shall deliberate** (*deliberet*) beforehand whether a tax inspector must be sent" and its immediately following sentence, "The person who has been selected by the examination and agreement of such men **shall not dare** (*audebit*) to do anything presumptuous."⁴¹⁴ Although both *deliberet* and *audebit* have the essential features of a command (containing a 3rd person verb of subjunctive or future indicative mood), the external actionability of their commands is uncertain. We could view directing administrative officials to take an action as externally enforceable, but we could also view deliberation as an internal state. Likewise, we could view forbidding people from acting presumptuously as an external action, but then we could think of directing an individual to "not dare" as an internal state.⁴¹⁵ Thus commands are easier to identify when a desired outcome is more clearly external. Also, the importance of a command needing to be near-future is to separate it from a far-future statement or idealization, which once again would no longer be a command but a projection or defense of the command's results, i.e. context.

With these definitions in place, we can now separate our sample sentences from *Nov. Val. 1.3.3* into context and command sentences, with the latter in bold.

⁴¹⁴ "*Utrum mitti debeat inspector, publicus tractatus ante **deliberet** sublimis viri parentis patriciique nostri nec non magnifici viri praefecti praetorio, qui communionis utilitate virtutum suarum magnitudinem nobiscum pervigiles et cogitant et tuentur: cum aulicis potestatibus pro sua moderatione disponant, si iusta necessitas cogit, qualis persona mittatur. nihil impudenter **audebit**, quem elegit talium virorum examinatus adsensus.*" (*Nov. Val. 1.3.4*, tr. Pharr).

⁴¹⁵ This separation of external conditions from internal mental states is related to the debate over the subjectivity and objectivity of words as a means to establish polarity, a key philosophical debate that was foundational to the creation of SentiWordNet as a polarity lexicon. For more, see Esuli and Sebastian (2006a, 2006b), Wiebe and Mihalcea (2006), and Su and Markert (2008).

*"Hunc nos, patres conscripti, fomitem perniciosi ardoris extinguimus nec patimur ulterius ad exhaustorum interitum desaeuere. nobis perit deterior possessor effectus, nobis proficit non gravatus. venduntur indutiae his qui non possunt esse solvendo, cum dilationis redemptio publicam magis adtenuet functionem. amittit sine dubio fiscus, quod commodo suo exactor augmentat. **Superiorum igitur, patres conscripti, omnium temporum reliqua tam arcalium quam utriusque aerarii usque ad incipientem primam indictionem iubemus ad indulgentiam pertinere: nemo prorsus quaelibet usque ad designatum tempus transacta discutiat.** sola est numquam calumnianda securitas, quam aeternitas nostra concedit."* (Nov. Val. 1.3.3, ed. Meyer)

*"We extinguish, O Conscript Fathers, the brands of this pernicious fire, and We do not permit it to rage further, to the destruction of the exhausted provincials. A landholder who has been made poorer is lost to Us, but if he is not overburdened, he profits Us. Postponements are being sold to those persons who cannot be solvent, although the purchase of delay further attenuates the public service. Without doubt the fisc loses whatever the tax collector increases to his own advantage. **Therefore, O Conscript Fathers, We order to belong to this remission the delinquent taxes of all previous times, those of the chest as well as those of both treasuries, up to the first year of the indiction which is beginning. No person hereafter shall investigate anything whatever that has been settled up to the designated time.** That security alone must never be calumniated which Our Eternity has granted."* (Nov. Val. 1.3.3, tr. Pharr)

As we can see, although "*extinguimus*" and "*nec patimur*" might appear to be commands, they are not directly actionable, with the former being a metaphor (i.e. "to extinguish a fire") and the latter simply stating a position is undesirable or non-ideal without an immediate order for change. Meanwhile "*iubemus*" is then followed by a clear action that can be taken, to remit taxes and declare an end to investigations. This is in contrast to the sentence afterward, which, although a demand, is for security to "never be calumniated (never suffer false charges)," an impossibly general directive.

With the demarcation and separation of context from command sentences thus explained, we can move onto scoring them for our analytical purposes. As mentioned previously, laws are written to correct or clarify non-ideal states. These states lend themselves to negative circumstances, as a favorable circumstance would need no correction, and so we place our sentiment scoring priority on negative words, to the exclusion of positive as well as neutral words.

Utilizing the aforementioned procedure for identifying negative words, the full list for Nov. Val. 1.3.3 is as follows. First for generally negative, they are: *perniciosi*, *interitum*, *desaeuere*, *perit*, *deterior*, and *calumnianda*. Then for contextually negative words, they are: *extinguimus*,

patimur, exhaustorum, gravatus, and amittit. Splitting the example section into sentences results in the following, with generally negative words bolded, italicized and in red, and contextually negative words bolded and in orange. The command sentence is underlined and in green, and as perhaps an easy initial observation, none of the negative words are in the command sentence for this section. Sentiment scores for each word are attached in parentheses and will be explained shortly.

1. Hunc (0) nos (0), patres (0) conscripti (0), fomitem (0) ***perniciosi (1)*** ardoris (0) ***extinguimus (0.5)*** nec (0) ***patimur (0.5)*** ulterius (0) ad (0) ***exhaustorum (0.5)*** ***interitum (1)*** ***desaevire (1)***.
2. nobis (0) perit (0) ***deterior (1)*** possessor (0) effectus (0), nobis (0) proficit (0) non (0) ***gravatus (0.5)***.
3. venduntur (0) indutiae (0) his (0) qui (0) non (0) possunt (0) esse (0) solvendo (0), cum (0) dilationis (0) redemptio (0) publicam (0) magis (0) adtenuet (0) functionem (0).
4. ***amittit (0.5)*** sine (0) dubio (0) fiscus (0), quod (0) commodum (0) suo (0) exactor (0) augmentat (0).
5. Superiorum (0) igitur (0), patres (0) conscripti (0), omnium (0) temporum (0) reliqua (0) tam (0) arcalium (0) quam (0) utriusque (0) aerarii (0) usque (0) ad (0) incipientem (0) primam (0) indictionem (0) iubemus (0) ad (0) indulgentiam (0) pertinere (0): nemo (0) prorsus (0) quaelibet (0) usque (0) ad (0) designatum (0) tempus (0) transacta (0) discutiat (0).
6. sola (0) est (0) numquam (0) ***calumnianda (1)*** securitas (0), quam (0) aeternitas (0) nostra (0) concedit (0).

In order to keep the sentiment scoring simple and intuitive, what I am opting to do is to assign words of general negativity a score of 1, with words of contextual negativity having only a score of 0.5. All other words have a score of 0. With these scores in place, we then average them within our chosen section for analysis, be it a sentence, a command or context grouping of sentences, or an entire constitution, to result in a final negative sentiment score.

And so as an example, the first sentence starting with "*Hunc nos...*" has 15 total words, with 3 as generally negative and 3 as contextually negative. The calculation for the sentence would thus be 9 unscored words ($9 * 0$) plus 3 generally negative words ($3 * 1$) plus 3 contextually negative words ($3 * 0.5$) resulting in a total of 4.5 divided against 15 words ($4.5 / 15$) with a final score of 0.3.

The simplicity of the weighting means the final score is, in a sense, a percentage of weighted negativity within the examined section. Within that sentence, we can "feel" that 0.3

approximates a 30 percent weighted negativity for that sentence, which reflects an in-between of the real 20 percent of the sentence as comprised of general negative words⁴¹⁶ or 40 percent of overall negative words.⁴¹⁷

Because our goal is to examine the frequency and positioning of negative words, it makes the most sense to aggregate and then average against all the words in context sentences, then command sentences, and then finally all sentences within a constitution. This results in a final table of scores for the entire *Nov. Val. 1.3* constitution as follows.

Table 8: Word count and sentiment score calculation for Nov. Val. 1.3

<i>Nov. Val. 1.3</i> Section	Total words	Generally negative	Contextually negative	Weighted score
Context	479	40	28	0.142
Command	186	3	8	0.059
Total	665	43	36	0.119

With these calculations made, we now have quantitative results under the same scoring procedure with which we can now compare this constitution of Valentinian III's against other unabridged imperial constitutions in terms of negative sentiment. This ultimately fulfills the second necessary step to supporting our hypotheses as listed in the plan: to find a methodology for comparing emotionality as part of a goal to demonstrate that Valentinian III's use of sentiment was a chosen tactic and within the standards of other emperors of his time.

⁴¹⁶ 3 generally negative words divided by 15 total words ($3/15 = 0.2$).

⁴¹⁷ 3 generally negative words plus 3 contextually negative words resulting in 6 overall negative words, which are then divided by 15 total words ($6/15 = 0.4$).

7. Social Power Analysis

IDENTIFYING POLITICAL INTERESTS

In the previous chapter, we laid out our methodology for scoring the negative sentiment of imperial constitutions. However, this methodology only allows us to get a sense of an emperor's overall negative perspective on a topic requiring legal intervention; it does not allow us to determine his specific attitudes towards parties being affected by the law, i.e. his political (dis)inclinations. We can give more directionality to our negative sentiment words by indicating which political interests they are referencing. Political interest is a general term I use for persons, resources, or persons as resources that have an impact on the social management of the late Roman state.

One way to indicate directionality of negative sentiment is by examining the basic grammatical structure of a sentence around a negative word (this example is only illustrative and is not our ultimate method of analysis). After all, if it is a noun or an adjective, that word will be in reference to persons, institutions, or situations that involve people. If a word is a verb or adverb, there will be people, institutions, or situations instigating or experiencing a negative action. We can use the first sentence of *Nov. Val. 1.3.3* (tr. Pharr) as an example.

*Hunc nos, patres conscripti, fomitem **perniciosi** ardoris **extinguimus** nec **patimur** ulterius ad **exhaustorum** **interitum desaeuire**.*

*We **extinguish**, O Conscript Fathers, the brands of this **pernicious** fire, and We do not **permit** it to **rage** further, to the **destruction** of the **exhausted** provincials.*

Below is a linguistic analysis of the negative words in the sentence utilizing classical philological terminology.

- **perniciosi**: adjective in agreement with *ardoris*;
 - *perniciosi ardoris* is genitive of *fomitem*;
 - *fomitem perniciosi ardoris* likely metaphorically references *discussores* (tax investigators), which are mentioned as the very first word of the previous section⁴¹⁸ and are one of the main concerns of the constitution, i.e. their abusive conduct;
 - *fomitem perniciosi ardoris* likely also references *provinciales* (provincials) which are mentioned in the immediately preceding sentence⁴¹⁹ and are also a main concern of the constitution, i.e. those who are suffering from *discussores*.
- **extinguimus**: first-person plural present indicative active verb with the emperor in the "royal" plural as the implied subject in a double verb sentence alongside *patimur*;
 - direct object is *fomitem*.
- **patimur**: first-person plural present indicative active verb with the emperor in the "royal" plural as the implied subject in a double verb sentence alongside *extinguimus*;
 - direct object is *fomitem*.
- **exhaustorum**: substantive adjective likely referring to the *provinciales* from the previous sentence;
 - genitive of *interitum*.
- **interitum**: accusative of motion towards, in combination with the preposition *ad*;
 - modifies the main clause with the verbs *extinguimus* and *patimur* in it;
 - likely also a metaphorical reference to *discussores* alongside *fomitem perniciosi ardoris* and so probably refers to the previous sentence's *provinciales*.
- **desaevire**: infinitive verb in an indirect statement that is one verbal layer subordinate to the main clause verbs *extinguimus* and *patimur*;
 - accusative subject is *fomitem* and so metaphorically also refers to *discussores* and *provinciales*.

As a result of our linguistic analysis, we can see three interests being referenced by our negative words: tax investigators (*discussores*), provincials (*provinciales*), and the emperor. However, the precise relationship between our words and these interests is not clear beyond their grammatical relationship. In addition, our negative words also differ in the directness of their reference to these interests. *Exhaustorum* directly references provincials from the previous sentence, and *extinguimus* and *patimur* directly reference the emperor as an implied subject. On

⁴¹⁸ "**Discussores** ad provincias non electi, sicut comperimus, sed ambientes ire dicuntur (**Tax investigators** who have not been selected, as We have learned, but who practice corrupt solicitation, are said to be going to the provinces)..." (Nov. Val. 1.3.2, tr. Pharr).

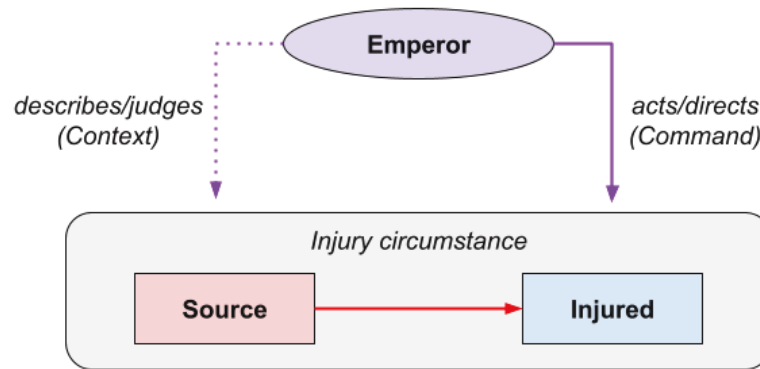
⁴¹⁹ "...superfluum est ire alterum aequè **provincialibus** obfuturum (...it is superfluous for another to go, who will be equally harmful to the **provincials**)." (Nov. Val. 1.3.2, tr. Pharr).

the other hand, the same *extinguimus* and *patimur* only indirectly reference tax investigators and provincials, as they have to go through *fomiterni perniciosi ardoris* as a metaphorical reference for tax investigators and *interitum* as a metaphor and an encapsulating prepositional phrase for "exhausted" provincials.

Many of the linguistic hoops we have to jump through to identify key political interests are simply a result of writing choices on the part of the author. The author could have just as easily rewritten the sentence to make *interitum* the direct object to *extinguimus* and *patimur*. Likewise, an active verb and a passive verb can point their actions towards the same target, even if the passive may have to slot that target into a prepositional phrase. And so, although it is possible to confine identification of the political entities associated with negative sentiment words to purely grammatical elements, I view this as introducing too much complexity given that linguistic analysis is not our main goal. If our goals are primarily in political analysis, then linguistic form and syntax should be side-stepped as only marginally relevant.

I propose then that we reduce sentences in imperial laws into a simpler form based on my previous chapter's concept of "injury" through the Latin verb *laedere*. My essential model for all statements by an emperor in a constitution, which here is understood as a text for the imperial description and correction of an injury/undesirable circumstance, would be as illustrated below.

Figure 2: Diagram for the structure of an imperial legal statement



First, as to whether a negative word is in a context or command sentence within a constitution, this diagram highlights that it is primarily a difference in imperial action (alongside the other actionability requirements for a command as previously outlined in the last chapter) that separates the two, i.e. whether it is what an emperor thinks vs. what an emperor does. The way a political interest is analyzed through negative words within a sentence remains the same.

Second, under this rubric and according to the procedures outlined in the previous chapter, a word is deemed negative only if a circumstance of physical, psychological, or social/economic "injury" has been identified from the text. Encoded in this injury circumstance is the supposition that there was a source for that injury and there was someone or something that was injured. However, identification of an injury source and the injured is not the act of some objective observer, but is made from the perspective of the imperial office. Thus, it is the emperor or those writing on his behalf who make the identification and hints as to the source or the injured should appear in the context surrounding an "injurious"/negative word. This also means, given the political goals of the imperial office, that there may be occasions where a negative word has no clear source for an injury even though there are those who are injured, such as with a natural disaster, or the inverse situation could also be true, when an emperor wants to condemn a crime being committed but not talk about its victims. Also, there may be other occasions where the source

and the injured are the same persons or groups, which means the emperor is basically saying "you did this to yourself."⁴²⁰ The identification of who is most frequently the source of injuries or the victim and the negative circumstance attached to them is the basis for my interest group lists of imperial (dis)favor.

So with this procedure, we can re-examine our negative words and see which political interests are attached to them as sources of injury or as the ones being injured.

- **perniciosi:**
 - source: *fomitem perniciosi ardoris* (interpreted as referring to *discussores*)
 - injured: *exhaustorum* (interpreted as referring to *provinciales*)
- **extinguimus:**
 - source: emperor (implied subject of verb)
 - injured: *fomitem perniciosi ardoris* (interpreted as referring to *discussores*)
- **patimur:**
 - source: emperor (implied subject verb)
 - injured: *fomitem perniciosi ardoris* (interpreted as referring to *discussores*)
- **exhaustorum:**
 - source: (interpreted as referring to *discussores*)
 - injured: *exhaustorum* (interpreted as referring to *provinciales*)
- **interitum:**
 - source: *fomitem perniciosi ardoris* (interpreted as referring to *discussores*)
 - injured: *exhaustorum* (interpreted as referring to *provinciales*)
- **desaevire:**
 - source: *fomitem perniciosi ardoris* (interpreted as referring to *discussores*)
 - injured: *exhaustorum* (interpreted as referring to *provinciales*)

Now we can see more clearly how these negative words interact with those they are referencing. Our previous three interests of emperor, *exhaustorum* (*provinciales*), and *fomitem perniciosi ardoris* (*discussores*) can now have words and injury directionality assigned to them.

⁴²⁰ An example within this *Nov. Val.* 1.3 constitution is when the emperor carves out an exception to tax relief with the island of Sardinia. "*Sardiniam ab hoc excipi placuit, quoniam apud nonnullos calliditate quadam maxima pars pecuniae resedit* (It is Our pleasure that Sardinia shall be excepted from this provision, since by some trickery there remains in the hands of a few persons the greatest part of the money that has been collected)..." (*Nov. Val.* 1.3.7, tr. Pharr). Here Sardinia can be thought of as causing the negative circumstance of *calliditate* as well as suffering from it.

Table 9: Sample table of sentiment scoring

Political interest	Negative words describing political interest as source of injury	Negative words describing political interest as injured
emperor	<i>extinguimus (0.5), patimur (0.5)</i>	
<i>exhaustorum (provinciales)</i>		<i>perniciosi (1), exhaustorum (0.5), interitum (1), desaevire (1)</i>
<i>fomitem perniciosi ardoris (discussores)</i>	<i>perniciosi (1), exhaustorum (0.5), interitum (1), desaevire (1)</i>	<i>extinguimus (0.5), patimur (0.5)</i>

Within our remaining list, we can now see that emperor has two contextually negative words associated with him as a source of injury (because the emperor is creating negative circumstances for another interest, *discussores*) and *exhaustorum* and *fomitem perniciosi ardoris* both have four total negative words attached to them, but on different ends of an injury circumstance. *Exhaustorum (provinciales)* suffers the injuries whereas *fomitem perniciosi ardoris (discussores)* causes them. If we apply the scoring system laid out in the previous chapter where generally negative words have a score of 1 and contextually negative words only have a score of 0.5, for this first sentence of *Nov. Val. 1.3.3*, we would have the following:

- emperor:
 - **source score** = 1, (2 * 0.5)
 - **injured score** = 0
- *exhaustorum (provinciales)*
 - **source score** = 0
 - **injured score** = 3.5, ((3 * 1) + (1 * 0.5))
- *fomitem perniciosi ardoris (discussores)*
 - **source score** = 3.5, ((3 * 1) + (1 * 0.5))
 - **injured score** = 1, (2 * 0.5)

Of these three words, *fomitem perniciosi ardoris (discussores)* are talked about the most in this sentence as the political interest being viewed as both causing significant injury as well as experiencing some as a result of imperial response, which ultimately is congruent with the stated

purpose of this constitution as providing for the relief of provincial citizens suffering from abusive tax investigators.

As one can imagine, once this procedure is scaled up to a whole constitution or an emperor's entire collection of novels, we would be better placed to see a picture of whom the imperial office views as the source of negative circumstances embodied in our sentiment words, or whom emperors view as suffering from those circumstances. This action thus supports one of the major hypotheses of this dissertation, that differences in negativity can be a way to identify the political (dis)inclinations of the central state.

The system just described still has a few issues. The first is that the methodology as described makes no provision for negative sentiment words that are negated in a sentence in their relationship to political interests. Although it is possible to identify sentiment words that are negated, I view that as overcomplexifying the analysis into a higher and more pragmatic linguistic communication level, whereas I want to keep the analysis tied to a lower syntactical and semantic level. My analytical procedure here is to simply ignore the negation, since I view the describing of an interest as "not corrupt" still leaves the word "corrupt" in the reader's mind.

Then there is the unavoidable arbitrary nature of the identification of an injury source or the injured when the possibilities are unclear. After all, within the aforementioned *Nov. Val.* 1.3.3, I had to make several judgments as to the true political interests behind a metaphorical/rhetorical phrase (e.g. *fomitem perniciosi ardoris* ultimately referring to *discussores*). This issue I propose to resolve by creating and attaching a certainty value to my identification of the interests being referred to by a negative sentiment word.

High certainty means interests referred to are in the same sentence as a negative word, and so more than one can be attached to them as either an injury source or as the injured. An example

from a sentence within *Nov. Val. 1.3.3* is, "*amittit sine dubio fiscus, quod commodo suo exactor augmentat* (Without doubt the fisc **loses** whatever the tax collector increases to his own advantage)." In this sentence, *amittit* (loses) is the negative sentiment word, *exactor* (tax collector) is the source of the injury circumstance, and *fiscus* (fisc) is the injured in the circumstance.

Medium certainty means interests referred to are either implied but omitted subject nouns of verbs or substantive adjectives / pronouns in grammatical agreement with previously mentioned interests continuing from immediately preceding sentences. However, because I am still relying upon implication, I am only allowing the methodology to choose the most relevant single interest since otherwise it becomes too much a stretch of interpretation to refer to multiple interests. The first example of this is the emperor as implied subject of the *extinguimus* and *patimur* just examined in *Nov. Val. 1.3.3*, but another is from the following section *Nov. Val. 1.3.4*. The sentence here is "*nihil **impudenter audebit**, quem elegit talium virorum examinatus adsensus* (The person who has been selected by the examination and agreement of such men shall not **dare** to do anything **presumptuous**)." Even though *audebit* (dare) and *impudenter* (presumptuous) are negative words, there seems to be no immediate interests for them to attach to. However, because there is a relative pronoun and a phrase that seems to refer to a previous understanding (*quem ... adsensus*), we can look at the immediately preceding sentence.⁴²¹ For both *audebit* and *impudenter*, *inspector* (tax inspector) seems clear as the source of the words' negativity, especially since the original sentence still talked about that tax inspector's appointment in a roundabout way as "the person who has been selected," but without stating their title. With that said, it is less clear who is experiencing the

⁴²¹ "*Utrum mitti debeat inspector, publicus tractatus ante deliberet sublimis viri parentis patricique nostri nec non magnifici viri praefecti praetorio, qui communionis utilitate virtutum suarum magnitudinem nobiscum pervigiles et cogitant et tuentur* (The public consideration of Our Sublime Father and Patrician and also the Magnificent praetorian prefect shall deliberate beforehand whether a tax inspector must be sent, and with the benefit of their common participation, together with Us, they shall watchfully consider and guard the greatness of their virtues)..." (*Nov. Val. 1.3.4*, tr. Pharr).

negative circumstance created by the tax inspectors, and so now we move onto our next certainty level.

Low certainty means an interest is only identified based on my interpretation of the context of the closest preceding sentences, or on rare occasions, held in anticipation of a clarification in a sentence to come.⁴²² Because of the greater uncertainty, only what is deemed the most important interest is allowed to be attached. As to who experiences the negative circumstance created by the words *audebit* and *impudenter*, I have chosen to interpret, based on the preceding sentence,⁴²³ the injured as the words *aulicis potestatibus* (court powers), since the haughty and impudent tax inspector betrays the court powers who selected him by his abuse of taxpaying citizens. Even though the choice of this political interest might seem obvious, it is still a greater act of interpretation than the medium-certainty one resulting from an implied subject noun for a verb, or a pronoun referring to the preceding sentence, since in those cases a noun's omission is only an explicit feature of verb or pronoun linguistic use in Latin.

At the very bottom are negative words with sources or injuries of unknown certainty. This would be for words that are used either metaphorically or are simply unclear to me as to the referent. The best examples here would be the negative words used at the very beginning of *Nov. Val. 1.3*, in the rhetorical preface to the constitution. As an example, there is *Nov. Val. 1.3.0*, "...*apud verecundam enim conscientiam mendacii genus est promissa tardare* (or to an honorable conscience it is a kind of **lying** to delay the fulfillment of one's promises)." This is the second sentence of the preface; the one previous to it was a greeting and a wish for the army's health. The

⁴²² e.g. *Nov. Val. 1.2* where the *vastitatis* (destruction) is in reference to that of the *barbaricae* (barbarian) variety in the sentence afterwards.

⁴²³ "...*cum aulicis potestatibus pro sua moderatione disponant, si iusta necessitas cogit, qualis persona mittatur* (In accordance with their own administrative authority, they shall determine with the court powers, if just necessity should so demand, what kind of person shall be sent)." (*Nov. Val. 1.3.4*, tr. Pharr).

constitution has not yet begun talking about taxes, tax collectors, or taxpayers, but clearly the usage of *mendacii* here is rhetorical and intended to evoke a certain emotion. So who is it referring to? We can probably make a few guesses, such as the fact that "*promissa* (promises)" probably refers to imperial promises. However, this identification would require more defense than we have time for, and so the simpler solution is that, in the event a political interest reference is not easily interpretable, we do not bother with one and mark the negative word as having unknown certainty, referring to its metaphorical, rhetorical, unclear, or unknown usage.

The benefit of this system is that we can create separate lists of political interests based upon our desire for certainty in identification of sources or the injured when they are referred to by a negative sentiment word. For the greatest certainty, we would work with high and medium certainty identifications despite the reduction in the number of interests which remain; otherwise we would incorporate low certainty which increases the number of interests attached at the cost of worrying about excessive categorizer interpolation. I am choosing to operate with political interest lists of high, medium, and low certainty, but should other researchers disagree, the option remains for them to choose more stringent identifications in our technical implementation.

Another remaining issue with the identification system is that there is an unevaluated political interest in the first sentence of *Nov. Val.* 1.3.3, because there are no negative sentiment words attached to it. This last interest is *patres conscripti*, an honorific name for senators. The senators are obviously important, since they would not otherwise be directly addressed by the emperor. So how do we identify similar interests to the Senate that may go unidentified by our procedure? There are no easy methodological answers. The best system that I have devised so far is to employ a similar iterative process as to that which we used for our sentiment lexicon. In this case, I create a masterlist of political interests and iteratively add new ones as they are found

attached to sentiment words. However, this still runs the risk of missing interests that are so banal or positive as to never be attached. The only alternative solution may have to be to simply keep an eye out for unattached interests and to add them as they are encountered, awaiting a final re-identification at the end of our political encoding process. This solution would make interest group identification no longer comprehensive because it is unsystematic, although one saving grace is that we are ultimately performing our political analysis in order to identify groups with high levels of perceived imperial negativity. This would mean that the loss of any unidentified neutral or positive groups would only be of secondary concern as additional points of comparison; highly or marginally negative groups would still be comprehensively included.

A final, and rather large, issue is that currently these political interests are identified only by how they appear in our legal texts. Below is a sample of all the interests within *Nov. Val. 1.3* according to their lemmatized forms in Latin, attached negative sentiment words, and negativity score following the previous guidelines of a generally negative word scores as 1 (and bolded) and a contextually negative word scores as 0.5. *Patres conscripti* and other non-negative political interests are not included in this list.

Table 10: Nov. Val. 1.3 political interest negativity scores

Political interest	Negative words describing political interest as source	Source score	Negative words describing political interest as injured	Injured score
<i>alia-provincia</i>	consumo, nolo	1.5	consumo	0.5
<i>apparitio</i> (2)	insto, turbulentus	1.5		
<i>arbiter</i>	improbis, noceo	2		
<i>aulica-potestas</i>	custodio	0.5	audeo, impudenter	1.5
<i>chartula</i>	noceo	1	pereo (x2)	2
<i>civis</i>			facinus, hostis, indignus , miseratio	3

<i>discussor</i> (31)	ambio, avaritia, caligo, calumnia ⁴²⁴ , calumnior, concido, confundo, depraedor, desaevio, deterior, exaurio, extorqueo, facinus, gravo, hostis, incommodum, indignus, inexplicabilis, interitus, miserabilis, miseratio, obscuritas, obsum, pereo (x2), perniciosus, superbio, terribilis, terror, trepidus, vexatio	25		
<i>emperor</i>	discrimen, extinguo, patior	1.5	nolo	1
<i>exactor</i> (1)	amitto	0.5		
<i>fiscale</i>	fessus, incommodum	2		
<i>fiscus</i>			amitto, vexatio	1
<i>inspector</i> (5)	audeo, compello, cupiditas, impudenter, occultus	3	custodio, discrimen, periculum, timor	3
<i>militaris</i>	immitis	1		
<i>minister</i> (1)	calumnia	1		
<i>nescius</i>			caligo, confundo, inexplicabilis, nescio, nescius, obscuritas, terribilis	5
<i>possessor</i>			concido, deterior, gravo, incommodum, miserabilis, pereo	5.5
<i>procer</i>	constringo	0.5	constringo, sollicitudo	1
<i>provincia</i>			ambio, avaritia, calumnia, calumnior, clades, compello, crudelitas (x2), cupiditas, custodia, depraedor, desaevio, exaurio, extinguo, extorqueo, furtum, immitis, improbis, insto, interitus, noceo, occultus, patior, pereio, perniciosus, pertinax, saevus, superbio, suspendium, terror, tormentum, trepidus, turbulentus, vexatio	27
<i>provincialis</i>			fessus, incommodum, obsum	3
<i>publicus</i> (2)	periculum, timor	2	calliditas	0.5
<i>quaesitor</i> (9)	clades, crudelitas (x2), custodia, furtum, pertinax, saevus, suspendium, tormentum	7.5		
<i>Sardinia</i>	calliditas	0.5		
<i>securitas</i>			consumo, pereio	1.5

⁴²⁴ *Calumnia* like a few other words in this particular list is one word that views two interests as negativity source, *discussor* and *minister*. Although *calumnia* is scored with both interests in this sample chart, it will not be in the final version because it remains only one word with one appearance in the text.

From this full list, it becomes very easy to see which political interests have high scores as sources of negative circumstances or are experiencing them. However, the above list only has political interests as specific words in Latin. As we know from context, *discussor*, *exactor*, *inspector*, and *quaesitor* can all refer to tax officials. Likewise *alia provincia*, *civis*, *nescius*, *possessor*, *provincia*, and *provincialis* can all refer to taxpayers. But just because these two lists of Latin words are identified and paired with negative sentiment words does not mean that identification has any utility in a political analysis. After all, is our analysis only a nominalist one of, for example, possible Latin mentions of tax officials or are we more interested in what makes them powerful? The answer is obviously the latter, but for that, we need to come up with or identify theories for the categorization of our political interests.

Hence, the next two sections will describe two such theories, one broadly sociological and the other narrowly historical, before explaining how they are hybridized to create an ultimate categorization and explanation system for our sentiment-identified interests' place within our other frameworks and the late Roman political world.

MANN AND POWER TYPES

There are too many ways to categorize or organize power to even attempt to list them all. This is because it is a foundational interest of socio-political analysis to understand why some groups of people end up with more power than others in various societies. For some, power is thought to flow through violence and force, i.e. "might is right." But others dissatisfied by such a blunt formulation look to belief in or adherence to the right ideas as a reason for why some have more power, or at least why some should have more power; this is often the realm of religion or philosophy. Still others, particularly Marxists, say it is control over material and the economy that dictates all else, including violence and ideas. One last possibility is that power is simply a matter

of social relationships, i.e. those who can build or navigate alliances better will have more power, independent of all else. In a certain sense, it is a chicken and egg debate with these various ideas as to what constitutes the basis of power: which one came first to spawn the rest, or did they all already exist together, and if so, in what kind of relationship to each other?

Sociologist Michael Mann wanted to create just such a system for understanding the historical interrelationships for the foundational powers in human society in his 1986 book, *The Sources of Social Power*. In his system, he viewed societies as "constituted of multiple overlapping and intersecting sociospatial networks of power."⁴²⁵ Their structure and history are the result of "interrelations of what I will call the four sources of social power: ideological, economic, military, and political (IEMP) relationships."⁴²⁶

Ideological power comes from those who attempt to monopolize meaning, norms of how people should act with each other, and ritual practices. Its uniqueness comes from its claims that it can transcend other power types and thus be a "sacred" form of authority in the Durkheimian mold, which helps establish a certain internal and voluntary cohesion and confidence within people that is less available in other types.⁴²⁷ Mann notes that religion is the most common form of this power type, but he also acknowledges certain philosophies as capable of having similar power, e.g. Marxism.⁴²⁸

⁴²⁵ Mann 1986: 1. Mann does not explain what he means by "sociospatial," nor do the chapter authors in an edited volume on the impact of Mann's theory (Hall and Schroeder 2006). I surmise he is influenced by Henri Lefebvre's *The Production of Space* (1991: 38-9), initially published in 1974, which describes "space" as a triad of societal relationships between spatial practice (what people do everyday in a space), representations of space (how people think of spaces), and representational spaces (how people live through spaces). So when Mann is talking about "sociospatial networks of power," I interpret this as him indicating that there is a spatial component to power beyond the purely social or psychological.

⁴²⁶ Mann 1986: 2.

⁴²⁷ Mann 1986: 22-4.

⁴²⁸ Mann 1986: 23.

Economic power follows along Marxist lines and is derived from "the social organization of the extraction, transformation, distribution, and consumption of the objects of nature."⁴²⁹

Military power is defined as the ability to mobilize violence as "the most concentrated, if bluntest, instrument of human power."⁴³⁰ Although Mann is not clear in his definitions, I interpret his understanding of military power as not being limited to the armed forces of the state. He talks about how military power can be used as a threat for coerced labor.⁴³¹ To me, this suggests that we can conceive of certain police forces as possessing military power type, since internal security forces are often in charge of organizing forced labor despite not being formally part of a state's dedicated army.

Political power is the last type, which Mann defines as "the usefulness of centralized, institutionalized, territorialized regulation of many aspects of social relations."⁴³² He places a specific caveat on his definition of political power, namely that he restricts political power to "state" power. For this reason, I view his political power type as state "administrative" power. However, I also personally disagree with his restriction.

The main problem is that defining political/administrative power as limited to the "state" requires a definition of the state, itself a perennial terminological issue, which more often than not simply results in scholars applying a retroactive definition as conceived in a modern context to an ancient one where that may not be suitable. Certainly in the case of the early empire, "administration" cannot be thought of in a modern sense, as a scant 160 elite officials were on

⁴²⁹ Mann 1986: 24.

⁴³⁰ Mann 1986: 25-6.

⁴³¹ Mann 1986: 26.

⁴³² Mann 1986: 26-7.

record as sufficient to be in charge of 55 million Roman denizens.⁴³³ Likewise in the early medieval era, often bishops were given administrative authority because of the reduced effectiveness of the central state, but should we consider them as part of the state? In my mind, the answer is yes if we have an overarching definition of the state as a loose "civil society" but no if our definition limits administration to just those institutions officially recognized by the government as part of the bureaucracy. Still, despite my disagreement with Mann over his restriction of political/administrative power to official state institutions, I view his conceptualization of that power type as still useful and follow its general outlines for simplicity of categorization.

Mann's IEMP division of power was the result of an attempt to reconcile what he felt were the inadequacies of two previous frameworks, the first a Marxist one that viewed everything through an economic priority, and the other a Weberian one that divided power within a political community between class, status, and party.⁴³⁴ Marxist economic priority and Weber's class division mapped onto Mann's notion of economic power, whereas Weber's status division mapped onto Mann's notion of ideological power. Mann's innovation was to split Weber's party category into separate military and political power, treating enforcement through state violence as separate from enforcement through state administration.⁴³⁵

Ultimately, I view these power types as useful umbrellas to categorize the political interests which emerged from our sentiment analysis. One major reason why I choose Mann is because his power typology seems to align with late Roman political theory; its utility is that it reflects (rather

⁴³³ Ando 2006: 179. Most necessary tasks in the early empire were conducted on a local basis under pre-existing social governing structures (Garnsey and Saller 2014: 35-54). The later empire had a proper administrative bureaucracy, estimated at around 30,000 officials (Jones 1964: 157).

⁴³⁴ Mann 1986: 10-11; Weber 1978: 926-39.

⁴³⁵ Mann 1986: 10-11.

than imposes upon) our period's historical understanding. In a sixth-century record of the accession of the eastern emperor Leo I in 457 CE, the author, Peter the Patrician, records that a crowd consisting of church and palace officials, soldiers, nobles, and later on throngs of people in the Hippodrome cheered on the new emperor saying, "God (*Θεέ*), who loves mankind, the public good (*τὸ πρᾶγμα τὸ δημόσιον*) demands Leo as emperor (*βασιλέα*) ... these are the prayers (*εὐχαί*) of the Palace (*παλατίου*), these are the petitions of the army (*στρατοπέδου*), these the prayers of the senate (*συγκλήτου*), these the prayers of the people (*λαοῦ*), the whole world is waiting for Leo!"⁴³⁶ Emperor, church, aristocracy, army, palace, and people are all represented in this acclamation which are widely acknowledged as pillars of the late Roman state. The six can just as easily be divided up into Mann's IEMP schema: Ideological (emperor, church),⁴³⁷ Economic (aristocracy,⁴³⁸ people⁴³⁹), Military (army, soldiers),⁴⁴⁰ and Political (palace).⁴⁴¹

However, I want to stress that political interests are not exclusive to single power types. After all, the Roman army was more than a military force, it was also an economic lifeline for the frontier cities where its garrisons were located. Likewise, as the Mediterranean Roman state

⁴³⁶ *De Cer.* 1.100.B410-11, ed. Feissel (1.91.R410-11, ed. Reiske) and tr. Moffatt and Tall.

⁴³⁷ Emperor and church are viewed as ideological for their transcendent status and normative setting power.

⁴³⁸ I view the senate as an aristocracy, even though in the eastern empire it was more of a service aristocracy tied to the bureaucracy (Heather 1994). This is because I view the primary source of their power as notables as being in the organization of the resources of the state for their private selves, i.e. economic.

⁴³⁹ People are classified as economic because the primary interest of the population to the state was as taxpayers.

⁴⁴⁰ Although the army is fairly self explanatory as being of the military type, I also use this type to categorize palace guards, despite the fact that for some units like the *scholae*, their chains of commands originate to bureaucratic rather than military officials (Haldon 2005: 42-3). To me, the source of their power is not in their organizational position, but in their ability and capability to wield violence. This is the same logic I use to classify the power type of civilian or religious mobs as also military. Likewise, if an organization ceases being able to organize violence as the main source for their power, their power type would cease being primarily military.

⁴⁴¹ The difference between the palace bureaucracy and the service aristocracy, despite the overlap, is that I view their primary source of power as the organization of the resources of the state for the public state, i.e. political/administrative, as opposed to being for private interests. This does not mean that administrators did not organize resources for their private selves, and it did not mean that the Constantinopolitan senate as service aristocracy did not organize state resources for public benefit as part of their frequent employment as bureaucrats. Having a primary power type of administrative means more that such alternate organizations of resources were not the primary reason for that group's existence.

fractured after the fifth century, surviving areas might subsume civil administration under military administration, as in the Exarchate of Ravenna. Similar power type malleability⁴⁴² occurs with the church. Although it is recognized primarily as an ideological force, it too has economic power through being a major landowner, as well as aforementioned administrative power in areas of waning civil authority, and in certain situations, even military power (under my interpretation of it as not being limited to state armies) such as the deployment of mobs of violent monks in attacks on political/religious opponents. With that said, embedded in Mann's power typology is a recognition that there is often one power type that acts as the source within an organization. And so for easy identification purposes, when I categorize a political interest, I will make a determination as to which type seems to be the primary source of power for that group, but acknowledge that those groups have within their capacity access to other power types.

The way power types and organizations interact with each other is described as "interstitial"⁴⁴³ by Mann, which is when types and their organizations challenge each other in-between or along the edges of other groups or established institutions. Over time, one or more power types emerge as the "primary reorganizing force" for other now subordinate organizations, before the conflict begins again and a new power type configuration replaces the old one.⁴⁴⁴

Moving to a more detailed level than the societal one at which Mann was operating, I believe an untheorized reason for political interests' adherence to their power types is that groups or organizations of the same power types have similar knowledge or skill requirements, on the basis of their shared means of power. Those similarities are more transferable within a power type than across to another. As an example, in our current modern world, the economic power type

⁴⁴² Mann's (1986: 17-18) preferred term for the fluidity of power types within societal groups is "promiscuity."

⁴⁴³ Mann 1986: 15-16.

⁴⁴⁴ Mann 1986: 28.

seems supreme, and so it structures all subordinate organizations, even of different power types. For example, even if someone is an officer in the army, whose main type is military, they have to possess some administrative knowledge in order to manage that armed force within a financial environment. But because the economic type is supreme, having administrative-economic knowledge might allow an army officer to switch careers to the private sector as a business official. On the other hand, the inverse is less true. Knowledge as a business leader does not transfer over to being an army officer, even though there are administrative-economic aspects to the job.⁴⁴⁵ The most important and specific skillset of a soldier is unique to understanding violence as a means of military power that may not easily transfer over into the economic sphere. Only at perhaps the highest level of the military, such as with the rank of general, might the overlap be smoother. At that point, the army leader is the most detached from the exercise of military violence and can be thought of instead as an administrator of military violence.⁴⁴⁶ Likewise, transition might be the toughest at the bottom of a power type. Life-long soldiers skilled in combat historically have seen difficulties transitioning to peacetime careers, but these difficulties might also apply to military leaders who are uninterested in administration and prefer military solutions. And so, people within power types have strong motives for pursuing the supremacy of their own type. But when changes of supreme types occurs, that is when the strife between political interests can be the most chaotic.

The western early medieval period is when I view a switchover of primary type as happening, as one form of ideological power (Christianity as supreme) took over from an older

⁴⁴⁵ A supporting inverse example to this phenomenon in the ancient world is the story in Priscus (*Fr.* 11.2.419-35, ed. and tr. Blockley) of a former Greek merchant who had been enslaved by barbarians, but through his fighting abilities, became accepted as an equal by his former captors. In this Hunnic environment, the military power type reigned supreme and structured all other types and concerns.

⁴⁴⁶ This is also true in our late antique time frame, when we see people move more easily between being civil administrators and military commanders. Notable examples are LIBERIUS 3 (*PLRE* 2: 677-81), a sixth century civil official in Italy who later commanded military forces under Justinian and NARSES 1 (*PLRE* 3: 912-28), Justinian's trusted eunuch who worked in the imperial palace and then commanded military forces that turned the tide of the Gothic War.

world where multiple other types coexisted (the Roman emperor, economy, army, and state as supreme).⁴⁴⁷ In a world where Christianity was at the ideological apex, the knowledge and practices of that power type and its particular expression became embedded within all other organizations, and a funnel effect similar to our modern economic example occurred. In this western Christian world, it would be easier for an aristocrat of the economic type,⁴⁴⁸ an army officer of the military type,⁴⁴⁹ or a bureaucrat of the political type⁴⁵⁰ to become priests or ascetics of the ideological type than vice versa, although exceptions to this tendency still occurred.⁴⁵¹ And so to reiterate, it is this ease of upward mobility that encourages peoples and groups already in an organization with a particular power type, to fight for the supremacy of their type in competitions with other groups. This upward mobility also explains conflict within a power type; such conflict can be viewed as a byproduct of power as a scarce resource, so the competition to position oneself higher up in the status order within a power type is the fight to command more of its resources.

Power type competition also solves the riddle of which type is supreme by subordinating primacy to time; at some points one is more powerful, at other times others are more powerful. Although I have just oversimplified early medieval western Europe as a time when Christianity as an ideological power type was supreme, the reality is that such supremacy for any type was not continuous, and likely varied from place to place as much as time to time. As a Roman example,

⁴⁴⁷ Mann 1986: 301-40.

⁴⁴⁸ Valerius PINIANUS 2 and MELANIA 2 the younger (*PLRE* 1: 702, 593) were turn-of-the-fifth century Italian aristocrats who gave up their wealth to become ascetics.

⁴⁴⁹ EPHRAEMIUS (*PLRE* 2: 394-6) was a sixth century military officer (*comes Orientis*) who became Patriarch of Antioch.

⁴⁵⁰ AMBROSIUS 3 (*PLRE* 1: 52) was a fourth century provincial administrator (*consularis Aemiliae et Liguria*) who became the bishop of Milan and Sidonius APOLLINARIS 6 (*PLRE* 2: 115-18) was a fifth century civil official (*tribunus et notarius*) and urban prefect of Rome who was elected bishop of Clermont in Gaul.

⁴⁵¹ CONON 4 (*PLRE* 2: 306-7) was a fifth century soldier who became bishop of Apamea and PHOTIUS 2 (*PLRE* 3: 1037-9) in the sixth century served on military campaigns with his stepfather Belisarius and became abbot of a monastery in Jerusalem. However, both Conon and Photius were also recalled to military roles after their ecclesiastical positions in order to crush rebellions, so in their cases there was back-and-forth movement between power types.

the Crisis of the Third Century could be seen as a longer era where the military power type reigned supreme, and all other power types had to subordinate to that reality, e.g. foreign economic trade could not expand under military conflict conditions and civil administration was limited by the constant rotation of leadership at the top and the fracturing of the empire. But on the other hand, the civil wars of the years of the four and five emperors in 69 and 193 CE respectively could be seen as very brief instances of military type supremacy, surrounded by longer stretches of economic or ideological supremacy. Or as another long example, the relative stability of the eastern Roman state in the sixth century and the safety of the palace behind the near-impenetrable Theodosian Walls meant that the political (i.e. administrative) power type was supreme, and that safety and supremacy would structure ideological (i.e. religious) conflict within the urban space of the eastern capital or even limit what kinds of military action could be successful (i.e. city revolts and palace coups instead of army battles in the field).⁴⁵²

On the other hand, this subordination of power type supremacy to time is why I want to stress that it is rare for a single power type to have complete supremacy over a society. Most likely, several power types remain in active competition and move up and down in priority. This competition is why, despite my conjecture of "power type career solidarity," it is just as easy to find people in our time frame locked into a power type career silo as it is to find those who can jump between careers.⁴⁵³ The ability to find both examples is because pre-modern societies like the later Roman Empire do not have surviving census or statistical data to demonstrate with any certainty whether such careers were rigid or flexible, or whether any rigidity/flexibility varied by

⁴⁵² The impact of the Theodosian Walls on the politics of late antique Constantinople is the central thesis of Pfeilschifter (2013), but is also alluded to by Whittow (1996: 103).

⁴⁵³ See footnotes 446, 448 to 451 for examples of those jumping between "careers."

status or class. Our "samples" are biased by the preferences of later copyists and the chance survival of documents.

Despite the constant competition, for this dissertation's purposes, I do view the fifth century as precisely just such a moment in the switch of primary power type configuration, at least for the western empire. Where the ideological (belief in the empire and the imperial office) and political (law and administration) had previously reigned supreme, in the fifth century both were beginning to buckle under economic (loss of north Africa) and military threats (barbarian incursions and Roman rebellions). However, the whole point of the empire as well as the emperor was to maintain ideological supremacy. And so the emperors remained at that task of transcending, managing and mitigating any power type or group conflicts that might upend the whole system. They held it together for most of the fifth century in the west, but the system eventually collapsed for reasons outside their sole control, and with that failure went the office of western emperor as well. Thus, power type configurations shifted with the end of the western imperial office with the result being that those new configurations no longer had a need for an over-arching Roman state. The on-the-ground solution in the fifth century was simply to "socio-spatially" create mini-states under new transcendent ideological leadership, in emerging "national" configurations of what would come to be known as the kingdoms of medieval Europe.

But in the eastern empire, imperial management of political interest and power type conflict would continue to be successful, at least for another century, which is ultimately what was examined by our next theoretician, Peter N. Bell.

BELL AND JUSTINIAN'S EMPIRE

The reason we need to delve into Bell at all is because Mann's theory is at times too broadly sociological for the workings of specific power types or interest groups. This dissertation, on the

other hand, is interested in specific incarnations, particularly the world of the western emperor Valentinian III, since we are dependent upon him for perspectives on the politics of the period, through his laws as sources. So we need a more granular theory than what Mann presents, specific to the late Roman world.

Peter N. Bell was originally a civil servant in the United Kingdom, having served for decades in a variety of roles, but most importantly as a negotiator taking part in the Good Friday Accords which finally brought peace to Northern Ireland in 1998. He viewed his role as a diplomat as not extraneous, but in fact pivotal to his theories on conflict management in the sixth century CE.⁴⁵⁴

His stated interest in writing his book, *Social Conflict in the Age of Justinian: Its Nature, Management, and Mediation* was "to understand internal conflicts and struggles in this turbulent period," focusing on "a few conflicts of empire-wide social and political significance involving major social groups, and on the imperial response to them."⁴⁵⁵ In addition, he wanted to demonstrate that one could not sufficiently understand this era "without drawing more specifically on social theory."⁴⁵⁶ This was in large part due to his interest in understanding, among other things, conflicts between the more poorly documented lower classes and the more well-documented the upper classes,⁴⁵⁷ an ethos that explicitly aligns with Marxian goals as well as those of this dissertation.⁴⁵⁸ According to Bell, without social theory, a purely positivist look at the lower

⁴⁵⁴ Bell 2013: v-vi.

⁴⁵⁵ Bell 2013: 6.

⁴⁵⁶ Bell 2013: 7.

⁴⁵⁷ Bell 2013: 4, 11

⁴⁵⁸ Bell (2013: v) in his preface quotes Marx's own doctoral preface. In addition, Bell calls his model as following in the historical-materialist tradition (2013: 39) and in his conclusion says "our analysis was primarily in terms of class conflict" (2013: 346), all of which cements his philosophical inclinations as Marxist.

classes based on only a surface examination of the evidence would result in unsatisfactory answers to historical questions.⁴⁵⁹

In terms of theoretical lineages, Bell develops his analytical framework from thinkers such as Marx, Weber, and Durkheim, but he was also influenced by British sociologist Anthony Giddens' ideas on power, communication, and normative sanctioning as the basis for all human interaction.⁴⁶⁰ Mann is also mentioned and is brought in for his definitions of ideology, and for the idea that social conflict consists of overlaps and intersections of multiple sociospatial networks.⁴⁶¹ Marx and Durkheim represent two opposing models that Bell wants to merge together, Marx for class conflict, Durkheim for social solidarity.⁴⁶² Weber is also incorporated for his theories on using "ideal types" as a framework for analysis, and on definitions of society as revolving around "legitimate authority."⁴⁶³

The crux of the problems Bell was trying to resolve with his model lies in the nature of conflict in society from a Marxist perspective. Because Marx views inter-class conflict as the main driver of history and society, that raises the question of whether analysis of intra-class conflict has any utility.⁴⁶⁴ Bell notes Marxist ancient historians like de Ste. Croix taking issue with Weber and other historians influenced by him over an emphasis on the hierarchical organization of power within an upper status group over an emphasis on inter-class conflict. To these Marxist historians, the former is "merely contingent and over power and prestige," whereas the latter is "fundamental."⁴⁶⁵ I interpret both Bell and de Ste. Croix here as meaning that an analysis focused

⁴⁵⁹ Bell 2013: 11-12.

⁴⁶⁰ Bell 2013: 29-33.

⁴⁶¹ Bell 2013: 31-2.

⁴⁶² Bell 2013: 36.

⁴⁶³ Bell 2013: 38.

⁴⁶⁴ Bell 2013: 40-5.

⁴⁶⁵ Bell 2013: 42; de Ste. Croix 1981: 90.

on status alone is like the aphorism about arranging deck chairs on the Titanic; the arrangement will not matter if the ship will still eventually sink. Unfortunately for this dissertation (and this was also a concern for Bell), the vast majority of surviving late Roman sources primarily deal with intra-upper-class concerns. If we were to dispense with intra-class analysis, we would not be able to explain the bulk of conflict as recorded.

Bell's solution then was to say that both class and status matter in a socio-historical analysis. Bell accomplishes this by positing that not all social conflict was primarily economic. Where the conflict is clearly economic, a class analysis would be employed. But where the conflict was not primarily economic, such as in an intra-class dispute between the wealthy and the elite (who overlap, but do not perfectly correlate, according to Bell and Weber),⁴⁶⁶ a status and political conflict analysis based on social psychology and theories of the state as a "firm (i.e. corporation)"⁴⁶⁷ might be sufficient.⁴⁶⁸ This is done without losing sight of the fact that the origins of the power of the wealthy and the elite still derive from their ruling class exploitation of the working classes.⁴⁶⁹ And so, Bell's class and status analysis system, as I interpret it, still retains a division between lower and upper classes. It also still acknowledges the importance and exploitation of the lower classes, but the upper classes are enlarged by a magnifying glass using not-exclusively-Marxist social theory for the purposes of explaining conflicts on the basis of the biased upper class evidence that survives.⁴⁷⁰

⁴⁶⁶ Weber 1978: 932.

⁴⁶⁷ Bell 2013: 47-8.

⁴⁶⁸ Bell 2013: 342-3. Also, the allowing of intra-class status analysis and the declaration that not all conflict is economic, is why I categorize Bell as Marxian (i.e. inspired by) rather than Marxist (i.e. adheres to).

⁴⁶⁹ Bell 2013: 46-7.

⁴⁷⁰ Bell's (2013: 44) best statement to this effect is a reminder that "the fact of exploitation is more important than the precise juridical status of an exploited individual," the former the result of a class analysis, the latter the result of a status analysis.

Bell goes through a few case studies of sixth century conflicts in the eastern empire. One concerns the empire-wide rivalry between circus faction members, another focuses on Christological clashes between Chalcedonians and Miaphysites, and one more deals with the conflict between traditional Roman culture and the strengthening Christian "hegemonic ideology." A last conflict, and perhaps most relevant to us, is that occurring in the countryside, between unfree farmers, large landowners, and the state through the issuing of laws. Bell highlights how we can observe economic class conflict emerging from the legal evidence in the state's attempts to tie down farmers to the land in slave-like circumstances,⁴⁷¹ the complex relationships between landowners and non-independent farmers as some of the latter may prefer to choose servile status,⁴⁷² or in the paradoxes of tax laws as the need for remissions (which were inevitably most taken advantage of by the rich) was balanced against the need for new revenue (which often came from the poor).⁴⁷³ In his later chapters Bell switches gears to talk about how conflict was mediated, particularly through the person of the emperor. This required emperors like Justinian to cultivate and establish relationships with other political interests such as urban citizens, lawyers, and in particular the church.⁴⁷⁴ Justinian would also bolster his ideological legitimacy (itself a key mediation strategy) through the issuing of laws,⁴⁷⁵ through grand architecture projects such as the building of the Hagia Sophia, and through cooperation with senior bishops and the insertion of the emperor into essential religious practices within the church.⁴⁷⁶

⁴⁷¹ Bell 2013: 63-72.

⁴⁷² Bell 2013: 73-7.

⁴⁷³ Bell 2013: 82-8.

⁴⁷⁴ Bell 2013: 289-303.

⁴⁷⁵ Bell 2013: 310-16.

⁴⁷⁶ Bell 2013: 319-36.

In his conclusions, Bell compares the state of the sixth century eastern empire to the western one which had collapsed in the previous century. He attributes eastern survival to the geographic location of Constantinople, bureaucratic and fiscal reform, and a thriving administrative culture that encouraged ideological solidarity among its officials.⁴⁷⁷ These are all well and good, but I do not know if those differences alone can be used to explain the end of the western empire, especially when so many other aspects of western government were quite similar to the east, such as imperial relationship practices and an administrative culture that outlasted the empire to be adopted relatively wholesale into the Ostrogothic kingdom.

Bell was able to develop his theory of conflict and mediation due to the volume of surviving sources resulting from the longevity and relative success of Justinian; he had plenty of examples from which to work. The western empire in the fifth century on the other hand was not an imperial success in its final outcome and had far fewer surviving sources. Still, I feel Bell's model remains operative there. The emperors in the west experienced similar social conflicts over a variety of class and political status concerns, but the difference was not the mediation practices they employed, which again, I view as quite similar. While taking into account the possibility that Justinian was a uniquely competent emperor and that the eastern empire might have had better administrative structure, I view the difference between him and Valentinian as mostly one of result, which from a non-deterministic perspective, is not something that can be controlled.

Consequently, given the importance of Valentinian III at the fulcrum of the acceleration into dissolution for the west, supposing Bell's model does apply,⁴⁷⁸ it would reinforce the view that Valentinian, while performing the same acts of imperial mediation as his eastern counterparts, was

⁴⁷⁷ Bell 2013: 349.

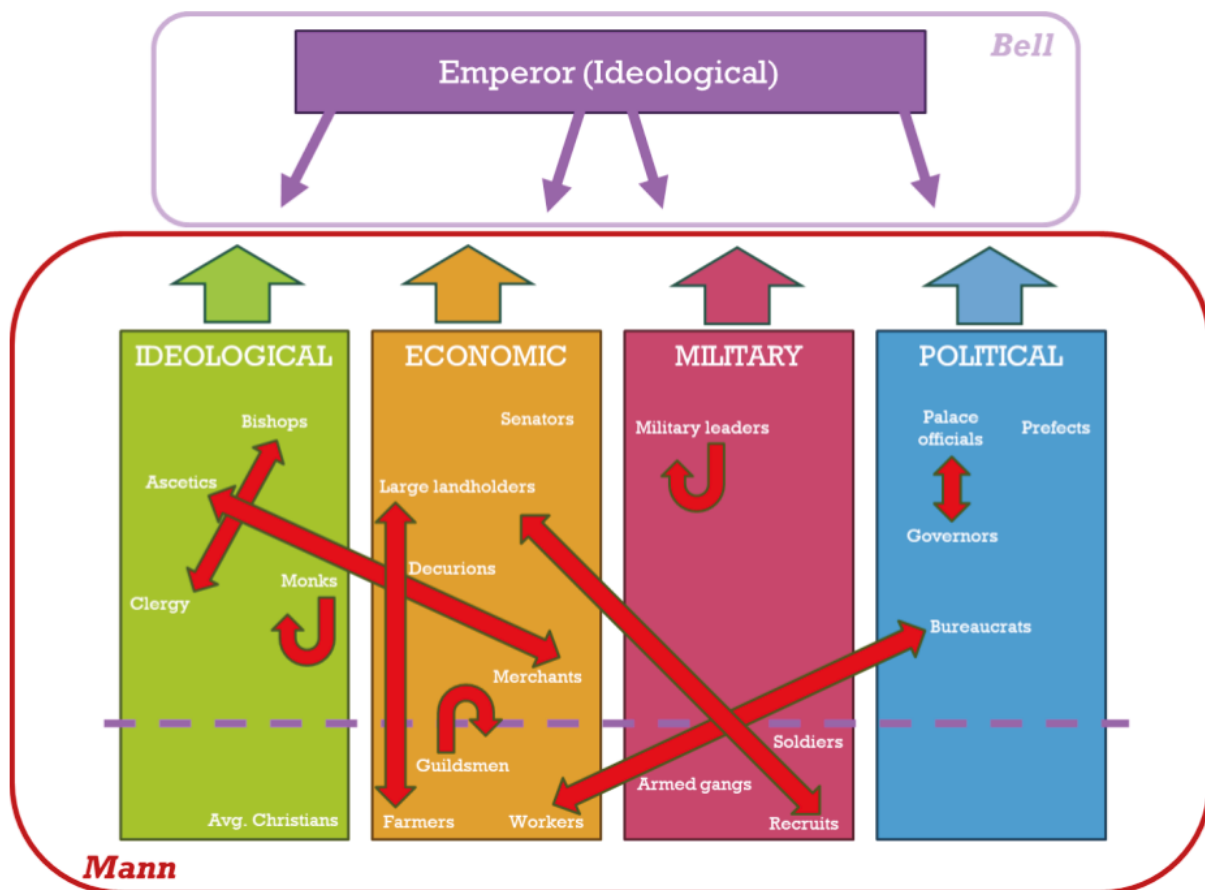
⁴⁷⁸ Greatrex (2014), Kouroumali (2015), and Harvey (2016) have reviews of Bell's book.

unsuccessful for reasons out of his control. And so, restating the main hypothesis of the entire dissertation, both like and unlike Justinian, Valentinian was simply unlucky, not incompetent.

HYBRIDIZATION

The way I hybridize Mann and Bell can be seen in the below diagram as a visual guide to how the two theories interact using a hypothetical set of conflicts. I make Bell the overall system model and Mann the detailed model.

Figure 3: Illustration of interest group conflict under Mann and Bell



Bell in purple represents a general view of the late Roman imperial system in our chosen fifth century, derived from his original sixth-century theorization. I look to him for ideas on the

place of the emperor as conflict mediator between various interest groups.⁴⁷⁹ The small downward purple arrows represent his attempts to impose resolution upon those conflicts. I also look to Bell for comparative Justinianic examples of how, following Marxian social theories, the class system (and its ideological emergences) replicated itself and was in conflict as a result of existing economic conditions and relationships on the ground. In this diagram, the dashed-purple line indicates the class divide as understood by Bell and other Marxists, with those below it representing the working class and those above it representing the upper/bourgeois class.

Mann in red, on the other hand, represents a specific view of the imperial system. His ideas on power types and power type competition are ways to meaningfully categorize political interests as they jockey with each other within a power type, in contest with interests from other types, and ultimately for the supremacy of their type over other types. Inter- and intra-group conflicts are what is represented by the red arrows as groups compete with each other or even among themselves. Competition between entire types for supremacy is what is represented by the very large colored arrows pushing up toward the emperor. In addition, not all political interests are in conflict. This represents what happens in some laws when interests are mentioned by the emperor but not specifically targeted for action; for whatever reason, they are written as present but sitting out the conflict expressed in a law. Occasionally these inter- and intra-interest conflicts will move beyond competitions over status and into conflicts between lower and ruling classes. This is illustrated when red conflict arrows cross the dotted purple line representing the class divide.

Moving from the hypothetical to the specific, we return to our earlier political interest list from *Nov. Val.* 1.3 to see how we might apply this Mann-Bell hybridization directly to our evidence. At this middle level of analysis, away from the lower level of text sentiment and the

⁴⁷⁹ Another good perspective on the late Roman emperor as conflict mediator is in Greatrex's "Government and Mechanisms of Control, East and West" (2015: 29-33).

higher level of categorized interest groups, we simply have political interests as named Latin entities in our legal sources. For *Nov. Val.* 1.3, they are: *alia-provincia*, *apparitio*, *arbiter*, *aulica-potestas*, *chartula*, *civis*, *discussor*, emperor, *exactor*, *fiscale*, *fiscus*, *inspector*, *militaris*, *minister*, *nescius*, *palatinus*, *possessor*, *procer*, *provincia*, *provincialis*, *publicus*, *quaesitor*, *Sardinia*, and *securitas*.

The first step is to group these interests by power type. Based upon Mann's definitions, I cluster them as follows as to what I view as their primary power type or the type for their interest's source of power.

● Ideological ○ emperor ● Economic ○ <i>alia-provincia</i> ○ <i>chartula</i> ○ <i>civis</i> ○ <i>nescius</i> ○ <i>possessor</i> ○ <i>procer</i> ○ <i>provincia</i> ○ <i>provincialis</i> ○ <i>Sardinia</i> ○ <i>securitas</i> ● Military ○ <i>militaris</i>	● Political ○ <i>apparitio</i> ○ <i>arbiter</i> ○ <i>aulica-potestas</i> ○ <i>discussor</i> ○ <i>exactor</i> ○ <i>fiscale</i> ○ <i>fiscus</i> ○ <i>inspector</i> ○ <i>minister</i> ○ <i>palatinus</i> ○ <i>publicus</i> ○ <i>quaesitor</i>

From this categorization, we can create groups out of persons that seem to have similar knowledge, skillsets, goals, or characteristics within a power type, as per my adaptation of Mann's theories where the preference for people to stay within a power type is akin to a career. Some interests that are primarily material are still useful to group, such as *chartula* (records). And so, in the next chart, I am also including in square brackets the cumulative source/injured negative sentiment scores (source on the left, injured on the right) for interest groups as a result of the sum of their component interests' scores but excluding interests with overlapping references to a single

word so as to not count the word twice, and in bold I am also adding non-negative political interests that might have otherwise escaped identification owing to a lack of their attachment to negative sentiment words.

Table 11: Political interest groups and sentiment scores

Ideological		
• emperor	[1.5 / 0.5]	(emperor, <i>nostra-clementia</i>)
Economic		
• aristocrats	[0 / 0]	(<i>patres-conscripti</i>)
• land	[0 / 0]	(<i>praedium</i>)
• purchasers	[0 / 0]	(<i>emptor</i>)
• taxes	[1 / 4]	(<i>chartula, facultas, pecunia, redimendum, reliqua, securitas, titulus</i>)
• taxpayers	[2 / 44]	(<i>Africa</i> , <i>alia-provincia, civis, nescius, possessor, provincia, provincialis, Sardinia</i>)
Military		
• soldiers	[1 / 0]	(<i>militaris, exercitus, scholaris</i>)
Political		
• bureaucracy	[39.5 / 3.5]	(<i>apparitio, discussor, exactor, inspector, minister, officium, palatinus, publica, publicus, quaesitor</i>)
• high-officials	[2.5 / 1]	(<i>arbiter</i> , ⁴⁸⁰ <i>comes-rei-privatae, iudex, patricius, praefectus, procer</i>)
• imperial-court	[0.5 / 1.5]	(<i>aulica-potestas</i>)
• public-expenses	[0 / 0]	(<i>publicus</i>)
• public-records	[0 / 0]	(<i>gestus</i>)
• treasury	[2 / 1]	(<i>aerarium, arcalis, fiscale, fiscus</i>)

As we can see in this final list, the quantifications give weight to what we can already read from the text itself. The biggest interest group that is seen as the source of negative circumstances, i.e. whom the emperor disfavors the most politically in this constitution, is the bureaucracy. The biggest interest group that is seen as suffering from negative circumstances, ostensibly caused by

⁴⁸⁰ *Arbiter* translates to "judge," but there was not a dedicated judicial class in the empire, so most judges were high officials such as provincial governors.

the bureaucracy, are the taxpayers, for whom the emperor can be seen as expressing deep sympathy and positive inclinations.

Like many categorizations, these are not perfect or even permanent groupings. Our ability to reuse these interest group categorizations is limited by the fact that the same named entities in Latin may have different primary power types in the context of other constitutions. A few notable examples can be seen even within *Nov. Val. 1.3*. First, *securitas* in one sentence means tax payments, i.e. "securities,"⁴⁸¹ but in another later sentence means "security" as a concept of safety.⁴⁸² Second, *provincialis* in this constitution is subsumed under an economic type as taxpayers since that is the context of their reference,⁴⁸³ but in a later constitution regarding the need for provincials to defend themselves against hostile forces, the same *provincialis* might be subsumed as an interest group under a military power type as militias.⁴⁸⁴ Lastly, *publicus* even within *Nov. Val. 1.3* can refer to two different interest groups even within the same power type because it is being referred to as "the state" without being differentiated according to which aspect. In one case it can refer to state officials;⁴⁸⁵ in another case it can refer to public expenses.⁴⁸⁶ In essence, an imperial constitution should be seen as merely one instance of social conflict which

⁴⁸¹ "*Securitates* expetunt annorum serie et vetustate consumptas, quas servare nescit simplicitas et fiducia nihil debentis (Such tax investigators demand **tax receipts** which have been destroyed by the passing years and by age, and which simplicity and the confidence of owing nothing do not know to preserve.)" (*Nov. Val. 1.3.1*, tr. Pharr).

⁴⁸² "*Sola est numquam calumnianda securitas, quam aeternitas nostra concedit* (That **security** alone must never be calumniated which Our Eternity has granted)." (*Nov. Val. 1.3.2*, tr. Pharr).

⁴⁸³ "*Quantum ad propositum nostrum adinet, provincialibus undique volumus esse consultum* (In so far as pertains to Our purpose, it is Our will that wise provision shall be made for the **provincials** everywhere)..." (*Nov. Val. 1.3.1*, tr. Pharr).

⁴⁸⁴ "...*nec molestum esse provincialibus nostris credimus, quod pro ipsorum salute disponitur, ut resistendi praedonibus cura subeatur* (...and We do not believe that it is burdensome to Our **provincials** that the regulation is made for the safety of all that they shall undertake the responsibility of resisting the brigands)." (*Nov. Val. 9.0*, tr. Pharr).

⁴⁸⁵ "...*revocetur publici timore periculi, quem occulta cupiditas festinare compellit* (He shall be recalled with the fear of **public** danger if hidden cupidity impels him to hasten to such a province.)" (*Nov. Val. 1.3.5*, tr. Pharr).

⁴⁸⁶ "...*quoniam apud nonnullos calliditate quadam maxima pars pecuniae resedit, quam exactam publicis oportuit erogationibus adplicari* (since by some trickery there remains in the hands of a few persons the greatest part of the money that has been collected and should have been applied to the **public** expenditures)..." (*Nov. Val. 1.3.6*, tr. Pharr).

the emperor mediates, and the configuration of interest groups, even involving similar named entities in Latin, will be different from law to law.

With interest groups now categorized according to their power type within the circumstances of individual constitutions, we now have all the essential blocks we need in order to analyze how socio-political conflict within our post-Theodosian novels plays out from the perspective of the fifth century imperial office, and how the emperor or those operating on his behalf attempted to mediate such conflict through the law, using emotional rhetoric within it as a political tool. Actual analysis and the situation of any political conflict within *Nov. Val.* 1.3 will be reserved for later chapters.

Problems likely still exist with the proposed methodology, particularly if other readers disagree on how to categorize one entity or another since that could affect scoring outcomes. But as remarked by another legal scholar who attempted a stylistic analysis along similar lines, Tony Honoré, "In applying this method no claim is made to statistical purity. What counts as a 'considerably greater' frequency is settled by trial and error. Nor are the criteria applied with unbending rigour. They are intended to supplement, not to supplant, other forms of evidence."⁴⁸⁷ Likewise, my calculations here are only intended to quantify relationships already visible to a reader of the same text. The quantification is just a tool for providing more granularity in the analysis; the ultimate conclusions remain qualitative.

And with that said, the last remaining step is to demonstrate how we will technically implement the procedures and methodologies which have already been outlined and defended.

⁴⁸⁷ Honoré 1978: xv.

8. Technical Implementation

This chapter serves as a technical guide for the digital edition of the post-Theodosian novels, which acts as the evidence basis for this dissertation. The intended goal of this chapter is to explain for non-experts the basic encoding procedures which convert the methodologies outlined in previous chapters into a standardized digital form, as well as the logic behind those procedures so as to assist others in querying the edition for their own research purposes.

The first section briefly explains what eXtensible Markup Language (XML) is, along with the Text Encoding Initiative (TEI) schema we have chosen to standardize its encoding, the supporting languages for navigation (XPath), querying/analysis (XQuery), and the interface/editing software (OxygenXML Editor) in which encoding and analysis are performed.

The following section delves into the details of how the digital encoding of the post-Theodosian novels is accomplished, particularly as to how a Late Roman constitution is structured using the TEI-XML schema. This will extend to how negative sentiment words and political relationships to those words are converted digitally through a custom attribute file. And there will also be a brief explanation for the edition's accompanying Cascading Style Sheet (CSS) which allows the digital edition to be partially visualized as a standalone web page.

The final section gives some examples of querying the edition using XPath and XQuery so as to retrieve results vital to supporting this dissertation's central arguments, such as identifying interest groups within certain constitutions, or calculating sentiment scores for various laws.

TEI-XML AND ITS TOOLS

When we say XML is a markup language, what we mean is that it has an ability to add additional information to what would otherwise be plain text, i.e. to "mark (the language) up"; the

word "encode" is often used as a synonym to mark up.⁴⁸⁸ A basic illustrative example would be to take an existing sentence or phrase and then change the case into all uppercase letters for emphasis, e.g.

"he is talking really loudly" to "he is talking really LOUDLY".

We have "marked up" or "encoded" the word "loudly" with additional information through the use of capital letters. However, rather than using changes in letter case, XML uses specific tags bracketed by < and > symbols to indicate the beginning of an encoded text, with a / indicating the encoded text's ending.

```
he is talking really <emphasis>loudly</emphasis>
```

In the above example <emphasis> is the opening tag and </emphasis> is the closing tag. The enclosing of text inside these opening and closing tags is sometimes referred to as text being "encoded," "wrapped," or "encapsulated." The opening tag, its matching closing tag, and the contents between them are grouped together as something called an "element."

If we wanted to add meta-information describing the markup itself, we can do so with attribute name and attribute value pairs. The name and the value can be found in the opening tag and are separated by one another by an = symbol. For example, if wanted our emphasis to only be at a "medium" level. Here level is an attribute of the <emphasis> element.

```
he is talking really <emphasis level="medium">loudly</emphasis>
```

⁴⁸⁸ Because XML as a markup language has not significantly changed since the early 2000s, books considered as somewhat authoritative references date to this period. In particular, we rely upon Harold and Means, *XML in a Nutshell* (2004) published by O'Reilly Media as a general XML guide.

XML also follows a hierarchical relationship for its elements with child elements nested completely under parent elements. In the example below, `<sentence>` is the parent element, and `<emphasis>` is a child element.

Allowed XML (technically called "well-formed"⁴⁸⁹):

```
<sentence> He is talking really
    <emphasis level="medium">
        loudly
    </emphasis>
</sentence>
```

Child elements are not allowed to cross the closing tag of parent elements, so the below would be considered an incorrect XML structure because the supposed parent `<sentence>` element closes before the child `<emphasis>` element does.

Not allowed XML (not "well-formed"):

```
<sentence> He is talking really
    <emphasis level="medium">
        loudly
</sentence>
    </emphasis>
```

The word extensible in eXtensible Markup Language refers to the fact that there are no limits on the number of elements one can use to markup text. One can use any words or letter and number combinations as element names so long as they are not already pre-reserved for internal XML usage. This extensibility was a chosen part of the language so as to maximize flexibility and to allow it to structure complex data within a digital format readable by any text editor, as opposed to past practices, where data was often hidden in proprietary binary files that were only readable

⁴⁸⁹ The full aspects of XML well-formedness are: "1. Every start-tag must have a matching end-tag, 2. Elements may nest but may not overlap, 3. There must be exactly one root element, 4. Attribute values must be quoted, 5. An element may not have two attributes with the same name, 6. Comments and processing instructions may not appear inside tags, 7. No unescaped `<` or `&` signs may occur in the character data of an element or attribute", Harold and Means (2004: 26).

by machines.⁴⁹⁰ The extensibility also separates XML from its more well known web counterpart, HTML, which could be considered a related markup language to XML. HTML similarly encodes text, but with a more limited goal of doing so for web display rather than to be flexible enough to encapsulate almost any data structure. In addition, HTML does not require some tags to close, making it neither well-formed or valid in XML's eyes.⁴⁹¹

There is one significant risk to extensibility: the infinite possibilities can quickly lead to excessively individual and arbitrary methods for markup, making XML files difficult to understand by anyone other than the initial encoder. One common solution is to create a standard set of encoding rules for a particular use case to which encoders within a “community of common interests” agree. This standard is called a schema.

Within digital humanities, the most common schema⁴⁹² is the one managed by the Text-Encoding Initiative (TEI) Consortium.⁴⁹³ The central TEI schema includes the computational rules for the element and attribute names, relationships between elements, and for attribute value contents, against which software can be used to check the documents' validity (i.e., whether an XML document uses the TEI elements and attributes correctly). A wide assortment of humanities projects and primary sources have been encoded in TEI including, within the classical studies field, the Perseus Project, the Digital Latin Library, and the EpiDoc collaborative.⁴⁹⁴

⁴⁹⁰ The historical rationale for and development of XML can be seen in Harold and Means (2004: 8-11). An explanation of the superiority of XML over other data formats like JSON (JavaScript Object Notation) for semi-structured text encoding like that most often encountered in the humanities is explained in Anderson and Wicentowski (2020: 9-13).

⁴⁹¹ Although not as popular, there is a version of HTML that conforms to XML's specifications called XHTML.

⁴⁹² Gee 2023: 248.

⁴⁹³ Since 1994, the consortium has been "a nonprofit membership organization composed of academic institutions, research projects, and individual scholars from around the world" who share the goal of developing guidelines "which provide the infrastructure for developing machine-actionable cultural heritage texts" (TEI Consortium 2023; <https://www.tei-c.org/>). Aside from the TEI Consortium (2023) web page itself (<https://www.tei-c.org/>), Vanhoutte and Van den Branden (2010) is also a useful introduction to the many facets of TEI.

⁴⁹⁴ TEI Consortium 2023; <https://tei-c.org/activities/projects/>.

Having stronger validation requirements by employing a TEI schema allows a project to overcome the shortcomings of the baseline flexibility of XML as a markup language. In general, the most important additional validation requirements TEI imposes on XML are a more restricted and standardized element/attribute list and requirements for more meta-description, sometimes called headers, of the encoded document. As an example, converting the aforementioned "he is talking really loudly" sentence into a TEI compliant fragment would look like the following.

"Well-formed" and "valid" (as a TEI fragment)⁴⁹⁵:

```
<s> He is talking really
    <emph ana="#medium">
        loudly
    </emph>
</s>
```

In addition, the TEI schema can be expanded upon through customization with a One Document Does-it-all (ODD) file for circumstances where the existing guidelines are insufficient for one's research.⁴⁹⁶ Within this dissertation's encoded text, the main ODD additions are the introduction of specific attributes for bidirectional sentiment relationships as well as separate certainty values for those relationships, since the standard TEI schema only allows for single directional relationships and certainty values.⁴⁹⁷ These additions will be explained below in the "Encoding Practices" section on <phr> elements as a means of identifying negative sentiment

⁴⁹⁵ This fragment is not valid as a full TEI file, as it does not have header elements and is not enclosed within other required parent elements.

⁴⁹⁶ TEI Consortium 2023; <https://tei-c.org/guidelines/customization/getting-started-with-p5-odds/>.

⁴⁹⁷ The <relation> element as part of the standard TEI schema was considered as an alternate way of describing this project's attribute relationships. However, the element as deployed in unmodified TEI has to be contained in some kind of parent list element, such as <listRelation>, and even then, that <listRelation> would require yet another parent element such as <note> to place it in context to our chosen words or phrases.. In essence, to use the <relation> element would be to impose too many additional hierarchies upon the edition, and so modifying the ODD to allow multiple relationships to be encoded within the attributes of <rs> referring string or <phr> phrase elements was deemed as simpler to query and understand.

words. However, just because a text has been encoded in a standardized manner does not mean we can do anything with that digitized text. We need means for navigating and retrieving information from the encoded document. This is what XPath is used for.

XML structures are often described as "trees", with the encoded elements, attributes and text content "branching out" from a single root (in technical terms, these are all "nodes"). In order to query that "tree" and its "nodes," a specific language was developed to navigate through it, XML Path Language, or XPath. XPath describes the path across the tree using the nomenclature of familial relations, such that nodes are ancestors, descendants, parents, children, or siblings to each other.⁴⁹⁸ Then instructions can be written requesting information from specific positions in the tree according to those relationships (the "path" of the nodes). Within our previous sample of TEI-XML, `<emph>` is a child of `<s>` as the parent encapsulating element. If we wanted to select the `<emph>` element within the `<s>` element, we could type the following expression.

```
/child::emph
```

"/" indicates steps in the path, with the first being a relative point in the tree (a starting position determined by the query opening statement, but here we assume to be `<s>`). Then the expression tells XPath to look for a child element named `emph`, using the double colon `::` to indicate which named "child" to select. Once it finds the elements that match that expression, it returns the element and all its contents, position, attributes, and the text it contains (i.e. its descendants). If we wanted

⁴⁹⁸ See Anderson and Wicentowski (2020: 61) for a visual "family tree" of how the various XML relationships exist in hierarchy to each other. Anderson and Wicentowski, "Finding Your Way Around with XPath" in *XQuery for Humanists* (2020: 55-78) is an excellent introduction to XPath.

just the text, we could add an additional step (/) followed by the node test⁴⁹⁹ `text()` to return just the text from the element. Thus, `/child::emph/text()` returns the text `loudly`.

Although XPath allows us to traverse the node tree and apply certain functions to calculate and transform data, it is limited to single statements and simple outputs. For this reason, developers may use XPath within full-fledged programming languages such as Python, or they can stay within the XML family of languages. The XPath standard is shared with XQuery (XML Query language), which is a powerful scripting language and can perform more complex calculations or sophisticated queries that both include and exclude certain data.⁵⁰⁰ Our small TEI-XML fragment is too small to showcase the power of XQuery, but one can easily imagine its necessity for some of the extensive sentiment calculations for entire late Roman constitutions, such as word counts, negativity scoring, and the attachment of scores to particular political interest groups.

Although XML can be created and edited in any text editor, its schema validation, information retrieval, or complex querying requires a development environment. Although there are several options, including open-source ones, the most common platform is OxygenXML. This commercial editor has integrated processors for XPath and XQuery, has features to highlight reserved syntax, can perform live validation as one enters new XML code, and includes a What-You-See-Is-What-You-Get (WYSIWYG) editor called "Author mode" that can style an XML document for easy display akin to a web page. As will be explained in an upcoming section, working with the digital edition in Author mode makes analysis significantly easier, and is

⁴⁹⁹ A node test is an XPath instruction for returning a specific kind of node, which in this case is a request to only return the text node. It looks like a function because of the parentheses () but it is not a function (Tidwell 2008: 50).

⁵⁰⁰ The standard book on the subject is Walmsley, *XQuery: Search Across a Variety of XML Data* (2016), although the previously mentioned Anderson and Wicentowski, *XQuery for Humanists* (2020) is more recent and arguably better for the specific needs of digital humanists.

recommended if one wants to work with the encoded constitutions in a manner closer to text on a page, as opposed to looking like software source code.

Having reviewed the basic terminology of the technologies involved (TEI-XML, XPath, XQuery), we can now move onto their application in this dissertation: encoding our chosen Latin laws into digitized form.

ENCODING PRACTICES

Structuring a law in XML

```
<div1 type="titulus">
  <head>
    <s xml:lang="la">Latin title</s>
    <s xml:lang="en">English title</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab type="insc">
      <milestone unit="latin" />
      <s xml:lang="la">Latin addressee</s>

      <milestone unit="english" />
      <s xml:lang="en">English addressee</s>
    </ab>
    <ab type="caput">
      <milestone unit="latin" />
      <s xml:lang="la">Latin sentence</s>

      <milestone unit="english" />
      <s xml:lang="en">English sentence</s>
    </ab>
    <ab type="subs">
      <milestone unit="latin" />
      <s xml:lang="la">Latin date</s>

      <milestone unit="english" />
      <s xml:lang="en">English date</s>
    </ab>
    <ab type="intr">
      <milestone unit="latin" />
      <s xml:lang="la">Latin interpretation</s>

      <milestone unit="english" />
      <s xml:lang="en">English interpretation</s>
    </ab>
  </div2>
</div1>
```

Above is the basic TEI-XML structure for an encoded constitution.⁵⁰¹ The `<div1>` division element indicates the title/*titulus* subject category. Beneath this is the `<head>` element containing the text of the titles themselves, with the first sentence `<s>` element being in Latin as indicated by the attribute and abbreviation `@xml:lang="la"`, and the second `<s>` element being in English, with the attribute correspondingly changed to `@xml:lang="en"`. The `@` symbol is standard practice for identifying when an XML item is an attribute outside of XML code.

The subordinate `<div2>` division element is reserved for the *constitutio* itself, as indicated by its `@type`. This is necessary because some titles contain multiple constitutions whereas others only contain a single constitution.⁵⁰² Where there is only one constitution within a title, an attribute `@subtype="solo"` will be added to the constitution's `<div2>` element. This attribute is omitted when there are multiple constitutions within a title. The usage of different `<div1>` and `<div2>` elements for their respective hierarchical positions should also help reduce query confusion which might occur if the two were simply nested `<div>` elements.

At the next level downward, we have `<ab>` anonymous block elements to separate the different sections of a constitution.⁵⁰³ Each `<ab>` has a `@type` attribute attached, with a value of `"insc"` for the *inscriptio* containing addressing information, `"caput"` for the *caput* or body of the law, `"subs"` for the *subscriptio* which contains the geotemporal issuing information, and `"intr"` for the *interpretatio* or later interpretation of a law's meaning. The *interpretatio* is included in the edition but not significantly encoded.

⁵⁰¹ TEI Consortium, "TEI: Guidelines for Electronic Text Encoding and Interchange" 2023; <https://tei-c.org/release/doc/tei-p5-doc/en/html/index.html>.

⁵⁰² See footnote 24 in "1. Introduction, Research plan."

⁵⁰³ Explanations of the different sections of a constitution are in an earlier chapter of this dissertation, "3. Roman constitutions, Sectional structure."

Sections, sentences, and segments

Within an `<ab>` section, we have `<s>` sentence elements. Similar to those in the `<head>` element, they are separated into those in Latin with the attribute `@xml:lang="la"` and those in English with the attribute `@xml:lang="en"`. The Meyer Latin edition acts as the basis for the determination of a sentence, which I define as a grammatical unit ending in a period or a question mark (and thus phrases ending in commas, colons, and semicolons are excluded).⁵⁰⁴ If a full sentence in the Meyer edition crosses a larger section boundary in the XML, this edition will split the sentence at the section boundary.⁵⁰⁵ If Meyer has not lowercased a clause after a comma, colon, or semi-colon, the edition will do so.⁵⁰⁶ Fragments marked by ellipses at the end are treated as ends of sentences⁵⁰⁷ unless both the edition and translation note a blank spot as occurring inside a sentence or phrase.⁵⁰⁸

In addition to `<s>` elements, there are also sibling `<milestone>` elements, with similar language definition attributes, preceding the `<s>` elements in their respective languages. The purpose of the `<milestone>` element in this edition is to separate Latin and English sentence elements while maintaining them at the same sibling level of the XML tree. This is done so as to assist simultaneous bilingual highlighting of paired Latin and English sentences while in Author mode of OxygenXML. The details of this highlighting will be explained shortly when we reach the topic of Cascading Style Sheet visualization.

⁵⁰⁴ Although the Latin from Meyer's (1905) edition is the final consulting document, some of the abbreviations in the Latin of this digital edition are a result of importing the text from the Amanuensis: Roman Law program, which derives its text through Josef Menner's 1970 ROMTEXT digitization of Meyer's (1905) edition (Riedlberger, "Amanuensis" 2024; <http://www.riedlberger.de/amanuensis>). As a reminder, there was previous discussion about punctuation marks being a predominantly modern addition in "6. Sentiment analysis, Sentences and scoring."

⁵⁰⁵ e.g. *Nov. Th.* 3.2.

⁵⁰⁶ e.g. *Nov. Marc.* 1.1.

⁵⁰⁷ e.g. *Nov. Maj.* 3.0.

⁵⁰⁸ e.g. *Nov. Val.* 12.0.

Within an `<s>` sentence, there are additional elements and attributes important to encoding and querying this edition. We use sentences from *Nov. Val.* 1.1.1 to illustrate them.

```
<s xml:id="nov-val_1.1.1.s3 xml:lang="la">
  <seg> Quod nunc omne et in perpetuum penitus remittentes nihil ex hac
    functione

    <phr function="cmdw">constituimus</phr>

    tabularia publica retinere omnisque recidivae calumniae aditus
    praestruentes

    <phr function="cmdw">praecipimus</phr>

    nihil exactoribus de praedictarum dumtaxat indictionum reliquis
    umquam, nihil licere iudicibus.
  </seg>
</s>
```

Within some `<s>` sentences above are `<seg>` segment elements that we use to represent imperial commands, since laws are divided between context and command sentences. `<seg>` commands do not always cover whole sentences, but may sometimes only be clauses that are an emperor's externally-actionable and desired near-future states. This is important for querying because the definition of a command sentence would thus be any `<s>` element that has a `<seg>` element as a descendant, but to only search for words within `<seg>` elements would leave out words in a command `<s>` sentence but outside the encapsulation of the `<seg>` clause itself. `<seg>` clauses are anchored by the existence of a `<phr>` "phrase" element with an attribute and value of `@function="cmdw"` (meaning "command word"), which highlights a verb of ordering, allowance, necessity, knowledge, or circumstance which sets the basis for a command segment.⁵⁰⁹

⁵⁰⁹ The definitions for an imperial command as both desired states consisting of certain kinds of verbs was discussed in the previous chapter "6. Sentiment Analysis, Sentences and Scoring."

Sentiment words and relationships

Beyond highlighting command words, `<phr>` is also used to identify negative sentiment words, but through a different attribute, `@type="ampl"` for amplified word. This is illustrated by another sentence from *Nov. Val. 1.1.1*.

```
<s xml:id="nov-val_1.1.1.s2" xml:lang="la">
  Quae cum nihil publico nomini proficiant,

  <phr type="ampl" subtype="c">exhaustum</phr>

  tamen possessorem redimentemque semper indutias continuis

  <phr type="ampl" subtype="c">dispendiis</phr>
  <phr type="ampl" subtype="g">inquietant</phr>.
</s>
```

A negative sentiment word is indicated by the attribute `@type="ampl"`, although its subtype determines negativity level, with `@subtype="c"` for contextually negative and `@subtype="g"` for generally negative.

`<phr>` elements as negative sentiment words also contain attribute information about who is the source of, or the ones injured through, a negative circumstance being described by the word. With modifications made to the One Document Does-it-all (ODD) file, the custom attributes `@inj-src` and `@injured` are introduced as a means of highlighting those words in nearby sentences that seem to be the source of injury or the injured from a negative word circumstance. In addition, as per our earlier methodology, there are also attributes to indicate the certainty of those injury relationships, `@crt-src` and `@crt-inj`.⁵¹⁰ XML in bold indicates changes to the previous example.

⁵¹⁰ The difference between high, medium, and low certainty is discussed in "7. Social power analysis, Identifying political interests."

```

<s xml:id="nov-val_1.1.1.s2 xml:lang="la">
  Quae cum nihil publico nomini proficiant,

  <phr injured="possessor" crt-inj="high" type="ampl"
    subtype="c">exhaustum</phr>

  tamen possessorem redimentemque semper indutias continuis

  <phr injured="possessor" crt-inj="high" type="ampl"
    subtype="c">dispendiis</phr>
  <phr injured="possessor" crt-inj="high" type="ampl"
    subtype="g">inquietant</phr>.
</s>

```

In the case of the three negative sentiment words, they seem to all refer to the word *possessorem* as the suffering political interest, and so the attribute value is for that word in its lemmatized nominative singular form, @injured="possessor" with a certainty attribute of @crt-inj="high" indicating that the referenced interest is in the same sentence as the negative word.

One final step in the encoding process is to mark the political interests in the sentence itself, and assign them an analytical grouping for social power analysis. We have already identified *possessorem* as a likely interest owing to its relationship to the negative sentiment words, but *publico* is another possibility, referring to what is likely state treasuries.

```

<s xml:id="nov-val_1.1.1.s2 xml:lang="la">
  Quae cum nihil

  <rs ana="#P_treasury"><w lemma="publicus">publico</w></rs>

  nomini proficiant, exhaustum tamen

  <rs ana="#E_taxpayers"><w lemma="possessor">possessorem</w></rs>

  redimentemque semper indutias continuis

  <phr injured="possessor" crt-inj="high" type="ampl"
    subtype="c">dispendiis</phr>
  <phr injured="possessor" crt-inj="high" type="ampl"
    subtype="g">inquietant</phr>.
</s>

```

The `<rs>` referring string element is used to mark political interests, but the identified political interest text is wrapped with an additional `<w>` word element as then we can include a standard TEI schema attribute of `@lemma` to indicate which base word-form negative sentiment words are referring to when they use `@inj-src` or `@injured` attributes as relationship markers.

The final categorization step is to assign the political interest to a power type category and group, utilizing the `@ana` analytical attribute. The `@ana` attribute "points" to a controlled vocabulary,⁵¹¹ with its format of a # hashtag indicating the value as a pointer, capital letters representing the Mann power types of either I(deological), E(conomic), M(ilitary), or P(olitical), an _ underscore, and then a name for the interest group. With this analytical encoding completed, we now have the ability to query political interest groups for sentiment scores based upon their component `<rs>` interests' relationship to `<phr type="ampl">` negative sentiment words.

CSS visualization

Before we move into query examples, one last feature of this edition should be discussed and that is its simultaneous bilingual highlighting of paired Latin and English sentences. It was decided that this could be handled best by attaching an additional Cascading Style Sheet (CSS) to the XML file. The two types of files exist as a paradigm to separate a web page's content (HTML) from its layout (CSS). Unfortunately, CSS has some severe limitations since it is not a fully-fledged programming language and the CSS options within the OxygenXML Author mode are even more limited owing to the reduced number of available CSS selectors.⁵¹² Thus, aspects of this digital edition's TEI-XML structure are due to the necessities of creating a basic visual display

⁵¹¹ The `@ana` attributes point to a `<taxonomy>` element in the document header containing all the interest groups and their corresponding `@xml:id`, according to standard TEI schema practice.

⁵¹² OxygenXML, "Supported CSS Selectors" 2024;
<https://www.oxygenxml.com/doc/versions/21.1/ug-editor/topics/dg-supported-selectors.html>.

compatible with OxygenXML Author mode's limitations. However the end files can be loaded on any Internet browser independent of OxygenXML as essentially a local web page.

Aside from the standard CSS styling applying colors and weighting to certain elements such as <seg>, <rs>, and <phr>, the CSS files also contain the method used to create the bilingual highlighting. The @n attribute, normally used for the basic numbering of elements, is employed to pair Latin and English sentences. The attribute values for the Latin sentences would be "la" followed by an increasing number, with the English the same except with a prefix of "en". A basic schematic version in TEI-XML looks as follows, although restricted only to a number count of three.⁵¹³

```
<ab type="caput">
  <milestone unit="latin" />
  <s xml:lang="la" n="la1">Sit divus, </s>
  <s xml:lang="la" n="la2">modo </s>
  <s xml:lang="la" n="la3">non vivus.</s>

  <milestone unit="english" />
  <s xml:lang="en" n="en1">Let him be divine, </s>
  <s xml:lang="en" n="en2">so long as </s>
  <s xml:lang="en" n="en3">he is not alive.</s>
</ab>
```

By utilizing hovering pseudo-selectors⁵¹⁴ in CSS along with the subsequent sibling selector ~ , each time we hover a mouse over a Latin sentence, the corresponding English translation is simultaneously highlighted. The CSS code is as follows.

⁵¹³ The working CSS file for this edition has a final @n count of 16 to ensure paired highlights do not repeat within a display page.

⁵¹⁴ A pseudo-selector, in contrast to a regular selector, is only active for the temporary conditions of its fulfillment. In the case of our first CSS example, a <s> sentence element with an @n value of "la1" will only have a background-color of yellow when a mouse hovers over that sentence element.

```
s[n="la1"]:hover, s[n="la1"]:hover ~ s[n="en1"], s[n="en1"]:hover
{ background-color: yellow; }

s[n="la2"]:hover, s[n="la2"]:hover ~ s[n="en2"], s[n="en2"]:hover
{ background-color: yellow; }

s[n="la3"]:hover, s[n="la3"]:hover ~ s[n="en3"], s[n="en3"]:hover
{ background-color: yellow; }
```

And finally below is what the code would look styled if we hover the mouse over the first sentence, the result being the first Latin and first English sentence highlighted.

Sit divus
modo
non vivus

Let him be divine
so long as
he is not alive

Our digital edition is structured the way it is (with Latin and English <s> sentence elements as siblings separated by a <milestone> element to indicate language sections) because CSS only has a subsequent and not a preceding sibling selector. It also does not have a "cousin" selector to allow for the selection of elements nested as children within another sibling element. However as is the case with many computer programs, what works in practice despite seeming ugly is preferable to something that is beautiful in concept but does not work at all.

There is an additional reason why this dissertation section pushes for more visualization in TEI-XML editing. Much qualitative analysis is still performed with either simple tools, such as highlighting PDFs or Word documents, or performed with expensive proprietary software such as NVivo, which although robust, is quite slow, not exportable into any other format, and requires expensive or continual licensing.

Combining basic CSS visualization with OxygenXML Author mode, researchers can have the visual look of a Word document or a PDF, but maintain access to the underlying attribute or reference information like one would with NVivo,⁵¹⁵ but with an ability to export its results to an open-source and text-readable format. In addition, the limited but conversely beginner-friendly CSS options within OxygenXML Author mode can increase digital humanities literacy by having its users engage in basic web design, skills that are not only essential but can also open new avenues for any modern researcher. Currently, the usage of CSS for XML analysis does not seem to be an active topic in the digital humanities field, and so this visualization section along with the entire digital edition should be seen as a template and a call to explore the greater analytical possibilities of combining CSS with TEI-XML to create better qualitative humanities research tools.⁵¹⁶

QUERYING THE EDITION

This section will offer and explain important XPath and XQuery expressions which I use to pull essential data from the edition in support of my arguments. Providing these search parameters will also allow others to replicate, verify, and/or challenge my conclusions on their own, as well as be a guide for extracting other information for alternative research uses. The expressions are intended for use within an OxygenXML development environment, not only because they provide processors for their execution, but in the case of XPath, OxygenXML will highlight and jump to the relevant elements or nodes within the XML that are the results of an

⁵¹⁵ A solid introduction to NVivo can be seen with Saldaña, *The Coding Manual for Qualitative Researchers* (2013), although another guidebook (Bazely and Jackson, *Qualitative Data Analysis with NVivo* 2013: 6-10) highlights the problems of using qualitative software such as NVivo for analysis.

⁵¹⁶ The points in the previous two paragraphs were first posed online in King, "Two Birds with One Stone: Using web languages and software to integrate digital encoding and analysis for Late and Post-Roman laws," 2022; https://www.youtube.com/watch?v=sImd_CPezYg.

expression. The jump-to-relevant-nodes feature is why this section is split between XPath expressions which can perform this action when evaluated in OxygenXML, and XQuery code which returns results unattached to the original XML. However, both XPath and XQuery expressions will work without problems in other XML systems; it is only how XPath nodes are returned that will vary from one platform to another.

XPath node retrieval

Some brief terminology needs to be covered, specifically that of a node, in order to explain what is actually being returned by XPath when an expression is executed. Although elements are the most commonly seen anchor aspect of XML, XML views itself as a series of nodes in a relationship. A node here simply means a data point. Within XML, the node types are elements, attributes, text, comments, processing instructions, and the document itself. For our purposes, we only deal with the first three or four of those nodes.

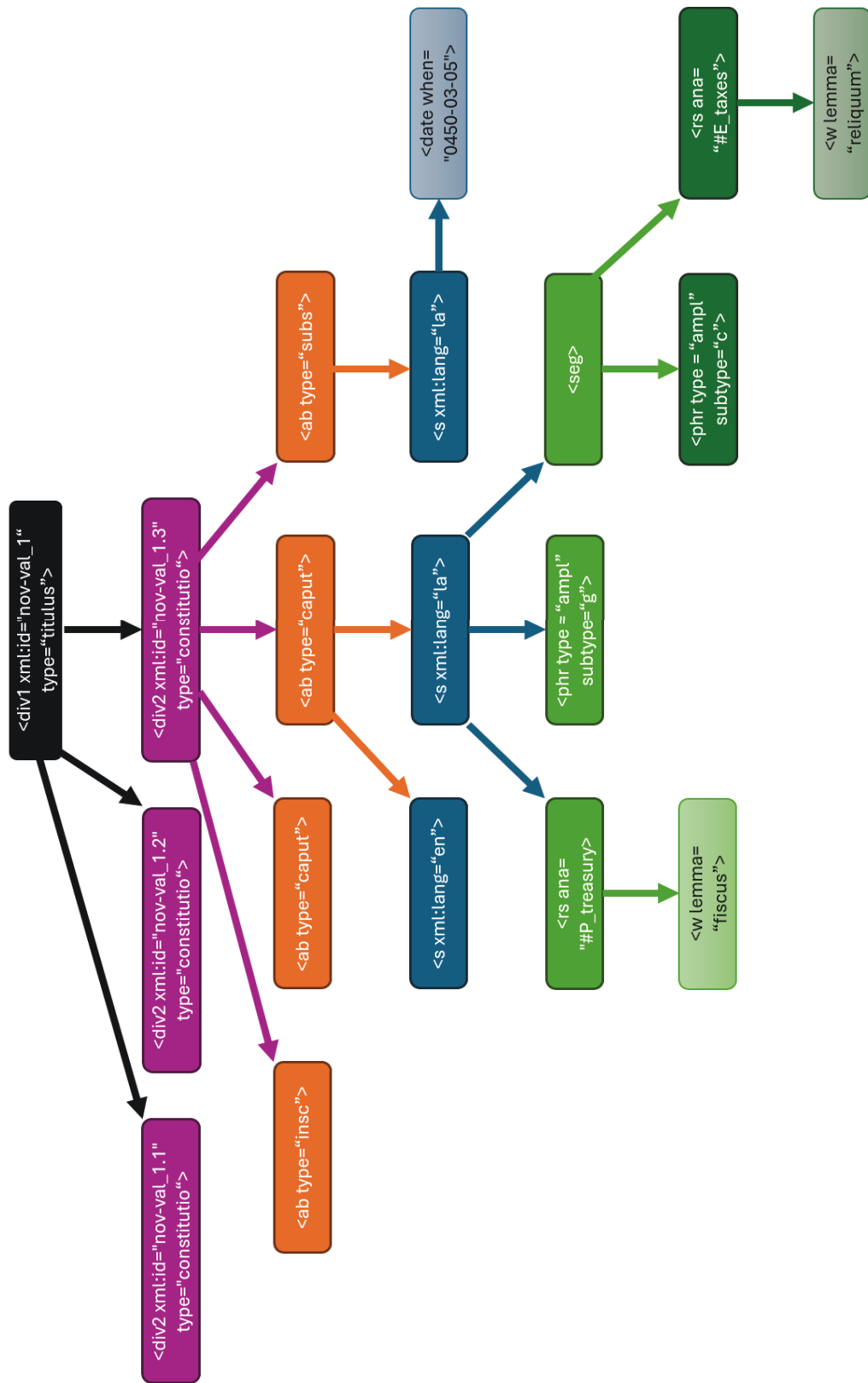
The relationship of these nodes to each other is the aforementioned "family tree" model, although previously this was understood as relationships between elements. Elements themselves have relationships with the information they encapsulate (text) as well as their meta-information (attributes) since they are also nodes. Thus, elements are the parent node and their attributes/text are child nodes. This is in addition to other elements that may be child elements/nodes to the parent element/node. This means that an XPath processor can search for and return more than just an element, it can return select components of an element when that information is required, or it can return an element with all its descendant elements all at once.

Moving on from our discussion of nodes, we are going to explain our search expressions, beginning with XPath returning for us a specific constitution before asking it to return specific

elements within a constitution.⁵¹⁷ We are going to use the previously worked on *Nov. Val.* 1.3 for our examples, and below is a simplified inverted tree diagram of the element relationships being searched for in our XPath expressions.

⁵¹⁷ Regarding the code, if there are additions to previous expressions, they will be highlighted in bold. Also, if a command is on two lines, that is only for display purposes; it should be considered a single-line command, although it will execute in the same even if on multiple lines.

Figure 4: Illustration of TEI-XML tree structure for digital edition



1. Selecting an individual constitution or section

```
//*[@xml:id eq "nov-val_1.3"]
```

The double forward slash `//` is short for `/descendant-or-self::node()` which means it will return a node and all its descendants. The asterisk `*` is a wildcard operator meaning "select all nodes." The square brackets `[ ]` contain conditions that if evaluated as true, will return a node. `@xml:id` is a unique identifying attribute for chosen elements. `eq` is a specific value operator for equality, meaning the value being evaluated must match exactly for it to be returned as true. `"nov-val_1.3"` is the `@xml:id` attribute value in quotation marks that is being requested to be matched.

Almost all constitutions have an `@xml:id` format following this value:⁵¹⁸ the abbreviation `nov`, a hyphen `-`, a short abbreviation of the issuing emperor which in this case is `val` for Valentinian III, an underscore `_`, and a title number which in this case is `1`. When a title only has one constitution in it, the `@xml:id` will stop at that title number; otherwise an additional point `.` and a constitution number is added, which in this case is `3`.

If this expression were converted to plain English, it would say "search for all nodes and their descendants that exactly match an `@xml:id` value of `"nov-val_1.3"`, and would thus return that entire constitution and its descendant elements.

The benefit of using an `eq` operator for this expression is that it requires an exact match, and so it will not also return other elements which might somehow contain the specified `@xml:id` value as part of a series, whereas an `=` operator might.⁵¹⁹ This combination of `*` wildcard search

⁵¹⁸ The exception is the Sirmondian constitutions, which are just `sirmond`, an underscore, and then the title number, since there are no titles with multiple constitutions in them.

⁵¹⁹ Unlike an `eq` operator, an `=` operator only evaluates whether there is one or more common values with another value. For example, `(1, 2) = 1` returns as `true`, whereas `(1, 2) eq 1` returns an error. However in this command's specific case of matching `@xml:id` with the string `"nov-val_1.3"`, because the string is only one "value," an `=` operator would also be sufficient and not return any other results. This would include an `@xml:id` which contains

and specific `@xml:id` value allows us to not have to deal within a search with whether a constitution is the only one in a title, and thus requiring us to specify an `@xml:id` in a `<div1>` element, or a multi-constitution title requiring us to specify an `@xml:id` in a `<div2>` element. However because the `@xml:id` has to be an exact match, the same query can be used to select specific sections as elements, provided one knows the section number beforehand.

2. Selecting only within Latin (or English) sentences

```
//*[ @xml:id eq "nov-val_1.3" ]//s[ @xml:lang="la" ]
```

This expression is fairly straightforward. There is an additional double forward slash `//` indicating a request to search deeply into the descendants of the first search, but this time to look for a `<s>` sentence element with the condition where the language attribute `@xml:lang` has a value of `"la"` for Latin. The value can be changed to `"en"` if one only wants English sentences instead. This expression is made possible by the fact every `<s>` element contains an `@xml:lang` value.

3. Selecting command (or context) sentences

```
//*[ @xml:id eq "nov-val_1.3" ]  
//s[ @xml:lang="la" ] [descendant::seg]
```

The back to back square bracket `[ ]` conditions are allowed in XPath; they simply mean that a node needs to be evaluated as true in both conditions in order to be returned. To select a command sentence, we only need to add a condition evaluating whether the `<s>` elements have as

the value `"nov-val_1.3"` such as `"nov-val_1.3.3"`, since the latter string remains one value and its contents are different.

their descendants any `<seg>` elements, which as discussed previously was our marker for command phrases. Conversely, if we wanted to select context sentences, we can do so by negating the condition, so we would replace it with `[not(descendant::seg)]`.

4. Searching for dates (and locations)

```
//*[ @xml:id eq "nov-val_1.3"]  
//s[ @xml:lang="la"]//date
```

Currently standardized numerical date information (of the format year-month-day) is only encoded in Latin sentences, and so if one were to perform this query without restriction, it would pull up dates in English as well, but only as text. It is important to note that not all dates are exact because some are, in fact, just the suggestions of modern editors. For exact dates the attribute is `@when`, but for inexact dates a pair of attributes are utilized, `@from` and `@to`. Because we know *Nov. Val. 1.3* has an exact date, we can change `//date` to `//date/@when` which will return us the standardized date value of 0450-03-05 (i.e. 450 CE, March 5) for the constitution.

Because we have only encoded dates and places in the *subscriptio* section of the constitution, we do not have to restrict an XPath expression to `<ab type="subs">` elements and attributes. This means that to retrieve place information, we can replace `//date` with `//placeName` or specify more with `//placeName/@corresp` to obtain the standardized pointer names for cities, as opposed to their various linguistically declined forms.

5. Searching for negative sentiment words

```
//*[ @xml:id eq "nov-val_1.3"]  
//s[ @xml:lang="la"]//phr[ @type="ampl"][ @subtype="g"]
```

The `@type="ampl"` attribute and value indicate that a sentiment word marked up by the `<phr>` element is a negative sentiment word, whereas its `@subtype`, be it "g" or "c", indicates whether it is generally or contextually negative. However, since no `<phr>` sentiment word has a `@subtype` without a `@type`, technically this XPath expression can have its `[@type="ampl"]` condition removed, if one only wanted to retrieve negative sentiment words of a specific `@subtype`. However `@type` remains a useful search for when one does not want to specify a `@subtype`.

6. Searching for mentioned political interests and groups

```
//*[@xml:id eq "nov-val_1.3"]  
//s[@xml:lang="la"]//rs//w/@lemma
```

Although political interests are categorized with the `<rs>` referring string element, their base grammatical form resides in a child `<w>` word element with the `@lemma` attribute. And so in order to obtain a list of the values of `@lemma` which constitute ungrouped political interests, we use the above XPath expression.

If we know in advance the name of a political interest group as an `@ana` attribute value, e.g. `#P_treasury` from the earlier section on "Sentiment words and relationships", we can add that condition to the search for `<rs>` elements and only bring up the component interests that form that group. That code would look as follows.

```
//*[@xml:id eq "nov-val_1.3"]  
//s[@xml:lang="la"]//rs[@ana="#P_treasury"]//w/@lemma
```

In the case of the above expression, it would return five nodes of `//w/@lemma` attributes with values of `aerarium`, `arcalis`, `fiscale`, and `fiscus` (x2), all of which are words relating to the state fisc or treasury.

In addition, if we want to search for all interest groups within a power type for a constitution, we can make an adjustment to the conditions for the `<rs>` element and subsequent attribute nodes.

```
//*[@xml:id eq "nov-val_1.3"]  
//s[@xml:lang="la"]//rs[contains(@ana, "#P_")] /@ana
```

Here we change the condition to a function as opposed to a value comparison statement. Since all interest groups have their power types standardized as a hashtag, a prefix of the first capital letter of their type along with an underscore, e.g. `#P_` for Political power type, we can use this `contains()` function to search for these power type prefixes inside the text string value for the `@ana` attribute. The above expression should return 32 nodes of the following six interest groups: `#P_bureaucracy` (x18), `#P_high-officials` (x6), `#P_imperial-court` (x1), `#P_public-expenses` (x1), `#P_public-records` (x1), and `#P_treasury` (x5).

In the case of both node retrievals for "treasury" interests and "Political" interest groups, they match the non-XML categorization of *Nov. Val.* 1.3 as outlined in the "Hybridization" section in the previous chapter, "Social Power Analysis," thus confirming the technical implementation of the TEI for the purposes of political interests and interest group information retrieval.

With the preceding XPath expressions, we should be able to work with all the necessary nodes for any analysis. The only step left in the implementation is to create calculations from those nodes, the results of which will be the final evidence for the overall argument.

XQuery calculations

An important technical note for this section is that in order for the discussed XQuery expressions to execute properly, the following has to be included at the top of all versions of the code.

```
xquery version "3.1";  
declare default element namespace "http://www.tei-c.org/ns/1.0";
```

Aside from the version declaration, the namespace declaration is important because in order for an XML document to be TEI validated, the main body element (which includes our digital edition's XML) has to include an attribute and link for the TEI namespace, as can be seen in the sample XML below.

```
<TEI xmlns="http://www.tei-c.org/ns/1.0">
```

The namespace link is simply a way for the computer (or OxygenXML's parser) to know it belongs to a particular "markup vocabulary,"⁵²⁰ which in this case is TEI itself. But if a namespace for a body of XML code exists, then attempting to query it without matching the namespace link will end up with no results, as the processor will think there is no relevant XML to search. And so this is why that namespace declaration has to be added to the beginning of all XQuery code with its exactly matching web link for it to work at all.

Moving onward, we will now discuss what I view as the three most important calculations that need to be made from the laws in our digital edition.

⁵²⁰ Anderson and Wicentowski 2020: 46-8.

1. Calculating Latin word counts

```
let $id := "nov-val_1.3"

return /*[@xml:id eq $id]//ab[@type="caput"]
      //s[@xml:lang="la"]
      =>string-join(" ")=>normalize-space()=>tokenize()=>count()
```

Some of the code will be familiar, in particular the parts that look like an XPath, since XPath expressions are fully compatible within XQuery.

The first parts that are different are the commands `let` and `return`, which are part of the core five commands for XQuery, F(or), L(et), W(here), O(rder by), and R(eturn), often abbreviated as a whole as FLWOR. Without going too deeply into each command since not all will be utilized, `let` is a command used to establish a variable which is prefixed with a `$` sign and assigned a `:=` operator. The `return` command executes or returns to the user display the results of an expression.

The parts after the recognizable XPath expression begin with `=>` which is known as an arrow operator. These operators can be thought of as another way to write a function, as normally functions are nested in other functions by placing them inside parentheses, e.g. `function-b(function-a(value-to-be-processed))`. The arrow operator makes such nested functions easier to read by having them point to the next function, e.g. `function-a(value-to-be-processed)=>function-b()`.

Our XQuery code takes the node results of our XPath expression, i.e. all sentences in Latin in the anonymous block `"caput"` sections of the constitution `"nov-val_1.3"`, and applies a series of four functions to the result. The four functions are: (1) to join all the sentences together but with a single space to separate them (`string-join(" ")`), (2) to reduce any excess spaces into a single space (`normalize-space()`), (3) to split apart this now giant string of Latin sentences and words into a series of just the words (`tokenize()`) and (4) to count how many separate words there are

(count()). The XQuery result is the word count of the body of the constitution, i.e. the *caput* sections but excluding the *inscriptio*, *subscriptio*, and the *interpretatio*; the total count is 665 words.

With the addition of a small condition, we can also find the word counts for just command sentences. The example below should return 186 words.

```
let $id := "nov-val_1.3"

return /*[@xml:id eq $id]//ab[@type="caput"]
      //s[@xml:lang="la"] [descendant::seg]
      =>string-join(" ")=>normalize-space()=>tokenize()=>count()
```

And if we wanted just context sentence word counts, we would negate the condition, replacing [descendant::seg] with [not(descendant::seg)], which would return 479 words, which combined with the aforementioned 186 command words returns us to our total of 665 words within the overall constitution.

2. Calculating overall sentiment percentages

```
let $id := "nov-val_1.3"

let $neg-count :=
  /*[@xml:id eq $id]//ab[@type="caput"]
  //s[@xml:lang="la"]//phr[@type="ampl"]
  =>count()

let $total-count :=
  /*[@xml:id eq $id]//ab[@type="caput"]
  //s[@xml:lang="la"]
  =>string-join(" ")=>normalize-space()=>tokenize()=>count()

return ($neg-count div $total-count)=>round(3)
```

In this XQuery code, the most important difference is that we have moved what was previously the XPath expression and its associated functions from under the `return` command to its own variable, `$total-count`. Simultaneously, we have created a similar variable `$neg-count`

for counting just the negative sentiment words. Because every sentiment word has already been encoded as its own element, we do not need to execute the string-join or tokenization functions that were necessary for the full word count; here we can simply count the number of `<phr>` elements of the appropriate `@type`. This cleans up what is needed to be returned, as we simply divide the negative sentiment words by the total count for the sentiment score of the whole constitution, rounded to three decimal places with the function `round()`; the result is 0.119 which is 11.9 percent.⁵²¹ This means about 12 percent of the entire constitution consists of negative sentiment words.

Similar to the previous XQuery calculation, we can also adjust what is scored by adding a condition to the `$neg-count` variable, be it scoring just the command or just the context sentences, or whether we only want generally negative words or only contextually negative words. The below example would be a modification of the `$neg-count` variable to only score contextually negative words in the command sentences.

```
let $neg-count :=  
  /*[@xml:id eq $id]//ab[@type="caput"]  
  //s[@xml:lang="la"] [descendant::seg]//phr[@type="ampl"]  
  [@subtype="c"] => count()
```

⁵²¹ We are choosing to round to three decimal places onward for a balance between precision and readability for our upcoming data tables.

3. Calculating interest group sentiment scores

```
let $id := "nov-val_1.3"
let $group := "#P_bureaucracy"

let $interests :=
  /*[@xml:id eq $id]//s[@xml:lang='la']
  //rs[@ana=$group]//w/@lemma
  =>distinct-values()

let $neg := /*[@xml:id eq $id]//s[@xml:lang='la']
  //phr[tokenize(@inj-src) = $interests]

let $g-neg := $neg[@subtype="g"]=>count()
let $c-neg := $neg[@subtype="c"]=>count()

return $g-neg + ($c-neg * 0.5)
```

This final XQuery calculation is arguably the most important one as well as a bit more complex; it thus requires some explanation. This XQuery calculates the negative sentiment score as it pertains to interest groups. However, since the political interests that make up a group are not specifically listed in the XML, the list first has to be created before it can be matched with negative sentiment words as to their injury relationship.

Starting with the `$group` variable using `"#P_bureaucracy"` as our interest group, we go about creating a list of its component interests through the values which will be returned to the `$interests` variable.⁵²² Afterwards, we pull out the lemma form of any child `<w>` element of a `<rs>` parent looking for `@ana` values equaling `"#P_bureaucracy"`. Once we remove any duplicates with the `distinct-values()` functions, the resulting lemmas for political interests of the group `"#P_bureaucracy"` should be as follows: ("apparitio", "discussor", "exactor", "inspector", "minister", "officium", "palatinus", "publica", "publicus", "quaesitor").

⁵²² As a reminder, power type categorization for an interest group only exists as the three character prefix (e.g. `"#P_"`) within the `@ana` attribute of a political interest as an `<rs>` element.

The next step is to create a secondary list of political interests referenced by negative sentiment words, represented by the `$neg` variable. Since we can only work with one injury relationship at a time, in the case of this code, we are going to examine the interests the sentiment words say are the ones that are the source of a negative circumstance with the `@inj-src` attribute.

One technical note is that instead of employing an `=` operator, a `tokenize()` function is used instead. To tokenize means to split a longer single string of characters, i.e. a sentence composed of words, into a discrete series of individual units/words. This step is necessary because unlike many other attributes, both `@inj-src` and `@injured` within a `<phr>` element can reference multiple political interests. An example of this is the word *calumniarum* in *Nov. Val.* 1.3.2, which has as one attribute/value combo `@inj-src="discussor minister"`. So in order to properly find a single interest amidst what may be a string of several, we have to employ this `tokenize()` function to split up them up first.

Thanks to tokenization, we can now use `=` as a general comparison operator to see if the political interests in the `@inj-src` attribute of a `<phr>` element match with the `$interests` pulled from `<rs>` elements. As a reminder, `=` as general comparison operators only verify whether at least one value exists in two different series; this is in contrast to `eq` operators which require exact matches.

If we take the word *calumniarum* from *Nov. Val.* 1.3.2 as our example, the two series being evaluated would be `("discussor", "minister")` and `("apparitio", "discussor", "exactor", "inspector", "minister", "officium", "palatinus", "publica", "publicus", "quaesitor")`. Because both `"discussor"` and `"minister"` are values in the larger series (although the operator only needed one of the two to match), *calumniarum* would be identified as a sentiment word being referenced by interests `"discussor"` and `"minister"` of the

group "#P_bureaucracy" and be regarded as the sources of a negative circumstance. Thus *calumniarum* is then slotted into a series with other matching sentiment words in the `$neg` variable.

The penultimate step is to take those negative words in the `$neg` variable, group them by their generally or contextually negative `@subtype`, then count them into their respective variables `$g-neg` and `$c-neg`.

The final step is to use the `return` command to run the final calculation, where we add the count of generally negative words being referenced by political interests in a designated group to the half-count of contextually negative words. The result is the negative sentiment score for that group, which in the case of "#P_bureaucracy" is 39.5, which is the correct calculation when omitting any single words, such as *calumniarum*, which might be referenced twice by separate interests.

When repeated for all other interest groups, it will paint a picture of their different negativity levels from the perspective of the emperor, suggesting his political (dis)inclinations towards them.

If one just wanted to calculate the interest group sentiment score within a context section (and with minor modification a command section), one only needs to add this predicate expression to the `let $neg` code.

```
let $neg := /*[@xml:id eq $id]
           //s[@xml:lang='la'] [not (descendant::seg)]
           //phr[tokenize(@inj-src) = $interests]
```

And with these calculations illustrated, the methodology and frameworks for this dissertation have been explained. What is left is to finally move onto results and to analyze their meaning in support of or in opposition to the initial conjectures.

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Part III: Analysis

9. Broad Contextualization of Imperial Sentiment

This final part and last few chapters of the dissertation will showcase and explain the results of our hybrid theoretical and technical methodologies.

In this chapter, the post-Theodosian novels⁵²³ alongside a select few Sirmondian constitutions (*Sirmond.* 3, 9, and 10)⁵²⁴ will be placed in charts according to their respective western or eastern halves of the empire and in their chronological order by emperor, given the substantial time intervals between collections of imperial novels. With the exception of *Sirmond.* 3, issued perhaps in 384 CE, all the other novels were drafted at a time when functional administration was perceived as split between two distinctive geographic halves of the empire. The division of administration alongside the testing of a conjecture stated in the introduction that western novels were more negative than eastern novels is the reason I am splitting the ordering geographically.

As discussed previously, the novels are grouped by emperors and subject, not necessarily date.⁵²⁵ The lack of such ordering in past analyses may have been because the laws have traditionally been mined for their synchronic and thematic status within contemporary Roman jurisprudence. Hence, it is rare that entire sets of unabridged novels by specific emperors are considered as an aspect of the empire's ongoing political, military, or ecclesiastical difficulties in the fifth century. This chapter's ordering exists to make those connections explicit, drawing out

⁵²³ Excluded from the chart are novels that exist only as titles without any content. Thus we exclude *Nov. Val.* 2.1, *Nov. Maj.* 8, 10, and 12.

⁵²⁴ The three Sirmondian constitutions are specifically chosen for a few reasons. First, all three touch on the thematic topic of non-theological clerical misbehavior being examined in the next chapter. Second, within that clerical misbehavior category, *Sirmond.* 3 is the only one from the eastern empire, despite its far earlier issue date; it was chosen to retain some comparison between the two halves of the empire. Lastly, *Sirmond.* 9 and 10 were adapted into separate entries in the Theodosian Code, as explained in "3. Roman constitutions, Transmission, Sirmondian constitutions."

⁵²⁵ See footnote 24 in "1. Introduction, the Research plan."

those empire-wide concerns which are often considered outside the immediate scope of various laws, but which were probably still in the minds of the laws' drafters.

The basic format for the list of constitutions is as follows, using the example of the first law analyzed, *Sirmond. 9*.

Table 12: Sample constitution contextualization table

Nov. 27, 408, given by Honorius in Ravenna	Sirmond. 9: "The municipal council shall vindicate for itself clerics who have been condemned by the bishops and segregated from the church."	205 words 60.1% commands 0.063 context score <u>0.080</u> command score	- Ideological (church) vs. Economic (cities)

The list starts with known information from the *subscriptio*, such as date (Nov. 27, 408), location (Ravenna), emperor responsible (Honorius), and whether a constitution was given directly by an emperor, posted/received later, or issued under uncertain circumstances. Afterwards, there is the constitution's abbreviation and numerical identification under a title (Sirmond. 9) along with that title's description ("The municipal council shall vindicate for itself clerics who have been condemned by the bishops and segregated from the church"). Then we have the constitution's statistics pulled from our analysis. The statistics chart includes its total word count (205 words), the percentage of the law consisting of command sentence words (60.1% commands), and sentiment scores for the law's context (0.063) and command sections (0.080). Scores of 0.080 (equivalent to 8 percent) or above are underlined and highlighted in red (0.080), indicating the section has a high degree of negative sentiment.⁵²⁶ Lastly there is a column for inter/intra group conflict, with the groups mentioned before the "vs." perceived as receiving an unfavorable imperial adjudication, e.g. Ideological (church), and the ones after the "vs." perceived as the groups being

⁵²⁶ 0.080 is chosen since it is a score that exceeds the average of sentiment scores for both context and command sections for all constitutions. Western novels (including *Sirmond. 9* and 10) have a context average score of 0.0775 and a command average of 0.057. Eastern novels (including *Sirmond. 3*) have a context average score of 0.050 and a command average of 0.040.

avored, e.g. Economic (cities). This right-most column exists to help encourage the conceptualization of these laws as situational political documents where an emperor resolves conflicts between interest groups operating under Mann's IEMP model.

Interspersed between these constitution entries and in italics are the most important or relevant political, military, or ecclesiastical events occurring around the time of the constitution's issuing, so as to provide further insight into the potential thinking of the imperial court. As an example, the entry after *Sirmond. 9* is as follows.

-- Aug. 24, 410: Gothic sack of Rome.

At the end of the chapter, we will also analyze what overall sentiment trends for all the post-Theodosian novels can be detected from this dissertation's methodologies.

CLASSIFICATION NOTES

Several judgment calls had to be made as to how to classify an interest or group from our methodologies as one power type or another, even though fewer than half of all the constitutions have a detailed interest group analysis. Below are some notes on power type choices with regards to both constitutions analyzed generally or in detail.

Private and state interactions

I am choosing to view decurions as an Economic interest group because of the relative self-governing nature of the city councils⁵²⁷ and because they are not part of the formal bureaucracy as is the case with other groups of a Political/administrative type. This is in spite of the fact that they

⁵²⁷ Jones 1964: 712. The evolution away from curial local government is also detailed in Liebeschuetz (2001: 104-36).

do have administrative roles that affect the state; I view decurions as representing a sort of private localized interest separate from the interests of the public state, since their necessity from an imperial standpoint is almost entirely economic as non-bureaucratic tax collectors.

Judicial interests

Theoretically, judicial interests could be subsumed under Ideological as a facet of Mann's normative control.⁵²⁸ However, because the state is viewed as a distinct entity in Mann's theories under the Political power type, it makes sense to wrap judicial interests under the Political type as an extension of the state.

Likewise, ecclesiastical judicial interests are subsumed under the Ideological type, since their primary source of power is that which stems from religion as an Ideology.

As for when the idea of the law seems to be mentioned as an interest/resource itself, I often split it between Ideological and Political power types, depending upon its usage within a sentence. Sometimes there is the "idea" of law as something immaterial and transcendent across time,⁵²⁹ but at other times it is the "practice" of law as a body of rules which are the direct wishes of the Political state.

In terms of court cases and litigants, when they are private matters they are categorized as Economic. When they involve the state, those interests may be categorized as Political, since courts as official institutions of arbitration remain Political.

I classify lawyers as legal experts under the Political/administrative type. This may be contested as lawyers serve their clients privately, but to me the basis of their power is knowledge of the empire's administrative system. Consider too that provincial governors are often appointed

⁵²⁸ Mann 1986: 22.

⁵²⁹ Mann 1986: 23.

from the lawyer class (itself a marker of high status in the classical world) because of their regular duties as judges.⁵³⁰ So ultimately, the basis of the power of lawyers, similar to other experts, administrators, and adjudicators or law is their connection to the legal apparatus of the state.

Women and family

When legal topics regarding family, such as women, children, or relatives, are covered, I try to note the gender and familial relationships in the interest name, but their power type classification is subsumed under what I view as the IEMP perspective of the emperor. Hence, sometimes women and family are an Ideological interest/resource, at other times an Economic one. Mann's framework, as well as many other 20th century sociological ones derived from Marx and Weber, unfortunately do not view gender as a main division. I attempt to remedy this by incorporating "women" as an interest group appellation in the respective `@xml:id` for an interest group whenever their presence is visible in the sources.

Criminal actions

Crimes generally follow the power type of either the criminals or the type of crime. A few notable and tricky categorizations are as follows. *Nov. Val.* 18 is on Manichaeans, and even though the penalties for the crime are Economic, I am categorizing the constitution's conflict type as Ideological since the issue is primarily religious. *Nov. Val.* 19 is on what might be considered appellate procedure on homicide. Homicide itself might be considered Ideological, since it transcends other concerns, but since the law is primarily on "appellate" procedure, the constitution is considered Political as an extension of legal administration. *Nov. Maj.* 9 is on adultery, but it is

⁵³⁰ Jones 1964: 500.

specific to a case where an adulterer has escaped their⁵³¹ original punishment, and so I view it as Political on the basis that it is an addition to existing legal procedure.

Nobility and status

Nobility and elite status as represented in our edition are also difficult. Mann's IEMP originally derived from Weber's power divisions of Status (Ideological), Class (Economic) and Party (Military and Political). So competitions over status could be seen as Ideological. The way that status is actually fought over in these laws is not separate from Economic concerns; they seem in fact to be integral. Debates over status seem to be tied to financial or economic privileges, and so for this reason I am categorizing the interests and resources that deal with nobility and status (including lower-class unfree status) concerns as Economic ones.

WESTERN UNABRIDGED CONSTITUTIONS

Sirmondian constitutions (selected)

ISSUING INFO	CONSTITUTION AND TITLE ⁵³²	STATISTICS	CONFLICTS
-- May 1, 408: Death of eastern emperor Arcadius, 7-year-old Theodosius II becomes sole eastern emperor. ⁵³³			
-- Aug. 22, 408: Army master Stilicho killed on Honorius' orders. ⁵³⁴			
Nov. 27, 408, given by Honorius in Ravenna	Sirmond. 9: "The municipal council shall vindicate for itself clerics who have been condemned by the bishops and segregated from the church."	205 words 60.1% commands 0.063 context score <u>0.080</u> command score	- Ideological (church) vs. Economic (cities)

⁵³¹ It is unclear to me whether *Nov. Maj.* 9 only pertains to adulterous males or to both sexes. Typically exile punishments as detailed in the context of this law are reserved for men, as it is presumed that women caught in adultery would be killed privately by their husbands or the male head of household, even if such action was not expressly legal (Arjava 1996: 194-9). However the first imperial sanction is missing from the available manuscripts (*quocirca tam exercitandae ... iudicationis forma perpetim mansura debeat adspirare*) leaving open the possibility that the rule might have been for an adulterous action exposing both sexes to punishment.

⁵³² All titles are from Pharr's (1952) translation; they have not been revised.

⁵³³ Soc. 7.1.1.

⁵³⁴ *Chronica Minora* 1, 300 (*Excerpta Sangallensia*); Kulikowski 2006: 171-3.

-- Aug. 24, 410: Gothic sack of Rome. ⁵³⁵			
-- 418: Gothic settlement in Aquitaine, Gaul. ⁵³⁶			
-- Jul. 2, 419: Birth of Valentinian III, parents are army master Constantius (future emperor Constantius III) and Galla Placidia. ⁵³⁷			
May 8, 420, given by Honorius in Ravenna	Sirmond. 10: "Clerics shall not live with extraneous women; the ravishers of holy maidens shall be punished with exile by deportation."	197 words 39.6% commands <u>0.092</u> context score 0.071 command score	- Ideological (women) vs. Ideological (clergy)
-- Feb. 8, 421: Constantius III made co-emperor. ⁵³⁸			

Novels of Valentinian III

ISSUING INFO	CONSTITUTION AND TITLE	STATISTICS	CONFLICTS
-- 429: Vandals take control of significant parts of north Africa. ⁵³⁹			
-- 434: Vandals sign a treaty with the Romans, legitimizing their possession of Mauretanian and Numidian provinces. ⁵⁴⁰			
-- 435: Aetius begins campaigning in Gaul to restore the Rhine frontier and mitigate Gothic raids. ⁵⁴¹			
-- 437: Valentinian III reaches adulthood and the compilation of the Theodosian Code is completed.			
Jul. 8, 438, given by Valentinian III at Ravenna	Nov. Val. 1.1: "The remission of delinquent taxes"	186 words 39.6% commands 0.055 context score 0.016 command score	- Political (tax officials) vs. Economic (taxpayers)
-- Dec. 25, 438: Theodosian Code accepted in the Senate of Rome. ⁵⁴²			
Aug. 28, 439, given by Valentinian III at Ravenna	Nov. Val. 3: "Successions to decurions who have passed to the clergy"	500 words 39.6% commands 0.018 context score 0.046 command score	- Ideological (clergy) vs. Economic (city councils)
-- Oct. 19, 439: Vandals capture Carthage. ⁵⁴³			
-- Early 440: Vandal ships raid coastal cities on the Mediterranean			

⁵³⁵ *Chronica Minora* 1, 466 (*Prosperi Tironis Epitoma de Chronicon*); Kulikowski 2006: 173-7.

⁵³⁶ Mathisen and Sivan: 1998.

⁵³⁷ *Chronica Minora* 2, 74 (*Marcellini Comitis Chronicon*) says Jul. 3; Seeck (1919: 342) is the one who suggests the date of Jul. 2.

⁵³⁸ Theophanes, *AM* 5913; Halsall 2007: 224-34.

⁵³⁹ Merrills and Miles 2010: 52-5.

⁵⁴⁰ Halsall 2007: 242.

⁵⁴¹ Halsall 2007: 244-5.

⁵⁴² *Gest. Sen.*

⁵⁴³ *Chronica Minora* 1, 477 (*Prosperi Tironis Epitoma de Chronicon*); Merrills and Miles 2010: 61.

Between 440 and 441, issued by Valentinian III	Nov. Val. 1.2: "The remission of delinquent taxes"	77 words 39.6% commands <u>0.115</u> context score 0.039 command score	- Political (treasury) vs. Economic (taxpayers)
Jan. 24, 440, given by Valentinian III at Rome	Nov. Val. 4: "A rescript elicited to the public damage shall not be valid; special grants of imperial favor shall not be preferred to general laws"	84 words 72.6% commands 0.022 context score 0.033 command score	- Economic (taxpayers) vs. Political (administration)
Mar. 3, 440, given by Valentinian III at Rome	Nov. Val. 5: "Greek tradesmen shall be recalled to the city of Rome; what persons shall be exempted from furnishing recruits"	237 words 85.7% commands 0.029 context score 0.049 command score	- Economic (Rome traders) vs. Economic (Greek traders); - Economic (citizens of Rome) vs. Military (soldiers and defenses of Rome) and Political (infrastructure of Rome)
Mar. 20, 440, given by Valentinian III at Rome	Nov. Val. 6.1: "Recruits; the harborers of deserters"	257 words 83.3% commands <u>0.174</u> context score <u>0.082</u> command score	- Economic (estate owners and managers) and Military (deserters) vs. Military (soldiers and recruits)
Jun. 4, 440, given by Valentinian III at Ravenna	Nov. Val. 7.1: "Palatines"	307 words 59.6% commands <u>0.121</u> context score <u>0.139</u> command score	- Political (tax officials) vs. Economic (taxpayers)
Jun. 9, 440, given by Valentinian III at Ravenna	Nov. Val. 8.1: "Persons guilty of forcible entry and seizure"	466 words 51.7% commands <u>0.091</u> context score 0.066 command score	- Economic (nobles) vs. Economic (nobles)
Jun. 24, 440, given by Valentinian III at Ravenna	Nov. Val. 9: "Restoration of the right to use weapons"	175 words 69.7% commands <u>0.113</u> context score 0.049 command score	- Military (barbarians) vs. Military (citizens)
-- 440 or 441: Sasanid Persia briefly invades the eastern empire. ⁵⁴⁴			
Jan. 27, 441, given by Valentinian III at Ravenna	Nov. Val. 8.2: "Persons guilty of forcible entry and seizure"	166 words 44.6% commands 0.054 context score 0.054 command score	- Economic (nobles) vs. Economic (nobles)
-- Early 441: A fleet and an army are assembled from Roman soldiers on the Danubian frontier to attack the			

⁵⁴⁴ Greatrex (1993: 2-5) examines the primary source evidence and makes the case that the Persians attacked in 440. Merrills and Miles 2010: 112; Greatrex and Lieu 2002: 44-5; Halsall 2007: 247; Elton 2018: 166.

<i>Vandals, defend Sicily, and possibly to retake north Africa.</i> ⁵⁴⁵			
Feb. 20, 441, given by Valentinian III at Ravenna	Nov. Val. 10: "Neither the divine imperial household nor the church nor any person shall be exempted from any compulsory public service whatsoever"	540 words 46.1% commands 0.053 context score 0.028 command score	- Economic (landowners including aristocrats and the Church) and Political (administrators) vs. Economic (tax payments)
<i>-- 441: Huns attack the Danubian frontier, forcing the anti-Vandal fleet to turn back.</i> ⁵⁴⁶ <i>If Sasanid Persia invaded in 441 instead of 440, this factor may have also contributed to the return of the expedition.</i>			
<i>-- Late 441: The Suevi tribe expand their control to all but the northern regions of Spain, i.e. Tarraconensis.</i> ⁵⁴⁷			
<i>-- 442: Rome signs a treaty with the Vandals, legitimizing their presence in north Africa, although the Mauretanian provinces are returned to the empire.</i> ⁵⁴⁸ <i>Valentinian III's daughter Eudocia betrothed to Vandal prince Huneric.</i> ⁵⁴⁹			
Aug. 13, 442, posted at Rome, issued by Valentinian III	Nov. Val. 2.2: "Pleadings in court"	444 words 46.9% commands 0.011 context score 0.026 command scores	- Political (law experts and administrators) vs. Political (law experts)
Sep. 27, 442, given by Valentinian III at Spoleto	Nov. Val. 7.2: "Palatines"	302 words 65.9% commands 0.068 context score <u>0.113</u> command score	- Political (high officials) vs. Political (treasury); - Political (tax officials) vs. Economic (landholders and local officials)
<i>-- 442 to 443: Imperial commanders Asturius and Merobaudes attempt to reassert authority in Spain, likely having to also combat Bagaudae peasant uprisings.</i> ⁵⁵⁰			
Mar. 13, 443, given by Valentinian III at Rome	Nov. Val. 11: "Dignitaries; what persons shall be preferred in rank"	187 words 58.3% commands 0.000 context score 0.000 command score	- Economic (aristocrats) vs. Economic (aristocrats)
May 25, 443, given by Valentinian III at Ravenna	Nov. Val. 6.2: "Recruits; the harborers of deserters"	150 words 58.7% commands 0.056 context score 0.034 command score	- Economic (farm managers) vs. Military (recruits)

⁵⁴⁵ Heather, "The Western Empire, 425-76," *CAH* 14, 2000: 11; Halsall 2007: 247; Bury 1923: 255. Thompson (1948: 87) says this happened a year earlier in the "spring of 440" and Elton (2018: 166) says the assembling for the campaign began in 440.

⁵⁴⁶ Elton 2018: 166; Merrills and Miles 2010: 112; Heather 2005: 301; Thompson 1948: 87-90.

⁵⁴⁷ Heather, "The Western Empire, 425-76," Heather, "The Western Empire, 425-76," *CAH* 14, 2000: 12.

⁵⁴⁸ Merrills and Miles 2010: 61-6.

⁵⁴⁹ Merrills and Miles 2010: 112-13.

⁵⁵⁰ Heather, "The Western Empire, 425-76," *CAH* 14, 2000: 13.

Aug. 17, 443, given by Valentinian III at Ravenna	Nov. Val. 2.3: "Pleadings in court"	123 words 59.3% commands <u>0.130</u> context score <u>0.096</u> command score	- Political (high officials) vs. Political (law experts)
<i>-- Before Aug. 27, 443: Peace treaty with Attila signed.⁵⁵¹</i>			
Oct. 19, 443, given by Valentinian III at Ravenna	Nov. Val. 12: "Money entrusted to the Africans; their guarantors"	378 words 53.7% commands <u>0.189</u> context score 0.047 command score	- Economic (creditors) vs. Economic (African debtors)
Jul. 14, 444, given by Valentinian III at Ravenna	Nov. Val. 6.3: "Recruits; the harborers of deserters"	173 words 69.9% commands 0.077 context score 0.033 command score	- Economic (aristocrats) and Political (bureaucracy) vs. Military (recruits)
Sep. 11, 444, given by Valentinian III at Ravenna	Nov. Val. 14: "Income that has been expended between husband and wife shall not be reckoned to the account of their children and heirs"	195 words 16.9% commands 0.052 context score 0.015 command score	- Economic (spouse) vs. Economic (children)
Between Sep. 11, 444 and Jan. 18, 445, issued by Valentinian III	Nov. Val. 15: "The tax collection of siliquae"	588 words 47.4% commands 0.071 context score 0.030 command score	- Economic (vendors) vs. Political (treasury)
<i>-- 444 or 445: Attila assumes sole leadership over the Huns after killing his brother Bleda.⁵⁵²</i>			
Jan. 18, 445, given by Valentinian III at Rome	Nov. Val. 16: "The price of a solidus; no person shall refuse a perfect solidus"	134 words 91% commands <u>0.083</u> context score <u>0.082</u> command score	- Economic (vendors) vs. Economic (citizens)
Apr. 14, 445, given by Valentinian III at Rome	Nov. Val. 20: "Guild members of the city of Rome who have passed to the imperial service or to the clergy shall be recalled"	89 words 88.8% commands 0.000 context score 0.000 command score	- Political (bureaucracy) and Ideological (clergy) vs. Economic (guilds)
Jun. 19, 445, given by Valentinian III at Rome	Nov. Val. 18: "The Manichaeans"	275 words 54.5% commands <u>0.200</u> context score <u>0.110</u> command score	- Ideological (heretics) vs. Ideological (belief)

⁵⁵¹ *Chronicon Paschale* 584.19-20; Thompson 1948: 94-5.

⁵⁵² Heather 2005: 308. Halsall (2007: 251) prefers 444 and Thompson (1948: 87) prefers 445 as the year of Bleda's murder.

Jun. 21, 445, issued by Valentinian III at Rome	Nov. Val. 13: "Fiscal tribute; the sacred imperial audience hall; various matters"	780 words 91.3% commands 0.059 context score 0.044 command score	- Economic (taxes) vs. Economic (taxpayers); - Ideological (imperial titles) vs. Economic (taxes); - Economic (citizens) vs. Political (public services); - Political (law experts) vs. Economic (African petitioners) - Military (leaders vs. armed men)
Jul. 8, 445, given by Valentinian III at Rome	Nov. Val. 17: "The ordination of bishops"	389 words 40.6% commands <u>0.093</u> context score 0.047 command score	- Ideological (bishop of Arles) vs. Ideological (bishop of Rome)
Aug. 8, 445, given by Valentinian III at Rome	Nov. Val. 19: "Homicide, whether committed by accident or not"	238 words 52.9% commands <u>0.138</u> context score <u>0.175</u> command score	- Political (bureaucracy) vs. Political (law courts)
<i>-- 446: Another military commander, Vitus, is sent to try to restore Roman authority to Spain. No further imperial military campaigns in the peninsula until Majorian.⁵⁵³</i>			
Oct. 21, 446, given by Valentinian III at Rome	Nov. Val. 21.1: "Testaments"	390 words 57.2% commands 0.015 context score 0.027 command score	- Economic (other heirs) vs. Economic (spouses)
Dec. 15, 446, given by Valentinian III at Rome	Nov. Val. 22: "The office staffs and the accountants of the praetorian prefects"	269 words 57.6% commands <u>0.096</u> context score 0.058 command score	- Political (investigators) vs. Political (bureaucracy)
Dec. 26, 446, given by Valentinian III at Rome	Nov. Val. 21.2: "Testaments"	479 words 42.4% commands 0.051 context score 0.042 command score	- Economic (inheritor) vs. Economic (testator)
Mar. 13, 447, given by Valentinian III at Rome	Nov. Val. 23: "Violators of tombs"	588 words 36.7% commands <u>0.188</u> context score <u>0.167</u> command score	- Ideological (clergy and lower-class violators) vs. Ideological (belief)
<i>-- 447: Attila crosses the Danube and briefly attacks the eastern empire.⁵⁵⁴</i>			

⁵⁵³ Heather, "The Western Empire, 425-76," *CAH* 14, 2000: 13; Elton 2018: 213.

⁵⁵⁴ Thompson 1948: 98-103.

Apr. 25, 447, given by Valentinian III at Rome	Nov. Val. 7.3: "Palatines"	180 words 66.7% commands <u>0.133</u> context score 0.029 command score	- Political (bureaucracy) vs. Ideological (clergy)
Apr. 25, 447, given by Valentinian III at Rome	Nov. Val. 24: "Tradesmen"	114 words 45.6% commands 0.056 context score 0.067 command score	- Economic (traders) vs. Political (treasury)
Jun. 3, 447, given by Valentinian III at Rome	Nov. Val. 25: "Freedmen and their succession"	447 words 73.8% commands <u>0.120</u> context score 0.062 command score	- Economic (masters) vs. Economic (freeborn)
<i>-- Jun. 449: Pope Leo I issues a tome as a critique of eastern church politics and a statement on the nature of Christ.⁵⁵⁵</i>			
Jun. 3, 448, given by Valentinian III at Ravenna	Nov. Val. 26: "The confirmation of the laws of the sainted Theodosius augustus that were issued after the Theodosian Code"	74 words 58.1% commands 0.000 context score 0.047 command score	- Political (old law) vs. Political (new law)
Jun. 17, 449, given by Valentinian III at Ravenna	Nov. Val. 27: "The prescription of thirty years must be interposed in all cases"	640 words 40.6% commands 0.064 context score 0.062 command score	- Political (law courts) vs. Economic (lower-class persons)
<i>-- Aug. 449: Second Council of Ephesus is convened, rejecting the theory of Christ's nature from the Tome of Pope Leo I. A miaphysite Christological interpretation is favored.⁵⁵⁶</i>			
Sep. 11, 449, given by Valentinian III at Ravenna	Nov. Val. 28: "The chiefs of office staff of the secret service"	202 words 79.2% commands 0.036 context score 0.041 command score	- Political (bureaucracy) vs. Political (secret service)
<i>-- Spring 450: Honoria, sister of western emperor Valentinian III, is said to have asked Attila to rescue her from an undesired marriage. The claim of this request's existence is used by Attila as a justification for a coming invasion.⁵⁵⁷</i>			
Mar. 5, 450, given by Valentinian III at Rome	Nov. Val. 1.3: "The remission of delinquent taxes"	665 words 28% commands <u>0.114</u> context score 0.038 command score	- Political (tax officials) vs. Economic (taxpayers); - Political (tax officials) vs. Political (imperial court)
Apr. 24, 450, given by Valentinian III at Rome	Nov. Val. 29: "Shipmasters on the river"	141 words 70.2% commands <u>0.131</u> context score 0.066 command score	- Economic (shipmasters) vs. Economic (guilds)

⁵⁵⁵ Elton 2018: 191.

⁵⁵⁶ Elton 2018: 167-70; Allen, "The Definition and Enforcement of Orthodoxy," *CAH* 14, 2000: 813.

⁵⁵⁷ Thompson 1948: 145.

-- Jul. 28, 450: Eastern emperor Theodosius II dies as the result of a horse-riding accident. ⁵⁵⁸			
-- Aug. 25, 450: Marcian is acclaimed as new eastern emperor. ⁵⁵⁹			
Oct. 3, 450, given by Valentinian III at Rome	Nov. Val. 30: "Torchbearers"	132 words 71.2% commands 0.000 context score 0.053 command score	- Political (torchbearers) vs. Political (torchbearers)
-- Oct. 8, 450: Council of Chalcedon convened affirming the Tome of Pope Leo I and the "in two natures" Christological formulation. ⁵⁶⁰			
-- Late 450: Succession crisis within a certain Frankish tribe; the older son is backed by Attila whereas the younger son is then backed by Aetius and the western empire. ⁵⁶¹			
Jan. 31, 451, given by Valentinian III at Rome	Nov. Val. 31: "Vagrant coloni and foreigners"	508 words 62% commands <u>0.104</u> context score 0.056 command score	- Economic (unfree) vs. Economic (masters)
Jan. 31, 451, given by Valentinian III at Rome	Nov. Val. 32: "Confirmation of the property that has been sold or given to administrators or persons holding public office; advocates; other matters"	782 words 55.6% commands <u>0.092</u> context score 0.041 command score	- Economic (vendors) vs. Political (bureaucracy)
Jan. 31, 451, given by Valentinian III at Rome	Nov. Val. 33: "Parents who have sold their children; freeborn persons shall not be sold to barbarians or led to transmarine regions"	291 words 20.6% commands <u>0.156</u> context score 0.067 command score	- Economic (parents) vs. Economic (child slaves)
-- Early 451: Attila crosses the Rhine river and begins his invasion of Gaul. ⁵⁶²			
-- Spring 451: Metz is captured during Attila's campaign. ⁵⁶³			
-- Summer 451: Battle of the Catalaunian Plains between the armies of Attila and Aetius. The battle is a tactical draw with great casualties including the death of the Gothic king, but Attila withdraws from the field. ⁵⁶⁴			

⁵⁵⁸ Theodorus Lector *HE* 2.64; Elton 2018: 171.

⁵⁵⁹ *Chronicon Paschale* 590.9.

⁵⁶⁰ *ACO* 2.1.2, *Actio* 2.1; Allen, "The Definition and Enforcement of Orthodoxy," *CAH* 14, 2000: 814.

⁵⁶¹ Thompson 1948: 147; Halsall 2007: 251.

⁵⁶² Bury 1923: 291; Heather 2005: 337.

⁵⁶³ Bury (1923: 291) gives a date of Metz's capture as April 7, which may have been picked up by Thompson (1948: 153). However, Bury cites Hydatius (140, ed. Burgess) as his source, who only gives a date of April 4 for a red omen in the sky in the entry before the one on Metz's sack. The other primary sources for Attila's 451 campaign (listed in Halsall 2005: 252 n.146) do not give a date for Metz's capture.

⁵⁶⁴ Bury 1923: 293-4. According to Bury (1923: 292-3 n.5) which is also cited in Thompson (1948: 154), Jun. 20 is a possible date for the battle, based upon a date mentioned in the *Vita Aniani* regarding when Orléans was saved from Attila's armies a week before.

Jul. 13, 451, given by Valentinian III at Rome	Nov. Val. 34: "Farms of the breadmaking establishments shall be assigned to the Africans"	394 words 78.2% commands 0.052 context score 0.076 command score	- Economic (taxes) vs. Economic (landholders)
<i>-- 452: Attila crosses the Alps and invades Italy.⁵⁶⁵ Aquileia, Milan, and other Italian cities are captured, although not Rome. Attila then leaves Italy.⁵⁶⁶</i>			
Apr. 15, 452, given by Valentinian III at Rome	Nov. Val. 35: "Episcopal courts; various other matters"	1291 words 91.2% commands 0.026 context score 0.056 command score	- Political (law courts) vs. Ideological (ecclesiastical courts); - Economic (lower-class persons, guildsmen, local officials) vs. Ideological (clergy); - Ideological (bishops) vs. Economic (city councils); - Economic (spouse) vs. Economic (parents); - Economic (children) vs. Economic (father); - Economic (spouse) vs. Economic (spouse); - Economic (litigant) vs. Economic (litigant); - Political (judge) vs. Economic (litigant); - Economic (lower-class persons) vs. Economic (owner)
Jun. 29, 452, given by Valentinian III at Rome	Nov. Val. 36: "Swine collectors, cattle collectors, and sheep and goat collectors"	477 words 72.7% commands 0.027 context score 0.027 command score	- Economic (taxes) vs. Political (bureaucracy); - Political (bureaucracy) vs. Economic (taxpayers); - Political (tax officials) vs. Economic (guilds and swine-collectors)
<i>-- Early 453: Attila dies and Hunnic empire begins to dissolve.⁵⁶⁷</i>			
<i>-- Sep. 454: Army master Aetius killed on Valentinian III's orders during a routine meeting.⁵⁶⁸</i>			

⁵⁶⁵ Thompson (1948: 158-9) suggests Attila crossed into Italy in the spring of 452.

⁵⁶⁶ Thompson 1948: 158-63; Halsall 2007: 253-4.

⁵⁶⁷ Heather, "The Western Empire, 425-76," *CAH* 14, 2000: 18; Thompson 1948: 163-7.

⁵⁶⁸ Elton 2018: 191.

Oct. 28, 454, given by Valentinian III at Rome	Nov. Val. 2.4: "Pleadings in court"	159 words 22% commands 0.008 context score 0.029 command score	- Political (high officials) vs. Political (law experts)
-- Mar. 455: Valentinian III is assassinated by two of Aetius' former followers. The day after, discussions are held as to who should become new emperor. One candidate is future emperor Majorian, backed by Valentinian III's widow, but a senior Roman administrator, Petronius Maximus, is made emperor instead and without the approval of the eastern emperor Marcian. ⁵⁶⁹			
-- May. 455: A Vandal fleet besieges Rome. Petronius Maximus is killed by an angry city mob. ⁵⁷⁰			
-- Jun. 455: Vandals sack Rome for two weeks. ⁵⁷¹			
-- Jul. 9, 455: Avitus is acclaimed as new western emperor in the city of Arles in Gaul. ⁵⁷²			

Novels of Majorian

ISSUING INFO	CONSTITUTION AND TITLE	STATISTICS	CONFLICTS
-- Oct. 17, 456: An army revolt led by Ricimer and Majorian defeats Avitus in battle, and deposes him as emperor. ⁵⁷³			
-- Jan. 27, 457: The eastern emperor Marcian dies. ⁵⁷⁴			
-- Feb. 7, 457: Leo I acclaimed as new eastern emperor. ⁵⁷⁵			
-- Apr. 1, 457: Majorian is possibly hailed as an emperor for the first time, perhaps only as a caesar. ⁵⁷⁶			
-- Dec. 1, 457: Pope Leo I sends a letter to eastern emperor Leo I supporting the Council of Chalcedon and rejecting the contested consecration of anti-Chalcedonian bishop of Alexandria Timothy Aelurus. ⁵⁷⁷			
-- Dec. 28, 457: Majorian is hailed as a augustus, and is recognized by eastern emperor Leo I. ⁵⁷⁸			
Jan. 11, 458, given by Majorian at Ravenna	Nov. Maj. 1: "The beginning of the reign of our lord Majorian augustus"	201 words 44.3% commands 0.013 context score <u>0.090</u> command score	- Ideological (enemies) vs. Ideological (citizens)

⁵⁶⁹ Elton 2018: 191-2, 210-11.

⁵⁷⁰ Elton 2018: 210-11.

⁵⁷¹ Merrills and Miles 2010: 116-17.

⁵⁷² *Chronica Minora* 1, 304 (*Auctarium Prosperi Havniense*); Elton 2018: 211.

⁵⁷³ *Chronica Minora* 1, 304 (*Fasti Vindobonenses Priores*); Elton 2018: 212.

⁵⁷⁴ Theodorus Lector *Epitome* 367.

⁵⁷⁵ *Chronicon Paschale* 742.18.

⁵⁷⁶ *Chronica Minora* 1, 305 (*Fasti Vindobonenses Priores*).

⁵⁷⁷ DelCogliano (2022: 118) referring to Pope Leo's *Letter 156*.

⁵⁷⁸ *Chronica Minora* 1, 492 (*Auctarium Prosperi ad editionem anni 455*); Sidonius Apollinaris *Carmina* 5.387-8.

Mar. 11, 458, given by Majorian at Ravenna	Nov. Maj. 2: "The remission of delinquent taxes"	880 words 48.8% commands <u>0.105</u> context score 0.043 command score	- Political (tax officials) vs. Economic (taxpayers); - Economic (farm managers) vs. Political (high officials)
May 8, 458, given by Majorian at Ravenna	Nov. Maj. 3: "The defenders of the municipalities"	201 words 22.4% commands 0.064 context score 0.022 command score	- Economic (nobles) vs. Economic (local officials)
Jul. 11, 458, given by Majorian at Ravenna	Nov. Maj. 4: "Public buildings"	267 words 56.9% commands 0.043 context score 0.069 command score	- Political (bureaucracy) vs. Ideological (public buildings)
Sep. 4, 458, given by Majorian at Ravenna	Nov. Maj. 5: "Caducous goods and the goods of proscribed persons"	203 words 67% commands <u>0.082</u> context score <u>0.085</u> command score	- Political (high officials) vs. Political (treasury)
Oct. 26, 458, given by Majorian at Ravenna	Nov. Maj. 6: "Holy maidens, widows, and their succession"	1294 words 64.8% commands <u>0.101</u> context score 0.066 command score	- Ideological (parents vs. daughters); - Economic (women vs. inheritors); - Economic (inheritors vs. relatives)
Nov. 6, 458, given by Majorian at Ravenna	Nov. Maj. 7: "Decurions, their children, and the sale of their landed estates; other matters"	1325 words 84.9% commands <u>0.128</u> context score 0.065 command score	- Economic (guildsmen, farm managers, children of decurions, unfree persons), Ideological (clergy) and Political (postal service, tax officials, and bureaucracy) vs. Economic (city councils and inheritors)
<i>-- Nov. 458: Majorian arrives in southern Gaul to campaign and restore military authority in the region.⁵⁷⁹</i>			
Apr. 17, 459, given by Majorian at Arles	Nov. Maj. 9: "Adultery"	217 words 60.8% commands <u>0.182</u> context score <u>0.136</u> command score	- Economic (spouse) vs. Economic (spouse)
Mar. 28, 460, given by Majorian at Arles	Nov. Maj. 11 ⁵⁸⁰ : "Episcopal courts; no person shall be ordained a cleric against his will; various matters"	196 words 58.2% commands <u>0.159</u> context score <u>0.123</u> command score	- Ideological (church) and Economic (parents) vs. Economic (citizens)

⁵⁷⁹ Elton 2018: 212.

⁵⁸⁰ *Nov. Maj.* 11 is an abridged text, as mentioned in the *inscriptio*, "*de re necessaria ad locum*."

-- 460: Majorian campaigns in Spain and recovers the province of Carthaginiensis. ⁵⁸¹
-- 461: A large imperial fleet assembled in Cartagena is pre-emptively destroyed by the Vandals. ⁵⁸²
-- Aug. 2, 461: Returning from Gaul, Majorian is seized at Tortona, Italy and executed by his army master Ricimer. ⁵⁸³

Novels of Libius Severus

ISSUING INFO	CONSTITUTION AND TITLE	STATISTICS	CONFLICTS
-- Nov. 461: Libius Severus made western emperor by army master Ricimer without the approval of eastern emperor Leo I. Magister Militum of Gaul Aegidius refuses to accept Severus' accession. ⁵⁸⁴			
-- 462: Mediterranean city of Narbonne given to the Goths in exchange for their military support against Aegidius. ⁵⁸⁵			
Feb. 20, 463, given by Severus at Rome	Nov. Sev. 1 ⁵⁸⁶ : "The abrogation of the unjust chapters of the law of the sainted Majorian augustus	186 words 69.4% commands 0.026 context score 0.027 command score	- Economic (mother) vs. Economic (inheritors)
-- 463: Goths attack Orléans but are defeated. Nevertheless this stops any attempt by Aegidius from marching on Italy to depose Severus. ⁵⁸⁷			
-- 464 or 465: Aegidius is killed and the territory under the control of the Gallic army of his successors becomes an independent political entity from the imperial government in Italy. ⁵⁸⁸			
Sep. 25, 465, given by Severus	Nov. Sev. 2 ⁵⁸⁹ : "Guildsmen"	100 words 83% commands 0.059 context score 0.012 command score	- Economic (guildsmen and their children) vs. Economic (masters)
-- Nov. 14, 465: Severus dies in Rome. ⁵⁹⁰			

⁵⁸¹ Halsall 2007: 265; Elton 2018: 213.

⁵⁸² Heather, "The Western Empire, 425-76," *CAH* 14, 2000: 23; Elton 2018: 213.

⁵⁸³ Halsall 2007: 265.

⁵⁸⁴ Elton 2018: 214. I refer to Aegidius here as a *magister militum* rather than "army master" since he is not seen as having substantial influence over the current sitting emperor, unlike Ricimer whom I do view as having such influence.

⁵⁸⁵ Halsall 2007: 268.

⁵⁸⁶ Nov. Sev. 1 is also an abridged text, as mentioned in the *praefatio*, "ad locum."

⁵⁸⁷ Elton 2018: 214.

⁵⁸⁸ The traditional understanding is that northern Gaul is under the control of Aegidius' son Syagrius (Elton 2018: 214), although Halsall (2007: 269-71) views Childeric as the leader of the army, and Syagrius only a contender for rule of the army and region after Childeric's death.

⁵⁸⁹ The brevity of Nov. Sev. 2 suggests it might also be an abridged text.

⁵⁹⁰ Seeck 1919: 412; Elton 2018: 215. Other historians base Severus' death date as Aug. 15, 465 (e.g. Halsall 2007: 261) from the *Fasti Vindobonenses Priores* (*Chronica Minora* 1, 305), although this obviously predates Nov. Sev. 2 and thus requiring an explanation for the exclusion of one or the other date.

Novels of Anthemius

ISSUING INFO	CONSTITUTION AND TITLE	STATISTICS	CONFLICTS
<i>-- Apr. 12, 467: Anthemius is acclaimed as emperor of the western empire in Rome. He arrives in the west with the full backing of eastern emperor Leo I and a large military force.⁵⁹¹</i>			
Feb. 21, 468, given by Anthemius at Rome	Nov. Anth. 1: "Women who have united themselves to their own slaves or freedmen; natural children"	535 words 57.4% commands 0.059 context score 0.062 command score	- Economic (women)) vs. Ideological (nobility)
Mar. 19, 468, given by Anthemius at Rome	Nov. Anth. 2: "Confirmation of the law of our lord Leo augustus"	105 words 79% commands 0.000 context score 0.012 command score	- Political (old law) vs. Political (new law)
Mar. 19, 468, given by Anthemius at Rome	Nov. Anth. 3: "Ownerless property"	628 words 21.7% commands 0.027 context score 0.018 command score	- Economic (ownerless property) vs. Economic (new owner)
<i>-- 468: A massive combined eastern and western imperial naval invasion to retake north Africa from the Vandals is launched, but fails.⁵⁹²</i>			
<i>-- 470: Split between Ricimer and Anthemius over the execution of an ally of Ricimer.⁵⁹³</i>			
<i>-- Early 472: Open conflict as Ricimer calls in the military support of his Burgundian nephew Gundobad to besiege Anthemius in Rome. The siege lasts for four to five months.⁵⁹⁴</i>			
<i>-- Apr. 472: Eastern emperor Leo I sends western aristocrat Olybrius, who is husband to one of Valentinian III's daughters and brother-in-law to the Vandal heir, to mediate between Anthemius and Ricimer. Ricimer instead chooses to acclaim Olybrius as a competing western emperor.⁵⁹⁵</i>			
<i>-- Jul. 472: Ricimer's forces successfully capture Rome and execute Anthemius. Olybrius is installed in the imperial palace.⁵⁹⁶</i>			
<i>-- Aug. 472: Ricimer dies. Olybrius promotes Gundobad and he becomes army master.⁵⁹⁷</i>			
<i>-- Nov. 2, 472: Olybrius dies.⁵⁹⁸</i>			

Novel of Glycerius

ISSUING INFO	CONSTITUTION AND TITLE	STATISTICS	CONFLICTS

⁵⁹¹ *Chronica Minora* 1, 305 (*Fasti Vindobonenses Priores*); Elton 2018: 215.

⁵⁹² Merrills and Miles 2010: 121-2.

⁵⁹³ Elton 2018: 216; Halsall 2007: 275-6.

⁵⁹⁴ Elton 2018: 216; Halsall 2007: 277-8.

⁵⁹⁵ Elton 2018: 217; Halsall 2007: 277.

⁵⁹⁶ Elton 2018: 217.

⁵⁹⁷ Elton 2018: 217.

⁵⁹⁸ *Chronica Minora* 1, 306 (*Paschale Campanum*).

-- Mar. 3, 473: Gundobad chooses Glycerius to be emperor. ⁵⁹⁹			
Mar. 11, 473, given by Glycerius at Ravenna	Nov. Glyc. 1: "Edict of Glycerius on simoniacal ordination"	533 words 22.1% commands 0.069 context score 0.064 command score	- Ideological (clergy) vs. Ideological (church)
-- 473: Visigoths send an armed force to attack Italy, but are repulsed. A separate group of Goths from Pannonia attempts to raid Italy but are bribed to withdraw by Glycerius. ⁶⁰⁰			
-- Jun. 474: Backed by eastern emperors, Julius Nepos arrives in Rome. He is acclaimed the senior western emperor, and has Glycerius deposed, tonsured, and exiled. ⁶⁰¹			
-- Oct. 31, 475: After the expulsion of Julius Nepos, Romulus Augustulus is made emperor. ⁶⁰²			
-- Sep. 476: Romulus Augustulus is deposed. This is commonly understood as the end of the western empire. ⁶⁰³			
-- May 9, 480: Death of the last western augustus Julius Nepos. ⁶⁰⁴			

EASTERN UNABRIDGED CONSTITUTIONS

Sirmondian constitution (selected)

ISSUING INFO	CONSTITUTION AND TITLE	STATISTICS	CONFLICTS
-- 381: First Council of Constantinople convened reaffirming Nicaean Christology. ⁶⁰⁵			
-- Jan. 383: Eastern emperor Theodosius I has his six-year-old son Arcadius proclaimed co-emperor. ⁶⁰⁶			
-- Jun. 383: Magnus Maximus is acclaimed western emperor by the army in Britain. ⁶⁰⁷			
-- Aug. 383: Western emperor Gratian is captured and killed by Magnus Maximus' forces, although the young 12-year-old western emperor Valentinian II remains. ⁶⁰⁸			
Feb. 4, 384? given by Theodosius I at Constantinople	Sirmond. 3: "In ecclesiastical cases, it shall not be permitted to hale clerics before a public court"	187 words 30.5% commands 0.046 context score 0.018 command score	- Political (law courts) vs. Ideological (clergy)

⁵⁹⁹ *Chronica Minora* 1, 306 (*Paschale Campanum*); Elton 2018: 217; Halsall 2007: 279.

⁶⁰⁰ Wijnendaele 2023: 97-8.

⁶⁰¹ Elton 2018: 218.

⁶⁰² *Chronica Minora* 1, 308 (*Fasti Vindobonenses Priores*).

⁶⁰³ Elton 2018: 218-9.

⁶⁰⁴ *Chronica Minora* 1, 310 (*Fasti Vindobonenses Priores*).

⁶⁰⁵ Chadwick 1998: 578-80; Elton 2018: 133-5.

⁶⁰⁶ Elton 2018: 136.

⁶⁰⁷ Elton 2018: 138.

⁶⁰⁸ Elton 2018: 138-9.

-- 384: *Theodosius I appears to tacitly recognize Magnus Maximus.*⁶⁰⁹

Novels of Theodosius II

ISSUING INFO	CONSTITUTION AND TITLE	STATISTICS	CONFLICTS
-- Oct. 29, 437: <i>Western emperor Valentinian III and Theodosius II's daughter Eudoxia are married in Constantinople.</i> ⁶¹⁰			
-- 437: <i>The compilation of the Theodosian Code is completed.</i> ⁶¹¹			
Jan. 31, 438, given by Theodosius II at Constantinople	Nov. Th. 3: "Jews, Samaritans, heretics, and pagans"	733 words 35.7% commands <u>0.121</u> context score <u>0.111</u> command score	- Ideological (non-orthodox believers) vs. Ideological (belief), Economic (city councils), and Political (bureaucracy)
Feb. 15, 438, given by Theodosius II at Constantinople	Nov. Th. 1: "The validation of the Theodosian Code"	510 words 27.6% commands 0.042 context score 0.021 command score	- Political (old law) vs. Political (new law)
Feb. 25, 438, given by Theodosius II at Constantinople	Nov. Th. 4: "Soldiers of the dukes and those of the border militia shall not be produced before the imperial court"	366 words 41.3% commands <u>0.093</u> context score 0.063 command score	- Economic (litigants) vs. Military (soldiers)
May 9, 438, given by Theodosius II at Constantinople	Nov. Th. 5.1: "Patrimonial estates of the imperial domain and border farms situated throughout the orient"	309 words 61.8% commands 0.038 context score 0.050 command score	- Political (bureaucracy) vs. Economic (farmer)
Nov. 4, 438, given by Theodosius II at Constantinople	Nov. Th. 6: "The goods of armorers"	232 words 19.8% commands 0.075 context score 0.033 command score	- Economic (armorer family) vs. Political (treasury)
Jan. 20, 439, given by Theodosius II at Constantinople	Nov. Th. 7.1: "The abolition of the prescription of forum for members of the imperial service"	209 words 37.8% commands 0.031 context score 0.013 command score	- Military (imperial soldiers) and Political (secret service and bureaucracy) vs. Economic (litigant)
Apr. 7, 439, given by Theodosius II at Constantinople	Nov. Th. 8: "Ships beyond the capacity of two thousand measures must not be exempted"	175 words 70.9% commands <u>0.118</u> context score 0.032 command score	- Economic (ships) vs. Political (public transport)

⁶⁰⁹ Elton 2018: 139.

⁶¹⁰ *Chronica Minora* 2, 79 (*Marcellini Comitibus Chronicon*); Elton 2018: 164-5.

⁶¹¹ Elton 2018: 165.

Apr. 7, 439, given by Theodosius II at Constantinople	Nov. Th. 9: "A decurion shall not lease the landed estate of another person nor shall he be the guarantor of a lessee"	304 words 74.3% commands <u>0.122</u> context score 0.051 command score	- Economic (leased farms) vs. Economic (city councils)
Apr. 19, 439, given by Theodosius II at Constantinople	Nov. Th. 10.1: "Pleadings and the perpetuation of advocacy"	306 words 71.2% commands 0.028 context score 0.039 command score	- Economic (decurions and litigants) and Political (bureaucracy) vs. Political (law courts)
Apr. 19, 439, given by Theodosius II at Constantinople	Nov. Th. 10.2: "Pleadings and the perpetuation of advocacy"	87 words 27.6% commands 0.048 context score <u>0.083</u> command score	- Political (law courts) vs. Political (law experts)
Jun. 8, 439, given by Theodosius II at Constantinople	Nov. Th. 5.2: "Patrimonial estates of the imperial domain and border farms situated throughout the orient"	143 words 43.4% commands 0.012 context score 0.048 command score	- Economic (landowners) vs. Economic (imperial farms)
Jul. 10, 439, given by Theodosius II at Constantinople	Nov. Th. 11: "Tutors"	188 words 75.5% commands 0.043 context score 0.067 command score	- Economic (guardians) vs. Economic (inheritors)
Jul. 10, 439, given by Theodosius II at Constantinople	Nov. Th. 12: "Notices of divorce"	80 words 15% commands <u>0.096</u> context score 0.000 command score	- Economic (spouse) vs. Economic (spouse)
Aug. 11, 439, given by Theodosius II at Constantinople	Nov. Th. 13: "Supplications to the emperor against the unjust sentences of praetorian prefects must be made within two years after their succession in office"	138 words 48.6% commands 0.035 context score 0.037 command score	- Political (prefects) vs. Economic (litigants)
Sep. 7, 439, given by Theodosius II at Constantinople	Nov. Th. 14: "Paternal and maternal goods"	545 words 82% commands 0.020 context score 0.038 command score	- Economic (family) vs. Economic (inheritors)
Sep. 12, 439, given by Theodosius II at Constantinople	Nov. Th. 15.1: "A decurion shall not aspire to the rank of senator or to any high honor"	197 words 30.5% commands 0.055 context score 0.042 command score	- Economic (local officials) vs. Economic (senators)
Sep. 12, 439, given by Theodosius II at Constantinople	Nov. Th. 16: "Testaments"	595 words 70.6% commands 0.066 context score 0.007 command score	- Economic (inheritors) vs. Economic (testators)
Oct. 20, 439, given by Theodosius II at Constantinople	Nov. Th. 17.1: "Petitions for ownerless property"	333 words 72.1% commands 0.043 context score	- Economic (petitioner) vs. Economic (imperial property)

Constantinople		0.056 command score	
Dec. 6, 439, given by Theodosius II at Constantinople	Nov. Th. 18: "Procurers"	251 words 25.9% commands <u>0.099</u> context score <u>0.146</u> command score	- Economic (procurers) vs. Economic (lower-class persons)
May 20, 440, given by Theodosius II at Constantinople	Nov. Th. 19: "The rescission of sales of the farms of the imperial domain"	175 words 61.1% commands 0.074 context score 0.047 command score	- Economic (land purchaser) vs. Economic (imperial property)
Sep. 21, 440, given by Theodosius II at Constantinople	Nov. Th. 7.2: "The abolition of the prescription of forum for members of the imperial service"	286 words 35% commands 0.067 context score 0.035 command score	- Political (bureaucracy) and Economic (litigants) vs. Political (high officials)
Sep. 21, 440, given by Theodosius II at Constantinople	Nov. Th. 20: "Alluvial lands and swamps"	272 words 43.8% commands 0.007 context score 0.050 command score	- Political (tax officials) vs. Economic (landholders)
Dec. 29, 440, given by Theodosius II at Constantinople	Nov. Th. 7.3: "The abolition of the prescription of forum for members of the imperial service"	176 words 29% commands 0.020 context score 0.020 command score	- Military (scholarians vs soldiers)
<i>-- 440 or 441: Sasanid Persia briefly invades the eastern empire.⁶¹²</i>			
<i>-- Early 441: A fleet and an army is assembled from Roman soldiers on the Danubian frontier to attack the Vandals, defend Sicily, and possibly to retake north Africa.⁶¹³</i>			
Mar. 6, 441, given by Theodosius II at Constantinople	Nov. Th. 7.4: "The abolition of the prescription of forum for members of the imperial service"	474 words 81.6% commands 0.029 context score 0.006 command score	- Political (bureaucracy) vs. Economic (litigants) and Military (senior officials)
Apr. 17, 441, given by Theodosius II at Constantinople	Nov. Th. 21: "Scholarians, counts of scholarians, and their confidential advisers"	206 words 81.1% commands 0.013 context score 0.054 command score	- Military (senior officials) vs. Military (senior officials)
Jun 26, 441, given by Theodosius II at Constantinople	Nov. Th. 5.3: "Patrimonial estates of the imperial domain and border farms situated throughout the orient"	222 words 77% commands 0.010 context score 0.029 command score	- Economic (farmers) vs. Military (supplies)

⁶¹² See footnote 544.

⁶¹³ See footnote 545.

Dec. 16, 442, given by Theodosius II at Constantinople	Nov. Th. 22.1: "The goods of decurions and their natural sons who must be sent into the municipal councils and written as their heirs"	753 words 42.6% commands 0.059 context score 0.020 command score	- Economic (inheritors) vs. Economic (city council)
Mar. 9, 443, given by Theodosius II at Constantinople	Nov. Th. 22.2: "The goods of decurions and their natural sons who must be sent into the municipal councils and written as their heirs"	1244 words 75% commands 0.071 context score 0.029 command score	- Economic (inheritors) vs. Economic (city council)
May 22, 443, given by Theodosius II at Aphrodisias	Nov. Th. 23: "If parcels of land belonging to a municipality are possessed in any manner, they must be restored to the municipality"	333 words 30.9% commands 0.028 context score 0.005 command score	- Economic (landholders) vs. Economic (city land)
Sep. 12, 443, given by Theodosius II at Constantinople	Nov. Th. 24: "Corrupt solicitation; their parcels of land must be restored to the soldiers of the border militia who are stationed there"	606 words 58.4% commands 0.044 context score 0.062 command score	- Military (senior officials) and Political (high officials) vs. Military (soldiers)
Jan. 16, 444, given by Theodosius II at Constantinople	Nov. Th. 25: "Quarters"	500 words 96.6% commands 0.000 context score 0.021 command score	- Economic (homeowners) and Political (bureaucracy) vs. Military (soldiers)
Apr. 22, 444, given by Theodosius II at Constantinople	Nov. Th. 17.2: "Petitions for ownerless property"	478 words 84.9% commands 0.014 context score 0.052 command score	- Economic (inheritance) vs. Political (treasury)
Jul. 20, 444 (or 441), given by Theodosius II at Constantinople	Nov. Th. 15.2: "A decurion shall not aspire to the rank of senator or to any high honor"	313 words 43.1% commands <u>0.115</u> context score 0.052 command score	- Economic (city council) vs. Political (bureaucracy) and Economic (nobility)
Nov. 29, 444, given by Theodosius II at Constantinople	Nov. Th. 26: "Landholdings that have been relieved of taxes, that have had their taxes commuted into money, or that have been conferred as grants"	617 words 69.5% commands 0.021 context score 0.043 command score	- Economic (taxes) vs. Economic (landholdings)
<i>-- 444 or 445: Attila assumes sole leadership over the Huns after killing his brother Bleda.</i> ⁶¹⁴			
<i>-- 447: A series of massive earthquakes devastates cities and severely damages the fortifications of Constantinople. Around this time, Attila launches a large invasion of the eastern empire.</i> ⁶¹⁵ <i>However the walls</i>			

⁶¹⁴ See footnote 552.

⁶¹⁵ Heather 2005: 309-12; Kelly 2015: 200-1; Elton 2018: 166-7; Thompson 1948: 98-103.

<i>of Constantinople are repaired just in time to dissuade Attila from besieging the city.⁶¹⁶ Within the year, a peace treaty is signed where the east agrees to sizeable payments of gold to Attila.⁶¹⁷</i>			
Oct. 1, 447, given by Theodosius II at Constantinople	Nov. Th. 2: "The confirmation of the novels of the sainted Theodosius augustus"	196 words 15.8% commands 0.018 context score 0.000 command score	- Political (old law) vs. Political (new law)
<i>-- 449: Failed assassination attempt on Attila, backed by the eastern empire.⁶¹⁸</i>			
<i>-- Aug. 449: Second Council of Ephesus is convened.⁶¹⁹</i>			
<i>-- Jul. 28, 450: Eastern emperor Theodosius II dies as the result of a horse-riding accident.⁶²⁰</i>			

Novels of Marcian

ISSUING INFO	CONSTITUTION AND TITLE	STATISTICS	CONFLICTS
<i>-- Aug. 25, 450: Marcian is acclaimed as new eastern emperor and the elderly sister of Theodosius II, Pulcheria, agrees to marry Marcian.⁶²¹</i>			
<i>-- Oct. 8, 450: Council of Chalcedon convened affirming the Tome of Pope Leo I and the "in two natures" Christological formulation.⁶²²</i>			
Oct. 11, 450, given by Marcian at Constantinople	Nov. Marc. 1: "No person shall be produced at the imperial court from a province except on the report of the judge from whom he has appealed"	799 words 42.4% commands 0.064 context score 0.065 command score	- Economic (litigants) and Political (law courts) vs. Economic (litigants) and Military (soldiers)
After Oct. 11, 450, issued by Marcian	Nov. Marc. 2: "The remission of delinquent taxes"	466 words 64.8% commands 0.024 context score 0.023 command score	- Political (tax officials) vs. Economic (taxpayers)
Jan. 18, 451, given by Marcian at Constantinople	Nov. Marc. 3: "The landed estates of all the municipalities"	293 words 61.4% commands 0.040 context score 0.017 command score	- Economic (landholders) vs. Economic (taxes)
<i>-- Early 453: Attila dies and Hunnic empire begins to dissolve.⁶²³</i>			

⁶¹⁶ An earthquake struck Constantinople on Jan. 26, 447 damaging many of the city's defenses, and it was said speedy repairs were implemented in 60 days just before Hunnic forces began to arrive on the city's outskirts (Thompson 1948: 99-100), suggesting the Hunnic campaign started early in the year.

⁶¹⁷ Kelly (2015: 195) considers the payment an extension of the Hunnic Empire as essentially a "protection racket."

⁶¹⁸ Elton 2018: 170-1.

⁶¹⁹ See footnote 556.

⁶²⁰ See footnote 558.

⁶²¹ *Chronicon Paschale* 590.9; Lee, "The Eastern Empire," *CAH* 14, 2000: 42-3; Burgess 1994.

⁶²² See footnote 560.

⁶²³ See footnote 567.

<i>-- Jul. 453: Pulcheria dies.</i> ⁶²⁴			
Apr. 4, 454, given by Marcian at Constantinople	Nov. Marc. 4: "Marriage of senators"	554 words 35% commands 0.074 context score 0.031 command score	- Economic (lower-class-women) vs. Economic (senators)
<i>-- Mar. 455: Western emperor Valentinian III is assassinated.</i> ⁶²⁵			
Apr. 22, 455, given by Marcian at Constantinople	Nov. Marc. 5: "Testaments in favor of clerics"	484 words 35.1% commands 0.025 context score 0.021 command score	- Economic (inheritors) vs. Ideological (holy woman testator)
<i>-- Jun. 455: Vandals sack Rome for two weeks.</i> ⁶²⁶			
<i>-- Oct. 17, 456: An army revolt led by Ricimer and Marcian's son-in-law Majorian defeats the western emperor Avitus in battle, and deposes him.</i> ⁶²⁷			
<i>-- Jan. 27, 457: Marcian dies.</i> ⁶²⁸			

SENTIMENT TRENDS

Statistics and validity

In this section, we will look at any general trends that can be found in the digitization, organization, and sentiment scoring of the post-Theodosian novels. To do that, we first need to begin with some basic information about the number of unabridged constitutions.

Table 13: Statistics for post-Theodosian novels and select Sirmondian laws

WESTERN	Const.	% of total	EASTERN	Const.	% of total
Sirmond. 9, 10	2	1.83%	Sirmond. 3	1	0.92%
Valentinian	47	43.12%	Theodosius	35	32.11%
Majorian	12	11.01%	Marcian	5	4.59%
Severus	2	1.83%	Eastern total	41	37.61%
Anthemius	3	2.75%			

⁶²⁴ Elton 2018: 174.

⁶²⁵ See footnote 569.

⁶²⁶ See footnote 571.

⁶²⁷ See footnote 573.

⁶²⁸ See footnote 574.

Glycerius	2	1.83%
Western total	68	62.39%

Val., Maj., Th., Marc.	99	90.83%
Total constitutions	109	100.00%

These charts count all the constitutions being examined in this dissertation, including the ones that survive only as titles but with no content within them. As one can see from the chart, there are more surviving western laws than eastern ones, but at the same time constitutions from two western emperors (Valentinian III and Majorian) and two eastern emperors (Theodosius II and Marcian) constitute the overwhelming percentage of all surviving constitutions at 90.83%. Thus for the purposes of general trend examination, it feels more honest as well as representative when doing a statistical analysis to focus on just these four emperors.

Table 14: Word counts and sentiment scores for post-Theodosian novels

	SECTION	WORD COUNTS			SENTIMENT SCORES		
		min	max	avg	min	max	avg
ALL NOVELS	Context	10	492	156.5	0.007	0.200	0.070
	Command	12	1177	211.5	0.005	0.175	0.052
	Total	74	1325	368.0	0.010	0.180	0.060
VALENTINIAN	Context	10	479	137.0	0.008	0.200	0.084
	Command	33	1177	203.5	0.015	0.175	0.058
	Total	74	<u>1291</u>	340.5	0.013	<u>0.180</u>	<u>0.069</u>
MAJORIAN	Context	67	456	191.6	0.013	0.182	0.098
	Command	45	1125	340.0	0.022	0.136	0.078
	Total	196	<u>1325</u>	531.6	0.047	<u>0.154</u>	<u>0.085</u>
THEODOSIUS	Context	17	471	150.8	0.007	0.122	0.052
	Command	12	933	207.8	0.005	0.146	0.044
	Total	80	<u>1244</u>	358.6	0.011	<u>0.117</u>	<u>0.048</u>
MARCIAN	Context	113	460	282.2	0.024	0.074	0.045
	Command	170	339	237.0	0.017	0.065	0.031
	Total	293	799	519.2	0.024	<u>0.065</u>	<u>0.039</u>

When examining the basic statistical information, there is obviously an extremely wide variance in word counts, from minimums at just over a few dozen, to the largest constitutions having over 1,200 words. But what seems notable to me is that Valentinian III, Majorian, and Theodosius II all have similar maximum word counts.⁶²⁹ Given the already noted variance in word counts for these laws, to me there is no reason for them to have such similar maximums except as an imposed restriction. Two possibilities seem likely: either the imposition is stylistic (i.e. the imperial office does not want laws so long that they are not read) or the imposition is material (i.e. there is a limit to the physical size of what laws are being written on, be it individual sheets/rolls or an unwillingness to stitch sheets/rolls beyond a certain number). The second general observation is that the respective maximum and average negative sentiment scores⁶³⁰ for western emperors Valentinian III (0.180, 0.069) and Majorian (0.154, 0.085) are noticeably higher than that of eastern emperors Theodosius II (0.117, 0.048) and Marcian (0.065, 0.039). This will be discussed in detail shortly.

Before we move onto our last chart talking about the power type composition of these imperial novels, I should briefly highlight some negative results about which I had speculated in earlier phases of research for this dissertation. One former supposition I had was that as the years progressed in these various novels, negative sentiment would increase, since the laws were written during periods of increasing strife within the later Roman Empire. A second supposition was that there might be a relationship between how large contextual sections were within a law and increasing negative sentiment. The operating hypothesis was that if more words were being used to provide context for a law, then more negative words would be employed as a rhetorical tactic.

⁶²⁹ *Nov. Val.* 35 has 1,291 words, *Nov. Maj.* 6 has 1,294, *Nov. Maj.* 7 has 1,325, and *Nov. Th.* 22.2 has 1,244.

⁶³⁰ The sentiment scores are calculated without the content-less constitutions, as amongst the analyses undertaken but whose results are not shown here was calculating geometric and harmonic means for these constitutions, which is impossible with empty laws as it results in a divide by zero error.

Upon graphing the sentiment scores against dates and context percentages, no relationship could be found; the resulting data looked random. However, these negative results ultimately still help this dissertation because they demonstrate that the methodology I propose is testable and falsifiable, within the confines of what is philosophically defensible in qualitative and mixed-methods research.

Table 15: IEMP statistics for western and eastern novels

WESTERN	const.	multiples	I	I %	E	E %	M	M %	P	P %
Sirmond. 9, 10	2	0	2	100.0%	0	0.0%	0	0.0%	0	0.0%
Valentinian	47	10	5	10.6%	24	51.1%	2	4.3%	20	42.6%
Majorian	12	4	3	25.0%	5	41.7%	0	0.0%	4	33.3%
Severus	2	0	0	0.0%	2	100.0%	0	0.0%	0	0.0%
Anthemius	3	0	0	0.0%	2	66.7%	0	0.0%	1	33.3%
Glycerius	2	0	1	50.0%	0	0.0%	0	0.0%	0	0.0%

EASTERN	const.	multiples	I	I %	E	E %	M	M %	P	P %
Sirmond. 3	1	0	0	0.0%	0	0.0%	0	0.0%	1	100.0%
Theodosius	35	6	1	2.9%	23	65.7%	4	11.4%	13	37.1%
Marcian	5	1	0	0.0%	4	80.0%	0	0.0%	2	40.0%

This chart sets the framework for our targeted approach by breaking down the composition of each collection of imperial novels by Mann's IEMP power type, first by number, then by what percentage of the overall collection that number represents. The power type for a constitution is selected by that which is seen as being disfavored by an emperor.⁶³¹ As this includes selecting constitutions with multiple power type conflicts within the same law, a separate column is added

⁶³¹ The reason to categorize by disfavored power type groups, aside from the obvious connection with our methodology being focused on negative sentiment, is that an earlier analysis was done by graphing all mentions of a power type. However, this grouping resulted in many more neutral sentiment constitutions being included in the graph, reducing the visibility of constitutions with higher negative sentiment and with results that seemed no different from the average of all constitutions. Ultimately though, this grouping issue adds weight to the validity of our methodology as a testable/falsifiable system, i.e. results do not always return favorably.

to indicate how many multi-conflict laws there are. The counting of constitutions by power type is only discrete within a type, not between types. Thus the "multiples" column helps explain why the adding of percentages across categories results in numbers greater than 100 percent.

Focusing again on our main four emperors, we can see that the vast majority of concerns for the emperors are topics first of the Economic type, and secondarily of the Political type. Some of the four emperors have no constitutions dealing with the disfavor of Ideological or Military types.

With an understanding of the power type composition within each imperial novel collection, we can now move towards a closer analysis of sentiment trends within the power types.

Explanation of power type graphs

The charts in the forthcoming sections are separate context and command section graphs of the sentiment scores of all non-empty constitutions according to the interest groups and the power type perceived, however marginally, as disfavored by the emperor.

The constitutions are in ascending order and each of the four emperor's graphs is laid over the others. A solid red line is for Valentinian III, a solid blue line for Theodosius II, a dotted red is for Majorian, and a dotted blue is for Marcian. Despite the varying number of constitutions for each emperor, the lines are harmonized to have roughly the same start and end points with the constitutions in between placed at regular intervals.

The purpose of this kind of graph is to show the rough "shape" of negative sentiment for constitutions by an emperor within a particular type and section. As a general rule, the higher on the y-axis an emperor's sentiment line is, the more negative his constitutions are when compared to other emperors whose lines are lower on the y-axis. Small colored tick marks on the x-axis indicate roughly where each constitution is located (red for Valentinian, purple for Theodosius,

orange for Majorian, and blue for Marcian), but they mostly exist illustratively as they may be too small to actual identify individual laws. The full list of constitutions along with their sentiment scores for their respective context or command sections for the charts are in the footnotes, as the best way to identify a constitution may be to start with a rough sense of their score on the y-axis, and identify the closest score for a cited constitution in the footnote.

Economic constitutions

Figure 5: Economic context section graphs⁶³²

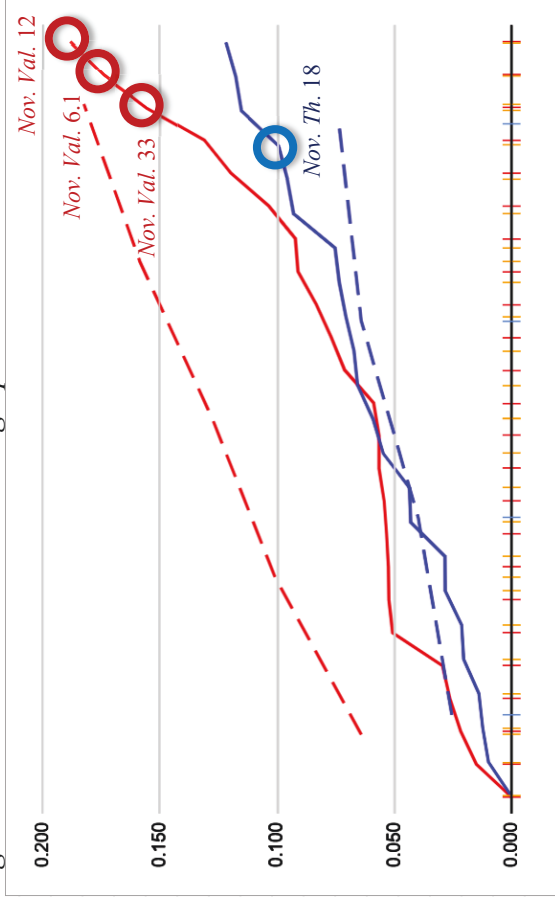
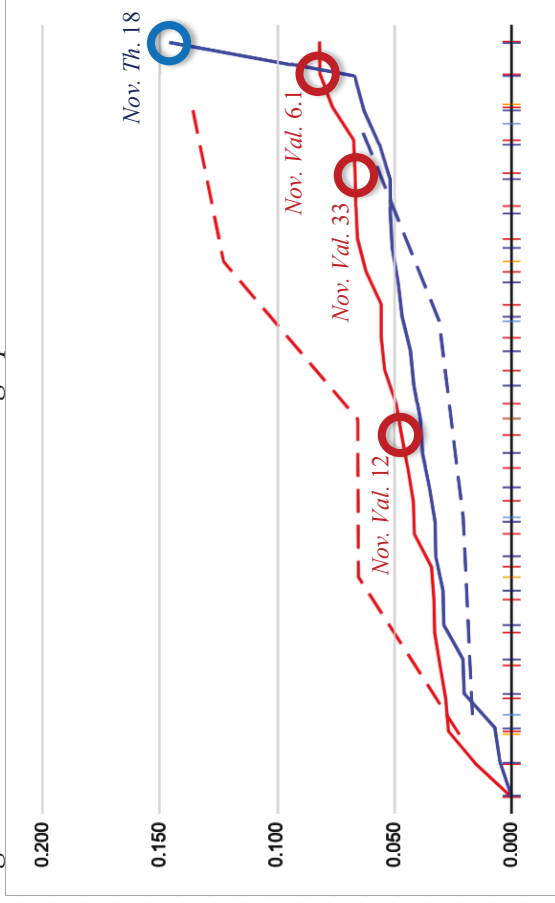


Figure 6: Economic command section graphs⁶³³



⁶³² nov-val_11 (0.000), nov-val_21.1 (0.015), nov-val_4 (0.022), nov-val_35 (0.026), nov-val_5 (0.029), nov-val_21.2 (0.051), nov-val_34 (0.052), nov-val_14 (0.053), nov-val_10 (0.053), nov-val_8.2 (0.054), nov-val_6.2 (0.057), nov-val_24 (0.057), nov-val_13 (0.059), nov-val_15 (0.071), nov-val_6.3 (0.077), nov-val_16 (0.083), nov-val_8.1 (0.091), nov-val_32 (0.092), nov-val_31 (0.104), nov-val_25 (0.120), nov-val_29 (0.131), **nov-val_33 (0.156)**, **nov-val_6.1 (0.174)**, **nov-val_12 (0.189)**; nov-th_25 (0.000), nov-th_5.3 (0.010), nov-th_5.2 (0.012), nov-th_17.2 (0.014), nov-th_14 (0.020), nov-th_26 (0.021), nov-th_23 (0.028), nov-th_10.1 (0.028), nov-th_17.1 (0.043), nov-th_11 (0.044), nov-th_15.1 (0.055), nov-th_22.1 (0.059), nov-th_16 (0.066), nov-th_7.2 (0.067), nov-th_22.2 (0.071), nov-th_19 (0.074), nov-th_6 (0.075), nov-th_4 (0.093), nov-th_12 (0.096), **nov-th_18 (0.100)**, nov-th_15.2 (0.115), nov-th_8 (0.118), nov-th_9 (0.122); nov-maj_3 (0.064), nov-maj_6 (0.101), nov-maj_7 (0.128), nov-maj_11 (0.159), nov-maj_9 (0.182); nov-marc_5 (0.026), nov-marc_3 (0.040), nov-marc_1 (0.064), nov-marc_4 (0.074).

⁶³³ nov-val_11 (0.000), nov-val_14 (0.015), nov-val_21.1 (0.027), nov-val_10 (0.028), nov-val_15 (0.031), nov-val_4 (0.033), nov-val_6.3 (0.033), nov-val_6.2 (0.034), nov-val_32 (0.041), nov-val_21.2 (0.042), nov-val_13 (0.044), **nov-val_12 (0.047)**, nov-val_5 (0.049), nov-val_8.2 (0.054), nov-val_31 (0.056), nov-val_35 (0.056), nov-val_25 (0.062), nov-val_29 (0.066), nov-val_8.1 (0.066), **nov-val_33 (0.067)**, nov-val_24 (0.067), nov-val_34 (0.076), **nov-val_6.1 (0.082)**, nov-val_16 (0.082); nov-th_12 (0.000), nov-th_23 (0.005), nov-th_16 (0.007), nov-th_22.1 (0.020), nov-th_25 (0.021), nov-th_22.2 (0.029), nov-th_5.3 (0.029), nov-th_8 (0.032), nov-th_6 (0.033), nov-th_7.2 (0.035), nov-th_14 (0.038), nov-th_10.1 (0.039), nov-th_15.1 (0.042), nov-th_26 (0.043), nov-th_19 (0.047), nov-th_5.2 (0.048), nov-th_9 (0.051), nov-th_17.2 (0.052), nov-th_15.2 (0.052), nov-th_17.1 (0.056), nov-th_4 (0.063), nov-th_11 (0.067), **nov-th_18 (0.146)**; nov-

As mentioned previously, Economic constitutions are the most within the four imperial novel collections. When one takes a look at the overall graphs, we can see that for both Valentinian III and Theodosius II, their sentiment scores match fairly closely, making this type a sort of baseline for other constitutions.

Valentinian ultimately has a few constitutions with higher negative sentiment in their context sections, the highest economic one being *Nov. Val. 12* expressing sympathy for the plight of displaced Africans after the Vandal conquest, followed by *Nov. Val. 6.1* on punishments for farm managers who hide army deserters, and third *Nov. Val. 33* on the redemption of children sold into slavery by their parents.

Theodosius usually trends below Valentinian in both context and command sections, except for one last spike for *Nov. Th. 18* in its command section. This constitution in Latin is "*De Lenonibus*" with the English translation as "Procurers," which is another word for pimps. The subject matter explains imperial hostility towards those persons. In a certain way, *Nov. Th. 18* is an example of an exception that proves the rule. In most of the other constitutions of the other power types, Theodosius generally employs less negative sentiment than his western counterparts. This law demonstrates that Theodosius is every bit as capable as western emperors of using the harshest negative words when the subject demands it; it is just that for whatever reason, whether by imperial office preference or political circumstance, the need to be negative arises far less frequently. This also means the close correlation of the amount of negativity in most Valentinian and Theodosian constitutions is likely the result of some kind of normative expectation.

maj_3 (0.022), nov-maj_7 (0.065), nov-maj_6 (0.066), nov-maj_11 (0.123), nov-maj_9 (0.136); nov-marc_3 (0.017), nov-marc_5 (0.021), nov-marc_4 (0.031), nov-marc_1 (0.065).

As for the other two emperors, Majorian's five constitutions display more negativity than Valentinian, whereas Marcian's four constitutions are in line with the sentiment patterns for Theodosius. We might speculate that the unfavorable economic circumstances of Majorian's western empire (possibly because of his inability to resolve the Vandal threat) are why his negative sentiment lines are higher, compared to the relative security of Marcian's eastern empire.

Political constitutions

Figure 7: Political context section graphs⁶³⁴

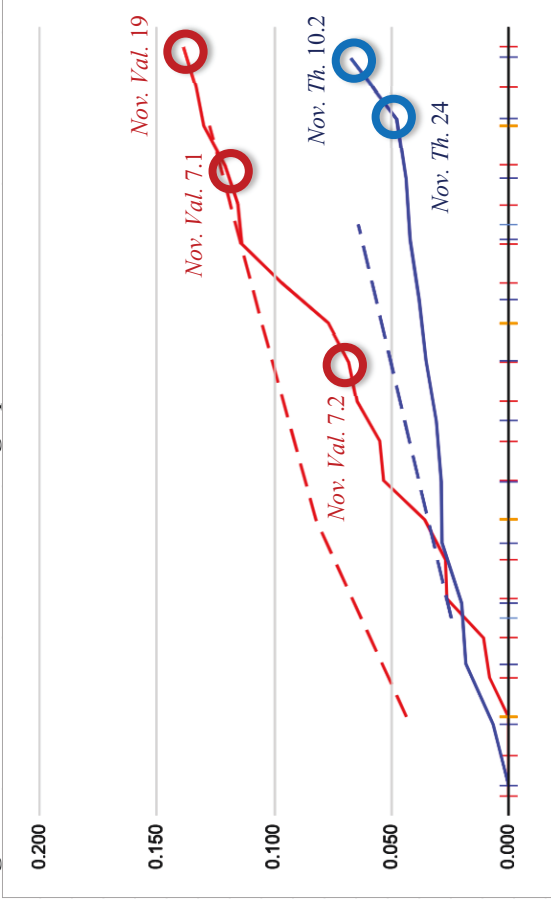
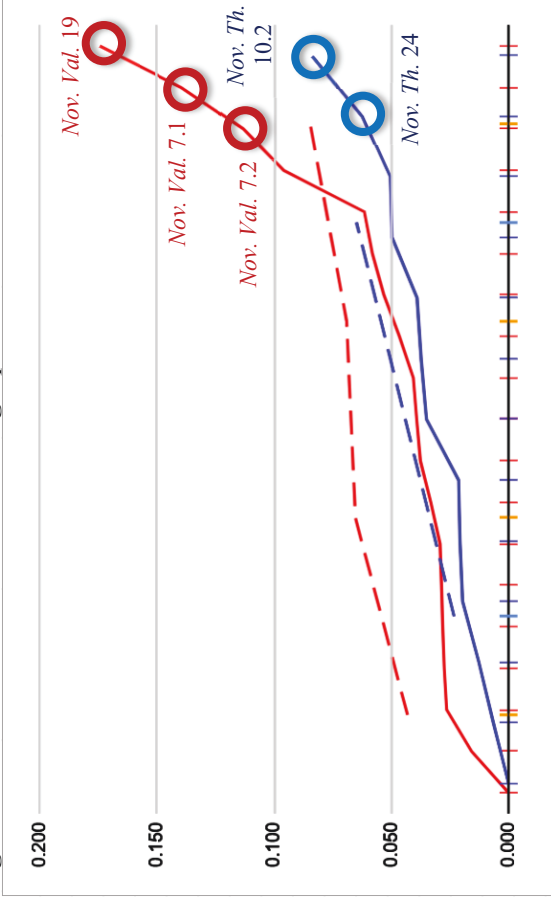


Figure 8: Political command section graphs⁶³⁵



With a certain baseline established from the graphs for Economic constitutions, we can move onto the second most numerous type, Political constitutions. The context chart on the left in particular illustrates a central hypothesis for this dissertation as well as validating the methodology; it shows that Valentinian expresses significantly more negative sentiment regarding imperial administration

⁶³⁴ nov-val_20 (0.000), nov-val_26 (0.000), nov-val_30 (0.000), nov-val_2.4 (0.008), nov-val_2.2 (0.011), nov-val_35 (0.026), nov-val_36 (0.027), nov-val_28 (0.036), nov-val_10 (0.053), nov-val_1.1 (0.055), nov-val_27 (0.065), **nov-val_7.2 (0.068)**, nov-val_6.3 (0.077), nov-val_22 (0.097), nov-val_1.3 (0.114), nov-val_1.2 (0.115), **nov-val_7.1 (0.121)**, nov-val_2.3 (0.130), nov-val_7.3 (0.133), **nov-val_19 (0.138)**; nov-th_25 (0.000), nov-th_20 (0.007), nov-th_2 (0.018), nov-th_7.3 (0.020), nov-th_10.1 (0.028), nov-th_7.4 (0.029), nov-th_7.1 (0.031), nov-th_13 (0.035), nov-th_5.1 (0.038), nov-th_1 (0.042), **nov-th_24 (0.044)**, **nov-th_10.2 (0.048)**, nov-th_7.2 (0.067); nov-maj_4 (0.044), nov-maj_5 (0.082), nov-maj_2 (0.105), nov-maj_7 (0.128); nov-marc_2 (0.024), nov-marc_1 (0.064).

⁶³⁵ nov-val_20 (0.000), nov-val_1.1 (0.016), nov-val_2.2 (0.026), nov-val_36 (0.027), nov-val_10 (0.028), nov-val_2.4 (0.029), nov-val_7.3 (0.029), nov-val_6.3 (0.033), nov-val_1.3 (0.038), nov-val_1.2 (0.039), nov-val_28 (0.041), nov-val_26 (0.047), nov-val_30 (0.053), nov-val_22 (0.058), nov-val_27 (0.062), nov-val_2.3 (0.096), **nov-val_7.2 (0.113)**, **nov-val_7.1 (0.139)**, **nov-val_19 (0.175)**; nov-th_2 (0.000), nov-th_7.4 (0.007), nov-th_7.1 (0.013), nov-th_7.3 (0.020), nov-th_25 (0.021), nov-th_1 (0.021), nov-th_7.2 (0.035), nov-th_13 (0.037), nov-th_10.1 (0.039), nov-th_5.1 (0.050), nov-th_20 (0.050), **nov-th_24 (0.062)**, **nov-th_10.2 (0.083)**; nov-maj_2 (0.043), nov-maj_7 (0.065), nov-maj_4 (0.069), nov-maj_5 (0.085); nov-marc_2 (0.023), nov-marc_1 (0.065).

(particularly in the context sections) than eastern emperors express. Majorian as a western emperor follows this trend to some degree. At the same time, there is more convergence and less negative sentiment when it comes to command sections for all four emperors, although Valentinian in particular remains more negative. His three most negative laws in their command sections are *Nov. Val. 19* on the role of law courts in deciding homicide cases, followed by *Nov. Val. 7.1* and *7.2*, both angry invectives at his own administration over abusive tax collection. Reiterating our main conjecture as to why, the thinking is that Valentinian has to resort to anger to work with or goad a dwindling administration in managing the empire given the loss of economic wealth for incentives or a strong military for coercion. For eastern constitutions, although *Nov. Th. 10.2* on "Pleadings and the Perpetuation of Advocacy" scores the "highest" in both context and command, that score should not be taken as significant given the brevity of the constitution at 87 words. *Nov. Th. 24* on "Corrupt Solicitation" is more representative otherwise as the eastern constitution with the highest negative sentiment, but given its scores (0.044/0.062) that law should not be considered particularly negative.

Ideological constitutions

Figure 9: Ideological context section graphs⁶³⁶

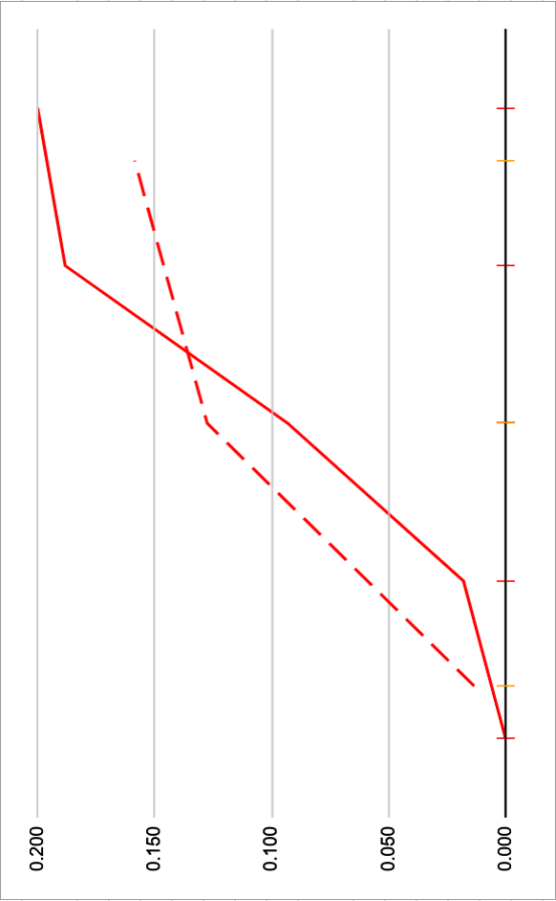
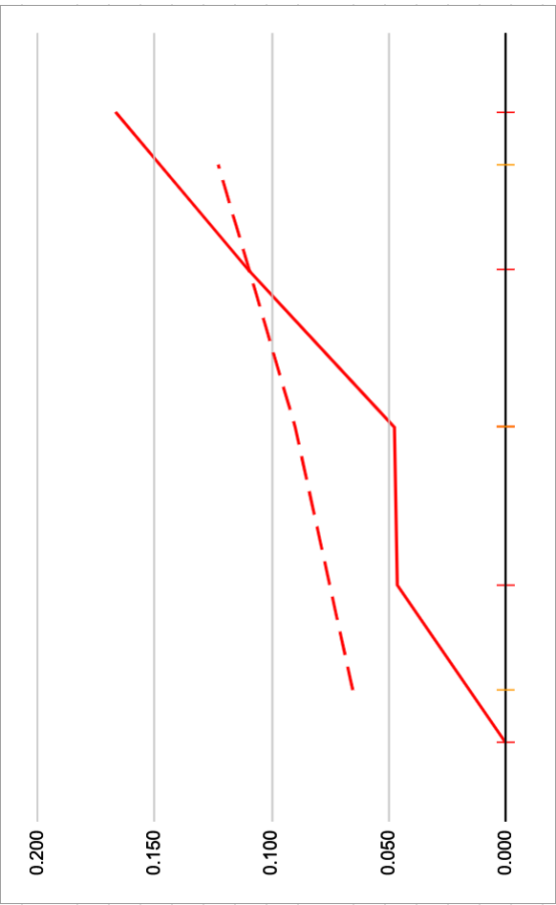


Figure 10: Ideological command section graphs⁶³⁷



There are significantly fewer constitutions where Ideological groups are identified as the ones being disfavored by the emperor. Only one eastern imperial law might qualify for these graphs, *Nov. Th. 3* on Jews, Samaritans, Heretics, and Pagans, but it is being excluded since it would only exist as a single dot on the graph with a score of 0.121 for context and 0.111 for command, and thus would not constitute a trend line. The true number of constitutions that mention Ideological groups or have them as the ones being favored is

⁶³⁶ nov-val_20 (0.000), nov-val_3 (0.018), nov-val_17 (0.093), nov-val_23 (0.188), nov-val_18 (0.200); nov-th_3 (0.121); nov-maj_1 (0.013), nov-maj_7 (0.128), nov-maj_11 (0.159).

⁶³⁷ nov-val_20 (0.000), nov-val_3 (0.046), nov-val_17 (0.048), nov-val_18 (0.110), nov-val_23 (0.167); nov-th_3 (0.111); nov-maj_7 (0.065), nov-maj_1 (0.090), nov-maj_11 (0.123).

a little bit higher, with Valentinian increasing from five to eight constitutions, and Majorian from three to five. Theodosius remains at only one Ideological constitution even when expanding to mentions.

At the same time, the shape of the line showing significant constitutions with high negativity scores, even in these reduced numbers it is still reminiscent of what we see in the charts for Political constitutions. This is noteworthy because a German legal historian, Richard Honig, in 1960 argued that church language, both positive and negative, was emulated by imperial laws.⁶³⁸ Although it cannot be said conclusively, the similarity in the shape of Ideological and Political sentiment graphs, which ultimately represent patterns of negativity usage and differences between their use in context and command sections, hints at the correctness of Honig's assertion.

⁶³⁸ Honig 1960: 19, 149.

Military constitutions

Figure 11: Military context section graphs⁶³⁹

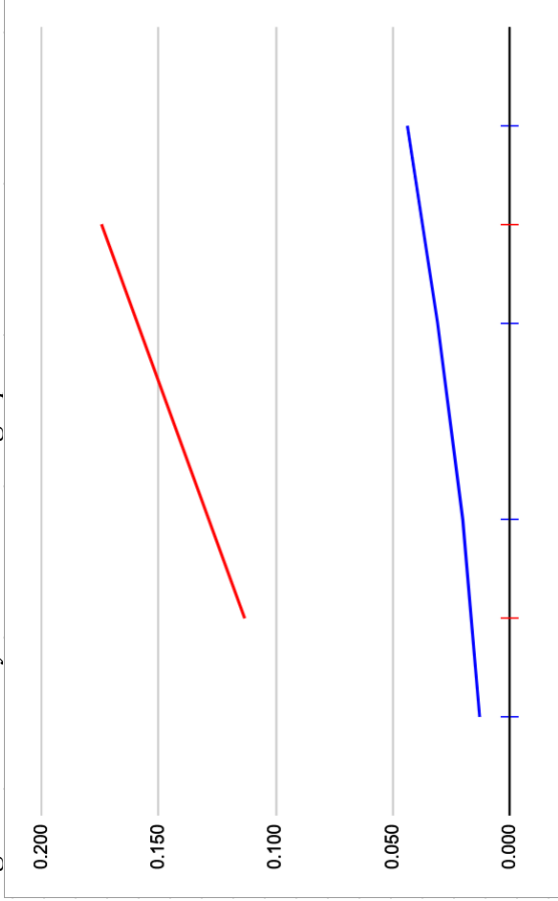
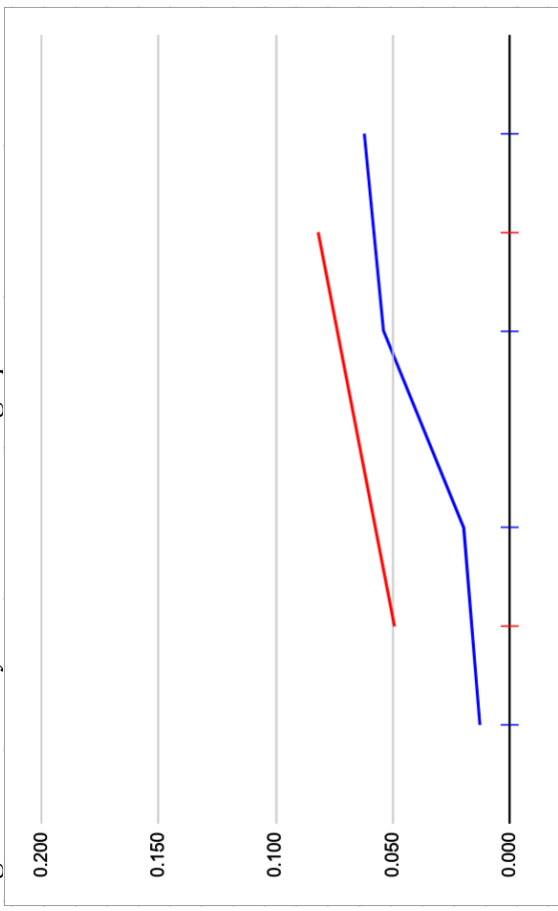


Figure 12: Military command section graphs⁶⁴⁰



The number of available constitutions where the Military is disfavored is so few that it is best to take any possible conclusions with a grain of salt. Similar to Ideological constitutions, there are actually a few more where the Military is favored or at least mentioned, with Valentinian increasing from two to five, Theodosius increasing from four to eight, Marcian reappearing with one, but Majorian remaining with none. However, the only detectable pattern that at least adheres to what we already know is that Valentinian uses more negativity in the context of his laws, but reduces some of that negativity when it comes time to issue a command. Given the importance of the Military as well as the need to avoid upsetting it as a critical interest group, limitations on negativity may be understandable.

⁶³⁹ nov-val_9 (0.113), nov-val_6.1 (0.174); nov-th_21 (0.013), nov-th_7.3 (0.020), nov-th_7.1 (0.031), nov-th_24 (0.044).

⁶⁴⁰ nov-val_9 (0.049), nov-val_6.1 (0.082); nov-th_7.1 (0.013), nov-th_7.3 (0.020), nov-th_21 (0.054), nov-th_24 (0.062).

General sentiment summary

In previous chapters, we have already explained our new frameworks for understanding law⁶⁴¹ and methodologies for digitally encapsulating sentiment.⁶⁴² Now with this analytical chapter, we can finally see the results of those frameworks as they are put into action. What emerges demonstrates and/or supports key aspects of our initial hypotheses and plans.

First, chronologically laying out the unabridged constitutions with their power conflicts categorized, and interweaving them with important historical events shows us that we do not have to view the laws as synchronic jurisprudence. We can instead view them as diachronic political documents, reflecting the often unrecorded (by contemporary narrative historians) day-to-day administrative and economic history of the late empire.

Second the fact that both positive and negative results have been returned by our methodology demonstrates that it is a testable/falsifiable system for analysis. When we scrutinized constitutions for sentiment trends according to power type and context/command sections, patterns of both similarity and difference between Valentinian III and other emperors emerged. This helps support our initial claim that Valentinian was not incompetent because, as we proposed, he was acting in line with other more competent emperors like the later western emperor Majorian.⁶⁴³ He may have simply been unlucky, which explains why his use of negativity was different from other, particularly eastern, emperors.

⁶⁴¹ 5. Legal discourse frameworks; 7. Social power analysis.

⁶⁴² 6. Sentiment analysis; 8. Technical implementation.

⁶⁴³ Some examples of Majorian's positive reception from the late Roman era include Sidonius Apollinaris' (*Carmina* 5) entire panegyric devoted to him, and Procopius' (*De Bellis* 3.7, tr. Dewing) description of him as someone "who surpassed in every virtue all who have ever been emperors of the Romans" and was "moderate toward his subjects, and an object of fear to his enemies."

This chapter was primarily about our post-Theodosian novels as overall collections. What remains then is to examine a select number of constitutions organized by theme so as to see how the process of imperial management occurs between individual constitutions.

10. Thematic Comparisons of Interest Group Conflict

GENERAL APPLICABILITY OF BELL

We have mostly been dealing with Mann's IEMP theory up until this point. This is because the IEMP categorization of our political interests needs to be established early during the encoding phase, whereas Bell's theories of eastern Roman conflict management need not be applied until we actually analyze relationships between categorized groups. However, since Bell's model for how the eastern empire functioned was built upon sixth century evidence, it seems best to identify direct parallels to evidence from the fifth century, so as to demonstrate the backwards compatibility of Bell to the period of our examination. In this comparison, I interweave Bell within Mann's power type divisions, first to show that the overall theories can do so without conflict, and second to highlight that the specific fifth and sixth century evidence can be explained well with their hybridization.

We begin with the Ideological power type. Although most often used to describe religious groups, Ideological power also describes the Roman imperial office because it too "transcends the existing institutions of ideological, economic, military, and political power."⁶⁴⁴ I interpret this transcendence as extending also to the idea of imperial law (as opposed to the practice of imperial law which might be thought of as more administrative). This idea of law also binds multiple power types and their constituent groups, and so the emperor has a critical role as the mouthpiece for that law as a means of coercion, justice, or reform.⁶⁴⁵ For Bell, language is a critical component for the cementing of group identities⁶⁴⁶ (which I view as being as true for the rhetoric of indignant bishops

⁶⁴⁴ Mann 1986: 23.

⁶⁴⁵ Bell 2013: 344-5.

⁶⁴⁶ Bell 2013: 349.

as it was for Justinian) and so we should think of the law as a kind of language which cements the largest group identity in the empire, that of being Roman itself. And so, whereas for Justinian this binding and group identity creation is performed by his immense sixth century codification of the *Corpus Iuris Civilis*, in our own fifth century evidence we see the same phenomenon with the compilation of the *Theodosian Code*, or in a more specific example within our unabridged post-Theodosian novels, in the retort of Valentinian III mentioned in this dissertation's Introduction that whoever does not agree to a law "confesses to a certain extent that he is not a Roman."⁶⁴⁷

Bell also highlights an additional Ideological relationship between Justinian and various bishops, whom he employs for various moral enforcement tasks or even integrates into the administration.⁶⁴⁸ In Justinian's own Novels, he explicitly puts the Christian priesthood as on the same level as himself.⁶⁴⁹ This is likely an act intended to boost his charismatic authority,⁶⁵⁰ seen as necessary after the legitimacy crisis of the Nika revolt.⁶⁵¹ In our fifth century evidence, even though we do not quite know if the close relationships between emperor and bishops reached that level of administrative overlap, their utility for legitimacy remained the same. There is the general circumstance of the eastern emperor Marcian convening the Council of Chalcedon at the urging of his wife Pulcheria and pressure from the western court, possibly to redirect questions of his legitimacy after his accession,⁶⁵² and within our novels we see Valentinian III emphasizing that

⁶⁴⁷ "...sese quodammodo confitetur non esse Romanum" (*Nov. Val.* 6.2.2, tr. Pharr).

⁶⁴⁸ Bell 2013: 297-303.

⁶⁴⁹ *Nov. Just.* 6.

⁶⁵⁰ Bell 2013: 344-5.

⁶⁵¹ Leppin (2009) gives an example of how Justinian boosted his authority through paradoxical displays of humility to monks. Sarris (2023: 290-7) talks about Justinian's attempts to smooth over divisions over Chalcedon both before and after the Nika revolts.

⁶⁵² Burgess 1994.

the security of the empire is dependent upon its faith, which is led by the bishop of Rome above all other bishops.⁶⁵³

In the Economic sphere, Bell viewed sixth century emperors like Justinian as having a variety of duties. The most important was keeping the tax base for the state secure, much of it originating from farmers of unfree or borderline unfree status, e.g. *coloni*. Bell detects class conflict most clearly here, particularly when emperors had to make hard choices between the autonomy of poor workers vs. the tax-dodging of rich landowners; it was the latter that usually benefitted in imperial adjudications.⁶⁵⁴ This class preference even extended to tax remissions like those issued by Justinian's successor Justin II; his remissions were ostensibly worded so as to benefit everyone, but in reality the rich benefitted from them the most because their wealth and power allowed them to dodge earlier tax collection attempts.⁶⁵⁵ Bell also viewed the stabilizing of gold coinage and exchange rates with other forms of money as important to emperors.⁶⁵⁶ This was because often the wealthy, in another example of class conflict, could exploit the poor by forcing unfair exchange rates upon them. This became such a problem that Justinian issued a law against that practice.⁶⁵⁷ These sixth century Economic actions also had clear fifth century precedents, so much so that Bell acknowledges fifth-century laws as the origins for later imperial fiscal preferences and problems.⁶⁵⁸ In the case of legislating varieties of unfree status where peasants were hereditarily bound to the land, fifth-century emperors issued many laws touching on the

⁶⁵³ *Nov. Val.* 17.0.

⁶⁵⁴ Bell 2013: 66-7.

⁶⁵⁵ Bell 2013: 86; Ziche 2006. Alternatively, the wealthy could also "collect" taxes from those under them and then not pass those taxes to the central government, keeping them instead for themselves. Sarris (2006: 105-6) details such a case for Egypt under Justinian, but we also see this happening in the time of Valentinian III in Sicily (*Nov. Val.* 1.2).

⁶⁵⁶ Bell 2013: 88-93.

⁶⁵⁷ *CJ* 10.27.2.

⁶⁵⁸ Bell 2013: 88.

subject, a few of which survive unabridged.⁶⁵⁹ Fifth-century favoritism towards landowners can be seen in related laws on recruits and deserters which warn against hiding and employing wayward potential soldiers as farmers, with the death penalty as punishment for the workers or managers, whereas the owners only receive fines.⁶⁶⁰ Tax remissions as instances of buying political favor with money the state desperately needed to sustain itself are also persistent topics of surviving unabridged fifth century legislation.⁶⁶¹ Lastly, economic issues manifesting as problems with coinage were an issue in this century as well, as seen in *Nov. Val.* 16 which demands a *solidus* gold coin at full weight be accepted at the correct price, echoing sixth-century concerns that people were being taken advantage of due to unfair exchange rates.

Military concerns are the most analytically neglected by Bell of the IEMP types. This is likely because the focus of Bell's book is about social rather than military conflict, although Bell does mention that the preference for non-military action was also an extension of Justinianic practices to avoid using soldiers wherever possible for domestic problems.⁶⁶² The presence of the military is mostly understood within the empire as either a counter-insurgency force in difficult regions like Armenia, or as a coercive police force acting on behalf of upper class interests.⁶⁶³ Within fifth-century novels, military concerns are primarily about recruiting⁶⁶⁴ or mitigating abuse of authority by senior military leadership.⁶⁶⁵ The latter abuse of authority problem could possibly be understood within Bell's paradigm as an extension of class conflict, where the soldiers are the

⁶⁵⁹ *Nov. Val.* 27, 31; *Nov. Maj.* 7; *Nov. Sev.* 2.

⁶⁶⁰ *Nov. Val.* 6.1, 6.2.

⁶⁶¹ *Nov. Val.* 1.1, 1.2, 1.3, 7.1, 7.2, 7.3, 15; *Nov. Maj.* 2; *Nov. Th.* 26; *Nov. Marc.* 2.

⁶⁶² Bell (2013: 190) cites *CJ* 1.29.1 as an example of explicitly stating in law that there is to be no cross-over authority between the military and civilian.

⁶⁶³ Bell 2013: 106-7.

⁶⁶⁴ *Nov. Val.* 6.1, 6.2, 6.3.

⁶⁶⁵ *Nov. Th.* 24. See Rance (2019) for an analysis of a sixth-century Justinianic novel on the supplying of soldiers with food that also includes provisions for protecting soldiers from exploitation and corruption from their superiors.

workers, and the military leadership are the upper class, similar to powerful landlords, who use their power to abuse the system and exploit those under them. However that would mean the former issue, that of military recruiting, would run contrary to economic class interests, as certain laws like *Nov. Val.* 6.1 and 6.2 exist because rich landowners want to use potential military manpower for their own economic manpower needs.

Regarding the last power type, the Political (which should be thought of as state administrative power) is one where there may be the most difference between sixth and fifth centuries, or at the very least, between eastern and western empires. Bell says the survival of the eastern empire may be attributed to the fact that "an effective government apparatus survived, plus a more effective tax system operated by an empire-wide bureaucracy of men..."⁶⁶⁶ A cursory sight comparison⁶⁶⁷ of *Nov. Just.* 148 (technically from Justin II) which has a similar title ("Remission of tax-arrears") with the similarly titled tax remissions of the fifth-century eastern emperor Marcian (*Nov. Marc.* 2), shows less negativity towards the administration than the high negativity shown by fifth-century western emperors Valentinian III (*Nov. Val.* 1.3) and Majorian (*Nov. Maj.* 2). The latter two are in fact closer in style to each other as a result of their high negative sentiment. However, our surviving western novels were issued just after the Vandal conquest of north Africa, which deprived the west of tremendous tax revenues. It may be that if there had not been such a severe financial shock and the west had remained on a stable footing, the negative language towards the administration would have been lessened and look far more like eastern fifth/sixth century legislation. The similarities (as well as differences) for the legal reception of the tax administration illustrates two central points of this dissertation, that (1) Bell's model works for

⁶⁶⁶ Bell 2013: 349.

⁶⁶⁷ A sight judgment is relied upon here since a similar sentiment methodology to this dissertation has not been developed for the Greek of Justinian's novels.

both centuries generally with regards to the law and specifically with regards to Political administration and (2) the differences between western fifth and eastern fifth (and sixth) centuries are due to exterior military issues, not internal domestic policy, which reinforces the ultimate thesis, that Valentinian III's legal rhetoric was the result of bad military luck imposing additional stresses upon the western empire, not necessarily administrative incompetence.

COMPARISON NOTES

Now that we have established the applicability of Bell's model to the fifth century, in this section we will detail how we adapt aspects of his framework in order for us to represent inter/intra-group conflict and its imperial management in chart form. The conflicts are organized by four specific themes that cover both eastern and western halves of the empire, touch on all IEMP power types at least once, and have at least one constitution from every emperor in the post-Theodosian novels. These themes are tax collection and remission, non-theological clerical misbehavior, interactions regarding soldiers, and inter-status marriage/unions.

Bell's model includes a diversity of means for an emperor to manage social conflict, including the sponsoring of architecture as physical rhetoric,⁶⁶⁸ the employment of Christianity as a means of bridging class and status divides,⁶⁶⁹ and collaborations with bishops to help legitimize sacral kingship as an idea.⁶⁷⁰ However, since our sources are legal, conflict management in that medium, in line with Bell's theories, is textually performed through threats of coercion, offers of reform, or opportunities for promotion.⁶⁷¹

⁶⁶⁸ Bell 2013: 319-35.

⁶⁶⁹ Bell 2013: 344.

⁶⁷⁰ Bell 2013: 350.

⁶⁷¹ Bell 2013: 344.

The way I interpret Bell is that within a law, an emperor has three main tools for conflict management: rhetoric (which sets up who an emperor views as favored, disfavored, or relevant), adjudication (when an emperor concretely decides on conflict outcomes for interest groups), and consequences (the specific punishments, limitations, or on occasion incentives for groups after an adjudication). The desires of an emperor as communicated in a law, of course, have little bearing on whether a conflict actually gets resolved, such as when Valentinian adjudicates a case one way only to overturn his own decision later.⁶⁷² But within the world of an individual constitution, the reduction of the conflict is seen as having been achieved by the emperor's decision. It should be noted too that those three tools mirror the section divisions of a constitution, between rhetoric (context) and adjudication/consequence (command). The level of imperial (dis)favor towards a group I determine by its sentiment score; a higher negativity source score generally suggests greater dislike, whereas a higher negativity injury score suggests greater sympathy, although this distinction is not concrete since sometimes a disfavored interest has a high negativity injury score as a result of being penalized within a law.

Here we will use the example of *Nov. Val. 7.2* to explain how our analytical diagrams are laid out.

Table 16: Sample detailed political interest analysis

Nov. Val. 7.2, Sep. 27, 442 (W) 302 words 65.9% commands 0.068 context <u>0.113</u> command		E_LANDHOLDERS (3/4), E_LOCAL-OFFICIALS (4/8.5)		*P_BUREAUCRACY (10/5.5), *P_HIGH-OFFICIALS (6/3)  P_Treasury (3/1)
	I_emperor (0/0)	E_nobles (0/1), E_taxes (0/1) E_citizens (0/1)		P_law (0/0), P_public-expenses (0/2), P_public-records (0/0.5), P_state (0/1)

⁶⁷² *Nov. Val.* 8.1, 8.2.

Each constitution is represented by separate rows: one set is for interest groups in conflict requiring imperial adjudication in bolded capital letters (**E_LANDHOLDERS**, **E_LOCAL-OFFICIALS**) with the imperially disfavored group marked with an * asterisk (***P_BUREAUCRACY**, ***P_HIGH-OFFICIALS**), and another set of rows is mostly for groups who are at least mentioned in actionable legal commands or groups who are mentioned in context sentences but omitted in actionable segments of a command sentence (I_emperor, E_nobles, E_taxes, E_citizens, P_law, P_public-expenses, P_public-records, P_state). On occasion if it seems like a mentioned or omitted group is the subject of a conflict, it will be moved to the first row but will retain its italicization (*P_treasury*).⁶⁷³ The groups in the top row are sorted first by whether they are disfavored or favored, then by their alphabetical group name, and finally by their negativity score.

The first number in parenthesis is the sentiment score of the interest group as the source of negative circumstances and the second number is the score of the group as the injured of negative circumstances. So for **E_LOCAL-OFFICIALS (4/8.5)**, 4 is the group's source score, and 8.5 is the group's injured score. If this dissertation is viewed as a colored printout or on a colored screen, negative sentiment scores 8 or higher will be colored red indicating high negativity, which is the case with **E_LOCAL-OFFICIALS**. Those less than 8 but at least 2 will be colored orange indicating moderate negativity, such as with **E_LANDHOLDERS**.

The group names in this chapter are the specific group names pulled from @ana attribute values from <rs> elements or as @inj-src or @injured attribute values for <phr> elements. This is in contrast to the group names in the previous chapter, many of which were written more

⁶⁷³ For our chosen constitutions, this only occurs in *Nov. Val. 7.2*, where P_treasury interests are mentioned in context sentences but omitted in command sentences, but appear to be in conflict with P_high-officials which appear in command sentences.

holistically so as to encapsulate multiple political interests, or to save time on constitutions not subject to a detailed analysis.

Each constitution will have one or more red arrows, indicating my perception of which groups are in conflict and which groups an emperor favors; the arrows point to those I view as favored. In our *Nov. Val. 7.2* example, ***P_BUREAUCRACY (10/5.5)** is viewed as disfavored, and is in conflict with and points to **E_LANDHOLDERS (3/4)** and **E_LOCAL-OFFICIALS (4/8.5)** as groups who are favored by imperial adjudication. ***P_HIGH-OFFICIALS (6/3)** is likewise disfavored and in conflict with **P_treasury (3/1)**. In essence, the arrows show Bell's theory in action as emperors apply (dis)favor through sentiment to groups categorized under Mann. In some constitutions, notably *Nov. Val. 35*, interest groups will point to themselves, indicating that the emperor is having to adjudicate conflicts between different members of the same group. For that constitution, and perhaps understandably, the conflicts are between different litigants and different family members.

Omitted groups are automatically derived from an XQuery search. As a reminder,⁶⁷⁴ a `<seg>` element which is the component part of a command `<s>` sentence only encapsulates the "externally-actionable and desired near-future states" for a command, and so parts of a command sentence that fall outside the `<seg>` element are seen as rhetorical. Grouping these "rhetorical" command interests with context interests allows us to find groups that have some kind of imperial adjudication, but with no actionable penalty. The initial conjecture behind this procedure was that these omitted groups might possess hidden power or influence over the emperor, since they would only be addressed rhetorically, but not actually commanded to do anything.

⁶⁷⁴ 8. Encoding practices: Sections, sentences, and segments.

On the left-most column are overall details for the constitution, copied from the charts in the previous chapter. This includes the novel's citation number (Nov. Val. 7.2), a lower case (d) meaning duplicated for a constitution that appears elsewhere in another thematic analysis category (this is not the case with our sample constitution), date of issue, (W) or (E) to indicate whether it was issued in the west or the east, total word count (302 words), percentage of words in the constitution which are in command sentences (65.9%), and a context (0.068) and command (0.113) sentiment score. As a reminder, the score approximates the percentage of the overall law that contains negative sentiment words. The remaining columns are divided by Ideological, Economic, Military, or Political power type.

The constitution charts in each theme always begin with those of Valentinian III, since he is the baseline for comparison. Afterwards, they continue with subsequent western emperors and then eastern emperors in chronological order (excepting the Sirmondian constitutions). At the end of each set of charts for a theme, there will be a brief overall summary comparing Valentinian III with other western and eastern emperors to note any commonalities, patterns, or differences, particularly if they can be explained through the hybridized Mann-Bell model.

The basic questions we try to answer in each thematic section are as follows. Why that particular theme? How do political sentiment and the law's structure relate? Which groups are under frequent imperial scrutiny? What are the IEMP inter/intra-power-type conflicts? What are other class and status conflicts? And lastly, how does the emperor manage these conflicts?

I am limiting the analysis to just that which pertains to political sentiment, document structure, and the hybridized Mann-Bell imperial conflict management theory. There are other works that concentrate more deeply on the legal theory or give the laws more historical contextualization and they should be consulted if that is what is needed. This dissertation and

analysis opt to focus on the more precise sentiment and structure evidence that it has produced so far.

THEMES

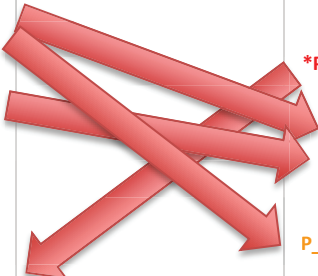
Tax collection and remission

Novel	Ideological	Economic	Military	Political
Nov. Val. 1.1, Jul. 8, 438 (W)		E_LANDHOLDERS (0/3)		*P_BUREAUCRACY (1/0) *P_TREASURY (0.5/0.5)
186 words 39.6% commands 0.055 context 0.016 command	<i>I_emperor (0/0.5),</i> <i>I_state (0/0.5)</i>	<i>E_taxes (2/0.5)</i>		P_high-officials (1/0)
Nov. Val. 1.2, between 440 and 441 (W)		E_LANDHOLDERS (0/3), E_CITIES (0/0), E_REGIONS (0/0)		*P_PUBLIC-RECORDS (0/0), *P_TREASURY (0/0)
77 words 39.6% commands 0.115 context 0.039 command		<i>E_taxes (0/0)</i>	<i>M_barbarians (3/0)</i>	P_high-officials (0/0)
Nov. Val. 7.1, Jun. 4, 440 (W)		*E_LOCAL-OFFICIALS (2/0.5) E_CITIZENS (0.5/1), E_LANDHOLDERS (0/0)		*P_BUREAUCRACY (16/12); P_HIGH-OFFICIALS (3.5/2) P_REGIONS (0/1),
307 words 59.6% commands 0.121 context 0.139 command	<i>I_ancients (0/0),</i> <i>I_emperor (0.5/1.5),</i> <i>I_state (0.5/1)</i>	<i>E_property (0/0),</i> <i>E_taxes (5/6.5),</i> <i>E_vendors (0/0)</i>		P_court-cases (0/1), P_public-expenses (0/0), P_state (0.5/1), P_treasury (1.5/0)
Nov. Val. 7.2, Sep. 27, 442 (W)		E_LANDHOLDERS (3/4), E_LOCAL-OFFICIALS (4/8.5)		*P_BUREAUCRACY (10/5.5), *P_HIGH-OFFICIALS (6/3)  P_Treasury (3/1)
302 words 65.9% commands 0.068 context 0.113 command	<i>I_emperor (0/0)</i>	<i>E_nobles (0/1),</i> <i>E_taxes (0/1)</i> <i>E_citizens (0/1)</i>		P_law (0/0), <i>P_public-expenses (0/2),</i> P_public-records (0/0.5), P_state (0/1)

Nov. Val. 15, between Sep. 11, 444 and Jan. 18, 445 (W) 588 words 47.4% commands 0.071 context 0.030 command		*E_LOCAL-OFFICIALS (2.5/1), *E_VENDORS (1/4)		*P_HIGH-OFFICIALS (2.5/1);  P_TREASURY (0/2) P_BUREAUCRACY (0/0)
	<i>I_emperor (1/0),</i> <i>I_law (0/2),</i> <i>I_state (1/0)</i>	<i>E_agreements-sales (3/0),</i> <i>E_cities (0/0),</i> <i>E_citizens (0/1),</i> <i>E_landholders (0/2.5),</i> <i>E_money (0/0),</i> <i>E_payments-fines (0/0),</i> <i>E_property (0/0),</i> <i>E_property-goods (0/0),</i> <i>E_regions (0/0),</i> <i>E_taxes (3.5/1.5)</i>		<i>P_law (0/1),</i> <i>P_public-expenses (2/0),</i> <i>P_public-records (0/0.5),</i> <i>P_state (0/2)</i>

Nov. Val. 7.3 (d), Apr. 25, 447 (W) 180 words 66.7% commands <u>0.133</u> context 0.029 command	I_CLERGY (0/1)		*P_BUREAUCRACY (2/7.5),  *P_HIGH-OFFICIALS (0/0.5), P_TREASURY (0/0)
	<i>I_churches (0/0),</i> <i>I_emperor (0/0)</i>		<i>P_high-officials (0/0.5),</i> <i>P_public-records (0/0)</i>

Nov. Val. 1.3, Mar. 5, 450 (W) 665 words 28% commands <u>0.114</u> context 0.038 command		E_LANDHOLDERS (2/44)		*P_BUREAUCRACY (39.5/3.5)
	<i>I_emperor (1.5/1)</i>	<i>E_land (0/0),</i> <i>E_senators (0/0),</i> <i>E_taxes (1/3.5),</i> <i>E_vendors (0/0)</i>		<i>P_emperor-court (0.5/1.5),</i> <i>P_high-officials (2.5/1),</i> <i>P_public-expenses (2/0.5),</i> <i>P_public-records (0/0),</i> <i>P_treasury (2/1)</i>

Novel	Ideological	Economic	Military	Political
Nov. Maj. 2, Mar. 11, 458 (W) 880 words 48.8% commands <u>0.105</u> context 0.043 command		*E_NOBLES (4/0.5), *E_MANAGER (5/4), *E_TAXES (7.5/4);  E_LANDHOLDERS (2/28.5), E_REGIONS (1/17)		*P_BUREAUCRACY (28/3), P_REGIONS (1/17) P_HIGH-OFFICIALS (1/3.5);
	<i>I_ancients (0/0),</i> <i>I_emperor (1.5/0),</i> <i>I_state (0/0)</i>	E_agreements-contracts (0.5/0), E_cities (0/1), E_citizens (0.5/0), E_emperor (0/0), E_land (0/1), E_local-officials (0/3), E_payments (0/0), E_payments-debts (0/0), E_property (0/1), E_property-goods (0/0), E_Rome (0/0)	M_armed-men (0/0) M_soldiers (1.5/0)	P_emperor-court (0/0), P_low-courts (0/0), P_public-expenses (0/0), P_treasury (0/2.5)

Novel	Ideological	Economic	Military	Political
Nov. Th. 26, Nov. 29, 444 (E) 617 words 69.5% commands 0.021 context 0.043 command		*E_TAXES (6.5/0.5);  E_LAND (1/11)		
		E_debtors (0/1.5), E_emperor (0/0.5), E_inheritance (0/0.5), E_payments (0/0), E_property (0/1)		P_bureaucracy (0/0), P_emperor (1.5/0), P_high-officials (0/0), P_law (0/0.5)

Novel	Ideological	Economic	Military	Political
Nov. Marc. 2 (d), after Oct. 11, 450 (E) 466 words 64.8% commands 0.024 context 0.023 command		E_CITIZENS (0/4.5)		*P_BUREAUCRACY (1.5/2)
	<i>I_emperor (0/0),</i> <i>I_temples (0/0)</i>	E_agreements-contracts (0/0), E_cities (0/0), E_emperor (0/0), E_land (0/0), E_local-officials (1.5/1.5), E_money (0/0), E_payments (0/0), E_payments-debts (0/0), E_property (0/0), E_property-materials (1/0), E_senators (0/0), E_taxes (2.5/3.5), E_transport-ships (0/0)	M_army (0/0.5), M_soldiers (0.5/0)	P_Constantinople (0/0), P_high-officials (0/0), P_public-expenses (0/0), P_treasury (0/0)

Tax collection and remissions were chosen as a common theme for analysis because within the post-Theodosian novels, several constitutions retained the exact same title, *De Indulgentiis Reliquorum* (On the Remission of Delinquent Taxes) across two western emperors (Valentinian III, Majorian) and one eastern emperor (Marcian),⁶⁷⁵ allowing for direct subject comparison. As an additional point of comparison, a later sixth century novel of Justin II retained a similar title, albeit in Greek as *Περὶ Συγχωρήσεως Λοιπῶν Δημοσίων* (On the Remission of Tax-arrears),⁶⁷⁶ although this novel is not examined directly in our analysis. The other post-Theodosian novels were chosen because they touched on tax collection or relief in some form, be they about sales or land taxes, and so the availability of novels to compare on this subject was a reason why this theme was chosen.

These unabridged constitutions on tax collection and remissions form the heart of the dissertation, as they are where some of the greatest contrasts in negative sentiment occurs in the post-Theodosian novels. The interest groups with the very highest negativity scores, both as source and as injured, appear in *Nov. Val.* 1.3, with P_bureaucracy at 39.5 as its source score and E_landholders at 44 as its injured score. This reflects the intensive disfavor Valentinian III expresses towards his own tax collection apparatus, alongside corresponding sympathy for taxpaying landholders, as those suffering from oppressive exactions. We can see a certain evolution in negativity for Valentinian, with the very first law dating to before the Vandal seizure of Carthage as only middling in negativity, with it intensifying after its capture, particularly after *Nov. Val.* 7.1 in 440, where in that novel and 7.2, Valentinian expresses high negativity towards the bureaucracy in both instances with scores exceeding 8. Valentinian's invective approach is

⁶⁷⁵ *Nov. Val.* 1.1, 1.2, 1.3; *Nov. Maj.* 2; *Nov. Marc.* 2.

⁶⁷⁶ This English title is the translation of Miller and Sarris (2018: 957). Notably in Schoell and Kroll's (1912: 722) edition of the Novels of Justinian, they translated the Greek title into Latin as *De Indulgentia Reliquorum Publicorum*.

mirrored by Majorian several years later, who shares similar outrage against the administrative bureaucracy and sympathy towards taxpaying landholders. This is in strong contrast to the tax remissions of the eastern emperors Theodosius II and Marcian, who either barely mention the bureaucracy (or do so with minimal hostility), or direct their displeasure towards the taxes themselves, rather than necessarily their collectors.

Even though these constitutions talk primarily about taxes, all four IEMP types are at the very least mentioned within them. For the Economic and Political, those groups are obvious, namely the taxpayers and the bureaucracy, reflecting the two most mentioned types in all unabridged constitutions. For the Ideological, I_clergy are addressed specifically as a marginally favored group in a conflict in *Nov. Val. 7.3* over the status of people who have abandoned the imperial service in favor of the church. Military types exist on the fringes of these laws, either as barbarians,⁶⁷⁷ armed men,⁶⁷⁸ or the army as rhetorical ultimate beneficiaries for taxes.⁶⁷⁹ With regards to interest group categorization, taxes are a tricky one, because they exist as intermediaries between taxpayers as Economic private citizens and the tax bureaucracy as Political administration. I have chosen to view taxes as an Economic interest/resource because the basis of any power surrounding them is in the ability to exchange, distribute, or consume them; taxes may back Political power, but the taxes themselves do not wield state administrative power, unlike tax officials who clearly are of the Political type.

Within this theme, the main points of conflict appear to be the Economic vs. Political, reflecting the tensions between those that produce who are obliged to give to the more powerful, the powerful who privately collect from producers and do not wish to pass it on to the state, and

⁶⁷⁷ *Nov. Val. 1.2.*

⁶⁷⁸ *Nov. Maj. 2.*

⁶⁷⁹ *Nov. Marc. 2.*

the state which wishes to collect from them both. Here the traditional class conflict of Marx appears most clearly, even if there is also upper class conflict between private nobles and the imperial state. Such is the case of a subsection of *Nov. Maj.* 2, where after the emperor criticizes the cruelty of his tax collectors, he equally calls private landlords full of "arrogance," since they have the power and staff to avoid paying taxes.⁶⁸⁰ It is in this context of the rich not paying and the poor having to pay that the tax remissions must be considered. Many scholars have noted that even though the language of sympathy in the western tax remissions is supposed to extend to everyone, only the rich benefit, as they can avoid brutal tax collectors until those taxes are forgiven by the emperor.⁶⁸¹

Ultimately, in the conflict between those two groups, the emperor rhetorically would side with Economic interests, namely the taxpayers; this is most visible in the preponderance of red arrows which point to some form of these taxpayers as favored, whether as E_landholders,⁶⁸² E_land,⁶⁸³ or E_citizens.⁶⁸⁴ This was likely because funding the state was a necessary task, perhaps made easier if the taxpayers thought the emperor shared their sympathies. But perhaps too it was because, since the emperor was also in charge of the state administration, those under his direct control were easier rhetorical scapegoats for the burden of taxation.

⁶⁸⁰ "*Habenda sane ratio est potentium personarum, quarum actores per provincias solutionem fiscalium neglegunt, dum pro sui terrore fastidii minime perurguentur* (Of course, suitable account must be taken of the powerful persons, whose overseers throughout the provinces disregard the payment of fiscal taxes, while because of terror inspired by their **arrogance** they are not compelled to payment)..." (*Nov. Maj.* 2.4, tr. Pharr).

⁶⁸¹ Ziche 2006; Jones 1964: 205-6.

⁶⁸² *Nov. Val.* 1.1, 1.2, 7.1, 7.2, 1.3; *Nov. Maj.* 2.

⁶⁸³ *Nov. Th.* 26

⁶⁸⁴ *Nov. Marc.* 2

Non-theological clerical misbehavior

Novel	Ideological	Economic	Military	Political
Sirmond. 9, Nov. 27, 408 (W)	*I_CLERGY (3.5/1.5)	*E_LOCAL-OFFICIALS (3/0);  E_CITIES (0/0)		
205 words 60.1% commands 0.063 context <u>0.080</u> command	I_belief (3.5/0), I_bishops (1.5/0), I_churches (0/1)	E_guildsmen (0/0), E_inheritance (0/0), E_money (0/0), E_property (0/0), E_regions (0/0)		P_bureaucracy (0/0), P_high-officials (0/0), P_treasury (0/0)

Novel	Ideological	Economic	Military	Political
Sirmond. 10, May 8, 420 (W)	*I_WOMEN (8/2);  I_CLERGY (0.5/0.5)	*E_CRIMINAL (1.5/2)		
197 words 39.6% commands <u>0.092</u> context 0.071 command	I_accusers (1/0), I_belief (0/0), I_family-husbands (0/0.5), I_marriage (0/0)	E_property (0/0)		P_high-officials (0/0), P_law (0.5/0)

Novel	Ideological	Economic	Military	Political
Nov. Val. 3, Aug. 28, 439 (W)	*I_CLERGY (4/8.5)  E_LOCAL-OFFICIALS (3/9.5)			
500 words 39.6% commands 0.018 context 0.046 command	I_ancients (0/0), I_belief (0/0), I_law (0/1), I_emperor (0/0)	E_cities (0.5/0), E_citizens (0/1), E_family-children (0/0), E_family-parents (0/0), E_family-relatives (0/3.5), E_inheritance (0/0), E_payments-fines (0/0), E_property (0/0), E_residents (0/1)		P_agents (0/0), P_bureaucracy (0/0.5), P_high-officials (0.5/0), P_treasury (0/1.5)

Novel	Ideological	Economic	Military	Political
Nov. Val. 17, Jul. 8, 445 (W)	*I_BISHOPS (17/3);  I_PAPACY (0/5.5)		*M_ARMED-MEN (4/0.5)	
389 words 40.6% commands <u>0.093</u> context 0.047 command	I_ancients (0/0.5), I_belief (0/0), I_churches (2.5/8), I_cities (0/0), I_citizens (0.5/3.5), I_clergy (0/0), I_emperor (0/3), I_regions (0.5/0), I_Rome (0/1.5),	E_payments-fines (0/0), E_regions (0.5/0)		P_high-officials (2/1)

Nov. Val. 23, Mar. 13, 447 (W) 588 words 36.7% commands <u>0.188</u> context <u>0.167</u> command	<i>*I_CLERGY (8/7.5),</i> <i>*I_CRIMINAL (25.5/11);</i>  I_ANCIENTS (0/0), I_BELIEF (0.5/0), I_DEAD (1/17), I_SOULS (0.5/1)	<i>*E_CITIZENS (0/3),</i> <i>*E_FREEBORN (0/3),</i> <i>*E_MASTERS (0/1),</i> <i>*E_NOBLES (0/3),</i> <i>*E_UNFREE (2.5/2.5)</i>	<i>*P_HIGH-OFFICIALS (8/1)</i> 
	<i>I_accusers (2/2),</i> <i>I_bishops (0/0),</i> <i>I_churches (0/1),</i> <i>I_citizens (0/0)</i>	E_inheritance (0/0.5), E_local-officials (0.5/0), E_property (0/0), E_property-goods (0/1)	P_bureaucracy (0/0)

Nov. Val. 7.3 (d), Apr. 25, 447 (W) 180 words 66.7% commands <u>0.133</u> context 0.029 command	I_CLERGY (0/1)		<i>*P_BUREAUCRACY (2/7.5),</i> <i>*P_HIGH-OFFICIALS (0/0.5),</i>  P_TREASURY (0/0)
	<i>I_churches (0/0),</i> <i>I_emperor (0/0)</i>	E_taxes (0/0)	P_high-officials (0/0.5), P_public-records (0/0)

Nov. Val. 35, Apr. 15, 452 (W) 1291 words 91.2% commands 0.026 context 0.056 command	<i>I_ancients</i> (0/0), <i>I_belief</i> (0/0), <i>I_churches</i> (0/0), <i>I_emperor</i> (0.5/0), <i>I_monks</i> (0/0), <i>I_state</i> (1/0)	<i>E_Rome</i> (0/0), <i>E_agreements-sales</i> (0/0), <i>E_cities</i> (0/0), <i>E_citizens</i> (1/0), <i>E_family</i> (0/0), <i>E_family-children</i> (0/1), <i>E_family-fathers</i> (1/1.5), <i>E_family-relatives</i> (0/0), <i>E_family-women-daughters</i> (0/0), <i>E_family-women-mothers</i> (0/1), <i>E_guildsmen</i> (1/0.5), <i>E_inheritance</i> (0/0), <i>E_land</i> (0/0), <i>E_landholders</i> (1/0), <i>E_manager</i> (0/0), <i>E_marriage</i> (0/1.5), <i>E_payments</i> (0/0), <i>E_payments-fines</i> (0/0), <i>E_payments-marriage</i> (0/0), <i>E_property</i> (0/1.5), <i>E_regions</i> (0/1), <i>E_spouses-husbands</i> (0/2.5), <i>E_spouses-women</i> (0/1.5)	<i>M_barbarians</i> (2.5/0)	<i>P_bureaucracy</i> (1/2), <i>P_court-cases</i> (0/2.5), <i>P_law</i> (2/0.5), <i>P_state</i> (1/0)
	<i>I_BISHOPS</i> (4.5/1.5); <i>I_CLERGY</i> (3/2.5)	<i>E_LITIGANT</i> (8.5/11), <i>E_LOWER-CLASS</i> (4.5/0.5), <i>E_UNFREE</i> (1.5/0), <i>E_FAMILY</i> (0/0), <i>E_LOCAL-OFFICIALS</i> (1/0), <i>E_MASTERS</i> (1/1.5),		<i>P_HIGH-OFFICIALS</i> (4/1.5), <i>P_LAW-EXPERTS</i> (0/6), <i>P_LAW-COURTS</i> (0/1)

Novel	Ideological	Economic	Military	Political
Nov. Maj. 7 (d), Nov. 6, 458 (W) 1325 words 84.9% commands <u>0.128</u> context 0.065 command	<i>*I_CLERGY (0/1.5)</i>	<i>*E_GUILDSMEN (2/1),</i> <i>*E_LOCAL-OFFICIALS (18/17),</i> <i>*E_LOWER-CLASS (2/0),</i> <i>*E_MANAGER (1/0.5),</i> <i>*E_NOBLES (1.5/0),</i> <i>*E_UNFREE (0/5.5),</i> <i>*E_UNFREE-WOMEN (3/0.5),</i> <i>*E_VENDORS (0.5/8),</i> <i>*E_WOMEN (2/1);</i> <i>E_CITIES (0/4.5),</i> <i>E_INHERITANCE (0/0),</i> <i>E_LANDHOLDERS (0.5/10.5)</i>		<i>*P_BUREAUCRACY (7.5/10.5)</i>
	<i>I_bishops (0/1),</i> <i>I_emperor (0/0),</i> <i>I_state (0/0)</i>	<i>E_debtors (0/0.5),</i> <i>E_family-children (0/1.5),</i> <i>E_family-fathers (0/0),</i> <i>E_family-parents (0/0),</i> <i>E_family-relatives (0/0.5),</i> <i>E_family-sons (0/1),</i> <i>E_family-women-mothers (2/0),,</i> <i>E_freeborn (0/0),</i> <i>E_land (0/2),</i> <i>E_money (0.5/0),</i> <i>E_payments (1/0),</i> <i>E_property (0.5/0.5),</i> <i>E_regions (0/0),</i> <i>E_spouses-husbands (0/0),</i> <i>E_spouses-women (0/0),</i> <i>E_taxes (0/0)</i>		<i>P_high-officials (4/6.5),</i> <i>P_postal-system (0/0),</i> <i>P_transport-horses (0/0.5),</i> <i>P_treasury (0.5/4)</i>

Nov. Maj. 11, Mar. 28, 460 (W) 196 words 58.2% commands <u>0.159</u> context <u>0.123</u> command	<i>*I_CLERGY (4/9)</i>	<i>*E_FAMILY-FATHERS (1/0),</i> <i>*E_FAMILY-PARENTS (2/2),</i> <i>*E_FAMILY-WOMEN-MOTHERS (1/0);</i> <i>E_CITIES (0/0),</i> <i>E_FAMILY-CHILDREN (0/2.5),</i> <i>E_LOCAL-OFFICIALS (0/0)</i>		
	<i>I_bishops (1.5/3),</i> <i>I_churches (0/0),</i> <i>I_emperor (0.5/0.5),</i> <i>I_papacy (0/0)</i>	<i>E_money (0/0),</i> <i>E_property (0/0)</i>		<i>P_high-officials (1/0)</i>

Novel	Ideological	Economic	Military	Political
Nov. Glyc. 1, Mar. 11, 473 (W)	*I_BISHOPS (13.5/5), *I_CLERGY (2.5/0);  I_BELIEF (0/2), I_CHURCHES (0/5.5)	*E_CRIMINAL (3.5/0)		
533 words 22.1% commands 0.069 context 0.064 command	<i>I_ancients (0/0),</i> <i>I_emperor (0/0),</i> <i>I_state (0/1.5)</i>	<i>E_agreements-contracts (1/0),</i> <i>E_cities (0/0),</i> <i>E_citizens (3/1),</i> <i>E_debtors (0/0),</i> <i>E_emperor (0/0),</i> <i>E_litigant (1/0),</i> <i>E_lower-class (0/0),</i> <i>E_money (2.5/0)</i> <i>E_payments (0/0),</i> <i>E_payments-fines (0/0),</i> <i>E_property (0/2),</i> <i>E_vendors (0.5/0)</i>		<i>P_bureaucracy (0/0),</i> <i>P_high-officials (0/0),</i> <i>P_treasury (0/0)</i>

Novel	Ideological	Economic	Military	Political
Sirmond. 3, Feb. 4, 384? (E)	*I_BISHOPS (4/0);  I_BELIEF (0/3), I_CLERGY (0/3)			*P_LAW-COURTS (0/0)
187 words 30.5% commands 0.046 context 0.018 command	<i>I_churches (0/0.5),</i> <i>I_emperor (0/0.5),</i> <i>I_law (0/2)</i>			<i>P_bureaucracy (0/0),</i> <i>P_emperor-court (0/0),</i> <i>P_high-officials (0/0)</i>

Non-theological clerical misbehavior is specifically chosen as a category to avoid laws on people belonging to a maligned sect or religion, since some of the very highest negative sentiment laws concern that topic, such as *Nov. Th. 3* on Jews, Samaritans, Heretics, and Pagans, or *Nov. Val. 18* on the Manichaeans. Removing belief from this theme seems like a good way to compare laws on Ideological/religious groups because we are not starting from what might be regarded as a straw man argument, where there is no conflict being adjudicated and a law only exists to be hostile towards its chosen antagonists as a means of demonstrating faith.

However, even without the incorporation of religious/theological conflict, there are still novels in this theme with quite high negative sentiment. This is likely because the church and the

clergy derive their power as Ideological types from the ability to demand and dictate norms,⁶⁸⁵ and so behavior that is perceived as norm-violating is seen as doubly grievous in comparison to non-clergy people who commit the same action. The particularly heinous actions being dealt with in these laws, from the perspective of the emperor, are when a bishop uses armed men to force favorable ordinations,⁶⁸⁶ clergy who lead others in the destruction of ancient tombs for new building material,⁶⁸⁷ clergy who consort and live with women unrelated to them,⁶⁸⁸ and bishops who resort to bribery to achieve their status.⁶⁸⁹

Of note is the fact that only one of the laws in this collection is from the eastern empire, and it is well outside the temporal scope of the other unabridged constitutions, dating possibly to 384.⁶⁹⁰ Even then, that law is concerned only with correct venues for ecclesiastical legal cases; the topic possesses none of the high emotional rhetoric of the ones previously mentioned. I am not certain why highly negative laws on general clerical behavior are not present. My best guess is given the ongoing theological controversies in the fifth century and the deep regionalization of some of those debates, perhaps such norm-violating behavior was understood to be better regulated locally by various high-ranking eastern bishops rather than for it to be done imperially. This would be in contrast to the west where the bishop of Rome appeared to have more weight than other western bishops, and so perhaps the church there leaned more on imperial authority.⁶⁹¹ However,

⁶⁸⁵ Mann 1986: 22.

⁶⁸⁶ *Nov. Val.* 17.

⁶⁸⁷ *Nov. Val.* 22.

⁶⁸⁸ *Sirmond.* 10.

⁶⁸⁹ *Nov. Glyc.* 1.

⁶⁹⁰ *Sirmond.* 3.

⁶⁹¹ In particular for our time is *Nov. Val.* 17.3 (tr. Pharr) when Valentinian III declares, regarding a violent incident instigated by the bishop of Arles, that "both the bishops of Gaul and those of the other provinces shall not be permitted to attempt anything contrary to the ancient custom, without the authorization of the venerable Pope of the Eternal City (*ne quid tam episcopis Gallicanis quam aliarum provinciarum contra consuetudinem veterem liceat sine viri venerabilis papae urbis aeternae auctoritate temptare*).\" On the other hand, the fact that the emperor has to make this

even with this greater weight, I should underscore that at this time in the fifth century, the bishop of Rome did not have the authority that he would later have as the "pope," despite my identification of that interest as "I_papacy" which I acknowledge as only an anachronistic shorthand.⁶⁹²

Once again, all four power types are present in this theme, although Military interests mentioned here are not the formal Roman army, but private armed men and barbarians.⁶⁹³ Similar to the last theme on tax collection, even though all of the laws are guided by the topic of Ideological clerical conduct, as can be seen with the red arrows, many of the mentioned or even conflicting groups are of the Economic type. In most cases, the Economic interests/resources fall into two groups: family and/or money. Most of the time the money is family money, such as when the laws are dealing with inheritance.⁶⁹⁴ But sometimes the money is what it is used for, such as corrupt purchasing of ecclesiastical office, i.e. simony.⁶⁹⁵

When it comes to this theme, power type conflict mostly comes in two varieties, clergy vs. the city councils (Ideological vs. Economic) or the clergy vs. the legal system (Ideological vs. Political). For the former, much of the "misbehavior" is due to people of decurion status or liability fleeing from city councils to become members of the priesthood because of the heavy financial responsibilities imposed upon city council members personally.⁶⁹⁶ This outflow of money (or rather monetary underwriting for local taxes) was a threat to the overall financial security of the empire, and so many of the laws in this theme have extensive restrictions on who of the curial class was allowed to join the church, and what personal property or inheritance would have to be left

clear for the bishop of Rome suggests that the power of the "papacy" as a higher office was contested and still being constructed.

⁶⁹² Sessa 2012; Demacopoulos 2013. See also the chapters in Dunn's *Bishop of Rome in Late Antiquity* (2015).

⁶⁹³ *Nov. Val.* 17, 35.

⁶⁹⁴ *Nov. Val.* 3, 35.

⁶⁹⁵ *Nov. Glyc.* 1; Salzman 2021a.

⁶⁹⁶ *Sirmond.* 9; *Nov. Val.* 35.

for their heirs or the city council to underwrite that municipality's tax obligations. Similarly, interest in limiting entry into the clergy also extended to members of the imperial administration, which presumably would be to mitigate loss of expertise, rather than loss of money.⁶⁹⁷ For the latter, the conflict is over where disputes over ecclesiastical concerns should be settled, whether in public courts adjudicated by a provincial governor, or church courts adjudicated by a bishop.⁶⁹⁸ These laws seem less high stakes in their concerns, and this is reflected in the relatively low negative sentiment.

When forced to settle an issue that is primarily an Ideological vs. Economic conflict, similar to the laws on tax collection, the Economic solution seems to be chosen by emperors more often than not, and in particular towards the inheritances and the city councils of municipalities. Unlike the previous theme, the emperor here has very limited direct power over groups of both types. So when push comes to shove, particularly in the reduced financial circumstances of the western empire after the Vandal conquest, the Economic well-being of the empire had to be decisively chosen over belief, with this act itself a reflection of our Marxian understandings of the a society's prioritization of its economic base over its ideological superstructures. Where there was only push and not shoving, such as an inter-Ideological clash between bishops and clergy or a clash between the church and the administrative state (which included law courts), various Ideological interests might be given more deference.

Although not part of the direct theoretical model of either Mann or Bell and beyond the scope of this dissertation, there exists for *Sirmond*. 10 the possibility of a deeper gender analysis of the constitutions as tied to sentiment. That law has two concerns, the first on clerics living with

⁶⁹⁷ *Nov. Val.* 7.3; Carrié 2018.

⁶⁹⁸ *Sirmond*. 3; *Nov. Val.* 35. Regarding the *episcopalis audientia*, see Humfress (2011a) and Sirks (2013).

unrelated women, the second on abductors of women. Women, categorized in this law as an Ideological group, are viewed by the emperor as having the lowest threshold for high negative sentiment with a score of 8. Although many of the negative words are for the situation in general, including some of it being directed at the male priest, other words seem directed towards these "extraneous" women, such as "disgraceful,"⁶⁹⁹ "evil," or "allurements."⁷⁰⁰ This is in contrast to later in the law where he indicates that the women with whom a clergyman is allowed to associate will only be his mother, daughters, or biological sisters. The brief command at the end of the law also dictates that the punishment for an abductor of nuns is the loss of his property and deportation. In both circumstances, the imperial conflict resolution within a brief gender analysis lens is to re-establish the proper patriarchal roles for men and women within these institutions, for the men and women not to consort, and for the specific state penalties for the abduction and/or rape of a nun to be economic as opposed to corporal or capital.

⁶⁹⁹ "...ne clerici sacris ministeriis servientes feminis iungantur **externis**, quas **decolore** consortio sororiae appellationis excusant" (clerics who serve the sacred ministries shall not be joined to **extraneous** women whom they excuse by the **disgraceful** association of the appellation of "sister.") (*Sirmond.* 10, tr. Pharr).

⁷⁰⁰ "*Sed hac societate seu amicitia non penetret, fama contaminat, datque **sinistris** moribus locum alterni sexus adiunctio, cum foris positos ac publico iure viventes ad **illecebram** criminis trahit obscaenae suspicionis exemplum*" (But though such wicked persuasion may not enter into such an association and friendship, rumor contaminates and the addition of the opposite sex gives an opportunity for **evil** morals, since the example of obscene suspicion entices to the **allurements** of crime those persons situated outside and living according to the public law.) (*Sirmond.* 10, tr. Pharr).

Interactions regarding soldiers

Novel	Ideological	Economic	Military	Political
Nov. Val. 5, Mar. 3, 440 (W) 237 words 85.7% commands 0.029 context 0.049 command		*E_CITIZENS (0/1), *E_GUILDSMEN (0/1), *E_VENDORS (3.5/1); E_VENDORS-FOREIGN (0/4) E_ROME (0/1), E_property-goods (0/0), E_taxes (0/0)	 M_RECRUITS (0/0), M_SOLDIERS (0/0)	P_PUBLIC-EXPENSES (0/0.5) P_high-officials (0/0)
Nov. Val. 6.1, Mar. 20, 440 (W) 257 words 83.3% commands <u>0.174</u> context <u>0.082</u> command	I_emperor (1/0)	*E_LANDHOLDERS (3/1.5), *E_MANAGER (0/3.5), *E_MASTERS (0/1), *E_UNFREE (0/3.5) E_agreements-sales (0/0), E_cities (0/0), E_land (0/0), E_local-officials (0/0), E_payments-fines (0/0), E_regions (0.5/1)	*M_SOLDIERS (0.5/4) M_ARMY (0/2.5), M_RECRUITS (1/3)	P_bureaucracy (1/0), P_high-officials (1.5/1), P_public-records (0/0), P_treasury (1/0)
Nov. Val. 6.2, May 25, 443 (W) 150 words 58.7% commands 0.056 context 0.034 command	I_state (0/0)	*E_LANDHOLDERS (1/4), *E_MANAGER (1/0), *E_SENATORS (1/4) E_land (0/0), E_payments-fines (0/0), E_regions (0/0)	M_RECRUITS (0/1) M_army (0/0)	P_high-officials (0/0.5)
Nov. Val. 6.3, Jul. 14, 444 (W) 173 words 69.9% commands 0.077 context 0.033 command	I_state (0/0.5)	*E_NOBLES (0/0) E_money (0/0), E_regions (0/1.5)	 M_RECRUITS (0/0.5) M_barbarians (2/0)	 *P_BUREAUCRACY (0/0), *P_HIGH-OFFICIALS (0/0) P_public-expenses (0/0.5), P_treasury (0/0)

Nov. Val. 13, Jun. 21, 445 (W) 780 words 91.3% commands 0.059 context 0.044 command	<i>I_ancients</i> (0/0), <i>I_clergy</i> (0/0), <i>I_state</i> (0/0)	*E_LOCAL-OFFICIALS (0/2), *E_NOBLES (0/1.5), *E_REGIONS (0/0); *E_TAXES (0/1.5) E_CITIES (0/0), E_CITIZENS (0/6), E_LANDHOLDERS (0/0),	*M_ARMED-MEN (3/2.5), M_MILITARY-LEADERS (0/0.5),	*P_LAW-EXPERTS (1.5/2)
		E_allowances (0/0), E_allowances-water (0/0), E_emperor (0/0), E_land (0/1.5), E_lower-class (0/0), E_money (0/0), E_payments-debts (0/0), E_property-loot (0/0), E_property-materials (0/0), E_unfree (0/0)	M_barbarians (3/0.5), M_family (0/0), M_frontiers (0/0), M_soldiers (0.5/1.5), M_supplies (0/0)	P_agents (0/0), P_bureaucracy (0/0), P_high-officials (1.5/1), P_public-records (0/0), P_treasury (0/0)

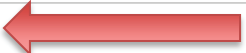
Novel	Ideological	Economic	Military	Political
Nov. Th. 4, Feb. 25, 438 (E) 366 words 41.3% commands <u>0.093</u> context 0.063 command	<i>I_emperor</i> (0.5/0)	*E_LITIGANT (3/5.5)	M_SOLDIERS (2.5/10)	*P_LAW-COURTS (2.5/0)
		E_agreements-contracts (0/0), E_money (0/0), E_payments (0/0)	M_barbarians (0/0), M_military-leaders (0/0)	P_court-cases (3/4.5), P_emperor-court (3/0), P_high-officials (0/0), P_law (0/0)

Nov. Th. 7.3, Dec. 29, 440 (E) 176 words 29% commands 0.020 context 0.020 command	<i>I_ancients</i> (0/0), <i>I_law</i> (0/0), <i>I_state</i> (0/0)	E_cities (0/0), E_local-officials (0/0), E_regions (0/0)	*M_SOLDIERS (0/1); M_ARMY (0/0)	P_bureaucracy (0.5/0), P_high-officials (0/0.5)
			M_military-leaders (0/0)	

Nov. Th. 24, Sep. 12, 443 (E) 606 words 58.4% commands 0.044 context 0.062 command			*M_MILITARY-LEADERS (10/4);  M_SOLDIERS (0/3)	*P_BUREAUCRACY (3.5/1.5), *P_HIGH-OFFICIALS (3.5/0.5)
	I_ancients (0/0), I_emperor (0/1), I_state (0/0)	E_citizens (0/0), E_criminal (2/1), E_land (0/0), E_money (0/0), E_property (0/0), E_taxes (0.5/0)	M_allies (0/0.5), M_barbarians (0/0), M_forts (0/0), M_frontiers (0/0.5), M_regions (0/0), M_supplies (0/0), M_transport-ships (0/0)	P_emperor-court (0/0), P_law (0.5/2), P_state (0/1), P_treasury (0/1)

Nov. Th. 25, Jan. 16, 444 (E) 500 words 96.6% commands 0.000 context 0.021 command		*E_NOBLES (2/2)	 M_SOLDIERS (0/0)	 *P_BUREAUCRACY (1.5/0.5)
	I_emperor (1/0)	E_Constantinople (0/0), E_allowances (0/1), E_allowances-housing (1/1), E_citizens (0/1), E_inheritance (0/0), E_money (0/0), E_property (0/4.5), E_taxes (1/0)		P_high-officials (0/0), P_law (0/1), P_treasury (0.5/0)
				P_state (0/0)

Novel	Ideological	Economic	Military	Political
Nov. Marc. 1, Oct. 11, 450 (E) 799 words 42.4% commands 0.064 context 0.065 command		*E_LITIGANT (17/13.5)	 M_SOLDIERS (0/3)	*P_HIGH-OFFICIALS (8/5);  P_LAW (0/1), P_LAW-COURTS (0.5/0)
	I_emperor (1/0.5), I_law (0/1)	E_cities (0/0.5), E_citizens (1/1), E_family-children (0/0.5), E_land (0/0), E_local-officials (0/0.5), E_payments (0/0), E_payments-fines (0/0)	M_court-cases (0/0), M_frontiers (0/0)	P_regions (0/0), P_state (0/0.5), P_treasury (1.5/0)

		E_CITIZENS (0/4.5)		*P_BUREAUCRACY (1.5/2)
Nov. Marc. 2 (d), after Oct. 11, 450 (E) 466 words 64.8% commands 0.024 context 0.023 command	I_emperor (0/0), I_temples (0/0)	E_agreements-contracts (0/0), E_cities (0/0), E_emperor (0/0), E_land (0/0), E_local-officials (1.5/1.5), E_money (0/0), E_payments (0/0), E_payments-debts (0/0), E_property (0/0), E_property-materials (1/0), E_senators (0/0), E_taxes (2.5/3.5), E_transport-ships (0/0)	M_army (0/0.5), M_soldiers (0.5/0)	P_Constantinople (0/0), P_high-officials (0/0), P_public-expenses (0/0), P_treasury (0/0)

This theme is worded specifically because there are not that many laws where active soldiers are the main parties in a legal conflict over what might be thought of as a Military concern. Even amongst the 11 constitutions in this theme, only 6 are directly about active soldiers.⁷⁰¹ The other 5 constitutions incorporate a ruling on a conflict involving the Military as part of a larger batch of commands.

The laws with the highest negativity scores directly involving soldiers are the ones on the hiding of potential recruits or deserters on large aristocratic estates,⁷⁰² the forced appearance in imperial courts of border soldiers in lawsuits,⁷⁰³ theft of supplies by military leadership,⁷⁰⁴ and the required quartering of soldiers in private houses in Constantinople.⁷⁰⁵ Uniformly, active soldiers are never the subject of negative sentiment directed at them by the emperor within our

⁷⁰¹ *Nov. Val.* 6.1, 6.2, 6.3; *Nov. Th.* 4, 24, 25. Notably, for the constitutions graphed in the previous chapter where Military interests were disfavored in an imperial adjudication (*Nov. Val.* 6.1; 9, *Nov. Th.* 7.1, 7.3, 21, 24), only *Nov. Val.* 6.1 and *Nov. Th.* 24. overlap to conform to this current military theme. *Nov. Val.* 9's Military interest group was in fact armed citizens not soldiers, *Nov. Th.* 7.1 and 7.3 were about a variety of conflicts with Military concerns being secondary, and *Nov. Th.* 21 was about senior military officials rather than army soldiers.

⁷⁰² *Nov. Val.* 6.1.

⁷⁰³ *Nov. Th.* 4.

⁷⁰⁴ *Nov. Th.* 24.

⁷⁰⁵ *Nov. Th.* 25.

examined constitutions. That is reserved for others who would threaten the security of the army as a functional force.

The major intra-power-type conflicts with the Military are usually with Economic or Political interest groups, continuing a commonality we see in the previous two themes. For Military vs. Economic conflict, it seems to be about the availability of soldiers to safeguard the empire, whether it be as a result of being pulled from the frontier in a lawsuit or because potential soldiers are hiding on an estate. The recruiting concerns are from those of the western empire, who were suffering financial shortfall as a result of the Vandal conquest of Africa. For Military vs. Political conflict, these concerns revolve around supplying the military, which is how I would encapsulate corruption from the senior officers, unwanted lawsuits, and the securing of accommodations for soldiers in the capital, all of which seem primarily to be eastern empire concerns.

In almost every case, we can see through the red arrows that imperial adjudication favors active soldiers as aspects of the army as a whole. In the rare case where soldiers are disfavored, it is only because the needs of the army are seen as primary, as in the small ruling in *Nov. Val.* 13.13 which denies border soldiers the right to leave the area, with an exception to see family for a month. This focus unsurprisingly upends what had been the previous pattern, that Economic concerns took greater precedence than Ideological or Political ones. Although direct Military concerns do not appear often in the law, the emperors understand the necessity to prioritize them when they do.

Novel	Ideological	Economic	Military	Political
Nov. Val. 31, Jan. 31, 451 (W)		*E_FAMILY-CHILDREN (1/3.5), *E_LOWER-CLASS (2.5/0.5), *E_RESIDENTS (2.5/11.5), *E_UNFREE (7.5/4), *E_UNFREE-WOMEN (1/0); E_MASTERS (2/6)		
508 words 62% commands <u>0.104</u> context 0.056 command		E_cities (0/0.5), E_family-fathers (0/0), E_family-parents (0/1.5), E_family-women-mothers (1.5/0), E_freeborn (0/0), E_land (0/0.5), E_litigant (0/1), E_marriage (0/0), E_spouses-husbands (0/2), E_spouses-women (0/2), E_women (0/2)		P_high-officials (0/0), P_law (0.5/1), P_public-records (0/0)

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Novel	Ideological	Economic	Military	Political
Nov. Sev. 2, Sep. 25, 465 (W) 100 words 83% commands 0.059 context 0.012 command		*E_FAMILY-CHILDREN (0/0.5), *E_GUILDSMEN (0/0), *E_LOWER-CLASS (0/0), *E_UNFREE (0/0);  E_MASTERS (0/0.5)		
		<i>E_citizens (1/0),</i> <i>E_Rome (0/0)</i>		<i>P_high-officials (1/0),</i> <i>P_law (0/0),</i> <i>P_state (0/0)</i>

Novel	Ideological	Economic	Military	Political
Nov. Anth. 1, Feb. 21, 468 (W) 535 words 57.4% commands 0.059 context 0.062 command		*E_FAMILY-CHILDREN (0/2), *E_FREEBORN (0.5/2), *E_FREEBORN-WOMEN (0/0), *E_NOBLES-WOMEN (0/1), *E_UNFREE (0/1), *E_UNFREE-WOMEN (0/0), *E_WOMEN (4/3);  E_NOBLES (1/6.5), E_SENATORS (0/0)		
	<i>I_belief (0/0),</i> <i>I_state (0/0)</i>	<i>E_agreements-contracts (0/0),</i> <i>E_family-fathers (0/0),</i> <i>E_family-parents (0/0),</i> <i>E_family-women-mothers (0/0),</i> <i>E_inheritance (0/0),</i> E_marriage (4/6), <i>E_property (0/0)</i>	<i>I_emperor (2/0.5)</i>	<i>P_court-cases (0.5/0),</i> <i>P_high-officials (0/0),</i> P_law (3.5/0), <i>P_treasury (0.5/0)</i>

Novel	Ideological	Economic	Military	Political
Nov. Marc. 4, Apr. 4, 454 (E) 554 words 35% commands 0.074 context 0.031 command		*E_FAMILY-WOMEN-DAUGHTERS (0/0), *E_FREEBORN (0/0), *E_FREEBORN-WOMEN (0/0), *E_LOWER-CLASS (5/0.5), *E_LOWER-CLASS-WOMEN (10/0), *E_UNFREE-WOMEN (0/0), *E_WOMEN (13.5/0);  E_NOBLES (0/0), E_SENATORS (0/3.5)		
	<i>I_clergy (0/0),</i> <i>I_emperor (0/0),</i> <i>I_law (2/0)</i>	E_citizens (0/0), E_family-children (0/0), E_family-parents (0/0), E_family-women-mothers (0/0), E_litigant (0.5/0), E_local-officials (0/0), E_marriage (0/1), E_spouses-women (0/0.5), E_vendors (0/0)		<i>P_bureaucracy (0/0),</i> <i>P_high-officials (0/1),</i> <i>P_law (3/0),</i> <i>P_law-courts (0/1),</i> <i>P_state (0/0)</i>

This theme was chosen because it was one of the few topics that could include constitutions from Libius Severus and Anthemius, who respectively issued only two (abridged) laws and three surviving laws (one partially composed at the eastern court). This allows us to gather at least a minimal comparative sense of their legislation when compared with that of other emperors who issued far more overall laws.

Women are not discussed at all in Bell, and are only mentioned briefly in Mann.⁷⁰⁶ This creates a certain difficulty for analysis because, as mentioned previously,⁷⁰⁷ women can be thought of as a transcendent Ideological status group, but the concern for women in these laws seems primarily Economic, i.e. their status as free, as property, as holders for the status of their children, or as inheritors. I believe the hybrid Mann-Bell model still holds true; the solution then is to group

⁷⁰⁶ Mann 1986: 217, 326-7.

⁷⁰⁷ Ch. 9: Broad contextualization, Classification notes, Women and family.

women as the category being considered by the emperor, which based on our chosen laws, is primarily as Economic interests.

First, only *Nov. Sev. 2*, *Nov. Anth. 1*, and *Nov. Marc. 4* are constitutions whose main subject is inter-status marriages and unions. *Nov. Val. 31* and *Nov. Maj. 7* are longer constitutions with multiple conflicts and rulings embedded within them. Hence, the higher overall negativity of *Nov. Val. 31* does not concern such marriages and unions, but in fact is targeted at a separate part of the law on migrants and poor residents of the empire who are not considered full citizens. This is not the case with the western law *Nov. Maj. 7*. The first half of this long law laments in a familiar way that local city councillors are abandoning their roles. However it is the manner in which they abandon those roles that provokes imperial anger; it appears that many of these decurions are trying to escape the obligations of their status by marrying unfree women who belong to powerful rural aristocrats. Here the emperor says the councillors "pollute" themselves with such unions that are a "disgrace,"⁷⁰⁸ with such women representing a "baseness" of maternal blood in contrast to the *splendor* of those of decurion status.⁷⁰⁹ The penalties the emperor proposes are that if such people of curial class are found, even up to almost 30 years later, they will be forced back into the city council and subject to its financial obligations, although they are able to remain married. Here the emperor specifies that the allowing of the marriage is a penalty upon the owner who hid the man of curial status, since the owner will then lose the unfree woman formerly bound to him. The

⁷⁰⁸ "...illud quoque sibi **dedecoris** addentes, ut, dum uti volunt patrociniis impotentum, colonarum se ancillarumque coniunctione **polluerent** (They also bring upon themselves the added **disgrace** that, since they wish to enjoy the patronage of powerful persons, they **pollute** themselves by unions with colonae and slave women)" (*Nov. Maj. 7.0*, tr. Pharr).

⁷⁰⁹ "...si ex ancillis editi, collegiis deputentur, ne materni sanguinis **vilitate splendor** ordinum polluaturs (if they were brought forth by slave women, they shall be assigned to the guilds, in order that the **splendor** of the municipal senate may not be polluted by the **baseness** of the maternal blood.)" (*Nov. Maj. 7.2*, tr. Pharr).

emphasis of the law here is that freedom for the woman is viewed primarily as a punishment for her former owner.

A similar harshness also appears in the eastern constitution *Nov. Marc. 4*, suggesting an empire-wide problem regarding inter-status marriages not confined just to the west, although this law has a different outcome. This constitution aims higher, targeting senators rather than the curial class. However, it does not seek to penalize cross-status marriage; it in fact explicitly allows them, and states that it does so by re-interpreting a far older law from Constantine that had previously forbidden such marriages between senators and low-status women. Although such a law might seem egalitarian, within the text of the constitution, such allowance for inter-status marriage is only made after a litany of negative sentiment words describing how such unions were viewed in the past.

"But that famous man (Constantine), who dearly loved the honorable and who was a most conscientious judge of morals, judged to be "**low and degraded persons**" and considered **unworthy** of marriage with Senators those women who were **polluted** with **sordid** blots, either on account of the **stigma of degenerate** birth or a life dedicated to **shameful** occupations and who were **corrupted** either by the **disgrace** of their birth status or by the **obscenity** of their profession."⁷¹⁰ – *Nov. Marc. 4.2*, tr. Pharr.

The high amounts of negativity used to describe women of a status they are allowing now to be united with senators, seems clear to be only for the benefit of men in the relationship. The high negative sentiment of the law is intended to ensure those lower-status/class women remained lower-status rhetorically, even if no longer legally. The remaining piece of the puzzle then is why this law of Constantine was overturned at that point in time, more than 100 years later. The most plausible theory seems to be that the original law was seen as overly harsh, as it impacted many

⁷¹⁰ "Ille vero honesti amantissimus et morum sanctissimus censor eas **humiles abiectasque** iudicavit esse personas et matrimoniis senatorum duxit **indignas**, quas aut nascendi **decolor macula** aut vita **probrosis** quaestibus dedita **sordentibus** notis **polluit** et vel per originis **turpitudinem** vel **obscaenitate** professionis **infecit**" (*Nov. Marc. 4.2*).

people of a variety of statuses from allowing their children to inherit, since many higher-status men could not legally marry the lower-status mother of their children.⁷¹¹

The novel of Anthemius continues Marcian's concerns but in the other direction towards disallowing inter-status marriage. Although still following the rhetorical formula of citing Constantine's laws and describing such marriages as "unworthy," Anthemius specifically bans high-status women from marrying lower-status men (albeit a specific kind, their own freedmen), saying this would result in noble families being "debased by the disgrace."⁷¹² The emperor says such women are trying to "execrably aspire to such illicit unions",⁷¹³ and that if they marry a lower-status man, they will have their property confiscated and be exiled, with the children turned into slaves for the state. To highlight an essential difference between *Nov. Anth.* 1 and *Nov. Marc.* 4, male senators are allowed to marry lower-status women in the former, but high-status women are not allowed to marry (certain) lower-status men in the latter.

This then leaves only the Novel of Libius Severus. It has significantly less negative sentiment as a constitution, although this likely due to its brevity from abridgment. The law describes the circumstance of unfree women trying to marry members of any guild "assigned to public services"⁷¹⁴ in order to remove their own unfree status and that of their children, and then quickly moves on to declare that from now on, those children will remain bound to the mother's original master. At an abridged 100 words, the law possesses little rhetorical contextualization.

⁷¹¹ Arjava 1996: 213-14. Apparently in the post-Roman period, illegitimate children could be made legitimate through royal intervention (Arjava 1996: 216; Cassiodorus, *Variae* 7.40).

⁷¹² "...ne insignium familiarum clara nobilitas **indigni consortii foeditate vilescat** (in order that the renowned nobility of distinguished families may not be **debased by the disgrace of an unworthy union**)" (*Nov. Anth.* 1.2, tr. Pharr).

⁷¹³ "...sed **ad illicita consortia execrabili ter adspirantes** publicatione omnium facultatum et perpetua deportatione plectantur (but those women who **execrably aspire to such illicit unions** shall be smitten with confiscation of all their property and perpetual deportation)" (*Nov. Anth.* 1.3, tr. Pharr).

⁷¹⁴ "...aliaque corpora publicis obsequiis (and other guilds assigned to public services)" (*Nov. Sev.* 2.0, tr. Pharr).

With that said, perhaps choosing longer contextualization is reserved by the imperial office (or collectors of imperial legislation) for the concerns of those in higher economic categories.

As we can see in the arrows for each constitution in this theme, a common pattern is that imperial adjudication seems to side with the interest of both the upper Economic class and the male gender in the theme of inter-status marriages and unions. This is to say, it is not enough for the emperor to side only with an upper class interest, or else he might allow the inter-status marriage of a high-born woman to a low-born man. It is likewise not enough for the emperor just to side with a gender interest, in which case he might allow a male guildsman to retain ownership of his children. The emperor prefers to side with interests combining the two, which in a cursory gender analysis perspective, is symptomatic of societal patterns where economic class and patriarchy intersect and are reinforced by the ruling powers (and in this case, the emperor) using one of the very highest tools for the regulation of norms within society, that of law.

THEMATIC TRENDS AND LIMITATIONS

The most obvious trend in these themes is that Economic and Political interest groups are everywhere. This makes a certain sense since imperial law appears to be the best way to resolve conflicts in those spheres, with Economic conflict being between the various private interests of society and Political conflict being between administrative departments over which the emperor has direct control. The prevalence of Economic and Political groups is also understandable since, with the exception of the logistics needed to support an army, Military conflicts are those of warfare, and often between polities, particularly if we are using a Weberian definition for a state which prevents independent inter-state violence and conflict from being legitimized by definition. At this time too, Ideological interest groups, particularly represented by the church, are starting to

form their own "states"⁷¹⁵ within the state, and even within the laws we are considering here, we see the beginning of an independent ecclesiastical adjudication separate from that of the imperial administration. In addition, Economic interests are the most numerous because they represent all non-state and non-church entities, and so there will likely be no cap on how many of them there are.

Otherwise, in general sentiment terms, individual constitutions within these themes reflect what we know from the past chapter, that Valentinian III shares more in common with fellow western emperor Majorian (an emperor considered far more competent)⁷¹⁶ than he does with eastern emperors Theodosius II and Marcian (both of whom escape impressions of general incompetence, even if still subject to accusations of specific instances of "incompetence"⁷¹⁷).

In the interests of transparency, a few negative results from the thematic analysis should be highlighted. As mentioned in the "Comparison Notes" section of this chapter, interest groups are separated into three categories, those in conflict, those mentioned in commands, and the omitted who are only mentioned in context but not commands. The intention of such an analytical grouping was to determine if there were interest groups who were mentioned frequently in the context, but then not actually commanded to do anything, or who had significant differences in the

⁷¹⁵ This definition of a state follows Kurtz's (2001: 176), who specifically says that "There is one universal diagnostic of the state that provides a key to defining it and explaining state agency: the political office" and "(The state) is an abstraction whose mystification is the result of the ritual, rhetoric, and practices of political agents (2001: 177)." I have chosen to simplify its definition to that of a society (or relationship) of holders of (political) office. The contrast to an office-holding society would be a family, but care should be taken in differentiating between a metaphorical family (whose members can be interchanged as offices and thus be considered a state) and a biological family (whose genetic relationships are immutable).

⁷¹⁶ See footnote 643.

⁷¹⁷ For Theodosius II there were similar worries as with Valentinian III regarding his suggestibility from being a child emperor. "After the death of Arcadius, Honorius, out of concern for his nephew (Theodosius II), was eager to visit Constantinople to appoint loyal ministers to ensure the safety of his nephew's person and throne. For Honorius regarded him as a son and was afraid that he might suffer harm, since he was young and liable to fall victim to plotting" (Olympiodorus *Fr.* 5.2, ed. and tr. Blockley). For Marcian, accusations of "incompetence" revolved around his convening of the Council of Chalcedon and its aftermath (Burgess 1994).

assignment of negative sentiment to them in the context sections that then disappeared in the command sections. The conjecture was that the difference in whether they were spoken to harshly by the emperor or not was an indication as to whether they possessed some previously undetected power over the emperor.

Although the thematic charts reflect those group identifications, any evidence for such a hidden power relationship between specific interest groups and the emperors remains inconclusive. There seems to be no common political pattern as to who is omitted vs. who is mentioned. At best the interests and groups that are omitted seem to be resources,⁷¹⁸ whether ideational like that of the emperor/state, religious belief, or ancient laws, or material ones such as property or payments, which makes sense because those resources are often what are fought over by an interest group to increase their power, so there is rarely need for them to be viewed negatively.

There is an equally inconclusive result as to whether differences in sentiment between context and command sections for individual interest groups reveal any political pressure. We know that such differences exist and reflect chosen imperial practices such as in the case of an emperor's rhetoric against his own bureaucracy from the previous chapter. However beyond that attack on Political interest groups, it cannot be definitively ascertained if sentiment differences elsewhere, such as with Economic interests, mean anything when moving from the overall power type to the specific interest groups of the type, e.g. landholders. The lack of conclusive results does not preclude the possibility that hidden relationships of power between interest groups and the emperor exist, but it simply cannot be detected with the current methodology.

On the other hand, there may be another answer to these inconclusive results; perhaps there are no persistent and overarching groups holding hidden power over an emperor, at least within

⁷¹⁸ This terminology of power as derived from ideational and material resources is also from Kurtz (2001: 22-3).

the realm of conflict soluble by imperial law. This would mean that imperial policy as well as pressures upon the imperial office were not coordinated and were both *ad hoc*. This makes sense considering the time frame for the issuance of the post-Theodosian novels, when crisis after crisis appeared to be hitting both eastern and western empires, with the latter receiving the brunt of it. And so with that in mind, the laws as records of imperial attempts at managing conflict remain remarkably consistent in terms of process for both eastern and western emperors; it is mostly the unforeseen and not-always-manageable outcomes (in addition to the chance survival of non-legal historical texts) that differentiate or color the perception of some emperors over the others, which may be why Valentinian III is viewed so negatively and, perhaps unfairly, as an incompetent emperor.

11. Summary and Implications

This dissertation sought to prove, or more realistically support, a limited hypothesis which is as follows. Valentinian III and/or his imperial office (consisting of those acting or deciding in his name) were not incompetent issuers of laws. If one looks at his laws from a political rather than a purely legal theory framework, he operated within certain norms that were also followed by other emperors of the same century who are considered more competent, in particular Majorian.⁷¹⁹

This dissertation demonstrated the plausibility of this conjecture through the development of novel methodologies and the analysis of their results throughout its chapters. Chapter 1 ("Introduction") outlined the overall plan of action. Chapter 2 ("Political and Legal History") gave the general historical context to the problem. Chapter 3 ("Roman Constitutions") described the legal sources being examined as well as highlighting the uncertainty as to whether laws were issued by an emperor alone or whether this was a collaborative effort. Chapter 4 ("Overview") offered another brief overview outlining the methodologies being used and Chapter 5 ("Legal Discourse Framework") provided the theoretical support for alternative ways to examine laws aside from the normal legal theory one. Chapter 6 ("Sentiment Analysis") explained the methodology for identifying words of strong negative sentiment which, when combined with Chapter 7 ("Social Power Analysis"), created "quantitative" data that would act as a markers of political (dis)favor according to a hybridization of the social power theories of Michael Mann and Peter N. Bell. Chapter 8 ("Technical Implementation") outlined how we would convert the sentiment methodologies from Chapter 6 and the power theories of Chapter 7 into an actual data set that could be queried, through a TEI-XML digitization of our primary sources. Chapter 9 ("Broad

⁷¹⁹ See footnote 643.

Contextualization") laid out the overall data from our digitization, which showed that Valentinian III operated within a certain norm on economic concerns, but diverged with other emperors (primarily eastern) on administrative concerns.⁷²⁰ This divergence may have been a result of the greater pressures placed upon the west in comparison to the east, which may explain why the legislation of the later western emperor Majorian resembles Valentinian III, given that those pressures had not subsided and were actually increasing. Lastly Chapter 10 ("Thematic Comparisons") allowed us to see in greater detail how different emperors handled conflicts between interest groups of different power types when confronted with similar issues, be it tax collection, clerical misbehavior, soldiers, or inter-status marriages. Within our chosen Mann-Bell framework, Valentinian III operated similarly, i.e. not incompetently, to other emperors within the world of individual laws. It was only the world outside his laws that separated him from other emperors and that was the realm which was the most beyond his control as an emperor.

Many novel contributions to academic research have been made within this dissertation. The most substantial ones include the application of Critical Legal Discourse to ancient sources, the creation of a Latin sentiment methodology, the hybridization of Mann and Bell, and the TEI-XML digital edition of the post-Theodosian novels. Less substantial but still significant contributions include staking a position on what percentage our examined novels constitute of the overall general imperial legislation for the time,⁷²¹ offering support for Honig's argument that the sharp invective of these unabridged laws was borrowed from ecclesiastical rhetoric,⁷²² and that the

⁷²⁰ Similar observations regarding the emperor's struggle over adjudicating between rich senatorial elites with their landholdings and the tax administration are noted in Elia (1999: 24-45). Elia (1999: 45) views the senatorial aristocracy as holding significant power over Valentinian III.

⁷²¹ 3. Roman constitutions, Transmission, Post-Theodosian novels.

⁷²² See footnote 638.

reason IEMP interests are committed to their power type is because it eases "career" advancement.⁷²³

The IEMP conflicts within the post-Theodosian novels also point to implications beyond what has already been examined. If a brief conjectural expansion can be allowed in this final chapter, I surmise that power-type conflicts and attempts at imperial adjudication played their part in the dissolution of the western Roman empire. In our hybridized Mann-Bell model, interest groups are always jockeying for power, both within their type and between other types. Their goal is the supremacy of their own power type as a framing mechanism for inter- and intra-type conflicts, and so the goal for Ideological church interests would be to frame all conflicts within a particular belief system, for Economic interests to subsume conflicts into monetary terms, for Military interests to use or to threaten violence as a way to resolve conflicts, and for Political interests to settle disputes through state administration and the law. The emperor's job as the highest transcendent Ideological authority is to arbitrate these competitions. But what if the imperial office fails at performing this task? Arguably this is precisely what was happening to the western empire in the fifth century, as emperors were increasingly unable to resolve church, class, military, or administrative disputes. The answer to the question of what happens seems to be that the empire breaks up,⁷²⁴ and begins creating more regional transcendent Ideological adjudication authorities (i.e. kings), which are able to resolve the most important power type conflicts for their region. The surviving interest groups and their over-arching types then become the venues for agreed-upon conflict for those who are left.⁷²⁵

⁷²³ 7. Social power analysis, Mann and power types.

⁷²⁴ The fragmentation and the "going their own way" of many post-Roman regions was observed by Wickham (2005).

⁷²⁵ The idea of agreed-upon venues for conflict I draw from Gregory (1979: 220-1) who suggested that popular violence in the eastern empire over religious controversies occurred because such violence was thought of as an allowable form of "democratic" expression in a world where expression in other forms might be violently repressed by the state.

Most often what seems to get dispensed with is the former Roman administration and its army. In their place, at least in western Europe, the militaries get subsumed under aristocracies, and what remains of former state administration gets subsumed under local elites or regional clergy. "Barbarian" kings become the new Ideological adjudicators, but they share that role with the church, which is now a separate Ideological judge. All of this is the result of the well-documented reduction in Economic redistributive capacity from the breakdown of the former Roman taxation system;⁷²⁶ we do not see larger and more cohesive polities in the west until states could enforce stronger coercion upon their populations.⁷²⁷

On the other hand, the eastern empire continued its hegemonic status because the emperors remained able to tackle both internal and external conflicts, likely because the empire retained access to Egyptian grain (until the early seventh century) and taxation which allowed state administration and military funding to be independently sustained.⁷²⁸ With that said, the territory, administration, and standing army of the eastern empire⁷²⁹ would also greatly shrink and regionalize as a result of the Arab conquests (which denied Constantinople that Egyptian economic base), albeit not to the level of western Europe.

Beyond the historical implications of the research, there is also what the dissertation can expand upon in modern scholarship.

The current methodology for identifying candidate negative sentiment words still requires a tremendous amount of human input and oversight, i.e. a word has to first be spotted manually somewhere before it is checked to determine if it exists elsewhere. However, because the ultimate

⁷²⁶ Wickham 2005: 56-150.

⁷²⁷ Wickham 2009: 529-51; Wickham 2016: 99-169.

⁷²⁸ Wickham 2005: 72-80; Wickham 2009: 255-78.

⁷²⁹ Haldon 2016: 266-75.

scoring methodology relies upon definitions from a software Latin parser, it is entirely possible to automate through artificial intelligence / large language models / machine learning the entire initial identification part of the process. If paired with a lemmatizer, it is possible to identify far larger corpora of Latin words with this methodology and to automatically mark which ones seem to contain strong negative sentiment. This would make it possible to create a sentiment lexicon for the entirety of the Theodosian Code, or any other substantial Latin text. This change does not, however, remove the need for human oversight. The issues regarding the initial SentiWordNet scoring in English remain. Nevertheless, the removal of a manual candidate word identification stage would greatly speed up the process of creating a more comprehensive sentiment lexicon.

Having a more automated sentiment methodology would allow the expansion of the TEI-XML digital edition to the full Theodosian Code, enabling the XQuery analysis possibilities presented in this dissertation to be applied to the full spectrum of fifth century law. Expansion into the sixth century *Corpus Iuris Civilis* is also possible, although the main stumbling block is that the software or online parsers for the Greek language, necessary for many of the *Novellae* of Justinian, are more akin to full descriptive entries than the wordlists in Whitaker's online Latin dictionary. This is not an insurmountable problem, however, and it represents yet another potential avenue for research.

Another expansion possibility is that the CSS visualization being advocated in this project offers a template for open-source qualitative analysis. Much of our data analysis involves encoding text information that can be retrieved through XQuery or visually highlighted in CSS. But when it comes to the qualitative analysis of text, a significant amount of it is now done with expensive proprietary software like NVivo, which allows for complex highlighting and the assignment of

values to elements within a source.⁷³⁰ There exists the possibility of replicating NVivo qualitative tools within XML, XQuery, and CSS, if effort were spent on a dedicated methodology, or even as a standalone software package. This would provide a viable qualitative research alternative backed by open source languages and tools, reducing the overall costs for humanities research and allowing both results and projects to remain save-able in open-source file formats.

Even though it is not within the scope of this dissertation, the research conducted for it points to the possibility of a new full monograph on Valentinian III reconsidering his capability and legacy on the basis of our re-interpretation of the laws emanating from his imperial office. Currently there are only two monographs on Valentinian III and his novels, both of which are over 25 years old, and both in Italian.⁷³¹ A new and more accessible biography in English, based upon our reframing of the actions within his laws, which then get applied to interpreting the other historical events of his life, would open a new path forward for Late Roman scholarship on the fifth century.

The final implication of this research is that many of its findings seem applicable and comparable to the modern political world. This dissertation was devised in the context to the first Trump presidency and is now being written in the context of his return to the U.S. presidency. In the years since his first election, there has been the perception of a crisis of legitimacy within American law, particularly with the U.S. Supreme Court overturning landmark decisions like *Roe v. Wade*, which granted women the right to an abortion.⁷³² This decision was much criticized by legal experts as seeming to be blatantly political and disregarding the foundations of the American

⁷³⁰ Limna 2023.

⁷³¹ Bianchi Fossati Vanzetti 1988; Elia 1999.

⁷³² *Roe v. Wade* (1973) was overturned by *Dobbs v. Jackson Women's Health Organization* (2022).

judicial system, based upon recognizing and upholding existing precedents.⁷³³ This is in addition to the recent U.S. Supreme Court decision, *Trump v. United States* (2024), recognizing that the office of President "may not be prosecuted for exercising his core constitutional powers, and he is entitled to at least presumptive immunity from prosecution for his official acts," according to the opinion of the court as delivered by Chief Justice John Roberts.⁷³⁴ Unfortunately, the definition of what constitutes "official" was not clarified, and in a dissenting opinion, Justice Sonia Sotomayer pointed out that "If the occupant of that office misuses official power for personal gain, the criminal law that the rest of us must abide [*sic*] will not provide a backstop."⁷³⁵ In essence, the U.S. Supreme Court practically placed the president "above the law" in terms of what he could do, with the only oversight being congressional impeachment and senatorial removal;⁷³⁶ considering that such a removal requires a supermajority of 67 out of 100 senators (which seems impossible given the current divided political landscape of the United States), that avenue seems unpromising as a check on the president.

This is not just an American phenomenon, but also a global one as many democratic or formerly democratic countries are either suffering from or have been overtaken by crises regarding the rule of law. Examples include Israel (in regard to Netanyahu's attempts at reshaping the judiciary),⁷³⁷ Hungary (in regard to Orbán's conversion of the state into a more authoritarian one through his state media control),⁷³⁸ or Turkey (in regard to the cementing of Erdoğan's rule in the aftermath of a failed coup).⁷³⁹ The operating societal question hinges on whether there remains a

⁷³³ Dreeben et al. 2022; Dwyer 2022; Litt 2022.

⁷³⁴ *Trump v. United States*, No. 23-939, 2024; https://www.supremecourt.gov/opinions/23pdf/23-939_e2pg.pdf.

⁷³⁵ *ibid.*

⁷³⁶ Serwer 2024.

⁷³⁷ Berger 2023; Maanit 2024.

⁷³⁸ Hockenos 2024.

⁷³⁹ Gall 2024.

place for strict adherence to the rule of law as a basis for objective adjudication of conflicts, or if subjective political adjudication is the path forward to placate the desires of substantial electorates. The answer increasingly seems to be "there is no place for strict adherence to the rule of law," with the solution being to place power in an explicitly subjective political leader who adjudicates personally, overriding the established legal system.

The question of the relevance of the rule of law is the link between this dissertation's research and the current world. As mentioned previously, Valentinian III is often criticized by modern scholars for a lack of legal consistency, but is this a theoretical complaint that he and his imperial office might dismiss in the face of practical and existential threats? With President Trump, a similar dismissal seems in line with their official administrative stance. But questions of legal consistency and capability still apply to him and to other quasi-strongmen of nominally democratic countries. What is the scope of his or their independent action, or are they in fact constrained by an inner circle that issues subjective orders on behalf of the office of president? These questions are raised because often Trump is considered by opposing factions as having questionable competence for leadership, including making decisions on the basis of his personal emotions and anger. These are of course the same questions we ask of Valentinian III, and perhaps the answers are ones that we can never ascertain if we are not part of the political inner circle.

This dissertation does want to offer an answer as to the questions of the rule of law and legal competence: "questionable" legal decisions are not the products of irrational "shallow judgment," whether those leaders are ancient or modern. In the case of Valentinian III, his imperial anger always had some rationale behind it. Even if his justifications were not legally consistent, those decisions remained consistent for his own interests as adjudicator and for the interests of the groups he favored.

Part IV: Bibliography

ABBREVIATIONS

CAH 11. The Cambridge Ancient History, Vol. 11, The High Empire, AD 70-192, edited by Alan Bowman, Peter Garnsey, and Dominic Rathbone. 2nd ed. Cambridge: Cambridge University Press 2000.

CAH 12. The Cambridge Ancient History, Vol. 12, The Crisis of Empire, AD 193-337, edited by Alan Bowman, Averil Cameron, and Peter Garnsey. 2nd ed. Cambridge: Cambridge University Press 2005.

CAH 13. The Cambridge Ancient History, Vol. 13, The Late Empire, AD 337-425, edited by Averil Cameron and Peter Garnsey. Cambridge: Cambridge University Press 1998.

CAH 14. The Cambridge Ancient History, Vol. 14, Late Antiquity: Empire and Successors, AD 425-600, edited by Averil Cameron, Bryan Ward-Perkins, and Michael Whitby. Cambridge: Cambridge University Press 2000.

DLT. A Dictionary of Legal Theory, edited by Brian H. Bix. Oxford: Oxford University Press 2004.

OCD. The Oxford Classical Dictionary, edited by Simon Hornblower, Anthony Spawforth, and Esther Eidinow. 4th ed. Oxford: Oxford University Press 2012.

ODLA. The Oxford Dictionary of Late Antiquity, edited by Oliver Nicholson. Oxford: Oxford University Press 2018.

OLD. The Oxford Latin Dictionary, edited by P. G. W. Glare. Oxford Latin Dictionary. Oxford: Oxford University Press 1968.

PLRE 1. Prosopography of the Later Roman Empire, Vol. 1, AD 260-395, edited by A. H. M. Jones, J. R. Martindale, and J. Morris. Cambridge: Cambridge University Press 1971.

PLRE 2. Prosopography of the Later Roman Empire, Vol. 2, AD 395-527, edited by J. R. Martindale. Cambridge: Cambridge University Press 1980.

PLRE 3. Prosopography of the Later Roman Empire, Vol. 3, AD 527-641, 2 vols, edited by J. R. Martindale. Cambridge: Cambridge University Press 1992.

MANUSCRIPTS

Vatican City, Biblioteca Apostolica Vaticana,
MS Vat.lat. 7277, <https://digi.vatlib.it/mss/detail/Vat.lat.7277>

Vatican City, Biblioteca Apostolica Vaticana,
MS Ott.lat. 2225, https://digi.vatlib.it/view/MSS_Ott.lat.2225

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ACO. *Acta Conciliorum Oecumenicorum (Tomus Alter), Concilium Universale Chalcedonense (Volumen Primum, Pars Altera)*. Ed. Schwartz. Berlin: Walter de Gruyter 1933.

Aristotle. *Rhetorica. Art of Rhetoric*, ed. and tr. J. H. Freese. Revised by Gisela Striker. Loeb Classical Library 193. Cambridge, MA: Harvard University Press 2020.

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CJ. *Codex Justinianus, Corpus Iuris Civilis*, vol. 2, ed. P. Krueger, Berlin: Weidmann 1888; *The Codex of Justinian*, ed. B. Frier et al. and tr. F. Blume et al., Cambridge: Cambridge University Press 2016.

- Const. Prag. Constitutio Pragmatica*. "Appendix VII" in *Novellae, Corpus Iuris Civilis*, vol. 3, ed. R. Schoell and G. Kroll, 799–802, Berlin: Weidmann 1912; "Appendix 7" in *The Novels of Justinian*, tr. D. Miller and P. Sarris, 1116–30, Cambridge: Cambridge University Press 2018.
- CTh. Codex Theodosianus. Theodosiani libri XVI cum Constitutionibus Sirmondianis*, ed. T. Mommsen, Berlin: Weidmann 1905; *The Theodosian Code and Novels and the Sirmondian Constitutions*, tr. C. Pharr, Princeton: Princeton University Press 1952; *Le Code Théodosien, Livre XVI*, Fr. tr. É. Magnou-Nortier, Paris: Les éditions du Cerf 2002; *Les lois religieuses des empereurs romains de Constantin à Théodose II (312-438), Volume II, Code Théodosien I-XV, Code Justinien, Constitutions Sirmondiennes*, Fr. trs. J. Rougé and R. Delmaire, Paris: Les éditions du Cerf 2009; *Le Code Théodosien V*, Fr. trs. S. Crogiez-Pétrequin, P. Jaillette, and J.-M. Poinssotte, Turnhout: Brepols 2009.
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Part V: Appendices

Appendix: Sentiment Lexicon

lemma	sub type	defn 1	defn 2	defn 3	defn 4	defn 5	defn 6	defn 7
abhorreo	c	abhor (-0.198), shrink back	be averse to, shudder (-0.250) at	differ (-0.008) from	be inconsistent (-0.471)			
abicio	c	throw/cast away /down (-0.080) /aside	abandon (-0.542)	slight (-0.133)	humble (0.399)	debase (-0.312)	sell too cheaply, [carelessly] (-0.237)	
abiectus	g	downcast (-0.226), dejected (-0.389)	humble (0.378), low, common, mean, [sordid] (-0.361)	subservient (-0.335)	base, sordid (-0.361), vile (-0.661)			
aboleo	c	destroy (-0.542), efface, obliterate	kill (-0.797)	banish (0.000)?, dispel	put end to. abolish (0.000), rescind			
abominabilis	g	detestable (-0.462), hateful (-0.769), abominable (-0.260)	worthy of destruction, {destructible} (-0.018)					
abrumpo	c	break (bonds), {break out} (0.139)	break off (0.000)	tear asunder, {tear apart} (-0.061)	cut through, sever (0.000)?	remove (-0.232), separate (-0.318)		
absurdus	g	out of tune, discordant (-0.337)	absurd (-0.146), nonsensical, out of place	awkward (-0.494), uncouth (-0.321)				
abutor	c	waste (-0.637), squander (-0.365)	abuse (-0.863)	misuse (-0.433)	use up (0.107)	spend (0.247)	exhaust (-0.238)	misapply (word) (-0.283)
		curse (-0.528)						
accusatio	g	accusation (-0.359), indictment (-0.293)	act/occasion of accusation (-0.359)	rebuke (-0.080), reproof				
accusator	c	accuser (-0.089), prosecutor (0.000) at trial	plaintiff (0.000)	informer (-0.200)				
accuso	g	accuse (-0.628), blame (-0.530), find fault, impugn (-0.396)	reprimand (-0.541)	charge (w/crime/offense), {indict} (0.000)				
acer	c	sharp (0.025), bitter (-0.348), pointed, piercing, shrill	sagacious (0.286), keen (0.431)	severe (-0.401), vigorous (0.208)				
acerbitas	g	harshness (-0.320), severity (-0.271)	bitterness (-0.446), sourness (-0.212), ill feeling	anguish (-0.429), hardship (-0.608)				
acerbus	g	harsh (-0.370), strident, bitter (-0.348), sour	unripe (-0.337), green, unfinished	grievous (-0.512)	gloomy (-0.490)			
aculeus	c	sting (-0.617), spine, thorn, prickle, point, spike	barb (0.000)	pang (-0.060), prick	sarcasm (0.000)?			
addico	c	be propitious (0.217)	adjudge, sentence, doom, [condemn] (-0.621)	confiscate (0.000)	award, assign (0.000)	enslave (0.000)?		
adficio	c	affect (0.171), make impression	move (0.017), influence	cause (hurt/death), afflict (-0.460), weaken (-0.410)				

adfigo	c	fasten (0.000) /fix/pin/attach to (w/DAT), annex	impress (0.278) upon	pierce (0.000)	chain (0.000), confine (-0.479)			
adfligo	g	overthrow {n} (-0.346) /throw down	afflict (-0.460), damage (-0.500), crush, break, ruin	humble (0.399), weaken (-0.410), vex (-0.026)				
adgressio	c	attack (-0.808)	action of setting about/undertaking (0.000) (task)					
admissum	g	crime (-0.789), offense (-0.215)						
admoneo	c	admonish (0.162)?, remind, prompt	suggest (0.086), advise, raise	persuade (0.000), urge	warn (-0.046), caution [n] (-0.422)			
adtempto	c	attack (-0.787), assail (-0.054)	call into question (0.365)	try to seduce/use (0.086)	make an attempt on, try (0.146)			
adtero	c	rub (0.447), rub against	grind (0.000)	chafe (-0.125)	wear out/down/away (-0.171)	diminish (-0.226), impair (-0.398)	waste (-0.637)	
adversarius	c	enemy, adversary, antagonist, opponent (-0.160), rival, foe	of an opposing (-0.292) party					
adversus	c	opposite (-0.057), directly facing, ranged against	adverse (-0.336), evil (-0.614), hostile (-0.671)	unfavorable (-0.413)				
aeger	g	sick (-0.683) /ill, infirm	unsound (-0.102), injured (-0.389)	painful (-0.589), grievous (-0.512)	corrupt (-0.454)	sad (-0.757) /sorrowful		
aegre	c	scarcely (-0.014), with difficulty, painfully (-0.068), hardly	reluctantly (-0.089), uncomfortably (-0.283)					
aegritudo	g	sickness, disease (-0.837), grief (-0.670), sorrow (-0.475)	affliction (-0.331), anxiety (-0.626)	melancholy (-0.346)				
aerumna	c	toil (-0.331), task (0.000), labor	hardship (-0.608), trouble, affliction (-0.331), distress, calamity					
alienatio	c	transference (0.000) of ownership, the right to	aversion (-0.305), dislike (-0.461)	numbness (-0.068), stupor (-0.309)				
alieno	c	alienate (-0.593), give up (-0.034), lose possession, transfer by sale (0.000), estrange	become numb (-0.280)					
alienus	c	foreign (-0.032)	unconnected (-0.422)	another's (-0.080)	contrary (-0.072)	unworthy (-0.552)	averse, hostile (-0.671)	mad (-0.689)
ambigo	g	hesitate (-0.253), be in doubt (-0.416)	argue, dispute (-0.617), contend	call in question (0.365), be at issue				
ambio	c	go round, visit in rotation, inspect (0.061)	solicit (-0.323), canvass (0.000)	circle (0.000), embrace (0.513)				
ambitio	c	ambition (0.602)	desire for/currying favor/popularity, flattery (0.214)	vote canvassing, [corrupt (-0.454) practices]	pomp (0.110)			

ambitus	c	circuit (0.000), edge, extent	orbit (0.000), cycle	canvass (0.000), bribery (0.000)?, corruption (-0.477)	circumlocution (-0.068)	show (0.229)		
amissio	g	loss (-0.562) (possessions/faculty/quality/persons/town/military force), deprivation (-0.627)						
amitto	c	lose (-0.309)	lose (-0.309) by death (-0.829)	send away, dismiss (0.000)	part with (0.122)	let go (-0.091) /slip/fall, drop		
amputo	c	lop/cut off (0.000), prune, shorten	amputate (0.000)	eradicate, exclude (-0.386), take away	castrate (-0.728)			
angustia	c	narrow (-0.032) passage/place/space (pl.), defile	strait (-0.105), pass	difficulties (-0.603)	meanness (-0.467)			
animositas	c	boldness (0.247), courage (0.672), spirit (0.546)	vehemence (-0.051), impetuosity (-0.061), ardor (0.074)	wrath (-0.453) (eccl.)				
antiquo	c	reject (-0.484) (bill)	vote for the rejection, {vote down} (0.000)					
arguo	c	prove (0.307), argue (0.000), allege (0.000)	disclose (0.000)	accuse (-0.628), complain (-0.474) of, charge, blame (-0.530), convict				
arto	c	wedge in, fit/close firmly, tighten (0.000)	compress (0.000), abridge	pack, limit (0.000), cramp (-0.534)				
astutia	c	cunning (-0.036)?, cleverness (0.471), astuteness	cunning procedure/method, trick (-0.055), stratagem (-0.105)					
atrocitas	g	fury (-0.578)	barbarity (-0.408), cruelty (-0.653)	wickedness (-0.497)	severity (-0.271), harshness (-0.320)	horror (-0.376), dreadfulness (-0.031)		
atrox	g	fierce (-0.253), savage (-0.227), bloody (-0.575)	heinous (-0.555), cruel	severe (-0.401)	terrible (-0.721), frightening (-0.643), dreadful (-0.584)			
audax	c	bold (0.430), daring (0.202)	courageous (0.794)	reckless (-0.494), rash	audacious (0.023), presumptuous (-0.228)	desperate (-0.404)		
audeo	c	intend (0.000), be prepared	dare (-0.108) /have courage (to go/do), act boldly, venture (0.081), risk					
avaritia	g	greed (-0.654), avarice (-0.129)	rapacity (-0.103)	miserliness (0.122)?, stinginess (0.000)?, meanness (-0.467)				
avensor	g	embezzler (0.000)?	pilferer (-0.080), thief (0.000)?					
aversus	c	turned/facing away (-0.053), w/back turned	behind (0.000), in rear	distant (-0.070)	averse (0.000)	hostile (-0.671)		

aviditas	c	greed (-0.654), covetousness	keen desire, lust (0.276) / passion (0.683)	appetite (0.296) (food/drink), gluttony (0.107)?				
avidus	c	greedy (-0.753), eager (0.393), ardent, desirous of	avaricious, insatiable (-0.168)	lustful (0.134), passionate (0.498)				
barbaricus	g	outlandish (-0.198)	foreign, strange (- 0.090)	barbarous (-0.225), savage (-0.227)	of uncivilized (-0.256) world/people			
barbaries	g	strange/foreign (-0.090) land	uncivilized (-0.256) races, barbarity	brutality (-0.676)	barbarism (0.000)?			
barbarus	g	foreign (-0.090), of/used by/typical of foreigners	cruel (-0.564), savage (-0.227)	uncivilized (-0.256), uncouth (-0.321)				
bellicus	c	of war, military (0.000)	warlike (0.000)?	[~um canere => sound attack horn / begin (0.402) hostilities]				
blandior	c	flatter (0.325), delude (-0.313)	fawn (0.307)	coax, urge (- 0.005), behave/speak ingratiatingly	allure (0.000)	please (0.250)		
caecus	g	blind (-0.600)	unseeing (0.013)	dark (0.053), gloomy (-0.490), hidden (-0.231), secret (0.066)	aimless, confused (-0.452), random (0.094)	rash (-0.497)		
caedo	c	chop (-0.116), hew, cut out / down (0.084) / to pieces	strike (-0.528), smite (-0.271), murder (-0.848)	slaughter (0.000)?	sodomize (0.000)?			
calamitas	g	loss (-0.562), damage (-0.488), harm (-0.721)	misfortune (-0.634) / disaster (-0.790)	military defeat (-0.306)	blight (-0.515), crop failure			
calco	c	tread / trample (-0.312) upon/under foot, crush (-0.064)	tamp (0.000) / ram down	spurn (-0.198)	copulate (cock) (0.000)			
caligo	c	mist (0.000) / fog	darkness (-0.032) / gloom (-0.565) / murkiness	moral/intellectual / mental dark (0.053)	dizziness (-0.434)			
calliditas	c	shrewdness (0.122), skillfulness, skill	craftiness (0.267), cunning (-0.036)?	subtle (0.188) tricks (pl.) (-0.055)				
callidus	c	crafty (0.160), sly (-0.316), cunning (-0.036)?	wise, expert (0.383), skillful, clever, experienced, ingenious					
calumnia	g	sophistry (-0.140), sham (-0.396)	false (-0.498) accusation/claim/ statement/preten ses/objection	quibble (0.000)	charge (-0.095)	accusation (-0.359)		
calumnior	g	accuse (-0.628) falsely	misrepresent (-0.091), interpret wrongly	depreciate (-0.147), find fault with (-0.283)				
calumniosus	g	that makes false/groundless accusations (-0.359)	marked by misinterpretation s (-0.341), false (-0.498)					
capio	c	take hold (0.000), seize (-0.310)	grasp (0.069)	take bribe (0.000)?	arrest (-0.643) / capture (-0.018)	put on (0.028)	occupy (-0.034)	captivate (0.217)

capital	c	capital crime/ punishment (0.000)? (loss of life or civil rights)	priestess headband (0.000)					
capitalis	c	of/belonging to head (0.216) / life	deadly (-0.759), mortal (-0.176)	dangerous (-0.615)	excellent (0.681), first-rate			
captiosus	g	harmful (-0.701), disadvantageous (0.359)?	captious, intended to ensnare (arguments), deceptive (-0.355)					
captivitas	g	captivity / bondage (-0.115)	capture (-0.018) / act of being captured	blindness (0.000)	captives (-0.440) (Plater)			
capto	c	try/long/aim for, desire (0.533)	entice (0.104)	hunt (0.000) legacy	try to catch / grasp (0.069) / seize (-0.310) / reach			
caput	c	head (0.216)	person (0.000)	life (0.439)	leader (0.000)	top (0.303)	source/mouth (river) (0.000)	capital (punishment) (0.000)?
		heading (0.000)	chapter (0.000), principal division	[~ super pedibus => head over heels (-0.080)]				
carcer	c	prison (-0.767), jail	jailbird (0.000)	starting barriers at race-course, traps, {starting gate} (0.000)	beginning (0.370)			
carceralis	g	of/pertaining to/connected with prison (-0.767) / jail						
castigo	c	chastise (-0.420) / chasten, punish	correct (0.524), reprimand (-0.541) / dress down, castigate	neutralize (0.000)				
casus	c	fall (-0.274), overthrow (-0.346)	chance (0.251) / fortune	accident (-0.601), emergency (-0.557), calamity, plight (-0.234)	fate (0.000)	grammatical case (0.122)	termination/endi ng (of words), {suffix} (0.000)	
catena	c	chain (0.000)	series (0.000)	fetter, bond, restraint (-0.385)	imprisonment, captivity (0.000)?	(chain mail) (0.000)		
celo	c	conceal (-0.290), hide, keep secret	disguise (0.006)	keep in dark/in ignorance (-0.497)	shield (0.227)			
censura	c	office (0.000) / conduct/power of censor, censorship (0.000)	appraisal (-0.013), oversight (-0.359), control (-0.177)	blame (-0.013), censure (-0.309)	ecclesiastical punishment (0.000)?			
circumventio	g	trickery (-0.348), fraud (-0.749), circumvention (0.000)						
clades	g	defeat (-0.306), reverse	casualties (-0.442), slaughter/carnage / devastation (-0.537)	ruins (-0.682)	dissolution (0.080)	disaster (-0.790), ruin (-0.682), calamity (-0.270)	plague (-0.657)	pest (-0.634), bane (-0.302), scourge (-0.179) (cause of disaster)
clancularius	c	anonymous (0.233)	writing in secret (0.000)	secret (0.066), concealed (-0.207), unknown (-0.069) (L+S)				

coerceo	c	enclose (0.067), confine (-0.479)	restrain (0.000)?, check, curb, repress	limit (0.000)	preserve (0.017)	punish (0.000)?		
coercitio	g	coercion (0.000), restraint (-0.385), repression	(affliction of summary/right to) punishment (0.000)?					
cogo	c	collect (0.000) /gather, round up, restrict/ confine (-0.479)	force (-0.257) / compel	convene (0.000)	congeal (0.000)			
commenticius	c	invented, devised, improvised (0.122)	imaginary (0.347)	fabricated (0.000) / fictitious	forged (-0.420), false			
commentum	c	invention (0.369)	intention (0.000), design, scheme (-0.306), device	fiction, fabrication (-0.223)	argument (-0.646)			
commentus	g	feigned (-0.404), pretended, fabricated (0.000), devised, fictitious, invented						
commissum	c	undertaking (0.000), enterprise	trust (0.558), secret (0.114)	thing entrusted/confisc ated, {confiscate} (0.000)	crime (-0.789)			
commoneo	c	remind (forcibly), warn (-0.046), {admonish} (0.162)?	bring to recollection (0.074) (L+S)	impress (0.278) upon one				
compello	c	drive together (cattle), round up (0.000)	force (-0.257), compel (0.000), impel, drive	squeeze (-0.081)	gnash (0.000)			
compesco	c	restrain (0.000)?, check	quench (0.159)	curb, confine (-0.479), imprison	hold (0.287) in check			
comprimo	c	press/squeeze (-0.081) together, fold, crush (-0.064)	hem/ shut (-0.018) /keep/hold in	copulate (male) (0.000)	suppress (-0.525) / control/stifle/ frustrate (-0.023) / subdue (-0.413) /cow, put down	hold (0.287) breath	silence (0.092)	
concido	c	fall down/faint/dead/ victim/to earth/short, collapse (-0.429)	drop (-0.228), subside (0.082)	decline (-0.423)	perish (0.000)?, be slain/sacrificed	lose one's case, fail (-0.645), give out (-0.027) / lose heart, decay (-0.652)		
conclavibus	c	room (0.145), chamber	lockable enclosed (0.000) space	coop / cage (0.000)?	public lavatory (0.000)			
concussio	c	shaking (0.107) / disturbance (-0.584)	earthquake (-0.433)	extortion (-0.759) by violence/intimida tion, shake down				
concutio	c	shake (-0.070) / vibrate/agitate violently	wave, brandish (0.158)	(sound) strike (the ear), {strike a note} (0.000)	strike (-0.528) together / to damage (-0.500)	weaken (-0.410) / shake/shatter	harass (-0.556) / intimidate	rouse (0.066)
condemnatio	c	condemnation (-0.443)	verdict (0.000)	damages (-0.080) awarded in a civil case	sentence (0.000)? (Ecc)			
condemno	g	condemn (-0.621), doom, convict	find guilty (-0.520)	(pass) sentence (0.000)?	blame (-0.530), censure, impugn			
confessio	c	confession (0.134), creed, avowal of belief/faith	acknowledgemen t (0.010) of Christ	suffering (-0.460)	confession (0.134), acknowledgemen t	(act implying) admission (0.191) (of guilt)	proof (0.306), token	praise (0.665)

		thanksgiving (0.000) (Vulgate)						
configo	c	fashion / fabricate (-0.068), construct (0.098) by shaping /molding	invent/ feign (-0.185) /devise	pretend (-0.065)				
confiteor	c	confess (-0.013) (w/ACC), admit, acknowledge, reveal, disclose (0.000)	concede (-0.135), allow (0.312)	denote (0.084)				
conflictus	c	clash, collision (-0.529)	impact (0.203)	fight (-0.418), contest (L+S)	impulse (0.019)	impression (0.228)	necessity (0.038)	
confundo	c	pour/ mix (0.000) /mass/bring together	combine (-0.080) / unite (0.358) / blend/merge	spread over, diffuse (0.000)	upset / confuse (-0.452)	blur (-0.160) / jumble	bring disorder (-0.362) / ruin	disfigure (-0.396)
		bewilder, dismay (-0.434)						
confusio	c	mingling/ mixture (0.262) / union	confusion / confounding (-0.389) / disorder	trouble (-0.557)	blushing (-0.283) / shame (-0.576)			
confusus	c	mixed together / jumbled (-0.069) /disordered	in disorder (-0.264)	indistinct (-0.202)	inarticulate (-0.389)	confused (-0.452) /perplexed, troubled	vague (-0.179) /indefinite, obscure	embarrassed/ blushing (-0.283)
confuto	c	restrain, check, repress, dampen, suppress (-0.525), diminish	keep from boiling (0.000) over	abash (-0.198), silence (accuser)	shock (-0.302)	disprove (-0.240), refute	convict (0.000)? of error	put down (-0.012)
coniventia	c	connivance (0.000)?, tacit permission/sanction, overlooking/winking at an offense, {overlook} (-0.189)						
coniveo	c	close/screw up the eyes, blink (0.076)	wink at, overlook (-0.189), turn a blind eye (-0.341), connive					
conludium	c	sporting (0.370), playing together	secret, deceptive (-0.355) understanding, collusion (0.000)?					
conqueror	c	bewail (-0.389), lament, utter a complaint	complain (-0.474) of, deplore (-0.268)					
constringo	c	bind (-0.055) fast/tight, tie up/together	confine (-0.479), restrain	hinder, inhibit, control (-0.182)	compress (0.000) /squeeze	make smaller/ lessen (-0.118) /contract	hold together, {hold fast} (0.122)	congeal (0.000) /freeze
consumo	c	burn up (-0.014), destroy (-0.542) /kill	put end (0.000) to	reduce/ wear away (-0.171)	annul (-0.320)	extinguish (-0.126) (right)	devour/swallow up/ consume (0.126) /eat/use up/exhaust/expend	spend (0.247)
		squander (-0.365) /waste (-0.637)						
contagio	c	contact/touch (to contagion (-0.551) /infection)	social contact/intercourse (0.000)	influence (0.169)				

contaminatus	g	contaminated (-0.023), polluted (-0.283), adulterated	used, second-hand, soiled (-0.420) by use	profane (-0.676)	impure (-0.355), vile, defiled, degraded	morally foul (-0.512), guilt stained	ritually unclean (-0.464)	
contamino	g	corrupt (-0.482), defile (w/filth/intercourse), stain, befoul spoil	ruin, dishonor (-0.631)	debase (-0.312) w/mixture of inferior material	contaminate, infect (-0.563)	pollute (0.000)? (morally)		
contemno	g	think little of, {dismiss} (0.000)	look down on (0.000)?, take poor view of	pay no heed/ disregard (-0.124) /slight	treat with/hold in contempt, scorn (-0.501), disdain	despise (-0.476)	keep away from, avoid (-0.264)	
contemptus	g	despised, despicable (-0.512), paltry, mean	contemptible (-0.420), vile					
contero	c	grind, crush (-0.064), pound to pieces	bruise, crumble (-0.220)	rub/ wipe away (0.000) /out/off, expunge	spend, exhaust, waste (-0.637) (time), use up (0.107)	wear out (0.125)/down	make weary, {tire} (-0.115)	
contumaciter	c	stubbornly (-0.080), obstinately	defiantly (0.122)					
contumax	g	proud (0.451)/ unyielding (-0.309)	stubborn (-0.333) / defiant (usu. bad)	insolent (-0.536) /stiff-necked/obstinate	willfully disobedient (-0.389) to decree/summons	not yielding, immovable (-0.389) (things)		
contumelia	g	indignity (-0.356), affront, abuse/insult	insulting (-0.789) language/behavior	rough (-0.354) treatment				
contumeliosus	g	insulting (-0.789), outrageous, humiliating	rude (-0.711), insolent, abusive	reproachful (-0.389) (L+S)				
convinco	c	conquer (-0.165), establish (0.107)	convince (0.130)	overcome, demonstrate (0.091), prove clearly	grant (0.195)	find guilty/against, convict (0.000)?	prove wrong, refute (-0.140) (person/statement)	expose (-0.224)
correptio	g	seizure (-0.483) /attack, onset (disease)	reproof/rebuke/ censure (-0.309)	shorting (in vowel), {shorten} (-0.017)				
corripio	c	seize (-0.310) /grasp/snatch up, lay hold of	sweep off (0.040)	carry away (0.000)	appropriate (0.271) / arrogate (-0.043)	censure (-0.309) /reproach/rebuke /chastise	hasten (0.000) (upon)	catch (fire) (0.000)
corrumpo	g	spoil/ rot (-0.540)	taint (-0.267) /contaminate	damage (-0.500) /ruin, undo	destroy (-0.542) /deface	digest (-0.042)	infect (-0.563)	pervert, corrupt (-0.482), deprave
crimen	g	indictment (-0.293) /charge/ accusation (-0.359)	blame (-0.501) /reproach/slander	verdict (0.000) /judgment (L+S)	sin/guilt (-0.697)	crime (-0.789) /offense/ fault (-0.317)	cause of a crime, criminal (-0.730) (L+S)	adultery (0.000)?
criminalis	g	criminal (-0.717) (vs. civil)	of/pertaining to crime (-0.789) (L+S)	crime- (-0.789) /police- (novel)				
criminoſe	g	reproachfully, abusively (-0.031), slanderously	manner which invites accusation (-0.359)					
criminosus	g	accusatory (-0.341) /reproachful	slandorous (-0.396) /vituperative	shameful/dishonoring/ criminal (-0.717)				
cruciatuſ	g	torture/ cruelty (-0.653)	torture form/apparatus, {instrument of torture} (-0.080)	suffering (-0.460), severe physical/mental pain				

crudelitas	g	cruelty (-0.653) /barbarity, harshness (-0.320) / severity (-0.271), savagery/inhumanity	instance of cruelty (-0.653)					
crur	c	blood (-0.345) (fresh/clotted from wound), (spilt in battle)	vegetable/other juice, {tomato juice} (0.000)	gore (0.010)	murder (-0.935) /bloodshed (-0.400) /slaughter	blood (-0.345) (general)	stream/flow of blood (0.000) (L+S)	
culpa	g	fault/ blame (-0.536) /responsibility (-0.058) (w/GEN)	crime (-0.789) (esp. against chastity)	negligence (-0.598)	offense (-0.215)	error (-0.419)	(sense of) guilt (-0.697)	fault (-0.317) /defect (-0.505) (moral/other)
		sickness/ injury (-0.675)						
culpo	g	blame (-0.530), find fault with, censure (-0.309), reproach, reprove, disapprove	accuse (-0.628), condemn					
cunctatio	c	delay (0.000), hesitation (-0.382)	tardiness (-0.514), inactivity (-0.137)	hesitating (-0.389) about/delaying of (w/GEN)				
cupiditas	c	enthusiasm (0.543) /eagerness/passion	(carnal) desire (0.284)	lust (0.276)	greed (-0.654) /usury/ fraud (-0.749)	ambitio, [ambition] (0.602)		
custodia	c	protection (0.425), safe-keeping, defense, preservation	custody (0.000), charge	prisoner (0.000)?	watch/ guard (0.216) /picket	guard post/house (0.000)	prison (-0.767)	confinement (0.000)?
		protective (0.358) space						
custodio	c	guard (0.258) /protect/preserve, watch over, keep safe	take heed/care, observe (0.065)	restrain (0.000)?				
damnabilis	g	damnable (-0.353), worthy of condemnation/damnation						
damnatio	g	condemnation (-0.443) (in a court of law)	obligation (-0.103) under a will	adverse judgment, {unfavorable judgment} (-0.341)	damnation (-0.456)	[~ memoriae => erasing all record/images of defeated rivals], {damning} (-0.198)		
damno	g	pass/pronounce judgment (0.000), find guilty (-0.520)	deliver/ condemn (-0.621) /sentence	harm/ damn (-0.162) /doom	discredit (-0.488)	seek/secure condemnation (-0.443) of	find fault (-0.369)	bind (-0.055) /oblige under a will
damnosus	g	harmful (-0.701) / detrimental (-0.420) /ruinous	prodigal/spendthrift (-0.080)	that causes financial loss (0.000)				
damnum	g	financial/property /physical loss (-0.562) /damage/injury	forfeiture (0.005)? /fine	lost (-0.611) possessio				
decipio	g	cheat/ deceive (-0.547) /mislead/dupe/trap	elude (-0.061) /escape notice	disappoint (-0.380) /frustrate/foil				

declino	c	deflect/ divert (-0.131) /turnaside/swerve/change direction/deviate /dodge	digress (-0.023) /diverge, avoid (-0.264) /stray	vary (-0.139) /be different	bend/sink down, subside (0.082) /decline			
decolor	c	discolored, {discoloration} (-0.243)	not normal color, {abnormal} (-0.318)	(dark people), {dark skinned} (0.000)	stained (-0.278) /faded (-0.202)	degenerate (-0.549) /depraved		
dedecus	g	disgrace (-0.658) /dishonor/discard it/shame/infamy	misbehavior (-0.389)	vice (-0.336), turpitude (L+S)	shameful (-0.548) /repulsive appearance	blot (-0.190), blemish (-0.469) (L+S)	vicious (-0.595) act, shameful deed	
dedignor	g	disdain (-0.360)	refuse (-0.421) (scornfully), reject with scorn, spurn	feel contempt (-0.474) for				
dedo	c	give up (-0.034) /in, surrender {n} (-0.289)	abandon (-0.542) /consign/ devote (0.180) (to)	yield, hand/deliver over (0.000)				
defectus	c	failure (-0.690) / lack (-0.372)	absence (-0.299) /disappearance	weakness (-0.485) /failing	defection/revolt (0.000)	diminution (0.000), growing less, becoming ineffective (-0.422), cessation	eclipse (0.000)	fading (-0.080)
defessus	g	worn out, weary (-0.435), exhausted, tired	weakened (-0.141) (L+S)					
deficio	c	fail (-0.645) /falter	run short/out (0.080)	grow weak/ faint (-0.272)	come to end (0.000)	revolt (-0.282) /rebel, defect	pass away (0.000)	become extinct (-0.573), die/fade out
		subside/ sink (-0.140)	suffer eclipse, wane (0.000)					
defleo	g	weep (-0.523) (abundantly) for	mourn (-0.693) loss of	express/feel sorrow (-0.475) about	lament (-0.209) /bewail			
deformo	c	design/ shape (0.000) /fashion/model	outline (0.000)	describe (0.000), sketch in words, delineate	disfigure (-0.396), spoil, impair (appearance)	discredit, disgrace (-0.635), bring shame on	transform (0.000) (into something less beautiful)	lay out, arrange (0.011) (plan of action)
defuga	g	runaway (-0.222)	deserter (0.000)?					
defugio	g	flee (0.000)?, escape, run/move away (from), make one's escape from	avoid (-0.264) (strongly)					
degener	g	degenerate (-0.549) /base	inferior (-0.448) to ancestors	ignoble, unworthy (-0.552), untrue, contemptible	low-born (0.000)?, of/belonging to inferior stock/breed/variety	soft/ weak (-0.512)	softened (0.107)	
delatio	c	accusation (-0.359) /denunciation	laying charge (-0.103)	indicting, {indictment} (-0.293)	informing (0.000)	offering an oath (0.371)		
delator	c	informer (-0.200), who gives information/reports	accuser (-0.089) /denouncer/who accuses of crime					
delictum	g	fault/offense/ misdeed (-0.389) /crime/transgression	sin (-0.520)	act short of standard, {fall short of} (-0.173)	defect (-0.505)			

delinquo	g	fail (-0.645) (duty), be wanting/lacking, fall short	offend (-0.388) /do wrong/err/commit offense, {wrongdoing} (-0.364)					
dementia	g	madness (-0.562), insanity	derangement (-0.068) of the mind	distraction (-0.256), folly				
denego	g	deny (-0.307) (fact/allegation), say that ... Not	deny/ refuse (-0.421) (favor/request)					
denuntio	c	give notice, warn (-0.046) /foretell	threaten (-0.597) /enjoin/declare intent to injure	intimate (0.566)	announce (0.000), give official information	declare (0.075)	summon (0.000) (witness)/deliver summons	
depello	c	drive/push out//off/ away (-0.080) /aside, repel	expel (0.000)?	remove (-0.232), wean (0.166)	banish (0.000)? utterly	dislodge (0.000)	avert (0.000)	rebut (-0.226)
		veer (0.000) away	force to withdraw (-0.223) /desist	turn out/ dismiss (0.000)				
depereo	c	perish/ die (-0.827)	be lost (-0.611) /totally destroyed	be much in love with/ love to distraction (-0.256), {fall in love} (0.178)				
depono	c	put/lay down (-0.012) /aside/away	let drop/ fall (-0.274)	give up (-0.034)	resign (-0.254)	deposit/ entrust (0.354) /commit	lift off (0.000)	take off (0.240) (clothes)
		have (hair/beard/nails) cut (0.000)	shed (0.000) (tusks)	pull down (0.000), demolish (-0.611)	plant (0.557) (seedlings)	set up, place (0.220)	lay to rest (0.000)	fire, {lay off} (0.000)
deportatio	c	deportation (-0.346), conveyance to exile	taking/carrying home/away (0.000)	transportation (0.000)				
deposco	c	demand (-0.247) peremptorily	ask (0.203) for earnestly	require (-0.037)	request (0.218) earnestly	challenge (0.000)		
depraedatio	g	plundering, pillaging, {plunder} (-0.297)						
depraedor	g	exhaust by plundering/pillaging, {plunder} (-0.297)	plunder (-0.297), pillage (L+S)					
depravo	c	distort (-0.364) / deform (-0.052) /twist, make crooked	mislead/ pervert (-0.586)	deprave, corrupt (-0.482)				
deprehendo	c	seize (-0.310) /catch	catch (0.153) napping/redhanded	surprise (0.665) /pounce on	arrest (-0.643)	intercept (0.000)	discover (0.000), discern, recognize	detect (0.000)
		indicate (0.000), reveal	embarrass (-0.399)					
deprimo	c	suppress (-0.525) /repress/depress/ silence, force//weigh/keep down (-0.230), disparage	sink (-0.140)	humble (0.399), reduce position/fortune/ value	lower (0.014) pitch (sound)/brightness (color)			
derogo	c	subtract/ remove (-0.232) /diminish/detract	disparage (-0.518)	repeal/set aside (0.106) /modify (law)				

desaevio	g	rage (-0.668), rave (0.190) furiously (0.169)?	work off/vent one's rage (-0.606)					
desero	c	leave (-0.117) /depart/quit/dese rt	forsake/ abandon (-0.542) /give up	withdraw support, let down (-0.068)				
desertor	g	deserter (0.000)?	one who abandons (-0.542) /forsakes (duty)	fugitive {adj.} (-0.521)	turncoat (0.000)? (L+S)	runaway (-0.222)		
desertus	c	deserted (-0.283), uninhabited (0.096), without people	solitary (-0.088) / lonely (-0.595)	forsaken, {forsake} (-0.320)	desert (0.091) / waste, {wasteland} (-0.485)			
deses	g	idle (-0.173), lazy, indolent	inactive, sluggish (-0.284)	slacking (0.000) off (from)				
desidia	c	idleness (-0.112), slackness	inactivity (-0.137)	remaining (0.069) in place	leisure (0.000)	indolence, sloth (-0.233)	ebbing (0.000)	subsiding (-0.198) (process of)
		retiring (-0.305) (L+S)						
desperatio	g	desperation (- 0.577)	desperate (-0.404) action/conduct/h ealth	despair (-0.310) /hopelessness (of w/GEN)				
desperatus	g	desperate (-0.404) /hopeless	despairing (-0.507) /lacking hope	desperately (-0.051) ill (-0.167) /situated	reckless (-0.494)			
despicio	c	look down on (0.000)? /over	relax (0.714) attention	disdain (-0.360), despise	express contempt (-0.474) for			
destituo	c	fix/set (in position), set up (0.079), make fast	leave destitute (-0.725)/without	render void (-0.037)	desert/leave/aba ndon (-0.542) /forsake/leave in lurch	disappoint (-0.380) /let down	fail (-0.645) /give up (-0.034)	
destitutio	g	desertion (0.000)?	letting down, {letdown} (-0.420)	betrayal (-0.726)	forsaking (L+S), {forsake} (-0.320)	failure (-0.690)		
destruo	g	demolish (-0.611), pull/tear down (0.000)	destroy (-0.542), ruin	demolish / refute (-0.140) (arguments/evide nce)				
desudo	c	sweat (0.000) /perspire/exude (freely), {toil} (-0.331)	sweat, exert (0.134) oneself (physical/mental effort)					
desum	g	be wanting/ lacking (-0.389)	fail (-0.645)/ miss (-0.244)	abandon (-0.542) /desert, neglect	be away (0.000) /absent (-0.231) /missing			
deterior	g	low/bad/ inferior (-0.448)	poor (-0.334) /mean	unfavorable (-0.413)	weak (-0.512)	degenerate (-0.549) /wicked		
deterioro	g	make worse, {worsen} (-0.198)	deteriorate (-0.384)					
detestabilis	g	detestable (-0.462), execrable (-0.504), abominable	subject to detestatio/ curse (-0.473)					
detestor	g	call down solemn curse (-0.528) on, execrate	detest (-0.454) /loathe	avert (0.000), ward off by entreaty				
detrimentum	g	diminishment, {diminish} (-0.226), material reduction	detriment (-0.336)	harm (-0.721) /loss/damage	reverse/defeat (-0.306)	defeat, loss (-0.562) of battle	overthrow (-0.346)	

difficultas	g	difficulty (-0.603)	trouble (-0.557)	hardship (-0.608) /want/distress/poverty (L+S)	obstinacy (-0.225)			
diffido	g	distrust (-0.464)	despair (-0.310)	(w/DAT) lack (-0.378) confidence (in), despair (of)	expect not, {unexpected} (-0.086)			
diluvium	g	flood (-0.520), inundation	deluge (-0.275) (L+S)	destruction (0.000)? (by water)				
direptio	g	plundering {plunder} (-0.297) /pillage/sacking	struggle (-0.498) for share	scramble (0.105)	stealing (L+S), {steal} (-0.734)	rape (-0.846)		
diripio	c	pull/tear apart/to pieces/ away (-0.283)	tear asunder/to shreds (-0.144)	pull out/off (0.109)	divert (-0.131)	grab (0.065)	scramble (0.105) for	snatch (-0.103) a share of
		strive (0.369)	run after, compete (0.000) for (favor)	plunder (-0.297), pillage, spoil, lay waste	seize (-0.310) and divide (0.000)	steal (-0.734) /rob	distress (-0.460)	
diruo	g	demolish (-0.611) /wreck/destroy, pull down, raze to ground	overthrow {n} (-0.346)	bankrupt (L+S) {n} (-0.737)	have one's pay stopped/docked (of soldier), {stopped_payme nt} (0.000)?	scatter (0.000), drive asunder (L+S)		
dirus	g	awful/ dire (-0.517) /dreadful (omen)	ominous (-0.312) /frightful/terrible /horrible	skillful (L+S) (0.490)				
discrimen	c	crisis (-0.716), separating line, division	distinction, difference (-0.048)	[danger, risk (-0.010)]				
dispendium	c	expense (-0.265), cost (0.000)	loss (-0.562)					
dissensio	g	disagreement (-0.538), quarrel	dissension, conflict (-0.460)					
dissimulatio	g	dissimulation (-0.080), dissembling, {feigning} (-0.359)						
dissimulator	g	dissembler, {pretender} (-0.381)						
dissimulo	g	conceal (-0.290), dissemble, disguise, hide (-0.029)	ignore (-0.442)					
dolor	g	pain (-0.757), anguish, grief, sorrow, suffering	resentment (-0.500), indignation					
dolus	g	trick (-0.055), device, deceit, treachery, trickery (-0.348), cunning, fraud						
dubitatio	g	doubt (-0.416), irresolution, uncertainty	wavering (-0.100), hesitation	questioning (0.000)				
dubito	c	doubt (-0.383)	deliberate (0.000)	hesitate (-0.253) (over)	be uncertain (-0.329) /irresolute			
dubius	c	doubtful, dubious (-0.331), uncertain	variable (0.025), dangerous (-0.615)	critical (-0.217)				

durus	c	hard (-0.139), stern	harsh (-0.370), rough, vigorous	cruel (-0.564), unfeeling, inflexible (-0.121)	durable (0.000)			
effemino	g	weaken (-0.410), enervate, make effeminate (-0.031), emasculate, unman						
effugio	g	flee (0.000)? /escape	run/slip/keep away (from), eschew/ avoid (-0.264)	baffle (0.023), escape notice				
egestas	g	need, poverty (-0.759), extreme poverty	lack (-0.372), want					
eicio	c	cast/throw/fling/ drive out/up, extract, expel (0.000)?, discharge (-0.361), vomit (-0.786)	out (tongue), {stick out} (0.177)					
eludo	c	elude (-0.061), escape from	parry (0.000)	baffle (0.023)	cheat (-0.461)	frustrate (-0.023)	mock (-0.297), make fun of	
enervo	c	weaken (-0.410), enervate	make effeminate (-0.031)	deprive (-0.372) of vigor	cut/remove sinews from, {hamstring} (-0.088)			
enormis	c	irregular (-0.230)	ill-fitting, shapeless (-0.297)	immense (0.118), huge, enormous	unusually large, {overlarge} (-0.080)			
eripio	c	snatch (-0.103) away, take by force	rescue (0.560)					
error	c	wandering (0.178)	error (-0.419)	winding, maze (0.000)	uncertainty (-0.383)	deception (-0.699)		
erubesco	c	redden, blush (0.310), blush at	blush for shame, be ashamed (-0.680) of					
esuriens	g	hungry (-0.366)	ravenous, starving (-0.571)					
evado	c	evade (-0.103), escape	avoid (-0.264)					
evanesco	c	vanish (-0.233) /disappear	pass/ fade (-0.080) /die (-0.827) (away/out)	lapse (-0.118)	become weak/void/ forgotten (-0.198)			
everto	c	overturn (0.011), turn upside down	overthrow (-0.346), destroy, ruin					
evito	g	shun (-0.647), avoid (-0.264)						
exaestuo	c	boil (-0.165) up	seethe, rage (-0.668)					
excaeco	c	blind (-0.507) (completely), confuse/hide/obs cure	dull/ dim (-0.402)	block (-0.096) channel	de-eye plant, {remove} (-0.232)			
excidium	g	military destruction (0.000)? (of towns/armies)	ruin (-0.682) /demolition	subversion/ overthrow (-0.346)				
excludo	c	shut out, shut off (0.000)	remove (-0.232)	exclude (-0.386)	hinder, prevent (0.107)			

excogo	c	think out (0.000)	devise, invent, contrive (0.000)?					
execrabilis	g	detestable (-0.462)	accursed (-0.445)					
execror	g	curse (-0.528)	detest (-0.454)					
exhaurio	c	draw out (0.082)	drain (-0.348), drink up (0.000), empty (0.000)	exhaust (-0.238), impoverish (0.000)?	remove (-0.232)	end (0.000)		
exilium	g	exile, banishment (0.000)?	place of exile (0.000)? /retreat (L+S)	exiles (0.000)? (pl.), those exiled				
exitium	g	destruction (0.000)?, ruin (-0.682)	death (-0.829)	mischief (-0.053)				
exitus	c	exit (0.112), departure	end (0.000), solution	death (-0.829)	outlet (0.152), mouth (of river)			
expello	g	drive out, expel (0.000)?, banish (0.000)?	disown (-0.686), reject					
expugnatio	c	storming, taking by storm (0.188)	assault (-0.785)					
expugno	c	assault (-0.785), storm (0.188)	conquer (-0.165), plunder (-0.297)	accomplish (0.663)	persuade (0.000)			
expulsio	c	driving-out (0.085)	expulsion (0.000)?					
extinguo	c	quench (0.159), extinguish (-0.126)	kill (-0.797)	destroy (-0.542)				
extorqueo	c	extort (-0.479)	tear away (-0.283), twist away	twist (0.000) /wrench out				
extorris	g	exiled (0.000)?						
exuo	c	pull off (0.109)	undress (0.000), take off	strip, deprive (-0.372) of	lay aside (0.000), cast off			
facinus	c	deed (0.000)	crime (-0.789)	outrage (-0.501)				
faex	c	dregs, grounds (0.013)	sediment (0.000), lees	deposits, {deposit} (0.000)	dregs of society, {dreg} (-0.198)			
falsitas	g	falsehood, untruth, fraud, deceit (-0.531) (sometimes pl.)						
falsus	g	wrong, lying, fictitious, spurious, false (-0.498), deceiving, feigned, deceptive						
fames	g	hunger (-0.407)	famine (-0.481)	want (0.302)	craving (-0.061)			
fastidium	g	loathing (-0.626), disgust	squeamishness (0.079)	scornful contempt (-0.474), pride	fastidiousness (0.152)			
fatalis	c	fated (0.000), destined	fatal (-0.720), deadly					
fatigo	c	weary, tire, fatigue (-0.349)	harass (-0.556)	importune (0.000)	overcome (0.475)			
fatuitas	g	foolishness (-0.200)	folly (-0.193)					
fatum	c	utterance (0.000), oracle	fate (0.000), destiny	natural term (0.000) of life	doom, death (-0.829), calamity (-0.270)			
feralis	g	funereal (-0.334)	deadly (-0.759), fatal					

ferio	c	hit (-0.278), strike (-0.528)	strike a bargain (0.000)	kill (-0.797), slay				
feritas	g	wildness (-0.179), barbaric (-0.430) /savage/uncultivated state	savagery, ferocity (-0.080)	brutality (-0.676)				
ferocitas	g	fierceness (-0.080), savageness, excessive spirits	aggressiveness (-0.400)					
fessus	g	tired (-0.180), wearied, fatigued (-0.520), exhausted	worn out, weak (-0.512), feeble, infirm, sick					
fictus	g	feigned (-0.404), false	counterfeit (-0.450)					
figmentum	c	figment (0.002), fiction, invention, unreality (-0.372)	thing formed (0.000) /devised	image (0.160)				
flagitium	g	shame (-0.576), disgrace	scandal (-0.294), shameful act, outrage (-0.501), disgraceful thing	scoundrel (-0.424)				
foeditas	g	foulness (-0.286) /filthiness/vileness	horridness/ beastliness (-0.398) /repulsiveness	deformity (-0.415)	ugliness/ unsightliness (-0.389)	disgrace (-0.658) /shame/infamy		
foedus	g	foul (-0.512)	filthy (-0.424), unclean (-0.464)	disgusting (-0.668), loathsome, ghastly, beastly	hideous (-0.413), ugly	shameful (-0.548) /disgraceful	vile (-0.661) /infamous	coarse (-0.147) /low/base
		indecent/ obscene (-0.526) (words)	fearful (-0.568) /frightful/severe (storm)	grievous (-0.512)	monstrous (-0.360), horrible	abominable (-0.260)	atrocious (-0.476), beastly, shocking	repugnant (-0.502) to refined/civilized taste/feelings
formido	g	dread (-0.536), fear, be afraid of	be afraid (-0.664) for (the safety of) (w/DAT)					
fragilitas	c	brittleness (0.122)	frailty (0.182)?					
fraudo	g	cheat (-0.461) /defraud/swindle	deprive (-0.372) deceitfully	baffle (0.023), make ineffectual (-0.270)	dishonor (-0.631)	embezzle, take (money) dishonestly, steal (-0.734)	violate (-0.563)	evade (-0.103) /trick intent of law
fraudulenter	g	fraudulently (-0.198), deceitfully	dishonestly, {dishonest} (-0.499)	falsely, {false} (-0.498)				
fraus	g	fraud (-0.749)	trickery (-0.348), deceit	imposition, offense (-0.215), crime	delusion (-0.429)			
frustra	g	in vain (0.000)?, {hopeless} (-0.709)	for nothing, to no purpose, {purposeless} (-0.322)					
fucus	c	dye (0.000)	(as cosmetic) rouge (0.000)	bee-glue, {glue} (0.000), propolis	presence/ disguise (-0.035) /sham (-0.396)	seaweed (0.000)		
fuga	g	flight, fleeing, escape (0.127)	avoidance (-0.418)	exile (0.000)?				
fugio	g	flee (0.000)?, fly, run away	avoid (-0.264), shun (-0.647)	go into exile (0.000)?				
fugitivus	g	fugitive, {adj} (-0.521)	deserter (0.000)?	runaway (-0.222) slave				

fugo	g	put to flight, rout (0.000)?	chase (-0.267) away	drive into exile (0.000)?				
funestus	g	deadly (-0.759), fatal	sad (-0.757)	calamitous (-0.420)	destructive (-0.480)			
furor	c	madness (-0.562), rage, fury (-0.578), frenzy	passionate (0.498) love					
furtivus	c	stolen, {steal} (-0.734)	secret (0.066), furtive					
fustuarium	g	death by beating (-0.023) (punishment meted out to soldiers)						
furtum	g	theft, {thieving} (-0.198)	trick, deception (-0.699)	stolen article, {steal} (-0.734)				
gemitus	c	groan (-0.290), sigh	roaring (0.217)					
grassator	g	vagabond (-0.410)	footpad, highway robber (-0.486)					
gravamen	g	trouble (-0.557), annoyance	physical inconvenience (-0.472)	burden (-0.493)				
gravis	c	heavy (-0.026)	painful (-0.589)	important (0.446)	serious (0.273)	pregnant (0.509)	grave, oppressive (-0.481), burdensome	
gravo	c	load/weigh down (-0.030)	burden, oppress (-0.088)?	pollute (0.000)? (air)	accuse (-0.628), incriminate	aggravate (-0.608)		
haereticus	g	heretical (0.254)?, of/belonging to heretical religious doctrines						
homicida	g	murderer (0.000)?, {murder, v} (-0.848) homicide	killer (-0.815) of men (applied to epic heroes)					
homicidium	g	homicide (0.000)?, murder (-0.935)						
horreo	g	dread (-0.536), shrink from, shudder (-0.250) at	stand on end, bristle (0.126)	have rough appearance, {unkempt} (-0.381)				
horribilis	g	awful, horrible (-0.649), terrible	monstrous (-0.360)	rough (-0.354)				
horror	g	shivering (0.000), dread (-0.476), awe rigidity (from cold, etc)						
hostilis	g	hostile (-0.671), enemy	of/belonging to an enemy (0.000)?, involving/performed by an enemy					
hostilitas	g	hostility (-0.530), enmity						
hostis	g	enemy (0.000)? (of the state)	stranger (-0.201), foreigner (-0.119)	the enemy (0.000)? (pl.)				

humilis	c	low, lowly, small, slight, base, mean, humble (0.378), obscure, poor (-0.334), insignificant (-0.378)						
ieiunus	c	fasting (0.000), abstinent, hungry (-0.366)	dry (0.000), barren (-0.343), unproductive	scanty (-0.341), meager				
ignarus	g	ignorant (-0.459)	unaware (-0.328), having no experience of	senseless (-0.419)	strange (-0.090)			
ignominia	g	disgrace, ignominy (-0.341), dishonor						
ignorantia	g	ignorance (-0.497)	lack (-0.372) of knowledge	absence (-0.299) of data on which to make judgment				
ignoratio	g	ignorance (-0.497)	lack (-0.372) of knowledge	absence (-0.299) of data on which to make judgment				
ignoro	c	not know, {ignorant} (-0.459)	be unfamiliar (-0.164) with	disregard (-0.124)	ignore (-0.442)	be ignorant (-0.459) of		
illecebra	c	allurement (0.215), enticement, means of attraction	incitement (0.160)?	enticement (0.232) by magic				
illicitus	g	forbidden, unlawful, illicit (-0.639)						
illudo	g	mock (-0.297), ridicule, speak mockingly of	fool (-0.361), dupe	use for sexual pleasure, {exploit} (-0.358)				
illuvies	c	dirt (-0.123), filth	filthy (-0.424) condition					
immanitas	c	brutality (-0.676), savage character, frightfulness	huge (0.203) /vast size	barbarity (-0.408)	monster (-0.623)			
immemor	g	forgetful (-0.393) (by nature)	lacking (-0.389) memory	heedless (-0.357) (of obligations/consequences)				
immerito	g	unjustly (0.122)?	without cause, {causeless} (-0.131)					
immineo	c	threaten (-0.597), be a threat (to)	overhang, be imminent (0.000) with DAT					
immitis	g	cruel (-0.564), rough (-0.354), harsh, sour	rude (-0.711), rough	severe (-0.401), stern	inexorable (-0.420)	savage (-0.227)		
immorior	g	die (-0.827) (in a particular place, position, etc) (w/DAT)						
impatientia	g	impatience (-0.375)	inability (-0.505) /unwillingness to endure/bear	impassivity (-0.167) /lack of emotion				
impedimentum	c	hindrance, impediment (-0.108)	heavy baggage (-0.119) (of an army) (pl.)					

impello	c	drive/persuade/ impel (0.000)	urge (-0.005) on/action	push/ thrust (0.179) /strike against	overthrow {n} (-0.346)			
imperitus	c	unskilled, inexperienced (-0.417) (in)	unfamiliar (-0.164), ignorant (of) (w/GEN)					
impetus	c	attack (-0.808), assault, charge	attempt (0.000)	impetus (0.000), vigor	violent mental urge, fury (-0.578)			
impietas	g	failure (-0.690) in duty or respect, etc						
impingo	c	thrust (0.179), strike (-0.528) or dash against						
impius	g	wicked, impious (-0.162)?, irreverent	showing no regard for divinely imposed moral duty, {disregard} (-0.119)					
implacabilis	c	relentless (0.001), irreconcilable (-0.341)						
impono	c	impose (-0.317), put upon	establish (0.107)	inflict (-0.419)	assign (0.000) /place in command	set (0.104)		
impossibilis	g	impossible (-0.409)						
impotens	g	powerless, impotent (-0.491), wild (0.235), headstrong	having no control (over), incapable (-0.372) (of)					
impressio	c	push (0.077), thrust, assault (-0.785), onslaught	emphatic (0.122) pronunciation	squashing/ squeezing (0.000)	impression (0.228), impressed mark	mark by pressure/stampin g, {stamp} (0.253)	edition (0.000) of book (Cal)	
improbitas	g	wickedness (-0.497) unscrupulousness , dishonesty	shamelessness (-0.167)	want of principle, {unprincipled} (-0.284)				
improbo	g	disapprove of, express disapproval (-0.448) of, condemn (-0.621)	reject (-0.484)					
improbus	g	wicked (-0.574) /flagrant	morally unsound (-0.102)	greedy/ rude (-0.711)	immoderate (-0.198)	disloyal (-0.645)	shameless (-0.261)	
impudens	g	shameless (-0.261), impudent (-0.148)						
impudenter	g	shamelessly (0.000)?, impudently (0.000)?						
impune	g	with impunity (0.000)?	without punishment/retri bution/restraint/c onsequences/har m, {unrestrained} (-0.229)					
impunitas	c	impunity (0.000)?	freedom from punishment, {immune} (0.344)	safety (0.557)				

impunitus	c	unpunished (-0.101), unrestrained (-0.229), unbridled	safe (0.671), secure, free from danger					
inanis	g	void, empty (-0.337), hollow	vain (-0.443)	inane (-0.197), foolish				
incautus	g	incautious, off one's guard, unprotected (-0.438)						
incertus	c	uncertain (-0.329)	unsure, inconstant, variable (0.025)	doubtful (-0.245)				
incestus	g	unchaste (-0.089)	unholy (-0.183), unclean, religiously impure, polluted, defiled, sinful (-0.361), lewd (-0.386)					
includo	c	shut up/in, imprison (0.000)?, enclose (0.067), {confine} (-0.479)	include (0.000)					
incommodum	g	disadvantage, inconvenience, setback, harm, detriment (-0.336)	defeat/ disaster (-0.790)	ailment (-0.507)				
incompetens	g	insufficient (-0.432)						
incultus	c	uncultivated (-0.008) (land), overgrown	unkempt (-0.381)	rough (-0.354), uncouth	uncourted, {unwanted} (-0.532)			
incuria	g	carelessness (-0.339), neglect						
incursus	g	assault, attack (-0.808)	raid (-0.432)					
indecenter	g	unbecomingly (0.000)?, {indecently} (-0.198)						
indecorus	g	unbecoming (-0.475)	disgraceful (-0.659)					
indignatio	g	indignation (-0.112)	anger (-0.670)	angry outburst (-0.241)				
indignus	g	unworthy (-0.552), undeserving, undeserved	unbecoming (-0.475)	shameful (-0.548)	intolerable (-0.499)	cruel (-0.564)		
inefficax	g	useless (-0.609), ineffectual (-0.270), unavailing, achieving nothing						
inexpiabilis	g	implacable (-0.019)	inexpiable (-0.389), unatoneable	that cannot be evaded by expiatory rites, {unavoidable} (-0.228)				
inexplicabilis	c	inextricable (-0.389), that cannot be unraveled	inescapable (-0.341)	impassable (0.284) (roads)	baffling (-0.341), unsolvable	incurable (-0.743)	involved/ complex (0.000)	inexplicable (-0.082)
		unexplainable (0.000)						

infamia	g	disgrace (-0.658), dishonor	infamy (-0.162)					
inficio	g	corrupt, infect (-0.563), imbue	poison (-0.714)	dye, stain (0.000), color, spoil				
infidelis	g	treacherous (-0.584), disloyal (-0.645)						
infidus	g	writing without faith, [faithless] (-0.402)	writing faithlessly, [treacherous] (-0.584)					
infortunium	g	misfortune (-0.634), punishment (0.000)?						
infringo	c	break (0.024), break off	lessen, weaken (-0.410), diminish, dishearten	overcome, crush (-0.064)				
ingratus	g	unpleasant (-0.652)	ungrateful (-0.584)	thankless (-0.375)				
ingruo	g	advance threateningly, {threatening} (-0.309)	make an onslaught (-0.270) on	break in, come violently, force (-0.257)				
inhio	c	gape (0.107), be open mouthed with astonishment (-0.265)	covet (-0.141), desire (0.533)					
inhumanus	c	rude (-0.711), discourteous, churlish	unfeeling, inhuman (-0.414)	uncultured (-0.089)	superhuman (0.363)			
inimicus	g	unfriendly, hostile (-0.671), harmful						
iniquitas	g	unfairness, inequality (-0.389), unevenness (of terrain)						
iniquus	g	unjust (-0.454), unfair	disadvantageous (0.359)?, uneven (-0.097)	unkind, hostile (-0.671)				
iniuria	g	injury (-0.675)	injustice (-0.685), wrong, offense	insult, abuse (-0.869)	sexual assault (-0.785)			
iniustus	g	unjust (-0.454), wrongful	severe (-0.401), excessive (-0.199)	unsuitable (-0.279)				
inofficiosus	g	undutiful (-0.056), disobliging						
inops	g	weak, poor, needy (-0.572), helpless	lacking, destitute (-0.725) (of), meager					
inquieta	c	disturb (-0.353), trouble (-0.557), molest, harass	press legal claim against, {sue} (0.000)	fidget (0.000), twiddle				
inreligiosus	g	irreligious (-0.259)	impious (-0.162)					
inrisio	g	derision (-0.010)	mockery (-0.513)					
inscientia	g	ignorance (-0.497)						
insequor	c	follow (-0.040) /come after	attack (-0.787)	overtake (-0.266)	pursue (0.000) (hostile)	come after (0.000) (time)		

insidia	g	ambush (-0.428) /ambuscade (pl.)	plot (-0.011)	treachery (-0.608), treacherous attack/device	trap (-0.475) /snare			
insidiator	g	one lying in ambush/wait (attack/rob), {robber} (-0.486)	lurker (0.158)	who plots/sets traps, deceiver, {deceive} (-0.547)				
insidior	g	lie in wait (to rob/assault (-0.785)	lie in ambush (-0.428)	make treacherous (-0.584) attack (on)	plot (0.000)	lay traps, {trap} (-0.414)	act to catch (0.153) person out	wait and watch (0.120)
		be on lookout (-0.163) (for)	lurk (-0.362)					
insidiosus	g	treacherously (0.158)?, {treacherous} (-0.584)	deceitfully (0.158)?, {deceitful} (-0.603)	cunningly (0.188)?, {cunning} (-0.036)?	stealthily (0.158)	insidiously (0.158)?, {insidious} (-0.319)		
insolens	c	haughty, arrogant, insolent (-0.536)	immoderate (-0.198), extravagant (0.293)	unaccustomed (-0.405)	unusual (0.210)	against custom, {unaccustomed} (-0.405)		
insolentia	c	unfamiliarity (-0.283)	strangeness (-0.310)	haughtiness (-0.031)	extravagance (0.194)			
insto	c	pursue (0.000), threaten (-0.597)	approach (0.127), press hard	be close (0.062) to (w/DAT)	stand (0.075) in/on			
insulto	c	leap/ jump (0.388) /spring (in/on)	dance (0.000) / trample (-0.312) (on)	enter with a leap (0.000)	insult (-0.620)	behave insultingly, mock (-0.297) /scoff/jeer (at)	assault/ attack (-0.787) (Latham)	
intemperanter	c	without self-control/restraint, {uncontrolled} (-0.341)	immoderately, excessively (-0.061), violently (0.122)?					
intemperatus	g	intemperate (-0.231), untempered, immoderate	inclement (-0.353) (L+S)	unmixed (-0.444) (w/vinum)				
intercipio	c	cut off (0.000)	intercept (0.000), interrupt (-0.476)	steal (-0.734)				
intercludo	c	cut off (0.000)	blockade (-0.351)	hinder (-0.257), block up (-0.283)				
interdico	c	forbid (-0.545), interdict (0.000), prohibit	debar (-0.030) (from)					
intereo	c	perish, die (-0.827)	be ruined (-0.405)	cease (0.000)				
interficio	g	kill (-0.797)	destroy (-0.542)					
interitus	g	ruin (-0.682)	violent (-0.648) / untimely (-0.368) death (-0.829), extinction (-0.446)	destruction (0.000)?, dissolution (0.080), {destroy} (-0.542)				
interminor	g	utter threats (-0.625) (to check/alter action)	forbid (-0.545) w/threats	threaten (-0.597), menace (L+S)				
intolerabilis	g	unable to endure, [undendurable] (-0.389) impatient (of)	insufferable (-0.331)					
intolerandus	g	insupportable (-0.167), insufferable (-0.331)	unbearable, intolerable (-0.499)	physically unendurable (-0.389)				

intutus	g	defenseless (-0.589)	unsafe (-0.543)					
invado	c	enter (0.000), attempt	invade (-0.469)	take possession (-0.016) of	attack (-0.787) (with in +acc.)			
invasio	g	attack (-0.808)	invasion (0.000)?					
invirecundus	g	shameless (-0.261), impudent (-0.148)						
invideo	g	envy (-0.529), regard with envy/ill will	be jealous (-0.651) of	begrudge (-0.274), refuse (-0.421)				
invidia	g	hate (-0.769) /hatred/dislike	envy (-0.472) /jealousy/spite/ill will	use of words/acts to arouse (0.414)				
invitus	g	reluctant (-0.310)	unwilling (-0.437), against one's will					
ira	g	anger (-0.670)	ire, wrath (-0.453)	resentment (-0.500)	indignation (-0.112)	rage/fury/ violence (-0.607)	bad blood (-0.056)	
irascor	g	get/be/become angry (-0.629)	fly into a rage (-0.606)	be angry (-0.629) at (with DAT)	feel resentment (-0.500)			
irrepo	g	creep (-0.487) in or into	steal (-0.734) into	insinuate (-0.241) oneself (into)				
labefacto	c	shake (-0.070)	cause to waver (0.045)	make unsteady (-0.170), loosen	undermine (0.000)			
labor	c	labor (-0.035) / toil (-0.331) /exertion/effort/ work	task (0.000) /undertaking	production (0.320)	childbirth (0.000)	preoccupation/ concern (-0.035)	struggle (-0.549) /suffering/distress/hardship/stress	wear+tear (0.122)
laboriosus	c	laborious (-0.259), painstaking (-0.056)						
laboro	c	work (0.033), labor (0.000)	produce (0.000), take pains	be troubled/sick/opp ressed, be in distress (-0.439)				
laedo	g	strike (-0.528)	hurt (-0.647), injure (-0.368), wound (-0.491)	offend (-0.388), annoy (0.000)?				
laesio	g	injury (-0.675), harm (-0.721), hurt	part of speech to injure opponent's case (rhetoric) (-0.076), attack (-0.808)					
languo	g	be tired (-0.180)	be listless /sluggish/ unwell (-0.478) /ill	wilt (-0.387), lack vigor				
languesco	g	become faint or languid or weak, wilt (-0.387)						
laqueum	c	noose (0.000), halter (-0.197)	snare, trap (-0.475)	lasso (0.000)	bond, tie (0.000)			
lascivus	c	playful (0.664)	lustful, wanton (0.092)?	impudent, mischievous (-0.145)	free from restraint, {unrestrained} (-0.229)			
lasso	g	tire (-0.115), weary, exhaust (-0.238), wear out						

latens	c	hidden (-0.231), concealed (-0.207)	secret (0.066), not revealed, [in latenti => in secret]					
leno	g	brothel keeper (0.000)?	bawd (-0.198)	procurer, pimp (0.000)?	panderer (0.000)?			
letalis	g	deadly (-0.759), fatal	lethal (0.000), mortal					
libido	c	desire (0.511) / longing (-0.089) / wish/fancy	lust, wantonness (-0.231)	will/ pleasure (0.658)	passion (0.683) / lusts (pl.)			
licens	c	bold (0.430), free, forward, presumptuous (-0.228)	uncurbed, unrestrained (-0.229) in conduct					
licentia	c	freedom (0.642), liberty	license (0.259), disorderliness (-0.154)	outspokenness (0.217)				
luctus	g	grief, sorrow (-0.475), lamentation, mourning	cause of grief (-0.670)					
lupanar	g	brothel (0.000)?						
macies	g	leanness (-0.166), meagerness (-0.265)	poverty (-0.759)					
macula	c	spot, stain (-0.501), blemish	dishonor (-0.631)	mesh (0.000) in a net				
maculo	c	spot (0.030)	pollute (0.000)?	dishonor (-0.631), taint (-0.267)				
male	g	badly (-0.355), ill, wrongly, wickedly, unfortunately	extremely (0.300)					
malignus	c	spiteful (-0.537)	niggardly (0.085)	narrow (-0.032)				
malitia	g	ill will, malice (-0.550)	wickedness (-0.497)	vice, fault (-0.317)				
malitiosus	g	wicked (-0.574)	crafty (0.160), roguish (-0.169), knavish					
malum	g	evil (-0.627), mischief	disaster (-0.790), misfortune, calamity, plague	punishment (0.000)?	harm (-0.721) / hurt			
manus	c	hand (0.278), fist	team (0.000)	gang (0.000)?, band of soldiers	handwriting (0.000)			
mendacium	g	lie (-0.624), lying, falsehood, untruth	counterfeit, fraud (-0.749)					
mentior	g	lie (-0.607), deceive, invent	imitate (0.080)	feign (-0.185)	pretend (-0.065)	speak falsely (0.158)? about		
metuo	g	fear (-0.535)	be afraid (-0.664)	stand in fear of, {afraid} (-0.664)	be apprehensive, dread (-0.536)			
metus	c	fear (-0.495), anxiety	dread, awe (0.464)	object of awe/ dread (-0.476)				
minor	g	threaten (-0.597), speak/act menacingly	make threatening (-0.309) movement	give indication (0.001) of				

miser	g	poor (-0.334), miserable (-0.654), wretched, unfortunate, unhappy, distressing						
miserabilis	g	wretched, miserable (-0.654), pitiable (-0.410)						
miserandus	g	pitiable (-0.410), unfortunate						
miseratio	c	pity (-0.400), compassion (0.757)						
miseria	g	misery (-0.685), distress, woe, wretchedness, suffering						
moles	c	large (0.204) mass	rock/boulder (0.000)	heap (-0.130) /lump (-0.498) /pile (0.000), bulk (0.000)	monster (-0.623)	mole/ jetty (0.000) /dam/ dike (-0.171)	large structure/ building (0.000)	military (0.000) structure, wall, ramp
		causeway/ embankment (0.000)	crowd (0.000), throng	heavy responsibility/ burden (-0.493)	difficulty (-0.603) /danger	might (-0.069) /force		
moleste	g	annoyingly (-0.198)	in a vexing (-0.466) /annoying/distressing/tiresome manner					
molestia	g	trouble, annoyance (-0.497)						
molestus	g	annoying (-0.462)	troublesome (-0.560)	tiresome (-0.263)	[molestus esse => to be a worry/nuisance (-0.522)]			
molior	c	struggle (-0.498), labor (0.000), labor at	construct (0.098), build	undertake (-0.198), set in motion, plan (0.000)				
morbus	g	sickness, illness (0.000)?, weakness (-0.485)	disease (-0.837)	distemper (-0.150)	distress (-0.439)	vice (-0.336)		
morior	g	die (-0.827), expire, pass/die/wither away/out	fail (-0.645), come to an end (0.000)	decay (-0.652)	perish (0.000)?	become obsolete (-0.386) (word), fall into disuse	be forgotten (-0.198)	faint (-0.230), languish (-0.138)
		become void/ moot (-0.041) (lawsuit)	be extinguished (-0.341) (fire/light), go out					
mors	g	death (-0.829)	corpse (0.000)?	annihilation (-0.573)				
mortuus	g	dead (-0.721), deceased	limp (-0.580)					
multa	g	fine {swm} (-0.125)	penalty (-0.605)	penalty (-0.605) involving property (livestock, later money)				
multo	g	punish (0.000)?, fine {swm} (-0.125)	extract as forfeit (-0.376)	sentence (0.000)? to pay				
necessitas	c	need/ necessity (0.038)	inevitability (-0.031)	difficult straits, {dire straits} (-0.198)	poverty (-0.759)			

nefandus	g	impious (-0.162), wicked (-0.574)	abominable (-0.260)					
nefarius	g	wicked (-0.574), evil, offending moral law	criminal (-0.717), abominable	horrible (-0.649) /vile/foul	impious (-0.162)	nefarious (-0.275)	execrable (-0.504)	heinous (-0.555)
		abandoned (-0.052) (Cas)						
nefas	g	sin (-0.520), violation of divine law, impious act	[fas et nefas => right and wrong (-0.447)]					
neglectus	g	disregarded (-0.198), not cared for, neglected (-0.237), ignored (-0.283)	carelessly (-0.237) made/done					
neglegens	g	heedless, neglectful (-0.355), careless	unconcerned (-0.171), indifferent	slovenly (-0.341)	unruly (-0.405)			
neglegenter	g	heedlessly (-0.283), neglectfully (0.158)?, carelessly (-0.237)	unconcernedly (0.122)?, indifferently	slovenly (-0.341)				
neglegentia	g	heedlessness, neglect (-0.757)	carelessness, negligence (-0.598)	coldness (-0.232)	disrespect (-0.496)			
neglego	g	disregard, neglect (-0.665), ignore, regard of no consequence	do nothing (-0.089) about	despise (-0.476)				
nego	g	deny, refuse (-0.421)	say ... Not, {deny} (-0.307)					
nequitia	g	wickedness (-0.497)	idleness (-0.112)	negligence (-0.598)	worthlessness (-0.132)	evil (-0.614) ways		
nescio	g	not know (how), be ignorant (-0.459) /unfamiliar/unaware/ unacquainted (-0.180) /unable/unwilling						
nescius	g	unaware (-0.328), not knowing, ignorant (-0.459)						
nocens	g	harmful (-0.701)	guilty (-0.520)	criminal (-0.717)				
noceo	g	harm (-0.745), hurt	injure (-0.368) (with DAT)					
nolo	g	be unwilling (-0.437)	wish not to, {decline} (-0.423)	refuse (-0.421) to				
noxa	g	hurt, injury (-0.675)	crime (-0.789)	punishment, harm (-0.721)				
noxia	g	crime (-0.789), fault (-0.317)						
noxius	g	harmful (-0.701), noxious (-0.167)	guilty (-0.520), criminal (-0.717)					
nudo	c	lay bare, strip (-0.102)	leave unprotected (-0.438)					
obeo	c	go to meet (0.299)	attend to (0.000)	fall (-0.274)	die (-0.827)			

oblitus	g	forgetful (-0.393) (with gen.)						
obnoxius	g	liable (-0.268)	guilty (-0.520)					
obreptio	c	creeping/sneaking up unseen, {sneak} (-0.167)	surprise (0.652)	fraudulent (-0.389) /improper means of obtaining				
obruo	c	cover up (0.000), hide (-0.029), bury (-0.778)	overwhelm (-0.408), ruin (-0.691)	crush (-0.064)				
obscaenitas	g	indecenty (-0.431), obscenity (-0.424) (language)	indecent (-0.076) /obscene (-0.526) behavior/figures	ill omen, {ill-omened} (-0.395)				
obscaenus	g	repulsive (-0.811), detestable	foul (-0.512)	indecent, obscene (-0.526), lewd (sexual/excretory things)	inauspicious (-0.405) /unpropitious	ill-omened (-0.395) /boding ill	filthy (-0.424), polluted, disgusting	
obscuritas	c	darkness (-0.032), obscurity (-0.130) unintelligibility (0.107)?						
obscurus	c	dim, dark (0.053), obscure (0.031)	dusky, shadowy (-0.186), only faintly/dimly seen	dingy (-0.363)	gloomy (-0.490)	not/barely visible, hidden (-0.231) from sight	imperceptible (-0.265)	muted/ muffled (-0.013), inaudible
		little known, undistinguished/ insignificant (-0.378) /humble (0.378) /obscure (person)	secret (0.066)	not open, {closed} (-0.266)	vague (-0.179)/ uncertain /dim/faint, poorly known	unclear (-0.389)	incomprehensible (-0.354)	
obsideo	c	blockade (-0.351), besiege (-0.178), invest, beset (0.000)	take possession (-0.016) of					
obsidio	g	siege (0.000)?, {besiege} (-0.178)	blockade (0.000)?, {v} (-0.351)					
obstinatio	c	determination (0.676), stubbornness (-0.351)						
obstinatus	c	firm, resolved, resolute (0.189)	obstinate (-0.246)					
obsum	g	hurt (-0.647)	be a nuisance (-0.522) to, tell against					
occido	c	kill (-0.797), murder, slaughter, slay	cut (0.084) /knock down	weary (-0.435), be the death/ruin of				
occulto	c	cover (0.091)	cover up, hide (-0.029), cover over, conceal (-0.290)					
occultus	c	hidden (-0.231), secret (0.066)	[in occulto => secretly (0.000)]					
occupo	c	seize (-0.310)	gain (0.179)	overtake (-0.266)	capture, occupy (-0.034)	attack (-0.787)		
occurro	c	run to meet (0.299)	oppose (-0.194), resist (-0.317)	come to mind, occur (0.362) (with DAT)				

odi	g	hate (-0.818) (PERF form, PRES force), dislike (-0.433)	be disinclined (-0.420) /reluctant/adverse to					
odiosus	g	distasteful (-0.494). disagreeable, offensive (-0.356)	tiresome (-0.263), boring, troublesome, annoying (-0.462)					
odium	g	hate (-0.769) /hatred/ dislike (-0.461) /antipathy	odium (-0.231), unpopularity (0.085)	boredom/ impatience (-0.375)	hatred (manifested by/towards group), hostility (-0.530)	object of hate (-0.769) / odium (-0.231)		
offendo	c	offend (-0.388), give offense (to)	displease (-0.564) /annoy/ vex (-0.026)	trouble/ upset (-0.604), hurt (feelings)	strike (-0.528) /knock against	bump into (-0.080)	stumble (0.000) upon	check (0.342), stop short
		spoil (-0.512) /harm	come upon, meet, find, encounter (0.007), be faced with	run aground (0.000)	violate/ wrong (-0.443)			
offensa	g	offense (-0.215), displeasure (-0.607)	offense to a person's feelings, resentment (-0.500)					
offensus	g	offensive (-0.356), odious						
onero	c	load (-0.138), burden (0.000)	oppress (-0.088)?					
onerousus	g	oppressive (-0.481)	burdensome (-0.173)	onerous (-0.173)				
onus	c	load (-0.166), burden (-0.493)	cargo (0.000)					
opprimo	c	press down (0.000)	suppress (-0.525)	overthrow {n} (-0.346)	crush (-0.064), overwhelm (-0.408), fall upon, oppress			
opprobrium	g	reproach, taunt (-0.432)	disgrace (-0.658), shame, scandal	source of reproach/ shame (-0.576)				
pallor	c	wanness (-0.389)	paleness (-0.062) of complexion	pallidness (-0.389), {pallor} (-0.389)				
parricidalis	g	parricidal, of/connected with parricide/ murder (-0.935) of near relative	treasonous (0.152)?					
patientia	c	endurance (0.457) /hardness	patience (0.403) /persistence	apathy (-0.326)	sufferance (-0.225)	hardship (-0.608)	tolerance (0.357) /forbearance	compliance (-0.198) /submissiveness
pator	c	suffer (-0.707)	allow (0.312)	undergo (0.000), endure	permit (0.033)			
paupertas	c	poverty (-0.759), need	humble (0.378) circumstances					
pecco	g	sin (-0.482)	do wrong (-0.443), commit moral offense	blunder (-0.236), stumble	be wrong (-0.447)	make mistake (-0.477)	make slip in speaking, {slip-up} (0.000)	act incorrectly (0.158)?
		go wrong, be faulty (-0.426)						
pello	c	beat (-0.166)	drive out (0.085)	push (0.077)	banish (0.000)?, strike (-0.528), defeat, drive away, rout			

percello	c	strike down (0.000)	strike (-0.528)	overpower (-0.265)	dismay (-0.470), demoralize, upset			
perdo	g	ruin, destroy (-0.542)	lose (-0.309)	waste (-0.637)				
pereo	g	die (-0.827), pass away	be ruined, be destroyed (-0.253)	go to waste (-0.600)				
perfero	c	carry (0.127) through	bear, endure to the end, suffer (-0.707)	announce (0.000)				
perfidia	g	faithlessness, treachery (-0.608), perfidy (0.192)?						
perfidus	g	faithless, treacherous (-0.584), false, deceitful						
periculosus	g	dangerous (-0.615), hazardous, perilous (-0.093)	threatening (-0.309)					
periculum	g	danger, peril (-0.444)	trial (-0.392), attempt (0.000)	risk (-0.010)	responsibility for damage, liability (-0.434)			
perimo	g	kill, destroy (-0.542)						
perniciēs	g	ruin (-0.682)	disaster (-0.790)	pest (-0.634), bane	curse (-0.473)	destruction, calamity (-0.270)	mischief (-0.053)	
perniciosus	g	destructive (-0.480), dangerous (-0.615), pernicious (-0.444)						
perodi	g	hate greatly (PERF form, PRES force), loathe (-0.602), detest						
persequor	c	follow up, pursue (0.000)	overtake (-0.266)	attack (-0.787)	take vengeance (-0.562) on	accomplish (0.663)		
perterreo	g	frighten greatly, terrify (-0.526)						
pertimesco	g	become very scared (-0.562) (of)						
pertinax	c	persevering (0.284), obstinate (-0.246)	pertinacious (-0.420)					
perturbo	g	confuse (-0.096), throw into confusion	disturb (-0.353), perturb (-0.121), trouble (-0.501)	alarm {n} (-0.332)				
perurgueo	c	press hard on, {urge} (-0.005)	oppress (-0.088)?	take pains (-0.080) (=perurgeo)				
pervado	c	go or come through (0.082)	spread (0.000) through	penetrate (0.165)	pervade (0.000)	[persons guilty of forcible (-0.341) entry and seizure]		
perversus	g	askew, awry (-0.168)	perverse (-0.344), evil, bad					
pessimus	g	worst (-0.353), most incapable	wickedest, {wicked} (-0.574)	most disloyal (-0.645) / unkind (-0.607)	lowest (-0.069) in quality/rank			

petulans	g	insolent (-0.536), unruly, smart-alecky, {petulant} (-0.198)	forward (-0.007), aggressive (-0.507)	impudent (-0.148)	reprobate (-0.396) /wanton			
piaculum	c	expiatory offering (0.085) or rite	sin (-0.520)	crime (-0.789)				
plecto	c	buffet, beat (-0.166)	punish (0.000)?					
poena	g	penalty (-0.605), punishment	revenge (-0.520) /retribution	[poena dare => to pay the penalty (-0.605)]				
polluo	g	soil/ foul (-0.510) /dirty/stain/pollute (0.000)?	infect (-0.563) (w/disease)	make impure (-0.355)	break (0.024) (fast)	violate (-0.563)	dishonor (-0.631) /defile/degrade (w/illicit sexual conduct/immoral actions)	
portentum	c	omen (0.000)?, portent (0.000)						
praeda	g	booty, loot, spoils, plunder (0.000)?, prey						
praedo	g	pillage, despoil, plunder (-0.297)	rob (-0.728) /ravish/take	acquire loot (robbery (-0.609) /war)	catch (0.167)			
praeiudicium	c	precedent (0.000), example	prejudgment (0.122)	[prejudice] (-0.627)				
praesumo	c	consume (0.126) /perform (0.000) /employ beforehand	anticipate (0.210)	presuppose (0.158) /presume (-0.270) /assume (-0.187)	dare (-0.108)			
praesumptio	c	presumption (-0.146)	anticipation (0.103) of objection	stubbornness (-0.351)	enjoying anticipation (0.103)			
pravus	g	crooked (-0.414)	misshapen (-0.056), deformed (-0.671)	perverse (-0.344), vicious, corrupt (-0.454)	faulty (-0.426)	bad (-0.463)		
premo	c	press (0.088), press hard, pursue	oppress (-0.088)?	overwhelm (-0.408)				
privo	c	deprive (-0.372), rob (-0.728), free (0.819)						
probrosus	g	shameful (-0.548)	disreputable (-0.024)					
proditio	g	treason, betrayal (-0.726)						
profanus	c	secular (-0.004), profane (-0.676)	not initiated, {uninitiated} (-0.173)	impious (-0.162)				
prohibeo	g	hinder (-0.257), restrain	forbid (-0.545), prevent (0.107), [prohibit] (0.000)?					
prohibitio	c	prohibition (-0.572)	prevention (0.000), making impossible/unlawful	stopping (0.000) (a legal action)				
proscriptio	c	advertisement (0.000)	notice of confiscation (0.000)?	proscription (0.000)?, pub of names of outlaws				
prostitutio	g	prostitute {n} (-0.399)	put to improper (-0.338) sexual/unworthy use	dishonor (-0.631), expose to shame				

provoco	c	call forth (0.107)	challenge (0.000)	provoke (-0.374)				
pudendus	g	causing shame, shameful (-0.548), scandalous, disgraceful, abominable						
pudeo	g	be ashamed (-0.680), make ashamed, [me pudet => I am ashamed]						
pudor	c	decency (0.103), shame (-0.576)	sense of honor (0.453)	modesty (0.267)	bashfulness (-0.259)			
pulso	c	beat (-0.166)	pulsate (0.000)	[sue (0.000)?, defendant]				
punio	g	punish (0.000)? (person/offense), inflict (-0.419) punishment	avenge (-0.254), extract retribution					
querella	g	complaint (-0.478), grievance	illness (0.000)?	difference of opinion (-0.167)	lament (-0.218)	blame (-0.501) (Plater)		
querimonia	c	complaint (-0.478), "difference of opinion" (-0.167)						
rapina	g	robbery (-0.609), plunder, booty	rape (-0.846)					
rapio	g	drag (-0.328) off	snatch (-0.103)	destroy (-0.542)	seize (-0.310), carry off	pillage (0.000)?, {plunder} (-0.297)	hurry (-0.130)	
raptor	g	robber (-0.486)	plunderer (0.000)?, {plunder} (-0.297)					
reatus	g	accusation, (-0.359) charge	state/condition of being accused (0.000)?, {accuse} (-0.628)	dress of accused (0.000)? (L+S), {accuse} (-0.628)	guilt (-0.697)			
rebellis	g	insurgent, rebellious (-0.248)						
reformido	g	dread (-0.536)	shun (-0.647)	shrink from (0.000)?, {fear} (-0.535)	recoil (-0.035) at the sight of			
relegatio	g	banishment (0.000)?						
relinquo	c	leave behind, abandon (-0.542)	(pass.) be left, remain (0.000)	bequeath (0.000)				
reluctor	g	resist (-0.317), struggle against, make opposition						
removeo	c	move back (-0.283)	put away (0.000)	withdraw (-0.223)	remove (-0.232)			
repello	c	drive (0.122) /push/thrust back/away	repel (-0.371) /rebuff/spurn	fend off (0.000)	exclude (-0.386) /bar	refute (-0.140)		
repudio	g	reject (-0.484)	repudiate (-0.229)	scorn (-0.501)				
repugno	c	fight back, oppose (-0.194)	be incompatible (-0.509) with	disagree (-0.508) with				
resisto	c	pause (0.000)	continue (0.000)	resist (-0.317), oppose	reply (0.292)			

respuo	g	reject (-0.484), spit, spew out	turn away (-0.053), repel (-0.371)	reject (-0.484), destain, spurn, refuse				
retraho	c	draw back, withdraw (-0.223)	make known again, divert (-0.131)	bring back (0.000)	[dragged back], {drag} (-0.320)			
reus	c	party in lawsuit (0.000)	plaintiff (0.000) /defendant (0.000)	culprit (0.000) /guilty (-0.520) party, debtor	sinner (0.000)?			
ruina	g	fall (-0.283)	catastrophe (-0.539)	collapse (-0.429), destruction				
sacrilegium	g	sacrilege (-0.380)	robbery (-0.609) of sacred property					
sacrilegus	g	sacrilegious (-0.223), impious (-0.162)						
saevio	g	rage (-0.668)	rave (0.190), bluster (-0.075)	be/act angry (-0.629) /violent/ferocious	vent rage (-0.606) on (DAT)			
saevus	g	savage (-0.227)	fierce/ ferocious (-0.428)	violent/wild/ raging (-0.381)	cruel, harsh, severe (-0.401)	vehement (0.008)		
sanctio	c	law (-0.117) /ordinance/ sanction (-0.178) /degree	binding (-0.238) clause	penal sanction (-0.178) against violation				
saucio	g	wound (-0.491), hurt	gash (0.000), stab (-0.526)					
saucius	g	wounded (-0.420)	ill (-0.457), sick					
scaevus	c	left (-0.019), on the left	awkward (-0.494)					
sceleratus	g	criminal (-0.717), wicked (-0.574)	accursed (-0.445)	lying under a ban (-0.411)	sinful, atrocious, heinous (-0.555)			
scelus	g	crime (-0.789)	calamity (-0.270)	wickedness (-0.497), sin, evil deed				
secretius	c	separate (-0.318), apart (from)	private, secret (0.066)	remote (0.082)	hidden (-0.231)			
segnis	g	slow, sluggish (-0.284), torpid, inactive	slothful, unenergetic (-0.395)	slow moving, slow (-0.276)				
segnities	g	sloth (-0.233), sluggishness, inertia (0.084)	weakness (-0.485), feebleness	disinclination (-0.309) for action				
servilis	c	servile (0.230), of slaves (-0.769)						
servio	c	serve (0.097)	be a slave (-0.769) to (with DAT)					
servitus	c	slavery (0.000)?	slaves (-0.769)	servitude (0.000)				
servus	c	slave (-0.769)	servant (-0.232)					
severitas	g	strictness, severity (-0.271)						
severus	c	stern, strict, severe (-0.401)	grave (-0.602), austere (0.118)	weighty (-0.084), serious (0.273)	unadorned (-0.265), plain (0.025)			

simultas	g	enmity (0.047)?, rivalry (0.000)?, {hostility} (-0.530)	hatred (-0.681)					
sinister	c	left (-0.019), improper (-0.338), adverse	inauspicious (-0.405)					
solitudo	c	solitude (0.000), loneliness (-0.667)	deprivation (-0.627)	wilderness (0.407)				
sollicite	g	anxiously (0.000)?, {anxious} (-0.353)	with a troubled (-0.513) mind	with anxious (-0.353) care				
sollicito	g	disturb (-0.353), worry (-0.755)	stir up (0.037), arouse (0.414), agitate (-0.411), incite					
sollicitudo	c	anxiety (-0.626), concern (-0.035), solicitude						
sollicitus	g	concerned (-0.105), worried (-0.487)	upset (-0.604), troubled, disturbed, anxious (-0.353), apprehensive					
sordeo	g	be dirty/ soiled (-0.420)	seem mean/ unworthy (-0.552) /not good enough/ common (0.237) /coarse/vile/ignoble					
sordidus	g	dirty (-0.467), unclean, foul, filthy	vulgar, sordid (-0.361)	low (-0.171), base, mean (-0.666), paltry	vile (-0.661)			
spolio	g	rob (-0.728), strip (-0.102)	despoil (-0.023), plunder (-0.297)	deprive (-0.372) (with abl.)				
spolium	c	spoils (-0.528), booty (0.000)?	skin (0.000), hide					
squalor	g	squalor (-0.420), filth						
sterilitas	g	barrenness (-0.061)?, sterility (-0.091), inability (female) to reproduce/(land) to produce crops						
stimulus	c	spur (0.000) /goad (0.000)	trap (-0.475) /spike (-0.162) in earth	prick/sting/cause of torment (-0.639) /torture instrument				
subiugo	g	subjugate (0.000)?, make subject	bring under the yoke (0.000)? (L+S)					
submoveo	c	remove (-0.232)	drive off (0.122), dislodge	expel (0.000)?	ward off (0.000)	keep at a distance, {keep one's distance} (0.000)	bar (0.000) /debar	
subrepo	c	creep (-0.487) (under/up to)	move stealthily (0.158)	ooze (0.000) /seep (liquid)	insinuate (-0.241) self	come on gradually (0.000) /imperceptibly/by degrees (conditions)	steal along/on, {steal away} (0.122)	

subreptio	g	stealing/taking secretly or by deception (-0.699)	filching, {filch} (-0.080)	purloining, theft (0.000)? (L+S), {steal} (-0.662)				
subripio	g	snatch (-0.103) away, steal (-0.734)						
subverto	c	overturn (0.011), cause to topple (-0.087)	overthrow, destroy (-0.542), subvert (-0.154)					
succumbo	c	sink/fall (-0.274) /lie/break down	succumb (0.228)? /collapse (-0.408) (w/weight)	suffer/ concede (-0.135) defeat	surrender {n} (-0.289)	yield (0.075)	lay (0.330) under (-0.091)	lie under/ submit (-0.277) (female to male)
		cohabit (0.000) (L+S)	give in (0.200) /way	lower (0.014) itself (animal to take load)	be rival (0.000) to (DAT of a woman)			
superbia	c	arrogance (-0.663), pride (0.384), haughtiness						
superbio	c	show/have (too much) pride (0.384) /disdain (-0.360) (to)	be proud (0.451) /gorgeous/superb /magnificent					
superbus	c	arrogant (-0.644), overbearing, haughty, proud (0.451)						
supercilium	c	eyebrow (0.000)	frown (-0.417)	arrogance (-0.663)				
superfluous	c	superfluous (-0.130), in excess of need	remaining (0.069) after something taken	surplus (0.203)				
superstitio	g	superstition (-0.040)	irrational (-0.388) religious awe					
supplicatio	c	thanksgiving (0.000)	supplication (0.006)?					
supplicium	g	punishment (0.000)?, suffering (-0.460)	supplication (0.006)?	torture (-0.873)				
surrepticius	g	surreptitious (0.236)?						
suspectus	g	suspected (0.158)? /mistrusted, {suspect} (-0.659)	of doubtful (-0.245) character	believed without proof, {unconfirmed} (-0.092)	suspicious (-0.350)			
suspendium	g	act of hanging (0.000)? oneself, {hang} (-0.461)						
suspendo	c	hang up (0.000), suspend (-0.228)						
suspica	g	mistrustful (-0.389)						
suspicio	g	suspicion (-0.434)	mistrust (-0.771)					
suspitor	c	mistrust (-0.713), suspect	suppose (0.108)					

taedeo	g	be tired (-0.180) /weary/sick (of) (w/GEN or INF+ACC of person)	be disgusted (-0.575) /offended					
temerarius	g	casual (0.212), rash (-0.497), accidental	reckless (-0.494)					
temere	g	rashly, blindly (-0.299)						
temeritas	g	rashness (0.104)?	temerity (0.085)?					
temero	g	violate (-0.563)	defile (-0.030), pollute	violate (-0.563) sexually				
tempto	c	test, try (0.146), [attempt] (0.000)	urge (-0.005)	worry (-0.755)	bribe (0.000)?			
tenuis	c	thin (0.128), fine	delicate (0.329)	slight (-0.115), slender	little, unimportant (-0.144)	weak (-0.512), feeble (-0.264)		
tergiversor	c	turn one's back on a task or challenge, [reluctance] (-0.209)	hang back (0.000)					
terreo	g	frighten, scare, terrify (-0.526), deter (0.000)						
terribilis	g	frightful, terrible (-0.721)						
terror	g	terror (-0.566), panic, alarm, fear						
timeo	g	fear (-0.535), dread (-0.536), be afraid (ne + SUB = lest, ut or ne non + SUB = that ... not)						
timor	g	fear (-0.495)	dread (-0.476)					
tolero	c	bear (0.079), endure (0.009), tolerate (0.245)?						
tollo	c	lift (0.049), raise (0.598)	destroy (-0.542)	remove (-0.232), steal (-0.734)	take/ lift up (0.177) /away			
tormentum	c	windlass (0.000)	instrument for twisting (-0.080) /winding	engine for hurling stones, {catapult} (0.000)	missile, {projectile} (-0.321)	rack (0.113)	any torture (-0.911) device	tension (-0.373), pressure (-0.385)
		torture (-0.911) , torment						
traho	c	draw, drag (-0.320), haul (0.000)	derive (0.000), get (0.260)					
trepidus	c	nervous (-0.320), jumpy (-0.066), agitated, {trepid} (-0.061)	perilous (-0.093), alarming, frightened	boiling (0.000), foaming				
tristis	g	sad (-0.757), sorrowful	gloomy (-0.490)					
tristitia	g	sadness (-0.636)						
trunco	c	maim, mutilate (-0.799)	strip (-0.102) of branches, foliage	cut off (0.000)				
tumultus	g	commotion (-0.206), confusion (-0.470), uproar, {tumult} (-0.167)	rebellion (0.000)?, uprising, disturbance (-0.584)					

turba	c	commotion (-0.206), uproar, turmoil, tumult (-0.167), disturbance (-0.584)	crowd, mob (0.000)?, multitude					
turbo	g	disturb (-0.353), agitate (-0.411), throw into confusion						
turbulentus	g	violently disturbed (-0.343), stormy, turbulent (-0.168)	unruly (-0.405), riotous	w/violent unrest (-0.616)				
turpis	g	ugly (-0.673)	nasty (-0.502)	disgraceful (-0.659)	indecent (-0.076)	base, shameful, disgusting (-0.668), repulsive		
turpitude	g	ugliness/ deformity (-0.415)	shame/ indecency (-0.431)	nakedness/ genitals (0.000)	disgrace (-0.658)	turpitude (0.040)		
ultio	g	revenge, vengeance (-0.562), retribution (-0.427)						
urgueo	c	press (0.000) /squeeze/bear hard/down	tread (-0.075) /traverse continually	push (0.077) /shove (-0.422) /thrust	spur on, urge (-0.005)			
usurpatio	c	assumption (-0.206) (unjustified) (-0.080) of title	illegally (0.158)? taking possession, {usurpation} (-0.167)	dropping name, {namedrop} (0.000)	assertion (0.192) of right/privilege by use	usage (0.057)	constant carrying out (0.000) (practices)	
usurpo	c	seize (-0.310) upon, usurp (-0.167)	use (0.086)					
vacillo	c	stagger (-0.371), totter	be in a weak (-0.512) condition					
vastatio	g	laying waste, ravaging (-0.389)						
vastitas	g	desolation (-0.470)	devastation (-0.537)					
vasto	g	lay waste (0.000)?, ravage (0.000)?, devastate, {destroy} (-0.542)						
vehemens	c	violent (-0.648), severe (-0.401), vehement (0.008)	emphatic, vigorous (0.208), lively					
vehementer	c	vehemently (0.178)?, vigorously (0.178)	exceedingly (-0.080), very much					
venalis	c	for sale (0.000)	{that is} on hire, {hired} (0.000)	open to the influence of bribes, {corrupt} (-0.454)				
venalitas	g	corruptibility (-0.069)	venality (0.000)?	capability of being bought (by bribes), {briable} (0.284)?	{corrupt} (-0.454)			
verber	c	lash, whip (0.000)	blows (pl.), a beating, {beat} (-0.166), flogging					

verbero	c	beat (-0.166), strike (-0.528), lash (-0.134)						
vereor	c	revere, respect (0.452)	fear (-0.535)	dread (-0.536)				
versutia	c	cunning (-0.036)?, craft (0.306)						
vesania	g	madness (-0.562), frenzy (-0.245)						
vesanus	g	mad (-0.689), frenzied (-0.355)	wild (0.235)					
veto	c	forbid (-0.545), prohibit (0.000)	reject (-0.484), veto (-0.059)	be an obstacle (0.000) to	prevent (0.107)			
vexatio	c	shaking (0.107), jolting (-0.389)	shock (-0.297)	disturbance (-0.584), upheaval (-0.059)				
vexo	c	shake (-0.070), jolt (-0.147), toss (0.000) violently	annoy, trouble (-0.501), harass, plague, disturb, vex (-0.026)					
vilesco	g	become worthless (-0.753) /bad/ vile (-0.661)						
vilis	c	cheap (0.047), common (0.237)	mean, worthless (-0.753)					
vilitas	g	cheapness (-0.352)	worthlessness (-0.132)					
vinco	c	conquer (-0.165), defeat (0.000), excel (0.251)	outlast (0.000)	succeed (0.539)				
vindicatio	c	suing for possession, {lawsuit} (0.000)	championing (cause), {champion} (0.583)	avenging (wrong), {avenge} (-0.254)	punishment (0.000)?			
vindico	c	claim (0.000), vindicate (0.000)	punish, avenge (-0.254)					
vindicta	c	ceremonial act claiming as free (0.860) one contending wrongly enslaved	vengeance (-0.562)					
violator	g	profaner, violator (0.180)?, {violate} (-0.563)						
violentia	g	violence (-0.607), aggressiveness (-0.400)						
violo	g	violate (-0.563), dishonor (-0.631)	outrage (-0.452)					
vis	c	strength (0.424) (bodily) (pl.), force (-0.198), power (0.261)	might (-0.069), violence (-0.607)	resources (0.000)	large (0.204) body			
vitium	g	fault, vice (-0.336), crime (-0.789), sin	defect (-0.505)					

Appendix: Useful XQuery Searches

Two XQuery files are included in this appendix, `Ch.09_word-counts.xq` and `Ch.10_interest-groups.xq`. Both files are complex queries that output, in tab-separated values, the component data necessary to validate and reconstruct this dissertation's charts in their respective chapters. Because the values are tab-separated, one can cut and paste the results of these queries directly into Microsoft Excel (or any other spreadsheet program) and it will automatically produce the correct tables of information.

For `Ch.09_word-counts.xq`, it will produce a table with columns for a constitution's citation number, title, date, place, and assorted word counts (including contextually and generally negative words), divided by context and command sections within those constitutions.

For `Ch.10_interest-groups.xq`, it will produce a table with columns for a constitution's citation number, interest group name (which includes the prefix for its power type), the component political interests within that group, and overall sentiment scores for that group as the source of or the ones suffering from an injury circumstance. `Ch.10_interest-groups.xq` is currently set to only examine one constitution, *Nov. Val.* 1.3, but the `@xml:id` can be changed to examine other constitutions, or the `ancestor-or-self` predicate condition can be removed from the XPath to output interest groups from all constitutions which have a detailed analysis within a novel file.

```

xquery version "3.1";
declare default element namespace "http://www.tei-c.org/ns/1.0";

declare function local:word-count($arg)
{
    $arg => string-join(' ') => normalize-space() => tokenize() => count()
};
declare function local:data-by-constitution($div2)
{
    let $check-solo-id := function ($div2)
    {
        (: Checks if a constitution in div2 is a solo one. If yes then it pulls the
        @xml:id from its div1 parent, if not it pulls it from its div2 self :)

        if ($div2[@subtype = 'solo'])
        then
            $div2/parent::div1/@xml:id => string()
        else
            $div2/@xml:id => string()
    }
    let $title := function ($div2)
    {
        $div2/parent::div1/head/s[@xml:lang = 'la']
        => normalize-space() => replace('TITLE ', '')
    }
    let $date := function ($div2)
    {
        (: Some dates are entered as ranges, i.e. @from and @to. This function checks
        whether the date is specific or a range, and if a range it pulls from the
        @from field. :)

        if ($div2//date[@when])
        then
            $div2//date/@when
        else
            if ($div2//date[@from])
            then
                $div2//date/@from
            else
                'No date'
    }
    let $place := function ($div2)
    {
        if ($div2[descendant::placeName])
        then
            $div2[descendant::placeName]//s[@xml:lang = 'la']//placeName/@corresp
            => string() => normalize-space() => replace('#', '')
        else
            'No place'
    }

    let $context := $div2//ab[@type = 'caput']//s[@xml:lang = 'la'][not(descendant::seg)]
    let $command := $div2//ab[@type = 'caput']//s[@xml:lang = 'la'][descendant::seg]

    return
        string-join(
            (
                $check-solo-id($div2),
                $title($div2),
                $date($div2),
                $place($div2),

                local:word-count($context),
                local:word-count($context//phr[@subtype = 'c']),
                local:word-count($context//phr[@subtype = 'g']),

                local:word-count($command),
                local:word-count($command//phr[@subtype = 'c']),
                local:word-count($command//phr[@subtype = 'g'])
            ), '&#009;')
};

let $label-row := '&#10;';
(: The extra empty tabs are to allow CONTEXT and COMMAND to line up as a top
level row with the other fields below it in a tab-separated Excel sheet :)

|| '&#009;' || '&#009;' || '&#009;' || '&#009;' || 'CONTEXT'
|| '&#009;' || '&#009;' || '&#009;' || '&#009;' || 'COMMAND'
|| '&#10;';

|| 'Const. ID' || '&#009;';
|| 'Title' || '&#009;';
|| 'Date' || '&#009;';
|| 'Place' || '&#009;';

|| 'Word count' || '&#009;' (: Context counts :)
|| 'C-neg.' || '&#009;';
|| 'G-neg.' || '&#009;';

```

```
|| 'Word count' || '&#009;' (: Command counts :)
|| 'C-neg.' || '&#009;'
|| 'G-neg.' || '&#009;'

(: //div2 is needed as the base element to process $check-solo-id :)
let $constitutions := //div2
let $constitution-loop :=
function ($constitutions)
{
  for $div2 in $constitutions
  return
    '&#10;' || local:data-by-constitution($div2)
}

return
  $label-row || $constitution-loop($constitutions) => string-join()
```

```

xquery version "3.1";
declare default element namespace "http://www.tei-c.org/ns/1.0";

declare function local:word-count($arg)
{
    $arg => string-join(' ') => normalize-space() => tokenize() => count()
};
declare function local:sentiment-score($div2, $indiv-group, $type)
{
    let $interests := $div2//rs[@ana = $indiv-group]//w/@lemma
    =>distinct-values()

    (: This sentiment-score function is essentially the same as the query in
    "8. Technical implementation, Querying the edition, XQuery calculations"
    with the difference being the insertion below of a conditional statement
    to swap between scoring source vs. injured sentiment. :)

    let $neg :=
        if ($type = 'src') then
            $div2//phr[tokenize(@inj-src) = $interests]
        else if ($type = 'inj') then
            $div2//phr[tokenize(@injured) = $interests]
        else
            'No type'

    let $g-neg := $neg[@subtype='g']=>count()
    let $c-neg := $neg[@subtype='c']=>count()

    return $g-neg + ($c-neg * 0.5)
};

declare function local:data-by-constitution($div2)
{
    let $check-solo-id := function ($div2)
    {
        (: Checks if a constitution in div2 is a solo one. If yes then it pulls the
        @xml:id from its div1 parent, if not it pulls it from its div2 self :)

        if ($div2[@subtype = 'solo'])
        then
            $div2/parent::div1/@xml:id => string()
        else
            $div2/@xml:id => string()
    }
    let $component-interests := function ($indiv-group, $div2)
    {
        for $interests in $indiv-group
        return
            $div2//rs[contains(@ana, $indiv-group)]//w/@lemma/string(.)
    }

    for $indiv-group in $div2//rs[@ana]/@ana/string(.) =>distinct-values()
    return
        $check-solo-id($div2) || '&#009;'
        || $indiv-group || '&#009;'
        || $component-interests($indiv-group, $div2)
        =>distinct-values()=>sort()=>string-join(', ') || '&#009;'
        || local:sentiment-score($div2, $indiv-group, 'src') || '&#009;'
        || local:sentiment-score($div2, $indiv-group, 'inj')
        || '&#10;'
    };

    let $label-row := '&#10;';

    || 'Const. ID' || '&#009;'
    || 'Group name' || '&#009;'
    || 'Sub-interests' || '&#009;'
    || 'Src. score' || '&#009;'
    || 'Inj. score' || '&#009;'

    (: //div2 is needed as the base element to process $check-solo-id :)
    (: The ancestor-or-self predicate can be removed to process all constitutions
    in a collection file, or ID changed to another individual constitution.
    However, results will only show for the constitutions that were subject to
    a detailed analysis. :)

    let $constitutions := //div2[ancestor-or-self::*[@xml:id eq 'nov-val_1.3']]
    let $constitution-loop :=
        function ($constitutions)
        {
            (: This only loops what is inside one constitution as a single string :)
            for $div2 in $constitutions
            return
                '&#10;' || local:data-by-constitution($div2)>=>sort()=>string-join()
        }

    return
        (: This loops all constitutions in a collection :)
        $label-row || $constitution-loop($constitutions) => string-join()
}

```

Appendix: TEI-XML Digital Edition

This section contains the code for the header⁷⁴⁰ and supporting files⁷⁴¹ for the edition, as well as the encoded TEI-XML files themselves.⁷⁴²

The RelaxNG (RNG) file used by processors for schema validation is not included due to its size, but the One Document Does-it-all (ODD) file used for generating the RNG file is (`tei_all-post_th_novels.odd`). This ODD file can be uploaded to roma.tei-c.org in order to create the appropriate RNG file.

Although the novels were originally all encoded in Latin and English, only the Novels of Valentinian retain that bilingual format in this dissertation as a result of copyright restrictions. In compliance with the Fair Dealing provision of the Canadian Copyright Act and with explicit written permission from Princeton University Press,⁷⁴³ my encoded Novels of Valentinian edition contains Pharr's translation of the novels from pages 515-50 (36 pages inclusive), which constitute one full chapter and only 5.4 percent of the total book (669 pages total), both of which are in compliance with Guideline 4 of the University of Ottawa Fair Dealing guidelines.⁷⁴⁴

These files are included in the dissertation document itself (despite the significant increase in size) because the long-term storage of humanities databases is always an issue,⁷⁴⁵ particularly

⁷⁴⁰ `encodingDesc.xml, sourceDesc.xml, taxonomy.xml.`

⁷⁴¹ `tei_all-post_th_novels.odd, 5_nov-val-analysis.css.`

⁷⁴² `nov-val_analysis.xml, nov-maj_analysis.xml, nov-sev_analysis.xml, nov-anth_analysis.xml, nov-glyc_analysis.xml, nov-th_analysis.xml, nov-marc_analysis.xml.`

⁷⁴³ The e-mail dated Apr. 19, 2023 from permissions@press.princeton.edu reads "Permission is not required from Princeton University Press for text excerpts or translations to be used in M.A. Theses, Ph.D. Dissertations, or as class projects. Please be sure to credit the material appropriately. Permission is only granted for internal publication of your work (i.e., library binding, UML, class assignment), with no external distribution permitted of any kind. If you publish your dissertation, thesis, or translation in the future in any form and include PUP material you must request formal permission. Please note that this is applicable only for material for which Princeton University Press holds the copyright."

⁷⁴⁴ <https://www.uottawa.ca/library/copyright/what-is-copyright/exceptions-copyright/fair-dealing-guidelines>.

⁷⁴⁵ Diamond 2023; Goddard 2023.

when the cost of maintenance may be subject to budget cuts. In putting these files directly into the dissertation, it ensures their survival as part of the obligation of the University of Ottawa to preserve the theses of its successful graduate students.


```

<?xml version="1.0" encoding="UTF-8"?>
<?xml-model href="tei_all-post_th_novels.rng" type="application/xml" schematypens="http://relaxng.org/ns/structure/1.0"?>
<?xml-model href="tei_all-post_th_novels.rng" type="application/xml"
  schematypens="http://purl.oclc.org/dsdl/schematron"?>
<encodingDesc xmlns="http://www.tei-c.org/ns/1.0" xmlns:xi="http://www.w3.org/2001/XInclude">
  <tagsDecl>
    <rendition>
      <egXML xmlns="http://www.tei-c.org/ns/Examples">
        <body>
          <!-- Template for new titulus entries: copy from here -->
          <div1 type="titulus">
            <head>
              <s> </s>
              <s> </s>
            </head>
            <div2 type="constitutio" subtype="solo">
              <ab type="insc">
                <milestone unit="latin" />
                <milestone unit="english" />
              </ab>
              <ab type="caput">
                <milestone unit="latin" />
                <milestone unit="english" />
              </ab>
              <ab type="subs">
                <milestone unit="latin" />
                <milestone unit="english" />
              </ab>
              <ab type="intr">
                <milestone unit="latin" />
                <milestone unit="english" />
              </ab>
            </div2>
          </div1>
          <!-- Template: copy to here -->
          <!-- Specifications of element hierarchies: starts from here -->
          <div1>
            <div2>
              <ab>
                <!-- <milestone> exists as a means of making @xml:lang='la'
                  and @xml:lang='en' <s> elements siblings for bilingual
                  CSS highlighting. <milestone> as a structural unit can
                  be dispensed with or transformed into an encapsulating
                  <p> for final XML document presentation. -->
                <milestone />
                <!-- <seg> needs to always be a child of <s>. This is done
                  because <seg> can comprise half a sentence, or span
                  multiple sentences. In addition, nesting the <seg>
                  within <s> assists XSLT/XQuery transformations. -->
                <s><seg type="comm">command section 1</seg></s>
                <!-- <supplied> needs to always be a child of <seg> where
                  one exists, or else it will mess with the correlation
                  XQuery file. -->
                <s><seg type="comm"><supplied>command section 2</supplied></seg></s>
              </ab>
              <ab>
                <milestone />
                <!-- <phr> needs to be a child of <seg> where one exists,
                  otherwise it needs to be a child of <s> for the same
                  XSLT/XQuery reasons listed above. -->
                <s><seg type="comm"><phr type="cmdw">phrase 1</phr></seg></s>
                <s><phr type="ampl">phrase 2</phr></s>
                <s><phr><rs><w>barbarians</w></rs></phr></s>
                <!-- <rs> has to occur within a <phr> but above a <w> to not interfere with correlation. -->
              </ab>
            </div2>
          </div1>
          <!-- Specifications: end here -->
        </egXML>
      </rendition>
    </tagsDecl>
    <editorialDecl>
      <normalization>
        <p> Normalization of Latin edition: The Latin text of the laws is pulled from the
          Amanuensis program, utilizing Menner's Romtext digitization of Meyer's Latin edition.
          The text in this TEI edition thus reflects many of Amanuensis/Romtext's particular
          capitalizations, abbreviations, and any uncorrected errors, although if a discrepancy is
          spotted between the digitization and Meyer's edition, Meyer will be favored (e.g. Nov.
          Th. 6 after "perfruantur" and Nov. Th. 14.4 after "reservabat", the digitization has a
          period where Meyer shows a comma; the Meyer being chosen for this digital edition). This
          current TEI edition also does not reproduce the critical apparatus. The titulus number
          just before the inscriptio is removed for section clarity since this information is
          preserved in the head, although the constitutio number is preserved. When a titulus is a
          solo constitutio, a "1." is added just before the inscriptio text for section clarity.
          Dates supplied by Meyer (and similarly positioned in Amanuensis/Romtext) just before the
          inscriptio have been moved to the subscriptio. A "0." is inserted at the beginning of
          the very first caput for section clarity, to demarcate the praefatio, also reflecting
          Amanuensis/Romtext presentation. </p>
      </normalization>
    </editorialDecl>
  </tagsDecl>
</encodingDesc>

```

```

<p> Normalization of English translation: Whenever Pharr inserts a sentence ending mark,
such as a period or a question mark, that does not appear in Meyer, or when he includes
a different date calculation, that is highlighted with the element "supplied". A "0." is
inserted at the beginning of the very first caput, to reflect the praefatio and to
coordinate with the Latin sections. In addition, because the encoding of both Latin and
English translation is generally done on a single word basis, occasionally a word will
be encoded when its meaning is the opposite in the edition or translation, due to an
omitted negative modifier in the other, e.g. nov-th_17.2.2.c2 with "non patimur",
nov-val_9.0.s3 with "incertum", or nov-val_1.3.7.c1 with "nolumus." </p>
<p> Normalization of TEI edition: For hierarchical clarity, if a full sentence in the Latin
edition (defined previously as a grammatical unit ending in a period or a question mark,
and thus commas, colons, and semicolons are excluded) crosses a larger section boundary
in the XML, this edition will split the sentence at the section boundary (e.g. Nov. Th.
3.2). If Meyer has not lowercased the clause after a comma, colon, or semi-colon, the
TEI edition will do so (e.g. Nov. Marc. 1.1). Fragments marked by ellipses at the end
are treated as ends of sentences (e.g. Nov. Maj. 3.0) unless both the edition and
translation note a lacunae as occurring inside a sentence or phrase (e.g. Nov. Val.
12.0). Whenever there is a date discrepancy or miscalculation between Meyer and Pharr,
the date chosen will be the one reflected by the subscriptio text in Latin (e.g. Nov.
Marc. 5). Chosen base lemma forms will be the 1st.sg.prs.ind.act. for verbs, nom.sg. for
nouns, and nom.sg.masc. for adjectives and adverbs derived from adjectives, selecting
the most grammatically and contextually relevant form if there are multiple options
(i.e. with regards to era appropriateness, legal subject matter, and frequency of
usage). </p>
</normalization>
<segmentation>
  <p> Segmentation of commands: Command segments consist of sentences or a single block of
  clauses within a sentence of an externally-actionable and desired near-future state.</p>
  <p> Excluded statements (in sentences or grammatically parent or parallel clauses that are
  bordering the command clause within a sentence): (1) Descriptive/Perceptive, (2) Causal,
  (3) Hypothetical. </p>
</segmentation>
<interpretation>
  <p>
    <note resp="#jk" corresp="#nov-th_3.1.s2">Even though "haereticus" is marked in Whitaker
    via Lewis and Short as belonging to after the 6th century, its usage is obvious in
    this late 5th century constitution.</note>
    <note resp="#jk" corresp="#nov-th_10.2.0.s1">Even though "deterioratur" is marked in
    Whitaker via Lewis and Short as belonging to after the 6th century, its usage is
    obvious in this late 5th century constitution.</note>
    <note resp="#jk" corresp="#nov-val_1.3.1.s2">Meyer's edition has "invidia", with the
    critical apparatus suggesting "invidia" as a possible option. Given that "invidia" is
    an adjective, it seems possible that "invidia" was intended. Pharr's translation
    agrees with this sentiment, and so the lemma use will be "invidia." </note>
    <note resp="#jk" corresp="#nov-val_2.1.insc">This empty section categorized as an
    inscriptio only for the purposes of CSS display, which puts a dotted border around
    inscriptions to demarcate new sections.</note>
    <note resp="#jk" corresp="#nov-val_6.3.0.s2">Meyer's edition has "contempto", with the
    critical apparatus suggesting "contentus" as a possible option. Pharr seems to have
    selected "contentus" for his English translation, thus the correspondence from the
    Latin original is to "content". </note>
    <note resp="#jk" corresp="#nov-val_12.1.s1">Meyer's edition has "miseriarum", whereas
    Pharr translates this as "pity", a definition closer to "misericordia" or
    "miseratio." I view the stated definitions of "miseria" as "misery" as sufficient, as
    the section would then say "in consideration of the misery surrounding the Africans." </note>
    <note resp="#jk" corresp="#nov-val_29.1.c1">"Obnoxietas" as a base lemma form is
    considered Medieval, so I am choosing "obnoxius" as the lemma, which retains the same
    meaning. </note>
    <note resp="#jk" corresp="#nov-glyc_1.0.s4">"Tyrannopolitas" does not seem to exist
    anywhere else as a word, but is a clear combination of tyrannus and polio. Given our
    sentiment identification goals, I am choosing to make this word's lemma form as the
    underlying "tyrannus" word.</note>
    <note resp="#jk" corresp="#nov-marc_2.1.s1">Although there is a fragment break, because
    Pharr's translation views both fragments as part of the same sentence, for ease of
    correlation, in this digital edition it is also viewed as one sentence in the
    Latin.</note>
  </p>
</interpretation>
</editorialDecl>
<classDecl>
  <xi:include href="taxonomy.xml" />
</classDecl>
</encodingDesc>

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schematypens="http://purl.oclc.org/dsdl/schematron"?>
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      <title>Leges Novellae ad Theodosianum Pertinentes</title>
      <editor xml:id="meyer">Meyer, Paul</editor>
      <date>1905</date>
      <availability status="free">
        <p>Public domain.</p>
      </availability>
    </bibl>
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      <title>Codex Theodosiani cum Constitutionibus Sirmondianis</title>
      <editor xml:id="mommsen">Mommsen, Theodor</editor>
      <date>1905</date>
      <availability status="free">
        <p>Public domain.</p>
      </availability>
    </bibl>
    <bibl type="sirmond_latin-title">
      <title>The Theodosian Code and Novels and the Sirmondian Constitutions</title>
      <editor corresp="#pharr">Pharr, Clyde</editor>
      <date>1952</date>
      <availability status="restricted">
        <p>Under copyright.</p>
      </availability>
    </bibl>
    <bibl type="nov-glyc_latin-edition">
      <title>Corpus Legum ab Imperatoribus Romanis ante Iustinianum Latarum quae extra Constitutionum Codices Supersunt</title>
      <editor xml:id="haenel">Haenel, Gustav</editor>
      <date>1857</date>
      <availability status="free">
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      </availability>
    </bibl>
    <bibl type="nov-glyc_latin-title">
      <title>Patrologia Latina, Vol. 56</title>
      <editor xml:id="migne">Migne, J.</editor>
      <date>1865</date>
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      <date>1952</date>
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      </availability>
    </bibl>
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      <title>Roman State and Christian Church: A Collection of Legal Documents to A.D. 535</title>
      <editor xml:id="coleman-norton">Coleman-Norton, P. R.</editor>
      <date>1966</date>
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        <p>Under copyright.</p>
      </availability>
    </bibl>
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      <title>ROMTEXT database</title>
      <editor>Menner, Josef</editor>
      <date>1970</date>
      <availability status="free">
        <p>Transcription of public domain text.</p>
      </availability>
    </bibl>
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      <title>Amanuensis 5.0</title>
      <editor>Rosenbaum, Günther</editor>
      <editor>Riedlberger, Peter</editor>
      <date>2020</date>
      <availability status="free">
        <p>Software for ROMTEXT database.</p>
      </availability>
    </bibl>
    <bibl type="TEI-edition">
      <s>JaShong King's bilingual latin-english TEI edition of the post-Theodosian novels</s>
      <editor xml:id="jk">King, JaShong</editor>
      <availability status="restricted">
        <p>Since Pharr's translation is under copyright, the english portions of this TEI
          edition are not for public dissemination.</p>
      </availability>
    </bibl>
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  </person>
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    <occupation from="0402" to="0450">eastern augustus</occupation>
  </person>
  <person xml:id="marcian">
    <persName>Marcian</persName>
    <occupation from="0450" to="0457">eastern augustus</occupation>
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      <geo>37.708333, 28.723611</geo>
    </location>
  </place>
  <place xml:id="arles">
    <location>
      <geo>43.6767, 4.6278</geo>
    </location>
  </place>
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    <location>
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    </location>
  </place>
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    <catDesc>Ideological interest groups</catDesc>
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    <category xml:id='I_ancients' />
    <category xml:id='I_belief' />
    <category xml:id='I_bishops' />
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    <category xml:id='I_dead' />
    <category xml:id='I_emperor' />
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    <category xml:id='I_law' />
    <category xml:id='I_marriage' />
    <category xml:id='I_monks' />
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    <category xml:id='I_regions' />
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  <category xml:id='P_court-cases' />
  <category xml:id='P_emperor' />
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  <category xml:id='P_high-officials' />
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  <category xml:id='P_law-experts' />
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  <category xml:id='P_public-records' />
  <category xml:id='P_regions' />
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schematypens="http://purl.oclc.org/dsdl/schematron"?><?xml-stylesheet type="text/css" href="5_nov-val-analysis.css"?>
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        <title>Novels of Valentinian</title>
      </titleStmt>
      <publicationStmt>
        <p part="N">Unpublished analysis file</p>
      </publicationStmt>
      <xi:include href="sourceDesc.xml" />
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    <xi:include href="encodingDesc.xml" />
  </teiHeader>
  <text>
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          <s xml:id="nov-val_1.titl.s1" xml:lang="la" part="N">1. DE INDULGENTIIS RELIQUORUM </s>
          <s corresp="#nov-val_1.titl.s1" xml:lang="en" part="N">TITLE 1: THE REMISSION OF
            DELINQUENT TAXES</s>
        </head>
        <div2 xml:id="nov-val_1.1" type="constitutio" part="N" org="uniform" sample="complete">
          <ab xml:id="nov-val_1.1.insc" type="insc" part="N">
            <milestone unit="latin" />
            <s xml:id="nov-val_1.1.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
              corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
              <persName corresp="#valentinian3" instant="false" full="yes">
                Valentin.</persName> AA. Fausto pp.</s>
            <milestone unit="english" />
            <s corresp="#nov-val_1.1.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
              <persName corresp="#theodosius2" instant="false" full="yes">
                Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
                full="yes">Valentinian</persName> Augustuses to Faustus, Praetorian
                Prefect.</s>
          </ab>
          <ab xml:id="nov-val_1.1.0" type="caput" part="N">
            <milestone unit="latin" /> 0. <s xml:id="nov-val_1.1.0.s1" n="la2" xml:lang="la"
              part="N">Quaecumque de <rs><w lemma="provincialis" part="N">
                </w>provincialium</w></rs> levamine conferri praesentium rerum condicio <phr
              type="ampl" subtype="c" part="N"><w lemma="clementia-nostra" crt-inj="high" part="N">
                </w><w lemma="patior" part="N">patitur</w></phr>, prona benignitate <rs
              ana="#I_emperor"><w lemma="clementia-nostra" part="N">clementiae
                nostrae</w></rs> relaxat humanitas.</s>
            <s xml:id="nov-val_1.1.0.s2" n="la3" xml:lang="la" part="N">Quid est enim vel
              iustitiae tam proximum vel nobis magis familiare, quam piam <phr type="ampl"
              subtype="c" part="N"><w lemma="manus" part="N">manum</w></phr> porrigere
              <phr xml:id="nov-val_1.1.0.s2.p1" type="ampl" subtype="g"
              injured="provincialis" crt-inj="low" part="N"><w lemma="defessus" part="N">
                defessis</w></phr> et eorum quos regimus <phr
              xml:id="nov-val_1.1.0.s2.p2" type="ampl" subtype="c" injured="provincialis"
              crt-inj="low" part="N"><w lemma="angustia" part="N">angustiis</w></phr> in
              tempore subvenire?</s>
            <s xml:id="nov-val_1.1.0.s3" n="la4" xml:lang="la" part="N">praesertim cum <phr
              xml:id="nov-val_1.1.0.s3.p1" type="ampl" subtype="c" injured="publicus"
              crt-inj="high" part="N"><w lemma="defectus" part="N">defectui</w></phr>
              <rs ana="#I_state"><w lemma="publicus" part="N">publico</w></rs> praeceptisque
              <rs ana="#I_emperor"><w lemma="nostra-serenitas" part="N">serenitatis
                nostrae</w></rs>
              <rs ana="#E_landholders"><w lemma="subiector" part="N">subiectorum</w></rs>
              certatim semper famulentur obsequia, cuius devotionis meritum, recentium
              pariter votorum sacra festivitas, velut sub cuiusdam muneris debitis, exigit,
              ut ad occasionem praestandi Alacrius incitemur, <rs ana="#P_high-officials"><w
              lemma="Faustus" part="N">Fauste</w></rs> parens karissime atque
              amantissime.</s>
            <milestone unit="english" /> 0. <s corresp="#nov-val_1.1.0.s1" n="en2"
              xml:lang="en" part="N">Whatever the condition of present affairs <phr
              type="ampl" subtype="c" part="N">permits</phr> Us to confer for the relief
              of the <rs>provincials</rs>, the humanity of <rs>Our Clemency</rs> grants with
              eager benignity.</s>
            <s corresp="#nov-val_1.1.0.s2" n="en3" xml:lang="en" part="N">For what is more
              close to justice and more familiar to Us than to extend a pious <phr
              type="ampl" subtype="c" part="N">hand</phr> to the <phr type="ampl"
              subtype="g" part="N">weary</phr> and to assist at the proper time the <phr
              type="ampl" subtype="c" part="N">difficulties</phr> of those whom We
              rule?</s>
            <s corresp="#nov-val_1.1.0.s3" n="en4" xml:lang="en" part="N">Especially since the
              services of Our <rs>subjects</rs> always eagerly minister to the
              <rs>public</rs>
              <phr type="ampl" subtype="c" part="N">need</phr> and to the regulations of
              <rs>Our Serenity</rs>, the merit of this devotion and the sacred festivity
              of the recent vows equally demand that We be the more eagerly incited to an
              occasion of giving, as though We were under the obligation of some compulsory
              service, <rs>Faustus</rs>, dearest and most beloved Father.</s>
          </ab>
          <ab xml:id="nov-val_1.1.1" type="caput" part="N">
            <milestone unit="latin" /> 1. <s xml:id="nov-val_1.1.1.s1" n="la5" xml:lang="la"

```

```

part="N">Unde illustris et praeclsa <rs ana="#P_high-officials"><w
lemma="magnitudo" part="N">magnitudo</w></rs> tua secundum saluberrimam
suggestionem suam, quae proposito nostro placere gestiens cogitationes suas ad
<rs ana="#E_landholders"><w lemma="provincia" part="N">provinciarum</w></rs>
remedia semper extendit, <seg xml:id="nov-val_1.1.1.c1" part="N">universis <rs
ana="#E_landholders"><w lemma="possessor" part="N">possessoribus</w></rs>
hac pragmatici nostri auctoritate sciat esse consultum, ita ut, quidquid in
<rs ana="#E_taxes"><w lemma="reliquum" part="N">reliquis</w></rs>
superiorum temporum residere <rs ana="#P_treasury"><w
lemma="calculus-publicus" part="N">calculi publici</w></rs> ratio <phr
xml:id="nov-val_1.1.1.s1.p1" type="ampl" subtype="c"
inj-src="calculus-publicus" crt-src="high" injured="reliquum"
crt-inj="high" part="N"><w lemma="deprehendo" part="N"
>deprehenderit</w></phr>, in quartam usque indictionem per omnes
provincias atque insulas <rs ana="#E_landholders"><w lemma="Italia" part="N"
>Italiae</w></rs>, per <rs ana="#E_landholders"><w lemma="Africa"
part="N">Africam</w></rs> vero tertiae indictionis <rs ana="#E_taxes"
><w lemma="debitus" part="N">debita</w></rs>
<rs ana="#P_treasury"><w lemma="titulus-fiscalis" part="N">titulis
fiscalibus</w></rs> eximantur.</seg></s>
<s xml:id="nov-val_1.1.1.s2" n="la6" xml:lang="la" part="N">Quae cum nihil <rs
ana="#P_treasury"><w lemma="publicus" part="N">publico</w></rs> nomini
proficiant, <phr xml:id="nov-val_1.1.1.s2.p1" type="ampl" subtype="c"
inj-src="reliquum" crt-src="low" injured="possessor" crt-inj="high" part="N"
><w lemma="exhaurio" part="N">exhaustum</w></phr> tamen <rs
ana="#E_landholders"><w lemma="possessor" part="N">possessorem</w></rs>
redimentemque semper indutias continuis <phr xml:id="nov-val_1.1.1.s2.p2"
type="ampl" subtype="c" inj-src="reliquum" crt-src="low" injured="possessor"
crt-inj="high" part="N"><w lemma="dispendium" part="N">dispendiis</w></phr>
<phr xml:id="nov-val_1.1.1.s2.p3" type="ampl" subtype="g" inj-src="reliquum"
injured="possessor" crt-src="medium" crt-inj="high" part="N"><w
lemma="inquieto" part="N">inquietant</w></phr>.</s>
<s xml:id="nov-val_1.1.1.s3" n="la7" xml:lang="la" part="N"><seg
xml:id="nov-val_1.1.1.c2" part="N">Quod nunc omne et in perpetuum penitus
remittentes nihil ex hac functione <phr xml:id="nov-val_1.1.1.s3.p1"
function="cmdw" part="N">constituimus</phr>
<rs ana="#P_treasury"><w lemma="tabularium-publicum" part="N">tabularia
publica</w></rs> retinere omnisque recidivae <phr
xml:id="nov-val_1.1.1.s3.p2" type="ampl" subtype="g"
inj-src="exactor iudex" injured="possessor" crt-inj="low" crt-src="high"
part="N"><w lemma="calumnia" part="N">calumniae</w></phr> aditus
praestruentes <phr xml:id="nov-val_1.1.1.s3.p3" function="cmdw" part="N"
>praecipimus</phr> nihil <rs ana="#P_bureaucracy"><w lemma="exactor"
part="N">exactoribus</w></rs> de praedictarum dumtaxat indictionum <rs
ana="#E_taxes"><w lemma="reliquum" part="N">reliquis</w></rs> umquam,
nihil licere <rs ana="#P_high-officials"><w lemma="iudex" part="N"
>iudicibus</w></rs>.</seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_1.1.1.s1" n="en5"
xml:lang="en" part="N">Therefore, since Your Illustrious and Excellent
<rs>Magnitude</rs>, according to your most salutary report, eagerly desires
to be favorable to Our purpose, and since you always extend your thoughts to
remedies for the <rs>provinces</rs>, <seg corresp="#nov-val_1.1.1.c1" part="N"
>you shall know that wise provision is made for all the <rs>landholders</rs>
by this authority of Our pragmatic sanction, so that if the reckoning of the
<rs>public accounts</rs> should <phr type="ampl" subtype="c" part="N"
>apprehend</phr> that any <rs>delinquent taxes</rs> of previous times
remain, such debts shall be removed from the <rs>fiscal accounts</rs> up to
the fourth year of the indiction throughout all the provinces and islands of
<rs>Italy</rs>, and the <rs>debts</rs> of the third year of the indiction
throughout <rs>Africa</rs>.</seg></s>
<s corresp="#nov-val_1.1.1.s2" n="en6" xml:lang="en" part="N">Although such debts
are of no profit to the <rs>public accounts</rs>, they nevertheless <phr
type="ampl" subtype="g" part="N">disturb</phr> the <rs>landholder</rs> whose
resources are <phr type="ampl" subtype="c" part="N">exhausted</phr> and who is
always purchasing delay with continuous <phr type="ampl" subtype="c" part="N"
>expenditures</phr>.</s>
<s corresp="#nov-val_1.1.1.s3" n="en7" xml:lang="en" part="N"><seg
corresp="#nov-val_1.1.1.c2" part="N">All this We completely remit, now and
forever, and We <phr function="cmdw" part="N">establish</phr> that the
<rs>public account books</rs> shall retain nothing of this compulsory
service<supplied resp="#pharr" instant="false">.</supplied> We bar all
avenues to the revival of any <phr type="ampl" subtype="g" part="N"
>chicanery</phr>, and We <phr function="cmdw" part="N">direct</phr> that
nothing shall ever be permitted to the <rs>tax collectors</rs>, nothing to
the <rs>judges</rs>, in regard to <rs>delinquent taxes</rs>, for the
aforesaid years of the indiction only.</seg></s>
</ab>
<ab xml:id="nov-val_1.1.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_1.1.subs.s1" n="la8" xml:lang="la" part="N">Dat. VIII id. Iul.
<placeName corresp="#ravenna" instant="false" full="yes"
>Ravennae</placeName> Theodosio A. XVI et Fausto vc. cons. <date
when="0438-07-08" instant="false">(438 Iul. 8)</date>.</s>
<milestone unit="english" />
<s corresp="#nov-val_1.1.subs.s1" n="en8" xml:lang="en" part="N">Given on the
eighth day before the ides of July at <placeName instant="false" full="yes"
>Ravenna</placeName> in the year of the sixteenth consulship of Theodosius
Augustus and the consulship of the Most Noble Faustus. - <date instant="false"
>July 8, 438</date>.</s>

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    </ab>
</div2>
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  <ab xml:id="nov-val_1.2.insc" type="insc" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_1.2.insc.s1" n="la1" xml:lang="la" part="N">2. <name
      corresp="#valentinian3 #theodosius2" full="yes" instant="false">Idem</name>
      AA. ad Maximum II pp.</s>
    <milestone unit="english" />
    <s corresp="#nov-val_1.2.insc.s1" n="en1" xml:lang="en" part="N">2. The <name
      corresp="#valentinian3 #theodosius2" full="yes" instant="false">same</name>
      Augustuses to Maximus, Praetorian Prefect for the second time. </s>
  </ab>
  <ab xml:id="nov-val_1.2.0" type="caput" part="N">
    <milestone unit="latin" /> 0. <s xml:id="nov-val_1.2.0.s1" n="la2" xml:lang="la"
      part="N">Remissio <rs ana="#E_taxes"><w lemma="tributum" part="N"
        >tributorum</w></rs> pro <phr xml:id="nov-val_1.2.0.s1.p1" type="ampl"
          subtype="g" inj-src="barbaricus" injured="possessor" crt-src="low"
          crt-inj="low" part="N"><w lemma="vastitas" part="N">vastitatis</w></phr>
          qualitate concessa redivivae devotionis fomitem subministrat: neque <phr
            xml:id="nov-val_1.2.0.s1.p2" type="ampl" subtype="g" part="N"><w
              lemma="ingruo" part="N">ingruentibus</w></phr>
            <phr xml:id="nov-val_1.2.0.s1.p3" type="ampl" subtype="g" part="N"><w
              lemma="morbis" part="N">morbis</w></phr> revocari sanitas potest, nisi
              industriam suam medicina praestiterit, <rs ana="#P_high-officials"><w
                lemma="Maximus" part="N">Maxime</w></rs> parens karissime atque
                amantissime.</s>
    <milestone unit="english" /> 0. <s corresp="#nov-val_1.2.0.s1" n="en2"
      xml:lang="en" part="N">The remission of <rs>tribute</rs> which was granted in
      consideration of the nature of the <phr type="ampl" subtype="g" part="N"
        >devastation</phr> affords an incentive for renewed devotion<supplied
        resp="#pharr" instant="false">.</supplied> Health cannot be restored when
        <phr type="ampl" subtype="g" ana="#meta" part="N">diseases</phr>
        <phr type="ampl" subtype="g" ana="#meta" part="N">attack</phr>, unless the
        medicine affords its own effectiveness, O <rs>Maximus</rs>, dearest and most
        beloved Father.</s>
  </ab>
  <ab xml:id="nov-val_1.2.1" type="caput" part="N">
    <milestone unit="latin" /> 1. <s xml:id="nov-val_1.2.1.s1" n="la3" xml:lang="la"
      part="N">Unde illustris et praecelsa <rs ana="#P_high-officials"><w
        lemma="magnitudo" part="N">magnitudo</w></rs> tua pragmatici nostri
        tenere comperto sciat secundum suggestionem suam, quam tam <rs
          ana="#E_landholders"><w lemma="possessor" part="N">possessoribus</w></rs>
          utilem quam <rs ana="#P_treasury"><w lemma="fiscus" part="N">fisci</w></rs>
          commodis adprobamus, <seg xml:id="nov-val_1.2.1.c1" part="N"><rs
            ana="#E_regions"><w lemma="Siculus" part="N">siculum</w></rs>
            <rs ana="#E_landholders"><w lemma="possessor" part="N">possessorem</w></rs>
            cum circumiectis <rs ana="#E_regions"><w lemma="insula" part="N"
              >insulis</w></rs>
            <phr xml:id="nov-val_1.2.1.s1.p1" type="ampl" subtype="g"
              inj-src="barbaricus" injured="possessor" crt-src="high" crt-inj="high"
              part="N"><rs ana="#M_barbarians"><w lemma="barbaricus" part="N"
                >barbaricae</w></rs></phr>
            <phr xml:id="nov-val_1.2.1.s1.p2" type="ampl" subtype="g"
              inj-src="barbaricus" injured="possessor" crt-src="high" crt-inj="high"
              part="N"><w lemma="vastitas" part="N">vastitatis</w></phr> intuitu de eo
              censu, qui praesentibus <rs ana="#P_public-records"><w lemma="chartus"
                part="N">chartis</w></rs> tenetur, septimam partem <rs ana="#E_taxes">
                <w lemma="tributum" part="N">tributis</w></rs> fiscalibus oportere
                dissolvere.</seg></s>
    <s xml:id="nov-val_1.2.1.s2" n="la4" xml:lang="la" part="N"><seg
      xml:id="nov-val_1.2.1.c2" part="N"><rs ana="#E_cities"><w lemma="Syracuses"
        part="N">Syracusanus</w></rs> vero <rs ana="#E_cities"><w
          lemma="Catina" part="N">Catinensis</w></rs>
          <rs ana="#E_cities"><w lemma="Aetna" part="N">Aetnensis</w></rs>
          <rs ana="#E_cities"><w lemma="Lilybaeum" part="N">Lilybitanus</w></rs>
          <rs ana="#E_cities"><w lemma="Thermae" part="N">Thermitanus</w></rs>
          <rs ana="#E_cities"><w lemma="Solus" part="N">Soluntinus</w></rs>
          ...</seg></s>
    <milestone unit="english" /> 1. <s corresp="#nov-val_1.2.1.s1" n="en3"
      xml:lang="en" part="N">Whence Your Illustrious and Excellent <rs>Magnitude</rs>
      shall learn the tenor of Our pragmatic sanction and shall know that, according
      to your report which We approve as useful to the <rs>landholders</rs>, as well
      as to the advantages of the <rs>fisc</rs>, <seg corresp="#nov-val_1.2.1.c1"
        part="N">the <rs>landholders</rs> of <rs>Sicily</rs>, together with the
        surrounding <rs>islands</rs>, in consideration of the <phr type="ampl"
          subtype="g" part="N"><rs>barbarian</rs></phr>
        <phr type="ampl" subtype="g" part="N">devastation</phr>, must pay to the
        fiscal <rs>tribute</rs> a seventh part of that tax assessment which is
        contained in the present <rs>records</rs>.</seg></s>
    <s corresp="#nov-val_1.2.1.s2" n="en4" xml:lang="en" part="N"><seg
      corresp="#nov-val_1.2.1.c2" part="N">But the landholders of
        <rs>Syracuse</rs>, <rs>Catina</rs>, <rs>Aetna</rs>, <rs>Lilybaeum</rs>,
        <rs>Thermae</rs>, <rs>Solus</rs> ...</seg></s>
  </ab>
  <ab xml:id="nov-val_1.2.subs" type="subs" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_1.2.subs.s1" n="la5" xml:lang="la" part="N"><supplied
      resp="#meyer" instant="false"><date from="0440-01-01" to="0441-12-31"

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        instant="false">(440/441?)</date></supplied></s>
    <milestone unit="english" />
    <s corresp="#nov-val_1.2.subs.s1" n="en5" xml:lang="en" part="N"><date
        instant="false">440 or 441</date></s>
</ab>
</div2>
<div2 xml:id="nov-val_1.3" type="constitutio" part="N" org="uniform" sample="complete">
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        <milestone unit="latin" />
        <s xml:id="nov-val_1.3.insc.s1" n="la1" xml:lang="la" part="N">3. <name
            corresp="#valentinian3 #theodosius2" full="yes" instant="false">Idem</name>
            AA. consulibus praetoribus tribunis plebis senatui suo salutem dicunt.</s>
        <milestone unit="english" />
        <s corresp="nov-val_1.3.insc.s1" n="en1" xml:lang="en" part="N">3. The <name
            corresp="#valentinian3 #theodosius2" full="yes" instant="false">same</name>
            Augustuses to the Consuls, Praetors, Tribunes of the People and their own
            Senate, greetings.</s>
    </ab>
    <ab xml:id="nov-val_1.3.0" type="caput" part="N">
        <milestone unit="latin" /> 0. <s xml:id="nov-val_1.3.0.s1" n="la2" xml:lang="la"
            part="N">Si vos liberique vestri valetis, bene est: nos <rs ana="#M_soldiers"
                <w lemma="exercitus" part="N">exercitusque</w></rs> nostri valemus.</s>
        <s xml:id="nov-val_1.3.0.s2" n="la3" xml:lang="la" part="N">Licet aliae
            occupationes extiterint, ultra differri non potuit: apud verecundam enim
            conscientiam <phr xml:id="nov-val_1.3.0.s2.p1" type="ampl" subtype="g" part="N"
                <w lemma="mendacium" part="N">mendacii</w></phr> genus est promissa
            tardare.</s>
        <s xml:id="nov-val_1.3.0.s3" n="la4" xml:lang="la" part="N">sciamus licet
            devotione <rs ana="#E_landholders"><w lemma="possessor" part="N"
                >possessorum</w></rs>
            <rs ana="#P_treasury"><w lemma="fiscale" part="N">fiscalia</w></rs> nulla vel
            parva deberi, tamen (quod in huius discussionis <rs ana="#P_bureaucracy"><w
                lemma="officium" part="N">officio</w></rs> et nullius et modici una
            eademque condicio est), evidenter exponimus, cur designatae necessitati placeat
            subveniri.</s>
        <s xml:id="nov-val_1.3.0.s4" n="la5" xml:lang="la" part="N">putabitur enim <phr
            xml:id="nov-val_1.3.0.s4.p1" type="ampl" subtype="c" part="N"><w
                lemma="coniventia" part="N">coniventia</w></phr>, nisi nostro studio
            corrigatur.</s>
        <milestone unit="english" /> 0. <s corresp="#nov-val_1.3.0.s1" n="en2"
            xml:lang="en" part="N">If you and your children are well, it is well; We and
            Our <rs>armies</rs> are well.</s>
        <s corresp="#nov-val_1.3.0.s2" n="en3" xml:lang="en" part="N">Although other
            occupations exist, the following matter cannot be further deferred; for to an
            honorable conscience it is a kind of <phr type="ampl" subtype="g" ana="#meta"
                part="N">mendacity</phr> to delay the fulfillment of one's promises.</s>
        <s corresp="#nov-val_1.3.0.s3" n="en4" xml:lang="en" part="N">Although We know
            that because of the loyal devotion of the <rs>landholders</rs>, either no
            <rs>fiscal debts</rs>, or only small ones, are owed, nevertheless, because
            in the <rs>administration</rs> of the present tax investigation there is one
            and the same condition for no debt or for a moderate one, We explain clearly
            why it is Our pleasure to come to the aid of the above-designated compulsory
            service.</s>
        <s corresp="#nov-val_1.3.0.s4" n="en5" xml:lang="en" part="N">For it will be
            considered <phr type="ampl" subtype="c" ana="#meta" part="N">connivance</phr>
            unless correction is made by Our zeal.</s>
    </ab>
    <ab xml:id="nov-val_1.3.1" type="caput" part="N">
        <milestone unit="latin" /> 1. <s xml:id="nov-val_1.3.1.s1" n="la5" xml:lang="la"
            part="N">Quantum ad propositum nostrum adinet, <rs ana="#E_landholders"><w
                lemma="provincialis" part="N">provincialibus</w></rs> undique volumus
            esse consultum et diversis <phr xml:id="nov-val_1.3.1.s1.p1" type="ampl"
                subtype="g" injured="provincialis" crt-inj="high" crt-src="low"
                inj-src="fiscale" part="N"><w lemma="fessus" part="N">fessos</w></phr>
            <phr xml:id="nov-val_1.3.1.s1.p2" type="ampl" subtype="g"
                injured="provincialis" crt-inj="high" inj-src="fiscale" crt-src="low"
                part="N"><w lemma="incommodum" part="N">incommodis</w></phr> sufficientibus
            beneficiis adiuvere.</s>
        <s xml:id="nov-val_1.3.1.s2" n="la6" xml:lang="la" part="N">Verum obstitit <phr
            xml:id="nov-val_1.3.1.s2.p1" type="ampl" subtype="g" part="N"><w
                lemma="invidia" part="N">invidia</w></phr> plerumque <phr
            xml:id="nov-val_1.3.1.s2.p2" type="ampl" subtype="g" part="N"><w
                lemma="subreptio" part="N">subreptio</w></phr>, quoniam iam non potest
            tantum, quantumlibet intenta, cogitatio providere, ut <phr
            xml:id="nov-val_1.3.1.s2.p3" type="ampl" subtype="g" part="N"><w
                lemma="improbis" part="N">improbis</w></phr> etiam <phr type="ampl"
                subtype="c" part="N"><w lemma="latens" part="N">latentes</w></phr>
            <phr xml:id="nov-val_1.3.1.s2.p4" type="ampl" subtype="g" part="N"><w
                lemma="noceo" part="N">nocendi</w></phr> aditus obstruantur.</s>
        <milestone unit="english" /> 1. <s corresp="#nov-val_1.3.1.s1" n="en5"
            xml:lang="en" part="N">In so far as pertains to Our purpose, it is Our will
            that wise provision shall be made for the <rs>provincials</rs> everywhere and
            that those <phr type="ampl" subtype="g" part="N">wearied</phr> by their various
            <phr type="ampl" subtype="g" part="N">misfortunes</phr> shall be aided by
            adequate benefits.</s>
        <s corresp="#nov-val_1.3.1.s2" n="en6" xml:lang="en" part="N">But in many cases
            <phr type="ampl" subtype="g" ana="#meta" part="N">surreptitious</phr>
            <phr type="ampl" subtype="g" ana="#meta" part="N">envy</phr> prevents, since it
            is now no longer possible for a plan, however prudent it may be, to make such

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provision that <phr type="ampl" subtype="c" part="N">hidden</phr> avenues of
doing <phr type="ampl" subtype="g" ana="#meta" part="N">harm</phr> are barred
to the <phr type="ampl" subtype="g" ana="#meta" part="N">wicked</phr>.</s>
</ab>
<ab xml:id="nov-val_1.3.2" type="caput" part="N">
  <milestone unit="latin" /> 2. <s xml:id="nov-val_1.3.2.s1" n="la7" xml:lang="la"
    part="N"><rs ana="#P_bureaucracy"><w lemma="discussor" part="N"
      >Discussores</w></rs> ad <rs ana="#E_landholders"><w lemma="provincia"
        part="N">provincias</w></rs> non electi, sicut comperimus, sed <phr
          type="ampl" subtype="c" inj-src="discussor" crt-src="high"
            injured="provincia" crt-inj="high" part="N"><w lemma="ambio" part="N"
              >ambientes</w></phr> ire dicuntur, quod, nobis et <rs
                ana="#P_high-officials"><w lemma="procer" part="N">proceribus</w></rs>
                nostris aliarum <phr xml:id="nov-val_1.3.2.s1.p1" type="ampl" subtype="c"
                  injured="procer" crt-inj="high" part="N"><w lemma="sollicitudo" part="N"
                    >sollicitudinum</w></phr>
                <phr xml:id="nov-val_1.3.2.s1.p2" type="ampl" subtype="c" part="N"><w
                  lemma="moles" part="N">mole</w></phr>
                <phr xml:id="nov-val_1.3.2.s1.p3" type="ampl" subtype="c" inj-src="procer"
                  injured="procer" crt-src="high" crt-inj="high" part="N"><w
                    lemma="constringo" part="N">constrictis</w></phr>, efficere inveniunt
                    otiosi.</s>
  <s xml:id="nov-val_1.3.2.s2" n="la8" xml:lang="la" part="N">Hoc modo <rs
    ana="#E_taxes"><w lemma="facultas" part="N">facultates</w></rs>
    <rs ana="#E_landholders"><w lemma="possessor" part="N">possessorum</w></rs>
    <phr xml:id="nov-val_1.3.2.s2.p1" type="ampl" subtype="g" injured="possessor"
      inj-src="discussor" crt-src="low" crt-inj="high" part="N"><w
        lemma="miserabilis" part="N">miserabiliter</w></phr>
    <phr xml:id="nov-val_1.3.2.s2.p2" type="ampl" subtype="g" injured="possessor"
      inj-src="discussor" crt-src="low" crt-inj="high" part="N"><w lemma="concido"
        part="N">conciderunt</w></phr>: et hinc maius <phr
          xml:id="nov-val_1.3.2.s2.p3" type="ampl" subtype="g" injured="possessor"
            inj-src="discussor" crt-src="low" crt-inj="high" part="N"><w
              lemma="incommodum" part="N">incommodum</w></phr>, unde remedia debueret
              certa provenire.</s>
  <s xml:id="nov-val_1.3.2.s3" n="la9" xml:lang="la" part="N">Ubi <phr
    xml:id="nov-val_1.3.2.s3.p1" type="ampl" subtype="g" inj-src="discussor"
      injured="provincia" crt-src="high" crt-inj="high" part="N"><w
        lemma="trepidus" part="N">trepidam</w></phr>
    <rs ana="#E_landholders"><w lemma="provincia" part="N">provinciam</w></rs>
    talis <rs ana="#P_bureaucracy"><w lemma="discussor" part="N">discussor</w></rs>
    adierit stipatus <phr xml:id="nov-val_1.3.2.s3.p2" type="ampl" subtype="g"
      inj-src="discussor minister" injured="provincia" crt-src="high"
        crt-inj="high" part="N"><w lemma="calumnia" part="N">calumniam</w></phr>
    <rs ana="#P_bureaucracy"><w lemma="minister" part="N">ministris</w></rs>, <phr
      xml:id="nov-val_1.3.2.s3.p3" type="ampl" subtype="c" inj-src="discussor"
        crt-src="high" injured="provincia" crt-inj="high" part="N"><w
          lemma="superbio" part="N">superbit</w></phr> elatus inter obsequia
          sumptuosa, expetit adminicula provincialis <rs ana="#P_bureaucracy"><w
            lemma="officium" part="N">officii</w></rs>, <rs ana="#M_soldiers"><w
              lemma="scholaris" part="N">scholares</w></rs> etiam saepe coniungit, ut
              multiplicato et hominum numero et <rs ana="#P_bureaucracy"><w lemma="officium"
                part="N">officiorum</w></rs>, quantum <phr xml:id="nov-val_1.3.2.s3.p4"
                  type="ampl" subtype="g" inj-src="discussor" injured="provincia"
                    crt-src="high" crt-inj="high" part="N"><w lemma="avaritia" part="N"
                      >avaritiae</w></phr> libuerit, <phr xml:id="nov-val_1.3.2.s3.p5"
                        type="ampl" subtype="g" inj-src="discussor" injured="provincia"
                          crt-src="high" crt-inj="high" part="N"><w lemma="terror" part="N"
                            >terror</w></phr>
                        <phr xml:id="nov-val_1.3.2.s3.p6" type="ampl" subtype="c" inj-src="discussor"
                          crt-src="high" injured="provincia" crt-inj="high" part="N"><w
                            lemma="extorqueo" part="N">extorqueat</w></phr>.</s>
  <s xml:id="nov-val_1.3.2.s4" n="la10" xml:lang="la" part="N">Prima sunt venientis
    exordia, ut proferat et revolvat super diversis numerosisque <rs ana="#E_taxes"
      ><w lemma="titulus" part="N">titulis</w></rs>
    <phr xml:id="nov-val_1.3.2.s4.p1" type="ampl" subtype="g" inj-src="discussor"
      crt-src="medium" injured="nescius" crt-inj="high" part="N"><w
        lemma="terribilis" part="N">terribiles</w></phr> iussiones: praetendit
        minutarum subputationum <phr xml:id="nov-val_1.3.2.s4.p2" type="ampl"
          subtype="c" inj-src="discussor" crt-src="medium" injured="nescius"
            crt-inj="high" part="N"><w lemma="caligo" part="N">caligines</w></phr>
        <phr xml:id="nov-val_1.3.2.s4.p3" type="ampl" subtype="c" inj-src="discussor"
          crt-src="medium" injured="nescius" crt-inj="high" part="N"><w
            lemma="inexplicabilis" part="N">inexplicabili</w></phr>
        <phr xml:id="nov-val_1.3.2.s4.p4" type="ampl" subtype="c" inj-src="discussor"
          crt-src="medium" injured="nescius" crt-inj="high" part="N"><w
            lemma="obscuritas" part="N">obscuritate</w></phr>
        <phr xml:id="nov-val_1.3.2.s4.p5" type="ampl" subtype="c" inj-src="discussor"
          crt-src="medium" injured="nescius" crt-inj="high" part="N"><w
            lemma="confundo" part="N">confusas</w></phr>, quae inter homines
            versutiarum <phr xml:id="nov-val_1.3.2.s4.p6" type="ampl" subtype="g"
              injured="nescius" crt-inj="high" part="N"><rs ana="#E_landholders"><w
                lemma="nescius" part="N">nescios</w></rs></phr> hoc amplius agunt, quo
                minus intellegi possunt.</s>
  <s xml:id="nov-val_1.3.2.s5" n="la11" xml:lang="la" part="N"><rs ana="#E_taxes"><w
    lemma="securitas" part="N">securitates</w></rs> expetunt annorum serie et
    vetustate <phr xml:id="nov-val_1.3.2.s5.p1" type="ampl" subtype="c"
      injured="securitas" crt-inj="high" part="N"><w lemma="consumo" part="N"
        >consumptas</w></phr>, quas servare <phr xml:id="nov-val_1.3.2.s5.p2"

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type="ampl" subtype="g" injured="nescius" crt-inj="medium" part="N"><w
lemma="nescio" part="N">nescit</w></phr> simplicitas et fiducia nihil
debetis.</s>
<s xml:id="nov-val_1.3.2.s6" n="la12" xml:lang="la" part="N">re vera enim aut,
quoquomodo <phr xml:id="nov-val_1.3.2.s6.p1" type="ampl" subtype="g"
injured="securitas provincia" inj-src="discussor" crt-src="low"
crt-inj="medium" part="N"><w lemma="pereor" part="N">pereunt</w></phr>, quasi
iusta contingit occasio <phr xml:id="nov-val_1.3.2.s6.p2" type="ampl"
subtype="g" inj-src="discussor" injured="provincia" crt-src="low"
crt-inj="low" part="N"><w lemma="depraedor" part="N">depraedandi</w></phr>
aut, si extant, <rs ana="#E_taxes"><w lemma="redimendum" part="N"
>redimendum</w></rs> est, ut ferantur accepto.</s>
<s xml:id="nov-val_1.3.2.s7" n="la13" xml:lang="la" part="N">Ita fit, ut apud <phr
xml:id="nov-val_1.3.2.s7.p1" type="ampl" subtype="g" inj-src="arbiter"
crt-src="high" injured="provincia" crt-inj="low" part="N"><w
lemma="improbus" part="N">improbum</w></phr> rei <rs
ana="#P_high-officials"><w lemma="arbiter" part="N">arbitrum</w></rs> merito
<phr xml:id="nov-val_1.3.2.s7.p2" type="ampl" subtype="g"
inj-src="arbiter chartula" injured="provincia" crt-src="high" crt-inj="low"
part="N"><w lemma="noceo" part="N">noceat</w></phr>
<rs ana="#E_taxes"><w lemma="chartula" part="N">chartula</w></rs>, cum <phr
xml:id="nov-val_1.3.2.s7.p3" type="ampl" subtype="g" injured="chartula"
crt-inj="high" part="N"><w lemma="pereor" part="N">perit</w></phr>, nihil
proficiat non <phr xml:id="nov-val_1.3.2.s7.p4" type="ampl" subtype="g"
injured="chartula" crt-inj="high" part="N"><w lemma="pereor" part="N"
>perisse</w></phr>.</s>
<s xml:id="nov-val_1.3.2.s8" n="la14" xml:lang="la" part="N">innumerae deinde <phr
xml:id="nov-val_1.3.2.s8.p1" type="ampl" subtype="g" injured="provincia"
crt-inj="low" inj-src="quaesitor" crt-src="high" part="N"><w lemma="clades"
part="N">clades</w></phr>, <phr xml:id="nov-val_1.3.2.s8.p2" type="ampl"
subtype="g" inj-src="quaesitor" crt-src="high" injured="provincia"
crt-inj="low" part="N"><w lemma="saevus" part="N">saeva</w></phr>
<phr xml:id="nov-val_1.3.2.s8.p3" type="ampl" subtype="c" inj-src="quaesitor"
crt-src="high" injured="provincia" crt-inj="low" part="N"><w
lemma="custodia" part="N">custodia</w></phr>, <phr
xml:id="nov-val_1.3.2.s8.p4" type="ampl" subtype="g" inj-src="quaesitor"
injured="provincia" crt-src="high" crt-inj="low" part="N"><w
lemma="suspendium" part="N">suspendiorum</w></phr>
<phr xml:id="nov-val_1.3.2.s8.p5" type="ampl" subtype="g" inj-src="quaesitor"
injured="provincia" crt-src="high" crt-inj="low" part="N"><w
lemma="crudelitas" part="N">crudelitas</w></phr> et universa <phr
xml:id="nov-val_1.3.2.s8.p6" type="ampl" subtype="c" inj-src="quaesitor"
crt-src="high" injured="provincia" crt-inj="low" part="N"><w
lemma="tormentum" part="N">tormenta</w></phr>, quae interea, laetus et
<phr xml:id="nov-val_1.3.2.s8.p7" type="ampl" subtype="g"
inj-src="quaesitor" injured="provincia" crt-src="high" crt-inj="low"
part="N"><w lemma="crudelitas" part="N">crudelitatis</w></phr>
<phr type="ampl" subtype="c" inj-src="quaesitor" crt-src="high"
injured="provincia" crt-inj="low" part="N"><w lemma="pertinax" part="N"
>pertinax</w></phr>, egregius <rs ana="#P_bureaucracy"><w
lemma="quaesitor" part="N">quaesitor</w></rs> expectat.</s>
<s xml:id="nov-val_1.3.2.s9" n="la15" xml:lang="la" part="N">collega <phr
type="ampl" subtype="g" inj-src="quaesitor" crt-src="high"
injured="provincia" crt-inj="low" part="N"><w lemma="furtum" part="N"
>furtorum</w></phr>
<rs ana="#P_bureaucracy"><w lemma="palatinus" part="N">palatinus</w></rs>
hortatur, <phr xml:id="nov-val_1.3.2.s9.p1" type="ampl" subtype="c"
inj-src="apparitio" crt-src="high" injured="provincia" crt-inj="low"
part="N"><w lemma="insto" part="N">instat</w></phr>
<rs ana="#P_bureaucracy"><w lemma="apparitio" part="N">apparitio</w></rs>
<phr xml:id="nov-val_1.3.2.s9.p2" type="ampl" subtype="g" inj-src="apparitio"
crt-src="high" injured="provincia" crt-inj="low" part="N"><w
lemma="turbulentus" part="N">turbulenta</w></phr>, urget <phr
xml:id="nov-val_1.3.2.s9.p3" type="ampl" subtype="g" inj-src="militaris"
crt-src="high" injured="provincia" crt-inj="low" part="N"><w lemma="immitis"
part="N">immitis</w></phr> executio <rs ana="#M_soldiers"><w
lemma="militaris" part="N">militaris</w></rs>.</s>
<s xml:id="nov-val_1.3.2.s10" n="la0" xml:lang="la" part="N"><phr
xml:id="nov-val_1.3.2.s10.p1" type="ampl" subtype="g" inj-src="discussor"
injured="civis" crt-src="low" crt-inj="high" part="N"><w lemma="indignus"
part="N">indignum</w></phr>
<phr xml:id="nov-val_1.3.2.s10.p2" type="ampl" subtype="c" inj-src="discussor"
crt-src="low" injured="civis" crt-inj="high" part="N"><w lemma="facinus"
part="N">facinus</w></phr> haec de <rs ana="#E_landholders"><w
lemma="civis" part="N">civibus</w></rs> velut inter <phr
xml:id="nov-val_1.3.2.s10.p3" type="ampl" subtype="g" inj-src="discussor"
crt-src="low" injured="civis" crt-inj="high" part="N"><w lemma="hostis"
part="N">hostes</w></phr>
<rs ana="#E_taxes"><w lemma="pecunia" part="N">pecuniae</w></rs> placitis, non
adlegationum iustitia, non <phr type="ampl" subtype="c" inj-src="discussor"
crt-src="low" injured="civis" crt-inj="high" part="N"><w lemma="miseratio"
part="N">miseratione</w></phr> finire.</s>
<s xml:id="nov-val_1.3.2.s11" n="la1" xml:lang="la" part="N">tanta <phr
xml:id="nov-val_1.3.2.s11.p1" type="ampl" subtype="c" inj-src="discussor"
crt-src="medium" injured="provincia fiscus" crt-inj="high" part="N"><w
lemma="vexatio" part="N">vexatio</w></phr> cum nihil umquam <rs
ana="#P_treasury"><w lemma="fiscus" part="N">fisci</w></rs> utilitatibus
prosit, tamen non desinit iterari quasi aliquid efficaciter gestum: vixdum uno
e <rs ana="#E_landholders"><w lemma="provincia" part="N">provincia</w></rs>

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decedente cum novis auctoritatibus alter excurrit.</s>

<s xml:id="nov-val_1.3.2.s12" n="la2" xml:lang="la" part="N">Si utilis <rs ana="#P_bureaucracy"><w lemma="publicus" part="N">publico</w></rs> esse non potuit qui ante perrexit, superfluum est ire alterum aequae <rs ana="#E_landholders"><w lemma="provincialis" part="N">provincialibus</w></rs>

<phr xml:id="nov-val_1.3.2.s12.p1" type="ampl" subtype="g" inj-src="discussor" injured="provincialis" crt-inj="high" crt-src="medium" part="N"><w lemma="obsum" part="N">obfuturum</w></phr>.</s>

<milestone unit="english" /> 2. <s corresp="#nov-val_1.3.2.s1" n="en7" xml:lang="en" part="N"><rs>Tax investigators</rs> who have not been selected, as We have learned, but who practice corrupt <phr type="ampl" subtype="c" part="N">solicitation</phr>, are said to be going to the <rs>provinces</rs>, and they find this easy to accomplish at their leisure, because We and Our <rs>nobles</rs> are <phr type="ampl" subtype="c" part="N">constrained</phr> by the <phr type="ampl" subtype="c" part="N">weight</phr> of other <phr type="ampl" subtype="c" part="N">cares</phr>.</s>

<s corresp="#nov-val_1.3.2.s2" n="en8" xml:lang="en" part="N">In this manner the <rs>resources</rs> of the <rs>landholders</rs> have <phr type="ampl" subtype="g" part="N">fallen</phr> into <phr type="ampl" subtype="g" part="N">miserable</phr> ruin, and hence there is a greater <phr type="ampl" subtype="g" part="N">disadvantage</phr> from that source whence definite remedies ought to have come.</s>

<s corresp="#nov-val_1.3.2.s3" n="en9" xml:lang="en" part="N">When such a <rs>tax investigator</rs> comes to a <phr type="ampl" subtype="g" part="N">frightened</phr> <rs>province</rs>, accompanied by the <rs>ministers</rs> of his <phr type="ampl" subtype="g" part="N">chicanery</phr>, in his exaltation he <phr type="ampl" subtype="c" part="N">takes pride</phr> in the expensive services; he seeks the assistance of the provincial <rs>office</rs> staff; he often also joins to his service the <rs>scholarians</rs>, so that by multiplying both the number of men and of <rs>office staffs</rs>, he <phr type="ampl" subtype="c" part="N">extorts</phr> by <phr type="ampl" subtype="g" part="N">terror</phr> whatever is pleasing to his <phr type="ampl" subtype="g" part="N">avarice</phr>.</s>

<s corresp="#nov-val_1.3.2.s4" n="en10" xml:lang="en" part="N">The first beginnings of his coming are that he produces and unrolls <phr type="ampl" subtype="g" part="N">terrible</phr> orders about various and very numerous <rs>tax accounts</rs>; he presents <phr type="ampl" subtype="c" part="N">clouds</phr> of minute computations, <phr type="ampl" subtype="c" part="N">confused</phr> with <phr type="ampl" subtype="c" part="N">inexplicable</phr> <phr type="ampl" subtype="c" part="N">obscurity</phr>, which among men who are <phr type="ampl" subtype="g" part="N">ignorant</rs></phr> of cunning bring about all the more that they cannot understand them.</s>

<s corresp="#nov-val_1.3.2.s5" n="en11" xml:lang="en" part="N">Such tax investigators demand <rs>tax receipts</rs> <phr type="ampl" subtype="c" part="N">which have been destroyed</phr> by the passing years and by age, and which simplicity and the confidence of owing nothing do <phr type="ampl" subtype="g" part="N">not know</phr> to preserve.</s>

<s corresp="#nov-val_1.3.2.s6" n="en12" xml:lang="en" part="N">For in truth, in whatsoever manner such receipts <phr type="ampl" subtype="g" part="N">perished</phr>, there is, so to speak, a just occasion for <phr type="ampl" subtype="g" part="N">plundering</phr>, or if they should survive, <rs>payment</rs> must be made in order that they may be credited to the taxpayer.</s>

<s corresp="#nov-val_1.3.2.s7" n="en13" xml:lang="en" part="N">Thus it happens that when a <rs>record</rs> has <phr type="ampl" subtype="g" part="N">perished</phr>, it is justly <phr type="ampl" subtype="g" part="N">harmful</phr> before the <phr type="ampl" subtype="g" part="N">unjust</phr> <rs>judge</rs> of the case, but it is no advantage if it did not <phr type="ampl" subtype="g" part="N">perish</phr>.</s>

<s corresp="#nov-val_1.3.2.s8" n="en14" xml:lang="en" part="N">Then there are innumerable <phr type="ampl" subtype="g" part="N">calamities</phr>, <phr type="ampl" subtype="g" part="N">harsh</phr> <phr type="ampl" subtype="c" part="N">imprisonments</phr>, the <phr type="ampl" subtype="g" part="N">cruelty</phr> of <phr type="ampl" subtype="g" part="N">hangings</phr>, and all the <phr type="ampl" subtype="c" part="N">tortures</phr> which in the meantime the excellent <rs>inquisitor</rs>, rejoicing and <phr type="ampl" subtype="c" part="N">persistent</phr> in his <phr type="ampl" subtype="g" part="N">cruelty</phr>, awaits.</s>

<s corresp="#nov-val_1.3.2.s9" n="en15" xml:lang="en" part="N">The <rs>palatine</rs> colleague of his <phr type="ampl" subtype="g" part="N">thefts</phr> urges on, the <phr type="ampl" subtype="g" part="N">turbulent</phr> <rs>apparitors</rs> <phr type="ampl" subtype="c" part="N">threaten</phr>, <phr type="ampl" subtype="g" part="N">unrelenting</phr> <rs>military</rs> execution impels.</s>

<s corresp="#nov-val_1.3.2.s10" n="en0" xml:lang="en" part="N">It is a <phr type="ampl" subtype="g" part="N">disgraceful</phr> <phr type="ampl" subtype="c" part="N">crime</phr> that these cases concerning <rs>citizens</rs> are concluded, as though among the <phr type="ampl" subtype="g" ana="#meta" part="N">enemy</phr>, by agreements for the payment of <rs>money</rs>, not by the justice of the allegations and not by <phr type="ampl" subtype="c" part="N">pity</phr>.</s>

<s corresp="#nov-val_1.3.2.s11" n="en1" xml:lang="en" part="N">Although such great <phr type="ampl" subtype="c" part="N">persecution</phr> never profits the

advantages of the **fisc**, nevertheless it does not cease to be repeated, as if something efficacious had been done; for scarcely does one investigator depart from a **province** when another rushes forth with new **authority**.

corresp="#nov-val_1.3.2.s12" n="en2" xml:lang="en" part="N">If the one who previously went was not able to be useful to the **public**, it is superfluous for another to go, who will be equally **harmful** to the **provincials**.

ab xml:id="nov-val_1.3.3" type="caput" part="N">
 milestone unit="latin" /> 3. **nov-val_1.3.3.s1** n="la3" xml:lang="la" part="N">Hunc **imperator** **nos**, **senators** **patres conscripti** **patres conscripti**, **fomitem** **discussor** **low** **injured** **provincia** **low** **perniciosus** **ardoris** **provincia** **low** **extinguo** **extinguimus** **provincia** **low** **patior** **ulterius** **ad** **nov-val_1.3.3.s1.p3** **discussor** **low** **exhaurio** **provincia** **discussor** **low** **interitus** **nov-val_1.3.3.s1.p5** **discussor** **low** **desaevire** **nov-val_1.3.3.s2** n="la4" xml:lang="la" part="N">**nobis** **nov-val_1.3.3.s2.p1** **discussor** **low** **high** **perit** **nov-val_1.3.3.s2.p2** **discussor** **high** **low** **deterior** **landholders** **possessor** **nov-val_1.3.3.s2.p3** **discussor** **low** **high** **gravatus** **nov-val_1.3.3.s3** n="la5" xml:lang="la" part="N">**venduntur** **indutiae** **his** **qui non possunt esse solvendo, cum dilationis redemptio** **publica** **publicam** **magis adtenuet functionem** **nov-val_1.3.3.s4** n="la6" xml:lang="la" part="N">**discussor** **high** **injured** **fiscus** **high** **amitto** **sine dubio** **treasury** **fiscus** **quod commodo suo** **treasury** **exactor** **nov-val_1.3.3.s5** n="la7" xml:lang="la" part="N">**seg** **nov-val_1.3.3.c1** part="N">**Superiorum** **igitur**, **senators** **patres conscripti** **patres conscripti**, **omnium temporum** **taxes** **reliquum** **reliqua** **treasury** **arcalis** **arcalium** **aerarium** **aerarii** **usque ad incipientem primam indictionem** **nov-val_1.3.3.s5.p1** function="cmdw" part="N" **iubemus** **ad indulgentiam pertinere: nemo prorsus quaelibet usque ad designatum tempus transacta discutiatur** **nov-val_1.3.3.s6** n="la8" xml:lang="la" part="N">**sola est numquam** **nov-val_1.3.3.s6.p1** type="ampl" subtype="g" inj-src="discussor" injured="provincia" crt-src="low" crt-inj="low" part="N">**calumnior** **calumnianda** **taxes** **securitas** **securitas** **aeternitas nostra concedit** **nov-val_1.3.3.s1** n="en3" xml:lang="en" part="N">**We** **extinguish**, **Conscript Fathers**, the brands of this **harmful** **senators** **perniciosus** **fire**, and **We** do not **permit** it to **harmful** **meta** **rage** further, to the **harmful** **destruction** of the **harmful** **exhausted** **provincials** **nov-val_1.3.3.s2** n="en4" xml:lang="en" part="N">**A** **landholder** who has been made **harmful** **poorer** is **harmful** **lost** to **Us**, but if he is not **harmful** **overburdened**, he profits **Us** **nov-val_1.3.3.s3** n="en5" xml:lang="en" part="N">**Postponements** are being sold to those persons who cannot be solvent, although the purchase of delay further attenuates **the public service** **nov-val_1.3.3.s4** n="en6" xml:lang="en" part="N">**Without doubt** the **fisc** **harmful** **loses** whatever the **tax collector** increases to his own advantage.

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<s corresp="#nov-val_1.3.3.s5" n="en7" xml:lang="en" part="N"><seg
corresp="#nov-val_1.3.3.c1" part="N">Therefore, O <rs>Conscript
Fathers</rs>, We <phr function="cmdw" part="N">order</phr> to belong to this
remission the <rs>delinquent taxes</rs> of all previous times, those of the
<rs>chest</rs> as well as those of both <rs>treasuries</rs>, up to the
first year of the indiction which is beginning<supplied resp="#pharr"
instant="false">.</supplied> No person hereafter shall investigate
anything whatever that has been settled up to the designated time.</seg></s>
<s corresp="#nov-val_1.3.3.s6" n="en8" xml:lang="en" part="N">That security alone
must never be <phr type="ampl" subtype="g" ana="#meta" part="N"
>calumniated</phr> which Our Eternity has granted.</s>
</ab>
<ab xml:id="nov-val_1.3.4" type="caput" part="N">
<milestone unit="latin" /> 4. <s xml:id="nov-val_1.3.4.s1" n="la9" xml:lang="la"
part="N">Licet hanc humanitatem cunctis ad quietem sciamus posse sufficere,
<seg xml:id="nov-val_1.3.4.c1" part="N">tamen <phr
xml:id="nov-val_1.3.4.s1.p1" function="cmdw" part="N">addimus</phr>, quo
provisio nostra magis possit grata praestari: nemini deinceps licebit ad hoc
negotium arbitrio unius <rs ana="#P_high-officials"><w lemma="iudex"
part="N">iudicis</w></rs> adspirare.</seg></s>
<s xml:id="nov-val_1.3.4.s2" n="la10" xml:lang="la" part="N"><seg
xml:id="nov-val_1.3.4.c2" part="N">Utrum mitti debeat <rs
ana="#P_bureaucracy"><w lemma="inspector" part="N">inspector</w></rs>,
<rs ana="#P_bureaucracy"><w lemma="publicus" part="N">publicus</w></rs>
tractatus ante deliberet sublimis viri parentis <rs ana="#P_high-officials">
<w lemma="patricius" part="N">patriciique</w></rs> nostri nec non
magnifici viri <rs ana="#P_high-officials"><w lemma="praefectus" part="N">
>praefecti</w></rs> praetorio, qui communionis utilitate virtutum
suarum magnitudinem nobiscum pervigiles et cogitant et tuentur: cum <rs
ana="#P_emperor-court"><w lemma="aulica-potestas" part="N">aulicis
potestatibus</w></rs> pro sua moderatione disponant, si iusta <phr
type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
>necessitas</w></phr>
<phr xml:id="nov-val_1.3.4.s2.p1" type="ampl" subtype="c" part="N"><w
lemma="cogo" part="N">cogit</w></phr>, qualis persona
mittatur.</seg></s>
<s xml:id="nov-val_1.3.4.s3" n="la11" xml:lang="la" part="N">nihil <phr
xml:id="nov-val_1.3.4.s3.p1" type="ampl" subtype="g" inj-src="inspector"
crt-src="medium" injured="aulica-potestas" crt-inj="medium" part="N"><w
lemma="impudenter" part="N">impudenter</w></phr>
<phr type="ampl" subtype="c" inj-src="inspector" crt-src="medium"
injured="aulica-potestas" crt-inj="medium" part="N"><w lemma="audeo"
part="N">audebit</w></phr>, quem elegit talium virorum examinatus
adsensus.</s>
<s xml:id="nov-val_1.3.4.s4" n="la12" xml:lang="la" part="N">Necesse est ab eo
integritatis reverentiam <phr type="ampl" subtype="c" inj-src="aulica-potestas"
crt-src="low" injured="inspector" crt-inj="low" part="N"><w lemma="custodio"
part="N">custodiri</w></phr>, qui novit tot se custodes habere quot
iudices.</s>
<milestone unit="english" /> 4. <s corresp="#nov-val_1.3.4.s1" n="en9"
xml:lang="en" part="N">Although We know that this humanity can be sufficient to
all men for their peace, <seg corresp="#nov-val_1.3.4.c1" ana="#ncp" part="N"
>nevertheless We <phr function="cmdw" part="N">add</phr> the following
regulation, whereby Our wise provision can be granted as a more pleasing
one: namely, no person hereafter shall be permitted to aspire to this
business by the decision of one <rs>judge</rs>.</seg></s>
<s corresp="#nov-val_1.3.4.s2" n="en10" xml:lang="en" part="N"><seg
corresp="#nov-val_1.3.4.c2" part="N">The <rs>public</rs> consideration of
Our Sublime Father and <rs>Patrician</rs> and also the Magnificent
praetorian <rs>prefect</rs> shall deliberate beforehand whether a <rs>tax
inspector</rs> must be sent, and with the benefit of their common
participation, together with Us, they shall watchfully consider and guard
the greatness of their virtues<supplied resp="#pharr" instant="false"
>.</supplied> In accordance with their own administrative authority, they
shall determine with <rs>the court powers</rs>, if just <phr type="ampl"
subtype="c" part="N">necessity</phr> should so <phr type="ampl"
subtype="c" part="N">demand</phr>, what kind of person shall be
sent.</seg></s>
<s corresp="#nov-val_1.3.4.s3" n="en11" xml:lang="en" part="N">The person who has
been selected by the examination and agreement of such men shall not <phr
type="ampl" subtype="c" part="N">dare</phr> to do anything <phr type="ampl"
subtype="g" part="N">presumptuous</phr>.</s>
<s corresp="#nov-val_1.3.4.s4" n="en12" xml:lang="en" part="N">Reverence for his
own integrity must necessarily be <phr type="ampl" subtype="c" part="N"
>guarded</phr> by a person who knows that he has as many guards as he has
judges.</s>
</ab>
<ab xml:id="nov-val_1.3.5" type="caput" part="N">
<milestone unit="latin" /> 5. <s xml:id="nov-val_1.3.5.s1" n="la13" xml:lang="la"
part="N"><seg xml:id="nov-val_1.3.5.c1" part="N">Aliter pergenti ad <rs
ana="#E_landholders"><w lemma="provincia" part="N">provinciam</w></rs> et
fortunarum et famae <phr xml:id="nov-val_1.3.5.s1.p1" function="cmdw"
part="N">iubemus</phr> esse <phr xml:id="nov-val_1.3.5.s1.p2" type="ampl"
subtype="c" inj-src="nos" crt-src="high" injured="inspector"
crt-inj="medium" part="N"><w lemma="discrimen" part="N"
>discrimen</w></phr>;</seg> revocetur <rs ana="#P_bureaucracy"><w
lemma="publicus" part="N">publici</w></rs>
<phr xml:id="nov-val_1.3.5.s1.p3" type="ampl" subtype="g" inj-src="publicus"
injured="inspector" crt-src="high" crt-inj="medium" part="N"><w

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        lemma="timor" part="N">timore</w></phr>
<phr xml:id="nov-val_1.3.5.s1.p4" type="ampl" subtype="g" inj-src="publicus"
injured="inspector" crt-src="high" crt-inj="medium" part="N"><w
        lemma="periculum" part="N">periculi</w></phr>, quem <phr
xml:id="nov-val_1.3.5.s1.p5" type="ampl" subtype="c" inj-src="inspector"
crt-src="medium" injured="provincia" crt-inj="high" part="N"><w
        lemma="occultus" part="N">occulta</w></phr>
<phr xml:id="nov-val_1.3.5.s1.p6" type="ampl" subtype="c" inj-src="inspector"
crt-src="medium" injured="provincia" crt-inj="high" part="N"><w
        lemma="cupiditas" part="N">cupiditas</w></phr> festinare <phr
xml:id="nov-val_1.3.5.s1.p7" type="ampl" subtype="c" inj-src="inspector"
crt-src="medium" injured="provincia" crt-inj="high" part="N"><w
        lemma="compello" part="N">compellit</w></phr>.</s>
<s xml:id="nov-val_1.3.5.s2" n="la14" xml:lang="la" part="N"><seg
xml:id="nov-val_1.3.5.c2" part="N">similis condicio manebit <rs
        ana="#P_bureaucracy"><w lemma="officium" part="N">officium</w></rs> eius
potestatis, quae <rs ana="#P_bureaucracy"><w lemma="discussor" part="N"
        >discussorem</w></rs> mittere cupiens non fideliter suggererit
adtestatione <rs ana="#P_public-records"><w lemma="gestus" part="N"
        >gestorum</w></rs> formam mittendi quam statuimus debere
servari.</seg></s>
<milestone unit="english" /> 5. <s corresp="#nov-val_1.3.5.s1" n="en13"
xml:lang="en" part="N"><seg corresp="#nov-val_1.3.5.c1" part="N">We <phr
        function="cmdw" part="N">order</phr> that it shall be at the <phr
type="ampl" subtype="c" part="N">risk</phr> of his fortune and his
reputation if such a person should otherwise proceed to a
        <rs>province</rs><supplied resp="#pharr" instant="false"
>.</supplied></seg> He shall be recalled with the <phr type="ampl"
subtype="g" part="N">fear</phr> of <rs>public</rs>
<phr type="ampl" subtype="g" part="N">danger</phr> if <phr type="ampl"
subtype="c" part="N">hidden</phr>
<phr type="ampl" subtype="c" part="N">cupidity</phr>
<phr type="ampl" subtype="c" part="N">impels</phr> him to hasten to such a
province.</s>
<s corresp="#nov-val_1.3.5.s2" n="en14" xml:lang="en" part="N"><seg
corresp="#nov-val_1.3.5.c2" part="N">A similar condition shall await the
        <rs>office</rs> staff of that official who desires to send a <rs>tax
investigator</rs> and who does not faithfully recommend by the
attestation of the <rs>public records</rs> that the regulation for sending
such persons must be observed as We have established.</seg></s>
</ab>
<ab xml:id="nov-val_1.3.6" type="caput" part="N">
<milestone unit="latin" /> 6. <s xml:id="nov-val_1.3.6.s1" n="la15" xml:lang="la"
part="N"><seg xml:id="nov-val_1.3.6.c1" part="N"><rs ana="#E_landholders"><w
        lemma="Sardinia" part="N">Sardiniam</w></rs> ab hoc excipi placuit,
quoniam apud nonnullos <phr xml:id="nov-val_1.3.6.s1.p1" type="ampl"
subtype="c" inj-src="Sardinia" crt-src="high" injured="publicus"
crt-inj="high" part="N"><w lemma="calliditas" part="N"
        >calliditate</w></phr> quadam maxima pars <rs ana="#E_taxes"><w
        lemma="pecunia" part="N">pecuniae</w></rs> resedit, quam exactam <rs
ana="#P_public-expenses"><w lemma="publicus" part="N">publicis</w></rs>
oportuit erogationibus adplicari: cum satisfecerit, ad ipsam quoque
beneficia nostra pervenient.</seg></s>
<milestone unit="english" /> 6. <s corresp="#nov-val_1.3.6.s1" n="en15"
xml:lang="en" part="N"><seg corresp="#nov-val_1.3.6.c1" ana="#ncp" part="N">It
is Our pleasure that <rs>Sardinia</rs> shall be excepted from this
provision, since by some <phr type="ampl" subtype="c" part="N"
        >trickery</phr> there remains in the hands of a few persons the greatest
part of the <rs>money</rs> that has been collected and should have been
applied to the <rs>public expenditures</rs><supplied resp="#pharr"
instant="false">.</supplied> When Sardinia has satisfied this
requirement, Our benefits shall come to it also.</seg></s>
</ab>
<ab xml:id="nov-val_1.3.7" type="caput" part="N">
<milestone unit="latin" /> 7. <s xml:id="nov-val_1.3.7.s1" n="la0" xml:lang="la"
part="N">Illustris viri <rs ana="#P_high-officials"><w
        lemma="comes-rei-privatae" part="N">comitis rei privatae</w></rs>
insinuatio patefecit dudum <rs ana="#I_emperor"><w lemma="nostra-clementia"
part="N">nostram clementiam</w></rs> praecepisse intra <rs
ana="#E_landholders"><w lemma="Africa" part="N">Africam</w></rs>, sicut per
<rs ana="#E_landholders"><w lemma="alia-provincia" part="N">alias
        provincias</w></rs>, adiectione quinquennii pretium distractorum <rs
ana="#E_land"><w lemma="praedium" part="N">praediorum</w></rs> ab <rs
ana="#E_vendors"><w lemma="emptor" part="N">emptoribus</w></rs> debere
suppleri; <rs ana="#P_bureaucracy"><w lemma="palatinus" part="N"
        >palatinos</w></rs> super hac re olim directos necdum quid profecerint
rettulisse.</s>
<s xml:id="nov-val_1.3.7.s2" n="la1" xml:lang="la" part="N"><seg
xml:id="nov-val_1.3.7.c1" part="N">Quare <phr xml:id="nov-val_1.3.7.s2.p1"
        function="cmdw" subtype="g" type="ampl" injured="nolo"
inj-src="alia-provincia" crt-src="low" crt-inj="high" part="N"><rs
        ana="#I_emperor"><w lemma="nolo" part="N">nolumus</w></rs></phr> hunc
titulum interpretationi huiusce iussionis adiungi,</seg> ne sub occasione
orationis accepta <phr xml:id="nov-val_1.3.7.s2.p2" type="ampl" subtype="c"
inj-src="alia-provincia" crt-src="medium" injured="alia-provincia"
crt-inj="medium" part="N"><w lemma="consumo" part="N"
        >consumant</w></phr>.</s>
<s xml:id="nov-val_1.3.7.s3" n="la2" xml:lang="la" part="N">dici enim <rs
        ana="#E_taxes"><w lemma="reliquum" part="N">reliqua</w></rs> non possunt,

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unde non residua pars, sed omnis quae sperari potest summa debetur.</s>

<milestone unit="english" /> 7. <s corresp="#nov-val_1.3.7.s1" n="en0" xml:lang="en" part="N">The report of the Illustrious <rs>count of the privy purse</rs> has disclosed that <rs>Our Clemency</rs> formerly had commanded within <rs>Africa</rs>, as throughout <rs>other provinces</rs>, that the <rs>price</rs> of <rs>landed estates</rs> which had been sold must be fully paid by the <rs>purchasers</rs> with the grant of an additional five years; that the <rs>palatines</rs> who had previously been dispatched in regard to this matter had not yet reported what they had accomplished.</s>

<s corresp="#nov-val_1.3.7.s2" n="en1" xml:lang="en" part="N"><seg corresp="#nov-val_1.3.7.c1" part="N">Wherefore, it is Our <phr function="cmdw" type="ampl" subtype="g" part="N"><rs>will</rs></phr> that this title shall not be added to the interpretation of this law,</seg> lest under the pretext of this oration they might <phr type="ampl" subtype="c" part="N">squander</phr> what they have received.</s>

<s corresp="#nov-val_1.3.7.s3" n="en2" xml:lang="en" part="N">For those accounts cannot be called <rs>delinquent taxes</rs> when not a residual part, but the whole sum which can be expected is owed.</s>

</ab>

<ab xml:id="nov-val_1.3.subs" type="subs" part="N">

<milestone unit="latin" />

<s xml:id="nov-val_1.3.subs.s1" n="la3" xml:lang="la" part="N">Et manu divina: optamus vos felicissimos ac florentissimos nostrique amantissimos per multos annos bene valere, sanctissimi ordinis patres conscripti.</s>

<s xml:id="nov-val_1.3.subs.s2" n="la4" xml:lang="la" part="N">Et ad latus: Dat. III non. Mart. <placeName corresp="#rome" instant="false" full="yes">Romae</placeName> D. n. Valentiniano A. VII et Avieno vc. cons. <date when="0450-03-05" instant="false">(450 Mart. 5)</date></s>

<s xml:id="nov-val_1.3.subs.s3" n="la5" xml:lang="la" part="N">recitata in senatu per virum illustrem proconsulem Postumianum prid. id. Mart.</s>

<milestone unit="english" />

<s corresp="#nov-val_1.3.subs.s1" n="en3" xml:lang="en" part="N">(And by the divine imperial hand.) It is our wish that you may be well, most happy, flourishing, and most beloved by Us through many years, O Conscript Fathers of the Most Sacred Order.</s>

<s corresp="#nov-val_1.3.subs.s2" n="en4" xml:lang="en" part="N">(And on the margin.) Given on the third day before the nones of March at <placeName instant="false" full="yes">Rome</placeName> in the year of the seventh consulship of Our Lord Valentinian Augustus and the consulship of the Most Noble Avienus. - <date instant="false">March 5, 450</date>.</s>

<s corresp="#nov-val_1.3.subs.s3" n="en5" xml:lang="en" part="N">Read in the Senate by the Illustrious Proconsul, Postumianus, on the day before the ides of March. - March 14, (450).</s>

</ab>

<ab xml:id="nov-val_1.3.intr" type="intr" part="N">

<milestone unit="latin" /><Haec lex interpretatione non indiget. <milestone unit="english" /><supplied resp="#pharr" instant="false">

>[INTERPRETATION:]</supplied> This law does not need interpretation. </ab>

</div2>

</div1>

<div1 xml:id="nov-val_2" type="titulus" part="N" org="uniform" sample="complete">

<head xml:id="nov-val_2.titl" type="titulus" part="N">

<s xml:id="nov-val_2.titl.s1" xml:lang="la" part="N">2. DE POSTULANDO </s>

<s corresp="#nov-val_2.titl.s1" xml:lang="en" part="N">TITLE 2: PLEADINGS IN COURT</s>

</head>

<div2 xml:id="nov-val_2.1" type="constitutio" part="N" org="uniform" sample="complete">

<ab xml:id="nov-val_2.1.insc" type="insc" part="N">

<milestone unit="latin" />

<s xml:id="nov-val_2.1.insc.s1" n="la1" xml:lang="la" part="N">... </s>

<milestone unit="english" />

<s corresp="#nov-val_2.1.insc.s1" n="en1" xml:lang="en" part="N">... </s>

</ab>

</div2>

<div2 xml:id="nov-val_2.2" type="constitutio" part="N" org="uniform" sample="complete">

<ab xml:id="nov-val_2.2.insc" type="insc" part="N">

<milestone unit="latin" />

<s xml:id="nov-val_2.2.insc.s1" n="la1" xml:lang="la" part="N">2. <persName corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et <persName corresp="#valentinian3" instant="false" full="yes">Valentin.</persName> AA. Fausto pp.</s>

<milestone unit="english" />

<s corresp="#nov-val_2.2.insc.s1" n="en1" xml:lang="en" part="N">2. Emperors <persName corresp="#theodosius2" instant="false" full="yes">Theodosius</persName> and <persName corresp="#valentinian3" instant="false" full="yes">Valentinian</persName> Augustuses to Faustus, Praetorian Prefect.</s>

</ab>

<ab xml:id="nov-val_2.2.0" type="caput" part="N">

<milestone unit="latin" /> 0. <s xml:id="nov-val_2.2.0.s1" n="la2" xml:lang="la" part="N">Gaudemus admodum haec nobis <rs>amplitudinis tuae</rs> insinuatione suggesta, quae nostris concordare iudiciis privilegia dudum <rs>causidicis</rs> delata testantur, quorum ut merita maior beneficiorum nostrorum cumulus augeret, etiam novis insuper amplificamus indulgentiis.</s>

<s xml:id="nov-val_2.2.0.s2" n="la3" xml:lang="la" part="N">Quo enim impares honore credamus eos, quorum vitam et eloquentiam per tot officii huiusce annos non solum <rs>privatorum</rs>, verum etiam <rs>publicorum iudiciorum</rs> explorat auctoritas, <rs>Fauste</rs> parens karissime atque amantissime?</s>

<milestone unit="english" /> 0. <s corresp="#nov-val_2.2.0.s1" n="en2">

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    xml:lang="en" part="N">We greatly rejoice that the report of <rs>Your
    Magnitude</rs> has recommended to Us those things that are in harmony with
    Our judgments, as is witnessed by the privileges that were formerly conferred
    upon <rs>advocates</rs><supplied resp="#pharr" instant="false">.</supplied> In
    order that We may exalt their merits by a greater accession of Our benefits, We
    also honor them with new favors in addition.</s>
<s corresp="#nov-val_2.2.0.s2" n="en3" xml:lang="en" part="N">For to what honor
    shall We believe those men to be unequal, whose lives and eloquence throughout
    so many years of this duty have been tested by the authority, not only of
    <rs>private persons</rs>, but also of the <rs>public courts</rs>, O
    <rs>Faustus</rs>, dearest and most beloved Father?</s>
</ab>
<ab xml:id="nov-val_2.2.1" type="caput" part="N">
    <milestone unit="latin" /> 1. <s xml:id="nov-val_2.2.1.s1" n="la4" xml:lang="la"
    part="N"><rs>Illustris igitur et praeclsa magnificentia tua</rs> laudabilium
    suggestionum suarum contemplatione hoc a nobis in admittendis retinendis
    honorandisque <rs>causidicis</rs> edictali lege noverit constitutum, ut in eo,
    <rs>qui se causidicorum numero optat adiungi</rs>, imprimis studia
    requirantur mores <rs>natales</rs> vel si perfunctus est <rs>muneribus</rs>,
    quibus patriae suae nascendi generositas debet esse <rs>municipa</rs>, neque
    per <phr xml:id="nov-val_2.2.1.s1.p1" type="ampl" subtype="g" part="N"><w
    lemma="calumnia" part="N">calumniam</w></phr> neque perfunctoria
    examinatione.</s>
<s xml:id="nov-val_2.2.1.s2" n="la5" xml:lang="la" part="N">Neque enim oportet
    eos, quos semel adsciveris in <rs>seminarium dignitatum</rs>, non ita ad omnia
    esse defaecatos, ut idcirco digni universis honoribus habeantur, quod
    <rs>advocati</rs> esse meruerunt.</s>
    <milestone unit="english" /> 1. <s corresp="#nov-val_2.2.1.s1" n="en4"
    xml:lang="en" part="N"><rs>Therefore Your Illustrious and Excellent
    Magnificence</rs> shall know that, in consideration of your laudable
    recommendations, this regulation has been established by Us in an edictal law
    with regard to the admission, retention, and grant of honors to
    <rs>advocates</rs>, namely, that in the case of <rs>a person who wishes to
    be joined to the number of advocates</rs>, first of all inquiry shall be
    made as to his studies, his character, his birth status, and whether he has
    performed the <rs>compulsory public services</rs> by means of which his high
    birth must be obligated to the <rs>municipality</rs> of his <rs>birth</rs>; and
    all these things must be investigated neither through <phr type="ampl"
    subtype="g" part="N">calumny</phr> nor by a perfunctory examination.</s>
<s corresp="#nov-val_2.2.1.s2" n="en5" xml:lang="en" part="N">For you must not
    admit those persons, once for all, to the <rs>seminary of dignitaries</rs> who
    are not so purified in all matters that thereby they may be considered worthy
    of all honors because they have deserved to be <rs>advocates</rs>.</s>
</ab>
<ab xml:id="nov-val_2.2.2" type="caput" part="N">
    <milestone unit="latin" /> 2. <s xml:id="nov-val_2.2.2.s1" n="la6" xml:lang="la"
    part="N"><seg xml:id="nov-val_2.2.2.c1" part="N"><rs>Quibus ad agendum viginti
    annos</rs>, non ut adpropinquare vicesimum, sed ut explere fas sit, legis
    huius auctoritate <phr xml:id="nov-val_2.2.2.s1.p1" function="cmdw" part="N">
    >decernimus</phr>; in <rs>provincialibus vero foris</rs> si sedecim aut
    eo amplius numero <rs>advocati</rs> sint, unum ex his, qui in agendo annorum
    numero praestat, ad <rs>praetorianum forum</rs>, si hoc <rs>praefectura</rs>
    iubeat, <rs>avocari</rs> atque omnes sive utriusque <rs>praetorianae</rs>
    sive <rs>urbanae praefecturae</rs>
    <rs>causidicos</rs> expleto vicesimo vel ad alium vitae cursum maturius
    transeuntes quinto decimo <rs>advocationis</rs> anno vicariae dignitatis
    potestatem posse obtinere, ita ut in salutationibus nostris, in
    <rs>conventibus publicis</rs> omnibus, qui post se vicariae potestatem
    adepti erunt, merito praeponantur.</seg></s>
<s xml:id="nov-val_2.2.2.s2" n="la7" xml:lang="la" part="N">Neque enim
    perpetiendum putamus huiusmodi dignitatem in his, qui <rs>advocatione</rs>
    functi sunt, imaginariam aut vacantivam videri, cum eam non gratiae singulorum,
    sed ipsi ordini et professioni iudicia nostra restituant, quamvis tam magno,
    tam necessario et tam sancto officio hi servetur reverentia litterarum, etiam
    hoc parvum esse videatur, nisi illis salvum esset sperare cum omnibus, quod
    optimus quisque ac sibi bene conscius de nostris iudiciis non <phr
    xml:id="nov-val_2.2.2.s2.p1" type="ampl" subtype="g" part="N"><w
    lemma="frustra" part="N">frustra</w></phr> debet optare.</s>
    <milestone unit="english" /> 2. <s corresp="#nov-val_2.2.2.s1" n="en6"
    xml:lang="en" part="N"><seg corresp="#nov-val_2.2.2.c1" part="N">By the
    authority of this law We <phr function="cmdw" part="N">decree</phr> for
    these <rs>persons twenty years for conducting suits</rs>, not in such a way
    that it shall be right for them to attain the twentieth year, but to
    complete it<supplied resp="#pharr" instant="false">.</supplied>
    <rs>But in the provincial forums</rs>, if they should be <rs>advocates</rs>
    for sixteen years or more than that number, one of them who excels in the
    number of his years in conducting suits shall be called to the
    <rs>praetorian forum</rs>, if the <rs>prefecture</rs> should so order,
    and all <rs>advocates</rs>, whether of the two <rs>praetorian
    prefectures</rs> or of the <rs>urban prefecture</rs>, who have completed
    their twentieth year as <rs>advocates</rs>, and even those who pass earlier
    to another course of life in the fifteenth year of their <rs>advocacy</rs>,
    shall be able to obtain the right to the rank of vicar, so that in Our
    salutations and in all <rs>public assemblies</rs> they shall deservedly be
    placed before those persons who obtained the right to the rank of vicar
    after them.</seg></s>
<s corresp="#nov-val_2.2.2.s2" n="en7" xml:lang="en" part="N">For We do not think
    that it should be endured that such high rank, in the case of those persons who
    have performed the duties of <rs>advocacy</rs>, should appear to be nominal or

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empty<supplied resp="#pharr" instant="false">.</supplied> For Our decisions
bestow such rank not for the gratification of each person, but to the order
itself and to the profession<supplied resp="#pharr" instant="false"
>.</supplied> If reverence for learning is to be preserved, even this honor
would appear to be too small a thing for so great, so necessary, and so sacred
an office, unless they could securely hope, with all men, for that reward which
each good man and each man with a good conscience must hope for, not in <phr
type="ampl" subtype="g" ana="#meta" part="N">vain</phr>, from Our
decisions.</s>
</ab>
<ab xml:id="nov-val_2.2.3" type="caput" part="N">
  <milestone unit="latin" /> 3. <s xml:id="nov-val_2.2.3.s1" n="la8" xml:lang="la"
  part="N">Neque enim tali fine meritum professionis <phr
    xml:id="nov-val_2.2.3.s1.p1" function="cmdw" part="N">artamus</phr> aut
    futurae spei <phr xml:id="nov-val_2.2.3.s1.p2" type="ampl" function="cmdw"
      subtype="c" part="N"><w lemma="intercludo" part="N">intercludimus</w></phr>
    viam, qui praeterita interim remuneramus.</s>
  <s xml:id="nov-val_2.2.3.s2" n="la9" xml:lang="la" part="N"><seg
    xml:id="nov-val_2.2.3.c1" part="N">Nam ut nullis <rs>civilium
      officiorum</rs>
    <phr xml:id="nov-val_2.2.3.s2.p1" type="ampl" subtype="c" part="N"><w
      lemma="onus" part="N">oneribus</w></phr> aut <rs>exactionibus</rs> aut
      <rs>operibus publicis</rs> ad suggestiones <rs>numerariorum</rs> vel ad
      praeceptum sacrae nostrae huiusmodi hominum, emeritum si quis per supra
      memoratos annos in quolibet <rs>praetoriano</rs> sive <rs>urbano foro</rs>
      studium probatae <phr xml:id="nov-val_2.2.3.s2.p2" type="ampl" subtype="c"
        part="N"><w lemma="defensio" part="N">defensionis</w></phr> impendit,
      post diutinum <phr xml:id="nov-val_2.2.3.s2.p3" type="ampl" subtype="c"
        part="N"><w lemma="labor" part="N">laborem</w></phr>
    <phr xml:id="nov-val_2.2.3.s2.p4" type="ampl" subtype="g" part="N"><w
      lemma="sollicito" part="N">sollicitetur</w></phr> quies, providebit
      amplissimae <rs>praefecturae</rs> debita et iusta commotio, quae triginta
      librarum auri <phr xml:id="nov-val_2.2.3.s2.p5" type="ampl" subtype="c"
        part="N"><w lemma="condemnatio" part="N">condemnationem</w></phr> ab
      <rs>officiis provincialibus</rs> vel <rs>suo</rs> ilico iubebit exposci,
      si quemquam ex his, qui praedicta observatione causis patrocina
      praestiterunt, ad huiusmodi <phr xml:id="nov-val_2.2.3.s2.p6" type="ampl"
        subtype="g" part="N"><w lemma="iniuria" part="N">iniuriam</w></phr>
      suggerendum esse crediderint.</seg></s>
  <milestone unit="english" /> 3. <s corresp="#nov-val_2.2.3.s1" n="en8"
    xml:lang="en" part="N">For We do not <phr function="cmdw" part="N"
    >restrict</phr> the reward of the profession by such a limit, and We do not
    <phr function="cmdw" type="ampl" part="N" subtype="c">bar</phr> the way to
    future hope, when in the meantime We reward past deeds.</s>
  <s corresp="#nov-val_2.2.3.s2" n="en9" xml:lang="en" part="N"><seg
    corresp="#nov-val_2.2.3.c1" part="N">For a due and just action of the most
    august <rs>prefecture</rs> shall provide that after their long <phr
      type="ampl" part="N" subtype="c">labor</phr>, the peace of such men shall
    be <phr type="ampl" subtype="g" part="N">disturbed</phr> by no <phr
      type="ampl" part="N" subtype="c">burdens</phr> of <rs>municipal
      offices</rs>, no <rs>tax collections</rs>, and no <rs>public works</rs>,
    on the recommendation of the <rs>accountants</rs> or at the command of Our
    sacred imperial law, if such advocates have bestowed the due period of
    practice of approved <phr type="ampl" part="N" subtype="c">defense</phr>
    throughout the aforementioned number of years, in any <rs>praetorian</rs> or
    <rs>urban forum</rs><supplied resp="#pharr" instant="false">.</supplied>
    The prefecture shall immediately order a <phr type="ampl" part="N"
      subtype="c">fine</phr> of thirty pounds of gold to be exacted of the
    <rs>provincial office staffs</rs> or <rs>their own office staff</rs> if
    they should suppose that any of these persons who have furnished patronage
    for cases by means of the aforesaid services should be nominated for such an
    <phr type="ampl" subtype="g" part="N">injustice</phr>.</seg></s>
  </ab>
  <ab xml:id="nov-val_2.2.4" type="caput" part="N">
    <milestone unit="latin" /> 4. <s xml:id="nov-val_2.2.4.s1" n="la10" xml:lang="la"
    part="N">His hoc etiam <rs>litteratae militiae</rs> contemplatione <seg
      xml:id="nov-val_2.2.4.c1" part="N"><phr xml:id="nov-val_2.2.4.s1.p1"
        function="cmdw" part="N">praestamus</phr>, ut, si in <rs>familia</rs>
      fuerint constituti, quidquid quolibet titulo positi in <rs>advocatione</rs>
      quaesiverint, tamquam peculium castrense defendant, ne praemium <phr
        xml:id="nov-val_2.2.4.s1.p2" type="ampl" subtype="c" part="N"><w
          lemma="labor" part="N">laboris</w></phr>
      <phr type="ampl" subtype="c" part="N"><w lemma="alienus" part="N"
        >alieni</w></phr> aut in alios transferat aut sibi <phr
          xml:id="nov-val_2.2.4.s1.p3" type="ampl" subtype="c" part="N"><w
            lemma="vindico" part="N">vindicet</w></phr>
      <rs>patrum potestas</rs>.</seg></s>
    <milestone unit="english" /> 4. <s corresp="#nov-val_2.2.4.s1" n="en10"
      xml:lang="en" part="N">In consideration of this <rs>learned branch of the
      imperial service</rs>, <seg corresp="#nov-val_2.2.4.c1" part="N">We <phr
        function="cmdw" part="N">grant</phr> to them also that if they should be
      established under the <rs>paternal power</rs>, whatever they have acquired
      under any title whatever while they were established in the
      <rs>advocacy</rs> they may vindicate as though it were a military
      peculium, in order that the <rs>paternal power</rs> may not either transfer
      to others the reward of <phr type="ampl" part="N" subtype="c">another</phr>
      person's <phr type="ampl" part="N" subtype="c">labor</phr> or <phr
        type="ampl" part="N" subtype="c">vindicate</phr> it to itself.</seg></s>
  </ab>

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<ab xml:id="nov-val_2.2.5" type="caput" part="N">
  <milestone unit="latin" /> 5. <s xml:id="nov-val_2.2.5.s1" n="la11" xml:lang="la"
    part="N">Hanc autem legem edictis <rs>amplitudinis tuae</rs> omnibus
    <rs>iudicibus</rs> ac <rs>provinciis</rs> facias innotescere.</s>
  <milestone unit="english" /> 5. <s corresp="#nov-val_2.2.5.s1" n="en11"
    xml:lang="en" part="N">By the edicts of <rs>Your Magnitude</rs> you shall cause
    this law to become known to all <rs>judges</rs> and <rs>provinces</rs>.</s>
</ab>
<ab xml:id="nov-val_2.2.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_2.2.subs.s1" n="la12" xml:lang="la" part="N">P. id. Aug.
    <placeName corresp="#rome" instant="false" full="yes">Romae</placeName> in
    foro Traiani Dioscoro vc. cons. <date when="0442-08-13" instant="false">(442
    Aug. 13)</date>.</s>
  <milestone unit="english" />
  <s corresp="#nov-val_2.2.subs.s1" n="en12" xml:lang="en" part="N">Posted on the
    ides of August at <placeName instant="false" full="yes">Rome</placeName> in the
    Forum of Trajan in the year of the consulship of the Most Noble Dioscorus. -
    <date instant="false">August 13, 442</date>.</s>
</ab>
</div2>
<div2 xml:id="nov-val_2.3" type="constitutio" part="N" org="uniform" sample="complete">
  <ab xml:id="nov-val_2.3.insc" type="insc" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_2.3.insc.s1" n="la1" xml:lang="la" part="N">3. <name
      corresp="#valentinian3 #theodosius2" full="yes" instant="false">Idem</name>
      AA. Albino II pp. Illyrici Italiae et Africae.</s>
    <milestone unit="english" />
    <s corresp="#nov-val_2.3.insc.s1" n="en1" xml:lang="en" part="N">3. The <name
      corresp="#valentinian3 #theodosius2" full="yes" instant="false">same</name>
      Augustuses to Albinus, Praetorian Prefect for the second time of Illyricum,
      Italy, and Africa.</s>
  </ab>
  <ab xml:id="nov-val_2.3.0" type="caput" part="N">
    <milestone unit="latin" /> 0. <s xml:id="nov-val_2.3.0.s1" n="la2" xml:lang="la"
      part="N">Ex adfectu publico convenit eorum necessitatibus subvenire, qui <phr
        xml:id="nov-val_2.3.0.s1.p1" type="ampl" subtype="c" part="N"><w
          lemma="fatalis" part="N">fatales</w></phr>
        <phr xml:id="nov-val_2.3.0.s1.p2" type="ampl" subtype="g" part="N"><w
          lemma="miseria" part="N">miserias</w></phr> inciderunt: Imperatoriae si
        quidem laudis est aliqua decreta mollire, quando <phr type="ampl" subtype="c"
          part="N"><w lemma="vis" part="N">vis</w></phr> maior inopinatae <phr
          xml:id="nov-val_2.3.0.s1.p3" type="ampl" subtype="g" part="N"><w
            lemma="clades" part="N">cladis</w></phr>
        <phr xml:id="nov-val_2.3.0.s1.p4" type="ampl" subtype="g" part="N"><w
          lemma="feralis" part="N">ferale</w></phr> generarit <phr
          xml:id="nov-val_2.3.0.s1.p5" type="ampl" subtype="g" part="N"><w
            lemma="incommodum" part="N">incommodum</w></phr>, <rs>Albine</rs> parens
        karissime atque amantissime.</s>
    <milestone unit="english" /> 0. <s corresp="#nov-val_2.3.0.s1" n="en2"
      xml:lang="en" part="N">In accordance with Our love for the people , We must
      come to the aid of those persons who have fallen into <phr type="ampl" part="N"
        subtype="c">fatal</phr>
      <phr type="ampl" subtype="g" part="N">misfortunes</phr>, since indeed it is the
      part of the imperial glory to mitigate certain decrees when the overwhelming
      <phr type="ampl" part="N" subtype="c">force</phr> of unexpected <phr
        type="ampl" subtype="g" ana="#meta" part="N">disaster</phr> creates a <phr
        type="ampl" subtype="g" ana="#meta" part="N">deadly</phr>
      <phr type="ampl" subtype="g" ana="#meta" part="N">destruction</phr>, O
      <rs>Albinus</rs>, dearest and most beloved Father.</s>
  </ab>
  <ab xml:id="nov-val_2.3.1" type="caput" part="N">
    <milestone unit="latin" /> 1. <s xml:id="nov-val_2.3.1.s1" n="la3" xml:lang="la"
      part="N"><seg xml:id="nov-val_2.3.1.c1" ana="#ncp" part="N">Unde <rs>illustris
        et praecelsa magnificentia tua</rs> pragmatici nostri tenore comperto
        sciat <rs>afros</rs>, qui <phr xml:id="nov-val_2.3.1.s1.p1" type="ampl"
          subtype="g" part="N"><w lemma="infortunium" part="N">
          >infortuniis</w></phr>
        <phr xml:id="nov-val_2.3.1.s1.p2" type="ampl" subtype="g" part="N"><w
          lemma="hostilis" part="N">hostilis</w></phr>
        <phr xml:id="nov-val_2.3.1.s1.p3" type="ampl" subtype="g" part="N"><w
          lemma="clades" part="N">cladis</w></phr>
        <phr xml:id="nov-val_2.3.1.s1.p4" type="ampl" subtype="g" part="N"><w
          lemma="expello" part="N">expulsi</w></phr>
        <phr xml:id="nov-val_2.3.1.s1.p5" type="ampl" subtype="c" part="N"><w
          lemma="eicio" part="N">eiectique</w></phr> fortunis omnibus spem sui
        actus et conversationis solitae <phr xml:id="nov-val_2.3.1.s1.p6"
          type="ampl" subtype="g" part="N"><w lemma="perdo" part="N">
          >perdiderunt</w></phr> et imbuti studiis litterarum causas agere
        destinarunt sive agere iam coeperunt, apud omnes <rs>iudices</rs> his
        <rs>advocationis</rs> copiam <phr type="ampl" subtype="c" part="N"><w
          lemma="removeo" part="N">remoto</w></phr> legis vinculo esse
        permissam, ut <phr xml:id="nov-val_2.3.1.s1.p7" type="ampl" subtype="c"
          part="N"><w lemma="aerumna" part="N">aerumnas</w></phr>, in quibus nunc
        sunt, tali possint remedio sublevare, praeter <rs>praetorianam togam</rs>
        <rs>forumque urbanum</rs>, in quo agendorum negotiorum <phr type="ampl"
          subtype="c" part="N"><w lemma="licentia" part="N">licentiam</w></phr>
        tribus pietas nostra permittit.</seg></s>
    <s xml:id="nov-val_2.3.1.s2" n="la4" xml:lang="la" part="N">Nec enim non eos

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oportet studiis favorabilibus adiuvari, quibus hoc solum remansit, quod sibi non potuit <phr xml:id="nov-val_2.3.1.s2.p1" type="ampl" subtype="c" part="N">
 <w lemma="vindico" part="N">vindicare</w></phr>
 <phr xml:id="nov-val_2.3.1.s2.p2" type="ampl" subtype="g" part="N"><w lemma="captivitas" part="N">captivitas</w></phr>.</s>
 <milestone unit="english" /> 1. <s corresp="#nov-val_2.3.1.s1" n="en3" xml:lang="en" part="N"><seg corresp="#nov-val_2.3.1.c1" ana="#ncp" part="N">
 >Whence <rs>Your Illustrious and Excellent Magnificence</rs> shall learn the tenor of Our pragmatic sanction and shall know that the <rs>Africans</rs>, who have been <phr type="ampl" subtype="g" part="N">expelled</phr> by the <phr type="ampl" subtype="g" part="N">misfortunes</phr> of a <phr type="ampl" subtype="g" part="N">hostile</phr> <phr type="ampl" subtype="g" part="N">disaster</phr> and have been <phr type="ampl" part="N" subtype="c">dispossessed</phr> of all their fortunes and who have thus <phr type="ampl" subtype="g" part="N">lost</phr> the hope of their own legal activities and of their accustomed way of life, if they should be imbued with learned studies and should intend to plead cases or if they have already begun to plead cases, shall be granted the right to such <rs>advocacy</rs> before all <rs>judges</rs>, and the bond of the law shall be <phr type="ampl" part="N" subtype="c">removed</phr>, except in the case of the <rs>praetorian toga</rs> and the <rs>forum of the urban prefect</rs>, in which courts Our Piety grants the <phr type="ampl" part="N" subtype="c">right</phr> to conduct cases to three of them only<supplied resp="#pharr" instant="false">.</supplied> By such a remedy they can alleviate the <phr type="ampl" part="N" subtype="c">misfortunes</phr> in which they are now involved.</seg></s>
 <s corresp="#nov-val_2.3.1.s2" n="en4" xml:lang="en" part="N">For We must aid with favoring zeal those persons to whom there remains only that which <phr type="ampl" subtype="g" ana="#meta" part="N">captivity</phr> could not <phr type="ampl" part="N" subtype="c">vindicate</phr> to itself.</s>
 </ab>
 <ab xml:id="nov-val_2.3.subs" type="subs" part="N">
 <milestone unit="latin" />
 <s xml:id="nov-val_2.3.subs.s1" n="la5" xml:lang="la" part="N">Dat. XVI. kal. Sept. <placeName corresp="#ravenna" instant="false" full="yes">
 >Ravennae</placeName> Maximo II et Paterio VV. CC. cons. <date when="0443-08-17" instant="false">(443 Aug. 17)</date>.</s>
 <milestone unit="english" />
 <s corresp="#nov-val_2.3.subs.s1" n="en5" xml:lang="en" part="N">Given on the sixteenth day before the kalends of September at <placeName instant="false" full="yes">Ravenna</placeName> in the year of the second consulship of the Most Noble Maximus and the consulship of the Most Noble Paterius. - <date instant="false">August 17, 443</date>.</s>
 </ab>
 </div2>
 <div2 xml:id="nov-val_2.4" type="constitutio" part="N" org="uniform" sample="complete">
 <ab xml:id="nov-val_2.4.insc" type="insc" part="N">
 <milestone unit="latin" />
 <s xml:id="nov-val_2.4.insc.s1" n="la1" xml:lang="la" part="N">4. <persName corresp="#valentinian3" instant="false" full="yes">Valentin.</persName> et <persName corresp="#marcian" instant="false" full="yes">Marcianus</persName> AA. Storcio pp.</s>
 <milestone unit="english" />
 <s corresp="#nov-val_2.4.insc.s1" n="en1" xml:lang="en" part="N">4. Emperors <persName corresp="#valentinian3" instant="false" full="yes">Valentinian</persName> and <persName corresp="#marcian" instant="false" full="yes">Marcian</persName> Augustuses to Storcio, Praetorian Prefect.</s>
 </ab>
 <ab xml:id="nov-val_2.4.0" type="caput" part="N">
 <milestone unit="latin" /> 0. <s xml:id="nov-val_2.4.0.s1" n="la2" xml:lang="la" part="N">Multarum ...</s>
 <s xml:id="nov-val_2.4.0.s2" n="la3" xml:lang="la" part="N">in sancendis legibus non solum sibi <phr xml:id="nov-val_2.4.0.s2.p1" type="ampl" subtype="c" part="N"><w lemma="vindico" part="N">vindicat</w></phr>, verum etiam temporis ratio persuadet, non quod praeceptorum diversitas placeat, sed quod eventuum qualitas facit esse iudicium et firmiter constituto robur est, quoties priori sententiae magis magisque probata succedit.</s>
 <s xml:id="nov-val_2.4.0.s3" n="la4" xml:lang="la" part="N">Dudum laxata lex exceptis <rs>illustribus foris</rs> <rs>ceteris</rs> ac <rs>provincialibus</rs> perpetuitatem concesserat actionis.</s>
 <s xml:id="nov-val_2.4.0.s4" n="la5" xml:lang="la" part="N">Sed nunc ad crescentem <rs>pube et litterariae indolis iuventute</rs> aditi exoratique sumus, ne sub aliorum perpetuitate succedentium studiorum fervor <phr xml:id="nov-val_2.4.0.s4.p1" type="ampl" subtype="c" part="N"><w lemma="evanesco" part="N">evanescat</w></phr>.</s>
 <s xml:id="nov-val_2.4.0.s5" n="la6" xml:lang="la" part="N">Quis enim se ei officio <rs>novus professor</rs> inserat, quod <rs>veteranus</rs> insederit, ut non sit tam auctor quam observator alterius?</s>
 <s xml:id="nov-val_2.4.0.s6" n="la7" xml:lang="la" part="N">et quia haec, quae ab homine caduca sunt, fiunt subrogatione perpetua, ne <phr xml:id="nov-val_2.4.0.s6.p1" type="ampl" subtype="g" part="N"><w lemma="interdico" part="N">interdicentibus</w></phr> studiis ipsa pariter officia conquiescant, <seg xml:id="nov-val_2.4.0.c1" part="N">hac generali constitutione <phr xml:id="nov-val_2.4.0.s6.p2" function="cmdw" part="N">>decernimus</phr> universa <rs>fora</rs>, tam <rs>illustrium praefectorum praetorio</rs> ac <rs>praefecti urbi</rs> quam reliqua omnia, ...</seg></s>
 ...</seg></s>


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<s xml:id="nov-val_2.4.0.s7" n="la8" xml:lang="la" part="N"><rs>Storaci</rs>
  parens karissime atque amantissime.</s>
<s xml:id="nov-val_2.4.0.s8" n="la9" xml:lang="la" part="N"><rs>Illustris et
  praeclsa magnificentia tua</rs> lege salubriter constituta edictis propriis
  in universorum faciet pervenire notitiam, ut, quid erga servanda
    <rs>advocatorum</rs> tempora dispositio iusta praefixerit, et agnoscere
  valeant et servare contendant.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_2.4.0.s1" n="en2"
  xml:lang="en" part="N">Of many ...</s>
<s corresp="#nov-val_2.4.0.s2" n="en3" xml:lang="en" part="N">in sanctioning the
  laws, not only <phr type="ampl" part="N" subtype="c">vindicates</phr> to
  itself, but a consideration of the times also persuades Us, not because a
  diversity of regulations is pleasing, but because the nature of the events
  causes the decision to be more carefully considered and because, when a more
  and more approved law succeeds the former decision, there is greater strength
  in the law that has been thus established.</s>
<s corresp="#nov-val_2.4.0.s3" n="en4" xml:lang="en" part="N">The law that was
  previously repealed had excepted the <rs>Illustrious forums</rs> but had
  granted to <rs>all others</rs> and to the <rs>provincials</rs> the perpetual
  right to conduct actions.</s>
<s corresp="#nov-val_2.4.0.s4" n="en5" xml:lang="en" part="N">But now, as the
  <rs>youth and young men of native literary ability</rs> are increasing, We
  have been approached and prevailed upon by supplications that We should not
  allow the fervor of succeeding generations for such studies to <phr type="ampl"
    part="N" subtype="c">vanish</phr> because of the perpetual tenure of
  others.</s>
<s corresp="#nov-val_2.4.0.s5" n="en6" xml:lang="en" part="N">For what man would
  insert himself as a <rs>new professor</rs> in an office which is occupied by a
  <rs>veteran professor</rs>, so that he is not so much an authority as the
  observer of another?</s>
<s corresp="#nov-val_2.4.0.s6" n="en7" xml:lang="en" part="N">Because those things
  which are transitory to men become perpetual by the selection of substitutes,
  in order that, when the studies <phr type="ampl" subtype="g" ana="#meta"
    part="N">cease</phr>, the duties themselves may not likewise become
  inactive, <seg corresp="#nov-val_2.4.0.c1" part="N">by this general
    constitution We <phr function="cmdw" part="N">decree</phr> that all
    <rs>forums</rs>, those of the <rs>Illustrious praetorian prefect</rs> and
    the <rs>prefect of the City</rs> as well as all others ...</seg></s>
<s corresp="#nov-val_2.4.0.s7" n="en8" xml:lang="en" part="N">O
  <rs>Storacius</rs>, dearest and most beloved Father.</s>
<s corresp="#nov-val_2.4.0.s8" n="en9" xml:lang="en" part="N"><rs>Your Illustrious
  and Excellent Magnificence</rs> by your edicts shall cause to come to the
  knowledge of all that which this law has prudently established, so that they
  may be able to know and may strive to preserve what has been previously fixed
  by a just regulation for preserving the time limits for <rs>advocates</rs>.</s>
</ab>
<ab xml:id="nov-val_2.4.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_2.4.subs.s1" n="la10" xml:lang="la" part="N">Dat. V kal. Nov.
    <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
    Aetio et Studio cons. <date when="0454-10-28" instant="false">(454 Oct.
      28)</date></s>
  <milestone unit="english" />
  <s corresp="#nov-val_2.4.subs.s1" n="en10" xml:lang="en" part="N">Given on the
    fifth day before the kalends of November at <placeName instant="false"
      full="yes">Rome</placeName> in the year of the consulship of Aetius and
    Studius. - <date instant="false">October 28, 454</date>.</s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_3" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_3.titl">
    <s xml:id="nov-val_3.titl.s1" xml:lang="la" part="N">3. DE SUCCESSIONIBUS CURIALIUM
      QUI AD CLERICATUM TRANSIERUNT</s>
    <s corresp="#nov-val_3.titl.s1" xml:lang="en" part="N">TITLE 3: SUCCESSIONS TO
      DECURIONS WHO HAVE PASSED TO THE CLERGY</s>
  </head>
  <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_3.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_3.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
        corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
        <persName corresp="#valentinian3" instant="false" full="yes">
          Valentin.</persName> AA. ad Maximum II pp.</s>
      <milestone unit="english" />
      <s corresp="#nov-val_3.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
        <persName corresp="#theodosius2" instant="false" full="yes">
          Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
            full="yes">Valentinian</persName> Augustuses to Maximus, Praetorian Prefect
        for the second time.</s>
    </ab>
    <ab xml:id="nov-val_3.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_3.0.s1" n="la2" xml:lang="la"
        part="N">In augendo statu <rs ana="#E_cities"><w lemma="urbs" part="N"
          >urbium</w></rs> singularum servata catholicae <rs ana="#I_belief"><w
            lemma="religio" part="N">religionis</w></rs> veneratione tam praecedentia
          <rs ana="#I_ancients"><w lemma="vetus" part="N">veterum</w></rs> parentumque
          nostrorum statuta renovamus quam nostris <rs ana="#I_law"><w lemma="lex"
            part="N">legibus</w></rs> observanda decernimus, ne passim imminutione

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<rs ana="#E_local-officials"><w lemma="municeps" part="N"
>municipum</w></rs>, cum numerositas ex abundanti <rs ana="#I_clergy"><w
lemma="clericatus" part="N">clericatus</w></rs> augetur, <rs
ana="#P_treasury"><w lemma="publicus" part="N">publica</w></rs>
<phr xml:id="nov-val_3.0.s1.p1" type="ampl" subtype="g"
inj-src="municeps clericatus" crt-src="high" injured="publicus"
crt-inj="high" part="N"><w lemma="damnum" part="N">damna</w></phr>
generentur.</s>
<s xml:id="nov-val_3.0.s2" n="la3" xml:lang="la" part="N">Non dubium est enim, cum
non expletis muniis ad obsequium venerabilis <rs ana="#I_clergy"><w
lemma="ministerium" part="N">ministerii</w></rs>
<rs ana="#E_local-officials"><w lemma="curialis" part="N">curialis</w></rs>
admittitur, relisum in paucos <rs ana="#E_local-officials"><w
lemma="publica-functio" part="N">publicae functionis</w></rs>
<phr xml:id="nov-val_3.0.s2.p1" type="ampl" subtype="c"
inj-src="publica-functio" crt-src="high" injured="curialis" crt-inj="high"
part="N"><w lemma="onus" part="N">onus</w></phr> nequaquam posse <phr
xml:id="nov-val_3.0.s2.p2" type="ampl" subtype="c" injured="publicus"
crt-inj="high" inj-src="curialis ministerium" part="N"><w lemma="tolero"
part="N">tolerari</w></phr> et rursus migrantibus <rs
ana="#E_inheritance"><w lemma="patrimonium" part="N">patrimoniis</w></rs>
<rs ana="#E_local-officials"><w lemma="curialis" part="N">curialium</w></rs> ad
personas, quae <rs ana="#E_local-officials"><w lemma="functio-municipalis"
part="N">functionibus municipalibus</w></rs> non tenentur, propriam <rs
ana="#E_cities"><w lemma="civitas" part="N">civitatis</w></rs> nutare
substantiam.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_3.0.s1" n="en2" xml:lang="en"
part="N">Veneration for the Catholic <rs>religion</rs> shall be preserved in
augmenting the status of each of the <rs>cities</rs>, and We both renew the
previous statutes of the <rs>ancients</rs> and of Our Fathers and decree by Our
own <rs>laws</rs> that which must be observed, so that <rs>public</rs>
<phr type="ampl" subtype="g" part="N">losses</phr> may not be created by a
general diminution of <rs>decurions</rs>, while the number of the
<rs>clergy</rs> is being superabundantly augmented.</s>
<s corresp="#nov-val_3.0.s2" n="en3" xml:lang="en" part="N">For there is no doubt
that when a <rs>decurion</rs> is admitted to the service of the venerable
<rs>ministry</rs> and his compulsory <rs>public services</rs> have not been
fulfilled, the <phr type="ampl" subtype="c" part="N">burden</phr> of such
compulsory public services is thrown back on a few persons and cannot be <phr
type="ampl" subtype="c" part="N">endured</phr>, and again when the
<rs>patrimonies</rs> of such <rs>decurions</rs> pass to persons who are not
held obligated to compulsory <rs>municipal services</rs>, the substance
belonging to their <rs>municipality</rs> is weakened.</s>
</ab>
<ab xml:id="nov-val_3.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_3.1.s1" n="la4" xml:lang="la"
part="N"><seg xml:id="nov-val_3.1.c1" part="N">Propterea praesenti lege <phr
xml:id="nov-val_3.1.s1.p1" function="cmdw" part="N">decernimus</phr>, ut
quisque ante huius <phr type="ampl" subtype="c" injured="clericatus munium"
crt-inj="high" inj-src="emperor" crt-src="medium" part="N"><w
lemma="sanctio" part="N">sanctionis</w></phr> diem suscepit <rs
ana="#I_clergy"><w lemma="clericatus" part="N">clericatus</w></rs>
officium non expletis <rs ana="#E_cities"><w lemma="urbs" part="N"
>urbis</w></rs> propriae <rs ana="#E_local-officials"><w lemma="munium"
part="N">muniis</w></rs> ac <rs ana="#E_local-officials"><w
lemma="munus" part="N">muneribus</w></rs>, in ea quidem quam meruit
<rs ana="#I_clergy"><w lemma="religio-observatio" part="N">religionis
observatione</w></rs> perduret, sed omnia per suffectum tam personalia
quam patrimonii <rs ana="#E_local-officials"><phr xml:id="nov-val_3.1.s1.p2"
type="ampl" subtype="c" injured="clericatus munium" crt-inj="high"
inj-src="urbs" crt-src="high" part="N"><w lemma="onus" part="N"
>onera</w></phr></rs>
<phr xml:id="nov-val_3.1.s1.p3" type="ampl" subtype="c" inj-src="emperor"
crt-src="medium" injured="clericatus munium" crt-inj="high" part="N"><w
lemma="cogo" part="N">cogatur</w></phr> agnoscere.</seg></s>
<s xml:id="nov-val_3.1.s2" n="la5" xml:lang="la" part="N"><seg
xml:id="nov-val_3.1.c2" part="N"><rs ana="#E_property"><w lemma="facultas"
part="N">facultates</w></rs> suas pro virili portione singulis <rs
ana="#E_family-children"><w lemma="filius" part="N">filiis</w></rs>
dividat <rs ana="#I_clergy"><w lemma="sibi" part="N">sibimet</w></rs> simili
parte servata; quod si <rs ana="#E_family-children"><w lemma="filius"
part="N">filios</w></rs> non habuerit, duas partes <rs
ana="#E_property"><w lemma="facultas" part="N">facultatum</w></rs> suarum
praeter ullam <phr type="ampl" subtype="c" part="N"><w lemma="alienatio"
part="N">alienationis</w></phr>
<phr xml:id="nov-val_3.1.s2.p1" type="ampl" subtype="g" inj-src="sibi"
injured="propinquus curia" crt-src="high" crt-inj="high" part="N"><w
lemma="fraus" part="N">fraudem</w></phr>
<rs ana="#E_family-relatives"><w lemma="propinquus" part="N"
>propinquis</w></rs> ad <rs ana="#E_local-officials"><w lemma="curia"
part="N">curiam</w></rs> pertinentibus tradat - qui si <phr
xml:id="nov-val_3.1.s2.p2" type="ampl" subtype="g" injured="propinquus"
crt-inj="high" part="N"><w lemma="desum" part="N">defuerint</w></phr>,
eadem octo uncias <rs ana="#E_local-officials"><w lemma="ordinus-proprius"
part="N">ordini proprio</w></rs> proficere debere <phr
xml:id="nov-val_3.1.s2.p3" function="cmdw" part="N">censemus</phr>,
quoniam non minor est adfectio <rs ana="#E_cities"><w lemma="patria"
part="N">patriae</w></rs> quam <rs ana="#E_family-parents"><w
lemma="parens" part="N">parentum</w></rs> -; tertiam sane <rs

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        ana="#E_family-relatives"><w lemma="propria-substantia" part="N">propriae
        substantiae</w></rs> servaturus.</seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_3.1.s1" n="en4" xml:lang="en"
    part="N"><seg corresp="#nov-val_3.1.c1" part="N">Wherefore, We <phr
        function="cmdw" part="N">decree</phr> by the present law that if any
        person before the day of the issuance of this <phr type="ampl" subtype="c"
        part="N">sanction</phr> has undertaken the office of <rs>cleric</rs> and
        has not fulfilled the <rs>compulsory</rs> and obligatory<rs> public
        services</rs> of his own <rs>city</rs>, he shall indeed remain in that
        <rs>religious ministry</rs> which he has obtained, but he shall be <phr
        type="ampl" subtype="c" part="N">compelled</phr> to assume, through a
        substitute, all his personal <rs><phr type="ampl" subtype="c" part="N"
        >compulsory services</phr></rs> as well as those of his
        patrimony.</seg></s>
<s corresp="#nov-val_3.1.s2" n="en5" xml:lang="en" part="N"><seg
    corresp="#nov-val_3.1.c2" part="N">He shall divide his <rs>property</rs> in
    equal parts to each of his <rs>children</rs> and shall reserve for
    <rs>himself</rs> a like part<supplied resp="#pharr" instant="false"
    >.</supplied> But if he should not have <rs>children</rs>, he shall
    deliver two thirds of his <rs>property</rs>, without any <phr type="ampl"
    subtype="g" part="N">fraud</phr> of <phr type="ampl" subtype="c" part="N"
    >alienation</phr>, to his near <rs>kinsmen</rs> who belong to the
    <rs>municipal council</rs><supplied resp="#pharr" instant="false"
    >.</supplied> If such kinsmen should be <phr type="ampl" subtype="g"
    part="N">lacking</phr>, We <phr function="cmdw" part="N">decree</phr>
    that the aforesaid eight twelfths shall profit his own <rs>municipal
    senate</rs>, since love for one's <rs>municipality</rs> is not less than
    love for one's nearest <rs>kinsmen</rs>; of course, he shall reserve for
    himself one third of his <rs>own substance</rs>.</seg></s>
</ab>
<ab xml:id="nov-val_3.2" type="caput" part="N">
    <milestone unit="latin" /> 2. <s xml:id="nov-val_3.2.s1" n="la6" xml:lang="la"
        part="N"><seg xml:id="nov-val_3.2.c1" part="N">Qui vero redditus <rs
            ana="#E_cities"><w lemma="patria" part="N">patriae</w></rs>
            <rs ana="#E_local-officials"><w lemma="munus" part="N">muneribus</w></rs>
            dudum ad officium <rs ana="#I_clergy"><w lemma="clericatus" part="N"
                >clericatus</w></rs> accessit, <rs ana="#E_family-children"><w
                    lemma="filius" part="N">filiis</w></rs>, quos sibi procul dubio <rs
                    ana="#E_local-officials"><w lemma="curia" part="N">curia</w></rs>
                <phr xml:id="nov-val_3.2.s1.p1" type="ampl" subtype="c" inj-src="curia"
                    crt-src="high" part="N"><w lemma="vindico" part="N">vindicat</w></phr>,
                    <rs ana="#E_property"><w lemma="facultas" part="N">facultatum</w></rs>
                suarum, sicut iam diximus, virilem singulis portionem tradere non
                moretur.</seg></s>
            <s xml:id="nov-val_3.2.s2" n="la7" xml:lang="la" part="N"><seg
                xml:id="nov-val_3.2.c2" part="N">Qui si <rs ana="#E_family-children"><w
                    lemma="filius" part="N">filios</w></rs> non habuerit, ea, quae
                    superius de <rs ana="#E_inheritance"><w lemma="patrimonium" part="N"
                        >patrimonii</w></rs> distributione talis personae constituta sunt,
                    observare <phr xml:id="nov-val_3.2.s2.p1" type="ampl" subtype="c"
                        injured="sibi" crt-inj="medium" part="N"><w lemma="cogo" part="N"
                            >cogetur</w></phr>.</seg></s>
                <s xml:id="nov-val_3.2.s3" n="la8" xml:lang="la" part="N">deceat enim eum, qui
                    sacrosanctis desiderat inhaerere <rs ana="#I_belief"><w lemma="mysterium"
                        part="N">mysteriis</w></rs>, <rs ana="#I_belief"><w lemma="fidus"
                            part="N">fide</w></rs> magis divitem quam <rs ana="#E_property"><w
                                lemma="facultas" part="N">facultatibus</w></rs> adprobari.</s>
            <milestone unit="english" /> 2. <s corresp="#nov-val_3.2.s1" n="en6" xml:lang="en"
                part="N"><seg corresp="#nov-val_3.2.c1" part="N">But if he should have rendered
                    his <rs>compulsory public services</rs> to his <rs>municipality</rs> and
                    should have previously entered the office of <rs>cleric</rs>, he shall not
                    delay to deliver an equal portion of his <rs>property</rs>, as We have
                    already said, to each of his <rs>children</rs> whom the <rs>municipal
                    council</rs> undoubtedly <phr type="ampl" subtype="c" part="N"
                        >vindicates</phr> to itself.</seg></s>
                <s corresp="#nov-val_3.2.s2" n="en7" xml:lang="en" part="N"><seg
                    corresp="#nov-val_3.2.c2" part="N">If he should not have <rs>children</rs>,
                    he shall be <phr type="ampl" subtype="c" part="N">compelled</phr> to observe
                    those regulations which have been established above in regard to the
                    distribution of the <rs>patrimony</rs> of such a person.</seg></s>
                <s corresp="#nov-val_3.2.s3" n="en8" xml:lang="en" part="N">For it is seemly that
                    a person who desires to hold fast to the sacred <rs>mysteries</rs> shall be
                    proved rich in <rs>faith</rs> rather than in <rs>property</rs>.</s>
            </ab>
        <ab xml:id="nov-val_3.3" type="caput" part="N">
            <milestone unit="latin" /> 3. <s xml:id="nov-val_3.3.s1" n="la9" xml:lang="la"
                part="N"><seg xml:id="nov-val_3.3.c1" part="N">In futurum vero ad ecclesiastica
                    <rs ana="#I_clergy"><w lemma="ministerium" part="N">ministeria</w></rs>
                    <rs ana="#E_local-officials"><w lemma="curialis" part="N">curialem</w></rs>
                    suscipi praesenti lege <phr xml:id="nov-val_3.3.s1.p1" function="cmdw"
                        type="ampl" subtype="g" inj-src="emperor" crt-src="medium"
                        injured="curialis ministerium" crt-inj="high" part="N"><w
                            lemma="prohibeo" part="N">prohibemus</w></phr>,</seg> ut <rs
                            ana="#P_treasury"><w lemma="fiscalis" part="N">fisciales</w></rs>
                        <phr type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
                            >necessitates</w></phr> numerositate <rs ana="#E_local-officials"><w
                                lemma="municeps" part="N">municipum</w></rs> facilius impleantur.</s>
                <s xml:id="nov-val_3.3.s2" n="la10" xml:lang="la" part="N"><seg
                    xml:id="nov-val_3.3.c2" part="N">Si quis sane ad <rs ana="#I_clergy"><w

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        lemma="clericatus" part="N">clericatus</w></rs> obsequium etiam contra
legum <phr xml:id="nov-val_3.3.s2.p1" type="ampl" subtype="c"
    injured="curialis clericatus" crt-inj="medium" part="N"><w lemma="veto"
        part="N">vetita</w></phr> animi devotione properaverit, si propriae
non compleverit <phr xml:id="nov-val_3.3.s2.p2" type="ampl" subtype="c"
    injured="curialis clericatus" crt-inj="medium" part="N"><w lemma="onus"
        part="N">onera</w></phr>
<rs ana="#E_cities"><w lemma="civitas" part="N">civitatis</w></rs>, universa
per suffectum reddere <phr xml:id="nov-val_3.3.s2.p3" type="ampl"
    subtype="c" injured="curialis" crt-inj="medium" part="N"><w
        lemma="compello" part="N">compellitur</w></phr>: simili legis
observatione <rs ana="#E_property"><w lemma="facultas" part="N"
    >facultates</w></rs> suas, sicut supra scriptum est, aut cum <rs
    ana="#E_family-children"><w lemma="filius" part="N">filiis</w></rs> aut
cum <rs ana="#E_family-relatives"><w lemma="propinquus" part="N"
    >propinquis</w></rs> aut cum <rs ana="#E_cities"><w lemma="patria"
    part="N">patria</w></rs> divisurus.</seg></s>
<s xml:id="nov-val_3.3.s3" n="la11" xml:lang="la" part="N"><seg
    xml:id="nov-val_3.3.c3" part="N">Quod si expletis <rs
    ana="#E_local-officials"><w lemma="munium" part="N">muniis</w></rs>
sacrosanctae religionis fuerit <rs ana="#I_clergy"><w lemma="ministerium"
    part="N">ministerium</w></rs> coniunctus, <rs ana="#E_property"><w
    lemma="facultas" part="N">facultates</w></rs> suas viritim <rs
    ana="#E_family-children"><w lemma="filius" part="N">filiis</w></rs>
distribuere per <rs ana="#P_high-officials"><w lemma="iudex" part="N"
    >iudicem</w></rs> mox <phr xml:id="nov-val_3.3.s3.p1" type="ampl"
    subtype="c" inj-src="iudex" crt-src="high" injured="curialis"
    crt-inj="medium" part="N"><w lemma="cogo" part="N">cogetur</w></phr>, <rs
    ana="#I_clergy"><w lemma="sibi" part="N">sibimet</w></rs> virilem
portionem inter <rs ana="#E_family-children"><w lemma="liber" part="N"
    >liberos</w></rs> servaturus.</seg></s>
<s xml:id="nov-val_3.3.s4" n="la12" xml:lang="la" part="N"><seg
    xml:id="nov-val_3.3.c4" part="N">Qui si <rs><w lemma="liber" part="N"
    >liberos</w></rs> non habuerit, duas partes <rs ana="#E_inheritance"
    ><w lemma="patrimonium" part="N">patrimonii</w></rs> sui <rs
    ana="#E_family-relatives"><w lemma="propinquus" part="N"
    >propinquis</w></rs>, qui tamen <rs ana="#E_local-officials"><w
    lemma="curialitas" part="N">curialitatis</w></rs>
<phr xml:id="nov-val_3.3.s4.p1" type="ampl" subtype="c" inj-src="curialitas"
    crt-src="high" injured="propinquus" crt-inj="high" part="N"><w
    lemma="onus" part="N">oneribus</w></phr>
<phr xml:id="nov-val_3.3.s4.p2" type="ampl" subtype="g"
    inj-src="decrns clergy" injured="propinquus" crt-inj="high" part="N"><w
    lemma="obnoxius" part="N">obnoxii</w></phr> sunt, absque ullo
imminutionis <phr xml:id="nov-val_3.3.s4.p3" type="ampl" subtype="c"
    inj-src="sibi" crt-src="medium" part="N"><w lemma="commentum" part="N"
    >commento</w></phr>, sicut superius dictum est, sciat protinus
conferendas, omnibus in medium deductis, quae post honorem <rs
    ana="#I_clergy"><w lemma="clericatus" part="N">clericatus</w></rs> in
<phr xml:id="nov-val_3.3.s4.p4" type="ampl" subtype="g" inj-src="sibi"
    injured="lex" crt-inj="high" crt-src="medium" part="N"><w lemma="fraus"
    part="N">fraudem</w></phr>
<rs ana="#I_law"><w lemma="lex" part="N">legis</w></rs>
<phr type="ampl" subtype="c" part="N"><w lemma="alieno" part="N"
    >alienanda</w></phr> esse crediderit: tertiam cui voluerit proprio
dispensaturus arbitrio.</seg></s>
<s xml:id="nov-val_3.3.s5" n="la13" xml:lang="la" part="N">Quae <rs
    ana="#I_emperor"><w lemma="nostra-serenitas" part="N">nostram
    serenitatem</w></rs> temperasse humanitatis intuitu vetera <rs
    ana="#I_law"><w lemma="lex" part="N">legum</w></rs> constituta testantur,
quibus omne <rs ana="#E_inheritance"><w lemma="patrimonium" part="N"
    >patrimonium</w></rs> cedere <rs ana="#E_local-officials"><w
    lemma="ordinus-proprius" part="N">ordini proprio</w></rs>
<rs ana="#E_local-officials"><w lemma="curialis" part="N">curialis</w></rs>
praeceptus est, quoties ad ministerium <rs ana="#I_clergy"><w
    lemma="clericatus" part="N">clericatus</w></rs> eligitur.</s>
<milestone unit="english" /> 3. <s corresp="#nov-val_3.3.s1" n="en9" xml:lang="en"
    part="N"><seg corresp="#nov-val_3.3.c1" part="N">But We <phr function="cmdw"
    type="ampl" subtype="g" part="N">prohibit</phr> by the present law that
in the future a <rs>decurion</rs> shall be received for the ecclesiastical
<rs>ministries</rs>,</seg> so that <rs>fiscal</rs>
<phr type="ampl" subtype="c" part="N">necessities</phr> may be fulfilled the
more easily by a large number of <rs>decurions</rs>.</s>
<s corresp="#nov-val_3.3.s2" n="en10" xml:lang="en" part="N"><seg
    corresp="#nov-val_3.3.c2" part="N">Of course, if any person should hasten
with devotion of spirit to the service of the <rs>clergy</rs>, even in
violation of the <phr type="ampl" subtype="c" part="N">prohibitions</phr> of
the laws, and if he has not completed the <phr type="ampl" subtype="c"
    part="N">burdens</phr> of his own <rs>municipality</rs>, he shall be <phr
    type="ampl" subtype="c" part="N">compelled</phr> to render all such
services through a substitute<supplied resp="#pharr" instant="false"
    >.</supplied> By a similar regulation of the law, he shall divide his
<rs>property</rs>, just as has been written above, either with his
<rs>children</rs> or with his near <rs>kinsmen</rs> or with his
<rs>municipality</rs>.</seg></s>
<s corresp="#nov-val_3.3.s3" n="en11" xml:lang="en" part="N"><seg
    corresp="#nov-val_3.3.c3" part="N">But if he should have fulfilled his
<rs>compulsory public services</rs> and should then have been joined to
the <rs>ministry</rs> of sacrosanct religion, he shall be immediately <phr

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        type="ampl" subtype="c" part="N">compelled</phr> by the <rs>judge</rs> to
        distribute his <rs>property</rs> equally among his <rs>children</rs>, and he
        shall reserve for <rs>himself</rs> an equal portion among the
        <rs>children</rs>.</seg></s>
<s corresp="#nov-val_3.3.s4" n="en12" xml:lang="en" part="N"><seg
  corresp="#nov-val_3.3.c4" part="N">If he should not have <rs>children</rs>,
  he shall know that two thirds of his <rs>property</rs> must be immediately
  conferred upon his near <rs>kinsmen</rs>, without any <phr type="ampl"
    subtype="c" part="N">>falsehood</phr> of diminution, provided, however,
    that his kinsmen are <phr type="ampl" subtype="g" part="N">obligated</phr>
    to the <phr type="ampl" subtype="c" part="N">burdens</phr> of the
    <rs>decurionate</rs>, just as has been said above, and all the property
    shall be brought before the public which he supposed should be <phr
      type="ampl" subtype="c" part="N">alienated</phr>, to the <phr type="ampl"
        subtype="g" part="N">fraud</phr> of the <rs>law</rs>, after he had
        received the honor of <rs>cleric</rs>; a third of the property he shall
        dispense to whomever he wishes, by his own decision.</seg></s>
<s corresp="#nov-val_3.3.s5" n="en13" xml:lang="en" part="N">These regulations
  testify that <rs>Our Serenity</rs>, in consideration of humanity, has moderated
  the ancient constitution of the <rs>laws</rs>, whereby a <rs>decurion</rs> was
  directed to yield all his <rs>patrimony</rs> to his own <rs>municipal
    senate</rs> whenever he was chosen for the ministry of the
    <rs>clergy</rs>.</s>
</ab>
<ab xml:id="nov-val_3.4" type="caput" part="N">
  <milestone unit="latin" /> 4. <s xml:id="nov-val_3.4.s1" n="la14" xml:lang="la"
    part="N"><seg xml:id="nov-val_3.4.c1" part="N">Illam quoque partem dispositio
      nostra non praeterit, ut, quisquis <rs ana="#E_citizens"><w lemma="civis"
        part="N">civis</w></rs> vel <rs ana="#E_residents"><w lemma="incola"
          part="N">incola</w></rs> deinceps in nullo <phr
            xml:id="nov-val_3.4.s1.p1" type="ampl" subtype="g" injured="civis incola"
              crt-inj="high" part="N"><w lemma="obnoxius" part="N">obnoxius</w></phr>,
              cuius tamen substantia trecentorum solidorum non exuperet quantitatem,
              fuerit repertus, habeat adipiscendi <rs ana="#I_clergy"><w
                lemma="clericatus" part="N">clericatus</w></rs> liberam
                facultatem.</seg></s>
<s xml:id="nov-val_3.4.s2" n="la15" xml:lang="la" part="N"><seg
      xml:id="nov-val_3.4.c2" part="N">Eum vero, cuius <rs ana="#E_inheritance"><w
        lemma="patrimonium" part="N">patrimonium</w></rs> maiore quam
        definivimus aestimatione censebitur, liceat <rs ana="#E_local-officials"><w
          lemma="curia" part="N">curiae</w></rs> secundum vetera <rs
            ana="#I_law"><w lemma="statuo" part="N">statuta</w></rs> sociari,
            exceptis his qui sacris <rs ana="#P_bureaucracy"><w lemma="scrinium"
              part="N">scriniis</w></rs> nostris et <rs ana="#P_agents"><w
                lemma="agens-in-rebus" part="N">agentum in rebus</w></rs> scholae
                militant et aliis qui continuatae <rs ana="#P_bureaucracy"><w
                  lemma="militia" part="N">militiae</w></rs> observatione <phr
                    xml:id="nov-val_3.4.s2.p1" type="ampl" subtype="c" injured="militia"
                      crt-inj="high" part="N"><w lemma="desudo" part="N">
                      >desudant</w></phr>,</seg> ut multis provisionum generibus <rs
                        ana="#E_local-officials"><w lemma="ordo" part="N">ordinum</w></rs> numerus
                        suppleatur nec tamen <phr type="ampl" subtype="g" injured="minister"
                          crt-inj="high" part="N"><w lemma="desum" part="N">desint</w></phr>
                          <rs ana="#I_clergy"><w lemma="minister" part="N">ministri</w></rs> venerandae
                          <rs ana="#I_belief"><w lemma="religio" part="N">religionis</w></rs>
                          obsequiis, <rs ana="#P_high-officials"><w lemma="Maximus" part="N">
                          >Maxime</w></rs> parens karissime atque amantissime.</s>
</milestone unit="english" /> 4. <s corresp="#nov-val_3.4.s1" n="en14"
      xml:lang="en" part="N"><seg corresp="#nov-val_3.4.c1" part="N">Our regulation
        does not disregard that detail also, namely, that if any <rs>citizen</rs> or
        <rs>inhabitant</rs> of a municipality should hereafter be found who is
        not <phr type="ampl" subtype="g" part="N">obligated</phr> in any respect and
        whose property, however, does not exceed the value of three hundred solidi,
        he shall have the unrestricted right to obtain the office of
        <rs>cleric</rs>.</seg></s>
<s corresp="#nov-val_3.4.s2" n="en15" xml:lang="en" part="N"><seg
      corresp="#nov-val_3.4.c2" part="N">But it shall be permitted to associate
        with the <rs>municipal council</rs>, according to the ancient
        <rs>statutes</rs>, a person whose <rs>patrimony</rs> shall be assessed at
        a higher evaluation than We have defined, except those who perform imperial
        service in Our sacred imperial <rs>bureaus</rs> and in the bureaus of the
        department of the <rs>secret service</rs> and others who <phr type="ampl"
          subtype="c" part="N">toil</phr> in the performance of continued
          <rs>imperial service</rs><supplied resp="#pharr" instant="false"
            >.</supplied></seg> Thus by many kinds of provisions the number of
            members of the municipal <rs>senates</rs> shall be supplied, and still
            <rs>ministers</rs> shall not be <phr type="ampl" subtype="g" part="N">
            >lacking</phr> for the services of venerable <rs>religion</rs>, O
            <rs>Maximus</rs>, dearest and most beloved Father.</s>
</ab>
<ab xml:id="nov-val_3.5" type="caput" part="N">
  <milestone unit="latin" /> 5. <s xml:id="nov-val_3.5.s1" n="la0" xml:lang="la"
    part="N">Illustris et praecelsa <rs ana="#P_high-officials"><w
      lemma="magnitudo" part="N">magnitudo</w></rs> tua huius legis saluberrima
      constituta sub edictorum promulgatione faciet in omnium notitiam pervenire, ut
      <seg xml:id="nov-val_3.5.c1" part="N"><phr xml:id="nov-val_3.5.s1.p1"
        type="ampl" subtype="g" injured="curialis minister" crt-inj="low"
          part="N"><w lemma="sacrilegium" part="N">sacrilegii</w></phr>
          <phr xml:id="nov-val_3.5.s1.p2" type="ampl" subtype="g"

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injured="curialis minister" crt-inj="low" part="N"><w lemma="reatus"
part="N">reatus</w></phr> involvat ac viginti librarum auri <phr
xml:id="nov-val_3.5.s1.p3" type="ampl" subtype="g"
injured="curialis minister" crt-inj="low" part="N"><rs
ana="#E_payments-fines"><w lemma="multa" part="N">multa</w></rs></phr>
<phr xml:id="nov-val_3.5.s1.p4" type="ampl" subtype="c"
injured="curialis minister" crt-inj="low" part="N"><w lemma="percellio"
part="N">percellat</w></phr>
<rs>quem</rs> non oboedis claruerit edictalibus constitutis.</seg></s>
<milestone unit="english" /> 5. <s corresp="#nov-val_3.5.s1" n="en0" xml:lang="en"
part="N">Your Illustrious and Excellent <rs>Magnitude</rs> by the promulgation
of edicts shall cause to come to the knowledge of all the most salutary
provisions of this law, so that <seg corresp="#nov-val_3.5.c1" part="N">the
<phr type="ampl" subtype="g" part="N">charge</phr> of <phr type="ampl"
subtype="g" part="N">sacrilege</phr> shall involve, and a <phr
type="ampl" subtype="g" part="N"><rs>fine</rs></phr> of twenty pounds of
gold shall <phr type="ampl" subtype="c" part="N">smite</phr>, the person who
clearly has not obeyed this edictal constitution.</seg></s>
</ab>
<ab xml:id="nov-val_3.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_3.subs.s1" n="la1" xml:lang="la" part="N">Dat. V kal. Sept.
<placeName corresp="#ravenna" instant="false" full="yes"
>Ravennae</placeName> Theodosio A. XVII et Festo vc. cons. <date
when="0439-08-28" instant="false">(439 Aug. 28)</date></s>
<milestone unit="english" />
<s corresp="#nov-val_3.subs.s1" n="en1" xml:lang="en" part="N">Given on the fifth
day before the kalends of September at <placeName instant="false" full="yes"
>Ravenna</placeName> in the year of the seventeenth consulship of Theodosius
Augustus and the consulship of the Most Noble Festus. - <date instant="false"
>August 28, 439</date>.</s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_4" type="titulus" part="N" org="uniform" sample="complete">
<head xml:id="nov-val_4.titl">
<s xml:id="nov-val_4.titl.s1" xml:lang="la" part="N">4. IN DAMNUM PUBLICUM ELICITUM
NON VALERE RESCRIPTUM NEC SPECIALIA</s>
<s corresp="#nov-val_4.titl.s1" xml:lang="en" part="N">TITLE 4: A RESCRIPT ELICITED
TO THE PUBLIC DAMAGE SHALL NOT BE VALID; SPECIAL GRANTS OF IMPERIAL FAVOR SHALL
NOT BE PREFERRED TO GENERAL LAWS</s>
</head>
<div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
<ab xml:id="nov-val_4.insc" type="insc" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_4.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
<persName corresp="#valentinian3" instant="false" full="yes"
>Valentin.</persName> AA. Maximo II pp.</s>
<milestone unit="english" />
<s corresp="#nov-val_4.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
<persName corresp="#theodosius2" instant="false" full="yes"
>Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
full="yes">Valentinian</persName> Augustuses to Maximus, Praetorian Prefect
for the second time.</s>
</ab>
<ab xml:id="nov-val_4.0" type="caput" part="N">
<milestone unit="latin" /> 0. <s xml:id="nov-val_4.0.s1" n="la2" xml:lang="la"
part="N">Usu rerum frequenter agnovimus specialibus <rs>beneficiis</rs>
<rs>generalem devotionem</rs>
<phr xml:id="nov-val_4.0.s1.p1" type="ampl" subtype="c" part="N"><w
lemma="gravo" part="N">gravari</w></phr> recidente in reliquos tributorum
sarcina, quae singulis quibusque subducitur, <rs>Maxime</rs> parens karissime
atque amantissime.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_4.0.s1" n="en2" xml:lang="en"
part="N">By experience in affairs We have frequently recognized that the
<rs>general tax payment</rs> is <phr type="ampl" part="N" subtype="c"
>burdened</phr> by special grants of <rs>imperial favor</rs>, and that the
weight of the tribute which is withdrawn from certain persons individually
falls back on the others, O <rs>Maximus</rs>, dearest and most beloved
Father.</s>
</ab>
<ab xml:id="nov-val_4.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_4.1.s1" n="la3" xml:lang="la"
part="N">Et ideo illustris et praeclsa magnitudo tua pragmatici nostri secuta
decretum sciat secundum suggestionem suam, <seg xml:id="nov-val_4.1.c1"
part="N">manentibus his, quae dudum de <phr type="ampl" subtype="c" part="N"
><w lemma="removeo" part="N">removendis</w></phr> specialibus
<rs>beneficiis</rs> censuimus, omnia, quae specialiter contra <phr
xml:id="nov-val_4.1.s1.p1" type="ampl" subtype="c" part="N"><w
lemma="veto" part="N">vetitum</w></phr> impetrata sunt, non valere et
<rs>functionem publicam</rs> aequaliter ab <rs>omnibus</rs> oportere
cognosci,</seg> ut et quod in commune statutum salubriter fuit esse
perseveret nec denuo in haec <phr xml:id="nov-val_4.1.s1.p2" type="ampl"
subtype="c" part="N"><w lemma="ambitus" part="N">ambitus</w></phr> redeat,
quae iterata praeceptione <phr type="ampl" subtype="c" part="N"><w
lemma="removeo" part="N">removimus</w></phr>.</s>
<milestone unit="english" /> 1. <s corresp="#nov-val_4.1.s1" n="en3" xml:lang="en"
part="N">Therefore Your Illustrious and Excellent Magnitude in compliance with

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the decree of Our pragmatic sanction shall know that, according to your report,
 <seg corresp="#nov-val_4.1.c1" part="N">those regulations shall remain valid
 which We had formerly decreed about the <phr type="ampl" part="N"
 subtype="c">annulment</phr> of special grants of <rs>imperial favor</rs>,
 but that all such favors which have been specially impetrated in <phr
 type="ampl" part="N" subtype="c">violation</phr> of Our prohibition shall
 not be valid; and that this <rs>compulsory public service</rs> must be
 equally assumed by <rs>all men</rs><supplied resp="#pharr" instant="false"
 >.</supplied></seg> Thus the regulation which has been prudently
 established for all in common shall remain in force and <phr type="ampl"
 part="N" subtype="c">corrupt solicitation</phr> shall not return afresh to
 those practices which We have <phr type="ampl" part="N" subtype="c"
 >annulled</phr> by this renewed regulation.</s>

</ab>
 <ab xml:id="nov-val_4.subs" type="subs" part="N">
 <milestone unit="latin" />
 <s xml:id="nov-val_4.subs.s1" n="la4" xml:lang="la" part="N">Dat. VIII kal. Feb.
 <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
 Valentiniano A. V et Anatolio vc. cons. <date when="0440-01-24"
 instant="false">(440 Ian. 24)</date>.</s>
 <milestone unit="english" />
 <s corresp="#nov-val_4.subs.s1" n="en4" xml:lang="en" part="N">Given on the ninth
 day before the kalends of February at <placeName instant="false" full="yes"
 >Rome</placeName> in the year of the fifth consulship of Valentinian
 Augustus and the consulship of the Most Noble Anatolius. - <date
 instant="false">January 24, 440</date>.</s>

</ab>
 </div2>
 </div1>
 <div1 xml:id="nov-val_5" type="titulus" part="N" org="uniform" sample="complete">
 <head xml:id="nov-val_5.titl">
 <s xml:id="nov-val_5.titl.s1" xml:lang="la" part="N">5. DE PANTAPOLIS AD URBEM ROMAM
 REVOCANDIS ET QUI A TIRONUM</s>
 <s corresp="#nov-val_5.titl.s1" xml:lang="en" part="N">TITLE 5: GREEK TRADESMEN SHALL
 BE RECALLED TO THE CITY OF ROME; WHAT PERSONS SHALL BE EXEMPTED FROM FURNISHING
 RECRUITS</s>

</head>
 <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
 <ab xml:id="nov-val_5.insc" type="insc" part="N">
 <milestone unit="latin" />
 <s xml:id="nov-val_5.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
 corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
 <persName corresp="#valentinian3" instant="false" full="yes"
 >Valentin.</persName> AA. ad populum.</s>
 <milestone unit="english" />
 <s corresp="#nov-val_5.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
 <persName corresp="#theodosius2" instant="false" full="yes"
 >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
 full="yes">Valentinian</persName> Augustuses to the People.</s>

</ab>
 <ab xml:id="nov-val_5.0" type="caput" part="N">
 <milestone unit="latin" /> 0. <s xml:id="nov-val_5.0.s1" n="la2" xml:lang="la"
 part="N">Urbis <rs ana="#E_Rome"><w lemma="Roma" part="N">Romae</w></rs>, quam
 merito <phr xml:id="nov-val_5.0.s1.p1" type="ampl" subtype="c" part="N"><w
 lemma="caput" part="N">caput</w></phr> nostri veneramus imperii, in
 tantum nos cura non <phr xml:id="nov-val_5.0.s1.p2" type="ampl" subtype="c"
 part="N"><w lemma="desero" part="N">deserit</w></phr>, ut quieti eius atque
 abundantiae modis omnibus consulamus.</s>
 <s xml:id="nov-val_5.0.s2" n="la3" xml:lang="la" part="N"><seg
 xml:id="nov-val_5.0.c1" ana="#ncp" part="N"><rs ana="#E_vendors-foreign"><w
 lemma="Graecus" part="N">Graecos</w></rs> itaque <rs
 ana="#E_vendors-foreign"><w lemma="negotiator" part="N"
 >negotiatores</w></rs>, quos <rs ana="#E_vendors-foreign"><w
 lemma="pantapola" part="N">pantapolas</w></rs> dicunt, in quibus
 manifestum est maximam inesse multitudinem magnamque in emendis vendendisque
 <rs ana="#E_property-goods"><w lemma="merx" part="N">mercibus</w></rs>
 diligentiam, ulterius non <phr xml:id="nov-val_5.0.s2.p1" function="cmdw"
 type="ampl" subtype="c" injured="emperor" crt-inj="low" part="N"><w
 lemma="patior" part="N">patimur</w></phr>
 <rs ana="#E_Rome"><w lemma="sacra-urbs" part="N">sacrae urbis</w></rs>
 habitatione secludi,</seg> licet eos <phr xml:id="nov-val_5.0.s2.p2"
 type="ampl" subtype="g" inj-src="tabernarius" injured="pantapola"
 crt-src="high" crt-inj="high" part="N"><w lemma="dissensio" part="N"
 >dissensio</w></phr> et maxima <phr xml:id="nov-val_5.0.s2.p3"
 type="ampl" subtype="g" injured="pantapola" inj-src="tabernarius"
 crt-src="high" crt-inj="high" part="N"><w lemma="invidia" part="N"
 >invidia</w></phr>
 <rs ana="#E_vendors"><w lemma="tabernarius" part="N">tabernariorum</w></rs>
 quam venerabilis urbis <rs ana="#E_Rome"><w lemma="Roma" part="N"
 >Romae</w></rs> utilitas a negotiatione <phr type="ampl" subtype="c"
 injured="pantapola" crt-inj="high" inj-src="tabernarius" crt-src="high"
 part="N"><w lemma="submoveo" part="N">submoverit</w></phr>.</s>
 <milestone unit="english" /> 0. <s corresp="#nov-val_5.0.s1" n="en2" xml:lang="en"
 part="N">Our <phr type="ampl" subtype="c" part="N">constant</phr> care for the
 City of <rs>Rome</rs>, which We justly venerate as the <phr type="ampl"
 subtype="c" part="N">head</phr> of Our Empire, abides with Us, to such an
 extent that We make wise provision in all ways for her peace and abundance.</s>
 <s corresp="#nov-val_5.0.s2" n="en3" xml:lang="en" part="N"><seg
 corresp="#nov-val_5.0.c1" ana="#ncp" part="N">Therefore, We do not further

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    <phr function="cmdw" type="ampl" subtype="c" part="N">permit</phr> to be
    precluded from dwelling in the <rs>sacred City</rs> the <rs>Greek</rs>
    <rs>tradesmen</rs>, whom they call <rs>pantapolae</rs>, in whom there is
    manifestly present the greatest multitude and great diligence in buying and
    selling <rs>wares</rs>,</seg> even though <phr type="ampl" subtype="g"
    part="N">dissension</phr> and the very great <phr type="ampl" subtype="g"
    part="N">envy</phr> of the <rs>shopkeepers</rs> rather than the welfare of
    the venerable City of <rs>Rome</rs> has <phr type="ampl" subtype="c" part="N"
    >removed</phr> them from business.</s>
  </ab>
  <ab xml:id="nov-val_5.1" type="caput" part="N">
    <milestone unit="latin" /> 1. <s xml:id="nov-val_5.1.s1" n="la4" xml:lang="la"
    part="N"><seg xml:id="nov-val_5.1.c1" ana="#nccp" part="N">Idcirco hoc edicto
    singuli universique cognoscant <rs ana="#E_vendors-foreign"><w
    lemma="pantapola" part="N">pantapolis</w></rs> ad urbem <rs
    ana="#E_Rome"><w lemma="Roma" part="N">Romam</w></rs> redeundi <rs
    ana="#E_vendors-foreign"><w lemma="negotio" part="N"
    >negotiandique</w></rs>
    <phr type="ampl" subtype="c" part="N"><w lemma="licentia" part="N"
    >licentiam</w></phr> restitutam, ut cura pervigili ubertas populo
    ministretur et in rebus <phr xml:id="nov-val_5.1.s1.p1" type="ampl"
    subtype="g" injured="civitas" crt-inj="high" part="N"><w
    lemma="suspectus" part="N">suspectis</w></phr> a maiore multitudine
    <rs ana="#E_Rome"><w lemma="civitas" part="N">civitas</w></rs> possit
    habitari, ita ut, si quis statuta pretia non servaverit, in eum pro
    qualitate facti <phr xml:id="nov-val_5.1.s1.p2" type="ampl" subtype="g"
    injured="tabernarius" crt-inj="low" part="N"><w lemma="vindicta" part="N"
    >vindicta</w></phr> procedat nec ob unius aut alterius <phr
    xml:id="nov-val_5.1.s1.p3" type="ampl" subtype="g" inj-src="tabernarius"
    crt-src="low" injured="pantapola" crt-inj="high" part="N"><w
    lemma="delictum" part="N">delictum</w></phr> omne corpus liceat <phr
    xml:id="nov-val_5.1.s1.p4" type="ampl" subtype="c" injured="pantapola"
    crt-inj="high" part="N"><w lemma="excludo" part="N"
    >excludi</w></phr>.</seg></s>
    <s xml:id="nov-val_5.1.s2" n="la5" xml:lang="la" part="N">Ita enim cura multorum
    nec abundantia deerit et profutura <rs ana="#E_Rome"><w lemma="civitas"
    part="N">civitati</w></rs> augebitur multitudo.</s>
    <milestone unit="english" /> 1. <s corresp="#nov-val_5.1.s1" n="en4" xml:lang="en"
    part="N"><seg corresp="#nov-val_5.1.c1" ana="#nccp" part="N">Therefore each and
    all shall know by this edict that the <phr type="ampl" subtype="c" part="N"
    >right</phr> has been restored to such <rs>tradesmen</rs> to return to
    the City of <rs>Rome</rs> and to engage in <rs>trade</rs>, so that by Our
    watchful care, abundance may be furnished to the people, and during these
    <phr type="ampl" subtype="g" part="N">critical</phr> times the
    <rs>City</rs> may be inhabited by a greater multitude<supplied
    resp="#pharr" instant="false">.</supplied> Thus if any person should not
    observe the established prices, <phr type="ampl" subtype="g" part="N"
    >punishment</phr> shall proceed against him in proportion to the nature
    of the deed, and it shall not be permissible to <phr type="ampl" subtype="c"
    part="N">exclude</phr> the whole group on account of the <phr type="ampl"
    subtype="g" part="N">crime</phr> of one or two.</seg></s>
    <s corresp="#nov-val_5.1.s2" n="en5" xml:lang="en" part="N">Thus by the care of
    many people, abundance will not be lacking, and the multitude will be increased
    to the profit of the <rs>City</rs>.</s>
  </ab>
  <ab xml:id="nov-val_5.2" type="caput" part="N">
    <milestone unit="latin" /> 2. <s xml:id="nov-val_5.2.s1" n="la6" xml:lang="la"
    part="N">Ex illa sane parte totam <phr xml:id="nov-val_5.2.s1.p1" type="ampl"
    subtype="c" part="N"><w lemma="sollicitudo" part="N"
    >sollicitudinem</w></phr> omnemque <phr xml:id="nov-val_5.2.s1.p2"
    type="ampl" subtype="g" part="N"><w lemma="formido" part="N"
    >formidinem</w></phr> vestris animis <phr xml:id="nov-val_5.2.s1.p3"
    function="cmdw" part="N">censuimus</phr> auferendam, <seg
    xml:id="nov-val_5.2.c1" part="N">ut huius edicti serie cognoscat universitas
    nullum de Romanis <rs ana="#E_citizens"><w lemma="civis" part="N"
    >civibus</w></rs>, nullum de <rs ana="#E_guildsmen"><w
    lemma="corporatus" part="N">corporatis</w></rs> ad <rs
    ana="#M_soldiers"><w lemma="militia" part="N">militiam</w></rs> esse <phr
    xml:id="nov-val_5.2.s1.p4" type="ampl" subtype="c"
    injured="civis corporatus" crt-inj="high" part="N"><w lemma="cogo"
    part="N">cogendum</w></phr>, sed tantum ad <rs
    ana="#P_public-expenses"><w lemma="murus" part="N">murorum</w></rs>
    <rs ana="#P_public-expenses"><w lemma="porta" part="N">portarumque</w></rs>
    <phr xml:id="nov-val_5.2.s1.p5" type="ampl" subtype="c"
    injured="civis corporatus" crt-inj="high" part="N"><w lemma="custodia"
    part="N">custodiam</w></phr>, quoties usus exegerit, illustris viri
    <rs ana="#P_high-officials"><w lemma="praefectus-urbis" part="N"
    >praefecti urbis</w></rs> dispositionibus ab omnibus
    obsequendum.</seg></s>
    <milestone unit="english" /> 2. <s corresp="#nov-val_5.2.s1" n="en6" xml:lang="en"
    part="N">Of course, in this respect We <phr function="cmdw" part="N"
    >decree</phr> that all <phr type="ampl" subtype="c" part="N">anxiety</phr>
    and every <phr type="ampl" subtype="g" ana="#meta" part="N">fear</phr> shall be
    removed from your minds, <seg corresp="#nov-val_5.2.c1" part="N">and that all
    of you shall know from the text of this edict that no Roman
    <rs>citizen</rs>, no member of a <rs>guild</rs> must be <phr type="ampl"
    subtype="c" part="N">compelled</phr> to <rs>military service</rs>, but
    only to the <phr type="ampl" subtype="c" part="N">custody</phr> of the
    <rs>walls</rs> and <rs>gates</rs> whenever necessity so demands<supplied

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        resp="#pharr" instant="false"/>.</supplied> The regulations of the
        Illustrious <rs>prefect of the City</rs> must be obeyed by all.</seg></s>
    </ab>
    <ab xml:id="nov-val_5.3" type="caput" part="N">
        <milestone unit="latin" /> 3. <s xml:id="nov-val_5.3.s1" n="la7" xml:lang="la"
            part="N"><seg xml:id="nov-val_5.3.c1" part="N">Cuius ordinatio etiam in <rs
                ana="#P_public-expenses"><w lemma="murus" part="N">muris</w></rs>, <rs
                ana="#P_public-expenses"><w lemma="turris" part="N">turribus</w></rs> et
                <rs ana="#P_public-expenses"><w lemma="porta" part="N">portis</w></rs>
                quae sunt <phr xml:id="nov-val_5.3.s1.p1" type="ampl" subtype="c"
                    injured="murus" crt-inj="high" part="N"><w lemma="labefacto" part="N"
                        >labefactata</w></phr> restituet, ita ut a reparatione
                <rs>murorum</rs> vel omnium, quae supra dicta sunt, nullus penitus
                excusetur.</seg></s>
            <milestone unit="english" /> 3. <s corresp="#nov-val_5.3.s1" n="en7" xml:lang="en"
                part="N"><seg corresp="#nov-val_5.3.c1" part="N">His regulation shall also
                    restore the parts that have been <phr type="ampl" subtype="c" part="N"
                        >shattered</phr> in the <rs>walls</rs>, <rs>towers</rs>, and
                    <rs>gates</rs>, so that absolutely no person shall be exempted from the
                    repair of the <rs>walls</rs> and of all the structures that have been
                    mentioned above.</seg></s>
            </ab>
    <ab xml:id="nov-val_5.4" type="caput" part="N">
        <milestone unit="latin" /> 4. <s xml:id="nov-val_5.4.s1" n="la8" xml:lang="la"
            part="N"><seg xml:id="nov-val_5.4.c1" part="N">Illud quoque pro tuendo statu
                venerandae <rs ana="#E_Rome"><w lemma="urbs" part="N">urbis</w></rs>
                <phr xml:id="nov-val_5.4.s1.p1" function="cmdw" part="N">decernimus</phr>,
                ut a conlatione <rs ana="#M_recruits"><w lemma="tiro" part="N"
                    >tironum</w></rs> et ab exsolvendis septem solidis per millenas nuper
                indictis <rs ana="#P_public-expenses"><w lemma="cespes" part="N"
                    >cespes</w></rs>
                <rs ana="#P_public-expenses"><w lemma="formo" part="N">formensis</w></rs>,
                <rs ana="#P_public-expenses"><w lemma="areo" part="N">arensis</w></rs>,
                <rs ana="#P_public-expenses"><w lemma="calcarius" part="N"
                    >calcarius</w></rs> et <rs ana="#P_public-expenses"><w lemma="vectura"
                        part="N">vecturarius</w></rs> habeatur immunis,</seg> ut promptius
                devotionem solitae <rs ana="#E_taxes"><w lemma="functio" part="N"
                    >functionis</w></rs> agnoscant.</s>
            <milestone unit="english" /> 4. <s corresp="#nov-val_5.4.s1" n="en8" xml:lang="en"
                part="N"><seg corresp="#nov-val_5.4.c1" part="N">This also We <phr
                    function="cmdw" part="N">decree</phr> for protecting the status of the
                    venerable <rs>City</rs>, namely, that <rs>land</rs> which is obligated to
                    maintain the <rs>aqueducts</rs>, <rs>to supply sand</rs>, <rs>to burn and to
                    deliver lime</rs>, and <rs>to furnish public transportation</rs> shall be
                    considered exempt from furnishing <rs>recruits</rs> and from payment of the
                    recently assessed seven solidi for each millena,</seg> in order that such
                    land may the more promptly assume the devotion of its customary <rs>tax
                    payment</rs>.</s>
            </ab>
    <ab xml:id="nov-val_5.subs" type="subs" part="N">
        <milestone unit="latin" />
        <s xml:id="nov-val_5.subs.s1" n="la9" xml:lang="la" part="N">Dat. V non. Mart.
            <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
            Valentiniano A. V et Anatolio vc. cons. <date when="0440-03-03"
                instant="false">(440 Mart. 3)</date>.</s>
        <milestone unit="english" />
        <s corresp="#nov-val_5.subs.s1" n="en9" xml:lang="en" part="N">Given on the fifth
            day before the nones of March at <placeName instant="false" full="yes"
                >Rome</placeName> in the year of the fifth consulship of Valentinian
            Augustus and the consulship of the Most Noble Anatolius. - <date
                instant="false">March 3, 440</date>.</s>
    </ab>
</div2>
</div1>
<div1 xml:id="nov-val_6" type="titulus" part="N" org="uniform" sample="complete">
    <head xml:id="nov-val_6.titl">
        <s xml:id="nov-val_6.titl.s1" xml:lang="la" part="N">6. DE TIRONIBUS ET DE
            OCCULTATORIBUS DESERTORUM</s>
        <s corresp="#nov-val_6.titl.s1" xml:lang="en" part="N">TITLE 6: RECRUITS; THE
            HARBORERS OF DESERTERS</s>
    </head>
    <div2 xml:id="nov-val_6.1" type="constitutio" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_6.1.insc" type="insc" part="N">
            <milestone unit="latin" />
            <s xml:id="nov-val_6.1.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
                corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
                <persName corresp="#valentinian3" instant="false" full="yes"
                    >Valentin.</persName> AA. Sigisvuldo com. et mag. utr. milit.</s>
            <milestone unit="english" />
            <s corresp="#nov-val_6.1.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
                <persName corresp="#theodosius2" instant="false" full="yes"
                    >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
                        full="yes">Valentinian</persName> Augustuses to Sigisvuldus, Count and
                    Master of Both Branches of the Military Service.</s>
            </ab>
        <ab xml:id="nov-val_6.1.0" type="caput" part="N">
            <milestone unit="latin" /> 0. <s xml:id="nov-val_6.1.0.s1" n="la2" xml:lang="la"
                part="N">Frequentare saepius constituta <phr xml:id="nov-val_6.1.0.s1.p1"
                    type="ampl" subtype="g" part="N"><w lemma="temeritas" part="N"

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>temeritas</w></phr>
<phr xml:id="nov-val_6.1.0.s1.p2" type="ampl" subtype="c" part="N"><w
  lemma="plecto" part="N">plectenda</w></phr>
<phr xml:id="nov-val_6.1.0.s1.p3" type="ampl" subtype="c" part="N"><w
  lemma="compello" part="N">compellit</w></phr>, ut inexcusabilis <phr
  xml:id="nov-val_6.1.0.s1.p4" type="ampl" subtype="g" part="N"><w
  lemma="culpa" part="N">culpa</w></phr> sit, quam etiam recens <phr
  xml:id="nov-val_6.1.0.s1.p5" type="ampl" subtype="g" part="N"><w
  lemma="prohibitio" part="N">prohibitio</w></phr> non emendat.</s>
<s xml:id="nov-val_6.1.0.s2" n="la3" xml:lang="la" part="N">Nulli enim concedi fas
  est, si toties <phr xml:id="nov-val_6.1.0.s2.p1" type="ampl" subtype="c"
  part="N"><w lemma="veto" part="N">vetita</w></phr>, nunc quoque <phr
  type="ampl" subtype="c" part="N"><w lemma="severus" part="N"
  >severius</w></phr>
<phr xml:id="nov-val_6.1.0.s2.p2" type="ampl" subtype="g" part="N"><w
  lemma="interdico" part="N">interdicta</w></phr>
<phr xml:id="nov-val_6.1.0.s2.p3" type="ampl" subtype="c" part="N"><w
  lemma="tempto" part="N">temptaverit</w></phr>.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_6.1.0.s1" n="en2"
  xml:lang="en" part="N"><phr type="ampl" subtype="c" part="N">Punishable</phr>
<phr type="ampl" subtype="g" ana="#meta" part="N">lawlessness</phr>
<phr type="ampl" subtype="c" part="N">compels</phr> Us to repeat too frequently
  the laws that have been established, so that the <phr type="ampl" subtype="g"
  ana="#meta" part="N">crime</phr> is indefensible which even a recent <phr
  type="ampl" subtype="g" ana="#meta" part="N">prohibition</phr> does not
  correct.</s>
<s corresp="#nov-val_6.1.0.s2" n="en3" xml:lang="en" part="N">For it is not right
  that concession should be made to any person if he should <phr type="ampl"
  subtype="c" part="N">attempt</phr> acts that have been <phr type="ampl"
  subtype="c" part="N">forbidden</phr> so many times and that now also have
  been even more <phr type="ampl" subtype="c" part="N">severely</phr>
<phr type="ampl" subtype="g" ana="#meta" part="N">interdicted</phr>.</s>
</ab>
<ab xml:id="nov-val_6.1.1" type="caput" part="N"><milestone unit="latin" /> 1. <s
  xml:id="nov-val_6.1.1.s1" n="la4" xml:lang="la" part="N">Reparandi feliciter
  <rs ana="#M_army"><w lemma="exercitus" part="N">exercitus</w></rs>
<seg xml:id="nov-val_6.1.1.c1" part="N">cura conferre debere <rs
  ana="#M_recruits"><w lemma="tiro" part="N">tirones</w></rs>
<rs ana="#E_landholders"><w lemma="possessor" part="N">possessorem</w></rs>
<phr xml:id="nov-val_6.1.1.s1.p1" function="cmdw" part="N"
  >censuimus</phr>.</seg></s>
<s xml:id="nov-val_6.1.1.s2" n="la5" xml:lang="la" part="N"><seg
  xml:id="nov-val_6.1.1.c2" ana="#ncp" part="N">Ne qui tamen <phr
  xml:id="nov-val_6.1.1.s2.p1" type="ampl" subtype="g" inj-src="possessor"
  injured="publicus" crt-src="low" crt-inj="high" part="N"><w
  lemma="damnum" part="N">damni</w></phr>
<rs ana="#M_army"><w lemma="publicus" part="N">publici</w></rs>
<phr xml:id="nov-val_6.1.1.s2.p2" type="ampl" subtype="g"
  inj-src="possessor" injured="publicus" crt-src="low" crt-inj="high"
  part="N"><w lemma="abutor" part="N">abusus</w></phr> occasione lucrum
  <phr xml:id="nov-val_6.1.1.s2.p3" type="ampl" subtype="c" part="N"><w
  lemma="capio" part="N">capere</w></phr> se credat de <rs>fiscali</rs>
<phr xml:id="nov-val_6.1.1.s2.p4" type="ampl" subtype="c" part="N"><w
  lemma="dispendium" part="N">dispendio</w></phr>, si personam semel
  insignitam <rs ana="#M_soldiers"><w lemma="militaris-titulus" part="N"
  >militari titulo</w></rs>
<rs ana="#E_land"><w lemma="rus" part="N">ruris</w></rs> colendi causa vel
  <rs ana="#E_agreements-sales"><w lemma="negotiatio" part="N"
  >negotiationis</w></rs> exercendae gratia aut cuiuslibet ministerii
  occasione detentet, <rs ana="#P_high-officials"><w lemma="Sigisvuldus"
  part="N">Sigisvulde</w></rs> parens karissime atque amantissime,
  idcirco illustris et praecelsa <rs ana="#P_high-officials"><w
  lemma="magnitudo" part="N">magnitudo</w></rs> tua hac nos sciat
  edictali lege <phr xml:id="nov-val_6.1.1.s2.p5" function="cmdw" part="N"
  >iussisse</phr>, quisque de <rs ana="#M_recruits"><w lemma="tiro"
  part="N">tironibus</w></rs> aliquem nec non prioris <rs
  ana="#M_soldiers"><w lemma="militia" part="N">militiae</w></rs> virum
  proprios <rs ana="#M_army"><w lemma="numerus" part="N">numeros</w></rs> et
  signa <phr xml:id="nov-val_6.1.1.s2.p6" type="ampl" subtype="c"
  inj-src="militia" crt-src="high" injured="numerus" crt-inj="high"
  part="N"><w lemma="desero" part="N">deserentem</w></phr>
<rs ana="#E_land"><w lemma="rusticus" part="N">rustico</w></rs>
<rs ana="#E_land"><w lemma="urbanus" part="N">urbanove</w></rs>
<rs ana="#E_land"><w lemma="praedium" part="N">praedio</w></rs> crediderit
  <phr xml:id="nov-val_6.1.1.s2.p7" type="ampl" subtype="c"
  inj-src="possessor" crt-src="low" injured="tiro militia" crt-inj="high"
  part="N"><w lemma="occulto" part="N">occultandum</w></phr>, et ipsum
  restituat quem <phr xml:id="nov-val_6.1.1.s2.p8" type="ampl" subtype="c"
  inj-src="possessor" crt-src="low" part="N"><w lemma="celo" part="N"
  >celavit</w></phr> et tres alios aptos <rs ana="#M_soldiers"><w
  lemma="militia" part="N">militiae</w></rs>
<phr xml:id="nov-val_6.1.1.s2.p9" type="ampl" subtype="g"
  injured="possessor" crt-inj="low" part="N"><w lemma="poena" part="N"
  >poenae</w></phr> nomine <phr xml:id="nov-val_6.1.1.s2.p10"
  type="ampl" subtype="c" injured="possessor" crt-inj="low" part="N"><w
  lemma="cogo" part="N">cogatur</w></phr> inferre; <rs ana="#E_unfree"
  ><w lemma="colonus" part="N">colonus</w></rs>
<rs ana="#E_manager"><w lemma="conductor" part="N">conductor</w></rs>
<rs ana="#E_manager"><w lemma="actor" part="N">actorve</w></rs> loci, si id

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aetatis sit, ut stipendia ferre possit, <rs ana="#M_soldiers"><w lemma="militia" part="N">militiae</w></rs> protinus adgregetur.</seg></s>

<s xml:id="nov-val_6.1.1.s3" n="la6" xml:lang="la" part="N"><seg xml:id="nov-val_6.1.1.c3" part="N">Quod si <phr xml:id="nov-val_6.1.1.s3.p1" type="ampl" subtype="g" injured="dominus" crt-inj="high" part="N"><w lemma="nescio" part="N">nesciente</w></phr> <rs ana="#E_masters"><w lemma="dominus" part="N">domino</w></rs> <phr xml:id="nov-val_6.1.1.s3.p2" type="ampl" subtype="g" inj-src="desertor" injured="militia" crt-src="high" crt-inj="low" part="N"><rs ana="#M_recruits"><w lemma="desertor" part="N">desertor</w></rs></phr> in cuiuslibet aedibus latuerit, <rs ana="#E_unfree"><w lemma="colonus" part="N">colonus</w></rs> <rs ana="#E_manager"><w lemma="conductor" part="N">conductorem</w></rs> <rs ana="#E_manager"><w lemma="actor" part="N">actoremve</w></rs>, qui id scierit, <phr xml:id="nov-val_6.1.1.s3.p3" type="ampl" subtype="c" injured="colonus conductor actor" crt-inj="high" part="N"><w lemma="capital" part="N">capitali</w></phr> <phr xml:id="nov-val_6.1.1.s3.p4" type="ampl" subtype="g" injured="colonus conductor actor" crt-inj="high" part="N"><w lemma="supplicium" part="N">supplicio</w></phr> esse <phr xml:id="nov-val_6.1.1.s3.p5" type="ampl" subtype="c" injured="colonus conductor actor" crt-inj="high" part="N"><w lemma="ferio" part="N">feriendos</w></phr>.</seg></s>

<milestone unit="english" /> 1. <s corresp="#nov-val_6.1.1.s1" n="en4" xml:lang="en" part="N">In accordance with Our responsibility for the successful restoration of the <rs>army</rs>, <seg corresp="#nov-val_6.1.1.c1" part="N"> We <phr function="cmdw" part="N">decree</phr> that the <rs>landholder</rs> must furnish <rs>recruits</rs>.</seg></s>

<s corresp="#nov-val_6.1.1.s2" n="en5" xml:lang="en" part="N"><seg corresp="#nov-val_6.1.1.c2" ana="#ncp" part="N">However, no person shall <phr type="ampl" subtype="g" part="N">misuse</phr> an occasion of <rs>public</rs> <phr type="ampl" subtype="g" part="N">loss</phr> and suppose that he should <phr type="ampl" subtype="c" part="N">receive</phr> profit from <rs>fiscal</rs> <phr type="ampl" subtype="c" part="N">expenditures</phr>, and that for the purpose of cultivating his <rs>land</rs> or of engaging in <rs>business</rs>, or on the pretext of any service whatever, he should detain a person who has been marked once for all with a <rs>military title</rs>, O <rs>Sigisvuldus</rs>, dearest and most beloved Father<supplied resp="#pharr" instant="false">.</supplied> Therefore, Your Illustrious and Excellent <rs>Magnitude</rs> shall know that We have <phr function="cmdw" part="N">ordered</phr> by this edictal law that if any person should suppose that he should <phr type="ampl" subtype="c" part="N">harbor</phr> on a <rs>rustic</rs> or <rs>urban</rs> <rs>landed estate</rs> any <rs>recruit</rs> or also a man of previous <rs>military service</rs> who had <phr type="ampl" subtype="c" part="N">deserted</phr> his own <rs>service units</rs> and standards, he shall both restore the man whom he has <phr type="ampl" subtype="c" part="N">concealed</phr> and shall be <phr type="ampl" subtype="c" part="N">compelled</phr> to pay as a <phr type="ampl" subtype="g" part="N">fine</phr> three other men suitable for <rs>military service</rs><supplied resp="#pharr" instant="false">.</supplied> The <rs>colonus</rs>, <rs>chief tenant</rs>, or <rs>overseer</rs> of the place, if he is of such an age that he can endure terms of service, shall be immediately joined to <rs>military service</rs>.</seg></s>

<s corresp="#nov-val_6.1.1.s3" n="en6" xml:lang="en" part="N"><seg corresp="#nov-val_6.1.1.c3" part="N">But if <phr type="ampl" subtype="g" part="N">without the knowledge</phr> of the <rs>owner</rs> a <phr type="ampl" subtype="g" part="N"><rs>deserter</rs></phr> should be hidden in a house of any person, the <rs>colonus</rs>, <rs>chief tenant</rs>, or <rs>overseer</rs>, if he knew of this, shall be <phr type="ampl" subtype="c" part="N">smitten</phr> with <phr type="ampl" subtype="c" part="N">capital</phr> <phr type="ampl" subtype="g" part="N">punishment</phr>.</seg></s>

</ab>

<ab xml:id="nov-val_6.1.2" type="caput" part="N">

<milestone unit="latin" /> 2. <s xml:id="nov-val_6.1.2.s1" n="la7" xml:lang="la" part="N">Verumtamen ne occasionem <phr xml:id="nov-val_6.1.2.s1.p1" type="ampl" subtype="g" inj-src="video" crt-src="high" part="N"><w lemma="calumnia" part="N">calumniae</w></phr> dedisse <rs ana="#I_emperor"><w lemma="video" part="N">videamur</w></rs>, <seg xml:id="nov-val_6.1.2.c1" part="N">si temporaliter habitandi causa <rs ana="#M_soldiers"><w lemma="miles" part="N">miles</w></rs> vel <rs ana="#M_recruits"><w lemma="tiro" part="N">tiro</w></rs> cuiuslibet <rs ana="#E_land"><w lemma="praedium" part="N">praedium</w></rs> forte accesserit, id servata moderatione <phr xml:id="nov-val_6.1.2.s1.p2" function="cmdw" part="N">censensus</phr>, ut intra tricesimum diem, postquam in eodem loco esse coeperit, <phr xml:id="nov-val_6.1.2.s1.p3" type="ampl" subtype="c" injured="miles tiro" crt-inj="high" part="N"><w lemma="corripio" part="N">corruptum</w></phr> is, quem superior legis <phr xml:id="nov-val_6.1.2.s1.p4" type="ampl" subtype="g" injured="colonus conductor actor" crt-inj="medium" part="N"><w lemma="poena" part="N">poena</w></phr> <phr xml:id="nov-val_6.1.2.s1.p5" type="ampl" subtype="c" injured="colonus conductor actor" crt-inj="medium" part="N"><w lemma="constringo" part="N">constringit</w></phr>, ad <rs ana="#E_cities"><w lemma="civitas" part="N">civitatem</w></rs> quamque


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proximam deducat, <rs ana="#P_bureaucracy"><w lemma="officium-publicum"
part="N">officio publico</w></rs> ac <rs ana="#E_local-officials"><w
lemma="primoris" part="N">primoribus</w></rs>
<rs ana="#E_cities"><w lemma="civitas" part="N">civitatis</w></rs> tradat
sub confectione <rs ana="#P_public-records"><w lemma="gestum" part="N"
>gestorum</w></rs> ad provinciae <rs ana="#P_high-officials"><w
lemma="moderator" part="N">moderatorem</w></rs> protinus
perducendum,</seg> ut eius cura ad <rs ana="#M_army"><w lemma="signum"
part="N">signa</w></rs> propria reducat et <phr
xml:id="nov-val_6.1.2.s1.p6" type="ampl" subtype="g" injured="miles tiro"
crt-inj="high" part="N"><w lemma="poena" part="N">poenis</w></phr>
competentibus <phr xml:id="nov-val_6.1.2.s1.p7" type="ampl" subtype="g"
injured="miles tiro" crt-inj="high" part="N"><w lemma="subiugo" part="N"
>subiuetur</w></phr>.</s>
<milestone unit="english" /> 2. <s corresp="#nov-val_6.1.2.s1" n="en7"
xml:lang="en" part="N">Nevertheless, in order that We may not <rs>appear</rs>
to have given an opportunity for <phr type="ampl" subtype="g" ana="#meta"
part="N">calumny</phr>, <seg corresp="#nov-val_6.1.2.c1" part="N">if a
<rs>soldier</rs> or a <rs>recruit</rs> perchance should enter the
<rs>landed estate</rs> of any person for the purpose of dwelling there
for a time, We <phr function="cmdw" part="N">decree</phr> that moderation
shall be observed and that within thirty days after he began to be in the
aforesaid place, he shall be <phr type="ampl" subtype="c" part="N"
>seized</phr>, and the person who is <phr type="ampl" subtype="c"
part="N">constrained</phr> by the aforementioned <phr type="ampl"
subtype="g" part="N">penalty</phr> of the law shall conduct him to
whatever <rs>municipality</rs> is nearest and shall deliver him to the
<rs>public office staff</rs> and the <rs>primates</rs> of the
<rs>municipality</rs><supplied resp="#pharr" instant="false">.</supplied>
Under the attestation of the <rs>public records</rs> such deserter shall be
immediately conducted to the <rs>governor</rs> of the province,</seg> in
order that by his charge the deserter shall be restored to his own
<rs>standards</rs> and shall be <phr type="ampl" subtype="g" part="N"
>subjected</phr> to the appropriate <phr type="ampl" subtype="g" part="N"
>penalties</phr>.</s>
</ab>
<ab xml:id="nov-val_6.1.3" type="caput" part="N">
<milestone unit="latin" /> 3. <s xml:id="nov-val_6.1.3.s1" n="la8" xml:lang="la"
part="N"><seg xml:id="nov-val_6.1.3.c1" part="N"><rs ana="#P_high-officials"><w
lemma="iudex" part="N">Iudicem</w></rs> sane, si <phr
xml:id="nov-val_6.1.3.s1.p1" type="ampl" subtype="c" inj-src="iudex"
crt-src="high" part="N"><w lemma="coniventia" part="N"
>coniventiam</w></phr> in his exsequendis <phr
xml:id="nov-val_6.1.3.s1.p2" type="ampl" subtype="g" inj-src="iudex"
crt-src="high" part="N"><w lemma="neglegentia" part="N"
>neglegentiamve</w></phr> praestiterit, decem libras auri eiusque <rs
ana="#P_bureaucracy"><w lemma="officium" part="N">officium</w></rs>
similem quantitatem <phr xml:id="nov-val_6.1.3.s1.p3" type="ampl"
subtype="g" injured="iudex" crt-inj="high" inj-src="fiscus officium"
crt-src="high" part="N"><rs ana="#E_payments-fines"><w lemma="poena"
type="r" corresp="#fine" part="N">poenae</w></rs></phr> nomine <rs
ana="#P_treasury"><w lemma="fiscus" part="N">fisco</w></rs>
<phr xml:id="nov-val_6.1.3.s1.p4" function="cmdw" part="N">iubemus</phr>
exsolvere.</seg></s>
<milestone unit="english" /> 3. <s corresp="#nov-val_6.1.3.s1" n="en8"
xml:lang="en" part="N"><seg corresp="#nov-val_6.1.3.c1" part="N">We <phr
function="cmdw" part="N">order</phr> that the <rs>judge</rs>, of course,
if he should employ <phr type="ampl" subtype="c" part="N">connivance</phr>
or <phr type="ampl" subtype="g" part="N">negligence</phr> in executing these
regulations, shall pay to the <rs>fisc</rs> as a <phr type="ampl"
subtype="g" part="N"><rs>penalty</rs></phr> ten pounds of gold, and his
<rs>office staff</rs> a like amount.</seg></s>
</ab>
<ab xml:id="nov-val_6.1.4" type="caput" part="N">
<milestone unit="latin" /> 4. <s xml:id="nov-val_6.1.4.s1" n="la9" xml:lang="la"
part="N">Quam legem ne quis se <phr xml:id="nov-val_6.1.4.s1.p1" type="ampl"
subtype="c" inj-src="provincia" crt-src="high" injured="provincia"
crt-inj="high" part="N"><w lemma="ignoro" part="N">ignorasse</w></phr>
<phr xml:id="nov-val_6.1.4.s1.p2" type="ampl" subtype="c" injured="provincia"
crt-inj="high" part="N"><w lemma="confinco" part="N">confinat</w></phr>,
per omnes <rs ana="#E_regions"><w lemma="provincia" part="N"
>provinciarum</w></rs>
<rs ana="#E_cities"><w lemma="civitas" part="N">civitates</w></rs> edictis
sollemnibus divulgabit.</s>
<milestone unit="english" /> 4. <s corresp="#nov-val_6.1.4.s1" n="en9"
xml:lang="en" part="N">In order that no person may <phr type="ampl" subtype="c"
part="N">pretend</phr> that he was <phr type="ampl" subtype="c" part="N"
>ignorant</phr> of this law, you shall publish it by the customary edicts
throughout all the <rs>municipalities</rs> of the <rs>provinces</rs>.</s>
</ab>
<ab xml:id="nov-val_6.1.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_6.1.subs.s1" n="la10" xml:lang="la" part="N">Dat. XIII kal.
April. <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
Valentiniano. A. V et Anatolio vc. cons. <date when="0440-03-20"
instant="false">(440 Mart. 20)</date>.</s>
<milestone unit="english" />
<s corresp="#nov-val_6.1.subs.s1" n="en10" xml:lang="en" part="N">Given on the
thirteenth day before the kalends of April at <placeName instant="false"

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        full="yes">Rome</placeName> in the year of the fifth consulship of
        Valentinian Augustus and the consulship of the Most Noble Anatolius. - <date
        instant="false">March 20, 440</date>.</s>
    </ab>
</div2>
<ab xml:id="nov-val_6.2" type="constitutio" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_6.2.insc" type="insc" part="N">
        <milestone unit="latin" />
        <s xml:id="nov-val_6.2.insc.s1" n="la1" xml:lang="la" part="N">2. <name
            corresp="#valentinian3 #theodosius2" full="yes" instant="false">Idem</name>
            AA. ad Quadratianum pp.</s>
        <milestone unit="english" />
        <s corresp="#nov-val_6.2.insc.s1" n="en1" xml:lang="en" part="N">2. The <name
            corresp="#valentinian3 #theodosius2" full="yes" instant="false">same</name>
            Augustuses to Quadratianus, Praetorian Prefect.</s>
    </ab>
    <ab xml:id="nov-val_6.2.0" type="caput" part="N">
        <milestone unit="latin" /> 0. <s xml:id="nov-val_6.2.0.s1" n="la2" xml:lang="la"
            part="N">Dispositionem cunctis salubriter profuturam certatim debet omnium
            praevenire devotio.</s>
        <s xml:id="nov-val_6.2.0.s2" n="la3" xml:lang="la" part="N">Quid enim magis
            professis est desiderio expetendum, quam ut adiectis <phr type="ampl"
            subtype="c" part="N"><w lemma="vis" part="N">viribus</w></phr> per dilectum
            roboris <rs ana="#M_army"><w lemma="militaris" part="N">militaris</w></rs>
            Romanus augeatur exercitus, <rs ana="#P_high-officials"><w lemma="Quadratianus"
            part="N">Quadratiene</w></rs> parens karissime atque amantissime?</s>
        <milestone unit="english" /> 0. <s corresp="#nov-val_6.2.0.s1" n="en2"
            xml:lang="en" part="N">The devotion of all men ought eagerly to surpass a
            regulation which will salutarily profit all.</s>
        <s corresp="#nov-val_6.2.0.s2" n="en3" xml:lang="en" part="N">For what is more to
            be sought by the professed desires of all than that the Roman <rs>army</rs>
            should be increased by added <phr type="ampl" subtype="c" part="N"
            >strength</phr> through the levy of military might, O <rs>Quadratianus</rs>,
            dearest and most beloved Father?</s>
    </ab>
    <ab xml:id="nov-val_6.2.1" type="caput" part="N">
        <milestone unit="latin" /> 1. <s xml:id="nov-val_6.2.1.s1" n="la4" xml:lang="la"
            part="N">Unde illustris <rs ana="#P_high-officials"><w lemma="magnitudo"
            part="N">magnitudo</w></rs> tua pragmatici nostri tenore comperto sciat
            secundum pragmatici prioris tenorem, quod de <rs ana="#M_recruits"><w
            lemma="dilectus" part="N">dilectu</w></rs> novo agitando datum est, <seg
            xml:id="nov-val_6.2.1.c1" part="N"><rs ana="#E_senators"><w lemma="senator"
            part="N">senatores</w></rs> vel universum <rs ana="#E_landholders"><w
            lemma="possessor" part="N">possessorem</w></rs> oportere a se
            conveniri, ut <rs ana="#E_manager"><w lemma="actor" part="N"
            >actores</w></rs> vel <rs ana="#E_manager"><w lemma="conductor" part="N"
            >conductores</w></rs> suos sine ulla tam necessariae rei <phr
            xml:id="nov-val_6.2.1.s1.p1" type="ampl" subtype="g"
            inj-src="actor conductor" crt-src="high" injured="tiro" crt-inj="high"
            part="N"><w lemma="dissimulatio" part="N">dissimulatione</w></phr> his
            representandos noverint, quibus per <rs ana="#E_regions"><w
            lemma="suburbicaria" part="N">suburbicarias</w></rs> provincias <rs
            ana="#M_recruits"><w lemma="tiro" part="N">tironum</w></rs>
            congregandorum munus iniunximus, quo facilius ad effectum <rs ana="#I_state"
            ><w lemma="publica-utilitas" part="N">publicae utilitatis</w></rs>
            valeat perveniri.</seg></s>
        <milestone unit="english" /> 1. <s corresp="#nov-val_6.2.1.s1" n="en4"
            xml:lang="en" part="N">Whence Your Illustrious <rs>Magnitude</rs> shall learn
            the tenor of Our pragmatic sanction and shall know that, according to the tenor
            of Our previous pragmatic sanction that was issued with respect to conducting a
            new <rs>levy</rs>, <seg corresp="#nov-val_6.2.1.c1" part="N">the
            <rs>Senators</rs> and every <rs>landholder</rs> shall be notified by you,
            in order that they may know that their <rs>overseers</rs> and <rs>chief
            tenants</rs>, without any <phr type="ampl" subtype="g" part="N"
            >dissimulation</phr> in so necessary a matter, must be presented to those
            persons on whom We have enjoined the compulsory public service of collecting
            <rs>recruits</rs> throughout the <rs>suburbicarian</rs> provinces, in
            order that We may be able to attain the more easily the realization of the
            <rs>public welfare</rs>.</seg></s>
    </ab>
    <ab xml:id="nov-val_6.2.2" type="caput" part="N">
        <milestone unit="latin" /> 2. <s xml:id="nov-val_6.2.2.s1" n="la5" xml:lang="la"
            part="N"><seg xml:id="nov-val_6.2.2.c1" part="N">Quisque vero conventus ad eos,
            qui id exsequuntur, deducere <rs ana="#P_high-officials"><w
            lemma="gubernator" part="N">gubernatores</w></rs>
            <rs ana="#E_land"><w lemma="ager" part="N">agrorum</w></rs> suorum aliqua
            <phr xml:id="nov-val_6.2.2.s1.p1" type="ampl" subtype="c"
            injured="gubernator" crt-inj="high" inj-src="senator possessor"
            crt-src="low" part="N"><w lemma="cunctatio" part="N"
            >cunctatione</w></phr> distulerit, cognoscat se decem libris auri <phr
            xml:id="nov-val_6.2.2.s1.p2" type="ampl" subtype="g"
            injured="senator possessor" crt-inj="low" part="N"><rs
            ana="#E_payments-fines"><w lemma="multo" part="N"
            >multandum</w></rs></phr> et <rs ana="#M_recruits"><w lemma="tiro"
            part="N">tirones</w></rs> eius numeri, qui <phr
            xml:id="nov-val_6.2.2.s1.p3" type="ampl" subtype="c"
            injured="senator possessor" crt-inj="low" part="N"><w lemma="deprehendo"
            part="N">deprehensus</w></phr> fuerit, nihilominus
            traditurum.</seg></s>

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<s xml:id="nov-val_6.2.2.s2" n="la6" xml:lang="la" part="N"><phr
  xml:id="nov-val_6.2.2.s2.p1" type="ampl" subtype="c"
  injured="senator possessor" crt-inj="low" part="N"><w lemma="aversus"
    part="N">aversum</w></phr> quippe animum a communi <phr
  xml:id="nov-val_6.2.2.s2.p2" type="ampl" subtype="c" part="N"><w
    lemma="defensio" part="N">defensionis</w></phr> studio iure talis <phr
  xml:id="nov-val_6.2.2.s2.p3" type="ampl" subtype="g"
  injured="senator possessor" crt-inj="low" part="N"><w lemma="severitas"
    part="N">severitas</w></phr>
  <phr type="ampl" subtype="c" injured="senator possessor" crt-inj="low" part="N"
    ><w lemma="insequor" part="N">insequitur</w></phr>.</s>
<s xml:id="nov-val_6.2.2.s3" n="la7" xml:lang="la" part="N">Superest igitur, ut
  nullius animus retardet iniuncta, quia, quisquis in hac parte cessaverit, sese
  quodammodo <phr xml:id="nov-val_6.2.2.s3.p1" type="ampl" subtype="c"
    inj-src="senator possessor" crt-src="high" injured="senator possessor"
    crt-inj="low" part="N"><w lemma="confiteor" part="N">confitetur</w></phr>
  non esse Romanum.</s>
<milestone unit="english" /> 2. <s corresp="#nov-val_6.2.2.s1" n="en5"
  xml:lang="en" part="N"><seg corresp="#nov-val_6.2.2.c1" part="N">If any person
  should be so notified and by any <phr type="ampl" subtype="c" part="N"
    >tardiness</phr> should delay conducting such <rs>managers</rs> of his
    <rs>fields</rs> to the persons who execute this regulation, he shall know
    that he will be <phr type="ampl" subtype="g" part="N"><rs>fined</rs></phr>
    ten pounds of gold and that nevertheless he shall deliver the number of
    <rs>recruits</rs> for which he is <phr type="ampl" subtype="c" part="N"
    >found liable</phr>.</seg></s>
<s corresp="#nov-val_6.2.2.s2" n="en6" xml:lang="en" part="N">Such <phr
  type="ampl" subtype="g" ana="#meta" part="N">severity</phr> indeed shall
  justly <phr type="ampl" subtype="c" part="N">overtake</phr> a mind that is <phr
  type="ampl" subtype="c" part="N">averse</phr> to the common desire for <phr
  type="ampl" subtype="c" part="N">defense</phr>.</s>
<s corresp="#nov-val_6.2.2.s3" n="en7" xml:lang="en" part="N">As for the rest,
  therefore, the intention of no person shall delay the performance of the tasks
  that have been enjoined upon him, because if any person should fail in this
  matter, he <phr type="ampl" subtype="c" part="N">confesses</phr> to a certain
  extent that he is not a Roman.</s>
</ab>
<ab xml:id="nov-val_6.2.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_6.2.subs.s1" n="la8" xml:lang="la" part="N">Dat. VIII kal. Iun.
    <placeName corresp="#ravenna" instant="false" full="yes"
      >Ravennae</placeName> Maximo II et Paterio VV. CC. cons. <date
      when="0443-05-25" instant="false">(443 Mai. 25)</date>.</s>
  <milestone unit="english" />
  <s corresp="#nov-val_6.2.subs.s1" n="en8" xml:lang="en" part="N">Given on the
    eighth day before the kalends of June at <placeName instant="false" full="yes"
      >Ravenna</placeName> in the year of the second consulship of the Most Noble
      Maximus and the consulship of the Most Noble Paterius. - <date instant="false"
        >May 25, 443</date>.</s>
</ab>
</div2>
<div2 xml:id="nov-val_6.3" type="constitutio" part="N" org="uniform" sample="complete">
  <ab xml:id="nov-val_6.3.insc" type="insc" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_6.3.insc.s1" n="la1" xml:lang="la" part="N">3. <name
      corresp="#valentinian3 #theodosius2" full="yes" instant="false">Idem</name>
      AA. Isidoro comiti.</s>
    <milestone unit="english" />
    <s corresp="#nov-val_6.3.insc.s1" n="en1" xml:lang="en" part="N">3. The <name
      corresp="#valentinian3 #theodosius2" full="yes" instant="false">same</name>
      Augustuses to Count Isidorus.</s>
  </ab>
  <ab xml:id="nov-val_6.3.0" type="caput" part="N">
    <milestone unit="latin" /> 0. <s xml:id="nov-val_6.3.0.s1" n="la2" xml:lang="la"
      part="N"><w lemma="necessitas" part="N">necessitas</w></phr> et quidem pro <rs ana="#I state"><w
        lemma="utilitas-communis" part="N">utilitate communi</w></rs>, ut
        suggestio <rs ana="#P_high-officials"><w lemma="sublimitas" part="N"
          >sublimitatis</w></rs> tuae provida nimis pro qualitate temporis esse
        videatur.</s>
    <s xml:id="nov-val_6.3.0.s2" n="la3" xml:lang="la" part="N">parvo etenim
      unusquisque <phr xml:id="nov-val_6.3.0.s2.p1" type="ampl" subtype="g" part="N"
        ><w lemma="contemno" part="N">contempto</w></phr> sperare debet
        securitatem futuri.</s>
    <s xml:id="nov-val_6.3.0.s3" n="la4" xml:lang="la" part="N">Nec enim <phr
      xml:id="nov-val_6.3.0.s3.p1" type="ampl" subtype="c" part="N"><w
        lemma="gravis" part="N">grave</w></phr> esse credimus <phr
      xml:id="nov-val_6.3.0.s3.p2" type="ampl" subtype="c" part="N"><w
        lemma="onus" part="N">oneris</w></phr> contemplatione quod <phr
      xml:id="nov-val_6.3.0.s3.p3" type="ampl" subtype="c" part="N"><w
        lemma="deposco" part="N">deposcitur</w></phr>, <rs
        ana="#P_high-officials"><w lemma="Isidorus" part="N">isidore</w></rs>
        frater amantissime.</s>
    <milestone unit="english" /> 0. <s corresp="#nov-val_6.3.0.s1" n="en2"
      xml:lang="en" part="N">The <phr type="ampl" subtype="c" part="N"
        >necessity</phr> of various affairs, indeed, and especially that of the
        <rs>common welfare</rs>, makes it inevitable that the report of Your
        <rs>Sublimity</rs> appears to be exceedingly provident in respect to the

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nature of the times.</s>

<s corresp="#nov-val_6.3.0.s2" n="en3" xml:lang="en" part="N">For each person,
 <phr type="ampl" subtype="g" ana="#meta" part="N">content</phr> with little,
 must hope for the security of the future.</s>

<s corresp="#nov-val_6.3.0.s3" n="en4" xml:lang="en" part="N">For in consideration
 of the <phr type="ampl" subtype="c" part="N">burden</phr>, We do not believe
 that what is <phr type="ampl" subtype="c" part="N">demanded</phr> is <phr
 type="ampl" subtype="c" part="N">oppressive</phr>, O <rs>Isidorus</rs>,
 most beloved Brother.</s>

</ab>

<ab xml:id="nov-val_6.3.1" type="caput" part="N">

<milestone unit="latin" /> 1. <s xml:id="nov-val_6.3.1.s1" n="la5" xml:lang="la"
 part="N">Unde illustris <rs ana="#P_high-officials"><w lemma="auctoritas"
 part="N">auctoritas</w></rs> tua sciat secundum suggestionem suam
 pragmatici auctoritate firmatam <seg xml:id="nov-val_6.3.1.c1" part="N">hoc nos
 praesenti tantum tempore <phr xml:id="nov-val_6.3.1.s1.p1" function="cmdw"
 part="N">censuisse</phr></seg> propter imminetium <rs
 ana="#P_public-expenses"><w lemma="expensa" part="N">expensarum</w></rs>
 <phr type="ampl" subtype="c" injured="expensa" crt-inj="high" part="N"><w
 lemma="necessitas" part="N">necessitatem</w></phr>, quibus sufficere <rs
 ana="#P_treasury"><w lemma="aerarium" part="N">aerarii</w></rs> nostri <phr
 type="ampl" subtype="c" part="N"><w lemma="vis" part="N">vires</w></phr>
 nequeunt, id quod <rs ana="#M_recruits"><w lemma="confero" part="N"
 >conferentes</w></rs> plurimos non <phr xml:id="nov-val_6.3.1.s1.p2"
 type="ampl" subtype="c" injured="confero" crt-inj="high" part="N"><w
 lemma="gravo" part="N">gravet</w></phr> et nos parte aliqua valeat
 adiuvere.</s>

<s xml:id="nov-val_6.3.1.s2" n="la6" xml:lang="la" part="N"><seg
 xml:id="nov-val_6.3.1.c2" part="N">idcirco <rs ana="#E_nobles"><w
 lemma="illustris" part="N">illustres</w></rs> vacantes per omnes
 nostras provincias constitutos ternos <rs ana="#M_recruits"><w lemma="tiro"
 part="N">tirones</w></rs> in adaeratione debere persolvere: <rs
 ana="#P_high-officials"><w lemma="comes" part="N">comites</w></rs> quoque
 <rs ana="#P_high-officials"><w lemma="consistorianus" part="N"
 >consistorianos</w></rs> vel primi ordinis nec non <rs
 ana="#P_bureaucracy"><w lemma="tribunus" part="N">tribunos</w></rs> et
 <rs ana="#P_bureaucracy"><w lemma="notarius" part="N">notarios</w></rs>,
 sed et eos, qui <rs ana="#P_bureaucracy"><w lemma="administratio-ordinaria"
 part="N">administrationes ordinarias</w></rs> in provinciis
 gubernarunt, dare singulos oportere: <rs ana="#P_bureaucracy"><w
 lemma="tribunus" part="N">tribunos</w></rs> vero vacantes sive <rs
 ana="#P_high-officials"><w lemma="comes" part="N">comites</w></rs>
 secundi vel tertii ordinis omnesque <rs ana="#E_nobles"><w
 lemma="clarissimus" part="N">clarissimos</w></rs> tertiam partem <rs
 ana="#M_recruits"><w lemma="tiro" part="N">tironis</w></rs> agnoscere,
 ita ut unius <rs ana="#M_recruits"><w lemma="tiro" part="N">tironis</w></rs>
 pretium triginta <rs ana="#E_money"><w lemma="solidus" part="N"
 >solidis</w></rs> taxetur, exceptis <rs ana="#E_regions"><w lemma="Afer"
 part="N">Afris</w></rs>, qui <phr xml:id="nov-val_6.3.1.s2.p1"
 type="ampl" subtype="g" inj-src="hostilis" crt-src="high" part="N"><rs
 ana="#M_barbarians"><w lemma="hostilis" part="N"
 >hostili</w></rs></phr>
 <phr type="ampl" subtype="c" injured="Afer" crt-inj="high" part="N"><w
 lemma="necessitas" part="N">necessitate</w></phr> sedibus suis nuper
 <phr xml:id="nov-val_6.3.1.s2.p2" type="ampl" subtype="g"
 inj-src="hostilis" injured="Afer" crt-src="high" crt-inj="high" part="N"
 ><w lemma="expello" part="N">expulsi</w></phr> sunt: pro excubiis
 autem praesentibus viginti <rs ana="#P_high-officials"><w
 lemma="consistorianus" part="N">consistorianos</w></rs>
 <rs ana="#P_high-officials"><w lemma="comes" part="N">comites</w></rs>,
 triginta <rs>notarios</rs> immunes esse debere.</seg></s>

<s xml:id="nov-val_6.3.1.s3" n="la7" xml:lang="la" part="N">gaudere enim debent,
 quos <phr xml:id="nov-val_6.3.1.s3.p1" type="ampl" subtype="c" part="N"><w
 lemma="labor" part="N">labor</w></phr> suus et <phr
 xml:id="nov-val_6.3.1.s3.p2" type="ampl" subtype="c" part="N"><w
 lemma="desudo" part="N">desudatae</w></phr> vigiliae probabili ratione
 commendant.</s>

<milestone unit="english" /> 1. <s corresp="#nov-val_6.3.1.s1" n="en5"
 xml:lang="en" part="N">Whence Your Illustrious <rs>Authority</rs> shall know
 that according to your report that has been confirmed by the authority of Our
 pragmatic sanction, <seg corresp="#nov-val_6.3.1.c1" part="N">We have <phr
 function="cmdw" part="N">issued</phr> this decree only for the present
 time.</seg> because of the <phr type="ampl" subtype="c" part="N"
 >necessity</phr> of imminent <rs>expenses</rs> for which the <phr
 type="ampl" subtype="c" part="N">resources</phr> of Our <rs>treasury</rs>
 cannot suffice; and if very many people should pay this <rs>levy</rs>, it will
 not be <phr type="ampl" subtype="c" part="N">burdensome</phr>, and it can aid
 Us in some degree.</s>

<s corresp="#nov-val_6.3.1.s2" n="en6" xml:lang="en" part="N"><seg
 corresp="#nov-val_6.3.1.c2" part="N">Therefore the <rs>Illustrious men</rs>
 who are inactive and who are established throughout all Our provinces must
 pay in money for three <rs>recruits</rs> each<supplied resp="#pharr"
 instant="false">.</supplied> The <rs>counts</rs> of the <rs>imperial
 consistory</rs> also and those of the first order, the <rs>tribunes</rs>
 and the <rs>imperial secretaries</rs>, and also those persons who govern the
 ordinary <rs>administrative offices</rs> in the provinces must pay one
 recruit each<supplied resp="#pharr" instant="false">.</supplied> But
 <rs>tribunes</rs> who are inactive and <rs>counts</rs> of the second or
 third order and all men of <rs>Most Noble rank</rs> must each assume one

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third of a <rs>recruit</rs>, and thus the price of one <rs>recruit</rs>
shall be assessed at thirty <rs>solidi</rs><supplied resp="#pharr"
  instant="false">.</supplied> The <rs>Africans</rs> shall be excepted,
since they have recently been <phr type="ampl" subtype="g" part="N"
  >expelled</phr> from their homes by a <phr type="ampl" subtype="g"
  part="N"><rs>hostile</rs></phr>
<phr type="ampl" subtype="c" part="N">necessity</phr>. On account of their
vigilant services at the present, moreover, twenty <rs>counts</rs> of the
<rs>imperial consistory</rs> and thirty <rs>imperial secretaries</rs>
shall be exempt.</seg></s>
<s corresp="#nov-val_6.3.1.s3" n="en7" xml:lang="en" part="N">For those persons
ought to rejoice who are commended for a justifiable reason by their own <phr
  type="ampl" subtype="c" part="N">labor</phr> and their watchfulness which
has been performed with great <phr type="ampl" subtype="c" part="N"
  >toil</phr>.</s>
</ab>
<ab xml:id="nov-val_6.3.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_6.3.subs.s1" n="la8" xml:lang="la" part="N">Dat. prid. id. Iul.
    <placeName corresp="#ravenna" instant="false" full="yes"
      >Ravennae</placeName> Theodosio A. XVIII et Albino vc. cons. <date
      when="0444-07-14" instant="false">(444 Iul. 14)</date>.</s>
  <milestone unit="english" />
  <s corresp="#nov-val_6.3.subs.s1" n="en8" xml:lang="en" part="N">Given on the day
  before the ides of July at <placeName instant="false" full="yes"
    >Ravenna</placeName> in the year of the eighteenth consulship of Theodosius
  Augustus and the consulship of the Most Noble Albinus. - <date instant="false"
    >July 14, 444</date>.</s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_7" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_7.titl">
    <s xml:id="nov-val_7.titl.s1" xml:lang="la" part="N">7. DE PALATINIS</s>
    <s corresp="#nov-val_7.titl.s1" xml:lang="en" part="N">TITLE 7: PALATINES</s>
  </head>
  <div2 xml:id="nov-val_7.1" type="constitutio" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_7.1.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_7.1.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
        corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
        <persName corresp="#valentinian3" instant="false" full="yes"
          >Valentin.</persName> AA. ad Maximum II pp.</s>
      <milestone unit="english" />
      <s corresp="#nov-val_7.1.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
        <persName corresp="#theodosius2" instant="false" full="yes"
          >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
          full="yes">Valentinian</persName> Augustuses to Maximus, Praetorian Prefect
        for the second time.</s>
    </ab>
    <ab xml:id="nov-val_7.1.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_7.1.0.s1" n="la2" xml:lang="la"
        part="N"><rs ana="#p_bureaucracy"><w lemma="palatinus" part="N"
          >Palatinae</w></rs>
        <rs ana="#E_taxes"><w lemma="exactio" part="N">exactionis</w></rs>
        <phr xml:id="nov-val_7.1.0.s1.p1" type="ampl" subtype="c"
          inj-src="palatinus exactio" crt-src="high" part="N"><w lemma="enormis"
            part="N">enormitas</w></phr> deducta saepius in <phr
            xml:id="nov-val_7.1.0.s1.p2" type="ampl" subtype="g"
            injured="palatinus exactio" crt-inj="high" part="N"><w lemma="querella"
              part="N">querellam</w></phr>
          <phr type="ampl" subtype="c" inj-src="palatinus exactio" crt-src="high"
            injured="nos" crt-inj="high" part="N"><w lemma="necessitas" part="N"
              >necessitatem</w></phr>
          <rs ana="#I_emperor"><w lemma="nos" part="N">nobis</w></rs> formandae <phr
            type="ampl" subtype="c" injured="palatinus exactio" crt-inj="high" part="N"
              ><w lemma="sanctio" part="N">sanctionis</w></phr>
          <phr xml:id="nov-val_7.1.0.s1.p3" type="ampl" subtype="c" part="N"><w
            lemma="impono" part="N">imposuit</w></phr>, cuius <phr
            xml:id="nov-val_7.1.0.s1.p4" type="ampl" subtype="g"
            inj-src="palatinus exactio" crt-src="high" part="N"><w lemma="obstinatio"
              part="N">obstinatio</w></phr> quae refugere debuit augere contendit, ad
            hoc praeteritae <phr xml:id="nov-val_7.1.0.s1.p5" type="ampl" subtype="c"
            inj-src="palatinus exactio" crt-src="high" part="N"><w lemma="impunitas"
              part="N">impunitatis</w></phr>
          <phr xml:id="nov-val_7.1.0.s1.p6" type="ampl" subtype="c"
            inj-src="palatinus exactio" crt-src="high" part="N"><w lemma="praesumptio"
              part="N">praesumptio</w></phr>
          <phr xml:id="nov-val_7.1.0.s1.p7" type="ampl" subtype="g"
            inj-src="palatinus exactio" crt-src="high" part="N"><w lemma="decipio"
              part="N">decepta</w></phr>, ut continuato <phr
            xml:id="nov-val_7.1.0.s1.p8" type="ampl" subtype="g"
            inj-src="palatinus exactio" crt-src="high" part="N"><w lemma="scelus"
              part="N">scelere</w></phr>
          <phr xml:id="nov-val_7.1.0.s1.p9" type="ampl" subtype="c"
            injured="palatinus exactio" crt-inj="high" part="N"><w lemma="gravis"
              part="N">graviore</w></phr>
          <phr xml:id="nov-val_7.1.0.s1.p10" type="ampl" subtype="g"
            injured="palatinus exactio" crt-inj="high" part="N"><w lemma="aculeus"

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        part="N">aculeos</w></phr>
<phr xml:id="nov-val_7.1.0.s1.p11" type="ampl" subtype="g"
    injured="palatinus exactio" crt-inj="high" part="N"><w lemma="severitas"
        part="N">severitatis</w></phr> incurrerit.</s>
<s xml:id="nov-val_7.1.0.s2" n="la3" xml:lang="la" part="N">Unde <rs
    ana="#P_high-officials"><w lemma="magnificentia" part="N"
        >magnificentiae</w></rs> tuae suggestionem numerosis <rs
    ana="#P_bureaucracy"><w lemma="administratio" part="N"
        >administrationibus</w></rs> et virtutibus congruentem libenter
    accipimus, quae <rs ana="#E_landholders"><w lemma="possessor" part="N"
        >possessoribus</w></rs> et <rs ana="#E_vendors"><w lemma="negotiator"
        part="N">negotiatoribus</w></rs> consuli generaliter postulavit, quorum
    brevi <rs ana="#E_taxes"><w lemma="devotio" part="N">devotio</w></rs>
<phr xml:id="nov-val_7.1.0.s2.p1" type="ampl" subtype="g" injured="devotio"
    crt-inj="high" inj-src="palatinus" crt-src="low" part="N"><w lemma="concido"
        part="N">concidisset</w></phr>, si, quantum <rs ana="#P_treasury"><w
        lemma="fiscus" part="N">fisco</w></rs> inferendum est, aut tantum aut
    amplius exigendum sibi <phr xml:id="nov-val_7.1.0.s2.p2" type="ampl"
        subtype="g" inj-src="palatinus" crt-src="low" part="N"><w lemma="avaritia"
        part="N">avaritia</w></phr>
<phr xml:id="nov-val_7.1.0.s2.p3" type="ampl" subtype="c" inj-src="palatinus"
    crt-src="low" part="N"><w lemma="vindico" part="N">vindicaret</w></phr>, non
<phr xml:id="nov-val_7.1.0.s2.p4" type="ampl" subtype="g" part="N"><w
    lemma="dissimulo" part="N">dissimulandam</w></phr> obiectionem nostris
    saeculis generans, cum <rs ana="#E_citizens"><w lemma="devotus" part="N"
        >devotum</w></rs>
<rs ana="#I_state"><w lemma="publicus" part="N">publico</w></rs>
<rs ana="#E_property"><w lemma="privatus" part="N">privatis</w></rs>
    utilitatibus <phr xml:id="nov-val_7.1.0.s2.p5" type="ampl" subtype="c"
        injured="devotio" crt-inj="high" inj-src="publicus" crt-src="high" part="N"
        ><rs ana="#P_public-expenses"><w lemma="dispendium" part="N"
            >dispendia</w></rs></phr> profutura comitantur.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_7.1.0.s1" n="en2"
    xml:lang="en" part="N">The <phr type="ampl" subtype="c" part="N">enormity</phr>
    of the <rs>palatine</rs>
<rs>exactions</rs> has too often resulted in <phr type="ampl" subtype="g"
    part="N">complaints</phr> and has <phr type="ampl" subtype="c" part="N"
        >imposed</phr> upon <rs>Us</rs> the <phr type="ampl" subtype="c" part="N"
        >necessity</phr> of formulating a <phr type="ampl" subtype="c" part="N"
        >sanction</phr>, since their <phr type="ampl" subtype="g" part="N"
        >obstinacy</phr>, which ought to decline, hastens to increase<supplied
        resp="#pharr" instant="false">.</supplied> They have been <phr type="ampl"
        subtype="g" part="N">beguiled</phr> to this course by the <phr type="ampl"
        subtype="c" part="N">presumption</phr> of their past <phr type="ampl"
        subtype="c" part="N">impunity</phr>, with the result that by their continued
        <phr type="ampl" subtype="g" part="N">crimes</phr> they shall incur the more
        <phr type="ampl" subtype="c" part="N">grievous</phr>
    <phr type="ampl" subtype="g" part="N">stings</phr> of <phr type="ampl"
        subtype="g" part="N">severity</phr>.</s>
<s corresp="#nov-val_7.1.0.s2" n="en3" xml:lang="en" part="N">Whence We gladly
    accept the report of Your <rs>Magnificence</rs>, which is in harmony with your
    numerous <rs>administrative offices</rs> and your virtues, and which requests
    that wise provision shall be made generally for the <rs>landholders</rs> and
    <rs>tradesmen</rs><supplied resp="#pharr" instant="false">.</supplied> For
    their loyal <rs>tax payments</rs> would <phr type="ampl" subtype="g" part="N"
        >collapse</phr> in a short time, if the <phr type="ampl" subtype="g"
        part="N">avarice</phr> of the palatines should <phr type="ampl" subtype="c"
        part="N">vindicate</phr> the right to exact for itself as much or more than
    the amount which must be paid to the <rs>fisc</rs><supplied resp="#pharr"
        instant="false">.</supplied> Thereby is created an un<phr type="ampl"
        subtype="g" ana="#meta" part="N">disguisable</phr> reproach for Our age,
    since the <rs>taxpayer who is loyally devoted</rs> to the <rs>public</rs>
    welfare is attended by <phr type="ampl" subtype="c" part="N"
        ><rs>expenditures</rs></phr> which will profit <rs>private</rs>
    interests.</s>
</ab>
<ab xml:id="nov-val_7.1.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_7.1.1.s1" n="la4" xml:lang="la"
    part="N">Quapropter sublimis <rs ana="#P_high-officials"><w lemma="excellencia"
        part="N">excellenciae</w></rs> tuae saluberrimam suggestionem secuti <seg
        xml:id="nov-val_7.1.1.c1" ana="#ncp" part="N">veneranda in aevum lege <phr
            xml:id="nov-val_7.1.1.s1.p1" function="cmdw" part="N">sancimus</phr>, ne
            quisquam <rs ana="#P_bureaucracy"><w lemma="palatinus" part="N"
                >palatinorum</w></rs> superindicti vel aurariae ceterasque ad utrumque
            <rs ana="#P_treasury"><w lemma="aerarium" part="N">aerarium</w></rs>
            pertinentes exigens <rs ana="#E_taxes"><w lemma="functio" part="N"
                >functiones</w></rs> ultra summam traditis sibi iuxta praesentem
            censum de <rs ana="#P_treasury"><w lemma="scrinium" part="N"
                >scrinio</w></rs> brevibus comprehensam commodi nomine accipiendum
            aliquid noverit aut petendum, cessantibus <rs ana="#P_court-cases"><w
                lemma="causa" part="N">causarum</w></rs>
            <rs ana="#E_taxes"><w lemma="titulus" part="N">titulorumque</w></rs>
            instructionibus <phr xml:id="nov-val_7.1.1.s1.p2" type="ampl" subtype="g"
                inj-src="palatinus" crt-src="high" injured="causa titulus" crt-inj="high"
                part="N"><w lemma="fictus" part="N">fictis</w></phr> ...</seg></s>
<s xml:id="nov-val_7.1.1.s2" n="la5" xml:lang="la" part="N"><seg
    xml:id="nov-val_7.1.1.c2" ana="#ncp" part="N">quos <phr
        xml:id="nov-val_7.1.1.s2.p1" type="ampl" subtype="g" part="N"><w
            lemma="odium" part="N">odio</w></phr>

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<phr xml:id="nov-val_7.1.1.s2.p2" type="ampl" subtype="g" part="N"><w
  lemma="calumnia" part="N">calumniarum</w></phr> cessare <phr
  xml:id="nov-val_7.1.1.s2.p3" function="cmdw" part="N">praecipimus</phr>
et quos non in usum <rs ana="#P_state"><w lemma="publicus" part="N"
  >publicum</w></rs>, sed in <phr xml:id="nov-val_7.1.1.s2.p4"
  type="ampl" subtype="g" inj-src="compulsor" crt-src="high" part="N"><w
  lemma="aviditas" part="N">aviditatis</w></phr> exemplum <phr
  xml:id="nov-val_7.1.1.s2.p5" type="ampl" subtype="c" inj-src="compulsor"
  crt-src="high" part="N"><w lemma="calliditas" part="N"
  >calliditas</w></phr>
<rs ana="#P_bureaucracy"><w lemma="compulsor" part="N">compulsorum</w></rs>
<phr xml:id="nov-val_7.1.1.s2.p6" type="ampl" subtype="g"
  inj-src="compulsor" crt-src="high" injured="publicus" crt-inj="high"
  part="N"><w lemma="minor" part="N">minatur</w></phr>, <phr
  xml:id="nov-val_7.1.1.s2.p7" type="ampl" subtype="g" inj-src="compulsor"
  crt-src="high" injured="compulsor" crt-inj="high" part="N"><w
  lemma="sacrilegium" part="N">sacrilegii</w></phr>
<phr xml:id="nov-val_7.1.1.s2.p8" type="ampl" subtype="c"
  injured="compulsor" crt-inj="high" part="N"><w lemma="percello" part="N"
  >percellendis</w></phr>
<phr xml:id="nov-val_7.1.1.s2.p9" type="ampl" subtype="g"
  injured="compulsor" crt-inj="high" part="N"><w lemma="reatus" part="N"
  >reatu</w></phr>, <phr xml:id="nov-val_7.1.1.s2.p10" type="ampl"
  subtype="c" injured="compulsor" crt-inj="high" part="N"><w
  lemma="proscriptio" part="N">proscriptionis</w></phr> etiam <phr
  xml:id="nov-val_7.1.1.s2.p11" type="ampl" subtype="g" injured="compulsor"
  crt-inj="high" part="N"><w lemma="supplicium" part="N"
  >supplicioque</w></phr>
<phr xml:id="nov-val_7.1.1.s2.p12" type="ampl" subtype="g"
  injured="compulsor" crt-inj="high" part="N"><w lemma="dedo" part="N"
  >dedendis</w></phr>, cum huiusmodi <phr xml:id="nov-val_7.1.1.s2.p13"
  type="ampl" subtype="c" inj-src="compulsor" crt-src="high" part="N"><w
  lemma="usurpatio" part="N">usurpationem</w></phr> probatio <phr
  xml:id="nov-val_7.1.1.s2.p14" type="ampl" subtype="g" injured="compulsor"
  crt-inj="high" part="N"><w lemma="confuto" part="N"
  >confutari</w></phr>.</seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_7.1.1.s1" n="en4"
  xml:lang="en" part="N">Wherefore, in compliance with the most salutary report
of Your Sublime <rs>Excellency</rs>, <seg corresp="#nov-val_7.1.1.c1"
  ana="#ncp" part="N">We <phr function="cmdw" part="N">sanction</phr> by a law
that will be venerated throughout the ages that each of the
  <rs>palatines</rs> who exacts the <rs>tax payments</rs> of a
superindiction or of gold or any other tax payments which belong to both
  <rs>treasuries</rs> shall know that nothing must be accepted or sought in
the name of a perquisite beyond the sum that was included in the lists
delivered to them from their <rs>bureau</rs> according to the present
assessment<supplied resp="#pharr" instant="false">.</supplied> The <phr
  type="ampl" subtype="g" part="N">fictitious</phr> drawing up of
  <rs>cases</rs> and <rs>tax accounts</rs> shall cease ...</seg></s>
<s corresp="#nov-val_7.1.1.s2" n="en5" xml:lang="en" part="N"><seg
  corresp="#nov-val_7.1.1.c2" ana="#ncp" part="N">which We <phr
  function="cmdw" part="N">command</phr> to cease because of Our <phr
  type="ampl" subtype="g" part="N">hatred</phr> of <phr type="ampl"
  subtype="g" part="N">chicanery</phr> and which the <phr type="ampl"
  subtype="c" part="N">shrewdness</phr> of the <rs>tax collectors</rs>
  <phr type="ampl" subtype="g" part="N">threatens</phr> to use not for the
  <rs>public welfare</rs>, but as an example of their <phr type="ampl"
  subtype="g" part="N">avarice</phr><supplied resp="#pharr" instant="false"
  >.</supplied> They shall be <phr type="ampl" subtype="c" part="N"
  >smitten</phr> as <phr type="ampl" subtype="g" part="N">guilty</phr> on
the charge of <phr type="ampl" subtype="g" part="N">sacrilege</phr>, and
they shall also be <phr type="ampl" subtype="g" part="N">delivered</phr> to
the <phr type="ampl" subtype="g" part="N">punishment</phr> of <phr
  type="ampl" subtype="c" part="N">proscription</phr> when proof <phr
  type="ampl" subtype="g" part="N">convicts</phr> them of such <phr
  type="ampl" subtype="c" part="N">usurpation</phr>.</seg></s>
</ab>
<ab xml:id="nov-val_7.1.2" type="caput" part="N">
  <milestone unit="latin" /> 2. <s xml:id="nov-val_7.1.2.s1" n="la6" xml:lang="la"
  part="N"><seg xml:id="nov-val_7.1.2.c1" part="N">Quam examinationem atque <phr
  xml:id="nov-val_7.1.2.s1.p1" type="ampl" subtype="g" injured="palatinus"
  crt-inj="low" part="N"><w lemma="vindicta" part="N">vindictam</w></phr>
  si aditi illustres viri <rs ana="#P_high-officials"><w lemma="comes"
  part="N">comites</w></rs> utriusque <rs ana="#P_treasury"><w
  lemma="aerarium" part="N">aerarii</w></rs> fortasse <phr
  xml:id="nov-val_7.1.2.s1.p2" type="ampl" subtype="g"
  inj-src="comes aerarium" crt-src="high" part="N"><w lemma="neglego"
  part="N">neglexerint</w></phr>, <rs ana="#P_high-officials"><w
  lemma="amplitudo" part="N">amplitudinem</w></rs> tuam <rs
  ana="#I_emperor"><w lemma="nos" part="N">nobis</w></rs> oportet
suggerere,</seg> ut <phr xml:id="nov-val_7.1.2.s1.p3" type="ampl"
  subtype="g" injured="provincialis" crt-inj="high" part="N"><w
  lemma="neglectus" part="N">neglectas</w></phr> iustissimas <rs
  ana="#E_citizens"><w lemma="provincialis" part="N">provincialium</w></rs>
  <phr type="ampl" subtype="c" inj-src="provincialis" crt-src="high" part="N"><w
  lemma="querimonia" part="N">querimonias</w></phr>
  <phr xml:id="nov-val_7.1.2.s1.p4" type="ampl" subtype="c" inj-src="nos"
  crt-src="high" part="N"><w lemma="vindico" part="N"
  >vindicemus</w></phr>.</s>

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<milestone unit="english" /> 2. <s corresp="#nov-val_7.1.2.s1" n="en6"
xml:lang="en" part="N"><seg corresp="#nov-val_7.1.2.c1" part="N">If the
Illustrious <rs>counts</rs> of both <rs>treasuries</rs> should be approached
and should perhaps <phr type="ampl" subtype="g" part="N">disregard</phr>
such investigation and <phr type="ampl" subtype="g" part="N">
>punishment</phr>, Your <rs>Magnitude</rs> must report the matter to
<rs>Us</rs>,</seg> so that We may <phr type="ampl" subtype="c" part="N">
>avenge</phr> such <phr type="ampl" subtype="g" part="N">neglected</phr> and
most just <phr type="ampl" subtype="c" part="N">complaints</phr> of the
<rs>provincials</rs>.</s>
</ab>
<ab xml:id="nov-val_7.1.3" type="caput" part="N">
<milestone unit="latin" /> 3. <s xml:id="nov-val_7.1.3.s1" n="la7" xml:lang="la"
part="N"><seg xml:id="nov-val_7.1.3.c1" part="N">Tantum autem <rs
ana="#I_emperor"><w lemma="nos" part="N">nos</w></rs>
<phr type="ampl" subtype="c" inj-src="palatinus" crt-src="low" part="N"><w
lemma="licentia" part="N">licentia</w></phr> huius <phr
xml:id="nov-val_7.1.3.s1.p1" type="ampl" subtype="c" inj-src="palatinus"
crt-src="low" part="N"><w lemma="cupiditas" part="N">
>cupiditatis</w></phr>
<phr xml:id="nov-val_7.1.3.s1.p2" type="ampl" subtype="g"
inj-src="palatinus" injured="nos" crt-src="low" crt-inj="high" part="N">
><w lemma="offendo" part="N">offendit</w></phr>, ut inveteratam <phr
xml:id="nov-val_7.1.3.s1.p3" type="ampl" subtype="c" inj-src="palatinus"
crt-src="low" part="N"><w lemma="usurpatio" part="N">
>usurpationem</w></phr> resecare cupientes <rs ana="#P_high-officials"><w
lemma="moderator" part="N">moderatores</w></rs>
<rs ana="#P_regions"><w lemma="provincia" part="N">provinciarum</w></rs>
<phr xml:id="nov-val_7.1.3.s1.p4" type="ampl" subtype="g"
inj-src="palatinus" injured="provincia" crt-src="low" crt-inj="high"
part="N"><w lemma="rapina" part="N">rapinis</w></phr> ire obviam <phr
xml:id="nov-val_7.1.3.s1.p5" function="cmdw" part="N">censeamus</phr> et
ad <rs ana="#P_high-officials"><w lemma="magnitudo" part="N">
>magnitudinem</w></rs> tuam sine ullo <phr
xml:id="nov-val_7.1.3.s1.p6" type="ampl" subtype="g" injured="moderator"
crt-inj="high" part="N"><w lemma="metus" part="N">metu</w></phr> suae
<phr xml:id="nov-val_7.1.3.s1.p7" type="ampl" subtype="c"
injured="moderator" crt-inj="high" part="N"><w lemma="condemnatio"
part="N">condemnationis</w></phr> referre.</seg></s>
<milestone unit="english" /> 3. <s corresp="#nov-val_7.1.3.s1" n="en7"
xml:lang="en" part="N"><seg corresp="#nov-val_7.1.3.c1" part="N">Moreover, the
<phr type="ampl" subtype="c" part="N">license</phr> of such <phr
type="ampl" subtype="c" part="N">avarice</phr>
<phr type="ampl" subtype="g" part="N">offends</phr>
<rs>Us</rs> so much that We desire to abolish this inveterate <phr
type="ampl" subtype="c" part="N">usurpation</phr>, and We <phr
function="cmdw" part="N">decree</phr> that the <rs>governors</rs> of the
<rs>provinces</rs> shall oppose such <phr type="ampl" subtype="g"
part="N">rapine</phr> and shall refer such cases to Your
<rs>Magnitude</rs> without any <phr type="ampl" subtype="g" part="N">
>fear</phr> of their own <phr type="ampl" subtype="c" part="N">
>condemnation</phr>.</seg></s>
</ab>
<ab xml:id="nov-val_7.1.4" type="caput" part="N">
<milestone unit="latin" /> 4. <s xml:id="nov-val_7.1.4.s1" n="la8" xml:lang="la"
part="N"><rs>Praeterea cunctis excusationibus aditus obstruentes, quibus agenda
necessario aliquoties <phr xml:id="nov-val_7.1.4.s1.p1" type="ampl" subtype="g"
part="N"><w lemma="neglego" part="N">negleguntur</w></phr>, <seg
xml:id="nov-val_7.1.4.c1" part="N">hoc constituto nostro <phr
xml:id="nov-val_7.1.4.s1.p2" function="cmdw" part="N">adicimus</phr>, ut
illustres viri utriusque <rs ana="#P_treasury"><w lemma="aerarium" part="N">
>aerarii</w></rs>
<rs ana="#P_high-officials"><w lemma="comes" part="N">comites</w></rs> a
<phr xml:id="nov-val_7.1.4.s1.p3" type="ampl" subtype="c"
inj-src="comes aerarium" crt-src="high" injured="iudex curialis"
crt-inj="high" part="N"><w lemma="condemnatio" part="N">
>condemnationibus</w></phr>
<rs ana="#P_high-officials"><w lemma="iudex" part="N">iudicum</w></rs> et
<rs ana="#E_local-officials"><w lemma="curialis" part="N">
>curialium</w></rs> noverint abstinendum, <phr
xml:id="nov-val_7.1.4.s1.p4" type="ampl" subtype="g"
inj-src="iudex curialis" crt-src="high" part="N"><w lemma="delictum"
part="N">delicta</w></phr> eorum vel <phr xml:id="nov-val_7.1.4.s1.p5"
type="ampl" subtype="g" inj-src="iudex curialis" crt-src="high" part="N">
><w lemma="dissimulatio" part="N">dissimulationem</w></phr> tam <rs
ana="#I_emperor"><w lemma="clementia" part="N">clementiae</w></rs>
nostrae quam sedi tuae <rs ana="#P_high-officials"><w lemma="amplitudo"
part="N">amplitudinis</w></rs> cum extiterint ingerentes,</seg> quo
praedictae <rs ana="#P_bureaucracy"><w lemma="sedes" part="N">sedis</w></rs>
tuae tum secuta <phr xml:id="nov-val_7.1.4.s1.p6" type="ampl" subtype="g"
injured="sedes" crt-inj="high" part="N"><w lemma="correptio" part="N">
>correptio</w></phr> praesentia resacet, futura componat.</s>
<s xml:id="nov-val_7.1.4.s2" n="la9" xml:lang="la" part="N">Quam rem <rs
ana="#I_ancients"><w lemma="vetustas" part="N">vetustatis</w></rs> et
disciplinae <rs ana="#I_state"><w lemma="publica-amor" part="N">publicae
amore</w></rs> decernimus, <rs ana="#P_high-officials"><w lemma="Maximus"
part="N">Maxime</w></rs> parens karissime atque amantissime.</s>
<milestone unit="english" /> 4. <s corresp="#nov-val_7.1.4.s1" n="en8"
xml:lang="en" part="N">In addition, We bar the way to all excuses, because of

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which things which necessarily are done are sometimes <phr type="ampl" subtype="g" ana="#meta" part="N">disregarded</phr>, and <seg corresp="#nov-val_7.1.4.c1" part="N">We <phr function="cmdw" part="N">
>add</phr> to this Our constitution the provision that the Illustrious
<rs>counts</rs> of both <rs>treasuries</rs> shall know that they must
refrain from the <phr type="ampl" subtype="c" part="N">condemnation</phr> of
<rs>judges</rs> and <rs>decurions</rs> but shall report their <phr
type="ampl" subtype="g" part="N">crimes</phr> and the <phr type="ampl"
subtype="g" part="N">dissimulation</phr> thereof to Our <rs>Clemency</rs>
as well as to the office of Your <rs>Magnitude</rs>, when such crimes
exist<supplied resp="#pharr" instant="false">.</supplied></seg> Thus the
subsequent <phr type="ampl" subtype="g" part="N">correction</phr> of your
<rs>office</rs> then shall abolish such present crimes and shall regulate
future ones.</s>
<s corresp="#nov-val_7.1.4.s2" n="en9" xml:lang="en" part="N">This regulation We
decree because of Our love for <rs>antiquity</rs> and for<rs> public
discipline</rs>, O <rs>Maximus</rs>, dearest and most beloved Father.</s>
</ab>
<ab xml:id="nov-val_7.1.5" type="caput" part="N">
<milestone unit="latin" /> 5. <s xml:id="nov-val_7.1.5.s1" n="la10" xml:lang="la"
part="N">Illustrius igitur et praecelsa <rs ana="#P_high-officials"><w
lemma="magnitudo" part="N">magnitudo</w></rs> tua edictalem legem et <rs
ana="#P_state"><w lemma="functio-publica" part="N">functionibus
publicis</w></rs> iugiter profuturam programme suo in cunctorum <rs
ana="#E_citizens"><w lemma="provincialis" part="N">provincialium</w></rs>
iubebit ire notitiam, ut agnoscat universitas nostro saeculo <phr
xml:id="nov-val_7.1.5.s1.p1" type="ampl" subtype="g" part="N"><w
lemma="improbis" part="N">improbis</w></phr>
<phr type="ampl" subtype="c" part="N"><w lemma="audeo" part="N"
>ausibus</w></phr> nil licere.</s>
<milestone unit="english" /> 5. <s corresp="#nov-val_7.1.5.s1" n="en10"
xml:lang="en" part="N">Therefore, by your proclamation Your Illustrious and
Excellent <rs>Magnitude</rs> shall order to go to the knowledge of all
<rs>provincials</rs> this edictal law, which shall continually profit all
the <rs>public services</rs>, in order that all of them shall know that no
place is granted for <phr type="ampl" subtype="g" ana="#meta" part="N"
>wicked</phr> and <phr type="ampl" subtype="c" part="N">daring</phr> deeds
in Our age.</s>
</ab>
<ab xml:id="nov-val_7.1.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_7.1.subs.s1" n="la11" xml:lang="la" part="N">Dat. prid. non.
Iun. <placeName corresp="#Ravenna" instant="false" full="yes"
>Ravennae</placeName> Valentiniano A. V et Anatolio vc. cons. <date
when="0440-06-04" instant="false">(440 Iun. 4)</date>.</s>
<milestone unit="english" />
<s corresp="#nov-val_7.1.subs.s1" n="en11" xml:lang="en" part="N">Given on the day
before the nones of June at <placeName instant="false" full="yes"
>Ravenna</placeName> in the year of the fifth consulship of Valentinian
Augustus and the consulship of the Most Noble Anatolius. - <date
instant="false">June 4, 440</date>.</s>
</ab>
</div2>
<div2 xml:id="nov-val_7.2" type="constitutio" part="N" org="uniform" sample="complete">
<ab xml:id="nov-val_7.2.insc" type="insc" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_7.2.insc.s1" n="la1" xml:lang="la" part="N">2. <name
corresp="#valentinian3 #theodosius2" full="yes" instant="false">Idem</name>
AA. Paterio pp.</s>
<milestone unit="english" />
<s corresp="#nov-val_7.2.insc.s1" n="en1" xml:lang="en" part="N">2. The <name
corresp="#valentinian3 #theodosius2" full="yes" instant="false">same</name>
Augustuses to Paterius, Praetorian Prefect.</s>
</ab>
<ab xml:id="nov-val_7.2.0" type="caput" part="N">
<milestone unit="latin" /> 0. <s xml:id="nov-val_7.2.0.s1" n="la2" xml:lang="la"
part="N">Cum <rs ana="#I_emperor"><w lemma="pieta" part="N">pietas</w></rs>
nostra ad <rs ana="#E_citizens"><w lemma="provincialis" part="N"
>provincialium</w></rs> quietem tuendam, simul ad <phr
xml:id="nov-val_7.2.0.s1.p1" type="ampl" subtype="g" inj-src="palatinus"
injured="provincialis" crt-src="high" crt-inj="high" part="N"><w
lemma="avaritia" part="N">avaritiam</w></phr>
<rs ana="#P_bureaucracy"><w lemma="palatinus" part="N">palatinorum</w></rs>,
quae causa nuper fuerat ferendae legis, arcendam remedia quaereret, data nuper
lege censuerat, ut illustres viri sacri ac privati <rs ana="#P_treasury"><w
lemma="aerarium" part="N">aerarii</w></rs>
<rs ana="#P_high-officials"><w lemma="comes" part="N">comites</w></rs>
facultatem <phr xml:id="nov-val_7.2.0.s1.p2" type="ampl" subtype="g"
inj-src="comes aerarium" injured="iudex" crt-inj="high" crt-src="high"
part="N"><w lemma="condemno" part="N">condemnandorum</w></phr>
<rs ana="#P_high-officials"><w lemma="iudex" part="N">iudicum</w></rs> non
habent, similiter a <phr type="ampl" subtype="c" injured="ordo"
crt-inj="high" part="N"><w lemma="desidia" part="N">desidia</w></phr>
<rs ana="#E_local-officials"><w lemma="ordo" part="N">ordinum</w></rs>
<phr xml:id="nov-val_7.2.0.s1.p3" type="ampl" subtype="g"
inj-src="comes aerarium" injured="ordo" crt-inj="high" crt-src="high"
part="N"><w lemma="multo" part="N">multanda</w></phr> se eorum <phr
xml:id="nov-val_7.2.0.s1.p4" type="ampl" subtype="g"
inj-src="comes aerarium" injured="ordo" crt-src="high" crt-inj="high"

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    part="N"><w lemma="severitas" part="N">severitas</w></phr> abstineret.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_7.2.0.s1" n="en2"
xml:lang="en" part="N">When Our <rs>Piety</rs> sought remedies to protect the
peace of the <rs>provincials</rs> and at the same time to prevent the <phr
type="ampl" subtype="g" part="N">avarice</phr> of the <rs>palatines</rs>,
which had been the cause of Our issuing the recent law, We had decreed by the
recently issued law that the Illustrious <rs>counts</rs> of Our sacred imperial
and private <rs>treasuries</rs> should not have the right to <phr type="ampl"
subtype="g" part="N">condemn</phr>
<rs>judges</rs>, and similarly, that their <phr type="ampl" subtype="g"
part="N">severity</phr> should refrain from <phr type="ampl" subtype="g"
part="N">fining</phr> the <phr type="ampl" subtype="c" part="N"
>inactivity</phr> of the <rs>municipal senates</rs>.</s>
</ab>
<ab xml:id="nov-val_7.2.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_7.2.1.s1" n="la3" xml:lang="la"
part="N">Sed quia nunc suggestio <rs ana="#P_high-officials"><w
lemma="magnitudo" part="N">magnitudinis</w></rs> tuae <phr
xml:id="nov-val_7.2.1.s1.p1" type="ampl" subtype="g" injured="illustris"
crt-inj="high" part="N"><w lemma="indecorus" part="N">indecorum</w></phr>
hoc <rs ana="#E_nobles"><w lemma="illustris" part="N">illustribus</w></rs>
viris et <phr xml:id="nov-val_7.2.1.s1.p2" type="ampl" subtype="g"
injured="publica-necessitas" crt-inj="high" part="N"><w lemma="inefficax"
part="N">inefficax</w></phr>
<rs ana="#P_state"><w lemma="publica-necessitas" part="N">publicis
necessitatibus</w></rs> explicandis provisione necessariae suggestionis
insinuat et experiendo cognovimus nec satis prodesse id <rs
ana="#E_landholders"><w lemma="possessor" part="N">possessorum</w></rs>
commodis et plurimum consuetis <rs ana="#P_treasury"><w lemma="aerarium"
part="N">aerarii</w></rs>
<rs ana="#E_taxes"><w lemma="exactio" part="N">exactionibus</w></rs>
<phr xml:id="nov-val_7.2.1.s1.p3" type="ampl" subtype="g"
injured="aerarium exactio" crt-inj="high" part="N"><w lemma="obsum" part="N"
>obfuisse</w></phr>, <seg xml:id="nov-val_7.2.1.c1" part="N">abrogata <rs
ana="#P_law"><w lemma="lex" part="N">lege</w></rs>, quam prius super his
rebus observari statuimus, ius omne ad praedictos <rs ana="#E_nobles"><w
lemma="illustris" part="N">illustres</w></rs> viros, quod longo
tempore iam tenebant, inlibata pristinae <phr xml:id="nov-val_7.2.1.s1.p4"
type="ampl" subtype="c" part="N"><w lemma="censura" part="N"
>censurae</w></phr> auctoritate <phr xml:id="nov-val_7.2.1.s1.p5"
function="cmdw" part="N">revocamus</phr>, ne qua illis morae aut <phr
xml:id="nov-val_7.2.1.s1.p6" type="ampl" subtype="g" injured="expensa"
crt-inj="high" part="N"><w lemma="neglegentia" part="N"
>neglegentiae</w></phr> excusatio de <rs ana="#P_public-expenses"><w
lemma="expensa" part="N">expensarum</w></rs>
<phr xml:id="nov-val_7.2.1.s1.p7" type="ampl" subtype="g" injured="expensa"
crt-inj="high" part="N"><w lemma="destitutio" part="N"
>destitutione</w></phr> tribuatur, quibus non solum <phr
xml:id="nov-val_7.2.1.s1.p8" type="ampl" subtype="g"
injured="iudex curialis" crt-inj="high" part="N"><w lemma="multo"
part="N">multandorum</w></phr>
<rs ana="#P_high-officials"><w lemma="iudex" part="N">iudicum</w></rs>, sed
et <rs ana="#E_local-officials"><w lemma="curialis" part="N"
>curialium</w></rs> - <phr xml:id="nov-val_7.2.1.s1.p9" type="ampl"
subtype="g" inj-src="iudex curialis" crt-src="high" part="N"><w
lemma="segnities" part="N">segnitiem</w></phr>
<phr xml:id="nov-val_7.2.1.s1.p10" type="ampl" subtype="g"
inj-src="rationalis" injured="iudex curialis" crt-src="high"
crt-inj="high" part="N"><w lemma="condemno" part="N">condemnari</w></phr>
et a <rs ana="#P_bureaucracy"><w lemma="rationalis" part="N"
>rationalibus</w></rs> licet - auferebatur facultas.</seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_7.2.1.s1" n="en3"
xml:lang="en" part="N">But because now the report of Your <rs>Magnitude</rs>
makes known by a provision of this necessary report that such a regulation is
<phr type="ampl" subtype="g" part="N">disgraceful</phr> to
<rs>Illustrious</rs> men and is <phr type="ampl" subtype="g" part="N"
>ineffective</phr> for regulating the <rs>public necessities</rs>, and
because We have learned by experience that such a regulation is not
sufficiently profitable to the interests of the <rs>landholders</rs> and is a
very great <phr type="ampl" subtype="g" part="N">hindrance</phr> to the
customary <rs>tax collections</rs> of the <rs>treasury</rs>, <seg
corresp="#nov-val_7.2.1.c1" part="N">that <rs>law</rs> is hereby abrogated
which We formerly decreed should be observed in regard to such matters, and
by the undiminished authority of the former <phr type="ampl" subtype="c"
part="N">decision</phr>, We <phr function="cmdw" part="N">restore</phr>
to the aforesaid <rs>Illustrious</rs> men every right which they have had
for a long time now<supplied resp="#pharr" instant="false">.</supplied> Thus
no excuse for delay or <phr type="ampl" subtype="g" part="N"
>negligence</phr> in regard to the <phr type="ampl" subtype="g" part="N"
>failure</phr> of <rs>expenditures</rs> shall be granted to those persons
from whom the right was removed to <phr type="ampl" subtype="g" part="N"
>fine</phr> not only <rs>judges</rs>, but also <rs>decursions</rs>,
although the <rs>fiscal representatives</rs> are permitted to <phr
type="ampl" subtype="g" part="N">condemn</phr> their <phr type="ampl"
subtype="g" part="N">tardiness</phr>.</seg></s>
</ab>
<ab xml:id="nov-val_7.2.2" type="caput" part="N">
<milestone unit="latin" /> 2. <s xml:id="nov-val_7.2.2.s1" n="la4" xml:lang="la"
part="N">Et tamen sub hoc praecepto nullum <rs ana="#E_landholders"><w

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        lemma="possessor" part="N">possessorum</w></rs> seu <rs
        ana="#E_local-officials"><w lemma="curialis" part="N">curialium</w></rs>
<rs ana="#P_bureaucracy"><w lemma="palatinus" part="N">palatinorum</w></rs>
mancipamus <phr xml:id="nov-val_7.2.2.s1.p1" type="ampl" subtype="g"
inj-src="palatinus" injured="possessor curialis" crt-src="high"
crt-inj="high" part="N"><w lemma="aviditas" part="N"
>aviditati</w></phr>.</s>
<s xml:id="nov-val_7.2.2.s2" n="la5" xml:lang="la" part="N"><seg
xml:id="nov-val_7.2.2.c1" part="N">De quorum <phr
xml:id="nov-val_7.2.2.s2.p1" type="ampl" subtype="g" inj-src="palatinus"
crt-src="low" part="N"><w lemma="fraus" part="N">fraudibus</w></phr> si
quae extiterint aut si modum veri <rs ana="#E_taxes"><w lemma="census"
part="N">census</w></rs> sub occasione <rs ana="#E_taxes"><w
lemma="titulus" part="N">titulorum</w></rs> ad se pertinentium
supergressi fuerint et aliquid <phr xml:id="nov-val_7.2.2.s2.p2" type="ampl"
subtype="c" injured="charta" crt-inj="high" inj-src="palatinus"
crt-src="low" part="N"><w lemma="commenticius" part="N"
>commenticium</w></phr> praeter id, quod explorata fides <rs
ana="#P_public-records"><w lemma="charta" part="N">chartarum</w></rs>
continet, studio <phr xml:id="nov-val_7.2.2.s2.p3" type="ampl" subtype="g"
inj-src="palatinus" crt-src="low" part="N"><w lemma="depraedatio"
part="N">depraedationis</w></phr> invenerint, <phr
xml:id="nov-val_7.2.2.s2.p4" function="cmdw" part="N">iubemus</phr>
<phr xml:id="nov-val_7.2.2.s2.p5" type="ampl" subtype="c"
injured="possessor curialis" crt-inj="low" inj-src="palatinus"
crt-src="low" part="N"><w lemma="gravo" part="N">gravatis</w></phr>
patere <phr xml:id="nov-val_7.2.2.s2.p6" type="ampl" subtype="g"
inj-src="possessor curialis" injured="palatinus" crt-src="low"
crt-inj="low" part="N"><w lemma="accuso" part="N">accusandi</w></phr> eos
liberam facultatem, sed ita, ut ad proprios <rs ana="#P_high-officials"><w
lemma="iudex" part="N">iudices</w></rs>
<phr xml:id="nov-val_7.2.2.s2.p7" type="ampl" subtype="g"
injured="possessor curialis" crt-inj="low" part="N"><w lemma="laedo"
part="N">laesorum</w></phr>
<phr xml:id="nov-val_7.2.2.s2.p8" type="ampl" subtype="g"
inj-src="possessor curialis" crt-src="low" part="N"><w lemma="querella"
part="N">querella</w></phr> perveniat hisque solis in eorum <phr
xml:id="nov-val_7.2.2.s2.p9" type="ampl" subtype="c" inj-src="palatinus"
crt-src="low" injured="possessor curialis" crt-inj="low" part="N"><w
lemma="commissum" part="N">commissa</w></phr> permittatur inquirere,
de quorum factis, si qua in reprehensionem venient, non modo praesentium
<phr xml:id="nov-val_7.2.2.s2.p10" type="ampl" subtype="g"
inj-src="possessor curialis" injured="palatinus" crt-src="low"
crt-inj="low" part="N"><w lemma="querella" part="N">querellis</w></phr>,
sed et absentium relationibus instruentur.</seg></s>
<milestone unit="english" /> 2. <s corresp="#nov-val_7.2.2.s1" n="en4"
xml:lang="en" part="N">Nevertheless, We do not, under this regulation, deliver
any of the <rs>landholders</rs> or <rs>decurions</rs> to the <phr type="ampl"
subtype="g" part="N">avarice</phr> of the <rs>palatines</rs>.</s>
<s corresp="#nov-val_7.2.2.s2" n="en5" xml:lang="en" part="N"><seg
corresp="#nov-val_7.2.2.c1" part="N">In regard to their <phr type="ampl"
subtype="g" part="N">frauds</phr>, if any should exist, or if they should
exceed the measure of the actual <rs>assessment</rs> under the pretext of
<rs>tax accounts</rs> that belong to them, or if, in their desire for
<phr type="ampl" subtype="g" part="N">plunder</phr>, they should devise
any <phr type="ampl" subtype="c" part="N">>false</phr> claim beyond that
which the proved faith of the <rs>records</rs> contains, We <phr
function="cmdw" part="N">order</phr> that the unrestricted right to <phr
type="ampl" subtype="g" part="N">accuse</phr> them shall be extended to
those persons who are thus <phr type="ampl" subtype="c" part="N">
>oppressed</phr>, but in such a way that the <phr type="ampl" subtype="g"
part="N">complaints</phr> of the <phr type="ampl" subtype="g" part="N">
>injured</phr> persons shall come to their own <rs>judges</rs>, and they
alone shall be permitted to investigate the <phr type="ampl" subtype="c"
part="N">crimes</phr> of those persons in regard to whose misdeeds, if
any of them should come into censure, they shall be instructed not only by
the <phr type="ampl" subtype="g" part="N">complaints</phr> of those who are
present, but also by the reports of those who are absent.</seg></s>
</ab>
<ab xml:id="nov-val_7.2.3" type="caput" part="N">
<milestone unit="latin" /> 3. <s xml:id="nov-val_7.2.3.s1" n="la6" xml:lang="la"
part="N"><seg xml:id="nov-val_7.2.3.c1" ana="#ncp" part="N">Sane si quid est,
quod <phr xml:id="nov-val_7.2.3.s1.p1" type="ampl" subtype="g"
injured="palatinus" crt-inj="high" inj-src="iudex" crt-src="high"
part="N"><w lemma="vindicta" part="N">vindictae</w></phr>
<phr xml:id="nov-val_7.2.3.s1.p2" type="ampl" subtype="c"
injured="palatinus" crt-inj="high" inj-src="iudex" crt-src="high"
part="N"><w lemma="censura" part="N">censuram</w></phr> exigit <phr
xml:id="nov-val_7.2.3.s1.p3" type="ampl" subtype="c" injured="palatinus"
crt-inj="high" part="N"><w lemma="acer" part="N">acrioris</w></phr>, erit
illustribus viris <rs ana="#P_bureaucracy"><w lemma="palatinus" part="N"
>palatinorum</w></rs>
<rs ana="#P_high-officials"><w lemma="iudex" part="N">iudicibus</w></rs>
consulendae <rs ana="#I_emperor"><w lemma="serenitas" part="N"
>serenitatis</w></rs> nostrae copia, ut genus <phr
xml:id="nov-val_7.2.3.s1.p4" type="ampl" subtype="g" injured="palatinus"
crt-inj="high" part="N"><w lemma="ultio" part="N">ultionis</w></phr>
agnoscant, sed de his dumtaxat <phr xml:id="nov-val_7.2.3.s1.p5" type="ampl"
subtype="g" inj-src="palatinus" injured="possessor curialis"

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crt-src="high" crt-inj="low" part="N"><w lemma="crimen" part="N"
>criminibus</w></phr>, quae contra ius <phr
xml:id="nov-val_7.2.3.s1.p6" type="ampl" subtype="g" inj-src="palatinus"
crt-src="high" part="N"><w lemma="stimulus" part="N">stimulo</w></phr>
<phr xml:id="nov-val_7.2.3.s1.p7" type="ampl" subtype="g"
inj-src="palatinus" part="N"><w lemma="illicitus" part="N"
>illicitae</w></phr>
<phr xml:id="nov-val_7.2.3.s1.p8" type="ampl" subtype="c"
inj-src="palatinus" part="N"><w lemma="cupiditas" part="N"
>cupiditatis</w></phr> admiserint,</seg>
<rs ana="#P_high-officials"><w lemma="Paterius" part="N">Pateri</w></rs> parens
karissime atque amantissime.</s>
<milestone unit="english" /> 3. <s corresp="#nov-val_7.2.3.s1" n="en6"
xml:lang="en" part="N"><seg corresp="#nov-val_7.2.3.c1" ana="#nccp" part="N">Of
course, if there is any case that requires the <phr type="ampl" subtype="c"
part="N">sentence</phr> of a more <phr type="ampl" subtype="c" part="N"
>severe</phr>
<phr type="ampl" subtype="g" part="N">punishment</phr>, the Illustrious
<rs>judges</rs> of the <rs>palatines</rs> shall have an opportunity to
consult Our <rs>Serenity</rs>, so that the offenders may undergo the proper
kind of <phr type="ampl" subtype="g" part="N">punishment</phr>, but only in
regard to those <phr type="ampl" subtype="g" part="N">crimes</phr> that they
have committed in violation of the law by the <phr type="ampl" subtype="g"
part="N">inducement</phr> of <phr type="ampl" subtype="g" part="N"
>illicit</phr>
<phr type="ampl" subtype="c" part="N">avarice</phr>,</seg> O
<rs>Paterius</rs>, dearest and most beloved Father.</s>
</ab>
<ab xml:id="nov-val_7.2.4" type="caput" part="N">
<milestone unit="latin" /> 4. <s xml:id="nov-val_7.2.4.s1" n="la7" xml:lang="la"
part="N">Illustris igitur et praecelsa <rs ana="#P_high-officials"><w
lemma="magnitudo" part="N">magnitudo</w></rs> tua hanc omnibus
innotescere <phr type="ampl" subtype="c" injured="palatinus" crt-inj="low"
part="N"><w lemma="sanctio" part="N">sanctionem</w></phr> iubebit <phr
type="ampl" subtype="c" inj-src="magnitudo" crt-src="high" part="N"><w
lemma="removeo" part="N">remotaque</w></phr> ea, quae de his ordinem
solitum commutaverat, huic legi, quam nunc statuimus, perpetuo valiturae sciet
robur <phr xml:id="nov-val_7.2.4.s1.p1" type="ampl" subtype="c" part="N"><w
lemma="impono" part="N">impositum</w></phr>, quippe moderatione tali et
status <rs ana="#E_citizens"><w lemma="provincialis" part="N"
>provincialium</w></rs> inviolatus manebit et decus potestatis suae ad
genuinos <rs ana="#P_high-officials"><w lemma="iudex" part="N">iudices</w></rs>
revertetur.</s>
<milestone unit="english" /> 4. <s corresp="#nov-val_7.2.4.s1" n="en7"
xml:lang="en" part="N">Therefore Your Illustrious and Excellent
<rs>Magnitude</rs> shall order that this <phr type="ampl" subtype="c"
part="N">sanction</phr> shall become known to all and you shall <phr
type="ampl" subtype="c" part="N">remove</phr> that law which had changed the
customary order in these matters<supplied resp="#pharr" instant="false"
>.</supplied> You shall know that force has been <phr type="ampl"
subtype="c" part="N">imparted</phr> to this law which We now establish and
which shall be valid perpetually<supplied resp="#pharr" instant="false"
>.</supplied> With such a regulation indeed, the status of the
<rs>provincials</rs> shall remain inviolate and the dignity of their own
power shall return to the proper <rs>judges</rs>.</s>
</ab>
<ab xml:id="nov-val_7.2.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_7.2.subs.s1" n="la8" xml:lang="la" part="N">Dat. V kal. Oct.
<placeName corresp="#spoieto" instant="false" full="yes"
>Spoletio</placeName> Dioscoro et Eudoxio VV. CC. cons. <date
when="0442-09-27" instant="false">(442 Sept. 27)</date>.</s>
<milestone unit="english" />
<s corresp="#nov-val_7.2.subs.s1" n="en8" xml:lang="en" part="N">Given on the
fifth day before the kalends of October at <placeName instant="false"
full="yes">Spoletio</placeName> in the year of the consulship of the Most
Noble Dioscorus and Eudoxius. - <date instant="false">September 27,
442</date>.</s>
</ab>
</div2>
<div2 xml:id="nov-val_7.3" type="constitutio" part="N" org="uniform" sample="complete">
<ab xml:id="nov-val_7.3.insc" type="insc" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_7.3.insc.s1" n="la1" xml:lang="la" part="N">3. <name
corresp="#valentinian3 #theodosius2" full="yes" instant="false">Idem</name>
AA. Floriano com. sacr. larg.</s>
<milestone unit="english" />
<s corresp="#nov-val_7.3.insc.s1" n="en1" xml:lang="en" part="N">3. The <name
corresp="#valentinian3 #theodosius2" full="yes" instant="false">same</name>
Augustuses to Florianus, Count of the Sacred Imperial Largesses.</s>
</ab>
<ab xml:id="nov-val_7.3.0" type="caput" part="N">
<milestone unit="latin" /> 0. <s xml:id="nov-val_7.3.0.s1" n="la2" xml:lang="la"
part="N">Aequum est <rs ana="#I_emperor"><w lemma="serenitas" part="N"
>serenitatem</w></rs> nostram provida oraculi nostri constitutione
sancire, ne aut <phr xml:id="nov-val_7.3.0.s1.p1" type="ampl" subtype="g"
injured="militia" crt-inj="high" part="N"><w lemma="impune" part="N"
>impune</w></phr> quemquam <phr xml:id="nov-val_7.3.0.s1.p2" type="ampl"
subtype="g" injured="militia" crt-inj="high" part="N"><w lemma="temerarius"

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        part="N">temerario</w></phr>
<phr xml:id="nov-val_7.3.0.s1.p3" type="ampl" subtype="g" injured="militia"
crt-inj="high" part="N"><w lemma="contemptus" part="N">contemptu</w></phr>,
<phr xml:id="nov-val_7.3.0.s1.p4" type="ampl" subtype="c" injured="militia"
crt-inj="high" part="N"><w lemma="desero" part="N">deserta</w></phr> officii
sui <rs ana="#P_bureaucracy"><w lemma="militia" part="N">militia</w></rs>,
licuerit <phr xml:id="nov-val_7.3.0.s1.p5" type="ampl" subtype="g" part="N"><w
lemma="segnis" part="N">segnis</w></phr> oti elegisse <phr
xml:id="nov-val_7.3.0.s1.p6" type="ampl" subtype="c" part="N"><w
lemma="desidia" part="N">desidiam</w></phr>, aut in posterum proposita
<phr xml:id="nov-val_7.3.0.s1.p7" type="ampl" subtype="g" part="N"><w
lemma="interminor" part="N">interminatione</w></phr> cavere, ne quis <phr
type="ampl" subtype="c" injured="militia" crt-inj="high" part="N"><w
lemma="audeo" part="N">audeat</w></phr> inconsulto <rs
ana="#P_high-officials"><w lemma="iudex" part="N">iudicis</w></rs> sui
testimonio <rs ana="#P_bureaucracy"><w lemma="militia" part="N">
>militiae</w></rs> sacramenta <phr xml:id="nov-val_7.3.0.s1.p8" type="ampl"
subtype="c" injured="militia" crt-inj="high" part="N"><w lemma="depono"
part="N">deponere</w></phr>, <rs ana="#P_high-officials"><w
lemma="Florianus" part="N">Floriane</w></rs> frater amantissime.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_7.3.0.s1" n="en2"
xml:lang="en" part="N">It is equitable that Our <rs>Serenity</rs> should
sanction by the prudent regulation of Our imperial response that no person
shall be permitted with <phr type="ampl" subtype="g" part="N">impunity</phr> to
<phr type="ampl" subtype="c" part="N">desert</phr> the <rs>imperial
service</rs> of his office with <phr type="ampl" subtype="g" part="N">rash
and lawless</phr>
<phr type="ampl" subtype="g" part="N">contempt</phr> and to choose the <phr
type="ampl" subtype="c" part="N">idleness</phr> of <phr type="ampl"
subtype="g" part="N">slothful</phr> ease, and that We should provide in the
future, by interposing a <phr type="ampl" subtype="g" part="N">threat</phr>,
that no person shall <phr type="ampl" subtype="c" part="N">dare</phr> to <phr
type="ampl" subtype="c" part="N">abandon</phr> the oaths of the <rs>imperial
service</rs> without consulting the testimony of his own <rs>judge</rs>, O
<rs>Florianus</rs>, most beloved Brother.</s>
</ab>
<ab xml:id="nov-val_7.3.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_7.3.1.s1" n="la3" xml:lang="la"
part="N">Unde illustris <rs ana="#P_high-officials"><w lemma="auctoritas"
part="N">auctoritas</w></rs> tua pragmatici nostri secuta praeceptum
sciat secundum suggestionem suam <seg xml:id="nov-val_7.3.1.c1" part="N"><rs
ana="#P_bureaucracy"><w lemma="palatinus" part="N">palatinos</w></rs>
omnes <rs ana="#P_treasury"><w lemma="sacra-largitio" part="N">sacrarum
largitionum</w></rs>, qui stipendiis non peractis sine testimonio vel
auctoritate praesulis sui ad <rs ana="#I_churches"><w lemma="ecclesiasticus"
part="N">ecclesiastica</w></rs> obsequia aut ad aliam transiere <rs
ana="#P_bureaucracy"><w lemma="militia" part="N">militiam</w></rs>,
nomine <rs ana="#I_clergy"><w lemma="clericus" part="N">clericorum</w></rs>
et privilegio <rs ana="#P_bureaucracy"><w lemma="cingulus" part="N">
>cinguli</w></rs> superioris <phr xml:id="nov-val_7.3.1.s1.p1"
type="ampl" subtype="c" injured="palatinus clericus" crt-inj="high"
part="N"><w lemma="exuo" part="N">exutos</w></phr>
<rs ana="#P_bureaucracy"><w lemma="palatinus" part="N">palatino</w></rs>
officio ac <rs ana="#P_bureaucracy"><w lemma="militia" part="N">
>militiae</w></rs>, quam <phr xml:id="nov-val_7.3.1.s1.p2" type="ampl"
subtype="g" inj-src="palatinus" crt-src="high" injured="militia"
crt-inj="high" part="N"><w lemma="contumaciter" part="N">
>contumaciter</w></phr>
<phr xml:id="nov-val_7.3.1.s1.p3" type="ampl" subtype="c"
inj-src="palatinus" crt-src="high" injured="militia" crt-inj="high"
part="N"><w lemma="relinquo" part="N">reliquerunt</w></phr>, protinus
esse reddendos: atque hoc circa universos oportere servari, quos intra
triennium post <rs ana="#P_bureaucracy"><w lemma="militia" part="N">
>militiae</w></rs> commutationem pragmatica huius <phr type="ampl"
subtype="c" injured="palatinus clericus" crt-inj="high" part="N"><w
lemma="sanctio" part="N">sanctionis</w></phr> forma reppererit,
ceteris vero non movendam penitus quaestionem, qui prolixioribus temporum
spatiis muniuntur:</seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_7.3.1.s1" n="en3"
xml:lang="en" part="N">Whence Your Illustrious <rs>Authority</rs> in compliance
with the command of Our pragmatic sanction shall know that, according to your
report, <seg corresp="#nov-val_7.3.1.c1" part="N">if any <rs>palatines</rs> of
the <rs>sacred imperial largesses</rs> had not completed their terms of
service, and without the testimony and authorization of their superior
officer have passed to the service of the <rs>churches</rs> or to another
branch of the <rs>imperial service</rs>, they shall be <phr type="ampl"
subtype="c" part="N">stripped</phr> of the name of <rs>clerics</rs> and
the privilege of their former <rs>cincture of office</rs>, and they shall be
immediately returned to the <rs>palatine</rs> office and the <rs>imperial
service</rs>, which they had <phr type="ampl" subtype="g" part="N">
>contumaciously</phr>
<phr type="ampl" subtype="c" part="N">abandoned</phr><supplied resp="#pharr"
instant="false">.</supplied> This regulation also shall be observed with
regard to all those persons who shall be discovered by the pragmatic
regulation of this <phr type="ampl" subtype="c" part="N">sanction</phr>
within three years after their change of <rs>imperial service</rs>, but
absolutely no suit shall be brought with regard to all the others who are
protected by longer periods of time<supplied resp="#pharr" instant="false"
>.</supplied></seg></s>

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<ab xml:id="nov-val_7.3.2" type="caput" part="N">
  <milestone unit="latin" /> 2. <s xml:id="nov-val_7.3.2.s1" n="la4" xml:lang="la"
    part="N"><seg xml:id="nov-val_7.3.2.c1" part="N">hac in futurum praeceptione
      servata, ne cui liceat sine iussu et testimonio praesidentis vel <phr
        xml:id="nov-val_7.3.2.s1.p1" type="ampl" subtype="c" injured="militia"
        inj-src="palatinus" crt-src="low" part="N"><w lemma="desero" part="N"
          >deserere</w></phr> vel commutare <rs ana="#P_bureaucracy"><w
            lemma="militia" part="N">militiam</w></rs>; provinciarum <rs
              ana="#P_high-officials"><w lemma="iudex" part="N">iudices</w></rs> esse
            <phr xml:id="nov-val_7.3.2.s1.p2" type="ampl" subtype="c" injured="iudex"
              part="N"><w lemma="cogo" part="N">cogendos</w></phr>, ut <rs
                ana="#P_treasury"><w lemma="tabularius" part="N">tabularios</w></rs>
              <rs ana="#P_treasury"><w lemma="largitionalis" part="N"
                >largitionalium</w></rs>
            <rs ana="#E_taxes"><w lemma="titulus" part="N">titulorum</w></rs> ad <rs
              ana="#P_high-officials"><w lemma="amplitudo" part="N"
                >amplitudinis</w></rs> tuae sedem cum <rs ana="#P_treasury"><w
                  lemma="ratiocinium" part="N">ratiociniis</w></rs>
            <rs ana="#P_public-records"><w lemma="instructio" part="N"
              >instructionibusque</w></rs> transmittant noverintque in procurandis
            <rs ana="#E_taxes"><w lemma="exactio" part="N">exactionibus</w></rs>
            legibus se teneri.</seg></s>
          <s xml:id="nov-val_7.3.2.s2" n="la5" xml:lang="la" part="N">dubium enim non est
            eum fore et nobis et legibus nostris <phr xml:id="nov-val_7.3.2.s2.p1"
              type="ampl" subtype="g" part="N"><w lemma="obnoxius" part="N"
                >obnoxium</w></phr>, quisquis <rs ana="#I_emperor"><w lemma="maiestas"
                  part="N">maiestatis</w></rs> nostrae praecepta lentaverit.</s>
          <milestone unit="english" /> 2. <s corresp="#nov-val_7.3.2.s1" n="en4"
            xml:lang="en" part="N"><seg corresp="#nov-val_7.3.2.c1" part="N">In the future
              this regulation shall be observed, namely, that no person shall be permitted
              to <phr type="ampl" subtype="c" part="N">desert</phr> or to change his
                <rs>imperial service</rs> without the order and testimony of his superior
                officer<supplied resp="#pharr" instant="false">.</supplied> The
                <rs>judges</rs> of the provinces shall be <phr type="ampl" subtype="c"
                  part="N">compelled</phr> to dispatch to the office of Your
                <rs>Magnitude</rs> the <rs>accountants</rs> of the <rs>tax accounts</rs>
                of the <rs>largesses</rs>, together with their <rs>accounts</rs> and the
                <rs>documents</rs> thereof, and such judges shall know that they are
                bound by the laws in procuring the <rs>tax collections</rs>.</seg></s>
            <s corresp="#nov-val_7.3.2.s2" n="en5" xml:lang="en" part="N">For if any one of
              them should delay the regulations of Our <rs>Majesty</rs>, there is no doubt
              that he will be <phr type="ampl" subtype="g" ana="#meta" part="N"
                >obligated</phr> both to Us and to Our laws.</s>
          </ab>
        </div2>
      </div1>
    <div1 xml:id="nov-val_8" type="titulus" part="N" org="uniform" sample="complete">
      <head xml:id="nov-val_8.titl">
        <s xml:id="nov-val_8.titl.s1" xml:lang="la" part="N">8. DE INVASORIBUS</s>
        <s corresp="#nov-val_8.titl.s1" xml:lang="en" part="N">TITLE 8: PERSONS GUILTY OF
          FORCIBLE ENTRY AND SEIZURE</s>
      </head>
      <div2 xml:id="nov-val_8.1" type="constitutio" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_8.1.insc" type="insc" part="N">
          <milestone unit="latin" />
          <s xml:id="nov-val_8.1.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
            corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
            <persName corresp="#valentinian3" instant="false" full="yes">
              Valentin.</persName> AA. Pierio pu.</s>
          <milestone unit="english" />
          <s corresp="#nov-val_8.1.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
            <persName corresp="#theodosius2" instant="false" full="yes">
              Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
                full="yes">Valentinian</persName> Augustuses to Pierius, Prefect of the
              City.</s>
          </ab>
        <ab xml:id="nov-val_8.1.0" type="caput" part="N">
          <milestone unit="latin" /> 0. <s xml:id="nov-val_8.1.0.s1" n="la2" xml:lang="la"
            part="N">Si <rs>divalium</rs>
            <phr type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N"
              >sanctionum</w></phr> nulla <phr xml:id="nov-val_8.1.0.s1.p1" type="ampl"
                subtype="c" part="N"><rs><w lemma="pervado" part="N"
                  >pervasores</w></rs></phr>
            <phr xml:id="nov-val_8.1.0.s1.p2" type="ampl" subtype="g" part="N"><w
              lemma="poena" part="N">poena</w></phr>
            <phr xml:id="nov-val_8.1.0.s1.p3" type="ampl" subtype="c" part="N"><w

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        lemma="percello" part="N">percelleret</w></phr>, nostris procul dubio
remediis esset <phr xml:id="nov-val_8.1.0.s1.p4" type="ampl" subtype="g"
part="N"><w lemma="temeritas" part="N">temeritas</w></phr>
<phr xml:id="nov-val_8.1.0.s1.p5" type="ampl" subtype="c" part="N"><w
lemma="persequor" part="N">persequenda</w></phr>, ne <phr type="ampl"
subtype="c" part="N"><w lemma="alienus" part="N">alieni</w></phr> iuris <phr
xml:id="nov-val_8.1.0.s1.p6" type="ampl" subtype="c" part="N"><w
lemma="usurpo" part="N">usurpator</w></phr>
<phr xml:id="nov-val_8.1.0.s1.p7" type="ampl" subtype="c" part="N"><w
lemma="praesumptio" part="N">praesumptionis</w></phr> suae fructu <phr
xml:id="nov-val_8.1.0.s1.p8" type="ampl" subtype="g" part="N"><w
lemma="impune" part="N">impune</w></phr> potiat, cum ea, quae
discepcionis examinatione decursa possent recuperari legibus
<rs>possidenti</rs>, festino <phr xml:id="nov-val_8.1.0.s1.p9" type="ampl"
subtype="c" part="N"><w lemma="cupiditas" part="N">cupiditatis</w></phr>
<phr type="ampl" subtype="c" part="N"><w lemma="ardor" part="N"
>ardore</w></phr>
<phr xml:id="nov-val_8.1.0.s1.p10" type="ampl" subtype="c" part="N"><w
lemma="pervado" part="N">pervaserit</w></phr>.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_8.1.0.s1" n="en2"
xml:lang="en" part="N">If no <phr type="ampl" subtype="g" part="N"
>penalty</phr> of the former <rs>imperial</rs>
<phr type="ampl" part="N" subtype="c">sanctions</phr> had <phr type="ampl"
part="N" subtype="c">assailed</phr>
<phr type="ampl" part="N" subtype="c"><rs>persons guilty of forcible entry and
seizure</rs></phr>, without any doubt such <phr type="ampl" subtype="g"
part="N">rash lawlessness</phr> must be <phr type="ampl" part="N"
subtype="c">avenged</phr> by Our remedies, in order that the <phr
type="ampl" part="N" subtype="c">usurper</phr> of the right of <phr
type="ampl" part="N" subtype="c">another</phr> may not enjoy the fruit of
his <phr type="ampl" part="N" subtype="c">presumption</phr> with <phr
type="ampl" part="N" subtype="g" part="N">impunity</phr>, when with the swift <phr
type="ampl" part="N" subtype="c">eagerness</phr> of <phr type="ampl"
part="N" subtype="c">avarice</phr> he has <phr type="ampl" part="N"
subtype="c">forcibly entered and seized</phr> that property which could have
been recovered from the <rs>possessor</rs> by law, after the trial of the
controversy had been duly conducted.</s>
</ab>
<ab xml:id="nov-val_8.1.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_8.1.1.s1" n="la3" xml:lang="la"
part="N">Movet siquidem serenitatem nostram viri illustris auxiliaris tam iusta
quam <phr xml:id="nov-val_8.1.1.s1.p1" type="ampl" subtype="c" part="N"><w
lemma="vindico" part="N">vindicanda</w></phr> conquestio, cuius <phr
xml:id="nov-val_8.1.1.s1.p2" type="ampl" subtype="g" part="N"><w
lemma="querella" part="N">querellis</w></phr> et subiectorum series fidem
tribuit et magna adsertio virtutum multis perennitatis nostrae
administrationibus comprobata: qui se domus suae possessione intra <rs>urbem
venerabilem</rs> positae nullius <rs>litis actione</rs>
<phr xml:id="nov-val_8.1.1.s1.p3" type="ampl" subtype="c" part="N"><w
lemma="pulso" part="N">pulsatum</w></phr> per <rs>illustrem virum
Apollodorum</rs> patefecit esse <phr xml:id="nov-val_8.1.1.s1.p4"
type="ampl" subtype="g" part="N"><w lemma="depello" part="N"
>depulsum</w></phr>, absentiae videlicet suae occasione <phr type="ampl"
subtype="c" part="N"><w lemma="capto" part="N">captata</w></phr>, dum, si
qua precatio fuisset in causa, non parvis temporibus <rs>Romae</rs> in eadem
domo consistens a memorato <rs>illustri viro</rs> actione proposita potuerit
conveniri.</s>
<s xml:id="nov-val_8.1.1.s2" n="la4" xml:lang="la" part="N">Quando, hoc quod in
praedicto <rs>viro illustri</rs> non perspicimus observatum,
<rs>possessorum</rs> praetermissa conventio est?</s>
<s xml:id="nov-val_8.1.1.s3" n="la5" xml:lang="la" part="N">quando
<rs>dominis</rs> non sunt <phr type="ampl" subtype="c" part="N"><w
lemma="denuntio" part="N">denuntiata</w></phr>
<rs>liti</rs> et de cognito potius negotio expectata sententia?</s>
<s xml:id="nov-val_8.1.1.s4" n="la6" xml:lang="la" part="N">aut quae patrimoniorum
potest esse securitas, si toties <phr xml:id="nov-val_8.1.1.s4.p1" type="ampl"
subtype="g" part="N"><w lemma="insidior" part="N">insidietur</w></phr>
<phr xml:id="nov-val_8.1.1.s4.p2" type="ampl" subtype="c" part="N"><rs><w
lemma="invado" part="N">invasor</w></rs></phr>, quoties
<rs>possessores</rs> esse contingit absentes? </s>
<milestone unit="english" /> 1. <s corresp="#nov-val_8.1.1.s1" n="en3"
xml:lang="en" part="N">The just, as well as <phr type="ampl" part="N"
subtype="c">vindicable</phr> complaint of the <rs>Illustrious
Auxiliaris</rs>, indeed, moves Our Serenity, since on his <phr type="ampl"
subtype="g" part="N">complaints</phr> trustworthiness is conferred both by a
series of subjoined statements and by his great claim to virtues which has been
proved to Our Eternity by his many administrative offices<supplied
resp="#pharr" instant="false">.</supplied> He has revealed that he was <phr
type="ampl" subtype="g" part="N">driven</phr> by the <rs>Illustrious
Apollodorus</rs> from possession of his home which is situated within the
<rs>venerable City</rs>, although he had not been <phr type="ampl" part="N"
subtype="c">sued</phr> by any <rs>action of litigation</rs><supplied
resp="#pharr" instant="false">.</supplied> Of course, the occasion of his
absence was <phr type="ampl" part="N" subtype="c">seized</phr> upon, while, if
there had been any petition for the suit in the case, since he remained for no
small periods of time at <rs>Rome</rs> in the aforesaid house, he could have
been sued by the aforesaid <rs>Illustrious man</rs> in an action which had been
brought.</s>
<s corresp="#nov-val_8.1.1.s2" n="en4" xml:lang="en" part="N">When has the legal

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summons of <rs>possessors</rs> been disregarded, a procedure which We perceive has not been observed in the case of the aforesaid <rs>Illustrious man</rs>?</s>

<s corresp="#nov-val_8.1.1.s3" n="en5" xml:lang="en" part="N">When have <rs>litigations</rs> not been <phr type="ampl" part="N" subtype="c">announced</phr> to <rs>owners</rs>, and the sentence been awaited from a suit that has been tried?</s>

<s corresp="#nov-val_8.1.1.s4" n="en6" xml:lang="en" part="N">What security can there be for patrimonies if, as often as it happens that <rs>possessors</rs> are absent, so often does a person <phr type="ampl" subtype="g" part="N">lie in wait</phr> and <phr type="ampl" part="N" subtype="c"><rs>commit forcible entry and seizure</rs></phr>?</s>

</ab>

<ab xml:id="nov-val_8.1.2" type="caput" part="N">

<milestone unit="latin" /> 2. <s xml:id="nov-val_8.1.2.s1" n="la7" xml:lang="la" part="N">Verum quia <phr xml:id="nov-val_8.1.2.s1.p1" type="ampl" subtype="g" part="N"><w lemma="illicitus" part="N">illicitis</w></phr> <phr type="ampl" subtype="c" part="N"><w lemma="audeo" part="N">ausibus</w></phr> videmus quae sunt pro <rs>possessorum</rs> quiete salubriter constituta <phr xml:id="nov-val_8.1.2.s1.p2" type="ampl" subtype="g" part="N"><w lemma="calco" part="N">calcari</w></phr> et frequenter pro multorum negotiis specialis <phr xml:id="nov-val_8.1.2.s1.p3" type="ampl" subtype="g" part="N"><w lemma="querella" part="N">querella</w></phr> <phr xml:id="nov-val_8.1.2.s1.p4" type="ampl" subtype="c" part="N"><w lemma="commoneo" part="N">commonuit</w></phr> omnibus profutura decerni, merito praecedentia inclitorum principum parentumque nostrorum statuta renovamus.</s>

<s xml:id="nov-val_8.1.2.s2" n="la8" xml:lang="la" part="N"><seg xml:id="nov-val_8.1.2.c1" part="N">idcirco mansura in aevum lege <phr xml:id="nov-val_8.1.2.s2.p1" function="cmdw" part="N">sancimus</phr>, ut, quisquis inconvento <rs>domino</rs>, non expectata vel <phr xml:id="nov-val_8.1.2.s2.p2" type="ampl" subtype="c" part="N"><w lemma="adversus" part="N">adversus</w></phr> praesentem vel in <phr xml:id="nov-val_8.1.2.s2.p3" type="ampl" subtype="g" part="N"><w lemma="contumax" part="N">contumacem</w></phr> definitiva sententia, <rs>possessorem</rs> de <rs>praedio rustico urbanove</rs> <phr xml:id="nov-val_8.1.2.s2.p4" type="ampl" subtype="g" part="N"><w lemma="depello" part="N">depulerit</w></phr>, possessione protinus restituta causae totius, sicut dudum constitutum est, <phr xml:id="nov-val_8.1.2.s2.p5" type="ampl" subtype="g" part="N"><w lemma="amissio" part="N">amissione</w></phr> <phr xml:id="nov-val_8.1.2.s2.p6" type="ampl" subtype="g" part="N"><w lemma="multo" part="N">multatus</w></phr> aestimationem rei <phr type="ampl" subtype="c" part="N"><w lemma="occupo" part="N">occupatae</w></phr> mox <phr xml:id="nov-val_8.1.2.s2.p7" type="ampl" subtype="c" part="N"><w lemma="cogo" part="N">cogatur</w></phr> inferre: hoc etiam coniuncto, ut, si <rs>iudex</rs> in huiusmodi negotiis hanc putaverit <phr type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N">sanctionem</w></phr> nostram <phr xml:id="nov-val_8.1.2.s2.p8" type="ampl" subtype="g" part="N"><w lemma="dissimulo" part="N">dissimulandam</w></phr> ac non in executionem mittendam esse sententiam, quae de inferenda aestimatione prolata est, iustitia ipsa statutam taxationem, cum fuerit accepto <rs>successore</rs> <rs>privatus</rs>, exsolvat.</seg></s>

<milestone unit="english" /> 2. <s corresp="#nov-val_8.1.2.s1" n="en7" xml:lang="en" part="N">But because We see that the regulations that We have salutarily established for the peace of <rs>possessors</rs> are being <phr type="ampl" subtype="g" part="N">trampled under foot</phr> by <phr type="ampl" subtype="g" part="N">illicit</phr> deeds of <phr type="ampl" part="N" subtype="c">daring</phr>, and frequently a special <phr type="ampl" subtype="g" part="N">complaint</phr> on behalf of the cases of many persons has <phr type="ampl" part="N" subtype="c">admonished</phr> Us to decree regulations for the profit of all, We justly renew the previous statutes of the renowned Emperors and Our ancestors.</s>

<s corresp="#nov-val_8.1.2.s2" n="en8" xml:lang="en" part="N"><seg corresp="#nov-val_8.1.2.c1" part="N">Therefore We <phr function="cmdw" part="N">sanction</phr> by a law that shall endure throughout the ages that if any person, without summoning the <rs>owner</rs> and without awaiting a definitive sentence either against the <phr type="ampl" part="N" subtype="c">defendant</phr> who is present or against him as <phr type="ampl" subtype="g" part="N">contumacious</phr>, should <phr type="ampl" subtype="g" part="N">eject</phr> a <rs>possessor</rs> from his <rs>rustic or urban landed estate</rs>, possession shall be immediately restored, the person who is guilty of forcible entry and seizure shall be punished by the <phr type="ampl" subtype="g" part="N">loss</phr> of the whole case, just as has been formerly established, and he shall be <phr type="ampl" part="N" subtype="c">compelled</phr> to pay immediately the estimated value of the property which he had <phr type="ampl" part="N" subtype="c">seized</phr><supplied resp="#pharr" instant="false">.</supplied> This provision shall also be added, namely, that if the <rs>judge</rs> in such cases should suppose that this Our <phr type="ampl" part="N" subtype="c">sanction</phr> should be <phr type="ampl" subtype="g" part="N">disregarded</phr> and that he should not put into execution the sentence that has been rendered in regard to <phr type="ampl" subtype="g" part="N">payment</phr> of the estimated value, in accordance with justice itself, he shall pay the estimated value which has been established when his <rs>successor</rs> has been received and he is a <rs>private citizen</rs>.</seg></s>

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<ab xml:id="nov-val_8.1.3" type="caput" part="N">
  <milestone unit="latin" /> 3. <s xml:id="nov-val_8.1.3.s1" n="la9" xml:lang="la"
    part="N"><seg xml:id="nov-val_8.1.3.c1" part="N">In praesenti vero causa
      <rs>viro illustri auxiliari</rs> domum restitui <phr
        xml:id="nov-val_8.1.3.s1.p1" function="cmdw" part="N">iubemus</phr>
      <phr xml:id="nov-val_8.1.3.s1.p2" type="ampl" subtype="c" part="N"><w
        lemma="invado" part="N">invasam</w></phr>, omni, si qua <rs>viro
        illustri Apollodoro</rs> competere potuerat, actione <phr
          xml:id="nov-val_8.1.3.s1.p3" type="ampl" subtype="c" part="N"><w
            lemma="consumo" part="N">consumpta</w></phr>,</seg> qui, quod legibus
            debuerat postulare, inconvento <rs>possessore</rs>
          <phr xml:id="nov-val_8.1.3.s1.p4" type="ampl" subtype="c" part="N"><w
            lemma="pervado" part="N">pervasit</w></phr>.</s>
        <s xml:id="nov-val_8.1.3.s2" n="la10" xml:lang="la" part="N"><seg
          xml:id="nov-val_8.1.3.c2" part="N">Quem ulterius prosequi <rs>lites
            causasque</rs> non <phr xml:id="nov-val_8.1.3.s2.p1" function="cmdw"
              type="ampl" subtype="c" part="N"><w lemma="patior" part="N"
                >patimur</w></phr> earum rerum, quas aliis <rs>possidentibus</rs> non
                debuit <phr type="ampl" subtype="c" part="N"><w lemma="occupo" part="N"
                  >occupare</w></phr>, quique debet in acceptum referre, quod ei
                  aestimationem rei de qua agitur nostrae pietatis humanitate concedimus, quae
                  potuit multiplicium legum securitate <phr xml:id="nov-val_8.1.3.s2.p2"
                    type="ampl" subtype="c" part="N"><w lemma="deposco" part="N"
                      >deposci</w></phr>.</seg></s>
        <milestone unit="english" /> 3. <s corresp="#nov-val_8.1.3.s1" n="en9"
          xml:lang="en" part="N"><seg corresp="#nov-val_8.1.3.c1" part="N">But in the
            present case, We <phr function="cmdw" part="N">order</phr> that the house of
            the <rs>Illustrious Auxiliaris</rs> which had been <phr type="ampl" part="N"
              subtype="c">forcibly entered and seized</phr> shall be restored to him,
            and that every right of action is <phr type="ampl" part="N" subtype="c"
              >consumed</phr>, if any could have been available to the <rs>Illustrious
              Apollodorus</rs>,</seg> since without summoning the <rs>possessor</rs>,
            he <phr type="ampl" part="N" subtype="c">forcibly entered and seized</phr> the
            property which he should have demanded by law.</s>
        <s corresp="#nov-val_8.1.3.s2" n="en10" xml:lang="en" part="N"><seg
          corresp="#nov-val_8.1.3.c2" part="N">We do not <phr function="cmdw"
            type="ampl" part="N" subtype="c">allow</phr> him to prosecute further the
            <rs>litigation and suits</rs> for that property which he ought not to
            have <phr type="ampl" part="N" subtype="c">bought</phr> from other
            <rs>possessors</rs>, and he must credit to his gain the fact that We
            concede to him, with the humanity of Our Piety, the estimated value of the
            property which is being considered and which could have been <phr
              type="ampl" part="N" subtype="c">demanded</phr> on the security of many
            laws.</seg></s>
        </ab>
      <ab xml:id="nov-val_8.1.4" type="caput" part="N">
        <milestone unit="latin" /> 4. <s xml:id="nov-val_8.1.4.s1" n="la11" xml:lang="la"
          part="N"><seg xml:id="nov-val_8.1.4.c1" ana="#ncp" part="N">Eas vero
            <rs>mulieres</rs>, quas aut vendendo litigium aut <phr
              xml:id="nov-val_8.1.4.s1.p1" type="ampl" subtype="g" part="N"><w
                lemma="invasio" part="N">invasionis</w></phr> participando <phr
                  xml:id="nov-val_8.1.4.s1.p2" type="ampl" subtype="g" part="N"><w
                    lemma="temeritas" part="N">temeritatem</w></phr> constat negotium non
                    habere, ne qua instaurandi <rs>litigii</rs> quaeratur occasio, omni actione
                    <phr xml:id="nov-val_8.1.4.s1.p3" function="cmdw" type="ampl" subtype="c"
                      part="N"><w lemma="privo" part="N">privamus</w></phr>: non
                    praeiudicantibus contractibus, si quos occupatores fortasse cum quibuscumque
                    personis de eadem domo in praeiudicium <rs>domini</rs> inire
                    voluerunt,</seg> quoniam res <phr xml:id="nov-val_8.1.4.s1.p4" type="ampl"
                      subtype="c" part="N"><w lemma="pervado" part="N">pervasa</w></phr> in alium
                      transferri iure non potuit.</s>
          <milestone unit="english" /> 4. <s corresp="#nov-val_8.1.4.s1" n="en11"
            xml:lang="en" part="N"><seg corresp="#nov-val_8.1.4.c1" ana="#ncp" part="N">But
            We <phr function="cmdw" type="ampl" part="N" subtype="c">deprive</phr> of
            every right of action those <rs>women</rs> who evidently do not have a case,
            since they either sold a suit or participated in the <phr type="ampl"
              subtype="g" part="N">rash lawlessness</phr> of <phr type="ampl"
              subtype="g" part="N">forcible entry and seizure</phr> of property, and
            thus no pretext for renewing <rs>litigation</rs> may be sought by
            them<supplied resp="#pharr" instant="false">.</supplied> No contracts
            shall create any prejudice, if perchance the persons guilty of forcible
            entry and seizure wished to enter upon any contracts with any persons
            whatsoever in regard to the aforesaid house, to the prejudice of the
            <rs>owner</rs>,</seg> since property which has been <phr type="ampl"
              part="N" subtype="c">forcibly entered and seized</phr> cannot be legally
              transferred to another person.</s>
          </ab>
        <ab xml:id="nov-val_8.1.5" type="caput" part="N">
          <milestone unit="latin" /> 5. <s xml:id="nov-val_8.1.5.s1" n="la12" xml:lang="la"
            part="N"><seg xml:id="nov-val_8.1.5.c1" part="N">Restituturum quoque censemus,
              quaecumque de rebus eius illo <phr xml:id="nov-val_8.1.5.s1.p1" type="ampl"
                subtype="g" part="N"><w lemma="expulsio" part="N">expulsionis</w></phr>
                tempore a quocumque <phr xml:id="nov-val_8.1.5.s1.p2" type="ampl"
                  subtype="c" part="N"><w lemma="pervado" part="N">pervasa</w></phr>
                  sunt.</seg></s>
            <s xml:id="nov-val_8.1.5.s2" n="la13" xml:lang="la" part="N">Neque enim ita
              remittimus <phr xml:id="nov-val_8.1.5.s2.p1" type="ampl" subtype="g" part="N"
                ><w lemma="ultio" part="N">ultionem</w></phr>, ut <phr
                  xml:id="nov-val_8.1.5.s2.p2" type="ampl" subtype="c" part="N"><w

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        lemma="diripio" part="N">diripi</w></phr> aut <phr
xml:id="nov-val_8.1.5.s2.p3" type="ampl" subtype="c" part="N"><w
lemma="occulto" part="N">occultari</w></phr>
<phr type="ampl" subtype="c" part="N"><w lemma="alienus" part="N"
>aliena</w></phr>
<phr type="ampl" subtype="c" part="N"><w lemma="patior" part="N"
>patiamur</w></phr>, Pieri parens karissime atque amantissime.</s>
<s xml:id="nov-val_8.1.5.s3" n="1a14" xml:lang="la" part="N"><seg
xml:id="nov-val_8.1.5.c2" part="N">Quare illustris magnitudo tua in
traditione aedium <phr xml:id="nov-val_8.1.5.s3.p1" type="ampl" subtype="c"
part="N"><w lemma="pervado" part="N">pervasarum</w></phr> Marcianum
<rs>agentem in rebus</rs> vel <rs>officium suum</rs> iubebit parere
decretis nec ullam saluberrimis praeceptionibus nostris tarditatem sub <phr
xml:id="nov-val_8.1.5.s3.p2" type="ampl" subtype="c" part="N"><w
lemma="impedimentum" part="N">impedimento</w></phr> cuiuscumque
personae <phr type="ampl" subtype="c" part="N"><w lemma="patior" part="N"
>patiatur</w></phr> afferri.</seg></s>
<milestone unit="english" /> 5. <s corresp="#nov-val_8.1.5.s1" n="en12"
xml:lang="en" part="N"><seg corresp="#nov-val_8.1.5.c1" part="N">We decree also
that Apollodorus shall restore all the property of Auxiliaris that had been
<phr type="ampl" part="N" subtype="c">forcibly entered and seized</phr>
by any person whatever at the time of his <phr type="ampl" subtype="g"
part="N">expulsion</phr>.</seg></s>
<s corresp="#nov-val_8.1.5.s2" n="en13" xml:lang="en" part="N">For We do not so
remit his <phr type="ampl" subtype="g" part="N">punishment</phr> that We <phr
type="ampl" part="N" subtype="c">permit</phr> the property of <phr
type="ampl" part="N" subtype="c">other</phr> persons to be <phr type="ampl"
part="N" subtype="c">seized</phr> and <phr type="ampl" part="N" subtype="c"
>concealed</phr>, O Pierius, dearest and most beloved Father.</s>
<s corresp="#nov-val_8.1.5.s3" n="en14" xml:lang="en" part="N"><seg
corresp="#nov-val_8.1.5.c2" part="N">Wherefore Your Illustrious Magnitude,
in the delivery of possession of the houses that have been <phr type="ampl"
part="N" subtype="c">forcibly entered and seized</phr>, shall order
Marcianus, a member of the <rs>secret service</rs>, and his <rs>office
staff</rs> to obey Our decrees, and he shall not <phr type="ampl"
part="N" subtype="c">allow</phr> the <phr type="ampl" part="N"
subtype="c">obstruction</phr> of any person to occasion any delay for Our
most salutary regulations.</seg></s>
</ab>
<ab xml:id="nov-val_8.1.6" type="caput" part="N">
<milestone unit="latin" /> 6. <s xml:id="nov-val_8.1.6.s1" n="1a15" xml:lang="la"
part="N">Ut vero ea, quae pro <rs>possessorum</rs> omnium quiete sancimus, in
omnium possint notitiam pervenire, hanc legem nostram amplitudo tua propositis
divulgabit edictis.</s>
<milestone unit="english" /> 6. <s corresp="#nov-val_8.1.6.s1" n="en15"
xml:lang="en" part="N">In order that these regulations which We sanction for
the peace of all <rs>possessors</rs> may be able to come to the knowledge of
all, Your Magnitude shall publish this Our law by posting edicts.</s>
</ab>
<ab xml:id="nov-val_8.1.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_8.1.subs.s1" n="1a0" xml:lang="la" part="N">Dat. V id. Iun.
<placeName corresp="#ravenna" instant="false" full="yes"
>Ravennae</placeName> Valentiniano A. V et Anatolio vc. cons. <date
when="0440-06-09" instant="false">(440 Iun. 9)</date>.</s>
<milestone unit="english" />
<s corresp="#nov-val_8.1.subs.s1" n="en0" xml:lang="en" part="N">Given on the
fifth day before the ides of June at <placeName instant="false" full="yes"
>Ravenna</placeName> in the year of the fifth consulship of Valentinian
Augustus and the consulship of the Most Noble Anatolius. - <date
instant="false">June 9, 440</date>.</s>
</ab>
</div2>
<div2 xml:id="nov-val_8.2" type="constitutio" part="N" org="uniform" sample="complete">
<ab xml:id="nov-val_8.2.insc" type="insc" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_8.2.insc.s1" n="1a1" xml:lang="la" part="N">2. <name
corresp="#valentinian3 #theodosius2" full="yes" instant="false">Idem</name>
AA. Auxentio pu.</s>
<milestone unit="english" />
<s corresp="#nov-val_8.2.insc.s1" n="en1" xml:lang="en" part="N">2. The <name
corresp="#valentinian3 #theodosius2" full="yes" instant="false">same</name>
Augustuses to Auxentius, Prefect of the City.</s>
</ab>
<ab xml:id="nov-val_8.2.0" type="caput" part="N">
<milestone unit="latin" /> 0. <s xml:id="nov-val_8.2.0.s1" n="1a2" xml:lang="la"
part="N">Habet hoc insitum <phr xml:id="nov-val_8.2.0.s1.p1" type="ampl"
subtype="g" part="N"><w lemma="sollicitus" part="N">sollicita</w></phr>
aequitatis examinatio, habet secundarum cogitationum subtilior et exactior
cura, ut, si quid in legibus ferendis post <phr xml:id="nov-val_8.2.0.s1.p2"
type="ampl" subtype="g" part="N"><w lemma="impetus" part="N"
>impetum</w></phr> primum deliberatio properata <phr type="ampl" subtype="g"
part="N"><w lemma="delinquo" part="N">deliquerit</w></phr>, hoc consilio
perpensiore revocetur.</s>
<s xml:id="nov-val_8.2.0.s2" n="1a3" xml:lang="la" part="N">Permittit enim
consuetudo ipsa rerum, adstipulantur innumera vetustatis exempla multas leges a
suis latoribus dempta aut addita parte posse corrigi, multas tractatu Maturiore
penitus abrogari.</s>
<s xml:id="nov-val_8.2.0.s3" n="1a4" xml:lang="la" part="N"><seg

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xml:id="nov-val_8.2.0.c1" ana="#nccp" part="N">Quod nunc de <phr
xml:id="nov-val_8.2.0.s3.p1" type="ampl" subtype="g" part="N"><w
lemma="aboleo" part="N">abolenda</w></phr> constitutione <phr
xml:id="nov-val_8.2.0.s3.p2" function="cmdw" part="N">decernimus</phr>,
quam non ante multos menses ad preces <rs>illustris viri auxiliaris</rs>
promulgaveramus</seg> moti ingesta nobis <phr xml:id="nov-val_8.2.0.s3.p3"
type="ampl" subtype="c" part="N"><rs><w lemma="pervado" part="N"
>pervasionis</w></rs></phr>
<phr xml:id="nov-val_8.2.0.s3.p4" type="ampl" subtype="g" part="N"><w
lemma="invidia" part="N">invidia</w></phr>.</s>
<s xml:id="nov-val_8.2.0.s4" n="la5" xml:lang="la" part="N">Sed quia obsecratio
<rs>viri illustris Apollodori</rs> nuper nos attentiores ad aestimandam
iustitiam fecit, ob hoc tractatis omnibus et plena aestimatione discussis
propter illa praecipue, quae negotii modum, de quo tunc actum est, supergressa
fuerant et <phr xml:id="nov-val_8.2.0.s4.p1" type="ampl" subtype="g" part="N"
><w lemma="immerito" part="N">immerito</w></phr> personas
<rs>mulierum</rs> pariter illigaverant, <seg xml:id="nov-val_8.2.0.c2"
part="N">supra memoratam legem praesentis edicti auctoritate <phr
xml:id="nov-val_8.2.0.s4.p2" function="cmdw" type="ampl" subtype="c"
part="N"><w lemma="removeo" part="N">removemus</w></phr>, </seg> Auxenti
parens karissime atque amantissime.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_8.2.0.s1" n="en2"
xml:lang="en" part="N">A <phr type="ampl" subtype="g" ana="#meta" part="N"
>careful</phr> and equitable investigation holds as an innate principle, the
more subtle and exact consideration of second thoughts holds, that if hasty
deliberation has <phr type="ampl" subtype="g" ana="#meta" part="N"
>committed</phr> any fault in issuing laws, after the first <phr type="ampl"
subtype="g" ana="#meta" part="N">impetuous</phr> haste, it shall be revoked
by a more carefully weighed plan.</s>
<s corresp="#nov-val_8.2.0.s2" n="en3" xml:lang="en" part="N">For the custom of
actual practice permits, innumerable examples of antiquity guarantee, that many
laws can be emended by their issuers by the removal or addition of a part, and
that many laws are abrogated entirely upon more mature consideration.</s>
<s corresp="#nov-val_8.2.0.s3" n="en4" xml:lang="en" part="N"><seg
corresp="#nov-val_8.2.0.c1" ana="#nccp" part="N">This We now <phr
function="cmdw" part="N">decree</phr> in regard to the <phr type="ampl"
subtype="g" part="N">annulment</phr> of the constitution which We had
promulgated not many months before in answer to the prayers of the
<rs>Illustrious Auxiliaris</rs>, </seg> when We were aroused by Our <phr
type="ampl" subtype="g" part="N">hatred</phr> of <phr type="ampl" part="N"
subtype="c"><rs>forcible entry and seizure</rs></phr> that had been alleged
to Us.</s>
<s corresp="#nov-val_8.2.0.s4" n="en5" xml:lang="en" part="N">But because the
supplication of the <rs>Illustrious Apollodorus</rs> has recently made Us more
attentive to the evaluation of justice, for this reason We have pondered and
investigated all these matters with a full evaluation, on account of those
regulations especially which had passed beyond the limits of the matter about
which We were then concerned and which had <phr type="ampl" subtype="g"
part="N">unjustly</phr> involved the persons of <rs>women</rs>
likewise<supplied resp="#pharr" instant="false">.</supplied>
<seg corresp="#nov-val_8.2.0.c2" part="N">Thus We <phr function="cmdw"
type="ampl" part="N" subtype="c">annul</phr> the above mentioned law by
the authority of the present edict, </seg> O Auxentius, dearest and most
beloved Father.</s>
</ab>
<ab xml:id="nov-val_8.2.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_8.2.1.s1" n="la6" xml:lang="la"
part="N">Unde illustris magnitudo tua hanc, qua praecepti superioris vacatur
<phr xml:id="nov-val_8.2.1.s1.p1" type="ampl" subtype="g" part="N"><w
lemma="incautus" part="N">incautio</w></phr> definitio, programmatic
adiectione vulgabit, ut agnosci ab omnibus possit his, quae in illa displicent,
<phr xml:id="nov-val_8.2.1.s1.p2" type="ampl" subtype="g" part="N"><w
lemma="aboleo" part="N">abolitis</w></phr> id, quod solum de vetustate
repetitum probabile videtur, priscarum tantum legum definitione servandum.</s>
<milestone unit="english" /> 1. <s corresp="#nov-val_8.2.1.s1" n="en6"
xml:lang="en" part="N">Whence Your Illustrious Magnitude by the addition of an
edict shall publish this law by which the rather <phr type="ampl" subtype="g"
part="N">imprudent</phr> statement of the previous regulation is made void,
in order that it may be recognized by all persons that those provisions which
are displeasing therein have been <phr type="ampl" subtype="g" part="N"
>annulled</phr>, and that in accordance with the regulation of the former
laws only that part must be observed which alone appears approvable as taken
from antiquity.</s>
</ab>
<ab xml:id="nov-val_8.2.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_8.2.subs.s1" n="la7" xml:lang="la" part="N">Dat. VI kal. Feb.
<placeName corresp="#ravenna" instant="false" full="yes"
>Ravennae</placeName> post consulatum Valentiniani A. V et Anatolii vc.
<date when="0441-01-27" instant="false">(441 Ian. 27)</date>.</s>
<milestone unit="english" />
<s corresp="#nov-val_8.2.subs.s1" n="en7" xml:lang="en" part="N">Given on the
sixth day before the kalends of February at <placeName instant="false"
full="yes">Ravenna</placeName> in the year after the fifth consulship of
Valentinian Augustus and the consulship of the Most Noble Anatolius. - <date
instant="false">January 27, 441</date>.</s>
</ab>
</div2>
</div1>

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<div1 xml:id="nov-val_9" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_9.titl">
    <s xml:id="nov-val_9.titl.s1" xml:lang="la" part="N">9. DE REDDITO IURE ARMORUM</s>
    <s corresp="#nov-val_9.titl.s1" xml:lang="en" part="N">TITLE 9: RESTORATION OF THE
      RIGHT TO USE WEAPONS</s>
  </head>
  <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_9.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_9.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
        corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
        <persName corresp="#valentinian3" instant="false" full="yes">
          Valentin.</persName> AA. populo Romano.</s>
      <milestone unit="english" />
      <s corresp="#nov-val_9.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
        <persName corresp="#theodosius2" instant="false" full="yes">
          Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
          full="yes">Valentinian</persName> Augustuses to the Roman People.</s>
    </ab>
    <ab xml:id="nov-val_9.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_9.0.s1" n="la2" xml:lang="la"
        part="N">Quoties <rs>publica poscit utilitas</rs>, universitatis <phr
          xml:id="nov-val_9.0.s1.p1" type="ampl" subtype="c" part="N"><w
            lemma="sollicitudo" part="N">sollicitudinem</w></phr> ducimus advocandam,
          ut omnibus profutura impleantur ab omnibus, nec <phr xml:id="nov-val_9.0.s1.p2"
            type="ampl" subtype="g" part="N"><w lemma="molestus" part="N">
              molestum</w></phr> esse <rs>provincialibus</rs> nostris credimus, quod pro
              ipsorum salute disponitur, ut <phr type="ampl" subtype="c" part="N"><w
                lemma="resisto" part="N">resistendi</w></phr>
              <phr xml:id="nov-val_9.0.s1.p3" type="ampl" subtype="g" part="N"><rs><w
                lemma="praedo" part="N">praedonibus</w></rs></phr> cura subeatur.</s>
        <s xml:id="nov-val_9.0.s2" n="la3" xml:lang="la" part="N"><rs>Gensericius</rs>
          <phr xml:id="nov-val_9.0.s2.p1" type="ampl" subtype="g" part="N"><w
            lemma="hostis" part="N">hostis</w></phr>
          <rs>imperii nostri</rs> non parvam classem de <rs>Karthaginensi</rs> portu
          nuntiatus est eduxisse, cuius repentinus excursus et fortuita <phr
            xml:id="nov-val_9.0.s2.p2" type="ampl" subtype="g" part="N"><w
              lemma="depraedatio" part="N">depraedatio</w></phr> cunctis est litoribus
              <phr xml:id="nov-val_9.0.s2.p3" type="ampl" subtype="g" part="N"><w
                lemma="formido" part="N">formidanda</w></phr>.</s>
        <s xml:id="nov-val_9.0.s3" n="la4" xml:lang="la" ana="#ncp" part="N">Et quamvis
          clementiae nostrae <phr xml:id="nov-val_9.0.s3.p1" type="ampl" subtype="c"
            part="N"><w lemma="sollicitudo" part="N">sollicitudo</w></phr> per diversa
          loca <rs>praesidia</rs> disponat atque invictissimi principis
          <rs>Theodosii</rs> patris nostri iam propinquet <rs>exercitus</rs> et
          excellentissimum virum patricium nostrum <rs>Aetium</rs> cum magna <phr
            type="ampl" subtype="c" part="N"><w lemma="manus" part="N">manu</w></phr>
          adfore mox credamus cumque vir illustrissimus <rs>magister militum
            Sigisvuldu</rs> tam <rs>militum</rs> atque <rs>foederatorum</rs> tuitionem
            <rs>urbibus</rs> ac <rs>litoribus</rs> non desinat ordinare, tamen quia sub
            aestiva navigandi opportunitate satis <phr type="ampl" subtype="c" part="N"><w
              lemma="incertus" part="N">incertum</w></phr> est, ad quam <rs>oram</rs>
            terrae possint naves <phr xml:id="nov-val_9.0.s3.p2" type="ampl" subtype="g"
              part="N"><rs><w lemma="hostis" part="N">hostium</w></rs></phr> pervenire,
            <seg xml:id="nov-val_9.0.c1" ana="#ncp" part="N"><rs>singulos
              universosque</rs> hoc <phr xml:id="nov-val_9.0.s3.p3" function="cmdw"
                part="N">admonemus</phr> edicto, ut Romani roboris confidentia et animo,
                quo debent propria defensari, cum suis adversus <phr
                  xml:id="nov-val_9.0.s3.p4" type="ampl" subtype="g" part="N"><rs><w
                    lemma="hostis" part="N">hostes</w></rs></phr>, si usus exegerit,
                    salva disciplina <rs>publica</rs> servataque ingenuitatis modestia,</seg>
                    quibus potuerint utantur armis nostrasque <rs>provincias</rs> ac fortunas
                    proprias fideli conspiratione et iuncto umbone tueantur: hac videlicet spe <phr
                      xml:id="nov-val_9.0.s3.p5" type="ampl" subtype="c" part="N"><w lemma="labor"
                        part="N">laboris</w></phr> proposita, ut suum fore non <phr type="ampl"
                          subtype="g" part="N"><w lemma="ambigo" part="N">ambigat</w></phr> quidquid
                          <phr xml:id="nov-val_9.0.s3.p6" type="ampl" subtype="g" part="N"><w
                            lemma="hostis" part="N">hosti</w></phr> victor abstulerit.</s>
            <milestone unit="english" /> 0. <s corresp="#nov-val_9.0.s1" n="en2" xml:lang="en"
              part="N">As often as the <rs>public welfare demands</rs>, We consider that the
              <phr type="ampl" part="N" subtype="c">solicitude</phr> of all of you must be
              summoned as an aid, in order that the provisions which will profit all may be
              fulfilled by all, and We do not believe that it is <phr type="ampl" subtype="g"
                part="N">burdensome</phr> to Our <rs>provincials</rs> that the regulation is
              made for the safety of all that they shall undertake the responsibility of <phr
                type="ampl" part="N" subtype="c">resisting</phr> the <phr type="ampl"
                  subtype="g" part="N"><rs>brigands</rs></phr>.</s>
            <s corresp="#nov-val_9.0.s2" n="en3" xml:lang="en" part="N"><rs>Genseric</rs>, the
              <phr type="ampl" subtype="g" part="N">enemy</phr> of <rs>Our Empire</rs>, is
              reported to have led forth from the port of <rs>Carthage</rs> a large fleet,
              whose sudden excursion and fortuitous <phr type="ampl" subtype="g" part="N">
                >depredation</phr> must be <phr type="ampl" subtype="g" part="N">
                >feared</phr> by all shores.</s>
            <s corresp="#nov-val_9.0.s3" n="en4" xml:lang="en" part="N">Although the <phr
              type="ampl" part="N" subtype="c">solicitude</phr> of Our Clemency is
              stationing <rs>garrisons</rs> throughout various places and the <rs>army</rs>
              of the most invincible Emperor <rs>Theodosius</rs>, Our Father, will soon
              approach, and although We trust that the Most Excellent Patrician, Our
              <rs>Aetius</rs>, will soon be here with a large <phr type="ampl" part="N">

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        subtype="c">band</phr> and the Most Illustrious <rs>Master of Soldiers,
        Sigisvuldus</rs>, does not cease to organize guards of <rs>soldiers</rs> and
        <rs>federated allies</rs> for the <rs>cities</rs> and <rs>shores</rs>,
        nevertheless, because it is not sufficiently <phr type="ampl" part="N"
        subtype="c">certain</phr>, under summertime opportunities for navigation, to
        what <rs>shore</rs> the ships of the <phr type="ampl" subtype="g" part="N"
        ><rs>enemy</rs></phr> can come, <seg corresp="#nov-val_9.0.ci" ana="#ncp"
        part="N">We <phr function="cmdw" part="N">admonish</phr>
        <rs>each and all</rs> by this edict that, with confidence in the Roman
        strength and the courage with which they ought to defend their own, with
        their own men against the <phr type="ampl" subtype="g" part="N"
        ><rs>enemy</rs></phr>, if the occasion should so demand, they shall
        use those arms which they can, but they shall preserve the <rs>public</rs>
        discipline and the moderation of free birth unimpaired<supplied
        resp="#pharr" instant="false">.</supplied></seg> Thus they shall guard
        Our <rs>provinces</rs> and their own fortunes with faithful harmony and with
        joined shields<supplied resp="#pharr" instant="false">.</supplied> Of course,
        this hope for each man's <phr type="ampl" part="N" subtype="c">exertions</phr>
        is published, namely, that whatever a victor takes away from an <phr
        type="ampl" subtype="g" ana="#meta" part="N">enemy</phr> shall <phr
        type="ampl" subtype="g" part="N">undoubtedly</phr> be his own.</s>
    </ab>
    <ab xml:id="nov-val_9.subs" type="subs" part="N">
        <milestone unit="latin" />
        <s xml:id="nov-val_9.subs.s1" n="la5" xml:lang="la" part="N">Et manu divina:
        proponatur amantissimo nostro populo Romano.</s>
        <s xml:id="nov-val_9.subs.s2" n="la6" xml:lang="la" part="N">Et ad latus: Dat.
        VIII kal. Iul. <placeName corresp="#ravenna" instant="false" full="yes"
        >Ravennae</placeName> Valentiniano A. et Anatolio vc. cons. <date
        when="0440-06-24" instant="false">(440 Iun. 24)</date>.</s>
        <milestone unit="english" />
        <s corresp="#nov-val_9.subs.s1" n="en5" xml:lang="en" part="N">(And by the divine
        imperial hand.) This shall be published to Our most beloved Roman People.</s>
        <s corresp="#nov-val_9.subs.s2" n="en6" xml:lang="en" part="N">(And on the
        margin.) Given on the eighth day before the kalends of July at <placeName
        instant="false" full="yes">Ravenna</placeName> in the year of the consulship
        of Valentinian Augustus and the Most Noble Anatolius. - <date instant="false"
        >June 24, 440</date>.</s>
    </ab>
    </div2>
</div1>
<div1 xml:id="nov-val_10" type="titulus" part="N" org="uniform" sample="complete">
    <head xml:id="nov-val_10.titl">
        <s xml:id="nov-val_10.titl.s1" xml:lang="la" part="N">10. NEQUE DOMUM DIVINAM NEQUE
        ECCLESIAM AUT ALIQUAM PERSONAM A QUOLIBET MUNERE PUBLICO EXCUSANDAM </s>
        <s corresp="#nov-val_10.titl.s1" xml:lang="en" part="N">TITLE 10: NEITHER THE DIVINE
        IMPERIAL HOUSEHOLD NOR THE CHURCH NOR ANY PERSON SHALL BE EXEMPTED FROM ANY
        COMPULSORY PUBLIC SERVICE WHATSOEVER</s>
    </head>
    <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_10.insc" type="insc" part="N">
            <milestone unit="latin" />
            <s xml:id="nov-val_10.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
            corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
            <persName corresp="#valentinian3" instant="false" full="yes"
            >Valentin.</persName> AA. Maximo II pp.</s>
            <milestone unit="english" />
            <s corresp="#nov-val_10.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
            <persName corresp="#theodosius2" instant="false" full="yes"
            >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
            full="yes">Valentinian</persName> Augustuses to Maximus, Praetorian Prefect
            for the second time.</s>
        </ab>
        <ab xml:id="nov-val_10.0" type="caput" part="N">
            <milestone unit="latin" /> 0. <s xml:id="nov-val_10.0.s1" n="la2" xml:lang="la"
            part="N">Cum publice privatimque in omnibus rebus ac negotiis iustitiam
            conservari oportet tum praecipue in his tenenda est, quae <rs>vectigalium</rs>
            nervos sustinent, quoniam adtenuatis <rs>devotorum</rs>
            <phr type="ampl" subtype="c" part="N"><w lemma="vis" part="N">viribus</w></phr>
            utili aequitate succurrunt.</s>
            <s xml:id="nov-val_10.0.s2" n="la3" xml:lang="la" part="N">Quod plurimi <phr
            type="ampl" subtype="g" part="N"><w lemma="respuo" part="N"
            >respuunt</w></phr>, qui domesticis tantum compendiis obsequentes <rs>bonum
            commune</rs>
            <phr xml:id="nov-val_10.0.s2.p1" type="ampl" subtype="g" part="N"><w
            lemma="destituio" part="N">destituunt</w></phr>, quo vera ac solida
            utilitas continetur melius plane ad singulos perveniens, cum profecerit
            universis, maxime exigente hac <rs>tributorum</rs>
            <phr type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
            >necessitate</w></phr>, sine quibus nihil in pace aut bello curari
            potest.</s>
            <s xml:id="nov-val_10.0.s3" n="la4" xml:lang="la" part="N">Neque ultra valebit
            perpetuitas eorum manere paucis atque <phr xml:id="nov-val_10.0.s3.p1"
            type="ampl" subtype="g" part="N"><w lemma="defessus" part="N"
            >defessus</w></phr>
            <phr xml:id="nov-val_10.0.s3.p2" type="ampl" subtype="c" part="N"><w
            lemma="impono" part="N">imposita</w></phr> sarcina, quam <rs>potior</rs>
            detrectat, <rs>locupletior</rs> recusat et validiore reiciente solus agnoscit
            <rs>infirmior</rs>.</s>
        </ab>
    </div1>

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<milestone unit="english" /> 0. <s corresp="#nov-val_10.0.s1" n="en2"
  xml:lang="en" part="N">Justice must be preserved both publicly and privately in
  all matters and transactions, and We must adhere to it especially in those
  measures that sustain the sinews of the <rs>public revenues</rs>, since such
  measures come to the aid of the attenuated <phr type="ampl" part="N"
    subtype="c">resources</phr> of Our <rs>loyal taxpayers</rs> with useful
  equity.</s>
<s corresp="#nov-val_10.0.s2" n="en3" xml:lang="en" part="N">Very many persons
  <phr type="ampl" subtype="g" part="N">reject</phr> this idea, since they
  serve only their domestic profits and <phr type="ampl" subtype="g" part="N"
    >deprive</phr> the <rs>common good</rs> wherein is contained their true and
  substantial welfare, although such welfare clearly comes better to each person
  when it profits all persons, especially since this <phr type="ampl" part="N"
    subtype="c">necessity</phr> for <rs>tribute</rs> so demands, and without
  such tribute nothing can be provided in peace or in war.</s>
<s corresp="#nov-val_10.0.s3" n="en4" xml:lang="en" part="N">Nor can the
  continuity of such tax payments remain any further if there should be <phr
    type="ampl" part="N" subtype="c">imposed</phr> upon a few <phr type="ampl"
    subtype="g" part="N">exhausted</phr> persons the burden which the more
    <rs>powerful man</rs> declines, which the <rs>richer man</rs> refuses, and
    which, since the stronger reject it, only the <rs>weaker man</rs> assumes.</s>
</ab>
<ab xml:id="nov-val_10.1" type="caput" part="N">
  <milestone unit="latin" /> 1. <s xml:id="nov-val_10.1.s1" n="la5" xml:lang="la"
    part="N">Hanc itaque <phr xml:id="nov-val_10.1.s1.p1" type="ampl" subtype="g"
      part="N"><w lemma="iniquitas" part="N">iniquitatem</w></phr> corrigentes
      <seg xml:id="nov-val_10.1.c1" part="N">primo <phr type="ampl" subtype="c"
        part="N"><w lemma="caput" part="N">capite</w></phr> huius <phr
          type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N"
            >sanctionis</w></phr>
          <phr xml:id="nov-val_10.1.s1.p2" function="cmdw" part="N">decernimus</phr>,
          ut omnes, quicumque ex iure <rs>domus regiae</rs> vel a <rs>pietate mea</rs>
          vel a qualibet persona <rs>sacrarum necessitudinum meorum</rs>
          <rs>praedia</rs> adepti sunt sive usufructuaria largitate seu donatione
          directa sive commutationis vel emptionis ratione quaesita, parem cum ceteris
          <rs>possessoribus</rs> condicionem subeant functionum: in hac sorte
          numerandis his quoque, qui retento sibi usufructu proprietatem iuris sui
          <rs>venerabilium pignorum meorum</rs> vel <rs>pietatis meae</rs> domui
          contulerunt.</seg></s>
    <s xml:id="nov-val_10.1.s2" n="la6" xml:lang="la" part="N"><seg
      xml:id="nov-val_10.1.c2" part="N">suos omnes ea condicione <rs>tributa</rs>
      <phr xml:id="nov-val_10.1.s2.p1" function="cmdw" part="N">volumus</phr>
      agnoscere, ut nihil sibi ex aurariis titulis vel superindicticiis <phr
        xml:id="nov-val_10.1.s2.p2" type="ampl" subtype="c" part="N"><w
          lemma="vindico" part="N">vindictent</w></phr>, quos ad similitudinem
          <rs>domus nostrae</rs> qualibet <rs>sacri praecepti</rs> impetraverant
          <phr type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N"
            >sanctione</w></phr>.</seg></s>
  </ab>
  <milestone unit="english" /> 1. <s corresp="#nov-val_10.1.s1" n="en5"
    xml:lang="en" part="N">Therefore We correct this <phr type="ampl" subtype="g"
      part="N">injustice</phr>, <seg corresp="#nov-val_10.1.c1" part="N">and under
      the first <phr type="ampl" part="N" subtype="c">heading</phr> of this <phr
        type="ampl" part="N" subtype="c">sanction</phr> We <phr function="cmdw"
          part="N">decree</phr> that if any persons should obtain <rs>landed
          estates</rs> that are acquired from the ownership of the <rs>imperial
          household</rs>, either from <rs>My Piety</rs> or from any of <rs>My
          sacred imperial kinsmen</rs>, whether they are acquired by a usufructuary
          bounty or by direct gift or by means of exchange or of purchase, they shall
          undergo the same condition of performing compulsory public services as all
          the other <rs>landholders</rs><supplied resp="#pharr" instant="false"
            >.</supplied> In this lot shall also be counted those persons who have
          retained the usufruct for themselves and have transferred the ownership of
          their own right to the household of <rs>My venerable kinsmen</rs> or of
          <rs>My Piety</rs>.</seg></s>
    <s corresp="#nov-val_10.1.s2" n="en6" xml:lang="en" part="N"><seg
      corresp="#nov-val_10.1.c2" part="N">It is <phr function="cmdw" part="N">Our
        will</phr> that all such persons shall assume the payment of
        <rs>tribute</rs> under the condition that they shall <phr type="ampl"
          part="N" subtype="c">vindicate</phr> to themselves nothing as immune from
          the accounts of the gold tax payments or of the superindictions, if they had
          impetrated any such titles after the example of <rs>Our imperial
          household</rs>, by any <phr type="ampl" part="N" subtype="c"
            >sanction</phr> of a <rs>sacred imperial regulation</rs>.</seg></s>
  </ab>
  <ab xml:id="nov-val_10.2" type="caput" part="N">
    <milestone unit="latin" /> 2. <s xml:id="nov-val_10.2.s1" n="la7" xml:lang="la"
      part="N"><seg xml:id="nov-val_10.2.c1" part="N">Secundo gradu huius legis <phr
        xml:id="nov-val_10.2.s1.p1" function="cmdw" part="N">cavemus</phr>, ut
        quicumque <rs>census</rs>
        <rs>illustrum dignitatum</rs> sive <rs>ecclesiasticus</rs> vel in <rs>urbe
        sacratissima</rs> vel in quibuslibet <rs>provinciis</rs> ad exemplum
        <rs>domus nostrae</rs> quocumque praecepto diversam sibi ab aliis ipsius
        census quem solvere videbatur condicionem fecerat, <phr
          xml:id="nov-val_10.2.s1.p2" type="ampl" subtype="c" part="N"><w
            lemma="onus" part="N">onus</w></phr> consuetum absque ulla privilegii
            exceptione sustineat <rs>nec in arcalibus tantum titulis</rs>, sed et his,
            quos <rs>sacri vel privati aerarii</rs> partibus deputavit vetustas,</seg>
            ut ita demum <phr xml:id="nov-val_10.2.s1.p3" type="ampl" subtype="g" part="N"
              ><w lemma="difficultas" part="N">difficultati</w></phr> expensarum <phr

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xml:id="nov-val_10.2.s1.p4" type="ampl" subtype="c" part="N"><w
lemma="vexatio" part="N">vexationique</w></phr>
<phr xml:id="nov-val_10.2.s1.p5" type="ampl" subtype="g" part="N"><w
lemma="inops" part="N">inopum</w></phr>
<rs>divinam moderationem</rs> secuti gemina salutaris constituti remedia
porrigamus.</s>
<milestone unit="english" /> 2. <s corresp="#nov-val_10.2.s1" n="en7"
xml:lang="en" part="N"><seg corresp="#nov-val_10.2.c1" part="N">By the second
heading of this law, We <phr function="cmdw" part="N">provide</phr> that if
any person of <rs>Illustrious rank</rs> or of the <rs>Church</rs> should be
<rs>assessed for taxes</rs>, either in the <rs>most sacred City</rs> or
in any <rs>provinces</rs> whatever, and according to the example of <rs>Our
household</rs> by some regulation should make for himself a condition
different from the other persons of the same assessment which he appears to
pay, he shall sustain the customary <phr type="ampl" part="N" subtype="c"
>burden</phr>, without any exception obtained by privilege, <rs>not only
in the tax accounts belonging to the chest</rs>, but also in those tax
accounts which antiquity assigned to the portions of the <rs>sacred imperial
and private treasuries</rs><supplied resp="#pharr" instant="false"
>.</supplied></seg> Thus finally, We follow Our <rs>divine imperial
moderation</rs>, and to provide for the <phr type="ampl" subtype="g"
part="N">difficulty</phr> of expenses and for the <phr subtype="c"
type="ampl" part="N">distress</phr> of the <phr type="ampl" subtype="g"
part="N">needy</phr> taxpayers, We offer the twofold remedy of Our salutary
constitution.</s>
</ab>
<ab xml:id="nov-val_10.3" type="caput" part="N">
<milestone unit="latin" /> 3. <s xml:id="nov-val_10.3.s1" n="la8" xml:lang="la"
part="N">Nunc iam non dissimile superioribus, immo cuius utilitas paene latius
patet, hac edictali lege complectimur sine ulla honorum personarum
privilegiorum distinctione <seg xml:id="nov-val_10.3.c1" part="N">generaliter
sancientes, ut itinerum reparatio aliaque <rs>munia</rs> huiusmodi
...</seg></s>
<s xml:id="nov-val_10.3.s2" n="la9" xml:lang="la" part="N">Omnium certante studio,
quo cum facilius tum firmiter impleantur.</s>
<s xml:id="nov-val_10.3.s3" n="la10" xml:lang="la" part="N">Haec enim superioris
aetatis principes et divorum parentum nostrorum liberalitas <rs>illustribus
titulis</rs> redundantis opulentia saeculi minore aliorum
<rs>possessorum</rs>
<phr xml:id="nov-val_10.3.s3.p1" type="ampl" subtype="g" part="N"><w
lemma="perniciies" part="N">pernicie</w></phr> conferebant: quod quamvis
et tunc <phr xml:id="nov-val_10.3.s3.p2" type="ampl" subtype="g" part="N"><w
lemma="iniustus" part="N">iniustum</w></phr>, tamen inter initia lenius
videbatur; sub <phr xml:id="nov-val_10.3.s3.p3" type="ampl" subtype="g"
part="N"><w lemma="difficultas" part="N">difficultate</w></phr> autem
praesentis temporis non modo rei ipsius natura <phr xml:id="nov-val_10.3.s3.p4"
type="ampl" subtype="g" part="N"><w lemma="iniquus" part="N"
>iniquum</w></phr>, sed et impossibile paucis ac <phr
xml:id="nov-val_10.3.s3.p5" type="ampl" subtype="c" part="N"><rs><w
lemma="tenuis" part="N">tenuioribus</w></rs></phr> constat, qui
multiplicato suae <phr type="ampl" subtype="c" part="N"><w lemma="alienus"
part="N">alienaeque</w></phr>
<rs>functionis</rs>
<phr xml:id="nov-val_10.3.s3.p6" type="ampl" subtype="c" part="N"><w
lemma="onus" part="N">onere</w></phr>
<phr xml:id="nov-val_10.3.s3.p7" type="ampl" subtype="c" part="N"><w
lemma="deprimo" part="N">depressi</w></phr> procumbent penitus, nisi
aliquando idoneorum societate respirent.</s>
<s xml:id="nov-val_10.3.s4" n="la11" xml:lang="la" part="N">an forte <phr
xml:id="nov-val_10.3.s4.p1" type="ampl" subtype="g" part="N"><w
lemma="contumeliosus" part="N">contumeliosum</w></phr> putandum est
inventum contra rationem nomen <rs>munerum</rs>
<phr xml:id="nov-val_10.3.s4.p2" type="ampl" subtype="g" part="N"><w
lemma="sordidus" part="N">sordidorum</w></phr>, quo instauratio
militarium viarum, quo armorum fabricatio, quo murorum refectio, quo apparatus
annonae, quo reliqua opera, per quae ad splendorem <phr
xml:id="nov-val_10.3.s4.p3" type="ampl" subtype="c" part="N"><w
lemma="defensio" part="N">defensionis</w></phr> publicae pervenitur, <phr
xml:id="nov-val_10.3.s4.p4" type="ampl" subtype="g" part="N"><w
lemma="pravus" part="N">prava</w></phr> appellatione censetur?</s>
<s xml:id="nov-val_10.3.s5" n="la12" xml:lang="la" part="N">sine quibus nullus
maximarum rerum procedit eventus?</s>
<s xml:id="nov-val_10.3.s6" n="la13" xml:lang="la" part="N">quorum adminiculo
salutem pariter et decus tuemur <rs>imperii</rs>?</s>
<s xml:id="nov-val_10.3.s7" n="la14" xml:lang="la" part="N">ac, ne singula
prosequamur, sine quibus nihil necessariis operis effici potest?</s>
<s xml:id="nov-val_10.3.s8" n="la15" xml:lang="la" part="N">repetita clementiae
nostrae praeceptione <seg xml:id="nov-val_10.3.c2" part="N"><phr
xml:id="nov-val_10.3.s8.p1" function="cmdw" part="N">sancimus</phr>, ut
<phr type="ampl" subtype="c" part="N"><w lemma="antiquo" part="N"
>antiquatis</w></phr> omnibus privilegiis, quae vel
<rs>dignitatibus</rs> delata fuerant vel <rs>diversae militiae
collegia</rs> meruerunt aut nomine <rs>venerandae religionis</rs>
obtentum est, <rs>omnis ubique census</rs>, qui non personarum est, sed
agrorum, ad universa <rs>munia</rs> a nona dumtaxat indictione, ut supra
definivimus, absque ulla discretione <phr xml:id="nov-val_10.3.s8.p2"
type="ampl" subtype="c" part="N"><w lemma="cogo" part="N"
>cogatur</w></phr>.</seg></s>
<s xml:id="nov-val_10.3.s9" n="la0" xml:lang="la" part="N">In qua parte quo

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quisque <rs>honoratior aut opulentior</rs> est, eo alacriorem <rs>publicis necessitatibus</rs> animum debet, quarum sibi procuracionem magis intellegit profuturam, Maxime parens karissime atque amantissime.</s>

<milestone unit="english" /> 3. <s corresp="#nov-val_10.3.s1" n="en8" xml:lang="en" part="N">We now include in this edictal law a provision not unlike the former ones, or rather a remedy whose usefulness extends almost more widely, and without any distinction of honors, persons, or privileges, <seg corresp="#nov-val_10.3.c1" part="N">We issue the general sanction that the repair of the roads and other <rs>compulsory public services</rs> of this kind ...</seg></s>

<s corresp="#nov-val_10.3.s2" n="en9" xml:lang="en" part="N">by the emulous zeal of all men, whereby such services may be fulfilled both more easily and more durably.</s>

<s corresp="#nov-val_10.3.s3" n="en10" xml:lang="en" part="N">For the Emperors of a former age and the generosity of Our sainted Fathers bestowed such privileges on the <rs>Illustrious titles</rs> in the opulence of an abundant era, with less <phr type="ampl" subtype="g" part="N">disaster</phr> to the other <rs>landholders</rs><supplied resp="#pharr" instant="false">.</supplied> Although even then this practice appeared <phr type="ampl" subtype="g" part="N">unjust</phr>, still in the beginning it seemed more mild<supplied resp="#pharr" instant="false">.</supplied> However, in the <phr type="ampl" subtype="g" ana="#meta" part="N">difficulty</phr> of the present time this practice is obviously not only <phr type="ampl" subtype="g" part="N">inequitable</phr> because of the very nature of the circumstances, but it is also impossible for a few and very <phr subtype="c" type="ampl" part="N"><rs>poor</rs></phr> persons, who are <phr subtype="c" type="ampl" part="N">oppressed</phr> with the multiple <phr subtype="c" type="ampl" part="N">burden</phr> of their own <rs>compulsory public services</rs> and those of <phr subtype="c" type="ampl" part="N">others</phr> and who will be entirely prostrated unless they are revived at some time by the association of suitable persons.</s>

<s corresp="#nov-val_10.3.s4" n="en11" xml:lang="en" part="N">Must it perhaps be considered <phr type="ampl" subtype="g" part="N">contumelious</phr> that, contrary to reason, the name of <phr type="ampl" subtype="g" part="N">"sordid"</phr> <rs>compulsory public services</rs> has been invented, whereby there are designated by a <phr type="ampl" subtype="g" part="N">vicious</phr> appellation the building and repair of military roads, the manufacture of arms, the restoration of walls, the provision of the annona, and the rest of the public works through which we achieve the splendor of public <phr subtype="c" type="ampl" part="N">defense</phr>.</s>

<s corresp="#nov-val_10.3.s5" n="en12" xml:lang="en" part="N">without which no success for the greatest affairs results,</s>

<s corresp="#nov-val_10.3.s6" n="en13" xml:lang="en" part="N">by whose aid We guard alike the safety and the glory of the <rs>Empire</rs>,</s>

<s corresp="#nov-val_10.3.s7" n="en14" xml:lang="en" part="N">and not to proceed with details, without which services no necessary work can be accomplished?</s>

<s corresp="#nov-val_10.3.s8" n="en15" xml:lang="en" part="N">By a repetition of the regulation of Our Clemency, <seg corresp="#nov-val_10.3.c2" part="N">We <phr function="cmdw" part="N">sanction</phr> that all the privileges shall be <phr subtype="c" type="ampl" part="N">abolished</phr> which were either bestowed upon <rs>dignitaries</rs> or were obtained by the <rs>guilds of various branches of the imperial service</rs> or which were acquired in the name of <rs>venerable religion</rs><supplied resp="#pharr" instant="false">.</supplied> <rs>All taxable property everywhere that has been assessed for taxes</rs> which belong not to persons but to land shall be <phr subtype="c" type="ampl" part="N">compelled</phr> without any distinction to the performance of all <rs>compulsory public services</rs>, from the ninth year of the indiction only, as We have defined above.</seg></s>

<s corresp="#nov-val_10.3.s9" n="en0" xml:lang="en" part="N">In whatever degree any person is of <rs>more honored rank or richer</rs>, so much the more does he owe a more eager spirit toward his <rs>compulsory public services</rs> whose performance he knows will be the more profitable to him, O Maximus, dearest and most beloved Father.</s>

</ab>

<ab xml:id="nov-val_10.4" type="caput" part="N">

<milestone unit="latin" /> 4. <s xml:id="nov-val_10.4.s1" n="1a1" xml:lang="la" part="N">Illustris igitur et praeclsa magnitudo tua hanc legem consuetae sibi provisionis vigore in omnium <rs>provinciarum</rs> populorumque notitiam <phr type="ampl" subtype="c" part="N"><w lemma="perfero" part="N">perferet</w></phr> et celeriter universos diu expectati remedii salubritate iubebit potiri, ut sero saltem <phr xml:id="nov-val_10.4.s1.p1" type="ampl" subtype="g" part="N"><w lemma="difficultas" part="N">difficultati</w></phr> rerum devotio <rs>locupletum</rs> pariter ac <rs>pauperum</rs> iustis aequata partibus libentius obsecundet.</s>

<milestone unit="english" /> 4. <s corresp="#nov-val_10.4.s1" n="en1" xml:lang="en" part="N">Therefore Your Illustrious and Excellent Magnitude with the vigor of your customary provisions shall <phr subtype="c" type="ampl" part="N">bring</phr> this law to the knowledge of all the <rs>provinces</rs> and peoples, and you shall order that all shall speedily obtain the salutary benefit of this long awaited remedy, so that, even though late, the loyal devotion of the <rs>rich</rs> and the <rs>poor</rs> alike may the more willingly assist the <phr type="ampl" subtype="g" ana="#meta" part="N">crisis</phr> of the times, since the tax payment has been equalized in just proportions.</s>

</ab>

<ab xml:id="nov-val_10.subs" type="subs" part="N">

<milestone unit="latin" />


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<s xml:id="nov-val_10.subs.s1" n="la2" xml:lang="la" part="N">Dat. X kal. Mart.
  <placeName corresp="#ravenna" instant="false" full="yes"
    >Ravennae</placeName>. <date when="0441-02-20" instant="false">(441 Feb.
    20)</date>.</s>
<s xml:id="nov-val_10.subs.s2" n="la3" xml:lang="la" part="N">acc. prid. id. Mart.
  Ubi supra post consulatum Valentiniani A. V et Anatolii vc.</s>
<milestone unit="english" />
<s corresp="#nov-val_10.subs.s1" n="en2" xml:lang="en" part="N">Given on the tenth
  day before the kalends of March at <placeName instant="false" full="yes"
    >Ravenna</placeName>: <date instant="false">February 20</date>.</s>
<s corresp="#nov-val_10.subs.s2" n="en3" xml:lang="en" part="N">Received on the
  day before the ides of March at the aforesaid place in the year after the fifth
  consulship of Valentinian Augustus and the consulship of the Most Noble
  Anatolius. - March 14, 441.</s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_11" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_11.titl">
    <s xml:id="nov-val_11.titl.s1" xml:lang="la" part="N">11. DE HONORATIS ET QUIS IN
      GRADU PRAEFERATUR</s>
    <s corresp="#nov-val_11.titl.s1" xml:lang="en" part="N">TITLE 11: DIGNITARIES; WHAT
      PERSONS SHALL BE PREFERRED IN RANK</s>
  </head>
  <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_11.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_11.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
        corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
        <persName corresp="#valentinian3" instant="false" full="yes"
          >Valentin.</persName> AA. Storacio pu.</s>
      <milestone unit="english" />
      <s corresp="#nov-val_11.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
        <persName corresp="#theodosius2" instant="false" full="yes"
          >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
          full="yes">Valentinian</persName> Augustuses to Storacius, Prefect of the
        City.</s>
    </ab>
    <ab xml:id="nov-val_11.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_11.0.s1" n="la2" xml:lang="la"
        part="N">Studiosae niti atque agere clementiam nostram decet, ut quidquid ad
        cumulandum <rs>consularium titulorum</rs> nomen proficit sanciamus, quos pro
        sui magnitudine ac reverentia vetustatis etiam nobis libenter adsciscimus.</s>
      <milestone unit="english" /> 0. <s corresp="#nov-val_11.0.s1" n="en2"
        xml:lang="en" part="N">It behooves Our Clemency to strive eagerly and to act,
        in order that We may sanction whatever is conducive to magnifying the name of
        <rs>consular titles</rs>, since We gladly join such titles to Ourselves
        also, in accordance with their own peculiar greatness and Our reverence for
        antiquity.</s>
    </ab>
    <ab xml:id="nov-val_11.1" type="caput" part="N">
      <milestone unit="latin" /> 1. <s xml:id="nov-val_11.1.s1" n="la3" xml:lang="la"
        part="N">Et quoniam certum est lege divi parentis nostri Gratiani cautum, quae
        <rs>amplissimis dignitatibus</rs> definitum venerabilis constitutio ordinem
        dedit, ut <rs>patriciatus</rs> honor et <rs>infulae consulares</rs>, si
        copulata sibi unius personae meritis iungantur, eum, cui utrumque contigerit,
        potioem faciat illo, qui ex his alterius honoris tantum fulgorem consecutus
        videtur, <seg xml:id="nov-val_11.1.c1" part="N">plenum rationis et aequitatis
        <phr xml:id="nov-val_11.1.s1.p1" function="cmdw" part="N"
          >putavimus</phr>, ut quisque bis <rs>consulatus</rs> adipisci meruisset
        insignia praeferatur his, qui semel functi sunt hoc
        <rs>honore</rs>.</seg></s>
      <s xml:id="nov-val_11.1.s2" n="la4" xml:lang="la" part="N">Quod si alterius
        adiectio <rs>dignitatis</rs> hanc solam superat, quanto magis duplicatae tanti
        suggestus <rs>infulae</rs> et <rs>curulium</rs> ornamenta geminarum obtentis
        semel anteferenda sunt fascibus, Storaci parens karissime atque
        amantissime?</s>
      <milestone unit="english" /> 1. <s corresp="#nov-val_11.1.s1" n="en3"
        xml:lang="en" part="N">It is certain that provision was made by a law of Our
        sainted Father, Gratian, which venerable constitution gave to the <rs>Most
        August dignitaries</rs> a definite order, so that the honor of the
        <rs>patriciate</rs> and the <rs>consular insignia</rs>, if they should be
        united and joined to each other by the merits of one person, should make that
        person to whom both honors fell preferable to the one who appears to have
        obtained only the splendor of one of the two honors<supplied resp="#pharr"
          instant="false">.</supplied>
      <seg corresp="#nov-val_11.1.c1" part="N">Therefore We have <phr function="cmdw"
        part="N">considered</phr> that it is the full measure of reason and
        equity that if any person should deserve to obtain the insignia of the
        <rs>consulship</rs> twice, he shall be preferred to those who have
        performed the duty of this <rs>honor</rs> only once.</seg></s>
      <s corresp="#nov-val_11.1.s2" n="en4" xml:lang="en" part="N">But if the addition
        of a second <rs>dignity</rs> should surmount this single one, how much more
        must the twofold <rs>insignia</rs> of so great an elevation and the adornments
        of double <rs>curule</rs> honors be preferred to fasces that have been held
        only once, O Storacius, dearest and most beloved Father!</s>
    </ab>
    <ab xml:id="nov-val_11.2" type="caput" part="N">
      <milestone unit="latin" /> 2. <s xml:id="nov-val_11.2.s1" n="la5" xml:lang="la"

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part="N"><seg xml:id="nov-val_11.2.c1" part="N">Illustris igitur et praecelsa
magnitudo tua hac nos generali lege <phr xml:id="nov-val_11.2.s1.p1"
function="cmdw" part="N">sanxisse</phr> cognoscat, quam propositis
edictis vulgare debeat, ut quisque <rs>consulare</rs> fastigium secundo
conscendere meruerit illis etiam praeferatur, qui uno anno fastis nomen
dederunt, quamvis anteriore tempore <rs>consulatum</rs> cum
<rs>patriciatu</rs> pariter sunt adepti.</seg></s>
<s xml:id="nov-val_11.2.s2" n="la6" xml:lang="la" part="N">ea enim
<rs>dignitas</rs>, quae nomini quoque <rs>Augusto</rs> quoddam decus videtur
acquirere, secundo delata privatis personis absque superioris praescriptione
temporis iure universis <rs>honoribus</rs> antecellet.</s>
<milestone unit="english" /> 2. <s corresp="#nov-val_11.2.s1" n="en5"
xml:lang="en" part="N"><seg corresp="#nov-val_11.2.c1" part="N">Therefore Your
Illustrious and Excellent Magnificence shall recognize that We have <phr
function="cmdw" part="N">sanctioned</phr> by this general law, which you
must publish by posting edicts, that if any person should deserve to ascend
to the heights of the <rs>consulship</rs> a second time, he shall be
preferred to those who have given their name to the calendar for only one
year, even though at a prior time they had obtained the <rs>consulship</rs>
as well as the <rs>patriciate</rs>.</seg></s>
<s corresp="#nov-val_11.2.s2" n="en6" xml:lang="en" part="N">For if that
<rs>dignity</rs>, which appears to add a certain honor to the name of the
<rs>Augustus</rs> also, should be conferred a second time upon private
persons, it shall rightfully excel all other <rs>honors</rs>, without any
prerogative of priority in time.</s>
</ab>
<ab xml:id="nov-val_11.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_11.subs.s1" n="la7" xml:lang="la" part="N">Dat. III id. Mart.
<placeName corresp="#rome" instant="false" full="yes">Romae</placeName>.
<date when="0443-03-13" instant="false">(443 Mart. 13)</date>.</s>
<s xml:id="nov-val_11.subs.s2" n="la8" xml:lang="la" part="N">P. in foro Traiani
Maximo II et Paterio VV. CC. cons. </s>
<milestone unit="english" />
<s corresp="#nov-val_11.subs.s1" n="en7" xml:lang="en" part="N">Given on the third
day before the ides of March at <placeName instant="false" full="yes">
>Rome</placeName>: <date instant="false">March 13</date>.</s>
<s corresp="#nov-val_11.subs.s2" n="en8" xml:lang="en" part="N">Posted in the
Forum of Trajan in the year of the second consulship of the Most Noble Maximus
and Paterius. - 443</s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_12" type="titulus" part="N" org="uniform" sample="complete">
<head xml:id="nov-val_12.titl">
<s xml:id="nov-val_12.titl.s1" xml:lang="la" part="N">12. DE PECUNIA AFRIS CREDITA ET
FIDEIUSSORIBUS EORUM</s>
<s corresp="#nov-val_12.titl.s1" xml:lang="en" part="N">TITLE 12: MONEY ENTRUSTED TO
THE AFRICANS; THEIR GUARANTORS</s>
</head>
<div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
<ab xml:id="nov-val_12.insc" type="insc" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_12.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
<persName corresp="#valentinian3" instant="false" full="yes">
>Valentin.</persName> AA. Albino II pp.</s>
<milestone unit="english" />
<s corresp="#nov-val_12.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
<persName corresp="#theodosius2" instant="false" full="yes">
>Theodosius</persName> and <persName corresp="#valentinian3" instant="false">
full="yes">Valentinian</persName> Augustuses to Albinus, Praetorian Prefect
for the second time.</s>
</ab>
<ab xml:id="nov-val_12.0" type="caput" part="N">
<milestone unit="latin" /> 0. <s xml:id="nov-val_12.0.s1" n="la2" xml:lang="la"
part="N">Si <phr xml:id="nov-val_12.0.s1.p1" type="ampl" subtype="g" part="N">
<w lemma="adfligo" part="N">adflictis</w></phr>
<rs>afrozum</rs> fortunis, qui omnes facultates suas per <phr
xml:id="nov-val_12.0.s1.p2" type="ampl" subtype="g" part="N"><w
lemma="acerbus" part="N">acerbissima</w></phr>
<phr xml:id="nov-val_12.0.s1.p3" type="ampl" subtype="g" part="N"><w
lemma="supplicium" part="N">supplicia</w></phr>
<phr type="ampl" subtype="c" part="N"><w lemma="amitto" part="N">
>amittere</w></phr> sunt <phr xml:id="nov-val_12.0.s1.p4" type="ampl"
subtype="c" part="N"><w lemma="cogo" part="N">coacti</w></phr>, decet <phr
type="ampl" subtype="c" part="N"><w lemma="miseratio" part="N">
>miserationem</w></phr> publicam quocumque potest humanitatis genere vel
singulis vel in commune consulere, quanto dignius est <phr
xml:id="nov-val_12.0.s1.p5" type="ampl" subtype="g" part="N"><w
lemma="infortunium" part="N">infortunia</w></phr> eorum contra <phr
xml:id="nov-val_12.0.s1.p6" type="ampl" subtype="g" part="N"><w
lemma="molestia" part="N">molestias</w></phr>
<phr xml:id="nov-val_12.0.s1.p7" type="ampl" subtype="g" part="N"><w
lemma="improbis" part="N">improbis</w></phr>
<rs>creditorum</rs> clementiae nostrae remediis sublevari?</s>
<s xml:id="nov-val_12.0.s2" n="la3" xml:lang="la" part="N">quos enim constat <phr
xml:id="nov-val_12.0.s2.p1" type="ampl" subtype="g" part="N"><w
lemma="periculum" part="N">pericula</w></phr>

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<phr xml:id="nov-val_12.0.s2.p2" type="ampl" subtype="g" part="N"><w
  lemma="fames" part="N">famis</w></phr> aliter non posse <phr
  xml:id="nov-val_12.0.s2.p3" type="ampl" subtype="g" part="N"><w
    lemma="depello" part="N">depellere</w></phr>, nisi ope <phr type="ampl"
    subtype="c" part="N"><w lemma="alienus" part="N">aliena</w></phr> auxilioque
    recreentur, quam magnae <phr xml:id="nov-val_12.0.s2.p4" type="ampl"
    subtype="g" part="N"><w lemma="acerbitas" part="N">acerbitatis</w></phr>
    putandum est hos ipsos <phr xml:id="nov-val_12.0.s2.p5" type="ampl" subtype="g"
    part="N"><w lemma="inops" part="N">inopes</w></phr> omnium rerum et precario
    victu egentes <phr xml:id="nov-val_12.0.s2.p6" type="ampl" subtype="c" part="N"
    ><w lemma="compello" part="N">compelli</w></phr> ad ... <phr
    xml:id="nov-val_12.0.s2.p7" type="ampl" subtype="g" part="N"><w
      lemma="iniuria" part="N">iniuriam</w></phr></s>
<s xml:id="nov-val_12.0.s3" n="la4" xml:lang="la" part="N">restituere ea, quae
  improvise <phr xml:id="nov-val_12.0.s3.p1" type="ampl" subtype="g" part="N"><w
    lemma="clades" part="N">cladis</w></phr>
  <phr xml:id="nov-val_12.0.s3.p2" type="ampl" subtype="g" part="N"><w
    lemma="impetus" part="N">impetu</w></phr>
  <phr type="ampl" subtype="c" part="N"><w lemma="vis" part="N">vis</w></phr>
  maior abstraxit sibi inter omnium <phr xml:id="nov-val_12.0.s3.p3"
  type="ampl" subtype="c" part="N"><w lemma="spolium" part="N"
  >spolia</w></phr>
  <phr xml:id="nov-val_12.0.s3.p4" type="ampl" subtype="c" part="N"><w
    lemma="vindico" part="N">vindicavit</w></phr>?</s>
<s xml:id="nov-val_12.0.s4" n="la5" xml:lang="la" part="N">et certe solet etiam
  salva re prodesset <rs>debitoribus</rs>, si quid iis <phr
  xml:id="nov-val_12.0.s4.p1" type="ampl" subtype="g" part="N"><w
    lemma="calamitas" part="N">calamitatis</w></phr> acciderit.</s>
<s xml:id="nov-val_12.0.s5" n="la6" xml:lang="la" part="N">Hic vero, ubi omnium
  fortunarum <phr xml:id="nov-val_12.0.s5.p1" type="ampl" subtype="g" part="N"><w
    lemma="diluvium" part="N">diluvium</w></phr>, ubi etiam quod per <phr
  xml:id="nov-val_12.0.s5.p2" type="ampl" subtype="g" part="N"><w
    lemma="ignorantia" part="N">ignorantiam</w></phr> dominorum latere potuit
  <phr xml:id="nov-val_12.0.s5.p3" type="ampl" subtype="g" part="N"><w
    lemma="intolerabilis" part="N">intolerabilis</w></phr> inquisitionum <phr
  xml:id="nov-val_12.0.s5.p4" type="ampl" subtype="g" part="N"><w
    lemma="cruciatus" part="N">cruciatus</w></phr>
  <phr xml:id="nov-val_12.0.s5.p5" type="ampl" subtype="c" part="N"><w
    lemma="extorqueo" part="N">extorsit</w></phr>, quisquam <phr type="ampl"
    subtype="c" part="N"><w lemma="dubito" part="N">dubitare</w></phr> poterit,
  quin <phr xml:id="nov-val_12.0.s5.p6" type="ampl" subtype="g" part="N"><w
    lemma="immanitas" part="N">immanitatem</w></phr> superet <phr
  xml:id="nov-val_12.0.s5.p7" type="ampl" subtype="g" part="N"><rs><w
    lemma="hostilis" part="N">hostilem</w></rs></phr>, si quis, quod
  integris et florentibus dederat, nunc ab <phr xml:id="nov-val_12.0.s5.p8"
  type="ampl" subtype="g" part="N"><w lemma="spolio" part="N"
  >spoliatis</w></phr> egentibus et <phr xml:id="nov-val_12.0.s5.p9"
  type="ampl" subtype="g" part="N"><w lemma="extorris" part="N"
  >extorribus</w></phr>
  <rs>patria</rs> recuperare conetur nec eos <phr type="ampl" subtype="c"
  part="N"><w lemma="vereor" part="N">veretur</w></phr> exigere, quos <phr
  xml:id="nov-val_12.0.s5.p10" type="ampl" subtype="c" part="N"><rs><w
    lemma="erubesco" part="N">erubescendum</w></phr> est non iuvare, Albine
  parens karissime atque amantissime?</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_12.0.s1" n="en2"
  xml:lang="en" part="N">If by every possible kind of humanity it behooves the
  public <phr subtype="c" type="ampl" part="N">sympathy</phr> to make wise
  provision, either in specific cases or in general, for the <phr type="ampl"
  subtype="g" part="N">afflicted</phr> fortunes of the <rs>Africans</rs>, who
  have been <phr subtype="c" type="ampl" part="N">compelled</phr> to <phr
  subtype="c" type="ampl" part="N">lose</phr> all their resources through <phr
  type="ampl" subtype="g" part="N">very bitter</phr>
  <phr type="ampl" subtype="g" part="N">sufferings</phr>, how much more fitting
  it is that their <phr type="ampl" subtype="g" part="N">misfortunes</phr> should
  be alleviated by the remedies of Our Clemency against the <phr type="ampl"
  subtype="g" part="N">wicked</phr>
  <phr type="ampl" subtype="g" part="N">molestations</phr> of their
  <rs>creditors</rs> !</s>
<s corresp="#nov-val_12.0.s2" n="en3" xml:lang="en" part="N">For since it appears
  that they cannot <phr type="ampl" subtype="g" part="N">repel</phr> the <phr
  type="ampl" subtype="g" part="N">dangers</phr> of <phr type="ampl"
  subtype="g" part="N">hunger</phr> otherwise than if they are restored by
  <phr subtype="c" type="ampl" part="N">foreign</phr> resources and aid, how
  great a <phr type="ampl" subtype="g" part="N">hardship</phr> must it be
  considered that such persons, who are <phr type="ampl" subtype="g" part="N"
  >destitute</phr> of all things and in need of a precarious sustenance,
  should be <phr subtype="c" type="ampl" part="N">compelled</phr> to their <phr
  type="ampl" subtype="g" part="N">injury</phr> ...</s>
<s corresp="#nov-val_12.0.s3" n="en4" xml:lang="en" part="N">to restore those
  things which an overwhelming <phr subtype="c" type="ampl" part="N">force</phr>
  took away by the unforeseen <phr type="ampl" subtype="g" part="N"
  >violence</phr> of <phr type="ampl" subtype="g" part="N">disaster</phr> and
  <phr subtype="c" type="ampl" part="N">vindicated</phr> to itself among the
  <phr subtype="c" type="ampl" part="N">spoils</phr> of all?</s>
<s corresp="#nov-val_12.0.s4" n="en5" xml:lang="en" part="N">Certainly it is
  customary to assist <rs>debtors</rs> even when their property is safe, if some
  <phr type="ampl" subtype="g" part="N">disaster</phr> should happen to
  them.</s>
<s corresp="#nov-val_12.0.s5" n="en6" xml:lang="en" part="N">But here, where there

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is the <phr type="ampl" subtype="g" part="N">destruction</phr> of all fortunes, where even that which could be concealed through the <phr type="ampl" subtype="g" part="N">ignorance</phr> of the owners was <phr subtype="c" type="ampl" part="N">extorted</phr> by the <phr type="ampl" subtype="g" part="N">intolerable</phr>

<phr type="ampl" subtype="g" part="N">tortures</phr> of the inquisitions, could anyone <phr subtype="c" type="ampl" part="N">doubt</phr> that a man would surpass the <phr type="ampl" subtype="g" part="N">atrocities</phr> of the <phr type="ampl" subtype="g" part="N"><rs>enemy</rs></phr> if he should now attempt to recover from persons who are <phr type="ampl" subtype="g" part="N"><rs>despoiled</rs>, needy, and <phr type="ampl" subtype="g" part="N"><rs>exiled</rs> from their <rs>country</rs>, that money which he had delivered to them when they were in safe and flourishing times and should not <phr subtype="c" type="ampl" part="N">scruple</phr> to exact payment of those persons whom he ought to be <phr subtype="c" type="ampl" part="N">ashamed</phr> not to help, O Albinus, dearest and most beloved Father ?</s>

</ab>

<ab xml:id="nov-val_12.1" type="caput" part="N">

<milestone unit="latin" /> 1. <s xml:id="nov-val_12.1.s1" n="la7" xml:lang="la" part="N">Ob hoc illustris et praeclsa magnitudo tua pragmatici nostri secuta praeceptum sciat <seg xml:id="nov-val_12.1.c1" part="N"><phr xml:id="nov-val_12.1.s1.p1" type="ampl" subtype="g" part="N"><w lemma="miseria" part="N">miseriarum</w></phr> circa <rs>afros</rs> intuitu clementiam nostram statuissse, ut nulli nomine chirographorum <rs>credita pecuniae</rs> sive fideiussorum usque ad recuperationem rerum suarum quolibet <phr xml:id="nov-val_12.1.s1.p2" type="ampl" subtype="c" part="N"><rs><w lemma="pulso" part="N">pulsante</w></rs></phr> teneantur.</seg></s>

<s xml:id="nov-val_12.1.s2" n="la8" xml:lang="la" part="N"><seg xml:id="nov-val_12.1.c2" part="N">Pro quibus neque fideiussores neque mandatores eorum quolibet genere rs<rs />

<phr xml:id="nov-val_12.1.s2.p1" type="ampl" subtype="g" part="N"><w lemma="inquieto" part="N">inquietari</w></phr>

<phr xml:id="nov-val_12.1.s2.p2" function="cmdw" part="N">volumus</phr>, qui plerumque a <rs>creditoribus</rs> nomine <rs>debitorum</rs> <rs>conveniri</rs> pro arbitrii sui interpretatione consuerunt.</seg></s>

<s xml:id="nov-val_12.1.s3" n="la9" xml:lang="la" part="N"><seg xml:id="nov-val_12.1.c3" part="N">Quae forma circa eos <rs>debitores</rs> servabitur, quos cum <rs>patria</rs> omnia sua <phr type="ampl" subtype="c" part="N"><w lemma="amitto" part="N">amisisse</w></phr> constiterit, hoc est exceptis qui alibi <rs>locupletes</rs> atque idonei non debent uti excusatione <phr xml:id="nov-val_12.1.s3.p1" type="ampl" subtype="g" part="N"><w lemma="miser" part="N">miserorum</w></phr>.</seg></s>

<milestone unit="english" /> 1. <s corresp="#nov-val_12.1.s1" n="en7" xml:lang="en" part="N">For this reason Your Illustrious and Excellent Magnitude in compliance with the regulation of Our pragmatic sanction shall know that <seg corresp="nov-val_12.1.c1" part="N">in consideration of Our <phr type="ampl" subtype="g" part="N">pity</phr> toward the <rs>Africans</rs>, Our Clemency has established that none of them shall be held liable for <rs>money that has been lent</rs> them, in the name of written instruments or of sureties, until the recovery of their own property, no matter who should <phr subtype="c" type="ampl" part="N"><rs>sue</rs></phr> them.</seg></s>

<s corresp="#nov-val_12.1.s2" n="en8" xml:lang="en" part="N"><seg corresp="nov-val_12.1.c2" part="N">On their behalf, it is <phr function="cmdw" part="N">Our will</phr> that if any persons are <rs>held obligated</rs> as sureties or as mandators for them, of whatsoever kind they may be, they shall not be <phr type="ampl" subtype="g" part="N"><rs>disturbed</rs>, although they are customarily <rs>sued</rs> by <rs>creditors</rs> in the name of the <rs>debtors</rs>, in accordance with the interpretation of their own decision.</seg></s>

<s corresp="#nov-val_12.1.s3" n="en9" xml:lang="en" part="N"><seg corresp="nov-val_12.1.c3" part="N">This general rule shall be observed in regard to those <rs>debtors</rs> who appear to have <phr subtype="c" type="ampl" part="N">lost</phr> all their, property, together with their <rs>country</rs>, that is, with the exception of those who are <rs>rich</rs> elsewhere and are financially responsible and who must not make use of the excuse of the <phr type="ampl" subtype="g" part="N"><rs>wretched</rs>.</seg></s>

</ab>

<ab xml:id="nov-val_12.2" type="caput" part="N">

<milestone unit="latin" /> 2. <s xml:id="nov-val_12.2.s1" n="la10" xml:lang="la" part="N"><seg xml:id="nov-val_12.2.c1" part="N">De his quoque, quae intra <rs>provinciam</rs> gesta sunt, in qua liberum modo non est sub quolibet <rs>causarum vel litium</rs> titulo solitum ius a quoquam <rs>conventionis</rs> exigere, <phr xml:id="nov-val_12.2.s1.p1" type="ampl" subtype="c" part="N"><w lemma="amitto" part="N">amissis</w></phr> aut <phr type="ampl" subtype="c" part="N"><w lemma="relinquo" part="N">relictis</w></phr> ibidem necessariis instructionibus nemo <phr xml:id="nov-val_12.2.s1.p2" type="ampl" subtype="c" part="N"><w lemma="pulso" part="N">pulsabitur</w></phr>, nisi forte alia evidenter adprobatione doceatur.</seg></s>

<s xml:id="nov-val_12.2.s2" n="la11" xml:lang="la" part="N"><seg xml:id="nov-val_12.2.c2" part="N">Quod observari <phr xml:id="nov-val_12.2.s2.p1" function="cmdw" part="N">volumus</phr>, sicut dictum est, usque ad illud tempus, quo qualibet ratione atque eventu <rs>patriae</rs> vel propriorum recuperatio optata contigerit.</seg></s>

<milestone unit="english" /> 2. <s corresp="#nov-val_12.2.s1" n="en10" xml:lang="en" part="N"><seg corresp="nov-val_12.2.c1" part="N">In regard to

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those matters also which have been conducted within the <rs>province</rs> in
which for the present it is not permitted to require the customary right of
<rs>suit</rs> from any person under any title whatever of <rs>cases or
litigations</rs>, if the necessary documents have been <phr subtype="c"
type="ampl" part="N">lost</phr> or <phr subtype="c" type="ampl" part="N"
>left</phr> there, no person shall be <phr subtype="c" type="ampl"
part="N">sued</phr>, unless perchance he is evidently convicted by other
proof.</seg></s>
<s corresp="#nov-val_12.2.s2" n="en11" xml:lang="en" part="N"><seg
corresp="#nov-val_12.2.c2" part="N">It is <phr function="cmdw" part="N">Our
will</phr> that this regulation shall be observed, as has been said,
until that time when, in some manner or event, the desired recovery of their
own <rs>country</rs> and their own property shall occur.</seg></s>
</ab>
<ab xml:id="nov-val_12.3" type="caput" part="N">
<milestone unit="latin" /> 3. <s xml:id="nov-val_12.3.s1" n="la12" xml:lang="la"
part="N"><seg xml:id="nov-val_12.3.c1" part="N">Illud etiam pari iustitiae
ratione servandum est, ne <rs>credita pecuniae cuiuslibet temporis a
personis</rs>, quarum supra <phr xml:id="nov-val_12.3.s1.p1" type="ampl"
subtype="g" part="N"><w lemma="infortunium" part="N">infortunia</w></phr>
expressa sunt, <rs>usurae</rs> penitus postulentur, cum abundare debeat
<rs>creditoribus</rs>, si post rerum integrationem ad sortem potuerint
pervenire.</seg></s>
<milestone unit="english" /> 3. <s corresp="#nov-val_12.3.s1" n="en12"
xml:lang="en" part="N"><seg corresp="#nov-val_12.3.c1" part="N">For the same
reason of justice, it must also be observed that absolutely no
<rs>interest</rs>
<rs>for any period of time shall be demanded for money that has been lent to
those persons</rs> whose <phr type="ampl" subtype="g" part="N"
>misfortunes</phr> have been stated above, since it ought to be more than
enough for the <rs>creditors</rs> if, after the restoration of the
situation, they can attain the principal of the debt.</seg></s>
</ab>
<ab xml:id="nov-val_12.4" type="caput" part="N">
<milestone unit="latin" /> 4. <s xml:id="nov-val_12.4.s1" n="la13" xml:lang="la"
part="N"><seg xml:id="nov-val_12.4.c1" part="N">Quae ut inviolata serventur,
<phr xml:id="nov-val_12.4.s1.p1" type="ampl" subtype="g" part="N"><w
lemma="multa" part="N">multa</w></phr> decem librarum auri <phr
xml:id="nov-val_12.4.s1.p2" type="ampl" subtype="c" part="N"><w
lemma="dispendium" part="N">dispendio</w></phr>
<phr type="ampl" subtype="c" part="N"><w lemma="ferio" part="N"
>ferietur</w></phr> quisquis contra statuta numinis nostri, quae circa
<rs>afros</rs> moti <phr xml:id="nov-val_12.4.s1.p3" type="ampl"
subtype="c" part="N"><w lemma="aerumna" part="N">aerumnis</w></phr>
protulimus, venire <phr xml:id="nov-val_12.4.s1.p4" type="ampl" subtype="c"
part="N"><w lemma="tempto" part="N">temptaverit</w></phr>.</seg></s>
<s xml:id="nov-val_12.4.s2" n="la14" xml:lang="la" part="N">Quam rem et his ipsis
rationabilem videri posse credimus, qui aequitatis tramitem <phr
xml:id="nov-val_12.4.s2.p1" type="ampl" subtype="g" part="N"><w
lemma="stimulus" part="N">stimulis</w></phr>
<phr xml:id="nov-val_12.4.s2.p2" type="ampl" subtype="c" part="N"><w
lemma="cupiditas" part="N">cupiditatis</w></phr> animum <phr type="ampl"
subtype="c" part="N"><w lemma="depravo" part="N">depravantibus</w></phr> vel
<phr xml:id="nov-val_12.4.s2.p3" type="ampl" subtype="g" part="N"><w
lemma="nolo" part="N">nolunt</w></phr> tenere vel <phr
xml:id="nov-val_12.4.s2.p4" type="ampl" subtype="g" part="N"><w
lemma="nescio" part="N">nesciunt</w></phr>.</s>
<milestone unit="english" /> 4. <s corresp="#nov-val_12.4.s1" n="en13"
xml:lang="en" part="N"><seg corresp="#nov-val_12.4.c1" part="N">In order that
these regulations may be preserved inviolate, if any person should <phr
subtype="c" type="ampl" part="N">attempt</phr> to contravene the statutes
of Our Divinity which We have issued because We were moved to <phr
subtype="c" type="ampl" part="N">pity</phr> toward the <rs>Africans</rs>
on account of their <phr subtype="c" type="ampl" part="N"
>tribulations</phr>, he shall be <phr subtype="c" type="ampl" part="N"
>smitten</phr> by a <phr type="ampl" subtype="g" part="N">fine</phr> of
ten pounds of gold.</seg></s>
<s corresp="#nov-val_12.4.s2" n="en14" xml:lang="en" part="N">We believe that this
matter can appear reasonable also to those persons whose minds are <phr
subtype="c" type="ampl" part="N">depraved</phr> by the <phr type="ampl"
subtype="g" ana="#meta" part="N">goads</phr> of <phr subtype="c" type="ampl"
part="N">cupidity</phr> and who either do <phr type="ampl" subtype="g"
ana="#meta" part="N">not wish</phr> or do <phr type="ampl" subtype="g"
ana="#meta" part="N">not know</phr> how to keep the path of equity.</s>
</ab>
<ab xml:id="nov-val_12.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_12.subs.s1" n="la15" xml:lang="la" part="N">Dat. XIII kal.
Nov. <placeName corresp="#ravenna" instant="false" full="yes"
>Ravennae</placeName> Maximo II et Paterio VV. CC. cons. <date
when="0443-10-19" instant="false">(443 Oct. 19)</date>.</s>
<milestone unit="english" />
<s corresp="#nov-val_12.subs.s1" n="en15" xml:lang="en" part="N">Given on the
fourteenth day before the kalends of November at <placeName instant="false"
full="yes">Ravenna</placeName> in the year of the second consulship of the
Most Noble Maximus and the consulship of the Most Noble Paterius. - <date
instant="false">October 19, 443</date>.</s>
</ab>
</div2>

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</div1>
<div1 xml:id="nov-val_13" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_13.titl">
    <s xml:id="nov-val_13.titl.s1" xml:lang="la" part="N">13. DE TRIBUTIS FISCALIBUS ET
      DE SACRO AUDITORIO ET DE DIVERSIS NEGOTIIS</s>
    <s corresp="#nov-val_13.titl.s1" xml:lang="en" part="N">TITLE 13: FISCAL TRIBUTE; THE
      SACRED IMPERIAL AUDIENCE HALL; VARIOUS MATTERS</s>
  </head>
  <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_13.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_13.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
        corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
        <persName corresp="#valentinian3" instant="false" full="yes">
          >Valentin.</persName> AA. Albino II pp.</s>
      <milestone unit="english" />
      <s corresp="nov-val_13.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
        <persName corresp="#theodosius2" instant="false" full="yes">
          >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
            full="yes">Valentinian</persName> Augustuses to Albinus, Praetorian Prefect
            for the second time.</s>
    </ab>
    <ab xml:id="nov-val_13.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_13.0.s1" n="la2" xml:lang="la"
        part="N"><rs ana="#E_regions"><w lemma="Numida" part="N">Numidarum</w></rs> et
        <rs ana="#E_regions"><w lemma="Maurus" part="N">Maurorum</w></rs>
        <rs ana="#E_cities"><w lemma="Sitifis" part="N">Sitifensium</w></rs> nuper acta
        legatio, quam <rs ana="#E_nobles"><w lemma="Palladius" part="N">
          >Palladius</w></rs> vir spectabilis <rs ana="#P_high-officials"><w
            lemma="comes" part="N">comes</w></rs> et ...</s>
      <s xml:id="nov-val_13.0.s2" n="la3" xml:lang="la" part="N"><rs
        ana="#P_bureaucracy"><w lemma="tribunus" part="N">tribunus</w></rs> vir
        clarissimus et <rs ana="#P_high-officials"><w lemma="Maximinus" part="N">
          >Maximinus</w></rs> vir laudabilis <rs ana="#P_high-officials"><w
            lemma="sacerdotalis" part="N">sacerdotalis</w></rs> probabiliter executi
            sunt, huius legis praeceptum de nostra <rs ana="#I_emperor"><w
              lemma="perennitas" part="N">perennitate</w></rs> promeruit.</s>
      <s xml:id="nov-val_13.0.s3" n="la4" xml:lang="la" part="N">Proinde quia aequum est
        <phr xml:id="nov-val_13.0.s3.p1" type="ampl" subtype="g"
          injured="provincialis" crt-inj="high" part="N"><w lemma="aeger" part="N">
            >aegris</w></phr>
        <rs ana="#E_citizens"><w lemma="provincialis" part="N">provincialibus</w></rs>
          et <rs ana="#E_citizens"><w lemma="publicus" part="N">publica</w></rs>
        <phr xml:id="nov-val_13.0.s3.p2" type="ampl" subtype="g" injured="provincialis"
          crt-inj="high" part="N"><rs ana="#M_barbarians"><w lemma="clades" part="N">
            >clade</w></rs></phr>
        <phr xml:id="nov-val_13.0.s3.p3" type="ampl" subtype="c" injured="provincialis"
          crt-inj="high" part="N"><w lemma="vexo" part="N">vexatis</w></phr>
        <rs ana="#I_emperor"><w lemma="humanitas" part="N">humanitatis</w></rs> nostrae
          beneficiis subvenire, <seg xml:id="nov-val_13.0.c1" part="N">hunc <rs
            ana="#E_taxes"><w lemma="tributum" part="N">tributi</w></rs> modum ab his
            <rs ana="#P_high-officials"><w lemma="magnitudo" part="N">
              >magnitudo</w></rs> tua sperandum esse cognoscat, ut <phr type="ampl"
                subtype="c" part="N"><w lemma="retraho" part="N">retractis</w></phr>
              septem partibus octavam tam privatae quam enfyteuticae <rs ana="#E_land"><w
                lemma="gleba" part="N">glebae</w></rs>
            <rs ana="#E_landholders"><w lemma="possessor" part="N">possessor</w></rs>
              agnoscat, pro qua octava omnibus <rs ana="#E_taxes"><w lemma="titulus"
                part="N">titulis</w></rs> ad unum redactis, quos <rs
                ana="#E_landholders"><w lemma="possessor" part="N">possessor</w></rs> vel
                quivis quolibet nomine praestare consueverant, quattuor milia ducentos
                tantum <rs ana="#E_money"><w lemma="solidus" part="N">solidos</w></rs> et
                mille ducentas <rs ana="#M_soldiers"><w lemma="militaris" part="N">
                  >militares</w></rs>
            <rs ana="#E_allowances"><w lemma="annona" part="N">annonas</w></rs> et
              ducentum <phr type="ampl" subtype="c" part="N"><rs ana="#E_allowances"><w
                lemma="caput" part="N">capitum</w></rs></phr>
            <rs ana="#E_regions"><w lemma="Numida" part="N">numida</w></rs>
            <rs ana="#E_citizens"><w lemma="provincialis" part="N">provincialis</w></rs>
              exsolvat, ita ut <rs ana="#E_land"><w lemma="praedium" part="N">
                >praedia</w></rs>
            <rs ana="#E_emperor"><w lemma="domus-divina" part="N">domus
              divinae</w></rs>, quae a perpetuariis detinentur, simili modo octavam partem
              inferant etiam argentariae <rs ana="#E_taxes"><w lemma="functio" part="N">
                >functionis</w></rs>.</seg></s>
      <milestone unit="english" /> 0. <s corresp="#nov-val_13.0.s1" n="en2"
        xml:lang="en" part="N">The delegation of the <rs>Numidians</rs> and of the
        <rs>Moors</rs> of <rs>Sitifis</rs>, which was recently dispatched by them
        and whose duties were performed in an approved manner by the Respectable
        <rs>Palladius</rs>, <rs>Count</rs>, by the Most Noble ...<supplied
          resp="#pharr" instant="false">,</supplied></s>
      <s corresp="#nov-val_13.0.s2" n="en3" xml:lang="en" part="N"><rs>Tribune</rs>, and
        by the Laudable <rs>Maximinus</rs>, <rs>Civil Priest</rs>, has obtained from
        Our <rs>Eternity</rs> the regulation of this law.</s>
      <s corresp="#nov-val_13.0.s3" n="en4" xml:lang="en" part="N">Hence, because it is
        equitable by the benefits of Our <rs>humanity</rs> to come to the aid of
        <rs>provincials</rs> who are <phr type="ampl" subtype="g" part="N">
          >suffering</phr> and <phr type="ampl" subtype="c" part="N">harassed</phr> by
          a <rs>public</rs>
    </ab>
  </div2>
</div1>

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<phr type="ampl" subtype="g" part="N"><rs>disaster</rs></phr>, <seg
corresp="#nov-val_13.0.c1" part="N">Your <rs>Magnitude</rs> shall recognize
that the following measure of <rs>tribute</rs> shall be expected from them:
seven parts shall be <phr type="ampl" subtype="c" part="N">remitted</phr>
and the <rs>landholder</rs> of both private and emphyteutic <rs>land</rs>
shall assume the eighth part of the tax; for the aforesaid eighth, all the
<rs>tax accounts</rs> which the <rs>landholder</rs> or anyone at all had
been accustomed to pay under any name shall be reduced to one payment; the
<rs>provincials</rs> of <rs>Numidia</rs> shall pay only four thousand two
hundred <rs>solidi</rs>, one thousand two hundred <rs>military</rs>
<rs>subsistence allowances</rs>, and two hundred units of animal <phr
type="ampl" subtype="c" part="N"><rs>rations</rs></phr><supplied
resp="#pharr" instant="false">.</supplied> Thus the <rs>landed
estates</rs> of the <rs>divine imperial household</rs> which are held
under perpetual lease in the same manner shall pay an eighth part of the
silver <rs>tax</rs> also.</seg></s>
</ab>
<ab xml:id="nov-val_13.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_13.1.s1" n="la5" xml:lang="la"
part="N"><seg xml:id="nov-val_13.1.c1" part="N">De <rs ana="#E_taxes"><w
lemma="teloneum" part="N">teloneo</w></rs> vero <phr
xml:id="nov-val_13.1.s1.p1" function="cmdw" part="N">statuimus</phr>, ut
ex quinque centesimis duae <rs ana="#E_cities"><w lemma="Rusicade" part="N"
>Rusicadiensi</w></rs> et <rs ana="#E_cities"><w lemma="Chullitana"
part="N">Chullitanae</w></rs>
<rs ana="#E_cities"><w lemma="civitas" part="N">civitatus</w></rs>, tres
<rs ana="#P_treasury"><w lemma="sacra-largitio" part="N">sacris
largitionibus</w></rs> inferantur; de <rs ana="#E_property-materials"
><w lemma="salina" part="N">salinis</w></rs>
<rs ana="#E_property-materials"><w lemma="alum" part="N">alumine</w></rs>
caractere <rs ana="#E_land"><w lemma="herba" part="N">herba</w></rs> rubia
<rs ana="#E_land"><w lemma="linum" part="N">lini</w></rs> maceratura et
clavi vetri tantum <rs ana="#E_taxes"><w lemma="titulus" part="N"
>tituli</w></rs> a <rs ana="#P_treasury"><w lemma="sacra-largitio"
part="N">sacris largitionibus</w></rs> pro numero hominum et
possibilitate poscantur, ab hoc actu vel cura <rs ana="#E_local-officials"
><w lemma="curialis" part="N">curialibus</w></rs> penitus <phr
type="ampl" subtype="c" injured="curialis" crt-inj="high" part="N"><w
lemma="removeo" part="N">remotis</w></phr>.</seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_13.1.s1" n="en5"
xml:lang="en" part="N"><seg corresp="#nov-val_13.1.c1" part="N">In regard to
the <rs>impost</rs> We <phr function="cmdw" part="N">establish</phr> that
two of the five percent shall be paid to the <rs>Municipalities</rs> of
<rs>Rusicade</rs> and <rs>Chullita</rs>, and three percent shall be paid
to the <rs>sacred imperial largesses</rs><supplied resp="#pharr"
instant="false">.</supplied> From the <rs>salt works</rs>, the <rs>alum
works</rs>, the sedge-grass <rs>fields</rs>, the madder grass, the
steeping of <rs>flax</rs>, and the clavi vetri, <rs>tax accounts</rs> shall
be demanded by the <rs>sacred imperial largesses</rs> only in proportion to
the number of men and their ability to pay, and <rs>decurions</rs> shall be
entirely <phr type="ampl" subtype="c" part="N">removed</phr> from this
administration and responsibility.</seg></s>
</ab>
<ab xml:id="nov-val_13.2" type="caput" part="N">
<milestone unit="latin" /> 2. <s xml:id="nov-val_13.2.s1" n="la6" xml:lang="la"
part="N"><seg xml:id="nov-val_13.2.c1" part="N">Quinta etiam, quae in
privilegiis <rs ana="#E_emperor"><w lemma="domus" part="N">domus</w></rs>
<rs ana="#I_emperor"><w lemma="pietas" part="N">pietatis</w></rs> nostrae
vel <rs ana="#E_emperor"><w lemma="necessitudo" part="N"
>necessitudinum</w></rs> nostrarum recedit, superfundatur cunctis <rs
ana="#E_landholders"><w lemma="possessor" part="N"
>possessoribus</w></rs>,</seg> ut promissa summa, quae ad <rs
ana="#P_treasury"><w lemma="arca" part="N">arcam</w></rs> defundenda est,
impleatur.</s>
<s xml:id="nov-val_13.2.s2" n="la7" xml:lang="la" part="N"><seg
xml:id="nov-val_13.2.c2" part="N">Quae omnis <rs ana="#E_taxes"><w
lemma="exactio" part="N">exactio</w></rs> per <rs ana="#E_citizens"><w
lemma="provincialis" part="N">provinciale</w></rs> procuretur <rs
ana="#P_bureaucracy"><w lemma="officium" part="N">officium</w></rs>, a
<rs ana="#E_local-officials"><w lemma="curialis" part="N"
>curialibus</w></rs>
<phr type="ampl" subtype="c" injured="curialis" crt-inj="high" part="N"><w
lemma="submoveo" part="N">submota</w></phr>
<phr xml:id="nov-val_13.2.s2.p1" type="ampl" subtype="g" inj-src="taxes"
injured="curialis" crt-inj="high" part="N"><w lemma="molestia" part="N"
>molestia</w></phr>.</seg></s>
<milestone unit="english" /> 2. <s corresp="#nov-val_13.2.s1" n="en6"
xml:lang="en" part="N"><seg corresp="#nov-val_13.2.c1" part="N">The fifth part
also which falls to the privileges of the <rs>household</rs> of Our
<rs>Piety</rs> and of Our near <rs>kinsmen</rs> shall be heaped upon all
<rs>landholders</rs>,</seg> so that the promised sum which must be paid
into the <rs>chest</rs> may be fulfilled.</s>
<s corresp="#nov-val_13.2.s2" n="en7" xml:lang="en" part="N"><seg
corresp="#nov-val_13.2.c2" part="N">All this <rs>tax collection</rs> shall
be administered through the <rs>provincial</rs>
<rs>office staff</rs>, and the <phr type="ampl" subtype="g" part="N"
>burden</phr> shall be <phr type="ampl" subtype="c" part="N"
>removed</phr> from the <rs>decurions</rs>.</seg></s>
</ab>

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<ab xml:id="nov-val_13.3" type="caput" part="N">
  <milestone unit="latin" /> 3. <s xml:id="nov-val_13.3.s1" n="la8" xml:lang="la"
    part="N"><seg xml:id="nov-val_13.3.c1" ana="#ncp" part="N">Has autem <rs
      ana="#M_soldiers"><w lemma="militaris" part="N">militares</w></rs>
      <rs ana="#E_allowances"><w lemma="annona" part="N">annonas</w></rs> cum <rs
        ana="#E_citizens"><w lemma="provincialis" part="N">provinciales</w></rs>
      pro longinqui <phr xml:id="nov-val_13.3.s1.p1" type="ampl" subtype="g"
        injured="lndhld" inj-src="taxes" part="N"><w lemma="difficultas" part="N">
          >difficultate</w></phr> itineris in <rs ana="#E_taxes"><w
            lemma="adaeratio" part="N">adaeratione</w></rs> persolverint, unius
            annonae <rs ana="#E_taxes"><w lemma="adaeratio" part="N">adaeratio</w></rs>
            quattuor per annum <rs ana="#E_money"><w lemma="solidus" part="N">
              >solidis</w></rs> aestimetur.</seg></s>
    <milestone unit="english" /> 3. <s corresp="#nov-val_13.3.s1" n="en8"
      xml:lang="en" part="N"><seg corresp="#nov-val_13.3.c1" ana="#ncp" part="N">
        >Moreover, when the <rs>provincials</rs> pay these <rs>military</rs>
        <rs>subsistence allowances</rs> in <rs>commutation money</rs> because of the
        <phr type="ampl" subtype="g" part="N">difficulty</phr> of the journey to
        a distant place, the <rs>commutation money</rs> for one subsistence
        allowance shall be estimated at four <rs>solidi</rs> per year.</seg></s>
  </ab>
<ab xml:id="nov-val_13.4" type="caput" part="N">
  <milestone unit="latin" /> 4. <s xml:id="nov-val_13.4.s1" n="la9" xml:lang="la"
    part="N">Ne vero <phr type="ampl" subtype="c" part="N"><w lemma="necessitas"
      part="N">necessitatis</w></phr> occasione in expeditione <rs
        ana="#M_soldiers"><w lemma="miles" part="N">militi</w></rs> constituto
        carioris cuiquam vendere liceat, <seg xml:id="nov-val_13.4.c1" part="N">pretia
          <rs ana="#M_supplies"><w lemma="necessaria-res" part="N">necessarium
            rerum</w></rs> sub hoc modo, quo <rs ana="#E_allowances"><w
              lemma="annona" part="N">annonam</w></rs> adaeravimus, <phr
                xml:id="nov-val_13.4.s1.p1" function="cmdw" part="N">iubemus</phr>
                inferri: id est <rs ana="#E_allowances"><w lemma="triticum" part="N">
                  >tritici</w></rs> ad singulos <rs ana="#E_money"><w lemma="solidus"
                    part="N">solidos</w></rs> Italicos modios quadraginta et <rs
                      ana="#E_allowances"><w lemma="carnis" part="N">carnis</w></rs> pondo
                      ducenta septuaginta, <rs ana="#E_allowances"><w lemma="vinum" part="N">
                        >vini</w></rs> sextarios Italicos ducentos.</seg></s>
    <milestone unit="english" /> 4. <s corresp="#nov-val_13.4.s1" n="en9"
      xml:lang="en" part="N">But in order that on an occasion of <phr type="ampl"
        subtype="c" part="N">necessity</phr> no person may be allowed to sell to a
        <rs>soldier</rs> who is on an expedition at a dearer price than the
        established one, <seg corresp="#nov-val_13.4.c1" part="N">We <phr
          function="cmdw" part="N">order</phr> that the prices of <rs>necessary
          articles</rs> shall be paid according to the rate by which We have
          commuted the <rs>subsistence allowance</rs> into money: that is, forty
          Italian measures of <rs>wheat</rs>, two hundred seventy pounds of
          <rs>meat</rs>, or two hundred Italian sextarii of <rs>wine</rs>, for each
          <rs>solidus</rs>.</seg></s>
  </ab>
<ab xml:id="nov-val_13.5" type="caput" part="N">
  <milestone unit="latin" /> 5. <s xml:id="nov-val_13.5.s1" n="la10" xml:lang="la"
    part="N"><seg xml:id="nov-val_13.5.c1" part="N"><rs ana="#E_regions"><w
      lemma="Maurus" part="N">Mauri</w></rs> vero <rs ana="#E_cities"><w
        lemma="Sitifis" part="N">Sitifenses</w></rs> servatis omnibus
        privilegiis dudum sibi a retro principibus indultis pro omnibus <rs
          ana="#E_taxes"><w lemma="titulus" part="N">titulis</w></rs> totius <rs
            ana="#E_allowances"><w lemma="annona" part="N">annonae</w></rs> nomine
            quinque milia solidorum et quinquaginta <phr type="ampl" subtype="c"
              part="N"><rs ana="#E_allowances"><w lemma="caput" part="N">
                >capitum</w></rs></phr> in annonis <rs ana="#M_military-leaders"><w
                  lemma="dux" part="N">ducis</w></rs> consueto tempore annua <rs
                    ana="#E_taxes"><w lemma="functio" part="N">functione</w></rs> dependant,
                    pro octava portione soluturi quod <rs ana="#E_taxes"><w lemma="tributum"
                      part="N">tributum</w></rs> erit exceptis <rs ana="#E_land"><w
                        lemma="praedium" part="N">praediis</w></rs>
                        <rs ana="#E_emperor"><w lemma="divina-domus" part="N">divinae
                          domus</w></rs>, quae tamen exemplo <rs ana="#E_regions"><w lemma="Numidia"
                            part="N">Numidiae</w></rs> provinciae conlatura sunt
                            pensiones.</seg></s>
    <milestone unit="english" /> 5. <s corresp="#nov-val_13.5.s1" n="en10"
      xml:lang="en" part="N"><seg corresp="#nov-val_13.5.c1" part="N">But the
        <rs>Moors</rs> of <rs>Sitifis</rs> shall keep all the privileges which
        had been formerly granted to them by previous Emperors, and for all <rs>tax
        accounts</rs> in the name of the entire <rs>annona</rs> they shall pay at
        the accustomed time an annual <rs>tax payment</rs> of five thousand solidi
        and of fifty animal <phr type="ampl" subtype="c" part="N">
          ><rs>rations</rs></phr> in the annona of the <rs>duke</rs>; for the
          eighth portion they shall pay whatever the <rs>tribute</rs> shall be, except
          in the case of the <rs>landed estates</rs> of the <rs>divine imperial
          household</rs>, which, however, shall deliver payments after the example
          of the province of Numidia.</seg></s>
  </ab>
<ab xml:id="nov-val_13.6" type="caput" part="N">
  <milestone unit="latin" /> 6. <s xml:id="nov-val_13.6.s1" n="la11" xml:lang="la"
    part="N"><seg xml:id="nov-val_13.6.c1" part="N">Desideriis vero, quae
      probabiliter insinuata sunt auribus nostris, singillatim responsa <phr
        xml:id="nov-val_13.6.s1.p1" function="cmdw" part="N">praestamus</phr>: ne
        cuiquam passim <rs ana="#E_nobles"><w lemma="titulus" part="N">
          >titulos</w></rs> in <rs ana="#E_land"><w lemma="praedium" part="N">

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>praediis</w></rs> propriis vel <phr type="ampl" subtype="c" part="N"
><w lemma="alienus" part="N">alienis</w></phr> vel <rs
ana="#I_emperor"><w lemma="pietas" part="N">pietatis</w></rs> nostrae
nomine vel sacrarum <rs ana="#E_emperor"><w lemma="necessitudo" part="N"
>necessitudinum</w></rs> nostrarum vel cuiuslibet alterius fas sit
<phr xml:id="nov-val_13.6.s1.p2" type="ampl" subtype="c" part="N"><w
lemma="adfigo" part="N">adfigere</w></phr>, ita ut et post
recuperationem <rs ana="#E_citizens"><w lemma="provincia" part="N"
>provinciarum</w></rs>, si qui <phr xml:id="nov-val_13.6.s1.p3"
type="ampl" subtype="c" injured="titulus" crt-inj="high" part="N"><w
lemma="impono" part="N">impositi</w></phr> sunt, ilico a <rs
ana="#E_landholders"><w lemma="possessor" part="N">possessore</w></rs>
<rs ana="#E_land"><w lemma="praedium" part="N">praedii</w></rs>
<phr xml:id="nov-val_13.6.s1.p4" type="ampl" subtype="c" part="N"><w
lemma="depono" part="N">deponantur</w></phr> eosque haec <phr
xml:id="nov-val_13.6.s1.p5" type="ampl" subtype="g" injured="titulus"
crt-inj="high" part="N"><w lemma="poena" part="N">poena</w></phr> maneat,
ut, si quis suo <rs ana="#E_land"><w lemma="fundus" part="N">fundo</w></rs>
adposuerit <rs ana="#E_nobles"><w lemma="titulus" part="N">titulos</w></rs>,
quinque libras <rs ana="#E_money"><w lemma="aurus" part="N">auri</w></rs>
<rs ana="#P_treasury"><w lemma="fiscus" part="N">fisco</w></rs> nostro <phr
xml:id="nov-val_13.6.s1.p6" type="ampl" subtype="c" injured="fundus"
crt-inj="high" part="N"><w lemma="cogo" part="N">cogatur</w></phr>
inferre, si <phr type="ampl" subtype="c" part="N"><w lemma="alienus"
part="N">alieno</w></phr>, <phr xml:id="nov-val_13.6.s1.p7"
type="ampl" subtype="c" injured="fundus" part="N"><w lemma="amitto"
part="N">amissa</w></phr> negotii repetitione quaecumque ei competit,
decem libras <rs ana="#E_money"><w lemma="aurus" part="N">auri</w></rs> qui
fuerit <rs ana="#E_nobles"><w lemma="titulus" part="N">titulos</w></rs>
adposuisse <phr xml:id="nov-val_13.6.s1.p8" type="ampl" subtype="c"
injured="fundus" crt-inj="high" part="N"><w lemma="convinco" part="N"
>convictus</w></phr> exsolvat.</seg></s>
<milestone unit="english" /> 6. <s corresp="#nov-val_13.6.s1" n="en11"
xml:lang="en" part="N"><seg corresp="#nov-val_13.6.c1" part="N">We <phr
function="cmdw" part="N">grant</phr> responses to each of the requests
that have been made known to Our ears in an approvable manner: namely, that
it shall not be permissible for any person generally to <phr type="ampl"
subtype="c" part="N">affix</phr>
<rs>titles</rs> on his own <rs>landed estates</rs> or those of <phr
type="ampl" subtype="c" part="N">another</phr>, either in the name of Our
<rs>Pietty</rs> or of Our sacred imperial <rs>kinsmen</rs> or of any other
person, so that even after the recovery of the <rs>provinces</rs>, if any
such titles should have been <phr type="ampl" subtype="c" part="N"
>imposed</phr>, they shall immediately be <phr type="ampl" subtype="c"
part="N">put aside</phr> by the <rs>possessor</rs> of the <rs>landed
estate</rs>, and the following <phr type="ampl" subtype="g" part="N"
>penalties</phr> shall await the persons who imposed such
<rs>titles</rs>, namely, that if any person should place such titles upon
his own <rs>farm</rs>, he shall be <phr type="ampl" subtype="c" part="N"
>compelled</phr> to pay five pounds of <rs>gold</rs> to Our
<rs>fisc</rs>; if he had placed such titles on the farm of <phr type="ampl"
subtype="c" part="N">another</phr>, he shall <phr type="ampl" subtype="c"
part="N">forfeit</phr> the right of recovery in any case that may be
available to him, and he shall pay ten pounds of <rs>gold</rs> if he should
be <phr type="ampl" subtype="c" part="N">convicted</phr> of having placed
such <rs>titles</rs>.</seg></s>
</ab>
<ab xml:id="nov-val_13.7" type="caput" part="N">
<milestone unit="latin" /> 7. <s xml:id="nov-val_13.7.s1" n="la12" xml:lang="la"
part="N">Interest etiam <rs ana="#I_state"><w lemma="publica-commoditas"
part="N">publicae commoditatis</w></rs>, ne <phr
xml:id="nov-val_13.7.s1.p1" type="ampl" subtype="c" injured="provincia"
crt-inj="high" part="N"><w lemma="vexo" part="N">vexatae</w></phr>
<rs ana="#E_citizens"><w lemma="provincia" part="N">provinciae</w></rs>
<phr type="ampl" subtype="c" injured="provincia" crt-inj="high" part="N"><rs
ana="#P_agents"><w lemma="ambitio" part="N">ambitione</w></rs></phr>
extraordinaria subruantur.</s>
<s xml:id="nov-val_13.7.s2" n="la13" xml:lang="la" part="N"><seg
xml:id="nov-val_13.7.c1" ana="#ncp" part="N">ad has itaque <rs
ana="#E_citizens"><w lemma="provincia" part="N">provincias</w></rs>
praeter <rs ana="#M_military-leaders"><w lemma="dux" part="N">ducem</w></rs>
vel <rs ana="#E_nobles"><w lemma="consularis" part="N">consularem</w></rs>
et <rs ana="#E_nobles"><w lemma="praeses" part="N">praesidem</w></rs>, qui
<rs ana="#I_ancients"><w lemma="vetustas" part="N">vetustatis</w></rs>
privilegio ordinariorum <rs ana="#P_law-experts"><w lemma="iudex" part="N"
>iudicum</w></rs> nomen obtinent, nec <rs ana="#P_agents"><w
lemma="curiosus-litus" part="N">curiosos litorum</w></rs> nec quemquam
sub alicuius actionis occasione illuc dirigi <rs ana="#P_high-officials"><w
lemma="sublimitas" part="N">sublimitas</w></rs> tua adspirare <phr
type="ampl" subtype="c" part="N"><w lemma="patior" part="N"
>patiatur</w></phr>.</seg></s>
<milestone unit="english" /> 7. <s corresp="#nov-val_13.7.s1" n="en12"
xml:lang="en" part="N">It is also to the interest of the <rs>public
welfare</rs> that the <phr type="ampl" subtype="c" part="N">harassed</phr>
<rs>provinces</rs> shall not be ruined by extraordinary corrupt <phr
type="ampl" subtype="c" part="N"><rs>solicitation</rs></phr>.</s>
<s corresp="#nov-val_13.7.s2" n="en13" xml:lang="en" part="N"><seg
corresp="#nov-val_13.7.c1" ana="#ncp" part="N">Therefore, with the exception
of the <rs>duke</rs> or governors with the rank of <rs>consular</rs> or

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<rs>praeses</rs>, who by the privilege of <rs>antiquity</rs> hold the title of <rs>judges</rs> ordinary, Your <rs>Sublimity</rs> shall <phr type="ampl" subtype="c" part="N">permit</phr> no persons to aspire to be dispatched to such <rs>provinces</rs> as <rs>confidential agents of the coasts</rs>, or any other person to be so dispatched under the pretext of any action there.</seg></s>

</ab>

<ab xml:id="nov-val_13.8" type="caput" part="N">

<milestone unit="latin" /> 8. <s xml:id="nov-val_13.8.s1" n="la14" xml:lang="la" part="N">Ne quis vero de hac ipsa raritate <rs ana="#E_unfree"><w lemma="colonus" part="N">colonorum</w></rs>

<rs ana="#I_clergy"><w lemma="clericatus" part="N">clericatus</w></rs> vel <rs ana="#P_bureaucracy"><w lemma="militia" part="N">militiae</w></rs> privilegio se existimet excusandum, <seg xml:id="nov-val_13.8.c1" part="N" subtype="c" part="N"><w lemma="custodio" part="N">custodiri</w></phr>.</seg></s>

<milestone unit="english" /> 8. <s corresp="#nov-val_13.8.s1" n="en14" xml:lang="en" part="N">In order that no person from the small number of <rs>coloni</rs> should suppose that he should be exempted by the privilege of the <rs>clergy</rs> or of the <rs>imperial service</rs>, <seg corresp="nov-val_13.8.c1" part="N">you shall command to be <phr type="ampl" subtype="c" part="N">observed</phr> the regulation of the previous law, which prohibits such exemption.</seg></s>

</ab>

<ab xml:id="nov-val_13.9" type="caput" part="N">

<milestone unit="latin" /> 9. <s xml:id="nov-val_13.9.s1" n="la15" xml:lang="la" part="N"><seg xml:id="nov-val_13.9.c1" ana="#ncp" part="N">Praeterea <rs ana="#E_cities"><w lemma="Constantinia" part="N">Constantiniensis</w></rs>

<rs ana="#E_cities"><w lemma="civitas" part="N">civitatis</w></rs>

<rs ana="#E_lower-class"><w lemma="plebs" part="N">plebi</w></rs> vel <rs ana="#E_local-officials"><w lemma="curialis" part="N">curialibus</w></rs> concessa dudum privilegia debere servari, ita ut <rs ana="#E_allowances-water"><w lemma="aqua" part="N">aquam</w></rs>

<rs ana="#E_cities"><w lemma="civitas" part="N">civitati</w></rs> deputatam ad <rs ana="#E_allowances-water"><w lemma="privatus-usus" part="N">privatos usus</w></rs> non liceat <phr type="ampl" subtype="c" part="N"><w lemma="usurpo" part="N">usurpare</w></phr>; loca quoque <rs ana="#E_allowances-water"><w lemma="publicus" part="N">publica</w></rs>, si sine legitimo praecepto ab aliquo tenentur, pristino iuri oportere restitui.</seg></s>

<s xml:id="nov-val_13.9.s2" n="la0" xml:lang="la" part="N"><seg xml:id="nov-val_13.9.c2" part="N"><rs ana="#P_law-experts"><w lemma="advocatus" part="N">advocatis</w></rs> vero intra <rs ana="#E_regions"><w lemma="Africa" part="N">Africam</w></rs> manentibus non debere imputari ad annorum numerum tempora <phr xml:id="nov-val_13.9.s2.p1" type="ampl" subtype="g" inj-src="barbaricus" injured="advocatus" crt-src="high" crt-inj="high" part="N"><w lemma="incursus" part="N">incursibus</w></phr> interrupta <phr xml:id="nov-val_13.9.s2.p2" type="ampl" subtype="g" inj-src="barbaricus" crt-src="high" part="N"><rs ana="#M_barbarians"><w lemma="barbaricus" part="N">barbaricis</w></rs></phr>; quae tamen cum expleverint, <rs ana="#E_nobles"><w lemma="clarissimus" part="N">clarissimatus</w></rs> honore potiantur.</seg></s>

<milestone unit="english" /> 9. <s corresp="#nov-val_13.9.s1" n="en15" xml:lang="en" part="N"><seg corresp="#nov-val_13.9.c1" ana="#ncp" part="N">Moreover, the privileges that have been previously granted to the <rs>plebeians</rs> of the <rs>municipality</rs> of <rs>Constantinia</rs> and to its <rs>decursions</rs> must be preserved, so that no person shall be permitted to <phr type="ampl" subtype="c" part="N">appropriate</phr> for <rs>private uses</rs> the <rs>water</rs> that was assigned to the <rs>municipality</rs><supplied resp="#pharr" instant="false">.</supplied> <rs>Public</rs> places also must be restored to their original ownership if they are being held by any person without a statutory regulation.</seg></s>

<s corresp="nov-val_13.9.s2" n="en0" xml:lang="en" part="N"><seg corresp="#nov-val_13.9.c2" part="N">For <rs>advocates</rs> who remain within <rs>Africa</rs>, the periods of time that were interrupted by the <phr type="ampl" subtype="g" part="N">incursions</phr> of the <phr type="ampl" subtype="g" part="N"><rs>barbarians</rs></phr> must not be computed in their number of years of service, and when they have completed their years of service, they shall nevertheless attain the honor of the rank of <rs>Most Noble</rs>.</seg></s>

</ab>

<ab xml:id="nov-val_13.10" type="caput" part="N">

<milestone unit="latin" /> 10. <s xml:id="nov-val_13.10.s1" n="la1" xml:lang="la" part="N">Illud etiam permoti iustis adlegationibus <seg xml:id="nov-val_13.10.c1" ana="#ncp" part="N">libenter <phr xml:id="nov-val_13.10.s1.p1" function="cmdw" part="N">adnuimus</phr>, ut, quia <rs ana="#E_cities"><w lemma="publicus" part="N">publico</w></rs>

<phr xml:id="nov-val_13.10.s1.p2" type="ampl" subtype="g" inj-src="barbrn" injured="decurns" part="N"><w lemma="infortunium" part="N">infortunio</w></phr> ad paucos redactus est <rs ana="#E_local-officials"><w lemma="ordo" part="N">ordinum</w></rs> numerus, in <rs ana="#P_public-records"><w lemma="municipalis" part="N">municipalium</w></rs> confectione <rs ana="#P_public-records"><w lemma="gestum" part="N">gestorum</w></rs> sit firmitas, si apud tres <rs ana="#E_local-officials"><w lemma="curialis" part="N">curiales</w></rs>

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    <rs ana="#P_bureaucracy"><w lemma="publicus" part="N">publico</w></rs>
    fuerint exceptore perscripta.</seg></s>
  <milestone unit="english" /> 10. <s corresp="#nov-val_13.10.s1" n="en1"
    xml:lang="en" part="N">We have also been moved by their just allegations, and
    <seg corresp="#nov-val_13.10.c1" ana="#ncp" part="N">We willingly <phr
      function="cmdw" part="N">consent</phr> that, because the number of
      members of the <rs>municipal senates</rs> has been reduced to a few by the
      <rs>public</rs>
      <phr type="ampl" subtype="g" part="N">misfortune</phr>, the execution of the
      <rs>municipal</rs>
      <rs>public records</rs> shall be valid if they should be written by the
      <rs>public clerk</rs> in the presence of three
    <rs>decurions</rs>.</seg></s>
</ab>
<ab xml:id="nov-val_13.11" type="caput" part="N">
  <milestone unit="latin" /> 11. <s xml:id="nov-val_13.11.s1" n="la2" xml:lang="la"
    part="N"><seg xml:id="nov-val_13.11.c1" ana="#ncp" part="N"><rs
      ana="#E_payments-debts"><w lemma="cautio" part="N">Cautiones</w></rs>,
      quae expensarum nomine viro spectabili <rs ana="#E_nobles"><w
        lemma="Octavianus" part="N">Octaviano</w></rs> emissae sunt, cognitiss
      per <rs ana="#P_high-officials"><w lemma="proces" part="N">proceres</w></rs>
      nostros causis earum iusta ratione <phr xml:id="nov-val_13.11.s1.p1"
        function="cmdw" part="N">vacuamus</phr>.</seg></s>
  <milestone unit="english" /> 11. <s corresp="#nov-val_13.11.s1" n="en2"
    xml:lang="en" part="N"><seg corresp="#nov-val_13.11.c1" ana="#ncp" part="N">For
    a just reason We <phr function="cmdw" part="N">nullify</phr> the <rs>written
    acknowledgments of debt</rs> that were issued in the name of expenses for
    the Respectable <rs>Octavianus</rs>, since the causes of these
    acknowledgments have been investigated through Our highest
    <rs>officials</rs>.</seg></s>
</ab>
<ab xml:id="nov-val_13.12" type="caput" part="N">
  <milestone unit="latin" /> 12. <s xml:id="nov-val_13.12.s1" n="la3" xml:lang="la"
    part="N"><seg xml:id="nov-val_13.12.c1" ana="#ncp" part="N">Quicumque etiam
    intra <rs ana="#E_citizens"><w lemma="provincia" part="N">
      >provincias</w></rs>
      <rs ana="#E_regions"><w lemma="Africanus" part="N">Africanas</w></rs> ad ius
      nostrum pertinentes a cuiuslibet <rs>iudicis</rs> sententia <phr
        xml:id="nov-val_13.12.s1.p1" type="ampl" subtype="c" part="N"><w
          lemma="provoco" part="N">provocaverint</w></phr>, quoniam decreti
          antiquitus <rs ana="#P_law-experts"><w lemma="cognitor" part="N">
            >cognitoris</w></rs> cessat officium, illustris <rs
              ana="#P_high-officials"><w lemma="urbana-praefectura" part="N">urbanae
              praefecturae</w></rs> examine ex appellatione se noverint iurgaturos;
              sed quia <rs ana="#E_regions"><w lemma="transmarina-regio" part="N">
                >transmarinae regionis</w></rs> sunt, indutias temporis annum debere
                praestari.</seg></s>
  <milestone unit="english" /> 12. <s corresp="#nov-val_13.12.s1" n="en3"
    xml:lang="en" part="N"><seg corresp="#nov-val_13.12.c1" ana="#ncp" part="N">If
    any persons within the <rs>provinces</rs> of <rs>Africa</rs> that belong to
    Our control should <phr type="ampl" subtype="c" part="N">appeal</phr> from
    the sentence of any <rs>judge</rs>, they shall know that they must litigate
    on the appeal in the court of the Illustrious <rs>prefect of the City</rs>,
    since the office of the <rs>trial judge</rs>, as anciently decreed, ceases
    to have power; but because they are in a <rs>transmarine region</rs>, they
    must be granted a delay in time for a year.</seg></s>
</ab>
<ab xml:id="nov-val_13.13" type="caput" part="N">
  <milestone unit="latin" /> 13. <s xml:id="nov-val_13.13.s1" n="la4" xml:lang="la"
    part="N">Illud etiam iustitiam petitionis secuti <seg xml:id="nov-val_13.13.c1"
      ana="#ncp" part="N">salubriter <phr xml:id="nov-val_13.13.s1.p1"
        function="cmdw" part="N">ordinamus</phr>, ut, quoniam <rs
          ana="#M_soldiers"><w lemma="militaris" part="N">militaris</w></rs> opera
          tunc maxime necessaria est, si in <rs ana="#M_frontiers"><w lemma="limen"
            part="N">limine</w></rs> constituta <phr xml:id="nov-val_13.13.s1.p2"
              type="ampl" subtype="g" inj-src="barbarus" crt-src="high" part="N"><rs
                ana="#M_barbarians"><w lemma="barbarus" part="N">
                  >barbarorum</w></rs></phr> discursibus opportune semper <phr type="ampl"
                    subtype="c" injured="barbarus" crt-inj="high" inj-src="militaris"
                    crt-src="high" part="N"><w lemma="occurro" part="N">occurrat</w></phr>,
                    evagandi ex his locis <phr type="ampl" subtype="c" part="N"><w
                      lemma="licentia" part="N">licentia</w></phr>
                  <phr xml:id="nov-val_13.13.s1.p3" type="ampl" subtype="g"
                    injured="militaris" crt-inj="high" part="N"><w lemma="denego" part="N">
                      >denegatur</w></phr>; ne tamen ii, quibus in mediterraneo <rs
                        ana="#M_family"><w lemma="familia" part="N">familia</w></rs> est atque
                        <rs ana="#E_land"><w lemma="possessio" part="N">possessio</w></rs>, a
                        domiciliis propriis penitus <phr xml:id="nov-val_13.13.s1.p4" type="ampl"
                          subtype="c" injured="militaris" crt-inj="high" part="N"><w
                            lemma="excludo" part="N">excludantur</w></phr>, per annum huiusmodi
                            <rs ana="#M_soldiers"><w lemma="miles" part="N">militibus</w></rs> unius
                            mensis indutias debere concedi.</seg></s>
  <milestone unit="english" /> 13. <s corresp="#nov-val_13.13.s1" n="en4"
    xml:lang="en" part="N">In accordance with the justice of the aforesaid petition
    <seg corresp="#nov-val_13.13.c1" ana="#ncp" part="N">We salutarily <phr
      function="cmdw" part="N">ordain</phr> that, since <rs>military</rs>
      operations are especially necessary at a time when the soldiers are
      established on a <rs>frontier</rs> and always <phr type="ampl" subtype="c"
        part="N">resist</phr> opportunely the incursions of the <phr type="ampl"

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        subtype="g" part="N"><rs>barbarians</rs></phr>, they shall be <phr
        type="ampl" subtype="g" part="N">denied</phr> the <phr type="ampl"
        subtype="c" part="N">right</phr> to wander away from these
        places<supplied resp="#pharr" instant="false">.</supplied> However, those
        soldiers whose <rs>households</rs> and <rs>landholdings</rs> are in the
        inland area shall not be <phr type="ampl" subtype="c" part="N"
        >excluded</phr> entirely from their own domiciles, but throughout the
        course of a year such <rs>soldiers</rs> must be granted a leave of one
        month.</seg></s>
</ab>
<ab xml:id="nov-val_13.14" type="caput" part="N">
  <milestone unit="latin" /> 14. <s xml:id="nov-val_13.14.s1" n="la5" xml:lang="la"
    part="N"><seg xml:id="nov-val_13.14.c1" ana="#ncp" part="N">Erit etiam <phr
      xml:id="nov-val_13.14.s1.p1" type="ampl" subtype="c" injured="dux"
      crt-inj="high" part="N"><w lemma="sollicitudo" part="N"
        >sollicitudinis</w></phr>
      <rs ana="#M_military-leaders"><w lemma="dux" part="N">ducis</w></rs>
      <rs ana="#E_citizens"><w lemma="provincia" part="N">provinciae</w></rs>, ne
      cuiquam ad occasionem <phr xml:id="nov-val_13.14.s1.p2" type="ampl"
        subtype="c" inj-src="armatus" crt-src="high" injured="provincia"
        crt-inj="high" part="N"><w lemma="vexo" part="N">vexandarum</w></phr>
      reliquiarum <rs ana="#M_armed-men"><w lemma="armatus" part="N"
        >armatos</w></rs> habere liceat, nisi forte his, qui sub <phr
        xml:id="nov-val_13.14.s1.p3" type="ampl" subtype="g" injured="armatus"
        crt-inj="high" part="N"><w lemma="periculum" part="N">periculo</w></phr>
        proprio laudabili <phr xml:id="nov-val_13.14.s1.p4" type="ampl" subtype="c"
          inj-src="armatus" crt-src="high" injured="hostis" crt-inj="high" part="N"
          ><w lemma="animositas" part="N">animositate</w></phr> contra <phr
            xml:id="nov-val_13.14.s1.p5" type="ampl" subtype="g" inj-src="hostis"
            crt-src="high" part="N"><rs ana="#M_armed-men"><w lemma="hostis" part="N"
              >hostem</w></rs></phr>
          <phr type="ampl" subtype="c" part="N"><rs ana="#M_armed-men"><w
            lemma="manus" part="N">manus</w></rs></phr> suas <phr type="ampl"
            subtype="c" part="N"><w lemma="vis" part="N">viresque</w></phr>
            promiserint pro utilitate communi: quorum <phr xml:id="nov-val_13.14.s1.p6"
              type="ampl" subtype="c" part="N"><w lemma="animositas" part="N"
                >animositatem</w></phr> ita erigendam esse <phr
                xml:id="nov-val_13.14.s1.p7" function="cmdw" part="N">censemus</phr>, ut
                quidquid de <phr xml:id="nov-val_13.14.s1.p8" type="ampl" subtype="g"
                  injured="hostis" crt-inj="high" part="N"><rs ana="#E_property-loot"><w
                    lemma="praeda" part="N">praeda</w></rs></phr>
                  <phr xml:id="nov-val_13.14.s1.p9" type="ampl" subtype="g" inj-src="hostis"
                    crt-src="high" part="N"><rs ana="#M_armed-men"><w lemma="hostis" part="N"
                      >hostium</w></rs></phr> conquisierint sibi habeant exceptis
                      hominibus, quos se <rs ana="#E_citizens"><w lemma="provincialis" part="N"
                        >provinciales</w></rs> docuerint <phr xml:id="nov-val_13.14.s1.p10"
                          type="ampl" subtype="g" injured="provincialis" crt-inj="high" part="N"><w
                            lemma="perdo" part="N">perdidisse</w></phr>.</seg></s>
                        <milestone unit="english" /> 14. <s corresp="#nov-val_13.14.s1" n="en5"
                          xml:lang="en" part="N"><seg corresp="#nov-val_13.14.c1" ana="#ncp" part="N">It
                          shall be the <phr type="ampl" subtype="c" part="N">responsibility</phr> also
                          of the <rs>duke</rs> of the <rs>province</rs> that no person shall be
                          permitted to have <rs>armed men</rs> for the purpose of <phr type="ampl"
                            subtype="c" part="N">harassing</phr> the remnants of the provinces,
                            except perhaps those persons who at their own <phr type="ampl" subtype="g"
                              part="N">risk</phr>, because of their laudable <phr type="ampl"
                                subtype="c" part="N">animosity</phr> toward the <phr type="ampl"
                                  subtype="g" part="N"><rs>enemy</rs></phr>, have promised their own <phr
                                    type="ampl" subtype="c" part="N"><rs>bands</rs></phr> of men and their
                                    own <phr type="ampl" subtype="c" part="N">forces</phr> for the common
                                    welfare<supplied resp="#pharr" instant="false">.</supplied> We <phr
                                      function="cmdw" part="N">decree</phr> that the <phr type="ampl"
                                        subtype="c" part="N">spirit</phr> of such men shall be thus aroused,
                                        namely, that they shall have for themselves whatever <phr type="ampl"
                                          subtype="g" part="N"><rs>booty</rs></phr> of the <phr type="ampl"
                                            subtype="g" part="N"><rs>enemy</rs></phr> they have acquired, with the
                                            exception of the men whom the <rs>provincials</rs> prove that they have <phr
                                              type="ampl" subtype="g" part="N">lost</phr>.</seg></s>
</ab>
<ab xml:id="nov-val_13.15" type="caput" part="N">
  <milestone unit="latin" /> 15. <s xml:id="nov-val_13.15.s1" n="la6" xml:lang="la"
    part="N"><seg xml:id="nov-val_13.15.c1" ana="#ncp" part="N"><rs
      ana="#P_high-officials"><w lemma="iudex" part="N">Iudicibus</w></rs> vero
      administratione perfunctis ante exactos tres menses discedendi de <rs
        ana="#E_citizens"><w lemma="provincia" part="N">provincia</w></rs>
        <phr type="ampl" subtype="c" part="N"><w lemma="licentia" part="N"
          >licentia</w></phr>
        <phr xml:id="nov-val_13.15.s1.p1" type="ampl" subtype="g" injured="iudex"
          crt-inj="high" part="N"><w lemma="denego" part="N">denegetur</w></phr>,
          ut aut coram positus bene actae rei fruatur laudibus aut certe, si <phr
            xml:id="nov-val_13.15.s1.p2" type="ampl" subtype="g" inj-src="iudex"
              injured="provincia" crt-src="high" crt-inj="high" part="N"><rs
                ana="#P_high-officials"><w lemma="direptio" part="N"
                  >direptionis</w></rs></phr> alicuius docebitur conscius, se repentini
                  discessus celeritate non subtrahat,</seg>
                  <rs ana="#P_high-officials"><w lemma="Albinus" part="N">Albine</w></rs> parens
                  karissime atque amantissime.</s>
                <milestone unit="english" /> 15. <s corresp="#nov-val_13.15.s1" n="en6"
                  xml:lang="en" part="N"><seg corresp="#nov-val_13.15.c1" ana="#ncp" part="N"

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>Before the expiration of three months, <rs>judges</rs> who have completed
their administration shall be <phr type="ampl" subtype="g" part="N"
  >denied</phr> the <phr type="ampl" subtype="c" part="N">right</phr> to
depart from the <rs>province</rs> which they ruled, so that either they may
in the presence of the provincials enjoy the praises of deeds well done, or
at any rate, if they should be proved to have guilty knowledge of any <phr
  type="ampl" subtype="g" part="N"><rs>plundering</rs></phr>, they shall
not withdraw by the sudden swiftness of their departure,</seg> 0
<rs>Albinus</rs>, dearest and most beloved Father.</s>
</ab>
<ab xml:id="nov-val_13.16" type="caput" part="N">
  <milestone unit="latin" /> 16. <s xml:id="nov-val_13.16.s1" n="1a7" xml:lang="la"
    part="N">Illustris et praeclsa <rs ana="#P_high-officials"><w
      lemma="magnificentia" part="N">magnificentia</w></rs> tua ad utriusque
      <rs ana="#E_citizens"><w lemma="provincia" part="N">provinciae</w></rs>
      legatione beneficia praesentis legis propositis vulgabit edictis, ut relevati
      concessa cognoscant, <rs ana="#P_high-officials"><w lemma="iudex" part="N"
        >iudices</w></rs> statuta <phr type="ampl" subtype="c" inj-src="iudex"
          crt-src="high" part="N"><w lemma="custodio" part="N">custodiant</w></phr>,
          <phr xml:id="nov-val_13.16.s1.p1" type="ampl" subtype="g" part="N"><w
            lemma="prohibeo" part="N">prohibiti</w></phr>
          <phr xml:id="nov-val_13.16.s1.p2" type="ampl" subtype="g" part="N"><w
            lemma="interdico" part="N">interdicta</w></phr> non <phr type="ampl"
              subtype="c" part="N"><w lemma="ambio" part="N">ambiant</w></phr>.</s>
        <milestone unit="english" /> 16. <s corresp="#nov-val_13.16.s1" n="en7"
          xml:lang="en" part="N">Therefore Your Illustrious and Excellent
            <rs>Magnificence</rs> by posting edicts shall publish to the delegation of
            both <rs>provinces</rs> the benefits of the present law, in order that those
            who have been relieved may know what has been granted to them, that the
            <rs>judges</rs> may <phr type="ampl" subtype="c" part="N">enforce</phr> the
            statutes, and that those persons who have been <phr type="ampl" subtype="g"
              ana="#meta" part="N">prohibited</phr> may not corruptly <phr type="ampl"
                subtype="c" part="N">solicit</phr> things that have been <phr type="ampl"
                  subtype="g" ana="#meta" part="N">interdicted</phr>.</s>
          </ab>
        <ab xml:id="nov-val_13.subs" type="subs" part="N">
          <milestone unit="latin" />
          <s xml:id="nov-val_13.subs.s1" n="1a8" xml:lang="la" part="N">Emissa XI kal. Iul.
            <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
            Valentiniano A. VI et Nomo vc. cons. <date when="0445-06-21" instant="false"
              >(445 Iun. 21)</date>.</s>
          <milestone unit="english" />
          <s corresp="#nov-val_13.subs.s1" n="en8" xml:lang="en" part="N">Issued on the
            eleventh day before the kalends of July at <placeName instant="false"
              full="yes">Rome</placeName> in the year of the sixth consulship of
            Valentinian Augustus and the consulship of the Most Noble Nomus. - <date
              instant="false">June 21, 445</date>.</s>
          </ab>
        </div2>
      </div1>
    <div1 xml:id="nov-val_14" type="titulus" part="N" org="uniform" sample="complete">
      <head xml:id="nov-val_14.titl">
        <s xml:id="nov-val_14.titl.s1" xml:lang="la" part="N">14. DE FRUCTIBUS INTER MARITUM
          ET UXOREM EXPENSIS FILIIS VEL HEREDIBUS NON IMPUTANDIS</s>
        <s corresp="#nov-val_14.titl.s1" xml:lang="en" part="N">TITLE 14: INCOME THAT HAS
          BEEN EXPENDED BETWEEN HUSBAND AND WIFE SHALL NOT BE RECKONED TO THE ACCOUNT OF
          THEIR CHILDREN AND HEIRS</s>
      </head>
      <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_14.insc" type="insc" part="N">
          <milestone unit="latin" />
          <s xml:id="nov-val_14.insc.s1" n="1a1" xml:lang="la" part="N">1. dd. nn. impp.
            <persName corresp="#theodosius2" instant="false" full="yes">
              >Theodosius</persName> et <persName corresp="#valentinian3" instant="false"
                full="yes">Valentinian</persName> AA. Albino II pp.</s>
          <milestone unit="english" />
          <s corresp="#nov-val_14.insc.s1" n="en1" xml:lang="en" part="N">1. Our Lords the
            Emperors <persName corresp="#theodosius2" instant="false" full="yes">
              >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
                full="yes">Valentinian</persName> Augustuses to Albinus, Praetorian Prefect
            for the second time.</s>
          </ab>
        <ab xml:id="nov-val_14.0" type="caput" part="N">
          <milestone unit="latin" /> 0. <s xml:id="nov-val_14.0.s1" n="1a2" xml:lang="la"
            part="N">Auctoritatis suae memorem amplissimum <rs>senatum</rs> gratanter
            agnovimus, cuius consilium <phr xml:id="nov-val_14.0.s1.p1" type="ampl"
              subtype="g" part="N"><w lemma="improbis" part="N">improbis</w></phr> rebus
            semper <phr type="ampl" subtype="c" part="N"><w lemma="occurro" part="N"
              >occurrit</w></phr>.</s>
          <s xml:id="nov-val_14.0.s2" n="1a3" xml:lang="la" part="N">Hinc est quod nuper
            <rs>illustribus ac sublimibus viris</rs>, quos evocari ad <rs>sacratissimum
              comitatum</rs> utilitas <rs>publicae</rs>
            <phr type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
              >necessitatis</w></phr> exegit, nobis suggerenda mandavit, ne <phr
              xml:id="nov-val_14.0.s2.p1" type="ampl" subtype="c" part="N"><w
                lemma="abhorreo" part="N">abhorrenda</w></phr>
              <phr xml:id="nov-val_14.0.s2.p2" type="ampl" subtype="c" part="N"><w
                lemma="usurpatio" part="N">usurpatio</w></phr> ab omni honesta
              conversatione <phr type="ampl" subtype="c" part="N"><w lemma="vis" part="N"

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        >vires</w></phr> diutius obtineret.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_14.0.s1" n="en2"
  xml:lang="en" part="N">We recognize gratefully that the Most August
    <rs>Senate</rs> is mindful of its own authority, since its counsel always
    <phr subtype="c" type="ampl" part="N">resists</phr>
    <phr type="ampl" subtype="g" ana="#meta" part="N">evil circumstances</phr>.</s>
<s corresp="#nov-val_14.0.s2" n="en3" xml:lang="en" part="N">Hence it is that the
  Senate recently entrusted to <rs>Illustrious and Sublime men</rs>, whom the
  welfare of the <rs>public</rs>
    <phr subtype="c" type="ampl" part="N">needs</phr> had demanded to be called to
  the <rs>most sacred imperial court</rs>, matters that should be reported to us,
  in order that a <phr subtype="c" type="ampl" part="N">usurpation</phr>
    <phr subtype="c" type="ampl" part="N">abhorrent</phr> to all honorable usage
  might no longer obtain <phr subtype="c" type="ampl" part="N">force</phr>.</s>
</ab>
<ab xml:id="nov-val_14.1" type="caput" part="N">
  <milestone unit="latin" /> 1. <s xml:id="nov-val_14.1.s1" n="la4" xml:lang="la"
    part="N">Conperimus enim <rs>quasdam</rs> post <rs>maritorum</rs>
    <phr xml:id="nov-val_14.1.s1.p1" type="ampl" subtype="c" part="N"><w
      lemma="obeo" part="N">obitum</w></phr>
    <rs>filios</rs> suos proposita <phr xml:id="nov-val_14.1.s1.p2" type="ampl"
      subtype="g" part="N"><w lemma="indecorus" part="N">indecora</w></phr>
    actione <phr xml:id="nov-val_14.1.s1.p3" type="ampl" subtype="g" part="N"><w
      lemma="nudo" part="N">nudasse</w></phr>, cum ab his patrimonii sui
    fructus quaerent, quos utique stante matrimonio in illa aequalitate vivendi
    in commune <phr xml:id="nov-val_14.1.s1.p4" type="ampl" subtype="c" part="N"><w
      lemma="consumo" part="N">consumptos</w></phr> convenit aestimari
    quorumque ratiocinium perplexum atque <phr xml:id="nov-val_14.1.s1.p5"
      type="ampl" subtype="c" part="N"><w lemma="confusus" part="N"
        >confusum</w></phr> ad veritatis fidem discuti posse non credimus.</s>
<s xml:id="nov-val_14.1.s2" n="la5" xml:lang="la" part="N">cumque illud
  frequentius noverimus accidere, ut maiores expensas flagitet
    <rs>matronalis</rs> ornatus, et cum numquam <rs>viri</rs> post
    <rs>uxorum</rs>
    <phr xml:id="nov-val_14.1.s2.p1" type="ampl" subtype="c" part="N"><w
      lemma="obeo" part="N">obitum</w></phr> huiusmodi aliquid credant
    communibus <rs>filiis</rs> obponendum, <phr type="ampl" subtype="c" part="N"><w
      lemma="durus" part="N">durum</w></phr> est <rs>muliebri</rs> tantum <phr
      type="ampl" subtype="c" part="N"><w lemma="licentia" part="N"
        >licentiae</w></phr> ista permitti.</s>
  <milestone unit="english" /> 1. <s corresp="#nov-val_14.1.s1" n="en4"
    xml:lang="en" part="N">For We learn that <rs>certain women</rs> after the <phr
      subtype="c" type="ampl" part="N">death</phr> of their <rs>husbands</rs> have
    <phr type="ampl" subtype="g" part="N">despoiled</phr> their own
    <rs>children</rs> by bringing a <phr type="ampl" subtype="g" part="N"
      >disgraceful</phr> action when they sought from them the income from their
    patrimony which certainly must be estimated as having been <phr subtype="c"
      type="ampl" part="N">consumed</phr> in common while the marriage existed, in
    that well known equality of living<supplied resp="#pharr" instant="false"
      >.</supplied> We do not believe that the account of such income, since it is
    involved and <phr subtype="c" type="ampl" part="N">confused</phr>, can be
    investigated according to truthful reliability.</s>
<s corresp="#nov-val_14.1.s2" n="en5" xml:lang="en" part="N">Since We know that it
  happens rather frequently that the adornment of a <rs>matron</rs> requires
  greater expenditures, and since <rs>men</rs>, after the <phr subtype="c"
    type="ampl" part="N">death</phr> of their <rs>wives</rs>, never suppose that
  they should bring any such claim against their common <rs>children</rs>, it is
    <phr subtype="c" type="ampl" part="N">hard</phr> that such things should be
  granted only to the <phr subtype="c" type="ampl" part="N">license</phr> of
    <rs>women</rs>.</s>
</ab>
<ab xml:id="nov-val_14.2" type="caput" part="N">
  <milestone unit="latin" /> 2. <s xml:id="nov-val_14.2.s1" n="la6" xml:lang="la"
    part="N">Ideoque, Albine parens karissime atque amantissime, <seg
      xml:id="nov-val_14.2.c1" part="N">illustris et praecelsa magnitudo tua hac
      edictali sciat nos lege <phr xml:id="nov-val_14.2.s1.p1" function="cmdw"
        part="N">sanxisse</phr>, ne de coniugii copula eorum alter superstes
      defuncti <rs>heredes</rs> super hac repetitione reddituum aestimet
      <rs>lite</rs>
      <phr xml:id="nov-val_14.2.s1.p2" type="ampl" subtype="c" part="N"><w
        lemma="pulso" part="N">pulsandos</w></phr>.</seg></s>
<s xml:id="nov-val_14.2.s2" n="la7" xml:lang="la" part="N">Hac enim condicione et
    <rs>uxores</rs> teneri volumus et <rs>maritos</rs>.</s>
<s xml:id="nov-val_14.2.s3" n="la8" xml:lang="la" part="N">Sive enim intercesserit
    dos seu oblata non fuerit, omne iurgium huiusce repetitionis et ratiocinii
    conticescat.</s>
  <milestone unit="english" /> 2. <s corresp="#nov-val_14.2.s1" n="en6"
    xml:lang="en" part="N">Therefore, O Albinus, dearest and most beloved Father,
    <seg corresp="#nov-val_14.2.c1" part="N">Your Illustrious and Excellent
      Magnitude shall know that by this edictal law We have <phr function="cmdw"
        part="N">sanctioned</phr> that if one person should survive from the
      union of a marriage, such survivor shall not suppose that the <rs>heirs</rs>
      of the deceased should be <phr subtype="c" type="ampl" part="N">sued</phr>
      in <rs>litigation</rs> in regard to such recovery of income.</seg></s>
<s corresp="#nov-val_14.2.s2" n="en7" xml:lang="en" part="N">For it is Our will
    that both <rs>wives</rs> and <rs>husbands</rs> shall be held bound by this
    condition.</s>
<s corresp="#nov-val_14.2.s3" n="en8" xml:lang="en" part="N">For whether a dowry
    was interposed or was not presented, every suit for such recovery and reckoning

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    shall cease.</s>
  </ab>
  <ab xml:id="nov-val_14.3" type="caput" part="N">
    <milestone unit="latin" /> 3. <s xml:id="nov-val_14.3.s1" n="la9" xml:lang="la"
      part="N">Hanc autem legem utilitati et concordiae humani generis profuturam
      edictis per provincias propositis amplitudo tua in omnium notitiam faciet
      pervenire.</s>
    <milestone unit="english" /> 3. <s corresp="#nov-val_14.3.s1" n="en9"
      xml:lang="en" part="N">Moreover, Your Magnitude by posting edicts throughout
      the provinces shall cause to come to the knowledge of all this law which will
      profit the welfare and harmony of the human race.</s>
  </ab>
  <ab xml:id="nov-val_14.subs" type="subs" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_14.subs.s1" n="la10" xml:lang="la" part="N">Dat. III id. Sept.
      <placeName corresp="#ravenna" instant="false" full="yes"
        >Ravennae</placeName> D. n. Theodosio A. XVIII et Albino vc. cons. <date
        when="0444-09-11" instant="false">(444 Sept. 11)</date>.</s>
    <milestone unit="english" />
    <s corresp="#nov-val_14.subs.s1" n="en10" xml:lang="en" part="N">Given on the
      third day before the ides of September at <placeName instant="false" full="yes"
        >Ravenna</placeName> in the year of the eighteenth consulship of Our Lord
      Theodosius Augustus and the consulship of the Most Noble Albinus. - <date
        instant="false">September 11, 444</date>.</s>
  </ab>
  <ab xml:id="nov-val_14.intr" type="intr" part="N">
    <milestone unit="latin" />INTERPRETATIO. Si vir uxore superstitute moriatur,
    fructus, quos stante coniugio constat expensos, nullam postea a communibus filiis
    seu ab heredibus mater repetendi habeat facultatem. Quod et si uxor vivo marito
    decesserit, maritum praecipit eadem lege constringi, ut et ipse a filiis vel
    heredibus uxoris de ipsis fructibus, qui in commune expensi sunt, penitus nihil
    requirat. <milestone unit="english" />INTERPRETATION. If a man should die and his
    wife should survive, the mother shall afterwards have no right to recover from
    their common children or from the heirs the income that appears to have been
    expended while the marriage existed. But if a wife should die while her husband is
    living, the husband is commanded to be constrained by the same law, so that he
    himself shall demand from the children or the heirs of his wife absolutely nothing
    from the income that was expended in common. </ab>
  </div2>
</div1>
<div1 xml:id="nov-val_15" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_15.titl">
    <s xml:id="nov-val_15.titl.s1" xml:lang="la" part="N">15. DE SILIQUARUM
      EXACTIONIBUS</s>
    <s corresp="#nov-val_15.titl.s1" xml:lang="en" part="N">TITLE 15: THE TAX COLLECTION
      OF SILIQUAE</s>
  </head>
  <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_15.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_15.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
        corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
        <persName corresp="#valentinian3" instant="false" full="yes"
          >Valentin.</persName> AA. ...</s>
      <milestone unit="english" />
      <s corresp="#nov-val_15.insc.s1" n="en1" xml:lang="en" part="N">1 Emperors
        <persName corresp="#theodosius2" instant="false" full="yes"
          >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
          full="yes">Valentinian</persName> Augustuses ...</s>
    </ab>
    <ab xml:id="nov-val_15.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_15.0.s1" n="la2" xml:lang="la"
        part="N">Cum <rs ana="#I_emperor"><w lemma="pietas-nostra" part="N">pietatis
        nostrae</w></rs> animo ad quaerenda remedii <rs ana="#I_law"><w
        lemma="publicus" part="N">publici</w></rs> adiumenta perpetuae
        cogitationes se ingerant, nihil tam necessarium cura <rs ana="#I_emperor"><w
        lemma="serenitas-nostra" part="N">serenitatis nostrae</w></rs> perspicit,
        sicut omnium sensibus non <phr type="ampl" subtype="c" part="N"><w
        lemma="dubito" part="N">dubitamus</w></phr>
        <phr type="ampl" subtype="c" part="N"><w lemma="occurro" part="N"
          >occurrere</w></phr>, quam ut <phr xml:id="nov-val_15.0.s1.p1" type="ampl"
          subtype="g" injured="publicus" crt-inj="high" part="N"><w lemma="defessus"
          part="N">defessus</w></phr> rebus <phr xml:id="nov-val_15.0.s1.p2"
          type="ampl" subtype="g" injured="publicus" crt-inj="high" part="N"><w
          lemma="adfligo" part="N">adflicto</w></phr>
        <rs ana="#P_state"><w lemma="publicus" part="N">publico</w></rs> statu robur
        numerosi <rs ana="#M_army"><w lemma="exercitus" part="N">exercitus</w></rs>
        praeparetur.</s>
      <s xml:id="nov-val_15.0.s2" n="la3" xml:lang="la" part="N">Sed nec tam salubris,
        in qua omnium plenae securitatis fundamenta ponenda sunt, per varia <rs
        ana="#P_public-expenses"><w lemma="erogatio" part="N">erogationum</w></rs>
        clementiae nostrae conatu modo raturus, ut ipso experimento non modo his, qui
        novis <rs ana="#M_army"><w lemma="sacramentum" part="N">sacramentis</w></rs>
        obligantur, sed ne veteri quidem <rs ana="#M_army"><w lemma="exercitus"
        part="N">exercitui</w></rs> quae ab <phr xml:id="nov-val_15.0.s2.p1"
        type="ampl" subtype="c" injured="exhaurio" crt-inj="high" part="N"><rs
        ana="#E_citizens"><w lemma="exhaurio" part="N">exhaustis</w></rs></phr>
        <phr xml:id="nov-val_15.0.s2.p2" type="ampl" subtype="c"
          injured="exhaurio exercitus" crt-inj="high" part="N"><w lemma="aegre"

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        part="N">aegerime</w></phr> conferuntur ad <rs ana="#E_property-goods"
        <w lemma="victus" part="N">victum</w></rs> vel ad <rs
        ana="#E_property-goods"><w lemma="vestitus" part="N">vestitum</w></rs> posse
    praeberi: quos nisi <phr xml:id="nov-val_15.0.s2.p3" type="ampl" subtype="g"
    inj-src="negotiatio" injured="armatus" crt-inj="high" crt-src="high"
    part="N"><w lemma="indignus" part="N">indigna</w></phr> et <phr
    xml:id="nov-val_15.0.s2.p4" type="ampl" subtype="g" inj-src="negotiatio"
    crt-src="high" injured="armatus" crt-inj="high" part="N"><w lemma="pudendus"
    part="N">pudenda</w></phr>
    <rs ana="#M_soldiers"><w lemma="armatus" part="N">armato</w></rs> homini <rs
    ana="#E_agreements-sales"><w lemma="negotiatio" part="N">negotiatio</w></rs>
    aluerit, vix possunt a <phr xml:id="nov-val_15.0.s2.p5" type="ampl" subtype="g"
    injured="armatus" crt-inj="high" part="N"><w lemma="fames" part="N"
    >famis</w></phr>
    <phr xml:id="nov-val_15.0.s2.p6" type="ampl" subtype="g" injured="armatus"
    crt-inj="high" part="N"><w lemma="periculum" part="N">periculo</w></phr> et
    a frigorum <phr xml:id="nov-val_15.0.s2.p7" type="ampl" subtype="g"
    injured="armatus" crt-inj="high" part="N"><w lemma="perniciēs" part="N"
    >pernicie</w></phr>
    <phr xml:id="nov-val_15.0.s2.p8" type="ampl" subtype="c" injured="armatus"
    crt-inj="high" part="N"><w lemma="vindico" part="N">vindicari</w></phr>.</s>
    <s xml:id="nov-val_15.0.s3" n="la4" xml:lang="la" part="N">Quae ergo his <phr
    xml:id="nov-val_15.0.s3.p1" type="ampl" subtype="c" part="N"><w
    lemma="angustia" part="N">angustiis</w></phr> remedia providenda sint,
    mens <rs ana="#I_emperor"><w lemma="nostra-serenitas" part="N">nostrae
    serenitatis</w></rs>
    <phr xml:id="nov-val_15.0.s3.p2" type="ampl" subtype="g" injured="imper1"
    inj-src="nostra-serenitas" crt-src="high" part="N"><w lemma="exaestuo"
    part="N">exaestuāt</w></phr>.</s>
    <s xml:id="nov-val_15.0.s4" n="la5" xml:lang="la" part="N">Nam si a <rs
    ana="#E_landholders"><w lemma="possessor" part="N">possessore</w></rs> super
    alia, quae praestat, has expensas requirat, ultimas <phr
    xml:id="nov-val_15.0.s4.p1" type="ampl" subtype="c" injured="possessor"
    crt-inj="high" part="N"><w lemma="tenuis" part="N">tenuisque</w></phr> eius
    <phr type="ampl" subtype="c" part="N"><w lemma="vis" part="N"
    >vires</w></phr>
    <rs ana="#E_taxes"><w lemma="compulsio" part="N">compulsio</w></rs> talis <phr
    xml:id="nov-val_15.0.s4.p2" type="ampl" subtype="c" inj-src="compulsio"
    crt-src="high" injured="possessor" crt-inj="high" part="N"><w
    lemma="extinguo" part="N">extinguet</w></phr>; si a <rs ana="#E_vendors"
    ><w lemma="mercator" part="N">mercatoribus</w></rs> rursus hoc
    efflagitet, necesse est eos <phr xml:id="nov-val_15.0.s4.p3" type="ampl"
    subtype="c" injured="mercator" crt-inj="high" inj-src="compulsio"
    crt-src="high" part="N"><w lemma="deprimo" part="N">depressos</w></phr>
    tanti <phr xml:id="nov-val_15.0.s4.p4" type="ampl" subtype="c"
    injured="mercator" crt-inj="high" inj-src="compulsio" crt-src="high"
    part="N"><w lemma="onus" part="N">oneris</w></phr>
    <phr xml:id="nov-val_15.0.s4.p5" type="ampl" subtype="c" inj-src="compulsio"
    crt-src="high" part="N"><w lemma="moles" part="N">mole</w></phr>
    <phr xml:id="nov-val_15.0.s4.p6" type="ampl" subtype="c" injured="mercator"
    crt-inj="high" inj-src="compulsio" crt-src="high" part="N"><w
    lemma="succumbo" part="N">succumbere</w></phr>.</s>
    <s xml:id="nov-val_15.0.s5" n="la6" xml:lang="la" part="N">Inter haec animo
    fluctuante hanc viam reperimus, primum cuius levissima <rs
    ana="#P_public-expenses"><w lemma="functio-publicus" part="N">functio
    publici</w></rs> quaestus habeat magna compendia, deinde quae ad
    universos pertinens a paucis <phr xml:id="nov-val_15.0.s5.p1" type="ampl"
    subtype="g" inj-src="functio-publicus" crt-src="high" part="N"><w
    lemma="intolerabilis" part="N">intolerabilia</w></phr>
    <phr xml:id="nov-val_15.0.s5.p2" type="ampl" subtype="g"
    inj-src="functio-publicus" injured="citzns" crt-src="high" part="N"><w
    lemma="damnum" part="N">damna</w></phr>
    <phr type="ampl" subtype="c" part="N"><w lemma="submoveo" part="N"
    >submoveat</w></phr> atque ita sine sensu <phr
    xml:id="nov-val_15.0.s5.p3" type="ampl" subtype="c" part="N"><w
    lemma="dispendium" part="N">dispendiorum</w></phr> sit, ut, cum plus hinc
    <rs ana="#I_state"><w lemma="publica-utilitas" part="N">publicae
    utilitati</w></rs> conquiri valeat, nullus se speciatim queratur <phr
    xml:id="nov-val_15.0.s5.p4" type="ampl" subtype="g"
    inj-src="publica-utilitas" injured="possessor negotiator" crt-inj="high"
    crt-src="high" part="N"><w lemma="adfligo" part="N">adfligi</w></phr> et
    neque a <phr xml:id="nov-val_15.0.s5.p5" type="ampl" subtype="c"
    injured="possessor" crt-inj="high" part="N"><w lemma="tenuis" part="N"
    >tenuissimis</w></phr>
    <rs ana="#E_landholders"><w lemma="possessor" part="N">possessorum</w></rs>
    reliquias vel <phr xml:id="nov-val_15.0.s5.p6" type="ampl" subtype="c"
    injured="negotiator" crt-inj="high" part="N"><w lemma="defectus" part="N"
    >defectu</w></phr>
    <phr xml:id="nov-val_15.0.s5.p7" type="ampl" subtype="g" inj-src="trdsmn"
    injured="negotiator" crt-inj="high" part="N"><w lemma="miserabilis" part="N"
    >miserabili</w></phr>
    <rs ana="#E_vendors"><w lemma="negotiator" part="N">negotiatorum</w></rs>
    quicquam impossibile postuletur.</s>
    <milestone unit="english" /> 0. <s corresp="#nov-val_15.0.s1" n="en2"
    xml:lang="en" part="N">Whenever unending deliberations crowd upon the mind of
    <rs>Our Piety</rs>, that We may seek the assistance of a <rs>public</rs>
    remedy, the solicitude of <rs>Our Serenity</rs> perceives, just as We do not
    <phr type="ampl" subtype="c" part="N"><w lemma="doubt</phr> that it <phr type="ampl"
    subtype="c" part="N">occurs</phr> to the thoughts of all men, that nothing

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is so necessary as that the strength of a numerous <rs>army</rs> should be prepared for the <phr type="ampl" subtype="g" part="N">exhausted</phr> circumstances and the <phr type="ampl" subtype="g" part="N">afflicted</phr> condition of the <rs>State</rs>.</s>

<s corresp="#nov-val_15.0.s2" n="en3" xml:lang="en" part="N">But neither have We been able, through various kinds of <rs>expenditures</rs> to effect the arrangement of a matter so salutary, in which must be placed the foundations of full security for all, nor has any person been found who will regulate this matter by his own efforts<supplied resp="#pharr" instant="false">.</supplied> And thus by experience itself, neither for those who are bound by new <rs>oaths of military service</rs>, nor even for the veteran <rs>army</rs> can those supplies seem to suffice that are delivered with the greatest <phr type="ampl" subtype="c" part="N">difficulty</phr> by the <phr type="ampl" subtype="c" part="N"><rs>exhausted</rs></phr> taxpayers, and it seems that from that source the supplies that are necessary for <rs>food</rs> and <rs>clothing</rs> cannot be furnished<supplied resp="#pharr" instant="false">.</supplied> Unless the soldiers should be supported by <rs>trading</rs>, which is <phr type="ampl" subtype="g" part="N">unworthy</phr> and <phr type="ampl" subtype="g" part="N">shameful</phr> for an <rs>armed</rs> man, they can scarcely be <phr type="ampl" subtype="c" part="N">vindicated</phr> from the <phr type="ampl" subtype="g" part="N">peril</phr> of <phr type="ampl" subtype="g" part="N">hunger</phr> or from the <phr type="ampl" subtype="g" part="N">destruction</phr> of cold.</s>

<s corresp="#nov-val_15.0.s3" n="en4" xml:lang="en" part="N">Wherefore, the mind of <rs>Our Serenity</rs> <phr type="ampl" subtype="g" part="N">seethes</phr> as to the remedies that must be provided for these <phr type="ampl" subtype="c" part="N">difficult</phr> times.</s>

<s corresp="#nov-val_15.0.s4" n="en5" xml:lang="en" part="N">For if We require these expenses from the <rs>landholder</rs>, in addition to the other things which he furnishes, such an <rs>exaction of taxes</rs> would <phr type="ampl" subtype="c" part="N">extinguish</phr> his last <phr type="ampl" subtype="c" part="N">tenuous</phr> <phr type="ampl" subtype="c" part="N">resources</phr><supplied resp="#pharr" instant="false">.</supplied> On the other hand, if We should demand this from the <rs>merchants</rs>, they would be <phr type="ampl" subtype="c" part="N">oppressed</phr> by the <phr type="ampl" subtype="c" part="N">huge mass</phr> of so great a <phr type="ampl" subtype="c" part="N">burden</phr> and would necessarily be <phr type="ampl" subtype="c" part="N">overwhelmed</phr>.</s>

<s corresp="#nov-val_15.0.s5" n="en6" xml:lang="en" part="N">While Our mind was fluctuating between these alternatives, We found this way, which in the first place, by its very easy fulfillment, will produce great gains for the <rs>public revenues</rs>, and in the second place, it would apply to all persons and thus would <phr type="ampl" subtype="c" part="N">remove</phr> <phr type="ampl" subtype="g" part="N">intolerable</phr> <phr type="ampl" subtype="g" part="N">expenses</phr> from the few<supplied resp="#pharr" instant="false">.</supplied> Thus it would be without a sense of <phr type="ampl" subtype="c" part="N">loss</phr>, so that no person will complain that he is especially <phr type="ampl" subtype="g" part="N">afflicted</phr>, since more can be acquired hence for the <rs>public welfare</rs>, and nothing impossible can be demanded from the <phr type="ampl" subtype="c" part="N">scanty</phr> remnants of the <rs>landholders</rs> and the <phr type="ampl" subtype="g" part="N">miserable</phr> <phr type="ampl" subtype="c" part="N">insufficiency</phr> of the <rs>tradesmen</rs>.</s>

</ab>

<ab xml:id="nov-val_15.1" type="caput" part="N">

<milestone unit="latin" /> 1. <s xml:id="nov-val_15.1.s1" n="la7" xml:lang="la" part="N"><seg xml:id="nov-val_15.1.c1" part="N">Placuit itaque, ut omni venditione per <rs ana="#E_money"><w lemma="solidus" part="N"></w></rs> dimidia <rs ana="#E_money"><w lemma="siliqua" part="N"></w></rs> ab <rs ana="#E_vendors"><w lemma="emptor" part="N"></w></rs>, dimidia a <rs ana="#E_vendors"><w lemma="venditor" part="N"></w></rs> per omnem <rs ana="#E_agreements-sales"><w lemma="contractus" part="N"></w></rs> aequaliter <rs ana="#P_treasury"><w lemma="publicus" part="N"></w></rs> conferat: in omnibus <rs ana="#E_property"><w lemma="mobilis" part="N"></w></rs> <rs ana="#E_property"><w lemma="immobilis" part="N"></w></rs> rebus venditiones tantum emptionesque dumtaxat tali condicione.</seg></s>

<milestone unit="english" /> 1. <s corresp="#nov-val_15.1.s1" n="en7" xml:lang="en" part="N"><seg corresp="#nov-val_15.1.c1" part="N">It is Our pleasure, therefore, that on every sale, one half a <rs>siliqua</rs> per <rs><w lemma="solidus" part="N"></w></rs> shall be paid to the <rs>public revenues</rs> by the <rs>buyer</rs>, and likewise one half a siliqua by the <rs>seller</rs> in every <rs>contract</rs><supplied resp="#pharr" instant="false">.</supplied> In the case of all <rs>movable</rs> and <rs>immovable</rs> property, sales and purchases shall be made only under such a condition.</seg></s>

</ab>

<ab xml:id="nov-val_15.2" type="caput" part="N">

<milestone unit="latin" /> 2. <s xml:id="nov-val_15.2.s1" n="la8" xml:lang="la" part="N"><rs ana="#E_taxes"><w lemma="munus" part="N"></w></rs> certi, qui praefficiendi sunt, elegantur communi <rs ana="#P_high-officials"><w lemma="procerum" part="N"></w></rs> nostrorum consilio atque tractatu; quod electionis iudicium renovabitur circa eos, qui in aliorum locum

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adlectionis augmento voluerint subrogari.</s>
<s xml:id="nov-val_15.2.s2" n="la9" xml:lang="la" part="N"><seg
  xml:id="nov-val_15.2.c1" part="N">Per singula igitur <rs
    ana="#E_agreements-sales"><w lemma="negotiatio" part="N"
      >negotiationum</w></rs> genera singulos praeponi oportere hac edictali
    lege <phr xml:id="nov-val_15.2.s2.p1" function="cmdw" part="N"
      >decernimus</phr>, quos fides atque industria huic <rs ana="#E_taxes"><w
        lemma="officium" part="N">officio</w></rs> sustinendo idoneos
      comprobaverit.</seg></s>
<s xml:id="nov-val_15.2.s3" n="la10" xml:lang="la" part="N">Utilius quippe est
  distributis procurationibus <rs ana="#E_property-goods"><w lemma="merx"
    part="N">mercium</w></rs> omnium, ut in talibus rebus fieri solet, <phr
    xml:id="nov-val_15.2.s3.p1" type="ampl" subtype="g" part="N"><w
      lemma="depello" part="N">depulsa</w></phr> permixtionis <phr
    xml:id="nov-val_15.2.s3.p2" type="ampl" subtype="c" part="N"><w
      lemma="caligo" part="N">caligine</w></phr> apertius et liquidius
    declarare, quid quisque pro conducta <rs ana="#E_property-goods"><w
      lemma="merx" part="N">mercium</w></rs>
    <rs ana="#E_property-goods"><w lemma="nundinatio" part="N"
      >nundinatione</w></rs> dependat.</s>
<milestone unit="english" /> 2. <s corresp="#nov-val_15.2.s1" n="en8"
  xml:lang="en" part="N">So good an execution of this plan cannot be suitably
  effected unless definite persons, who must be placed in charge of this
  <rs>compulsory public service</rs>, shall be chosen by the common counsel
  and discussion of Our <rs>highest officials</rs><supplied resp="#pharr"
    instant="false">.</supplied> This judgment of selection shall be preserved
  with regard to those persons who wish to be chosen as substitutes in the places
  of others by the increase of additional members.</s>
<s corresp="#nov-val_15.2.s2" n="en9" xml:lang="en" part="N"><seg
  corresp="#nov-val_15.2.c1" part="N">Therefore We <phr function="cmdw"
    part="N">decree</phr> by this edictal law that for each kind of
    <rs>business</rs> transaction one person each shall be placed in charge,
    who has been approved as suitable to sustain this <rs>office</rs> by his
    trustworthiness and industry.</seg></s>
<s corresp="#nov-val_15.2.s3" n="en10" xml:lang="en" part="N">Indeed, when the
  management of all <rs>commodities</rs> has been distributed, it is more
  advantageous, as is customarily done in such matters, to <phr type="ampl"
    subtype="g" ana="#meta" part="N">remove</phr> the <phr type="ampl"
    subtype="c" part="N">obscurity</phr> of confusion and to declare openly and
  clearly what each person shall pay for the right to conduct the <rs>buying and
    selling</rs> of <rs>merchandise</rs>.</s>
</ab>
<ab xml:id="nov-val_15.3" type="caput" part="N">
  <milestone unit="latin" /> 3. <s xml:id="nov-val_15.3.s1" n="la11" xml:lang="la"
    part="N"><seg xml:id="nov-val_15.3.c1" part="N">Omnis autem <rs
      ana="#E_agreements-sales"><w lemma="contractus" part="N"
        >contractus</w></rs>, qui clanculario vel <rs ana="#E_vendors"><w
          lemma="emo" part="N">emete</w></rs> vel <rs ana="#E_vendors"><w
            lemma="vendo" part="N">vendente</w></rs> in <phr
              xml:id="nov-val_15.3.s1.p1" type="ampl" subtype="g" inj-src="emo vendo"
                injured="lex" crt-inj="high" crt-src="high" part="N"><w lemma="fraus"
                  part="N">fraudem</w></phr>
              <rs ana="#P_law"><w lemma="lex" part="N">legis</w></rs> initus fuerit,
                careat firmitate.</seg></s>
    <s xml:id="nov-val_15.3.s2" n="la12" xml:lang="la" part="N">Quod ne fiat, <seg
      xml:id="nov-val_15.3.s2.p1" function="cmdw" part="N">prospicimus</phr>,
      ut <rs ana="#P_public-records"><w lemma="gestum-municipale" part="N">gestis
        municipalibus</w></rs>
      <rs ana="#E_property"><w lemma="immobilis" part="N">immobilium</w></rs>
      rerum <rs ana="#E_agreements-sales"><w lemma="contractus" part="N"
        >contractus</w></rs> constet initus, <rs ana="#E_property"><w
          lemma="mobilis" part="N">mobiliu</w></rs> vero emissis pittaciis
        transigatur: et is, qui praepositus fuerit huic <rs ana="#E_taxes"><w
          lemma="munus" part="N">muneri</w></rs>, profiteatur se id, quod per
        hanc <rs ana="#P_law"><w lemma="lex" part="N">legem</w></rs>
        <rs ana="#I_law"><w lemma="compendium-publicum" part="N">compendiis
          publicis</w></rs> decretum est, consecutum, ita ut post annum <rs
          ana="#P_public-records"><w lemma="securitas" part="N"
            >securitatis</w></rs>
          <phr xml:id="nov-val_15.3.s2.p2" type="ampl" subtype="c" injured="securitas"
            crt-inj="high" part="N"><w lemma="amitto" part="N">amissae</w></phr>
          discussio minime requiratur.</seg></s>
    <milestone unit="english" /> 3. <s corresp="#nov-val_15.3.s1" n="en11"
      xml:lang="en" part="N"><seg corresp="#nov-val_15.3.c1" part="N">Moreover, every
        <rs>contract</rs> shall lack validity if it should be entered into
        secretly by either a <rs>buyer</rs> or a <rs>seller</rs>, to the <phr
          type="ampl" subtype="g" part="N">fraud</phr> of the
          <rs>law</rs>.</seg></s>
    <s corresp="#nov-val_15.3.s2" n="en12" xml:lang="en" part="N">In order that this
      may not be done, <seg corresp="#nov-val_15.3.c2" part="N">We <phr
        function="cmdw" part="N">provide</phr> in this manner that a
        <rs>contract</rs> that has been entered into with respect to
        <rs>immovable</rs> property shall be established in the <rs>municipal
          public records</rs>, but a contract for <rs>movable</rs> property shall
          be transacted by the issuance of written instruments<supplied resp="#pharr"
            instant="false">.</supplied> The person who has been placed in charge of
          this <rs>compulsory public service</rs> shall declare that he has obtained
          that which has been decreed through this <rs>law</rs> for the <rs>public

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advantage</rs>, so that if the <rs>receipt</rs> should be <phr type="ampl" subtype="c" part="N">lost</phr> after one year, no investigation shall be required.</seg></s>

</ab>

<ab xml:id="nov-val_15.4" type="caput" part="N">

<milestone unit="latin" /> 4. <s xml:id="nov-val_15.4.s1" n="la13" xml:lang="la" part="N"><seg xml:id="nov-val_15.4.c1" part="N">Qui si a <rs ana="#P_bureaucracy"><w lemma="tabellio" part="N">tabellione</w></rs> vel <rs ana="#P_bureaucracy"><w lemma="contractor" part="N">contractoribus</w></rs> conventus ad <rs ana="#P_public-records"><w lemma="gestum" part="N">gesta</w></rs> venire distulerit, illato <rs ana="#E_local-officials"><w lemma="curialis" part="N">curialibus</w></rs>, quod huius edicti <rs ana="#P_law"><w lemma="lex" part="N">lege</w></rs> inferendum est, venditio perfecta stabilitate nitatur: ille autem, qui huic rei praepositus spe lucri proprii <rs ana="#I_law"><w lemma="publicum-commodum" part="N">publicum commodum</w></rs> putaverit differendum, tali <phr xml:id="nov-val_15.4.s1.p1" type="ampl" subtype="c" injured="munus" crt-inj="low" part="N"><w lemma="adfacio" part="N">adfaciendus</w></phr>

<phr xml:id="nov-val_15.4.s1.p2" type="ampl" subtype="g" injured="munus" crt-inj="low" part="N"><rs ana="#E_payments-fines"><w lemma="incommodum" part="N">incommodo</w></rs></phr> est, ut tantundem ipse <rs ana="#P_treasury"><w lemma="fiscus" part="N">fisci</w></rs> viribus inferat, quantum de ipso <rs ana="#E_agreements-sales"><w lemma="contractus" part="N">contractu</w></rs>, cui conventus praesentiam suam <phr type="ampl" subtype="g" inj-src="munus" crt-src="low" part="N"><w lemma="nego" part="N">negavit</w></phr>, a <rs ana="#E_vendors"><w lemma="contraho" part="N">contrahentibus</w></rs>

<rs ana="#P_treasury"><w lemma="publicus" part="N">publico</w></rs> fuerit illatum, quod ab eo <rs ana="#E_local-officials"><w lemma="magistratus" part="N">magistratus</w></rs> et <rs ana="#E_local-officials"><w lemma="curialis" part="N">curiales</w></rs> exigere curabunt; quam

<phr xml:id="nov-val_15.4.s1.p3" type="ampl" subtype="g" injured="ordo moderator" crt-inj="high" part="N"><w lemma="poena" part="N">poenam</w></phr> neque <rs ana="#E_local-officials"><w lemma="ordo" part="N">ordines</w></rs>

<phr xml:id="nov-val_15.4.s1.p4" type="ampl" subtype="g" inj-src="ordo moderator" crt-src="high" part="N"><w lemma="effugio" part="N">effugiant</w></phr> neque <rs ana="#P_high-officials"><w lemma="moderator" part="N">moderatores</w></rs> provinciarum, si qua ipsi <phr xml:id="nov-val_15.4.s1.p5" type="ampl" subtype="g" inj-src="ordo moderator" injured="taxes" crt-src="high" part="N"><w lemma="fraus" part="N">fraude</w></phr> vel <phr xml:id="nov-val_15.4.s1.p6" type="ampl" subtype="c" inj-src="ordo moderator" crt-src="high" part="N"><w lemma="concludium" part="N">concludio</w></phr>

<rs ana="#P_public-expenses"><w lemma="publica-emolumenta" part="N">publica emolumenta</w></rs> distulerint.</seg></s>

<milestone unit="english" /> 4. <s corresp="#nov-val_15.4.s1" n="en13" xml:lang="en" part="N"><seg corresp="#nov-val_15.4.c1" part="N">If any such tax collector should be summoned by the <rs>tax accountant</rs> or by the <rs>contracting parties</rs> and should delay coming for the <rs>public records</rs>, that which must be paid according to the <rs>law</rs> of this edict shall be paid to the <rs>decurions</rs>, and the sale shall thus rest upon perfect validity<supplied resp="#pharr" instant="false">.</supplied> Moreover, if that person who has been placed in charge of this matter, in the hope of his own gain should suppose that the <rs>public welfare</rs> should be deferred, he shall be <phr type="ampl" subtype="c" part="N">afflicted</phr> with a <phr type="ampl" subtype="g" part="N"><rs>penalty</rs></phr> such that he himself shall pay to the resources of the <rs>fisc</rs> as much as would have been paid to the <rs>public treasury</rs> by the <rs>contracting parties</rs> from that <rs>contract</rs> for which he had <phr type="ampl" subtype="g" part="N"><rs>refused</rs> his presence<supplied resp="#pharr" instant="false">.</supplied> The <rs>municipal magistrates</rs> and <rs>decurions</rs> shall provide for the exaction of such sum from him<supplied resp="#pharr" instant="false">.</supplied> Neither the <rs>municipal senates</rs> nor the <rs>governors</rs> of the provinces shall <phr type="ampl" subtype="g" part="N">escape</phr> this <phr type="ampl" subtype="g" part="N"><rs>punishment</rs></phr> if they themselves should defer the <rs>public emoluments</rs> by any <phr type="ampl" subtype="g" part="N">fraud</phr> or <phr type="ampl" subtype="c" part="N">collusion</phr>.</seg></s>

</ab>

<ab xml:id="nov-val_15.5" type="caput" part="N">

<milestone unit="latin" /> 5. <s xml:id="nov-val_15.5.s1" n="la14" xml:lang="la" part="N"><seg xml:id="nov-val_15.5.c1" part="N">Sed haec, quae tam salubriter ordinamus, in omnibus <rs ana="#E_citizens"><w lemma="provincia" part="N">provinciis</w></rs> atque <rs ana="#E_cities"><w lemma="urbs" part="N">urbibus</w></rs> una eademque <phr xml:id="nov-val_15.5.s1.p1" function="cmdw" part="N">volumus</phr> ratione servari:</seg> quod absque ullius <phr xml:id="nov-val_15.5.s1.p2" type="ampl" subtype="c" part="N"><w lemma="error" part="N">erroris</w></phr>

<phr xml:id="nov-val_15.5.s1.p3" type="ampl" subtype="c" part="N"><w lemma="impedimentum" part="N">impedimento</w></phr> explicabitur, si certae <rs ana="#E_vendors"><w lemma="nundina" part="N">nundinae</w></rs>

<rs ana="#E_cities"><w lemma="civitas" part="N">civitatis</w></rs> earumque territoriis ordinentur.</s>

<s xml:id="nov-val_15.5.s2" n="la15" xml:lang="la" part="N">iubemus enim et in <rs ana="#E_cities"><w lemma="oppidum" part="N">oppidis</w></rs> et in <rs

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        ana="#E_regions"><w lemma="regio" part="N">regionibus</w></rs> certo loco ac
tempore <rs ana="#E_agreements-sales"><w lemma="emo" part="N">emendis</w></rs>
atque <rs ana="#E_agreements-sales"><w lemma="vendo" part="N">
>vendendis</w></rs>
<rs ana="#E_property"><w lemma="res" part="N">rebus</w></rs> per <rs
ana="#E_local-officials"><w lemma="honoratus" part="N">honoratorum</w></rs>
dispositionem nec non <rs ana="#E_local-officials"><w lemma="ordo" part="N">
>ordinum</w></rs> seu <rs ana="#E_citizens"><w lemma="civis" part="N">
>civium</w></rs> sub praesentia <rs ana="#P_high-officials"><w
lemma="moderator" part="N">moderatoris</w></rs>
<rs ana="#E_citizens"><w lemma="provincia" part="N">provinciae</w></rs>
manifesta definitione constitui.</s>
<s xml:id="nov-val_15.5.s3" n="la0" xml:lang="la" part="N"><seg
xml:id="nov-val_15.5.c2" part="N">Nulli itaque <rs ana="#E_vendors"><w
lemma="mercator" part="N">mercatori</w></rs> praeter hanc
observationem nisi ad designata loca temporibus praestitutis ad <rs
ana="#E_agreements-sales"><w lemma="negotiatio" part="N">
>negotiationis</w></rs> suae species distrahendae passim licebit
accedere,</seg> uti certa ratio <rs ana="#E_agreements-sales"><w lemma="emo"
part="N">emendi</w></rs> atque <rs ana="#E_agreements-sales"><w
lemma="vendo" part="N">vendendi</w></rs> ibi constare possit, ubi
nundinandi ius <rs ana="#E_citizens"><w lemma="provincialis" part="N">
>provincialium</w></rs> tractatu fuerit deputatum et id, quod praebere
supra statuimus, facilius eorum, qui praepositi fuerint, valeat diligentia
reperire.</s>
<s xml:id="nov-val_15.5.s4" n="la1" xml:lang="la" part="N">Quae vero ex his
supplenda et minutius ordinanda sunt, amplissima ...</s>
<milestone unit="english" /> 5. <s corresp="#nov-val_15.5.s1" n="en14"
xml:lang="en" part="N"><seg corresp="#nov-val_15.5.c1" part="N">It is <phr
function="cmdw" part="N">Our will</phr> that these regulations, which We
so salutarily ordain, shall be observed in one and the same way in all
<rs>provinces</rs> and <rs>cities</rs><supplied resp="#pharr"
instant="false">.</supplied></seg> This will be accomplished without the
<phr type="ampl" subtype="c" part="N">impediment</phr> of any <phr
type="ampl" subtype="c" part="N">error</phr>, if definite <rs>markets</rs>
are ordained for the <rs>municipalities</rs> and their territories.</s>
<s corresp="#nov-val_15.5.s2" n="en15" xml:lang="en" part="N">For We order that
both in the <rs>towns</rs> and in the <rs>districts</rs>, at a definite place
and time, by a manifest definition the rule shall be established in regard to
<rs>property</rs> that is to be <rs>bought</rs> and <rs>sold</rs>, through
the regulation of the <rs>dignitaries</rs> and also of the <rs>municipal
senates</rs> and the <rs>citizens</rs> in the presence of the
<rs>governor</rs> of the <rs>province</rs>.</s>
<s corresp="#nov-val_15.5.s3" n="en0" xml:lang="en" part="N"><seg
corresp="#nov-val_15.5.c2" part="N">Therefore no <rs>merchant</rs> shall be
allowed in general to undertake the <rs>sale</rs> of the wares of his
business, contrary to the observation of this regulation, except at the
<rs>designated places</rs> and the established times<supplied
resp="#pharr" instant="false">.</supplied></seg> Thus a definite account
of the <rs>buying</rs> and <w part="N">selling</w> can be established at the
place where the right to buy and sell has been assigned by the agreement of the
<rs>provincials</rs>, and the diligence of those persons who have been
placed in charge of the matter can the more easily find that which We have
established above must be paid.</s>
<s corresp="#nov-val_15.5.s4" n="en1" xml:lang="en" part="N">But those things
which must be fulfilled from these and must be more accurately ordained, the
Most August ...</s>
</ab>
<ab xml:id="nov-val_15.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_15.subs.s1" n="la2" xml:lang="la" part="N">
<supplied resp="#meyer" instant="false"><date from="0444-09-11" to="0445-01-18"
instant="false">(inter 444 Sept. 11 et 445 Ian. 18)</date></supplied>
</s>
<milestone unit="english" />
<s corresp="#nov-val_15.subs.s1" n="en2" xml:lang="en" part="N"><date
instant="false">(Between September 11, 444 and January 18, 445.)</date></s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_16" type="titulus" part="N" org="uniform" sample="complete">
<head xml:id="nov-val_16.titl">
<s xml:id="nov-val_16.titl.s1" xml:lang="la" part="N">16. DE PRETIO SOLIDI ET NE QUIS
SOLIDUM INTEGRUM RECUSET</s>
<s corresp="#nov-val_16.titl.s1" xml:lang="en" part="N">TITLE 16: THE PRICE OF A
SOLIDUS; NO PERSON SHALL REFUSE A PERFECT SOLIDUS</s>
</head>
<div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
<ab xml:id="nov-val_16.insc" type="insc" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_16.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
<persName corresp="#valentinian3" instant="false" full="yes">
>Valentin.</persName> AA. ad populum Romanum.</s>
<milestone unit="english" />
<s corresp="#nov-val_16.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
<persName corresp="#theodosius2" instant="false" full="yes">
>Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
full="yes">Valentinian</persName> Augustuses to the Roman People.</s>

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</ab>
<ab xml:id="nov-val_16.0" type="caput" part="N">
  <milestone unit="latin" /> 0. <s xml:id="nov-val_16.0.s1" n="la2" xml:lang="la"
    part="N">Frequens ad nos, <rs>Quirites</rs>, <phr xml:id="nov-val_16.0.s1.p1"
      type="ampl" subtype="g" part="N"><w lemma="temerarius" part="N"
        >temerarii</w></phr>
      <phr type="ampl" subtype="c" part="N"><w lemma="audeo" part="N">ausus</w></phr>
      <phr xml:id="nov-val_16.0.s1.p2" type="ampl" subtype="g" part="N"><w
        lemma="querella" part="N">querela</w></phr> pervenit, ut in parentum
        nostrorum <phr xml:id="nov-val_16.0.s1.p3" type="ampl" subtype="g" part="N"><w
          lemma="contumelia" part="N">contumeliam</w></phr> insigniti solidi eorum
          nominibus ab omni <rs>emptore</rs> recusentur: <seg xml:id="nov-val_16.0.c1"
            part="N">quod diu <phr xml:id="nov-val_16.0.s1.p4" type="ampl" subtype="c"
              part="N"><w lemma="impunitus" part="N">impunitum</w></phr> esse non <phr
                xml:id="nov-val_16.0.s1.p5" function="cmdw" type="ampl" subtype="c"
                  part="N"><w lemma="patior" part="N">patimur</w></phr>.</seg></s>
        <s xml:id="nov-val_16.0.s2" n="la3" xml:lang="la" part="N">Hoc ergo edicto <seg
          xml:id="nov-val_16.0.c2" part="N">agnoscat universitas <phr
            xml:id="nov-val_16.0.s2.p1" type="ampl" subtype="c" part="N"><w
              lemma="capital" part="N">capitale</w></phr> manere <phr
                xml:id="nov-val_16.0.s2.p2" type="ampl" subtype="g" part="N"><w
                  lemma="supplicium" part="N">supplicium</w></phr>, si quisquam vel
                  domini patris mei <rs>Theodosii</rs> vel <rs>sacrarum necessitudinum
                  nostrarum</rs> vel superiorum principum solidum aureum integri ponderis
                  refutandum esse crediderit vel pretio minore taxaverit.</seg></s>
        <s xml:id="nov-val_16.0.s3" n="la4" xml:lang="la" part="N"><seg
          xml:id="nov-val_16.0.c3" part="N">vir autem <rs>illustris praefectus
            urbis</rs> eiusque <rs>officium</rs> decem librarum auri <phr
              xml:id="nov-val_16.0.s3.p1" type="ampl" subtype="c" part="N"><w
                lemma="dispendium" part="N">dispendio</w></phr> subiacebit, si
                quemquam contra hoc statutum venisse fuerit adprobatum.</seg></s>
        <milestone unit="english" /> 0. <s corresp="#nov-val_16.0.s1" n="en2"
          xml:lang="en" part="N">A frequent <phr type="ampl" subtype="g" part="N"
            >complaint</phr> of <phr type="ampl" subtype="g" part="N">criminal</phr>
            <phr subtype="c" type="ampl" part="N">audacity</phr> has come to Us, 0
            <rs>Quirites</rs>, that, to the <phr type="ampl" subtype="g" part="N"
              >contumely</phr> of Our ancestors, solidi stamped with their names are being
              refused by all <rs>buyers</rs><supplied resp="#pharr" instant="false"
                >.</supplied>
            <seg corresp="#nov-val_16.0.c1" part="N">This offense We do not <phr
              subtype="c" function="cmdw" type="ampl" part="N">allow</phr> to be long
              <phr subtype="c" type="ampl" part="N">unpunished</phr>.</seg></s>
          <s corresp="#nov-val_16.0.s2" n="en3" xml:lang="en" part="N">Therefore in
            accordance with this edict, <seg corresp="#nov-val_16.0.c2" part="N">the whole
              world shall recognize that <phr subtype="c" type="ampl" part="N"
                >capital</phr>
              <phr type="ampl" subtype="g" part="N">punishment</phr> awaits any person who
              should suppose that he should refuse, or should estimate at a smaller price,
              a gold solidus of full weight, either of My Lord and Father,
              <rs>Theodosius</rs>, or of <rs>Our sacred imperial kinsmen</rs> or of the
              former Emperors.</seg></s>
          <s corresp="#nov-val_16.0.s3" n="en4" xml:lang="en" part="N"><seg
            corresp="#nov-val_16.0.c3" part="N">Moreover, the <rs>Illustrious prefect of
              the City</rs> and his <rs>office staff</rs> shall be subject to a <phr
                subtype="c" type="ampl" part="N">penalty</phr> of ten pounds of gold, if
                any person should be proved to have contravened this statute.</seg></s>
        </ab>
      <ab xml:id="nov-val_16.1" type="caput" part="N">
        <milestone unit="latin" /> 1. <s xml:id="nov-val_16.1.s1" n="la5" xml:lang="la"
          part="N"><seg xml:id="nov-val_16.1.c1" part="N">Quo praecepto etiam illud in
            perpetuum <phr xml:id="nov-val_16.1.s1.p1" function="cmdw" part="N"
              >volumus</phr> contineri, ne umquam intra septem milia nummorum solidus
              distrahatur emptus a <rs>collectario</rs> septem milibus ducentis.</seg></s>
          <s xml:id="nov-val_16.1.s2" n="la6" xml:lang="la" part="N"><rs>aequabilitas enim
            pretii et commodum <rs>venditoris</rs> et omnium rerum <phr
              xml:id="nov-val_16.1.s2.p1" type="ampl" subtype="c" part="N"><w
                lemma="venalis" part="N">venalium</w></phr> statuta <phr type="ampl"
                  subtype="c" part="N"><w lemma="custodio" part="N">custodiet</w></phr>.</s>
          <milestone unit="english" /> 1. <s corresp="#nov-val_16.1.s1" n="en5"
            xml:lang="en" part="N"><seg corresp="#nov-val_16.1.c1" part="N">In accordance
              with this regulation, it is <phr function="cmdw" part="N">Our will</phr>
              that this rule shall be perpetually retained, namely, that never shall a
              solidus be sold for less than seven thousand nummi if it was bought from a
              <rs>money changer</rs> for seven thousand two hundred nummi.</seg></s>
          <s corresp="#nov-val_16.1.s2" n="en6" xml:lang="en" part="N">For uniformity of
            price shall <phr subtype="c" type="ampl" part="N">protect</phr> both the
              welfare of the <rs>seller</rs> and the established prices of all <phr
                subtype="c" type="ampl" part="N">salable</phr> goods.</s>
        </ab>
      <ab xml:id="nov-val_16.2" type="caput" part="N">
        <milestone unit="latin" /> 2. <s xml:id="nov-val_16.2.s1" n="la7" xml:lang="la"
          part="N">De <rs>ponderibus</rs> quoque ut <phr xml:id="nov-val_16.2.s1.p1"
            type="ampl" subtype="g" part="N"><w lemma="fraus" part="N">fraus</w></phr>
            penitus <phr xml:id="nov-val_16.2.s1.p2" type="ampl" subtype="c" part="N"><w
              lemma="amputo" part="N">amputetur</w></phr>, <seg
                xml:id="nov-val_16.2.c1" part="N">a <rs>nobis</rs> dabuntur exagia, quae sub
                <phr xml:id="nov-val_16.2.s1.p3" type="ampl" subtype="g" part="N"><w
                  lemma="interminus" part="N">interminatione</w></phr> superius
                  comprehensa sine <phr xml:id="nov-val_16.2.s1.p4" type="ampl" subtype="g"

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        part="N"><w lemma="fraus" part="N">fraude</w></phr> debeant
        custodiri.</seg></s>
<milestone unit="english" /> 2. <s corresp="#nov-val_16.2.s1" n="en7"
    xml:lang="en" part="N">In order that <phr type="ampl" subtype="g" part="N"
    >fraud</phr> shall be <phr subtype="c" type="ampl" part="N">abolished</phr>
    entirely in regard to <rs>weights</rs> also, <seg corresp="#nov-val_16.2.c1"
    part="N">standards of weight will be given by <rs>Us</rs>. These must be
    observed without <phr type="ampl" subtype="g" part="N">fraud</phr> under the
    <phr type="ampl" subtype="g" part="N">threat</phr> mentioned
    above.</seg></s>
</ab>
<ab xml:id="nov-val_16.subs" type="subs" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_16.subs.s1" n="la8" xml:lang="la" part="N">Et manu divina:
        proponatur amantissimo nostri populo Romano.</s>
    <s xml:id="nov-val_16.subs.s2" n="la9" xml:lang="la" part="N">Et ad latus: Dat. XV
        kal. Feb. <placeName corresp="#rome" instant="false" full="yes"
        >Romae</placeName> Valentiniano A. VI cons. <date when="0445-01-18"
        instant="false">(445 Ian. 18)</date>.</s>
    <milestone unit="english" />
    <s corresp="#nov-val_16.subs.s1" n="en8" xml:lang="en" part="N">(And by the divine
        imperial hand.) This law shall be published to Our most beloved Roman
        People.</s>
    <s corresp="#nov-val_16.subs.s2" n="en9" xml:lang="en" part="N">(And on the
        margin.) Given on the fifteenth day before the kalends of February at
        <placeName instant="false" full="yes">Rome</placeName> in the year of the
        sixth consulship of Valentinian Augustus. - <date instant="false">January 18,
        445</date>.</s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_17" type="titulus" part="N" org="uniform" sample="complete">
    <head xml:id="nov-val_17.titl">
        <s xml:id="nov-val_17.titl.s1" xml:lang="la" part="N">17. DE EPISCOPORUM
            ORDINATIONE</s>
        <s corresp="#nov-val_17.titl.s1" xml:lang="en" part="N">TITLE 17: THE ORDINATION OF
            BISHOPS</s>
    </head>
    <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_17.insc" type="insc" part="N">
            <milestone unit="latin" />
            <s xml:id="nov-val_17.insc.s1" n="la1" xml:lang="la" part="N">1. dd. nn. imp.
                <persName corresp="#theodosius2" instant="false" full="yes"
                >Theodos.</persName> et <persName corresp="#valentinian3" instant="false"
                full="yes">Valentin.</persName> AA. Aetio V. Illustr. com. et mag. utr.
                milit. et Patricio.</s>
            <milestone unit="english" />
            <s corresp="#nov-val_17.insc.s1" n="en1" xml:lang="en" part="N">1. Our Lords the
                Emperors <persName corresp="#theodosius2" instant="false" full="yes"
                >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
                full="yes">Valentinian</persName> Augustuses to the Illustrious Aetius,
                Count and Master of both Branches of the Military Service and Patrician.</s>
        </ab>
        <ab xml:id="nov-val_17.0" type="caput" part="N">
            <milestone unit="latin" /> 0. <s xml:id="nov-val_17.0.s1" n="la2" xml:lang="la"
                part="N">Certum est et <rs ana="#I_emperor"><w lemma="nos" part="N"
                >nobis</w></rs> et <rs ana="#I_emperor"><w lemma="imperium" part="N"
                >imperio</w></rs> nostro unicum esse praesidium in <rs ana="#I_belief"><w
                lemma="superna-divinitas" part="N">supernae divinitatis</w></rs> favore,
                ad quem promerendum praecipue <rs ana="#I_belief"><w lemma="christiana-fides"
                part="N">Christiana fides</w></rs> et veneranda nobis <rs ana="#I_belief"
                ><w lemma="religio" part="N">religio</w></rs> suffragatur.</s>
            <s xml:id="nov-val_17.0.s2" n="la3" xml:lang="la" part="N">Cum igitur <rs
                ana="#I_papacy"><w lemma="sedes-apostolica" part="N">sedis
                apostolicae</w></rs> primatum sancti <rs ana="#I_papacy"><w lemma="Petrus"
                part="N">petri</w></rs> meritum, qui princeps est <rs ana="#I_papacy"><w
                lemma="episcopalis-corona" part="N">episcopalis coronae</w></rs>, et <rs
                ana="#I_Rome"><w lemma="romanus" part="N">Romanae</w></rs> dignitas <rs
                ana="#I_cities"><w lemma="civitas" part="N">civitatis</w></rs>, sacrae etiam
                <rs ana="#I_churches"><w lemma="synodus" part="N">synodi</w></rs> firmasset
                auctoritas, ne quid praeter auctoritatem <rs ana="#I_papacy"><w lemma="sedes"
                part="N">sedis</w></rs> istius <phr xml:id="nov-val_17.0.s2.p1"
                type="ampl" subtype="g" injured="sedes-apostolica" crt-inj="high"
                inj-src="ecclesia" crt-src="high" part="N"><w lemma="illicitus" part="N"
                >illicita</w></phr>
            <phr xml:id="nov-val_17.0.s2.p2" type="ampl" subtype="c"
                injured="sedes-apostolica" crt-inj="high" inj-src="ecclesia" crt-src="high"
                part="N"><w lemma="praesumptio" part="N">praesumptio</w></phr>
            <phr xml:id="nov-val_17.0.s2.p3" type="ampl" subtype="g"
                injured="sedes-apostolica" inj-src="ecclesia" crt-src="high" crt-inj="high"
                part="N"><w lemma="adempto" part="N">ademptare</w></phr> nitatur (tunc
                enim <rs ana="#I_churches"><w lemma="ecclesia" part="N">ecclesiarum</w></rs>
                pax ubique servabitur, si <rs ana="#I_papacy"><w lemma="rektor" part="N"
                >rectorem</w></rs> suum agnoscat universitas), et haec cum hactenus
                inviolabiliter fuerint <phr type="ampl" subtype="c" part="N"><w
                lemma="custodio" part="N">custodita</w></phr>, <rs ana="#I_bishops"><w
                lemma="Hilarius" part="N">Hilarius</w></rs>
            <rs ana="#I_cities"><w lemma="Arles" part="N">Arelatensis</w></rs>, sicut
                venerabilis viri <rs ana="#I_papacy"><w lemma="Leo" part="N">Leonis</w></rs>

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<rs ana="#I_Rome"><w lemma="romanus" part="N">Romani</w></rs>
<rs ana="#I_papacy"><w lemma="papa" part="N">papae</w></rs> fideli relatione
comperimus, <phr xml:id="nov-val_17.0.s2.p4" type="ampl" subtype="g"
inj-src="Hilarius" injured="ecclesia" crt-src="high" crt-inj="high" part="N"
><w lemma="contumax" part="N">contumaci</w></phr>
<phr type="ampl" subtype="c" inj-src="Hilarius" crt-src="high"
injured="ecclesia" crt-inj="high" part="N"><w lemma="audeo" part="N"
>ausu</w></phr>
<phr xml:id="nov-val_17.0.s2.p5" type="ampl" subtype="g" inj-src="Hilarius"
injured="ecclesia" crt-src="high" crt-inj="high" part="N"><w
lemma="illicitus" part="N">illicita</w></phr> quaedam <phr type="ampl"
subtype="c" inj-src="Hilarius" crt-src="high" injured="ecclesia"
crt-inj="high" part="N"><w lemma="praesumo" part="N">praesumenda</w></phr>
<phr xml:id="nov-val_17.0.s2.p6" type="ampl" subtype="c" inj-src="Hilarius"
crt-src="high" injured="ecclesia" crt-inj="high" part="N"><w lemma="tempto"
part="N">temptavit</w></phr> et ideo <rs ana="#I_regions"><w
lemma="transalpinus" part="N">transalpinas</w></rs>
<rs ana="#I_churches"><w lemma="ecclesia" part="N">ecclesias</w></rs>
<phr xml:id="nov-val_17.0.s2.p7" type="ampl" subtype="g" inj-src="Hilarius"
injured="ecclesia" crt-src="high" crt-inj="high" part="N"><w
lemma="abominabilis" part="N">abominabilis</w></phr>
<phr xml:id="nov-val_17.0.s2.p8" type="ampl" subtype="g" inj-src="Hilarius"
injured="ecclesia" crt-src="high" crt-inj="high" part="N"><w
lemma="tumultus" part="N">tumultus</w></phr>
<phr xml:id="nov-val_17.0.s2.p9" type="ampl" subtype="c" inj-src="Hilarius"
crt-src="high" injured="ecclesia" crt-inj="high" part="N"><w lemma="invado"
part="N">invasit</w></phr>: quod recens maxime testatur exemplum.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_17.0.s1" n="en2"
xml:lang="en" part="N">It is certain that the only protection for <rs>Us</rs>
and for Our <rs>Empire</rs> is in the favor of the <rs>Supernal Divinity</rs>,
and that for obtaining this favor, the <rs>Christian faith</rs> and venerable
<rs>religion</rs> especially support us.</s>
<s corresp="#nov-val_17.0.s2" n="en3" xml:lang="en" part="N">Therefore, since the
primacy of the <rs>Apostolic See</rs> has been confirmed by the merit of Saint
<rs>Peter</rs>, who is the first of the <rs>episcopal crown</rs>, by the
dignity of the <rs>City</rs> of <rs>Rome</rs> and also by the authority of a
sacred <rs>synod</rs>, no <phr type="ampl" subtype="g" part="N">illicit</phr>
<phr type="ampl" subtype="c" part="N">presumption</phr> may strive to <phr
type="ampl" subtype="g" part="N">attempt</phr> anything contrary to the
authority of that <rs>See</rs>; for the peace of the <rs>churches</rs> will
finally be preserved everywhere only if the Church universal acknowledges its
<rs>ruler</rs><supplied resp="#pharr" instant="false">.</supplied> Although
these regulations had been inviolably <phr type="ampl" subtype="c" part="N"
>observed</phr> until the present time, <rs>Hilary</rs> of <rs>Arles</rs>,
as We learn from the trustworthy report of the venerable <rs>Leo</rs>,
<rs>Pope</rs> of <rs>Rome</rs>, has <phr type="ampl" subtype="c" part="N"
>attempted</phr>, with <phr type="ampl" subtype="g" part="N"
>contumacious</phr>
<phr type="ampl" subtype="c" part="N">audacity</phr>, to <phr type="ampl"
subtype="c" part="N">presume</phr> certain <phr type="ampl" subtype="g"
part="N">illicit</phr> acts, and therefore an <phr type="ampl" subtype="g"
part="N">abominable</phr>
<phr type="ampl" subtype="g" part="N">tumult</phr> has <phr type="ampl"
subtype="c" part="N">invaded</phr> the <rs>transalpine</rs>
<rs>churches</rs>; a recent example especially testifies to this fact.</s>
</ab>
<ab xml:id="nov-val_17.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_17.1.s1" n="la4" xml:lang="la"
part="N"><rs ana="#I_bishops"><w lemma="Hilarius" part="N">Hilarius</w></rs>
enim, qui <rs ana="#I_bishops"><w lemma="episcopus" part="N">episcopus</w></rs>
<rs ana="#I_cities"><w lemma="Arles" part="N">Arelatensis</w></rs> vocatur <rs
ana="#I_churches"><w lemma="ecclesia" part="N">ecclesiae</w></rs>, <rs
ana="#I_Rome"><w lemma="romanus" part="N">Romanae</w></rs>
<rs ana="#I_Rome"><w lemma="urbis" part="N">urbis</w></rs> inconsulto <rs
ana="#I_papacy"><w lemma="pontifex" part="N">pontifice</w></rs> indebitas
sibi ordinationes <rs ana="#I_bishops"><w lemma="episcopus" part="N"
>episcoporum</w></rs> sola <phr xml:id="nov-val_17.1.s1.p1" type="ampl"
subtype="g" inj-src="Hilarius" crt-src="high" part="N"><w lemma="temeritas"
part="N">temeritate</w></phr>
<phr xml:id="nov-val_17.1.s1.p2" type="ampl" subtype="c" inj-src="Hilarius"
crt-src="high" injured="pontifex" crt-inj="high" part="N"><w lemma="usurpo"
part="N">usurpantis</w></phr>
<phr xml:id="nov-val_17.1.s1.p3" type="ampl" subtype="c" inj-src="Hilarius"
crt-src="high" injured="episcopus" crt-inj="high" part="N"><w lemma="invado"
part="N">invasit</w></phr>.</s>
<s xml:id="nov-val_17.1.s2" n="la5" xml:lang="la" part="N">Nam alios <phr
type="ampl" subtype="g" inj-src="Hilarius" crt-src="low" part="N"><w
lemma="incompetens" part="N">incompetenter</w></phr>
<phr type="ampl" subtype="c" inj-src="Hilarius" crt-src="low"
injured="episcopus" crt-inj="low" part="N"><w lemma="removeo" part="N"
>removit</w></phr>, <phr xml:id="nov-val_17.1.s2.p1" type="ampl"
subtype="g" inj-src="Hilarius" crt-src="low" part="N"><w lemma="indecenter"
part="N">indecenter</w></phr> alios <phr xml:id="nov-val_17.1.s2.p2"
type="ampl" subtype="g" inj-src="Hilarius" injured="civis" crt-src="low"
crt-inj="high" part="N"><w lemma="invitus" part="N">invitis</w></phr> et
<phr xml:id="nov-val_17.1.s2.p3" type="ampl" subtype="c" inj-src="civis"
crt-src="high" injured="Hilarius" crt-inj="low" part="N"><w lemma="repugno"
part="N">repugnantibus</w></phr>
<rs ana="#I_citizens"><w lemma="civis" part="N">civibus</w></rs> ordinavit.</s>

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<s xml:id="nov-val_17.1.s3" n="la6" xml:lang="la" part="N">Qui quoniam non facile
ab his, qui non elegerant, recipiebantur, <phr type="ampl" subtype="c"
inj-src="manus" crt-src="high" part="N"><rs ana="#M_armed-men"><w
lemma="manus" part="N">manum</w></rs></phr> sibi contrahebat <rs
ana="#M_armed-men"><w lemma="armatus" part="N">armatam</w></rs> et claustra
murorum in <phr xml:id="nov-val_17.1.s3.p1" type="ampl" subtype="g"
inj-src="Hilarius manus" crt-src="medium" injured="civis" crt-inj="low"
part="N"><w lemma="hostilis" part="N">hostilem</w></phr> morem vel <phr
xml:id="nov-val_17.1.s3.p2" type="ampl" subtype="g" inj-src="Hilarius manus"
crt-src="medium" injured="civis" crt-inj="low" part="N"><w lemma="obsidio"
part="N">obsidione</w></phr> cingebat vel <phr
xml:id="nov-val_17.1.s3.p3" type="ampl" subtype="c" inj-src="Hilarius manus"
crt-src="medium" injured="civis" crt-inj="low" part="N"><w lemma="adgressio"
part="N">adgressione</w></phr> reserabat et ad sedem quietis pacem
praedicaturus per bella ducebat.</s>
<milestone unit="english" /> 1. <s corresp="#nov-val_17.1.s1" n="en4"
xml:lang="en" part="N">For <rs>Hilary</rs>, who is called <rs>Bishop</rs> of
the <rs>Church</rs> of <rs>Arles</rs>, without consulting the <rs>Pontiff</rs>
of the <rs>City</rs> of <rs>Rome</rs>, has <phr type="ampl" subtype="c"
part="N">appropriated</phr> the ordination of <rs>bishops</rs> that was not
due to him, by the <phr type="ampl" subtype="g" part="N">rash lawlessness</phr>
only of a <phr type="ampl" subtype="c" part="N">usurper</phr>.</s>
<s corresp="#nov-val_17.1.s2" n="en5" xml:lang="en" part="N">For some bishops he
has <phr type="ampl" subtype="c" part="N">removed</phr>
<phr type="ampl" subtype="g" part="N">without due authority</phr>; others he
has ordained <phr type="ampl" subtype="g" part="N">unsuitably</phr>, although
the <rs>citizens</rs> were <phr type="ampl" subtype="g" part="N">
>unwilling</phr> and <phr type="ampl" subtype="c" part="N">
>opposed</phr>.</s>
<s corresp="#nov-val_17.1.s3" n="en6" xml:lang="en" part="N">Since such bishops
were not readily received by those who had not chosen them, he gathered to
himself an <rs>armed</rs>
<phr type="ampl" subtype="c" part="N"><rs>band</rs></phr>, and he either
encircled the enclosures of the walls by a <phr type="ampl" subtype="g"
part="N">siege</phr>, in the manner of an <phr type="ampl" subtype="g"
ana="#meta" part="N">enemy</phr>, or he opened them by an <phr type="ampl"
subtype="c" part="N">attack</phr>, and he who was to preach peace led his
band to the abode of peace through wars.</s>
</ab>
<ab xml:id="nov-val_17.2" type="caput" part="N">
<milestone unit="latin" /> 2. <s xml:id="nov-val_17.2.s1" n="la7" xml:lang="la"
part="N">His talibus et contra <rs ana="#I_emperor"><w lemma="imperium"
part="N">imperii</w></rs>
<rs ana="#I_emperor"><w lemma="maiestas" part="N">maiestatem</w></rs> et contra
reverentiam <rs ana="#I_papacy"><w lemma="apostolica-sedes" part="N">
>apostolicae sedis</w></rs>
<phr type="ampl" subtype="g" inj-src="Hilarius"
injured="imperium apostolica-sedes" crt-src="low" crt-inj="high" part="N"><w
lemma="admissum" part="N">admissis</w></phr>, per ordinem religiosi viri
<rs ana="#I_Rome"><w lemma="urbs" part="N">urbis</w></rs>
<rs ana="#I_papacy"><w lemma="papa" part="N">papae</w></rs> cognitione decursa
certa in eum et de his, quos <phr xml:id="nov-val_17.2.s1.p1" type="ampl"
subtype="g" inj-src="bishop" injured="episcopus" crt-inj="low" part="N"><w
lemma="male" part="N">male</w></phr> ordinaverat, lata sententia est.</s>
<s xml:id="nov-val_17.2.s2" n="la8" xml:lang="la" part="N">Et erat quidem ipsa
sententia per <rs ana="#I_regions"><w lemma="Gallia" part="N">Gallias</w></rs>
etiam sine <rs ana="#I_emperor"><w lemma="imperialis" part="N">
>imperiali</w></rs>
<phr type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N">
>sanctione</w></phr> valitura.</s>
<s xml:id="nov-val_17.2.s3" n="la9" xml:lang="la" part="N">Quid enim tanti <rs
ana="#I_papacy"><w lemma="pontifex" part="N">pontificis</w></rs> auctoritati
in <rs ana="#I_churches"><w lemma="ecclesia" part="N">ecclesias</w></rs> non
liceret?</s>
<s xml:id="nov-val_17.2.s4" n="la10" xml:lang="la" part="N">sed nostram quoque
praeceptionem haec ratio <phr xml:id="nov-val_17.2.s4.p1" type="ampl"
subtype="c" inj-src="Hilarius" crt-src="high" part="N"><w lemma="provoco"
part="N">provocavit</w></phr>, <seg xml:id="nov-val_17.2.c1" part="N">ne
ulterius nec <rs ana="#I_bishops"><w lemma="Hilarius" part="N">
>Hilario</w></rs>, quem adhuc <rs ana="#I_bishops"><w lemma="episcopus"
part="N">episcopum</w></rs> nuncupari sola mansueti praesulis
permittit humanitas, nec cuiquam alteri liceat <rs ana="#I_clergy"><w
lemma="ecclesiasticus" part="N">ecclesiasticis</w></rs> rebus <rs
ana="#M_armed-men"><w lemma="armum" part="N">arma</w></rs> miscere aut
praeceptis <rs ana="#I_Rome"><w lemma="romanus" part="N">Romani</w></rs>
<rs ana="#I_papacy"><w lemma="antistes" part="N">antistitis</w></rs>
obviare.</seg></s>
<s xml:id="nov-val_17.2.s5" n="la11" xml:lang="la" part="N">ausibus enim talibus
fides et reverentia nostri <phr xml:id="nov-val_17.2.s5.p1" type="ampl"
subtype="g" inj-src="bishop" injured="imperium" crt-inj="high" part="N"><w
lemma="violatio" part="N">violatur</w></phr>
<rs ana="#I_emperor"><w lemma="imperium" part="N">imperii</w></rs>.</s>
<milestone unit="english" /> 2. <s corresp="#nov-val_17.2.s1" n="en7"
xml:lang="en" part="N">Since such <phr type="ampl" subtype="g" part="N">
>crimes</phr> were committed both against the <rs>majesty</rs> of the
<rs>Empire</rs> and against reverence for the <rs>Apostolic See</rs>,
through the order of that religious man, the <rs>Pope</rs> of the
<rs>City</rs>, a trial was duly conducted, and a definite sentence was rendered
against Hilary in regard to those bishops whom he had <phr type="ampl"

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        subtype="g" part="N">wrongfully</phr> ordained.</s>
<s corresp="#nov-val_17.2.s2" n="en8" xml:lang="en" part="N">The sentence itself,
indeed, was to be valid throughout <rs>Gaul</rs>, even without an
<rs>imperial</rs>
<phr type="ampl" subtype="c" part="N">sanction</phr>.</s>
<s corresp="#nov-val_17.2.s3" n="en9" xml:lang="en" part="N">For what should not
be granted to the authority of so great a <rs>Pontiff</rs> over the
<rs>churches</rs>?</s>
<s corresp="#nov-val_17.2.s4" n="en10" xml:lang="en" part="N">But this reason has
also <phr type="ampl" subtype="c" part="N">inspired</phr> Us to make this
regulation, <seg corresp="#nov-val_17.2.c1" part="N">in order that neither
<rs>Hilary</rs>, who is permitted until the present to be called
<rs>bishop</rs> only by the humanity of his merciful superior, nor any
other person shall be allowed any further to mingle <rs>arms</rs> with
<rs>ecclesiastical</rs> matters or to oppose the regulations of the
<rs>Bishop</rs> of <rs>Rome</rs>.</seg></s>
<s corresp="#nov-val_17.2.s5" n="en11" xml:lang="en" part="N">For by such
audacious deeds fidelity and reverence for Our <rs>Empire</rs> are <phr
type="ampl" subtype="g" part="N">violated</phr>.</s>
</ab>
<ab xml:id="nov-val_17.3" type="caput" part="N">
<milestone unit="latin" /> 3. <s xml:id="nov-val_17.3.s1" n="la12" xml:lang="la"
part="N">Nec hoc solum, quod est maximi <phr xml:id="nov-val_17.3.s1.p1"
type="ampl" subtype="g" inj-src="armatus" injured="ecclesia" crt-src="low"
crt-inj="high" part="N"><w lemma="crimen" part="N">criminis</w></phr>, <phr
type="ampl" subtype="c" injured="armatus" crt-inj="low" part="N"><w
lemma="submoveo" part="N">submovemus</w></phr>, verum ne levis saltem
inter <rs ana="#I_churches"><w lemma="ecclesia" part="N">ecclesias</w></rs>
<phr xml:id="nov-val_17.3.s1.p2" type="ampl" subtype="g" inj-src="bishop"
injured="ecclesia" crt-inj="high" part="N"><w lemma="turba" part="N">
>turba</w></phr> nascatur vel in aliquo minui <rs ana="#I_belief"><w
lemma="religio" part="N">religionis</w></rs> disciplina videatur, <seg
xml:id="nov-val_17.3.c1" part="N">hac perenni sanctione <phr
xml:id="nov-val_17.3.s1.p3" function="cmdw" part="N">censemus</phr>, ne
quid tam <rs ana="#I_bishops"><w lemma="episcopus" part="N">
>episcopis</w></rs>
<rs ana="#I_regions"><w lemma="gallicus" part="N">Gallicanis</w></rs> quam
<rs ana="#I_regions"><w lemma="alia-provincia" part="N">aliarum
provinciarum</w></rs> contra <rs ana="#I_ancients"><w
lemma="consuetudo" part="N">consuetudinem</w></rs>
<rs ana="#I_ancients"><w lemma="vetus" part="N">veterem</w></rs> liceat sine
viri venerabilis <rs ana="#I_papacy"><w lemma="papa" part="N">papae</w></rs>
<rs ana="#I_Rome"><w lemma="urbs-aeterna" part="N">urbis aeternae</w></rs>
auctoritate <phr xml:id="nov-val_17.3.s1.p4" type="ampl" subtype="c"
inj-src="episcopus gallicus alia-provincia" crt-src="high"
injured="consuetudo vetus papa urbs-aeterna" crt-inj="high" part="N"><w
lemma="tempto" part="N">temptare</w></phr>.</seg></s>
<s xml:id="nov-val_17.3.s2" n="la13" xml:lang="la" part="N"><seg
xml:id="nov-val_17.3.c2" part="N">Sed hoc illis omnibusque pro lege sit
quidquid sanxit vel sanxerit <rs ana="#I_papacy"><w lemma="apostolica-sedes"
part="N">apostolicae sedis</w></rs> auctoritas, ita ut, quisquis <rs
ana="#I_bishops"><w lemma="episcopus" part="N">episcoporum</w></rs> ad
iudicium <rs ana="#I_Rome"><w lemma="romanus" part="N">Romani</w></rs>
<rs ana="#I_papacy"><w lemma="antistes" part="N">antistitis</w></rs>
evocatus venire <phr xml:id="nov-val_17.3.s2.p1" type="ampl" subtype="g"
inj-src="episcopus" crt-src="high" injured="romanus antistes" part="N"><w
lemma="neglego" part="N">neglexerit</w></phr>, per <rs
ana="#P_high-officials"><w lemma="moderator" part="N">
>moderatore</w></rs> eiusdem <rs ana="#E_regions"><w lemma="provincia"
part="N">provinciae</w></rs> adesse <phr xml:id="nov-val_17.3.s2.p2"
type="ampl" subtype="c" inj-src="moderator provincia" crt-src="high"
injured="episcopus" crt-inj="high" part="N"><w lemma="cogo" part="N">
>cogatur</w></phr>, per omnia servatis quae divi parentes nostri <rs
ana="#I_Rome"><w lemma="romanus" part="N">Romanae</w></rs>
<rs ana="#I_churches"><w lemma="ecclesia" part="N">ecclesiae</w></rs>
detulerunt,</seg>
<rs ana="#P_high-officials"><w lemma="Aetius" part="N">Aeti</w></rs> parens
karissime atque amantissime.</s>
<milestone unit="english" /> 3. <s corresp="#nov-val_17.3.s1" n="en12"
xml:lang="en" part="N">Not only do We <phr type="ampl" subtype="c" part="N">
>abolish</phr> this practice, which is a deed of the greatest <phr
type="ampl" subtype="g" part="N">criminality</phr>, but lest even a slight
<phr type="ampl" subtype="g" part="N">disturbance</phr> may arise among the
<rs>churches</rs> or lest in any particular the discipline of
<rs>religion</rs> may appear to be diminished, <seg
corresp="#nov-val_17.3.c1" part="N">by this eternal sanction We <phr
function="cmdw" part="N">decree</phr> that both the <rs>bishops</rs> of
<rs>Gaul</rs> and those of the <rs>other provinces</rs> shall not be
permitted to <phr type="ampl" subtype="c" part="N">attempt</phr> anything
contrary to the <rs>ancient</rs>
<rs>custom</rs>, without the authorization of the venerable <rs>Pope</rs> of
the <rs>Eternal City</rs>.</seg></s>
<s corresp="#nov-val_17.3.s2" n="en13" xml:lang="en" part="N"><seg
corresp="#nov-val_17.3.c2" part="N">But if the authority of the
<rs>Apostolic See</rs> has sanctioned or should sanction anything, such
regulation shall be as law for them and for all men<supplied resp="#pharr"
instant="false">.</supplied> Thus if any of the <rs>bishops</rs> should
be summoned to the court of the <rs>Bishop</rs> of <rs>Rome</rs> and should
<phr type="ampl" subtype="g" part="N">refuse</phr> to come, he shall be

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        <phr type="ampl" subtype="c" part="N">compelled</phr> through the
        <rs>governor</rs> of the same <rs>province</rs> to be present<supplied
        resp="#pharr" instant="false">.</supplied> In all matters, the privileges
        which Our sainted ancestors conferred upon the <rs>Church</rs> of
        <rs>Rome</rs> shall be preserved,</seg> O <rs>Aetius</rs>, dearest and
        most beloved Father.</s>
    </ab>
    <ab xml:id="nov-val_17.4" type="caput" part="N">
        <milestone unit="latin" /> 4. <s xml:id="nov-val_17.4.s1" n="la14" xml:lang="la"
            part="N">Unde illustris et praecelsa <rs ana="#P_high-officials"><w
                lemma="magnificentia" part="N">magnificentia</w></rs> tua praesentis
                edictalis legis auctoritatem secuta faciet, quae sunt superius constituta,
                servari: <seg xml:id="nov-val_17.4.c1" part="N">decem librarum auri <phr
                    xml:id="nov-val_17.4.s1.p1" type="ampl" subtype="g" injured="iudex"
                    crt-inj="high" part="N"><rs ana="#E_payments-fines"><w lemma="multa"
                        part="N">multa</w></rs></phr> protinus exigenda ab unoquoque <rs
                            ana="#P_high-officials"><w lemma="iudex" part="N">iudice</w></rs>, qui
                            <phr type="ampl" subtype="c" inj-src="iudex" crt-src="high" part="N"><w
                                lemma="patior" part="N">passus</w></phr> fuerit <rs ana="#I_emperor">
                                    <w lemma="praeceptum" part="N">praecepta</w></rs> nostra <phr
                                        xml:id="nov-val_17.4.s1.p2" type="ampl" subtype="g" inj-src="iudex"
                                        injured="praeceptum" crt-inj="high" crt-src="high" part="N"><w
                                            lemma="violo" part="N">violari</w></phr>.</seg></s>
                        <milestone unit="english" /> 4. <s corresp="#nov-val_17.4.s1" n="en14"
                            xml:lang="en" part="N">Whence Your Illustrious and Excellent
                            <rs>Magnificence</rs>, in compliance with the authority of the present
                            edictal law, shall cause to be observed the regulations that were established
                            above<supplied resp="#pharr" instant="false">.</supplied>
                            <seg corresp="#nov-val_17.4.c1" part="N">A <phr type="ampl" subtype="g"
                                part="N"><rs>fine</rs></phr> of ten pounds of gold shall immediately be
                                exacted of each and every <rs>judge</rs> who <phr type="ampl" subtype="c"
                                    part="N">permits</phr> Our <rs>commands</rs> to be <phr type="ampl"
                                        subtype="g" part="N">violated</phr>.</seg></s>
                    </ab>
    <ab xml:id="nov-val_17.subs" type="subs" part="N">
        <milestone unit="latin" />
        <s xml:id="nov-val_17.subs.s1" n="la15" xml:lang="la" part="N">Et manu divina:
            divinitas te servet per multos annos, parens karissime atque amantissime.</s>
        <s xml:id="nov-val_17.subs.s2" n="la0" xml:lang="la" part="N">Dat. VIII id. Iul.
            <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
            Valentiniano A. VI et Nomo vc. cons. <date when="0445-07-08" instant="false"
                >(445 Iul. 8)</date>.</s>
        <milestone unit="english" />
        <s corresp="#nov-val_17.subs.s1" n="en15" xml:lang="en" part="N">(And by the
            divine hand.) May the Divinity preserve you throughout many years, dearest and
            most beloved Father.</s>
        <s corresp="#nov-val_17.subs.s2" n="en0" xml:lang="en" part="N">Given on the
            eighth day before the ides of July at <placeName instant="false" full="yes"
                >Rome</placeName> in the year of the sixth consulship of Valentinian
            Augustus and the consulship of the Most Noble Nomus. - <date instant="false"
                >July 8, 445</date>.</s>
    </ab>
</div2>
</div1>
<div1 xml:id="nov-val_18" type="titulus" part="N" org="uniform" sample="complete">
    <head xml:id="nov-val_18.titl">
        <s xml:id="nov-val_18.titl.s1" xml:lang="la" part="N">18. DE MANICHAEIS</s>
        <s corresp="#nov-val_18.titl.s1" xml:lang="en" part="N">TITLE 18: THE MANICHAEANS</s>
    </head>
    <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_18.insc" type="insc" part="N">
            <milestone unit="latin" />
            <s xml:id="nov-val_18.insc.s1" n="la1" xml:lang="la" part="N">1. dd. nn. imp.
                <persName corresp="#theodosius2" instant="false" full="yes"
                    >Theodos.</persName> et <persName corresp="#valentinian3" instant="false"
                        full="yes">Valentin.</persName> AA. Albino II pp.</s>
            <milestone unit="english" />
            <s corresp="#nov-val_18.insc.s1" n="en1" xml:lang="en" part="N">1. Our Lords the
                Emperors <persName corresp="#theodosius2" instant="false" full="yes"
                    >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
                        full="yes">Valentinian</persName> Augustuses to Albinus, Praetorian Prefect
                for the second time.</s>
        </ab>
        <ab xml:id="nov-val_18.0" type="caput" part="N">
            <milestone unit="latin" /> 0. <s xml:id="nov-val_18.0.s1" n="la2" xml:lang="la"
                part="N"><phr xml:id="nov-val_18.0.s1.p1" type="ampl" subtype="g" part="N"><w
                    lemma="superstitio" part="N">Superstitio</w></phr>
                <rs>paganis</rs> quoque <phr xml:id="nov-val_18.0.s1.p2" type="ampl"
                    subtype="g" part="N"><w lemma="damno" part="N">damnata</w></phr> temporibus,
                <phr xml:id="nov-val_18.0.s1.p3" type="ampl" subtype="g" part="N"><w
                    lemma="inimicus" part="N">inimica</w></phr>
                <rs>publicae</rs> disciplinae et <phr xml:id="nov-val_18.0.s1.p4" type="ampl"
                    subtype="g" part="N"><w lemma="hostis" part="N">hostis</w></phr> fidei
                <rs>Christianae</rs>, ad <phr xml:id="nov-val_18.0.s1.p5" type="ampl"
                    subtype="g" part="N"><w lemma="excidium" part="N">excidium</w></phr> sui
                <rs>clementiam nostram</rs> non <phr xml:id="nov-val_18.0.s1.p6" type="ampl"
                    subtype="g" part="N"><w lemma="immerito" part="N">immerito</w></phr>
                <phr xml:id="nov-val_18.0.s1.p7" type="ampl" subtype="c" part="N"><w
                    lemma="provoco" part="N">provocavit</w></phr>.</s>
    </ab>

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<s xml:id="nov-val_18.0.s2" n="la3" xml:lang="la" part="N"><rs>Manichaeos</rs>
loquimur, quos <phr xml:id="nov-val_18.0.s2.p1" type="ampl" subtype="g"
part="N"><w lemma="execrabilis" part="N">execrabiles</w></phr> et toto orbe
<phr xml:id="nov-val_18.0.s2.p2" type="ampl" subtype="c" part="N"><w
lemma="pello" part="N">pellendos</w></phr> omnium retro
<rs>principum</rs> statuta iudicarunt.</s>
<s xml:id="nov-val_18.0.s3" n="la4" xml:lang="la" part="N">Nec <phr
xml:id="nov-val_18.0.s3.p1" type="ampl" subtype="g" part="N"><w
lemma="dissimulatio" part="N">dissimulationem</w></phr>
<phr xml:id="nov-val_18.0.s3.p2" type="ampl" subtype="g" part="N"><w
lemma="crimen" part="N">crimina</w></phr> nuper detecta <phr type="ampl"
subtype="c" part="N"><w lemma="patior" part="N">patiuntur</w></phr>.</s>
<s xml:id="nov-val_18.0.s4" n="la5" xml:lang="la" part="N">Quae enim et quam dictu
auditueque <phr xml:id="nov-val_18.0.s4.p1" type="ampl" subtype="g" part="N"><w
lemma="obscaenus" part="N">obscaena</w></phr> in iudicio beatissimi
<rs>papae Leonis</rs> coram <rs>senatu</rs> amplissimo manifestissima
ipsorum <phr xml:id="nov-val_18.0.s4.p2" type="ampl" subtype="c" part="N"><w
lemma="confessio" part="N">confessione</w></phr> patefacta sunt.</s>
<s xml:id="nov-val_18.0.s5" n="la6" xml:lang="la" part="N">adeo ut eorum quoque
qui diceretur <rs>episcopus</rs> et voce propria proderet et omnia <phr
xml:id="nov-val_18.0.s5.p1" type="ampl" subtype="g" part="N"><w
lemma="scelus" part="N">scelerum</w></phr> suorum secreta
perscriberet.</s>
<s xml:id="nov-val_18.0.s6" n="la7" xml:lang="la" part="N">Quod notitiam nostram
latere non potuit, quibus tutum non est <phr xml:id="nov-val_18.0.s6.p1"
type="ampl" subtype="g" part="N"><w lemma="neglego" part="N"
>neglegere</w></phr> tam <phr xml:id="nov-val_18.0.s6.p2" type="ampl"
subtype="g" part="N"><w lemma="detestor" part="N">detestandam</w></phr>
divinitatis <phr xml:id="nov-val_18.0.s6.p3" type="ampl" subtype="g" part="N"
><w lemma="iniuria" part="N">iniuriam</w></phr> et <phr
xml:id="nov-val_18.0.s6.p4" type="ampl" subtype="c" part="N"><w
lemma="impunitus" part="N">impunitum</w></phr>
<phr type="ampl" subtype="c" part="N"><w lemma="relinquo" part="N"
>relinquere</w></phr>
<phr xml:id="nov-val_18.0.s6.p5" type="ampl" subtype="g" part="N"><w
lemma="scelus" part="N">scelus</w></phr>, quo non solum corpora <phr
xml:id="nov-val_18.0.s6.p6" type="ampl" subtype="g" part="N"><rs><rs><w
lemma="decipio" part="N">deceptorum</w></rs></phr>, sed etiam animae
<phr xml:id="nov-val_18.0.s6.p7" type="ampl" subtype="g" part="N"><w
lemma="inexpiabilis" part="N">inexpiabiliter</w></phr>
<phr xml:id="nov-val_18.0.s6.p8" type="ampl" subtype="g" part="N"><w
lemma="polluo" part="N">polluuntur</w></phr>.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_18.0.s1" n="en2"
xml:lang="en" part="N">That <phr type="ampl" subtype="g" part="N"
>superstition</phr> which was <phr type="ampl" subtype="g" part="N"
>condemned</phr> also in <rs>pagan</rs> times, which is <phr type="ampl"
subtype="g" part="N">hostile</phr> to the <rs>public</rs> discipline and an
<phr type="ampl" subtype="g" part="N">enemy</phr> to the <rs>Christian</rs>
faith, has not <phr type="ampl" subtype="g" part="N">undeservedly</phr>
<phr subtype="c" type="ampl" part="N">provoked</phr>
<rs>Our Clemency</rs> to its own <phr type="ampl" subtype="g" part="N"
>destruction</phr>.</s>
<s corresp="#nov-val_18.0.s2" n="en3" xml:lang="en" part="N">We are speaking of
the <rs>Manichaeans</rs>, whom the statutes of all the former <rs>Emperors</rs>
have adjudged <phr type="ampl" subtype="g" part="N">execrable</phr> and worthy
of <phr subtype="c" type="ampl" part="N">expulsion</phr> from the whole
world.</s>
<s corresp="#nov-val_18.0.s3" n="en4" xml:lang="en" part="N">Their <phr
type="ampl" subtype="g" part="N">crimes</phr> which have been recently
detected do not <phr subtype="c" type="ampl" part="N">permit</phr> Us to <phr
type="ampl" subtype="g" part="N">disregard</phr> them.</s>
<s corresp="#nov-val_18.0.s4" n="en5" xml:lang="en" part="N">For what things that
are <phr type="ampl" subtype="g" part="N">obscene</phr> to tell and to hear
have been revealed by their very manifest <phr subtype="c" type="ampl" part="N"
>confession</phr> in the court of the most blessed <rs>Pope Leo</rs>, in the
presence of the most august <rs>Senate</rs>.</s>
<s corresp="#nov-val_18.0.s5" n="en6" xml:lang="en" part="N">Thus even the man
also who was said to be their <rs>bishop</rs> both betrayed with his own voice
and wrote out all the secrets of their <phr type="ampl" subtype="g" part="N"
>crimes</phr>.</s>
<s corresp="#nov-val_18.0.s6" n="en7" xml:lang="en" part="N">This matter could not
escape Our notice, since it is not safe for Us to <phr type="ampl" subtype="g"
part="N">disregard</phr> so <phr type="ampl" subtype="g" part="N"
>detestable</phr> an <phr type="ampl" subtype="g" part="N">outrage</phr> to
the Divinity of God and to <phr subtype="c" type="ampl" part="N">leave</phr>
<phr subtype="c" type="ampl" part="N">unpunished</phr> a <phr type="ampl"
subtype="g" part="N">crime</phr> whereby not only the bodies of <phr
type="ampl" subtype="g" part="N">deluded</rs></phr> persons, but also
their souls, are <phr type="ampl" subtype="g" part="N">inexpiably</phr>
<phr type="ampl" subtype="g" part="N">polluted</phr>.</s>
</ab>
<ab xml:id="nov-val_18.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_18.1.s1" n="la8" xml:lang="la"
part="N">Unde, Albine parens karissime atque amantissime, <seg
xml:id="nov-val_18.1.c1" part="N">illustris et praeclausa magnificentia tua
hac nos in aeternum victura lege <phr xml:id="nov-val_18.1.s1.p1"
function="cmdw" part="N">statuisse</phr> cognoscat, quam in omnium
<rs>provinciarum</rs> faciet notitiam edictis propositis pervenire, ut
ubicumque terrarum quisquis <rs>Manichaeorum</rs> fuerit <phr

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xml:id="nov-val_18.1.s1.p2" type="ampl" subtype="c" part="N"><w
lemma="deprehendo" part="N">deprehensus</w></phr>
<phr xml:id="nov-val_18.1.s1.p3" type="ampl" subtype="g" part="N"><w
lemma="poena" part="N">poenas</w></phr>, quas in <phr
xml:id="nov-val_18.1.s1.p4" type="ampl" subtype="g" part="N"><w
lemma="sacrilegus" part="N">sacrilegos</w></phr> iura sanxerunt,
auctoritate <rs>publicae</rs>
<phr xml:id="nov-val_18.1.s1.p5" type="ampl" subtype="g" part="N"><w
lemma="severitas" part="N">severitatis</w></phr> excipiat.</seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_18.1.s1" n="en8"
xml:lang="en" part="N">Whence, O Albinus, dearest and most beloved Father, <seg
corresp="#nov-val_18.1.c1" part="N">Your Illustrious and Excellent
Magnificence shall know that We have <phr function="cmdw" part="N"
>decreed</phr> by this law, which shall live forever and which you shall
cause to come to the knowledge of all the <rs>provinces</rs> by posting
edicts, that if any of the <rs>Manichaeans</rs> should be <phr subtype="c"
type="ampl" part="N">apprehended</phr> anywhere in the world, he shall
receive, by the authority of the <rs>public</rs>
<phr type="ampl" subtype="g" part="N">severity</phr>, the <phr type="ampl"
subtype="g" part="N">penalties</phr> which the laws have sanctioned
against persons guilty of <phr type="ampl" subtype="g" part="N"
>sacrilege</phr>.</seg></s>
</ab>
<ab xml:id="nov-val_18.2" type="caput" part="N">
<milestone unit="latin" /> 2. <s xml:id="nov-val_18.2.s1" n="la9" xml:lang="la"
part="N"><seg xml:id="nov-val_18.2.c1" part="N">Sitque <rs>publicum</rs>
<phr xml:id="nov-val_18.2.s1.p1" type="ampl" subtype="g" part="N"><w
lemma="crimen" part="N">crimen</w></phr> et <rs>omni</rs> volenti sine
<phr xml:id="nov-val_18.2.s1.p2" type="ampl" subtype="g" part="N"><w
lemma="accusatio" part="N">accusationis</w></phr>
<phr xml:id="nov-val_18.2.s1.p3" type="ampl" subtype="g" part="N"><w
lemma="periculum" part="N">periculo</w></phr> tales <phr type="ampl"
subtype="c" part="N"><w lemma="arguo" part="N">arguere</w></phr> sit
facultas.</seg></s>
<milestone unit="english" /> 2. <s corresp="#nov-val_18.2.s1" n="en9"
xml:lang="en" part="N"><seg corresp="#nov-val_18.2.c1" part="N">This heresy
shall be a <rs>public</rs>
<phr type="ampl" subtype="g" part="N">crime</phr>, and <rs>every person</rs>
who wishes shall have the right to <phr type="ampl" subtype="g" part="N"
>accuse</phr> such persons without the <phr type="ampl" subtype="g"
part="N">risk</phr> attendant upon an <phr subtype="c" type="ampl"
part="N">accusation</phr>.</seg></s>
</ab>
<ab xml:id="nov-val_18.3" type="caput" part="N">
<milestone unit="latin" /> 3. <s xml:id="nov-val_18.3.s1" n="la10" xml:lang="la"
part="N"><seg xml:id="nov-val_18.3.c1" ana="#ncp" part="N">Nec <rs>cuiquam</rs>
licitum tutumque sit aut <phr xml:id="nov-val_18.3.s1.p1" type="ampl"
subtype="c" part="N"><w lemma="celo" part="N">celare</w></phr>
<rs>tales</rs> ut talibus <phr xml:id="nov-val_18.3.s1.p2" type="ampl"
subtype="c" part="N"><w lemma="coniveo" part="N">conivere</w></phr>, cum
<rs>omnia</rs> de his a nobis confirmata sint retro <rs>principum</rs>
constituta, ut noverint universi hac edictali lege proposita
<rs>Manichaeos</rs> dignitate <rs>militiae</rs> et <rs>urbium</rs>
habitatione <phr type="ampl" subtype="c" part="N"><w lemma="privo" part="N"
>privandos</w></phr>.</seg> ne quis innocens talium conversatione aut
societate <phr xml:id="nov-val_18.3.s1.p3" type="ampl" subtype="c" part="N"><w
lemma="capio" part="N">capiatur</w></phr>.</s>
<s xml:id="nov-val_18.3.s2" n="la11" xml:lang="la" part="N"><seg
xml:id="nov-val_18.3.c2" part="N"><rs>successiones</rs> nec <phr
xml:id="nov-val_18.3.s2.p1" type="ampl" subtype="c" part="N"><w
lemma="capio" part="N">capiant</w></phr> nec <phr type="ampl"
subtype="c" part="N"><w lemma="relinquo" part="N">relinquant</w></phr>,
sed <rs>fisci</rs> nostri viribus adgregentur.</seg></s>
<s xml:id="nov-val_18.3.s3" n="la12" xml:lang="la" part="N"><seg
xml:id="nov-val_18.3.c3" part="N">Nec his quod palam <phr
xml:id="nov-val_18.3.s3.p1" type="ampl" subtype="g" part="N"><w
lemma="interdico" part="N">interdicimus</w></phr> ulla <phr
xml:id="nov-val_18.3.s3.p2" type="ampl" subtype="g" part="N"><w
lemma="fraus" part="N">fraude</w></phr> quaeratur.</seg></s>
<s xml:id="nov-val_18.3.s4" n="la13" xml:lang="la" part="N"><seg
xml:id="nov-val_18.3.c4" part="N"><phr xml:id="nov-val_18.3.s4.p1"
type="ampl" subtype="g" part="N"><w lemma="iniuria" part="N"
>iniuriarum</w></phr> careant actione, contractus liberos omnino non
habeant.</seg></s>
<milestone unit="english" /> 3. <s corresp="#nov-val_18.3.s1" n="en10"
xml:lang="en" part="N"><seg corresp="#nov-val_18.3.c1" ana="#ncp" part="N">It
shall not be licit and safe for <rs>any person</rs> either to <phr
subtype="c" type="ampl" part="N">conceal</phr>
<rs>such persons</rs> or to <phr subtype="c" type="ampl" part="N"
>connive</phr> at them, since all the constitutions of the former
<rs>Emperors</rs> in regard to such heretics have been confirmed by Us,
so that <rs>all men</rs> shall know that by this edictal law that has been
published the <rs>Manichaeans</rs> shall be <phr subtype="c" type="ampl"
part="N">deprived</phr> of the dignity of the <rs>imperial service</rs>
and of the right of residence in the <rs>cities</rs>.</seg> in order that no
innocent person may be <phr subtype="c" type="ampl" part="N">ensnared</phr> by
the intercourse and association of such persons.</s>
<s corresp="#nov-val_18.3.s2" n="en11" xml:lang="en" part="N"><seg
corresp="#nov-val_18.3.c2" part="N">They shall neither <phr subtype="c"

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        type="ampl" part="N">take</phr> nor <phr subtype="c" type="ampl" part="N">
        >leave</phr>
        <rs>inheritances</rs>, but such inheritances shall be added to the resources
        of Our <rs>fisc</rs>.</seg></s>
    <s corresp="#nov-val_18.3.s3" n="en12" xml:lang="en" part="N"><seg
        corresp="#nov-val_18.3.c3" part="N">They shall not seek by any <phr
            type="ampl" subtype="g" part="N">fraud</phr> that which We publicly <phr
            type="ampl" subtype="g" part="N">forbid</phr> them.</seg></s>
    <s corresp="#nov-val_18.3.s4" n="en13" xml:lang="en" part="N"><seg
        corresp="#nov-val_18.3.c4" part="N">They shall forfeit the right of action
        for <phr type="ampl" subtype="g" part="N">outrages</phr> against them; they
        shall have no freedom of contract at all.</seg></s>
</ab>
<ab xml:id="nov-val_18.4" type="caput" part="N">
    <milestone unit="latin" /> 4. <s xml:id="nov-val_18.4.s1" n="la14" xml:lang="la"
        part="N"><seg xml:id="nov-val_18.4.c1" part="N"><rs>Primates</rs> uniuscuiusque
        <rs>militiae</rs> vel <rs>officii</rs> mox exigenda per
        <rs>apparitionem</rs> vestram X librarum auri <phr
            xml:id="nov-val_18.4.s1.p1" type="ampl" subtype="g" part="N"><w
                lemma="multa" part="N">multa</w></phr>
        <phr xml:id="nov-val_18.4.s1.p2" type="ampl" subtype="c" part="N"><w
            lemma="percello" part="N">percellat</w></phr>, si quem hac <phr
            xml:id="nov-val_18.4.s1.p3" type="ampl" subtype="g" part="N"><w
                lemma="superstitio" part="N">superstitione</w></phr>
        <phr xml:id="nov-val_18.4.s1.p4" type="ampl" subtype="g" part="N"><w
            lemma="polluo" part="N">pollutum</w></phr> siverint
        <rs>militare</rs>.</seg></s>
    <s xml:id="nov-val_18.4.s2" n="la15" xml:lang="la" part="N">Neque enim aliquid
        nimium in eos videtur posse decerni, quorum <phr xml:id="nov-val_18.4.s2.p1"
            type="ampl" subtype="g" part="N"><w lemma="incestus" part="N"
                >incesta</w></phr>
        <phr xml:id="nov-val_18.4.s2.p2" type="ampl" subtype="g" part="N"><w
            lemma="perversus" part="N">perversitas</w></phr> religionis nomine <phr
            type="ampl" subtype="g" part="N"><w lemma="lupanar" part="N"
                >lupanaribus</w></phr> quoque ignota vel <phr xml:id="nov-val_18.4.s2.p3"
                type="ampl" subtype="g" part="N"><w lemma="pudendus" part="N"
                    >pudenda</w></phr> committit.</s>
    <milestone unit="english" /> 4. <s corresp="#nov-val_18.4.s1" n="en14"
        xml:lang="en" part="N"><seg corresp="#nov-val_18.4.c1" part="N">The
        <rs>primates</rs> of every branch of the <rs>imperial service</rs> and of
        every <rs>office staff</rs> shall be <phr subtype="c" type="ampl" part="N"
            >punished</phr> with a <phr type="ampl" subtype="g" part="N">fine</phr>
        of ten pounds of gold, which shall be exacted by your <rs>apparitors</rs>,
        if they should permit any person <phr type="ampl" subtype="g" part="N"
            >polluted</phr> by this <phr type="ampl" subtype="g" part="N"
                >superstition</phr> to perform <rs>imperial service</rs>.</seg></s>
    <s corresp="#nov-val_18.4.s2" n="en15" xml:lang="en" part="N">For it does not
        appear that anything too severe can be decreed against those persons whose <phr
            type="ampl" subtype="g" part="N">unchaste</phr>
        <phr type="ampl" subtype="g" part="N">perversity</phr>, in the name of
        religion, commits crimes that are unknown and <phr type="ampl" subtype="g"
            part="N">shameful</phr> even to <phr type="ampl" subtype="g" ana="#meta"
                part="N">brothels</phr>.</s>
</ab>
<ab xml:id="nov-val_18.subs" type="subs" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_18.subs.s1" n="la0" xml:lang="la" part="N">Dat. XIII kal. Iul.
        <placeName corresp="#rome" instant="false" full="yes">Romae</placeName> D.
        n. Valentiniano A. VI et Nomo vc. conss. <date when="0445-06-19"
            instant="false">(445 Iun. 19)</date>.</s>
    <milestone unit="english" />
    <s corresp="#nov-val_18.subs.s1" n="en0" xml:lang="en" part="N">Given on the
        thirteenth day before the kalends of July at <placeName instant="false"
            full="yes">Rome</placeName> in the year of the sixth consulship of Our Lord
        Valentinian Augustus and the consulship of the Most Noble Nomo. - <date
            instant="false">June 19, 445</date>.</s>
</ab>
<ab xml:id="nov-val_18.intr" type="intr" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_18.intr.s1" n="la1" xml:lang="la" part="N">Haec lex
        interpretatione non indiget.</s>
    <milestone unit="english" />
    <s corresp="#nov-val_18.intr.s1" n="en1" xml:lang="en" part="N"><supplied
        resp="#pharr" instant="false">[INTERPRETATION:]</supplied> This law does not
        need interpretation.</s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_19" type="titulus" part="N" org="uniform" sample="complete">
    <head xml:id="nov-val_19.titl">
        <s xml:id="nov-val_19.titl.s1" xml:lang="la" part="N">19. DE HOMICIDIIS CASU FACTIS
            NECNE</s>
        <s corresp="#nov-val_19.titl.s1" xml:lang="en" part="N">TITLE 19: HOMICIDE, WHETHER
            COMMITTED BY ACCIDENT OR NOT</s>
    </head>
    <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_19.insc" type="insc" part="N">
            <milestone unit="latin" />
            <s xml:id="nov-val_19.insc.s1" n="la1" xml:lang="la" part="N">1. dd. nn. imp.

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    <persName corresp="#theodosius2" instant="false" full="yes"
    >Theodos.</persName> et <persName corresp="#valentinian3" instant="false"
    full="yes">Valentin.</persName> AA. Maximo viro illustr. patricio.</s>
  <milestone unit="english" />
  <s corresp="#nov-val_19.insc.s1" n="en1" xml:lang="en" part="N">1. Our Lords the
    Emperors <persName corresp="#theodosius2" instant="false" full="yes"
    >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
    full="yes">Valentinian</persName> Augustuses to the Illustrious Maximus,
    Patrician.</s>
</ab>
<ab xml:id="nov-val_19.0" type="caput" part="N">
  <milestone unit="latin" /> 0. <s xml:id="nov-val_19.0.s1" n="la2" xml:lang="la"
    part="N"><phr xml:id="nov-val_19.0.s1.p1" type="ampl" subtype="g" part="N"
    ><rs><w lemma="criminosus" part="N">Criminosos</w></rs></phr> quidem
    <phr xml:id="nov-val_19.0.s1.p2" type="ampl" subtype="g" part="N"><w
    lemma="aversor" part="N">aversamur</w></phr> omnes et praecipue humano
    <phr xml:id="nov-val_19.0.s1.p3" type="ampl" subtype="g" part="N"><w
    lemma="cruor" part="N">cruore</w></phr>
    <phr xml:id="nov-val_19.0.s1.p4" type="ampl" subtype="g" part="N"><w
    lemma="polluo" part="N">pollutos</w></phr>, quorum crescit <phr
    xml:id="nov-val_19.0.s1.p5" type="ampl" subtype="c" part="N"><w
    lemma="audax" part="N">audacia</w></phr>, cum <phr
    xml:id="nov-val_19.0.s1.p6" type="ampl" subtype="c" part="N"><w
    lemma="impunitas" part="N">impunitas</w></phr> per simplicia vel etiam
    personalia <rs>rescripta</rs> donatur.</s>
    <s xml:id="nov-val_19.0.s2" n="la3" xml:lang="la" part="N"><phr
    xml:id="nov-val_19.0.s2.p1" type="ampl" subtype="g" part="N"><w
    lemma="nefas" part="N">Nefas</w></phr> dictu: per <phr
    xml:id="nov-val_19.0.s2.p2" type="ampl" subtype="g" part="N"><w
    lemma="ignorantia" part="N">ignorantiam</w></phr>
    <phr xml:id="nov-val_19.0.s2.p3" type="ampl" subtype="c" part="N"><w
    lemma="facinus" part="N">facinora</w></phr>
    <phr xml:id="nov-val_19.0.s2.p4" type="ampl" subtype="c" part="N"><w
    lemma="defensio" part="N">defensione</w></phr> vallamus!</s>
    <s xml:id="nov-val_19.0.s3" n="la4" xml:lang="la" part="N">sed quantum est, quod
    occupationibus nostris <phr type="ampl" subtype="c" part="N"><w lemma="astutia"
    part="N">astutia</w></phr>
    <phr xml:id="nov-val_19.0.s3.p1" type="ampl" subtype="c" part="N"><w
    lemma="plecto" part="N">plectendae</w></phr>
    <phr xml:id="nov-val_19.0.s3.p2" type="ampl" subtype="g" part="N"><w
    lemma="subreptio" part="N">subreptionis</w></phr>
    <phr xml:id="nov-val_19.0.s3.p3" type="ampl" subtype="g" part="N"><w
    lemma="illudo" part="N">illudit</w></phr>, cum <rs>rescripta</rs>
    huiusmodi etiam <rs>viro illustri quaestore</rs>
    <phr xml:id="nov-val_19.0.s3.p4" type="ampl" subtype="g" part="N"><w
    lemma="nescio" part="N">nesciente</w></phr> procedant, quem custodem
    statuimus esse iustitiae qua nullum carere debet oraculum.</s>
  <milestone unit="english" /> 0. <s corresp="#nov-val_19.0.s1" n="en2"
    xml:lang="en" part="N">We <phr type="ampl" subtype="g" part="N">loathe</phr>
    all <phr type="ampl" subtype="g" part="N"><rs>criminals</rs></phr>, and
    especially those who are <phr type="ampl" subtype="g" part="N">polluted</phr>
    with human <phr type="ampl" subtype="g" ana="#meta" part="N">blood</phr> and
    whose <phr subtype="c" type="ampl" part="N">audacity</phr> is increasing
    because they are granted <phr subtype="c" type="ampl" part="N">impunity</phr>
    through simple or even personal <rs>rescripts</rs>.</s>
    <s corresp="#nov-val_19.0.s2" n="en3" xml:lang="en" part="N"><phr type="ampl"
    subtype="g" ana="#meta" part="N">Monstrous</phr> to say, through <phr
    type="ampl" subtype="g" part="N">ignorance</phr> We are protecting <phr
    subtype="c" type="ampl" part="N">crimes</phr> by Our <phr subtype="c"
    type="ampl" part="N">defense</phr> of them!</s>
    <s corresp="#nov-val_19.0.s3" n="en4" xml:lang="en" part="N">But how great a wrong
    it is that the <phr subtype="c" type="ampl" part="N">craftiness</phr> of <phr
    subtype="c" type="ampl" part="N">punishable</phr> and <phr type="ampl"
    subtype="g" part="N">surreptitious</phr> statements <phr type="ampl"
    subtype="g" part="N">delude</phr> Us, in Our preoccupation with public
    affairs, since such <rs>rescripts</rs> are issued <phr type="ampl" subtype="g"
    part="N">without the knowledge</phr> even of the <rs>Illustrious
    quaestor</rs>, whom We have established as the guardian of the justice which
    no divine imperial response must lack!</s>
</ab>
<ab xml:id="nov-val_19.1" type="caput" part="N">
  <milestone unit="latin" /> 1. <s xml:id="nov-val_19.1.s1" n="la5" xml:lang="la"
    part="N"><seg xml:id="nov-val_19.1.c1" ana="#ncp" part="N">Merito ergo <phr
    xml:id="nov-val_19.1.s1.p1" type="ampl" subtype="g" part="N"><w
    lemma="male" part="N">male</w></phr>
    <phr xml:id="nov-val_19.1.s1.p2" type="ampl" subtype="c" part="N"><w
    lemma="usurpo" part="N">usurpata</w></phr>
    <phr xml:id="nov-val_19.1.s1.p3" type="ampl" subtype="g" part="N"><w
    lemma="prohibeo" part="N">prohibentes</w></phr> hac edictali lege <phr
    xml:id="nov-val_19.1.s1.p4" function="cmdw" part="N">sancimus</phr>, ut
    <phr xml:id="nov-val_19.1.s1.p5" type="ampl" subtype="g" part="N"><rs><w
    lemma="homicidium" part="N">homicidii</w></rs></phr>, quod tamen
    <phr type="ampl" subtype="c" part="N"><w lemma="casus" part="N">
    >casibus</w></phr> imputaverit <phr xml:id="nov-val_19.1.s1.p6"
    type="ampl" subtype="c" part="N"><w lemma="confessio" part="N">
    >confessio</w></phr>
    <rs>supplicantis</rs>, non aliter indulgentia nisi nostri numinis
    adnotatione praestetur, quoniam rariora erunt <phr
    xml:id="nov-val_19.1.s1.p7" type="ampl" subtype="c" part="N"><w

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        lemma="facinus" part="N">facinora</w></phr> sub nostrum ventura
        iudicium nec ulla nisi <rs>discussis</rs> rebus venia continget.</seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_19.1.s1" n="en5"
    xml:lang="en" part="N"><seg corresp="#nov-val_19.1.c1" ana="#ncp" part="N"
    >Therefore We justly <phr type="ampl" subtype="g" part="N">prohibit</phr>
    rescripts that have been <phr type="ampl" subtype="g" part="N"
    >wrongfully</phr>
    <phr subtype="c" type="ampl" part="N">usurped</phr>, and by this edictal law
    We <phr function="cmdw" part="N">sanction</phr> that pardon shall not
    otherwise be granted for <phr type="ampl" subtype="g" part="N"
    ><rs>homicide</rs></phr>, which, however, the <phr subtype="c"
    type="ampl" part="N">confession</phr> of the <rs>supplicant</rs> ascribes
    to <phr subtype="c" type="ampl" part="N">accident</phr>, except by the
    annotation of Our Divinity, since the <phr subtype="c" type="ampl" part="N"
    >crimes</phr> will be rather rare that will come under Our judgment, and
    clemency will not be extended except after <rs>investigation</rs> of the
    circumstances.</seg></s>
</ab>
<ab xml:id="nov-val_19.2" type="caput" part="N">
    <milestone unit="latin" /> 2. <s xml:id="nov-val_19.2.s1" n="la6" xml:lang="la"
    part="N"><seg xml:id="nov-val_19.2.c1" part="N">Postquam tamen ad cuiuscumque
    <rs>cognitoris</rs> tribunal adnotatio nostra pervenerit,
    <rs>examinari</rs> fidem precum diligenter <phr
    xml:id="nov-val_19.2.s1.p1" function="cmdw" part="N">iubemus</phr>, ut,
    si <phr xml:id="nov-val_19.2.s1.p2" type="ampl" subtype="g" part="N"><w
    lemma="homicidium" part="N">homicidium</w></phr> vel <phr
    xml:id="nov-val_19.2.s1.p3" type="ampl" subtype="c" part="N"><w
    lemma="casus" part="N">casu</w></phr> vel vitandae <phr
    xml:id="nov-val_19.2.s1.p4" type="ampl" subtype="g" part="N"><w
    lemma="mors" part="N">mortis</w></phr>
    <phr type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
    >necessitate</w></phr> constiterit admissum, venia tribuatur
    <rs>orantibus</rs>, <phr xml:id="nov-val_19.2.s1.p5" type="ampl"
    subtype="c" part="N"><w lemma="deprehendo" part="N">deprehensos</w></phr>
    vero in <phr xml:id="nov-val_19.2.s1.p6" type="ampl" subtype="g" part="N"
    ><rs><w lemma="mendacium" part="N">mendaciis</w></rs></phr> ilico
    <phr xml:id="nov-val_19.2.s1.p7" type="ampl" subtype="g" part="N"><w
    lemma="poena" part="N">poena</w></phr>
    <phr xml:id="nov-val_19.2.s1.p8" type="ampl" subtype="c" part="N"><w
    lemma="percello" part="N">percellat</w></phr>.</seg></s>
    <s xml:id="nov-val_19.2.s2" n="la7" xml:lang="la" part="N">His enim tantum volumus
    ignosci, in quorum lapsibus sola potest fortuna <phr
    xml:id="nov-val_19.2.s2.p1" type="ampl" subtype="g" part="N"><w
    lemma="culpo" part="N">culpari</w></phr>.</s>
    <s xml:id="nov-val_19.2.s3" n="la8" xml:lang="la" part="N"><seg
    xml:id="nov-val_19.2.c2" part="N"><phr xml:id="nov-val_19.2.s3.p1"
    type="ampl" subtype="g" part="N"><w lemma="homicida" part="N"
    >Homicidas</w></phr> autem in hominum <phr xml:id="nov-val_19.2.s3.p2"
    type="ampl" subtype="g" part="N"><w lemma="caedo" part="N"
    >caedem</w></phr>
    <phr xml:id="nov-val_19.2.s3.p3" type="ampl" subtype="g" part="N"><w
    lemma="nefarissus" part="N">nefaria</w></phr> voluntate grassatos
    aliorumve <phr xml:id="nov-val_19.2.s3.p4" type="ampl" subtype="c" part="N"
    ><w lemma="capital" part="N">capitalium</w></phr>
    <phr xml:id="nov-val_19.2.s3.p5" type="ampl" subtype="g" part="N"><w
    lemma="crimen" part="N">criminum</w></phr>
    <phr xml:id="nov-val_19.2.s3.p6" type="ampl" subtype="g" part="N"><rs><w
    lemma="reus" part="N">reos</w></rs></phr> nec per <rs>adnotiones
    nostras</rs> licebit absolvi.</seg></s>
    <milestone unit="english" /> 2. <s corresp="#nov-val_19.2.s1" n="en6"
    xml:lang="en" part="N"><seg corresp="#nov-val_19.2.c1" part="N">Nevertheless,
    after Our annotation has come to the tribunal of any <rs>trial judge</rs>
    whatsoever, We <phr function="cmdw" part="N">order</phr> that the
    trustworthiness of the supplication to Us shall be carefully
    <rs>investigated</rs>, so that if it should appear that <phr type="ampl"
    subtype="g" part="N">homicide</phr> has been committed, either by <phr
    subtype="c" type="ampl" part="N">accident</phr> or because of the <phr
    subtype="c" type="ampl" part="N">necessity</phr> of avoiding <phr
    type="ampl" subtype="g" part="N">death</phr>, pardon shall be granted to
    <rs>those persons who so supplicate</rs>, but <phr type="ampl"
    subtype="g" part="N">punishment</phr> shall immediately <phr subtype="c"
    type="ampl" part="N">smite</phr> those who are <phr subtype="c"
    type="ampl" part="N">apprehended</phr> in <phr type="ampl" subtype="g"
    part="N"><rs>lies</rs></phr>.</seg></s>
    <s corresp="#nov-val_19.2.s2" n="en7" xml:lang="en" part="N">For it is Our will
    that pardon shall be granted only in the case of those persons in whose lapses
    fortune alone can be <phr type="ampl" subtype="g" part="N">blamed</phr>.</s>
    <s corresp="#nov-val_19.2.s3" n="en8" xml:lang="en" part="N"><seg
    corresp="#nov-val_19.2.c2" part="N">Moreover, if <phr type="ampl"
    subtype="g" part="N">homicides</phr> have proceeded to the <phr
    type="ampl" subtype="g" part="N">murder</phr> of a man or if any persons
    are <phr type="ampl" subtype="g" part="N"><rs>guilty</rs></phr> of other
    <phr subtype="c" type="ampl" part="N">capital</phr>
    <phr type="ampl" subtype="g" part="N">crimes</phr> because of a <phr
    type="ampl" subtype="g" part="N">nefarious</phr> intention, they shall
    not be permitted to be absolved even through <rs>Our
    annotations</rs>.</seg></s>
</ab>
<ab xml:id="nov-val_19.3" type="caput" part="N">

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<milestone unit="latin" /> 3. <s xml:id="nov-val_19.3.s1" n="la9" xml:lang="la"
  part="N"><seg xml:id="nov-val_19.3.c1" part="N"><rs>Vir spectabilis magister
    scrinii</rs>, qui <phr xml:id="nov-val_19.3.s1.p1" type="ampl"
    subtype="g" part="N"><w lemma="interdico" part="N">interdicta</w></phr>
  <rs>supplicantibus</rs> responsa praebuerit, quinque librarum auri <phr
    xml:id="nov-val_19.3.s1.p2" type="ampl" subtype="g" part="N"><w
    lemma="multa" part="N">multam</w></phr> sacro <rs>aerario</rs> nostro
    <phr xml:id="nov-val_19.3.s1.p3" type="ampl" subtype="c" part="N"><w
    lemma="cogo" part="N">cogatur</w></phr> inferre.</seg></s>
<s xml:id="nov-val_19.3.s2" n="la10" xml:lang="la" part="N"><seg
  xml:id="nov-val_19.3.c2" part="N"><rs>memorialis quoque cuiuslibet
    scrinii</rs>, qui adversum <phr xml:id="nov-val_19.3.s2.p1" type="ampl"
    subtype="c" part="N"><w lemma="veto" part="N">vetita</w></phr>
  <rs>rescriptum</rs> fuerit exsecutus, <phr xml:id="nov-val_19.3.s2.p2"
    type="ampl" subtype="g" part="N"><w lemma="spolio" part="N"
    >spoliatus</w></phr>
  <rs>militia</rs> quinquennii <phr xml:id="nov-val_19.3.s2.p3" type="ampl"
    subtype="g" part="N"><w lemma="relegatio" part="N">relegatione</w></phr>
  <phr xml:id="nov-val_19.3.s2.p4" type="ampl" subtype="c" part="N"><w
    lemma="plecto" part="N">plectatur</w></phr>.</seg></s>
<s xml:id="nov-val_19.3.s3" n="la11" xml:lang="la" part="N">Quod enim fas non est
  vel per <rs>adnotationes nostras</rs>
  <phr xml:id="nov-val_19.3.s3.p1" type="ampl" subtype="g" part="N"><w
    lemma="nocens" part="N">nocentes</w></phr> mereri, multo magis <phr
    xml:id="nov-val_19.3.s3.p2" type="ampl" subtype="c" part="N"><w lemma="veto"
    part="N">vetamus</w></phr>
  <rs>rescriptis</rs> simplicibus impetrare, Maxime parens karissime atque
  amantissime.</s>
<milestone unit="english" /> 3. <s corresp="#nov-val_19.3.s1" n="en9"
  xml:lang="en" part="N"><seg corresp="#nov-val_19.3.c1" part="N">If the
    <rs>Respectable master of the bureau</rs> should grant <phr type="ampl"
    subtype="g" part="N">forbidden</phr> responses to <rs>supplicants</rs>,
    he shall be <phr subtype="c" type="ampl" part="N">compelled</phr> to pay a
    <phr type="ampl" subtype="g" part="N">fine</phr> of five pounds of gold
    to Our sacred <rs>imperial treasury</rs>.</seg></s>
<s corresp="#nov-val_19.3.s2" n="en10" xml:lang="en" part="N"><seg
  corresp="#nov-val_19.3.c2" part="N">If a <rs>secretary also of any bureau
    whatever</rs> should prepare a <rs>rescript</rs> contrary to Our <phr
    subtype="c" type="ampl" part="N">prohibitions</phr>, he shall be <phr
    type="ampl" subtype="g" part="N">deprived</phr> of his <rs>imperial
    service</rs> and <phr subtype="c" type="ampl" part="N">punished</phr>
    with <phr type="ampl" subtype="g" part="N">exile</phr> by relegation for
    five years.</seg></s>
<s corresp="#nov-val_19.3.s3" n="en11" xml:lang="en" part="N">For if it is not
  right for the <phr type="ampl" subtype="g" part="N">guilty</phr> to obtain
  anything through <rs>Our annotations</rs>, much more do We <phr subtype="c"
  type="ampl" part="N">forbid</phr> them to impetrate it by means of simple
  <rs>rescripts</rs>, O Maximus, dearest and most beloved Father.</s>
</ab>
<ab xml:id="nov-val_19.4" type="caput" part="N">
  <milestone unit="latin" /> 4. <s xml:id="nov-val_19.4.s1" n="la12" xml:lang="la"
    part="N"><rs>Illustris itaque et praecelsa magnificentia tua necessarium humano
    generi <phr type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N"
    >sanctionem</w></phr> cunctorum notitiae publicari propositis iubebit
    edictis, ut salubria constituta nullus <phr xml:id="nov-val_19.4.s1.p1"
    type="ampl" subtype="c" part="N"><w lemma="ignoro" part="N"
    >ignoret</w></phr>.</s>
  <milestone unit="english" /> 4. <s corresp="#nov-val_19.4.s1" n="en12"
    xml:lang="en" part="N">Therefore Your Illustrious and Excellent Magnificence by
    posting edicts shall order to be published to the knowledge of all this <phr
    subtype="c" type="ampl" part="N">sanction</phr> which is necessary to the
    human race, so that no person may be <phr subtype="c" type="ampl" part="N"
    >ignorant</phr> of Our salutary constitutions.</s>
</ab>
<ab xml:id="nov-val_19.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_19.subs.s1" n="la13" xml:lang="la" part="N">Et manu divina:
    divinitas te servet per multos annos, parens karissime atque amantissime.</s>
  <s xml:id="nov-val_19.subs.s2" n="la14" xml:lang="la" part="N">Dat. VI id. Dec.
    <placeName corresp="#rome" instant="false" full="yes">Romae</placeName> D.
    n. Valentiniano A. VI et Nomo vc. conss. <date when="0445-08-08" resp="#pharr"
    instant="false">(445 Dec. 10)</date>.</s>
  <s xml:id="nov-val_19.subs.s3" n="la15" xml:lang="la" part="N">P. prid. id. Dec.
    In foro Traiani conss.&gt; suprascriptis.</s>
  <milestone unit="english" />
  <s corresp="#nov-val_19.subs.s1" n="en13" xml:lang="en" part="N">(And by the
    divine hand.) May the Divinity preserve you through many years, dearest and
    most beloved Father.</s>
  <s corresp="#nov-val_19.subs.s2" n="en14" xml:lang="en" part="N">Given on the
    sixth day before the ides of December at <placeName instant="false" full="yes"
    >Rome</placeName> in the year of the sixth consulship of Our Lord
    Valentinian Augustus and the consulship of the Most Noble Nomus. - <date
    instant="false">December</supplied resp="#pharr" instant="false"
    >8</supplied> (10), 445</date>.</s>
  <s corresp="#nov-val_19.subs.s3" n="en15" xml:lang="en" part="N">Posted on the day
    before the ides of December in the Forum of Trajan in the year of the aforesaid
    consulships. - December 12, 445.</s>
</ab>
<ab xml:id="nov-val_19.intr" type="intr" part="N">

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<milestone unit="latin" /> INTERPRETATIO. Lex ista praecipit, ut si quis ad
principem convolaverit adserens se casu homicidium perpetrasset - nam non
voluntarie a se homicidium fuisse commissum - et si per supplicationem a rerum
dominis veniam potuerit impetrare, a rectore provinciae ubi casus iste commissus
est id specialiter debet inquiri et, si certa fuerit suggestio supplicantis,
veniam mereatur obtentam. Ceterum si voluntarie habita discussione convictus
fuerit homicidium commisisse, eandem poenam excipiat, quae de homicidiis legibus
habetur expressa: Impetrata non valeant et capitali sententia feriantur. reliqua
constituta lex ipsa declarat. <milestone unit="english" /> INTERPRETATION: This
law commands that if any person should fly to the Emperor, asserting that he had
perpetrated homicide by accident-for homicide had not been voluntarily committed
by him - and if through supplication he should be able to impetrate pardon from
the Masters of the State, a special investigation must be held by the governor of
the province where that accident has occurred, and if the statement of the
supplicant should be reliable, he shall receive the pardon which has been thus
extended. But if after an investigation has been held, he should be convicted of
having committed homicide voluntarily, he shall receive the same punishment as
that which is stated in the laws on homicides: that is, the rescripts which he has
impetrated shall not be valid, and he shall be smitten with a sentence of capital
punishment. The law itself makes clear the rest of the provisions established.

</ab>
</div2>
</div1>
<div1 xml:id="nov-val_20" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_20.titl">
    <s xml:id="nov-val_20.titl.s1" xml:lang="la" part="N">20. DE CORPORATIS URBIS ROMAE
    QUI AD MILITIAM VEL AD CLERICATUM TRANSIERINT REVOCANDIS</s>
    <s corresp="#nov-val_20.titl.s1" xml:lang="en" part="N">TITLE 20: GUILD MEMBERS OF
    THE CITY OF ROME WHO HAVE PASSED TO THE IMPERIAL SERVICE OR TO THE CLERGY SHALL BE
    RECALLED</s>
  </head>
  <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_20.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_20.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
      corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
      <persName corresp="#valentinian3" instant="false" full="yes">
      Valentin.</persName> AA. Auxentio II pu.</s>
      <milestone unit="english" />
      <s corresp="#nov-val_20.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
      <persName corresp="#theodosius2" instant="false" full="yes">
      Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
      full="yes">Valentinian</persName> Augustuses to Auxentius, Prefect of the
      City for the second time.</s>
    </ab>
    <ab xml:id="nov-val_20.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_20.0.s1" n="la2" xml:lang="la"
      part="N">Quaecumque utilitatem <rs>sacratissimae urbis</rs> respiciunt, oportet
      clementiam nostram salubriter ordinare.</s>
      <s xml:id="nov-val_20.0.s2" n="la3" xml:lang="la" part="N">Providam itaque
      amplitudinis tuae et geminis fascibus comprobata suggestionem secuti, Auxenti
      parens karissime atque amantissime, <seg xml:id="nov-val_20.0.c1" part="N"
      >illustis magnitudo tua pragmatici nostri tenore comperto sciat
      <rs>corporatum</rs> urbis <rs>Romae</rs>, qui non expleto ordine coepti
      officii, priusquam ad primum inter suos locum emeritus pervenerit, ad
      <rs>militiae cuiuslibet cingulum</rs> se crediderit transferendum,
      <rs>corpori</rs>, cui nomen suum ante dicaverat, oportere revocari; sive
      etiam in <rs>clericorum</rs> numero repperitur, usque ad
      <rs>subdiaconis</rs> locum similis praecepti condicio teneatur,</seg>
      quatenus necessitatibus <rs>urbis venerabilis</rs> hoc salubri constituto
      restitutis ministeriis consulatur.</s>
      <milestone unit="english" /> 0. <s corresp="#nov-val_20.0.s1" n="en2"
      xml:lang="en" part="N">Our Clemency must salutarily ordain whatever things
      provide for the welfare of the <rs>most sacred City</rs>.</s>
      <s corresp="#nov-val_20.0.s2" n="en3" xml:lang="en" part="N">Therefore We have
      followed the prudent report of Your Magnitude, which has been approved by the
      double fasces, O Auxentius, dearest and most beloved Father<supplied
      resp="#pharr" instant="false">.</supplied>
      <seg corresp="#nov-val_20.0.c1" part="N">Your Illustrious Magnitude shall learn
      the tenor of this Our pragmatic sanction and shall know that if a <rs>guild
      member</rs> of the City of <rs>Rome</rs> should not have completed the
      order of the service which he has begun, and if he should suppose that he
      should be transferred to the <rs>cincture of office of any imperial
      service</rs> whatever before he has completed his terms of service and
      has arrived at first place among his own fellow guild members, he must be
      recalled to that <rs>guild</rs> to which he had previously dedicated his
      name<supplied resp="#pharr" instant="false">.</supplied> Even if he
      should be found in the number of the <rs>clerics</rs>, the conditions of the
      same regulation shall be observed, even to the rank of
      <rs>subdeacon</rs>,</seg> so that wise provision may be made for the
      necessities of the <rs>venerable City</rs> by the restoration of such services,
      in accordance with this salutary constitution.</s>
    </ab>
    <ab xml:id="nov-val_20.subs" type="subs" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_20.subs.s1" n="la4" xml:lang="la" part="N">Dat. XVIII kal. Mai.
      <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
      Valentiniano A. VI et Nomo vc. conss. <date when="0445-04-14" instant="false"
      >(445 April. 14)</date>.</s>

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<milestone unit="english" />
<s corresp="#nov-val_20.subs.s1" n="en4" xml:lang="en" part="N">Given on the
  eighteenth day before the kalends of May at <placeName instant="false"
    full="yes">Rome</placeName> in the year of the sixth consulship of
  Valentinian Augustus and the consulship of the Most Noble Nomus. - <date
    instant="false">April 14, 445</date>.</s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_21" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_21.titl">
    <s xml:id="nov-val_21.titl.s1" xml:lang="la" part="N">21. DE TESTAMENTIS</s>
    <s corresp="#nov-val_21.titl.s1" xml:lang="en" part="N">TITLE 21: TESTAMENTS</s>
  </head>
  <div2 xml:id="nov-val_21.1" type="constitutio" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_21.1.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_21.1.insc.s1" n="la1" xml:lang="la" part="N">1. dd. nn. impp.
        <persName corresp="#theodosius2" instant="false" full="yes"
          >Theodos.</persName> et <persName corresp="#valentinian3" instant="false"
            full="yes">Valentin.</persName> AA. Albino II pp. et Patricio.</s>
      <milestone unit="english" />
      <s corresp="#nov-val_21.1.insc.s1" n="en1" xml:lang="en" part="N">1. Our Lords the
        Emperors <persName corresp="#theodosius2" instant="false" full="yes"
          >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
            full="yes">Valentinian</persName> Augustuses to Albinus, Praetorian Prefect
        for the second time and Patrician.</s>
    </ab>
    <ab xml:id="nov-val_21.1.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_21.1.0.s1" n="la2" xml:lang="la"
        part="N">Iam dudum quidem <rs>divus avunculus</rs> noster testamentorum
        compendia generali lege complexus formulam iuris antiqui et <phr
          xml:id="nov-val_21.1.0.s1.p1" type="ampl" subtype="c" part="N"><w
            lemma="inanis" part="N">inanem</w></phr> verborum conquisitionem non
            necessariam iudicavit validissimam statuens voluntatem, cum de <rs>nostris
              altaribus</rs>
            <rs>coniuges</rs> petunt, ut decedenti prius succedat superstes.</s>
      <milestone unit="english" /> 0. <s corresp="#nov-val_21.1.0.s1" n="en2"
        xml:lang="en" part="N">Our <rs>sainted uncle</rs> formerly embraced the
        advantages of testaments in a general law, and he judged that the formulas of
        the ancient law and the <phr subtype="c" type="ampl" part="N">empty</phr>
        accumulation of words are not necessary<supplied resp="#pharr" instant="false"
          >.</supplied> He established that a will is absolutely valid when
          <rs>husbands and wives</rs> seek from Our <rs>imperial altars</rs> that the
          survivor shall succeed to the one who dies first.</s>
    </ab>
    <ab xml:id="nov-val_21.1.1" type="caput" part="N">
      <milestone unit="latin" /> 1. <s xml:id="nov-val_21.1.1.s1" n="la3" xml:lang="la"
        part="N">Sed quoniam <rs>leonius vir spectabilis</rs> munitus veteribus
        constitutis nostram supplex maluit expectare sententiam, <seg
          xml:id="nov-val_21.1.1.c1" part="N">occasionem novandae legis <phr
            xml:id="nov-val_21.1.1.s1.p1" function="cmdw" part="N">amplectimur</phr>
            salubri definitione censentes, ut, sive inter se <rs>coniugum</rs> seu
            quorumcumque consensus oblati serenitati nostrae precibus optaverit <phr
              xml:id="nov-val_21.1.1.s1.p2" type="ampl" subtype="g" part="N"><w
                lemma="mors" part="N">morte</w></phr> praeventi <rs>heredem</rs>
              <rs>superstitem</rs> fieri oportere personam, hoc ita ratum firumque
              permaneat, ut nihil robustius aestimetur, et in <rs>Augustam notitiam</rs>
              pervenisse sufficiat, etiamsi nullum processerit ex hac parte
              responsum.</seg></s>
      <milestone unit="english" /> 1. <s corresp="#nov-val_21.1.1.s1" n="en3"
        xml:lang="en" part="N">But since the <rs>Respectable Leonius</rs>, even though
        he was protected by the ancient constitutions, preferred as a suppliant to
        await Our decision, <seg corresp="#nov-val_21.1.1.c1" part="N">We <phr
          function="cmdw" part="N">embrace</phr> this opportunity to renew the law
          of Honorius, and We decree by this salutary regulation that if the agreement
          of <rs>husbands and wives</rs> with each other or the agreement of any
          persons, by offering supplications to Our Serenity, should desire that the
          <rs>surviving person</rs> should become the <rs>heir</rs> of the one who
          has been overtaken by <phr type="ampl" subtype="g" part="N">death</phr>,
          such a wish shall remain so ratified and so valid that nothing shall be
          considered stronger, and it shall be sufficient that this agreement has come
          to <rs>Our august knowledge</rs>, even though no rescript should be issued
          in regard to this matter.</seg></s>
    </ab>
    <ab xml:id="nov-val_21.1.2" type="caput" part="N">
      <milestone unit="latin" /> 2. <s xml:id="nov-val_21.1.2.s1" n="la4" xml:lang="la"
        part="N">Nam cum liceat <rs>cunctis</rs> iure <rs>civili atque praetorio</rs>,
        liceat per nuncupationem, liceat <rs>municipalibus gestis</rs> iudicia suprema
        componere, procul dubio manebit firmior haec voluntas, quae testimonio
        <rs>principis</rs> et subscriptione condetur, si tamen nullum defuncti
        posterius extabit arbitrium.</s>
      <milestone unit="english" /> 2. <s corresp="#nov-val_21.1.2.s1" n="en4"
        xml:lang="en" part="N">For although <rs>all persons</rs> are permitted to
        compose their last wills in accordance with the <rs>civil and praetorian
          law</rs>, although they are permitted through nuncupation, although they are
          permitted by means of the <rs>municipal public records</rs>, without doubt that
          will shall remain even more valid which shall be established by the testimony
          of the <rs>Emperor</rs> and his subscription, provided, however, that no later

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will of the deceased should be extant.</s>

</ab>

<ab xml:id="nov-val_21.1.3" type="caput" part="N">

<milestone unit="latin" /> 3. <s xml:id="nov-val_21.1.3.s1" n="la5" xml:lang="la" part="N"><rs>Leonius vero et iucunda uxor eius</rs> tanta vicissim caritate certarunt, ut fuis simul precibus ius poscerent <rs>liberorum</rs> et propter <phr type="ampl" subtype="c" part="N"><w lemma="incertus" part="N">incertum</w></phr> sortis humanae <rs>superstitem coniugem</rs> precarentur <rs>heredem</rs>: licet superfluo illud addentes, ut intestatae successionis ius ac <phr type="ampl" subtype="c" part="N"><w lemma="licentia" part="N">licentiam</w></phr> sortirentur, cum hoc ipsum, quod serenitati nostrae preces pariter obtulerunt, sit testamenti ordo praecipuus.</s>

<s xml:id="nov-val_21.1.3.s2" n="la6" xml:lang="la" part="N">Praeterea, sicut <phr type="ampl" subtype="c" part="N"><w lemma="supplicatio" part="N">supplicationi</w></phr> conexa monstrarunt, quamvis in unius chartae volumine supremum votis paribus condidere iudicium septem <rs>testium</rs> subscriptionibus roboratum.</s>

<s xml:id="nov-val_21.1.3.s3" n="la7" xml:lang="la" part="N"><seg xml:id="nov-val_21.1.3.c1" part="N">Cui nos aeternam tribui firmitatem legis huius definitione <phr xml:id="nov-val_21.1.3.s3.p1" function="cmdw" part="N">censemus</phr>,</seg> quoniam nec captatorium dici potest, cum <rs>duorum</rs> fuerit similis adfectus et simplex religio testamenta condentum <rs>cunctisque</rs> iam liceat quoquomodo et quibuscumque verbis ultimum dictare iudicium, sicut eorum <rs>principum</rs> statuta declarant, qui <phr type="ampl" subtype="c" part="N"><w lemma="removeo" part="N">removerunt</w></phr> <phr type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N">sanctionibus</w></phr> suis meliore prudentia vetusti iuris ambages.</s>

<milestone unit="english" /> 3. <s corresp="#nov-val_21.1.3.s1" n="en5" xml:lang="en" part="N"><rs>But Leonius and his wife, Jucunda</rs>, vied with each other in so great mutual affection that they both poured out their supplications to Us at the same time and requested the right that accrues to parents on account of their <rs>children</rs>, and because of the <phr subtype="c" type="ampl" part="N">uncertainty</phr> of human destiny, they petitioned that the <rs>surviving husband or wife</rs> should be the <rs>heir</rs> of the other<supplied resp="#pharr" instant="false"></supplied> Although it was unnecessary, they added the request that they might obtain the right and <phr subtype="c" type="ampl" part="N">permission</phr> for succession on intestacy, since the very fact that they equally presented their supplications to Our Serenity is an especial kind of testament.</s>

<s corresp="#nov-val_21.1.3.s2" n="en6" xml:lang="en" part="N">Furthermore, just as the documents appended to their <phr subtype="c" type="ampl" part="N">supplications</phr> have shown, although they have established their last will with the same wishes in the scroll of one document, the will has been corroborated by the subscriptions of seven <rs>witnesses</rs>.</s>

<s corresp="#nov-val_21.1.3.s3" n="en7" xml:lang="en" part="N"><seg corresp="#nov-val_21.1.3.c1" part="N">We <phr function="cmdw" part="N">decree</phr> by the regulation of this law that eternal validity shall be granted to such will<supplied resp="#pharr" instant="false"></supplied></seg> For it cannot be called inheritance-hunting since there is the same affection between the <rs>two persons</rs> and a simple conscientiousness in them when they thus execute their testaments, and since <rs>all persons</rs> are now permitted to dictate their last will in any manner and in any words, just as is made clear by the statutes of those <rs>Emperors</rs> who by their <phr subtype="c" type="ampl" part="N">sanctions</phr> and their superior jurisprudence have <phr subtype="c" type="ampl" part="N">abolished</phr> the ambiguities of the ancient law.</s>

</ab>

<ab xml:id="nov-val_21.1.4" type="caput" part="N">

<milestone unit="latin" /> 4. <s xml:id="nov-val_21.1.4.s1" n="la8" xml:lang="la" part="N">Idcirco, quia minutiis priscae consuetudinis et <phr xml:id="nov-val_21.1.4.s1.p1" type="ampl" subtype="c" part="N"><w lemma="obscuritas" part="N">obscuritate</w></phr> <phr type="ampl" subtype="c" part="N"><w lemma="submoveo" part="N">submota</w></phr> solam defunctorum convenit inspicere voluntatem, cui multum roboris erit si vel septem vel quinque <rs>testibus</rs> muniatur, et <rs>virum spectabilem leonium</rs> praeter fiduciam precum pridem cum <rs>uxore</rs> communium voluntas quoque alia et subscriptionibus <rs>testium</rs> munita defendit, <seg xml:id="nov-val_21.1.4.c1" part="N">apud eundem solida successione <rs>iucundae</rs> coniugis suae iugiter permanente, quisquis maluerit delata nobis <phr type="ampl" subtype="c" part="N"><w lemma="supplicatio" part="N">supplicatione</w></phr> testari habeat liberam facultatem.</seg></s>

<milestone unit="english" /> 4. <s corresp="#nov-val_21.1.4.s1" n="en8" xml:lang="en" part="N">Wherefore, because the minor details and the <phr subtype="c" type="ampl" part="N">obscurity</phr> of ancient custom have been <phr subtype="c" type="ampl" part="N">abolished</phr> and only the intention of deceased persons must be considered, in which there will be complete validity if it is protected either by seven or by five <rs>witnesses</rs>, and because the <rs>Respectable Leonius</rs>, in addition to the trustworthiness of the former common supplications of himself and of his <rs>wife</rs>, is also protected by another will which is strengthened by the subscriptions of <rs>witnesses</rs>, <seg corresp="#nov-val_21.1.4.c1" part="N">the entire inheritance of his wife, <rs>Jucunda</rs>, shall remain permanently in his possession<supplied resp="#pharr" instant="false"></supplied> Whoever should so prefer may have the unrestricted right to make such testaments by presenting <phr subtype="c" type="ampl" part="N">supplications</phr> to Us.</seg></s>

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</ab>
<ab xml:id="nov-val_21.1.5" type="caput" part="N">
  <milestone unit="latin" /> 5. <s xml:id="nov-val_21.1.5.s1" n="la9" xml:lang="la"
    part="N"><seg xml:id="nov-val_21.1.5.c1" part="N"><supplied resp="#meyer"
      instant="false">[Cuius heres ex edicto divi <rs>Hadriani</rs> hereditaria
        corpora consequitur nec bonorum possessionis petendae sustinebit <phr
          type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
            >necessitatem</w></phr>,</supplied></seg><supplied resp="#meyer"
              instant="false"> quam generaliter <rs>omnibus</rs>
                relaxamus.</supplied></s>
  <milestone unit="english" /> 5. <s corresp="#nov-val_21.1.5.s1" n="en9"
    xml:lang="en" part="N"><seg corresp="#nov-val_21.1.5.c1" part="N"><supplied
      resp="#meyer" instant="false">In accordance with the edict of the sainted
        <rs>Hadrian</rs>, the heirs of such persons shall obtain the
          hereditary items of property and shall not sustain the <phr subtype="c"
            type="ampl" part="N">necessity</phr> of petitioning for the possession
              of the goods,</supplied></seg><supplied resp="#meyer" instant="false">
                since We relax this requirement generally for <rs>all
                  persons</rs>.</supplied></s>
</ab>
<ab xml:id="nov-val_21.1.6" type="caput" part="N">
  <milestone unit="latin" /> 6. <s xml:id="nov-val_21.1.6.s1" n="la10" xml:lang="la"
    part="N">Ne tamen hoc testamenti genus plus iusto munisse credamur, <seg
      xml:id="nov-val_21.1.6.c1" part="N">si <rs>quis</rs> sibi vel <phr
        xml:id="nov-val_21.1.6.s1.p1" type="ampl" subtype="g" part="N"><w
          lemma="inofficiosus" part="N">inofficiosi</w></phr>
        <phr xml:id="nov-val_21.1.6.s1.p2" type="ampl" subtype="g" part="N"><w
          lemma="querella" part="N">querellam</w></phr> vel praeteriti competere
          duxerit actionem, hanc utramque secundum iuris et legum statuta <phr
            xml:id="nov-val_21.1.6.s1.p3" function="cmdw" part="N"
              >servamus</phr>,</seg> Albine parens karissime atque amantissime.</s>
  <milestone unit="english" /> 6. <s corresp="#nov-val_21.1.6.s1" n="en10"
    xml:lang="en" part="N">Nevertheless, in order that We may not be supposed to
      have protected this kind of testament more than is just, <seg
        corresp="#nov-val_21.1.6.c1" part="N">if <rs>any person</rs> should suppose
          that either a <phr type="ampl" subtype="g" part="N">complaint</phr> on the
            grounds of <phr type="ampl" subtype="g" part="N">inofficiosity</phr> or an
              action on the fact that he has been passed over in a will is available to
                him, We <phr function="cmdw" part="N">preserve</phr> both of these actions
                  according to the provisions of the law and the statutes,</seg> O Albinus,
                    dearest and most beloved Father.</s>
</ab>
<ab xml:id="nov-val_21.1.7" type="caput" part="N">
  <milestone unit="latin" /> 7. <s xml:id="nov-val_21.1.7.s1" n="la11" xml:lang="la"
    part="N">Idcirco illustris et praeclsa magnificentia tua saluberrimam <phr
      type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N"
        >sanctionem</w></phr> mox in omnium pervenire notitiam propositis iubebit
        edictis, ut possit facile cognosci condendarum servandarumque legum curam nobis
        esse praecipuam.</s>
  <milestone unit="english" /> 7. <s corresp="#nov-val_21.1.7.s1" n="en11"
    xml:lang="en" part="N">Therefore, Your Illustrious and Excellent Magnificence
      by posting edicts shall order this most salutary <phr subtype="c" type="ampl"
        part="N">sanction</phr> to come to the knowledge of all immediately, so that
        it can easily be recognized that it is Our especial care to originate and to
        preserve the laws.</s>
</ab>
<ab xml:id="nov-val_21.1.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_21.1.subs.s1" n="la12" xml:lang="la" part="N">Dat. XII kal.
    Nov. <placeName corresp="#rome" instant="false" full="yes">rom.</placeName>
    Aetio Patricio III et Q. Aurelio Symmacho VV. CC. cons. <date
      when="0446-10-21" instant="false">(446 Oct. 21)</date>.</s>
  <s xml:id="nov-val_21.1.subs.s2" n="la13" xml:lang="la" part="N">P. in foro divi
    Traiani.</s>
  <s xml:id="nov-val_21.1.subs.s3" n="la14" xml:lang="la" part="N">antelata edicto
    Albinii II pp. et Patricii.</s>
  <milestone unit="english" />
  <s corresp="#nov-val_21.1.subs.s1" n="en12" xml:lang="en" part="N">Given on the
    twelfth day before the kalends of November at <placeName instant="false"
      full="yes">Rome</placeName> in the year of the third consulship of the Most
      Noble Aetius, Patrician, and the consulship of the Most Noble Quintus Aurelius
      Symmachus. - <date instant="false">October 21, 446</date>.</s>
  <s corresp="#nov-val_21.1.subs.s2" n="en13" xml:lang="en" part="N">Posted in the
    Forum of the sainted Trajan.</s>
  <s corresp="#nov-val_21.1.subs.s3" n="en14" xml:lang="en" part="N">Placed before
    the edict of Albinus, Praetorian Prefect for the second time and Patrician.</s>
</ab>
<ab xml:id="nov-val_21.1.intr" type="intr" part="N">
  <milestone unit="latin" /> INTERPRETATIO. Haec lex de aliis titulis testamentorum
    id amplius habet, ut, in coniugio positi si filios non habeant, seu maritus uxorem
    seu uxor maritum voluerit, relinquat heredem, quod ius dicitur liberorum. Qui
    etiamsi in una charta suam condere maluerint voluntatem, ut invicem se heredes
    scribant, qui alteri superstes extiterit dimissam rem iuxta legis huius ordinem
    vindicabit, ita tamen, ut his personis quibus lex concedit, si fuerit de
    inofficiosi querella, actio reservetur. <milestone unit="english"
      /> INTERPRETATION. This law contains more fully than the other titles on
      testaments the provision that if persons who are married should not have children,
      whether the husband should wish to leave his wife as heir or the wife, her
      husband, each may leave the other as heir, and this right is called the right that

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accrues to parents on account of their children. Even if they should prefer to establish their wills in one document, so that each in turn may write the other as heir, the one who survives the other shall vindicate the property which has been left, according to the order of this law, but in such a way, nevertheless, that if there should be a complaint on the ground of inofficiosity, such action shall be preserved for those persons to whom the law grants it. </ab>

</div2>

<div2 xml:id="nov-val_21.2" type="constitutio" part="N" org="uniform" sample="complete">

<ab xml:id="nov-val_21.2.insc" type="insc" part="N">

<milestone unit="latin" />

<s xml:id="nov-val_21.2.insc.s1" n="la1" xml:lang="la" part="N">2. <name corresp="#valentinian3 #theodosius2" full="yes" instant="false">Idem</name> AA. Albino II pp. et Patricio.</s>

<milestone unit="english" />

<s corresp="#nov-val_21.2.insc.s1" n="en1" xml:lang="en" part="N">2. The <name corresp="#valentinian3 #theodosius2" full="yes" instant="false">same</name> Augustuses to Albinus, Praetorian Prefect for the second time and Patrician.</s>

</ab>

<ab xml:id="nov-val_21.2.0" type="caput" part="N">

<milestone unit="latin" /> 0. <s xml:id="nov-val_21.2.0.s1" n="la2" xml:lang="la" part="N"><rs>Cum sciamus et <rs>divos principes et clementiam nostram</rs> condendarum legum fomitem frequenter invenisse de precibus, iuvat ex facto, quod nuper evenit, <rs>cunctis</rs> profutura sancire.</s>

<s xml:id="nov-val_21.2.0.s2" n="la3" xml:lang="la" part="N"><rs>Illustrem feminam Pelagiam</rs> cum <rs>Micce illustris femina</rs> dictare vellet heredem, sed <rs>testium</rs> copiam non haberet, per holografam scripturam votum circa praedictam supremam prodidit voluntatis.</s>

<s xml:id="nov-val_21.2.0.s3" n="la4" xml:lang="la" part="N">nam, quod solum potuit secretius licere <phr xml:id="nov-val_21.2.0.s3.p1" type="ampl" subtype="g" part="N"><w lemma="moriore" part="N">moriore</w></phr>, indicem iudicii sui paginam <rs>Caesario viro spectabili tribuno et notario</rs> <rs>fratris sui filio</rs> secreta commisit, quem <rs>natalium decus</rs> et <rs>propinquitatis</rs> religio fidem <phr xml:id="nov-val_21.2.0.s3.p2" type="ampl" subtype="c" part="N"><w lemma="cogere" part="N">cogere</w></phr> servare defunctae.</s>

<s xml:id="nov-val_21.2.0.s4" n="la5" xml:lang="la" part="N">Nec sane electionis suae cura testatricem fefellit.</s>

<s xml:id="nov-val_21.2.0.s5" n="la6" xml:lang="la" part="N">desideriis amittae <rs>Caesarius</rs> obsecutus chartam fidei suae creditam iuris et conscientiae memor eadem qua sumpserat simplicitate vulgavit.</s>

<s xml:id="nov-val_21.2.0.s6" n="la7" xml:lang="la" part="N">Sed <rs>illustris heres</rs> ab <phr xml:id="nov-val_21.2.0.s6.p1" type="ampl" subtype="c" part="N"><w lemma="ambitus" part="N">ambitu</w></phr> <phr xml:id="nov-val_21.2.0.s6.p2" type="ampl" subtype="c" part="N"><w lemma="cupiditas" part="N">cupiditatis</w></phr> <phr type="ampl" subtype="c" part="N"><w lemma="alienus" part="N">aliena</w></phr> nihil de successione <phr type="ampl" subtype="c" part="N"><w lemma="praesumo" part="N">praesumpsit</w></phr>, nihil de corporibus hereditariis <phr xml:id="nov-val_21.2.0.s6.p3" type="ampl" subtype="c" part="N"><w lemma="vindico" part="N">vindica</w></phr> intra hos modestiae terminos manens, ut subdito precibus ultimae voluntatis arbitrio non prius se putaret <rs>heredem</rs>, nisi nos causae iustitiam probaremus.</s>

<s xml:id="nov-val_21.2.0.s7" n="la8" xml:lang="la" part="N"><seg xml:id="nov-val_21.2.0.c1" part="N">recensitis igitur omnibus defunctae iudicium <phr xml:id="nov-val_21.2.0.s7.p1" function="cmdw" part="N"><rs>roboramus</rs>, cui praeter <rs>filium fratris</rs> et litteras suas <rs>testes</rs> habere non licuit.</seg></s>

<s xml:id="nov-val_21.2.0.s8" n="la9" xml:lang="la" part="N"><seg xml:id="nov-val_21.2.0.c2" part="N">idcirco <rs>illustris femina Pelagia</rs> pro ea parte, qua <rs>heres</rs> scripta est, defunctae potietur arbitrio.</seg></s>

<milestone unit="english" /> 0. <s corresp="#nov-val_21.2.0.s1" n="en2" xml:lang="en" part="N">Since We know that the <rs>sainted Emperors as well as Our Clemency</rs> have frequently found in supplications to Us the incitement for originating laws, it is Our pleasure to issue a sanction which will profit <rs>all persons</rs>, on the basis of an incident which recently occurred.</s>

<s corresp="#nov-val_21.2.0.s2" n="en3" xml:lang="en" part="N">When the <rs>Illustrious lady Micce</rs> wished to name as her heir the <rs>Illustrious lady Pelagia</rs> but did not have the opportunity to secure <rs>witnesses</rs>, she made known her wish in regard to the aforesaid woman in her last will by means of a holograph document.</s>

<s corresp="#nov-val_21.2.0.s3" n="en4" xml:lang="en" part="N">For, because it was the only thing which could be permitted rather secretly to a <phr type="ampl" subtype="g" part="N"><rs>woman, she confidently entrusted this page, as the indication of her will, to the <rs>Respectable Caesarius, Tribune and Secretary</rs>, the <rs>son of her own brother</rs>, since the <rs>honor of his birth status</rs> and his respect for the <rs>near kinship</rs> would <phr subtype="c" type="ampl" part="N"><rs>constrain</rs> him to keep faith with the deceased woman.</s>

<s corresp="#nov-val_21.2.0.s4" n="en5" xml:lang="en" part="N">Indeed, her care in her selection did not fail the testatrix;</s>

<s corresp="#nov-val_21.2.0.s5" n="en6" xml:lang="en" part="N"><rs>Caesarius</rs> complied with the wishes of his aunt<supplied resp="#pharr" instant="false">.</supplied> Mindful of the law and his own conscience, he published the document which had been entrusted to his fidelity, with the same sincerity with which he had received it.</s>

<s corresp="#nov-val_21.2.0.s6" n="en7" xml:lang="en" part="N">But since the


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    <rs>Illustrious heiress</rs> was <phr subtype="c" type="ampl" part="N"
    >alien</phr> to the <phr subtype="c" type="ampl" part="N">corruption</phr>
of <phr subtype="c" type="ampl" part="N">greed</phr>, she <phr subtype="c"
type="ampl" part="N">took</phr> nothing from the succession, she <phr
subtype="c" type="ampl" part="N">vindicated</phr> nothing from the goods of
the inheritance, but she remained within such bounds of modesty that she
annexed to her supplication to Us the decision of the last will, and she did
not consider herself as an <rs>heir</rs> until We should approve the justice of
her cause.</s>
<s corresp="#nov-val_21.2.0.s7" n="en8" xml:lang="en" part="N"><seg
corresp="#nov-val_21.2.0.c1" part="N">Therefore We have reviewed all the
circumstances, and We <phr function="cmdw" part="N">corroborate</phr> the
will of the deceased woman, to which she was not permitted to have any
<rs>witnesses</rs> except her <rs>brother's son</rs> and her own
writing.</seg></s>
<s corresp="#nov-val_21.2.0.s8" n="en9" xml:lang="en" part="N"><seg
corresp="#nov-val_21.2.0.c2" part="N">Therefore the <rs>Illustrious lady
Pelagia</rs>, for the part for which she was written as <rs>heir</rs>,
shall obtain possession, in accordance with the will of the deceased
woman.</seg></s>
</ab>
<ab xml:id="nov-val_21.2.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_21.2.1.s1" n="la10" xml:lang="la"
part="N">Ne tamen huius statuti salubritatem generi <phr type="ampl"
subtype="g" part="N"><rs><w lemma="nego" part="N">negemus</w></rs></phr>
humano, <seg xml:id="nov-val_21.2.1.c1" part="N">mansura iugiter lege <phr
xml:id="nov-val_21.2.1.s1.p1" function="cmdw" part="N">decernimus</phr>,
ut <rs>quisquis</rs> per holografam scripturam supremum maluerit ordinare
iudicium habeat liberam facultatem.</seg></s>
<s xml:id="nov-val_21.2.1.s2" n="la11" xml:lang="la" part="N">multis enim <phr
type="ampl" subtype="c" part="N"><w lemma="casus" part="N">casibus</w></phr>
saepe contingit, ut <phr xml:id="nov-val_21.2.1.s2.p1" type="ampl" subtype="g"
part="N"><rs><w lemma="moriore" part="N">morientibus</w></rs></phr>
<rs>testium</rs> numerus et copia <phr xml:id="nov-val_21.2.1.s2.p2"
type="ampl" subtype="g" part="N"><w lemma="denego" part="N"
>denegetur</w></phr>.</s>
<s xml:id="nov-val_21.2.1.s3" n="la12" xml:lang="la" part="N">Quibus erit de
legibus nostris inter ipsa vitae <phr xml:id="nov-val_21.2.1.s3.p1" type="ampl"
subtype="c" part="N"><w lemma="deficio" part="N">deficientis</w></phr>
<phr xml:id="nov-val_21.2.1.s3.p2" type="ampl" subtype="g" part="N"><w
lemma="periculum" part="N">pericula</w></phr> causatio, si propriae <phr
type="ampl" subtype="c" part="N"><w lemma="manus" part="N">manus</w></phr>
litteris scribere quos voluerint non sinantur <rs>heredes</rs>.</s>
<s xml:id="nov-val_21.2.1.s4" n="la13" xml:lang="la" part="N">aliis
<rs>testes</rs> itinerum <phr type="ampl" subtype="c" part="N"><w
lemma="necessitas" part="N">necessitas</w></phr>, aliis <phr type="ampl"
subtype="c" part="N"><w lemma="solitudo" part="N">solitudo</w></phr>
<rs>villarum</rs>, aliis navigatio <rs>servis</rs> tantum comitibus expedita
subducit.</s>
<s xml:id="nov-val_21.2.1.s5" n="la14" xml:lang="la" part="N"><rs>aliorum</rs>
testatas esse <phr xml:id="nov-val_21.2.1.s5.p1" type="ampl" subtype="g"
part="N"><w lemma="prohibeo" part="N">prohibent</w></phr> voluntates hi, qui
velut <phr xml:id="nov-val_21.2.1.s5.p2" type="ampl" subtype="c" part="N"><w
lemma="obsideo" part="N">obsessos</w></phr> conclavibus suis solent <phr
type="ampl" subtype="c" part="N"><rs><w lemma="custodio" part="N"
>custodire</w></rs></phr>
<phr xml:id="nov-val_21.2.1.s5.p3" type="ampl" subtype="g" part="N"><w
lemma="languere" part="N">languentes</w></phr>.</s>
<s xml:id="nov-val_21.2.1.s6" n="la15" xml:lang="la" part="N"><seg
xml:id="nov-val_21.2.1.c2" part="N">nostrae posthac beneficio <phr
type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N"
>sanctionis</w></phr> intestatus <rs>nemo</rs>
<phr xml:id="nov-val_21.2.1.s6.p1" type="ampl" subtype="g" part="N"><w
lemma="moriore" part="N">moriatur</w></phr>, cui fuerit <phr
xml:id="nov-val_21.2.1.s6.p2" type="ampl" subtype="c" part="N"><w
lemma="sollicitudo" part="N">sollicitudo</w></phr> testandi.</seg></s>
<s xml:id="nov-val_21.2.1.s7" n="la0" xml:lang="la" part="N"><seg
xml:id="nov-val_21.2.1.c3" part="N">late viam supremis <phr
xml:id="nov-val_21.2.1.s7.p1" function="cmdw" part="N">aperimus</phr>
arbitriis: si holografa <phr type="ampl" subtype="c" part="N"><w
lemma="manus" part="N">manu</w></phr> testamenta condantur,
<rs>testes</rs> necessarios non putamus.</seg></s>
<s xml:id="nov-val_21.2.1.s8" n="la1" xml:lang="la" part="N">scripto enim taliter
sufficiet <rs>heredi</rs> adserere etiam sine <rs>testibus</rs> fidem rerum,
dummodo reliqua congruere demonstret, quae in testamentis debere servari tam
<rs>veterum principum</rs> quam nostrae praecipunt <phr type="ampl"
subtype="c" part="N"><w lemma="sanctio" part="N">sanctiones</w></phr>, ut in
hereditarium corporum possessionem probata scripturae veritate mittatur.</s>
<milestone unit="english" /> 1. <s corresp="#nov-val_21.2.1.s1" n="en10"
xml:lang="en" part="N">Nevertheless, in order that We may not <phr type="ampl"
subtype="g" part="N"><rs>deny</rs></phr> the salutary assistance of this
statute to the human race, <seg corresp="#nov-val_21.2.1.c1" part="N">by a law
which shall remain continuously valid We <phr function="cmdw" part="N"
>decree</phr> that if <rs>any person</rs> should prefer to order his last
will through a holograph document, he shall have the unrestricted right to
do so.</seg></s>
<s corresp="#nov-val_21.2.1.s2" n="en11" xml:lang="en" part="N">For in many <phr
subtype="c" type="ampl" part="N">cases</phr> it often happens that the
opportunity to secure the statutory number of <rs>witnesses</rs> is <phr

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        type="ampl" subtype="g" part="N">denied</phr>
      <phr type="ampl" subtype="g" part="N"><rs>dying</rs></phr> persons.</s>
    <s corresp="#nov-val_21.2.1.s3" n="en12" xml:lang="en" part="N">Such persons will
      have grounds for complaint about Our laws, if in the very midst of the <phr
        type="ampl" subtype="g" part="N">perils</phr> of their <phr subtype="c"
        type="ampl" part="N">failing</phr> life, they should not be permitted to
        write with the letters of their own <phr subtype="c" type="ampl" part="N"
        >hands</phr> those persons whom they wish as <rs>heirs</rs>.</s>
    <s corresp="#nov-val_21.2.1.s4" n="en13" xml:lang="en" part="N">For in the case of
      some persons, the <phr subtype="c" type="ampl" part="N">necessity</phr> of
      journeys removes the opportunity to secure <rs>witnesses</rs>, in the case of
      others, the <phr subtype="c" type="ampl" part="N">solitude</phr> of their
      <rs>villas</rs>, in the case of others, a voyage which has been undertaken
      with only <rs>slaves</rs> as companions.</s>
    <s corresp="#nov-val_21.2.1.s5" n="en14" xml:lang="en" part="N"><rs>Others</rs>
      are <phr type="ampl" subtype="g" part="N">prevented</phr> from making wills by
      those persons who customarily <phr subtype="c" type="ampl" part="N"
      ><rs>guard</rs></phr> such <phr type="ampl" subtype="g" part="N"
      >sick</phr> persons as though they were <phr subtype="c" type="ampl"
      part="N">enclosed</phr> in locked rooms.</s>
    <s corresp="#nov-val_21.2.1.s6" n="en15" xml:lang="en" part="N"><seg
      corresp="#nov-val_21.2.1.c2" part="N">Hereafter, by the benefit of Our <phr
        subtype="c" type="ampl" part="N">sanction</phr>, <rs>no person</rs> shall
        <phr type="ampl" subtype="g" part="N">die</phr> intestate if he should
        have the <phr subtype="c" type="ampl" part="N">desire</phr> to make a
        testament.</seg></s>
    <s corresp="#nov-val_21.2.1.s7" n="en0" xml:lang="en" part="N"><seg
      corresp="#nov-val_21.2.1.c3" part="N">We <phr function="cmdw" part="N"
      >open</phr> the way widely for last wills; if holograph testaments should
      be executed by <phr subtype="c" type="ampl" part="N">hand</phr>, We do not
      consider <rs>witnesses</rs> necessary.</seg></s>
    <s corresp="#nov-val_21.2.1.s8" n="en1" xml:lang="en" part="N">For in order that
      the person written as <rs>heir</rs> in such a manner may be placed in
      possession of the goods of the inheritance, after he has proved the
      authenticity of the writing, it shall be sufficient for him to assert the
      trustworthiness of the circumstances, even without <rs>witnesses</rs>, provided
      only that he shall demonstrate the agreement of the other circumstances which
      the sanctions of the <rs>ancient Emperors</rs> as well as Our own <phr
        subtype="c" type="ampl" part="N">sanctions</phr> command to be observed in
        testaments.</s>
  </ab>
  <ab xml:id="nov-val_21.2.2" type="caput" part="N">
    <milestone unit="latin" /> 2. <s xml:id="nov-val_21.2.2.s1" n="la2" xml:lang="la"
      part="N"><seg xml:id="nov-val_21.2.2.c1" part="N">Cum tamen <rs>testium</rs>
        praesentiam <rs>testator</rs> elegerit, legitimum numerum semper oportebit
        adhiberi.</seg></s>
    <milestone unit="english" /> 2. <s corresp="#nov-val_21.2.2.s1" n="en2"
      xml:lang="en" part="N"><seg corresp="#nov-val_21.2.2.c1" part="N">Nevertheless,
        when the <rs>testator</rs> chooses the presence of <rs>witnesses</rs>, he
        must always employ the statutory number.</seg></s>
  </ab>
  <ab xml:id="nov-val_21.2.3" type="caput" part="N">
    <milestone unit="latin" /> 3. <s xml:id="nov-val_21.2.3.s1" n="la3" xml:lang="la"
      part="N"><seg xml:id="nov-val_21.2.3.c1" part="N">Necessitatem quoque
        praecipitem <phr xml:id="nov-val_21.2.3.s1.p1" function="cmdw" type="ampl"
        subtype="c" part="N"><w lemma="submoveo" part="N">submovemus</w></phr>,
        quae <rs>testatores</rs> hactenus <phr xml:id="nov-val_21.2.3.s1.p2"
        type="ampl" subtype="c" part="N"><w lemma="compello" part="N"
        >compulit</w></phr> sub unius diei spatio supremum festinato nimis
        ordiri et implere iudicium.</seg></s>
    <s xml:id="nov-val_21.2.3.s2" n="la4" xml:lang="la" part="N"><seg
      xml:id="nov-val_21.2.3.c2" part="N">Quibus nos <phr type="ampl" subtype="c"
      part="N"><w lemma="licentia" part="N">licentiam</w></phr> tempusque
      largimur, ut voluntatem, quam de rebus propriis mente conceperint,
      frequenter scribant, frequenter retractent, frequenter emendent et quot
      voluerint diebus in tantae praesertim causae meditatione
      versentur.</seg></s>
    <s xml:id="nov-val_21.2.3.s3" n="la5" xml:lang="la" part="N">Haec enim deliberatio
      nihil immaturum <phr type="ampl" subtype="c" part="N"><w lemma="relinquo"
      part="N">relinquit</w></phr> cui licebit saepe dictata corrigere.</s>
    <milestone unit="english" /> 3. <s corresp="#nov-val_21.2.3.s1" n="en3"
      xml:lang="en" part="N"><seg corresp="#nov-val_21.2.3.c1" part="N">We also <phr
        subtype="c" function="cmdw" type="ampl" part="N">abolish</phr> the
        necessity of haste which has heretofore <phr subtype="c" type="ampl"
        part="N">compelled</phr>
        <rs>testators</rs> within the excessively hurried space of one day to begin
        and to complete their last wills.</seg></s>
    <s corresp="#nov-val_21.2.3.s2" n="en4" xml:lang="en" part="N"><seg
      corresp="#nov-val_21.2.3.c2" part="N">We graciously grant to such persons
      the <phr subtype="c" type="ampl" part="N">right</phr> and the time to write
      frequently the will which they have conceived in their mind in regard to
      their own property, to reconsider it frequently, to emend it frequently, and
      to be engaged for as many days as they may wish, in meditation on a matter
      that is so especially important.</seg></s>
    <s corresp="#nov-val_21.2.3.s3" n="en5" xml:lang="en" part="N">For such
      deliberation <phr subtype="c" type="ampl" part="N">leaves</phr> nothing
      immature, since the testator shall be allowed to revise often the things which
      he has composed.</s>
  </ab>

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<ab xml:id="nov-val_21.2.4" type="caput" part="N">
  <milestone unit="latin" /> 4. <s xml:id="nov-val_21.2.4.s1" n="la6" xml:lang="la"
    part="N"><seg xml:id="nov-val_21.2.4.c1" part="N"><rs>Testes</rs> autem
      subscriptiones suas uno die vel omnes pariter vel, si legitimus numerus
      exigam moram fecerit, horis praebere diversis sub obtutibus testatoris <phr
        xml:id="nov-val_21.2.4.s1.p1" function="cmdw" part="N"
      >iubemus</phr>.</seg></s>
  <milestone unit="english" /> 4. <s corresp="#nov-val_21.2.4.s1" n="en6"
    xml:lang="en" part="N"><seg corresp="#nov-val_21.2.4.c1" part="N">Moreover, We
      <phr function="cmdw" part="N">order</phr> that <rs>witnesses</rs> shall
      give their subscriptions on one day, under the eyes of the
      <rs>testator</rs>, either all together or, if the requirement of the
      statutory number should make a slight delay, at different hours.</seg></s>
</ab>
<ab xml:id="nov-val_21.2.5" type="caput" part="N">
  <milestone unit="latin" /> 5. <s xml:id="nov-val_21.2.5.s1" n="la7" xml:lang="la"
    part="N">Praeterea, quoniam plerique <phr xml:id="nov-val_21.2.5.s1.p1"
      type="ampl" subtype="c" part="N"><rs><w lemma="deficio" part="N"
        >deficientium</w></rs></phr> voluntates suas cupiunt esse secretas nec
      ante vulgari quam luce <phr xml:id="nov-val_21.2.5.s1.p2" type="ampl"
        subtype="c" part="N"><w lemma="privo" part="N">priventur</w></phr>, <seg
        xml:id="nov-val_21.2.5.c1" part="N"><phr xml:id="nov-val_21.2.5.s1.p3"
          function="cmdw" part="N">statuimus</phr> ac <phr
            xml:id="nov-val_21.2.5.s1.p4" function="cmdw" part="N">iubemus</phr>, ut,
            si <rs>testes</rs> rogati paginae, cuius arcana <phr
              xml:id="nov-val_21.2.5.s1.p5" type="ampl" subtype="g" part="N"><w
                lemma="nescio" part="N">nescierint</w></phr>, coram <rs>testatore</rs>
              subscripserint, nihil ex <phr xml:id="nov-val_21.2.5.s1.p6" type="ampl"
                subtype="g" part="N"><w lemma="ignoratio" part="N">ignorantiae</w></phr>
              <rs>testium</rs> testamentorum firmitatibus <phr
                xml:id="nov-val_21.2.5.s1.p7" type="ampl" subtype="c" part="N"><w
                  lemma="derogo" part="N">derogetur</w></phr>.</seg> Albine parens
              karissime atque amantissime.</s>
  <milestone unit="english" /> 5. <s corresp="#nov-val_21.2.5.s1" n="en7"
    xml:lang="en" part="N">Moreover, since very many <phr subtype="c" type="ampl"
      part="N"><rs>decedents</rs></phr> desire that their wills shall be secret
      and that they shall not be published before such testators are <phr subtype="c"
      type="ampl" part="N">deprived</phr> of the light of life, <seg
      corresp="#nov-val_21.2.5.c1" part="N">We <phr function="cmdw" part="N"
        >establish</phr> and <phr function="cmdw" part="N">order</phr> that if
        the <rs>witnesses</rs> who have been so requested, in the presence of the
        <rs>testator</rs>, should subscribe a page whose secret contents they do
        <phr type="ampl" subtype="g" part="N">not know</phr>, nothing shall be
        <phr subtype="c" type="ampl" part="N">derogated</phr> from the validity
        of such testaments because of such <phr type="ampl" subtype="g" part="N"
          >ignorance</phr> of the <rs>witnesses</rs>.</seg> O Albinus, dearest and
        most beloved Father.</s>
</ab>
<ab xml:id="nov-val_21.2.6" type="caput" part="N">
  <milestone unit="latin" /> 6. <s xml:id="nov-val_21.2.6.s1" n="la8" xml:lang="la"
    part="N">Idcirco illustris et praeclsa magnificentia tua iustissimam legem et
    cunctis generaliter profuturam in omnium celeriter ire notitiam propositis
    iubebit edictis, ut facile possit agnosci nostrarum salubritas <phr type="ampl"
      subtype="c" part="N"><w lemma="sanctio" part="N">sanctionum</w></phr>.</s>
  <milestone unit="english" /> 6. <s corresp="#nov-val_21.2.6.s1" n="en8"
    xml:lang="en" part="N">Therefore Your Illustrious and Excellent Magnificence by
    posting edicts shall order to go swiftly to the knowledge of all this most just
    law, which shall profit all persons generally, so that the salutary prudence of
    Our <phr subtype="c" type="ampl" part="N">sanctions</phr> can be easily
    recognized.</s>
</ab>
<ab xml:id="nov-val_21.2.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_21.2.subs.s1" n="la9" xml:lang="la" part="N">Dat. VII kal. Ian.
    <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
    Aetio III et Symmacho VV. CC. cons. <date when="0446-12-26" instant="false"
      >(446 Dec. 26)</date>.</s>
  <s xml:id="nov-val_21.2.subs.s2" n="la10" xml:lang="la" part="N">acc. VI kal. Ian.
    Romae.</s>
  <s xml:id="nov-val_21.2.subs.s3" n="la11" xml:lang="la" part="N">prop. V kal. Ian.
    In foro Traiani cons. suprascriptis.</s>
  <milestone unit="english" />
  <s corresp="#nov-val_21.2.subs.s1" n="en9" xml:lang="en" part="N">Given on the
    seventh day before the kalends of January at <placeName instant="false"
      full="yes">Rome</placeName> in the year of the third consulship of the Most
    Noble Aetius and the consulship of the Most Noble Symmachus. - <date
      instant="false">December 26, 446</date>.</s>
  <s corresp="#nov-val_21.2.subs.s2" n="en10" xml:lang="en" part="N">Received on the
    sixth day before the kalends of January at Rome. - December 27.</s>
  <s corresp="#nov-val_21.2.subs.s3" n="en11" xml:lang="en" part="N">Posted on the
    fifth day before the kalends of January in the Forum of Trajan in the year of
    the aforesaid consulship. - December 28, 446.</s>
</ab>
<ab xml:id="nov-val_21.2.intr" type="intr" part="N">
  <milestone unit="latin" /> INTERPRETATIO. Haec lex licet alia replicet, quae in
  aliis legibus habentur exposita, tamen hoc amplius observandum esse praecipit, ut,
  si cui fuerit testandi voluntas et testes forsitan defuerint, voluntatem suam
  propria manu perscribat, quae prolata post defuncti obitum plenam obtinet
  firmitatem. <milestone unit="english" /> INTERPRETATION. Although this law repeats

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other matters which are contained and explained in other laws, nevertheless it commands that the further provision shall be observed that if any person should wish to make a testament and witnesses should perhaps be lacking, he may write out his will with his own hand, and when this will is presented in court after the death of the deceased, it shall obtain full validity. </ab>

</div2>

</div1>

<div1 xml:id="nov-val_22" type="titulus" part="N" org="uniform" sample="complete">

<head xml:id="nov-val_22.titl">

<s xml:id="nov-val_22.titl.s1" xml:lang="la" part="N">22. DE OFFICIO ET DE NUMERARIIS PRAEFECTORUM PRAETORIO</s>

<s corresp="#nov-val_22.titl.s1" xml:lang="en" part="N">TITLE 22: THE OFFICE STAFFS AND THE ACCOUNTANTS OF THE PRAETORIAN PREFECTS</s>

</head>

<div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">

<ab xml:id="nov-val_22.insc" type="insc" part="N">

<milestone unit="latin" />

<s xml:id="nov-val_22.insc.s1" n="la1" xml:lang="la" part="N">1. <persName corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et <persName corresp="#valentinian3" instant="false" full="yes">Valentin.</persName> aa Albino II pp. et Patricio.</s>

<milestone unit="english" />

<s corresp="#nov-val_22.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors <persName corresp="#theodosius2" instant="false" full="yes">Theodosius</persName> and <persName corresp="#valentinian3" instant="false" full="yes">Valentinian</persName> Augustuses to Albinus, Praetorian Prefect for the second time and Patrician.</s>

</ab>

<ab xml:id="nov-val_22.0" type="caput" part="N">

<milestone unit="latin" /> 0. <s xml:id="nov-val_22.0.s1" n="la2" xml:lang="la" part="N"><supplied resp="#pharr" instant="false">Iustitiam suggestionis probamus, cuius omnis haec mens est, ne quid umquam contra innocentiam <phr xml:id="nov-val_22.0.s1.p1" type="ampl" subtype="g" part="N"><w lemma="male" part="N">male</w></phr> petentibus licere <phr type="ampl" subtype="c" part="N"><w lemma="patior" part="N">patiamur</w></phr>. scimus enim, quanta saepe <phr xml:id="nov-val_22.0.s1.p2" type="ampl" subtype="g" part="N"><w lemma="miser" part="N">miseros</w></phr> <phr xml:id="nov-val_22.0.s1.p3" type="ampl" subtype="c" part="N"><w lemma="vexo" part="N">vexet</w></phr> <phr xml:id="nov-val_22.0.s1.p4" type="ampl" subtype="g" part="N"><w lemma="invidia" part="N">invidia</w></phr>, quos <phr xml:id="nov-val_22.0.s1.p5" type="ampl" subtype="g" part="N"><w lemma="iniquitas" part="N">iniquitas</w></phr> <rs>iudicantur</rs> fastigio potestatis <phr xml:id="nov-val_22.0.s1.p6" type="ampl" subtype="g" part="N"><w lemma="adfligo" part="N">adfligit</w></phr>.</s>

<s xml:id="nov-val_22.0.s2" n="la3" xml:lang="la" part="N"><rs>Officium sedis celsitudinis tuae</rs>, sine quo <phr type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N">necessitates</w></phr> <rs>publicae</rs> nequeunt expediri, per <phr xml:id="nov-val_22.0.s2.p1" type="ampl" subtype="g" part="N"><w lemma="infortunium" part="N">infortunia</w></phr> multa iam <phr xml:id="nov-val_22.0.s2.p2" type="ampl" subtype="g" part="N"><w lemma="saucius" part="N">saucium</w></phr> medicinam nostrae curationis exposcit, quae dudum potuisset adhiberi, si suggestio similis ante manasset.</s>

<milestone unit="english" /> 0. <s corresp="#nov-val_22.0.s1" n="en2" xml:lang="en" part="N">We approve the justice of your recommendation, since its entire intention is that We shall never <phr subtype="c" type="ampl" part="N"><w lemma="allow" part="N">allow</w></phr> any privilege to those persons who make <phr type="ampl" subtype="g" ana="#meta" part="N">wrong</phr> demands against innocence<supplied resp="#pharr" instant="false">.</supplied> For We know how great <phr type="ampl" subtype="g" part="N">hatred</phr> often <phr subtype="c" type="ampl" part="N">harasses</phr> <phr type="ampl" subtype="g" part="N">unfortunate persons</phr> who are <phr type="ampl" subtype="g" part="N">afflicted</phr> by the <phr type="ampl" subtype="g" part="N">iniquity</phr> of <rs>judges</rs> because of the high position of their power.</s>

<s corresp="#nov-val_22.0.s2" n="en3" xml:lang="en" part="N">The <rs>office staff of Your Excellency</rs>, without which the <rs>public</rs> <phr subtype="c" type="ampl" part="N">necessities</phr> cannot be administered, have already been <phr type="ampl" subtype="g" part="N">wounded</phr> by many <phr type="ampl" subtype="g" part="N">misfortunes</phr>, and they have requested the remedy of Our care, which We would have employed previously if a similar recommendation had been issued.</s>

</ab>

<ab xml:id="nov-val_22.1" type="caput" part="N">

<milestone unit="latin" /> 1. <s xml:id="nov-val_22.1.s1" n="la4" xml:lang="la" part="N"><seg xml:id="nov-val_22.1.c1" part="N">Hac igitur mansura iugiter lege <phr xml:id="nov-val_22.1.s1.p1" function="cmdw" part="N">sancimus</phr>, ut <rs>quisquis ex officio praetoriano</rs>, priusquam <rs>militandi</rs> finem consummatis per ordinem temporibus sortiatur, sub adtestatione <rs>gestorum</rs> testimonio <rs>praefecturam</rs> regentis honestam meruerit missionem, seu quietis studio sive alterius amore <rs>militiae</rs>, nullam sustineat de non peractis stipendiis <rs>quaestionem</rs> fiduciam perpetuae securitatis habiturus.</seg></s>

<milestone unit="english" /> 1. <s corresp="#nov-val_22.1.s1" n="en4" xml:lang="en" part="N"><seg corresp="#nov-val_22.1.c1" part="N">Therefore, by this law which shall remain valid continuously, We <phr function="cmdw" part="N">sanction</phr> that if <rs>any person from the praetorian

office

, before he achieves the end of his imperial service by the completion of the statutory periods of time in due order, should obtain an honorable discharge under the attestation of the records, by the testimony of the prefect at that time in office, whether he obtained such discharge because of his desire for leisure or because of his love for another branch of the imperial service, he shall sustain no investigation in regard to uncompleted terms of service, and he shall have the assurance of perpetual security.

</ab>
 <ab xml:id="nov-val_22.2" type="caput" part="N">
 <milestone unit="latin" /> 2. <s xml:id="nov-val_22.2.s1" n="la5" xml:lang="la" part="N"><seg xml:id="nov-val_22.2.c1" part="N">Praeterea praetorianae sedis, penes quos publicarum rationum notitia consistit, sive privatos sive aliam militiam fortasse sortitos, post quinquennium discussionibus subiacere
 <phr xml:id="nov-val_22.2.s1.p1" function="cmdw" type="ampl" subtype="g" part="N"><w lemma="prohibeo" part="N">prohibemus</w></phr></seg></s>
 <s xml:id="nov-val_22.2.s2" n="la6" xml:lang="la" part="N">Intra hoc enim tempus
 <rs>vestigari</rs> facile quamvis
 <phr type="ampl" subtype="c" part="N"><w lemma="latens" part="N">latens</w></phr> veritas potest.</s>
 <s xml:id="nov-val_22.2.s3" n="la7" xml:lang="la" part="N">Et certe
 <rs>nullius</rs> tam
 <phr xml:id="nov-val_22.2.s3.p1" type="ampl" subtype="c" part="N"><w lemma="gravis" part="N">gravis</w></phr> debet esse condicio, ut terminum non habeat
 <phr xml:id="nov-val_22.2.s3.p2" type="ampl" subtype="c" part="N"><w lemma="sollicitudo" part="N">sollicitudinis</w></phr> et
 <phr xml:id="nov-val_22.2.s3.p3" type="ampl" subtype="g" part="N"><w lemma="timor" part="N">timoris</w></phr></s>
 <milestone unit="english" /> 2. <s corresp="#nov-val_22.2.s1" n="en5" xml:lang="en" part="N"><seg corresp="#nov-val_22.2.c1" part="N">Furthermore, if the accountants of the praetorian office, in whose charge the records of the public accounts rest, should perhaps obtain the lot of private citizens or another branch of the imperial service, We
 <phr function="cmdw" type="ampl" subtype="g" part="N">forbid</phr> that they shall be subject to investigations of their accounts after five years.</seg></s>
 <s corresp="#nov-val_22.2.s2" n="en6" xml:lang="en" part="N">For within such a period of time the truth can easily be investigated, however much it may be
 <phr subtype="c" type="ampl" part="N">hidden</phr></s>
 <s corresp="#nov-val_22.2.s3" n="en7" xml:lang="en" part="N">Certainly the condition of no person must be so
 <phr subtype="c" type="ampl" part="N">grievous</phr> that he can have no end of
 <phr subtype="c" type="ampl" part="N">anxiety</phr> and
 <phr type="ampl" subtype="g" ana="#meta" part="N">fear</phr></s>
 </ab>
 <ab xml:id="nov-val_22.3" type="caput" part="N">
 <milestone unit="latin" /> 3. <s xml:id="nov-val_22.3.s1" n="la8" xml:lang="la" part="N">Munimen uberius consideratio flagitat aequitatis.</s>
 <s xml:id="nov-val_22.3.s2" n="la9" xml:lang="la" part="N"><seg xml:id="nov-val_22.3.c1" ana="#ncp" part="N"><rs>Officium praetorianum</rs> sub quolibet
 <rs>expensarum</rs> colore in praeiudicium cautionum
 <phr xml:id="nov-val_22.3.s2.p1" function="cmdw" type="ampl" subtype="c" part="N"><w lemma="veto" part="N">vetamus</w></phr> urgueri, in cuius
 <phr xml:id="nov-val_22.3.s2.p2" type="ampl" subtype="g" part="N"><w lemma="perniciies" part="N">perniciem</w></phr>
 <phr xml:id="nov-val_22.3.s2.p3" type="ampl" subtype="g" part="N"><w lemma="nequitia" part="N">nequitia</w></phr>
 <rs>creditorum</rs> frequenter excogitat, ut
 <rs>pecuniam pro publica</rs>
 <phr type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N">necessitate</w></phr> numeratam privatis simulent profecisse compendiis: quibus hanc
 <phr xml:id="nov-val_22.3.s2.p4" type="ampl" subtype="g" part="N"><w lemma="poena" part="N">poenam</w></phr> praesenti
 <phr xml:id="nov-val_22.3.s2.p5" function="cmdw" part="N">constituimus</phr>
 <phr type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N">sanctione</w></phr>, ut, si quando pecuniam suam sub tali
 <rs>credendam</rs> putaverint esse contractu, eius protinus
 <phr xml:id="nov-val_22.3.s2.p6" type="ampl" subtype="g" part="N"><w lemma="amissio" part="N">amissione</w></phr>
 <phr xml:id="nov-val_22.3.s2.p7" type="ampl" subtype="g" part="N"><w lemma="multo" part="N">multentur</w></phr> nihilque vel ab his quos adversum
 <phr xml:id="nov-val_22.3.s2.p8" type="ampl" subtype="c" part="N"><w lemma="veto" part="N">vetita</w></phr>
 <phr xml:id="nov-val_22.3.s2.p9" type="ampl" subtype="g" part="N"><w lemma="decipio" part="N">deceperint</w></rs></phr> vel de
 <rs>publicis rationibus</rs> consequantur.</seg></s>
 <milestone unit="english" /> 3. <s corresp="#nov-val_22.3.s1" n="en8" xml:lang="en" part="N">The consideration of equity demands a more abundant protection.</s>
 <s corresp="#nov-val_22.3.s2" n="en9" xml:lang="en" part="N"><seg corresp="#nov-val_22.3.c1" ana="#ncp" part="N">We
 <phr subtype="c" function="cmdw" type="ampl" part="N">forbid</phr> that the praetorian office staff, under any pretext of expenses, shall be forced into the prejudicial action of issuing written acknowledgments of debt, since the
 <phr type="ampl" subtype="g" part="N">wickedness</phr> of creditors frequently plans for the
 <phr type="ampl" subtype="g" part="N">ruin</phr> of this office staff, in that they pretend that money which has been paid for the public
 <phr subtype="c" type="ampl" part="N">necessity</phr> has profited private gains
 <supplied resp="#pharr" instant="false">Against such

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        creditors by the present <phr subtype="c" type="ampl" part="N"
        >sanction</phr> We <phr function="cmdw" part="N">decree</phr> the
        following <phr type="ampl" subtype="g" part="N">punishment</phr>, namely,
        that if they should ever suppose that they should <rs>lend</rs> any of their
        money under such a contract, they shall immediately be <phr type="ampl"
        subtype="g" part="N">fined</phr> by the <phr type="ampl" subtype="g"
        part="N">forfeiture</phr> of such money, and they shall obtain nothing
        either from those persons whom they <phr type="ampl" subtype="g" part="N"
        ><rs>deceived</rs></phr> in violation of Our <phr subtype="c"
        type="ampl" part="N">prohibitions</phr> or from the <rs>public
        accounts</rs>.</seg></s>
    </ab>
    <ab xml:id="nov-val_22.4" type="caput" part="N">
        <milestone unit="latin" /> 4. <s xml:id="nov-val_22.4.s1" n="la10" xml:lang="la"
        part="N"><seg xml:id="nov-val_22.4.c1" ana="#ncp" part="N">Haec <rs>officio
        praetoriano</rs> salutis fortunarumque praesidia tribuisse sufficiat, cui
        etiam <rs>mensores</rs>, quos pridem habere desiderat, pro
        <rs>mansionum</rs> suarum quiete concedimus,</seg> Albine parens
        karissime atque amantissime.</s>
        <milestone unit="english" /> 4. <s corresp="#nov-val_22.4.s1" n="en10"
        xml:lang="en" part="N"><seg corresp="#nov-val_22.4.c1" ana="#ncp" part="N">It
        shall be sufficient to have granted such protection for their safety and
        their fortunes to the <rs>praetorian office staffs</rs>, to whom We also
        grant <rs>quartering officers</rs>, whom they have long desired to have, for
        the peace of their <rs>halting places</rs>,</seg> O Albinus, dearest and
        most beloved Father.</s>
    </ab>
    <ab xml:id="nov-val_22.5" type="caput" part="N">
        <milestone unit="latin" /> 5. <s xml:id="nov-val_22.5.s1" n="la11" xml:lang="la"
        part="N">Illustris igitur et praecelsa magnificentia tua iustissimam legem
        propriis vulgabit edictis, ut omnibus innotescat nostro saeculo rei publicae
        nihil amplius esse praestandum nisi quod deceat adquiri.</s>
        <milestone unit="english" /> 5. <s corresp="#nov-val_22.5.s1" n="en11"
        xml:lang="en" part="N">Therefore Your Illustrious and Excellent Magnificence by
        posting your edicts shall publish this most just law, so that it may become
        known to all men that in Our era nothing further must be granted to the State
        except that which it behooves Us to acquire.</s>
    </ab>
    <ab xml:id="nov-val_22.subs" type="subs" part="N">
        <milestone unit="latin" />
        <s xml:id="nov-val_22.subs.s1" n="la12" xml:lang="la" part="N">Dat. XVIII kal.
        Ian. <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
        Aetio III et Symmacho VV. CC. cons. <date when="0446-12-15" instant="false"
        >(446 Dec. 15)</date>.</s>
        <milestone unit="english" />
        <s corresp="#nov-val_22.subs.s1" n="en12" xml:lang="en" part="N">Given on the
        eighteenth day before the kalends of January at <placeName instant="false"
        full="yes">Rome</placeName> in the year of the third consulship of the Most
        Noble Aetius and the consulship of the Most Noble Symmachus. - <date
        instant="false">December 15, 446</date>.</s>
    </ab>
</div2>
</div1>
<div1 xml:id="nov-val_23" type="titulus" part="N" org="uniform" sample="complete">
    <head xml:id="nov-val_23.titl">
        <s xml:id="nov-val_23.titl.s1" xml:lang="la" part="N">23. DE SEPULCRI
        VIOLATORIBUS</s>
        <s corresp="#nov-val_23.titl.s1" xml:lang="en" part="N">TITLE 23: VIOLATORS OF
        TOMBS</s>
    </head>
    <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_23.insc" type="insc" part="N">
            <milestone unit="latin" />
            <s xml:id="nov-val_23.insc.s1" n="la1" xml:lang="la" part="N">1. dd. nn. imp.
            <persName corresp="#theodosius2" instant="false" full="yes"
            >Theodos.</persName> et <persName corresp="#valentinian3" instant="false"
            full="yes">Valentin.</persName> AA. Albino II pp. et Patricio.</s>
            <milestone unit="english" />
            <s corresp="#nov-val_23.insc.s1" n="en1" xml:lang="en" part="N">1. Our Lords the
            Emperors <persName corresp="#theodosius2" instant="false" full="yes"
            >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
            full="yes">Valentinian</persName> Augustuses to Albinus, Praetorian Prefect
            for the second time and Patrician.</s>
        </ab>
        <ab xml:id="nov-val_23.0" type="caput" part="N">
            <milestone unit="latin" /> 0. <s xml:id="nov-val_23.0.s1" n="la2" xml:lang="la"
            part="N">Diligenter quidem <rs ana="#I_ancients"><w lemma="lex-veterum"
            part="N">legum veterum</w></rs> conditores prospexerunt <phr
            xml:id="nov-val_23.0.s1.p1" type="ampl" subtype="g" injured="citzns"
            part="N"><w lemma="miser" part="N">miseris</w></phr> et post <phr
            xml:id="nov-val_23.0.s1.p2" type="ampl" subtype="c" part="N"><w
            lemma="fatum" part="N">fata</w></phr>
            <rs ana="#I_dead"><w lemma="mortalis" part="N">mortalibus</w></rs>, eorum qui
            <rs ana="#I_dead"><w lemma="sepulcrum" part="N">sepulcra</w></rs>
            <phr xml:id="nov-val_23.0.s1.p3" type="ampl" subtype="g" inj-src="violo"
            injured="mortalis" crt-src="high" crt-inj="high" part="N"><rs
            ana="#I_criminal"><w lemma="violo" part="N">violassent</w></rs></phr>
            <phr xml:id="nov-val_23.0.s1.p4" type="ampl" subtype="c" part="N"><w
            lemma="caput" part="N">capita</w></phr>

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<phr xml:id="nov-val_23.0.s1.p5" type="ampl" subtype="c" part="N"><w
  lemma="persequor" part="N">persequendo</w></phr>.</s>
<s xml:id="nov-val_23.0.s2" n="la3" xml:lang="la" part="N">Sed quoniam <phr
  xml:id="nov-val_23.0.s2.p1" type="ampl" subtype="g" inj-src="mens"
  crt-src="high" part="N"><w lemma="noxia" part="N">noxiae</w></phr>
<rs ana="#I_criminal"><w lemma="mens" part="N">mentes</w></rs>
<phr xml:id="nov-val_23.0.s2.p2" type="ampl" subtype="g" injured="mens"
  crt-inj="high" part="N"><w lemma="caecus" part="N">caeco</w></phr> semper in
<phr xml:id="nov-val_23.0.s2.p3" type="ampl" subtype="c" inj-src="mens"
  crt-src="high" part="N"><w lemma="facinus" part="N">facinus</w></phr>
<phr xml:id="nov-val_23.0.s2.p4" type="ampl" subtype="g" injured="mens"
  crt-inj="high" part="N"><w lemma="furor" part="N">furore</w></phr>
<phr xml:id="nov-val_23.0.s2.p5" type="ampl" subtype="g" injured="mens"
  crt-inj="high" part="N"><w lemma="rapio" part="N">rapiuntur</w></phr> et se
ad <phr xml:id="nov-val_23.0.s2.p6" type="ampl" subtype="g" injured="mens"
  crt-inj="high" part="N"><w lemma="poena" part="N">poenas</w></phr> dudum
statutas existimant non teneri, necesse est <phr xml:id="nov-val_23.0.s2.p7"
  type="ampl" subtype="g" injured="mens" crt-inj="high" part="N"><w
  lemma="severitas" part="N">severitatem</w></phr> novare, quam videmus
hactenus <phr xml:id="nov-val_23.0.s2.p8" type="ampl" subtype="g"
  inj-src="mens" crt-src="high" part="N"><w lemma="impune" part="N"
  >impune</w></phr>
<phr xml:id="nov-val_23.0.s2.p9" type="ampl" subtype="g" inj-src="mens"
  crt-src="high" part="N"><w lemma="contemno" part="N"
  >contemptam</w></phr>.</s>
<s xml:id="nov-val_23.0.s3" n="la4" xml:lang="la" part="N">Quis enim <rs
  ana="#I_citizens"><w lemma="nescio" part="N">nescit</w></rs> quietos <phr
  xml:id="nov-val_23.0.s3.p2" type="ampl" subtype="g" inj-src="violator"
  injured="defunctus" crt-src="low" crt-inj="high" part="N"><w
  lemma="sollicito" part="N">sollicitari</w></phr>
<phr xml:id="nov-val_23.0.s3.p3" type="ampl" subtype="g" inj-src="violator"
  injured="defunctus" crt-src="low" crt-inj="high" part="N"><w
  lemma="funestus" part="N">funestis</w></phr>
<phr type="ampl" subtype="c" inj-src="violator" crt-src="low"
  injured="defunctus" crt-inj="high" part="N"><w lemma="audeo" part="N"
  >ausibus</w></phr> manes et <phr xml:id="nov-val_23.0.s3.p4" type="ampl"
  subtype="g" injured="defunctus" crt-inj="high" part="N"><w
  lemma="horribilis" part="N">horribilem</w></phr>
<phr xml:id="nov-val_23.0.s3.p5" type="ampl" subtype="g" inj-src="violator"
  injured="defunctus" crt-src="low" crt-inj="high" part="N"><w
  lemma="violentia" part="N">violentiam</w></phr>
<rs ana="#I_dead"><w lemma="defunctus" part="N">defunctorum</w></rs> cineribus
inferri?</s>
<s xml:id="nov-val_23.0.s4" n="la5" xml:lang="la" part="N">luce palam <rs
  ana="#I_dead"><w lemma="sepulcrum" part="N">sepulcra</w></rs>
<phr xml:id="nov-val_23.0.s4.p1" type="ampl" subtype="g" inj-src="violator"
  injured="sepulcrum" crt-src="low" crt-inj="high" part="N"><w lemma="caedo"
  part="N">caeduntur</w></phr> et quidquid <rs ana="#I_belief"><w
  lemma="religio" part="N">religio</w></rs>
<phr xml:id="nov-val_23.0.s4.p2" type="ampl" subtype="c" inj-src="religio"
  crt-src="high" part="N"><w lemma="veto" part="N">vetat</w></phr> in usum
<phr type="ampl" subtype="c" inj-src="violator" crt-src="low" part="N"><w
  lemma="licentia" part="N">licentiae</w></phr>
<phr type="ampl" subtype="c" inj-src="violator" crt-src="low" part="N"><w
  lemma="traho" part="N">trahit</w></phr>
<phr xml:id="nov-val_23.0.s4.p3" type="ampl" subtype="g" inj-src="violator"
  crt-src="low" part="N"><w lemma="sacrilegus" part="N">sacrilega</w></phr>
<phr xml:id="nov-val_23.0.s4.p4" type="ampl" subtype="c" inj-src="violator"
  crt-src="low" part="N"><w lemma="praesumptio" part="N"
  >praesumptio</w></phr>.</s>
<s xml:id="nov-val_23.0.s5" n="la6" xml:lang="la" part="N">finis <phr
  xml:id="nov-val_23.0.s5.p1" type="ampl" subtype="g" injured="mortuus"
  crt-inj="high" part="N"><w lemma="malum" part="N">malorum</w></phr> iam nec
<phr xml:id="nov-val_23.0.s5.p2" type="ampl" subtype="g" injured="mortuus"
  crt-inj="high" part="N"><rs ana="#I_dead"><w lemma="mortuus" part="N"
  >mortuis</w></rs></phr> datur, in quorum <phr
  xml:id="nov-val_23.0.s5.p3" type="ampl" subtype="g" injured="mortuus"
  crt-inj="high" part="N"><w lemma="supplicium" part="N">supplicia</w></phr>
constructio <phr xml:id="nov-val_23.0.s5.p4" type="ampl" subtype="g"
  injured="mortuus" part="N"><w lemma="miserandus" part="N"
  >miserandae</w></phr> sedis <phr type="ampl" subtype="c" inj-src="violator"
  crt-src="low" injured="mortuus" crt-inj="high" part="N"><w lemma="eripio"
  part="N">eripitur</w></phr>.</s>
<s xml:id="nov-val_23.0.s6" n="la7" xml:lang="la" part="N">scimus enim - nec vana
<rs ana="#I_belief"><w lemma="fides" part="N">fides</w></rs> est - solutas
membris <rs ana="#I_souls"><w lemma="anima" part="N">animas</w></rs> habere
sensum et in originem suam spiritum redire caelestem.</s>
<s xml:id="nov-val_23.0.s7" n="la8" xml:lang="la" part="N">Hoc <rs
  ana="#I_ancients"><w lemma="liber-veter" part="N">libris veteris</w></rs>
sapientiae, hoc <rs ana="#I_belief"><w lemma="religio" part="N"
  >religionis</w></rs>, quam veneramur et colimus, declaratur arcanis.</s>
<s xml:id="nov-val_23.0.s8" n="la9" xml:lang="la" part="N">Et licet <phr
  type="ampl" subtype="c" injured="mens-divina" crt-inj="high" part="N"><w
  lemma="occido" part="N">occasus</w></phr>
<phr type="ampl" subtype="c" injured="mens-divina" crt-inj="high" part="N"><w
  lemma="necessitas" part="N">necessitatem</w></phr>
<rs ana="#I_souls"><w lemma="mens-divina" part="N">mens divina</w></rs> non
sentiat, amant tamen <rs ana="#I_souls"><w lemma="anima" part="N"
  >animae</w></rs> sedem <rs ana="#I_dead"><w lemma="corpus" part="N"

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    <corporum</w></rs>
    <phr type="ampl" subtype="c" inj-src="anima" crt-src="high" injured="corpus"
      crt-inj="high" part="N"><w lemma="relinquo" part="N">relictorum</w></phr> et
    <phr xml:id="nov-val_23.0.s8.p1" type="ampl" subtype="g" part="N"><w
      lemma="nescio" part="N">nescio</w></phr> qua sorte rationis <phr
      xml:id="nov-val_23.0.s8.p2" type="ampl" subtype="c" part="N"><w
        lemma="occultus" part="N">occultae</w></phr>
    <rs ana="#I_dead"><w lemma="sepulcrum" part="N">sepulcri</w></rs> honore
    laetantur, cuius tanta permanet cunctis cura temporibus, ut videamus in hos
    usus sumptu nimio pretiosa montium metalla transferri operosasque <phr
      xml:id="nov-val_23.0.s8.p3" type="ampl" subtype="c" part="N"><w
        lemma="moles" part="N">moles</w></phr>
    <rs ana="#E_inheritance"><w lemma="census" part="N">censu</w></rs>
    <phr xml:id="nov-val_23.0.s8.p4" type="ampl" subtype="c" injured="census"
      crt-inj="high" part="N"><w lemma="laboro" part="N">laborante</w></phr>
    componi.</s>
    <s xml:id="nov-val_23.0.s9" n="la10" xml:lang="la" part="N">Quod <rs
      ana="#E_nobles"><w lemma="prudens" part="N">prudentium</w></rs> certe
    intelligentia recusaret, si nihil crederet esse post <phr
      xml:id="nov-val_23.0.s9.p1" type="ampl" subtype="g" injured="prudens"
      crt-inj="high" part="N"><w lemma="mors" part="N">mortem</w></phr>.</s>
    <s xml:id="nov-val_23.0.s10" n="la11" xml:lang="la" part="N">nimis <phr
      xml:id="nov-val_23.0.s10.p1" type="ampl" subtype="g" inj-src="violator"
      crt-src="low" part="N"><w lemma="barbarus" part="N">barbara</w></phr> est et
    <phr xml:id="nov-val_23.0.s10.p2" type="ampl" subtype="g" inj-src="violator"
      crt-src="low" part="N"><w lemma="vesanus" part="N">vesana</w></phr>
    <phr xml:id="nov-val_23.0.s10.p3" type="ampl" subtype="g" inj-src="violator"
      crt-src="low" part="N"><w lemma="crudelitas" part="N">crudelitas</w></phr>
    munus extremum luce carentibus <phr xml:id="nov-val_23.0.s10.p4" type="ampl"
      subtype="g" inj-src="violator" crt-src="low" part="N"><w lemma="invideo"
      part="N">invidere</w></phr> et <phr xml:id="nov-val_23.0.s10.p5"
      type="ampl" subtype="g" injured="sepulcrum" inj-src="violator" crt-src="low"
      crt-inj="high" part="N"><w lemma="diruo" part="N">dirutis</w></phr> per <phr
      xml:id="nov-val_23.0.s10.p6" type="ampl" subtype="g" inj-src="violator"
      crt-src="low" part="N"><w lemma="inexpiabilis" part="N"
      >inexpiabile</w></phr>
    <phr xml:id="nov-val_23.0.s10.p7" type="ampl" subtype="g" injured="sepulcrum"
      inj-src="violator" crt-src="low" crt-inj="high" part="N"><w lemma="crimen"
      part="N">crimen</w></phr>
    <rs ana="#I_dead"><w lemma="sepulcrum" part="N">sepulcris</w></rs> monstrare
    caelo <rs ana="#I_dead"><w lemma="corpus" part="N">corporum</w></rs> reliquias
    humatorum.</s>
    <milestone unit="english" /> 0. <s corresp="#nov-val_23.0.s1" n="en2"
      xml:lang="en" part="N">The founders of the <rs>ancient laws</rs>, indeed,
    diligently provided for <phr type="ampl" subtype="g" part="N">unhappy</phr>
    <rs>mortals</rs> even after their <phr type="ampl" subtype="c" part="N"
      >death</phr>, by <phr type="ampl" subtype="c" part="N">pursuing</phr> with
    <phr type="ampl" subtype="c" part="N">capital punishment</phr> those persons
    who had <phr type="ampl" subtype="g" part="N"><rs>violated</rs></phr> their
    <rs>tombs</rs>.</s>
    <s corresp="#nov-val_23.0.s2" n="en3" xml:lang="en" part="N">But because <phr
      type="ampl" subtype="g" ana="#meta" part="N">pernicious</phr>
    <rs>minds</rs> are always being <phr type="ampl" subtype="g" ana="#meta"
      part="N">swept</phr> into <phr type="ampl" subtype="c" part="N">crime</phr>
    by a <phr type="ampl" subtype="g" ana="#meta" part="N">blind</phr>
    <phr type="ampl" subtype="g" ana="#meta" part="N">madness</phr> and suppose
    that they are not held subject to the <phr type="ampl" subtype="g" ana="#meta"
      part="N">penalties</phr> previously established, it is necessary for Us to
    renew their <phr type="ampl" subtype="g" ana="#meta" part="N">severity</phr>,
    since we see that heretofore such severity has been held in <phr type="ampl"
      subtype="g" ana="#meta" part="N">contempt</phr> with <phr type="ampl"
      subtype="g" ana="#meta" part="N">impunity</phr>.</s>
    <s corresp="#nov-val_23.0.s3" n="en4" xml:lang="en" part="N">For who does <phr
      type="ampl" subtype="g" ana="#meta" part="N"><rs>not know</rs></phr> that
    the peaceful shades of the dead are being <phr type="ampl" subtype="g" part="N"
      >disturbed</phr> by <phr type="ampl" subtype="g" part="N">deadly</phr>
    <phr type="ampl" subtype="c" part="N">audacity</phr> and that <phr type="ampl"
      subtype="g" part="N">horrible</phr>
    <phr type="ampl" subtype="g" part="N">violence</phr> is being wrought upon the
    ashes of the <rs>dead</rs>?</s>
    <s corresp="#nov-val_23.0.s4" n="en5" xml:lang="en" part="N">In the light of day
    and openly <rs>tombs</rs> are being <phr type="ampl" subtype="g" part="N"
      >destroyed</phr>, and whatever <rs>religion</rs>
    <phr type="ampl" subtype="c" part="N">forbids</phr>, <phr type="ampl"
      subtype="g" part="N">sacriligious</phr>
    <phr type="ampl" subtype="c" part="N">presumption</phr> has <phr type="ampl"
      subtype="c" part="N">drawn</phr> into the usage of <phr type="ampl"
      subtype="c" part="N">license</phr>.</s>
    <s corresp="#nov-val_23.0.s5" n="en6" xml:lang="en" part="N">No longer is an end
    of their <phr type="ampl" subtype="g" part="N">troubles</phr> given to the <phr
      type="ampl" subtype="g" part="N"><rs>dead</rs></phr>, since among their <phr
      type="ampl" subtype="g" part="N">sufferings</phr> is the fact that the
    structure of their <phr type="ampl" subtype="g" part="N">pitiable</phr> abode
    is being <phr type="ampl" subtype="c" part="N">torn</phr> away.</s>
    <s corresp="#nov-val_23.0.s6" n="en7" xml:lang="en" part="N">For we know, and Our
    <rs>faith</rs> is not vain, that <rs>souls</rs> which have been freed from
    their bodies have sensation and that the celestial spirit returns to its
    original source.</s>
    <s corresp="#nov-val_23.0.s7" n="en8" xml:lang="en" part="N">This fact is made

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clear by the <rs>ancient books</rs> of wisdom, by the mysteries of the
 <rs>religion</rs> which We venerate and worship.</s>

<s corresp="#nov-val_23.0.s8" n="en9" xml:lang="en" part="N">Although the
 <rs>divine spirit</rs> does not undergo the <phr type="ampl" subtype="c"
 part="N">necessity</phr> of <phr type="ampl" subtype="g" part="N"
 >death</phr>, still the <rs>souls</rs> love the abode of the <rs>bodies</rs>
 which they have <phr type="ampl" subtype="c" part="N">left</phr>, and for <phr
 type="ampl" subtype="g" ana="#meta" part="N">some</phr> kind of <phr
 type="ampl" subtype="c" part="N">mysterious</phr> reason, they rejoice in
 the honor of their <rs>tomb</rs><supplied resp="#pharr" instant="false"
 >.</supplied> So great concern for such tombs remains throughout all times
 that We see the precious minerals of the mountains transferred to such uses at
 an excessive expense and ponderous <phr type="ampl" subtype="c" part="N"
 >masses</phr> erected, even though the <rs>patrimony</rs>
 <phr type="ampl" subtype="c" part="N">suffers</phr> thereby.</s>

<s corresp="#nov-val_23.0.s9" n="en10" xml:lang="en" part="N">Certainly, the
 intelligence of <rs>prudent men</rs> would refuse such actions if they believed
 that there was nothing after <phr type="ampl" subtype="g" part="N"
 >death</phr>.</s>

<s corresp="#nov-val_23.0.s10" n="en11" xml:lang="en" part="N">It is an
 excessively <phr type="ampl" subtype="g" part="N">barbarous</phr> and <phr
 type="ampl" subtype="g" part="N">insane</phr>
 <phr type="ampl" subtype="g" part="N">cruelty</phr> to <phr type="ampl"
 subtype="g" part="N">begrudge</phr> this last service to those who are
 deprived of the light of life and to <phr type="ampl" subtype="g" part="N"
 >destroy</phr> their <rs>tombs</rs> by an <phr type="ampl" subtype="g"
 part="N">inexpiable</phr>
 <phr type="ampl" subtype="g" part="N">crime</phr> and thus reveal the remains
 of their buried <rs>bodies</rs> to the heavens.</s>

</ab>

<ab xml:id="nov-val_23.1" type="caput" part="N">

<milestone unit="latin" /> 1. <s xml:id="nov-val_23.1.s1" n="la12" xml:lang="la"
 part="N">Huius <phr xml:id="nov-val_23.1.s1.p1" type="ampl" subtype="g"
 inj-src="clericus" crt-src="high" part="N"><w lemma="nefandus" part="N"
 >nefandi</w></phr>
 <phr xml:id="nov-val_23.1.s1.p2" type="ampl" subtype="g" inj-src="clericus"
 crt-src="high" part="N"><w lemma="scelus" part="N">sceleris</w></phr> inter
 ceteros <phr xml:id="nov-val_23.1.s1.p3" type="ampl" subtype="g"
 injured="clericus" crt-inj="high" part="N"><w lemma="reus" part="N"
 >reos</w></phr>
 <phr xml:id="nov-val_23.1.s1.p4" type="ampl" subtype="c" injured="clericus"
 crt-inj="high" part="N"><w lemma="vehemens" part="N">vehementior</w></phr>
 <rs ana="#I_clergy"><w lemma="clericus" part="N">clericos</w></rs>
 <phr xml:id="nov-val_23.1.s1.p5" type="ampl" subtype="g" injured="clericus"
 crt-inj="high" part="N"><w lemma="querella" part="N">querella</w></phr>
 <phr xml:id="nov-val_23.1.s1.p6" type="ampl" subtype="c" injured="clericus"
 crt-inj="high" part="N"><w lemma="persequor" part="N">persequitur</w></phr>,
 quos <phr type="ampl" subtype="c" part="N"><w lemma="portentum" part="N"
 >portentis</w></phr> talibus immorantes frequenter aspexit dies <phr
 xml:id="nov-val_23.1.s1.p7" type="ampl" subtype="g" part="N"><w
 lemma="tristis" part="N">tristior</w></phr>.</s>

<s xml:id="nov-val_23.1.s2" n="la13" xml:lang="la" part="N">ferro adincti <phr
 xml:id="nov-val_23.1.s2.p1" type="ampl" subtype="c" inj-src="clericus"
 crt-src="medium" injured="sepultos" crt-inj="high" part="N"><w lemma="vexo"
 part="N">vexant</w></phr>
 <rs ana="#I_dead"><w lemma="sepultus" part="N">sepultos</w></rs> et <phr
 xml:id="nov-val_23.1.s2.p2" type="ampl" subtype="g" injured="clericus"
 crt-inj="medium" part="N"><w lemma="oblitus" part="N">obliti</w></phr>
 <rs ana="#I_belief"><w lemma="numen" part="N">numinis</w></rs> caelo ac
 sideribus praesidentis <rs ana="#I_dead"><w lemma="cinus" part="N"
 >cinerum</w></rs>
 <phr xml:id="nov-val_23.1.s2.p3" type="ampl" subtype="c" part="N"><w
 lemma="contagio" part="N">contagione</w></phr>
 <phr xml:id="nov-val_23.1.s2.p4" type="ampl" subtype="g" inj-src="cinus"
 injured="sacrum-altar" crt-src="high" crt-inj="high" part="N"><w
 lemma="polluo" part="N">pollutas</w></phr>
 <rs ana="#I_churches"><w lemma="sacrum-altar" part="N">sacris
 altaribus</w></rs>
 <phr type="ampl" subtype="c" part="N"><w lemma="manus" part="N">manus</w></phr>
 inferunt, tanto in profundam <phr xml:id="nov-val_23.1.s2.p5" type="ampl"
 subtype="c" injured="clericus" crt-inj="low" part="N"><w lemma="caligo"
 part="N">caliginem</w></phr> conscientiae suae stupore demersi, ut
 reverendis <phr type="ampl" subtype="c" inj-src="clericus" crt-src="medium"
 part="N"><w lemma="audeo" part="N">audeant</w></phr> interesse <rs
 ana="#I_belief"><w lemma="mysterium" part="N">mysteriis</w></rs> et post
 <phr xml:id="nov-val_23.1.s2.p6" type="ampl" subtype="g" inj-src="clericus"
 injured="funus" crt-inj="high" crt-src="low" part="N"><w lemma="excidium"
 part="N">excidia</w></phr>
 <rs ana="#I_dead"><w lemma="funus" part="N">funerum</w></rs> credant deum posse
 placari, quem <phr xml:id="nov-val_23.1.s2.p7" type="ampl" subtype="g"
 inj-src="clergy" part="N"><w lemma="nocens" part="N">nocentes</w></phr>
 precantur incassum, quem vita melior exorat.</s>

<milestone unit="english" /> 1. <s corresp="#nov-val_23.1.s1" n="en12"
 xml:lang="en" part="N">Among all the other persons who are <phr type="ampl"
 subtype="g" part="N">accused</phr> of this <phr type="ampl" subtype="g"
 part="N">nefarious</phr>
 <phr type="ampl" subtype="g" part="N">crime</phr>, the most <phr type="ampl"
 subtype="c" part="N">vehement</phr>
 <phr type="ampl" subtype="g" part="N">complaint</phr>

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    <phr type="ampl" subtype="c" part="N">pursues</phr> the <rs>clergy</rs>, whom a
    very <phr type="ampl" subtype="g" ana="#meta" part="N">sad</phr> day has
    frequently seen sojourning among such <phr type="ampl" subtype="c" part="N"
    >portents</phr>.</s>
  <s corresp="#nov-val_23.1.s2" n="en13" xml:lang="en" part="N">Girded with the
    sword, they <phr type="ampl" subtype="c" part="N">harass</phr> the buried
    <rs>dead</rs>, and <phr type="ampl" subtype="g" part="N">oblivious</phr> of
    the <rs>Divinity</rs> that rules over the heavens and the stars, they bring to
    the <rs>sacred altars</rs> of the Church <phr type="ampl" subtype="c" part="N"
    >hands</phr> that are <phr type="ampl" subtype="g" part="N">polluted</phr>
    by the <phr type="ampl" subtype="c" part="N">contagion</phr> of the
    <rs>ashes</rs> of the dead<supplied resp="#pharr" instant="false"
    >.</supplied> They have been submerged in profound <phr type="ampl"
    subtype="c" part="N">darkness</phr> by such insensibility of their
    conscience that they <phr type="ampl" subtype="c" part="N">dare</phr> to be
    present at the reverend <rs>mysteries</rs>, and after the <phr type="ampl"
    subtype="g" part="N">destruction</phr> of <rs>tombs</rs>, they believe that
    they can appease God, to Whom the <phr type="ampl" subtype="g" part="N"
    >guilty</phr> pray in vain, but Who is won over by a better life.</s>
</ab>
<ab xml:id="nov-val_23.2" type="caput" part="N">
  <milestone unit="latin" /> 2. <s xml:id="nov-val_23.2.s1" n="la14" xml:lang="la"
    part="N"><seg xml:id="nov-val_23.2.c1" part="N"><phr
      xml:id="nov-val_23.2.s1.p1" type="ampl" subtype="c" inj-src="violator"
      crt-src="low" part="N"><w lemma="commissum" part="N"
      >Commissorum</w></phr> talium <phr xml:id="nov-val_23.2.s1.p2"
      type="ampl" subtype="g" inj-src="violator" crt-src="low" part="N"><w
      lemma="foeditas" part="N">foeditatem</w></phr>, ne diutius tempora
      nostra <phr xml:id="nov-val_23.2.s1.p3" type="ampl" subtype="c"
      inj-src="violator" crt-src="low" part="N"><w lemma="maculo" part="N"
      >maculentur</w></phr>, hac edictali lege <phr
      xml:id="nov-val_23.2.s1.p4" function="cmdw" type="ampl" subtype="g"
      inj-src="emperor" injured="violator" crt-src="medium" crt-inj="low"
      part="N"><w lemma="damno" part="N">damnamus</w></phr>.</seg></s>
    <s xml:id="nov-val_23.2.s2" n="la15" xml:lang="la" part="N"><seg
      xml:id="nov-val_23.2.c2" part="N">Quisquis igitur <rs ana="#I_dead"><w
      lemma="sepulcrum" part="N">sepulcra</w></rs> profundae <phr
      xml:id="nov-val_23.2.s2.p1" type="ampl" subtype="g" inj-src="violator"
      crt-src="high" part="N"><rs ana="#I_criminal"><w lemma="violator"
      part="N">violator</w></rs></phr> quietis et lucis ipsius <phr
      xml:id="nov-val_23.2.s2.p2" type="ampl" subtype="g" inj-src="violator"
      crt-src="high" part="N"><w lemma="hostis" part="N">hostis</w></phr>
      effoderit, quisquis ex his quaelibet marmora vel saxa <phr
      xml:id="nov-val_23.2.s2.p3" type="ampl" subtype="c" inj-src="violator"
      crt-src="high" injured="sepulcrum" crt-inj="high" part="N"><w
      lemma="tollo" part="N">sustulerit</w></phr>, <phr
      xml:id="nov-val_23.2.s2.p4" type="ampl" subtype="g" injured="violator"
      crt-inj="high" part="N"><w lemma="poena" part="N">poenae</w></phr> mox
      habeatur <phr xml:id="nov-val_23.2.s2.p5" type="ampl" subtype="g"
      injured="violator" crt-inj="high" part="N"><w lemma="obnoxius" part="N"
      >obnoxius</w></phr>.</seg></s>
    <milestone unit="english" /> 2. <s corresp="#nov-val_23.2.s1" n="en14"
      xml:lang="en" part="N"><seg corresp="#nov-val_23.2.c1" part="N">By this edictal
      law We <phr function="cmdw" type="ampl" subtype="g" part="N">condemn</phr>
      the <phr type="ampl" subtype="g" part="N">pollution</phr> of such <phr
      type="ampl" subtype="c" part="N">crimes</phr>, in order that Our times
      may no longer be <phr type="ampl" subtype="c" part="N"
      >defiled</phr>.</seg></s>
    <s corresp="#nov-val_23.2.s2" n="en15" xml:lang="en" part="N"><seg
      corresp="#nov-val_23.2.c2" part="N">If any person, therefore, should <phr
      type="ampl" subtype="c" part="N">destroy</phr>
      <rs>tombs</rs> or should remove from such tombs any marble or stone
      whatever, he shall immediately be held <phr type="ampl" subtype="g" part="N"
      >obligated</phr> to <phr type="ampl" subtype="g" part="N"
      >punishment</phr> as a <phr type="ampl" subtype="g" part="N"
      ><rs>violator</rs></phr> of the profound peace of the dead and as an
      <phr type="ampl" subtype="g" ana="#meta" part="N">enemy</phr> of light
      itself.</seg></s>
  </ab>
<ab xml:id="nov-val_23.3" type="caput" part="N">
  <milestone unit="latin" /> 3. <s xml:id="nov-val_23.3.s1" n="la0" xml:lang="la"
    part="N"><seg xml:id="nov-val_23.3.c1" part="N"><rs ana="#E_unfree"><w
      lemma="servus" part="N">Servos</w></rs>
      <rs ana="#E_unfree"><w lemma="colonus" part="N">colonosque</w></rs> in hoc
      <phr xml:id="nov-val_23.3.s1.p1" type="ampl" subtype="c"
      injured="servus colonus" crt-inj="high" part="N"><w lemma="facinus"
      part="N">facinore</w></phr>
      <phr xml:id="nov-val_23.3.s1.p2" type="ampl" subtype="c"
      inj-src="servus colonus" crt-src="high" part="N"><w lemma="deprehendo"
      part="N">deprehensos</w></phr> duci protinus ad <phr
      xml:id="nov-val_23.3.s1.p3" type="ampl" subtype="c"
      injured="servus colonus" crt-inj="high" part="N"><w lemma="tormentum"
      part="N">tormenta</w></phr> conveniet.</seg></s>
    <s xml:id="nov-val_23.3.s2" n="la1" xml:lang="la" part="N"><seg
      xml:id="nov-val_23.3.c2" part="N">Si de sua tantum fuerint <phr
      xml:id="nov-val_23.3.s2.p1" type="ampl" subtype="g"
      inj-src="servus colonus" crt-src="medium" part="N"><w lemma="temeritas"
      part="N">temeritate</w></phr>
      <phr xml:id="nov-val_23.3.s2.p2" type="ampl" subtype="c"

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inj-src="servus colonus" crt-src="medium" injured="servus colonus"
crt-inj="medium" part="N"><w lemma="confiteor" part="N"
>confessi</w></phr>, luant <phr xml:id="nov-val_23.3.s2.p3" type="ampl"
subtype="c" inj-src="servus colonus" crt-src="low" part="N"><w
lemma="commissum" part="N">commissa</w></phr> sanguine suo; si <rs
ana="#E_masters"><w lemma="dominus" part="N">dominos</w></rs> inter <phr
xml:id="nov-val_23.3.s2.p4" type="ampl" subtype="g"
injured="servus colonus" crt-inj="low" part="N"><w lemma="supplicium"
part="N">supplicia</w></phr> nullo interrogante nexuerint, pariter
<phr xml:id="nov-val_23.3.s2.p5" type="ampl" subtype="g"
injured="dominus" crt-inj="high" part="N"><w lemma="punio" part="N"
>puniantur</w></phr>.</seg></s>
<milestone unit="english" /> 3. <s corresp="#nov-val_23.3.s1" n="en0"
xml:lang="en" part="N"><seg corresp="#nov-val_23.3.c1" part="N"><rs>Slaves</rs>
and <rs>coloni</rs> who are <phr type="ampl" subtype="c" part="N"
>apprehended</phr> in such <phr type="ampl" subtype="c" part="N"
>crimes</phr> must be immediately brought to <phr type="ampl" subtype="c"
part="N">torture</phr>.</seg></s>
<s corresp="#nov-val_23.3.s2" n="en1" xml:lang="en" part="N"><seg
corresp="#nov-val_23.3.c2" part="N">If they should <phr type="ampl"
subtype="c" part="N">confess</phr> only their own <phr type="ampl"
subtype="g" part="N">rash lawlessness</phr>, they shall atone for their
<phr type="ampl" subtype="c" part="N">crimes</phr> by their own blood; if
in the midst of their <phr type="ampl" subtype="g" part="N">sufferings</phr>
and without any interrogation they should involve their <rs>masters</rs>,
they and their masters shall be <phr type="ampl" subtype="g" part="N"
>punished</phr> together.</seg></s>
</ab>
<ab xml:id="nov-val_23.4" type="caput" part="N">
<milestone unit="latin" /> 4. <s xml:id="nov-val_23.4.s1" n="la2" xml:lang="la"
part="N"><seg xml:id="nov-val_23.4.c1" part="N"><rs ana="#E_freeborn"><w
lemma="ingenuus" part="N">Ingenui</w></rs> quoque, quos similis <phr
xml:id="nov-val_23.4.s1.p1" type="ampl" subtype="c" part="N"><w
lemma="praesumptio" part="N">praesumptio</w></phr>
<phr xml:id="nov-val_23.4.s1.p2" type="ampl" subtype="g"
injured="ingenuus plebes" crt-inj="high" part="N"><w lemma="reus"
part="N">reos</w></phr> fecerit, si fortasse <rs ana="#E_citizens"><w
lemma="plebes" part="N">plebei</w></rs> et nullarum fuerint <rs
ana="#E_property"><w lemma="facultas" part="N">facultatum</w></rs>
<phr xml:id="nov-val_23.4.s1.p3" type="ampl" subtype="g"
injured="ingenuus plebes" crt-inj="high" part="N"><w lemma="poena"
part="N">poenas</w></phr>
<phr xml:id="nov-val_23.4.s1.p4" type="ampl" subtype="g"
injured="ingenuus plebes" crt-inj="high" part="N"><w lemma="mors"
part="N">morte</w></phr> persolvant; <rs ana="#E_nobles"><w
lemma="splendidus" part="N">splendidiores</w></rs> autem vel <rs
ana="#E_nobles"><w lemma="dignitas" part="N">dignitatibus</w></rs> noti
<rs ana="#E_property-goods"><w lemma="bonum" part="N">bonorum</w></rs>
suorum medietate <phr type="ampl" subtype="g"
injured="splendidus dignitas bonum" crt-inj="high" part="N"><w
lemma="multo" part="N">multati</w></phr> perpetua notentur <phr
xml:id="nov-val_23.4.s1.p5" type="ampl" subtype="g"
injured="splendidus dignitas" crt-inj="high" part="N"><w lemma="infamia"
part="N">infamia</w></phr>.</seg></s>
<milestone unit="english" /> 4. <s corresp="#nov-val_23.4.s1" n="en2"
xml:lang="en" part="N"><seg corresp="#nov-val_23.4.c1" part="N"
><rs>Freeborn</rs> persons also who have been rendered <phr type="ampl"
subtype="g" part="N">guilty</phr> by like <phr type="ampl" subtype="c"
part="N">presumption</phr>, if they should perhaps be <rs>plebeians</rs>
and should have no <rs>property</rs>, shall pay the <phr type="ampl"
subtype="g" part="N">penalty</phr> of <phr type="ampl" subtype="g"
part="N">death</phr><supplied resp="#pharr" instant="false">.</supplied>
<rs>More distinguished</rs> persons, moreover, and persons noted for their
<rs>high rank</rs> shall be <phr type="ampl" subtype="g" part="N"
>fined</phr> half their <rs>goods</rs> and shall be branded with
perpetual <phr type="ampl" subtype="g" part="N">infamy</phr>.</seg></s>
</ab>
<ab xml:id="nov-val_23.5" type="caput" part="N">
<milestone unit="latin" /> 5. <s xml:id="nov-val_23.5.s1" n="la3" xml:lang="la"
part="N"><rs ana="#I_clergy"><w lemma="clericus" part="N">Clericos</w></rs>
vero, quos tam <phr xml:id="nov-val_23.5.s1.p1" type="ampl" subtype="g"
inj-src="clericus" crt-src="high" part="N"><w lemma="dirus" part="N"
>diri</w></phr> operis constiterit auctores, dignos credimus maiore <phr
xml:id="nov-val_23.5.s1.p2" type="ampl" subtype="g" injured="clericus"
crt-inj="high" part="N"><w lemma="supplicium" part="N">supplicio</w></phr>:
<phr xml:id="nov-val_23.5.s1.p3" type="ampl" subtype="c" part="N"><w
lemma="vehementer" part="N">vehementius</w></phr> enim <phr
xml:id="nov-val_23.5.s1.p4" type="ampl" subtype="c" part="N"><w
lemma="coerceo" part="N">coercendus</w></phr> est quem <phr
xml:id="nov-val_23.5.s1.p5" type="ampl" subtype="g" part="N"><w
lemma="pecco" part="N">peccasse</w></phr> mireris, <phr
xml:id="nov-val_23.5.s1.p6" type="ampl" subtype="g" part="N"><w
lemma="scelus" part="N">scelus</w></phr> omne <phr
xml:id="nov-val_23.5.s1.p7" type="ampl" subtype="c" part="N"><w
lemma="gravis" part="N">gravius</w></phr> facit claritudo personae.</s>
<s xml:id="nov-val_23.5.s2" n="la4" xml:lang="la" part="N"><phr
xml:id="nov-val_23.5.s2.p1" type="ampl" subtype="g" crt-inj="high"
inj-src="sanctitas" crt-src="high" part="N"><w lemma="intolerandus" part="N"
>Intolerandum</w></phr>, nimis <phr xml:id="nov-val_23.5.s2.p2"

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type="ampl" subtype="g" inj-src="sanctitas" crt-src="high" part="N"><w
lemma="execrabilis" part="N">execrabile</w></phr>, non ferendum induere
nomen et titulum <rs ana="#I_clergy"><w lemma="sanctitas" part="N"
>sanctitatis</w></rs> et abundare <phr xml:id="nov-val_23.5.s2.p3"
type="ampl" subtype="g" inj-src="sanctitas" crt-src="high" part="N"><w
lemma="crimen" part="N">crimibus</w></phr>.</s>
<s xml:id="nov-val_23.5.s3" n="la5" xml:lang="la" part="N"><seg
xml:id="nov-val_23.5.c1" part="N">Quisquis igitur ex hoc numero <rs
ana="#I_dead"><w lemma="sepulcrum" part="N">sepulcrorum</w></rs>
<phr xml:id="nov-val_23.5.s3.p1" type="ampl" subtype="g" inj-src="violator"
crt-src="high" injured="sepulcrum" crt-inj="high" part="N"><rs
ana="#I_criminal"><w lemma="violator" part="N">violator</w></rs></phr>
extiterit, ilico <rs ana="#I_clergy"><w lemma="clericus" part="N"
>clerici</w></rs> nomen <phr xml:id="nov-val_23.5.s3.p2" type="ampl"
subtype="c" injured="clericus" crt-inj="high" part="N"><w lemma="amitto"
part="N">amittat</w></phr> et stilo <phr xml:id="nov-val_23.5.s3.p3"
type="ampl" subtype="c" injured="clericus" crt-inj="high" part="N"><w
lemma="proscriptio" part="N">proscriptionis</w></phr>
<phr type="ampl" subtype="c" part="N"><w lemma="addico" part="N"
>addictus</w></phr> perpetua <phr xml:id="nov-val_23.5.s3.p4"
type="ampl" subtype="c" injured="clericus" crt-inj="high" part="N"><w
lemma="deportatio" part="N">deportatione</w></phr>
<phr xml:id="nov-val_23.5.s3.p5" type="ampl" subtype="c" injured="clericus"
crt-inj="high" part="N"><w lemma="plecto" part="N"
>plectatur</w></phr>.</seg></s>
<s xml:id="nov-val_23.5.s4" n="la6" xml:lang="la" part="N"><seg
xml:id="nov-val_23.5.c2" part="N">Quod ita servari oportere <phr
xml:id="nov-val_23.5.s4.p1" function="cmdw" part="N">censemus</phr>, ut
nec <rs ana="#I_clergy"><w lemma="minister" part="N">ministris</w></rs> nec
<rs ana="#I_bishops"><w lemma="antistes" part="N">antistitibus</w></rs>
sacrae religionis in tali causa statuamus esse parcendum.</seg></s>
<s xml:id="nov-val_23.5.s5" n="la7" xml:lang="la" part="N">facessant <phr
xml:id="nov-val_23.5.s5.p1" type="ampl" subtype="g" part="N"><w
lemma="querella" part="N">querellae</w></phr>: nullius innocentiam <phr
xml:id="nov-val_23.5.s5.p2" type="ampl" subtype="g" part="N"><w
lemma="saucio" part="N">sauciamus</w></phr>, <phr
xml:id="nov-val_23.5.s5.p3" type="ampl" subtype="g" part="N"><w
lemma="nocens" part="N">nocentes</w></phr> tantum lex nostra <phr
xml:id="nov-val_23.5.s5.p4" type="ampl" subtype="c" part="N"><w
lemma="persequor" part="N">persequitur</w></phr>.</s>
<milestone unit="english" /> 5. <s corresp="#nov-val_23.5.s1" n="en3"
xml:lang="en" part="N">But We believe that <rs>clerics</rs> who appear to be
the authors of so <phr type="ampl" subtype="g" part="N">dreadful</phr> a deed
are worthy of a greater <phr type="ampl" subtype="g" part="N">punishment</phr>;
for a person must be <phr type="ampl" subtype="c" part="N">punished</phr> more
<phr type="ampl" subtype="c" part="N">severely</phr> if he is such a person
that you wonder that he has <phr type="ampl" subtype="g" ana="#meta" part="N"
>sinned</phr><supplied resp="#pharr" instant="false">.</supplied> For the
high distinction of a person makes his every <phr type="ampl" subtype="g"
ana="#meta" part="N">crime</phr> more <phr type="ampl" subtype="c" part="N"
>grievous</phr>.</s>
<s corresp="#nov-val_23.5.s2" n="en4" xml:lang="en" part="N">It is <phr
type="ampl" subtype="g" part="N">intolerable</phr>, it is too <phr
type="ampl" subtype="g" part="N">execrable</phr>, it is not endurable that a
person should be clothed with the name and the title of <rs>sanctity</rs> and
yet should abound in <phr type="ampl" subtype="g" part="N">crimes</phr>.</s>
<s corresp="#nov-val_23.5.s3" n="en5" xml:lang="en" part="N"><seg
corresp="#nov-val_23.5.c1" part="N">Therefore, if any person from this
number should be a <phr type="ampl" subtype="g" part="N"
><rs>violator</rs></phr> of <rs>tombs</rs>, he shall immediately <phr
type="ampl" subtype="c" part="N">forfeit</phr> the name of
<rs>cleric</rs>, he shall be <phr type="ampl" subtype="c" part="N"
>assigned</phr> to a sentence of <phr type="ampl" subtype="c" part="N"
>proscription</phr>, and he shall be <phr type="ampl" subtype="c"
part="N">punished</phr> by perpetual <phr type="ampl" subtype="c"
part="N">deportation</phr>.</seg></s>
<s corresp="#nov-val_23.5.s4" n="en6" xml:lang="en" part="N"><seg
corresp="#nov-val_23.5.c2" part="N">We <phr function="cmdw" part="N"
>decree</phr> that this regulation shall be so observed that We establish
that neither the <rs>ministers</rs> nor the <rs>bishops</rs> of holy
religion shall be spared in such a case.</seg></s>
<s corresp="#nov-val_23.5.s5" n="en7" xml:lang="en" part="N">Away with <phr
type="ampl" subtype="g" ana="#meta" part="N">complaints</phr>! We <phr
type="ampl" subtype="g" ana="#meta" part="N">wound</phr> the innocence of no
man; Our law <phr type="ampl" subtype="c" part="N">pursues</phr> only the <phr
type="ampl" subtype="g" ana="#meta" part="N">guilty</phr>.</s>
</ab>
<ab xml:id="nov-val_23.6" type="caput" part="N">
<milestone unit="latin" /> 6. <s xml:id="nov-val_23.6.s1" n="la8" xml:lang="la"
part="N">Sed quoniam plerumque statutis salubribus <phr
xml:id="nov-val_23.6.s1.p1" type="ampl" subtype="g" inj-src="iudex"
crt-src="high" part="N"><w lemma="dissimulatio" part="N"
>dissimulatione</w></phr>
<phr xml:id="nov-val_23.6.s1.p2" type="ampl" subtype="c" inj-src="iudex"
crt-src="high" part="N"><w lemma="venalis" part="N">venalium</w></phr>
<rs ana="#P_high-officials"><w lemma="iudex" part="N">iudicum</w></rs>
<phr type="ampl" subtype="g" inj-src="iudex" crt-src="high" part="N"><w
lemma="nego" part="N">negatur</w></phr> effectus, <seg
xml:id="nov-val_23.6.c1" part="N">praesenti <phr xml:id="nov-val_23.6.s1.p3"

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function="cmdw" part="N">iubemus</phr> edicto, ut provinciae <rs
ana="#P_high-officials"><w lemma="moderator" part="N">moderator</w></rs>
adminiculo <rs ana="#E_local-officials"><w lemma="municipium" part="N"
>municipum</w></rs> fultus <phr xml:id="nov-val_23.6.s1.p4"
type="ampl" subtype="c" inj-src="moderator municipium" crt-src="high"
injured="violator" crt-inj="low" part="N"><w lemma="censura" part="N"
>censuram</w></phr> nostrae legis exerceat.</seg></s>
<s xml:id="nov-val_23.6.s2" n="1a9" xml:lang="la" part="N">Et licet nemo <phr
xml:id="nov-val_23.6.s2.p1" type="ampl" subtype="g" part="N"><w lemma="reus"
part="N">reus</w></phr> possit <rs ana="#P_bureaucracy"><w lemma="fascies"
part="N">fascibus</w></rs> ac securibus reluctari, si quis tamen
extiterit sic <phr xml:id="nov-val_23.6.s2.p2" type="ampl" subtype="g" part="N"
><w lemma="superbus" part="N">superbus</w></phr>, sic <phr
xml:id="nov-val_23.6.s2.p3" type="ampl" subtype="g" part="N"><w
lemma="impotens" part="N">impotens</w></phr>, sic <phr
xml:id="nov-val_23.6.s2.p4" type="ampl" subtype="g" part="N"><w
lemma="rebellis" part="N">rebellis</w></phr>, in cuius nequeat ire <phr
xml:id="nov-val_23.6.s2.p5" type="ampl" subtype="g" inj-src="moderator"
crt-src="low" part="N"><w lemma="supplicium" part="N">supplicium</w></phr>,
amplissimas <rs ana="#P_high-officials"><w lemma="potestas" part="N"
>potestates</w></rs> directa relatione mox instruat, ne <phr
xml:id="nov-val_23.6.s2.p6" type="ampl" subtype="g" inj-src="potestas"
crt-src="medium" part="N"><w lemma="severitas" part="N">severitas</w></phr>
iusta lentetur.</s>
<milestone unit="english" /> 6. <s corresp="#nov-val_23.6.s1" n="en8"
xml:lang="en" part="N">But since in many cases the effect of salutary statutes
is <phr type="ampl" subtype="g" part="N">nullified</phr> because of the <phr
type="ampl" subtype="g" part="N">connivance</phr> of <phr type="ampl"
subtype="c" part="N">venal</phr>
<rs>judges</rs>, <seg corresp="#nov-val_23.6.c1" part="N">by the present edict
We <phr function="cmdw" part="N">order</phr> that the <rs>governor</rs> of
the province shall rely on the assistance of the <rs>decurions</rs> and
shall put into effect the <phr type="ampl" subtype="c" part="N"
>penalty</phr> of Our law.</seg></s>
<s corresp="#nov-val_23.6.s2" n="en9" xml:lang="en" part="N">Although no <phr
type="ampl" subtype="g" part="N">guilty</phr> person can oppose the
<rs>fascies</rs> and axes, nevertheless, if there should be any person so
<phr type="ampl" subtype="g" ana="#meta" part="N">haughty</phr>, so <phr
type="ampl" subtype="g" ana="#meta" part="N">violent</phr>, so <phr
type="ampl" subtype="g" ana="#meta" part="N">rebellious</phr> that the
governor cannot proceed to his <phr type="ampl" subtype="g" part="N"
>punishment</phr>, the governor shall dispatch a report and inform the Most
August <rs>powers</rs>, in order that just <phr type="ampl" subtype="g"
ana="#meta" part="N">severity</phr> may not be delayed.</s>
</ab>
<ab xml:id="nov-val_23.7" type="caput" part="N">
<milestone unit="latin" /> 7. <s xml:id="nov-val_23.7.s1" n="1a10" xml:lang="la"
part="N"><seg xml:id="nov-val_23.7.c1" part="N">Quod si <phr
xml:id="nov-val_23.7.s1.p1" type="ampl" subtype="g" inj-src="violator"
crt-src="high" injured="sepulcrum" crt-inj="high" part="N"><rs
ana="#I_criminal"><w lemma="violator" part="N"
>violatores</w></rs></phr>
<rs ana="#I_dead"><w lemma="sepulcrum" part="N">sepulcri</w></rs> quos
potuerit secundum formam <phr type="ampl" subtype="c" injured="violator"
crt-inj="high" part="N"><w lemma="sanctio" part="N">sanctionis</w></phr>
huius <phr xml:id="nov-val_23.7.s1.p2" type="ampl" subtype="g"
inj-src="moderator" injured="violator" crt-src="medium" crt-inj="high"
part="N"><w lemma="punio" part="N">punire</w></phr>
<phr xml:id="nov-val_23.7.s1.p3" type="ampl" subtype="g" inj-src="moderator"
crt-src="medium" part="N"><w lemma="neglego" part="N"
>neglexerit</w></phr> vel de superioribus referre distulerit, <rs
ana="#E_property"><w lemma="facultas" part="N">facultatibus</w></rs> et
<rs ana="#P_high-officials"><w lemma="honor" part="N">honore</w></rs>
<phr xml:id="nov-val_23.7.s1.p4" type="ampl" subtype="c" injured="moderator"
crt-inj="medium" part="N"><w lemma="privo" part="N"
>privetur</w></phr>.</seg></s>
<milestone unit="english" /> 7. <s corresp="#nov-val_23.7.s1" n="en10"
xml:lang="en" part="N"><seg corresp="#nov-val_23.7.c1" part="N">But if the
governor should <phr type="ampl" subtype="g" part="N">neglect</phr> to <phr
type="ampl" subtype="g" part="N">punish</phr> the <phr type="ampl"
subtype="g" part="N">violators</rs></phr> of <rs>tombs</rs> whom he
could punish according to the regulation of this <phr type="ampl"
subtype="c" part="N">sanction</phr>, or if he should delay to report
about the aforesaid persons, he shall be <phr type="ampl" subtype="c"
part="N">deprived</phr> of his <rs>property</rs> and his
<rs>office</rs>.</seg></s>
</ab>
<ab xml:id="nov-val_23.8" type="caput" part="N">
<milestone unit="latin" /> 8. <s xml:id="nov-val_23.8.s1" n="1a11" xml:lang="la"
part="N"><seg xml:id="nov-val_23.8.c1" part="N">Cuius quisquis, sive adhuc in
potestate positi sive privati, propter omissam <phr
xml:id="nov-val_23.8.s1.p1" type="ampl" subtype="g" inj-src="moderator"
injured="violator" crt-src="low" crt-inj="high" part="N"><w lemma="poena"
part="N">poenam</w></phr>
<phr xml:id="nov-val_23.8.s1.p2" type="ampl" subtype="g" inj-src="tmbvio"
part="N"><rs ana="#I_criminal"><w lemma="violator" part="N"
>violatoris</w></rs></phr>
<rs>sepulcri</rs> voluerit <phr xml:id="nov-val_23.8.s1.p3" type="ampl"
subtype="c" inj-src="accusator" injured="moderator" crt-inj="low"

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        crt-src="high" part="N"><rs ana="#I_accusers"><w lemma="accusator"
        part="N">accusator</w></rs></phr> emergere, habeat liberam
        facultatem.</seg></s>
<s xml:id="nov-val_23.8.s2" n="la12" xml:lang="la" part="N"><seg
  xml:id="nov-val_23.8.c2" part="N">Nec <phr xml:id="nov-val_23.8.s2.p1"
    type="ampl" subtype="c" inj-src="delator" crt-src="high" part="N"><rs
      ana="#I_accusers"><w lemma="delator" part="N">delatoris</w></rs></phr>
    <phr xml:id="nov-val_23.8.s2.p2" type="ampl" subtype="g" injured="delator"
      crt-inj="high" part="N"><w lemma="formido" part="N">formidet</w></phr>
    <phr xml:id="nov-val_23.8.s2.p3" type="ampl" subtype="g" injured="delator"
      crt-inj="high" part="N"><w lemma="invidia" part="N"
      >invidiam</w></phr></seg> cum praemio magis dignus sit, qui se constanter
    <phr xml:id="nov-val_23.8.s2.p4" type="ampl" subtype="g" part="N"><w
      lemma="improbos" part="N">improbos</w></phr>
    <phr xml:id="nov-val_23.8.s2.p5" type="ampl" subtype="g" inj-src="delator"
      crt-src="high" part="N"><w lemma="odi" part="N">odisse</w></phr>
    monstraverit, <rs>Albine</rs> parens karissime atque amantissime.</s>
<milestone unit="english" /> 8. <s corresp="#nov-val_23.8.s1" n="en11"
  xml:lang="en" part="N"><seg corresp="#nov-val_23.8.c1" part="N">If any person
    should wish to emerge as the <phr type="ampl" subtype="c" part="N"
    ><rs>accuser</rs></phr> of any such governor, either while he is still
    in office or after he has become a private citizen, on the ground that he
    had omitted the <phr type="ampl" subtype="g" part="N">punishment</phr> of a
    <phr type="ampl" subtype="g" part="N"><rs>violinist</rs></phr> of a
    <rs>tomb</rs>, such accuser shall have the unrestricted right to do
    so.</seg></s>
<s corresp="#nov-val_23.8.s2" n="en12" xml:lang="en" part="N"><seg
  corresp="#nov-val_23.8.c2" part="N">Nor shall he <phr type="ampl"
    subtype="g" part="N">fear</phr> the <phr type="ampl" subtype="g" part="N"
    >odium</phr> that is attached to an <phr type="ampl" subtype="c" part="N"
    ><rs>informer</rs></phr></seg> since he is more worthy of a reward if
    he should prove that he constantly <phr type="ampl" subtype="g" ana="#meta"
    part="N">hates</phr> the <phr type="ampl" subtype="g" ana="#meta" part="N"
    >wicked</phr>, O <rs>Albinus</rs>, dearest and most beloved Father.</s>
</ab>
<ab xml:id="nov-val_23.9" type="caput" part="N">
  <milestone unit="latin" /> 9. <s xml:id="nov-val_23.9.s1" n="la13" xml:lang="la"
    part="N">Illustis et praeclsa <rs ana="#P_high-officials"><w
      lemma="magnificentia" part="N">magnificentia</w></rs> tua legem, quam
    pietatis et religionis amore concepimus, provinciis provinciarumque <rs
      ana="#P_high-officials"><w lemma="rector" part="N">rektoribus</w></rs>
    celeriter innotescere propositis iubebit edictis, ut <phr
      xml:id="nov-val_23.9.s1.p1" type="ampl" subtype="g" inj-src="criminosus"
      crt-src="high" part="N"><rs ana="#I_criminal"><w lemma="crimen" part="N"
      >criminosus</w></rs></phr>
    <phr xml:id="nov-val_23.9.s1.p2" type="ampl" subtype="g" injured="criminosus"
      crt-inj="high" part="N"><w lemma="poena" part="N">poena</w></phr> reddatur,
    innocenter viventibus gratulatio, pax <rs ana="#I_dead"><w lemma="sepultus"
      part="N">sepultis</w></rs></s>
  <milestone unit="english" /> 9. <s corresp="#nov-val_23.9.s1" n="en13"
    xml:lang="en" part="N">Your Illustrious and Excellent <rs>Magnificence</rs> by
    posting edicts shall order that this law, which We conceived in Our love for
    piety and religion, shall swiftly become known to the provinces and the
    <rs>governors</rs> of the provinces, in order that <phr type="ampl"
      subtype="g" part="N">punishment</phr> may be rendered to the <phr
      type="ampl" subtype="g" ana="#meta" part="N"><rs>criminals</rs></phr>,
    rejoicing to those who live innocently, and peace to the buried
    <rs>dead</rs></s>
</ab>
<ab xml:id="nov-val_23.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_23.subs.s1" n="la14" xml:lang="la" part="N">Dat. III id. Mart.
    <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>.
    <date when="0447-03-13" instant="false">(447 Mart. 13)</date></s>
  <s xml:id="nov-val_23.subs.s2" n="la15" xml:lang="la" part="N">acc. VI kal. April.
    Romae Calepio V. C. cons.</s>
  <s xml:id="nov-val_23.subs.s3" n="la0" xml:lang="la" part="N">prop. in foro
    Traiani VIII id. April.</s>
  <s xml:id="nov-val_23.subs.s4" n="la1" xml:lang="la" part="N">antelata edicto
    Albin viri illustis II pp. et Patricii.</s>
  <milestone unit="english" />
  <s corresp="#nov-val_23.subs.s1" n="en14" xml:lang="en" part="N">Given on the
    third day before the ides of March at <placeName instant="false" full="yes"
    >Rome</placeName>: <date instant="false">March 13</date>. </s>
  <s corresp="#nov-val_23.subs.s2" n="en15" xml:lang="en" part="N">Received on the
    sixth day before the kalends of April at Rome in the year of the consulship of
    the Most Noble Calepius. - March 27, 447.</s>
  <s corresp="#nov-val_23.subs.s3" n="en0" xml:lang="en" part="N">Posted in the
    Forum of Trajan on the eighth day before the ides of April: April 6.</s>
  <s corresp="#nov-val_23.subs.s4" n="en1" xml:lang="en" part="N">Prefixed to the
    edicts of the Illustrious Albinus, Praetorian Prefect for the second time and
    Patrician.</s>
</ab>
<ab xml:id="nov-val_23.intr" type="intr" part="N">
  <milestone unit="latin" /> Haec lex interpretatione non eget. <milestone
    unit="english" /><supplied resp="#pharr" instant="false"
    >(INTERPRETATION):</supplied> This law does not need interpretation. </ab>
</div>
</div>

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<div1 xml:id="nov-val_24" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_24.titl">
    <s xml:id="nov-val_24.titl.s1" xml:lang="la" part="N">24. DE NEGOTIATORIBUS</s>
    <s corresp="#nov-val_24.titl.s1" xml:lang="en" part="N">TITLE 24: TRADESMEN</s>
  </head>
  <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_24.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_24.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
        corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
        <persName corresp="#valentinian3" instant="false" full="yes">
          >Valentin.</persName> AA. ad Florianum com. sacr. larg.</s>
      <milestone unit="english" />
      <s corresp="nov-val_24.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
        <persName corresp="#theodosius2" instant="false" full="yes">
          >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
            full="yes">Valentinian</persName> Augustuses to Florianus, Count of the
          Sacred Imperial Largesses.</s>
    </ab>
    <ab xml:id="nov-val_24.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_24.0.s1" n="la2" xml:lang="la"
        part="N">Inter cetera, quae perennitatis nostrae mansuro saeculis ordinamus
        imperio, hoc quoque, quo <rs>aerarii</rs> nostri commoda tueri posse salubri
        suggestione probamus, maiestatis nostrae sancimus oraculo, ne ulterius <phr
          type="ampl" subtype="c" part="N"><w lemma="furtivus" part="N">
            >furtiva</w></phr>
        <rs>negotiatio</rs> et claris <rs>urbibus</rs> rarum faciat <rs>mercatores</rs>
        et <phr xml:id="nov-val_24.0.s1.p1" type="ampl" subtype="c" part="N"><w
          lemma="obscurus" part="N">obscuris</w></phr> ac reconditis locis in <phr
          xml:id="nov-val_24.0.s1.p2" type="ampl" subtype="g" part="N"><w
            lemma="damnum" part="N">damnum</w></phr>
        <rs>publicae functionis</rs> lateat <phr xml:id="nov-val_24.0.s1.p3"
          type="ampl" subtype="g" part="N"><w lemma="turba" part="N">turba</w></phr>
        mercantum, Floriane frater amantissime.</s>
      <milestone unit="english" /> 0. <s corresp="#nov-val_24.0.s1" n="en2"
        xml:lang="en" part="N">Among all the other provisions which We ordain for the
        Empire of Our Eternity, which shall endure throughout the ages, in accordance
        with your salutary report We sanction this regulation also, whereby We prove
        that the interests of Our <rs>treasury</rs> can be protected<supplied
          resp="#pharr" instant="false">.</supplied> Thus We sanction by the divine
        response of Our Majesty that <phr subtype="c" type="ampl" part="N">secret</phr>
        trade shall no further make the <rs>merchant</rs> rare in the famous
        <rs>cities</rs>, and that <phr type="ampl" subtype="g" part="N">crowds</phr>
        of <rs>merchants</rs> shall not be hidden in <phr subtype="c" type="ampl"
          part="N">obscure</phr> and sequestered places, to the <phr type="ampl"
            subtype="g" part="N">detriment</phr> of the <rs>public tax payments</rs>, O
        Florianus, most beloved Brother.</s>
    </ab>
    <ab xml:id="nov-val_24.1" type="caput" part="N">
      <milestone unit="latin" /> 1. <s xml:id="nov-val_24.1.s1" n="la3" xml:lang="la"
        part="N">Idcirco illustris auctoritas tua pragmatici nostri tenore comperto
        sciat iuxta suggestionem suam <seg xml:id="nov-val_24.1.c1" part="N">omnes, qui
          <phr type="ampl" subtype="c" part="N"><w lemma="declino" part="N">
            >declinatis</w></phr>
          <rs>urbibus</rs> per <rs>portusque</rs> quamplures <rs>possessionesque</rs>
          diversas exercent <rs>negotiationis</rs> officium, pro <rs>aerarii</rs>
          nostri commoditate retinendos, ut secundum modum, quem iustitia suaserit,
          aurariam functionem <phr xml:id="nov-val_24.1.s1.p1" type="ampl" subtype="c"
            part="N"><w lemma="cogo" part="N">cogantur</w></phr> agnoscere: <phr
            xml:id="nov-val_24.1.s1.p2" type="ampl" subtype="c" part="N"><w
              lemma="gravis" part="N">gravis</w></phr>
          <phr xml:id="nov-val_24.1.s1.p3" type="ampl" subtype="g" part="N"><w
            lemma="multa" part="N">multae</w></phr>
          <phr xml:id="nov-val_24.1.s1.p4" type="ampl" subtype="c" part="N"><w
            lemma="condemnatio" part="N">condemnatione</w></phr> proposita his,
          qui huiusmodi <rs>negotiatores</rs> in <rs>fiscale</rs>
          <phr xml:id="nov-val_24.1.s1.p5" type="ampl" subtype="c" part="N"><w
            lemma="dispendium" part="N">dispendium</w></phr> putaverint
          cohibendos.</seg></s>
      <s xml:id="nov-val_24.1.s2" n="la4" xml:lang="la" part="N">aequum enim est eum,
        qui praeceptis nostris crediderit obviandum, facultatum suarum subire <phr
          xml:id="nov-val_24.1.s2.p1" type="ampl" subtype="c" part="N"><w
            lemma="discrimen" part="N">discrimen</w></phr>.</s>
      <milestone unit="english" /> 1. <s corresp="#nov-val_24.1.s1" n="en3"
        xml:lang="en" part="N">Therefore Your Illustrious Authority shall learn the
        tenor of Our pragmatic sanction and shall know that, according to your report,
        <seg corresp="#nov-val_24.1.c1" part="N">all persons who have <phr
          subtype="c" type="ampl" part="N">avoided</phr> the <rs>cities</rs> and
          are practicing the business of <rs>trade</rs> throughout the
          <rs>villages</rs> and very many <rs>ports</rs> and various
          <rs>landholdings</rs>, shall be held liable for the interests of Our
          <rs>treasury</rs>, and they shall be <phr subtype="c" type="ampl"
            part="N">compelled</phr> to assume the tax payable in gold, according to
          the measure which justice shall persuade<supplied resp="#pharr"
            instant="false">.</supplied> The <phr subtype="c" type="ampl" part="N">
            >condemnation</phr> of a <phr subtype="c" type="ampl" part="N">
              >heavy</phr>
          <phr type="ampl" subtype="g" part="N">fine</phr> is established for those
          persons who consider that such <rs>tradesmen</rs> should be restrained to

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        the <phr subtype="c" type="ampl" part="N">loss</phr> of the
        <rs>fisc</rs>.</seg></s>
    <s corresp="#nov-val_24.1.s2" n="en4" xml:lang="en" part="N">For it is just that
        the person who believes that he should oppose Our commands shall undergo the
        <phr subtype="c" type="ampl" part="N">risk</phr> of his own property.</s>
</ab>
<ab xml:id="nov-val_24.subs" type="subs" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_24.subs.s1" n="la5" xml:lang="la" part="N">Dat. VII kal. Mai.
        <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
        calepio vc. cons. <date when="0447-04-25" instant="false">(447 April.
        25)</date>.</s>
    <milestone unit="english" />
    <s corresp="#nov-val_24.subs.s1" n="en5" xml:lang="en" part="N">Given on the
        seventh day before the kalends of May at <placeName instant="false" full="yes">
        >Rome</placeName> in the year of the consulship of the Most Noble Calepius.
        - <date instant="false">April 25, 447</date>.</s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_25" type="titulus" part="N" org="uniform" sample="complete">
    <head xml:id="nov-val_25.titl">
        <s xml:id="nov-val_25.titl.s1" xml:lang="la" part="N">25. DE LIBERTIS ET
            SUCCESSIONIBUS EORUM</s>
        <s corresp="#nov-val_25.titl.s1" xml:lang="en" part="N">TITLE 25: FREEDMEN AND THEIR
            SUCCESSION</s>
    </head>
    <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_25.insc" type="insc" part="N">
            <milestone unit="latin" />
            <s xml:id="nov-val_25.insc.s1" n="la1" xml:lang="la" part="N">1. dd. nn. imp.
                <persName corresp="#theodosius2" instant="false" full="yes">
                >Theodos.</persName> et <persName corresp="#valentinian3" instant="false">
                full="yes">Valentin.</persName> AA. Albino II pp. et Patricio.</s>
            <milestone unit="english" />
            <s corresp="#nov-val_25.insc.s1" n="en1" xml:lang="en" part="N">1. Our Lords the
                Emperors <persName corresp="#theodosius2" instant="false" full="yes">
                >Theodosius</persName> and <persName corresp="#valentinian3" instant="false">
                full="yes">Valentinian</persName> Augustuses to Albinus, Praetorian Prefect
                for the second time and Patrician.</s>
        </ab>
        <ab xml:id="nov-val_25.0" type="caput" part="N">
            <milestone unit="latin" /> 0. <s xml:id="nov-val_25.0.s1" n="la2" xml:lang="la"
                part="N">Cum iuris aequitas omnibus <rs>dominis</rs> in commune permiserit
                fructu <rs>libertatis</rs> et praemio fortunam mutare servorum nec manumissoris
                posteros his <phr xml:id="nov-val_25.0.s1.p1" type="ampl" subtype="c" part="N">
                >w lemma="gravis" part="N">graves</w></phr> esse conveniat, quos meliore
                iudicio tanti muneris auctor evexerit, <phr type="ampl" subtype="c" part="N"><w
                lemma="durus" part="N">duras</w></phr> nimis benemeritis credimus <phr
                type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N"
                >sanctiones</w></phr>, quae sic <phr xml:id="nov-val_25.0.s1.p2" type="ampl"
                subtype="c" part="N"><w lemma="opprimo" part="N">opprimunt</w></phr> sub
                <phr xml:id="nov-val_25.0.s1.p3" type="ampl" subtype="g" part="N"><w
                lemma="ingratus" part="N">ingrati</w></phr> actione <rs>libertos</rs>, ut
                ab <rs>heredibus defunctorum</rs> praecipiant in <phr
                xml:id="nov-val_25.0.s1.p4" type="ampl" subtype="c" part="N"><w
                lemma="servitus" part="N">servitutum</w></phr> vocari, tamquam contra
                <phr xml:id="nov-val_25.0.s1.p5" type="ampl" subtype="g" part="N"><w
                lemma="iniuria" part="N">iniuriarum</w></phr> vel <phr
                xml:id="nov-val_25.0.s1.p6" type="ampl" subtype="g" part="N"><w
                lemma="superbia" part="N">superbiae</w></phr>
                <phr xml:id="nov-val_25.0.s1.p7" type="ampl" subtype="g" part="N"><w
                lemma="reus" part="N">reos</w></phr> nulla nisi abrogandae libertatis
                <phr xml:id="nov-val_25.0.s1.p8" type="ampl" subtype="g" part="N"><w
                lemma="poena" part="N">poena</w></phr> sufficiat.</s>
            <milestone unit="english" /> 0. <s corresp="#nov-val_25.0.s1" n="en2"
                xml:lang="en" part="N">Since the equity of law permits all <rs>masters</rs> in
                common to exchange the lot of their <rs>slaves</rs> for the fruit and the
                reward of <rs>freedom</rs>, and since the posterity of the <rs>manumitter</rs>
                must not be <phr subtype="c" type="ampl" part="N">severe</phr> toward such
                freedmen whom the author of so great a gift has elevated by his better
                judgment, We believe that the <phr subtype="c" type="ampl" part="N">
                >sanctions</phr> are too <phr subtype="c" type="ampl" part="N">harsh</phr>
                against such well-deserving freedmen, since such sanctions so <phr subtype="c"
                type="ampl" part="N">oppress</phr>
                <rs>freedmen</rs> under an action on the ground of <phr type="ampl" subtype="g"
                part="N">ingratitude</phr> that they command them to be recalled into <phr
                subtype="c" type="ampl" part="N">slavery</phr> by the <rs>heirs of the
                deceased manumitters</rs>, as though no <phr type="ampl" subtype="g"
                part="N">penalty</phr> were sufficient against persons <phr type="ampl"
                subtype="g" part="N">guilty</phr> of <phr type="ampl" subtype="g" part="N">
                >outrages</phr> or of <phr type="ampl" subtype="g" part="N">
                >haughtiness</phr> except the penalty of abrogating their freedom.</s>
        </ab>
        <ab xml:id="nov-val_25.1" type="caput" part="N">
            <milestone unit="latin" /> 1. <s xml:id="nov-val_25.1.s1" n="la3" xml:lang="la"
                part="N">Huius ergo statuti vigorem benignius corrigentes <seg
                xml:id="nov-val_25.1.c1" ana="#ncp" part="N">mansura iugiter lege <phr
                xml:id="nov-val_25.1.s1.p1" function="cmdw" part="N">decernimus</phr>,

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ut, si <rs>quis</rs> ex <rs>familia</rs> sua cuiuslibet sexus homines
 <rs>libertate</rs> donaverit, eius <rs>heredes</rs>, sive extranei sive
 <rs>filii seu filiae</rs> seu <rs>nepotes neptesque fuerint vel propinqui
 cuiuscumque cognationis et nominis</rs>, <rs>manumissos</rs> non teneant
 ad obsequiorum <phr type="ampl" subtype="c" part="N"><w lemma="necessitas"
 part="N">necessitatem</w></phr> nullamque contra <phr
 xml:id="nov-val_25.1.s1.p2" type="ampl" subtype="g" part="N"><w
 lemma="ingratus" part="N">ingratos</w></phr> habeant actionem, sed,
 quod minime remur, si <phr xml:id="nov-val_25.1.s1.p3" type="ampl"
 subtype="g" part="N"><w lemma="contumelia" part="N">contumeliam</w></phr>
 fortasse <phr xml:id="nov-val_25.1.s1.p4" type="ampl" subtype="c" part="N"
 ><w lemma="perfero" part="N">pertulerint</w></phr>, ad <phr
 xml:id="nov-val_25.1.s1.p5" type="ampl" subtype="c" part="N"><w
 lemma="coerceo" part="N">cohercendos</w></phr>
 <phr xml:id="nov-val_25.1.s1.p6" type="ampl" subtype="g" part="N"><w
 lemma="iniuria" part="N">iniuriarum</w></phr>
 <phr xml:id="nov-val_25.1.s1.p7" type="ampl" subtype="g" part="N"><w
 lemma="reus" part="N">reos</w></phr> utantur iure communi.</seg></s>
 <s xml:id="nov-val_25.1.s2" n="la4" xml:lang="la" part="N">Nemo sibi nostrae legis
 obstaculo credat <phr xml:id="nov-val_25.1.s2.p1" type="ampl" subtype="g"
 part="N"><w lemma="pereor" part="N">perire</w></phr>
 <phr xml:id="nov-val_25.1.s2.p2" type="ampl" subtype="g" part="N"><w
 lemma="vindicta" part="N">vindictam</w></phr>: late adversum <phr
 xml:id="nov-val_25.1.s2.p3" type="ampl" subtype="g" part="N"><w
 lemma="noxius" part="N">noxios</w></phr>
 <phr xml:id="nov-val_25.1.s2.p4" type="ampl" subtype="g" part="N"><w
 lemma="severitas" part="N">severitas</w></phr> patet.</s>
 <s xml:id="nov-val_25.1.s3" n="la5" xml:lang="la" part="N"><seg
 xml:id="nov-val_25.1.c2" part="N">Hoc unum genus <phr
 xml:id="nov-val_25.1.s3.p1" type="ampl" subtype="g" part="N"><w
 lemma="ultio" part="N">ultionis</w></phr> nostro saeculo venturisque
 temporibus <rs>nulli</rs> prorsus sperare <phr xml:id="nov-val_25.1.s3.p2"
 function="cmdw" part="N">permittimus</phr>, ut <rs>in ius vocati</rs>
 postulet <phr xml:id="nov-val_25.1.s3.p3" type="ampl" subtype="c" part="N"
 ><w lemma="servitus" part="N">servitutem</w></phr>.</seg></s>
 <s xml:id="nov-val_25.1.s4" n="la6" xml:lang="la" part="N"><seg
 xml:id="nov-val_25.1.c3" part="N">iustitiam praesentis edicti, si bene
 sentiant, famae <phr xml:id="nov-val_25.1.s4.p1" function="cmdw" part="N"
 >praestamus</phr>
 <rs>heredum</rs>,</seg> ne videantur non agere causam <phr
 xml:id="nov-val_25.1.s4.p2" type="ampl" subtype="g" part="N"><w
 lemma="dolor" part="N">doloris</w></phr>, sed exercere potius <phr
 xml:id="nov-val_25.1.s4.p3" type="ampl" subtype="c" part="N"><w
 lemma="cupiditas" part="N">cupiditatis</w></phr>
 <phr type="ampl" subtype="c" part="N"><w lemma="ardor" part="N"
 >ardorem</w></phr>.</s>
 <milestone unit="english" /> 1. <s corresp="#nov-val_25.1.s1" n="en3"
 xml:lang="en" part="N">Therefore We very benignantly correct the severity of
 such statutes, and <seg corresp="#nov-val_25.1.c1" ana="#ncp" part="N">by a law
 which shall remain valid continuously We <phr function="cmdw" part="N"
 >decree</phr> that if any <rs>person</rs> should endow with
 <rs>freedom</rs> persons of either sex from his <rs>household</rs>, his
 <rs>heirs</rs>, whether they should be extraneous persons or <rs>sons,
 daughters</rs>, <rs>grandsons, granddaughters, or near kinsmen of any
 blood kinship or name</rs>, shall not hold such <rs>manumitted</rs>
 persons to any <phr subtype="c" type="ampl" part="N">necessity</phr> for
 obsequious obedience, and they shall have no action against them on the
 ground of <phr type="ampl" subtype="g" part="N">ingratitude</phr> supplied
 resp="#pharr" instant="false">.</supplied> But if such heirs should
 perhaps <phr subtype="c" type="ampl" part="N">endure</phr>
 <phr type="ampl" subtype="g" part="N">contumely</phr> at the hands of such
 manumitted persons, a thing which We do not at all expect, they shall use
 the common law to <phr subtype="c" type="ampl" part="N">punish</phr> those
 <phr type="ampl" subtype="g" part="N">guilty</phr> of <phr type="ampl"
 subtype="g" part="N">outrages</phr>.</seg></s>
 <s corresp="#nov-val_25.1.s2" n="en4" xml:lang="en" part="N">No person shall
 suppose that <phr type="ampl" subtype="g" ana="#meta" part="N">vengeance</phr>
 is <phr type="ampl" subtype="g" ana="#meta" part="N">lost</phr> to him because
 of the obstacle of Our law; <phr type="ampl" subtype="g" ana="#meta" part="N"
 >severity</phr> extends widely against the <phr type="ampl" subtype="g"
 ana="#meta" part="N">guilty</phr>.</s>
 <s corresp="#nov-val_25.1.s3" n="en5" xml:lang="en" part="N"><seg
 corresp="#nov-val_25.1.c2" part="N">Henceforth, We <phr function="cmdw"
 part="N">permit</phr>
 <rs>no person</rs> in Our age or in times to come to hope for this one kind
 of <phr type="ampl" subtype="g" ana="#meta" part="N">vengeance</phr>,
 namely, that he may demand the <phr subtype="c" type="ampl" part="N"
 >slavery</phr> of a <rs>person who has been called into
 court</rs>.</seg></s>
 <s corresp="#nov-val_25.1.s4" n="en6" xml:lang="en" part="N"><seg
 corresp="#nov-val_25.1.c3" part="N">We <phr function="cmdw" part="N"
 >grant</phr> the justice of the present edict, if they understand it
 well, to the reputation of the <rs>heirs</rs>,</seg> in order that they may
 appear to plead a case arising from <phr type="ampl" subtype="g" ana="#meta"
 part="N">indignation</phr> and may not appear rather to exercise the <phr
 subtype="c" type="ampl" part="N">ardor</phr> of their <phr subtype="c"
 type="ampl" part="N">cupidity</phr>.</s>
 </ab>
 <ab xml:id="nov-val_25.2" type="caput" part="N">

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<milestone unit="latin" /> 2. <s xml:id="nov-val_25.2.s1" n="la7" xml:lang="la"
  part="N">De successionibus etiam, quas latius et <phr
    xml:id="nov-val_25.2.s1.p1" type="ampl" subtype="c" part="N"><w
      lemma="obscurus" part="N">obscurius</w></phr> veteres protulerunt,
    compendium lucidae definitionis adhibemus.</s>
<s xml:id="nov-val_25.2.s2" n="la8" xml:lang="la" part="N"><seg
  xml:id="nov-val_25.2.c1" part="N">Itaque <rs>libertus</rs>, qui
    <rs>civis</rs> Romani privilegium fuerit consecutus, sive unicum pignus
    seu plures cuiuslibet sexus habeat <rs>filios</rs>, cum <phr
      xml:id="nov-val_25.2.s2.p1" type="ampl" subtype="g" part="N"><w
        lemma="moriior" part="N">mori</w></phr> coeperit, <rs>suboli</rs> suae
    omnes proprias si maluerit facultates supremo securus dimittat
    arbitrio.</seg></s>
<milestone unit="english" /> 2. <s corresp="#nov-val_25.2.s1" n="en7"
  xml:lang="en" part="N">In regard to successions also, which the ancients
    extended rather broadly and <phr subtype="c" type="ampl" part="N"
    >obscurously</phr>, We employ a compendium of lucid definition.</s>
<s corresp="#nov-val_25.2.s2" n="en8" xml:lang="en" part="N"><seg
  corresp="#nov-val_25.2.c1" part="N">Therefore if a <rs>freedman</rs> has
    obtained the privilege of a Roman <rs>citizen</rs>, whether he should have
    only one child or more <rs>children</rs> of either sex, when he begins to
    <phr type="ampl" subtype="g" part="N">die</phr>, he may safely leave by
    his last will all his own property to his <rs>offspring</rs>, if he should
    so prefer.</seg></s>
</ab>
<ab xml:id="nov-val_25.3" type="caput" part="N">
  <milestone unit="latin" /> 3. <s xml:id="nov-val_25.3.s1" n="la9" xml:lang="la"
    part="N"><seg xml:id="nov-val_25.3.c1" part="N">Quod si nulla <rs>prole</rs>
      gaudebit, quattuor uncias bonorum suorum <rs>manumissoris filio vel, si
      plures erunt, filiis</rs> derelinquat aut, si filiorum nullus extiterit,
      <rs>nepoti ex filio vel nepotibus</rs> eandem deputet
    portionem.</seg></s>
  <milestone unit="english" /> 3. <s corresp="#nov-val_25.3.s1" n="en9"
    xml:lang="en" part="N"><seg corresp="#nov-val_25.3.c1" part="N">But if he
      should not rejoice in any <rs>offspring</rs>, he shall leave four twelfths
      of his goods <rs>to the son, or if there should be more, to the sons, of his
      manumitter</rs>, or if there should be no sons of the manumitter, he
      shall assign the aforesaid portion to the <rs>grandson or grandsons from
      sons</rs> of the manumitter.</seg></s>
</ab>
<ab xml:id="nov-val_25.4" type="caput" part="N">
  <milestone unit="latin" /> 4. <s xml:id="nov-val_25.4.s1" n="la10" xml:lang="la"
    part="N"><seg xml:id="nov-val_25.4.c1" part="N"><rs>Filiis</rs> vero
      <rs>manumissoris</rs>
      <rs>earumque filios et nepotes</rs>
      <phr xml:id="nov-val_25.4.s1.p1" type="ampl" subtype="g" part="N"><w
        lemma="impune" part="N">impune</w></phr> praeterea, nisi forsitan
      aliud amor suaserit voluntasque <phr xml:id="nov-val_25.4.s1.p2" type="ampl"
        subtype="g" part="N"><rs><w lemma="moriior" part="N"
        >morientis</w></rs></phr>.</seg></s>
  <milestone unit="english" /> 4. <s corresp="#nov-val_25.4.s1" n="en10"
    xml:lang="en" part="N"><seg corresp="#nov-val_25.4.c1" part="N">But the <phr
      type="ampl" subtype="g" part="N"><rs>decedent</rs></phr> may pass over
      with <phr type="ampl" subtype="g" part="N">impunity</phr> the
      <rs>daughters</rs> of his <rs>manumitter</rs> or their <rs>children or
      grandchildren</rs>, unless perchance his affection or will should
      persuade him otherwise.</seg></s>
</ab>
<ab xml:id="nov-val_25.5" type="caput" part="N">
  <milestone unit="latin" /> 5. <s xml:id="nov-val_25.5.s1" n="la11" xml:lang="la"
    part="N">Ne quid autem <phr xml:id="nov-val_25.5.s1.p1" type="ampl" subtype="c"
      part="N"><w lemma="scaevus" part="N">scaevus</w></phr> interpretationibus
      <phr xml:id="nov-val_25.5.s1.p2" type="ampl" subtype="g" part="N"><w
        lemma="calumnior" part="N">calumniantum</w></phr>
      <phr xml:id="nov-val_25.5.s1.p3" type="ampl" subtype="c" part="N"><w
        lemma="molior" part="N">moliantur</w></phr>
      <phr xml:id="nov-val_25.5.s1.p4" type="ampl" subtype="g" part="N"><w
        lemma="insidia" part="N">insidiae</w></phr>, <seg
        xml:id="nov-val_25.5.c1" part="N">quod pro <rs>liberto</rs> statuimus pari
        sibi munere etiam <rs>liberta</rs> defendat.</seg></s>
  <milestone unit="english" /> 5. <s corresp="#nov-val_25.5.s1" n="en11"
    xml:lang="en" part="N">Moreover, in order that the <phr type="ampl" subtype="g"
      ana="#meta" part="N">treachery</phr> of <phr type="ampl" subtype="g"
      ana="#meta" part="N">calumniators</phr> may not <phr subtype="c" type="ampl"
      part="N">plot</phr> anything by <phr subtype="c" type="ampl" part="N"
      >perverted</phr> interpretations, <seg corresp="#nov-val_25.5.c1" part="N"
      >the <rs>freedwoman</rs> shall vindicate for herself by an equal privilege
      also that which We have established for the <rs>freedman</rs>.</seg></s>
</ab>
<ab xml:id="nov-val_25.6" type="caput" part="N">
  <milestone unit="latin" /> 6. <s xml:id="nov-val_25.6.s1" n="la12" xml:lang="la"
    part="N"><seg xml:id="nov-val_25.6.c1" part="N">Praeterea intestatis
      <rs>libertis</rs>
      <rs>filiis filiaeve nepos neptisque vel si plures superstites fuerint</rs>,
      dummodo liberi <rs>civesque</rs> Romani, pro totius <rs>patrimonii</rs>
      soliditate succedant.</seg></s>
  <milestone unit="english" /> 6. <s corresp="#nov-val_25.6.s1" n="en12"
    xml:lang="en" part="N"><seg corresp="#nov-val_25.6.c1" part="N">Moreover, if a
      <rs>freedman</rs> should die intestate, <rs>his son or daughter, grandson

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or granddaughter, or others, if there should be more surviving</rs>, provided only that they are free and Roman <rs>citizens</rs>, shall succeed to the entirety of the whole <rs>patrimony</rs>.</seg></s>

</ab>

<ab xml:id="nov-val_25.7" type="caput" part="N">

<milestone unit="latin" /> 7. <s xml:id="nov-val_25.7.s1" n="la13" xml:lang="la" part="N"><seg xml:id="nov-val_25.7.c1" part="N">Nam si nec <rs>filios</rs> habuerint nec <rs>nepotes</rs>, <phr type="ampl" subtype="c" part="N"><w lemma="relinquo" part="N">reliquerint</w></phr> tamen <rs>patrem matrem fratrem sororem</rs> pari libertate gaudentes, medietatem sibi intestatae successionis haec de supradictis persona defendat quae gradu potior invenitur, aliam vero medietatem <rs>manumissorum</rs> reservamus <rs>heredibus</rs>: quos tunc respiciet omnis hereditas, si intestato expressa necessitudinum nomina <phr xml:id="nov-val_25.7.s1.p1" type="ampl" subtype="g" part="N"><w lemma="desum" part="N">defuisse</w></phr> constiterit.</seg></s>

<milestone unit="english" /> 7. <s corresp="#nov-val_25.7.s1" n="en13" xml:lang="en" part="N"><seg corresp="#nov-val_25.7.c1" part="N">For if such freedmen should have neither <rs>children</rs> nor <rs>grandchildren</rs>, but should <phr subtype="c" type="ampl" part="N">leave</phr> a <rs>father, mother, brother, or sister</rs> who rejoice in equal freedom, the person from the aforesaid group who is found to be preferable in degree of kinship shall vindicate for himself a half of such intestate succession, but We reserve the other half for the <rs>heirs</rs> of the <rs>manumitter</rs><supplied resp="#pharr" instant="false">.</supplied> The whole inheritance shall then look to the advantage of such heirs if it should be established that the designated names of kinsmen are <phr type="ampl" subtype="g" part="N">lacking</phr> to such intestate freedman.</seg></s>

</ab>

<ab xml:id="nov-val_25.8" type="caput" part="N">

<milestone unit="latin" /> 8. <s xml:id="nov-val_25.8.s1" n="la14" xml:lang="la" part="N"><seg xml:id="nov-val_25.8.c1" part="N">Ipsis vero <rs>manumissoribus</rs> nihil penitus <phr xml:id="nov-val_25.8.s1.p1" function="cmdw" type="ampl" subtype="c" part="N"><w lemma="derogo" part="N">derogamus</w></phr>, quibus ius patronatus integrum semper manebit salvumque durabit quidquid vel prisca iuris auctoritas vel <rs>superiorum principum</rs> <phr type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N">sanctiones</w></phr> contra <phr xml:id="nov-val_25.8.s1.p2" type="ampl" subtype="g" part="N"><w lemma="ingratus" part="N">ingratos</w></phr> detulere <rs>libertos</rs>.</seg></s>

<milestone unit="english" /> 8. <s corresp="#nov-val_25.8.s1" n="en14" xml:lang="en" part="N"><seg corresp="#nov-val_25.8.c1" part="N">But We <phr subtype="c" function="cmdw" type="ampl" part="N">derogate</phr> absolutely nothing from the rights of the <rs>manumitters</rs> themselves, to whom the right of patron shall always remain intact, and whatever right has been conferred upon such manumitters against <phr type="ampl" subtype="g" part="N">ungrateful</phr> <rs>freedmen</rs>, either by the authority of ancient law or by the <phr subtype="c" type="ampl" part="N">sanctions</phr> of the <rs>previous Emperors</rs>, shall endure unimpaired.</seg></s>

</ab>

<ab xml:id="nov-val_25.9" type="caput" part="N">

<milestone unit="latin" /> 9. <s xml:id="nov-val_25.9.s1" n="la15" xml:lang="la" part="N"><seg xml:id="nov-val_25.9.c1" part="N">Sed ne penitus sibi reverentiam <rs>posteris</rs> causentur <phr type="ampl" subtype="g" part="N"><w lemma="nego" part="N">negatam</w></phr>, <seg xml:id="nov-val_25.9.c2" part="N"><phr xml:id="nov-val_25.9.s1.p1" function="cmdw" part="N">statuimus</phr> et <phr xml:id="nov-val_25.9.s1.p2" function="cmdw" part="N">iubemus</phr>, ut adversum <rs>manumissoris filios et nepotes</rs> <rs>liberti libertaeve</rs> in nullis omnino causis testimonium dicant.</seg></s>

<s xml:id="nov-val_25.9.s2" n="la0" xml:lang="la" part="N"><seg xml:id="nov-val_25.9.c2" part="N">Quod si, licet nihil valiturum, dixerint, <phr xml:id="nov-val_25.9.s2.p1" type="ampl" subtype="g" part="N"><w lemma="punio" part="N">puniantur</w></phr>, </seg> Albine parens karissime atque amantissime.</s>

<milestone unit="english" /> 9. <s corresp="#nov-val_25.9.s1" n="en15" xml:lang="en" part="N"><seg xml:id="nov-val_25.9.c1" part="N">But in order that the <rs>descendants</rs> of manumitters may not assert that respect has been entirely <phr type="ampl" subtype="g" part="N">denied</phr> them, <seg corresp="#nov-val_25.9.c2" part="N">We <phr function="cmdw" part="N">establish</phr> and <phr function="cmdw" part="N">order</phr> that <rs>freedmen and freedwomen</rs> shall not give testimony in any cases at all against the <rs>children and grandchildren of their manumitter</rs>.</seg></s>

<s corresp="#nov-val_25.9.s2" n="en0" xml:lang="en" part="N"><seg corresp="#nov-val_25.9.c2" part="N">If they should give such testimony, even though it shall avail nothing, they shall be <phr type="ampl" subtype="g" part="N">punished</phr>, </seg> O Albinus, dearest and most beloved Father.</s>

</ab>

<ab xml:id="nov-val_25.10" type="caput" part="N">

<milestone unit="latin" /> 10. <s xml:id="nov-val_25.10.s1" n="la1" xml:lang="la" part="N"><seg xml:id="nov-val_25.10.c1" part="N">Illustris et praecelsa magnificentia tua propositis reverenter edictis cunctorum sensibus aequitatem nostrae legis insinuet, ut, quanto studio et <phr xml:id="nov-val_25.10.s1.p1" type="ampl" subtype="g" part="N"><w lemma="detestor" part="N">detestemur</w></phr> <phr xml:id="nov-val_25.10.s1.p2" type="ampl" subtype="g" part="N"></phr>


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        lemma="iniustus" part="N">iniustos</w></phr> et libertati tribuamus
        favorem, totus ubi noster est orbis agnoscat.</s>
<milestone unit="english" /> 10. <s corresp="#nov-val 25.10.s1" n="en1"
    xml:lang="en" part="N">Your Illustrious and Excellent Magnificence by
    reverently posting edicts shall introduce into the knowledge of all the equity
    of Our law, in order that the whole world, wherever it is under Our Empire,
    shall recognize with how great zeal We <phr type="ampl" subtype="g" ana="#meta"
        part="N">detest</phr> the <phr type="ampl" subtype="g" ana="#meta" part="N"
        >unjust</phr> and grant favor to freedom.</s>
</ab>
<ab xml:id="nov-val 25.subs" type="subs" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val 25.subs.s1" n="la2" xml:lang="la" part="N">Dat. III non. Iun.
        <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
        calepio et Ardabure VV. CC. cons. <date when="0447-06-03" instant="false">(447
        Iun. 3)</date>.</s>
    <s xml:id="nov-val 25.subs.s2" n="la3" xml:lang="la" part="N">P. in foro Traiani V
        id. Iun.</s>
    <s xml:id="nov-val 25.subs.s3" n="la4" xml:lang="la" part="N">antelata edicto
        Albinu vc.</s>
    <milestone unit="english" />
    <s corresp="#nov-val 25.subs.s1" n="en2" xml:lang="en" part="N">Given on the third
        day before the nones of June at <placeName instant="false" full="yes"
            >Rome</placeName> in the year of the consulship of the Most Noble Calepius
        and Ardabur. - <date instant="false">June 3, 447</date>.</s>
    <s corresp="#nov-val 25.subs.s2" n="en3" xml:lang="en" part="N">Posted in the
        Forum of Trajan on the fifth day before the ides of June: - June 9.</s>
    <s corresp="#nov-val 25.subs.s3" n="en4" xml:lang="en" part="N">Placed before the
        edict of the Most Noble Albinus.</s>
</ab>
<ab xml:id="nov-val 25.intr" type="intr" part="N">
    <milestone unit="latin" />INTERPRETATIO. Lex ista constituit, ut liberti, qui
    cives Romani effecti sunt, ab heredibus manumissorum, sive filii sint sive
    extranei, proposita iniuriarum actione, qua se dicant laesos, pro occasione istius
    ingratiitudinis ad servitium nullatenus revocentur. Sed si talis casus emergerit,
    quasi contra alios ingenuos, sic de iniuriis apud iudicem actio proponatur. De
    successionibus vero libertorum, hoc est civium Romanorum, id censuit observandum,
    ut libertus sive liberta, si unum filium seu plures habuerint, ipsis facultatem
    suam morientes si voluerint integram derelinquant. Contra cuius voluntatem neque
    filii ex patrono neque nepotes ex filio ulla venire poterunt ratione. Quod si
    libertus libertave, qui defuncti fuerint, filios non habuerint et testari fortasse
    voluerint, tertiam facultatis suae manumissorum filiis vel nepotibus, qui ex
    masculis nati fuerint, derelinquant. Filias vero manumissoris earumque filios et
    nepotes ab hac hereditate salva pagina testamenti securi, si voluerint,
    praetermittant, quia feminae ad istas hereditates penitus non vocantur: nisi forte
    illi liberti de duabus partibus pro gratia aliqua filiabus vel nepotibus ex filia
    patronorum suo voluerint conferre iudicio. Si vero liberti nec filios dimiserint
    nec nepotes, si patrem matrem fratrem sororem et ipsos libertos civesque Romanos
    factos esse constiterit, quos superstites derelinquant, tunc medietatem sibi
    patroni heredes vindicent et medietatem de suprascriptis personis de gradu
    defuncti liberti qui proximior invenitur. Nam si liberti qui cives Romani fuerint
    vivo manumisso decesserint, si sine voluntate patroni condere voluerint
    testamenta, penitus non valebunt, quia auctoritati manumissorum omnia lex ista
    servavit. Contra filios vero vel nepotes nec libertus nec liberta testimonium
    dicere in quacumque causa praesumant: quod si fecerint, licet recipi nulla liceat
    ratione, tamen quicumque liberti contra filios vel nepotes patroni contrarium
    testimonium dederint, puniantur. <milestone unit="english" />INTERPRETATION: This
    law established that freedmen who have been made Roman citizens shall in no way be
    recalled to slavery under the pretext of ingratitude if the heirs of a manumitter,
    whether they should be his children or extraneous persons, should bring an action
    on the ground of outrage, whereby they say that they have been injured. If such an
    occasion should arise, action shall thus be brought before the judge on the ground
    of outrage as though against other persons who are freeborn. In regard to the
    succession of freedmen, that is, those who are Roman citizens, it decrees that the
    following regulation shall be observed, namely, that freedmen or freedwomen, if
    they should have one or more children, at their death may leave their entire
    property to such children, if they should so wish. Neither the children of a
    patron nor his grandchildren from his son can, for any reason, contravene the will
    of such freedmen. But if decedent freedmen or freedwomen should not have children
    and should perhaps wish to make a testament, they shall leave a third of their
    property to the sons or grandsons of their manumitter, who are descended through
    the male line. But they may safely omit the daughters of the manumitter and their
    children and grandchildren from such inheritance, if they should so wish, and the
    document of their testament shall be valid, because women are not called at all to
    such inheritances, unless perhaps such freedmen should wish to confer something
    from their own two thirds by their own will as a mark of some affection upon the
    daughters of their patrons or upon the grandchildren from a daughter. But if
    freedmen should leave neither children nor grandchildren, and if it should be
    established that the father, mother, brother, or sister whom they leave as
    survivors are free themselves and have been made Roman citizens, then the heirs of
    the patron shall vindicate half of the inheritance to themselves, and from the
    above-mentioned persons, the one who is found to be nearest in degree of kinship
    to the deceased freedman shall vindicate the other half. For if freedmen who are
    Roman citizens should die while their manumitters are alive, and if they should
    wish to establish testaments without the consent of the patron, such testaments
    shall be entirely invalid, because this law preserves everything for the authority
    of the manumitters. Neither freedmen nor freedwomen shall presume to give
    testimony against the children or grandchildren of their manumitters in any case
    whatever. If they should do so, even though it is not permissible for such

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testimony to be accepted in any way, still the freedmen who gave adverse testimony against the children or grandchildren of a patron shall be punished. </ab>

</div2>
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 <s corresp="#nov-val_26.titl.s1" xml:lang="en" part="N">TITLE 26: THE CONFIRMATION OF THE LAWS OF THE SAINTED THEODOSIUS AUGUSTUS THAT WERE ISSUED AFTER THE THEODOSIAN CODE</s>
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 <s xml:id="nov-val_26.insc.s1" n="la1" xml:lang="la" part="N">1. <persName corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et <persName corresp="#valentinian3" instant="false" full="yes">Valentin.</persName> AA. Albino II pp. et Patricio.</s>
 <milestone unit="english" />
 <s corresp="#nov-val_26.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors <persName corresp="#theodosius2" instant="false" full="yes">Theodosius</persName> and <persName corresp="#valentinian3" instant="false" full="yes">Valentinian</persName> Augustuses to Albinus, Praetorian Prefect for the second time and Patrician.</s>
 </ab>
 <ab xml:id="nov-val_26.0" type="caput" part="N">
 <milestone unit="latin" /> 0. <s xml:id="nov-val_26.0.s1" n="la2" xml:lang="la" part="N">Gloriosissimus principum dominus <rs>Theodosius</rs>
 <rs>clementiae meae</rs> pater leges a se post codicem nominis sui latas nuper ad nos, sicut repetitis constitutionibus caverat, prosequente sacra praeceptione direxit, Albine parens karissime atque amantissime.</s>
 <milestone unit="english" /> 0. <s corresp="#nov-val_26.0.s1" n="en2" xml:lang="en" part="N">The most glorious of Emperors, Our Lord <rs>Theodosius</rs>, the father of <rs>My Clemency</rs>, with the accompanying sacred imperial order has recently dispatched to Us, as he had provided by repeated constitutions, the laws issued by him after the issuance of the Code which bears his name, O Albinus, dearest and most beloved Father.</s>
 </ab>
 <ab xml:id="nov-val_26.1" type="caput" part="N">
 <milestone unit="latin" /> 1. <s xml:id="nov-val_26.1.s1" n="la3" xml:lang="la" part="N"><seg xml:id="nov-val_26.1.c1" part="N"><rs>Illustris et praecelsa magnificentia tua</rs> nostrorum quoque apicum tenorem secuta <phr type="ampl" subtype="c" part="N"><w lemma="perfero" part="N">perferri</w></phr> eas in notitiam omnium cum supradicta venerabili iussione simul missa, quae nihil <phr xml:id="nov-val_26.1.s1.p1" type="ampl" subtype="g" part="N"><w lemma="dubitatio" part="N">dubitationis</w></phr>
 <phr type="ampl" subtype="c" part="N"><w lemma="relinquo" part="N">reliquit</w></phr>, tam suis quam <rs>provincialium</rs> <rs>iudicum</rs> decernet edictis,</seg> ut, sicuti uterque orbis individuis ordinationibus regitur, isdem quoque legibus temperetur.</s>
 <milestone unit="english" /> 1. <s corresp="#nov-val_26.1.s1" n="en3" xml:lang="en" part="N"><seg corresp="#nov-val_26.1.c1" part="N"><rs>Your Illustrious and Excellent Magnificence</rs> in compliance with the tenor of Our letter also shall decree by your own edicts, as well as those of the <rs>provincial</rs> <rs>judges</rs>, that these laws shall be <phr subtype="c" type="ampl" part="N">brought</phr> to the knowledge of all, together with the aforesaid venerable order which was sent at the same time, and which <phr subtype="c" type="ampl" part="N">leaves</phr> no <phr type="ampl" subtype="g" part="N">obscurity</phr>,</seg> so that, just as both worlds are ruled by indivisible regulations, they shall also be guided by the same laws.</s>
 </ab>
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 <s corresp="#nov-val_27.titl.s1" xml:lang="en" part="N">TITLE 27: THE PRESCRIPTION OF THIRTY YEARS MUST BE INTERPOSED IN ALL CASES</s>
 </head>
 <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
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  <persName corresp="#valentinian3" instant="false" full="yes"
    >Valentin.</persName> AA. Firmino pp.</s>
<milestone unit="english" />
<s corresp="#nov-val_27.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
  <persName corresp="#theodosius2" instant="false" full="yes"
    >Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
    full="yes">Valentinian</persName> Augustuses to Firminus, Praetorian
  Prefect.</s>
</ab>
<ab xml:id="nov-val_27.0" type="caput" part="N">
  <milestone unit="latin" /> 0. <s xml:id="nov-val_27.0.s1" n="la2" xml:lang="la"
    part="N">Boni <rs>principis</rs> cura vel prima vel maxima est quietem
    <rs>provincialium</rs> propitia <phr xml:id="nov-val_27.0.s1.p1" type="ampl"
      subtype="g" part="N"><w lemma="sollicite" part="N">sollicitus</w></phr>
    mente tractare, quibus quanto plus fuerit humanitatis impensum, tanto pronius
    amor devotionis incumbit.</s>
  <s xml:id="nov-val_27.0.s2" n="la3" xml:lang="la" part="N">Haec est enim natura
    mentis humanae, ut quod <phr type="ampl" subtype="c" part="N"><w lemma="amitto"
      part="N">amittit</w></phr> ex commodo compenset in gratia et animos
    praestitis largioribus interiore quodam vinculo caritatis obstringat.</s>
  <s xml:id="nov-val_27.0.s3" n="la4" xml:lang="la" part="N">iuvat itaque iuris
    <rs>perpetui</rs>
    <rs>enphyteutici</rs>
    <rs>patrimonialis</rs>, iuris <rs>rei publicae</rs> vagas aeternasque <phr
      xml:id="nov-val_27.0.s3.p1" type="ampl" subtype="g" part="N"><w
        lemma="calumnia" part="N">calumnias</w></phr> et nullo temporum fine
    conclusas certis et designatis terminis limitare.</s>
  <s xml:id="nov-val_27.0.s4" n="la5" xml:lang="la" part="N">Quam nobis <phr
    type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
      >necessitatem</w></phr> ferendae legis iusta <phr
      xml:id="nov-val_27.0.s4.p1" type="ampl" subtype="c" part="N"><w
        lemma="impono" part="N">imposuit</w></phr>
    <phr type="ampl" subtype="c" part="N"><w lemma="querimonia" part="N"
      >querimonia</w></phr> plurimorum.</s>
  <s xml:id="nov-val_27.0.s5" n="la6" xml:lang="la" part="N">Quis ferat institui
    iurgia, quae avi ac proavi <phr xml:id="nov-val_27.0.s5.p1" type="ampl"
      subtype="g" part="N"><w lemma="nescio" part="N">nescierunt</w></phr>?</s>
  <s xml:id="nov-val_27.0.s6" n="la7" xml:lang="la" part="N">quae alia <phr
    xml:id="nov-val_27.0.s6.p1" type="ampl" subtype="g" part="N"><w
      lemma="improbis" part="N">improbis</w></phr>
    <rs>litigatore</rs> tam valida <phr xml:id="nov-val_27.0.s6.p2" type="ampl"
      subtype="c" part="N"><w lemma="defensio" part="N">defensio</w></phr>
    <phr type="ampl" subtype="c" part="N"><w lemma="submoveo" part="N"
      >submovebit</w></phr>, si possessorem nec saecula in infinitum transacta
    <rs>defendent</rs>?</s>
  <milestone unit="english" /> 0. <s corresp="#nov-val_27.0.s1" n="en2"
    xml:lang="en" part="N">It is both the first and the greatest responsibility of
    a good <rs>Emperor</rs> to consider very <phr type="ampl" subtype="g" part="N"
      >carefully</phr> and with a favorable mind the peace of the
    <rs>provincials</rs>, since the more humanity is shown them, the more
    readily is love of loyal devotion incumbent upon them.</s>
  <s corresp="#nov-val_27.0.s2" n="en3" xml:lang="en" part="N">For the nature of the
    human mind is such that it <phr subtype="c" type="ampl" part="N"
      >compensates</phr> in gratitude whatever it gains from its advantage, and it
    binds together spirits by a certain closer bond of affection, the greater the
    generosity that has been bestowed upon them.</s>
  <s corresp="#nov-val_27.0.s3" n="en4" xml:lang="en" part="N">Therefore, it is Our
    pleasure to restrict by definite and designated limits of time the vague and
    everlasting <phr type="ampl" subtype="g" part="N">calumnies</phr> that have not
    been concluded by any limit of time, in regard to <rs>patrimonial</rs> rights,
    <rs>perpetual</rs>, <rs>emphyteutic</rs> rights and the rights of
    <rs>municipalities</rs>.</s>
  <s corresp="#nov-val_27.0.s4" n="en5" xml:lang="en" part="N">The just <phr
    subtype="c" type="ampl" part="N">complaints</phr> of very many persons has
    <phr subtype="c" type="ampl" part="N">imposed</phr> upon Us the <phr
      subtype="c" type="ampl" part="N">necessity</phr> of issuing this law.</s>
  <s corresp="#nov-val_27.0.s5" n="en6" xml:lang="en" part="N">For who can endure
    that suits shall be instituted which grandfathers and great-grandfathers did
    <phr type="ampl" subtype="g" part="N">not know</phr> about?</s>
  <s corresp="#nov-val_27.0.s6" n="en7" xml:lang="en" part="N">What other so valid a
    <phr subtype="c" type="ampl" part="N">defense</phr> will <phr subtype="c"
      type="ampl" part="N">defeat</phr> a <phr type="ampl" subtype="g" part="N"
      >wicked</phr>
    <rs>litigator</rs> if unlimited periods of time which have passed do not
    protect the <rs>defendant</rs>?</s>
</ab>
<ab xml:id="nov-val_27.1" type="caput" part="N">
  <milestone unit="latin" /> 1. <s xml:id="nov-val_27.1.s1" n="la8" xml:lang="la"
    part="N">Praeter tantae aetatis <phr xml:id="nov-val_27.1.s1.p1" type="ampl"
      subtype="g" part="N"><w lemma="iniuria" part="N">iniuriam</w></phr>
    <phr xml:id="nov-val_27.1.s1.p2" type="ampl" subtype="c" part="N"><w
      lemma="vehementer" part="N">vehementer</w></phr>
    <phr xml:id="nov-val_27.1.s1.p3" type="ampl" subtype="g" part="N"><w
      lemma="offendo" part="N">offendit</w></phr>, quod quibusdam nec
    <rs>militiae</rs> suae privilegia suffragantur.</s>
  <s xml:id="nov-val_27.1.s2" n="la9" xml:lang="la" part="N">diuturno

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<rs>excubiarum</rs>
<phr xml:id="nov-val_27.1.s2.p1" type="ampl" subtype="c" part="N"><w
  lemma="labor" part="N">labore</w></phr> perfunctis <phr type="ampl"
  subtype="c" part="N"><w lemma="impingo" part="N">impingi</w></phr>
<phr xml:id="nov-val_27.1.s2.p2" type="ampl" subtype="g" part="N"><w
  lemma="contumeliosus" part="N">contumeliosam</w></phr> status comperimus
<rs>quaestionem</rs> et, quos verecundiae adtestatione, <rs>natalium
splendore</rs> conspicuos praeclara <rs>scriniorum officia</rs> probaverunt,
naevo <phr xml:id="nov-val_27.1.s2.p3" type="ampl" subtype="c" part="N"><w
  lemma="erubesco" part="N">erubescendae</w></phr>
<rs>obiectionis</rs> urgueri, emeritos <rs>aulicis</rs> honoribus viros <phr
  type="ampl" subtype="c" part="N"><w lemma="traho" part="N">trahi</w></phr>
ad laqueos <phr xml:id="nov-val_27.1.s2.p4" type="ampl" subtype="c" part="N"><w
  lemma="vilis" part="N">vilissimi</w></phr>
<rs>colonatus</rs> et tunc <phr xml:id="nov-val_27.1.s2.p5" type="ampl"
  subtype="g" part="N"><w lemma="periculosus" part="N">periculosius</w></phr>
<phr xml:id="nov-val_27.1.s2.p6" type="ampl" subtype="c" part="N"><w
  lemma="laboro" part="N">laborare</w></phr>, quando post continuos
observationum <phr xml:id="nov-val_27.1.s2.p7" type="ampl" subtype="c" part="N"
  ><w lemma="labor" part="N">labores</w></phr> et residuo vitae optata
debeant quiete gaudere.</s>
<milestone unit="english" /> 1. <s corresp="#nov-val_27.1.s1" n="en8"
  xml:lang="en" part="N">In addition to the <phr type="ampl" subtype="g" part="N"
  >outrage</phr> of so great a length of time, it is <phr subtype="c"
  type="ampl" part="N">strongly</phr>
<phr type="ampl" subtype="g" part="N">offensive</phr> that the privileges of
their <rs>imperial service</rs> do not support some persons.</s>
<s corresp="#nov-val_27.1.s2" n="en9" xml:lang="en" part="N">We learn that <phr
  type="ampl" subtype="g" part="N">insolent</phr>
<rs>investigation</rs> of their status is being <phr subtype="c" type="ampl"
  part="N">inflicted</phr> upon persons who have performed long continued <phr
  subtype="c" type="ampl" part="N">labor</phr> as <rs>guards</rs>, and that
persons whom the distinguished <rs>office staffs of the bureaus</rs> have
proved to be conspicuous by the attestation of their modesty, by the
<rs>splendor of their birth status</rs>, are being harassed by the disgrace
of a <phr subtype="c" type="ampl" part="N">shameful</phr>
<rs>prosecution</rs>, that men who have completed their terms of honorable
service in the <rs>palace</rs> are being <phr subtype="c" type="ampl" part="N"
  >dragged</phr> to the bonds of the <phr subtype="c" type="ampl" part="N"
  >meanest</phr>
<rs>colonate</rs> and are <phr subtype="c" type="ampl" part="N">suffering</phr>
more <phr type="ampl" subtype="g" part="N">perilously</phr> at the time when
they ought to enjoy the remainder of their lives in the desired peacefulness,
after the continuous <phr subtype="c" type="ampl" part="N">labors</phr> of
their services.</s>
</ab>
<ab xml:id="nov-val_27.2" type="caput" part="N">
<milestone unit="latin" /> 2. <s xml:id="nov-val_27.2.s1" n="la10" xml:lang="la"
  part="N"><rs>Domini</rs>
<rs>vernulas</rs> suos fidelius <phr type="ampl" subtype="c" part="N"><w
  lemma="servio" part="N">servientes</w></phr>, cum liberit, iugo <phr
  xml:id="nov-val_27.2.s1.p1" type="ampl" subtype="c" part="N"><w
  lemma="servitus" part="N">servitutis</w></phr> absolvunt, et, quod esse
non poterant qualitate nascendi, manumissionis beneficio consequuntur.</s>
<s xml:id="nov-val_27.2.s2" n="la11" xml:lang="la" part="N"><phr
  xml:id="nov-val_27.2.s2.p1" type="ampl" subtype="g" part="N"><w
  lemma="indignus" part="N">indignum</w></phr>
<phr xml:id="nov-val_27.2.s2.p2" type="ampl" subtype="c" part="N"><w
  lemma="facinus" part="N">facinus</w></phr>
<phr xml:id="nov-val_27.2.s2.p3" type="ampl" subtype="g" part="N"><w
  lemma="deterior" part="N">deteriorem</w></phr> condicionem
<rs>liberis</rs> esse quam <rs>servis</rs>, ut <phr type="ampl" subtype="c"
  part="N"><w lemma="humilis" part="N">humilis</w></phr>
<phr xml:id="nov-val_27.2.s2.p4" type="ampl" subtype="g" part="N"><w
  lemma="abiectus" part="N">abiectaque</w></phr> fortuna legibus quod non
habebat adquirat, <rs>nobilior</rs> quod habuit obtinere non possit.</s>
<s xml:id="nov-val_27.2.s3" n="la12" xml:lang="la" part="N">absit a temporibus
nostris, ut id conscientia nostra permittat.</s>
<s xml:id="nov-val_27.2.s4" n="la13" xml:lang="la" part="N">Quin immo hunc nobis
gloriae titulum <phr xml:id="nov-val_27.2.s4.p1" type="ampl" subtype="c"
  part="N"><w lemma="vindico" part="N">vindicamus</w></phr>, ut nostro studio
<phr xml:id="nov-val_27.2.s4.p2" type="ampl" subtype="c" part="N"><w
  lemma="gravis" part="N">gravissimae</w></phr> consuetudinis <phr
  type="ampl" subtype="c" part="N"><w lemma="licentia" part="N"
  >licentia</w></phr>
<phr xml:id="nov-val_27.2.s4.p3" type="ampl" subtype="c" part="N"><w
  lemma="comprimo" part="N">comprimatur</w></phr>: decet nostris
specialiter remediis veterinosae valetudinis <phr xml:id="nov-val_27.2.s4.p4"
  type="ampl" subtype="c" part="N"><w lemma="adversus" part="N"
  >adversa</w></phr> curare.</s>
<s xml:id="nov-val_27.2.s5" n="la14" xml:lang="la" part="N">medicinae huius laus
aeterna contingit, cum nos tam salubris aequitatis auctores aetas et praesens
et futura declaret.</s>
<milestone unit="english" /> 2. <s corresp="#nov-val_27.2.s1" n="en10"
  xml:lang="en" part="N"><rs>Masters</rs>, when they so wish, absolve from the
yoke of <phr subtype="c" type="ampl" part="N">slavery</phr> the <rs>slaves who
were born in their own houses</rs> and who <phr subtype="c" type="ampl"
  part="N">serve</phr> them very faithfully, and thus such slaves obtain by
the benefit of manumission that which they could not be by the nature of their

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birth.</s>

<s corresp="#nov-val_27.2.s2" n="en11" xml:lang="en" part="N">It is a <phr type="ampl" subtype="g" part="N">disgraceful</phr> <phr subtype="c" type="ampl" part="N">crime</phr> that there is a <phr type="ampl" subtype="g" part="N">worse</phr> condition for <rs>free men</rs> than for <rs>slaves</rs>, and that a man who is <phr subtype="c" type="ampl" part="N">humble</phr> and of <phr type="ampl" subtype="g" part="N">lowly</phr> fortune may acquire by the laws that which he did not have, but that a <rs>more noble man</rs> cannot obtain by law that which he did have.</s>

<s corresp="#nov-val_27.2.s3" n="en12" xml:lang="en" part="N">Far be it from Our times that Our conscience should permit such a thing.</s>

<s corresp="#nov-val_27.2.s4" n="en13" xml:lang="en" part="N">Furthermore, We <phr subtype="c" type="ampl" part="N">vindicate</phr> to Ourselves this title of glory, that by Our zeal the <phr subtype="c" type="ampl" part="N">license</phr> of a most <phr subtype="c" type="ampl" part="N">grievous</phr> custom is <phr subtype="c" type="ampl" part="N">suppressed</phr>; it behooves Us especially to cure the <phr subtype="c" type="ampl" part="N">evils</phr> of a lethargic illness by Our remedies.</s>

<s corresp="#nov-val_27.2.s5" n="en14" xml:lang="en" part="N">Eternal praise falls to the lot of this remedy, since both the present and the future ages shall declare that We are the author of such salutary equity.</s>

</ab>

<ab xml:id="nov-val_27.3" type="caput" part="N">

<milestone unit="latin" /> 3. <s xml:id="nov-val_27.3.s1" n="la15" xml:lang="la" part="N">Ad quam benevolentiam praecipue nos hortata est lex domini patris clementiae meae <rs>Theodosii</rs> perennis Augusti, qua virtutum suarum morem secutus humano generi profunda quiete prospexit constituens post triginta annos nulla penitus <rs>iurgia</rs>, quae medio tempore mota non fuerant, excitari.</s>

<s xml:id="nov-val_27.3.s2" n="la0" xml:lang="la" part="N">cuius invicti principis laudibus etiam praesentem legem necesse est adplicari.</s>

<s xml:id="nov-val_27.3.s3" n="la1" xml:lang="la" part="N">Illam namque pia mente praestando viam huic alteri praebuit, qua beneficia eius latius panderentur.</s>

<s xml:id="nov-val_27.3.s4" n="la2" xml:lang="la" part="N"><seg xml:id="nov-val_27.3.c1" ana="#ncp" part="N"><phr xml:id="nov-val_27.3.s4.p1" function="cmdw" part="N">praecipimus</phr> igitur propter <rs>quorundam</rs> <phr xml:id="nov-val_27.3.s4.p2" type="ampl" subtype="g" part="N"><w lemma="pravus" part="N">pravas</w></phr> interpretationes, quibus <phr type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N">sanctio</w></phr> memorata non sufficit, dum minutias iuris et <phr xml:id="nov-val_27.3.s4.p3" type="ampl" subtype="g" part="N"><w lemma="captiosus" part="N">captiosa</w></phr> verba sectantur, ut quae specialiter iussa sunt specialiter abrogentur, cum generalitatis designatio universa <phr xml:id="nov-val_27.3.s4.p4" type="ampl" subtype="c" part="N"><w lemma="consumo" part="N">consumat</w></phr>, nec aliquid esse possit exceptum, quod non per illud venerabile constitutum hoc peremptorio vocabulo concludatur.</seg></s>

<s xml:id="nov-val_27.3.s5" n="la3" xml:lang="la" part="N">dicendo enim 'omnia' nullum penitus cuiuslibet <rs>litis aut causationis</rs> fomitem derelinquit.</s>

<milestone unit="english" /> 3. <s corresp="#nov-val_27.3.s1" n="en15" xml:lang="en" part="N">To such benevolence We have been especially encouraged by a law of the father of My Clemency, Lord <rs>Theodosius</rs>, forever Augustus, whereby in accordance with his customary virtues he has provided profound peace for the human race by establishing that after thirty years no <rs>suits</rs> shall be instituted which had not been brought in the intervening time.</s>

<s corresp="#nov-val_27.3.s2" n="en0" xml:lang="en" part="N">The present law also must necessarily be assigned to the glory of that invincible Emperor.</s>

<s corresp="#nov-val_27.3.s3" n="en1" xml:lang="en" part="N">For by granting that law with pious mind, he has provided a way for this law of Ours, whereby his benefits are extended the more widely.</s>

<s corresp="#nov-val_27.3.s4" n="en2" xml:lang="en" part="N"><seg corresp="#nov-val_27.3.c1" ana="#ncp" part="N">Therefore, on account of the <phr type="ampl" subtype="g" part="N">perverted</phr> interpretations of <rs>certain persons</rs> for whom the aforesaid <phr subtype="c" type="ampl" part="N">sanction</phr> is not sufficient, while they pursue minute details of the law and <phr type="ampl" subtype="g" part="N">captious</phr> words, We <phr function="cmdw" part="N">command</phr> that those provisions which have been specifically ordered shall be specifically abrogated, since the designation of a general law <phr subtype="c" type="ampl" part="N">exhausts</phr> all cases, and there cannot be any exception which is not included by that venerable constitution under this peremptory term.</seg></s>

<s corresp="#nov-val_27.3.s5" n="en3" xml:lang="en" part="N">For by saying "everything," the law leaves absolutely no occasion for <rs>litigation or dispute</rs>.</s>

</ab>

<ab xml:id="nov-val_27.4" type="caput" part="N">

<milestone unit="latin" /> 4. <s xml:id="nov-val_27.4.s1" n="la4" xml:lang="la" part="N"><seg xml:id="nov-val_27.4.c1" part="N">De <rs>originariis</rs> et <rs>colonis</rs>, <rs>inquilinis</rs> ac <rs>servis</rs> utriusque sexus, peculiiis atque <rs>agnationibus</rs> designati iuris, id est <rs>perpetui</rs> <rs>patrimonialis</rs> <rs>enfyteuticarii</rs> et <rs>rei publicae</rs>, post triginta annorum curricula nulla deinceps actio moveatur.</seg></s>


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<s xml:id="nov-val_27.4.s2" n="la5" xml:lang="la" part="N"><seg
  xml:id="nov-val_27.4.c2" part="N">Et negotium, de quo per expressa tempora
  sollemniter nemo <phr xml:id="nov-val_27.4.s2.p1" type="ampl" subtype="c"
    part="N"><w lemma="pulsio" part="N">pulsavit</w></phr>, <rs>novum nemo
  proponat</rs>.</seg></s>
<milestone unit="english" /> 4. <s corresp="#nov-val_27.4.s1" n="en4"
  xml:lang="en" part="N"><seg corresp="#nov-val_27.4.c1" part="N">No action shall
  hereafter be brought after a period of thirty years in regard to persons of
  an <rs>ignoble birth status</rs>, whether <rs>coloni</rs>,
  <rs>inquilini</rs>, or <rs>slaves</rs> of either sex, and in regard to
  the peculia and the <rs>offspring</rs> of the above designated ownership,
  that is, a <rs>perpetual</rs>, <rs>patrimonial</rs>, <rs>emphyteutic</rs>,
  or <rs>municipal ownership</rs>.</seg></s>
<s corresp="#nov-val_27.4.s2" n="en5" xml:lang="en" part="N"><seg
  corresp="#nov-val_27.4.c2" part="N"><rs>No person shall bring a new
  suit</rs> about which no one has <phr subtype="c" type="ampl" part="N"
    >sued</phr> in due order throughout the designated period of
  time.</seg></s>
</ab>
<ab xml:id="nov-val_27.5" type="caput" part="N">
  <milestone unit="latin" /> 5. <s xml:id="nov-val_27.5.s1" n="la6" xml:lang="la"
    part="N"><seg xml:id="nov-val_27.5.c1" part="N">Quod in omnium consummationem
    <rs>causarum</rs> iussum est debere servari.</seg></s>
  <s xml:id="nov-val_27.5.s2" n="la7" xml:lang="la" part="N">aequum est enim tot
    annos sine interpellatione decursos nullo nomine, nulla prorsus occasione <phr
      xml:id="nov-val_27.5.s2.p1" type="ampl" subtype="c" part="N"><w
        lemma="subverto" part="N">subverti</w></phr>.</s>
  <s xml:id="nov-val_27.5.s3" n="la8" xml:lang="la" part="N"><seg
    xml:id="nov-val_27.5.c2" part="N">ac, si constiterit memorati temporis
    intercessisse silentium, etiam has causas, quae sub fiducia legum praesenti
    <phr type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N"
      >sanctione</w></phr> ablatarum motae sunt nec finitae, huius
    <rs>sacrae praeceptionis</rs> auctoritate <phr
      xml:id="nov-val_27.5.s3.p1" function="cmdw" part="N">volumus</phr>
    <phr xml:id="nov-val_27.5.s3.p2" type="ampl" subtype="g" part="N"><w
      lemma="aboleo" part="N">aboleri</w></phr>,</seg> quia, ut inchoari
    <rs>tales</rs>
    <phr xml:id="nov-val_27.5.s3.p3" type="ampl" subtype="g" part="N"><w
      lemma="nolo" part="N">nolumus</w></phr> actiones, ita <phr
      xml:id="nov-val_27.5.s3.p4" type="ampl" subtype="g" part="N"><w lemma="male"
        part="N">male</w></phr> inchoatas haberi oportet <phr
      xml:id="nov-val_27.5.s3.p5" type="ampl" subtype="c" part="N"><w
        lemma="extinguo" part="N">extinctas</w></phr>.</s>
  <milestone unit="english" /> 5. <s corresp="#nov-val_27.5.s1" n="en6"
    xml:lang="en" part="N"><seg corresp="#nov-val_27.5.c1" part="N">That which has
    been ordered in regard to the consummation of all <rs>cases</rs> must be
    observed.</seg></s>
  <s corresp="#nov-val_27.5.s2" n="en7" xml:lang="en" part="N">For it is equitable
    that the rights established by so many years that have passed without
    interruption should not be <phr subtype="c" type="ampl" part="N"
      >destroyed</phr> hereafter by any name or by any pretext.</s>
  <s corresp="#nov-val_27.5.s3" n="en8" xml:lang="en" part="N"><seg
    corresp="#nov-val_27.5.c2" part="N">If it should be established that silence
    has continued for the aforesaid period of time, it is <phr function="cmdw"
      part="N">Our will</phr> that by the authority of this <rs>sacred imperial
      regulation</rs> even those cases shall be <phr type="ampl" subtype="g"
      part="N">annulled</phr> which have been instituted under the assurance of
      the laws which have been abolished by the present <phr subtype="c"
      type="ampl" part="N">sanction</phr>, if such cases have not been
      completed,</seg> because just as it is Our <phr type="ampl" subtype="g"
      part="N">will</phr> that such actions should not be begun, so if <rs>such
      actions</rs> have been <phr type="ampl" subtype="g" part="N"
      >wrongfully</phr> begun, they must be considered as <phr subtype="c"
      type="ampl" part="N">extinguished</phr>.</s>
</ab>
<ab xml:id="nov-val_27.6" type="caput" part="N">
  <milestone unit="latin" /> 6. <s xml:id="nov-val_27.6.s1" n="la9" xml:lang="la"
    part="N"><seg xml:id="nov-val_27.6.c1" part="N">Intra haec sane tempora si
    coepta <rs>lis</rs> fuerit de <rs>originariis</rs> vel <rs>agnatione</rs>
    cespitis designati, hanc formam erga <rs>possidentes</rs> servari <phr
      xml:id="nov-val_27.6.s1.p1" function="cmdw" part="N">praecipimus</phr>,
    quae lege divi parentis nostri <rs>Honorii</rs> de <rs>colonis</rs>
    utriusque sexus iuris <rs>privati</rs> evidenti definitione conscripta est:
    scilicet ut a persona feminea viginti annorum, a virili triginta repetentem
    praescriptio obiecta <phr type="ampl" subtype="c" part="N"><w
      lemma="submoveo" part="N">submoveat</w></phr>.</seg></s>
  <s xml:id="nov-val_27.6.s2" n="la10" xml:lang="la" part="N"><seg
    xml:id="nov-val_27.6.c2" part="N">Quam et in illa parte observari convenit,
    quae statuta est de <rs>agnatione</rs> talium personarum.</seg></s>
  <milestone unit="english" /> 6. <s corresp="#nov-val_27.6.s1" n="en9"
    xml:lang="en" part="N"><seg corresp="#nov-val_27.6.c1" part="N">Of course, if
    <rs>litigation</rs> should have been begun within such time limits in
    regard to persons born to such <rs>ignoble status</rs> and their
    <rs>offspring</rs> who are subject to the rights of the aforesaid
    <rs>landed estates</rs>, We <phr function="cmdw" part="N">command</phr>
    that in regard to the possessors the general rule shall be observed which
    was written with an evident definition in the law of Our divine imperial
    ancestor, <rs>Honorius</rs>, in regard to <rs>coloni</rs> of both sexes who
    belong to <rs>private ownership</rs>: namely, that if a prescription of

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twenty years is interposed, it shall **<phr subtype="c" type="ampl" part="N">defeat</phr>** a plaintiff who seeks to recover the person of a woman, and a prescription of thirty years, one who seeks to recover a man.**</seg></s>**

<s corresp="#nov-val_27.6.s2" n="en10" xml:lang="en" part="N"><seg corresp="#nov-val_27.6.c2" part="N">This general rule must be observed also in that portion of the law which has been established in regard to the **<rs>offspring</rs>** of such persons.**</seg></s>**

</ab>

<ab xml:id="nov-val_27.7" type="caput" part="N">

<milestone unit="latin" /> 7. <s xml:id="nov-val_27.7.s1" n="la11" xml:lang="la" part="N">Et licet rem omnibus causis generaliter profuturam a nemine **<phr xml:id="nov-val_27.7.s1.p1" type="ampl" subtype="g" part="N"><w lemma="temero" part="N">**temerari**</w></phr>** posse credamus, tamen, ne quos **<phr xml:id="nov-val_27.7.s1.p2" type="ampl" subtype="g" part="N"><w lemma="sacrilegus" part="N">**sacrilega**</w></phr>**

<phr xml:id="nov-val_27.7.s1.p3" type="ampl" subtype="g" part="N"><w lemma="temeritas" part="N">temeritas**</w></phr>** ad **<phr xml:id="nov-val_27.7.s1.p4" type="ampl" subtype="g" part="N"><w lemma="subreptio" part="N">**subreptionem**</w></phr>** quacumque **<phr xml:id="nov-val_27.7.s1.p5" type="ampl" subtype="c" part="N"><w lemma="compello" part="N">**compellat**</w></phr>**

<phr xml:id="nov-val_27.7.s1.p6" type="ampl" subtype="c" part="N"><w lemma="audax" part="N">audacia**</w></phr>**

<seg xml:id="nov-val_27.7.c1" part="N"><phr type="ampl" subtype="c" part="N"><w lemma="praesumo" part="N">praesumentes**</w></phr>** triginta librarum auri **<phr xml:id="nov-val_27.7.s1.p7" type="ampl" subtype="g" part="N"><w lemma="poena" part="N">**poena**</w></phr>**

<phr xml:id="nov-val_27.7.s1.p8" type="ampl" subtype="c" part="N"><w lemma="percello" part="N">percellet**</w></phr>****</seg></s>**

<s xml:id="nov-val_27.7.s2" n="la12" xml:lang="la" part="N"><seg xml:id="nov-val_27.7.c2" part="N">Eadem manebit **<rs>palatinum officium</rs>** **<rs>utriusque aerarii</rs>** nec non **<rs>officium culminis tui</rs>** vel cunctarum **<rs>iudicum</rs>**

<rs>provinciarum</rs></seg> ut pari sorte quae salubriter constituimus **<phr xml:id="nov-val_27.7.s2.p1" type="ampl" subtype="g" part="N"><w lemma="periculum" part="N">**periculo**</w></phr>** etiam salutis suae illibata conservent, Firmine parens karissime atque amantissime.**</s>**

<milestone unit="english" /> 7. <s corresp="#nov-val_27.7.s1" n="en11" xml:lang="en" part="N">Although We trust that this regulation which will be profitable to all cases in general can be **<phr type="ampl" subtype="g" part="N">**violated**</phr>** by no person, nevertheless, in order that **<phr type="ampl" subtype="g" part="N">**sacrilegious**</phr>**

<phr type="ampl" subtype="g" part="N">lawlessness**</phr>** may not **<phr subtype="c" type="ampl" part="N">**impel**</phr>** any persons by any **<phr subtype="c" type="ampl" part="N">**audacity**</phr>** to such **<phr type="ampl" subtype="g" part="N">**surreptitious**</phr>** actions, **<seg corresp="#nov-val_27.7.c1" part="N">a <phr type="ampl" subtype="g" part="N">**penalty**</phr>** of thirty pounds of gold shall **<phr subtype="c" type="ampl" part="N">**smite**</phr>** those persons who are so **<phr subtype="c" type="ampl" part="N">**presumptuous**</phr>****</seg></s>**

<s corresp="#nov-val_27.7.s2" n="en12" xml:lang="en" part="N"><seg corresp="#nov-val_27.7.c2" part="N">The same penalty shall await the **<rs>palatine office staff</rs>** of **<rs>both treasuries</rs>** and likewise the **<rs>office staff of Your Eminence</rs>** and of the **<rs>judges</rs>** of all the **<rs>provinces</rs>****</seg>** in order that with an equal lot and at the **<phr type="ampl" subtype="g" part="N">**risk**</phr>** of their own safety also they may preserve inviolate the regulations which We have salutarily established, O Firminus, dearest and most beloved Father.**</s>**

</ab>

<ab xml:id="nov-val_27.8" type="caput" part="N">

<milestone unit="latin" /> 8. <s xml:id="nov-val_27.8.s1" n="la13" xml:lang="la" part="N">Illustris et praecelsa magnitudo tua, per quam novimus universitatis quietem studiosa diligentia **<phr type="ampl" subtype="c" part="N"><w lemma="custodio" part="N">**custodiri**</w></phr>**, legem cunctis provinciis, universis litibus adplicandam propositis vulgabit edictis, ut post triginta, sicut dictum est, annos **<phr xml:id="nov-val_27.8.s1.p1" type="ampl" subtype="g" part="N"><w lemma="perniciosus" part="N">**perniciosa**</w></phr>** diversarum omnium causarum propositio conquiescat.**</s>**

<milestone unit="english" /> 8. <s corresp="#nov-val_27.8.s1" n="en13" xml:lang="en" part="N">Your Illustrious and Excellent Magnitude by posting edicts shall publish to all provinces the law through which We know that the peace of the whole world is **<phr subtype="c" type="ampl" part="N">**guarded**</phr>** with studious diligence and which must be applied to all litigation, namely, that after thirty years, as has been said, the **<phr type="ampl" subtype="g" part="N">**pernicious**</phr>** institution of all cases of various kinds shall cease.**</s>**

</ab>

<ab xml:id="nov-val_27.subs" type="subs" part="N">

<milestone unit="latin" />

<s xml:id="nov-val_27.subs.s1" n="la14" xml:lang="la" part="N">Dat. XV kal. Iul. **<placeName corresp="#ravenna" instant="false" full="yes">****</placeName>** Ravennae**</placeName>** Asturio et Protogene VV. CC. conss. **<date when="0449-06-17" instant="false">**(449 Iun. 17)**</date>****</s>**

<s xml:id="nov-val_27.subs.s2" n="la15" xml:lang="la" part="N">P. in foro Traiani XIII kal. Aug. sub edicto Firmini viri illustr. P.**</s>**

<milestone unit="english" />

<s corresp="#nov-val_27.subs.s1" n="en14" xml:lang="en" part="N">Given on the fifteenth day before the kalends of July at **<placeName instant="false" full="yes">**Ravenna**</placeName>**, in the year of the consulship of the Most

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Noble Asturius and Protogenes: <date instant="false">June 17, 449</date>.</s>
<s corresp="#nov-val_27.subs.s2" n="en15" xml:lang="en" part="N">Posted in the
Forum of Trajan on the thirteenth day before the kalends of August by means of
the edict of the Illustrious Firminus, Praetorian Prefect. - July 20, <supplied
resp="#pharr" instant="false">(449)</supplied>.</s>
</ab>
<ab xml:id="nov-val_27.intr" type="intr" part="N">
<milestone unit="latin" />Ista lex ideo interpretata non est, quia sequens sub
titulo 'de episcopali iudicio et de diversis negotiis' et de tricennio loquitur et
omnia, quae hic comprehensa non sunt, evidenter habet expressa. <milestone
unit="english" /><supplied resp="#pharr" instant="false">(INTERPRETATION):
</supplied> This law has not been interpreted because of a subsequent law, under
the title, "The Episcopal Court and Various Matters. That law also speaks about
the thirty year period and has clearly expressed all the matters that are here
included. </ab>
</div2>
</div1>
<div1 xml:id="nov-val_28" type="titulus" part="N" org="uniform" sample="complete">
<head xml:id="nov-val_28.titl">
<s xml:id="nov-val_28.titl.s1" xml:lang="la" part="N">28. DE PRINCIPIBUS AGENTUM IN
REBUS</s>
<s corresp="#nov-val_28.titl.s1" xml:lang="en" part="N">TITLE 28: THE CHIEFS OF
OFFICE STAFF OF THE SECRET SERVICE</s>
</head>
<div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
<ab xml:id="nov-val_28.insc" type="insc" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_28.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
corresp="#theodosius2" instant="false" full="yes">Theodos.</persName> et
<persName corresp="#valentinian3" instant="false" full="yes">
>Valentin.</persName> AA. Opilioni mag. off.</s>
<milestone unit="english" />
<s corresp="#nov-val_28.insc.s1" n="en1" xml:lang="en" part="N">1. Emperors
<persName corresp="#theodosius2" instant="false" full="yes">
>Theodosius</persName> and <persName corresp="#valentinian3" instant="false"
full="yes">Valentinian</persName> Augustuses to Opilio, Master of
Offices.</s>
</ab>
<ab xml:id="nov-val_28.0" type="caput" part="N">
<milestone unit="latin" /> 0. <s xml:id="nov-val_28.0.s1" n="la2" xml:lang="la"
part="N">Libenter accipimus, quotiens necessaria suggeruntur.</s>
<s xml:id="nov-val_28.0.s2" n="la3" xml:lang="la" part="N">tantum enim laudis est
veterum statuta servare quantum necessaria provida mente sanxisse; eadem ratio
est praestare beneficia et praestita <phr type="ampl" subtype="c" part="N"><w
lemma="custodio" part="N">custodire</w></phr>.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_28.0.s1" n="en2"
xml:lang="en" part="N">We gladly accept necessary recommendations as often as
they are made.</s>
<s corresp="#nov-val_28.0.s2" n="en3" xml:lang="en" part="N">For there is as much
glory in preserving the statutes of the ancients as in sanctioning necessary
regulations with a prudent mind<supplied resp="#pharr" instant="false"
></supplied> It is the same kind of thing to grant benefits and to <phr
subtype="c" type="ampl" part="N">protect</phr> those that have been
granted.</s>
</ab>
<ab xml:id="nov-val_28.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_28.1.s1" n="la4" xml:lang="la"
part="N">Igitur sublimitatis tuae, quae magnanimitate sui nostris temporibus
proficere iudicat quidquid rationabili <phr xml:id="nov-val_28.1.s1.p1"
type="ampl" subtype="c" part="N"><w lemma="sollicitudo" part="N">
>sollicitudine</w></phr> providetur, <seg xml:id="nov-val_28.1.c1"
ana="#ncp" part="N">suggestionem sequentes <rs>agentum in rebus</rs>
scholae, quorum <phr xml:id="nov-val_28.1.s1.p2" type="ampl" subtype="c"
part="N"><w lemma="labor" part="N">labores</w></phr>
<phr xml:id="nov-val_28.1.s1.p3" type="ampl" subtype="c" part="N"><w
lemma="sollicitudo" part="N">sollicitudines</w></phr> vigiliae tantae
sunt, ut soli quidquid <phr xml:id="nov-val_28.1.s1.p4" type="ampl"
subtype="c" part="N"><w lemma="onus" part="N">oneris</w></phr> est et
profiteri et efficere videantur, hac edictali lege <phr
xml:id="nov-val_28.1.s1.p5" function="cmdw" part="N">consulimus</phr>,
ut, quae vetustas pro remuneratione sui praestitit et <phr type="ampl"
subtype="c" part="N"><w lemma="intercipio" part="N">intercepta</w></phr>
iam diu fuerant, consequantur: scilicet ut inconsulto <rs>principe</rs>, qui
ex eadem schola ad obsequia <rs>praefecturae praetorianae</rs> post infinita
<phr xml:id="nov-val_28.1.s1.p6" type="ampl" subtype="c" part="N"><w
lemma="discrimen" part="N">discrimina</w></phr> et <phr
xml:id="nov-val_28.1.s1.p7" type="ampl" subtype="c" part="N"><w
lemma="consumo" part="N">consumpta</w></phr> aetatis parte meliore
pervenit, <rs>primores designati officii</rs> nil <phr
xml:id="nov-val_28.1.s1.p8" type="ampl" subtype="c" part="N"><w
lemma="usurpo" part="N">usurpent</w></phr>, neque
<rs>praefectianus</rs> aliquis summae sumat <rs>militiae</rs> sacramenta
neque matriculis eximatur praeter eius conscientiam atque consensum, ita ut
eadem matricula <rs>officii praetoriani</rs> in <rs>principis</rs> potestate
consistat.</seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_28.1.s1" n="en4"
xml:lang="en" part="N">Therefore, in compliance with the report of Your
Sublimity, since you judge by your magnanimity that whatever is provided with
reasonable <phr subtype="c" type="ampl" part="N">solicitude</phr> is profitable

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to Our times, <seg corresp="#nov-val_28.1.c1" ana="#ncp" part="N">We <phr
function="cmdw" part="N">make wise provision</phr> by this edictal law
for the department of the <rs>secret service</rs>, whose <phr subtype="c"
type="ampl" part="N">labors</phr>, <phr subtype="c" type="ampl" part="N"
>cares</phr>, and watchfulness are so great that they alone appear to
acknowledge and accomplish whatever <phr subtype="c" type="ampl" part="N"
>burden</phr> there is, and thus they shall obtain the privileges which
antiquity had granted for their reward and which had been long <phr
subtype="c" type="ampl" part="N">interrupted</phr><supplied resp="#pharr"
instant="false">.</supplied> Of course, the <rs>primates of the aforesaid
office</rs> shall <phr subtype="c" type="ampl" part="N">usurp</phr>
nothing without consulting the <rs>chief of office staff</rs>, who from the
aforesaid department has arrived at the services of the <rs>praetorian
prefecture</rs> after infinite <phr subtype="c" type="ampl" part="N"
>dangers</phr> and after <phr subtype="c" type="ampl" part="N"
>spending</phr> the better part of his life<supplied resp="#pharr"
instant="false">.</supplied> Neither shall any apparitor of the
<rs>prefect</rs> assume the oaths of enlistment of the highest branch of
the <rs>imperial service</rs>, nor shall he be removed from the official
lists without the knowledge and consent of the chief of office
staff<supplied resp="#pharr" instant="false">.</supplied> Thus the
aforesaid official lists of the <rs>praetorian office</rs> shall be
established in the power of the <rs>chief of office staff</rs>.</seg></s>

</ab>
<ab xml:id="nov-val_28.2" type="caput" part="N">
<milestone unit="latin" /> 2. <s xml:id="nov-val_28.2.s1" n="la5" xml:lang="la"
part="N"><seg xml:id="nov-val_28.2.c1" part="N">De annonis atque emolumentis
<rs>principibus</rs> nihil per <rs>iudicum</rs>
<phr xml:id="nov-val_28.2.s1.p1" type="ampl" subtype="g" part="N"><w
lemma="avaritia" part="N">avaritiam</w></phr> subtrahatur.</seg></s>
<s xml:id="nov-val_28.2.s2" n="la6" xml:lang="la" part="N">debent enim plurimis
remediis adiuvari, quos novimus, ut ad hoc veniant, plurima <phr
xml:id="nov-val_28.2.s2.p1" type="ampl" subtype="g" part="N"><w
lemma="periculum" part="N">pericula</w></phr> sustinere, Opilio frater
amantissime.</s>
<milestone unit="english" /> 2. <s corresp="#nov-val_28.2.s1" n="en5"
xml:lang="en" part="N"><seg corresp="#nov-val_28.2.c1" part="N">In regard to
their subsistence allowances and emoluments, nothing shall be taken from the
<rs>chiefs of office staff</rs> through the <phr type="ampl" subtype="g"
part="N">avarice</phr> of the <rs>judges</rs>.</seg></s>
<s corresp="#nov-val_28.2.s2" n="en6" xml:lang="en" part="N">For they must be
aided by very many remedies, since We know that they sustain very many <phr
type="ampl" subtype="g" part="N">dangers</phr> in order that they may arrive
at this office, O Opilio, most beloved Brother.</s>

</ab>
<ab xml:id="nov-val_28.3" type="caput" part="N">
<milestone unit="latin" /> 3. <s xml:id="nov-val_28.3.s1" n="la7" xml:lang="la"
part="N">Illustris itaque auctoritas tua haec, quae merito constituta sunt,
praecipiet pro sua aequitate servari, ut spe certa recuperandi praemii
antiquitus deputati in necessitatibus <rs>publicis</rs> fidelius elaborent,
quoniam, ubi certus fructus est, illic studiosius <phr
xml:id="nov-val_28.3.s1.p1" type="ampl" subtype="c" part="N"><w
lemma="laboro" part="N">laborare</w></phr> delectat: <seg
xml:id="nov-val_28.3.c1" part="N"><phr xml:id="nov-val_28.3.s1.p2"
type="ampl" subtype="g" part="N"><w lemma="multa" part="N"
>multa</w></phr> decem librarum auri statuta, si <rs>quis</rs> legis
huius obviaverit constitutis.</seg></s>
<milestone unit="english" /> 3. <s corresp="#nov-val_28.3.s1" n="en7"
xml:lang="en" part="N">Therefore Your Illustrious Authority, in accordance with
your equity, shall command to be observed these regulations which have been
justly established, in order that such men may labor the more faithfully for
the <rs>public</rs> needs because of the certain hope of once more receiving
the rewards anciently assigned to them, since where there is a certain reward,
there men delight to <phr subtype="c" type="ampl" part="N">labor</phr> the more
eagerly<supplied resp="#pharr" instant="false">.</supplied>
<seg corresp="#nov-val_28.3.c1" part="N">A <phr type="ampl" subtype="g"
part="N">fine</phr> of ten pounds of gold has been established if <rs>any
person</rs> should contravene the regulations of this law.</seg></s>

</ab>
<ab xml:id="nov-val_28.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_28.subs.s1" n="la8" xml:lang="la" part="N">Dat. III id. Sept.
<placeName corresp="#ravenna" instant="false" full="yes"
>Ravennae</placeName> Asturio et Protogene VV. CC. cons. <date
when="0449-09-11" instant="false">(449 Sept. 11)</date>.</s>
<milestone unit="english" />
<s corresp="#nov-val_28.subs.s1" n="en8" xml:lang="en" part="N">Given on the third
day before the ides of September at <placeName instant="false" full="yes"
>Ravenna</placeName> in the year of the consulship of the Most Noble
Asturius and Protogenes. - <date instant="false">September 11, 449</date>.</s>

</ab>
</div2>
</div1>
<div1 xml:id="nov-val_29" type="titulus" part="N" org="uniform" sample="complete">
<head xml:id="nov-val_29.titl">
<s xml:id="nov-val_29.titl.s1" xml:lang="la" part="N">29. DE NAVICULARIIS AMNICIS</s>
<s corresp="#nov-val_29.titl.s1" xml:lang="en" part="N">TITLE 29: SHIPMASTERS ON THE
RIVER</s>
</head>

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<div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
  <ab xml:id="nov-val_29.insc" type="insc" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_29.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
      corresp="#valentinian3" instant="false" full="yes">Valentinianus</persName>
      A. epityncano pu.</s>
    <milestone unit="english" />
    <s corresp="nov-val_29.insc.s1" n="en1" xml:lang="en" part="N">1. Emperor
      <persName corresp="#valentinian3" instant="false" full="yes">
        Valentinian</persName> Augustus to Epityncanus, Prefect of the City.</s>
  </ab>
  <ab xml:id="nov-val_29.0" type="caput" part="N">
    <milestone unit="latin" /> 0. <s xml:id="nov-val_29.0.s1" n="la2" xml:lang="la"
      part="N">Publicis commodis et <rs>sacratissimae urbis</rs> utilitatibus amica
      suggestio magnitudinis tuae clementiam nostram more solitae provisionis <phr
        type="ampl" subtype="c" part="N"><w lemma="admoneo" part="N">
          admonuit</w></phr>, ut <rs>naviculariorum</rs>
      <rs>corpori</rs> per tot <phr xml:id="nov-val_29.0.s1.p1" type="ampl"
        subtype="g" part="N"><w lemma="detrimentum" part="N">detrimenta</w></phr>
      <phr xml:id="nov-val_29.0.s1.p2" type="ampl" subtype="g" part="N"><w
        lemma="lasso" part="N">lassato</w></phr> remedia praestaremus: quorum
      privilegiis sufficere constituta vetera potuerunt, nisi haec <phr
        xml:id="nov-val_29.0.s1.p3" type="ampl" subtype="g" part="N"><w
          lemma="temeritas" part="N">temeritas</w></phr>
      <phr xml:id="nov-val_29.0.s1.p4" type="ampl" subtype="g" part="N"><w
        lemma="illicitus" part="N">illicitae</w></phr>
      <phr xml:id="nov-val_29.0.s1.p5" type="ampl" subtype="c" part="N"><w
        lemma="usurpatio" part="N">usurpationis</w></phr>
      <phr xml:id="nov-val_29.0.s1.p6" type="ampl" subtype="c" part="N"><w
        lemma="infringo" part="N">infringeret</w></phr>, Epityncane parens
      karissime atque amantissime. </s>
    <milestone unit="english" /> 0. <s corresp="nov-val_29.0.s1" n="en2"
      xml:lang="en" part="N">The recommendation of Your Magnitude, which is favorable
      to the public interests and to the welfare of the <rs>most sacred City</rs>, in
      the manner of your customary foresight has <phr subtype="c" type="ampl"
        part="N">admonished</phr> Our Clemency that We should grant remedies to the
      <rs>guild</rs> of <rs>shipmasters</rs>, which has been <phr type="ampl"
        subtype="g" part="N">exhausted</phr> through so many <phr type="ampl"
        subtype="g" part="N">losses</phr><supplied resp="#pharr" instant="false"
        ></supplied> The ancient constitutions could have been adequate for their
      privileges, except that the <phr type="ampl" subtype="g" part="N">rash
      lawlessness</phr> of <phr type="ampl" subtype="g" part="N">illicit</phr>
      <phr subtype="c" type="ampl" part="N">usurpation</phr>
      <phr subtype="c" type="ampl" part="N">infringed</phr> upon them, O Epityncanus,
      dearest and most beloved Father.</s>
  </ab>
  <ab xml:id="nov-val_29.1" type="caput" part="N">
    <milestone unit="latin" /> 1. <s xml:id="nov-val_29.1.s1" n="la3" xml:lang="la"
      part="N">Unde illustris magnitudo tua hac nostri pragmatici <phr type="ampl"
        subtype="c" part="N"><w lemma="sanctio" part="N">sanctione</w></phr>
      cognoscat iuxta suggestionem suam <seg xml:id="nov-val_29.1.c1" part="N"
        ><rs>navicularios</rs>, qui <rs>munus</rs> proprium <phr
        xml:id="nov-val_29.1.s1.p1" type="ampl" subtype="g" part="N"><w
          lemma="defugio" part="N">defugerunt</w></phr>, ad <rs>corpus</rs> suum
      cum <rs>agnatione</rs> et pecuniis reducendos, omni vel coniunctionis vel
      <phr xml:id="nov-val_29.1.s1.p2" type="ampl" subtype="g" part="N"><w
        lemma="obnoxio" part="N">obnoxietatis</w></phr> vel cuiuslibet
      personae privilegio et <phr xml:id="nov-val_29.1.s1.p3" type="ampl"
        subtype="c" part="N"><w lemma="defensio" part="N">defensione</w></phr>
      <phr type="ampl" subtype="c" part="N"><w lemma="submoveo" part="N"
        >submota</w></phr>: eorum, qui sine <rs>heredibus</rs>
      <phr xml:id="nov-val_29.1.s1.p4" type="ampl" subtype="c" part="N"><w
        lemma="obeo" part="N">obierunt</w></phr>, substantiam quolibet <phr
        type="ampl" subtype="c" part="N"><w lemma="alieno" part="N"
        >alienatam</w></phr> titulo ab his <phr xml:id="nov-val_29.1.s1.p5"
        type="ampl" subtype="c" part="N"><w lemma="vindico" part="N"
        >vindicari</w></phr>, qui memoratae <phr type="ampl" subtype="c"
        part="N"><w lemma="servio" part="N">serviunt</w></phr>
      <rs>functioni</rs>.</seg></s>
    <milestone unit="english" /> 1. <s corresp="nov-val_29.1.s1" n="en3"
      xml:lang="en" part="N">Whence Your Illustrious Magnitude shall know by this Our
      pragmatic <phr subtype="c" type="ampl" part="N">sanction</phr> that, according
      to your recommendation, <seg corresp="nov-val_29.1.c1" part="N">the
      <rs>shipmasters</rs> who have <phr type="ampl" subtype="g" part="N"
        >fled</phr> from their own <rs>compulsory public service</rs> must be led
      back to their own <rs>guild</rs>, together with their <rs>children</rs> and
      their peculia, and every privilege and <phr subtype="c" type="ampl" part="N"
        >defense</phr> on the ground of connection or <phr type="ampl"
        subtype="g" part="N">obligation</phr> or of any person whatever shall be
      <phr subtype="c" type="ampl" part="N">abolished</phr><supplied
        resp="#pharr" instant="false"></supplied> If such shipmasters should
      <phr subtype="c" type="ampl" part="N">die</phr> without <rs>heirs</rs>,
      their property that has been <phr subtype="c" type="ampl" part="N"
        >alienated</phr> under any title whatever shall be <phr subtype="c"
        type="ampl" part="N">vindicated</phr> by those persons who <phr
        subtype="c" type="ampl" part="N">perform</phr> the aforesaid
      <rs>compulsory public service</rs>.</seg></s>
  </ab>
  <ab xml:id="nov-val_29.2" type="caput" part="N">

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<milestone unit="latin" /> 2. <s xml:id="nov-val_29.2.s1" n="la4" xml:lang="la"
  part="N"><seg xml:id="nov-val_29.2.c1" part="N"><rs>Navem nec facere novam nec
    instaurare</rs> intra capacitatem quadraginta cuparum liceat ei, a quo
    hoc <rs>munus</rs> videtur esse susceptum.</seg></s>
<s xml:id="nov-val_29.2.s2" n="la5" xml:lang="la" part="N"><seg
  xml:id="nov-val_29.2.c2" part="N">privatorum naves legitimae capacitatis
    <phr type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
      >necessitatem</w></phr> huius functionis singulis cursibus, minores
    vero binis solidis adiuvant, </seg> ut necessarium <rs>corpus</rs>
    saluberrimae provisionis auxilio sublevatum devotionem solitam reintegratis
    <phr type="ampl" subtype="c" part="N"><w lemma="vis" part="N"
      >viribus</w></phr> possit agnoscere.</s>
<milestone unit="english" /> 2. <s corresp="#nov-val_29.2.s1" n="en4"
  xml:lang="en" part="N"><seg corresp="#nov-val_29.2.c1" part="N"><rs>No person
    shall be permitted to build a new ship or to repair</rs> an old one with
    a capacity of less than forty barrels, if he appears to have undertaken the
    aforesaid <rs>compulsory public service</rs>.</seg></s>
<s corresp="#nov-val_29.2.s2" n="en5" xml:lang="en" part="N"><seg
  corresp="#nov-val_29.2.c2" part="N">Ships of the statutory capacity
    belonging to <rs>private persons</rs> shall assist the <phr subtype="c"
      type="ampl" part="N">needs</phr> of this <rs>compulsory service</rs> by
    single voyages, but the smaller ships shall assist by the payment of two
    solidi each,</seg> so that this necessary <rs>guild</rs> may be relieved by
    the aid of this most salutary provision and may be able to assume its
    accustomed service with renewed <phr subtype="c" type="ampl" part="N"
      >strength</phr>.</s>
</ab>
<ab xml:id="nov-val_29.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_29.subs.s1" n="la6" xml:lang="la" part="N">Dat. VIII kal. Mai.
    <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
    Valentiniano A. VII et Avieno vc. cons. <date when="0450-04-24"
      instant="false">(450 April. 24?)</date>.</s>
  <milestone unit="english" />
  <s corresp="#nov-val_29.subs.s1" n="en6" xml:lang="en" part="N">Given on the
    eighth day before the kalends of May at <placeName instant="false" full="yes"
      >Rome</placeName> in the year of the seventh consulship of Valentinian
    Augustus and the consulship of the Most Noble Avienus. - <date instant="false"
      >April 24, 450</date>.</s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_30" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_30.titl">
    <s xml:id="nov-val_30.titl.s1" xml:lang="la" part="N">30. DE LAMPADARIIS</s>
    <s corresp="#nov-val_30.titl.s1" xml:lang="en" part="N">TITLE 30: TORCHBEARERS</s>
  </head>
  <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_30.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_30.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
        corresp="#valentinian3" instant="false" full="yes">Valentinianus</persName>
        A. Opilioni mag. off.</s>
      <milestone unit="english" />
      <s corresp="#nov-val_30.insc.s1" n="en1" xml:lang="en" part="N">1. Emperor
        <persName corresp="#valentinian3" instant="false" full="yes"
          >Valentinian</persName> Augustus2 to Opilio, Master of Offices.</s>
    </ab>
    <ab xml:id="nov-val_30.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_30.0.s1" n="la2" xml:lang="la"
        part="N">Merito amplitudinem tuam de statutis prodecessorum tuorum contrariis
        inter primicerium <rs>lampadariorum</rs> et sequentes eius habitis videmus
        retulisse, ut, quod pro verecunda moderatione ipse non poteras, nostra
        sententia definiret.</s>
      <s xml:id="nov-val_30.0.s2" n="la3" xml:lang="la" part="N">Magnae prudentiae est
        reverentiam melioribus servare decretis, Opilio frater amantissime.</s>
      <milestone unit="english" /> 0. <s corresp="#nov-val_30.0.s1" n="en2"
        xml:lang="en" part="N">We see that Your Magnitude has justly reported to Us
        concerning the conflicting regulations of your predecessors which were made
        with reference to the chief of the <rs>torchbearers</rs> and his successors, so
        that Our decision might define the regulation which you yourself could not,
        because of your modest restraint.</s>
      <s corresp="#nov-val_30.0.s2" n="en3" xml:lang="en" part="N">It is the part of
        great prudence to preserve reverence for the decrees of your superiors, O
        Opilio, most beloved Brother.</s>
    </ab>
    <ab xml:id="nov-val_30.1" type="caput" part="N">
      <milestone unit="latin" /> 1. <s xml:id="nov-val_30.1.s1" n="la4" xml:lang="la"
        part="N"><seg xml:id="nov-val_30.1.c1" ana="#ncp" part="N">Illustris itaque
        auctoritas tua iuxta rationabilem suggestionem suam perpendentis et brevia
        nimis et longiora tempora hac edictali lege nos <phr
          xml:id="nov-val_30.1.s1.p1" function="cmdw" part="N">statuisse</phr>
        cognoscat, ut primicerius <rs>lampadariorum</rs> tres annos in primatus
        administratione consistat, quatenus hoc <phr xml:id="nov-val_30.1.s1.p2"
          type="ampl" subtype="c" part="N"><w lemma="labor" part="N"
            >labore</w></phr> perfuncto sequentibus ad processum copia tribuatur, ut
        neque ille diuturnitate <rs>posterioribus</rs>
        <phr xml:id="nov-val_30.1.s1.p3" type="ampl" subtype="g" part="N"><w
          lemma="onerosus" part="N">onerosus</w></phr> exsistat neque sequentes

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nimia expectatione <phr xml:id="nov-val_30.1.s1.p4" type="ampl" subtype="g"
  part="N"><w lemma="languesco" part="N">languescant</w></phr></seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_30.1.s1" n="en4"
  xml:lang="en" part="N"><seg corresp="#nov-val_30.1.c1" ana="#ncp" part="N"
  >Therefore Your Illustrious Authority shall know that, according to your
  reasonable recommendation, We have weighed carefully both the very short and
  the very long periods of time, and by this edictal law We <phr
  function="cmdw" part="N">establish</phr> that the chief of the
  <rs>torchbearers</rs> shall be established in the administration of the
  primacy for three years, in order that, when he has completed his <phr
  subtype="c" type="ampl" part="N">labors</phr>, an opportunity for
  advancement may be granted to those who follow him<supplied resp="#pharr"
  instant="false"></supplied> Thus he shall not be <phr type="ampl"
  subtype="g" part="N">burdensome</phr> to those who follow because of the
  length of his term of office, and his <rs>successors</rs> shall not <phr
  type="ampl" subtype="g" part="N">languish</phr> because of too long a
  period of waiting.</seg></s>
</ab>
<ab xml:id="nov-val_30.2" type="caput" part="N">
  <milestone unit="latin" /> 2. <s xml:id="nov-val_30.2.s1" n="la5" xml:lang="la"
  part="N"><seg xml:id="nov-val_30.2.c1" part="N">De <rs>absentibus</rs> quae
  amplitudinis tuae suggestio patefecit, serenitas nostra confirmat: hoc est
  ut, si biennio quis afuerit, unum ei, triennio duo, quadriennio tres merito
  praecipiat anteponi; sin vero quinquennio, matriculis eximatur, ut et <phr
  xml:id="nov-val_30.2.s1.p1" type="ampl" subtype="g" part="N"><w
  lemma="deses" part="N">desides</w></phr>
  <phr xml:id="nov-val_30.2.s1.p2" type="ampl" subtype="g" part="N"><w
  lemma="poena" part="N">poena</w></phr>
  <phr xml:id="nov-val_30.2.s1.p3" type="ampl" subtype="c" part="N"><w
  lemma="percello" part="N">percellat</w></phr> et sedulis observationis
  suae competentia praemia concedantur.</seg></s>
  <milestone unit="english" /> 2. <s corresp="#nov-val_30.2.s1" n="en5"
  xml:lang="en" part="N"><seg corresp="#nov-val_30.2.c1" part="N">Our Serenity
  confirms the regulations which the report of Your Magnitude has revealed in
  regard to <rs>absentees</rs>; that is, if any person should be absent for a
  two year period, you shall justly command that one person shall be placed
  before him in rank; if for a three year period, two persons; if for a four
  year period, three persons<supplied resp="#pharr" instant="false"
  ></supplied> But if he should be absent for a five year period, he shall
  be removed from the official lists, in order that a <phr type="ampl"
  subtype="g" part="N">penalty</phr> may <phr subtype="c" type="ampl"
  part="N">smite</phr> the <phr type="ampl" subtype="g" part="N"
  >indolent</phr> and that suitable rewards for their service may be
  granted to the diligent.</seg></s>
</ab>
<ab xml:id="nov-val_30.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_30.subs.s1" n="la6" xml:lang="la" part="N">Dat. V non. Oct.
  <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
  Valentiniano VII et Avieno cons. <date when="0450-10-03" instant="false">(450
  Oct. 3)</date></s>
  <milestone unit="english" />
  <s corresp="#nov-val_30.subs.s1" n="en6" xml:lang="en" part="N">Given on the fifth
  day before the nones of October at <placeName instant="false" full="yes"
  >Rome</placeName> in the year of the seventh consulship of Valentinian
  Augustus and the consulship of Avienus. - <date instant="false">October 3,
  450</date></s>
</ab>
</div2>
</div1>
<div1 xml:id="nov-val_31" type="titulus" part="N" org="uniform" sample="complete">
  <head xml:id="nov-val_31.titl">
    <s xml:id="nov-val_31.titl.s1" xml:lang="la" part="N">31. DE COLONIS VAGIS ET DE
    ADVENIS</s>
    <s corresp="#nov-val_31.titl.s1" xml:lang="en" part="N">TITLE 31: VAGRANT COLONI AND
    FOREIGNERS</s>
  </head>
  <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_31.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_31.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
      corresp="#valentinian3" instant="false" full="yes">Valentinianus</persName>
      A. Firmino pp. et Patricio.</s>
      <milestone unit="english" />
      <s corresp="#nov-val_31.insc.s1" n="en1" xml:lang="en" part="N">1. Emperor
      <persName corresp="#valentinian3" instant="false" full="yes"
      >Valentinian</persName> Augustus to Firminus, Praetorian Prefect and
      Patrician.</s>
    </ab>
    <ab xml:id="nov-val_31.0" type="caput" part="N">
      <milestone unit="latin" /> 0. <s xml:id="nov-val_31.0.s1" n="la2" xml:lang="la"
      part="N"><w lemma="lex" part="N">legibus</w></rs>, latam dudum de <rs
      ana="#P_law"><w lemma="lex" part="N">legibus</w></rs>, latam dudum de <rs
      ana="#E_unfree"><w lemma="colonus" part="N">colonis</w></rs>
      <rs ana="#E_lower-class"><w lemma="originarius" part="N">originariis</w></rs>
      <phr xml:id="nov-val_31.0.s1.p1" type="ampl" subtype="c"
      inj-src="colonus originarius" crt-src="high" injured="lex" crt-inj="high"
      part="N"><w lemma="fucus" part="N">fucum</w></phr>
      <phr type="ampl" subtype="c" injured="lex" crt-inj="high"

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inj-src="colonus originarius" crt-src="high" part="N"><w lemma="patior"
part="N">pati</w></phr> quorundam <phr xml:id="nov-val_31.0.s1.p2"
type="ampl" subtype="g" inj-src="colonus originarius" crt-src="high"
part="N"><w lemma="malignus" part="N">maligna</w></phr> mente
cognovimus.</s>
<s xml:id="nov-val_31.0.s2" n="la3" xml:lang="la" part="N">Nam cum is, a quo
discessit <phr xml:id="nov-val_31.0.s2.p1" type="ampl" subtype="g"
injured="colonus" crt-inj="low" part="N"><w lemma="obnoxius" part="N"
>obnoxius</w></phr>, triginta annorum <phr xml:id="nov-val_31.0.s2.p2"
type="ampl" subtype="c" part="N"><w lemma="repello" part="N"
>repellatur</w></phr> obiectu, eundo per hos atque alios designatum tempus
absomit: ita contingit, ut, cum illi <phr xml:id="nov-val_31.0.s2.p3"
type="ampl" subtype="g" injured="dominus" crt-inj="low" inj-src="colonus"
crt-src="low" part="N"><w lemma="pereio" part="N">pereat</w></phr> a quo <phr
xml:id="nov-val_31.0.s2.p4" type="ampl" subtype="g" inj-src="colonus"
injured="dominus" crt-src="low" crt-inj="low" part="N"><w lemma="fugio"
part="N">fugit</w></phr> nec huic ad quem venit possit adquiri, mansionum
permutatione desinat esse quod natus est, libertatem, quam <rs
ana="#E_lower-class"><w lemma="nascor" part="N">nascendo</w></rs> non
habuit, <phr xml:id="nov-val_31.0.s2.p5" type="ampl" subtype="c"
inj-src="nascor" crt-src="high" part="N"><w lemma="fuga" part="N"
>fugae</w></phr> sibi adsiduitate defendens.</s>
<s xml:id="nov-val_31.0.s3" n="la4" xml:lang="la" part="N">Nulli umquam nisi <rs
ana="#E_unfree"><w lemma="colonus" part="N">colono</w></rs>
<phr xml:id="nov-val_31.0.s3.p1" type="ampl" subtype="g" inj-src="colonus"
crt-src="high" part="N"><w lemma="fugitivus" part="N">fugitivo</w></phr>
<phr xml:id="nov-val_31.0.s3.p2" type="ampl" subtype="g" inj-src="colonus"
crt-src="high" part="N"><w lemma="culpa" part="N">culpa</w></phr> sua
praeium fuit: ea causa incipit melior effici, qua <phr
xml:id="nov-val_31.0.s3.p3" type="ampl" subtype="g" injured="colonus"
crt-inj="high" part="N"><w lemma="poena" part="N">poenam</w></phr>
meretur.</s>
<milestone unit="english" /> 0. <s corresp="#nov-val_31.0.s1" n="en2"
xml:lang="en" part="N">Although the provisions which have been made in the
<rs>laws</rs> must be unconditionally and faithfully observed, We have
learned that the law which was formerly issued with reference to
<rs>coloni</rs> by <rs>birth status</rs> is <phr type="ampl" subtype="c"
part="N">suffering</phr>
<phr type="ampl" subtype="c" part="N">perversion</phr> by the <phr type="ampl"
subtype="g" part="N">malignant</phr> minds of certain persons.</s>
<s corresp="#nov-val_31.0.s2" n="en3" xml:lang="en" part="N">For since a person
from whom an <phr type="ampl" subtype="g" part="N">obligated</phr> colonus
departs is <phr type="ampl" subtype="c" part="N">defeated</phr> by the
prescription of thirty years, the designated period of time is consumed by the
colonus who goes from one person to another<supplied resp="#pharr"
instant="false">.</supplied> Thus it happens that although the colonus is
<phr type="ampl" subtype="g" part="N">lost</phr> to the person from whom he
<phr type="ampl" subtype="g" part="N">flees</phr>, yet he cannot be acquired
by the person to whom he comes<supplied resp="#pharr" instant="false"
>.</supplied> By constant change of his abode he ceases to be what he was
born, and he vindicates for himself by the constant repetition of his <phr
type="ampl" subtype="c" part="N">flight</phr> the freedom which he did not
have by <rs>birth status</rs>.</s>
<s corresp="#nov-val_31.0.s3" n="en4" xml:lang="en" part="N">To no person ever
except a <phr type="ampl" subtype="g" part="N">fugitive</phr>
<rs>colonus</rs> has his <phr type="ampl" subtype="g" part="N">misdeed</phr>
been a reward; he begins to acquire better status for the very reason for which
he deserves <phr type="ampl" subtype="g" part="N">punishment</phr>.</s>
</ab>
<ab xml:id="nov-val_31.1" type="caput" part="N">
<milestone unit="latin" /> 1. <s xml:id="nov-val_31.1.s1" n="la5" xml:lang="la"
part="N">Quod tamen sufficit hucusque licuisse.</s>
<s xml:id="nov-val_31.1.s2" n="la6" xml:lang="la" part="N"><seg
xml:id="nov-val_31.1.c1" part="N">Nam cum prior <rs ana="#E_masters"><w
lemma="dominus" part="N">dominus</w></rs> obice <rs ana="#P_law"><w
lemma="lex" part="N">legis</w></rs>
<phr xml:id="nov-val_31.1.s2.p1" type="ampl" subtype="c" inj-src="lex"
crt-src="high" injured="dominus" crt-inj="high" part="N"><w
lemma="excludo" part="N">excluditur</w></phr>, illi eum <phr
xml:id="nov-val_31.1.s2.p2" function="cmdw" part="N">iubemus</phr>
adquiri, apud quem eosdem annos statuti temporis probatur
implesse.</seg></s>
<s xml:id="nov-val_31.1.s3" n="la7" xml:lang="la" part="N"><seg
xml:id="nov-val_31.1.c2" part="N">Quod si propter conclusionem tricennale
et ad vim praescriptionis <phr xml:id="nov-val_31.1.s3.p1" type="ampl"
subtype="g" inj-src="colonus" crt-src="low" injured="dominus"
crt-inj="low" part="N"><w lemma="eludo" part="N">eludendam</w></phr>
aequaliter habitat per diversos, is eum <phr xml:id="nov-val_31.1.s3.p2"
type="ampl" subtype="c" part="N"><w lemma="vindico" part="N"
>vindicet</w></phr> iure <rs ana="#E_unfree"><w lemma="colonarius"
part="N">colonario</w></rs>
<phr xml:id="nov-val_31.1.s3.p3" type="ampl" subtype="c" injured="colonus"
crt-inj="low" part="N"><w lemma="servio" part="N">servitutum</w></phr>,
penes quem a die primae <phr xml:id="nov-val_31.1.s3.p4" type="ampl"
subtype="c" inj-src="colonus" crt-src="low" injured="dominus"
crt-inj="low" part="N"><w lemma="fuga" part="N">fugae</w></phr> triginta
annorum posteriora tempora concluduntur; alias huic lucro cedat, cum quo
maximum tricennii partem <rs ana="#E_residents"><w lemma="vagus" part="N"
>vagus</w></rs> et <phr xml:id="nov-val_31.1.s3.p5" type="ampl"

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        subtype="g" injured="cultiv" inj-src="vagus" part="N"><w lemma="infidus"
        part="N">infidus</w></phr> habitator effecit.</seg></s>
<s xml:id="nov-val_31.1.s4" n="la8" xml:lang="la" part="N"><seg
    xml:id="nov-val_31.1.c3" part="N">Quod etiam de <rs ana="#E_women"><w
        lemma="mulier" part="N">mulieribus</w></rs>
    <rs ana="#E_lower-class"><w lemma="originarius" part="N"
        >originariis</w></rs> aequae <rs ana="#E_residents"><w lemma="vagor"
        part="N">vagantibus</w></rs>
    <phr xml:id="nov-val_31.1.s4.p1" function="cmdw" part="N">praecipio</phr>
    <phr type="ampl" subtype="c" injured="mulier originarius vagor"
        crt-inj="high" part="N"><w lemma="custodio" part="N"
        >custodiri</w></phr></seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_31.1.s1" n="en5"
    xml:lang="en" part="N">However, it is enough that this has been permitted thus
    far.</s>
<s corresp="#nov-val_31.1.s2" n="en6" xml:lang="en" part="N"><seg
    corresp="#nov-val_31.1.c1" part="N">For when the former <rs>master</rs> is
    <phr type="ampl" subtype="c" part="N">excluded</phr> by the barrier of
    the <rs>law</rs>, We <phr function="cmdw" part="N">order</phr> that such
    colonus shall be acquired by the person on whose property he is proved to
    have completed the aforesaid years of the statutory period of
    time.</seg></s>
<s corresp="#nov-val_31.1.s3" n="en7" xml:lang="en" part="N"><seg
    corresp="#nov-val_31.1.c2" part="N">But if for the purpose of attaining the
    conclusion of the thirty year period and of <phr type="ampl" subtype="g"
        part="N">evading</phr> the force of the prescription of time, he should
    live an equal period of time with several persons, that person shall <phr
        type="ampl" subtype="c" part="N">vindicate</phr> him to <phr type="ampl"
        subtype="c" part="N">serve</phr> by the right of the <rs>colonate</rs> on
    whose property such colonus concluded the latter part of the period of
    thirty years from the day of his first <phr type="ampl" subtype="c" part="N"
        >flight</phr><supplied resp="#pharr" instant="false"></supplied>
    Otherwise, he shall come as gain to that person with whom such a
    <rs>vagrant</rs> and <phr type="ampl" subtype="g" part="N"
        >unreliable</phr> inhabitant spent the greatest part of his thirty year
    period.</seg></s>
<s corresp="#nov-val_31.1.s4" n="en8" xml:lang="en" part="N"><seg
    corresp="#nov-val_31.1.c3" part="N">I <phr function="cmdw" part="N"
        >command</phr> that this regulation shall also be <phr type="ampl"
        subtype="c" part="N">observed</phr> equally in the case of
    <rs>vagrant</rs>
    <rs>women</rs> of <rs>ignoble birth status</rs></seg></s>
</ab>
<ab xml:id="nov-val_31.2" type="caput" part="N">
    <milestone unit="latin" /> 2. <s xml:id="nov-val_31.2.s1" n="la9" xml:lang="la"
        part="N"><seg xml:id="nov-val_31.2.c1" part="N"><rs ana="#E_unfree-women"><w
            lemma="colona" part="N">Colona</w></rs> vero, quae <rs
                ana="#E_litigant"><w lemma="petitor" part="N">petitori</w></rs> post XX
            annorum curricula <phr xml:id="nov-val_31.2.s1.p1" type="ampl" subtype="g"
                inj-src="colona" injured="petitor" crt-src="high" crt-inj="high" part="N"
                ><w lemma="denego" part="N">denegatur</w></phr>, si quem <rs
                    ana="#E_family-children"><w lemma="pars" part="N">partum</w></rs> ante
                designatum tempus edidit, priori <rs ana="#E_masters"><w lemma="dominus"
                    part="N">domino</w></rs> eum convenit non <phr
                        xml:id="nov-val_31.2.s1.p2" type="ampl" subtype="g" inj-src="pars"
                        injured="dominus" crt-src="high" crt-inj="high" part="N"><w lemma="pereor"
                            part="N">perire</w></phr>:</seg> aequum est ad eum <rs
                            ana="#E_family-children"><w lemma="suboles" part="N">suboles</w></rs> redeat
                        suscepta tunc temporis, cum adhuc <rs ana="#E_women"><w lemma="mulier" part="N"
                            >mulier</w></rs> competeat, ut <phr xml:id="nov-val_31.2.s1.p3"
                                type="ampl" subtype="g" inj-src="mater" crt-src="high" injured="dominus"
                                crt-inj="high" part="N"><w lemma="damnum" part="N">damnum</w></phr>
                            <phr xml:id="nov-val_31.2.s1.p4" type="ampl" subtype="c" inj-src="mater"
                                crt-src="high" part="N"><w lemma="amitto" part="N">amissae</w></phr>
                            <rs ana="#E_family-women-mothers"><w lemma="mater" part="N">matris</w></rs>,
                            quod processu contigit annorum, <rs ana="#E_family-children"><w lemma="proles"
                                part="N">prolis</w></rs> saltem <phr xml:id="nov-val_31.2.s1.p5"
                                    type="ampl" subtype="c" injured="proles" crt-inj="high" part="N"><w
                                        lemma="vindicatio" part="N">vindicatio</w></phr> consoletur.</s>
                        <s xml:id="nov-val_31.2.s2" n="la10" xml:lang="la" part="N"><seg
                            xml:id="nov-val_31.2.c2" part="N">Quem <phr xml:id="nov-val_31.2.s2.p1"
                                type="ampl" subtype="c" injured="parens filius" crt-inj="high" part="N"
                                ><w lemma="casus" part="N">casum</w></phr>
                            <phr xml:id="nov-val_31.2.s2.p2" function="cmdw" part="N">iubemus</phr>
                            vicariorum compensatione finiri.</seg> ne, quod <phr
                                xml:id="nov-val_31.2.s2.p3" type="ampl" subtype="g" injured="parens filius"
                                crt-inj="high" part="N"><w lemma="impius" part="N">impium</w></phr> est, <rs
                                    ana="#E_family-children"><w lemma="filius" part="N">filii</w></rs> a <rs
                                        ana="#E_family-parents"><w lemma="parens" part="N">parentibus</w></rs>
                                    dividantur.</s>
                            <milestone unit="english" /> 2. <s corresp="#nov-val_31.2.s1" n="en9"
                                xml:lang="en" part="N"><seg corresp="#nov-val_31.2.c1" part="N">If a
                                    <rs>colona</rs>, who is <phr type="ampl" subtype="g" part="N"
                                        >refused</phr> to a <rs>petitioner</rs> after a period of twenty years,
                                    has given birth to any <rs>offspring</rs> before the aforesaid time limit,
                                    such offspring must not be <phr type="ampl" subtype="g" part="N">lost</phr>
                                    to her former <rs>master</rs><supplied resp="#pharr" instant="false"
                                        ></supplied></seg> For it is equitable that the <rs>progeny</rs>
                                    begotten at that time when the <rs>woman</rs> still belonged to him should
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return to him, in order that the <phr type="ampl" subtype="g" part="N"
>damage</phr> sustained by <phr type="ampl" subtype="c" part="N">loss</phr>
of the <rs>mother</rs>, which happened because of the passing of years, may be
consoled at least by the <phr type="ampl" subtype="c" part="N"
>vindication</phr> of her <rs>progeny</rs>.</s>
<s corresp="#nov-val_31.2.s2" n="en10" xml:lang="en" part="N"><seg
corresp="#nov-val_31.2.c2" part="N">This <phr type="ampl" subtype="c"
part="N">misfortune</phr> We <phr function="cmdw" part="N">order</phr> to
be ended by a compensatory payment of substitutes,</seg> in order that
<rs>children</rs> may not be separated from their <rs>parents</rs>, a thing
which is <phr type="ampl" subtype="g" part="N">impious</phr>.</s>
</ab>
<ab xml:id="nov-val_31.3" type="caput" part="N">
<milestone unit="latin" /> 3. <s xml:id="nov-val_31.3.s1" n="la11" xml:lang="la"
part="N"><seg xml:id="nov-val_31.3.c1" part="N">Item placet, ut pars, cuius <rs
ana="#E_spouses-husbands"><w lemma="maritus" part="N">maritum</w></rs>
esse constiterit, pro <rs ana="#E_spouses-women"><w lemma="uxor" part="N"
>uxore</w></rs> eiusdem meriti vicariam reddat,</seg> quatenus <phr
xml:id="nov-val_31.3.s1.p1" type="ampl" subtype="g" inj-src="dominus"
crt-src="high" injured="maritus uxor" crt-inj="high" part="N"><w
lemma="pravus" part="N">prava</w></phr> forsitan <rs ana="#E_masters"><w
lemma="dominus" part="N">dominorum</w></rs>
<phr xml:id="nov-val_31.3.s1.p2" type="ampl" subtype="g" inj-src="dominus"
crt-src="high" injured="maritus uxor" crt-inj="high" part="N"><w
lemma="obstinatio" part="N">obstinatio</w></phr> a faciendo divortio
conquiescat, quia et in eiusmodi personis salva et inconvulsa debet
coniunctionis adfectio permanere.</s>
<milestone unit="english" /> 3. <s corresp="#nov-val_31.3.s1" n="en11"
xml:lang="en" part="N"><seg corresp="#nov-val_31.3.c1" part="N">Likewise it is
Our pleasure that the party to whom the <rs>husband</rs> appears to belong
shall render for the <rs>wife</rs> a substitute of the same value,</seg> in
order that the <phr type="ampl" subtype="g" part="N">wicked</phr>
<phr type="ampl" subtype="g" part="N">obstinacy</phr> of <rs>masters</rs> may
perhaps cease from making divorces, because even in the cases of such persons,
the affection of this union ought to remain safe and undisturbed.</s>
</ab>
<ab xml:id="nov-val_31.4" type="caput" part="N">
<milestone unit="latin" /> 4. <s xml:id="nov-val_31.4.s1" n="la12" xml:lang="la"
part="N">Sane sicut <rs ana="#E_unfree-women"><w lemma="colona" part="N"
>colonas</w></rs> commutari posse priora statuta iusserunt, ita etiam de
<rs ana="#E_residents"><w lemma="vir" part="N">viris</w></rs>
<phr type="ampl" subtype="c" part="N"><w lemma="licentia" part="N"
>licentia</w></phr> sit.</s>
<s xml:id="nov-val_31.4.s2" n="la13" xml:lang="la" part="N"><seg
xml:id="nov-val_31.4.c1" part="N">Igitur commutationes factas lex nostra
confirmat.</seg></s>
<s xml:id="nov-val_31.4.s3" n="la14" xml:lang="la" part="N"><seg
xml:id="nov-val_31.4.c2" part="N">At si aliqua cessio sine personarum
commutatione praecessit vel deinceps facta fuerit, non valeat, ne ad alterum
<rs ana="#E_unfree"><w lemma="colonus" part="N">coloni</w></rs>, ad alium
<rs ana="#E_land"><w lemma="possessio" part="N">possessio</w></rs>
<phr xml:id="nov-val_31.4.s3.p1" type="ampl" subtype="c" injured="possessio"
crt-inj="high" part="N"><w lemma="exhaurio" part="N">exhausta</w></phr>
perveniat.</seg></s>
<milestone unit="english" /> 4. <s corresp="#nov-val_31.4.s1" n="en12"
xml:lang="en" part="N">Of course, just as the previous statutes ordered that
<rs>coloniae</rs> could be commuted, so also there shall be such <phr
type="ampl" subtype="c" part="N">right</phr> in the case of the
<rs>men</rs>.</s>
<s corresp="#nov-val_31.4.s2" n="en13" xml:lang="en" part="N"><seg
corresp="#nov-val_31.4.c1" part="N">Therefore Our law confirms such
commutations that have been made.</seg></s>
<s corresp="#nov-val_31.4.s3" n="en14" xml:lang="en" part="N"><seg
corresp="#nov-val_31.4.c2" part="N">But if any transfer of a
<rs>landholding</rs> without the commutation of such persons has
previously been made or should hereafter be made, it shall not be valid,
lest the <rs>coloni</rs> may come to one person, the <phr type="ampl"
subtype="c" part="N">exhausted</phr> landholding to another.</seg></s>
</ab>
<ab xml:id="nov-val_31.5" type="caput" part="N">
<milestone unit="latin" /> 5. <s xml:id="nov-val_31.5.s1" n="la15" xml:lang="la"
part="N"><rs ana="#E_residents"><w lemma="advena" part="N">Advenae</w></rs>
plerumque <phr xml:id="nov-val_31.5.s1.p1" type="ampl" subtype="c"
injured="advena" crt-inj="high" part="N"><rs ana="#E_lower-class"><w
lemma="tenuis" part="N">tenuis</w></rs></phr>
<phr xml:id="nov-val_31.5.s1.p2" type="ampl" subtype="g" injured="advena"
crt-inj="high" part="N"><w lemma="abiectus" part="N">abiectaeque</w></phr>
fortunaе quorundam se obsequiis iungunt, ut, simulata <phr
xml:id="nov-val_31.5.s1.p3" type="ampl" subtype="c" injured="advena"
crt-inj="high" part="N"><w lemma="labor" part="N">laboris</w></phr> et
obsequiorum <phr type="ampl" subtype="c" injured="advena" crt-inj="high"
part="N"><w lemma="patientia" part="N">patientia</w></phr>, accepto sumptu
ac vestitu <phr xml:id="nov-val_31.5.s1.p4" type="ampl" subtype="c"
injured="advena" crt-inj="high" part="N"><w lemma="illuvies" part="N"
>illuviem</w></phr> et <phr xml:id="nov-val_31.5.s1.p5" type="ampl"
subtype="g" injured="advena" crt-inj="high" part="N"><w lemma="squalor"
part="N">squalorem</w></phr>
<phr type="ampl" subtype="g" injured="advena" crt-inj="high" part="N"><w
lemma="egestas" part="N">egestatis</w></phr>

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<phr xml:id="nov-val_31.5.s1.p6" type="ampl" subtype="g" injured="advena"
  crt-inj="high" part="N"><w lemma="evado" part="N">evadant</w></phr>.</s>
<s xml:id="nov-val_31.5.s2" n="la0" xml:lang="la" part="N">Ubi de <phr
  xml:id="nov-val_31.5.s2.p1" type="ampl" subtype="c" injured="advena"
  crt-inj="low" part="N"><w lemma="angustia" part="N">angustiis</w></phr>
  <phr xml:id="nov-val_31.5.s2.p2" type="ampl" subtype="g" injured="advena"
  crt-inj="low" part="N"><w lemma="clades" part="N">cladis</w></phr> suae
  humanitate et <phr type="ampl" subtype="c" injured="advena" crt-inj="low"
  part="N"><w lemma="miseratio" part="N">miseratione</w></phr> colligentis
  fuerint liberati, iam repleti, iam nihil de <phr xml:id="nov-val_31.5.s2.p3"
  type="ampl" subtype="g" injured="advena" crt-inj="low" part="N"><w
  lemma="miseria" part="N">miseria</w></phr> cogitantes eligunt <rs
  ana="#E_women"><w lemma="femina" part="N">feminas</w></rs> ad <rs
  ana="#E_family-fathers"><w lemma="paterfamilias" part="N"
  >patremfamilias</w></rs> pertinentes, sollertia forma utilitate meliores;
  cum satias <phr xml:id="nov-val_31.5.s2.p4" type="ampl" subtype="c"
  inj-src="advena" crt-src="low" part="N"><w lemma="capio" part="N"
  >ceperit</w></phr>, derelinquent, non <rs ana="#E_residents"><w
  lemma="status" part="N">statu</w></rs> priore perpenso, non aduetudine
  <rs ana="#E_marriage"><w lemma="coniunctio" part="N">coniunctionis</w></rs>,
  non dulcedine <rs ana="#E_family-children"><w lemma="filius" part="N"
  >filiorum</w></rs>, nulla lege <phr xml:id="nov-val_31.5.s2.p5"
  type="ampl" subtype="g" injured="advena" crt-inj="low" part="N"><w
  lemma="prohibeo" part="N">prohibente</w></phr> discedunt.</s>
<s xml:id="nov-val_31.5.s3" n="la1" xml:lang="la" part="N"><seg
  xml:id="nov-val_31.5.c1" part="N">Itaque si nulli quolibet modo <phr
  xml:id="nov-val_31.5.s3.p1" type="ampl" subtype="g" injured="advena"
  crt-inj="low" part="N"><w lemma="obnoxius" part="N">obnoxius</w></phr>
  <rs ana="#E_cities"><w lemma="civitas" part="N">civitati</w></rs> ad <rs
  ana="#E_land"><w lemma="praedium" part="N">praedium</w></rs> se
  cuiuscumque <rs ana="#E_land"><w lemma="rusticus" part="N">rusticum</w></rs>
  <rs ana="#E_land"><w lemma="urbanus" part="N">urbanumque</w></rs> collegerit
  et <rs ana="#E_women"><w lemma="mulier" part="N">mulieri</w></rs>
  <phr xml:id="nov-val_31.5.s3.p2" type="ampl" subtype="g" injured="mulier"
  crt-inj="high" part="N"><w lemma="obnoxius" part="N">obnoxiae</w></phr>
  sociari voluerit, <rs ana="#P_public-records"><w lemma="gestum-municipale"
  part="N">gestis municipalibus</w></rs> profiteatur habitandi ubi
  elegerit voluntatem, ut hoc vinculo praecedente nec habitaculum quod placuit
  <phr xml:id="nov-val_31.5.s3.p3" type="ampl" subtype="c" inj-src="advena"
  crt-src="low" injured="civitas" crt-inj="high" part="N"><w lemma="desero"
  part="N">deserat</w></phr> nec consortium <rs ana="#E_women"><w
  lemma="mulier" part="N">mulieris</w></rs>
  <phr xml:id="nov-val_31.5.s3.p4" type="ampl" subtype="c" inj-src="advena"
  crt-src="low" injured="mulier" crt-inj="high" part="N"><w lemma="abrumpo"
  part="N">abrumpat</w></phr>: qua professione deprompta salva <rs
  ana="#E_freeborn"><w lemma="ingenuitas" part="N">ingenuitate</w></rs>
  <phr type="ampl" subtype="c" part="N"><w lemma="licentia" part="N"
  >licentiam</w></phr> non habeat discedendi.</seg></s>
<milestone unit="english" /> 5. <s corresp="#nov-val_31.5.s1" n="en15"
  xml:lang="en" part="N">Many times <rs>immigrants</rs> who are <phr type="ampl"
  subtype="c" part="N"><rs>poor</rs></phr> and of <phr type="ampl" subtype="g"
  part="N">lost</phr> fortune join themselves to the services of certain
  persons in order that, by pretending <phr type="ampl" subtype="c" part="N"
  >endurance</phr> of <phr type="ampl" subtype="c" part="N">labor</phr> and
  services, they may receive food and clothing and thus <phr type="ampl"
  subtype="g" part="N">escape</phr> the <phr type="ampl" subtype="c" part="N"
  >filth</phr> and <phr type="ampl" subtype="g" part="N">squalor</phr> of <phr
  type="ampl" subtype="g" part="N">want</phr>.</s>
<s corresp="#nov-val_31.5.s2" n="en0" xml:lang="en" part="N">When they have been
  freed from the <phr type="ampl" subtype="c" part="N">straits</phr> of their
  <phr type="ampl" subtype="g" part="N">disaster</phr> by the humanity and
  <phr type="ampl" subtype="c" part="N">compassion</phr> of the person who
  receives them, then replete, then thinking nothing of <phr type="ampl"
  subtype="c" part="N">misfortune</phr>, they choose <rs>women</rs> who belong
  to a <rs>paterfamilias</rs> and who are superior in cleverness, beauty, and
  usefulness<supplied resp="#pharr" instant="false">.</supplied> When satiety
  <phr type="ampl" subtype="c" part="N">overtakes</phr> them, they leave; they
  depart without considering their former <rs>status</rs>, the association of
  <rs>marriage</rs>, the affection of <rs>children</rs>, since no law <phr
  type="ampl" subtype="g" part="N">prohibits</phr> them.</s>
<s corresp="#nov-val_31.5.s3" n="en1" xml:lang="en" part="N"><seg
  corresp="#nov-val_31.5.c1" part="N">Therefore, if a person who is <phr
  type="ampl" subtype="g" part="N">obligated</phr> to no
  <rs>municipality</rs> in any manner should join himself to the
  <rs>rustic</rs> or <rs>urban</rs>
  <rs>landed estate</rs> of any person and should wish to be united with a
  <rs>woman</rs> who is <phr type="ampl" subtype="g" part="N"
  >obligated</phr>, he shall state in the <rs>municipal records</rs> his
  intention to reside where he has chosen, in order that, since this bond
  precedes, he may not <phr type="ampl" subtype="c" part="N">desert</phr> the
  habitation which he chose and he may not <phr type="ampl" subtype="c"
  part="N">break</phr> off the union with the <rs>woman</rs><supplied
  resp="#pharr" instant="false">.</supplied> When this declaration has been
  thus published, his <rs>freeborn status</rs> shall be unimpaired, but he
  shall not have the <phr type="ampl" subtype="c" part="N">right</phr> to
  depart.</seg></s>
</ab>
<ab xml:id="nov-val_31.6" type="caput" part="N">
  <milestone unit="latin" /> 6. <s xml:id="nov-val_31.6.s1" n="la2" xml:lang="la"

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part="N"><seg xml:id="nov-val_31.6.c1" part="N">Pari lege <rs ana="#E_women"><w
lemma="mulier" part="N">mulieres</w></rs>
<rs ana="#E_freeborn"><w lemma="ingenuus" part="N">ingenuas</w></rs>
<phr xml:id="nov-val_31.6.s1.p1" function="cmdw" part="N">iubeo</phr>
detineri, a quibus coniunctio adpetita est et electa <rs ana="#E_unfree"><w
lemma="servus" part="N">servorum</w></rs> seu <rs ana="#E_unfree"><w
lemma="colonus" part="N">colonorum</w></rs>, ut his abire non
liceat.</seg></s>
<s xml:id="nov-val_31.6.s2" n="la3" xml:lang="la" part="N"><seg
xml:id="nov-val_31.6.c2" part="N"><rs ana="#E_family-children"><w
lemma="filius" part="N">filii</w></rs> earum, si <rs
ana="#P_public-records"><w lemma="denuntiatio" part="N"
>denuntiatio</w></rs> non praecessit, in eorum iure et dominio, apud quos
creati sunt vel creantur, <rs ana="#E_unfree"><w lemma="colonarius" part="N"
>colonario</w></rs> nomine perseverent; post denuntiationem vero <rs
ana="#E_family-children"><w lemma="editus-secundus" part="N">editos
secundum</w></rs> scita divalia <rs ana="#E_unfree"><w lemma="servus"
part="N">servos</w></rs> esse <phr xml:id="nov-val_31.6.s2.p1"
function="cmdw" part="N">censemus</phr>, </seg> ut illos nexus, sicut
dictum est, <rs ana="#E_unfree"><w lemma="colonarius" part="N"
>colonarius</w></rs> teneat semper <phr xml:id="nov-val_31.6.s2.p2"
type="ampl" subtype="g" injured="filius colonarius" crt-inj="high" part="N"
><w lemma="obnoxius" part="N">obnoxios</w></phr>, hos condicio <phr
xml:id="nov-val_31.6.s2.p3" type="ampl" subtype="c" injured="filius servus"
crt-inj="high" part="N"><rs ana="#E_unfree"><w lemma="servitus" part="N"
>servitutis</w></rs></phr>, <rs ana="#P_high-officials"><w
lemma="Firminus" part="N">Firmine</w></rs> parens karissime atque
amantissime.</s>
<milestone unit="english" /> 6. <s corresp="#nov-val_31.6.s1" n="en2"
xml:lang="en" part="N"><seg corresp="#nov-val_31.6.c1" part="N">By a like law,
I <phr function="cmdw" part="N">order</phr> that <rs>freeborn</rs>
<rs>women</rs> shall be detained if a union with <rs>slaves</rs> or
<rs>coloni</rs> has been sought and chosen by them, in order that they
may not be permitted to depart.</seg></s>
<s corresp="#nov-val_31.6.s2" n="en3" xml:lang="en" part="N"><seg
corresp="#nov-val_31.6.c2" part="N">The <rs>children</rs> of such women, if
a <rs>formal notification</rs> did not precede their birth, shall remain
under the title of <rs>coloni</rs>, in the ownership and power of those
persons on whose property they have been born or may be born<supplied
resp="#pharr" instant="false">.</supplied> But We <phr function="cmdw"
part="N">adjudge</phr> that according to the divine imperial decrees,
<rs>children born after</rs> such notification shall be
<rs>slaves</rs><supplied resp="#pharr" instant="false">.</supplied></seg>
Thus, as has been said, the bond of the <rs>colonate</rs> shall always hold
<phr type="ampl" subtype="g" part="N">obligated</phr> the former, the
condition of <phr type="ampl" subtype="c" part="N"><rs>slavery</rs></phr>, the
latter, O <rs>Firminus</rs>, dearest and most beloved Father.</s>
</ab>
<ab xml:id="nov-val_31.7" type="caput" part="N">
<milestone unit="latin" /> 7. <s xml:id="nov-val_31.7.s1" n="la4" xml:lang="la"
part="N">Illustris et praeclsa <rs ana="#P_high-officials"><w
lemma="magnitudo" part="N">magnitudo</w></rs> tua huius generalis
constitutionis formam edictis propositis ad omnium faciet notitiam
pervenire.</s>
<milestone unit="english" /> 7. <s corresp="#nov-val_31.7.s1" n="en4"
xml:lang="en" part="N">Your Illustrious and Excellent <rs>Magnitude</rs> by
posting edicts shall cause to come to the knowledge of all the regulations of
this general constitution.</s>
</ab>
<ab xml:id="nov-val_31.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_31.subs.s1" n="la5" xml:lang="la" part="N">Dat. prid. kal. Feb.
<placeName corresp="#rome" instant="false" full="yes">Romae</placeName>.
<date when="0451-01-31" instant="false">(451 Ian. 31)</date>.</s>
<s xml:id="nov-val_31.subs.s2" n="la6" xml:lang="la" part="N">acc. III non. Feb.
Romae.</s>
<s xml:id="nov-val_31.subs.s3" n="la7" xml:lang="la" part="N">prop. in foro
Traiani Adelfio vc. cons.</s>
<milestone unit="english" />
<s corresp="#nov-val_31.subs.s1" n="en5" xml:lang="en" part="N">Given on the day
before the kalends of February at <placeName instant="false" full="yes"
>Rome</placeName>: <date instant="false">January 31</date>.</s>
<s corresp="#nov-val_31.subs.s2" n="en6" xml:lang="en" part="N">Received on the
third day before the nones of February at Rome: February 3.</s>
<s corresp="#nov-val_31.subs.s3" n="en7" xml:lang="en" part="N">Posted in the
Forum of Trajan in the year of the consulship of the Most Noble Adelphius. -
451.</s>
</ab>
<ab xml:id="nov-val_31.intr" type="intr" part="N">
<milestone unit="latin" />INTERPRETATIO. Lex ista constituit, ut, si colonus
proprium dominum fugerit et XXX annis per diversorum domos aut agros fortasse
latuerit et non nisi impleto tricesimo anno a die fugae suae praedictum colonum
dominus potuerit invenire, ab eo, apud quem inventus fuerit, tricennali annorum
praescriptione dominus, qui fugam coloni sequitur, excludatur: secunda iterum
condicione currente, ut, si forte apud tres personas denis annis colonus ipse
habitaverit, ille eum vindicet, apud quem posteriore tempore invenitur. tertia
condicio est, ut, si inter eos, apud quos per tricennium habitaverit, fuerit orta
contentio, ipse praedictus colonus addicatur, apud quem per illos XXX annos maiore
annorum numero dinoscitur habitasse. De colonae vero fuga par, apud quoscumque

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habitaverit, forma servetur, ea tamen condicione servata, ut, sicut de coloni iure proprius dominus XXX annorum praescriptione excluditur, ita et impleto XX annorum numero de repetitione colonae domini petitio repellatur. Ita tamen, ut filii, qui intra XX annos nati fuerint, quando adhuc colona domino competeat, a domino, qui colonam praepiudicio temporis perdidit, secundum constitutionem, quae sub titulo 'de episcopali iudicio' processit, debeant revocari. post vicesimum annum nati illius dominio adquirantur, cui colonam tempus addixerit. iubetur etiam, ut de talibus personis commutatio non negetur, ita ut vicaria mancipia tam pro colona quam pro portione filiorum dare coloni dominus mox procuret: quod etiam, si convenerit, et pro colono is, cuius colona est, pari constitutione debebit implere. advenae ingenui, qui se colonae iungi voluerint alienae, quia saepe fit, ut contubernia electa contemnant, gestis profiteantur se de domo domini colonae, cui iunctus fuerit, nulla ratione discedere et ingenuitate manente nullam habeat licentiam evagandi aut, cui iunctus fuerit, deserendi. ingenua idemque mulier si contubernium coloni elegerit alieni, si ei denuntiatur non fuerit, coloni sint domino profuturi quoscumque eius partus ediderit; post denuntiationem vero quoscumque ediderit, non colonos sed servos noverit esse futuros. <milestone unit="english" />INTERPRETATION: This law establishes that if a colonus should flee from his own master and perchance should hide for thirty years throughout the houses and fields of various persons, and if the master could not find the aforesaid colonus except after the completion of thirty years from the day of his flight, the master who pursues the flight of the colonus shall be excluded by the prescription of thirty years by the person on whose property the colonus was found. Again, the second condition occurs that if perchance the colonus himself should have lived with three persons ten years each, that person shall vindicate him with whom he is found during the last period of time. The third condition is that if a contention should arise among those persons with whom the colonus had lived throughout the thirty years, the aforesaid colonus himself shall be assigned to the person with whom he is known to have lived the greatest number of years during those thirty years. A similar regulation shall be observed in regard to the flight of a colona, no matter on whose property she may have lived. However, the condition shall be observed that, just as his own master is excluded from the ownership of a colonus by the prescription of thirty years, so also the petition of a master for the recovery of a colona shall be defeated by the completion of twenty years. Nevertheless, according to a constitution that was issued under the title, "The Episcopal Court," the children shall be recovered by the master who lost the colona by the prejudicial effect of time, if they were born within the twenty years in which the colona still belonged to the master. Moreover, after the twenty years the children shall be acquired to the ownership of that person to whom the period of time had assigned the colona. It is also ordered by this law that commutation shall not be denied in regard to such persons, so that the master of a colonus shall take care immediately to give other slaves for a colona as well as for the portion of her children. By the same constitution the person to whom a colona belongs must also fulfill this requirement for a colonus, if it should be agreed upon. Freeborn immigrants who wish to be joined to the colonae of others, because it often happens that they scorn the slave unions that they have chosen, shall state in the public records that they will depart for no reason from the house of the master of the colonae to whom they have been joined, and though their freeborn status remains unimpaired, they shall have no right to wander forth or to desert the colonae to whom they have been united. Likewise if a freeborn woman should choose the slave union of the colonus of another, and if she should not be formally notified, whatever offspring she bears shall profit the master of the colonus. But she shall know that whatever children she bears after formal notification shall be not coloni, but slaves. </ab>

</div2>
</div1>
<div1 xml:id="nov-val_32" type="titulus" part="N" org="uniform" sample="complete">
 <head xml:id="nov-val_32.titl">
 <s xml:id="nov-val_32.titl.s1" xml:lang="la" part="N">32. DE CONFIRMANDIS HIS QUAE ADMINISTRANTIBUS VEL PUBLICUM OFFICIUM GERENTIBUS DISTRACTA SUNT VEL DONATA ET DE ADVOCATIS VEL DE CETERIS NEGOTIIS</s>
 <s corresp="#nov-val_32.titl.s1" xml:lang="en" part="N">TITLE 32: CONFIRMATION OF THE TITLE TO PROPERTY THAT HAS BEEN SOLD OR GIVEN TO ADMINISTRATORS OR PERSONS HOLDING PUBLIC OFFICE; ADVOCATES; OTHER MATTERS</s>
 </head>
 <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
 <ab xml:id="nov-val_32.insc" type="insc" part="N">
 <milestone unit="latin" />
 <s xml:id="nov-val_32.insc.s1" n="la1" xml:lang="la" part="N">1. <persName corresp="#valentinian3" instant="false" full="yes">Valentinianus</persName>
 A. Firmino pp. et Patricio.</s>
 <milestone unit="english" />
 <s corresp="#nov-val_32.insc.s1" n="en1" xml:lang="en" part="N">1. Emperor
 <persName corresp="#valentinian3" instant="false" full="yes">
 >Valentinian</persName> Augustus to Firminus, Praetorian Prefect and Patrician.</s>
 </ab>
 <ab xml:id="nov-val_32.0" type="caput" part="N">
 <milestone unit="latin" /> 0. <s xml:id="nov-val_32.0.s1" n="la2" xml:lang="la" part="N">Quae plerique in legibus constituta <phr xml:id="nov-val_32.0.s1.p1" type="ampl" subtype="g" part="N"><w lemma="dissimulo" part="N">
 >dissimulant</w></phr>, necesse est recenti iussione sanciri, ut omni ambiguitate <phr type="ampl" subtype="c" part="N"><w lemma="submoveo" part="N">
 >submota</w></phr> instauratione solidiora reddantur.</s>
 <s xml:id="nov-val_32.0.s2" n="la3" xml:lang="la" part="N">In
 <rs>administratione</rs> enim et in <rs>militia</rs> positus emendi <phr type="ampl" subtype="c" part="N"><w lemma="licentia" part="N">
 >licentiam</w></phr>
 <phr xml:id="nov-val_32.0.s2.p1" type="ampl" subtype="g" part="N"><w

lemma="denego" part="N">denegatam</w></phr> superflua nonnullorum dicitur esse persuasio, cum lex divi <rs>Honorii</rs> ad <rs>Palladium praefectum praetorio</rs> missa, in Theodosianum redacta corpus, hanc copiam talibus legatur dedisse personis.</s>

<s xml:id="nov-val_32.0.s3" n="la4" xml:lang="la" part="N">Quem non <phr xml:id="nov-val_32.0.s3.p1" type="ampl" subtype="g" part="N"><w lemma="taedeo" part="N">taedeat</w></phr> alioquin ista condicio his solis, qui ad honores aliquos evehuntur, libertatem in contractibus non patere et, cum huic obstaculo nulla fortuna subiaceat, non <rs>mediocris</rs> non <rs>nobilis</rs> non <rs>plebeia</rs>, universitatis ius et commodum solis <rs>militantibus</rs>

<phr xml:id="nov-val_32.0.s3.p2" type="ampl" subtype="g" part="N"><w lemma="denego" part="N">denegari</w></phr>?</s>

<s xml:id="nov-val_32.0.s4" n="la5" xml:lang="la" part="N"><seg xml:id="nov-val_32.0.c1" part="N"><phr xml:id="nov-val_32.0.s4.p1" function="cmdw" part="N">censeo</phr> igitur, ut in quibuslibet <rs>administrationibus officiis</rs>, in quocumque <rs>militiae</rs> gradu positus emendi quae <rs>ceteris</rs> copia sit, dummodo <rs>emptio et venditio</rs> celebretur iure communi.</seg></s>

<s xml:id="nov-val_32.0.s5" n="la6" xml:lang="la" part="N"><seg xml:id="nov-val_32.0.c2" part="N">Neminem <phr xml:id="nov-val_32.0.s5.p1" function="cmdw" part="N">volo</phr> potestatis iussu et <phr xml:id="nov-val_32.0.s5.p2" type="ampl" subtype="c" part="N"><w lemma="impressio" part="N">impressione</w></phr> <phr xml:id="nov-val_32.0.s5.p3" type="ampl" subtype="c" part="N"><w lemma="compello" part="N">compelli</w></phr>.</seg></s>

<s xml:id="nov-val_32.0.s6" n="la7" xml:lang="la" part="N"><seg xml:id="nov-val_32.0.c3" part="N"><rs>volenti vendere</rs> definitam et conscriptam pecuniam oportet inferri.</seg></s>

<s xml:id="nov-val_32.0.s7" n="la8" xml:lang="la" part="N">videat instrumentorum <rs>scriptor</rs>, sciant ii, <rs>apud quos venditionis documentum necesse est adlegari</rs>.</s>

<s xml:id="nov-val_32.0.s8" n="la9" xml:lang="la" part="N">nihil refert quis <rs>emat</rs>, cum publica fide pretium <rs>venditor</rs> consequatur.</s>

<milestone unit="english" /> 0. <s corresp="#nov-val_32.0.s1" n="en2" xml:lang="en" part="N">It is necessary to sanction by a new enactment the regulations established in the laws which are being <phr type="ampl" subtype="g" ana="#meta" part="N">disregarded</phr> by very many persons, in order that all ambiguity may be <phr subtype="c" type="ampl" part="N"><removed</phr> and such regulations may be rendered more stable by this renewal.</s>

<s corresp="#nov-val_32.0.s2" n="en3" xml:lang="en" part="N">For there is said to exist a superfluous belief of some persons that the <phr subtype="c" type="ampl" part="N">right</phr> to purchase has been <phr type="ampl" subtype="g" part="N">denied</phr> to persons in <rs>administrative offices</rs> and in the <rs>imperial service</rs>, although a law of the sainted <rs>Honorius</rs>, issued to <rs>Palladius, Praetorian Prefect</rs> and included in the Theodosian Corpus, is read as having given this right to such persons.</s>

<s corresp="#nov-val_32.0.s3" n="en4" xml:lang="en" part="N">Besides, who is not <phr type="ampl" subtype="g" ana="#meta" part="N">disgusted</phr> by that condition whereby freedom of contract is not available to those persons alone who are exalted to any honors, and although no fortune is subject to this obstacle, not that of a <rs>middle class person</rs>, not that of a <rs>noble</rs>, not that of a <rs>plebeian</rs>, the right and advantage of the whole world is <phr type="ampl" subtype="g" part="N">denied</phr> to those persons only who are in the <rs>imperial service</rs>?</s>

<s corresp="#nov-val_32.0.s4" n="en5" xml:lang="en" part="N"><seg corresp="#nov-val_32.0.c1" part="N">Therefore I <phr function="cmdw" part="N">decree</phr> that persons employed in any <rs>administrative position or office</rs> whatever or in any grade of the <rs>imperial service</rs> shall have the same right to buy as <rs>all other persons</rs>, provided only that the <rs>purchase and sale</rs> shall be executed according to the common law.</seg></s>

<s corresp="#nov-val_32.0.s5" n="en6" xml:lang="en" part="N"><seg corresp="#nov-val_32.0.c2" part="N">It is <phr function="cmdw" part="N">My will</phr> that no person shall be <phr subtype="c" type="ampl" part="N"><compelled</phr> to such transaction by the order of an authority and by <phr subtype="c" type="ampl" part="N">duress</phr>.</seg></s>

<s corresp="#nov-val_32.0.s6" n="en7" xml:lang="en" part="N"><seg corresp="#nov-val_32.0.c3" part="N">The price that has been defined and stated in writing shall be paid to the <rs>person who wishes to sell</rs>.</seg></s>

<s corresp="#nov-val_32.0.s7" n="en8" xml:lang="en" part="N">The <rs>writer</rs> of the instruments shall see, those persons shall know <rs>with whom it is necessary that the document of sale shall be filed</rs>.</s>

<s corresp="#nov-val_32.0.s8" n="en9" xml:lang="en" part="N">It makes no difference who <rs>buys</rs>, since the <rs>seller</rs> obtains the price in accordance with the public faith.</s>

</ab>

<ab xml:id="nov-val_32.1" type="caput" part="N">

<milestone unit="latin" /> 1. <s xml:id="nov-val_32.1.s1" n="la10" xml:lang="la" part="N"><seg xml:id="nov-val_32.1.c1" part="N">Quod si <rs>emptor</rs> <rs>officio et administratione</rs> perfunctus intra anni metas aut super <rs>illata</rs>

<phr xml:id="nov-val_32.1.s1.p1" type="ampl" subtype="g" part="N"><w lemma="violentia" part="N">violentia</w></phr>, lege conscripta (metu) <phr xml:id="nov-val_32.1.s1.p2" type="ampl" subtype="c" part="N"><w lemma="carcer" part="N">carceris</w></phr>, <phr

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        xml:id="nov-val_32.1.s1.p3" type="ampl" subtype="c" part="N"><w
        lemma="catena" part="N">catenarum</w></phr>, <phr type="ampl"
        subtype="c" part="N"><w lemma="custodia" part="N">custodiae</w></phr>
        publicae vel privatae vel in quolibet genere factionis, aut non adnumerato
        pretio evidenter fuerit <phr xml:id="nov-val_32.1.s1.p4" type="ampl"
        subtype="g" part="N"><w lemma="confuto" part="N">confutatus</w></phr> vel
        se de <rs>iudicio</rs>
    <phr xml:id="nov-val_32.1.s1.p5" type="ampl" subtype="c" part="N"><w
        lemma="tergiversor" part="N">tergiversatione</w></phr> subtraxerit et
        agat, ne gestae rei veritas possit agnosci, <rs>venditori</rs> solidorum
        numerum inferat, qui tabulis continetur, possessionem nihilominus <phr
        xml:id="nov-val_32.1.s1.p6" type="ampl" subtype="g" part="N"><w
        lemma="perdo" part="N">perditurus</w></phr>, </seg> ut ad
        <rs>dominum</rs> redeat, cui taliter probatur ablata.</s>
    <milestone unit="english" /> 1. <s corresp="#nov-val_32.1.s1" n="en10"
        xml:lang="en" part="N"><seg corresp="#nov-val_32.1.c1" part="N">But if the
        <rs>buyer</rs> has completed the service of his <rs>office or his
        administrative duty</rs> and if within the limits of a year he should
        evidently be <rs>convicted</rs>, either of having employed the kind of <phr
        type="ampl" subtype="g" part="N">violence</phr> that is specified in the
        law, namely, that of <phr subtype="c" type="ampl" part="N">prison</phr>,
        <phr subtype="c" type="ampl" part="N">chains</phr>, or public or private
        <phr subtype="c" type="ampl" part="N">custody</phr>, or as <phr
        type="ampl" subtype="g" part="N">guilty</phr> of any kind of conspiracy,
        or of not paying the price, or if he should withdraw himself from the
        <rs>court</rs> by <phr subtype="c" type="ampl" part="N">subterfuge</phr>
        and should bring about that the truth of the transaction cannot be learned,
        he shall pay to the <rs>seller</rs> the number of solidi that are stated in
        the documents of sale, and nonetheless he shall <phr type="ampl" subtype="g"
        part="N">lose</phr> the possession,</seg> so that it shall return to the
        <rs>owner</rs> from whom it is proved to have been taken in such a
        manner.</s>
    </ab>
    <ab xml:id="nov-val_32.2" type="caput" part="N">
        <milestone unit="latin" /> 2. <s xml:id="nov-val_32.2.s1" n="la11" xml:lang="la"
            part="N"><seg xml:id="nov-val_32.2.c1" part="N">Item si <rs>venditor</rs> nihil
            horum sustineat, quae ponimus, et <phr type="ampl" subtype="c" part="N"><w
                lemma="callidus" part="N">callida</w></phr> refragatione causetur,
            manente contractu perpetua firmitate et pecuniam reddat <rs>emptori</rs>,
            quam eum in pretium constiterit accepisse.</seg></s>
        <milestone unit="english" /> 2. <s corresp="#nov-val_32.2.s1" n="en11"
            xml:lang="en" part="N"><seg corresp="#nov-val_32.2.c1" part="N">Likewise if the
            <rs>seller</rs> should sustain none of these wrongs which We mention here
            but should so claim with <phr subtype="c" type="ampl" part="N">clever</phr>
            contradiction, the contract shall remain with perpetual validity, and he
            shall return to the <rs>buyer</rs> the money which it appears that he had
            received as a price.</seg></s>
    </ab>
    <ab xml:id="nov-val_32.3" type="caput" part="N">
        <milestone unit="latin" /> 3. <s xml:id="nov-val_32.3.s1" n="la12" xml:lang="la"
            part="N"><seg xml:id="nov-val_32.3.c1" part="N">Hac <phr type="ampl"
                subtype="c" part="N"><w lemma="sanctio" part="N">sanctione</w></phr> eos
                quoque <phr xml:id="nov-val_32.3.s1.p1" function="cmdw" part="N"
                >iubemus</phr> esse munitos, quos <rs>administrantes</rs> et ulla
                gerentes <rs>officia</rs>
                <rs>praedia rustica vel urbana</rs> certum est dato pretio
                comparasse.</seg></s>
        <milestone unit="english" /> 3. <s corresp="#nov-val_32.3.s1" n="en12"
            xml:lang="en" part="N"><seg corresp="#nov-val_32.3.c1" part="N">By this <phr
                subtype="c" type="ampl" part="N">sanction</phr> We also <phr
                function="cmdw" part="N">order</phr> that if it is certain that
                <rs>administrators</rs> and those who hold any <rs>offices</rs> have
                bought <rs>rustic or urban landed estates</rs> for a given price, they shall
                be protected.</seg></s>
    </ab>
    <ab xml:id="nov-val_32.4" type="caput" part="N">
        <milestone unit="latin" /> 4. <s xml:id="nov-val_32.4.s1" n="la13" xml:lang="la"
            part="N"><seg xml:id="nov-val_32.4.c1" part="N">Donationes quoque habitas et
                commutationes circa eas personas, quarum <phr xml:id="nov-val_32.4.s1.p1"
                type="ampl" subtype="g" part="N"><w lemma="immerito" part="N"
                >immerito</w></phr> hactenus <rs>emptio</rs> fluctuabat, similiter
                <phr xml:id="nov-val_32.4.s1.p2" function="cmdw" part="N"
                >roboramus</phr>.</seg></s>
        <s xml:id="nov-val_32.4.s2" n="la14" xml:lang="la" part="N">Ita fit, ut in
            <rs>actu publico positos</rs> fidelius <phr xml:id="nov-val_32.4.s2.p1"
            type="ampl" subtype="c" part="N"><w lemma="laboro" part="N"
            >laborare</w></phr> delectet, cum vident seu <rs>emptione</rs> seu
            commutatione, quae instar obtinet emptionis, seu donatione seu alio quolibet
            titulo venientia apud se posterosque suos inconvulsa mansura.</s>
        <milestone unit="english" /> 4. <s corresp="#nov-val_32.4.s1" n="en13"
            xml:lang="en" part="N"><seg corresp="#nov-val_32.4.c1" part="N">In a similar
            manner We <phr function="cmdw" part="N">corroborate</phr> gifts and
            exchanges that have been made, with respect to those persons whose <rs>right
            of purchase</rs> has heretofore <phr type="ampl" subtype="g" part="N"
            >unjustly</phr> wavered.</seg></s>
        <s corresp="#nov-val_32.4.s2" n="en14" xml:lang="en" part="N">Thus it will be
            effected that persons employed in <rs>active public service</rs> will delight
            to <phr subtype="c" type="ampl" part="N">labor</phr> the more faithfully when
            they see that property which comes to them by <rs>purchase</rs>, by exchange

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which has the likeness of purchase, by gift, or by any other title whatever,
will remain unshaken in their ownership and that of their posterity.</s>

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</ab>
<ab xml:id="nov-val_32.5" type="caput" part="N">
  <milestone unit="latin" /> 5. <s xml:id="nov-val_32.5.s1" n="la15" xml:lang="la"
    part="N">Si quis <rs>curiali venditori</rs> aliqua <phr
      xml:id="nov-val_32.5.s1.p1" type="ampl" subtype="c" part="N"><w
        lemma="laboro" part="N">laboranti</w></phr>
      <phr type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
        >necessitate</w></phr> subvenit, cum modo ab <rs>exactore fiscalium
        functionum</rs>, modo a <rs>creditoribus</rs> urgueretur, et is sine cautela
        vendidit, quam <phr type="ampl" subtype="c" part="N"><w lemma="premo" part="N"
          >premente</w></phr>
      <phr xml:id="nov-val_32.5.s1.p2" type="ampl" subtype="g" part="N"><w
        lemma="iniuria" part="N">iniuria</w></phr> quaerere non vacabat, ne
        diutius <phr xml:id="nov-val_32.5.s1.p3" type="ampl" subtype="g" part="N"><w
          lemma="suspendium" part="N">suspendiis</w></phr>, <phr
            xml:id="nov-val_32.5.s1.p4" type="ampl" subtype="g" part="N"><w
              lemma="squalor" part="N">squalore</w></phr>
          <phr xml:id="nov-val_32.5.s1.p5" type="ampl" subtype="c" part="N"><w
            lemma="custodia" part="N">custodiae</w></phr>, sportulae <phr
              xml:id="nov-val_32.5.s1.p6" type="ampl" subtype="c" part="N"><w
                lemma="concussio" part="N">concussione</w></phr>, usuris in maiorem
                cumulum crescentibus <phr xml:id="nov-val_32.5.s1.p7" type="ampl" subtype="c"
                  part="N"><w lemma="vexo" part="N">vexaretur</w></phr>, cur non maneat
                  venditio, quae praestitit <phr xml:id="nov-val_32.5.s1.p8" type="ampl"
                    subtype="g" part="N"><w lemma="obnoxius" part="N">obnoxium</w></phr> a <phr
                      xml:id="nov-val_32.5.s1.p9" type="ampl" subtype="c" part="N"><w
                        lemma="dispendium" part="N">dispendiis</w></phr> et <phr
                          xml:id="nov-val_32.5.s1.p10" type="ampl" subtype="g" part="N"><w
                            lemma="supplicium" part="N">suppliciis</w></phr> liberari?</s>
        <s xml:id="nov-val_32.5.s2" n="la0" xml:lang="la" part="N">alii <phr
          xml:id="nov-val_32.5.s2.p1" type="ampl" subtype="g" part="N"><w
            lemma="destitutio" part="N">destituta</w></phr> atque <phr
              xml:id="nov-val_32.5.s2.p2" type="ampl" subtype="g" part="N"><w
                lemma="incultus" part="N">inculta</w></phr> propterea vendiderunt, quia
                <phr xml:id="nov-val_32.5.s2.p3" type="ampl" subtype="g" part="N"><w
                  lemma="ieiunus" part="N">ieiuni</w></phr> cespitis <phr
                    xml:id="nov-val_32.5.s2.p4" type="ampl" subtype="g" part="N"><w
                      lemma="onerosus" part="N">onerosam</w></phr>
                  <rs>professionem</rs> non poterant sustinere.</s>
        <s xml:id="nov-val_32.5.s3" n="la1" xml:lang="la" part="N"><phr
          xml:id="nov-val_32.5.s3.p1" type="ampl" subtype="g" part="N"><w
            lemma="iniquus" part="N">iniquum</w></phr> est tam iustis praecedentibus
            causis confectae <rs>venditioni</rs> ob hoc solum, quia decreti interpositio
            <phr xml:id="nov-val_32.5.s3.p2" type="ampl" subtype="g" part="N"><w
              lemma="desum" part="N">defuit</w></phr>, adimi firmitatem.</s>
        <s xml:id="nov-val_32.5.s4" n="la2" xml:lang="la" part="N"><seg
          xml:id="nov-val_32.5.c1" part="N"><phr xml:id="nov-val_32.5.s4.p1"
            function="cmdw" part="N">statuo</phr> itaque a tempore, quo
            <rs>Italiam</rs>
            <rs>Alaricus</rs> intravit, nullam moveri quaestionem his, quae
            <rs>curiales</rs> taliter de facultatibus propriis
            <rs>vendiderunt</rs>.</seg></s>
        <s xml:id="nov-val_32.5.s5" n="la3" xml:lang="la" part="N"><seg
          xml:id="nov-val_32.5.c2" part="N">A die sane latae huius saluberrimae
          iussionis cum <rs>praedia</rs> sua distrahunt <rs>curiales</rs>,
          <rs>primores etiam curiae</rs>, qui vendendi <phr type="ampl" subtype="c"
            part="N"><w lemma="necessitas" part="N">necessitatem</w></phr>
          <phr xml:id="nov-val_32.5.s5.p1" type="ampl" subtype="c" part="N"><w
            lemma="ignoro" part="N">ignorare</w></phr> non possunt, in
          <rs>collegae</rs> venditione subscribant.</seg></s>
        <s xml:id="nov-val_32.5.s6" n="la4" xml:lang="la" part="N"><seg
          xml:id="nov-val_32.5.c3" ana="#ncp" part="N">Hoc ordine omnis causatio
          sopietur nec <rs>emptor</rs> his auctoribus quicquam de resultatione <phr
            xml:id="nov-val_32.5.s6.p1" type="ampl" subtype="g" part="N"><w
              lemma="formido" part="N">formidat</w></phr> nec <rs>venditor</rs>
              potest sub tali adsertione <phr xml:id="nov-val_32.5.s6.p2" type="ampl"
                subtype="g" part="N"><w lemma="fraudo" part="N"
                  >fraudari</w></phr>.</seg></s>
        <s xml:id="nov-val_32.5.s7" n="la5" xml:lang="la" part="N"><seg
          xml:id="nov-val_32.5.c4" part="N">Quem si <phr xml:id="nov-val_32.5.s7.p1"
            type="ampl" subtype="g" part="N"><w lemma="decipio" part="N"
              >deceptum</w></phr>
          <phr xml:id="nov-val_32.5.s7.p2" type="ampl" subtype="c" part="N"><w
            lemma="opprimo" part="N">oppressumve</w></phr> claruerit, ab ipsis
            etiam <rs>subscriberibus</rs> reddi <phr xml:id="nov-val_32.5.s7.p3"
              function="cmdw" part="N">iubemus</phr> indemnem,</seg> ut utilitati eius
            cum <rs>emptore</rs>
          <phr xml:id="nov-val_32.5.s7.p4" type="ampl" subtype="g" part="N"><w
            lemma="improbis" part="N">improbo</w></phr> pariter <phr type="ampl"
              subtype="c" part="N"><w lemma="addico" part="N">addicantur</w></phr>.</s>
        <milestone unit="english" /> 5. <s corresp="#nov-val_32.5.s1" n="en15"
          xml:lang="en" part="N">If any person should come to the aid of a <rs>decursion
            seller</rs> who is <phr subtype="c" type="ampl" part="N">suffering</phr>
            from some <phr subtype="c" type="ampl" part="N">necessity</phr>, when now he is
            pressed by the <rs>collector of the fiscal taxes</rs>, now by his
            <rs>creditors</rs>, and if the decursion should sell without a security,
            since under <phr subtype="c" type="ampl" part="N">pressure</phr> of his <phr
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        type="ampl" subtype="g" part="N">difficulty</phr> he was not free to obtain
one, in order that he might not be <phr subtype="c" type="ampl" part="N"
>harassed</phr> any longer by the <phr type="ampl" subtype="g" part="N"
>torture of hanging</phr>, by the <phr type="ampl" subtype="g" part="N"
>squalor</phr> of <phr subtype="c" type="ampl" part="N">prison</phr>, by the
<phr subtype="c" type="ampl" part="N">extortion</phr> of a fee, by the
interest that is increasing into a greater mass, why should such a sale not
remain valid, since it enabled an <phr subtype="c" type="ampl" part="N"
>obligated</phr> person to be freed from <phr subtype="c" type="ampl"
part="N">loss</phr> and <phr type="ampl" subtype="g" part="N"
>punishments</phr>?</s>
<s corresp="#nov-val_32.5.s2" n="en0" xml:lang="en" part="N">Other decurions have
sold <phr type="ampl" subtype="g" part="N">abandoned</phr> and <phr type="ampl"
subtype="g" part="N">uncultivated</phr> lands because they were not able to
sustain the <phr type="ampl" subtype="g" part="N">burdensome</phr>
<rs>tax assessment</rs> of <phr type="ampl" subtype="g" part="N">barren</phr>
land.</s>
<s corresp="#nov-val_32.5.s3" n="en1" xml:lang="en" part="N">It is <phr
type="ampl" subtype="g" ana="#meta" part="N">inequitable</phr> that when
such just causes precede, a <rs>sale</rs> thus made should be deprived of
validity for the sole reason that the interposition of a decree was <phr
type="ampl" subtype="g" part="N">lacking</phr>.</s>
<s corresp="#nov-val_32.5.s4" n="en2" xml:lang="en" part="N"><seg
corresp="#nov-val_32.5.c1" part="N">Therefore I <phr function="cmdw"
part="N">decree</phr> that from the time when <rs>Alaric</rs> entered
<rs>Italy</rs>, no action shall be brought with reference to those
properties which <rs>decurions</rs> have <rs>sold</rs> from their own
resources in such a manner.</seg></s>
<s corresp="#nov-val_32.5.s5" n="en3" xml:lang="en" part="N"><seg
corresp="#nov-val_32.5.c2" part="N">Of course, from the day of the issuance
of this most salutary order, when a <rs>decurion</rs> sells his <rs>landed
estate</rs>, <rs>the primates of the municipal council also</rs>, who
cannot be <phr subtype="c" type="ampl" part="N">ignorant</phr> of the <phr
subtype="c" type="ampl" part="N">necessity</phr> of his selling, shall
subscribe to the sale of their <rs>colleague</rs>.</seg></s>
<s corresp="#nov-val_32.5.s6" n="en4" xml:lang="en" part="N"><seg
corresp="#nov-val_32.5.c3" ana="#ncp" part="N">In this manner all disputes
shall be quieted, and the <rs>buyer</rs> shall not <phr type="ampl"
subtype="g" part="N">fear</phr> any rescission of the sale, since these
persons are authorizers, nor can the <rs>seller</rs> be <phr type="ampl"
subtype="g" part="N">defrauded</phr> under such a claim.</seg></s>
<s corresp="#nov-val_32.5.s7" n="en5" xml:lang="en" part="N"><seg
corresp="#nov-val_32.5.c4" part="N">But if it should become clear that the
seller has been <phr type="ampl" subtype="g" part="N">deceived</phr> or <phr
subtype="c" type="ampl" part="N">oppressed</phr>, We <phr function="cmdw"
part="N">order</phr> that he shall be rendered secure from loss by the
<rs>subscribers</rs> themselves also,</seg> so that they equally with the
<phr type="ampl" subtype="g" part="N">wrongful</phr>
<rs>buyer</rs> shall be <phr subtype="c" type="ampl" part="N">assigned</phr> to
his interests.</s>
</ab>
<ab xml:id="nov-val_32.6" type="caput" part="N">
<milestone unit="latin" /> 6. <s xml:id="nov-val_32.6.s1" n="la6" xml:lang="la"
part="N">Non <phr type="ampl" subtype="c" part="N"><w lemma="patior" part="N"
>patimur</w></phr> praeterea nonnullorum alio genere iura <phr
xml:id="nov-val_32.6.s1.p1" type="ampl" subtype="g" part="N"><w
lemma="turbo" part="N">turbari</w></phr>.</s>
<s xml:id="nov-val_32.6.s2" n="la7" xml:lang="la" part="N">notum est post <phr
xml:id="nov-val_32.6.s2.p1" type="ampl" subtype="c" part="N"><w
lemma="fatalis" part="N">fatalem</w></phr>
<phr xml:id="nov-val_32.6.s2.p2" type="ampl" subtype="g" part="N"><rs><w
lemma="hostis" part="N">hostium</w></rs></phr>
<phr xml:id="nov-val_32.6.s2.p3" type="ampl" subtype="g" part="N"><w
lemma="ruina" part="N">ruinam</w></phr>, qua <rs>Italia</rs>
<phr xml:id="nov-val_32.6.s2.p4" type="ampl" subtype="c" part="N"><w
lemma="laboro" part="N">laboravit</w></phr>, in quibusdam regionibus et
<rs>causidicos</rs> et <rs>iudices</rs>
<phr xml:id="nov-val_32.6.s2.p5" type="ampl" subtype="g" part="N"><w
lemma="desum" part="N">defuisse</w></phr> hodieque gnaros iuris et legum
aut raro aut minime reperiri.</s>
<s xml:id="nov-val_32.6.s3" n="la8" xml:lang="la" part="N">Nam haec <phr
type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
>necessitas</w></phr> fecit perpetuitatem dari <rs>provincialibus
advocatis</rs>.</s>
<milestone unit="english" /> 6. <s corresp="#nov-val_32.6.s1" n="en6"
xml:lang="en" part="N">Moreover, We do not <phr subtype="c" type="ampl"
part="N">allow</phr> the laws to be <phr type="ampl" subtype="g" part="N"
>disturbed</phr> by another kind of person.</s>
<s corresp="#nov-val_32.6.s2" n="en7" xml:lang="en" part="N">For it is well known
that after the <phr subtype="c" type="ampl" part="N">fatal</phr>
<phr type="ampl" subtype="g" part="N">destruction</phr> of the <phr type="ampl"
subtype="g" part="N"><rs>enemy</rs></phr>, from which <rs>Italy</rs>
<phr subtype="c" type="ampl" part="N">suffered</phr>, in certain regions both
<rs>advocates</rs> and <rs>judges</rs> were <phr type="ampl" subtype="g"
part="N">lacking</phr>, and today men learned in the law and the statutes
are found either rarely or not at all.</s>
<s corresp="#nov-val_32.6.s3" n="en8" xml:lang="en" part="N">For this <phr
subtype="c" type="ampl" part="N">necessity</phr> has caused perpetual
tenure's to be given to the <rs>provincial advocates</rs>.</s>

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</ab>
<ab xml:id="nov-val_32.7" type="caput" part="N">
  <milestone unit="latin" /> 7. <s xml:id="nov-val_32.7.s1" n="la9" xml:lang="la"
    part="N">In diversis <rs>provinciis</rs> vacuas <rs>curias</rs> derelinquant,
    qui certatim ad privilegia <rs>causidicis</rs> illustris <rs>praetorianae</rs>
    sedis atque <rs>urbanae</rs> delata festinant: cum meliores natalibus suis
    effici volunt, non curant <rs>urbes</rs> proprias <phr
      xml:id="nov-val_32.7.s1.p1" type="ampl" subtype="g" part="N"><w
        lemma="spolio" part="N">spoliatas</w></phr>
      <rs>ministeriis et officiis debitis</rs>
    <phr xml:id="nov-val_32.7.s1.p2" type="ampl" subtype="g" part="N"><w
      lemma="intereo" part="N">interire</w></phr>.</s>
  <s xml:id="nov-val_32.7.s2" n="la10" xml:lang="la" part="N">nos neque meliora
    desideria <phr xml:id="nov-val_32.7.s2.p1" function="cmdw" part="N"
      >volumus</phr> impedire neque passim <phr xml:id="nov-val_32.7.s2.p2"
        type="ampl" subtype="g" part="N"><w lemma="destituo" part="N"
          >destitui</w></phr>
      <rs>civitates</rs>.</s>
  <s xml:id="nov-val_32.7.s3" n="la11" xml:lang="la" part="N"><seg
    xml:id="nov-val_32.7.c1" part="N">Quisquis ergo ad hoc <rs>officium</rs>
    venire contendit, non ante sibi sciat esse permissum quam universa
    <rs>munia</rs>, quae <rs>patriae</rs> suae debet, exsolvat.</seg></s>
  <s xml:id="nov-val_32.7.s4" n="la12" xml:lang="la" part="N"><seg
    xml:id="nov-val_32.7.c2" part="N">cuius tamen <phr
      xml:id="nov-val_32.7.s4.p1" function="cmdw" part="N">indulgemus</phr>
      arbitrio, ut, si ad <rs>togam</rs> properat, suffectum <rs>curiae</rs>
      praestet, cuius studio perficiat universa, quae per ipsum fuerant
      procuranda.</seg></s>
  <s xml:id="nov-val_32.7.s5" n="la13" xml:lang="la" part="N"><seg
    xml:id="nov-val_32.7.c3" part="N">Nec se absolutum statim credat adpositione
    subiecti, quia, si <phr xml:id="nov-val_32.7.s5.p1" type="ampl" subtype="g"
      part="N"><w lemma="inefficax" part="N">inefficax</w></phr> ullo debito
      actu fuerit, recursum ad ipsum <phr xml:id="nov-val_32.7.s5.p2"
        function="cmdw" part="N">praebemus</phr> auctorem, nihilominus ad eos
      <rs>concuriales</rs>, qui minus idoneum susceperunt.</seg></s>
  <s xml:id="nov-val_32.7.s6" n="la14" xml:lang="la" part="N"><seg
    xml:id="nov-val_32.7.c4" part="N"><rs>Professurus</rs> igitur gesta secum
    deferat apud <rs>moderatores</rs> confecta <rs>provinciae</rs>,</seg> ut et
    officio <rs>iudicis</rs> notum sit, locum absentis quae persona susceperit,
    quae possit <rs>publicis</rs> necessitatibus sufficiens dare responsum: hac
    providentia nihil <phr xml:id="nov-val_32.7.s6.p1" type="ampl" subtype="g"
      part="N"><w lemma="neglegens" part="N">neglegens</w></phr> et <phr
      xml:id="nov-val_32.7.s6.p2" type="ampl" subtype="g" part="N"><w
        lemma="intutus" part="N">intutum</w></phr> potest <rs>urbibus</rs>
    evenire.</s>
  <milestone unit="english" /> 7. <s corresp="#nov-val_32.7.s1" n="en9"
    xml:lang="en" part="N">In various <rs>provinces</rs> the <rs>municipal
      councils</rs> are being left vacant by those who are hastening emulously to
      the privileges conferred upon <rs>advocates</rs> of the court of the
      Illustrious <rs>praetorian prefects</rs> and that of the <rs>prefect of the
      City</rs><supplied resp="#pharr" instant="false">.</supplied> When they wish
      to be made better than their birth status, they do not care that their own
      <rs>cities</rs> are <phr type="ampl" subtype="g" part="N">despoiled</phr> of
      their <rs>due services and offices</rs> and are <phr type="ampl" subtype="g"
        part="N">dying</phr>.</s>
  <s corresp="#nov-val_32.7.s2" n="en10" xml:lang="en" part="N">It is <phr
      function="cmdw" part="N">Our will</phr> that neither shall the better
      desires of men be impeded nor shall the <rs>municipalities</rs> everywhere be
      made <phr subtype="c" type="ampl" part="N">destitute</phr>.</s>
  <s corresp="#nov-val_32.7.s3" n="en11" xml:lang="en" part="N"><seg
    corresp="#nov-val_32.7.c1" part="N">Therefore, if any person should strive
      to come to this <rs>office</rs>, he shall know that he will not be permitted
      to do so before he has discharged all the <rs>compulsory public
      services</rs> which he owes to his <rs>municipality</rs>.</seg></s>
  <s corresp="#nov-val_32.7.s4" n="en12" xml:lang="en" part="N"><seg
    corresp="#nov-val_32.7.c2" part="N">However, We <phr function="cmdw"
      part="N">grant indulgence</phr> to his decision, so that if he is
      hastening to the <rs>toga</rs>, he shall furnish a substitute to the
      <rs>municipal council</rs>, by whose zeal he may perform all the services
      which should have been provided through himself.</seg></s>
  <s corresp="#nov-val_32.7.s5" n="en13" xml:lang="en" part="N"><seg
    corresp="#nov-val_32.7.c3" part="N">He shall not suppose that he is
      immediately absolved by the appointment of a substitute, because if such
      substitute should be <phr type="ampl" subtype="g" part="N">inefficient</phr>
      in any due service, We <phr function="cmdw" part="N">grant</phr> recourse to
      the author himself, and nonetheless to his fellow <rs>decurions</rs> who
      accepted an unsuitable person.</seg></s>
  <s corresp="#nov-val_32.7.s6" n="en14" xml:lang="en" part="N"><seg
    corresp="#nov-val_32.7.c4" part="N">Therefore, if a person is going to enter
      the profession of <rs>advocacy</rs>, he shall bring with him records that
      are executed before the <rs>governor</rs> of the <rs>province</rs>,</seg> so
      that the office of the <rs>judge</rs> shall know what person has undertaken the
      place of the absentee and who can adequately fulfill the <rs>public</rs>
      needs<supplied resp="#pharr" instant="false">.</supplied> By such foresight,
      nothing <phr type="ampl" subtype="g" part="N">negligent</phr> or <phr
        type="ampl" subtype="g" part="N">unguarded</phr> can befall the
      <rs>cities</rs>.</s>
  </ab>
  <ab xml:id="nov-val_32.8" type="caput" part="N">

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<milestone unit="latin" /> 8. <s xml:id="nov-val_32.8.s1" n="la15" xml:lang="la"
  part="N"><seg xml:id="nov-val_32.8.c1" part="N"><phr
    xml:id="nov-val_32.8.s1.p1" function="cmdw" part="N">Iubeo</phr> sane,
    ut, si in <rs>provinciali foro</rs> quattuor constat esse
    <rs>causidicos</rs>, quorum patrociniū in controversia parti possit
    utrique sufficere, cum voluerit, is, qui ultra memoratum modum potuerit
    inveniri, veniat ad praedictas <rs>sedes</rs> ob negotia
    peroranda.</seg></s>
<s xml:id="nov-val_32.8.s2" n="la0" xml:lang="la" part="N"><seg
  xml:id="nov-val_32.8.c2" part="N">Alioquin <phr type="ampl" subtype="c"
    part="N"><w lemma="licentia" part="N">licentiam</w></phr> non habebit, si
    illic non fuerit numerus designatus.</seg></s>
<s xml:id="nov-val_32.8.s3" n="la1" xml:lang="la" part="N">Provideri enim decet,
  ne <rs>provinciales</rs>
  <phr xml:id="nov-val_32.8.s3.p1" type="ampl" subtype="c" part="N"><rs><w
    lemma="tenuis" part="N">tenues</w></rs></phr> homines <phr
    xml:id="nov-val_32.8.s3.p2" type="ampl" subtype="c" part="N"><w
    lemma="defensio" part="N">defensionis</w></phr>
  <phr xml:id="nov-val_32.8.s3.p3" type="ampl" subtype="g" part="N"><w
    lemma="inops" part="N">inopia</w></phr> ad <rs>auditoria</rs> sumptuosa
    venire <phr xml:id="nov-val_32.8.s3.p4" type="ampl" subtype="c" part="N"><w
    lemma="cogo" part="N">cogantur</w></phr></s>
<s xml:id="nov-val_32.8.s4" n="la2" xml:lang="la" part="N"><seg
  xml:id="nov-val_32.8.c3" part="N">is ergo in <rs>illustribus iudiciis</rs>
    ad actionem causarum debet admitti, qui probat relatione <rs>iudicis</rs>
    competentis tantos intra <rs>provinciam</rs> sibi creditam esse
    <rs>causidicos</rs>, qui possint controversiae sustinere <phr
    xml:id="nov-val_32.8.s4.p1" type="ampl" subtype="c" part="N"><w
    lemma="conflictus" part="N">conflictum</w></phr>, </seg> Firmine parens
    karissime atque amantissime.</s>
</ab>
<milestone unit="english" /> 8. <s corresp="#nov-val_32.8.s1" n="en15"
  xml:lang="en" part="N"><seg corresp="#nov-val_32.8.c1" part="N">I <phr
    function="cmdw" part="N">order</phr>, of course, that if it should be
    proved that in a <rs>provincial forum</rs> there are four <rs>advocates</rs>
    whose defense can be sufficient to both parties in a controversy, that
    advocate who can be discovered beyond the aforesaid number, when he so
    wishes, may come to the aforesaid <rs>courts</rs> to plead cases.</seg></s>
<s corresp="#nov-val_32.8.s2" n="en0" xml:lang="en" part="N"><seg
  corresp="#nov-val_32.8.c2" part="N">Otherwise he shall not have such <phr
    subtype="c" type="ampl" part="N">right</phr>, if the designated number
    should not be there.</seg></s>
<s corresp="#nov-val_32.8.s3" n="en1" xml:lang="en" part="N">For it is seemly that
  provision should be made that <rs>provincials</rs> who are <phr subtype="c"
    type="ampl" part="N"><rs>poor</rs></phr> may not be <phr subtype="c"
    type="ampl" part="N">compelled</phr> by <phr type="ampl" subtype="g"
    part="N">lack</phr> of <phr subtype="c" type="ampl" part="N">defense</phr>
    to come to the expensive <rs>courts</rs>.</s>
<s corresp="#nov-val_32.8.s4" n="en2" xml:lang="en" part="N"><seg
  corresp="#nov-val_32.8.c3" part="N">Therefore those advocates must be
    admitted to plead cases in the <rs>Illustrious courts</rs> if they prove by
    the report of the competent <rs>judge</rs> that there are enough
    <rs>advocates</rs> in the <rs>province</rs> that has been entrusted to
    him to be able to sustain the <phr subtype="c" type="ampl" part="N"
    >conflict</phr> of the controversies,</seg> O Firminus, dearest and most
    beloved Father.</s>
</ab>
<ab xml:id="nov-val_32.9" type="caput" part="N">
  <milestone unit="latin" /> 9. <s xml:id="nov-val_32.9.s1" n="la3" xml:lang="la"
    part="N">Illustris igitur et praecelsa magnitudo tua hanc saluberrimam <phr
      type="ampl" subtype="c" part="N"><w lemma="sanctio" part="N"
      >sanctionem</w></phr> programme suo ad universorum faciet notitiam
      pervenire.</s>
  <milestone unit="english" /> 9. <s corresp="#nov-val_32.9.s1" n="en3"
    xml:lang="en" part="N">Therefore Your Illustrious and Excellent Magnitude by
    your edict shall cause to come to the knowledge of all this most salutary <phr
      subtype="c" type="ampl" part="N">sanction</phr>.</s>
</ab>
<ab xml:id="nov-val_32.subs" type="subs" part="N">
  <milestone unit="latin" />
  <s xml:id="nov-val_32.subs.s1" n="la4" xml:lang="la" part="N">Dat. prid. kal. Feb.
    <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
    adelfio vc. cons. <date when="0451-01-31" instant="false">(451 Ian.
    31)</date>.</s>
  <milestone unit="english" />
  <s corresp="#nov-val_32.subs.s1" n="en4" xml:lang="en" part="N">Given on the day
    before the kalends of February at <placeName instant="false" full="yes"
    >Rome</placeName> in the year of the consulship of the Most Noble Adelphius.
    - <date instant="false">January 31, 451</date>.</s>
</ab>
<ab xml:id="nov-val_32.intr" type="intr" part="N">
  <milestone unit="latin" /> INTERPRETATIO. Haec lex praecipit, ut, quia in
  administratione positus vel in quolibet officio militantibus leges anteriores id
  specialiter praescribebant, ut nihil aut comparare aut commutare aut donatum
  suscipere tempore militiae vel administrationis eis ulla ratione liceret: sed nunc
  Valentiniani imperatoris hac lege praeceptum est, ut omnes administrantes vel
  militantes aut in quocumque officio publico constituti sunt et comparandi et
  commutandi et accipiendi donationis titulo habeant liberam potestatem. solum est,
  ut nullus probet huiusmodi scripturas aut per metum aut per fraudem suppositae
  personae aut violenter extortas, id est aut in carcere constituto aut in

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quibuslibet vinculis posito aut aliquod se tormentorum genere suppliciorumque perpesso aut forsitan pretium se, quod instrumentis scriptum est, non docuerit percepisse. tunc vero non solum instrumentum, si fuerit, vacuatur, sed talis emptor et possessionem reddat et pretium venditori, quod instrumentis continetur insertum, cogatur implere. Si vero nihil horum venditor, ut dictum est, fortasse pertulerit et contra venditionem hanc voluntarie factam sub tali obiectione venire temptaverit cum proposita poena, quam non valuerit comprobare, merito durante possessione in iure illius, a quo fuerit comparata, pretium venditor quod accepit emptori, cui calumniam intulit, absque ulla dilatione restituat. curiales etiam, quibus hucusque sine decreti interpositione res suas vendere aut alienare a corpore curiae non licebat, si certa fuerint necessitate constricti, ut debitum, quod pro utilitate publica contraxit, dum creditorum poenas metuit, supplere festinet, quidquid sub tali necessitate vendiderit, omni firmitate subsistat. Nec interpositio decreti quaeratur, sed tantum concuriales sui, quos necessitas eius poterit non latere, in ea venditione subscribant. Et nihil emptori de empti re calumniae penitus opponatur, sed rem comparatam emptor perpetuo iure possideat: ita tamen, ut si forsitan aliqua fraude, intercedentibus concurialibus suis qui subscriptores iubentur accedere, venditor se probaverit fuisse deceptum, tam emptoris quam subscriptoris dispendio venditor reddatur indemnus. curiales vero, si ad advocacionem venire voluerint aut aliquam militiam sperare, provideant huiusmodi personas, quae munia ipsorum debeant expedire, provisuri, ut nihil per eos rei publicae possit imminui. Nam ad se omne dispendium noverint pertinere et se ad locum, in quo alium substituerant, revocandos. reliquum vero huius legis ideo interpretatum non est, quia hoc in usu provinciae istae non habent.

<milestone unit="english" />INTERPRETATION: Because the former laws20

specifically prescribed that persons placed in administrative positions and those who perform imperial service in any office whatever should not be permitted in any manner either to buy or to exchange anything or to accept any gift at the time of their imperial service or administrative position, this law of the Emperor Valentinian now commands that all administrators, persons in the imperial service, or persons employed in any public office whatever shall have the unrestricted power to buy and to exchange and to accept property by title of gift. The only limitation is that no person shall prove that such documents were extorted either through fear or through the fraud of a supposititious person or through violence, that is, either from a person confined in a prison or placed in any chains whatever or from one who has endured any kind of tortures or punishments, or that no person shall perhaps prove that he had not received the price that was written in such documents. Then not only shall the instrument, if there should be one, be voided, but such buyer shall both restore possession and shall be compelled to pay in full to the seller the price that was inserted and contained in the documents. But if the seller should perhaps endure none of these wrongs, as has been said, and should attempt by such a criminal charge, with the penalty as published, to contravene such sale which had been voluntarily made, and if he cannot prove such charge, the possession shall justly remain in the ownership of that person by whom the purchase had been made, and the price which had been received by the seller shall be restored without any delay to the buyer against whom he had brought calumny. If decurions also, who were not allowed hitherto without the interposition of a decree to sell their property or to alienate it from the body of the municipal council, should be constrained by a definite necessity, namely, that they are hastening to repay a debt which they contracted for the public welfare, while they feared the punishments of their creditors, whatever they have sold under pressure of such necessity shall remain with all validity. The interposition of a decree shall not be required, but only their fellow decurions, from whom their necessity cannot be hidden, shall subscribe to that sale. Absolutely no calumny shall be opposed to the buyer in regard to the property purchased, but he shall possess with perpetual right the property thus bought. Thus, however, if perchance the seller should prove that he had been deceived by any fraud, when his fellow decurions who are ordered to act as subscribers become his sureties, the seller shall be rendered free from loss at the expense of the buyer as well as the subscribers. But if decurions should wish to become advocates or to hope for any kind of imperial service, they shall provide persons who shall perform expeditiously their compulsory public services, and they must make such provision that there can be no loss to the municipality through them. For such decurions shall know that all loss belongs to them, and that they must be recalled to the place in which they substituted another. The rest of this law is not interpreted, because these provinces do not use it. </ab>

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</div2>
</div1>
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    <s xml:id="nov-val_33.tit1.s1" xml:lang="la" part="N">33. DE PARENTIBUS QUI FILIOS
    DISTRAXERUNT ET NE INGENUI BARBARIS VENUNDENTUR NEQUE AD TRANSMARINA DUCANTUR</s>
    <s corresp="#nov-val_33.tit1.s1" xml:lang="en" part="N">TITLE 33: PARENTS WHO HAVE
    SOLD THEIR CHILDREN; FREEBORN PERSONS SHALL NOT BE SOLD TO BARBARIANS OR LED TO
    TRANSMARINE REGIONS</s>
  </head>
  <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
    <ab xml:id="nov-val_33.insc" type="insc" part="N">
      <milestone unit="latin" />
      <s xml:id="nov-val_33.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
      corresp="#valentinian3" instant="false" full="yes">Valentinianus</persName>
      A. Aetio Patricio.</s>
      <milestone unit="english" />
      <s corresp="#nov-val_33.insc.s1" n="en1" xml:lang="en" part="N">1. Emperor
      <persName corresp="#valentinian3" instant="false" full="yes">
      >Valentinian</persName> Augustus to Aetius, Patrician.</s>
    </ab>
    <ab xml:id="nov-val_33.0" type="caput" part="N">
      <milestone unit="latin" />0. <s xml:id="nov-val_33.0.s1" n="la2" xml:lang="la">
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part="N">Cum diebus omnibus et momentis studium celsitudinis tuae et <phr
 xml:id="nov-val_33.0.s1.p1" type="ampl" subtype="c" part="N"><w
 lemma="sollicitudo" part="N">sollicitudinem</w></phr> pervigilem circa
 <rs>utilitatem publicam</rs> comprobemus, etiam praesenti insinuatione
 monstrasti, qua nullum Pateris benigna et salubri providentia <phr type="ampl"
 subtype="c" part="N"><w lemma="addico" part="N">addictae</w></phr> per <phr
 type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
 >necessitatem</w></phr>
 <rs>ingenuitati</rs> praeiudicium provenire.</s>
 <s xml:id="nov-val_33.0.s2" n="la3" xml:lang="la" part="N">ostendis non omnia <phr
 xml:id="nov-val_33.0.s2.p1" type="ampl" subtype="c" part="N"><w
 lemma="sinister" part="N">sinistrae</w></phr> licere fortunae, ut status,
 quem illa voluit inopia <phr xml:id="nov-val_33.0.s2.p2" type="ampl"
 subtype="c" part="N"><w lemma="cogo" part="N">cogente</w></phr> mutari, ad
 splendorem suum humanitatis nostrae beneficio reducatur.</s>
 <s xml:id="nov-val_33.0.s3" n="la4" xml:lang="la" part="N">notum est proxime <phr
 xml:id="nov-val_33.0.s3.p1" type="ampl" subtype="g" part="N"><w
 lemma="obscaenus" part="N">obscaenissimam</w></phr>
 <phr xml:id="nov-val_33.0.s3.p2" type="ampl" subtype="g" part="N"><w
 lemma="fames" part="N">famem</w></phr> per totam <rs>Italiam</rs>
 <phr xml:id="nov-val_33.0.s3.p3" type="ampl" subtype="g" part="N"><w
 lemma="desaevio" part="N">desaevisse</w></phr>
 <phr xml:id="nov-val_33.0.s3.p4" type="ampl" subtype="c" part="N"><w
 lemma="cogo" part="N">coactosque</w></phr> homines <rs>filios</rs> et
 <rs>parentes</rs> vendere, ut <phr xml:id="nov-val_33.0.s3.p5" type="ampl"
 subtype="c" part="N"><w lemma="discrimen" part="N">discrimen</w></phr>
 instantis <phr xml:id="nov-val_33.0.s3.p6" type="ampl" subtype="g" part="N"><w
 lemma="mors" part="N">mortis</w></phr>
 <phr xml:id="nov-val_33.0.s3.p7" type="ampl" subtype="g" part="N"><w
 lemma="effugio" part="N">effugerent</w></phr>.</s>
 <s xml:id="nov-val_33.0.s4" n="la5" xml:lang="la" part="N">tantum unicuique <phr
 xml:id="nov-val_33.0.s4.p1" type="ampl" subtype="g" part="N"><w
 lemma="miserandus" part="N">miseranda</w></phr>
 <phr xml:id="nov-val_33.0.s4.p2" type="ampl" subtype="g" part="N"><w
 lemma="macies" part="N">macies</w></phr> et <phr
 xml:id="nov-val_33.0.s4.p3" type="ampl" subtype="g" part="N"><w
 lemma="letalis" part="N">letalis</w></phr>
 <phr xml:id="nov-val_33.0.s4.p4" type="ampl" subtype="g" part="N"><w
 lemma="pereio" part="N">pereuntium</w></phr>
 <phr xml:id="nov-val_33.0.s4.p5" type="ampl" subtype="c" part="N"><w
 lemma="pallor" part="N">pallor</w></phr>
 <phr xml:id="nov-val_33.0.s4.p6" type="ampl" subtype="c" part="N"><w
 lemma="extorqueo" part="N">extorsit</w></phr>, ut totius, quem natura
 concessit, amoris <phr xml:id="nov-val_33.0.s4.p7" type="ampl" subtype="g"
 part="N"><w lemma="oblitus" part="N">obliti</w></phr>
 <phr type="ampl" subtype="c" part="N"><w lemma="alieno" part="N"
 >alienare</w></phr> suos <rs>genus</rs> pietatis putarent.</s>
 <s xml:id="nov-val_33.0.s5" n="la6" xml:lang="la" part="N">nihil est enim, ad quod
 non <phr xml:id="nov-val_33.0.s5.p1" type="ampl" subtype="g" part="N"><w
 lemma="desperatio" part="N">desperatio</w></phr> salutis <phr type="ampl"
 subtype="c" part="N"><w lemma="impello" part="N">impellat</w></phr>, nil
 <phr xml:id="nov-val_33.0.s5.p2" type="ampl" subtype="g" part="N"><w
 lemma="turpis" part="N">turpe</w></phr>, nil <phr
 xml:id="nov-val_33.0.s5.p3" type="ampl" subtype="c" part="N"><w lemma="veto"
 part="N">vetitum</w></phr> credit <phr xml:id="nov-val_33.0.s5.p4" type="ampl"
 subtype="g" part="N"><w lemma="esuriens" part="N"
 >esuriens</w></phr>; sola cura est, ut qualicumque sorte vivatur.</s>
 <s xml:id="nov-val_33.0.s6" n="la7" xml:lang="la" part="N">Sed <phr
 xml:id="nov-val_33.0.s6.p1" type="ampl" subtype="g" part="N"><w
 lemma="iniquus" part="N">iniquum</w></phr> iudico ideo libertatem <phr
 xml:id="nov-val_33.0.s6.p2" type="ampl" subtype="g" part="N"><w
 lemma="pereio" part="N">perire</w></phr>, quia vita non <phr
 xml:id="nov-val_33.0.s6.p3" type="ampl" subtype="g" part="N"><w
 lemma="pereio" part="N">perit</w></phr>, et agi <phr
 xml:id="nov-val_33.0.s6.p4" type="ampl" subtype="g" part="N"><w
 lemma="horror" part="N">horrore</w></phr>
 <phr xml:id="nov-val_33.0.s6.p5" type="ampl" subtype="c" part="N"><w
 lemma="vilis" part="N">vilissimae</w></phr>
 <phr xml:id="nov-val_33.0.s6.p6" type="ampl" subtype="c" part="N"><rs><w
 lemma="servitus" part="N">servitutis</w></rs></phr>, ut <phr
 xml:id="nov-val_33.0.s6.p7" type="ampl" subtype="g" part="N"><w
 lemma="exitium" part="N">exitium</w></phr>
 <phr xml:id="nov-val_33.0.s6.p8" type="ampl" subtype="g" part="N"><w
 lemma="pudeo" part="N">pudeat</w></phr>
 <phr xml:id="nov-val_33.0.s6.p9" type="ampl" subtype="g" part="N"><w
 lemma="evado" part="N">evasisse</w></phr>.</s>
 <s xml:id="nov-val_33.0.s7" n="la8" xml:lang="la" part="N">Cui non
 <rs>ingenue</rs>
 <phr xml:id="nov-val_33.0.s7.p1" type="ampl" subtype="g" part="N"><w
 lemma="mori" part="N">mori</w></phr> satius est quam iugum <phr
 xml:id="nov-val_33.0.s7.p2" type="ampl" subtype="c" part="N"><rs><w
 lemma="servilis" part="N">servile</w></rs></phr>
 <phr type="ampl" subtype="c" part="N"><w lemma="perfero" part="N"
 >perferre</w></phr>?</s>
 <s xml:id="nov-val_33.0.s8" n="la9" xml:lang="la" part="N">illa sunt dulcia, quae
 praestita non <phr xml:id="nov-val_33.0.s8.p1" type="ampl" subtype="c" part="N"
 ><w lemma="deformo" part="N">deformant</w></phr>, quae accepisse
 delectet, quibus uti non <phr xml:id="nov-val_33.0.s8.p2" type="ampl"
 subtype="g" part="N"><w lemma="turpis" part="N">turpe</w></phr> sit.</s>

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<s xml:id="nov-val_33.0.s9" n="la10" xml:lang="la" part="N">dici beneficium non
potest, si <phr xml:id="nov-val_33.0.s9.p1" type="ampl" subtype="c" part="N"><w
lemma="pereio" part="N">pereat</w></phr>, quod <rs>servis</rs> pro summa
remuneratione praestatur.</s>
<s xml:id="nov-val_33.0.s10" n="la11" xml:lang="la" part="N">Igitur
<rs>libero</rs> statui, cui specialiter sapientissimi conditores iuris
legesque voluerunt esse consultum, nullum praeiudicium <phr type="ampl"
subtype="c" part="N"><w lemma="patior" part="N">patior</w></phr>
inrogari</s>. <s xml:id="nov-val_33.0.s11" n="la12" xml:lang="la" part="N"><seg
xml:id="nov-val_33.0.c1" part="N">renovans statuta maiorum venditionem <phr
xml:id="nov-val_33.0.s11.p1" function="cmdw" part="N">censeo</phr>
<phr type="ampl" subtype="c" part="N"><w lemma="submoveo" part="N"
>submoveri</w></phr>, quam praedicta <phr xml:id="nov-val_33.0.s11.p2"
type="ampl" subtype="g" part="N"><w lemma="fames" part="N"
>fames</w></phr> de <rs>ingenuis</rs> fieri persuasit: ita sane, ut
<rs>emptor</rs> pretium sub quintae adiectione recipiat, hoc est, ut
quinto solido unus addatur, decimo duo, similiter crescente numero
quamcumque summam venditio facta designat.</seg></s>
<s xml:id="nov-val_33.0.s12" n="la13" xml:lang="la" part="N">Ita fit, ut neque
illum rebus <phr xml:id="nov-val_33.0.s12.p1" type="ampl" subtype="g" part="N"
><w lemma="adfligo" part="N">adflictis</w></phr> et <phr
xml:id="nov-val_33.0.s12.p2" type="ampl" subtype="g" part="N"><w
lemma="desperatus" part="N">desperatis</w></phr>
<rs>emisse</rs> paeniteat, qui amplius recepit quam ad pretium dederat, nec
<phr xml:id="nov-val_33.0.s12.p3" type="ampl" subtype="g" part="N"><w
lemma="pereio" part="N">pereat</w></phr> sub tanta <phr
xml:id="nov-val_33.0.s12.p4" type="ampl" subtype="g" part="N"><w
lemma="clades" part="N">clade</w></phr> distracta <rs>libertas</rs>.</s>
<s xml:id="nov-val_33.0.s13" n="la14" xml:lang="la" part="N"><seg
xml:id="nov-val_33.0.c2" part="N">Si quis sane <phr
xml:id="nov-val_33.0.s13.p1" type="ampl" subtype="g" part="N"><rs><w
lemma="barbarus" part="N">barbaris</w></rs></phr>
<rs>venditionem</rs>
<phr xml:id="nov-val_33.0.s13.p2" type="ampl" subtype="g" part="N"><w
lemma="prohibeo" part="N">prohibitam</w></phr> fecerit vel emptum
<rs>ingenuum</rs> ad <rs>transmarina</rs> transtulerit, sciat se sex auri
uncias <rs>fisci</rs>
<phr type="ampl" subtype="c" part="N"><w lemma="vis" part="N"
>viribus</w></phr> illaturum.</seg></s>
<s xml:id="nov-val_33.0.s14" n="la15" xml:lang="la" part="N">Quam saluberrimam
legem, Aeti parens karissime atque amantissime, illustris et praeclsa
magnitudo tua notitiae omnium propositis vulgabit edictis.</s>
<milestone unit="english" />0. <s corresp="#nov-val_33.0.s1" n="en2" xml:lang="en"
part="N">Although We approve the zeal of Your Eminence every day and every
moment and your watchful <phr subtype="c" type="ampl" part="N">solicitude</phr>
toward the <rs>public welfare</rs>, by the present report you have also
revealed with what benign and salutary prudence you do not permit that any
prejudice should come to the status of <rs>freeborn persons</rs> who have been
<phr subtype="c" type="ampl" part="N">sold</phr> through <phr subtype="c"
type="ampl" part="N">necessity</phr>.</s>
<s corresp="#nov-val_33.0.s2" n="en3" xml:lang="en" part="N">You show that not all
things are permitted to a <phr subtype="c" type="ampl" part="N">sinister</phr>
fortune, that the status which that fortune wished to be changed by <phr
subtype="c" type="ampl" part="N">compelling</phr> want should be restored to
its own splendor by the benefit of Our humanity.</s>
<s corresp="#nov-val_33.0.s3" n="en4" xml:lang="en" part="N">It is well known that
very recently the most <phr type="ampl" subtype="g" part="N">terrible</phr>
<phr type="ampl" subtype="g" part="N">famine</phr>
<phr type="ampl" subtype="g" part="N">raged</phr> throughout all <rs>Italy</rs>
and that men were <phr subtype="c" type="ampl" part="N">forced</phr> to sell
their <rs>children</rs> and <rs>parents</rs> to <phr type="ampl" subtype="g"
part="N">escape</phr> the <phr subtype="c" type="ampl" part="N">danger</phr>
of threatening <phr type="ampl" subtype="g" part="N">death</phr>.</s>
<s corresp="#nov-val_33.0.s4" n="en5" xml:lang="en" part="N"><phr type="ampl"
subtype="g" part="N">Pitiable</phr>
<phr type="ampl" subtype="g" part="N">emaciation</phr> and the <phr type="ampl"
subtype="g" part="N">deathly</phr>
<phr subtype="c" type="ampl" part="N">pallor</phr> of the <phr type="ampl"
subtype="g" part="N">perishing</phr>
<phr subtype="c" type="ampl" part="N">extorted</phr> so much from all persons
that they were <phr type="ampl" subtype="g" part="N">oblivious</phr> of all the
love that nature has granted, and they considered it a kind of piety to <phr
subtype="c" type="ampl" part="N">alienate</phr> their own
<rs>kinsmen</rs>.</s>
<s corresp="#nov-val_33.0.s5" n="en6" xml:lang="en" part="N">For there is nothing
to which <phr type="ampl" subtype="g" part="N">despair</phr> of his
own life does not <phr subtype="c" type="ampl" part="N">drive</phr> a man; a
<phr type="ampl" subtype="g" ana="#meta" part="N">hungry</phr> person
considers nothing <phr type="ampl" subtype="g" part="N">shameful</phr>, nothing
<phr subtype="c" type="ampl" part="N">forbidden</phr>. His only care is to
live in any manner at all.</s>
<s corresp="#nov-val_33.0.s6" n="en7" xml:lang="en" part="N">But I judge that it
is <phr type="ampl" subtype="g" part="N">wrong</phr> that freedom should <phr
type="ampl" subtype="g" part="N">perish</phr> because life does not <phr
type="ampl" subtype="g" ana="#meta" part="N">perish</phr>, and that a person
should be so driven by <phr type="ampl" subtype="g" part="N">horror</phr> of a
most <phr subtype="c" type="ampl" part="N">vile</phr>
<phr subtype="c" type="ampl" part="N">slavery</rs></phr> that he is <phr
type="ampl" subtype="g" part="N">ashamed</phr> that he <phr type="ampl"

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        subtype="g" part="N">escaped</phr>
        <phr type="ampl" subtype="g" part="N">destruction</phr></s>
<s corresp="#nov-val_33.0.s7" n="en8" xml:lang="en" part="N">To whom is it not
    preferable to <phr type="ampl" subtype="g" part="N">die</phr> a <rs>free
    man</rs> rather than to <phr subtype="c" type="ampl" part="N">bear</phr> the
    yoke of <phr subtype="c" type="ampl" part="N"><rs>slavery</rs></phr>?</s>
<s corresp="#nov-val_33.0.s8" n="en9" xml:lang="en" part="N">Those privileges are
    sweet which do not <phr subtype="c" type="ampl" part="N">disgrace</phr> when
    they are given, which it is a delight to have received, which it is not <phr
    type="ampl" subtype="g" ana="#meta" part="N">shameful</phr> to enjoy.</s>
<s corresp="#nov-val_33.0.s9" n="en10" xml:lang="en" part="N">It cannot be called
    a benefit for a free man to <phr type="ampl" subtype="g" part="N">lose</phr>
    that privilege which is given to <rs>slaves</rs> as their highest reward.</s>
<s corresp="#nov-val_33.0.s10" n="en11" xml:lang="en" part="N">Therefore I <phr
    subtype="c" type="ampl" part="N">permit</phr> no prejudice to be imposed
    upon the status of <rs>freedom</rs>, for which the most wise founders of
    jurisprudence and the laws wished that suitable provision should specifically
    be made.</s>
<s corresp="#nov-val_33.0.s11" n="en12" xml:lang="en" part="N"><seg
    corresp="#nov-val_33.0.c1" part="N">I renew the statutes of Our ancestors,
    and I <phr function="cmdw" part="N">decree</phr> that a sale shall be <phr
    subtype="c" type="ampl" part="N">annulled</phr>, if the aforesaid <phr
    type="ampl" subtype="g" part="N">famine</phr> induced it to be made in
    the case of <rs>freeborn persons</rs>, provided, of course, that the
    <rs>buyer</rs> shall recover the price with the addition of a fifth; that
    is, one solidus shall be added to five, two to ten, and the number shall
    increase similarly, whatever the sum that is designated by the sale that has
    been made.</seg></s>
<s corresp="#nov-val_33.0.s12" n="en13" xml:lang="en" part="N">Thus it will happen
    that the purchaser will not repent that he <rs>bought</rs> such a person in his
    <phr type="ampl" subtype="g" part="N">afflicted</phr> and <phr type="ampl"
    subtype="g" part="N">desperate</phr> circumstances, since he recovers more
    than he had given as a price, and <rs>freedom</rs> which has been sold shall
    not <phr type="ampl" subtype="g" part="N">perish</phr> under so great a <phr
    type="ampl" subtype="g" part="N">disaster</phr>.</s>
<s corresp="#nov-val_33.0.s13" n="en14" xml:lang="en" part="N"><seg
    corresp="#nov-val_33.0.c2" part="N">Of course, if any person should make
    such a <phr type="ampl" subtype="g" part="N">forbidden</phr>
    <rs>sale</rs> to <phr type="ampl" subtype="g" part="N">
    <rs>barbarians</rs></phr> or should transport a <rs>free man</rs> whom
    he has bought to <rs>transmarine</rs> regions, he shall know that he will
    pay to the <phr subtype="c" type="ampl" part="N">resources</phr> of the
    <rs>fisc</rs> six ounces of gold.</seg></s>
<s corresp="#nov-val_33.0.s14" n="en15" xml:lang="en" part="N">This most salutary
    law, O Aetius, dearest and most beloved Father, Your Illustrious and Excellent
    Magnitude by posting edicts shall publish to the knowledge of all.</s>
</ab>
<ab xml:id="nov-val_33.subs" type="subs" part="N">
    <milestone unit="latin" />
    <s xml:id="nov-val_33.subs.s1" n="la0" xml:lang="la" part="N">Dat. prid. kal. Feb.
        <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
        adelfio vc. cons. <date when="0451-01-31" instant="false">(451 Ian.
        31)</date>.</s>
    <milestone unit="english" />
    <s corresp="#nov-val_33.subs.s1" n="en0" xml:lang="en" part="N">Given on the day
        before the kalends of February at <placeName instant="false" full="yes"
        >Rome</placeName> in the year of the consulship of the Most Noble Adelphius.
        - <date instant="false">January 31, 451</date>.</s>
</ab>
<ab xml:id="nov-val_33.intr" type="intr" part="N">
    <milestone unit="latin" />INTERPRETATIO. Hoc praecipit haec lex: quicumque ingenui
    filios suos in qualibet necessitate seu famis tempore vendiderint ipsa
    necessitate, compulsi, emptor, si quinque solidis emit, sex recipiat, si decem,
    duodecim solidos similiter recipiat, aut si amplius, secundum suprascriptam
    rationem augmentum pretii consequatur. Nam si huiusmodi personas aliqui aut ad
    extraneas gentes aut transmarina loca transferre aut venundare praesumpserit,
    ipse, qui hoc contra statuta praesumpserit, sex auri uncias fisco se noverit
    illaturum. <milestone unit="english" />INTERPRETATION: This law commands the
    following: If any freeborn person, in any necessity whatever or in a time of
    famine should be compelled by such necessity to sell his own children, and if the
    buyer bought them for five solidi, he shall recover six; if for ten solidi, in a
    similar manner, he shall recover twelve; or if for more, according to the
    aforesaid ratio he shall obtain the increase in price. If any person should
    presume to transfer such persons to extraneous nations or to transmarine
    districts, or to sell them, he himself, who thus presumed against the statutes,
    shall know that he shall pay six ounces of gold to the fisc. </ab>
</div2>
</div1>
<div1 xml:id="nov-val_34" type="titulus" part="N" org="uniform" sample="complete">
    <head xml:id="nov-val_34.titl">
        <s xml:id="nov-val_34.titl.s1" xml:lang="la" part="N">34. DE PRAEDIIS PISTORIIS AFRIS
            DEPUTANDIS</s>
        <s corresp="#nov-val_34.titl.s1" xml:lang="en" part="N">TITLE 34: FARMS OF THE
            BREADMAKING ESTABLISHMENTS SHALL BE ASSIGNED TO THE AFRICANS</s>
    </head>
    <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_34.insc" type="insc" part="N">
            <milestone unit="latin" />
            <s xml:id="nov-val_34.insc.s1" n="la1" xml:lang="la" part="N">1. <persName

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corresp="#valentinian3" instant="false" full="yes">Valentinianus</persName>
A. Firmino pp. et Patricio.</s>
<milestone unit="english" />
<s corresp="#nov-val_34.0.s1" n="en1" xml:lang="en" part="N">1. Emperor
  <persName corresp="#valentinian3" instant="false" full="yes"
    >Valentinian</persName> Augustus to Firminus, Praetorian Prefect and
    Patrician.</s>
</ab>
<ab xml:id="nov-val_34.0" type="caput" part="N">
  <milestone unit="latin" /> 0. <s xml:id="nov-val_34.0.s1" n="la2" xml:lang="la"
    part="N">Ad auctores suos beneficia delata respiciunt nec minus plenam gratiam
    meretur, qui praestanda suggessit quam qui suggesta concedit.</s>
  <s xml:id="nov-val_34.0.s2" n="la3" xml:lang="la" part="N">unum providi
    <rs>iudicis</rs> est, alterum munificentiae principalis et insinuatio,
    benevolentiae titulum praestando, gloriam cumulat insinuationis effectu.</s>
  <milestone unit="english" /> 0. <s corresp="#nov-val_34.0.s1" n="en2"
    xml:lang="en" part="N">Benefits that have been conferred reflect credit upon
    their authors, and that person deserves full gratitude who recommended that the
    favors should be granted, no less than the person who granted the favors that
    had been recommended.</s>
  <s corresp="#nov-val_34.0.s2" n="en3" xml:lang="en" part="N">The one action is the
    part of a prudent <rs>judge</rs>, the other, of a munificent <rs>Emperor</rs>,
    and a report, by furnishing the occasion for benevolence, increases its glory
    by the effectuation of such report.</s>
</ab>
<ab xml:id="nov-val_34.1" type="caput" part="N">
  <milestone unit="latin" /> 1. <s xml:id="nov-val_34.1.s1" n="la4" xml:lang="la"
    part="N"><seg xml:id="nov-val_34.1.c1" ana="#ncp" part="N"><phr
      xml:id="nov-val_34.1.s1.p1" function="cmdw" part="N">Censeo</phr> igitur,
      ut iuxta suggestionem culminis tui <rs>honoratis</rs>
      <rs>Afris</rs> et <rs>possessoribus</rs>
      <phr xml:id="nov-val_34.1.s1.p2" type="ampl" subtype="g" part="N"><rs><w
        lemma="hostilis" part="N">hostili</w></rs></phr>
      <phr xml:id="nov-val_34.1.s1.p3" type="ampl" subtype="g" part="N"><w
        lemma="vastatio" part="N">vastatione</w></phr>
      <phr xml:id="nov-val_34.1.s1.p4" type="ampl" subtype="g" part="N"><w
        lemma="nudo" part="N">nudatis</w></phr> isto remedio consulatur, ut,
      quod fortunae <phr xml:id="nov-val_34.1.s1.p5" type="ampl" subtype="c"
        part="N"><w lemma="impressio" part="N">impressio</w></phr>
      <phr xml:id="nov-val_34.1.s1.p6" type="ampl" subtype="c" part="N"><w
        lemma="tollo" part="N">sustulit</w></phr>, ad quantum potest,
      <rs>largitas Augusta</rs> compenset.</seg></s>
  <s xml:id="nov-val_34.1.s2" n="la5" xml:lang="la" part="N">dulce est remedia <phr
    xml:id="nov-val_34.1.s2.p1" type="ampl" subtype="g" part="N"><w
      lemma="fessus" part="N">fessis</w></phr> optata largiri et, licet habeat
    inexhaustum <phr xml:id="nov-val_34.1.s2.p2" type="ampl" subtype="g" part="N">
      <w lemma="dolor" part="N">dolorem</w></phr> atque aeterna suspiria
    propriarum <phr xml:id="nov-val_34.1.s2.p3" type="ampl" subtype="g" part="N"><w
      lemma="amissio" part="N">amissio</w></phr> facultatum, tamen, quae in tam
      <phr xml:id="nov-val_34.1.s2.p4" type="ampl" subtype="g" part="N"><w
        lemma="tristis" part="N">tristi</w></phr> fuerint sorte conlata, <phr
        xml:id="nov-val_34.1.s2.p5" type="ampl" subtype="c" part="N"><w
          lemma="amitto" part="N">amissa</w></phr> solantur.</s>
  <milestone unit="english" /> 1. <s corresp="#nov-val_34.1.s1" n="en4"
    xml:lang="en" part="N"><seg corresp="#nov-val_34.1.c1" ana="#ncp" part="N"
      >Therefore I <phr function="cmdw" part="N">decree</phr> that, according to
      the recommendation of Your Eminence, wise provision shall be made for the
      <rs>African</rs>
      <rs>dignitaries</rs> and <rs>landholders</rs> who have been <phr type="ampl"
        subtype="g" part="N">despoiled</phr> by the <phr type="ampl" subtype="g"
        part="N">devastation</phr> of the <phr type="ampl" subtype="g" part="N">
          <rs>enemy</rs></phr>, by the following remedy, namely, that in so far
          as it is able, the <rs>august imperial generosity</rs> shall compensate for
          that which the <phr subtype="c" type="ampl" part="N">violence</phr> of
          fortune has <phr subtype="c" type="ampl" part="N">taken
          away</phr>.</seg></s>
  <s corresp="#nov-val_34.1.s2" n="en5" xml:lang="en" part="N">It is sweet to confer
    on the <phr type="ampl" subtype="g" part="N">weary</phr> the remedies that they
    have desired, and although the <phr type="ampl" subtype="g" part="N">loss</phr>
    of one's own property occasions inexhaustible <phr type="ampl" subtype="g"
      part="N">grief</phr> and eternal sighs, nevertheless, the things which have
    been bestowed upon so <phr type="ampl" subtype="g" part="N">sad</phr> a lot
    console such <phr subtype="c" type="ampl" part="N">losses</phr>.</s>
</ab>
<ab xml:id="nov-val_34.2" type="caput" part="N">
  <milestone unit="latin" /> 2. <s xml:id="nov-val_34.2.s1" n="la6" xml:lang="la"
    part="N"><seg xml:id="nov-val_34.2.c1" ana="#ncp" part="N">Igitur intra
      <rs>Numidian provinciam</rs> ex <phr xml:id="nov-val_34.2.s1.p1"
        type="ampl" subtype="c" part="N"><w lemma="desertus" part="N"
          >desertis</w></phr> locis, de quibus, sicut celsitudinis tuae
          suggestio loquitur, nihil emolumenti accedit, <rs>honoratis</rs> et
          <rs>possessoribus</rs>, quos praediximus, XIII milia fere centuriarum sub
          quinque annorum vacatione <phr xml:id="nov-val_34.2.s1.p2" function="cmdw"
            part="N">concedimus</phr>: duo milia praeterea solidorum, qui ex titulo
            vicenarum siliquarum, quae per singulas centurias exiguntur, superesse et
            <rs>fisco</rs>
            <phr xml:id="nov-val_34.2.s1.p3" type="ampl" subtype="g" part="N"><w
              lemma="pereio" part="N">perire</w></phr> dicuntur, exacta per
              <rs>officium magnitudinis tuae</rs> ad <rs>arcam praetorianam</rs>

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deferri <phr xml:id="nov-val_34.2.s1.p4" function="cmdw" part="N"
>praecipio</phr>, ut <phr xml:id="nov-val_34.2.s1.p5" type="ampl"
subtype="g" part="N"><rs><w lemma="hostilis" part="N"
>hostili</w></rs></phr>
<phr xml:id="nov-val_34.2.s1.p6" type="ampl" subtype="g" part="N"><w
lemma="vastitas" part="N">vastitate</w></phr>
<phr xml:id="nov-val_34.2.s1.p7" type="ampl" subtype="g" part="N"><w
lemma="nudo" part="N">nudatis</w></phr> atque <phr
xml:id="nov-val_34.2.s1.p8" type="ampl" subtype="g" part="N"><w
lemma="depello" part="N">depulsis</w></phr> ad eandem summam,
quemadmodum iuxta merita personarum per ordinem annis singulis dividi
debeant, pro tua moderatione decernas.</seg></s>
<milestone unit="english" /> 2. <s corresp="#nov-val_34.2.s1" n="en6"
xml:lang="en" part="N"><seg corresp="#nov-val_34.2.c1" ana="#ncp" part="N"
>Therefore, within the <rs>province of Numidia</rs> We <phr function="cmdw"
part="N">grant</phr> to the <rs>dignitaries</rs> and <rs>landholders</rs>
whom We mentioned above, with a tax remission of five years, almost thirteen
thousand centuries of land from the <phr subtype="c" type="ampl" part="N"
>deserted</phr> places from which, as the report of Your Eminence states,
no profit accrues<supplied resp="#pharr" instant="false">.</supplied> In
addition, I <phr function="cmdw" part="N">command</phr> that the two
thousand solidi which are said to remain and to be <phr type="ampl"
subtype="g" part="N">lost</phr> to the <rs>fisc</rs> from the tax account
of the twenty siliquae that are exacted for each century of land, shall be
collected through the <rs>office of Your Magnitude</rs> and shall be paid to
the <rs>praetorian chest</rs>, so that in accordance with your
administrative action you shall decree for those persons who have been <phr
type="ampl" subtype="g" part="N">despoiled</phr> and <phr type="ampl"
subtype="g" part="N">exiled</phr> by the <phr type="ampl" subtype="g"
part="N">devastation</phr> of the <phr type="ampl" subtype="g" part="N"
><rs>enemy</rs></phr> an amount equal to the aforesaid sum, in
whatever manner it must be divided in accordance with the merits of the
persons, in order, for each year.</seg></s>
</ab>
<ab xml:id="nov-val_34.3" type="caput" part="N">
<milestone unit="latin" /> 3. <s xml:id="nov-val_34.3.s1" n="la7" xml:lang="la"
part="N"><seg xml:id="nov-val_34.3.c1" part="N">Et in <rs>Sitifensi</rs> et in
Caesariensi provincia [Mauretania et Numidia] <rs>praedia</rs>
<rs>iuris enfyteutici</rs> et <rs>domus divinae</rs>, quae ab accolis post
<rs>Wandalicam</rs>
<phr xml:id="nov-val_34.3.s1.p1" type="ampl" subtype="g" part="N"><w
lemma="vastatio" part="N">vastationem</w></phr> fuerant competita et a
diversis hodie <rs>possidentur</rs>, auferri ab iisdem <phr
xml:id="nov-val_34.3.s1.p2" function="cmdw" part="N">censeo</phr> et sub
eo pensitationis modo, quo nunc tenentur, subsignatione cessante
<rs>honoratis</rs>
<rs>proconsularis provinciae</rs> ac <rs>Byzacenae</rs> potius conlocari,
quos a <phr xml:id="nov-val_34.3.s1.p3" type="ampl" subtype="g" part="N"
><rs><w lemma="barbarus" part="N">barbaris</w></rs></phr>
<phr xml:id="nov-val_34.3.s1.p4" type="ampl" subtype="c" part="N"><w
lemma="tollo" part="N">sublati</w></phr>
<rs>patrimonii</rs> etiam de sedibus propriis constat <phr
xml:id="nov-val_34.3.s1.p5" type="ampl" subtype="g" part="N"><w
lemma="expello" part="N">expulsos</w></phr>.</seg></s>
<milestone unit="english" /> 3. <s corresp="#nov-val_34.3.s1" n="en7"
xml:lang="en" part="N"><seg corresp="#nov-val_34.3.c1" part="N">I <phr
function="cmdw" part="N">decree</phr> that in the provinces of
<rs>Sitifis</rs> and <rs>Caesarea</rs>, that is, <rs>Mauretania</rs> and
<rs>Numidia</rs>, the <rs>landed estates</rs> of <rs>emphyteutic
right</rs> and of the <rs>divine imperial household</rs>, which were
petitioned for by neighboring persons after the <phr type="ampl" subtype="g"
part="N">devastation</phr> by the <rs>Vandals</rs> and which are today
<rs>possessed</rs> by various persons, shall be taken away from the
aforesaid persons and shall be leased rather to the <rs>dignitaries</rs> of
the <rs>Proconsular Province</rs> and of <rs>Byzacium</rs>, whose
<rs>patrimonies</rs> have been <phr subtype="c" type="ampl" part="N"
>taken</phr> by the <phr type="ampl" subtype="g" part="N"
><rs>barbarians</rs></phr> and who appear also to have been <phr
type="ampl" subtype="g" part="N">expelled</phr> from their own
abodes<supplied resp="#pharr" instant="false">.</supplied> Such estates
shall be leased under the same measure of payment by which they are now
held, and the right to pledge them shall cease.</seg></s>
</ab>
<ab xml:id="nov-val_34.4" type="caput" part="N">
<milestone unit="latin" /> 4. <s xml:id="nov-val_34.4.s1" n="la8" xml:lang="la"
part="N"><seg xml:id="nov-val_34.4.c1" ana="#ncp" part="N">De
<rs>pistoriis</rs> autem <rs>praediis</rs>
<phr xml:id="nov-val_34.4.s1.p1" function="cmdw" part="N">statuo</phr>,
quoniam his, quos <phr xml:id="nov-val_34.4.s1.p2" type="ampl" subtype="g"
part="N"><rs><w lemma="barbaries" part="N">barbaries</w></rs></phr>
<phr xml:id="nov-val_34.4.s1.p3" type="ampl" subtype="g" part="N"><w
lemma="adfligo" part="N">adflixe rat</w></phr>, ob alimoniam ante
fuerant lege concessa, ut ad eos tantum debeant pervenire, quos ab <phr
xml:id="nov-val_34.4.s1.p4" type="ampl" subtype="g" part="N"><rs><w
lemma="hostis" part="N">hostibus</w></rs></phr> certum est
facultates <phr xml:id="nov-val_34.4.s1.p5" type="ampl" subtype="g" part="N"
><w lemma="captivitas" part="N">captivitatis</w></phr>
<phr xml:id="nov-val_34.4.s1.p6" type="ampl" subtype="g" part="N"><w
lemma="infortunium" part="N">infortunio</w></phr>

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<phr xml:id="nov-val_34.4.s1.p7" type="ampl" subtype="g" part="N"><w
  lemma="perdo" part="N">perdidisse</w></phr>, eisdem <phr
  xml:id="nov-val_34.4.s1.p8" type="ampl" subtype="c" part="N"><w
    lemma="pello" part="N">pulsis</w></phr>, quos ad hoc beneficium <phr
  xml:id="nov-val_34.4.s1.p9" type="ampl" subtype="g" part="N"><w
    lemma="indecenter" part="N">indecenter</w></phr> constat admissos: nec
  liceat quemquam amplioribus, quam eius loci ratio postulat, remediis
  adiuvari.</seg></s>
<s xml:id="nov-val_34.4.s2" n="la9" xml:lang="la" part="N"><seg
  xml:id="nov-val_34.4.c2" part="N">aequum est, ut, quod <phr
  xml:id="nov-val_34.4.s2.p1" type="ampl" subtype="c" part="N"><w
    lemma="percello" part="N">perculsis</w></phr>
  <phr xml:id="nov-val_34.4.s2.p2" type="ampl" subtype="c" part="N"><w
    lemma="gravis" part="N">graviori</w></phr> sorte contulimus, iusta
  singulis distributione proficiat; penes quos salvo <rs>urbis Romae</rs>
  privilegio haec humanitas permanebit, donec auspice deo eos in
  <rs>Africam</rs> redire contingat.</seg></s>
<milestone unit="english" /> 4. <s corresp="#nov-val_34.4.s1" n="en8"
  xml:lang="en" part="N"><seg corresp="#nov-val_34.4.c1" ana="#ncp" part="N"
  >Moreover, in regard to the <rs>landed estates</rs> of the <rs>breadmaking
  establishments</rs>, I <phr function="cmdw" part="N">decree</phr> that,
  since they had previously been granted by law to those persons whom the <phr
  type="ampl" subtype="g" part="N"><rs>barbarians</rs></phr> had <phr
  type="ampl" subtype="g" part="N">afflicted</phr>, for the purpose of
  supplying food, they must come only to those persons who have certainly <phr
  type="ampl" subtype="g" part="N">lost</phr> their resources at the hands
  of the <phr type="ampl" subtype="g" part="N"><rs>enemy</rs></phr> by the
  <phr type="ampl" subtype="g" part="N">misfortune</phr> of <phr
  type="ampl" subtype="g" part="N">capture</phr><supplied resp="#pharr"
  instant="false">.</supplied> Those persons shall be <phr subtype="c"
  type="ampl" part="N">ejected</phr> who appear to have been admitted <phr
  type="ampl" subtype="g" part="N">improperly</phr> to this benefit, nor
  shall any person be permitted to be aided by greater remedies than the
  consideration of his position demands.</seg></s>
<s corresp="#nov-val_34.4.s2" n="en9" xml:lang="en" part="N"><seg
  corresp="#nov-val_34.4.c2" part="N">It is equitable that what We have
  conferred on those persons who have been <phr subtype="c" type="ampl"
  part="N">stricken</phr> by a more <phr subtype="c" type="ampl" part="N"
  >grievous</phr> lot should profit each person by a just
  distribution<supplied resp="#pharr" instant="false">.</supplied> Such
  humanity shall remain in the possession of those persons, and their
  privilege of the <rs>City of Rome</rs> shall also be unimpaired, until under
  the auspices of God, it shall come to pass that they return to
  <rs>Africa</rs>.</seg></s>
</ab>
<ab xml:id="nov-val_34.5" type="caput" part="N">
  <milestone unit="latin" /> 5. <s xml:id="nov-val_34.5.s1" n="la10" xml:lang="la"
  part="N"><seg xml:id="nov-val_34.5.c1" part="N"><rs>Praedia</rs>
  <phr xml:id="nov-val_34.5.s1.p1" type="ampl" subtype="c" part="N"><w
    lemma="obeo" part="N">obeuntium</w></phr> eiusdem scilicet iuris ad
    <rs>filios</rs> eorum, quibus data sunt, successionis iure perveniant,
    salvo tamen, ut dictum est, privilegio <rs>urbis aeternae</rs>.</seg></s>
  <s xml:id="nov-val_34.5.s2" n="la11" xml:lang="la" part="N"><seg
    xml:id="nov-val_34.5.c2" part="N">Qui si defuncto fortasse non fuerint,
    auctoritate <rs>iudicis</rs> huic dari <phr xml:id="nov-val_34.5.s2.p1"
    function="cmdw" part="N">praecipio</phr>, cui magis consuli iusta <phr
    type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
    >necessitas</w></phr> persuadet;</seg> maioribus enim debent
    beneficiis adiuvari, quos non dubium est <phr xml:id="nov-val_34.5.s2.p2"
    type="ampl" subtype="c" part="N"><w lemma="adversus" part="N"
    >adversa</w></phr>
    <phr xml:id="nov-val_34.5.s2.p3" type="ampl" subtype="c" part="N"><w
      lemma="vehemens" part="N">vehementiora</w></phr> perperosos, Firmine
      parens karissime atque amantissime.</s>
  <milestone unit="english" /> 5. <s corresp="#nov-val_34.5.s1" n="en10"
    xml:lang="en" part="N"><seg corresp="#nov-val_34.5.c1" part="N">Of course, the
    <rs>landed estates</rs> of the aforesaid ownership, if such persons
    should <phr subtype="c" type="ampl" part="N">die</phr>, shall come by the
    right of succession to the <rs>children</rs> of those persons to whom they
    were given, and nevertheless, as has been said, they shall retain the
    privilege of the <rs>Eternal City</rs> unimpaired.</seg></s>
  <s corresp="#nov-val_34.5.s2" n="en11" xml:lang="en" part="N"><seg
    corresp="#nov-val_34.5.c2" part="N">If perhaps the deceased should not have
    children, I <phr function="cmdw" part="N">command</phr> that the inheritance
    shall be given, by the authority of the <rs>judge</rs>, to that person for
    whom just <phr subtype="c" type="ampl" part="N">necessity</phr> persuades
    that wise provision should preferably be made<supplied resp="#pharr"
    instant="false">.</supplied></seg> For those persons must be aided by
    greater benefits who have undoubtedly suffered more <phr subtype="c"
    type="ampl" part="N">severe</phr>
    <phr subtype="c" type="ampl" part="N">adversities</phr>, O Firminus, dearest
    and most beloved Father.</s>
</ab>
<ab xml:id="nov-val_34.6" type="caput" part="N">
  <milestone unit="latin" /> 6. <s xml:id="nov-val_34.6.s1" n="la12" xml:lang="la"
  part="N">Itaque illustris et praeclsa magnificentia tua ad designatos
    <rs>provinciales</rs> sub programme suo nostra edicta faciat pervenire,
    ut, quanta nobis eorum cura sit, praesenti lege cognoscant.</s>
  <milestone unit="english" /> 6. <s corresp="#nov-val_34.6.s1" n="en12">

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        xml:lang="en" part="N">Therefore Your Illustrious and Excellent Magnificence
        shall cause Our edicts, under your own proclamation, to come to the designated
        <rs>provincials</rs>, so that they may know by the present law how great is
        our care for them.</s>
    </ab>
    <ab xml:id="nov-val_34.subs" type="subs" part="N">
        <milestone unit="latin" />
        <s xml:id="nov-val_34.subs.s1" n="la13" xml:lang="la" part="N">Dat. III id. Iul.
            <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
            adelfio vc. cons. <date when="0451-07-13" instant="false">(451 Iul.
            13)</date>.</s>
        <milestone unit="english" />
        <s corresp="#nov-val_34.subs.s1" n="en13" xml:lang="en" part="N">Given on the
            third day before the ides of July at <placeName instant="false" full="yes"
            >Rome</placeName> in the year of the consulship of the Most Noble Adelphius.
            - <date instant="false">July 13, 451</date>.</s>
    </ab>
</div2>
</div1>
<div1 xml:id="nov-val_35" type="titulus" part="N" org="uniform" sample="complete">
    <head xml:id="nov-val_35.titl">
        <s xml:id="nov-val_35.titl.s1" xml:lang="la" part="N">35. DE EPISCOPALI IUDICIO ET DE
            DIVERSIS NEGOTIIS</s>
        <s corresp="#nov-val_35.titl.s1" xml:lang="en" part="N">TITLE 35: EPISCOPAL COURTS;
            VARIOUS OTHER MATTERS</s>
    </head>
    <div2 type="constitutio" subtype="solo" part="N" org="uniform" sample="complete">
        <ab xml:id="nov-val_35.insc" type="insc" part="N">
            <milestone unit="latin" />
            <s xml:id="nov-val_35.insc.s1" n="la1" xml:lang="la" part="N">1. <persName
                corresp="#valentinian3" instant="false" full="yes">Valentinianus</persName>
                A. Firmino pp. et Patricio.</s>
            <milestone unit="english" />
            <s corresp="#nov-val_35.insc.s1" n="en1" xml:lang="en" part="N">1. Emperor
                <persName corresp="#valentinian3" instant="false" full="yes"
                >Valentinian</persName> Augustus to Firminus, Praetorian Prefect and
                Patrician.</s>
        </ab>
        <ab xml:id="nov-val_35.0" type="caput" part="N">
            <milestone unit="latin" /> 0. <s xml:id="nov-val_35.0.s1" n="la2" xml:lang="la"
                part="N">De <rs ana="#I_bishops"><w lemma="episcopalis" part="N"
                >episcopali</w></rs>
                <rs ana="#P_law-courts"><w lemma="iudicium" part="N">iudicio</w></rs>
                diversorum saepe causatio est: ne ulterius <phr xml:id="nov-val_35.0.s1.p1"
                type="ampl" subtype="g" injured="episcopalis iudicium" crt-inj="high"
                part="N"><w lemma="querella" part="N">querella</w></phr> procedat, necesse
                est praesenti lege sanciri.</s>
            <s xml:id="nov-val_35.0.s2" n="la3" xml:lang="la" part="N"><seg
                xml:id="nov-val_35.0.c1" part="N">Itaque cum inter <rs ana="#I_clergy"><w
                lemma="clericus" part="N">clericos</w></rs> iurgium vertitur et ipsi
                <rs ana="#E_litigant"><w lemma="litigator" part="N"
                >litigatoribus</w></rs> convenit, habeat <rs ana="#I_bishops"><w
                lemma="episcopus" part="N">episcopus</w></rs>
                <phr type="ampl" subtype="c" part="N"><w lemma="licentia" part="N"
                >licentiam</w></phr>
                <rs ana="#I_bishops"><w lemma="iudico" part="N">iudicandi</w></rs>,
                praeeunte tamen vinculo compromissi.</seg></s>
            <s xml:id="nov-val_35.0.s3" n="la4" xml:lang="la" part="N"><seg
                xml:id="nov-val_35.0.c2" part="N">Quod et de <rs ana="#E_lower-class"><w
                lemma="laicus" part="N">laicis</w></rs>, si consentiant, <rs
                ana="#I_emperor"><w lemma="auctoritas-nostra" part="N">auctoritas
                nostra</w></rs> permittit: aliter eos <rs ana="#P_high-officials"><w
                lemma="iudex" part="N">iudices</w></rs> esse non <phr
                xml:id="nov-val_35.0.s3.p1" function="cmdw" type="ampl" subtype="c"
                inj-src="auctoritas-nostra" crt-src="high" injured="episcopus"
                crt-inj="high" part="N"><w lemma="patior" part="N">patimur</w></phr>,
                nisi voluntas <rs ana="#E_litigant"><w lemma="iurgo" part="N"
                >iurgantium</w></rs> interposita, sicut dictum est, condicione
                praecedat,</seg> quoniam constat <rs ana="#I_bishops"><w lemma="episcopus"
                part="N">episcopos</w></rs> [et <rs ana="#I_clergy"><w lemma="presbyter"
                part="N">presbyteros</w></rs>] <rs ana="#P_law-courts"><w lemma="forum"
                part="N">forum</w></rs> legibus non habere nec de aliis causis secundum
                <rs ana="#I_emperor"><w lemma="Arcadius" part="N">Arcadii</w></rs> et <rs
                ana="#I_emperor"><w lemma="Honorius" part="N">Honorii</w></rs> divalia
                constituta, quae <rs ana="#P_law"><w lemma="Theodosianus-corpus" part="N"
                >Theodosianum corpus</w></rs> ostendit, praeter <rs ana="#I_belief"><w
                lemma="religio" part="N">religionem</w></rs> posse cognoscere.</s>
            <s xml:id="nov-val_35.0.s4" n="la5" xml:lang="la" part="N"><seg
                xml:id="nov-val_35.0.c3" part="N">Si ambo eiusdem officii <rs
                ana="#E_litigant"><w lemma="litigator" part="N">litigatores</w></rs>
                <phr xml:id="nov-val_35.0.s4.p1" type="ampl" subtype="g" injured="litigator"
                crt-inj="high" part="N"><w lemma="nolo" part="N">nolint</w></phr> vel
                alteruter, agant <rs ana="#P_law"><w lemma="publica-lex" part="N">publicis
                legibus</w></rs> et <rs ana="#P_law"><w lemma="ius-communum" part="N"
                >iure communi</w></rs>: sin vero <rs ana="#E_litigant"><w
                lemma="petitor" part="N">petitor</w></rs>
                <rs ana="#E_lower-class"><w lemma="laicus" part="N">laicus</w></rs>, seu in
                civili seu in <phr xml:id="nov-val_35.0.s4.p2" type="ampl" subtype="g"
                inj-src="laicus" crt-src="high" part="N"><w lemma="criminalis" part="N"

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    >criminali</w></phr> causa, cuiuslibet loci <rs ana="#I_clergy"><w
    lemma="clericus" part="N">clericum</w></rs>
    <phr xml:id="nov-val_35.0.s4.p3" type="ampl" subtype="g" inj-src="laicus"
    injured="clericus" crt-src="high" crt-inj="high" part="N"><rs
    ana="#E_litigant"><w lemma="adversarius" part="N"
    >adversarium</w></rs></phr> suum, si id magis eligat, per auctoritatem
    legitimam in <rs ana="#P_law-courts"><w lemma="publicum-iudicium" part="N"
    >publico iudicio</w></rs> respondere <phr xml:id="nov-val_35.0.s4.p4"
    type="ampl" subtype="c" inj-src="laicus" crt-src="high"
    injured="clericus" crt-inj="high" part="N"><w lemma="compello" part="N"
    >compellat</w></phr>.</seg></s>
    <milestone unit="english" /> 0. <s corresp="#nov-val_35.0.s1" n="en2"
    xml:lang="en" part="N">There is often a controversy of various persons in
    regard to the <rs>episcopal</rs>
    <rs>court</rs><supplied resp="#pharr" instant="false">.</supplied> That this
    <phr type="ampl" subtype="g" part="N">complaint</phr> may not proceed
    further, it is necessary that a sanction be issued by the present law.</s>
    <s corresp="#nov-val_35.0.s2" n="en3" xml:lang="en" part="N"><seg
    corresp="#nov-val_35.0.c1" part="N">Therefore when a case arises between
    <rs>clerics</rs> and there is an agreement between the <rs>litigants</rs>
    themselves, a <rs>bishop</rs> shall have the <phr type="ampl" subtype="c"
    part="N">right</phr> to act as <rs>judge</rs>, provided, however, that a
    bond of mutual promise shall precede.</seg></s>
    <s corresp="#nov-val_35.0.s3" n="en4" xml:lang="en" part="N"><seg
    corresp="#nov-val_35.0.c2" part="N">This privilege Our Authority also grants
    in the cases of <rs>laymen</rs>, if they should agree<supplied resp="#pharr"
    instant="false">.</supplied> Otherwise We do not <phr function="cmdw"
    type="ampl" subtype="c" part="N">allow</phr> the bishops to be
    <rs>judges</rs>, unless the wish of the <rs>disputants</rs> should
    precede, as has been said, by interposing this condition,</seg> since it is
    established that the <rs>bishops</rs> [and <rs>priests</rs>] do not have a
    <rs>court</rs> according to the laws, and they cannot have cognizance of
    cases except in <rs>religious</rs> matters, according to the divine imperial
    constitutions of <rs>Arcadius</rs> and <rs>Honorius</rs>, which are revealed in
    the <rs>Theodosian Corpus</rs>.</s>
    <s corresp="#nov-val_35.0.s4" n="en5" xml:lang="en" part="N"><seg
    corresp="#nov-val_35.0.c3" part="N">If both <rs>litigants</rs> of the
    aforesaid office, or either one of them, should be <phr type="ampl"
    subtype="g" part="N">unwilling</phr>, they shall conduct their cases
    according to the <rs>public statutes</rs> and the <rs>common
    law</rs><supplied resp="#pharr" instant="false">.</supplied> But if the
    <rs>plaintiff</rs> should be a <rs>layman</rs>, whether in a civil or a
    <phr type="ampl" subtype="g" part="N">criminal</phr> case, and if he
    should rather choose such a course, he may <phr type="ampl" subtype="c"
    part="N">compel</phr> his <phr type="ampl" subtype="g" part="N"
    ><rs>adversary</rs></phr> who is a <rs>cleric</rs> of any position
    whatever to answer to his charges in a <rs>public court</rs> through the
    statutory authority.</seg></s>
  </ab>
  <ab xml:id="nov-val_35.1" type="caput" part="N">
    <milestone unit="latin" /> 1. <s xml:id="nov-val_35.1.s1" n="la6" xml:lang="la"
    part="N"><seg xml:id="nov-val_35.1.c1" part="N">Quam formam etiam circa <rs
    ana="#I_bishops"><w lemma="episcopus" part="N">episcoporum</w></rs>
    personam observari oportere <phr xml:id="nov-val_35.1.s1.p1" function="cmdw"
    part="N">censumus</phr>,</seg> ut, si in huiusce ordinis homines actionem
    <phr xml:id="nov-val_35.1.s1.p2" type="ampl" subtype="c" inj-src="episcopus"
    crt-src="high" part="N"><w lemma="pervado" part="N">pervasionis</w></phr> et
    <phr xml:id="nov-val_35.1.s1.p3" type="ampl" subtype="g" inj-src="episcopus"
    crt-src="high" part="N"><w lemma="atrox" part="N">atrocium</w></phr>
    <phr xml:id="nov-val_35.1.s1.p4" type="ampl" subtype="g" inj-src="episcopus"
    crt-src="high" part="N"><w lemma="iniuria" part="N">iniuriarum</w></phr>
    dirigi necesse fuerit, per <rs ana="#E_manager"><w lemma="procurator" part="N"
    >procuratorem</w></rs> sollemniter ordinatum apud <rs
    ana="#P_high-officials"><w lemma="iudex" part="N">iudicem</w></rs>
    <rs ana="#P_high-officials"><w lemma="publicus" part="N">publicum</w></rs>
    inter leges et iura confligant, iudicati <phr xml:id="nov-val_35.1.s1.p5"
    type="ampl" subtype="c" part="N"><w lemma="exitus" part="N">exitu</w></phr>
    ad <rs ana="#E_litigant"><w lemma="mandator" part="N">mandatores</w></rs> sine
    dubio reversuro.</s>
    <s xml:id="nov-val_35.1.s2" n="la7" xml:lang="la" part="N">Quod his <rs
    ana="#I_belief"><w lemma="religio" part="N">religionis</w></rs> et <rs
    ana="#I_clergy"><w lemma="sacerdotium" part="N">sacerdotii</w></rs>
    veneratione permittimus.</s>
    <s xml:id="nov-val_35.1.s3" n="la8" xml:lang="la" part="N">Nam notum est <rs
    ana="#E_manager"><w lemma="procuratio" part="N">procuracionem</w></rs> in
    <phr xml:id="nov-val_35.1.s3.p1" type="ampl" subtype="g" part="N"><w
    lemma="criminalis" part="N">criminalibus</w></phr> negotiis non posse
    concedi.</s>
    <s xml:id="nov-val_35.1.s4" n="la9" xml:lang="la" part="N">Sed ut sit ulla
    discretio meritorum, <seg xml:id="nov-val_35.1.c2" part="N"><rs
    ana="#I_bishops"><w lemma="episcopus" part="N">episcopis</w></rs> [et <rs
    ana="#I_clergy"><w lemma="presbyter" part="N">presbyteris</w></rs>]
    tantum id oportet impendi; in reliquis negotiis <phr
    xml:id="nov-val_35.1.s4.p1" type="ampl" subtype="g"
    inj-src="episcopus presbyter" crt-src="high" part="N"><w
    lemma="criminalis" part="N">criminalibus</w></phr> iuxta legum ordinem
    per se <rs ana="#P_high-officials"><w lemma="iudex" part="N"
    >iudicium</w></rs> subire <phr xml:id="nov-val_35.1.s4.p2" type="ampl"
    subtype="c" part="N"><w lemma="cogo" part="N"

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>cogantur</w></phr>.</seg></s>
<s xml:id="nov-val_35.1.s5" n="la10" xml:lang="la" part="N"><seg
  xml:id="nov-val_35.1.c3" part="N">Si ab <rs ana="#P_bureaucracy"><w
    lemma="executor" part="N">executore</w></rs> conventi parere
  detrectant, servato iuris ordine sententia teneat <phr
    xml:id="nov-val_35.1.s5.p1" type="ampl" subtype="g"
    inj-src="episcopus presbyter" crt-src="low" part="N"><w lemma="contumax"
      part="N">contumaces</w></phr>.</seg></s>
<milestone unit="english" /> 1. <s corresp="#nov-val_35.1.s1" n="en6"
  xml:lang="en" part="N"><seg corresp="#nov-val_35.1.c1" part="N">We <phr
    function="cmdw" part="N">decree</phr> that this general rule shall be
    observed also with regard to the persons of <rs>bishops</rs>.</seg> so that
    if it should be necessary that an action should be brought against men of this
    order for <phr type="ampl" subtype="c" part="N">forcible entry and
      seizure</phr> and for <phr type="ampl" subtype="g" part="N">atrocious</phr>
    <phr type="ampl" subtype="g" part="N">outrages</phr>, they may combat the case
    through a <rs>procurator</rs> duly ordained, before a <rs>public</rs>
    <rs>judge</rs> according to the statutes and the laws, and the <phr type="ampl"
      subtype="c" part="N">outcome</phr> of the judgment shall without doubt
    revert to the <rs>mandators</rs>.</s>
<s corresp="#nov-val_35.1.s2" n="en7" xml:lang="en" part="N">This privilege We
  grant to them because of Our reverence for <rs>religion</rs> and the
  <rs>priesthood</rs>.</s>
<s corresp="#nov-val_35.1.s3" n="en8" xml:lang="en" part="N">For it is well known
  that a <rs>procuratorship</rs> cannot be granted in <phr type="ampl"
    subtype="g" part="N">criminal</phr> cases.</s>
<s corresp="#nov-val_35.1.s4" n="en9" xml:lang="en" part="N">But in order that
  there may be some discrimination of merits, <seg corresp="#nov-val_35.1.c2"
    part="N">this right must be granted only to <rs>bishops</rs> [and
    <rs>priests</rs>]<supplied resp="#pharr" instant="false">.</supplied> In
    other <phr type="ampl" subtype="g" part="N">criminal</phr> cases they shall
    be <phr type="ampl" subtype="c" part="N">compelled</phr> to undergo
    <rs>trial</rs> through themselves according to the order of the
    laws.</seg></s>
<s corresp="#nov-val_35.1.s5" n="en10" xml:lang="en" part="N"><seg
  corresp="#nov-val_35.1.c3" part="N">If they should be summoned by an
  <rs>enforcement officer</rs> and should refuse to obey, the order of the
  law shall be observed and a sentence shall hold them liable as <phr
    type="ampl" subtype="g" part="N">contumacious</phr>.</seg></s>
</ab>
<ab xml:id="nov-val_35.2" type="caput" part="N">
  <milestone unit="latin" /> 2. <s xml:id="nov-val_35.2.s1" n="la11" xml:lang="la"
    part="N"><seg xml:id="nov-val_35.2.c1" part="N">In <rs ana="#I_clergy"><w
      lemma="clericus" part="N">clerico</w></rs>
    <rs ana="#E_litigant"><w lemma="petitor" part="N">petitore</w></rs>
    consequens erit, ut secundum leges <phr xml:id="nov-val_35.2.s1.p1"
      type="ampl" subtype="g" injured="adversarius" crt-inj="high"
      inj-src="clericus" crt-src="high" part="N"><w lemma="pulsio" part="N"
        >pulsati</w></phr>
    <rs ana="#P_law-courts"><w lemma="forum" part="N">forum</w></rs> sequatur,
    si, ut dictum est, <phr xml:id="nov-val_35.2.s1.p2" type="ampl" subtype="g"
      injured="clericus" inj-src="adversarius" crt-src="high" crt-inj="high"
      part="N"><rs ana="#E_litigant"><w lemma="adversarius" part="N"
        >adversarius</w></rs></phr> suus ad <rs ana="#I_bishops"><w
        lemma="episcopus" part="N">episcopi</w></rs> [vel <rs ana="#I_clergy"
        ><w lemma="presbyter" part="N">presbyteri</w></rs>] audientiam non
      praestat adsensum: <phr xml:id="nov-val_35.2.s1.p3" type="ampl" subtype="g"
        injured="defensor" crt-inj="high" part="N"><w lemma="poena" part="N"
          >poena</w></phr>
    <rs ana="#P_law-experts"><w lemma="defensor" part="N">defensoribus</w></rs>
    negotii, qui in eodem extraordinario <rs ana="#P_law-courts"><w
      lemma="iudicium" part="N">iudicio</w></rs> adfuerint atque egerint,
    huiusmodi constituta, ut <rs ana="#P_law-experts"><w lemma="causidicus"
      part="N">causidicus</w></rs> officii <phr xml:id="nov-val_35.2.s1.p4"
        type="ampl" subtype="g" injured="causidicus" crt-inj="high" part="N"><w
        lemma="amissio" part="N">amissio</w></phr>, <rs ana="#P_law-experts"
        ><w lemma="iurisconsultus" part="N">iurisconsultum</w></rs>
      existimationis et <phr xml:id="nov-val_35.2.s1.p5" type="ampl" subtype="g"
        injured="iurisconsultus" crt-inj="high" part="N"><w lemma="interdictio"
        part="N">interdictae</w></phr> civitatis <phr
        xml:id="nov-val_35.2.s1.p6" type="ampl" subtype="g"
        injured="iurisconsultus" crt-inj="high" part="N"><w lemma="damnum"
          part="N">damna</w></phr>
    <phr xml:id="nov-val_35.2.s1.p7" type="ampl" subtype="c"
      injured="causidicus iurisconsultus" crt-inj="high" part="N"><w
        lemma="percellio" part="N">percellant</w></phr>.</seg></s>
  <milestone unit="english" /> 2. <s corresp="#nov-val_35.2.s1" n="en11"
    xml:lang="en" part="N"><seg corresp="#nov-val_35.2.c1" part="N">In the case of
    a <rs>cleric</rs> who is a <rs>plaintiff</rs>, the consequence will be that
    he shall follow the <rs>forum</rs> of the <phr type="ampl" subtype="c"
      part="N">defendant</phr>, according to the laws, if, as has been said,
    his <phr type="ampl" subtype="g" part="N"><rs>adversary</rs></phr> should
    not give his assent to a hearing by a <rs>bishop</rs> [or
    <rs>priest</rs>]<supplied resp="#pharr" instant="false">.</supplied> The
    <phr type="ampl" subtype="g" part="N">punishment</phr> for the
    <rs>defenders</rs> of the case, if they should assist and should conduct
    the case in the aforesaid extraordinary <rs>court</rs>, has been established
    as follows: the <rs>advocate</rs> shall be <phr type="ampl" subtype="c"
      part="N">smitten</phr> by the <phr type="ampl" subtype="g" part="N"

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    >forfeiture</phr> of his office, the <rs>jurisconsult</rs> by the <phr
    type="ampl" subtype="g" part="N">loss</phr> of his status and of his
    citizenship, which shall be <phr type="ampl" subtype="g" part="N"
    >interdicted</phr> to him.</seg></s>
  </ab>
  <ab xml:id="nov-val_35.3" type="caput" part="N">
    <milestone unit="latin" /> 3. <s xml:id="nov-val_35.3.s1" n="la12" xml:lang="la"
    part="N"><seg xml:id="nov-val_35.3.c1" part="N">Nullus <rs ana="#E_lower-class"
    ><w lemma="originarius" part="N">originarius</w></rs>
    <rs ana="#E_lower-class"><w lemma="inquilinus" part="N">inquilinus</w></rs>
    <rs ana="#E_unfree"><w lemma="servus" part="N">servus</w></rs> vel <rs
    ana="#E_unfree"><w lemma="colonus" part="N">colonus</w></rs> ad <rs
    ana="#I_clergy"><w lemma="clericalis" part="N">clericale</w></rs> munus
    accedat neque <rs ana="#I_monks"><w lemma="monachus" part="N"
    >monachis</w></rs> aut monasteriis adgregetur, ut vinculum debitaee
    condicionis <phr xml:id="nov-val_35.3.s1.p1" type="ampl" subtype="g"
    inj-src="aurarius civis collegiatus colonus corporatus curialis exprimarius inquilinus
    originarius publicus servus sevir"
    crt-src="high" part="N"><w lemma="evado" part="N">evadat</w></phr>, non
    <rs ana="#E_guildsmen"><w lemma="corporatus" part="N">corporatus</w></rs>
    <rs ana="#E_Rome"><w lemma="urbs-Roma" part="N">urbis Romae</w></rs> vel
    cuiuslibet <rs ana="#E_cities"><w lemma="urbs-alter" part="N">urbis
    alterius</w></rs>, non <rs ana="#E_local-officials"><w
    lemma="curialis" part="N">curialis</w></rs>, non <rs
    ana="#P_bureaucracy"><w lemma="exprimarius" part="N">exprimario</w></rs>,
    non <rs ana="#P_bureaucracy"><w lemma="aurarius" part="N">aurarius</w></rs>,
    <rs ana="#E_citizens"><w lemma="civis" part="N">civis</w></rs>
    <rs ana="#E_guildsmen"><w lemma="collegiatus" part="N">collegiatus</w></rs>
    <rs ana="#E_guildsmen"><w lemma="sevir" part="N">sevir</w></rs> aut <rs
    ana="#E_unfree"><w lemma="publicus" part="N">publicus</w></rs>
    <rs ana="#E_unfree"><w lemma="servus" part="N">servus</w></rs>.</seg></s>
    <milestone unit="english" /> 3. <s corresp="#nov-val_35.3.s1" n="en12"
    xml:lang="en" part="N"><seg corresp="#nov-val_35.3.c1" part="N">No person of
    <rs>ignoble birth status</rs>, an <rs>inquilinus</rs>, a <rs>slave</rs>,
    or a <rs>colonus</rs> shall undertake the duties of <rs>clerics</rs>, nor
    shall he be united with the <rs>monks</rs> or monasteries, in order that he
    may <phr type="ampl" subtype="g" part="N">evade</phr> the bond of his due
    condition; likewise, no <rs>guildsman</rs> of the <rs>City of Rome</rs> or
    of <rs>any other city</rs> whatsoever, no <rs>decurion</rs>, no
    <rs>ex-primate</rs>, no <rs>receiver of the gold tax</rs>, no
    <rs>citizen</rs> who is a <rs>sevir</rs> of a <rs>guild</rs> or a
    <rs>public</rs>
    <rs>slave</rs>.</seg></s>
  </ab>
  <ab xml:id="nov-val_35.4" type="caput" part="N">
    <milestone unit="latin" /> 4. <s xml:id="nov-val_35.4.s1" n="la13" xml:lang="la"
    part="N"><seg xml:id="nov-val_35.4.c1" part="N"><phr
    xml:id="nov-val_35.4.s1.p1" function="cmdw" part="N">Iubemus</phr>, ut
    <rs ana="#I_clergy"><w lemma="clericus" part="N">clerici</w></rs> nihil
    prorsus <rs ana="#E_agreements-sales"><w lemma="negotiatio" part="N"
    >negotiationis</w></rs> exerceant.</seg></s>
    <s xml:id="nov-val_35.4.s2" n="la14" xml:lang="la" part="N"><seg
    xml:id="nov-val_35.4.c2" part="N">Si velint <rs ana="#E_agreements-sales"><w
    lemma="negotio" part="N">negotiar</w></rs>, sciant se <rs
    ana="#P_high-officials"><w lemma="iudex" part="N">iudicibus</w></rs>
    subditos <rs ana="#I_clergy"><w lemma="clericus" part="N"
    >clericorum</w></rs> privilegio non muniri.</seg></s>
    <milestone unit="english" /> 4. <s corresp="#nov-val_35.4.s1" n="en13"
    xml:lang="en" part="N"><seg corresp="#nov-val_35.4.c1" part="N">We <phr
    function="cmdw" part="N">order</phr> that <rs>clerics</rs> shall
    henceforth engage in no <rs>trade</rs>.</seg></s>
    <s corresp="#nov-val_35.4.s2" n="en14" xml:lang="en" part="N"><seg
    corresp="#nov-val_35.4.c2" part="N">If they should wish to engage in
    <rs>business</rs>, they shall know that they will be subject to the
    <rs>judges</rs> and will not be protected by the privilege of
    <rs>clerics</rs>.</seg></s>
  </ab>
  <ab xml:id="nov-val_35.5" type="caput" part="N">
    <milestone unit="latin" /> 5. <s xml:id="nov-val_35.5.s1" n="la15" xml:lang="la"
    part="N"><seg xml:id="nov-val_35.5.c1" part="N"><rs ana="#P_law-experts"><w
    lemma="defensor" part="N">Defensores</w></rs>
    <rs ana="#I_churches"><w lemma="ecclesia" part="N">ecclesiae</w></rs> de
    expressis <rs ana="#E_cities"><w lemma="urbs" part="N">urbium</w></rs>
    <rs ana="#I_clergy"><w lemma="ministerium" part="N">ministeriis</w></rs> non
    liceat ordinari: adquiescentes huic officio <rs ana="#E_property"><w
    lemma="res" part="N">rerum</w></rs> suarum <phr
    xml:id="nov-val_35.5.s1.p1" type="ampl" subtype="g"
    injured="defensor res" crt-inj="high" part="N"><w lemma="amissio"
    part="N">amissio</w></phr> comitetur, quas <rs
    ana="#E_local-officials"><w lemma="curia" part="N">curiae</w></rs> vel
    <rs ana="#E_guildsmen"><w lemma="corpus" part="N">corpori</w></rs> suo
    <phr xml:id="nov-val_35.5.s1.p2" function="cmdw" part="N"
    >praecipimus</phr> adplicari.</seg></s>
    <s xml:id="nov-val_35.5.s2" n="la0" xml:lang="la" part="N"><seg
    xml:id="nov-val_35.5.c2" part="N">Si <phr type="ampl" subtype="c" part="N"
    ><w lemma="custodio" part="N">custodire</w></phr> haec et exequi <phr
    xml:id="nov-val_35.5.s2.p1" type="ampl" subtype="g" inj-src="iudex"
    crt-src="high" part="N"><w lemma="neglego" part="N">neglexerint</w></phr>
    <rs ana="#P_high-officials"><w lemma="iudex" part="N">iudices</w></rs>

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competentes, <rs ana="#E_property"><w lemma="facultas" part="N"
>facultatibus</w></rs> suis et <rs ana="#E_guildsmen"><w
lemma="status" part="N">status</w></rs> privilegiis <phr
xml:id="nov-val_35.5.s2.p2" type="ampl" subtype="c"
injured="iudex facultas status" crt-inj="high" part="N"><w lemma="exuo"
part="N">exuantur</w></phr>, <rs ana="#P_bureaucracy"><w
lemma="primoris" part="N">primoribus</w></rs>
<rs ana="#P_bureaucracy"><w lemma="officium" part="N">officii</w></rs>
<phr xml:id="nov-val_35.5.s2.p3" type="ampl" subtype="c"
injured="primoris officium" crt-inj="high" part="N"><w lemma="capital"
part="N">capitali</w></phr>
<phr xml:id="nov-val_35.5.s2.p4" type="ampl" subtype="c"
injured="primoris officium" crt-inj="high" part="N"><w lemma="discrimen"
part="N">discrimine</w></phr> constituto, ipsis nihilominus a tali
officio <phr xml:id="nov-val_35.5.s2.p5" type="ampl" subtype="c"
injured="defensor" crt-inj="low" part="N"><w lemma="repello" part="N"
>repellendis</w></phr>, ut ab <rs ana="#E_cities"><w lemma="urbs"
part="N">urbis</w></rs> suae competentibus <rs
ana="#E_local-officials"><w lemma="obsequium" part="N">obsequiis</w></rs>
non recedant.</seg></s>
<s xml:id="nov-val_35.5.s3" n="1a1" xml:lang="la" part="N"><seg
xml:id="nov-val_35.5.c3" part="N">Hi autem, qui intra decennium transactum a
die latae huius legis <rs ana="#I_clergy"><w lemma="diacon" part="N"
>diacones</w></rs> ordinati sunt, suffectos pro se dare debebunt; si
non habent, unde sibi hac ratione prospiciant, ipsi ad nexum proprium
reducantur: ceteris <rs ana="#E_lower-class"><w lemma="inferioris-gradus"
part="N">inferioris gradus</w></rs> ad competentia ministeria <phr
type="ampl" subtype="c" injured="inferioris-gradus" crt-inj="high"
part="N"><w lemma="retraho" part="N">retrahendis</w></phr>, exceptis <rs
ana="#I_bishops"><w lemma="episcopus" part="N">episcopis</w></rs> atque
<rs ana="#I_clergy"><w lemma="presbyter" part="N">presbyteris</w></rs>,
servatis tamen, quae de <rs ana="#E_inheritance"><w lemma="patrimonium"
part="N">patrimonio</w></rs> talium personarum <rs ana="#P_law"><w
lemma="lex" part="N">legum</w></rs> praecedentium statuta
sanxerunt.</seg></s>
<milestone unit="english" /> 5. <s corresp="#nov-val_35.5.s1" n="en15"
xml:lang="en" part="N"><seg corresp="#nov-val_35.5.c1" part="N"
><rs>Defenders</rs> of the <rs>Church</rs> shall not be permitted to be
ordained from the above-mentioned <rs>ministries</rs> of the
<rs>cities</rs>; <phr type="ampl" subtype="g" part="N">forfeiture</phr> of
their <rs>property</rs> shall overtake those persons who acquiesce in this
service, and We <phr function="cmdw" part="N">command</phr> that such
property shall be assigned to the <rs>municipal council</rs> or to their own
<rs>guild</rs>.</seg></s>
<s corresp="#nov-val_35.5.s2" n="en0" xml:lang="en" part="N"><seg
corresp="#nov-val_35.5.c2" part="N">If the competent <rs>judges</rs> should
<phr type="ampl" subtype="g" part="N">neglect</phr> to <phr type="ampl"
subtype="c" part="N">observe</phr> and to execute these regulations, they
shall be <phr type="ampl" subtype="c" part="N">deprived</phr> of their
<rs>property</rs> and the privileges of their <rs>status</rs>; <phr
type="ampl" subtype="c" part="N">capital</phr>
<phr type="ampl" subtype="c" part="N">punishment</phr> is established for
the <rs>primates</rs> of their <rs>office staffs</rs><supplied resp="#pharr"
instant="false">.</supplied> Persons so ordained shall nonetheless be
<phr type="ampl" subtype="c" part="N">expelled</phr> from such office, in
order that they may not withdraw from the due <rs>services</rs> of their
<rs>city</rs>.</seg></s>
<s corresp="#nov-val_35.5.s3" n="en1" xml:lang="en" part="N"><seg
corresp="#nov-val_35.5.c3" part="N">Those persons, moreover, who have been
ordained <rs>deacons</rs> within the ten years that have passed previous to
the day of the issuance of this law, must give substitutes for
themselves<supplied resp="#pharr" instant="false">.</supplied> If they
should not have the means whereby they may provide for themselves in this
manner, they themselves shall be brought back to their own bond<supplied
resp="#pharr" instant="false">.</supplied> All the rest of <rs>lower
grade</rs> must be <phr type="ampl" subtype="c" part="N">dragged</phr>
back to their due services; <rs>bishops</rs> and <rs>priests</rs> shall be
excepted, but nevertheless those regulations shall be observed which were
sanctioned by the statutes of previous <rs>laws</rs> in regard to the
<rs>patrimony</rs> of such persons.</seg></s>
</ab>
<ab xml:id="nov-val_35.6" type="caput" part="N">
<milestone unit="latin" /> 6. <s xml:id="nov-val_35.6.s1" n="1a2" xml:lang="la"
part="N"><seg xml:id="nov-val_35.6.c1" part="N"><rs ana="#E_lower-class"><w
lemma="originarius" part="N">Originarii</w></rs> vero vel <rs
ana="#E_unfree"><w lemma="servus" part="N">servi</w></rs>, qui iugum <rs
ana="#E_lower-class"><w lemma="natalis" part="N">natalium</w></rs>
<phr type="ampl" subtype="c" inj-src="originarius servus" crt-src="high"
part="N"><w lemma="declino" part="N">declinantes</w></phr> ad <rs
ana="#I_clergy"><w lemma="ecclesiasticus" part="N"
>ecclesiasticum</w></rs> se ordinem transtulerunt, exceptis <rs
ana="#I_bishops"><w lemma="episcopus" part="N">episcopis</w></rs> et <rs
ana="#I_clergy"><w lemma="presbyter" part="N">presbyteris</w></rs> ad <rs
ana="#E_masters"><w lemma="dominus" part="N">dominorum</w></rs> iura
redeant, si non in eodem officio annum tricesimum compleverunt: ita ut huius
condicionis <rs ana="#I_clergy"><w lemma="diaconus" part="N"
>diaconus</w></rs>
<rs ana="#E_masters"><w lemma="dominus" part="N">domino</w></rs> pro se
vicarium reddat, omni pariter <rs ana="#E_property"><w lemma="peculium"

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        part="N">peculio</w></rs> restituto.</seg></s>
<s xml:id="nov-val_35.6.s2" n="la3" xml:lang="la" part="N"><seg
    xml:id="nov-val_35.6.c2" part="N">circa quem nihilominus, si copia vicarii
    dandi non suppetat, quae de <rs ana="#I_clergy"><w lemma="ministerium"
    part="N">ministeriis</w></rs>
    <rs ana="#E_cities"><w lemma="urbs" part="N">urbium</w></rs> sunt superius
    statuta servantur.</seg></s>
<milestone unit="english" /> 6. <s corresp="#nov-val_35.6.s1" n="en2"
    xml:lang="en" part="N"><seg corresp="#nov-val_35.6.c1" part="N">But persons of
    <rs>ignoble birth status</rs> or <rs>slaves</rs> who <phr type="ampl"
    subtype="c" part="N">evade</phr> the yoke of their <rs>birth status</rs>
    and transfer themselves to an <rs>ecclesiastic</rs> order shall return to
    the ownership of their <rs>masters</rs>, except when they have become
    <rs>bishops</rs> and <rs>priests</rs>, unless they have completed their
    thirtieth year in the aforesaid office of the church<supplied resp="#pharr"
    instant="false">.</supplied> Thus a <rs>deacon</rs> of such condition may
    render a substitute for himself to his <rs>master</rs>, and he shall
    likewise restore all his <rs>peculium</rs>.</seg></s>
<s corresp="#nov-val_35.6.s2" n="en3" xml:lang="en" part="N"><seg
    corresp="#nov-val_35.6.c2" part="N">If the opportunity should not be
    available to him to give a substitute, the regulations shall nonetheless be
    observed in his case which were established above in regard to the
    <rs>ministries</rs> of the <rs>cities</rs>.</seg></s>
</ab>
<ab xml:id="nov-val_35.7" type="caput" part="N">
<milestone unit="latin" /> 7. <s xml:id="nov-val_35.7.s1" n="la4" xml:lang="la"
    part="N">Universis <rs ana="#I_clergy"><w lemma="clericus" part="N"
    >clericis</w></rs> praeter <rs ana="#I_clergy"><w lemma="ecclesiasticus"
    part="N">ecclesiasticos</w></rs> actus nihil omnino cum aliis causis
    decet esse commune nec cum locis iuris <rs ana="#P_state"><w lemma="publicus"
    part="N">publici</w></rs>, quae quasi <phr xml:id="nov-val_35.7.s1.p1"
    type="ampl" subtype="g" inj-src="clergy" injured="state" part="N"><w
    lemma="destitutio" part="N">destituta</w></phr> plerumque et non necessaria
    elicitis <phr type="ampl" subtype="c" part="N"><w lemma="supplicatio" part="N"
    >supplicationibus</w></phr> velut ad usum quendam <rs ana="#I_belief"><w
    lemma="religio" part="N">religionis</w></rs>
    <phr xml:id="nov-val_35.7.s1.p2" type="ampl" subtype="c" inj-src="clericus"
    crt-src="high" part="N"><w lemma="everto" part="N">vertunt</w></phr>: <seg
    xml:id="nov-val_35.7.c1" part="N"><phr xml:id="nov-val_35.7.s1.p3"
    type="ampl" subtype="g" injured="scrinium proximus" crt-inj="high"
    part="N"><rs ana="#E_payments-fines"><w lemma="poena" part="N"
    >poena</w></rs></phr> XX librarum auri <rs ana="#P_bureaucracy"><w
    lemma="scrinium" part="N">scriniorum</w></rs>
    <rs ana="#P_bureaucracy"><w lemma="proximus" part="N">proximis</w></rs>
    interposita, si aditus huic <phr type="ampl" subtype="c" part="N"><w
    lemma="supplicatio" part="N">supplicationi</w></phr> fuerit
    adtributus.</seg></s>
<milestone unit="english" /> 7. <s corresp="#nov-val_35.7.s1" n="en4"
    xml:lang="en" part="N">It is seemly that all <rs>clerics</rs> should have
    nothing at all in common with other cases, except <rs>ecclesiastical</rs>
    actions, or with places belonging to the <rs>public</rs> ownership, which in
    many cases they <phr type="ampl" subtype="c" part="N">destroy</phr> as if they
    were <phr type="ampl" subtype="g" part="N">abandoned</phr> and unnecessary, and
    which they had elicited from the Emperor by <phr type="ampl" subtype="c"
    part="N">supplications</phr>, as though they were for some use of
    <rs>religion</rs><supplied resp="#pharr" instant="false">.</supplied>
    <seg corresp="#nov-val_35.7.c1" part="N">A <phr type="ampl" subtype="g"
    part="N"><rs>penalty</rs></phr> of twenty pounds of gold has been
    established for the <rs>chief assistants</rs> of the <rs>bureaus</rs> if
    access should be granted to such <phr type="ampl" subtype="c" part="N"
    >supplications</phr>.</seg></s>
</ab>
<ab xml:id="nov-val_35.8" type="caput" part="N">
<milestone unit="latin" /> 8. <s xml:id="nov-val_35.8.s1" n="la5" xml:lang="la"
    part="N">Opportunum duximus occasione legis ea de <rs ana="#E_inheritance"><w
    lemma="successio" part="N">successione</w></rs> decernere, quae
    anterioribus constitutis non sunt evidententer expressa.</s>
<s xml:id="nov-val_35.8.s2" n="la6" xml:lang="la" part="N"><seg
    xml:id="nov-val_35.8.c1" part="N">Itaque si <rs ana="#E_spouses-husbands"><w
    lemma="vir" part="N">vir</w></rs> sine <rs ana="#E_family-children"><w
    lemma="liber" part="N">liberis</w></rs>
    <rs ana="#E_spouses-women"><w lemma="uxor" part="N">uxore</w></rs>
    superstiti <phr xml:id="nov-val_35.8.s2.p1" type="ampl" subtype="g"
    injured="vir" crt-inj="high" part="N"><w lemma="moriior" part="N"
    >moriatur</w></phr>, <rs ana="#E_payments-marriage"><w
    lemma="sponsalis" part="N">sponsalium</w></rs>, quae mulier accepit,
    <phr xml:id="nov-val_35.8.s2.p2" type="ampl" subtype="c" injured="vir"
    crt-inj="high" part="N"><w lemma="obeo" part="N">obeuntis</w></phr>
    <rs ana="#E_family-fathers"><w lemma="pater" part="N">patri</w></rs>
    <rs ana="#E_family-women-mothers"><w lemma="mater" part="N">matri</w></rs>
    mediam restituat portionem sibi residuam servatura.</seg></s>
<s xml:id="nov-val_35.8.s3" n="la7" xml:lang="la" part="N"><seg
    xml:id="nov-val_35.8.c2" part="N">Si <phr type="ampl" subtype="g"
    injured="pater mater" crt-inj="high" part="N"><w lemma="desum" part="N"
    >desint</w></phr> personae quas loquimur, ipsi universa proficiant pro
    <phr type="ampl" subtype="c" part="N"><w lemma="pudor" part="N"
    >pudore</w></phr> percepta,</seg> quae non extantibus tam caris
    religiosisque nominibus imminui non oportet.</s>
<milestone unit="english" /> 8. <s corresp="#nov-val_35.8.s1" n="en5"

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xml:lang="en" part="N">We have considered it opportune on the occasion of this
law to decree the following regulations in regard to <rs>succession</rs>, since
they were not clearly expressed in the previous constitutions.</s>
<s corresp="#nov-val_35.8.s2" n="en6" xml:lang="en" part="N"><seg
corresp="#nov-val_35.8.c1" part="N">Therefore, if a <rs>man</rs> without
<rs>children</rs> should <phr type="ampl" subtype="g" part="N">die</phr>
and his <rs>wife</rs> should survive, the wife shall restore to the
<rs>father</rs> or the <rs>mother</rs> of the <phr type="ampl"
subtype="c" part="N">deceased</phr> a half portion of the
<rs>betrothal</rs> gifts which she received, and she shall reserve the
residual portion for herself.</seg></s>
<s corresp="#nov-val_35.8.s3" n="en7" xml:lang="en" part="N"><seg
corresp="#nov-val_35.8.c2" part="N">If the persons whom We mention should be
<phr type="ampl" subtype="g" part="N">lacking</phr>, all the gifts which
she has received shall benefit her for her <phr type="ampl" subtype="c"
part="N">chastity</phr>,</seg> for they must not be diminished if such
dear and revered names should not be extant.</s>
</ab>
<ab xml:id="nov-val_35.9" type="caput" part="N">
<milestone unit="latin" /> 9. <s xml:id="nov-val_35.9.s1" n="la8" xml:lang="la"
part="N"><seg xml:id="nov-val_35.9.c1" part="N">Similis erit de <rs
ana="#E_payments-marriage"><w lemma="dos" part="N">dote</w></rs>
condicio, quam dari praesentis oraculi decernit auctoritas, ut, si nullis
interpositis condicionibus <rs ana="#E_spouses-husbands"><w lemma="vir"
part="N">viro</w></rs> fuerit contributa (quae <rs
ana="#E_payments-marriage"><w lemma="lucratus" part="N"
>lucratus</w></rs> esse potest), <rs ana="#E_spouses-women"><w
lemma="uxorius" part="N">uxoriae</w></rs>
<phr xml:id="nov-val_35.9.s1.p1" type="ampl" subtype="g" injured="uxor"
crt-inj="high" part="N"><w lemma="mors" part="N">mortis</w></phr> eventu
<rs ana="#E_family-fathers"><w lemma="pater" part="N">patris</w></rs>
<rs ana="#E_family-women-mothers"><w lemma="mater" part="N">matris</w></rs>
defunctae <rs ana="#E_spouses-husbands"><w lemma="maritus" part="N"
>maritus</w></rs> acceptae <rs ana="#E_payments-marriage"><w
lemma="dos" part="N">dotis</w></rs> mediam restituat
quantitatem.</seg></s>
<s xml:id="nov-val_35.9.s2" n="la9" xml:lang="la" part="N"><seg
xml:id="nov-val_35.9.c2" part="N"><rs ana="#E_family"><w lemma="pars"
part="N">pars</w></rs> vero <rs ana="#E_spouses-women"><w
lemma="femina" part="N">feminae</w></rs> tantum dare debet quantum
<rs ana="#E_payments-marriage"><w lemma="sponsalis" part="N"
>sponsalibus</w></rs>
<rs ana="#E_spouses-husbands"><w lemma="maritus" part="N">maritus</w></rs>
intulerit, ut dantis et accipientis sit aequa condicio,</seg> ne placita
futuraque coniunctio uni lucrum, alteri faciat <phr xml:id="nov-val_35.9.s2.p1"
type="ampl" subtype="g" injured="maritus" crt-inj="high" part="N"><w
lemma="detrimentum" part="N">detrimentum</w></phr>.</s>
<milestone unit="english" /> 9. <s corresp="#nov-val_35.9.s1" n="en8"
xml:lang="en" part="N"><seg corresp="#nov-val_35.9.c1" part="N">There shall be
a similar condition in regard to the <rs>dowry</rs>, which the authority of
the present divine imperial response decrees shall be so given that if such
dowry, which can be <rs>gainfully acquired property</rs>, should be assigned
to the <rs>husband</rs> without the interposition of any conditions, in the
event of the <phr type="ampl" subtype="g" part="N">death</phr> of the
<rs>wife</rs>, the husband shall restore to the <rs>father</rs> or
<rs>mother</rs> of his deceased <rs>wife</rs> half the amount of the
<rs>dowry</rs> which he received.</seg></s>
<s corresp="#nov-val_35.9.s2" n="en9" xml:lang="en" part="N"><seg
corresp="#nov-val_35.9.c2" part="N">The <rs>party</rs> of the <rs>wife</rs>
shall give as much as the <rs>husband</rs> conferred as <rs>betrothal
gifts</rs>, so that there shall be an equal condition for the giver and
receiver,</seg> in order that a future marriage which has been agreed upon
may not cause gain for the one and <phr type="ampl" subtype="g" part="N"
>loss</phr> for the other.</s>
</ab>
<ab xml:id="nov-val_35.10" type="caput" part="N">
<milestone unit="latin" /> 10. <s xml:id="nov-val_35.10.s1" n="la10" xml:lang="la"
part="N"><seg xml:id="nov-val_35.10.c1" part="N"><rs ana="#E_spouses-women"><w
lemma="mulier" part="N">Muliere</w></rs> in <rs ana="#E_marriage"><w
lemma="matrimonium" part="N">matrimonio</w></rs> intestata <phr
xml:id="nov-val_35.10.s1.p1" type="ampl" subtype="c" injured="mulier"
crt-inj="high" part="N"><w lemma="deficio" part="N">deficiente</w></phr>
superstitibus <rs ana="#E_family-children"><w lemma="filius" part="N"
>filiis</w></rs> derelictis <rs ana="#E_family-fathers"><w
lemma="pater" part="N">pater</w></rs> ususfructus totius <rs
ana="#E_inheritance"><w lemma="patrimonium" part="N">patrimonii</w></rs>
habeat potestatem usque ad vicesimum <rs ana="#E_family-children"><w
lemma="filius" part="N">filiorum</w></rs> aetatis annum; post
medietatem restituat <rs ana="#E_family-children"><w lemma="filius" part="N"
>filio</w></rs>
<rs ana="#E_family-women-daughters"><w lemma="filia" part="N"
>filiae</w></rs>, sibi in diem vitae suae medietate detenta.</seg></s>
<s xml:id="nov-val_35.10.s2" n="la11" xml:lang="la" part="N"><seg
xml:id="nov-val_35.10.c2" part="N">Si expleto <rs ana="#E_family-children"
><w lemma="filius" part="N">filiorum</w></rs> vicesimo anno medietatem
portionis suae unicuique dare <phr xml:id="nov-val_35.10.s2.p1" type="ampl"
subtype="g" inj-src="pater" crt-src="high" injured="suboles"
crt-inj="high" part="N"><w lemma="nolo" part="N">noluerit</w></phr>, <rs
ana="#E_family-children"><w lemma="suboles" part="N">suboli</w></rs>,

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quae medietatem ex <rs ana="#E_property"><w lemma="bonum" part="N"
>bonis</w></rs>
<rs ana="#E_family-women-mothers"><w lemma="maternus" part="N"
>maternis</w></rs> a <rs ana="#E_family-fathers"><w lemma="pater"
part="N">patre</w></rs> non fuerit consecuta, (fructus eius
medietatis) post <phr xml:id="nov-val_35.10.s2.p2" type="ampl" subtype="c"
injured="pater" crt-inj="high" part="N"><w lemma="obeo" part="N"
>obitum</w></phr>
<rs ana="#E_family-fathers"><w lemma="pater" part="N">patris</w></rs> a <rs
ana="#E_family-relatives"><w lemma="successor" part="N"
>successoribus</w></rs> aestimatione habita <phr
xml:id="nov-val_35.10.s2.p3" function="cmdw" part="N">iubemus</phr>
exsolvi, ut, quod in <rs ana="#E_family"><w lemma="familia" part="N"
>familia</w></rs> quis constitutus <phr type="ampl" subtype="c"
part="N"><w lemma="amitto" part="N">amisit</w></phr>, futura saltim
compenset aetate.</seg></s>
<milestone unit="english" /> 10. <s corresp="#nov-val_35.10.s1" n="en10"
xml:lang="en" part="N"><seg corresp="#nov-val_35.10.c1" part="N">If a
<rs>woman</rs> who is <rs>married</rs> should <phr type="ampl"
subtype="c" part="N">die</phr> intestate and should leave surviving
<rs>children</rs>, the <rs>father</rs> shall have the right to the
usufruct of the entire <rs>patrimony</rs>, until the twentieth year of age
of the <rs>children</rs><supplied resp="#pharr" instant="false">.</supplied>
Afterwards he shall restore half of the property to the <rs>son</rs> or
<rs>daughter</rs>, and half he shall retain for himself until the last
day of his life.</seg></s>
<s corresp="#nov-val_35.10.s2" n="en11" xml:lang="en" part="N"><seg
corresp="#nov-val_35.10.c2" part="N">If the twentieth year of the
<rs>children's</rs> age should be completed and the father should be <phr
type="ampl" subtype="g" part="N">unwilling</phr> to give the half of his
portion to any one of them, to the <rs>offspring</rs> who did not obtain his
half of the <rs>maternal</rs>
<rs>goods</rs> from his <rs>father</rs> We <phr function="cmdw" part="N"
>order</phr> that the fruits of his half shall be paid after the <phr
type="ampl" subtype="c" part="N">death</phr> of the <rs>father</rs> by
his father's <rs>successors</rs>, after an appraisal has been held. Thus if
a person has <phr type="ampl" subtype="c" part="N">lost</phr> anything while
he was established in the <rs>family</rs>, he shall at least be compensated
for it at a future age.</seg></s>
</ab>
<ab xml:id="nov-val_35.11" type="caput" part="N">
<milestone unit="latin" /> 11. <s xml:id="nov-val_35.11.s1" n="la12" xml:lang="la"
part="N"><seg xml:id="nov-val_35.11.s1.p1" type="ampl" subtype="g" injured="matrimonium"
crt-inj="high" part="N"><w lemma="temere" part="N">temere</w></phr>
<phr xml:id="nov-val_35.11.s1.p2" type="ampl" subtype="c" injured="matrimonium"
crt-inj="high" part="N"><w lemma="desero" part="N">deserantur</w></phr>,
<seg xml:id="nov-val_35.11.c1" part="N"><phr type="ampl" subtype="c"
injured="lex" crt-inj="high" part="N"><w lemma="antiquo" part="N"
>antiquata</w></phr> novella <rs ana="#P_law"><w lemma="lex" part="N"
>lege</w></rs>, quae solvi <rs ana="#E_marriage"><w lemma="coniungo"
part="N">coniugia</w></rs> sola contraria voluntate permiserat, ea
quae a divo patre nostro <rs ana="#I_emperor"><w lemma="Constantius"
part="N">Constantio</w></rs>
<rs ana="#P_law"><w lemma="decretum" part="N">decreta</w></rs> sunt
intemerata servantur.</seg></s>
<milestone unit="english" /> 11. <s corresp="#nov-val_35.11.s1" n="en12"
xml:lang="en" part="N">Moreover, for the benefit of the bond of reverence for
<rs>marriages</rs> themselves, and in order that marriages may not be
commonly and <phr type="ampl" subtype="g" part="N">rashly</phr>
<phr type="ampl" subtype="c" part="N">abandoned</phr>, <seg
corresp="#nov-val_35.11.c1" part="N">We <phr type="ampl" subtype="c"
part="N">annul</phr> the recent <rs>law</rs> which permitted marriages to
be dissolved by the adverse wish alone of the <rs>parties</rs>, and those
regulations which were <rs>decreed</rs> by Our sainted Father
<rs>Constantius</rs> shall be preserved inviolate.</seg></s>
</ab>
<ab xml:id="nov-val_35.12" type="caput" part="N">
<milestone unit="latin" /> 12. <s xml:id="nov-val_35.12.s1" n="la13" xml:lang="la"
part="N"><seg xml:id="nov-val_35.12.c1" part="N">Tricennali temporum
definitione concludi ea <phr xml:id="nov-val_35.12.s1.p1" function="cmdw"
part="N">praecipimus</phr>, quae perpetuis aut infinitis saeculis
servabantur, exceptis <rs ana="#E_regions"><w lemma="Afer" part="N"
>afrosum</w></rs> negotiis, qui se probaverint <phr type="ampl"
subtype="c" injured="Afer" crt-inj="high" inj-src="Wandalica"
crt-src="high" part="N"><w lemma="necessitas" part="N"
>necessitatem</w></phr>
<rs ana="#M_barbarians"><w lemma="Wandalica" part="N">wandalicam</w></rs>
<phr xml:id="nov-val_35.12.s1.p2" type="ampl" subtype="c"
inj-src="Wandalica" crt-src="high" injured="Afer" crt-inj="high" part="N"
><w lemma="perfero" part="N">pertulisse</w></phr>, ut de eorum <rs
ana="#P_court-cases"><w lemma="causa" part="N">causis</w></rs> illa
tempora praefixo tricennio subtrahantur, quae claruerit sub <phr
xml:id="nov-val_35.12.s1.p3" type="ampl" subtype="g" inj-src="Wandalica"
crt-src="high" part="N"><w lemma="hostilitas" part="N"
>hostilitate</w></phr>
<phr xml:id="nov-val_35.12.s1.p4" type="ampl" subtype="c"
inj-src="Wandalica" crt-src="high" injured="causa" crt-inj="high"

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        part="N"><w lemma="consumo" part="N">consumpta</w></phr>.</seg></s>
<s xml:id="nov-val_35.12.s2" n="la14" xml:lang="la" part="N"><seg
  xml:id="nov-val_35.12.c2" part="N">Ceterum alia intra expressa metarum
  suarum <phr xml:id="nov-val_35.12.s2.p1" function="cmdw" part="N"
    >censemus</phr> spatia contineri.</seg></s>
<milestone unit="english" />12. <s corresp="#nov-val_35.12.s1" n="en13"
  xml:lang="en" part="N"><seg corresp="#nov-val_35.12.c1" part="N">We <phr
    function="cmdw" part="N">command</phr> that the thirty year limitation of
    time shall conclude those lawsuits which were being preserved during
    perpetual and unlimited periods of time, with the exception of cases of the
    <rs>Africans</rs> who prove that they have <phr type="ampl" subtype="c"
      part="N">endured</phr> the hard <phr type="ampl" subtype="c" part="N"
        >fate</phr> that was brought upon them by the <rs>Vandals</rs><supplied
      resp="#pharr" instant="false">.</supplied> Thus in regard to their
      <rs>cases</rs>, there shall be subtracted from the previously fixed
      thirty years the periods of time that they appear to have <phr type="ampl"
        subtype="c" part="N">spent</phr> under the <phr type="ampl" subtype="g"
          part="N">enemy</phr>.</seg></s>
<s corresp="#nov-val_35.12.s2" n="en14" xml:lang="en" part="N"><seg
  corresp="#nov-val_35.12.c2" part="N">But the other cases We <phr
    function="cmdw" part="N">decree</phr> shall be confined within the
    aforesaid space of their limitations.</seg></s>
</ab>
<ab xml:id="nov-val_35.13" type="caput" part="N">
  <milestone unit="latin" />13. <s xml:id="nov-val_35.13.s1" n="la15" xml:lang="la"
    part="N">Sane sicut non coeptam intra tricennium quamlibet <rs
      ana="#P_court-cases"><w lemma="causa" part="N">causam</w></rs>
    <phr xml:id="nov-val_35.13.s1.p1" type="ampl" subtype="c" injured="causa"
      crt-inj="high" inj-src="emperor" crt-src="medium" part="N"><w lemma="veto"
        part="N">vetuimus</w></phr> inchoari, ita <seg xml:id="nov-val_35.13.c1"
        part="N">quae contestatae <rs ana="#P_court-cases"><w lemma="lis" part="N"
          >litis</w></rs> sumpsit exordium, excepto privilegio <rs
            ana="#E_family-children"><w lemma="pupillaris" part="N"
              >pupillaris</w></rs> aetatis, quod divae memoriae patris nostri <rs
                ana="#I_emperor"><w lemma="Theodosius" part="N">Theodosii</w></rs>
              <rs ana="#P_law"><w lemma="lex" part="N">lege</w></rs> concessum est, intra
                eadem tempora terminetur, nisi forte post vicesimum quintum annum ex eo, quo
                competere actio coeperat, contestata lis fuerit.</seg></s>
    <s xml:id="nov-val_35.13.s2" n="la0" xml:lang="la" part="N"><seg
      xml:id="nov-val_35.13.c2" part="N">Cui si is <phr
        xml:id="nov-val_35.13.s2.p1" type="ampl" subtype="c" part="N"><w
          lemma="casus" part="N">casus</w></phr> eveniat, emenso hoc tricennio,
          quod statutum est, aliud quinquennium <phr xml:id="nov-val_35.13.s2.p2"
            function="cmdw" part="N">prorogamus</phr>, intra quod debent negotia
            universa <phr xml:id="nov-val_35.13.s2.p3" type="ampl" subtype="c"
              injured="lis" crt-inj="high" part="N"><w lemma="consumo" part="N"
                >consumi</w></phr>,</seg> ne a <phr xml:id="nov-val_35.13.s2.p4"
                  type="ampl" subtype="g" inj-src="lex" crt-src="high" part="N"><w
                    lemma="malitiosus" part="N">malitiosis</w></phr> ingeniis <phr
                      xml:id="nov-val_35.13.s2.p5" type="ampl" subtype="g" inj-src="lex"
                        crt-src="high" part="N"><w lemma="calumnior" part="N">calumniando</w></phr>
                      <rs ana="#P_law"><w lemma="lex" part="N">legem</w></rs> priorem contestatis <rs
                        ana="#P_court-cases"><w lemma="lis" part="N">litibus</w></rs> aliud
                        tricennium <phr xml:id="nov-val_35.13.s2.p6" type="ampl" subtype="c" part="N"
                          ><w lemma="vindico" part="N">vindicetur</w></phr>.</s>
    <s xml:id="nov-val_35.13.s3" n="la1" xml:lang="la" part="N">abunde enim sufficit
      quinquennii adiectio, qua evoluta nulli penitus actioni copia tribuetur.</s>
    <s xml:id="nov-val_35.13.s4" n="la2" xml:lang="la" part="N"><seg
      xml:id="nov-val_35.13.c3" part="N">Quae autem intra vicesimum quintum annum
      contestata <rs ana="#P_court-cases"><w lemma="lis" part="N">lis</w></rs>
      fuerit, <phr xml:id="nov-val_35.13.s4.p1" function="cmdw" part="N"
        >statuto</phr> tricennio modis omnibus <phr xml:id="nov-val_35.13.s4.p2"
          type="ampl" subtype="c" injured="lis" crt-inj="high" part="N"><w
            lemma="consumo" part="N">consumatur</w></phr>.</seg></s>
    <milestone unit="english" />13. <s corresp="#nov-val_35.13.s1" n="en15"
      xml:lang="en" part="N">Of course, just as We have <phr type="ampl" subtype="c"
        part="N">forbidden</phr> that any <rs>case</rs> whatever should be commenced
        which had not been begun within thirty years, so <seg
          corresp="#nov-val_35.13.c1" part="N">a case which has assumed the beginning
          of a formal attestation of <rs>suit</rs> shall be terminated within the
          aforesaid time, with the exception of the privilege of <rs>pupillary</rs>
          age, which was granted by a <rs>law</rs> of Our father, <rs>Theodosius</rs>,
          of sainted memory, unless perchance the litigation had been formally
          attested after the twenty-fifth year from the time when the action began to
          be available.</seg></s>
    <s corresp="#nov-val_35.13.s2" n="en0" xml:lang="en" part="N"><seg
      corresp="#nov-val_35.13.c2" part="N">If such a <phr type="ampl" subtype="c"
        part="N">contingency</phr> should befall any person, after the
        established period of thirty years has elapsed, We <phr function="cmdw"
          part="N">extend</phr> another five year period, within which all actions
          must be <phr type="ampl" subtype="c" part="N">consumed</phr>,</seg> lest
          another thirty might be <phr type="ampl" subtype="c" part="N">vindicated</phr>
          for <rs>litigations</rs> that had been formally attested, by <phr type="ampl"
            subtype="g" part="N">malicious</phr> ingenuity and to the <phr type="ampl"
              subtype="g" part="N">calumny</phr> of the former <rs>law</rs>.</s>
    <s corresp="#nov-val_35.13.s3" n="en1" xml:lang="en" part="N">For the addition of
      five years is abundantly sufficient; when that period has elapsed, no right of
      action shall be granted to any person whatever.</s>
    <s corresp="#nov-val_35.13.s4" n="en2" xml:lang="en" part="N"><seg

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corresp="#nov-val_35.13.c3" part="N">Moreover, if <rs>litigation</rs> has
been formally attested before the twenty-fifth year, I <phr function="cmdw"
part="N">decree</phr> that it must be <phr type="ampl" subtype="c"
part="N">consumed</phr> within the statutory thirty year period in all
cases.</seg></s>
</ab>
<ab xml:id="nov-val_35.14" type="caput" part="N">
<milestone unit="latin" /> 14. <s xml:id="nov-val_35.14.s1" n="la3" xml:lang="la"
part="N"><seg xml:id="nov-val_35.14.c1" part="N"><rs ana="#E_litigant"><w
lemma="petitor" part="N">Petitorem</w></rs>
<phr xml:id="nov-val_35.14.s1.p1" function="cmdw" part="N">iubemus</phr>,
postquam edito actionis genere <phr xml:id="nov-val_35.14.s1.p2" type="ampl"
subtype="g" inj-src="adversarius" crt-src="high" injured="petitor"
crt-inj="high" part="N"><rs ana="#E_litigant"><w lemma="adversarius"
part="N">adversarium</w></rs></phr> suum tenuit et ad respondendum
<phr xml:id="nov-val_35.14.s1.p3" type="ampl" subtype="c"
inj-src="petitor" crt-src="high" injured="adversarius" crt-inj="high"
part="N"><w lemma="cogo" part="N">coegit</w></phr>, propositae <rs
ana="#P_court-cases"><w lemma="lis" part="N">litis</w></rs> probationibus
<phr type="ampl" subtype="c" inj-src="petitor" crt-src="high"
injured="lis" crt-inj="high" part="N"><w lemma="immineo" part="N"
>imminere</w></phr>, </seg> quoniam ad <phr
xml:id="nov-val_35.14.s1.p4" type="ampl" subtype="g" injured="adversarius"
crt-inj="high" part="N"><w lemma="damnosus" part="N">damnosam</w></phr>
<rs ana="#P_law-courts"><w lemma="iudicium" part="N">iudicii</w></rs>
observationem quemquam prius non debet ullus adtrahere quam omnia documenta
praeparet, quibus <rs ana="#E_litigant"><w lemma="exhibeo" part="N"
>exhibitum</w></rs> in disceptatione <phr xml:id="nov-val_35.14.s1.p5"
type="ampl" subtype="c" inj-src="petitor" crt-src="high"
injured="adversarius" crt-inj="high" part="N"><w lemma="convinco" part="N"
>convincat</w></phr>: quod et <rs ana="#I_ancients"><w lemma="scitum"
part="N">scitis</w></rs>
<rs ana="#I_ancients"><w lemma="vetus-principes" part="N">veterum
principum</w></rs> continetur.</s>
<s xml:id="nov-val_35.14.s2" n="la4" xml:lang="la" part="N"><seg
xml:id="nov-val_35.14.c2" ana="#ncp" part="N">alias, si quis ad <rs
ana="#P_law-courts"><w lemma="iudicium" part="N">iudicium</w></rs> quem
venire <phr xml:id="nov-val_35.14.s2.p1" type="ampl" subtype="c"
inj-src="actor" crt-src="high" injured="adversarius" crt-inj="low"
part="N"><w lemma="compello" part="N">compulerit</w></phr> et eodem in
<rs ana="#P_bureaucracy"><w lemma="officium" part="N">officio</w></rs>
vel <rs ana="#E_payments"><w lemma="fideiussio" part="N"
>fideiussionis</w></rs> vinculo constituto non urgeat, quo intra
quattuor menses institutas peragat actiones, et constiterit <rs
ana="#P_high-officials"><w lemma="iudex" part="N">iudicem</w></rs> causas
alias cognovisse, petitor, qui <rs ana="#P_bureaucracy"><w
lemma="secretarium" part="N">secretarium</w></rs>
<phr type="ampl" subtype="g" inj-src="actor" crt-src="high" part="N"><w
lemma="vitium" part="N">vitio</w></phr> suo <phr
xml:id="nov-val_35.14.s2.p2" type="ampl" subtype="g" inj-src="actor"
crt-src="high" injured="actor" crt-inj="high" part="N"><w lemma="nolo"
part="N">noluit</w></phr> introire, <rs ana="#E_payments"><w
lemma="sumptus" part="N">sumptus</w></rs>
<rs ana="#E_payments"><w lemma="expensa" part="N">expensasque</w></rs>
restituatur, quoniam <rs ana="#E_litigant"><w lemma="actor" part="N"
>actoris</w></rs>
<phr xml:id="nov-val_35.14.s2.p3" type="ampl" subtype="c" inj-src="actor"
crt-src="high" part="N"><w lemma="tergiversor" part="N"
>tergiversationem</w></phr> esse non convenit <phr
xml:id="nov-val_35.14.s2.p4" type="ampl" subtype="c" inj-src="actor"
crt-src="high" part="N"><w lemma="impunitas" part="N"
>impunitam</w></phr>, <phr xml:id="nov-val_35.14.s2.p5" type="ampl"
subtype="c" inj-src="petitor" crt-src="high" part="N"><w lemma="pulso"
part="N">pulsatus</w></phr> his recuperatis ab observationis <phr
type="ampl" subtype="c" injured="adversarius" crt-inj="low" part="N"><w
lemma="necessitas" part="N">necessitate</w></phr> integro <rs
ana="#E_litigant"><w lemma="petitor" part="N">petitori</w></rs> negotio
liber abscedat.</seg></s>
<milestone unit="english" /> 14. <s corresp="#nov-val_35.14.s1" n="en3"
xml:lang="en" part="N"><seg corresp="#nov-val_35.14.c1" part="N">After the
<rs>plaintiff</rs> has published the nature of the action, has thus held
bound his <phr type="ampl" subtype="g" part="N"><rs>adversary</rs></phr>,
and has <phr type="ampl" subtype="c" part="N">compelled</phr> him to answer
to his charges, We <phr function="cmdw" part="N">order</phr> such plaintiff
to <phr type="ampl" subtype="c" part="N">press</phr> the proofs of the
<rs>litigation</rs> that he has brought,</seg> since no person must bring
anyone to an <phr type="ampl" subtype="g" part="N">expensive</phr> observance
of <rs>trial</rs> before he prepares all the evidence whereby he can <phr
type="ampl" subtype="c" part="N">convict</phr> in the trial the person who
has been <rs>produced</rs> in court<supplied resp="#pharr" instant="false"
>.</supplied> This regulation is contained also in the <rs>decrees</rs> of
the <rs>ancient Emperors</rs>.</s>
<s corresp="#nov-val_35.14.s2" n="en4" xml:lang="en" part="N"><seg
corresp="#nov-val_35.14.c2" ana="#ncp" part="N">Otherwise if anyone should
<phr type="ampl" subtype="c" part="N">compel</phr> any person to come to
<rs>court</rs> and should not press the suit against the aforesaid person
who has been placed in charge of the <rs>office staff</rs> or under bond of a
<rs>security</rs>, so that within four months he may complete actions that
have been instituted, and if it should appear that the <rs>judge</rs> has

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    tried other cases, such plaintiff who by his own <phr type="ampl"
      subtype="g" part="N">fault</phr> was <phr type="ampl" subtype="g"
      part="N">not willing</phr> to enter the <rs>trial chamber</rs> shall
    restore the <rs>costs</rs> and <rs>expenses</rs>, since such <phr
      type="ampl" subtype="c" part="N">subterfuge</phr> of a <rs>plaintiff</rs>
    must not exist with <phr type="ampl" subtype="c" part="N"
      >impunity</phr><supplied resp="#pharr" instant="false">.</supplied> After
    the defendant has recovered such expenses, he shall depart free from the
      <phr type="ampl" subtype="c" part="N">necessity</phr> of observation, and
    the <phr type="ampl" subtype="c" part="N">suit</phr> shall be unimpaired for
    the <rs>plaintiff</rs>.</seg></s>
  </ab>
  <ab xml:id="nov-val_35.15" type="caput" part="N">
    <milestone unit="latin" /> 15. <s xml:id="nov-val_35.15.s1" n="1a5" xml:lang="la"
      part="N"><seg xml:id="nov-val_35.15.c1" part="N">Quod si <phr
        xml:id="nov-val_35.15.s1.p1" type="ampl" subtype="c" injured="pulso"
        crt-inj="high" part="N"><rs ana="#E_litigant"><w lemma="pulso" part="N"
          >pulsatus</w></rs></phr> quis adesse <phr
        xml:id="nov-val_35.15.s1.p2" type="ampl" subtype="g" inj-src="pulso"
        crt-src="high" injured="pulso" crt-inj="high" part="N"><w lemma="neglego"
          part="N">neglexerit</w></phr>, evocatus secundum ordinem iuris
        sententiam excipiat <phr xml:id="nov-val_35.15.s1.p3" type="ampl"
          subtype="g" injured="pulso" crt-inj="high" part="N"><w lemma="contumax"
            part="N">contumacis</w></phr>.</seg></s>
      <s xml:id="nov-val_35.15.s2" n="1a6" xml:lang="la" part="N"><seg
        xml:id="nov-val_35.15.c2" part="N">exhibitus sane si de solo <phr
          xml:id="nov-val_35.15.s2.p1" type="ampl" subtype="c" injured="pulso"
          crt-inj="low" part="N"><w lemma="pulso" part="N">pulsatus</w></phr>
        fuerit, cessante <rs ana="#E_payments"><w lemma="fideiussio" part="N"
          >fideiussionis</w></rs>
        <phr type="ampl" subtype="c" part="N"><w lemma="necessitas" part="N"
          >necessitate</w></phr>, <phr xml:id="nov-val_35.15.s2.p2" type="ampl"
            subtype="g" injured="pulso" crt-inj="low" part="N"><w lemma="periculum"
              part="N">periculo</w></phr> negotii observationem se <rs
                ana="#E_payments"><w lemma="subeo" part="N">subiturum</w></rs>
              promittat.</seg></s>
      <s xml:id="nov-val_35.15.s3" n="1a7" xml:lang="la" part="N"><seg
        xml:id="nov-val_35.15.c3" part="N">In pecuniariis autem causis non nisi pro
        quantitate <rs ana="#E_payments"><w lemma="debitum" part="N"
          >debiti</w></rs>, quod fuerit postulat, praesentiae suae <rs
            ana="#E_payments"><w lemma="fideiussor" part="N">fideiussorem</w></rs>
          dabit, si maluerit subire <phr xml:id="nov-val_35.15.s3.p1" type="ampl"
            subtype="c" injured="pulso" crt-inj="low" part="N"><w lemma="conflictus"
              part="N">conflictum</w></phr>: si tamen eum in his locis, in quibus
              <phr xml:id="nov-val_35.15.s3.p2" type="ampl" subtype="c" part="N"><w
                lemma="pulso" part="N">pulsatus</w></phr> fuerit, <rs
                  ana="#E_inheritance"><w lemma="patrimonium" part="N">patrimonium</w></rs>
                petita summae conveniens constiterit non habere.</seg></s>
      <milestone unit="english" /> 15. <s corresp="#nov-val_35.15.s1" n="en5"
        xml:lang="en" part="N"><seg corresp="#nov-val_35.15.c1" part="N">But if any
          <phr type="ampl" subtype="c" part="N"><rs>defendant</rs></phr> should
          <phr type="ampl" subtype="g" part="N">neglect</phr> to be present when he
          has been summoned according to the order of the law, he shall receive
          sentence on the ground of being <phr type="ampl" subtype="g" part="N"
            >contumacious</phr>.</seg></s>
      <s corresp="#nov-val_35.15.s2" n="en6" xml:lang="en" part="N"><seg
        corresp="#nov-val_35.15.c2" part="N">Of course, if a person who has been
        brought to court should be <phr type="ampl" subtype="c" part="N">sued</phr>
        about land, the <phr type="ampl" subtype="c" part="N">necessity</phr> for a
        <rs>security</rs> shall cease, and he shall promise that he will undergo
        the observance of the <rs>trial</rs> at the <phr type="ampl" subtype="g"
          part="N">risk</phr> of his case.</seg></s>
      <s corresp="#nov-val_35.15.s3" n="en7" xml:lang="en" part="N"><seg
        corresp="#nov-val_35.15.c3" part="N">Moreover, in pecuniary cases, if he
        should prefer to undergo the <phr type="ampl" subtype="c" part="N"
          >trial</phr>, he shall not give a <rs>security</rs> for his presence,
        except for the amount of the <rs>debt</rs> which had been demanded,
        provided, however, that it should appear that he does not have a
        <rs>patrimony</rs> that is adequate for the sum <phr type="ampl"
          subtype="c" part="N">sued</phr> for, in that place in which he was
          sued.</seg></s>
    </ab>
  <ab xml:id="nov-val_35.16" type="caput" part="N">
    <milestone unit="latin" /> 16. <s xml:id="nov-val_35.16.s1" n="1a8" xml:lang="la"
      part="N"><seg xml:id="nov-val_35.16.c1" part="N">Si quis a <phr
        xml:id="nov-val_35.16.s1.p1" type="ampl" subtype="g" inj-src="iudex"
        crt-src="high" part="N"><w lemma="suspectus" part="N">suspecto</w></phr>
        <rs ana="#P_high-officials"><w lemma="iudex" part="N">iudice</w></rs>
        illustri viro <rs ana="#P_high-officials"><w lemma="praefecto-urbis"
          part="N">praefecto urbis</w></rs>
        <rs ana="#E_Rome"><w lemma="Roma" part="N">Romae</w></rs> propter aliquas
        domesticas et privatas <phr xml:id="nov-val_35.16.s1.p2" type="ampl"
          subtype="g" inj-src="iudex" crt-src="high" part="N"><w lemma="simultas"
            part="N">simultates</w></phr> vocem appellationis emisit, apud
            successorem eius sequentem mox quas ante <phr xml:id="nov-val_35.16.s1.p3"
              type="ampl" subtype="g" inj-src="praefectus-urbis" crt-src="high"
              injured="iudex" crt-inj="high" part="N"><w lemma="timeo" part="N"
                >timit</w></phr> exerat actiones,</seg> ut relationis <phr
                xml:id="nov-val_35.16.s1.p4" type="ampl" subtype="g" injured="citzns"

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part="N"><w lemma="difficultas" part="N">difficultatum</w></phr> ac morarum,
quas intercedere ad respondendum <phr xml:id="nov-val_35.16.s1.p5" type="ampl"
subtype="g" injured="imperl" inj-src="emperor" crt-src="medium" part="N"><w
lemma="nolo" part="N">nolumus</w></phr>, <phr type="ampl" subtype="c"
part="N"><w lemma="necessitas" part="N">necessitas</w></phr> auferatur.</s>
<milestone unit="english" /> 16. <s corresp="#nov-val_35.16.s1" n="en8"
xml:lang="en" part="N"><seg corresp="#nov-val_35.16.c1" part="N">If any person
should voice an appeal to the Illustrious <rs>prefect of the City</rs> of
<rs>Rome</rs> from a <rs>judge</rs> who is <phr type="ampl" subtype="g"
part="N">suspect</phr> on account of some domestic and private <phr
type="ampl" subtype="g" part="N">dissensions</phr>, he shall immediately
bring such actions, which he had previously <phr type="ampl" subtype="g"
part="N">feared</phr>, before the successor of the aforesaid judge,</seg>
in order that the <phr type="ampl" subtype="c" part="N">necessity</phr> for
reports of <phr type="ampl" subtype="g" part="N">difficulties</phr> and delays
may be removed, since We do <phr type="ampl" subtype="g" part="N">not
wish</phr> such delays to intervene before an answer is made to the
suit.</s>
</ab>
<ab xml:id="nov-val_35.17" type="caput" part="N">
<milestone unit="latin" /> 17. <s xml:id="nov-val_35.17.s1" n="la9" xml:lang="la"
part="N"><seg xml:id="nov-val_35.17.c1" part="N">Nec quisquam <phr
xml:id="nov-val_35.17.s1.p1" type="ampl" subtype="c" part="N"><w
lemma="provoco" part="N">provocet</w></phr> a <rs
ana="#P_high-officials"><w lemma="praefectus" part="N">praefecto</w></rs>
<rs ana="#P_law-experts"><w lemma="cognitor" part="N">cognitore</w></rs> in
causa, cuius meritum intra centum solidos continetur.</seg></s>
<milestone unit="english" /> 17. <s corresp="#nov-val_35.17.s1" n="en9"
xml:lang="en" part="N"><seg corresp="#nov-val_35.17.c1" part="N">No person
shall <phr type="ampl" subtype="c" part="N">appeal</phr> from the
<rs>prefect</rs> as <rs>trial judge</rs> in a case whose value is less
than one hundred solidi.</seg></s>
</ab>
<ab xml:id="nov-val_35.18" type="caput" part="N">
<milestone unit="latin" /> 18. <s xml:id="nov-val_35.18.s1" n="la10" xml:lang="la"
part="N"><seg xml:id="nov-val_35.18.c1" part="N">Si forte duorum <rs
ana="#E_land"><w lemma="praedium" part="N">praediorum</w></rs> unus <rs
ana="#E_masters"><w lemma="dominus" part="N">dominus</w></rs> atque <rs
ana="#E_landholders"><w lemma="possessor" part="N">possessor</w></rs> ex
referro <rs ana="#E_lower-class"><w lemma="originarius" part="N">
>originariis</w></rs> et <rs ana="#E_unfree"><w lemma="colonus"
part="N">colonis</w></rs> agro ad alterum rus aliquos homines propria
voluntate et ordinatione transtulerit, ita id maneat, ut, sive <rs
ana="#E_agreements-sales"><w lemma="venditio" part="N">
>venditione</w></rs> seu donatione seu quolibet alio modo ad diversos <rs
ana="#E_masters"><w lemma="dominus" part="N">dominos</w></rs> res utraque
pervenerit, <rs ana="#E_lower-class"><w lemma="transfere" part="N">
>translatos</w></rs>
<rs ana="#E_lower-class"><w lemma="origo" part="N">originis</w></rs> iure et
titulo revocari non liceat.</seg></s>
<s xml:id="nov-val_35.18.s2" n="la11" xml:lang="la" part="N"><phr
xml:id="nov-val_35.18.s2.p1" type="ampl" subtype="g" injured="translatos"
inj-src="dominus possessor" crt-src="low" crt-inj="low" part="N"><w
lemma="indecorus" part="N">indecorum</w></phr> est auctoris facta
convelli, quae pro consilio suo et tractatu necessaria iudicavit, cum magis
deceat ad eius reverentiam quae illi visa sunt inviolata servari.</s>
<milestone unit="english" /> 18. <s corresp="#nov-val_35.18.s1" n="en10"
xml:lang="en" part="N"><seg corresp="#nov-val_35.18.c1" part="N">If perchance
one <rs>owner</rs> and <rs>possessor</rs> of two <rs>landed estates</rs>
should transfer certain men from a farm which is filled with persons of
<rs>ignoble birth status</rs> and <rs>coloni</rs> to another rustic
estate by his own wish and arrangement, such transfer shall so remain that
if the two properties should come to various <rs>owners</rs>, whether by
<rs>sale</rs> or gift or in any other manner whatever, it shall not be
permitted for such <rs>transferred persons</rs> to be recalled by the right
and title of <rs>birth status</rs>.</seg></s>
<s corresp="#nov-val_35.18.s2" n="en11" xml:lang="en" part="N">It is <phr
type="ampl" subtype="g" part="N">not seemly</phr> that the deeds of the
author of a right should be nullified if he judged them necessary in accordance
with his own counsel and consideration, since it is more fitting that the
things which seemed best to him should be preserved inviolate out of respect to
him.</s>
</ab>
<ab xml:id="nov-val_35.19" type="caput" part="N">
<milestone unit="latin" /> 19. <s xml:id="nov-val_35.19.s1" n="la12" xml:lang="la"
part="N">Quod autem antehac promulgata lege censuimus <phr
xml:id="nov-val_35.19.s1.p1" type="ampl" subtype="c" inj-src="originaria"
crt-src="high" injured="dominus" crt-inj="high" part="N"><w lemma="amitto"
part="N">amissae</w></phr> temporibus <rs ana="#E_lower-class"><w
lemma="originaria" part="N">originariae</w></rs>
<rs ana="#E_family-children"><w lemma="suboles" part="N">subolem</w></rs>
priori <rs ana="#E_masters"><w lemma="dominus" part="N">domino</w></rs> non
<phr xml:id="nov-val_35.19.s1.p2" type="ampl" subtype="g" injured="dominus"
inj-src="sobles" crt-src="high" crt-inj="high" part="N"><w lemma="pereio"
part="N">perire</w></phr>, <seg xml:id="nov-val_35.19.c1" part="N">id in
argumentum <phr type="ampl" subtype="c" part="N"><w lemma="traho" part="N">
>trahi</w></phr> aperta definitione <phr xml:id="nov-val_35.19.s1.p3"
function="cmdw" type="ampl" subtype="g" inj-src="emperor"
crt-src="medium" part="N"><w lemma="prohibeo" part="N">

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>prohibemus</w></phr>: scilicet secundum legem ad <rs
ana="#P_high-officials"><w lemma="Palladius" part="N">Palladium</w></rs>
datam <rs ana="#E_family-children"><w lemma="suboles" part="N"
>subolem</w></rs> dividi <phr xml:id="nov-val_35.19.s1.p4"
function="cmdw" part="N">censemus</phr>, quae de <rs ana="#E_lower-class"
><w lemma="originarius" part="N">originario</w></rs> suscepta fuerit
<phr type="ampl" subtype="c" part="N"><w lemma="alienus" part="N"
>alieno</w></phr></seg>
<rs ana="#P_high-officials"><w lemma="Firminus" part="N">Firmine</w></rs>
parens karissime atque amantissime.</s>
<milestone unit="english" /> 19. <s corresp="#nov-val_35.19.s1" n="en12"
xml:lang="en" part="N">Moreover, We decreed by a law previously promulgated
that if a <rs>woman of ignoble birth status</rs> had been <phr type="ampl"
subtype="c" part="N">lost</phr> by a lapse of time, her <rs>offspring</rs>
should not be <phr type="ampl" subtype="g" part="N">lost</phr> to her former
<rs>master</rs>, <seg corresp="#nov-val_35.19.c1" part="N">and by a clear
regulation We <phr function="cmdw" type="ampl" subtype="g" part="N"
>forbid</phr> that decree to be <phr type="ampl" subtype="c" part="N"
>brought</phr> into dispute<supplied resp="#pharr" instant="false"
>.</supplied> Of course, according to the law given to
<rs>Palladius</rs>, We <phr function="cmdw" part="N">decree</phr> that the
<rs>offspring</rs> shall be divided which were conceived from a <rs>man
of ignoble birth status</rs> who belongs to <phr type="ampl" subtype="c"
part="N">another</phr> person,</seg> O <rs>Firminus</rs>, dearest and
most beloved Father.</s>
</ab>
<ab xml:id="nov-val_35.20" type="caput" part="N">
<milestone unit="latin" /> 20. <s xml:id="nov-val_35.20.s1" n="la13" xml:lang="la"
part="N">Quare illustis et praecelsa <rs ana="#P_high-officials"><w
lemma="magnitudo" part="N">magnitudo</w></rs> tua hanc saluberrimam
edictalem legem etiam pendentibus in <rs ana="#P_law-courts"><w lemma="forum"
part="N">foro</w></rs> negotiis profuturam propositis vulgabit edictis,
ut, quanta nobis disponendae quietis <rs ana="#I_state"><w lemma="publicus"
part="N">publicae</w></rs> cura sit, omnibus innotescat.</s>
<milestone unit="english" /> 20. <s corresp="#nov-val_35.20.s1" n="en13"
xml:lang="en" part="N">Wherefore Your Illustrious and Excellent
<rs>Magnificence</rs> by posting edicts shall publish this most salutary
edictal law, which shall profit also cases that are still pending in
<rs>court</rs>, so that it may become known to all what great care We take
in providing for the <rs>public</rs> peace.</s>
</ab>
<ab xml:id="nov-val_35.subs" type="subs" part="N">
<milestone unit="latin" />
<s xml:id="nov-val_35.subs.s1" n="la14" xml:lang="la" part="N">Dat. XVII kal. Mai.
<placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
Herculano vc. cons. <date when="0452-04-15" instant="false">(452 April.
15)</date>.</s>
<milestone unit="english" />
<s corresp="#nov-val_35.subs.s1" n="en14" xml:lang="en" part="N">Given on the
seventeenth day before the kalends of May at <placeName instant="false"
full="yes">Rome</placeName> in the year of the consulship of the Most Noble
Herculanus. - <date instant="false">April 15, 452</date>.</s>
</ab>
<ab xml:id="nov-val_35.intr" type="intr" part="N">
<milestone unit="latin" />INTERPRETATIO. Lex ista de diversis rebus multa
constituit: sed imprimis de clericis quod dictum est, ut nisi per compromissi
vinculum iudicium episcopale non adeant, posteriore lege Maioriani abrogatum est.
De reliquis praecipit, ut, si quis laicus clericum seu in civili seu in criminali
negotio per auctoritatem iudicis ad publicum provocaverit, pulsatus sine dilatione
respondeat: episcopi etiam, seu pro pervasione rei alicuius seu pro quibuscumque
gravibus iniuriis ad iudicium fuerint provocati. Licet in criminalibus causis per
alium nulli liceat respondere, episcopis tamen et presbyteris hac lege praestatur,
ut in talibus causis misso procuratore respondeant, sine dubio ut ad eos redeat
sententia iudicati. In reliquis vero criminalibus causis, ubi de scelere persona
convincenda est, suam in iudicio praesentiam exhibere procurent. Quod si tertio
conventi per executorem ad iudicium venire noluerint, sententiam excipiant
contumacis. clericus si aliquem lite pulsaverit, in foro illius, quem ad iudicium
provocat, audiatur, si tamen pulsatus non adqueverit ad episcopi vel presbyteri
venire iudicium. Quod si aliud fecerit ille qui pulsatur, defensores causae ipsius
taliter notari praecipit, ut ab omni officio et prosecutione causarum habeantur
extranei. Nullum etiam originarium inquilinum servum sive colonum ad clericatus
officium iubet accedere neque in monasteriis recipi, ne per hanc occasionem
debitam condicionem possit evadere. Nam nec corporatus civitatis alicuius, qui
publicum servitium debet, nec curialis vel collegiatus clericus esse praesumat.
clericos quoque praecipit, ut negotiationes nullatenus exercere praesumant: quod
si fecerint, velut alii negotiatores a iudicibus emendentur. De corporibus namque
publicis nullum fieri defensorem ecclesiae lex ista constituit. Quod si quis ex
curia adqueverit, ut fiat defensor ecclesiae, noverit res suas omnes curiae aut
illi corpore, unde discesserat, adplicandas et se ad servitium civitatis in suo
corpore revocandum. Nam et iudicem et officium eius provinciae, si eos non
revocaverint, gravi, sicut ipsa lex loquitur, poena feriendos. diacones, qui ex
curialibus vel ex quolibet corpore publico facti sunt, praecipit, ut pro se ad
agenda, quae utilitati publicae debentur, suffectos dare debeant. Quod si non
dederint, ipsi ad condicionem debitam revocentur. Nam episcopos atque presbyteros
non iubet hac lege constringi nisi tantum, ut de patrimoniis suis quae sunt
Maioriani lege constituta evidenter observent. originarios vero vel servos, qui ad
honorem ecclesiasticum adspiraverint, debere intra triginta annos a dominis
revocari: ita tamen, ut diaconus pro se vicarium, si habuerit, reddat et omne
peculium suum dominus eius usurpet. Quod si vicarium non habuerit unde reddat,

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ipse ad condicionem propriam revocetur. Nam omnes clericos iubet, ut nullas alias causas nisi actus tantum ecclesiasticos agant et ut publica loca pro ecclesiarum reparatione non destruant. De successione quoque hoc specialiter credidit inserendum, ut, si vir uxore viva moriatur et filios non habeat, sed aut patrem aut matrem dimittat, de sponsalicia donatione, quam fecit, medietatem sibi uxor vindicet, medietatem patri aut matri defuncti mariti, qui superstes eorum fuerit, sine difficultate restituat. Quod etiamsi uxori talis casus evenierit, de dote, quam ab uxore maritus accepit, simili ratione, id est medietatem, parentibus aut si unus eorum superstes fuerit se noverit redditurum. Quod si nec parentes superstites fuerint nec filii, persona coniugis, quae alteri supervixit. Et dotem et donationem sibi iure perpetuo vindicabit, ita ut faciendi de eis quidquid voluerit habeat liberam potestatem. mulier vero, quae filios derelinquit, si marito superstitie intestata defecerit, maritus eius, hoc est pater eorum, facultates ab uxore dimissas pro usufructu in sua habeat potestate: ita ut, cum unusquisque filiorum ad vicesimum aetatis suae annum pervenerit, medietatem portionis suae sine dilatione percipiat et medietatem pater sibi in diem vitae suae ad usumfructum retineat. Quod si alicui transacto vicesimo anno medietatem portionis suae dare noluerit, fructus eius medietatis, quam daturus erat, post mortem patris filius de paterna hereditate a successoribus eius habita aestimatione recipiat, quos patri exigere pro sua potestate non valuit. De divortiis vero inter coniuges sublata novella lege quae sunt a divo Constantio ordinata praecipit observari. tricennale vero legem in omnibus negotiis ita iubet evidentius custodiri, ut omnia tempora, quae in infinitum negotia extendebant, quia diversi in quadraginta annos, diversi iurisconsultores de aliquibus rebus perpetuam fecerant actionem, specialiter censuit, ut omnia de omnibus causis intra triginta annorum curricula concludantur: praeter, sicut de postliminio dictum est, ut illi anni salvo tricennio captivis imputari non debeant, in quibus hostium dominatione detenti sunt. Quae tamen lex tricennalis, sicut illa tempora ad triginta annos revocat, quae amplius lites fecerant propagari, ita reliqua, quae infra triginta annos suis quibusque locis evidenter iussa sunt observari, in omnibus praecipit custodiri. Nam etiamsi lis intra tricennium inchoata fuerit et non definita, quasi nec coepta fuerit, ita habeatur extincta: exceptae pupillares causae, quibus pro aetatis fragilitate, sicut lex divi Theodosii continet, constat esse consultum, ut ea tempora in tricennio non imputentur, in quibus minores sub tutorum iubentur potestate consistere. A quibus tamen si post vicesimum et quintum annum ex eo, quo competere actio coeperat, lis fuerit contestata, quinque tantum annos super tricennium pupillis iubet augeri: ita ut completis triginta et quinque annis, sicut reliquorum causae intra triginta annos, ita et eorum intra triginta et quinque annorum spatia concludantur. pupillorum vero causae vel lites, quae, antequam ad vicesimum et quintum annum perveniant, contestatae fuisse probantur, intra tricennium sine adiectione quinquennii modis omnibus consumantur. De petitoribus vero constitutum est, ut, si petitor adversarium suum pulsatum in iudicio deferre voluerit, quem aut sub fideiussione aut cautione fecit adduci, et non festinet intra quattuor menses, in quibus tamen iudex ad audiendas reliquas causas vacare dinoscitur, actionem, quam proposuit, [debeat] expedire, ille, quem compulsi ad audientiam observare, sumptus et expensas litis a petitore recipiat et liber abscedat, salva tamen integritate negotii illius petitoris, qui ad praesens pro tarditate sumptuum vel expensarum damna sustinuit. Nam si quis pulsatus in iudicio adesse noluerit, post tertiam conventionem sciat se contumacis sententiam subiturum, id est ut quidquid, si adfuisset in iudicio, addicendus erat, petenti litigatori quasi victus exsolvat. Quicumque autem si de agro vel domo fuerit pulsatus, sine fideiussione alicuius caveat se adfuturum esse in iudicio. Nam si pecuniam quis ab eo repetat, fideiussorem pro quantitate pecuniae, unde pulsatur, dare debet, si de hoc debito voluerit parare conductum; tunc tamen fideiussor ab eo requiri non debet, quando pulsatus in his locis, in quibus audientia est, non minores debiti ipsius possessiones habere probatur. Si quis iudicem pro quibuscumque causis adversum sibi senserit aut habuerit forte suspectum, vocem appellationis exhibeat, ut, cum ei successum fuerit, integro negotio apud alium iudicem amotis dilationibus possit audiri. In ea vero causa iudiciariae potestati, id est illustri, appellari non debet, in qua usque ad centum solidos fuerit iudicatum. Si quis dominus duorum fuerit praediorum et de una possessione ad aliam, quae iuris sui est mancipia originaria vel coloniaria transtulerit et ad diversos dominos fundus uterque pervenerit, nihil contra ordinationem domini prioris aliunde translatis mancipiis repetere aut pulsare praesumat, sed cui aut venditus aut donatus aut dimissus ager fuerit, in eo eum statu possideat, in quo ab auctore constat fuisse dimissum. De colonorum vero agnatione id remota ambiguitate hac lege constat esse praeceptum, ut secundum legem, quae ad Palladium data est de colono et colona, inter duos dominos dividatur agnatio, id est ut coloni dominus duas partes filiorum et tertiam colonae dominus sibi debeat vindicare. Quae vero actiones perpetuae fuerunt et ad tricennium revocatae sunt placuit adnecti, id est hereditatis petitio, si tamen ab auctore, cui competeat, fuerit inchoata finalis actio, homicidii, furti, tutelae gestae, de fugitivis, de curialibus vel de collegiatis revocandis, empti venditi, locati et conducti, negotiorum gestorum, mandati, pro socio. <milestone unit="english"

>/INTERPRETATION: This law establishes many provisions about various matters, but first of all, what was said about clerics, namely, that they shall not come to an episcopal court except by a bond of mutual promise to abide by the decision, was abrogated by a later law of Majorian. For the rest, the law commands that if any layman through the authority of a judge should summon to a public court a cleric, whether in a civil or in a criminal case, the defendant shall answer to his charges without delay. Bishops also shall answer to charges, whether they should be summoned into court for forcible entry and seizure of any property or for any grievous outrages. Although no person is permitted in criminal cases to answer to the charges through another, nevertheless by this law the privilege is granted to bishops and priests that in such cases they may answer to charges by sending a procurator, but without doubt the sentence of the judgment shall revert to them. But in all other criminal cases when the actual person must be convicted for a crime, he shall take care to produce his own presence in court. But if a bishop should be summoned a third time by an enforcement officer and should be unwilling

to come to court, he shall receive a sentence as being contumacious. If a cleric should sue any person in litigation, he shall be heard in the forum of that person whom he summoned to court, provided, however, that the defendant should not agree to come to the court of a bishop or priest. If the plaintiff should do otherwise, the law commands that the defenders of such cases shall be branded in such a manner that they shall be held extraneous to every office and prosecution of cases. The law also orders that no person of ignoble birth status, an inquilinus, a slave, or a colonus shall undertake the office of a cleric or be received in the monasteries, lest he may be able to evade his due condition through this pretext. Neither a guildsman of any municipality who owes public service nor a decurion or other guildsman shall presume to be a cleric. The law also commands that clerics shall not presume to engage in trade to any extent whatever. If they should do so, they shall be regulated by the judges, just as other tradesmen. This law has established that no person from the public guilds shall become a defender of the Church. If any person from a municipal council should agree to be made such a defender of the Church, he shall know that all his property must be assigned to the municipal council or to that group from which he had departed and that he shall be recalled to the service of the municipality in his own group. Both the judge of that province and his office staff shall be smitten by a severe penalty, just as the law itself states, if they should not recall such persons. The law commands that deacons who had been created from decurions or from any public guild whatever shall give substitutes for themselves to perform the services which they owe to the public welfare. If they should not give such substitutes, they shall be recalled to their due condition. It does not order that bishops and priests should be constrained by this law, except only that they shall clearly observe the regulations which were established by the law of Majorian in regard to their patrimonies. But persons of ignoble birth status and slaves who aspire to an ecclesiastical honor must be recalled by their masters within thirty years; nevertheless, a deacon may render a substitute for himself, if he should have the means, and his master shall vindicate all his peculium. But if he should not have the means to render a substitute, he himself shall be recalled to his own condition. The law orders that no clerics shall conduct any other cases except ecclesiastical actions only, and that they shall not destroy public buildings for the repair of the churches. The law believes that this provision also in regard to succession should be specifically inserted, namely, that if a man should die while his wife is living and if he should not have children, but should leave either his father or his mother, the wife shall vindicate for herself half of the betrothal gifts which he made to her, and half she shall restore without any difficulty to the father or mother of her deceased husband, whichever of them should be surviving. Also if such a chance should befall the wife, the husband shall know that he must make restoration in a similar manner from the dowry which he received from his wife; that is, he shall restore half of such dowry to her parents or parent, if only one of them should survive. But if neither parents nor children should survive, the person of the spouse who survived the other shall vindicate to himself by perpetual right both the dowry and the gifts, in such a way that he shall have the unrestricted right to do with them whatever he wishes. But if a woman who leaves children should die intestate and her husband should survive, her husband, that is, the father of her children, shall have in his power the usufruct of the property which was left by his wife. Thus when each one of the children arrives at the twentieth year of his age, he shall receive one half of his portion without delay, and his father shall retain half as a usufruct until the last day of his life. But if after the twenty years had elapsed, the father should be unwilling to give to any one of them the half of his portion, after the death of the father and after an appraisal has been held, such child shall receive from the successors the fruits of that half of the paternal inheritance which the father was going to give him, since he was not able to exact such fruits from his father on account of his father's power. In regard to divorces between husbands and wives, the new law is annulled, and this law commands to be observed the regulations that were ordered by the sainted Constantius. This law orders that the law of the thirty years' prescription of time shall be observed very clearly in all cases, as applying to all time limits which extended suits infinitely, because some jurisconsults extended actions for forty years, others made actions perpetual in regard to some matters. The law specifically decrees that all suits for all causes shall be concluded within the period of thirty years except that, just as has been said in regard to postliminium, those years in which captives were held under the domination of the enemy must not be reckoned for them, but their thirty years' period shall be unimpaired. However, this law of the thirty years' prescription of time, just as it reduces to thirty years those periods of time that caused litigation to be extended too far, so it commands to be observed in all cases the other time limits which have clearly been ordered to be observed within thirty years in all cases. For even if the litigation should be begun within thirty years and should not be finished, it shall be considered as extinguished, as though it had not been begun. Cases of pupils shall be excepted, since it appears that, because of their tender age, wise provision is made for them, as the law of the sainted Theodosius contains. Thus those periods of time shall not be reckoned in the thirty years, during which periods minors are ordered to be established under the power of tutors. If, however, a litigation should be formally attested by such pupils after the twenty-fifth year from the time when such action began to be available, the law orders that only a five-year increase beyond the thirty years shall be made for them. Thus when the thirty-five years have been completed, just as the cases of all other persons must be concluded within thirty years, so their cases must be concluded within the space of thirty-five years. But the cases or litigations of pupils that are proved to have been formally attested before they arrived at the twenty-fifth year shall be consumed within thirty years in all cases, without the addition of five years. This law establishes in regard to plaintiffs that if a plaintiff should wish to bring his adversary as a defendant to court, if he should cause such defendant to be brought either under security or by a written bond, and if he should not hasten within four months to complete the action that he had brought, during which time,

however, it is known that the judge was at leisure to hear other cases, that person who has thus been compelled to observe the hearing shall recover the costs and expenses of the litigation from the plaintiff and shall go free. However, the integrity of the suit of such plaintiff shall be unimpaired, since up to the present time he has sustained the loss of the costs and expenses for his delay. For if any defendant should be unwilling to be present in court, after three summonses he shall know that he will undergo a sentence on the grounds of being contumacious; that is, he shall pay as if he had been convicted, to the litigant who is suing, the sum which he would have been assessed in court, if he had been present. Moreover, if any person should be sued about a field or a house, he shall provide without any security that he be present himself in court. If any person should sue for money from him, the defendant must give security for the amount of money for which he is sued if he wishes to prepare a litigation for such debt. Thus security must not be required of a defendant at a time when he is proved to have a landholding of no less value than the debt itself in that place in which the hearing is held. If any person for any reasons should perceive that a judge is hostile to him, or if he should perhaps consider a judge suspect, he may issue the voice of an appeal, so that when such judge has been succeeded in office, he can be heard with the case unimpaired before another judge, and all delays shall be removed. But an appeal must not be lodged before a judicial authority, that is, an Illustrious authority, in which a judgment of less than one hundred solidi has been rendered. If any person should be the owner of two landed estates and should transfer slaves by birth status, or coloni who were born to such status, from one landholding to another which belongs to his ownership, and if the two farms should come to different masters, such new owner shall not presume to seek to recover or to sue for anything contrary to the arrangement of the former owner, after such slaves have been transferred elsewhere; but the person to whom such field was either sold or given or left by inheritance shall possess it in that status in which it appears that it had devolved upon him from the author of his right. All ambiguity in regard to the offspring of coloni and colona shall be abolished, and it is evidently commanded by this law that according to the law which was given to Palladius in regard to the colonus and the colona, the offspring shall be divided between the two masters; that is, the master of the colonus shall vindicate to himself two parts of such children, and the master of the colona, the third part. It has been decided that the actions which had been perpetual and which have been restored to a thirty year time limitation shall be here appended: that is, petitions for inheritances, provided, however, that the final action had been begun by the author of a right to whom it was available; actions on homicide, theft, a guardianship that has been administered; likewise actions for the recall of fugitive slaves, decurions, and guildsmen; actions on purchase, sale, leases, unauthorized business transactions for others, mandates; actions on account of a partnership. </ab>

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 <milestone unit="english" /> 0. <s corresp="#nov-val_36.0.s1" n="en2" xml:lang="en" part="N">We do not wonder that among his <phr type="ampl" subtype="g" part="N">warlike</phr> responsibilities and the blare of

trumpets, Our Magnificent Father and Patrician, <rs>Aetius</rs>, has changed the general rule of the <rs>public</rs> organization to a better condition by his order, and the laudable foresight of Your Magnitude which makes wise provision for eternity has furnished the easiest effectuation to his <phr subtype="c" type="ampl" part="N">solicitude</phr><supplied resp="#pharr" instant="false">.</supplied> Such foresight aids the privileges of the <rs>sacred City</rs>, both by the providence of the administrator and by the affection of our best citizen, and it has established the function of the <rs>guild</rs> that was on the point of failing, by an arrangement so salutary that all <phr subtype="c" type="ampl" part="N">losses</phr> have been <phr subtype="c" type="ampl" part="N">eliminated</phr>, and the loyal devotion of the guild which thus <phr subtype="c" type="ampl" part="N">>serves</phr> shall never incur <phr subtype="c" type="ampl" part="N">>failure</phr> of strength, since indeed provision has been made for this guild by the exchange of <rs>provinces</rs>, by the nature of the collection, and by a regulated commutation of prices, O Firminus, dearest and most beloved Father.</s>

</ab>
<ab xml:id="nov-val_36.1" type="caput" part="N">
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<milestone unit="english" /> 1. <s corresp="#nov-val_36.1.s1" n="en3" xml:lang="en" part="N">Whence Your Illustrious and Excellent Magnitude shall learn the tenor of Our pragmatic sanction and shall know, according to your most salutary recommendation, which proceeded from the arrangement of Our Magnificent Father and Patrician, <rs>Aetius</rs>, that <seg corresp="#nov-val_36.1.c1" part="N">first of all the following benefit must be bestowed upon the <rs>patrons of the guild</rs> of <rs>swine collectors</rs>, in consideration of the sacred City of <rs>Rome</rs>, namely, that the authorization to collect taxes that was furnished to them within the province of <rs>Sardinia</rs> and of which the payments fluctuated on account of the <phr subtype="c" type="ampl" part="N">>uncertainty</phr> of navigation, shall be restored to the <rs>praetorian chest</rs>, together with the other returns that are included in the payment of all the <rs>tax accounts</rs> which heretofore have been widely scattered and were proved to be very greatly in arrears; and due emoluments shall be decreed from the neighboring <rs>provinces</rs>, that is, from <rs>Lucania</rs>, six thousand four hundred solidi; from <rs>Samnium</rs>, five thousand four hundred solidi; from <rs>Campania</rs>, one thousand nine hundred fifty solidi.</seg></s>
</ab>
<ab xml:id="nov-val_36.2" type="caput" part="N">
<milestone unit="latin" /> 2. <s xml:id="nov-val_36.2.s1" n="la4" xml:lang="la" part="N"><seg xml:id="nov-val_36.2.c1" part="N">De <rs>boariorum</rs> etiam vel <rs>pecuariorum</rs> praestatione nongentos quinquaginta solidos exactos sibi noverint profuturos.</seg></s>
<s xml:id="nov-val_36.2.s2" n="la5" xml:lang="la" part="N"><seg xml:id="nov-val_36.2.c2" part="N">entum milia aequi ponderis <rs>porcinae</rs> de interpretiis iuxta priora constituta: praebeant, ducena quadragena pondus ad solidos secundum promissionem suam illaturi, quoniam certa emolumenta amota solita <phr xml:id="nov-val_36.2.s2.pl" type="ampl" subtype="g" part="N"><w lemma="dubitatio" part="N">dubitatio</w></phr> percipiunt, ita ut centum quinquaginta diebus obsoniorum praebitionem sine ulla causatione singulis annis a se noverint procurandam, quae quantitas in tricis sexies centenis viginti novem milibus libris cum duarum decimarum ratione colligitur.</seg></s>
<milestone unit="english" /> 2. <s corresp="#nov-val_36.2.s1" n="en4" xml:lang="en" part="N"><seg corresp="#nov-val_36.2.c1" part="N">They shall know that the nine hundred fifty solidi which have been collected also from the payments made to the <rs>cattle collectors</rs> and the <rs>collectors of sheep and goats</rs> shall profit them.</seg></s>
<s corresp="#nov-val_36.2.s2" n="en5" xml:lang="en" part="N"><seg corresp="#nov-val_36.2.c2" part="N">According to the former constitutions, from their profits they shall furnish one hundred thousand pounds of <rs>pork</rs> of just weight, and they shall deliver two hundred forty pounds per solidus, according to their promise, since they receive definite emoluments and the customary <phr type="ampl" subtype="g" part="N">>doubt</phr> has been eliminated<supplied resp="#pharr" instant="false">.</supplied> Thus they shall know that for one hundred fifty days each year a supply of meat must be provided by them without any evasion, and this sum amounts to three million six hundred twenty nine thousand pounds, with the reckoning of the two tenths.</seg></s>
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<milestone unit="latin" /> 3. <s xml:id="nov-val_36.3.s1" n="la6" xml:lang="la"


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part="N"><seg xml:id="nov-val_36.3.c1" part="N">In ipsorum autem
<rs>patronorum</rs> sit arbitrio constitutum, utrum per <rs>praetorianum
officium</rs> adiunctis ei quinque de <rs>corpore</rs> suo quos
elegerint, quibus <rs>ducenariae militiae</rs> honorem praeberi iubemus, an
per suos tantummodo, ne forte <phr xml:id="nov-val_36.3.s1.p1" type="ampl"
subtype="g" part="N"><w lemma="onerosus" part="N">onerosi</w></phr> sint
<rs>apparitores</rs>, id ipsum munus velint exactionis impleri, non
expectata deinceps <rs>praetorianae sedis</rs> annua delegatione, quae
hactenus servabatur.</seg></s>
<milestone unit="english" /> 3. <s corresp="#nov-val_36.3.s1" n="en6"
xml:lang="en" part="N"><seg corresp="#nov-val_36.3.c1" part="N">Moreover, it
shall be established at the discretion of the <rs>patrons</rs> themselves
whether they wish this compulsory public service of collection to be
fulfilled through the <rs>praetorian office</rs>, with the addition of five
from their own <rs>guild</rs> whom they choose and to whom We order to be
granted the honor of a <rs>ducenarius in the imperial service</rs>, or
whether such service should be fulfilled through their own members only,
lest perhaps the <rs>apparitors</rs> may be <phr type="ampl" subtype="g"
part="N">burdensome</phr>; and they shall not hereafter await the annual
authorization of the <rs>praetorian office</rs>, which was heretofore
observed.</seg></s>
</ab>
<ab xml:id="nov-val_36.4" type="caput" part="N">
<milestone unit="latin" /> 4. <s xml:id="nov-val_36.4.s1" n="la7" xml:lang="la"
part="N"><seg xml:id="nov-val_36.4.c1" part="N">Nec ante quicquam de
<rs>Lucania</rs>
<rs>Samnio</rs> que <rs>provinciis</rs>
<rs>arca praetoriana</rs>
<phr xml:id="nov-val_36.4.s1.p1" type="ampl" subtype="c" part="N"><w
lemma="deposco" part="N">deposcat</w></phr> quam <rs>suariis</rs>
exigentibus debitum omne solvatur. <rs>Moderatores</rs>
<rs>provinciarum</rs> eorumque <rs>officia</rs> sub <phr
xml:id="nov-val_36.4.s1.p2" type="ampl" subtype="g" part="N"><w
lemma="periculum" part="N">periculo</w></phr> facultatum suarum
diligentiam et efficaciam huic operi commodabunt,</seg> ut ea ipsa quae
providimus facilius impleantur.</s>
<milestone unit="english" /> 4. <s corresp="#nov-val_36.4.s1" n="en7"
xml:lang="en" part="N"><seg corresp="#nov-val_36.4.c1" part="N">The
<rs>praetorian chest</rs> shall not <phr subtype="c" type="ampl" part="N">
>demand</phr> anything from the <rs>Provinces</rs> of <rs>Lucania</rs>
and <rs>Samnium</rs> before all that they owe is paid to the <rs>swine
collectors</rs> on their demand<supplied resp="#pharr" instant="false"
>.</supplied>
<rs>Governors</rs> of <rs>provinces</rs> and their <rs>office staffs</rs>,
at the <phr type="ampl" subtype="g" part="N">risk</phr> of their resources,
shall contribute diligence and efficiency to this work,</seg> in order that
the things which We have provided may be more easily fulfilled.</s>
</ab>
<ab xml:id="nov-val_36.5" type="caput" part="N">
<milestone unit="latin" /> 5. <s xml:id="nov-val_36.5.s1" n="la8" xml:lang="la"
part="N"><seg xml:id="nov-val_36.5.c1" part="N"><rs>Baonio priori corporis</rs>
cum dignitate lege concessa etiam <rs>cingulum militiae</rs>
<phr xml:id="nov-val_36.5.s1.p1" function="cmdw" part="N">iubemus</phr>
adiungi,</seg> quo in rebus ordinandis sub privilegio <rs>militari</rs>
maior huic auctoritas suffragetur.</s>
<s xml:id="nov-val_36.5.s2" n="la9" xml:lang="la" part="N"><seg
xml:id="nov-val_36.5.c2" part="N">Quod circa <rs>successores</rs> eius
venientes per ordinem volumus <phr type="ampl" subtype="c" part="N"><w
lemma="custodio" part="N">custodiri</w></phr>.</seg></s>
<milestone unit="english" /> 5. <s corresp="#nov-val_36.5.s1" n="en8"
xml:lang="en" part="N"><seg corresp="#nov-val_36.5.c1" part="N">We <phr
function="cmdw" part="N">order</phr> to be added to <rs>Baonius, the
primate of the guild</rs>, together with the dignity granted to him by
law, the <rs>cincture of office of the imperial service</rs> also,</seg>
whereby a greater authority may support him in ordering matters, under the
privilege of the <rs>imperial service</rs>.</s>
<s corresp="#nov-val_36.5.s2" n="en9" xml:lang="en" part="N"><seg
corresp="#nov-val_36.5.c2" part="N">It is Our will that this regulation
shall be <phr subtype="c" type="ampl" part="N">observed</phr> also in regard
to his <rs>successors</rs> who follow in due order.</seg></s>
</ab>
<ab xml:id="nov-val_36.6" type="caput" part="N">
<milestone unit="latin" /> 6. <s xml:id="nov-val_36.6.s1" n="la10" xml:lang="la"
part="N"><seg xml:id="nov-val_36.6.c1" ana="#ncp" part="N">Quos ad nullum aliud
praeterea <phr xml:id="nov-val_36.6.s1.p1" type="ampl" subtype="c" part="N">
><w lemma="onus" part="N">onus</w></phr> convenit devocari, nisi ut
huic officio vacantes a ceteris habeantur immunes.</seg></s>
<milestone unit="english" /> 6. <s corresp="#nov-val_36.6.s1" n="en10"
xml:lang="en" part="N"><seg corresp="#nov-val_36.6.c1" ana="#ncp" part="N">
>Moreover, such persons must not be called to any other <phr subtype="c"
type="ampl" part="N">burden</phr>, but they shall be held exempt from all
other duties, in order that they may be free for this service.</seg></s>
</ab>
<ab xml:id="nov-val_36.7" type="caput" part="N">
<milestone unit="latin" /> 7. <s xml:id="nov-val_36.7.s1" n="la11" xml:lang="la"
part="N"><seg xml:id="nov-val_36.7.c1" part="N"><rs>Suarios</rs> ipsos nullius
<rs>apparitionis</rs> neque <phr xml:id="nov-val_36.7.s1.p1" type="ampl"
subtype="g" part="N"><w lemma="iniuria" part="N">iniuriae</w></phr> neque
<phr xml:id="nov-val_36.7.s1.p2" type="ampl" subtype="c" part="N"><w

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        lemma="dispendium" part="N">dispendiis</w></phr> subiacere manentibus
        circa eos, quae superiora scita sanxerunt.</seg></s>
    <milestone unit="english" /> 7. <s corresp="#nov-val_36.7.s1" n="en11"
        xml:lang="en" part="N"><seg corresp="#nov-val_36.7.c1" part="N">The <rs>swine
        collectors</rs> themselves must not undergo <phr type="ampl" subtype="g"
        part="N">outrages</phr> or <phr subtype="c" type="ampl" part="N"
        >losses</phr> at the hands of any <rs>apparitors</rs>, and the privileges
        shall remain valid which the previous laws sanctioned for them.</seg></s>
    </ab>
    <ab xml:id="nov-val_36.8" type="caput" part="N">
        <milestone unit="latin" /> 8. <s xml:id="nov-val_36.8.s1" n="la12" xml:lang="la"
            part="N"><seg xml:id="nov-val_36.8.c1" part="N"><phr
                xml:id="nov-val_36.8.s1.p1" type="ampl" subtype="g" part="N"><w
                    lemma="obnoxius" part="N">Obnoxias</w></phr> sane <rs>suario</rs>,
                <rs>boario</rs> et <rs>pecuario</rs>
                <rs>corpori</rs> personas ad debita <phr xml:id="nov-val_36.8.s1.p2"
                    function="cmdw" part="N">praecipimus</phr> cum agnatione, peculii et
                <rs>praediis</rs>
                <phr xml:id="nov-val_36.8.s1.p3" type="ampl" subtype="c" part="N"><w
                    lemma="onus" part="N">onera</w></phr> revocari amotis omnibus, quae
                    sibi contra leges <phr xml:id="nov-val_36.8.s1.p4" type="ampl" subtype="c"
                    part="N"><w lemma="praesumptio" part="N">praesumptio</w></phr> et <phr
                        type="ampl" subtype="c" part="N"><w lemma="ambitio" part="N"
                        >ambitio</w></phr>
                    <phr xml:id="nov-val_36.8.s1.p5" type="ampl" subtype="c" part="N"><w
                        lemma="vindico" part="N">vindicavit</w></phr>.</seg></s>
            <milestone unit="english" /> 8. <s corresp="#nov-val_36.8.s1" n="en12"
                xml:lang="en" part="N"><seg corresp="#nov-val_36.8.c1" part="N">We <phr
                    function="cmdw" part="N">command</phr> that persons who are <phr
                        type="ampl" subtype="g" part="N">obligated</phr> to the <rs>guild</rs> of
                        <rs>swine collectors</rs>, <rs>cattle collectors</rs>, and <rs>sheep and
                        goat collectors</rs> shall be recalled to their due <phr subtype="c"
                            type="ampl" part="N">burdens</phr>, together with their
                            <rs>offspring</rs>, their peculia, and their <rs>landed estates</rs>, and
                            all the privileges shall be abolished which <phr subtype="c" type="ampl"
                                part="N">presumption</phr> and corrupt <phr subtype="c" type="ampl"
                                    part="N">solicitation</phr>
                            <phr subtype="c" type="ampl" part="N">vindicated</phr> to themselves in
                            violation of the laws.</seg></s>
            </ab>
            <ab xml:id="nov-val_36.9" type="caput" part="N">
                <milestone unit="latin" /> 9. <s xml:id="nov-val_36.9.s1" n="la13" xml:lang="la"
                    part="N">In quibus exequendis memoratus <rs>baonius vel successores eius</rs>
                    fidelem operam commodare debebunt, ut statutis nostris congruus praestetur
                    effectus.</s>
                <s xml:id="nov-val_36.9.s2" n="la14" xml:lang="la" part="N">devotos enim ob hoc
                    non solum provisione, sed etiam honore duximus adiuvandos, ut splendidiore
                    ministerio <rs>urbis aeternae</rs> semper invigilent suisque compendiis
                    existiment adgregari quidquid iugis procurarit illatio.</s>
                <milestone unit="english" /> 9. <s corresp="#nov-val_36.9.s1" n="en13"
                    xml:lang="en" part="N">The aforesaid <rs>Baonius and his successors</rs>, in
                    executing these regulations, must employ faithful service, in order that
                    suitable effectuation may be given to Our statutes.</s>
                <s corresp="#nov-val_36.9.s2" n="en14" xml:lang="en" part="N">For We consider that
                    the devoted should be assisted not only by such a provision but also by honor,
                    in order that with greater distinction they may always be diligent in the
                    service of the <rs>Eternal City</rs> and may consider that whatever an
                    uninterrupted payment of taxes procures is added to their own profit.</s>
            </ab>
            <ab xml:id="nov-val_36.subs" type="subs" part="N">
                <milestone unit="latin" />
                <s xml:id="nov-val_36.subs.s1" n="la15" xml:lang="la" part="N">Dat. III kal. Iul.
                    <placeName corresp="#rome" instant="false" full="yes">Romae</placeName>
                    Herculano vc. cons. <date when="0452-06-29" instant="false">(452 Iun.
                    29)</date>.</s>
                <milestone unit="english" />
                <s corresp="#nov-val_36.subs.s1" n="en15" xml:lang="en" part="N">Given on the
                    third day before the kalends of July at <placeName instant="false" full="yes"
                    >Rome</placeName> in the year of the consulship of the Most Noble
                    Herculanus. - <date instant="false">June 29, 452</date>.</s>
            </ab>
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    </div1>
</body>
</text>
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        <head xml:id="nov-maj_1.titl">
          <s xml:id="nov-maj_1.titl.s1" xml:lang="la">1. DE ORTU IMPERII DOMINI MAJORIANI
AUGUSTI</s>
        </head>
        <div2 type="constitutio" subtype="solo">
          <ab xml:id="nov-maj_1.insc" type="insc">
            <milestone unit="latin" />
            <s xml:id="nov-maj_1.insc.s1" n="la1" xml:lang="la">1. Maiorianus A. ad
senatum.</s>
            <milestone unit="english" />
          </ab>
          <ab xml:id="nov-maj_1.0" type="caput">
            <milestone unit="latin" /> 0. <s xml:id="nov-maj_1.0.s1" n="la2" xml:lang="la"
>Imperatorem me factum, patres conscripti, vestrae electionis arbitrio et
fortissimi exercitus ordinatione cognoscite.</s>
            <s xml:id="nov-maj_1.0.s2" n="la3" xml:lang="la">adsit aestimationi omnium
propitia divinitas, quae regni nostri augeat pro vestra et publica utilitate
successus, qui ad sustinendi principatus apicem non voluntate mea, sed obsequio
publicae devotionis accessi, ne aut mihi soli viverem aut <phr type="ampl"
subtype="g"><w lemma="ingratus">ingratus</w></phr> rei publicae, cui natus
sum, sub hac recusatione iudicaret.</s>
            <s xml:id="nov-maj_1.0.s3" n="la4" xml:lang="la">dicatis quoque Iano Kalendis
suscepti feliciter consulatus ereximus fascies, ut praesens annus nascentis
imperii nostri incrementa suscipiens nostro etiam nomine signaretur.</s>
            <s xml:id="nov-maj_1.0.s4" n="la5" xml:lang="la">favete nunc principi quem
fecistis et tractandarum rerum curam participate nobiscum, ut imperium, quod
mihi vobis adnitentibus datum est, studiis communibus augeatur.</s>
            <s xml:id="nov-maj_1.0.s5" n="la6" xml:lang="la"><phr type="ampl" subtype="c"><w
lemma="praesumo">praesumite</w></phr> iustitiam nostris vigere temporibus
et sub innocentiae merito proficere posse virtutes.</s>
            <s xml:id="nov-maj_1.0.s6" n="la7" xml:lang="la"><seg xml:id="nov-maj_1.0.c1">Nemo
<phr type="ampl" subtype="c"><w lemma="delatio">delationes</w></phr>
<phr type="ampl" subtype="g"><w lemma="metuo">metuat</w></phr>, quas et
privati in aliorum moribus <phr type="ampl" subtype="g"><w lemma="condemno">
condemnavimus</w></phr> et nunc specialiter <phr type="ampl"
subtype="c"><w lemma="persequor">persequimur</w></phr>; nullus <phr
type="ampl" subtype="g"><w lemma="calumnia">calumnias</w></phr>
<phr type="ampl" subtype="g"><w lemma="reformido">reformidet</w></phr>, nisi
quas ipse commoverit.</seg></s>
            <s xml:id="nov-maj_1.0.s7" n="la8" xml:lang="la"><seg xml:id="nov-maj_1.0.c2">erit
apud nos cum parente patricioque nostro Ricimere rei militaris pervigil
cura.</seg></s>
            <s xml:id="nov-maj_1.0.s8" n="la9" xml:lang="la"><seg xml:id="nov-maj_1.0.c3">
Romani orbis statum, quem communibus excubiis et ab externo <phr
type="ampl" subtype="g"><w lemma="hostis">hoste</w></phr> et a domestica
<phr type="ampl" subtype="g"><w lemma="clades">clade</w></phr>
liberavimus, propitia divinitate <phr xml:id="nov-maj_1.0.s8.p1"
function="cmdw">servemus</phr>.</seg></s>
            <s xml:id="nov-maj_1.0.s9" n="la10" xml:lang="la"><seg xml:id="nov-maj_1.0.c4">
puto instituti nostri vobis inesse notitiam, qua mihi amorem vestrum vitae
et <phr type="ampl" subtype="g"><w lemma="periculum">periculorum</w></phr>
quondam socius indubitanter <phr xml:id="nov-maj_1.0.s9.p1" function="cmdw">
spondeo</phr>: <phr xml:id="nov-maj_1.0.s9.p2" function="cmdw">
enitar</phr> tamen rebus omnibus, si superna concesserint, auctoritate
principis et obsequio collegae, ut vestrum in me vobis non possit displicere
iudicium.</seg></s>
            <milestone unit="english" /> 0. </ab>
          <ab xml:id="nov-maj_1.subs" type="subs">
            <milestone unit="latin" />
            <s xml:id="nov-maj_1.subs.s1" n="la11" xml:lang="la">Et manu divina: optamus vos
felicissimos et florentissimos per multos annos bene valere, sanctissimi
ordinis patres conscripti.</s>
            <s xml:id="nov-maj_1.subs.s2" n="la12" xml:lang="la">Dat. III id. Ian. <placeName
corresp="#ravenna">Ravennae</placeName> D. n. Maioriano A. i cons. <date
when="0458-01-11">(458 Ian. 11)</date>.</s>
            <milestone unit="english" />
          </ab>
        </div2>
      </div1>
      <div1 xml:id="nov-maj_2" type="titulus">

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<head xml:id="nov-maj_2.titl">
  <s xml:id="nov-maj_2.titl.s1" xml:lang="la">2. DE INDULGENTIIS RELIQUORUM</s>
</head>
<div2 type="constitutio" subtype="solo">
  <ab xml:id="nov-maj_2.insc" type="insc">
    <milestone unit="latin" />1. Maiorianus A. Basilio pp. <milestone unit="english"
    />1. Emperor Majorian Augustus to Basilius, Praetorian Prefect. </ab>
  <ab xml:id="nov-maj_2.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-maj_2.0.s1" n="la1" xml:lang="la">Ut
    primum mundo sacri principatus nostri rudimenta fulserunt, has potissimum
    salubres <rs corresp="#state" type="r" ana="#I_state"><w lemma="res-publica"
    >rei publicae</w></rs> cogitationes, quibus universitati remedia
    impendenda complectimur, sibi <rs ana="#I_emperor"><w lemma="regnum"
    >regni</w></rs> nostri novitas <phr type="ampl" subtype="c"><w
    lemma="vindico">vindicare</w></phr>: <phr type="ampl" subtype="g"
    injured="provincialis" crt-inj="high" inj-src="tributum" crt-src="high"><w
    lemma="fessus">fessas</w></phr>
    <rs corresp="#lndhld" ana="#E_landholders"><w lemma="provincialis"
    >provincialium</w></rs> varia atque multiplici <rs type="r"
    corresp="#taxes" ana="#E_taxes"><w lemma="tributum">tributorum</w></rs>
    exactione fortunas et extraordinariis <rs type="r" corresp="#taxes"
    ana="#E_taxes"><w lemma="fiscalis-solutio">fiscalium solutionum</w></rs>
    <phr type="ampl" subtype="c" inj-src="fiscalis-solutio" injured="provincialis"
    crt-inj="high"><w lemma="onus">oneribus</w></phr> adtritas solitae <rs
    corresp="#taxes" type="r" ana="#E_taxes"><w lemma="illatio"
    >illationis</w></rs>
    <phr type="ampl" subtype="c" injured="illatio provincialis" crt-inj="high"><w
    lemma="amitto">amisisse</w></phr> substantiam et <phr type="ampl"
    subtype="c" injured="illatio provincialis" crt-inj="high"><w
    lemma="defectus">defectum</w></phr> sui etiam in his, quae merito fuerant
    solvenda, sensisse: superindicticiis si quidem <rs type="r" corresp="#taxes"
    ana="#E_taxes"><w lemma="titulus">titulis</w></rs> in praeteritum <rs
    corresp="#lndhld" ana="#E_landholders"><w lemma="possessor"
    >possessor</w></rs>
    <phr type="ampl" subtype="c" injured="possessor" crt-inj="high"
    inj-src="titulus" crt-src="high"><w lemma="exhaustio">exhaustus</w></phr>,
    dum <phr type="ampl" subtype="c" injured="possessor" crt-inj="high"><w
    lemma="aegre">aegre</w></phr> solutionis <phr type="ampl" subtype="c"
    injured="provincialis" crt-inj="high" inj-src="devotio" crt-src="high"><w
    lemma="traho">trahit</w></phr> sub <phr type="ampl" subtype="g"
    inj-src="devotio" crt-src="high"><w lemma="impossibilis"
    >impossibili</w></phr>
    <rs ana="#E_taxes"><w lemma="devotio">devotione</w></rs> reliquias et pro
    temporis cursu novis subinde <phr type="ampl" subtype="c"
    injured="provincialis" crt-inj="high" inj-src="tributum" crt-src="high"><w
    lemma="perurgueo">perurguetur</w></phr> venientium indictionum <rs
    type="r" corresp="#taxes" ana="#E_taxes"><w lemma="tributum"
    >tributis</w></rs> et in redimendis adtenuatur indutiis, coacervatae in unum
    sarcina <rs ana="#E_taxes"><w lemma="obnoxietas">obnoxietatis</w></rs>
    <phr type="ampl" subtype="c" inj-src="obnoxietas" crt-src="high"
    injured="provincialis" crt-inj="high"><w lemma="obruo">obruitur</w></phr> et
    praecedentibus <rs ana="#E_taxes"><w lemma="debitum">debitis</w></rs> nequiquam
    sufficiens ad futuram quoque <rs ana="#E_taxes"><w lemma="illatio"
    >illationem</w></rs> minus idoneus invenitur.</s>
    <s xml:id="nov-maj_2.0.s2" n="la2" xml:lang="la">Quapropter tribuendae immunitatis
    beneficiis <rs corresp="#lndhld" ana="#E_landholders"><w lemma="provincialis"
    >provincialium</w></rs> spes <phr type="ampl" subtype="c"><w lemma="vis"
    >viresque</w></phr> fovendae sunt: interest enim <rs corresp="#imperl"
    ana="#I_emperor"><w lemma="clementia-nostra">clementiae nostrae</w></rs>
    piam <phr type="ampl" subtype="c"><w lemma="manus">manum</w></phr> dare <phr
    type="ampl" subtype="g" injured="provincialis" crt-inj="high"><w
    lemma="defessus">defessis</w></phr> et <rs ana="#E_landholders"><w
    lemma="subicio">subiectorum</w></rs>
    <phr type="ampl" subtype="c" injured="subicio" crt-inj="high"><w
    lemma="angustia">angustiis</w></phr> in tempore subvenire, ut inveteratis
    <rs ana="#E_taxes"><w lemma="nexus">nexibus</w></rs> liberi ad ea, quae in
    posterum <rs corresp="#trsury" type="r" ana="#P_treasury"><w lemma="publicus"
    >publicis</w></rs> secundum morem compendiis inferenda sunt,
    possibilitatem incipiant habere solvendi.</s>
    <milestone unit="english" /> 0. </ab>
  <ab xml:id="nov-maj_2.1" type="caput">
    <milestone unit="latin" /> 1. <s xml:id="nov-maj_2.1.s1" n="la3" xml:lang="la"
    ><seg xml:id="nov-maj_2.1.c1">Et idcirco mansura in aeternum lege sancimus
    universorum <rs type="r" corresp="#taxes" ana="#E_taxes"><w
    lemma="fiscalis-titulus">fiscalium titularum</w></rs> vel ad <rs
    type="r" corresp="#trsury" ana="#P_treasury"><w lemma="arca"
    >arcam</w></rs>
    <rs corresp="#prefec" ana="#P_high-officials"><w lemma="magnificentia-tua"
    >magnificentiae tuae</w></rs> vel ad utrumque <rs type="r"
    corresp="#trsury" ana="#P_treasury"><w lemma="aerarium">aerarium</w></rs>
    pertinentium <rs type="r" corresp="#taxes" ana="#E_taxes"><w
    lemma="reliquum">reliqua</w></rs> usque ad praesentis undecimae
    indictionis initium a <rs ana="#E_landholders"><w lemma="possessor"
    >possessoribus</w></rs> non petenda: quae sub generalis indulgentiae
    beneficio relaxamus <phr type="ampl" subtype="g" crt-inj="high"
    injured="possessor" crt-src="high" inj-src="reliquum"><w lemma="obnoxius"
    >obnoxii</w></phr>.</seg></s>
    <s xml:id="nov-maj_2.1.s2" n="la4" xml:lang="la"><seg xml:id="nov-maj_2.1.c2"
    >Atque hoc ita pro cunctorum remedio constitutum sub aperta volumus

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definitione servari, ut quidquid ex praeteritis indictionibus usque in
praesentem undecimam <rs ana="#E_taxes"><w lemma="reliquum"
>reliquorum</w></rs> est, quod vel apud <rs corresp="#lndhld"
ana="#E_landholders"><w lemma="possessor">possessorem</w></rs> residet
vel in <rs type="r" corresp="#debt" ana="#E_agreements-contracts"><w
lemma="privatus">privatum</w></rs>, ut fieri interveniente <phr
type="ampl" subtype="c" inj-src="privatus" crt-src="high"><w
lemma="versutia">versutia</w></phr> adsolet, <rs type="r"
corresp="#debt" ana="#E_payments-debts"><w lemma="nexus">nexum</w></rs>
emissa <rs corresp="#decrrns" ana="#E_local-officials"><w lemma="curialis"
>curialibus</w></rs> vel <rs corresp="#collec" ana="#P_bureaucracy"><w
lemma="canonicarius">canonicariis</w></rs> vel quibuslibet aliis
cautione migravit, penitus non petatur, ut <rs ana="#E_taxes"><w
lemma="exactio">exactione</w></rs> careat stipulatio, quam pro <rs
type="r" corresp="#trrsury" ana="#P_treasury"><w lemma="fiscalis"
>fiscalium</w></rs> calculo contractam <rs corresp="#imperl"
ana="#I_emperor"><w lemma="nostra-mansuetudo">nostrae
mansuetudinis</w></rs> relaxavit humanitas: excepta <rs ana="#E_taxes"><w
lemma="sus-canon">suarii canonis</w></rs> ratione, cui propter <rs
corresp="#roma" ana="#E_Rome"><w lemma="urbs-venerabilis">urbis
venerabilis</w></rs> copiam nihil volumus indulgentia interveniente
decerpi.</seg></s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-maj_2.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-maj_2.2.s1" n="la5" xml:lang="la">Ad
illam quoque dispositionum partem <rs ana="#I_emperor"><w lemma="augusta-mens"
>Augustae mentis</w></rs> providentiam sensumque conferimus, ut <rs
corresp="#lndhld" ana="#E_landholders"><w lemma="provincialis"
>provinciales</w></rs> nostros, quos immunes a <rs type="r"
corresp="#taxes" ana="#E_taxes"><w lemma="reliquum">reliquis</w></rs>
fecimus, devotos in posterum et semper idoneos <phr type="ampl" subtype="c"
inj-src="augusta-mens" crt-src="high" injured="compulsor" crt-inj="high"><w
lemma="removeo">remota</w></phr>
<phr type="ampl" subtype="g" inj-src="compulsor" crt-src="high" crt-inj="high"
injured="provincialis"><w lemma="feralis">feralium</w></phr>
<rs corresp="#collec" ana="#P_bureaucracy"><w lemma="compulsor"
>compulsorum</w></rs>
<phr type="ampl" subtype="g" inj-src="compulsor" crt-src="high"
injured="provincialis" crt-inj="high"><w lemma="acerbitas"
>acerbitate</w></phr> faciamus.</s>
<s xml:id="nov-maj_2.2.s2" n="la6" xml:lang="la"><rs corresp="#prefec"
ana="#P_high-officials"><w lemma="praefectianus">praefectiani</w></rs> si
quidem atque <rs corresp="#offici" ana="#P_bureaucracy"><w lemma="palatinus"
>palatini</w></rs> vel aliarum potestatum <rs corresp="#offici"
ana="#P_bureaucracy"><w lemma="apparitor">apparitores</w></rs> competentium
<rs corresp="#taxes" type="r" ana="#E_taxes"><w lemma="titulus"
>titulorum</w></rs> exactione suscepta contra <rs type="r"
corresp="#procdnt" ana="#I_ancients"><w lemma="vetus-mos">veterum
more</w></rs> per provincias discurrentes <phr type="ampl" subtype="c"
inj-src="exactio" crt-src="high" injured="possessor curialis" crt-inj="high"
><w lemma="enormis">enormibus</w></phr>
<rs ana="#E_taxes"><w lemma="exactio">exactionibus</w></rs>
<rs corresp="#lndhld" ana="#E_landholders"><w lemma="possessor"
>possessorem</w></rs>
<rs corresp="#decrrns" ana="#E_local-officials"><w lemma="curialis"
>curialemque</w></rs>
<phr type="ampl" subtype="c" inj-src="apparitor palatinus" crt-src="high"
injured="possessor curialis" crt-inj="high"><w lemma="concutio"
>concutiunt</w></phr> et ita omnia pro arbitrio suae <phr type="ampl"
subtype="g" inj-src="apparitor palatinus" crt-src="high"
injured="possessor curialis" crt-inj="high"><w lemma="depraedatio"
>depraedationis</w></phr>
<phr type="ampl" subtype="c" inj-src="apparitor palatinus" crt-src="high"
injured="possessor curialis" crt-inj="high"><w lemma="extorqueo"
>extorquent</w></phr>, ut, cum aliqua pars certa vel minima <rs type="r"
corresp="#trrsury" ana="#P_treasury"><w lemma="publicum-compendium">publicis
compendiis</w></rs> inferatur, duplum aut amplius in <rs type="r"
corresp="#fine" ana="#E_payments"><w lemma="sportula">sportulis</w></rs>
<phr type="ampl" subtype="c" inj-src="executor" crt-src="high"
injured="publicum-compendium" crt-inj="high"><w lemma="avidus"
>avidus</w></phr> et praepotens <rs corresp="#offici" ana="#P_bureaucracy"
><w lemma="executor">executor</w></rs> accipiat.</s>
<s xml:id="nov-maj_2.2.s3" n="la7" xml:lang="la">Hinc est, quod vetus providentia
dispositioque maiorum, quam in omnibus sequimur atque reparamus, <rs
corresp="#offici" ana="#P_high-officials"><w lemma="provincialis-iudex"
>provincialibus iudiciis</w></rs> exequenda commisit, quibus adnitentibus
per singularum <rs corresp="#decrrns" ana="#E_local-officials"><w
lemma="municeps">municipes</w></rs>
<rs ana="#E_cities"><w lemma="civitas">civitatum</w></rs> moderatione
tractabili <rs type="r" corresp="#taxes" ana="#E_taxes"><w
lemma="fiscale-tributum">fiscalium tributorum</w></rs> celebraretur
illatio: quam si <phr type="ampl" subtype="g" inj-src="compulsor"
crt-src="high" injured="fiscale-tributum" crt-inj="high"><w lemma="acerbus"
>acerbius</w></phr>
<phr type="ampl" subtype="c" inj-src="compulsor" crt-inj="high"><w
lemma="humilis">humilis</w></phr> notusque <rs corresp="#collec"
ana="#P_bureaucracy"><w lemma="compulsor">compulsor</w></rs> pro sui
compendii utilitate tractasset, confestim <phr type="ampl" subtype="g"
injured="provincia" crt-inj="high" inj-src="compulsor" crt-src="high"><w

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lemma="depraedatio">depraedationibus</w></phr>
 <phr type="ampl" subtype="c" injured="provincia" crt-src="high" crt-inj="high"
 inj-src="compulsor"><w lemma="vexo">vexatorium</w></phr> aditu audituque
 facilis <rs ana="#E_regions"><w lemma="provincia">provinciae</w></rs>
 <rs corresp="#judges" ana="#P_high-officials"><w lemma="cognitor"
 >cognitor</w></rs> subveniret.</s>
 <s xml:id="nov-maj_2.2.s4" n="la8" xml:lang="la">nunc vero <rs corresp="#collec"
 ana="#P_bureaucracy"><w lemma="canonicarius">canonicarios</w></rs>
 superioris <rs corresp="#officl" ana="#P_bureaucracy"><w lemma="militia"
 >militiae</w></rs> auctoritate <phr type="ampl" subtype="g"
 inj-src="canonicarius" crt-src="high" injured="provincialis" crt-inj="high"
 ><w lemma="terribilis">terribiles</w></phr> et in <rs ana="#E_regions"><w
 lemma="provincialis">provincialium</w></rs> viscera et <phr type="ampl"
 subtype="g" injured="provincialis" crt-inj="high" inj-src="canonicarius"
 crt-src="high"><w lemma="damnum">damna</w></phr>
 <phr type="ampl" subtype="g" inj-src="canonicarius" crt-src="high"
 injured="provincialis" crt-inj="high"><w lemma="desaevio"
 >desaevientes</w></phr> nec <phr type="ampl" subtype="c"
 injured="canonicarius" crt-inj="high"><w lemma="arguo">arguere</w></phr>
 quisquam apud <rs ana="#P_regions"><w lemma="provincialis"
 >provincialium</w></rs>
 <rs corresp="#judges" ana="#P_high-officials"><w lemma="iudex">iudicem</w></rs>
 potest, cum resupinae <rs ana="#P_bureaucracy"><w lemma="appareo"
 >appariturae</w></rs> et totum sibi de superioris <rs
 ana="#P_bureaucracy"><w lemma="cingulus">cinguli</w></rs>
 <phr type="ampl" subtype="g" inj-src="cingulus" crt-src="high"><w
 lemma="fastidium">fastidio</w></phr>
 <phr type="ampl" subtype="c" inj-src="appareo" crt-src="high"><w
 lemma="blandior">blandienti</w></phr> potestas <rs corresp="#lndhld"
 ana="#P_regions"><w lemma="provincialis">provincialis</w></rs>
 <rs ana="#P_law-courts"><w lemma="examen">examinis</w></rs> subiecta famuletur
 nec de <rs ana="#P_regions"><w lemma="longinquus">longinquis</w></rs>
 provinciae regionibus cum magno sumptuum <rs ana="#E_payments"><w
 lemma="expensa">expensarumque</w></rs>
 <phr type="ampl" subtype="g" injured="provincialis longinquus" crt-inj="high"
 ><rs ana="#E_payments"><w lemma="detrimentum">detrimento</w></rs></phr>
 ad <rs ana="#P_emperor-court"><w lemma="comitas">comitatum</w></rs> nostrum
 venire <phr type="ampl" subtype="c"><w lemma="audeo">audeat</w></phr> ille qui
 queritur, cui sub <phr type="ampl" subtype="c" injured="provincialis"
 crt-inj="high"><w lemma="durus">duro</w></phr>
 <phr type="ampl" subtype="c" injured="provincialis" crt-inj="high"><w
 lemma="patientia">patientiae</w></phr>
 <phr type="ampl" subtype="c" injured="provincialis" crt-inj="high"><w
 lemma="gemitus">gemitu</w></phr> tolerabilior videtur <phr type="ampl"
 subtype="g" inj-src="canonicarius" crt-src="high" injured="provincialis"
 crt-inj="high"><w lemma="depraedatio">depraedatio</w></phr>
 <phr type="ampl" subtype="g" inj-src="canonicarius" crt-src="high"
 injured="provincialis" crt-inj="high"><w lemma="saevio">saevientis</w></phr>
 quam sub magno observationis <phr type="ampl" subtype="g"
 injured="provincialis" crt-inj="high"><w lemma="incommodum"
 >incommodo</w></phr> sustinendus impetrandae <phr type="ampl" subtype="g"
 inj-src="provincialis" crt-src="high" injured="canonicarius" crt-inj="high"
 ><w lemma="ultio">ultionis</w></phr> eventus.</s>
 <s xml:id="nov-maj_2.2.s5" n="la9" xml:lang="la">Hinc est, quod per <phr
 type="ampl" subtype="g" inj-src="compulsor" crt-src="high" injured="civitas"
 crt-inj="high"><w lemma="iniuria">iniuriam</w></phr>
 <rs corresp="#collec" ana="#P_bureaucracy"><w lemma="compulsor"
 >compulsorum</w></rs>
 <phr type="ampl" subtype="c" inj-src="compulsor" crt-src="high"
 injured="ordo curialis" crt-inj="high"><w lemma="destituo"
 >destitutae</w></phr>
 <rs corresp="#decrns" ana="#E_local-officials"><w lemma="ordo"
 >ordinibus</w></rs>
 <rs corresp="#cities" ana="#E_cities"><w lemma="civitas">civitates</w></rs>
 idoneum nequeunt habere <rs corresp="#decrns" ana="#E_local-officials"><w
 lemma="curialis">curialem</w></rs>, quod exigentium <phr type="ampl"
 subtype="g" inj-src="compulsor" crt-inj="high" crt-src="high"
 injured="possessor"><w lemma="atrocitas">atrocitate</w></phr>
 <phr type="ampl" subtype="g" inj-src="compulsor" crt-src="high"
 injured="possessor" crt-inj="high"><w lemma="perterreo">perterriti</w></phr>
 <rs corresp="#lndhld" ana="#E_landholders"><w lemma="possessor"
 >possessores</w></rs> propria <rs ana="#E_land"><w lemma="rus">rura</w></rs>
 <phr type="ampl" subtype="g" inj-src="possessor" crt-src="high" injured="rus"
 crt-inj="high"><w lemma="destituo">destituunt</w></phr>, cum non iam <phr
 type="ampl" subtype="g" injured="possessor fortuna" crt-inj="high"><w
 lemma="amissio">amissio</w></phr>
 <rs ana="#E_property"><w lemma="fortuna">fortunarum</w></rs>, sed <phr
 type="ampl" subtype="g" inj-src="compulsor" crt-src="high"
 injured="possessor" crt-inj="high"><w lemma="saevus">saeva</w></phr>
 <phr type="ampl" subtype="c" inj-src="compulsor" crt-src="high"
 injured="possessor" crt-inj="high"><w lemma="custodia">custodia</w></phr> et
 <phr type="ampl" subtype="g" inj-src="compulsor" crt-src="high"
 injured="possessor" crt-inj="high"><w lemma="suspendium"
 >suspendiorum</w></phr>
 <phr type="ampl" subtype="g" inj-src="compulsor" crt-src="high"
 injured="possessor" crt-inj="high"><w lemma="crudelitas"
 >crudelitas</w></phr>
 <phr type="ampl" subtype="g" inj-src="compulsor" crt-src="high"
 injured="possessor" crt-inj="high"><w lemma="formido">formidatur</w></phr>,</s>

quae <phr type="ampl" subtype="g" inj-src="apparitor militaris" crt-src="high">
 <w lemma="immitis">immitis</w></phr>
 <rs corresp="#officl" ana="#P_bureaucracy"><w lemma="apparitor">
 >apparitor</w></rs> et executio <rs corresp="#militr" ana="#M_soldiers"><w
 lemma="militaris">militaris</w></rs> pro commodo suae <phr type="ampl">
 subtype="c" inj-src="apparitor militaris" crt-src="high"><w
 lemma="cupiditas">cupiditatis</w></phr> exercet.</s>
 <s xml:id="nov-maj_2.2.s6" n="la10" xml:lang="la">Ac ne ulterius <rs
 corresp="#collec" ana="#P_bureaucracy"><w lemma="canonicarius">
 >canonicariorum</w></rs>
 <phr type="ampl" subtype="c" inj-src="canonicarius" crt-src="high"><w
 lemma="venalis">venalis</w></phr>
 <phr type="ampl" subtype="g" inj-src="canonicarius" crt-src="high"><w
 lemma="improbitas">improbitas</w></phr>
 <rs ana="#P_treasury"><w lemma="publicis">publicis</w></rs> fortunis inferat
 <rs ana="#E_citizens"><w lemma="privatus">privatisque</w></rs>
 <phr type="ampl" subtype="c"><w lemma="dispendium">dispendium</w></phr>, veteri
 more revocato <rs ana="#P_regions"><w lemma="provincia">provinciarum</w></rs>
 <rs corresp="#govrn" ana="#P_high-officials"><w lemma="rector">
 >rectores</w></rs> celebrandae <rs corresp="#collec" ana="#E_taxes"><w
 lemma="exactio">exactionis</w></rs> summa respiciat, per quorum officia
 profligari iubemus <rs type="r" corresp="#taxes" ana="#E_taxes"><w
 lemma="annua-functio">annuas functiones</w></rs>, <seg
 xml:id="nov-maj_2.2.c1">ita ut a duodecimae indictionis initio nullus ad <rs
 ana="#P_regions"><w lemma="provincia">provinciam</w></rs>
 <rs ana="#P_high-officials"><w lemma="magnificentia-tuae">magnificentiae
 tuae</w></rs>
 <rs corresp="#collec" ana="#P_bureaucracy"><w lemma="canonicarius">
 >canonicarius</w></rs>, nullus <rs corresp="#officl" ana="#P_bureaucracy"><w
 lemma="palatinus">palatinus</w></rs>, nullus <rs
 ana="#M_armed-men"><w lemma="armata-potestas">armatae potestatis</w></rs>
 <rs ana="#P_bureaucracy"><w lemma="minister">minister</w></rs> accedat, sed
 universa <rs type="r" corresp="#taxes" ana="#E_taxes"><w lemma="fiscalis">
 >fiscalia</w></rs>, quae de <rs ana="#E_regions"><w lemma="provincia">
 >provinciis</w></rs> speranda sunt, per locorum <rs corresp="#judges" ana="#P_high-officials"><w
 lemma="iudex">iudices</w></rs> inferantur,
 quos aut <phr type="ampl" subtype="g" inj-src="iudex" crt-src="high">
 injured="fiscalis" crt-inj="high"><w lemma="neglegentia">
 >neglegentiae</w></phr>
 <phr type="ampl" subtype="g" injured="iudex" crt-inj="high"><w lemma="culpa">
 >culpa</w></phr> respiciet aut laus manebit industriae, ita ut ipsis
 <rs corresp="#govrn" ana="#P_high-officials"><w lemma="moderator">
 >moderatoribus</w></rs> ad <phr type="ampl" subtype="c">
 injured="moderator" crt-inj="high" inj-src="executor" crt-src="high"><w
 lemma="admoneo">admonendum</w></phr> tantummodo directus <rs
 ana="#P_bureaucracy"><w lemma="executor">executor</w></rs>
 <phr type="ampl" subtype="c" inj-src="executor" crt-src="high">
 injured="moderator"><w lemma="immineo">immineat</w></phr>.</seg></s>
 <milestone unit="english" /> 2. </ab>
 <ab xml:id="nov-maj_2.3" type="caput">
 <milestone unit="latin" /> 3. <s xml:id="nov-maj_2.3.s1" n="la11" xml:lang="la">Et
 quia totum pro remedio <rs corresp="#lndhld" ana="#E_landholders"><w
 lemma="possessor">possessoris</w></rs>
 <rs corresp="#imperl" ana="#I_emperor"><w lemma="serenitas-nostra">serenitas
 nostra</w></rs> constituit, quem <rs corresp="#taxes" type="r" ana="#E_taxes"><w
 lemma="tributum">tributorum</w></rs> gratia solvendorum
 <rs corresp="#prduce" type="r" ana="#E_property-goods"><w lemma="frux">
 >fruges</w></rs> suas sub opportunitate vendentem volumus per temporis
 intervalla refoveri, <seg xml:id="nov-maj_2.3.c1">trina per annum vice
 singularum indictionum quantitas speranda solvatur et quadrimenstruis
 illationibus <rs type="r" corresp="#taxes" ana="#E_taxes"><w
 lemma="annua-functio">annuae functionis</w></rs> celebretur exactio,
 cuius summam, ita ut distinctum est, <rs corresp="#govrn" ana="#P_high-officials"><w
 lemma="moderator">moderatoris</w></rs>
 adnitente diligentia ad <rs type="r" corresp="#trsury" ana="#P_treasury"><w
 lemma="arca">arcam</w></rs>
 <phr xml:id="nov-maj_2.3.s1.p1" function="cmdw">volumus</phr> congrua
 exactione transmitti.</seg></s>
 <milestone unit="english" /> 3. </ab>
 <ab xml:id="nov-maj_2.4" type="caput">
 <milestone unit="latin" /> 4. <s xml:id="nov-maj_2.4.s1" n="la12" xml:lang="la">
 >Habenda sane ratio est <rs corresp="#nobles" ana="#E_nobles"><w
 lemma="potens-persona">potentium personarum</w></rs>, quarum <rs
 ana="#E_manager"><w lemma="actor">actores</w></rs> per <rs ana="#E_regions">
 ><w lemma="provincia">provincias</w></rs> solutionem <rs type="r" corresp="#taxes"><w
 lemma="fiscalis">fiscalium</w></rs>
 <phr type="ampl" subtype="g" inj-src="potens-persona actor" crt-src="high">
 injured="fiscalis" crt-inj="high"><w lemma="neglego">neglegunt</w></phr>,
 dum pro sui <phr type="ampl" subtype="g" inj-src="potens-persona actor" crt-src="high"><w
 lemma="terror">terrore</w></phr>
 <phr type="ampl" subtype="g" inj-src="potens-persona actor" crt-src="high"><w
 lemma="fastidium">fastidii</w></phr> minime <phr type="ampl" subtype="c">
 injured="potens-persona actor" crt-inj="high"><w lemma="perurgueo">
 >perurguentur</w></phr> ac se in <rs type="r" corresp="#land" ana="#E_land"><w
 lemma="praedium">praediis</w></rs> retinent <phr
 type="ampl" subtype="g" inj-src="potens-persona actor" crt-src="high"><w
 lemma="contumax">contumaces</w></phr>, ne ad eos praeceptum <rs
 corresp="#judges" ana="#P_high-officials"><w lemma="iudex">iudicis</w></rs>
 possit aut conventio pervenire: <seg xml:id="nov-maj_2.4.c1">et idcirco <rs

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        ana="#E_nobles"><w lemma="clarissimus">clarissimarum</w></rs> domorum vel
        <rs ana="#E_nobles"><w lemma="potens">potentium</w></rs>
    <phr xml:id="nov-maj_2.4.s1.pl" function="cmdw">iubemus</phr>
    <rs ana="#E_manager"><w lemma="actor">actores</w></rs> seu <rs
        ana="#E_manager"><w lemma="procurator">procuratores</w></rs> in his
        civitatibus <rs corresp="#judges" ana="#P_high-officials"><w lemma="iudex"
            >iudici</w></rs> per <rs ana="#E_regions"><w lemma="provincia"
            >provinciam</w></rs> discurrenti sui facere et exhibere praesentiam,
        in quarum territoriis <rs type="r" corresp="#land" ana="#E_land"><w
            lemma="praedium">praedia</w></rs> suorum sciant esse patronorum et
        tamdiu publicis inhaerere conspectibus, quamdiu in eodem oppido morari
        viderint <rs corresp="#judges" ana="#P_high-officials"><w lemma="cognitor"
            >cognitorem</w></rs>; quod etiam <rs corresp="#land #imperl" type="r"
            ana="#E_emperor"><w lemma="sacra-domus-nostra">sacrae domus
            nostrae</w></rs> observare iubemus <rs corresp="#frmngr" ana="#E_manager"
            ><w lemma="actor">actores</w></rs>.</seg></s>
    <s xml:id="nov-maj_2.4.s2" n="la13" xml:lang="la"><seg xml:id="nov-maj_2.4.c2">Nam
        si quis ex memoratis <phr type="ampl" subtype="g" inj-src="actor"
            crt-src="low"><w lemma="desum">defuerit</w></phr> ac se per totum annum
        <phr type="ampl" subtype="c" injured="actor" crt-inj="low"><w
            lemma="pulso">pulsandus</w></phr> conveniendusque subtraxerit, <phr
            type="ampl" subtype="g" injured="actor" crt-inj="high"><w lemma="rapio"
            >raptus</w></phr> ad <phr type="ampl" subtype="g" injured="actor"
            crt-inj="low"><w lemma="supplicium">supplicium</w></phr> id, quod exacto
            indictionis tempore minus intulisse <phr type="ampl" subtype="c"
            injured="actor" crt-inj="low"><w lemma="convincto">convinctur</w></phr>,
            duplum <phr type="ampl" subtype="c" injured="actor" crt-inj="low"><w
                lemma="cogo">cogatur</w></phr> exsolvere.</seg></s>
    <s xml:id="nov-maj_2.4.s3" n="la14" xml:lang="la">Sicut enim <phr type="ampl"
        subtype="c" injured="devotus" crt-inj="high" inj-src="exactio"
        crt-src="high"><w lemma="vexo">vexari</w></phr> incongruae <rs type="r"
        corresp="#taxes" ana="#E_taxes"><w lemma="exactio">exactionis</w></rs>
        <phr type="ampl" subtype="g" inj-src="exactio" crt-src="high" injured="devotus"
            crt-inj="high"><w lemma="incommodum">incommodis</w></phr>
        <rs corresp="#lndhld" ana="#E_landholders"><w lemma="devotus">devotos</w></rs>
        <phr type="ampl" subtype="g" inj-src="serenitas-nostra" crt-src="low"><w
            lemma="nolo">nolimus</w></phr>, ita <phr type="ampl" subtype="g"><w
            lemma="rebellis">rebelles</w></phr> iustae <phr type="ampl" subtype="g"
            ><w lemma="severitas">severitatis</w></phr> vigore <phr type="ampl"
            subtype="c"><w lemma="persequor">persequimur</w></phr>.</s>
    <milestone unit="english" /> 4. </ab>
    <ab xml:id="nov-maj_2.5" type="caput">
    <milestone unit="latin" /> 5. <s xml:id="nov-maj_2.5.s1" n="la15" xml:lang="la"
        >Illud quoque providendum est, ne <rs ana="#P_regions"><w lemma="provincialis"
            >provinciales</w></rs>
        <rs corresp="#judges" ana="#P_high-officials"><w lemma="iudex">iudices</w></rs>
        <phr type="ampl" subtype="g" injured="iudex" crt-inj="high" inj-src="apparitor"
            crt-src="high"><w lemma="falsus">falso</w></phr> in obiurgationem <rs
            corresp="#offici" ana="#P_bureaucracy"><w lemma="apparitor"
            >apparitorum</w></rs> suggestionibus <phr type="ampl" subtype="c"
            inj-src="apparitor" crt-src="high"><w lemma="commentum"
            >commentisque</w></phr> deducantur, qui ad eos hac <rs type="r"
            corresp="#taxes"><w lemma="exactio">exactione</w></rs> translata <phr
            type="ampl" subtype="c" injured="apparitor" crt-inj="high"><w lemma="eripio"
            >ereptam</w></phr> immanium commodorum <phr type="ampl" subtype="g"
            inj-src="apparitor" crt-src="high"><w lemma="praeda">praedam</w></phr> e
            suis faucibus lugent: <seg xml:id="nov-maj_2.5.c1">ac propterea hoc eis <phr
                xml:id="nov-maj_2.5.s1.pl" function="cmdw">tribuimus</phr> dignitatis, ut
            de iniunctis actibus et de suae adsertione diligentiae referendi ad <rs
                corresp="#imperl" ana="#I_emperor"><w lemma="mansuetudo-nostra"
                >mansuetudinem nostram</w></rs> habeant facultatem, ut nos potissimum
            de eorum <rs ana="#P_bureaucracy"><w lemma="administratio"
                >administratione</w></rs> iudicemus, quorum suggestiones inter
            quaslibet <rs ana="#P_public-expenses"><w lemma="publica-cura">publicas
                curas</w></rs>
            <rs corresp="#imperl" ana="#I_emperor"><w lemma="sacra-providentia">sacrae
                providentiae</w></rs> adtentione dignamur</seg>, <rs corresp="#prefec"
                ana="#P_high-officials"><w lemma="Basilus">Basili</w></rs> parens karissime
            atque amantissime.</s>
    <milestone unit="english" /> 5. </ab>
    <ab xml:id="nov-maj_2.6" type="caput">
    <milestone unit="latin" /> 6. <s xml:id="nov-maj_2.6.s1" n="la0" xml:lang="la"
        >Illustris et praecelsa <rs ana="#P_high-officials"><w lemma="magnitudo"
            >magnitudo</w></rs> tua huius legis saluberrima constituta propositis
            divulgabit edictis, ut ad <rs ana="#E_regions"><w lemma="provincialis"
            >provinciales</w></rs> remedia concessa perveniant et <rs
                corresp="#judges" ana="#P_high-officials"><w lemma="iudex">iudices</w></rs>
            ex nostra praeceptione cognoscant ita industriae ac vigilantiae suae <rs
                corresp="#taxes" type="r" ana="#E_taxes"><w lemma="exactio-publica"
                >exactionum publicarum</w></rs> redditam potestatem, ut non leviter <phr
                type="ampl" subtype="c" injured="iudex" crt-inj="high"><w lemma="arguo"
                >arguendi</w></phr> sint, si <rs corresp="#imperl" ana="#I_emperor"><w
                    lemma="Augustus">Augusti</w></rs> non inertem <phr type="ampl"
                    subtype="g" inj-src="exactio-publica" crt-src="high"><w lemma="dissimulatio"
                    >dissimulationem</w></phr> nequiverint respondere iudicio.</s>
    <milestone unit="english" /> 6. </ab>
    <ab xml:id="nov-maj_2.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="nov-maj_2.subs.s1" n="la1" xml:lang="la">Dat. VI id. Mart. <placeName

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        corresp="#ravenna">Ravennae</placeName>
        <date when="0458-03-10">(458 Mart. 10)</date>.</s>
    <s xml:id="nov-maj_2.subs.s2" n="la2" xml:lang="la">acc. V id. suprascripti
        Ravennae D. n. Maioriano A. i cons.</s>
    <milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="nov-maj_3" type="titulus">
    <head xml:id="nov-maj_3.titl">
        <s xml:id="nov-maj_3.titl.s1" xml:lang="la">3. DE DEFENSORIBUS CIVITATUM</s>
    </head>
    <div2 type="constitutio" subtype="solo">
        <ab xml:id="nov-maj_3.insc" type="insc">
            <milestone unit="latin" />
            <s xml:id="nov-maj_3.insc.s1" n="la1" xml:lang="la">1. Leo et Maiorianus AA. univ.
                rectoribus provinciarum.</s>
            <milestone unit="english" />
        </ab>
        <ab xml:id="nov-maj_3.0" type="caput">
            <milestone unit="latin" /> 0. <s xml:id="nov-maj_3.0.s1" n="la2" xml:lang="la">De
                civitatum per omnes provincias positarum raritate cogitantes, quibus <phr
                    type="ampl" subtype="g"><w lemma="fugio">fugientibus</w></phr> incolis
                    defensorum auxilio <phr type="ampl" subtype="c"><w lemma="destitutio"
                        destitutis</w></phr>, qui unumquemque civium ab <phr type="ampl"
                        subtype="g"><w lemma="improbitas">improbitatibus</w></phr>
                        <phr type="ampl" subtype="c"><w lemma="insolens">insolentum</w></phr> antiquae
                        ordinationis studio <phr type="ampl" subtype="c"><w lemma="vindico"
                            vindicare</w></phr> consueverant, <phr type="ampl" subtype="c"><w
                                lemma="solitudo">solitudo</w></phr> est nostris ordinationibus <phr
                                    type="ampl" subtype="c"><w lemma="submoveo">submovenda</w></phr>, ...</s>
                <s xml:id="nov-maj_3.0.s2" n="la3" xml:lang="la"><seg xml:id="nov-maj_3.0.c1"
                    >dendi prae cae consuetudinis morem omnibus <phr type="ampl" subtype="g"><w
                        lemma="contemno">contemptum</w></phr> revocandum esse <phr
                            xml:id="nov-maj_3.0.s2.p1" function="cmdw">censuimus</phr>: ut probis
                            moribus, honestate ...</seg></s>
                <s xml:id="nov-maj_3.0.s3" n="la4" xml:lang="la"><seg xml:id="nov-maj_3.0.c2"
                    >Providentia viri iudicio universitatis electi auctoritatem tuendae in
                    civitatibus suis plebis accipiant et, quaecumque utilitatem publicam
                    respiciunt, concessae per leges privilegio dignitatis vel exequendi vel
                    insinuandi auribus mansuetudinis nostrae habeant potestatem.</seg></s>
                <s xml:id="nov-maj_3.0.s4" n="la5" xml:lang="la">Hoc enim modo fieri potest, ut
                    repressis per eos <phr type="ampl" subtype="c"><w lemma="insolentia"
                        insolentiae</w></phr>
                    <phr type="ampl" subtype="g"><w lemma="vitium">vitiis</w></phr> quaeque
                    accidentia in provinciarum nostrarum parte ...</s>
                <s xml:id="nov-maj_3.0.s5" n="la6" xml:lang="la">tractatum intenti curis maioribus
                    <phr type="ampl" subtype="c"><w lemma="ignoro">ignoramus</w></phr>, eorum ad
                    emendandum suggestionibus instruamur et ii, qui per <phr type="ampl"
                        subtype="g"><w lemma="iniuria">iniuriam</w></phr> compulsorum rurales
                    habitationes et <phr type="ampl" subtype="c"><w lemma="solitudo"
                        solitudines</w></phr> expetunt, sub defensorum tuitione degentes
                    publicis se urbiumque conspectibus repetiti domicilii habitatione
                    restituant.</s>
                <s xml:id="nov-maj_3.0.s6" n="la7" xml:lang="la">Quapropter praeceptionis nostrae
                    tenore comperto universarum civitatum, quae sunt inhabitantium frequentia
                    celebres in tuae potestatis arbitrio constitutae, municipes honoratos plebemque
                    <phr type="ampl" subtype="c"><w lemma="commoneo">commoneas</w></phr>, ut
                    adhibito tractatu atque consilio sibi eligant defensorem factumque dematurent,
                    ut sub hac sollemnitate desideria urbium singularum ad nostram mansuetudinem
                    dirigant, quia ipsos provinciales propter expensas vel itineris <phr
                        type="ampl" subtype="c"><w lemma="labor">laborem</w></phr> ad comitatum
                    venire non <phr type="ampl" subtype="c"><w lemma="patior">patimur</w></phr>, ut
                    compertis eorum moribus atque personis, quos praeter <phr type="ampl"
                        subtype="c"><w lemma="ambitus">ambitum</w></phr> dignos tali ministerio et
                    honore iudicemus, idoneos defensores confirmatio constituat.</s>
            <milestone unit="english" /> 0. </ab>
        <ab xml:id="nov-maj_3.subs" type="subs">
            <milestone unit="latin" />
            <s xml:id="nov-maj_3.subs.s1" n="la8" xml:lang="la">Dat. VIII id. Mai. <placeName
                corresp="#ravenna">Ravennae</placeName> D. n. leone et Maioriano AA. cons.
                <date when="0458-05-08">(458 Mai. 8)</date>.</s>
            <milestone unit="english" />
        </ab>
    </div2>
</div1>
<div1 xml:id="nov-maj_4" type="titulus">
    <head xml:id="nov-maj_4.titl">
        <s xml:id="nov-maj_4.titl.s1" xml:lang="la">4. DE AEDIFICIIS PUBLICIS</s>
    </head>
    <div2 type="constitutio" subtype="solo">
        <ab xml:id="nov-maj_4.insc" type="insc">
            <milestone unit="latin" />
            <s xml:id="nov-maj_4.insc.s1" n="la1" xml:lang="la">1. Leo et Maiorianus AA.
                Aemiliano pu.</s>
            <milestone unit="english" />
        </ab>
        <ab xml:id="nov-maj_4.0" type="caput">
            <milestone unit="latin" /> 0. <s xml:id="nov-maj_4.0.s1" n="la2" xml:lang="la"

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>Nobis rem publicam moderantibus volumus emendari, quod iam dudum ad
decolorandam urbis venerabilis faciem <phr type="ampl" subtype="g"><w
  lemma="detestor">detestabamur</w></phr> admitti.</s>
<s xml:id="nov-maj_4.0.s2" n="la3" xml:lang="la">Aedes si quidem publicas in
quibus omnis Romanae civitatis consistit ornatus, passim <phr type="ampl"
  subtype="g"><w lemma="diruo">dirui</w></phr>
<phr type="ampl" subtype="c"><w lemma="plecto">plectenda</w></phr> urbani
officii suggestionem manifestum est.</s>
<s xml:id="nov-maj_4.0.s3" n="la4" xml:lang="la">dum necessaria publico operi saxa
finguntur, antiquarum aedium dissipatur speciosa constructio et ut parvum
aliquid reparetur, magna <phr type="ampl" subtype="g"><w lemma="diruo"
  >diruuntur</w></phr>.</s>
<s xml:id="nov-maj_4.0.s4" n="la5" xml:lang="la">Hinc iam occasio nascitur, ut
etiam unusquisque privatum aedificium construens per gratiam iudicum in urbe
positorum <phr type="ampl" subtype="c"><w lemma="praesumo">praesumere</w></phr>
de publicis locis necessaria et transferre non <phr type="ampl" subtype="c"><w
  lemma="dubito">dubitet</w></phr>, cum haec, quae ad splendorem urbium
pertinent, adfectione civica debeant etiam sub reparatione servari.</s>
<milestone unit="english" /> 0. </ab>
<ab xml:id="nov-maj_4.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-maj_4.1.s1" n="la6" xml:lang="la"
  ><seg xml:id="nov-maj_4.1.c1">Idcirco generali lege <phr
    xml:id="nov-maj_4.1.s1.p1" function="cmdw">sancimus</phr> cuncta
aedificia quaeve in templis aliisque monumentis a veteribus condita propter
usum vel amoenitatem publicam subreperunt, ita a nullo <phr type="ampl"
  subtype="g"><w lemma="destruo">destrui</w></phr> atque contingi, ut
iudex, qui hoc fieri statuerit, quinquaginta librarum auri illatione <phr
  type="ampl" subtype="c"><w lemma="ferio">feriatur</w></phr>; apparatus
vero atque numerarios, qui iubenti obtemperaverint et sua nequitiam
suggestionem restiterint, <phr type="ampl" subtype="g"><w lemma="fustuarium"
  >fustuario</w></phr>
<phr type="ampl" subtype="g"><w lemma="supplicium">supplicio</w></phr>
subditos <phr type="ampl" subtype="c"><w lemma="manus">manuum</w></phr>
quoque <phr type="ampl" subtype="g"><w lemma="amissio">amissione</w></phr>
<phr type="ampl" subtype="c"><w lemma="trunco">truncandos</w></phr>, per
quas servanda veterum monumenta <phr type="ampl" subtype="g"><w
  lemma="temero">temerantur</w></phr>.</seg></s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-maj_4.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-maj_4.2.s1" n="la7" xml:lang="la"
  ><seg xml:id="nov-maj_4.2.c1">Ex his quoque locis quae sibi competitorum
hactenus <phr type="ampl" subtype="c"><w lemma="vindico"
  >vindicavit</w></phr> revocanda <phr type="ampl" subtype="g"><w
    lemma="subreptio">subreptio</w></phr>, nihil <phr
    xml:id="nov-maj_4.2.s1.p1" function="cmdw">iubemus</phr> auferri: quae ad
ius publicum nihilominus redeuntia ablatarum rerum volumus reformatione
reparari, <phr type="ampl" subtype="c"><w lemma="submoveo">submota</w></phr>
in posterum <phr type="ampl" subtype="c"><w lemma="licentia"
  >licentia</w></phr> competendi.</seg></s>
<milestone unit="english" /> 2. </ab>
<ab xml:id="nov-maj_4.3" type="caput">
<milestone unit="latin" /> 3. <s xml:id="nov-maj_4.3.s1" n="la8" xml:lang="la"
  ><seg xml:id="nov-maj_4.3.c1">Si quid sane aut propter publicam alterius
operis constructionem aut propter <phr type="ampl" subtype="g"><w
    lemma="desperatus">desperatum</w></phr> reparationis usum necessaria
consideratione <phr type="ampl" subtype="c"><w lemma="depono"
  >deponendum</w></phr> est, hoc apud amplissimum venerandi senatus ordinem
congruis instructionibus <phr xml:id="nov-maj_4.3.s1.p1" function="cmdw"
  >praecipimus</phr> adlegari et, cum ex deliberato fieri oportere
censuerit, ad mansuetudinis nostrae conscientiam referatur,</seg> ut, quod
reparari nullo modo viderimus posse, in alterius operis nihilominus publici
transferri iubeamus ornatum, Aemiliane parens karissime atque amantissime.</s>
<milestone unit="english" /> 3. </ab>
<ab xml:id="nov-maj_4.4" type="caput">
<milestone unit="latin" /> 4. <s xml:id="nov-maj_4.4.s1" n="la9" xml:lang="la"
  >Quapropter illustris magnitudo tua saluberrimam <phr type="ampl" subtype="c"
  ><w lemma="sanctio">sanctionem</w></phr> propositis divulgabit edictis,
ut, quae pro utilitate urbis aeternae provide constituta sunt, famulatu congruo
et devotione serventur.</s>
<milestone unit="english" /> 4. </ab>
<ab xml:id="nov-maj_4.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-maj_4.subs.s1" n="la10" xml:lang="la">Dat. V id. Iul. <placeName
  corresp="#Ravenna">Ravennae</placeName> D. n. leone et Maioriano AA. cons.
  <date when="0458-07-11">(458 Iul. 11)</date>.</s>
<milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="nov-maj_5" type="titulus">
<head xml:id="nov-maj_5.titl">
<s xml:id="nov-maj_5.titl.s1" xml:lang="la">5. DE BONIS CADUCIS SIVE
PROSCRIPTORUM</s>
</head>
<div2 type="constitutio" subtype="solo">
<ab xml:id="nov-maj_5.insc" type="insc">
<milestone unit="latin" />
<s xml:id="nov-maj_5.insc.s1" n="la1" xml:lang="la">1. Leo et Maiorianus AA.
Ennodio C.r.p.</s>

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<milestone unit="english" />
</ab>
<ab xml:id="nov-maj_5.0" type="caput">
  <milestone unit="latin" /> 0. <s xml:id="nov-maj_5.0.s1" n="la2" xml:lang="la"
    >Sublimitatis tuae insinuationem probamus, qua fisci compendia supprimi per
    provincias plerumque iudicum <phr type="ampl" subtype="g"><w lemma="venalitas"
      >venalitate</w></phr> commemoras.</s>
    <s xml:id="nov-maj_5.0.s2" n="la3" xml:lang="la">Cum enim caduca bona vel
    proscriptorum, sed et eorum, quos in <phr type="ampl" subtype="g"><w
      lemma="scelus">scelere</w></phr>
    <phr type="ampl" subtype="c"><w lemma="deprehendo">deprehensos</w></phr> sine
    legitimo herede iuris vigor <phr type="ampl" subtype="c"><w lemma="insecuror"
      >insequitur</w></phr>, privato aerario competere videantur, <phr
      type="ampl" subtype="c"><w lemma="occulto">occultata</w></phr> quibusdam
      <phr type="ampl" subtype="g"><w lemma="fraus">fraudibus</w></phr> aerarii
      nostri commodis abiurantur.</s>
    <s xml:id="nov-maj_5.0.s3" n="la4" xml:lang="la">Quod specialiter factum nuper in
    <phr type="ampl" subtype="g"><w lemma="damnatio">damnatione</w></phr>
    Severinae mulieris, quae peregrisse adseritur necem mariti in Piceni provincia,
    indiscussum praeteriri non debet, ennodi frater amantissime.</s>
  </ab>
  <milestone unit="english" /> 0. </ab>
<ab xml:id="nov-maj_5.1" type="caput">
  <milestone unit="latin" /> 1. <s xml:id="nov-maj_5.1.s1" n="la5" xml:lang="la"
    ><seg xml:id="nov-maj_5.1.c1">Unde illustris auctoritas tua, cuius
    suggestiones providas comprobamus, pragmatici nostri secuta praeceptum,
    ordinatis in articulo palatinis, antelato nostrae serenitatis oraculo
    provinciarum iudices interminatione proposita auctoritatibus propriis <phr
      type="ampl" subtype="c"><w lemma="admoneo">admonebit</w></phr>, ut ab
    huiusmodi <phr type="ampl" subtype="g"><w lemma="fraus">fraudibus</w></phr>
    temperantes <phr type="ampl" subtype="g"><w lemma="venalitas"
      >venalitatis</w></phr> studium aestimationis suae <phr type="ampl"
      subtype="g"><w lemma="periculum">periculo</w></phr> anteferre non
      debeant, curaturi posthac, ut, ubi similis <phr type="ampl" subtype="c"><w
        lemma="casus">casus</w></phr>
      <phr type="ampl" subtype="c"><w lemma="occurro">occurrerit</w></phr>,
      palatinum instruat officium.</seg></s>
    </ab>
    <milestone unit="english" /> 1. </ab>
<ab xml:id="nov-maj_5.2" type="caput">
  <milestone unit="latin" /> 2. <s xml:id="nov-maj_5.2.s1" n="la6" xml:lang="la"
    ><seg xml:id="nov-maj_5.2.c1">Ad Piceni vero consularem districtior
    praeceptio dirigatur, ut omni censu praedictae mulieris disquisito,
    investigatis quoque vel in unam substantiam reductis, quae ex eo <phr
      type="ampl" subtype="c"><w lemma="intercipro">intercipi</w></phr> aut
      <phr type="ampl" subtype="g"><w lemma="pereor">perire</w></phr> potuerunt,
      a tempore quaestionis vel <phr type="ampl" subtype="g"><w lemma="poena"
        >poenae</w></phr>, qua <phr type="ampl" subtype="g"><w lemma="nocens"
          >nocens</w></phr> illa <phr type="ampl" subtype="g"><w lemma="pereor"
            >periit</w></phr>, fructus quoque vel pensionum emolumenta
            discutiatur.</seg></s>
    <s xml:id="nov-maj_5.2.s2" n="la7" xml:lang="la"><seg xml:id="nov-maj_5.2.c2">Si
    qua etiam apud diversos retentatores sunt, conventis his quibus non
    potuerint iure conquiri, ad utilitatem fisci reducat ac de omnibus missa
    relatione instruat amplitudinis tuae iudicium, ut, sicuti fisco commoda
    provisione repertum est quod latebat,</seg> ita aerario profuturum nulla
    <phr type="ampl" subtype="g"><w lemma="fraus">fraude</w></phr> aut <phr
      type="ampl" subtype="g"><w lemma="dissimulatio">dissimulatione</w></phr>
      <phr type="ampl" subtype="c"><w lemma="depereo">depereat</w></phr>.</s>
    </ab>
    <milestone unit="english" /> 2. </ab>
<ab xml:id="nov-maj_5.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-maj_5.subs.s1" n="la8" xml:lang="la">Dat. prid. non. Sept.
    <placeName corresp="#ravenna">Ravennae</placeName> D. n. leone et Maioriano
    AA. cons. <date when="0458-09-04">(458 Sept. 4)</date>.</s>
  </ab>
  <milestone unit="english" />
</div2>
</div1>
<div1 xml:id="nov-maj_6" type="titulus">
  <head xml:id="nov-maj_6.titl">
    <s xml:id="nov-maj_6.titl.s1" xml:lang="la">6. DE SANCTIMONIALIBUS VEL VIDUIS ET DE
    SUCCESSIONIBUS EARUM</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-maj_6.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-maj_6.insc.s1" n="la1" xml:lang="la">1. Leo et Maiorianus AA.
      Basilio pp.</s>
      </ab>
      <milestone unit="english" />
    </div2>
    <ab xml:id="nov-maj_6.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-maj_6.0.s1" n="la2" xml:lang="la"
        >Susceptis regendi imperii gubernaculis cogitare debemus, quemadmodum nostra
        res publica et armis et legibus et integra religionis reverentia conservetur
        atque proficiat: cui plurimum sub hac emendatione confertur, si nobilium
        feminarum amplectenda generositas procreatis liberis multiplicata subrescat,
        si pia necessitudines inter parentes et filios nullis <phr type="ampl"
          subtype="g"><w lemma="insidia">insidiarum</w></phr>
          <phr type="ampl" subtype="g"><w lemma="vitium">vitiis</w></phr> immutentur et
          verum dei cultum mens non <phr type="ampl" subtype="g"><w lemma="invitus"
            >invitus</w></phr>

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>invita</w></phr> suscipiat.</s>

<s xml:id="nov-maj_6.0.s2" n="la3" xml:lang="la">Hoc enim quamprimum nostri egere maiores, ut rem publicam armis et religione fundarent, cuius sanctam venerationem <phr type="ampl" subtype="g"><w lemma="laedo">laedi</w></phr> <phr type="ampl" subtype="c"><w lemma="commentum">commentis</w></phr> mortalium <phr type="ampl" subtype="c"><w lemma="figmentum">figmentisque</w></phr> <phr type="ampl" subtype="g"><w lemma="prohibeo">prohibemus</w></phr></s>

<s xml:id="nov-maj_6.0.s3" n="la4" xml:lang="la">Quis enim ferat parentes filias, quas <phr type="ampl" subtype="g"><w lemma="odi">oderunt</w></phr>, his non tam dicare quam <phr type="ampl" subtype="g"><w lemma="damno">damnare</w></phr> consiliis, ut eas in annis adhuc minoribus constitutas <phr type="ampl" subtype="c"><w lemma="necessitas">necessitati</w></phr> continuas virginittis <phr type="ampl" subtype="c"><w lemma="addico">addicant</w></phr> ac, ne adulescentibus animis aliud velle sit liberum, <phr type="ampl" subtype="c"><w lemma="caput">capitibus</w></phr> <phr type="ampl" subtype="g"><w lemma="invitus">invitarum</w></phr> sacrum velamen <phr type="ampl" subtype="c"><w lemma="impono">imponant</w></phr>, cum huiusmodi observatio philosophiam religiosa mente suscipiens non <phr type="ampl" subtype="c"><w lemma="cogo">cogentis</w></phr> imperio, sed spontanea et matura deliberatione <phr type="ampl" subtype="c"><w lemma="capio">capiatur</w></phr>?</s>

<s xml:id="nov-maj_6.0.s4" n="la5" xml:lang="la">vitandae etenim sunt et magnis adtentionibus transeundae humanae <phr type="ampl" subtype="c"><w lemma="cupiditas">cupiditatis</w></phr> <phr type="ampl" subtype="c"><w lemma="illecebra">illecebrae</w></phr>, in quas praecipue primae aetatis ardor <phr type="ampl" subtype="c"><w lemma="impello">impellit</w></phr>, ut iuventutis calore sedato deo dicata virginitas praeter ullum paenitentiae <phr type="ampl" subtype="g"><w lemma="vitium">vitium</w></phr> ad senectutis annos et caelestis militiae palmam pervenire mereatur.</s>

<s xml:id="nov-maj_6.0.s5" n="la6" xml:lang="la">Quid enim prodest, si <phr type="ampl" subtype="c"><w lemma="cupiditas">cupiditas</w></phr> virginalis patria potestate <phr type="ampl" subtype="c"><w lemma="comprimo">compressa</w></phr> subdolum voluntatem nubendi alte concipiat et a legitimo revocata consortio ad <phr type="ampl" subtype="g"><w lemma="illicitus">illicitas</w></phr> <phr type="ampl" subtype="c"><w lemma="traho">trahatur</w></phr> <phr type="ampl" subtype="c"><w lemma="illecebra">illecebras</w></phr>?</s>

<ab xml:id="nov-maj_6.1" type="caput">

<milestone unit="english" /> 0. </ab>

<milestone unit="latin" /> 1. <s xml:id="nov-maj_6.1.s1" n="la7" xml:lang="la">Unde ne per huiusmodi <phr type="ampl" subtype="g"><w lemma="impietas">impietatem</w></phr> parentum <phr type="ampl" subtype="g"><w lemma="egestas">egestas</w></phr> et <phr type="ampl" subtype="g"><w lemma="opprobrium">obprobrium</w></phr> personis nubilibus inrogetur et quod praecipue <phr type="ampl" subtype="c"><w lemma="submoveo">submovendum</w></phr> est, <phr type="ampl" subtype="g"><w lemma="inrisio">inrisionibus</w></phr> <phr type="ampl" subtype="g"><w lemma="execror">execrandis</w></phr> omnipotentis dei contrahatur offensio, <seg xml:id="nov-maj_6.1.c1">edictali lege <phr xml:id="nov-maj_6.1.s1.p1" function="cmdw">sancimus</phr> filias, quas pater materve a saeculari permixtione translatae Christianae fidei <phr type="ampl" subtype="c"><w lemma="servio">servire</w></phr> praeceptis continuata virginitate censuerint, in beatae vitae proposito permanentes non ante suscepto honorati <phr type="ampl" subtype="c"><w lemma="caput">capitis</w></phr> velamine consecrari quam quadraginta annos aetatis emensae talibus infulis inoffensa meruerint observatione decorari,</seg> ut multi temporis series et caelestis consuetudo servitii ad <phr type="ampl" subtype="g"><w lemma="perfidus">perfidam</w></phr> voluntatem novis desideriis aditum non <phr type="ampl" subtype="c"><w lemma="relinquo">relinquant</w></phr>.</s>

<milestone unit="english" /> 1. </ab>

<ab xml:id="nov-maj_6.2" type="caput">

<milestone unit="latin" /> 2. <s xml:id="nov-maj_6.2.s1" n="la8" xml:lang="la"><seg xml:id="nov-maj_6.2.c1">Quod si ante definitum temporis spatium sanctimoniam puellam aliis adulti sexus sui votis calentem memoratorum quisquam parentum velari fecerit atque permiserit, tertia bonorum parte <phr type="ampl" subtype="g"><w lemma="multo">multetur</w></phr>.</seg></s>

<s xml:id="nov-maj_6.2.s2" n="la9" xml:lang="la"><seg xml:id="nov-maj_6.2.c2">Eadem <phr type="ampl" subtype="g"><w lemma="poena">poena</w></phr> <phr type="ampl" subtype="c"><w lemma="constringo">constringet</w></phr> etiam illam, quae parentibus <phr type="ampl" subtype="c"><w lemma="destituo">destituta</w></phr> intra praedictae aetatis annos voluerit consecrari.</seg></s>

<s xml:id="nov-maj_6.2.s3" n="la10" xml:lang="la"><seg xml:id="nov-maj_6.2.c3">diaconi quoque, qui huic rei ministerium contra interdicta praebuerint, <phr type="ampl" subtype="c"><w lemma="proscriptio">proscriptione</w></phr> <phr type="ampl" subtype="c"><w lemma="plecto">plectentur</w></phr>.</seg></s>

<milestone unit="english" /> 2. </ab>

<ab xml:id="nov-maj_6.3" type="caput">

<milestone unit="latin" /> 3. <s xml:id="nov-maj_6.3.s1" n="la11" xml:lang="la">Et quia earum coepit causa tractari, quas ad divinae religionis cultum cupientes demigrare volumus, non <phr type="ampl" subtype="c"><w lemma="cogo">coactas</w></phr>, <seg xml:id="nov-maj_6.3.c1">si qua parentum <phr type="ampl" subtype="g"><w lemma="odium">odii</w></phr> ablegata propositum servandae virginitatis induerit, quae a fratrum consortio <phr type="ampl" subtype="g"><w lemma="parricidalis">parricidali</w></phr>

quodammodo arte subtrahitur, ne aut copulae tradenda maritali patris matrisve congrua largitate aut eorum decedentium aequa cum reliquis filiis successione potiatur, parentum <phr type="ampl" subtype="c"><w lemma="obeo" >obeuntium</w></phr>

<phr type="ampl" subtype="g"><w lemma="mors">morte</w></phr> iam libera necdum quadraginta annos, quibus velari nequiverit, aetatis egressa nubendi, ex quo suae potestatis esse iam coeperit, <phr type="ampl" subtype="c"><w lemma="licentia">licentiam</w></phr> sortiatur.</seg></s>

<s xml:id="nov-maj_6.3.s2" n="la12" xml:lang="la">Neque enim <phr type="ampl" subtype="g"><w lemma="sacrilegus">sacrilega</w></phr> iudicanda est, quae se hoc ante <phr type="ampl" subtype="g"><w lemma="nolo">noluisse</w></phr> aut certe non posse complere adpetita coniugii honestate prodiderit, cum Christianae religionis institutio atque doctrina melius esse censuerit virgines nubere quam <phr type="ampl" subtype="g"><w lemma="impatientia" >impatientiae</w></phr> ardore naturali professae pudicitiae non servare virtutem.</s>

<s xml:id="nov-maj_6.3.s3" n="la13" xml:lang="la"><seg xml:id="nov-maj_6.3.c2">Cum itaque in matrimonium nuptias secuta convenerit, exhereditatio illi ob hoc a parentibus veniens aut sola Falcidia quantitas <phr type="ampl" subtype="c"><w lemma="relinquo">relicta</w></phr> non <phr type="ampl" subtype="g"><w lemma="noceo">noceat</w></phr>, sed scriptis heredibus vel suis in virilem portionem vel extraneis in dimidiam tamquam praeterita secundum normam veteris iuris ad crescat.</seg></s>

<s xml:id="nov-maj_6.3.s4" n="la14" xml:lang="la"><seg xml:id="nov-maj_6.3.c3">>digna siquidem tali praemio et successione censenda est, quae procreationem liberorum professae generositatem familiae suae ab <phr type="ampl" subtype="g"><w lemma="interitus">interitu</w></phr> nititur <phr type="ampl" subtype="c"><w lemma="vindico">vindicare</w></phr>.</seg></s>

<milestone unit="english" /> 3. </ab>

<ab xml:id="nov-maj_6.4" type="caput">

<milestone unit="latin" /> 4. <s xml:id="nov-maj_6.4.s1" n="la15" xml:lang="la">>Illis autem, quae spontaneo laudabilique proposito sanctimoniae observantiam virginittatis amore susceperint, in tantum favemus, ut, si forte <phr type="ampl" subtype="c"><w lemma="profanus">profana</w></phr> <phr type="ampl" subtype="c"><w lemma="cupiditas">cupiditas</w></phr> <phr type="ampl" subtype="g"><w lemma="improbos">improbos</w></phr> devotam deo mentem per <phr type="ampl" subtype="g"><w lemma="crimen">crimen</w></phr> <phr type="ampl" subtype="g"><w lemma="rapio">raptus</w></phr> <phr type="ampl" subtype="g"><w lemma="violo">violare</w></phr> <phr type="ampl" subtype="c"><w lemma="tempto">temptaverit</w></phr>, non solum divalium constitutorum qui id admiserit subiaceat <phr type="ampl" subtype="g"><w lemma="ultio">ultioni</w></phr>, verum etiam cuiuslibet <phr type="ampl" subtype="g"><w lemma="accusatio">accusationi</w></phr> reddatur <phr type="ampl" subtype="g"><w lemma="obnoxius">obnoxius</w></phr>, <seg xml:id="nov-maj_6.4.c1">ita ut, qui <phr type="ampl" subtype="g"><w lemma="polluo">pollutum</w></phr> tanto <phr type="ampl" subtype="g"><w lemma="scelus">scelere</w></phr> hominem rebus probatis post haec constituta <phr type="ampl" subtype="c"><w lemma="percello" >perculerit</w></phr>, <phr type="ampl" subtype="c"><w lemma="addico" >addicti</w></phr> censu facultatibusque potiatur.</seg></s>

<s xml:id="nov-maj_6.4.s2" n="la0" xml:lang="la"><seg xml:id="nov-maj_6.4.c2">Quod nos usque adeo a religiosis feminis <phr xml:id="nov-maj_6.4.s2.p1" function="cmdw">iubemus</phr> arceri, ut etiam, si quis simile aliquid in quacumque <phr type="ampl" subtype="c"><w lemma="tempto" >temptaverit</w></phr>, pari se noverit <phr type="ampl" subtype="g"><w lemma="supplicium">supplicio</w></phr> esse <phr type="ampl" subtype="c"><w lemma="ferio">feriendum</w></phr>.</seg></s>

<milestone unit="english" /> 4. </ab>

<ab xml:id="nov-maj_6.5" type="caput">

<milestone unit="latin" /> 5. <s xml:id="nov-maj_6.5.s1" n="la1" xml:lang="la">>Viduarum sane <phr type="ampl" subtype="c"><w lemma="obstinatio" >obstinationibus</w></phr> permovemur, quae nulla prole suscepta fecunditatem suam reparationemque familiae <phr type="ampl" subtype="g"><w lemma="repudio">repudiata</w></phr> coniugii iteratione <phr type="ampl" subtype="g"><w lemma="condemno">condemnant</w></phr> et solitariam vitam non eo eligunt, ut pudicitiae religionis amore famulentur, sed potentiae <phr type="ampl" subtype="c"><w lemma="ambitus">ambitum</w></phr> orbitatis suae casibus viduitatisque <phr type="ampl" subtype="c"><w lemma="capto" >captantes</w></phr> <phr type="ampl" subtype="c"><w lemma="lascivus">lascivam</w></phr> vivendi eligunt libertatem: quibus ad omnem <phr type="ampl" subtype="c"><w lemma="licentia">licentiae</w></phr> usum aut <phr type="ampl" subtype="g"><w lemma="sollicito">sollicitantium</w></phr> <phr type="ampl" subtype="g"><w lemma="fictus">ficta</w></phr> religio personarum aut favor <phr type="ampl" subtype="c"><w lemma="callidus" >callidi</w></phr> captatoris adplaudit.</s>

<s xml:id="nov-maj_6.5.s2" n="la2" xml:lang="la">Has ad honestioris vitae tramitem prisca dispositione revocantes <seg xml:id="nov-maj_6.5.c1">aeternabili lege <phr xml:id="nov-maj_6.5.s2.p1" function="cmdw">sancimus</phr>, ut maritali <phr type="ampl" subtype="c"><w lemma="obeo">obitu</w></phr> <phr type="ampl" subtype="c"><w lemma="destituo">destituta</w></phr> mulier quadragenaria minor, donec procreare per aetatem liberos potest, intra quinquennium nubat.</seg></s>

<s xml:id="nov-maj_6.5.s3" n="la3" xml:lang="la">Cui idcirco currentis lustris largimur indutias, ut per spatium legitimi temporis <phr type="ampl" subtype="g"><w lemma="luctus">luctus</w></phr> maerore <phr type="ampl" subtype="c"><w lemma="depono">deposito</w></phr> eligendi honestiores nuptias habeat potestatem.</s>

<s xml:id="nov-maj_6.5.s4" n="la4" xml:lang="la"><seg xml:id="nov-maj_6.5.c2">Sin

vero saecularem vitam et coniugales taedas <phr type="ampl" subtype="g"><w lemma="perodi">perosa</w></phr>
 <phr type="ampl" subtype="g"><w lemma="damno">damnaverit</w></phr>, emenso,
 ut dictum est, quinquennio in viduitate persistens mox cum germanis
 fratribus vel sororibus eorumque filiis vel parentibus propinquisque, per
 quos familiae origo reparatur, suas dividat facultates aut, si hi fortasse
 <phr type="ampl" subtype="g"><w lemma="desum">defuerint</w></phr>, cum
 fisco patrimonium partiatur: nihil intra lustrum temporis illius, quod <phr
 type="ampl" subtype="g"><w lemma="luctus">luctui</w></phr>
 delibationique deputavimus, <phr type="ampl" subtype="c"><w lemma="alieno">
 >alienaturam</w></phr> de praedictis sex unciis se esse cognoscens,
 quas parentibus vel propinquis statuit serenitas nostra proficere, usufructu
 tantum contenta vivendi, quae tum se probare poterit studio castitatis
 secundas nuptias <phr type="ampl" subtype="g"><w lemma="respuo">
 >respuisse</w></phr>, cum liberalis fuerit in propinquos.</seg></s>
 <milestone unit="english" /> 5. </ab>
 <ab xml:id="nov-maj_6.6" type="caput">
 <milestone unit="latin" /> 6. <s xml:id="nov-maj_6.6.s1" n="la5" xml:lang="la">
 ><seg xml:id="nov-maj_6.6.c1">Illarum vero ratio diversa est, quae suscepta
 prole gaudentes ob hoc ad secundas nuptias non demigrant, ut adfectuosam
 decedentis viri memoriam in alendis et locupletandis filiis <phr type="ampl"
 subtype="g"><w lemma="sollicitus">sollicita</w></phr> pietate conservent:
 quas nubendi, si hoc maluerint, libertate suscepta a condicione superius
 enarratae definitionis <phr xml:id="nov-maj_6.6.s1.pl" function="cmdw">
 >absolvimus</phr>, ita ut filiis ex matrimonio priore susceptis, si hoc
 tamen pars voluerit filiorum, dato fideiussore prospiciant, qui salva fore
 corpora omnia sponsaliciae largitatis evidenti sponsione
 promittat.</seg></s>
 <milestone unit="english" /> 6. </ab>
 <ab xml:id="nov-maj_6.7" type="caput">
 <milestone unit="latin" /> 7. <s xml:id="nov-maj_6.7.s1" n="la6" xml:lang="la">
 ><seg xml:id="nov-maj_6.7.c1">Optionem sane continuae viduitatis matribus
 eatenus <phr xml:id="nov-maj_6.7.s1.pl" function="cmdw">relaxamus</phr>, ut
 filios in gremio indulgentiae suae positos vel donationibus pro merito
 prosequantur viventes vel heredes suprema voluntate constituent.</seg></s>
 <milestone unit="english" /> 7. </ab>
 <ab xml:id="nov-maj_6.8" type="caput">
 <milestone unit="latin" /> 8. <s xml:id="nov-maj_6.8.s1" n="la7" xml:lang="la">
 ><seg xml:id="nov-maj_6.8.c1">Illud sane latus divalis constitutionis <phr
 xml:id="nov-maj_6.8.s1.pl" function="cmdw">abolemus</phr>, quo videbatur
 matribus fuisse permissum, ut ex quantitate sponsaliciae largitatis in unum
 filium, si vellent, portionem maximam conferendi habeant liberam facultatem:
 in quam nos filios aequa iubemus lance succedere,</seg> si quidem recte illa
 donatio inter bona paterna numerabitur, quam in uxorem maritus contulit tempore
 nuptiarum.</s>
 <s xml:id="nov-maj_6.8.s2" n="la8" xml:lang="la">Si vero matri contra religionem
 sanguinis propositumque pietatis externus heres <phr type="ampl" subtype="g"><w
 lemma="insidiator">insidiatorque</w></phr>
 <phr type="ampl" subtype="c"><w lemma="subrepo">subrepserit</w></phr>, quidquid
 ab ea non iustis causis exheredationis extantibus, quas sine <phr type="ampl"
 subtype="c"><w lemma="dubio">dubio</w></phr> probaturus est qui videtur
 filiis anteferri, donatum fuerit vel <phr type="ampl" subtype="c"><w
 lemma="relinquo">relictum</w></phr> aut <phr type="ampl" subtype="g"><w
 lemma="inreligiosus">inreligioso</w></phr>
 <phr type="ampl" subtype="c"><w lemma="alieno">alienatum</w></phr>
 translatumque <phr type="ampl" subtype="g"><w lemma="commentus">
 >commento</w></phr>, id totum ab eisdem filiis <phr type="ampl" subtype="c">
 ><w lemma="vindico">vindicetur</w></phr>.</s>
 <milestone unit="english" /> 8. </ab>
 <ab xml:id="nov-maj_6.9" type="caput">
 <milestone unit="latin" /> 9. <s xml:id="nov-maj_6.9.s1" n="la9" xml:lang="la">Et
 quia studiose tractatur a nobis utilitas filiorum, quos et numerosius procreari
 pro Romani nominis optamus augmento et procreatis competentia commoda <phr
 type="ampl" subtype="g"><w lemma="pereio">perire</w></phr> non <phr
 type="ampl" subtype="c"><w lemma="patior">patimur</w></phr>, <seg
 xml:id="nov-maj_6.9.c1">hoc necessario <phr xml:id="nov-maj_6.9.s1.pl"
 function="cmdw">putavimus</phr> praecavendum, ut marem feminamque
 iungendos copula nuptiali par condicio utrumque <phr type="ampl" subtype="c">
 ><w lemma="constringo">constringat</w></phr>, id est ut nunquam
 minorem quam exigit futura uxor sponsaliciam largitatem dotis titulo se
 noverit conlaturam,</seg> scituris puellis ac parentibus puellarum vel
 quibuscumque nupturis ambos <phr type="ampl" subtype="g"><w lemma="infamia">
 >infamiae</w></phr>
 <phr type="ampl" subtype="c"><w lemma="macula">maculis</w></phr> inurendos, qui
 fuerint sine dote coniuncti, ita ut nec matrimonium iudicetur nec legitimi ex
 his filii procreentur.</s>
 <milestone unit="english" /> 9. </ab>
 <ab xml:id="nov-maj_6.10" type="caput">
 <milestone unit="latin" /> 10. <s xml:id="nov-maj_6.10.s1" n="la10" xml:lang="la">
 >Sane quoniam quorundam <phr type="ampl" subtype="c"><w lemma="cupiditas">
 >cupiditatibus</w></phr> obviandum est, qui generorum <phr type="ampl"
 subtype="c"><w lemma="exhaurio">exhauriunt</w></phr> facultates ac sibi vel
 filiabus suis vel subornatis quibuscumque personis, priusquam aliquid de
 nuptiarum pactione constituent, ab <phr type="ampl" subtype="g"><w
 lemma="incautus">incautis</w></phr> iuvenibus et futuri coniugii
 desiderio concitatis multa faciunt <phr type="ampl" subtype="c"><w
 lemma="occulto">occulta</w></phr>
 <phr type="ampl" subtype="g"><w lemma="fraus">fraude</w></phr> conferri, quae
 secuta sollemnitate votorum filiabus refundant aut forte maiore amore <phr

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        type="ampl" subtype="g"><w lemma="perfidia">perfidiae</w></phr> sibi
        existimant adquisita, <seg xml:id="nov-maj_6.10.c1">unde huius <phr type="ampl"
        subtype="c"><w lemma="callidus">callidi</w></phr> frivoliue <phr
        type="ampl" subtype="c"><w lemma="commentum">commenti</w></phr> ita
        nullum esse <phr xml:id="nov-maj_6.10.s1.p1" function="cmdw">iubemus</phr>
        effectum, ut infirmato talis colore contractus sui iuris postea gener <phr
        type="ampl" subtype="c"><w lemma="vindico">vindicet</w></phr> vel actione
        proposita securus reposcat, quidquid per <phr type="ampl" subtype="g"><w
        lemma="illicitus">illiciti</w></phr> posthac contractus imaginem <phr
        type="ampl" subtype="c"><w lemma="alieno">alienare</w></phr>
        <phr type="ampl" subtype="c"><w lemma="compello">compulsus</w></phr>
        est.</seg></s>
    <milestone unit="english" /> 10. </ab>
    <ab xml:id="nov-maj_6.11" type="caput">
    <milestone unit="latin" /> 11. <s xml:id="nov-maj_6.11.s1" n="la11" xml:lang="la"
    >Inter cetera captatorum etiam <phr type="ampl" subtype="c"><w lemma="aviditas"
    >aviditas</w></phr>
    <phr type="ampl" subtype="c"><w lemma="comprimo">comprimenda</w></phr> est, qui
    nonnumquam ignotorum paene lectulis adsidentes animos ipsa corporum <phr
    type="ampl" subtype="g"><w lemma="aegritudo">aegritudine</w></phr>
    <phr type="ampl" subtype="c"><w lemma="fatigo">fatigatos</w></phr> et sincera
    iam iudicia non habentes simulata adfectione <phr type="ampl" subtype="c"><w
    lemma="depravo">depravant</w></phr>, ut plerique consanguinitatis et
    necessitudinum suarum frequenter obliti extraneos scribere videantur heredes,
    cum <phr type="ampl" subtype="g"><w lemma="insidiosus">insidiosa</w></phr>
    munuscula diriguntur, cum subornantur medici, qui <phr type="ampl" subtype="g"
    ><w lemma="pravus">prava</w></phr> persuadeant et <phr type="ampl"
    subtype="g"><w lemma="neglego">neglecto</w></phr> medendi studio fiant <phr
    type="ampl" subtype="c"><w lemma="alienus">alienarum</w></phr>
    <phr type="ampl" subtype="c"><w lemma="cupiditas">cupiditatem</w></phr>
    ministri.</s>
    <s xml:id="nov-maj_6.11.s2" n="la12" xml:lang="la">Quibus omnibus serenitas nostra
    diligenti examinatione perpensis <seg xml:id="nov-maj_6.11.c1">hoc praesenti
    lege decernit, ut, si is, qui nulla testatori propinquitate coniungitur
    neque ex iis personis est, quibus etiam ab intestato deferri quocumque gradu
    vel titulo poterat antiquo iure successio, heres fuerit institutus, legatum
    fideicommissumve perceperit, ex <phr type="ampl" subtype="c"><w
    lemma="relinquo">relictis</w></phr> rebus atque corporibus tertiam
    publico inferat portionem, quatenus hoc saltem <phr type="ampl" subtype="c"
    ><w lemma="metus">metu</w></phr> et testatorum <phr type="ampl"
    subtype="g"><w lemma="iniquitas">iniquitas</w></phr> et captatorum cesset
    <phr type="ampl" subtype="g"><w lemma="improbitas"
    >improbitas</w></phr>.</seg></s>
    <milestone unit="english" /> 11. </ab>
    <ab xml:id="nov-maj_6.12" type="caput">
    <milestone unit="latin" /> 12. <s xml:id="nov-maj_6.12.s1" n="la13" xml:lang="la"
    >Quae omnia constituta in futurum a die latae legis valere praecipimus, Basili
    parens karissime atque amantissime.</s>
    <s xml:id="nov-maj_6.12.s2" n="la14" xml:lang="la">Illustris igitur et praeclara
    magnificentia tua saluberrimam <phr type="ampl" subtype="c"><w lemma="sanctio"
    >sanctionem</w></phr> propositis divulgabit edictis, ut omnes intellegant
    <phr type="ampl" subtype="c"><w lemma="removeo">remotis</w></phr>
    <phr type="ampl" subtype="g"><w lemma="inreligiosus">inreligiosarum</w></phr>
    mentium <phr type="ampl" subtype="g"><w lemma="fraus">fraudibus</w></phr>
    <phr type="ampl" subtype="g"><w lemma="impius">impiisque</w></phr>
    <phr type="ampl" subtype="c"><w lemma="commentum">commentis</w></phr> hoc
    constitutum fuisse, quod emendationi morum utilitatique publicae reducta in
    terras vi avorum omnium socia pietate proficiat.</s>
    <milestone unit="english" /> 12. </ab>
    <ab xml:id="nov-maj_6.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="nov-maj_6.subs.s1" n="la15" xml:lang="la">Dat. VII kal. Nov. <placeName
    corresp="#Ravenna">Ravennae</placeName> D. n. leone et Maioriano AA. cons.
    <date when="0458-10-26">(458 Oct. 26)</date>.</s>
    <milestone unit="english" />
    </ab>
  </div2>
</div1>
<div1 xml:id="nov-maj_7" type="titulus">
  <head xml:id="nov-maj_7.titl">
    <s xml:id="nov-maj_7.titl.s1" xml:lang="la">7. DE CURIALIBUS ET DE AGNATIONE VEL
    DISTRACTIONE PRAEDIORUM EORUM ET DE CETERIS NEGOTIIS</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-maj_7.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-maj_7.insc.s1" n="la1" xml:lang="la">1. Leo et Maiorianus AA.
    Basilio pp.</s>
    <milestone unit="english" />
    </ab>
    <ab xml:id="nov-maj_7.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-maj_7.0.s1" n="la2" xml:lang="la"><rs
    corresp="#decrns" ana="#E_local-officials"><w lemma="curialis"
    >Curiales</w></rs> nervos esse <rs ana="#I state"><w lemma="res-publica">rei
    publicae</w></rs> ac viscera <rs ana="#E_cities"><w lemma="civitas"
    >civitatem</w></rs> nullus <phr type="ampl" subtype="c"><w lemma="ignoro"
    >ignorat</w></phr>; quorum coetum recte appellavit antiquitas minorem <rs
    corresp="#senatr" ana="#E_local-officials"><w lemma="senatus"
    >senatum</w></rs>.</s>

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<s xml:id="nov-maj_7.0.s2" n="la3" xml:lang="la">Sed id egit <phr type="ampl"
  subtype="g" inj-src="iudex" crt-src="high" injured="curialis" crt-inj="low"
  ><w lemma="iniquitas">iniquitas</w></phr>
<rs corresp="#judges" ana="#P_high-officials"><w lemma="iudex">iudicum</w></rs>
<rs corresp="#collec" ana="#P_bureaucracy"><w lemma="exactor"
  >exactorumque</w></rs>
<phr type="ampl" subtype="c" injured="exactor" crt-inj="high"><w lemma="plecto"
  >plectenda</w></phr>
<phr type="ampl" subtype="g" inj-src="exactor" crt-src="high"
  injured="curialis" crt-inj="low"><w lemma="venalitas">venalitas</w></phr>,
ut multi <rs corresp="#cities" ana="#E_cities"><w lemma="patria"
  >patrias</w></rs>
<phr type="ampl" subtype="c" inj-src="curialis" crt-src="low" injured="patria"
  crt-inj="high"><w lemma="desero">deserentes</w></phr>
<rs ana="#E_nobles"><w lemma="natalis">natalium</w></rs> splendore <phr
  type="ampl" subtype="g" inj-src="curialis" crt-src="low"><w lemma="neglego"
  >neglecto</w></phr>
<phr type="ampl" subtype="c" inj-src="curialis" crt-src="low"><w
  lemma="occultus">occultas</w></phr> latebras et habitationem eligerent
<rs ana="#E_land"><w lemma="rus">ruris</w></rs>
<phr type="ampl" subtype="c" inj-src="alienus" crt-src="high"><rs
  ana="#E_nobles"><w lemma="alienus">alieni</w></rs></phr>, illud quoque
sibi <phr type="ampl" subtype="g" inj-src="curialis" crt-src="low"><w
  lemma="dedecus">dedecoris</w></phr> addentes, ut, dum uti volunt
patrociniis <phr type="ampl" subtype="g" inj-src="impotens" crt-src="high"><rs
  ana="#E_nobles"><w lemma="impotens">impotentum</w></rs></phr>, <rs
  corresp="#cultiv" ana="#E_unfree-women"><w lemma="colona">colonarum</w></rs>
se <rs corresp="#servus #women" ana="#E_unfree-women"><w lemma="ancilla"
  >ancillarumque</w></rs> coniunctione <phr type="ampl" subtype="g"
  inj-src="colona ancilla" crt-src="high" injured="curialis" crt-inj="low"><w
  lemma="polluo">polluerent</w></phr>.</s>
<s xml:id="nov-maj_7.0.s3" n="la4" xml:lang="la">Itaque factum est, ut et <rs
  ana="#E_cities"><w lemma="urbs">urbibus</w></rs>
<rs corresp="#decerns" ana="#E_local-officials"><w lemma="ordo">ordines</w></rs>
<phr type="ampl" subtype="c" injured="curialis" crt-inj="low"><w
  lemma="depereo">deperirent</w></phr> et prope libertatis suae statum
nonnulli per <phr type="ampl" subtype="c" inj-src="colona ancilla"
  crt-src="low"><w lemma="contagio">contagionem</w></phr> consortii <phr
  type="ampl" subtype="g" inj-src="colona ancilla" crt-src="low"><w
  lemma="deterior">deterioris</w></phr>
<phr type="ampl" subtype="c" inj-src="colona ancilla" crt-src="low"><w
  lemma="amitto">amitterent</w></phr>.</s>
<milestone unit="english" /> 0. </ab>
<ab xml:id="nov-maj_7.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-maj_7.1.s1" n="la5" xml:lang="la"
  >Quod ne ulterius possit licere, <seg xml:id="nov-maj_7.1.c1">saluberrima lege
  <phr xml:id="nov-maj_7.1.s1.p1" function="cmdw">sancimus</phr>
  praeteritae <phr type="ampl" subtype="c" inj-src="curialis" crt-src="high"
    ><w lemma="praesumptio">praesumptionis</w></phr>
  <phr type="ampl" subtype="g" injured="curialis" crt-inj="high"><w
    lemma="supplicium">supplicium</w></phr> relaxantes, ut praeter illos,
  qui <rs ana="#E_cities"><w lemma="patria">patrias</w></rs> suas aliqua <rs
    ana="#E_local-officials"><w lemma="munus">munerum</w></rs> conlatione
  iuverunt ac propterea nulla <rs corresp="#decerns" ana="#E_local-officials"
    ><w lemma="ordo">ordinibus</w></rs> praescriptione <phr type="ampl"
    subtype="c" injured="ordo" crt-inj="high"><w lemma="depereo"
    >depereunt</w></phr>, ubicumque intra triginta abhinc retro annos
  inventi fuerint <rs corresp="#decerns" ana="#E_local-officials"><w
    lemma="curialis">curiales</w></rs>, <phr type="ampl" subtype="c"
    injured="procurator conductor" crt-inj="high"><w lemma="constringo"
    >constrictis</w></phr>
  <rs corresp="#frmngr" ana="#E_manager"><w lemma="procurator"
    >procuratoribus</w></rs> vel <rs corresp="#frmngr" ana="#E_manager"><w
    lemma="conductor">conductoribus</w></rs>
  <rs ana="#E_land"><w lemma="praedium">praediorum</w></rs>
  <rs corresp="#lndhld" ana="#E_landholders"><w lemma="dominus"
    >dominisque</w></rs> conventis ad <rs ana="#E_cities"><w lemma="urbs"
    >urbes</w></rs>, quas <phr type="ampl" subtype="c" injured="urbs"
    crt-inj="high" inj-src="curialis" crt-src="high"><w lemma="desero"
    >deseruerant</w></phr>, cum <rs corresp="#spouse #female"
    ana="#E_spouses-women"><w lemma="uxor">uxoribus</w></rs>
  reducantur:</seg> quod <phr type="ampl" subtype="g" injured="ager dominus"
    crt-inj="high"><w lemma="ingratus">ingratum</w></phr> esse <rs ana="#E_land"
    ><w lemma="ager">agrorum</w></rs>
  <rs ana="#E_landholders"><w lemma="dominus">dominis</w></rs> non oportet, cum
  debuerint <phr type="ampl" subtype="g" injured="dominus"><w lemma="poena"
    >poena</w></phr>
  <phr type="ampl" subtype="c" injured="dominus" crt-inj="high"><w
    lemma="severus">severiore</w></phr>
  <phr type="ampl" subtype="c" injured="dominus" crt-inj="high"><w
    lemma="percello">percelli</w></phr>; <phr type="ampl" subtype="c"
    injured="mulier dominus" crt-inj="high"><w lemma="amitto">amittant</w></phr>
  <rs corresp="#spouse #female" ana="#E_women"><w lemma="mulier"
    >mulieres</w></rs>, quas <phr type="ampl" subtype="g" inj-src="mulier"
    crt-src="high"><w lemma="illicitus">illicitis</w></phr> consortiis iunctas
  esse siverunt.</s>
<s xml:id="nov-maj_7.1.s2" n="la6" xml:lang="la"><seg xml:id="nov-maj_7.1.c2">A
  quo constituto <phr xml:id="nov-maj_7.1.s2.p1" part="I" function="cmdw"
  >nec</phr>

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<rs ana="#E_property"><w lemma="domus">domum</w></rs>
<rs ana="#I_emperor"><w lemma="nostra-serenitas">nostrae
serenitatis</w></rs>
<phr corresp="#nov-maj_7.1.s2.pl" part="F" function="cmdw"
>excipimus</phr>.</seg></s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-maj_7.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-maj_7.2.s1" n="la7" xml:lang="la"
><seg xml:id="nov-maj_7.2.c1">Quorum <rs corresp="#chldrn"
ana="#E_family-children"><w lemma="progenies">progeniem</w></rs> ita
dividendam esse <phr xml:id="nov-maj_7.2.s1.pl" function="cmdw"
>censemus</phr>, ut quotquot fuerint <rs ana="#E_family-sons"><w
lemma="masculinus">masculini</w></rs> sexus <rs
ana="#E_family-children"><w lemma="filius">filii</w></rs>
<rs corresp="#parent #male" ana="#E_family-fathers"><w lemma="pater"
>patrem</w></rs> sequantur <rs corresp="#female #chldrn"
ana="#E_unfree-women"><w lemma="femina">feminis</w></rs>
<rs ana="#E_land"><w lemma="praedium">praedii</w></rs>
<rs ana="#E_landholders"><w lemma="dominus">domino</w></rs>
<phr type="ampl" subtype="c" injured="femina" crt-inj="high"
inj-src="dominus" crt-src="high"><w lemma="relinquo"
>relinquendis</w></phr>: illa discretionem servata, ut, si ex <rs
ana="#E_unfree-women"><w lemma="colona">colonabus</w></rs>
<rs ana="#E_family-children"><w lemma="nascor">nati</w></rs> sunt, <rs
corresp="#decrns" ana="#E_local-officials"><w lemma="curia"
>curiis</w></rs> inserantur, si ex <rs corresp="#chldrn #servus #female"
ana="#E_unfree-women"><w lemma="ancilla">ancillis</w></rs> editi, <rs
corresp="#guilds" ana="#E_guildsmen"><w lemma="collegium"
>collegiis</w></rs> deputentur,</seg> ne <rs corresp="#female #parent"
ana="#E_family-women-mothers"><w lemma="maternus">materni</w></rs> sanguinis
<phr type="ampl" subtype="g" injured="ordo" crt-inj="high"
inj-src="maternus" crt-src="high"><w lemma="vilitas">vilitate</w></phr>
splendor <rs corresp="#decrns" ana="#E_local-officials"><w lemma="ordo"
>ordinum</w></rs>
<phr type="ampl" subtype="g" injured="ordo" crt-inj="high" inj-src="maternus"
crt-src="high"><w lemma="polluo">polluatur</w></phr>.</s>
<milestone unit="english" /> 2. </ab>
<ab xml:id="nov-maj_7.3" type="caput">
<milestone unit="latin" /> 3. <s xml:id="nov-maj_7.3.s1" n="la8" xml:lang="la"
><seg xml:id="nov-maj_7.3.c1">De <rs corresp="#guilds" ana="#E_guildsmen"><w
lemma="collegiatus">collegiatis</w></rs> vero illa servanda sunt, quae
praecedentium legum praecepit auctoritas.</seg></s>
<s xml:id="nov-maj_7.3.s2" n="la9" xml:lang="la"><seg xml:id="nov-maj_7.3.c2"
>Quibus illud provisio <rs corresp="#imperl" ana="#I_emperor"><w
lemma="nostra-serenitas">nostrae serenitatis</w></rs> adiungit, ut <rs
corresp="#guilds" ana="#E_guildsmen"><w lemma="collegiatus"
>collegiatis</w></rs> operas <rs ana="#E_cities"><w lemma="patria"
>patriae</w></rs> alternis vicibus pro <rs corresp="#decrns"
ana="#E_local-officials"><w lemma="curialis">curialium</w></rs>
dispositione praebentibus extra territorium <rs ana="#E_cities"><w
lemma="civitas">civitatis</w></rs> suae habitare non liceat.</seg></s>
<milestone unit="english" /> 3. </ab>
<ab xml:id="nov-maj_7.4" type="caput">
<milestone unit="latin" /> 4. <s xml:id="nov-maj_7.4.s1" n="la10" xml:lang="la"
>>Hoc de pendentibus sanxisse sufficiet.</s>
<s xml:id="nov-maj_7.4.s2" n="la11" xml:lang="la"><seg xml:id="nov-maj_7.4.c1">In
futurum vero haec observanda <phr xml:id="nov-maj_7.4.s2.pl" function="cmdw"
>censemus</phr>, ut, si quis <rs corresp="#frmngr" ana="#E_manager"><w
lemma="actor">actor</w></rs>
<rs corresp="#frmngr" ana="#E_manager"><w lemma="procurator"
>procuratorve</w></rs>
<rs corresp="#lndhld" ana="#E_landholders"><w lemma="dominus"
>domino</w></rs>
<phr type="ampl" subtype="g" injured="dominus" crt-inj="high"
inj-src="actor procurator" crt-src="high"><w lemma="nescio"
>nesciente</w></phr> suscepit <rs corresp="#decrns"
ana="#E_local-officials"><w lemma="curialis">curialem</w></rs> et non
intra annum propriae restituerit civitati, si <rs corresp="#freemn"
ana="#E_freeborn"><w lemma="ingenuus">ingenuus</w></rs> probabitur, <rs
corresp="#guilds" ana="#E_guildsmen"><w lemma="collegium"
>collegiis</w></rs> adplicetur, si <rs corresp="#servus" ana="#E_unfree"
><w lemma="servus">servus</w></rs> est, <phr type="ampl" subtype="g"
injured="servus" crt-inj="high"><w lemma="fustuarium">fustuario</w></phr>
<phr type="ampl" subtype="g" injured="servus" crt-inj="high"><w
lemma="supplicium">supplicio</w></phr>
<phr type="ampl" subtype="g" injured="servus" crt-inj="high"><w
lemma="interficio">interficiendum</w></phr> se esse
cognoscat.</seg></s>
<s xml:id="nov-maj_7.4.s3" n="la12" xml:lang="la"><seg xml:id="nov-maj_7.4.c2"
>Quod si id sciente <rs corresp="#lndhld #slvown" ana="#E_landholders"><w
lemma="dominus">domino</w></rs> ac volente factum esse doceatur et non
intra statuti temporis metas etiam cum <phr type="ampl" subtype="g"
injured="dominus" crt-inj="high"><w lemma="ultio">ultione</w></phr>
correctum, ipsius praedii, in quo hoc <phr type="ampl" subtype="g"
injured="dominus" crt-inj="high"><w lemma="admissum">admissum</w></phr>
fuerit, <phr type="ampl" subtype="g" injured="dominus" crt-inj="high"><w
lemma="amissio">amissione</w></phr>
<phr type="ampl" subtype="g" injured="dominus" crt-inj="high"><w
lemma="multo">multetur</w></phr>.</seg></s>

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<milestone unit="english" /> 4. </ab>
<ab xml:id="nov-maj_7.5" type="caput">
  <milestone unit="latin" /> 5. <s xml:id="nov-maj_7.5.s1" n="la13" xml:lang="la">
    ><seg xml:id="nov-maj_7.5.c1">Similiter si <rs corresp="#servus"
      ana="#E_unfree"><w lemma="servus">servo</w></rs> suo <rs
        corresp="#frmngr" ana="#E_manager"><w lemma="actor">actori</w></rs>
      procuratorive ullus <rs corresp="#female #chldrn" ana="#E_women"><w
        lemma="filia">filiam</w></rs> iunxerit <rs corresp="#decrns"
          ana="#E_local-officials"><w lemma="curialis">curialis</w></rs> aut certe
        iunctam esse permiserit et non intra praescriptum temporis terminum <rs
          ana="#E_nobles"><w lemma="natalis">natalibus</w></rs> suis <rs
            ana="#E_cities"><w lemma="urbs">urbique</w></rs> reddiderit, illa quidem
          <rs corresp="#decrns" ana="#E_local-officials"><w lemma="curia"
              >curiae</w></rs> restituenda revocetur - quam <phr
            xml:id="nov-maj_7.5.s1.p1" function="cmdw">iubemus</phr> ab intestato <rs
              corresp="#parent" ana="#E_family-parents"><w lemma="parens"
                >parentibus</w></rs> aequa cum ceteris <rs corresp="#chldrn"
                  ana="#E_family-children"><w lemma="liber">liberis</w></rs> lance
                succedere, quia per eius quoque progeniem <rs corresp="#decrns"
                  ana="#E_local-officials"><w lemma="ordo">ordo</w></rs> reparandus est -,
                ille vero, si <rs corresp="#poor" ana="#E_lower-class"><w
                  lemma="originarius">originarius</w></rs> erit qui sibi <phr
                    type="ampl" subtype="g" inj-src="originarius" crt-src="high"><w
                      lemma="frustra">frustra</w></phr> ac <phr type="ampl" subtype="g"
                        inj-src="originarius" crt-src="high"><w lemma="temere">temere</w></phr>
                      <rs corresp="#male #spouse" ana="#E_spouses-husbands"><w lemma="maritus"
                          >mariti</w></rs> nomen contra interdictum legis indiderit, <rs
                            corresp="#guilds" ana="#E_guildsmen"><w lemma="collegium"
                              >collegiis</w></rs> nihilominus deputetur, si <rs corresp="#servus"
                                ana="#E_unfree"><w lemma="famulus">famulus</w></rs>, <phr type="ampl"
                                  subtype="c" injured="famulus" crt-inj="high"><w lemma="servilis"
                                    >servilibus</w></phr>
                                <phr type="ampl" subtype="g" injured="famulus" crt-inj="high"><w
                                  lemma="poena">poenis</w></phr>
                                <phr type="ampl" subtype="g" injured="famulus" crt-inj="high"><w
                                  lemma="pereio">peribit</w></phr>.</seg></s>
          <milestone unit="english" /> 5. </ab>
        <ab xml:id="nov-maj_7.6" type="caput">
          <milestone unit="latin" /> 6. <s xml:id="nov-maj_7.6.s1" n="la14" xml:lang="la">
            ><seg xml:id="nov-maj_7.6.c1"><rs corresp="#female #chldrn" ana="#E_women"
              ><w lemma="filia">Filia</w></rs>
              <rs corresp="#decrns" ana="#E_local-officials"><w lemma="curialis"
                >curialis</w></rs> si <rs ana="#E_cities"><w lemma="genitale-solum"
                  >genitalis soli</w></rs> amore <phr type="ampl" subtype="g"
                    inj-src="filia" crt-src="high" injured="genitale-solum"><w
                      lemma="neglego">neglecto</w></phr> in aliam voluerit nubere <rs
                        ana="#E_cities"><w lemma="civitas">civitatem</w></rs>, quartam mox omnium
                      <rs ana="#E_property"><w lemma="facultas">facultatum</w></rs> suarum <rs
                        corresp="#decrns" ana="#E_local-officials"><w lemma="ordo"
                          >ordini</w></rs> conferat, a quo se <phr type="ampl" subtype="c"
                            injured="filia" crt-inj="high" inj-src="facultas" crt-src="high"><w
                              lemma="alieno">alienare</w></phr> desiderat: illi <rs ana="#E_cities"
                                ><w lemma="urbs">urbi</w></rs>, ad quam migraverit, <rs
                                  corresp="#decrns" ana="#E_local-officials"><w lemma="curialis"
                                    >curiales</w></rs> sine <phr type="ampl" subtype="g"><w
                                      lemma="dubitatio">dubitatio</w></phr>
                                      <rs corresp="#chldrn" ana="#E_family-children"><w lemma="pario"
                                        >paritura</w></rs>.</seg></s>
                    <milestone unit="english" /> 6. </ab>
                  <ab xml:id="nov-maj_7.7" type="caput">
                    <milestone unit="latin" /> 7. <s xml:id="nov-maj_7.7.s1" n="la15" xml:lang="la">Et
                      quoniam usquequaque obviandum est eorum <phr type="ampl" subtype="g"
                        inj-src="curialis corporatus" crt-src="high"><w lemma="dolus"
                          >dolis</w></phr>, qui <phr type="ampl" subtype="g"
                            inj-src="curialis corporatus" crt-src="high"><w lemma="nolo"
                              >nolunt</w></phr> esse quod nati sunt, <seg xml:id="nov-maj_7.7.c1"
                                >quicumque se sub nomine <rs corresp="#clergy" ana="#I_clergy"><w
                                  lemma="clericatus">clericatus</w></rs> quodam religionis obtentu <rs
                                    ana="#E_cities"><w lemma="civitas">civitati</w></rs>
                                    <rs corresp="#decrns" ana="#E_local-officials"><w lemma="curialis"
                                      >curialis</w></rs> vel <rs corresp="#guilds" ana="#E_guildsmen"><w
                                        lemma="corporatus">corporatus</w></rs> fortasse subtraxerit, secundum
                                        praecedentium legum statuta si intra <rs corresp="#clergy" ana="#I_clergy"
                                          ><w lemma="diaconatus">diaconatus</w></rs> gradum locatus probatur, ad
                                          <rs ana="#E_local-officials"><w lemma="origo">originem</w></rs> suam sine
                                          dilatione revocetur, si vero iam <rs corresp="#clergy" ana="#I_clergy"><w
                                            lemma="diaconus">diaconus</w></rs> aut <rs corresp="#clergy"
                                              ana="#I_clergy"><w lemma="presbyter">presbyter</w></rs> aut <rs
                                                corresp="#bishop" ana="#I_bishops"><w lemma="episcopus"
                                                  >episcopus</w></rs> latae huius legis tempore reperitur, sive adhuc <phr
                                                  type="ampl" subtype="g" inj-src="munus" crt-src="high"
                                                    injured="diaconus presbyter episcopus" crt-inj="high"><w lemma="obnoxius"
                                                      >obnoxius</w></phr> functionibus sive <rs ana="#E_local-officials"><w
                                                        lemma="munus">muniis</w></rs> persolutis, nihil de <rs
                                                          ana="#E_inheritance"><w lemma="patrimonium">patrimonio</w></rs> suo <phr
                                                            type="ampl" subtype="c"><w lemma="alieno">alienaturum</w></phr> se esse
                                                            cognoscat.</seg></s>
                    <s xml:id="nov-maj_7.7.s2" n="la0" xml:lang="la"><seg xml:id="nov-maj_7.7.c2">Cui
                      si <rs ana="#E_family-sons"><w lemma="masculinus">masculini</w></rs> sexus

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<rs ana="#E_family-children"><w lemma="proles">prolem</w></rs> seu <rs
corresp="#kinsmn" ana="#E_family-relatives"><w lemma="propinquus"
>propinquos</w></rs> esse contigerit, qui utique <rs corresp="#decrns"
ana="#E_local-officials"><w lemma="curia">curiae</w></rs>
<phr type="ampl" subtype="c" inj-src="curia" crt-src="high"
injured="proles propinquus" crt-inj="high"><w lemma="necessitas"
>necessitatibus</w></phr> obsequantur, mox medietatem omnium
facultatum eis tradere non desistat sibi ad usumfructum sex residuas uncias
retentaturus; si <phr type="ampl" subtype="g" injured="virilis"
crt-inj="high"><w lemma="desum">defuerit</w></phr> sexus <rs
ana="#E_family-sons"><w lemma="virilis">virilis</w></rs>, eadem in <rs
corresp="#female #chldrn" ana="#E_women"><w lemma="filia"
>filiabus</w></rs> sine <phr type="ampl" subtype="c"><w lemma="dubius"
>dubio</w></phr> servaturus, si tamen <rs corresp="#decrns"
ana="#E_local-officials"><w lemma="curialis">curialium</w></rs> conubiis
copulentur.</seg></s>
<s xml:id="nov-maj_7.7.s3" n="la1" xml:lang="la"><seg xml:id="nov-maj_7.7.c3">Qui
si in totum fortasse <phr type="ampl" subtype="g" injured="proles"
crt-inj="low"><w lemma="desum">defuerint</w></phr>, ad <rs
corresp="#decrns" ana="#E_local-officials"><w lemma="ordo"
>ordinem</w></rs>
<rs corresp="#cities" ana="#E_cities"><w lemma="urbis">urbis</w></rs> suae
praedicti patrimonium pertinebit.</seg></s>
<s xml:id="nov-maj_7.7.s4" n="la2" xml:lang="la"><seg xml:id="nov-maj_7.7.c4">Si
qua sane huiusmodi persona originis suae vinculis obligata ex his, quos ad
<rs corresp="#decrns" ana="#E_local-officials"><w lemma="ordo"
>ordines</w></rs> iubemus reduci, sub divini ministerii occasione
intra ecclesiam se crediderit occultendam, eam <phr type="ampl" subtype="c"
injured="archidiaconus" crt-inj="high"><w lemma="constringo"
>constrictus</w></phr>
<rs corresp="#clergy" ana="#I_clergy"><w lemma="archidiaconus"
>archidiaconus</w></rs> repraesentet.</seg></s>
<milestone unit="english" /> 7. </ab>
<ab xml:id="nov-maj_7.8" type="caput">
<milestone unit="latin" /> 8. <s xml:id="nov-maj_7.8.s1" n="la3" xml:lang="la">Hic
etiam eorum <phr type="ampl" subtype="g" inj-src="principalitas" crt-src="high"
><w lemma="nequitia">nequitia</w></phr>
<phr type="ampl" subtype="c" injured="principalitas" crt-inj="high"><w
lemma="comprimo">comprimenda</w></phr> est, qui locum <rs
corresp="#decrns" ana="#E_local-officials"><w lemma="principalitas"
>principalitatis</w></rs> indepti vendunt <phr type="ampl" subtype="g"
inj-src="curialis"><w lemma="defuga">defugas</w></phr>
<rs corresp="#decrns" ana="#E_local-officials"><w lemma="curialis"
>curiales</w></rs> et <phr type="ampl" subtype="g" injured="corporatus"
crt-inj="high"><w lemma="obnoxios">obnoxios</w></phr>
<rs corresp="#guilds" ana="#E_guildsmen"><w lemma="corporatus"
>corporatos</w></rs>, cum eos <phr type="ampl" subtype="c"
inj-src="principalitas" crt-src="high"><w lemma="occultus">occulta</w></phr>
<phr type="ampl" subtype="g" inj-src="principalitas" crt-src="high"><w
lemma="depraedatio">depraedatione</w></phr>
<phr type="ampl" subtype="c" inj-src="principalitas" crt-src="high"><w
lemma="concutio">concusserint</w></phr>: quos utique, si honestatis
memores <rs corresp="#cities" ana="#E_cities"><w lemma="patria"
>patriae</w></rs> suae aliquid adfectionis impenderent, revocare
deberent.</s>
<s xml:id="nov-maj_7.8.s2" n="la4" xml:lang="la">Quod ne deinceps existiment se
<phr type="ampl" subtype="g" inj-src="principalitas" crt-src="low"><w
lemma="impune">impune</w></phr> facturos, <seg xml:id="nov-maj_7.8.c1"
>quicumque in tam <phr type="ampl" subtype="g" inj-src="principalitas"
crt-src="high" crt-inj="low"><w lemma="sceleratus">sceleratis</w></phr>
nundinis fuerit quocumque <phr type="ampl" subtype="g"
injured="principalitas" crt-inj="low"><w lemma="accuso" corresp="#accser"
>accusante</w></phr>
<phr type="ampl" subtype="c" injured="principalitas" crt-inj="low"><w
lemma="convincto">convinctus</w></phr>, <phr type="ampl" subtype="c"
injured="principalitas" crt-inj="low"><w lemma="capitalis"
>capitale</w></phr>
<phr type="ampl" subtype="g" injured="principalitas" crt-inj="low"><w
lemma="poena">poenam</w></phr> subibit.</seg></s>
<milestone unit="english" /> 8. </ab>
<ab xml:id="nov-maj_7.9" type="caput">
<milestone unit="latin" /> 9. <s xml:id="nov-maj_7.9.s1" n="la5" xml:lang="la"
><seg xml:id="nov-maj_7.9.c1"><rs ana="#E_land"><w lemma="praedium"
>Praedia</w></rs> vel urbana vel rustica numquam sine interpositione
decreti <rs corresp="#decrns" ana="#E_local-officials"><w lemma="curialis"
>curialis</w></rs>
<phr type="ampl" subtype="c" inj-src="curialis" crt-src="high"
injured="praedium" crt-inj="high"><w lemma="alieno"
>alienet</w></phr>.</seg></s>
<s xml:id="nov-maj_7.9.s2" n="la6" xml:lang="la">Quod ne forte provincialis <rs
corresp="#judges" ana="#P_high-officials"><w lemma="iudex">iudex</w></rs>
facile aut gratificanter indulgeat, <seg xml:id="nov-maj_7.9.c2">ad eminentium
<rs corresp="#prefec" ana="#P_high-officials"><w lemma="praefectus"
>praefectorum</w></rs> sub relatione notitiam dirigatur, quibus solis
aestimare permittimus, utrum ineluctabilis <phr type="ampl" subtype="c"
injured="curialis" crt-inj="high"><w lemma="necessitas"
>necessitas</w></phr> venditorem faciat <rs corresp="#decrns"
ana="#E_local-officials"><w lemma="curialis">curialem</w></rs>.</seg></s>
<s xml:id="nov-maj_7.9.s3" n="la7" xml:lang="la"><seg xml:id="nov-maj_7.9.c3">

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>aliter contractus super his rebus initi non valebunt.</seg></s>
<s xml:id="nov-maj_7.9.s4" n="la8" xml:lang="la"><seg xml:id="nov-maj_7.9.c4">In
  <rs corresp="#servus" ana="#E_unfree"><w lemma="mancipium"
    >mancipio</w></rs> tantummodo distrahendo non est decreti quaerenda
    sollemnitas, si quinque primorum <rs corresp="#decrns"
      ana="#E_local-officials"><w lemma="curia">curiae</w></rs> subscriptio
    atque consensio adiecta monstretur.</seg></s>
<milestone unit="english" /> 9. </ab>
<ab xml:id="nov-maj_7.10" type="caput">
<milestone unit="latin" /> 10. <s xml:id="nov-maj_7.10.s1" n="la9" xml:lang="la"
  >Inter quae iustum est, ut his, quos reduci volumus, consulamus, ne <phr
    type="ampl" subtype="g"><w lemma="iniuria">iniuriis</w></phr> corporalibus
    pro <phr type="ampl" subtype="g"><w lemma="culpa">culpa</w></phr> ...</s>
<s xml:id="nov-maj_7.10.s2" n="la10" xml:lang="la">Plerumque <rs corresp="#judges"
  ana="#P_high-officials"><w lemma="iudex">iudicis</w></rs> commotione
    subdantur.</s>
<s xml:id="nov-maj_7.10.s3" n="la11" xml:lang="la"><seg xml:id="nov-maj_7.10.c1"
  >Unde quotiens aut <phr type="ampl" subtype="g" inj-src="curialis"
    crt-src="high"><w lemma="culpa">culpa</w></phr>
    <phr type="ampl" subtype="c" inj-src="curialis" crt-src="high"><w
      lemma="gravis">gravis</w></phr> aut aliquod <rs corresp="#decrns"
        ana="#E_local-officials"><w lemma="curialis">curialis</w></rs>
    <phr type="ampl" subtype="g" inj-src="curialis" crt-src="high"><w
      lemma="crimen">crimen</w></phr>
    <phr type="ampl" subtype="c" injured="curialis" crt-inj="high"><w
      lemma="arguo">arguitur</w></phr>, sciant <rs corresp="#judges"
        ana="#P_high-officials"><w lemma="iudex">iudices</w></rs>, eo sub
    fideiussione <rs corresp="#decrns" ana="#E_local-officials"><w lemma="ordo"
      >ordinis</w></rs> constituto, ad magnificos viros <rs
        corresp="#prefec" ana="#P_high-officials"><w lemma="praefectus-praetorio"
          >praefectos praetorio</w></rs> esse referendum, ut in ipsorum sit
    arbitrio constitutum, qualiter quod <phr type="ampl" subtype="g"
      inj-src="curialis" crt-src="high"><w lemma="admissum">admissum</w></phr>
    probabitur <phr type="ampl" subtype="c" injured="curialis" crt-inj="high"><w
      lemma="vindico">vindictetur</w></phr>.</seg></s>
<milestone unit="english" /> 10. </ab>
<ab xml:id="nov-maj_7.11" type="caput">
<milestone unit="latin" /> 11. <s xml:id="nov-maj_7.11.s1" n="la12" xml:lang="la"
  ><seg xml:id="nov-maj_7.11.c1">Numquam <rs corresp="#decrns"
    ana="#E_local-officials"><w lemma="curia">curiae</w></rs> a <rs
      ana="#E_regions"><w lemma="provincia">provinciarum</w></rs>
    <rs corresp="#govrnr" ana="#P_high-officials"><w lemma="rector"
      >rectoribus</w></rs> generali <phr type="ampl" subtype="c"
        inj-src="rector" crt-src="high"><w lemma="condemnatio"
          >condemnatione</w></phr>
    <phr type="ampl" subtype="g" injured="curia" crt-inj="high"><w lemma="multo"
      >multentur</w></phr>,</seg> cum utique hoc et aequitas suadeat et
    regula iuris antiqui, ut <phr type="ampl" subtype="g"><w lemma="noxa"
      >noxa</w></phr> tantum <phr type="ampl" subtype="c"><w lemma="caput"
        >caput</w></phr> sequatur, ne propter unius fortasse <phr type="ampl"
          subtype="g"><w lemma="delictum">delictum</w></phr> alii <phr type="ampl"
            subtype="c"><w lemma="dispendium">dispendiis</w></phr>
        <phr type="ampl" subtype="g"><w lemma="adfligo">adfligantur</w></phr>.</s>
<milestone unit="english" /> 11. </ab>
<ab xml:id="nov-maj_7.12" type="caput">
<milestone unit="latin" /> 12. <s xml:id="nov-maj_7.12.s1" n="la13" xml:lang="la"
  ><seg xml:id="nov-maj_7.12.c1">Strenarum kalendariarum ac pulveratici nomine
    a <rs corresp="#decrns" ana="#E_local-officials"><w lemma="curialis"
      >curialibus</w></rs> nihil petatur; si quis horum aliquid poposcerit
    aut etiam ab offerente contra interdicta suscepit, singulas libras <rs
      ana="#E_money"><w lemma="aurus">auri</w></rs> per singulos <rs
        corresp="#decrns" ana="#E_local-officials"><w lemma="curialis"
          >curiales</w></rs> a se noverit exigendas.</seg></s>
<milestone unit="english" /> 12. </ab>
<ab xml:id="nov-maj_7.13" type="caput">
<milestone unit="latin" /> 13. <s xml:id="nov-maj_7.13.s1" n="la14" xml:lang="la"
  ><seg xml:id="nov-maj_7.13.c1"><phr xml:id="nov-maj_7.13.s1.pl"
    function="cmdw" part="I">Nec</phr> hanc partem <phr
      corresp="#nov-maj_7.13.s1.pl" function="cmdw" part="F">ducimus</phr>
    <phr type="ampl" subtype="g"><w lemma="neglego">neglegendam</w></phr>, in
    qua et <rs corresp="#decrns" ana="#E_local-officials"><w lemma="ordo"
      >ordinibus</w></rs> et <rs corresp="#lndhld" ana="#E_landholders"><w
        lemma="possessor">possessorum</w></rs> compendiis
    providetur.</seg></s>
<s xml:id="nov-maj_7.13.s2" n="la15" xml:lang="la"><seg xml:id="nov-maj_7.13.c2"
  >Itaque <rs ana="#E_regions"><w lemma="provincialis">provinciali</w></rs>
    <rs corresp="#judges" ana="#P_high-officials"><w lemma="iudex"
      >iudici</w></rs> non solum faciendarum <rs corresp="#post"
        ana="#P_postal-system"><w lemma="evectio">evectio</w></rs> nulli
    tribuatur facultas, verum ne ipsi quidem, cum ad alteram pergere coeperit
    <rs ana="#E_cities"><w lemma="civitas">civitatem</w></rs>, plus quam unam
    sibi <rs ana="#P_transport-horses"><w lemma="angaria">angariam</w></rs> et
    duos <rs ana="#P_transport-horses"><w lemma="paraveredus"
      >paraveredos</w></rs> alteramque <rs ana="#P_transport-horses"><w
        lemma="angaria">angariam</w></rs>
    <rs corresp="#offici" ana="#P_bureaucracy"><w lemma="officium"
      >officio</w></rs> suo et <rs ana="#P_transport-horses"><w
        lemma="paraveredus">paraveredos</w></rs> duos liceat
    postulare.</seg></s>

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<s xml:id="nov-maj_7.13.s3" n="la0" xml:lang="la"><seg xml:id="nov-maj_7.13.c3">Si
quisquam amplius aestimaverit <phr type="ampl" subtype="c" injured="equus"
  crt-inj="high"><w lemma="praesumo">praesumendum</w></phr>, octo <rs
  ana="#P_transport-horses"><w lemma="equus">equos</w></rs>
<phr type="ampl" subtype="c"><w lemma="constringo">constrictus</w></phr>
exsolvat <rs ana="#P_postal-system"><w lemma="publicus">publicis</w></rs>
mox <rs ana="#P_postal-system"><w lemma="mutatio">mutationibus</w></rs>
adgregandos.</seg></s>
<milestone unit="english" /> 13. </ab>
<ab xml:id="nov-maj_7.14" type="caput">
<milestone unit="latin" /> 14. <s xml:id="nov-maj_7.14.s1" n="la1" xml:lang="la"
><seg xml:id="nov-maj_7.14.c1"><rs ana="#P_bureaucracy"><w lemma="compulsor">
  >Compulsor</w></rs>
<rs ana="#E_taxes"><w lemma="tributum">tributi</w></rs> nihil amplius a <rs
  corresp="#decrns" ana="#E_local-officials"><w lemma="curialis">
  >curiali</w></rs> noverit exigendum quam quod ipse a <rs
  corresp="#lndhld" ana="#E_landholders"><w lemma="possessor">
  >possessore</w></rs> suscepit, qui ad hoc tantummodo perurgendus
est pariter ut exigat et <rs corresp="#debtor" ana="#E_debtors"><w
  lemma="publicus-debitor">publicum debitorem</w></rs> ostendat atque
  <phr type="ampl" subtype="c" inj-src="curialis" crt-src="high"
  injured="publicus-debitor"><w lemma="convincto">
  >convinctat</w></phr>.</seg></s>
<s xml:id="nov-maj_7.14.s2" n="la2" xml:lang="la"><seg xml:id="nov-maj_7.14.c2">
>Praeterea nullus <rs ana="#E_money"><w lemma="solidus">solidum</w></rs>
integri ponderis <phr type="ampl" subtype="g" inj-src="exactor"
  crt-src="high"><w lemma="calumniosus">calumniosae</w></phr>
<phr type="ampl" subtype="g" inj-src="exactor" crt-src="high"><w
  lemma="improbo">improbationis</w></phr> obtentu recuset <rs
  corresp="#collec" ana="#P_bureaucracy"><w lemma="exactor">
  >exactor</w></rs>, excepto eo Gallico, cuius aurum minore aestimatione
taxatur; omnis <phr type="ampl" subtype="c" inj-src="exactor" crt-src="high"
  ><w lemma="concussio">concussionum</w></phr>
<phr type="ampl" subtype="c" injured="exactor" crt-inj="high"><w
  lemma="removeo">removeatur</w></phr> occasio.</seg></s>
<s xml:id="nov-maj_7.14.s3" n="la3" xml:lang="la"><seg xml:id="nov-maj_7.14.c3">
>nihil mutaturae nomine postuletur, ita ut quisquis hoc posthac <phr
  type="ampl" subtype="c"
  inj-src="praetorianus miles palatinus sacrum-aerarium privatus negotiatio"
  crt-src="high"><w lemma="usurpo">usurpandum</w></phr> esse crediderit,
sive <rs corresp="#prefec" ana="#P_high-officials"><w lemma="praetorianus">
  >praetoriani</w></rs> sit <rs ana="#P_bureaucracy"><w lemma="miles">
  >miles</w></rs> officii seu <rs corresp="#offici" ana="#P_bureaucracy">
  ><w lemma="palatinus">palatinus</w></rs> vel <rs corresp="#trsury"
  ana="#P_treasury"><w lemma="sacrum-aerarium">sacri aerarii</w></rs> vel
  <rs corresp="#trsury" ana="#P_treasury"><w lemma="privatus">
  >privati</w></rs> seu professionem <rs ana="#E_vendors"><w
  lemma="negotiatio">negotiationis</w></rs> exercens, <phr type="ampl"
  subtype="g"
  injured="praetorianus miles palatinus sacrum-aerarium privatus negotiatio"
  crt-inj="high"><w lemma="fustuarium">fustuariae</w></phr> subditus <phr
  type="ampl" subtype="g"
  injured="praetorianus miles palatinus sacrum-aerarium privatus negotiatio"
  crt-inj="high"><w lemma="poena">poenae</w></phr>
<phr type="ampl" subtype="c"><w lemma="servilis">servilibus</w></phr>
<phr type="ampl" subtype="g"
  injured="praetorianus miles palatinus sacrum-aerarium privatus negotiatio"
  crt-inj="high"><w lemma="supplicium">suppliciis</w></phr>
<phr type="ampl" subtype="g"
  injured="praetorianus miles palatinus sacrum-aerarium privatus negotiatio"
  crt-inj="high"><w lemma="pereio">periturum</w></phr> se esse
cognoscat.</seg></s>
<milestone unit="english" /> 14. </ab>
<ab xml:id="nov-maj_7.15" type="caput">
<milestone unit="latin" /> 15. <s xml:id="nov-maj_7.15.s1" n="la4" xml:lang="la"
>Illis quoque <phr type="ampl" subtype="g" inj-src="exactor" crt-src="high"><w
  lemma="fraus">fraudibus</w></phr> obviandum est, quas in varietate <rs
  ana="#E_taxes"><w lemma="pondus">ponderum</w></rs>
<rs corresp="#collec" ana="#P_bureaucracy"><w lemma="exactor">
  >exactorum</w></rs>
<phr type="ampl" subtype="c" inj-src="exactor" crt-src="high"><w
  lemma="calliditas">calliditas</w></phr> facere consuevit, qui vetustis
<phr type="ampl" subtype="c" inj-src="exactor" crt-src="high"><w
  lemma="caligo">caliginibus</w></phr>
<phr type="ampl" subtype="c" inj-src="exactor" crt-src="high"><w lemma="abutor">
  >abutentes</w></phr> Faustinae aliorumque nominum <phr type="ampl"
  subtype="g" inj-src="exactor" crt-src="high"><w lemma="nescio">
  >nescientibus</w></phr> faciant mentionem.</s>
<s xml:id="nov-maj_7.15.s2" n="la5" xml:lang="la"><seg xml:id="nov-maj_7.15.c1">
>Quibus penitus amotis atque in perpetuum hac lege <phr type="ampl"
  subtype="g" injured="exactor" crt-inj="high"><w lemma="damno">
  >damnatis</w></phr>, a <rs corresp="#prefec" ana="#P_high-officials">
  ><w lemma="praetoriana-sedes">praetoriana sede</w></rs> ad singulas
non solum <rs corresp="#citizns" ana="#E_regions"><w lemma="provincia">
  >provincias</w></rs>, sed etiam <rs corresp="#citizns #cities"
  ana="#E_cities"><w lemma="civitas">civitates</w></rs> pondera examinata
mittantur, quibus tam omnis <rs corresp="#collec" ana="#P_bureaucracy"><w
  lemma="exactor">exactor</w></rs> quam <rs corresp="#trdsnm"
  ana="#E_vendors"><w lemma="negotiator">negotiator</w></rs> utatur <phr

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type="ampl" subtype="c" injured="exactor negotiator" crt-inj="high"><w
lemma="capital">capitale</w></phr> sibi sciens unusquisque <phr
type="ampl" subtype="g" injured="exactor negotiator" crt-inj="high"><w
lemma="supplicium">supplicium</w></phr>, si constituta
transcenderit.</seg></s>
<milestone unit="english" /> 15. </ab>
<ab xml:id="nov-maj_7.16" type="caput">
<milestone unit="latin" /> 16. <s xml:id="nov-maj_7.16.s1" n="la6" xml:lang="la"
>Inter haec etiam <rs corresp="#officl" ana="#P_bureaucracy"><w
lemma="officium">officiorum</w></rs> pro <phr type="ampl" subtype="c"
injured="officium" crt-inj="high"><w lemma="labor">laborum</w></phr> merito
non est commoditas <phr type="ampl" subtype="g" injured="officium"
crt-inj="high"><w lemma="neglego">neglegenda</w></phr>.</s>
<s xml:id="nov-maj_7.16.s2" n="la7" xml:lang="la">Et quia per <rs
corresp="#govnrn" ana="#P_high-officials"><w lemma="rector"
>rectores</w></rs>
<rs ana="#E_regions"><w lemma="provincia">provinciarum</w></rs> exigi omnem <rs
ana="#E_taxes"><w lemma="canon">canonem</w></rs> tam ad <rs
corresp="#prefec #trrsury" type="r" ana="#P_treasury"><w
lemma="arca-praefectura">arcam praefecturae</w></rs> pertinentem quam
sacris vel privatis <rs ana="#P_treasury"><w lemma="largitio"
>largitionibus</w></rs> inferendum, sed et binos per <rs ana="#E_land"><w
lemma="iugum">iugum</w></rs> vel <rs ana="#E_land"><w lemma="millenus"
>millenam</w></rs>
<rs ana="#E_money"><w lemma="solidus">solidos</w></rs> remunerationibus
deputatos <phr type="ampl" subtype="c" inj-src="solidus" crt-src="high"
injured="iugum millenus" crt-inj="high"><w lemma="compello"
>compelli</w></phr> debere praecepimus, <rs corresp="#lndhld"
ana="#E_landholders"><w lemma="possessor">possessori</w></rs> non putamus
<phr type="ampl" subtype="g" injured="possessor" crt-inj="high"><w
lemma="onerosus">onerosum</w></phr>, quem a multis <phr type="ampl"
subtype="g" inj-src="sportula" crt-src="high" injured="possessor"
crt-inj="high"><w lemma="molestia">molestiis</w></phr> et <rs
ana="#E_payments"><w lemma="sportula">sportularum</w></rs> et numerosis
mutaturae <phr type="ampl" subtype="c"><w lemma="dispendium"
>dispendiis</w></phr> liberamus, si <seg xml:id="nov-maj_7.16.c1">semissem
<rs ana="#E_money"><w lemma="solidus">solidi</w></rs> per <rs
ana="#E_land"><w lemma="iugum">iuga</w></rs> singula seu singulas <rs
ana="#E_land"><w lemma="millenus">millenas</w></rs> amplius <phr
xml:id="nov-maj_7.16.s2.p1" function="cmdw">iubeamus</phr> inferri, qui
pro ordinatione nostra inter diversa <rs corresp="#officl"
ana="#P_bureaucracy"><w lemma="officium">officia</w></rs>
dividatur.</seg></s>
<s xml:id="nov-maj_7.16.s3" n="la8" xml:lang="la"><seg xml:id="nov-maj_7.16.c2"
>Ita ergo praedicta summa inter <rs corresp="#collec" ana="#P_bureaucracy"
><w lemma="compulsor">compulsos</w></rs>, ut diximus, partienda est,
ut <rs corresp="#officl" ana="#P_bureaucracy"><w lemma="palatinus"
>palatinus</w></rs>
<rs><w lemma="siliqua">siliquam</w></rs> mediam pro siliquatico solidi
remunerationis binorum solidorum, <rs corresp="#collec" ana="#P_bureaucracy"
><w lemma="exactor">exactor</w></rs> siliquam, quattuor autem siliquas
tam <rs corresp="#decrrns" ana="#E_local-officials"><w lemma="curialis"
>curialis</w></rs> quam <rs ana="#P_bureaucracy"><w lemma="officium"
>officium</w></rs>
<rs ana="#E_regions"><w lemma="provincialis">provinciale</w></rs> percipiat,
<rs ana="#P_bureaucracy"><w lemma="officium">officium</w></rs> sane <rs
ana="#P_high-officials"><w lemma="praefectorus">praefectorum</w></rs> sex
semis siliquas consequatur.</seg></s>
<s xml:id="nov-maj_7.16.s4" n="la9" xml:lang="la"><seg xml:id="nov-maj_7.16.c3"
>Quisquis ultra aliquid aut exigendum aut accipiendum esse crediderit,
subditus <phr type="ampl" subtype="c" injured="officium" crt-inj="low"><w
lemma="verber">verberibus</w></phr> et <rs ana="#P_bureaucracy"><w
lemma="cingulus">cingulo</w></rs>
<phr type="ampl" subtype="c" injured="cingulus" crt-inj="high"><w
lemma="privo">privabitur</w></phr> et <rs ana="#E_property"><w
lemma="facultas">facultatibus</w></rs>
<phr type="ampl" subtype="c" injured="facultas" crt-inj="high"><w
lemma="exuo">exuetur</w></phr>.</seg></s>
<milestone unit="english" /> 16. </ab>
<ab xml:id="nov-maj_7.17" type="caput">
<milestone unit="latin" /> 17. <s xml:id="nov-maj_7.17.s1" n="la10" xml:lang="la"
>Illud quoque <phr type="ampl" subtype="c" injured="civitas curia negotiator"
crt-inj="high"><w lemma="onus">onus</w></phr> a <rs corresp="#cities"
ana="#E_cities"><w lemma="civitas">civitatis</w></rs> vel praecipue <rs
ana="#E_local-officials"><w lemma="curia">curiarum</w></rs> ordinibus ac <rs
corresp="#trdsmn" ana="#E_vendors"><w lemma="negotiator"
>negotiatoribus</w></rs>
<phr type="ampl" subtype="c"><w lemma="submoveo">submovendum</w></phr> est,
quibus non parva <phr type="ampl" subtype="c"
injured="civitas curia negotiator" crt-inj="high" inj-src="iudex"
crt-src="high"><w lemma="dispendium">dispendia</w></phr>
<rs><w lemma="provincia">provinciarum</w></rs>
<rs corresp="#judges" ana="#P_high-officials"><w lemma="iudex">iudicum</w></rs>
infligit adventus, ut eos in otio plerumque residentes deliciis exquisitis
alere quasi quadam lege <phr type="ampl" subtype="c"
injured="civitas curia negotiator" crt-inj="high"><w lemma="cogo"
>cogantur</w></phr>.</s>
<s xml:id="nov-maj_7.17.s2" n="la11" xml:lang="la">Contra quam <phr type="ampl"
subtype="g" injured="civitas" crt-inj="high"><w lemma="iniquitas"

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>iniquitatem</w></phr> remedium providentes <seg xml:id="nov-maj_7.17.c1"
>hac evidenti praeceptione <phr xml:id="nov-maj_7.17.s2.p1" function="cmdw"
>decernimus</phr>, ut <rs corresp="#govrn" ana="#P_high-officials"><w
lemma="rector">rectori</w></rs> provinciae totius anni tempore non
plus quam triduo una <rs corresp="#cities" ana="#E_cities"><w
lemma="civitas">civitas</w></rs> alimoniam subministret, ita ut, si
diutius voluerit commorari, de proprio sibi sciat esse vivendum.</seg></s>
<s xml:id="nov-maj_7.17.s3" n="la12" xml:lang="la">Sed ne vaga interpretatio
eorum, quae pro humanitate praebenda sunt, nihilominus praedictos <phr
type="ampl" subtype="c" injured="curialis negotiator" crt-inj="high"><w
lemma="fatigo">fatiget</w></phr>, quid inferri diurnum debeat,
eminentissimae <rs ana="#P_high-officials"><w lemma="praefectura"
>praefecturae</w></rs> pandetur edicto, quod instar nostri volumus esse
praecepti: <seg xml:id="nov-maj_7.17.c2">hac condicione sociata, ut, si supra
hunc modum quidquam a <rs corresp="#decrns" ana="#E_local-officials"><w
lemma="curialis">curialibus</w></rs> seu <rs corresp="#trdsnm"
ana="#E_vendors"><w lemma="negotiator">negotiatoribus</w></rs>
<rs corresp="#judges" ana="#P_high-officials"><w lemma="iudex"
>iudex</w></rs> putaverit postulandum aut sub nomine oblationis
acceperit, quod magis <phr type="ampl" subtype="c" inj-src="iudex"
crt-src="high" injured="curialis negotiator" crt-inj="high"><w
lemma="extorqueo">extorsisse</w></phr> credendum est, mox <rs
corresp="#officl" ana="#P_bureaucracy"><w lemma="administratio"
>administratione</w></rs>
<phr type="ampl" subtype="c" injured="iudex administratio" crt-inj="high"><w
lemma="depello">depulsus</w></phr> privilegio dignitatis <phr
type="ampl" subtype="c" injured="iudex" crt-inj="high"><w lemma="amitto"
>amisso</w></phr>
<phr type="ampl" subtype="c" injured="iudex"><w lemma="proscriptio"
>proscriptione</w></phr>
<phr type="ampl" subtype="c" injured="iudex"><w lemma="ferio"
>feriatur</w></phr>,</seg>
<rs ana="#P_high-officials"><w lemma="Basilius">Basili</w></rs> parens
karissime atque amantissime.</s>
<milestone unit="english" /> 17. </ab>
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<milestone unit="latin" /> 18. <s xml:id="nov-maj_7.18.s1" n="la13" xml:lang="la"
><seg xml:id="nov-maj_7.18.c1">Illustris sane et praeclsa <rs
ana="#P_high-officials"><w lemma="magnificentia">magnificentia</w></rs>
tua omnium provinciarum <rs corresp="#govrn" ana="#P_high-officials"><w
lemma="rector">rectores</w></rs> suis auctoritatibus <phr type="ampl"
subtype="c" inj-src="magnificentia" crt-src="high" injured="rector"
crt-inj="high"><w lemma="admoneo">admonebit</w></phr>, ut <rs
corresp="#decrns" ana="#E_local-officials"><w lemma="principalis"
>principales</w></rs> vel <rs ana="#E_local-officials"><w
lemma="senior">seniores</w></rs>
<rs ana="#E_cities"><w lemma="urbs">urbium</w></rs> singularum tam <rs
corresp="#decrns" ana="#E_local-officials"><w lemma="curia"
>curiarum</w></rs> quam reliquorum corporum albos, quos conscripsit
vetustas, proferre <phr type="ampl" subtype="c" inj-src="rector"
crt-src="high" injured="principalis senior curia" crt-inj="high"><w
lemma="compello">compellant</w></phr>
<phr type="ampl" subtype="g" injured="principalis senior curia"
crt-inj="high"><w lemma="obnoxius">obnoxiorum</w></phr>
<rs ana="#E_family-relatives"><w lemma="familia">familias</w></rs> sub
confectione gestorum <phr type="ampl" subtype="c"><w lemma="caput"
>capitis</w></phr> sui <phr type="ampl" subtype="g"><w
lemma="periculum">periculo</w></phr> detegentes,</seg> ita ut quae
statuta sunt edictis propositis in cunctorum notitiam <phr type="ampl"
subtype="c"><w lemma="perfero">perferantur</w></phr>.</s>
<milestone unit="english" /> 18. </ab>
<ab xml:id="nov-maj_7.subs" type="subs">
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<s xml:id="nov-maj_7.subs.s1" n="la14" xml:lang="la">Dat. VIII id. Nov. <placeName
corresp="#ravenna">Ravennae</placeName> leone et Maioriano AA. cons. <date
when="0458-11-06">(458 Nov. 6)</date>.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-maj_7.intr" type="intr">
<milestone unit="latin" />INTERPRETATIO. Lex haec Maioriani de curialibus quae
custodienda sint evidenti observatione constituit, ut infra triginta tantummodo
annos, sicut lex de omnibus dudum lata testatur, ad ordinem suum, quem
deseruerint, curiales debeant revocari. Nam de collegiatis illa specialiter
custodiri confirmat, quae lex in Theodosiani codicis corpore scripta declarat.
Itaque praecipit, ut, si curialem cuiuscumque possessionis actor domino nesciente
susceperit et non transacto anno ad civitatem curiae, cui debetur, fecerit
revocari, si ingenuus fuerit is ipse actor, in collegio deputetur, si servus,
fustibus verberetur. Nam si cum conscientia domini curialem ultra anni spatium
tenere praesumpserit et non ordini suo, sicut dictum est, post annum sine mora
reddiderit, noverit ipsum praedium, in quo inventus fuerit curialis, se dominus
praedii perditurum. filia vero curialis, si aut servo aut actori aut procuratori
se coniunxerit aut dominus agri iunctam esse permiserit et non post anni spatium
curiae fuerit restituta, illa quidem continuo parentibus curialibus in hereditatem
successura reddatur, quia per eam, si se curiali iunxerit, ordo poterit reparari.
Ille vero, cuius contubernio curialis filia fuerit maculata, si colonus est,
collegio deputetur, si vero servus fuerit, inter tormenta deficiat. filia vero
curialis, si civitatis suae curialem accipere noluerit maritum et suam deserens ad
aliam se contulerit civitatem, quartam portionis ordini curiae suae, quem
despexit, de facultatibus suis cogatur inferre, ad illam civitatem sine dubio, in

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quam se transtulit curialis filia, si curialem maritum acceperit, curiales sine dubio paritura. Si autem curialis vel corporatus, nolentes esse quod nati sunt, clerici esse voluerint et in quocumque officio ante diaconatum fuerint constituti, ad originis suae officium sine dilatione aliqua revocentur. Si vero iam diaconus aut presbyter aut certe episcopus fuerit ordinatus, sive munia sua solverit sive non solverit, de patrimonio suo nihil alienare praesumat. Qui si masculini sexus filios vel propinquos habuerit, quibus tantum personis curiae necessitas ut observari possit imponitur, illis statim medietatem de facultatibus suis dare non differat, medietatem sibi ad usumfructum retineat. Quod si aut filios aut propinquos virilis dumtaxat sexus non habuerit, sed filias habebit, quas lex a necessitate publica facit alienas, tunc eis sex uncias bonorum suorum tradat, si tamen curiales maritos acceperint, per quos et necessitas publica possit impleri et ex quibus nati curiales merito appellentur. Quod si curialibus non fuerint copulatae, curialis praedicti patrimonium ad civitatis suae ordinem pertinebit. Si quis vero de his, quos superius diximus sine excusatione honoris debere ad suum ordinem vel originem revocari, ad ecclesiae saepta confugerit, archidiaconus teneatur, ut eum debeat praesentare. Sane si quis curialem latentem sub aliqua commodi intercessionem vendiderit, qui eum magis debuit revocare, noverit se capitali supplicio puniendum. iubentur etiam curiales, ut praedia urbana vel rustica sine decreti interpositione non vendant, nisi potestatibus referatur, quia vendendi arta necessitas imminet curiali. Mancipia autem distrahendi sine decreto habebit liberam potestatem, dummodo quinque priores curiae testes in ea venditione subscribant. Nam et hoc curialibus voluit esse consultum, ne aut hi, qui revocantur ad curiam, aut illi, qui in gravi culpa tenentur obnoxii, tam facile tormenta sustineant, nisi ad potestatem dignissimam sub fideiussionis vinculo dirigantur, ut ipse de eorum factis possit ferre sententiam nec ut ordo curiae pro unius culpa multam excipiat, nisi tantum is qui probatur obnoxius. Nam nec in his rebus, unde iudici aliqua per sportulam conferuntur, curiam praecepit sentire dispendia. reliqua vero pars legis interpretata non est, quia haec, quae continet, usu carent et certe ad intellegendum non habentur obscura. <milestone

unit="english" /></ab>

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      <milestone unit="latin" />1. Leo et Maiorianus AA. rogatiano consulari Tusciae
        suburbic. <milestone unit="english" />1. Emperors Leo and Majorian Augustuses to
        Rogatianus, Governor of Suburbicarian Tuscany. </ab>
    <ab xml:id="nov-maj_9.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-maj_9.0.s1" n="la1" xml:lang="la"
        >Agitandum legibus adulterii quaestionem <phr type="ampl" subtype="c"><w
          lemma="immineo">imminente</w></phr> nostrae quoque perennitatis oraculo
          te exercuisse commemoras atque, ut relatione testaris, <phr type="ampl"
            subtype="c"><w lemma="convincio">convictum</w></phr>
            <phr type="ampl" subtype="c"><w lemma="confiteor">confessumque</w></phr>
            ambrosium in <phr type="ampl" subtype="g"><w lemma="nefarius">nefario</w></phr>
            <phr type="ampl" subtype="g"><w lemma="crimen">crimine</w></phr>
            <phr type="ampl" subtype="g"><w lemma="relegatio">relegatione</w></phr> dignum
            temporaria censuisti.</s>
          <s xml:id="nov-maj_9.0.s2" n="la2" xml:lang="la">Non solum leniter, immo <phr
            type="ampl" subtype="g"><w lemma="neglegenter">neglegenter</w></phr>
            pensasti <phr type="ampl" subtype="c"><w lemma="alienus">alieni</w></phr>
            <phr type="ampl" subtype="g"><w lemma="dolor">doloris</w></phr>
            <phr type="ampl" subtype="g"><w lemma="iniuria">iniuriam</w></phr>, ut <phr
              type="ampl" subtype="c"><w lemma="macula">maculam</w></phr>
              <phr type="ampl" subtype="c"><w lemma="pudor">pudoris</w></phr>
              <phr type="ampl" subtype="c"><w lemma="extinguo">extincti</w></phr> et eius
              summam <phr type="ampl" subtype="g"><w lemma="crimen">criminis</w></phr>, in
              quo quidquid viro <phr type="ampl" subtype="g"><w lemma="indignus"
                >indignum</w></phr> est continetur, elabi vita superstite iudicares.</s>
            <s xml:id="nov-maj_9.0.s3" n="la3" xml:lang="la">Eum tamen ipsum <phr type="ampl"
              subtype="g"><w lemma="temero">temerasse</w></phr> sententiam et confestim
              locum perhibes <phr type="ampl" subtype="g"><w lemma="exilium">exilii</w></phr>
              <phr type="ampl" subtype="g"><w lemma="defugio">defugisse</w></phr> nosque
              consuluisti, quid fieri sanciamus, quocirca tam exercitandae ...</s>
            <s xml:id="nov-maj_9.0.s4" n="la4" xml:lang="la">iudicationis forma perpetim
              mansura debeat adspirare: <phr type="ampl" subtype="g"><w lemma="severitas"
                >severitatem</w></phr> quippe res ipsa flagitat.</s>
            <s xml:id="nov-maj_9.0.s5" n="la5" xml:lang="la">Unde, rogatiane karissime,
              noveris ad rigorem veteris disciplinae hanc perennitatem nostram observationis
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adiecisse mensuram, ut secundum legem divorum retro principum, qui in simili
 <phr type="ampl" subtype="g"><w lemma="crimen">crimine</w></phr> talia
 censuerunt, <seg xml:id="nov-maj_9.0.c1"><phr type="ampl" subtype="g"><w
 lemma="relegatio">relegationem</w></phr>
 <phr type="ampl" subtype="g"><w lemma="probrosus">probrosi</w></phr> ac <phr
 type="ampl" subtype="g"><w lemma="nefandus">nefandissimi</w></phr> rei
 <phr type="ampl" subtype="c"><w lemma="deportatio">deportatio</w></phr> rei
 adiecta continuo sequatur et bonis eius omnibus fisci utilitatibus <phr
 type="ampl" subtype="c"><w lemma="vindico">vindicatis</w></phr> eum a
 congressu totius Italiae <phr type="ampl" subtype="c"><w lemma="submoveo">
 >submovendum</w></phr>, edictorum propositione <phr type="ampl"
 subtype="c"><w lemma="denuntio">denuntiata</w></phr> omnibus <phr
 type="ampl" subtype="g"><w lemma="perimo">perimendi</w></phr>
 <phr type="ampl" subtype="c"><w lemma="licentia">licentia</w></phr>: qua
 passim ita <phr type="ampl" subtype="c"><w lemma="insequor">
 >insequendus</w></phr> est, qui sententiae <phr type="ampl" subtype="c">
 ><w lemma="abutor">abusus</w></phr> est lenitate, ut, si in
 comprehensa orbis nostri parte repertus fuerit, <phr type="ampl" subtype="c">
 ><w lemma="caedo">caesus</w></phr> iure videatur, </seg> quatenus <phr
 type="ampl" subtype="c"><w lemma="sanctio">sanctionis</w></phr> procedente
 <phr type="ampl" subtype="c"><w lemma="censura">censura</w></phr> ab <phr
 type="ampl" subtype="g"><w lemma="incursus">incursu</w></phr>
 <phr type="ampl" subtype="g"><w lemma="flagitium">flagitiorum</w></phr> tutam
 genialis tori praestemus in posterum castitatem, ut exemplo competenti luxuriae
 <phr type="ampl" subtype="c"><w lemma="castigo">castigatae</w></phr> ab <phr
 type="ampl" subtype="c"><w lemma="expugnatio">expugnatione</w></phr>
 pudicitiae, quae sub publica quodammodo videbitur esse <phr type="ampl"
 subtype="c"><w lemma="custodia">custodia</w></phr>, <phr type="ampl"
 subtype="c"><w lemma="libido">libido</w></phr> et protervitas arceatur
 manifestumque sit generaliter ita nobis cordi esse <phr type="ampl" subtype="g">
 ><w lemma="violo">violatum</w></phr>
 <phr type="ampl" subtype="c"><w lemma="pudor">pudorem</w></phr>, ut edictali
 decreto iusta <phr type="ampl" subtype="g"><w lemma="coercitio">
 >coercitione</w></phr> proposita <phr type="ampl" subtype="c"><w
 lemma="intemperanter">intemperanter</w></phr> futuris quoque temporibus
 <phr type="ampl" subtype="c"><w lemma="plecto">plecti</w></phr>
 <phr type="ampl" subtype="c"><w lemma="commisum">commisum</w></phr> simile
 censeamus.</s>
 <milestone unit="english" /> 0. </ab>
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 corresp="#arles">Arelato</placeName> ricimere vc. cons. <date
 when="0459-04-17">(459 April. 17)</date></s>
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 ECCLESIAM EX TESTAMENTO SIBI A CERTIS PERSONIS ALIQUID RELICTUM FISCO INFERRE
 COGENDUM ET DE POPULIS URBICIS</s>
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 INVITUS CLERICUS ORDINETUR VEL DE CETERIS NEGOTIIS</s>
 </head>
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 Ricimeri V. Illustr. com. et mag. utr. milit. Atque Patricio.</s>
 <s xml:id="nov-maj_11.insc.s2" n="la2" xml:lang="la">De re necessaria ad
 locum.</s>
 <milestone unit="english" />
 </ab>
 <ab xml:id="nov-maj_11.0" type="caput">
 <milestone unit="latin" /> 0. <s xml:id="nov-maj_11.0.s1" n="la3" xml:lang="la">Ad
 suscipiendum <rs corresp="#clergy" ana="#I_clergy"><w lemma="clericatus">
 >clericatus</w></rs> officium unicuique <rs ana="#I_emperor"><w
 lemma="nos">nos</w></rs> optionem dedisse, non legem, quia quamlibet
 sanctum <phr type="ampl" subtype="c" injured="clericatus" crt-inj="high"><w
 lemma="onus">onus</w></phr> ut volentibus <phr type="ampl" subtype="c"
 injured="nos" crt-inj="high"><w lemma="patior">patimur</w></phr>
 <phr type="ampl" subtype="c" injured="clericatus" crt-inj="high"><w
 lemma="impono">imponi</w></phr>, ita ab <phr type="ampl" subtype="g"

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injured="clericatus" crt-inj="high"><w lemma="invitus">invitis</w></phr>
iubemus arceri.</s>
<s xml:id="nov-maj_11.0.s2" n="la4" xml:lang="la">Nonnullorum enim persuasio <rs
corresp="#clergy" ana="#I_clergy"><w lemma="sacerdos">sacerdotum</w></rs>
<phr type="ampl" subtype="g" injured="sacerdos" crt-inj="high"
inj-src="sacerdos" crt-src="high"><w lemma="reluctor"
>reluctantibus</w></phr>
<phr type="ampl" subtype="c" inj-src="sacerdos" crt-src="high"
injured="sacerdos" crt-inj="high"><w lemma="onus">onus</w></phr> istud <phr
type="ampl" subtype="c" inj-src="sacerdos" crt-src="high" injured="sacerdos"
crt-inj="high"><w lemma="impono">imponit</w></phr>, ut improvidas mentes
<phr type="ampl" subtype="g"><w lemma="violentia">violentiae</w></phr>
intercedentis <phr type="ampl" subtype="g"><w lemma="offensa">offensa</w></phr>
ad <phr type="ampl" subtype="g"><w lemma="odium">odium</w></phr> piaie
religionis instituat.</s>
<s xml:id="nov-maj_11.0.s3" n="la5" xml:lang="la"><seg xml:id="nov-maj_11.0.c1">eo
ergo <phr type="ampl" subtype="c"><w lemma="licentia">licentiam</w></phr>
huius <phr type="ampl" subtype="c"><w lemma="praesumptio"
>praesumptionis</w></phr>
<phr xml:id="nov-maj_11.0.s3.p1" function="cmdw" type="ampl" subtype="c"
inj-src="nos" crt-src="low"><w lemma="excludo">excludimus</w></phr>, ut,
si quispiam probatus fuerit <phr type="ampl" subtype="c"
injured="clericatus" crt-inj="high"><w lemma="vis">vi</w></phr>
<phr type="ampl" subtype="c" injured="clericatus" crt-inj="high"><w
lemma="cogo">coactus</w></phr> sub <phr type="ampl" subtype="g"
injured="clericatus" crt-inj="high"><w lemma="contumelia"
>contumelia</w></phr>
<rs ana="#I_churches"><w lemma="publicus">publica</w></rs>
<rs corresp="#clergy" ana="#I_clergy"><w lemma="clericatus"
>clericatus</w></rs> officiis successisse, spontaneis <phr type="ampl"
subtype="c" inj-src="clericatus" crt-src="high"><w lemma="accusator"
>accusatoribus</w></phr>, vel si ipse voluerit allegare perpessa, <phr
type="ampl" subtype="c"><w lemma="licentia">licentiam</w></phr>
commodemus apud <rs corresp="#judges" ana="#P_high-officials"><w
lemma="iudex">iudices</w></rs> competentes huiusmodi <phr type="ampl"
subtype="g" injured="clericatus" crt-inj="high"><w lemma="admissum"
>admissa</w></phr>
<phr type="ampl" subtype="g" inj-src="clericatus iudex" crt-src="high"><w
lemma="damno">damnare</w></phr>: ut, si inter leges obiecta
constiterint, decem libras <rs ana="#E_money"><w lemma="aurus">auri</w></rs>
<rs corresp="#clergy" ana="#I_clergy"><w lemma="archidiaconus"
>archidiaconus</w></rs>
<phr type="ampl" subtype="c" injured="archidiaconus" crt-inj="high"><w
lemma="cogo">cogatur</w></phr> inferre ei, qui <phr type="ampl"
subtype="c" injured="clericatus" crt-inj="high"><w lemma="perfero"
>pertulerit</w></phr>, exsolvendas, dehinc, si ille desistit, <phr
type="ampl" subtype="c" inj-src="clericatus" crt-src="high"><w
lemma="accusator">accusatoris</w></phr> censibus et <rs
ana="#E_cities"><w lemma="civitas">civitatis</w></rs>
<rs ana="#E_local-officials"><w lemma="ordo">ordini</w></rs> profuturas:
illo suae reddito voluntati qui <phr type="ampl" subtype="c"
injured="clericatus" crt-inj="high"><w lemma="cogo">coactus</w></phr> non
potuit consecrari.</seg></s>
<s xml:id="nov-maj_11.0.s4" n="la6" xml:lang="la">Et quia ab huiusmodi <phr
type="ampl" subtype="c"><w lemma="audeo">ausu</w></phr> ...</s>
<s xml:id="nov-maj_11.0.s5" n="la7" xml:lang="la">Nec <rs corresp="#bishop"
ana="#I_bishops"><w lemma="episcopus">episcopum</w></rs> a verecundia esse
convenit <phr type="ampl" subtype="c"><w lemma="alienus">alienum</w></phr>, ad
<rs corresp="#papacy" ana="#I_papacy"><w lemma="apostolica-sedes"
>apostolicae sedis</w></rs> devocetur antistitem, ut in illa
reverentissima sede notam <phr type="ampl" subtype="g" inj-src="episcopus"
crt-src="high"><w lemma="illicitus">illicitae</w></phr>
<phr type="ampl" subtype="c" inj-src="episcopus" crt-src="high"><w
lemma="praesumptio">praesumptionis</w></phr> incurrat.</s>
<s xml:id="nov-maj_11.0.s6" n="la8" xml:lang="la">Sane quia non iniusta <phr
type="ampl" subtype="g" injured="parens" crt-inj="high"><w lemma="suspicio"
>suspicio</w></phr> est huic operi <rs corresp="#parent"
ana="#E_family-parents"><w lemma="parens">parentum</w></rs>
<phr type="ampl" subtype="c" inj-src="parens" crt-src="high"><w
lemma="conludium">conludia</w></phr> plerumque misceri, dum <rs
corresp="#chldrn" ana="#E_family-children"><w lemma="liber">liberis</w></rs>
aliis amore nimio gratificantur et alios <phr type="ampl" subtype="g"
inj-src="parens" crt-src="high" injured="liber" crt-inj="high"><w
lemma="iniustus">iniusta</w></phr> sententia <phr type="ampl" subtype="c"
inj-src="parens" crt-src="high" injured="liber" crt-inj="high"><w
lemma="persequor">persequuntur</w></phr>, <seg xml:id="nov-maj_11.0.c2"
>aeque <rs ana="#E_family-fathers"><w lemma="pater">patres</w></rs> ac <rs
ana="#E_family-women-mothers"><w lemma="mater">matres</w></rs>, si
comprobati fuerint <phr type="ampl" subtype="g" injured="filius"
inj-src="pater mater" crt-inj="high" crt-src="high"><w lemma="invitus"
>invitos</w></phr>
<rs corresp="#chldrn" ana="#E_family-children"><w lemma="filius"
>filios</w></rs> praefato <phr type="ampl" subtype="c"
injured="clericatus" crt-inj="low"><w lemma="onus">oneri</w></phr>
subdidisse, <rs ana="#E_property"><w lemma="bonum">bonorum</w></rs> suorum
tertia <phr xml:id="nov-maj_11.0.s6.p1" function="cmdw">iubemus</phr>
<phr type="ampl" subtype="g" injured="parens" crt-inj="high"><w
lemma="adfligo">adfligi</w></phr> ipsius <rs corresp="#chldrn"
ana="#E_family-children"><w lemma="filius">filii</w></rs> censibus

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        profutura.</seg></s>
<s xml:id="nov-maj_11.0.s7" n="la9" xml:lang="la">Si quis sane <phr type="ampl"
    subtype="g" injured="episcopus" crt-inj="high"><w lemma="invitus"
        >invitus</w></phr>
    <rs corresp="#bishop" ana="#I bishops"><w lemma="episcopus">episcopus</w></rs>
    fuerit ordinatus, hanc consecrationem nulla <phr type="ampl" subtype="g"
        injured="episcopus" crt-inj="high"><w lemma="violo">violari</w></phr>
    <phr type="ampl" subtype="g" injured="episcopus" crt-inj="high"><w
        lemma="accusatio">accusatione</w></phr> permittimus.</s>
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    <s xml:id="nov-maj_11.subs.s1" n="la10" xml:lang="la">Dat. V kal. April.
        <placeName corresp="#arles">Arelato</placeName> magno et Apollonio VV. CC.
        cons. <date when="0460-03-28">(460 Mart. 28)</date>.</s>
    <milestone unit="english" />
</ab>
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    <milestone unit="latin" />INTERPRETATIO. Haec lex ideo ad integrum scripta non
    est, quia iam quae 'de diversis negotiis' loquitur in reliquis legibus evidenti
    interpretatione habentur expressa. Sed hoc amplius habet quod ad locum scribi
    fecimus 'de his qui inviti clerici ordinantur', quod per se sine interpretatione
    intellegi potest. <milestone unit="english" /></ab>
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    </head>
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                purposes of CSS display, which puts a dotted border around inscriptions to
                demarcate new sections.</note>
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            <s xml:id="nov-maj_12.insc.s1" n="la1" xml:lang="la"> ... </s>
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            DIVI MAJORIANI AUGUSTI</s>
        </head>
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            <milestone unit="latin" />
            <s xml:id="nov-sev_1.insc.s1" n="la1" xml:lang="la">1. Leo et Severus AA. Basilio
              pp. et Patricio. abrogates capitibus iniustis legis divi Maioriani A.</s>
            <milestone unit="english" />
          </ab>
          <ab xml:id="nov-sev_1.0" type="caput">
            <milestone unit="latin" />0. <s xml:id="nov-sev_1.0.s1" n="la2" xml:lang="la">Ad
              locum.</s>
            <s xml:id="nov-sev_1.0.s2" n="la3" xml:lang="la"><seg xml:id="nov-sev_1.0.c1">
              >Illud tantum ex eadem lege retinentes, quod veterum legum commendat
                auctoritas, scilicet ut post viri <phr type="ampl" subtype="c"><w
                  lemma="obeo">obitum</w></phr> sponsalia in usumfructum tantum mater
                habeat et a filiis <phr type="ampl" subtype="c"><w lemma="alieno">
                  >alienare</w></phr> non possit, sive in alias nuptias venerit sive non
                venerit, et ut omnibus ex eodem matrimonio filiis ex aequo communia in unum
                aut alterum matri conferre non liceat.</seg></s>
            <s xml:id="nov-sev_1.0.s3" n="la4" xml:lang="la">Nam quid est aliud a filiis <phr
              type="ampl" subtype="c"><w lemma="alieno">alienare</w></phr>, si hoc non
              est, cum proles numerosa contigerit, praetermissis ceteris uni vel alii <phr
              type="ampl" subtype="g"><w lemma="pravus">prava</w></phr> velle intentione
              largiri?</s>
            <s xml:id="nov-sev_1.0.s4" n="la5" xml:lang="la"><seg xml:id="nov-sev_1.0.c2">sint
              sane matres, si ita libuerit, pro impensis obsequiis in filiorum electione
              liberales, usumfructum suum cui voluerint largiantur: proprietatis commoda
              cunctis pariter filiis deputata non minuant.</seg></s>
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              xml:id="nov-sev_1.1.c1">In illa tamen parte matribus salva filiorum
              utilitate consulemus, ne eas <phr type="ampl" subtype="c"><w
                lemma="necessitas">necessitas</w></phr> dandae fideiussionis
              adstringat,</seg> quia et factu difficile est et super hoc filiis abunde vel
              prioribus constitutis vel praesenti lege prospicitur, quibus et <phr
              type="ampl" subtype="c"><w lemma="alieno">alienatorum</w></phr>
              <phr type="ampl" subtype="c"><w lemma="vindictio">vindictio</w></phr>
              competit et ex matris bonis <phr type="ampl" subtype="g"><w lemma="perdo">
                >perditarum</w></phr> reintegratio facultatum, Basili parens karissime
              atque amantissime.</s>
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              >Quare illustris et praeclsa magnificentia tua huius constitutionis oraculum
              edictorum faciet sollemnitate proponi, ut legis asperitas, quae ad amplitudinem
              tuam primae praefecturae administratione data est, per te correcta atque
              emendata vulgetur.</s>
            <milestone unit="english" />2. </ab>
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              corresp="#rome">Romae</placeName> Basilio vc. cons. <date when="0463-02-20">
              >(463 Feb. 20)</date></s>
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          </ab>
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            <milestone unit="latin" />INTERPRETATIO. Haec lex imperatorum Leonis et Severi ea,
              quae Maioriani lex de diversis rebus, quas ipsa testatur, observanda esse
              praeceperat, specialiter vacuavit et id tantum, quod rationabile et pristinis
              legibus congruum fuit, credidit reservandum. Quod ipse sua constitutione confirmat
              dicens 'illud tantum ex eadem lege retinentes, quod veterum legum confirmat
              auctoritas': itaque ut post viri obitum relicta uxor usumfructum tantum
              sponsaliciae donationis habeat et nihil exinde alienare praesumat, sive ad alias
              nuptias venerit sive certe non venerit, nec aliis nisi tantum omnibus filiis suis
              ex eodem patre genitis, cuius donatio est, haec ipsa sponsalicia largitas
              aequaliter dimittatur nec liceat matri cui voluerit de filiis aliquid exinde

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amplius pro sua voluntate donare. Sane de usufructu suo quod ei lege concessum est donandi cui voluerit habeat liberam potestatem. Nam ea, quae omnibus tantum filiis aequaliter iussa est reservare, nec minuat nec inter filios pro suo arbitrio dividere ulla ratione praesumat. Hoc tamen matribus hac lege praestatur, ut salva filiorum utilitate fideiussores pro retinenda hac ipsa sponsalicia donatione dare non debeant, quia talis petitio gravis est et sufficit filiis, quod vel hac lege vel prioribus statutis constat esse prospectum, ut, etiamsi matres eorum secundo nubserint, eorum maritorum facultates loco pignoris obligentur et, si quid ipsae matres exinde praesumpserint, de facultatibus earum illata sibi filii damna resarciant. <milestone unit="english" /></ab>

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 <milestone unit="english" />
 </ab>
 <ab xml:id="nov-sev_2.0" type="caput">
 <milestone unit="latin" />0. <s xml:id="nov-sev_2.0.s1" n="la2" xml:lang="la">Cum per virum illustrem <rs ana="#P_high-officials"><w lemma="Ausonius">Ausonium</w></rs> cunctorum ad nos <rs corresp="#citzns" ana="#E_citizens"><w lemma="provincialis">provincialium</w></rs> <phr type="ampl" subtype="g" inj-src="Ausonius provincialis" crt-src="high"><w lemma="querella">querella</w></phr> pervenit, eo quod ...</s>
 <s xml:id="nov-sev_2.0.s2" n="la3" xml:lang="la">laeti et ...</s>
 <s xml:id="nov-sev_2.0.s3" n="la4" xml:lang="la">aliaque <rs ana="#E_guildsmen"><w lemma="corpus">corpora</w></rs> <rs ana="#P_state"><w lemma="publicum-obsequium">publicis obsequiis</w></rs> deputata quorundam se colonis vel famulis <phr type="ampl" subtype="c" injured="dominus" crt-inj="high"><w lemma="ignoro">ignorantibus</w></phr> <rs corresp="#slvown" ana="#E_masters"><w lemma="dominus">dominis</w></rs> sociassent, et nunc sub specie <rs corresp="#guilds" ana="#E_guildsmen"><w lemma="publica-corporatio">publicae corporationis</w></rs> pro creatos <rs corresp="#chldrn #servus" ana="#E_family-children"><w lemma="liber">liberos</w></rs> conantur iugo <phr type="ampl" subtype="c" injured="liber" crt-inj="high"><w lemma="servitus">servitutis</w></phr> absolvere, idcirco agnoscat sublimis <rs ana="#P_high-officials"><w lemma="magnificentia">magnificentia</w></rs> tua <seg xml:id="nov-sev_2.0.c1">divali nos in aeternum <rs ana="#P_law"><w lemma="lex">lege</w></rs> <phr function="cmdw" xml:id="nov-sev_2.0.s3.p1">sanxisse</phr>, si qui vel si qua ex <rs corresp="#guilds" ana="#E_guildsmen"><w lemma="corpus-publicum">corporibus publicis</w></rs> ubi et ubi vel ex <rs corresp="#guilds" ana="#E_guildsmen"><w lemma="corporatus">corporatis</w></rs> urbis <rs ana="#E_Rome"><w lemma="Roma">Romae</w></rs> <rs corresp="#servus" ana="#E_unfree"><w lemma="servus">servis</w></rs> vel <rs corresp="#cultiv" ana="#E_unfree"><w lemma="colonus">colonis</w></rs> se crediderint copulandos, <rs corresp="#chldrn" ana="#E_family-children"><w lemma="agnatio">agnationem</w></rs> eorum ad eos <rs corresp="#slvown" ana="#E_masters"><w lemma="dominus">dominos</w></rs> pertinere, quorum <rs corresp="#cultiv" ana="#E_lower-class"><w lemma="inquilinus">inquilinus</w></rs> vel <rs corresp="#cultiv" ana="#E_unfree"><w lemma="colonus">colonus</w></rs> fuisse constiterit: exceptis his, qui ante eam legem non taliter latam sese iunxisse noscuntur.</seg></s>
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          <ab xml:id="nov-anth_1.insc" type="insc">
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            <s xml:id="nov-anth_1.insc.s1" n="la1" xml:lang="la">1. Leo et Anthemius AA.
              Lupericiano pp.</s>
            <milestone unit="english" />
          </ab>
          <ab xml:id="nov-anth_1.0" type="caput">
            <milestone unit="latin" />0. <s xml:id="nov-anth_1.0.s1" n="la2" xml:lang="la"
              >Humano generi et fluctuantibus rebus mortalium una post <rs corresp="#belief"
                type="r" ana="#I_belief"><w lemma="deum">deum</w></rs> ratione consulitur si
                <phr type="ampl" subtype="c"><w lemma="adversus">adversorum</w></phr>
                <phr type="ampl" subtype="g" ana="#meta"><w lemma="ingruo"
                  >ingruentium</w></phr> procellis <phr type="ampl" subtype="c"
                  inj-src="nostra-serenitas" crt-src="high"><w lemma="occurro"
                    >occurrat</w></phr> saepius <rs corresp="#imper1" ana="#I_emperor"><w
                      lemma="nostra-serenitas">nostra serenitas</w></rs></s>
                <s xml:id="nov-anth_1.0.s2" n="la3" xml:lang="la">Nec <phr type="ampl" subtype="c"
                  ><w lemma="dubius">dubium</w></phr> est imminui materiam conversationis
                  humanae, nisi componat providum regentis <rs ana="#I_emperor"><w
                    lemma="imperium">imperium</w></rs> quidquid per se non potest impetrare
                    mortalitas: eritque ita magis florida ac tranquilla <rs corresp="#state"
                      type="r" ana="#I_state"><w lemma="civilitas">civilitas</w></rs>, si circa
                      improvisos hominum <phr type="ampl" subtype="c">casus</phr> excubet
                      circumspecti <rs corresp="#imper1" ana="#I_emperor"><w lemma="princeps"
                        >principis</w></rs> favor.</s>
                <s xml:id="nov-anth_1.0.s3" n="la4" xml:lang="la"><rs
                  corresp="#nobles #female #spouse" ana="#E_nobles"><w lemma="Iulia"
                    >Iulia</w></rs> quaedam preces nostris fundit altaribus adstruens cum eo
                    sibi <rs type="r" corresp="#mrrige" ana="#E_marriage"><w lemma="matrimonium"
                      >matrimonium</w></rs> contigisse, qui familiae quidem suae <rs
                        corresp="#servus" ana="#E_unfree"><w lemma="servus">servus</w></rs>
                        extiterit, sed <rs corresp="#freemn" ana="#E_freeborn-women"><w
                          lemma="libertas">libertatem</w></rs> morum claritate meruerit, exoratque
                          nostri numinis <rs ana="#I_emperor"><w lemma="maiestas">maiestatem</w></rs>, ne
                          sibi <phr type="ampl" subtype="g" injured="Iulia" inj-src="Constantinus"
                            crt-inj="high" crt-src="high"><w lemma="noceo">noceat</w></phr>, quod
                            venerabilis <phr type="ampl" subtype="c" inj-src="Constantinus" crt-src="high"
                              ><w lemma="sanctio">sanctio</w></phr>
                              <rs corresp="#prodnt" type="r" ana="#P_law"><w lemma="Constantinus"
                                >Constantini</w></rs>
                              <rs corresp="#female" ana="#E_nobles-women"><w lemma="domina">dominam</w></rs>
                              <rs corresp="#servus" ana="#E_unfree"><w lemma="servus">servorum</w></rs>
                              suorum complexibus inflammari districtissimo rigore non <phr type="ampl"
                                subtype="c" inj-src="Constantinus" crt-src="high"><w lemma="patior"
                                  >patitur</w></phr>: incongruum quippe existimans in suo <phr type="ampl"
                                    subtype="c" injured="Iulia" crt-inj="high"><w lemma="casus">casu</w></phr>
                                    de <rs corresp="#servus" ana="#E_unfree"><w lemma="servus">servorum</w></rs>
                                    <rs corresp="#mrrige" type="r" ana="#E_marriage"><w lemma="coniunctio"
                                      >coniunctionibus</w></rs>
                                      <rs corresp="#prodnt" type="r" ana="#P_law"><w lemma="constituo"
                                        >constituta</w></rs> tractari, cum ipsa non <rs corresp="#servus"
                                          ana="#E_unfree"><w lemma="servus">servo</w></rs>
                                          <rs corresp="#mrrige" type="r" ana="#E_marriage"><w lemma="nubo"
                                            >nupserit</w></rs>, sed <rs corresp="#freemn" ana="#E_freeborn"><w
                                              lemma="libertas">liberto</w></rs>; praecipue <rs type="r"
                                                corresp="#mrrige" ana="#E_marriage"><w lemma="nuptia">nuptias</w></rs> suas
                                                in <phr type="ampl" subtype="g" injured="nuptia" crt-inj="high"><w
                                                  lemma="culpa">culpa</w></phr> venire non posse, quod de <rs
                                                    corresp="#freemn" ana="#E_freeborn"><w lemma="libertus">libertorum</w></rs>
                                                    <rs type="r" corresp="#mrrige" ana="#E_marriage"><w lemma="consortium"
                                                      >consortiis</w></rs>
                                                      <phr type="ampl" subtype="g" injured="libertus consortium" crt-inj="high"><w
                                                        lemma="prohibeo">prohibendis</w></phr> evidens ...</s>
                <s xml:id="nov-anth_1.0.s4" n="la5" xml:lang="la">nihilominus aestimari quidquid

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antehac <rs ana="#P_law"><w lemma="lex">lex</w></rs> ulla non <phr type="ampl"
  subtype="c" inj-src="lex" crt-src="high"><w lemma="veto"
>vetuit</w></phr></s>
<milestone unit="english" />0. </ab>
<ab xml:id="nov-anth_1.1" type="caput">
<milestone unit="latin" />1. <s xml:id="nov-anth_1.1.s1" n="la6" xml:lang="la"
>Geminatam igitur causam huiusmodi <phr type="ampl" subtype="c"><rs
  ana="#P_court-cases"><w lemma="casus">casibus</w></rs></phr> consulendi
repperit <rs corresp="#imperl" ana="#I_emperor"><w lemma="nostra-serenitas"
  >nostra serenitas</w></rs>, ut nec confirmatio subtrahatur de suscepto
quasi <phr type="ampl" subtype="c" inj-src="casus" crt-src="high"><w
  lemma="error">errore</w></phr> nutantibus et honeste ac probabiliter
constituta sine aliqua deinceps ambiguitate serventur.</s>
<s xml:id="nov-anth_1.1.s2" n="la7" xml:lang="la">Primum igitur <seg
  xml:id="nov-anth_1.1.c1">edictali <phr xml:id="nov-anth_1.1.s2.p1"
  function="cmdw">decernimus</phr>
<phr type="ampl" subtype="c"><w lemma="sanctio">sanctione</w></phr>, ut <rs
  type="r" corresp="#mrrige" ana="#E_marriage"><w lemma="matrimonium"
  >matrimonia</w></rs>, si quae usque ad Secundum <rs corresp="#imperl"
  ana="#I_emperor"><w lemma="numen-nostrum">numinis nostri</w></rs>
consulatum similia probabuntur inisse <rs type="r" corresp="#mrrige"
  ana="#E_marriage"><w lemma="coniugium">coniugia</w></rs>, <rs type="r"
  corresp="#prcdnt" ana="#P_law"><w lemma="legitima-firmitas">legitima
  firmitate</w></rs> non careant, sed hanc quoque munificentiam <rs
  ana="#I_emperor"><w lemma="noster-fascis">nostrorum fascium</w></rs>
securitati suae adfuisse laetentur, ut, si quae sunt <rs corresp="#female"
  ana="#E_women"><w lemma="femina">feminae</w></rs>, quae pro <rs
  corresp="#nobles" ana="#E_nobles"><w lemma="nobilitas"
  >nobilitate</w></rs>
<rs type="r" corresp="#status" ana="#E_nobles"><w lemma="natalis"
  >natalium</w></rs> de eiusmodi forsitan <rs corresp="#mrrige" type="r"
  ana="#E_marriage"><w lemma="consortium">consortio</w></rs> quicquam <phr
  type="ampl" subtype="c" inj-src="femina nobilitas" crt-src="high"
  injured="coniugium"><w lemma="vereor">verentur</w></phr>, superfluum
pondus iniusti <phr type="ampl" subtype="g" injured="femina nobilitas"
  crt-inj="high"><w lemma="timor">timoris</w></phr>
<phr type="ampl" subtype="c" inj-src="femina nobilitas" crt-src="high"><w
  lemma="abicio">abiciant</w></phr> nec se non licito quasi fecisse <phr
  type="ampl" subtype="g" injured="femina nobilitas" crt-inj="high"><w
  lemma="formido">formident</w></phr>, quae nulla nunc usque ad liquidum
<rs ana="#P_law"><w lemma="ius">iura</w></rs>
<phr type="ampl" subtype="c" inj-src="ius" crt-src="high"
  injured="matrimonium" crt-inj="high"><w lemma="veto">vetuerunt</w></phr>:
ita ut cum <rs corresp="#freemn" ana="#E_freeborn"><w lemma="libertus"
  >libertis</w></rs> suis <rs type="r" corresp="#mrrige"
  ana="#E_marriage"><w lemma="iusta-nuptia">iustas nuptias</w></rs>
contraxisse videantur natique et nascendi ex his <rs corresp="#chldrn"
  ana="#E_family-children"><w lemma="liber">liberi</w></rs> nullam umquam
de <rs corresp="#parent" ana="#E_family-parents"><w lemma="parents"
  >parentum</w></rs> suorum <rs corresp="#mrrige" type="r"
  ana="#E_marriage"><w lemma="coniunctio">coniunctione</w></rs> sustineant
quaestionem, sed <rs corresp="#female #parent" ana="#E_family-women-mothers"
  ><w lemma="mater">matris</w></rs> ac <rs corresp="#male #parent"
  ana="#E_family-fathers"><w lemma="pater">patris</w></rs>
<rs type="r" corresp="#inhrit" ana="#E_inheritance"><w lemma="hereditas"
  >hereditatem</w></rs>
<rs ana="#P_law"><w lemma="lex">legum</w></rs> more percipiant.</seg></s>
<s xml:id="nov-anth_1.1.s3" n="la8" xml:lang="la"><seg xml:id="nov-anth_1.1.c2"
>ipsi quoque, inter quos huiusmodi est <rs ana="#E_agreements-contracts"><w
  lemma="contractus">contractus</w></rs>
<rs ana="#E_marriage"><w lemma="societas">societas</w></rs>, <rs type="r"
  corresp="#inhrit" ana="#E_inheritance"><w lemma="testor"
  >testandi</w></rs> inter se invicem vel succedendi sibi iuxta formam
iuris <phr type="ampl" subtype="c"><w lemma="licentia">licentia</w></phr>
non <phr type="ampl" subtype="c" injured="societas" crt-inj="high"><w
  lemma="amitto">amittant</w></phr> neque quicquam <rs type="r"
  corresp="#mrrige" ana="#E_marriage"><w lemma="matrimonium"
  >matrimonii</w></rs> gratia a ceteris discrepare credantur, de quibus
ante hanc <rs corresp="#imperl" ana="#I_emperor"><w lemma="nostrum-numen"
  >nostri numinis</w></rs>
<phr type="ampl" subtype="c" inj-src="nostrum-numen" crt-src="high"><w
  lemma="sanctio">sanctionem</w></phr> nihil legum scita
praescripserint.</seg></s>
<s xml:id="nov-anth_1.1.s4" n="la9" xml:lang="la">Et re vera <rs corresp="#imperl"
  ana="#I_emperor"><w lemma="principalis-gratia">principalis gratiae</w></rs>
est eruerе suis <phr type="ampl" subtype="c"><w lemma="casus">casibus</w></phr>
<phr type="ampl" subtype="g" ana="#meta"><w lemma="suspicaх"
  >suspicaes</w></phr> mortalium mentes, ne sibi non licuisse, quod nemo <phr
  type="ampl" subtype="g" ana="#meta"><w lemma="prohibeo"
  >prohibuerat</w></phr>, arbitrentur, universorum quoque notitiam evidenter
instruere, ne sibi fas esse quisquam existimet, quod fas esse non <phr
  type="ampl" subtype="c" injured="principalis-gratia" crt-inj="high"><w
  lemma="patior">patimur</w></phr>.</s>
<milestone unit="english" />1. </ab>
<ab xml:id="nov-anth_1.2" type="caput">
<milestone unit="latin" />2. <s xml:id="nov-anth_1.2.s1" n="la10" xml:lang="la"
><seg xml:id="nov-anth_1.2.c1">Ex hoc ergo <rs corresp="#imperl"
  ana="#I_emperor"><w lemma="nostra-clementia">nostrae clementiae</w></rs>
consulatu decorem publicum augere cupientes cum <rs corresp="#servus"

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ana="#E_unfree"><w lemma="servus">servis</w></rs> et <rs
corresp="#freemn" ana="#E_freeborn"><w lemma="libertus">libertis</w></rs>
<rs corresp="#female #nobles" ana="#E_nobles-women"><w lemma="domina"
>dominas</w></rs> et <rs corresp="#female #nobles"
ana="#E_nobles-women"><w lemma="patrona">patronas</w></rs> ineundi <rs
type="r" corresp="#mrrige" ana="#E_marriage"><w lemma="matrimonium"
>matrimonia</w></rs> facultatem habere <phr
xml:id="nov-anth_1.2.s1.p1" function="cmdw" type="ampl" subtype="g"
inj-src="nostra-clementia"
injured="domina patrona servus libertus matrimonium" crt-src="high"
crt-inj="high"><w lemma="prohibeo">prohibemus</w></phr>, ne <rs
corresp="#nobles #family" ana="#E_nobles"><w lemma="insignis-familia"
>insignium familiarum</w></rs> clara <rs corresp="#status" type="r"
ana="#E_nobles"><w lemma="nobilitas">nobilitas</w></rs>
<phr type="ampl" subtype="g" inj-src="consortium"
injured="nobilitas insignis-familia" crt-inj="high" crt-src="high"><w
lemma="indignus">indigni</w></phr>
<rs corresp="#mrrige" type="r" ana="#E_marriage"><w lemma="consortium"
>consortii</w></rs>
<phr type="ampl" subtype="g" inj-src="consortium"
injured="nobilitas insignis-familia" crt-src="high" crt-inj="high"><w
lemma="foeditas">foeditate</w></phr>
<phr type="ampl" subtype="g" inj-src="consortium"
injured="nobilitas insignis-familia" crt-src="high" crt-inj="high"><w
lemma="villesco">villescat</w></phr> et, quod splendore forsitan <rs
corresp="#senatr" ana="#E_senators"><w lemma="senatorius"
>senatoriae</w></rs> generositatis obtinuit, contractu <phr type="ampl"
subtype="c" inj-src="societas" crt-src="high"><w lemma="vilis"
>vilissimae</w></phr>
<rs ana="#E_marriage"><w lemma="societas">societatis</w></rs>
<phr type="ampl" subtype="c"><w lemma="amitto">amittat</w></phr> aut <phr
type="ampl" subtype="c" inj-src="genus" crt-src="high"><w lemma="nudo"
>nudo</w></phr> tantum ingenuae libertatis fulgore perspicuum <rs
ana="#E_freeborn"><w lemma="genus">genus</w></rs> in <rs
corresp="#female" ana="#E_women"><w lemma="femina">femina</w></rs>
<phr type="ampl" subtype="g" inj-src="femina" crt-src="high"><w
lemma="impudens">impudentior</w></phr> complexus imminuat: ea sine
dubio cautione valitura, ut de <rs type="r" corresp="#mrrige"
ana="#E_marriage"><w lemma="consortium">consortii</w></rs>
<rs corresp="#servus" ana="#E_unfree"><w lemma="servus">servorum</w></rs>
perpeti firmitate servetur quidquid divus <rs type="r" corresp="#procdnt"
ana="#P_law"><w lemma="Constantinus">Constantinus</w></rs> venerabili
<phr type="ampl" subtype="c" inj-src="Constantinus" crt-src="high"
injured="consortium" crt-inj="high"><w lemma="sanctio"
>sanctione</w></phr> constituit.</seg></s>
<milestone unit="english" />2. </ab>
<ab xml:id="nov-anth_1.3" type="caput">
<milestone unit="latin" />3. <s xml:id="nov-anth_1.3.s1" n="la11" xml:lang="la"
><seg xml:id="nov-anth_1.3.c1">Circa eas vero, quae in <rs corresp="#freemn"
ana="#E_freeborn"><w lemma="libertus">libertorum</w></rs> suorum abhinc
<rs type="r" corresp="#mrrige" ana="#E_family-children"><w lemma="votum"
>vota</w></rs> convenerint, <phr type="ampl" subtype="c"><w
lemma="custodio">custodiri</w></phr> in aeternum duratura lege <phr
xml:id="nov-anth_1.3.s1.p1" function="cmdw">sancimus</phr>, ut <rs
type="r" corresp="#mrrige" ana="#E_marriage"><w lemma="coniunctio"
>coniunctio</w></rs>
<phr type="ampl" subtype="c" inj-src="matrimonium" crt-src="high"><w
lemma="veto">vetita</w></phr> ne nomen quidem <rs type="r"
corresp="#mrrige" ana="#E_marriage"><w lemma="matrimonium"
>matrimonii</w></rs> sortiatur, sed ad <phr type="ampl" subtype="g"
inj-src="femina" crt-src="low" injured="consortium" crt-inj="high"><w
lemma="illicitus">illicita</w></phr>
<rs type="r" corresp="#mrrige" ana="#E_marriage"><w lemma="consortium"
>consortia</w></rs>
<phr type="ampl" subtype="g" inj-src="femina" crt-src="low"><w
lemma="execrabilis">execrabiler</w></phr> adspirantes publicatione
omnium <rs type="r" corresp="#prprty" ana="#E_property"><w lemma="facultas"
>facultatum</w></rs> et perpetua <phr type="ampl" subtype="c"
injured="femina" crt-inj="low"><w lemma="deportatio"
>deportatione</w></phr>
<phr type="ampl" subtype="c" injured="femina" crt-inj="low"><w
lemma="plecto">plectantur</w></phr>: his, qui ex huiusmodi societate
<rs ana="#E_family-children"><w lemma="nascor">nascuntur</w></rs>, non
solum <rs ana="#P_law"><w lemma="ius">iure</w></rs>, sed et <rs
ana="#E_family-children"><w lemma="vocabulum">vocabulo</w></rs>
<rs corresp="#chldrn" ana="#E_family-children"><w lemma="liber"
>liberorum</w></rs>
<phr type="ampl" subtype="c" injured="liber" crt-inj="high"><w lemma="privo"
>privandis</w></phr>, <phr type="ampl" subtype="c" injured="liber"
crt-inj="high"><rs corresp="#servus" ana="#E_unfree"><w lemma="servilis"
>servili</w></rs></phr> quoque conditioni probabiliter <phr
type="ampl" subtype="c" injured="liber" crt-inj="high"><w lemma="addico"
>addicendis</w></phr>, ita ut in his dominium sibi noster <rs type="r"
corresp="#trrsury" ana="#P_treasury"><w lemma="fiscus">fiscus</w></rs>
<phr type="ampl" subtype="c" inj-src="fiscus" crt-src="high" injured="liber"
crt-inj="high"><w lemma="usurpo">usurpet</w></phr>.</seg></s>
<milestone unit="english" />3. </ab>
<ab xml:id="nov-anth_1.4" type="caput">
<milestone unit="latin" />4. <s xml:id="nov-anth_1.4.s1" n="la12" xml:lang="la"

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    <seg xml:id="nov-anth_1.4.c1">De <rs type="r" corresp="#mrrige"
      ana="#E_marriage"><w lemma="coniunctio">coniunctionibus</w></rs> sane <rs
      corresp="#female #servus" ana="#E_unfree-women"><w lemma="ancilla"
        >ancillarum</w></rs> et <rs corresp="#female #freemn"
      ana="#E_freeborn-women"><w lemma="liberta">libertarum</w></rs> nec non de
      naturalibus <rs corresp="#chldrn" ana="#E_family-children"><w lemma="liber"
        >liberis</w></rs> quoquomodo procreatis procreandisve inter omnes <phr
      xml:id="nov-anth_1.4.s1.p1" function="cmdw">decernimus</phr>
      <phr type="ampl" subtype="c"><w lemma="custodio">custodiri</w></phr>, quod
      divorum retro <rs ana="#I_emperor"><w lemma="princeps">principum</w></rs>
      saluberrima <rs ana="#P_law"><w lemma="constituo">constituta</w></rs>
      sanxerunt,</seg>
    <rs corresp="#prefec" ana="#P_high-officials"><w lemma="Lupercianus"
      >Luperciane</w></rs> parens karissime atque amantissime.</s>
    <milestone unit="english" />4. </ab>
  <ab xml:id="nov-anth_1.5" type="caput">
    <milestone unit="latin" />5. <s xml:id="nov-anth_1.5.s1" n="la13" xml:lang="la"
      >Illustris igitur et praeclsa <rs ana="#P_high-officials"><w
      lemma="magnificentia">magnificentia</w></rs> tua saluberrimam <phr
      type="ampl" subtype="c"><w lemma="sanctio">sanctionem</w></phr> ad omnium
      notitiam pervenire edictorum divulgatione praecipiat, ne cui supersit <phr
      type="ampl" subtype="g" ana="#meta"><w lemma="ignoratio"
      >ignorationis</w></phr> auxilium, quominus caute quae sunt decreta
      serventur.</s>
    <milestone unit="english" />5. </ab>
  <ab xml:id="nov-anth_1.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="nov-anth_1.subs.s1" n="la14" xml:lang="la">Dat. X kal. Mart. <placeName
      corresp="#roma">Romae</placeName> D. n. Anthemio A. cons. <date
      when="0468-02-21">(468 Feb. 21)</date>.</s>
    <s xml:id="nov-anth_1.subs.s2" n="la15" xml:lang="la">acc. id. Mart. Romae ipso A.
      cons.</s>
    <milestone unit="english" />
  </ab>
</div2>
</div1>
<div1 xml:id="nov-anth_2" type="titulus">
  <head xml:id="nov-anth_2.titl">
    <s xml:id="nov-anth_2.titl.s1" xml:lang="la">2. DE CONFIRMATIONE LEGIS DOMINI NOSTRI
      LEONIS AUGUSTI</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-anth_2.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-anth_2.insc.s1" n="la1" xml:lang="la">1. Leo et Anthemius AA.
        Luperciano pp.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="nov-anth_2.0" type="caput">
      <milestone unit="latin" />0. <s xml:id="nov-anth_2.0.s1" n="la2" xml:lang="la">Ad
        consultationem clementiae nostrae dominus et pater meus princeps sacratissimus
        Leo super his, quae indulgentia principalis in diversos iam contulit vel
        processu temporis largietur, certum huius legis venerabili <phr type="ampl"
          subtype="c"><w lemma="sanctio">sanctione</w></phr> constituit, quod sub
        sacris suae perennitatis apicibus ad nostram quoque scientiam destinavit;
        quoniamque mundanis compendiis proficit, ut circa regendum utrumque orbem id
        praecipue <phr type="ampl" subtype="c"><w lemma="custodio"
          >custodiendum</w></phr> credamus, quod deliberatio communis elegerit, <seg
          xml:id="nov-anth_2.0.c1">legem defaecatam libenter amplexi, quo ad omnes tam
          saluberrima constituta perveniant, sub hac pragmatica iussione ad
          multitudinem tuam <phr xml:id="nov-anth_2.0.s1.p1" function="cmdw"
            >censuimus</phr> dirigendam,</seg> Luperciane parens karissime atque
          amantissime.</s>
        <milestone unit="english" />0. </ab>
    <ab xml:id="nov-anth_2.1" type="caput">
      <milestone unit="latin" />1. <s xml:id="nov-anth_2.1.s1" n="la3" xml:lang="la"
        >Illustris igitur et praeclsa magnificentia tua venerabilia constituta
        propositis divulgabit edictis, ut nullius praetereat notionem, quod in aeternum
        valere serenitas nostra decrevit.</s>
      <milestone unit="english" />1. </ab>
    <ab xml:id="nov-anth_2.subs" type="subs">
      <milestone unit="latin" />
      <s xml:id="nov-anth_2.subs.s1" n="la4" xml:lang="la">Dat. sub die XIII kal.
        April. <placeName corresp="#rome">Romae</placeName> D. n. Anthemio A. cons.
        <date when="0468-03-19">(468 Mart. 19)</date>.</s>
      <s xml:id="nov-anth_2.subs.s2" n="la5" xml:lang="la">actum sub die eodem.</s>
      <milestone unit="english" />
    </ab>
  </div2>
</div1>
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    <s xml:id="nov-anth_3.titl.s1" xml:lang="la">3. BONIS VACANTIBUS</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-anth_3.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-anth_3.insc.s1" n="la1" xml:lang="la">1. Leo et Anthemius AA.</s>
      <milestone unit="english" />
    </ab>
  </div2>
</div1>

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</ab>
<ab xml:id="nov-anth_3.0" type="caput">
  <milestone unit="latin" />0. <s xml:id="nov-anth_3.0.s1" n="la2" xml:lang="la"
    >Imperatoriae maiestatis est ex praesentibus causis etiam futuris providere
    temporibus et reserata ambiguitate sequenda decernere.</s>
    <s xml:id="nov-anth_3.0.s2" n="la3" xml:lang="la">Nam cunctorum census vocatur in
      <phr type="ampl" subtype="c"><w lemma="dubius">dubium</w></phr>, si per <phr
        type="ampl" subtype="c"><w lemma="licentia">licentiam</w></phr> principalem
        iura dominorum suam non habeant firmitatem.</s>
      <s xml:id="nov-anth_3.0.s3" n="la4" xml:lang="la">Itaque nos, quibus totius mundi
        regimen commisit superna provisio, et iuris regulam et aequitatis rationem
        volumus <phr type="ampl" subtype="c"><w lemma="custodio">
          >custodiri</w></phr>.</s>
      <s xml:id="nov-anth_3.0.s4" n="la5" xml:lang="la">Pius ac triumphator semper
        Augustus filius noster Anthemius, licet divina maiestas et nostra creatio
        pietati eius plenam imperii commiserit potestatem, tamen prudenti et cauta, qua
        pollet, aequitate per sacros adfatus nos credidit consulendos adserens in
        Italiae partibus multa exorta negotia ex donationibus, quas de <phr type="ampl"
          subtype="c"><w lemma="alienus">alienis</w></phr> rebus principes contra
          legum cauta fecere.</s>
      <s xml:id="nov-anth_3.0.s5" n="la6" xml:lang="la">Nam ut quisque vel meruit vel
        precatus est, de imperatoria veluti largitate plurima et magna detentat;
        emergunt autem personae, quae plerumque praedia vel res aliquas sui iuris
        adserant esse, quas ex principis munificentia diversi <phr type="ampl"
          subtype="g"><w lemma="illicitus">illicito</w></phr> titulo quaesierunt.</s>
      <s xml:id="nov-anth_3.0.s6" n="la7" xml:lang="la">Nam saepe ea, quae caduca
        dicebantur et donata sunt, consanguineus eius, qui sine herede putabatur,
        emergens repescit; vel de <phr type="ampl" subtype="g"><w lemma="captivitas">
          >captivitate</w></phr> liberati iure postliminii, quae sua vel
          propinquorum fuerant et aliis a principe concessa sunt, reddi sibi iure
          desiderant adstruentes secundum sacratissimas constitutiones legitimum sibi
          auxilium suffragari.</s>
      <s xml:id="nov-anth_3.0.s7" n="la8" xml:lang="la">Et cum res aliqua <phr
        type="ampl" subtype="c"><w lemma="vindicatur">vindicatur</w></phr> a possessore, cui domus venerabilis
        aut donatione contulit aut venditione vel commutatione aut ultima voluntate
        transfudit quam scilicet iniuste aut minus idonee e contractu forsitan
        possidebat: utrum iure communi, quod petitor probavit suum, recipiet an praeter
        leges, quibus omnes utuntur, circa donationem regiam pronuntiandum erit, ut
        factum principis vel in <phr type="ampl" subtype="c"><w lemma="alienus">
          >aliena</w></phr> re donata aut vendita comprobetur?</s>
      <s xml:id="nov-anth_3.0.s8" n="la9" xml:lang="la">nam cum de huiusmodi
        controversiis ab amplissimis cognitoribus tractaretur, prolata est constitutio
        de codice Theodosiano sub titulo 'de bonis vacantibus', qua divus Constantinus
        cavet, ut, si rem, quam princeps donavit, suam quisque potuerit adprobare, non
        eam recipiat, sed eo, cui donata est, firmiter possidente princeps petitori
        extrinsecus qua voluerit ratione succurrat.</s>
      <s xml:id="nov-anth_3.0.s9" n="la10" xml:lang="la">Haec cum nostris insinuarentur
        sensibus, relectis gestis, quae ad nos a filio nostro serenissimo principe sub
        praedicta consultatione directa sunt habita inter procuratores Dominae et
        Fortunati illustrium personarum, serenitas nostra, cui cordi est in dies
        singulos consultiore tractatu et meliore deliberatione generi humano
        prospicere, satis putavit incongruum, ut tanta rebus negotiisque <phr
          type="ampl" subtype="c"><w lemma="confusio">confusio</w></phr> vel <phr
            type="ampl" subtype="g"><w lemma="iniquitas">iniquitas</w></phr> innectatur
            et unicuique suis uti non liceat neque pro suorum defensione legitimum habere
            tutamen, sed in arbitrio sit forte <phr type="ampl" subtype="g"><w
              lemma="subripio">subripiantis</w></phr> facilis et <phr type="ampl"
                subtype="g"><w lemma="iniustus">iniusta</w></phr> nonnumquam regiae
                donationis auctoritas et ut aliis iusta possessione <phr type="ampl"
                  subtype="g"><w lemma="fraus">fraudatis</w></phr> alii liberalitate <phr
                    type="ampl" subtype="g"><w lemma="iniustus">iniusta</w></phr> ditentur, cum
                    et ipse titulus supradictae constitutionis, unde consulta est nostra clementia,
                    de vacantibus tantum, non de omnibus bonis atque substantiis evidenter
                    loquatur.</s>
      <milestone unit="english" />0. </ab>
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      <milestone unit="latin" />1. <s xml:id="nov-anth_3.1.s1" n="la11" xml:lang="la"
        ><seg xml:id="nov-anth_3.1.c1">Hac igitur in perpetuum valitura lege <phr
          xml:id="nov-anth_3.1.s1.p1" function="cmdw">sancimus</phr>, ut, si quidem
          de bonis re vera vacantibus imperator aliquid pro sua liberalitate
          donaverit, hoc perpetuum obtineat firmitatem et nemo <phr type="ampl"
            subtype="g"><w lemma="calumnia">calumniam</w></phr>
            <phr type="ampl" subtype="c"><w lemma="patior">patiatur</w></phr> de re,
            quam principalis in eum liberalitas iure contulerit: sin autem aliquis rem
            suam, sive tamquam vacantem sive alio quolibet titulo donatam, cupit
            repetere eamque sui iuris esse vel ad se devolutam ex legitima successione
            monstraverit, communi legum fruatur auxilio nec ex ulla, licet imperiali,
            donatione seu commutatione vel ex aliqua cuiuslibet contractus specie contra
            generale praesidium omnino <phr type="ampl" subtype="g"><w lemma="laedo">
              >laedatur</w></phr>, sive etiam a retro principum aliquo beneficium
              adserat sibi esse delatum, sive post aliquid tale fuerit
              subsecutum.</seg></s>
      <milestone unit="english" />1. </ab>
    <ab xml:id="nov-anth_3.2" type="caput">
      <milestone unit="latin" />2. <s xml:id="nov-anth_3.2.s1" n="la12" xml:lang="la"
        ><seg xml:id="nov-anth_3.2.c1">Hanc igitur constitutionem in causa etiam
          Dominae et Fortunati illustrium personarum, quae huic legi praestitit
          occasionem, valere <phr xml:id="nov-anth_3.2.s1.p1" function="cmdw">
            >praecipimus</phr>, ut communi iure cesiana massa, de qua quaeritur,

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        praedictae Dominae illustri feminae restituatur.</seg></s>
    <s xml:id="nov-anth_3.2.s2" n="la13" xml:lang="la">Neque enim aliud imperatoriae
        maiestati, cui semper debet aequitas inhaerere et vigere iustitia, videtur
        adcommodum quam commune ius omnibus reservare subiectis et nihil amplius bonis
        licere principibus, nisi quod liceat privatis, et hanc liberalitatem
        praetendere, quae legibus et aequitate subnixa est, ut nemo se <phr type="ampl"
            subtype="c"><w lemma="alienus">alienis</w></phr> et <phr type="ampl"
            subtype="g"><w lemma="illicitus">illicitis</w></phr> ditatum laetetur, nemo
        bonis propriis <phr type="ampl" subtype="g"><w lemma="defleo">defleat</w></phr>
        esse se <phr type="ampl" subtype="c"><w lemma="privo">privatum</w></phr>,
        Luperciane parens karissime atque amantissime.</s>
    <milestone unit="english" />2. </ab>
    <ab xml:id="nov-anth_3.3" type="caput">
        <milestone unit="latin" />3. <s xml:id="nov-anth_3.3.s1" n="la14" xml:lang="la"
            >Illustris igitur et magnifica auctoritas tua, quae hac saluberrima lege
            serenitas nostra constituit, observari et ad omnium notitiam edictis ex more
            propositis iubeat pervenire.</s>
        <milestone unit="english" />3. </ab>
    <ab xml:id="nov-anth_3.subs" type="subs">
        <milestone unit="latin" />
        <s xml:id="nov-anth_3.subs.s1" n="la15" xml:lang="la">Dat. XIII kal. April.
            <placeName corresp="#rome">Romae</placeName> D. n. Anthemio perpetuo Aug. II
            cons. <date when="0468-03-19">(468 Mart. 19)</date>.</s>
        <milestone unit="english" />
    </ab>
    </div2>
</div1>
</body>
</text>
</TEI>

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          <s xml:id="nov-glyc_1.titl.s1" xml:lang="la">
            <supplied resp="#migne">[EDICTUM CONTRA ORDINATIONES SIMONICAS]</supplied>
          </s>
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            <s n="la1" xml:id="nov-glyc_1.insc.s1" xml:lang="la" resp="#migne">Incipit
              exemplum sacri edicti Glycerii imperatoris datum ad Himelconem V. C. praefectum
              praetorio Italiae.</s>
            <milestone unit="english" />
          </ab>
          <ab xml:id="nov-glyc_1.0" type="caput">
            <milestone unit="latin" />
            <s n="la2" xml:id="nov-glyc_1.0.s1" xml:lang="la"><rs ana="#I_belief"><w
              lemma="superna-maestas">Supernae maiestatis</w></rs>
              <phr type="ampl" subtype="c"><w lemma="admoneo">admonitu</w></phr> nostri ortu
              imperii nihil prius debuit ordinari, quam ut <rs ana="#I_belief"><w
              lemma="christiana-religio">Christianae religionis</w></rs> sacrosancta
              mysteria reverentia maiore colerentur: quia <phr type="ampl" subtype="g"
              ana="#meta"><w lemma="ambigo">ambigi</w></phr> non oportet, <rs type="r"
              corresp="#belief" ana="#I_belief"><w lemma="deus">deum</w></rs>
              universitatis auctorem tanto magis fovere mortalia, quanto purior cultus per
              innocentiam <rs corresp="#clergy" ana="#I_clergy"><w lemma="sacerdos"
              >sacerdotum</w></rs> divina <phr type="ampl" subtype="g"
              >suspexerit</phr>.</s>
            <s n="la3" xml:id="nov-glyc_1.0.s2" xml:lang="la">Iamdudum etenim adolescentibus
              <phr type="ampl" subtype="g" inj-src="clericus" crt-src="high"><w
              lemma="vitium">vitiis</w></phr>
              <rs corresp="#clergy" ana="#I_clergy"><w lemma="clericus">clericorum</w></rs>,
              adhuc in privatae vitae conversatione degentes probavimus, <rs
              corresp="#bishop" ana="#I_bishops"><w lemma="episcopatus"
              >episcopatus</w></rs> pro parte maxima non impetrari meritis, sed <rs
              type="r" corresp="#crtcrct" ana="#E_criminal"><w lemma="pretium"
              >pretiis</w></rs> comparari: quod <phr type="ampl" subtype="g"
              inj-src="clericus" crt-src="high" injured="episcopatus" crt-inj="high"><w
              lemma="indecorus">indecora</w></phr>
              <phr type="ampl" subtype="c" inj-src="clericus" crt-src="high"
              injured="episcopatus"><w lemma="cupiditas">cupiditas</w></phr> in usum
              redacta, quasi licitum fecerat iam videri.</s>
            <s n="la4" xml:id="nov-glyc_1.0.s3" xml:lang="la">Ademtum est studium bonae
              conscientiae, fecitque id, quod de deo sperare debuit, ad <rs ana="#E_money"><w
              lemma="pecunia">pecuniam</w></rs> et <rs ana="#E_payments"><w
              lemma="exactio">exactionem</w></rs> vocare.</s>
            <s n="la5" xml:id="nov-glyc_1.0.s4" xml:lang="la">Hinc natum est, ut <rs
              corresp="#bishop" ana="#I_bishops"><w lemma="antistes">antistitem</w></rs>
              reverentia magis potestas saeculi putaretur, et tyrannopolitas esse se malint,
              qui vocabantur <rs corresp="#bishop" ana="#I_bishops"><w lemma="antistes"
              >antistites</w></rs>; ac <rs type="r" corresp="#belief" ana="#I_belief"
              ><w lemma="religio">religione</w></rs>
              <phr type="ampl" subtype="g" inj-src="antistes" injured="religio"
              crt-src="high" crt-inj="high"><w lemma="neglego">neglecta</w></phr>, sub
              hominum patrociniis constituti, <rs ana="#I_state"><w lemma="publicus"
              >publica</w></rs> magis quam <rs type="r" corresp="#belief"
              ana="#I_churches"><w lemma="divinus">divina</w></rs> curarent, hoc ipso
              perpetuitatis privilegio <phr type="ampl" subtype="g" inj-src="antistes"
              crt-src="high" injured="divinus" crt-inj="high"><w lemma="delictum"
              >delictorum</w></phr> suorum <phr type="ampl" subtype="c"
              inj-src="antistes" crt-src="high" injured="divinus" crt-inj="high"><w
              lemma="impunitas">impunitate</w></phr> gaudentes, <rs corresp="#church"
              ana="#I_churches"><w lemma="ecclesia">ecclesiarumque</w></rs>
              <rs type="r" corresp="#resrc" ana="#E_property"><w lemma="ops">opes</w></rs>,
              quas <phr type="ampl" subtype="g" inj-src="antistes" crt-src="high"
              injured="ecclesia ops" crt-inj="high"><w lemma="malum">malum</w></phr>
              propositi <phr type="ampl" subtype="g" inj-src="antistes" crt-src="high"
              injured="ecclesia ops" crt-inj="high"><w lemma="dedecus">dedecora</w></phr>
              protegentes, <rs corresp="#poor"><w lemma="pauper">pauperum</w></rs> dicunt
              esse <rs type="r" corresp="#prprty" ana="#E_property"><w lemma="divitas"

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>divititas</w></rs>, studio veluti cuiusdam administrationis auferrent, aliis in praesenti dando praemia, nonnullis se chyrographis obligando, <rs type="r" corresp="#cntrect" ana="#E_vendors"><w lemma="vendo" >vendoque</w></rs> in quaestum <rs corresp="#debtor" ana="#E_debtors"><w lemma="debitor">debitoris</w></rs> quod oportebat <rs corresp="#poor" ana="#E_lower-class"><w lemma="egeo">egentibus</w></rs> prorogari.</s>

<s n="la6" xml:id="nov-glyc_1.0.s5" xml:lang="la">Unde factum credimus, ut <phr type="ampl" subtype="c" injured="divinitas" crt-inj="high"><w lemma="offendo">offensa</w></phr>

<rs type="r" corresp="#belief" ana="#I_belief"><w lemma="divinitas" >divinitas</w></rs>, quod tot <phr type="ampl" subtype="g" inj-src="antistes" crt-src="low"><w lemma="malis">malis</w></phr> probamus experti, favorem suae <rs type="r" corresp="#belief" ana="#I_belief"><w lemma="maiestas">maiestatis</w></rs> averteret, et <rs corresp="#state" ana="#I_state"><w lemma="romana-gens">Romanam gentem</w></rs> tantis, quae transacta sunt, <phr type="ampl" subtype="g" injured="romana-gens" crt-inj="high"><w lemma="infortunium">infortuniis</w></phr>

<phr type="ampl" subtype="c" injured="romana-gens" crt-inj="high"><w lemma="fatigo">fatigaret</w></phr>.</s>

<s n="la7" xml:id="nov-glyc_1.0.s6" xml:lang="la">Quo enim ore, quave <phr type="ampl" subtype="g" ana="#meta"><w lemma="impudens">impudentia</w></phr> ab eo mundi totius supplicatur auctori, qui ad oblationem sacrificii non iudicio sacrosanctae <rs ana="#I_belief"><w lemma="trinitas" >trinitatis</w></rs> eligitur, sed hominis favore provehitur?</s>

<s n="la8" xml:id="nov-glyc_1.0.s7" xml:lang="la">Aut quid huiusmodi <rs corresp="#bishop" ana="#I_bishops"><w lemma="episcopus">episcopi</w></rs> non putent esse <phr type="ampl" subtype="c" inj-src="episcopus commercium" crt-src="high" injured="sancta-mysteria" crt-inj="high"><w lemma="venalis" >venale</w></phr>, qui <rs type="r" corresp="#belief" ana="#I_belief"><w lemma="sancta-mysteria">sancta mysteria</w></rs> subiecere <rs type="r" corresp="#cntrect" ana="#E_vendors"><w lemma="commercium" >commerciis</w></rs>?</s>

<s n="la9" xml:id="nov-glyc_1.0.s8" xml:lang="la">Qua rerum ratione permoti <seg ana="#necp">hac mansura in aevum lege <phr function="cmdw">sancimus</phr>, ut quisquis ad <rs corresp="#bishop" ana="#I_bishops"><w lemma="episcopatus" >episcopatum</w></rs> personarum auxilio <rs ana="#E_criminal"><w lemma="suffrago">suffragante</w></rs> pervenerit, saeculariter possideat, quod saeculariter fuerit consecutus; id est ut finitis unius anni metis, noverit <rs corresp="#bishop" ana="#I_bishops"><w lemma="episcopatus" >episcopatu</w></rs> se esse <phr type="ampl" subtype="c" injured="episcopatus" crt-inj="high"><w lemma="privo" >privandum</w></phr>.</seg></s>

<s n="la10" xml:id="nov-glyc_1.0.s9" xml:lang="la">Eiusdem sane anni, quo <rs corresp="#bishop" ana="#I_bishops"><w lemma="sacerdos">sacerdos</w></rs> vocatur, <rs ana="#P_bureaucracy"><w lemma="comes">comes</w></rs>

<rs ana="#E_emperor"><w lemma="nostrum-patrimonium">nostri patrimonii</w></rs>

<rs corresp="#church" ana="#I_churches"><w lemma="ecclesiasticus" >ecclesiasticae</w></rs>

<rs type="r" corresp="#resrce" ana="#E_property"><w lemma="substantia" >substantiae</w></rs> moderetur <rs type="r" corresp="#expnse" ana="#E_payments"><w lemma="expensa">expensas</w></rs>.</s>

<s n="la11" xml:id="nov-glyc_1.0.s10" xml:lang="la">

<seg ana="#necp">Is quoque, qui talem <rs ana="#I_clergy"><w lemma="consecro" >consecraverit</w></rs>, aut quicquam <rs type="r" corresp="#paymnt" ana="#E_money"><w lemma="pecunia">pecuniarum</w></rs> ab eo, qui est consecrandus, datum cuilibet promissumve cognoverit, aut <phr type="ampl" subtype="c" inj-src="pecunia sacerdotium" crt-src="high"><w lemma="callidus">callide</w></phr>

<phr type="ampl" subtype="g" inj-src="pecunia sacerdotium" crt-src="high"><w lemma="dissimulo">dissimulandum</w></phr> esse crediderit in eo, quem intelligit, non per puram conscientiam, sed per <phr type="ampl" subtype="g" inj-src="pretium sacerdotium"><w lemma="turpis">turpe</w></phr>

<rs type="r" corresp="#paymnt" ana="#E_criminal"><w lemma="pretium" >pretium</w></rs> ad hoc pervenire voluisse, pari de <rs corresp="#bishop" ana="#I_bishops"><w lemma="sacerdotium" >sacerdotio</w></rs> sorte deiectus, similem <phr type="ampl" subtype="g" injured="sacerdotium" crt-inj="high"><rs type="r" corresp="#fine" ana="#E_payments-fines"><w lemma="poena">poenam</w></rs></phr>

<phr type="ampl" subtype="g" inj-src="sacerdotium" crt-src="high"><w lemma="temerarius">temerariae</w></phr> consecrationis exsolvat: <phr type="ampl" subtype="c"><w lemma="arguo">arguendi</w></phr> hoc <phr type="ampl" subtype="c" inj-src="pecunia" crt-src="high"><w lemma="latens">latens</w></phr>

<phr type="ampl" subtype="c" inj-src="pecunia" crt-src="high"><w lemma="facinus">facinus</w></phr> non solum his, qui in <rs corresp="#church" ana="#I_churches"><w lemma="ecclesia">ecclesia</w></rs> constituti sunt, verum etiam quibuscunque nostrae <rs type="r" corresp="#belief" ana="#I_belief"><w lemma="religio">religionis</w></rs> hominibus facultate permissa, scituris omnibus, qui obiecta potuerint edocere, praemium se pro nostro arbitrio sanctae <phr type="ampl" subtype="g" inj-src="accusatio" injured="sacerdotium" crt-src="high" crt-inj="high"><rs corresp="#accser" ana="#E_litigant"><w lemma="accusatio">accusationis</w></rs></phr> habituros.</seg>

</s>

<s n="la12" xml:id="nov-glyc_1.0.s11" xml:lang="la"><rs ana="#E_citizens"><w lemma="civis">Cives</w></rs> quoque uniuscuiusque <rs ana="#E_cities"><w lemma="urbs">urbis</w></rs>, quos ad acclamations <phr type="ampl" subtype="c"><w lemma="ambio">ambientium</w></phr> non personae dignitas, quae petenda est, sed <phr type="ampl" subtype="g" inj-src="civis"

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        crt-src="high"><w lemma="venalitas">venalitas</w></phr>
    <phr type="ampl" subtype="g" injured="civis" crt-inj="high"><w lemma="punio"
    >punienda</w></phr>
    <phr type="ampl" subtype="g" inj-src="civis" crt-src="high"><w
    lemma="sollicito">sollicitat</w></phr>, sciant se patriae, cui tam <phr
    type="ampl" subtype="g" inj-src="civis" crt-src="high"><w lemma="male"
    >male</w></phr> consulunt, habitatione <phr type="ampl" subtype="c"><w
    lemma="pello">pellendos</w></phr>, ac tantum de suis <rs type="r"
    corresp="#prprty" ana="#E_property"><w lemma="facultas"
    >facultatibus</w></rs> eruendum, <rs type="r" corresp="#trsury"
    ana="#P_treasury"><w lemma="fiscus">fiscoque</w></rs> nostro esse
    promissum.</s>
    <s n="la13" xml:id="nov-glyc_1.0.s12" xml:lang="la">Facessat igitur ab <rs
    corresp="#church" ana="#I_churches"><w lemma="ecclesia">ecclesiis</w></rs>
    <phr type="ampl" subtype="g" inj-src="licitatio" crt-src="high"><w
    lemma="foedus">foeda</w></phr> pariter ac <phr type="ampl" subtype="c"
    inj-src="licitatio" crt-src="high"><w lemma="profanus">profana</w></phr>
    <rs corresp="#cntrct" type="r" ana="#E_criminal"><w lemma="licitatio"
    >licitatio</w></rs>: internuntii <phr type="ampl" subtype="g"
    inj-src="pretium" crt-src="high"><w lemma="turpis">turpis</w></phr>
    <rs type="r" corresp="#paymnt" ana="#E_criminal"><w lemma="pretium"
    >pretii</w></rs> conquiescant.</s>
    <s n="la14" xml:id="nov-glyc_1.0.s13" xml:lang="la"><rs type="r" corresp="#belief"
    ana="#I_belief"><w lemma="coelestia">Coelestia</w></rs>
    <phr type="ampl" subtype="g" inj-src="auctio" crt-src="high"><w lemma="nefas"
    >nefas</w></phr> est in <rs type="r" corresp="#cntrct"
    ana="#E_agreements-contracts"><w lemma="auctio">auctione</w></rs>
    constitui.</s>
    <s n="la15" xml:id="nov-glyc_1.0.s14" xml:lang="la"><rs corresp="#bishop"
    ana="#I_bishops"><w lemma="sacerdos">Sacerdotii</w></rs> magnum, ut dictum
    est, opus non <rs type="r" corresp="#paymnt" ana="#E_money"><w lemma="pecunia"
    >pecuniis</w></rs>, sed meritis <phr type="ampl" subtype="c"
    injured="sacerdotium" crt-inj="high"><w lemma="ambio">ambiatur</w></phr>; et
    secundum <rs ana="#I_ancients"><w lemma="priscorum-regula">priscorum
    regulam</w></rs>
    <rs ana="#I_bishops"><w lemma="sacerdos">sacerdotum</w></rs> quantitas
    poscentium et qualitas ponderetur, vita inspiciatur electi.</s>
    <s n="la0" xml:id="nov-glyc_1.0.s15" xml:lang="la">Nimis enim <phr type="ampl"
    subtype="g" inj-src="episcopatus" crt-src="high"><w lemma="detestabilis"
    >detestabile</w></phr> est, ut quilibet ad <rs corresp="#bishop"
    ana="#I_bishops"><w lemma="episcopatus">episcopatus</w></rs> apicem <phr
    type="ampl" subtype="g" inj-src="episcopatus" crt-src="high"
    injured="ecclesia" crt-inj="high"><w lemma="illicitus">illicita</w></phr>
    <phr type="ampl" subtype="g" inj-src="episcopatus" crt-src="high"
    injured="ecclesia" crt-inj="high"><w lemma="corruptio">corruptione</w></phr>
    venturus, <rs corresp="#church" ana="#I_churches"><w lemma="ecclesia"
    >ecclesiae</w></rs>
    <rs type="r" corresp="#prprty" ana="#E_property"><w lemma="facultas"
    >facultates</w></rs>, quarum dispensator magis debet esse quam dominus,
    prius paene quam adipiscatur <phr type="ampl" subtype="c"><w lemma="exhaurio"
    >exhauriat</w></phr>.</s>
    <s n="la1" xml:id="nov-glyc_1.0.s16" xml:lang="la">Quibus <rs corresp="#imperl"
    ana="#I_emperor"><w lemma="nostra-serenitas">nostrae serenitatis</w></rs>
    <supplied resp="#migne">apicibus</supplied> et <phr type="ampl" subtype="g"
    inj-src="antistes" crt-src="low"><w lemma="pravus">pravorum</w></phr> mentes
    putamus <phr type="ampl" subtype="c" injured="antistes" crt-inj="low"><w
    lemma="comprimo">comprimi</w></phr>, et ad maiora studia virtutum bonas
    conscientias incitari.</s>
    <s n="la2" xml:id="nov-glyc_1.0.s17" xml:lang="la">Illud quoque de iustitia
    omnipotentis dei ac pietate <phr type="ampl" subtype="c"><w lemma="dubito"
    >dubitare</w></phr> non possumus, facilius nos <rs type="r"
    corresp="#belief" ana="#I_belief"><w lemma="divinum-auxilium">divinis
    auxiliis</w></rs> protegendos, cui per innocentes et probatos <rs
    corresp="#bishop" ana="#I_bishops"><w lemma="episcopus">episcopos</w></rs>
    omnipotentiae iuvamina postulemus, <rs corresp="#prefec"
    ana="#P_high-officials"><w lemma="Himelco">Himelco</w></rs>, parens
    carissime atque amantissime.</s>
    <s n="la3" xml:id="nov-glyc_1.0.s18" xml:lang="la">Unde illustris et praeclsa <rs
    ana="#P_high-officials"><w lemma="magnificentia">magnificentia</w></rs> tua
    hanc serenitatis nostrae legem, quae et <rs corresp="#bishop" ana="#I_bishops"
    ><w lemma="sacerdos">sacerdotes</w></rs>
    <rs type="r" corresp="#belief" ana="#I_belief"><w lemma="sacrosancta-religio"
    >sacrosanctae religionis</w></rs> corrigit et <rs corresp="#clergy"
    ana="#I_clergy"><w lemma="minister">ministros</w></rs>, propositi a te
    edicti programme per omne nostri corpus vulgabit imperii.</s>
    <milestone unit="english" />
  </ab>
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    <milestone unit="latin" />
    <s n="la3" xml:id="nov-glyc_1.subs.s1" xml:lang="la">Et manu divina: Vale Himelco,
    parens carissime atque amantissime.</s>
    <s n="la4" xml:id="nov-glyc_1.subs.s2" xml:lang="la">Datum V. Id. Mart. <placeName
    corresp="#ravenna">Ravennae</placeName>, Domino Leone perpetuo Augusto V.
    Cos.</s>
    <milestone unit="english" />
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              Florentio pp. Orientis.</s>
            <milestone unit="english" />
          </ab>
          <ab xml:id="nov-th_1.0" type="caput">
            <milestone unit="latin" /> 0. <s xml:id="nov-th_1.0.s1" n="la2" xml:lang="la">
              >Saepe nostra clementia <phr type="ampl" subtype="c"><w lemma="dubito"
                >dubitavit</w></phr>, quae causa faceret, ut tantis propositis praemiis,
                quibus artes et studia nutriuntur, tam pauci rarique extiterint, qui plene
                iuris civilis scientia ditarentur, et in tanto lucubrationum <phr type="ampl"
                  subtype="g"><w lemma="tristis">tristi</w></phr>
                <phr type="ampl" subtype="c"><w lemma="pallor">pallore</w></phr> vix unus aut
                alter receperit soliditatem perfectae doctrinae.</s>
            <milestone unit="english" /> 0. </ab>
            <ab xml:id="nov-th_1.1" type="caput">
              <milestone unit="latin" /> 1. <s xml:id="nov-th_1.1.s1" n="la3" xml:lang="la">Quod
                ne a quoquam ulterius sedula ambiguitate tractetur, si copia immensa librorum,
                si actionum diversitas <phr type="ampl" subtype="g"><w lemma="difficultas"
                  >difficultasque</w></phr> causarum animis nostris <phr type="ampl"
                  subtype="c"><w lemma="occurro">occurrat</w></phr>, si denique <phr
                  type="ampl" subtype="c"><w lemma="moles">moles</w></phr> constitutionum
                  divalium, quae velut sub crassa demersae <phr type="ampl" subtype="c"><w
                    lemma="caligo">caligine</w></phr>
                  <phr type="ampl" subtype="c"><w lemma="obscuritas">obscuritatis</w></phr> vallo
                  sui notitiam humanis ingeniis <phr type="ampl" subtype="c"><w
                    lemma="intercludo">interclusit</w></phr>, verum egimus negotium temporis
                  nostri et discussis tenebris compendio brevitatis lumen legibus <phr
                    type="ampl" subtype="c"><w lemma="dedo">dedimus</w></phr>, electis viris
                  nobilibus exploratae fidei, famosae doctrinae, quibus delegata causa civilis
                  officii, is purgata interpretatione, retro principum scita vulgavimus, ne
                  iurisperitorum ulterius, <phr type="ampl" subtype="g"><w lemma="severitas"
                    >severitate</w></phr>
                  <phr type="ampl" subtype="g"><w lemma="mentior">mentita</w></phr>
                  <phr type="ampl" subtype="g"><w lemma="dissimulo">dissimulata</w></phr>
                  <phr type="ampl" subtype="g"><w lemma="inscientia">inscientia</w></phr>, velut
                  ab ipsis adytis expectarentur <phr type="ampl" subtype="g"><w lemma="formido"
                    >formidanda</w></phr> responsa, cum liquido pateat, quo pondere donatio
                  deferatur, qua actione petatur hereditas, quibus verbis stipulatio colligatur,
                  ut certum vel <phr type="ampl" subtype="c"><w lemma="incertus"
                    >incertum</w></phr> debitum sit exigendum.</s>
            <s xml:id="nov-th_1.1.s2" n="la4" xml:lang="la">Quae singula prudentium detecta
              vigiliis in apertum lucemque deducta sunt nominis nostri radiante
              splendore.</s>
            <milestone unit="english" /> 1. </ab>
            <ab xml:id="nov-th_1.2" type="caput">
              <milestone unit="latin" /> 2. <s xml:id="nov-th_1.2.s1" n="la5" xml:lang="la">Nec
                parvum pretium sibi hoc <phr type="ampl" subtype="c"><w lemma="suspicio"
                  >suspicientur</w></phr> esse delatum, quibus divina sensa pectoris nostri
                  mandavimus.</s>
            <s xml:id="nov-th_1.2.s2" n="la6" xml:lang="la">Etenim si recte mentis acie futura
              prospicimus, ad posteros usque devenient <phr type="ampl" subtype="c"><w
                lemma="labor">laboris</w></phr> nostri consortio.</s>
            <milestone unit="english" /> 2. </ab>
            <ab xml:id="nov-th_1.3" type="caput">
              <milestone unit="latin" /> 3. <s xml:id="nov-th_1.3.s1" n="la7" xml:lang="la">
                >Quamobrem deteresa nube voluminum, in quibus multorum nihil explicantium
                aetates <phr type="ampl" subtype="c"><w lemma="adtero">adtritae</w></phr> sunt,
                <seg xml:id="nov-th_1.3.c1">compendiosam divalium constitutionum scientiam
                ex divi Constantini temporibus <phr xml:id="nov-th_1.3.s1.p1"
                  function="cmdw">roboramus</phr>, nulli post kal. Ian. concessa <phr
                  type="ampl" subtype="c"><w lemma="licentia">licentia</w></phr> ad forum
                et cotidianas advocationes ius principale deferre vel litis instrumenta
                componere, nisi ex his videlicet libris, qui in nostri nominis vocabulum
                transierunt et sacris habentur in scriniis.</seg></s>
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        </div1>
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<s xml:id="nov-th_1.3.s2" n="la8" xml:lang="la">Quamquam nulli retro principum
aeternitas sua detracta est, nullius latoris <phr type="ampl" subtype="c"><w
lemma="occido">occidit</w></phr> nomen: immo lucis gratia mutati
claritudine consultorum Augusta nobiscum societate iunguntur.</s>
<s xml:id="nov-th_1.3.s3" n="la9" xml:lang="la">Manet igitur manebitque perpetuo
elimata gloria conditorum nec in nostrum titulum demigravit nisi lux sola
brevitatis.</s>
<milestone unit="english" />3. </ab>
<ab xml:id="nov-th_1.4" type="caput">
<milestone unit="latin" />4. <s xml:id="nov-th_1.4.s1" n="la10" xml:lang="la">Et
quamvis nostris auspiciis totius operis instauratio deberetur, adtamen magis
imperatorum magisque credidimus gloriosum, si <phr type="ampl" subtype="g"><w
lemma="fugo">fugata</w></phr>
<phr type="ampl" subtype="g"><w lemma="invidia">invidia</w></phr> perennitatis
iure memoria remaneret auctorum.</s>
<s xml:id="nov-th_1.4.s2" n="la11" xml:lang="la">nobis ad fructum bonae
conscientiae satis abundeque sufficere revelatis legibus inventa maiorum <phr
type="ampl" subtype="c"><w lemma="obscuritas">obscuritatis</w></phr> iniuria
vindicasse.</s>
<milestone unit="english" />4. </ab>
<ab xml:id="nov-th_1.5" type="caput">
<milestone unit="latin" />5. <s xml:id="nov-th_1.5.s1" n="la12" xml:lang="la"><seg
xml:id="nov-th_1.5.c1" ana="#ncp">His <phr xml:id="nov-th_1.5.s1.p1"
function="cmdw">adicimus</phr> nullam constitutionem in posterum velut
latam in partibus occidentis aliove in loco ab invictissimo principe filio
nostrae clementiae perpetuo Augusto Valentiniano posse proferri vel vim
legis aliquam obtinere, nisi hoc idem divina pragmatica nostris mentibus
intimetur.</seg></s>
<milestone unit="english" />5. </ab>
<ab xml:id="nov-th_1.6" type="caput">
<milestone unit="latin" />6. <s xml:id="nov-th_1.6.s1" n="la13" xml:lang="la"><seg
xml:id="nov-th_1.6.c1">Quod observari necesse est in his etiam, quae per
orientem nobis auctoribus promulgantur; <phr type="ampl" subtype="g"><w
lemma="falsitas">falsitatis</w></phr> nota <phr type="ampl"
subtype="g"><w lemma="damno">damnandis</w></phr>, quae ex tempore
definito Theodosiano non referuntur in codice, exceptis his, quae habentur
apud militum sancta principia, vel de titulis publicis expensarum aliarumque
rerum gratia quae in regestis diversorum officiorum relata sunt.</seg></s>
<milestone unit="english" />6. </ab>
<ab xml:id="nov-th_1.7" type="caput">
<milestone unit="latin" />7. <s xml:id="nov-th_1.7.s1" n="la14" xml:lang="la"
>Longum est memorare, quid in huius consummationem negotii contulerit vigiliis
suis Antiochus cuncta sublimis, ex praefecto et consule, quid Maximinus vir
illustris, ex quaestore nostri palatii, eminens omni genere litterarum, quid
martyrius vir illustris, comes et quaestor, nostrae clementiae fidus interpres,
quid etiam sperantius Apollodorus Theodorus viri spectabiles, comites sacri
nostri consistorii, quid epigenes vir spectabilis, comes et magister memoriae,
quid procopius vir spectabilis, comes et magister libellorum, iure omnibus
veteribus comparandi.</s>
<milestone unit="english" />7. </ab>
<ab xml:id="nov-th_1.8" type="caput">
<milestone unit="latin" />8. <s xml:id="nov-th_1.8.s1" n="la15" xml:lang="la">Quod
restat, Florenti parens karissime atque amantissime, illustris et magnifica
auctoritas tua, cui amicum, cui familiare est placere principibus, edictis
propositis in omnium populorum, in omnium provinciarum notitiam scita
maiestatis Augustae nostrae faciat pervenire.</s>
<milestone unit="english" />8. </ab>
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<s xml:id="nov-th_1.subs.s1" n="la0" xml:lang="la">Dat. XV. kal. Mart. <placeName
corresp="#constantinople">Constantinopoli</placeName> D. N. Theodosio A.
XVI. cons. et qui fuerit nuntiatus. <date when="0438-02-15">(438 Feb.
15)</date>.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_1.intr" type="intr">
<milestone unit="latin" />INTERPRETATIO. Haec lex dicit, ut Theodosiani codicis
auctoritas omni firmitate subsistat. <milestone unit="english" />
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THEODOSII AUGUSTI</s>
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<s xml:id="nov-th_2.insc.s1" n="la1" xml:lang="la">1. Domino Valentiniano inclito
victori ac triumphatori semper Augusto filio Theodosius perpetuus Augustus
pater.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_2.0" type="caput">
<milestone unit="latin" /> 0. <s xml:id="nov-th_2.0.s1" n="la2" xml:lang="la"
>Postquam in corpus unius codicis divorum retro principum constitutiones
nostrasque redeimus, aliam mox legem nostra pietas promulgavit, quae tam
confecto codici <phr type="ampl" subtype="c"><w lemma="vis">vires</w></phr>

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auctoritatemque tribueret nec aliter in iudicio quas contineret leges, nisi ex ipso proferrentur, valere praeciperet, quam si quid iuris ab altero nostrum postea conderetur, id demum in alterius quoque principis regno <phr type="ampl" subtype="c"><w lemma="vis">vires</w></phr> proprias obtinere, quod generatim constitutum esset et divinis prosequentibus scriptis ad alterum principem fuisset emissum.</s>

<milestone unit="english" /> 0. </ab>

<ab xml:id="nov-th_2.1" type="caput">

<milestone unit="latin" /> 1. <s xml:id="nov-th_2.1.s1" n="la3" xml:lang="la">Quia igitur diversis emergentibus causis per hoc transacti temporis intervallum ferri leges alias emergentium rerum <phr type="ampl" subtype="c"><w lemma="necessitas">necessitas</w></phr> persuasit, quae, nobis perpetua rerum publicarum occupatione districtis, ad scientiam <phr type="ampl" subtype="c"><w lemma="perfero">perferri</w></phr> tuae maiestatis minime potuerunt, necessarium duximus eas nunc saltem universas tuae serenitati cum nostrae maiestatis subnotatione transmittere, quo subiectis et provinciis et populis sollemniter innotescant earumque <phr type="ampl" subtype="c"><w lemma="vis">vis</w></phr> etiam in occiduis partibus incipiat observari.</s>

<milestone unit="english" /> 1. </ab>

<ab xml:id="nov-th_2.2" type="caput">

<milestone unit="latin" /> 2. <s xml:id="nov-th_2.2.s1" n="la4" xml:lang="la"><seg xml:id="nov-th_2.2.c1">Ac lites, quas inchoatas quidem necdum tamen finitas eo tempore quo publicantur invenerint, secundum earum tenorem <phr xml:id="nov-th_2.2.s1.p1" function="cmdw">volumus</phr> terminari; illas autem, quae iam vel sententiis definitivis vel transactionibus decisa sunt, minime resuscitari.</seg></s>

<milestone unit="english" /> 2. </ab>

<ab xml:id="nov-th_2.3" type="caput">

<milestone unit="latin" /> 3. <s xml:id="nov-th_2.3.s1" n="la5" xml:lang="la">Eas igitur, domine sancte fili Auguste venerabilis, cunctis ex more facias divulgari et invicem mihi et provincialibus et populis orientalibus cavenda observandaque cum suae <phr type="ampl" subtype="c"><w lemma="manus">manus</w></phr> adumbratione transmitti, quaecumque per idem temporis spatium vestra perennitas generaliter promulgavit.</s>

<milestone unit="english" /> 3. </ab>

<ab xml:id="nov-th_2.subs" type="subs">

<milestone unit="latin" />

<s xml:id="nov-th_2.subs.s1" n="la6" xml:lang="la">Dat. kal. Oct. <placeName corresp="#constantinople">Constantinopoli</placeName> Ardabure V. C. cons. et qui fuerit nuntiatus. <date when="0447-10-01">(447 Oct. 1)</date>.</s>

<milestone unit="english" />

</ab>

<ab xml:id="nov-th_2.intr" type="intr">

<milestone unit="latin" />INTERPRETATIO. Haec lex novellarum legum constitutiones praecipit confirmari. <milestone unit="english" /></ab>

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<s xml:id="nov-th_3.titl.s1" xml:lang="la">3. DE JUDAEIS, SAMARITANIS, HAERETICIS, ET PAGANIS</s>

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<milestone unit="latin" />

<s xml:id="nov-th_3.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA. Florentio pp.</s>

<milestone unit="english" />

</ab>

<ab xml:id="nov-th_3.0" type="caput">

<milestone unit="latin" /> 0. <s xml:id="nov-th_3.0.s1" n="la2" xml:lang="la">>Inter ceteras <phr type="ampl" subtype="c"><w lemma="sollicitudo">sollicitudines</w></phr>, quas amor publicus pervigili cogitatione nobis indixit, praecipuam imperatoriae maiestatis curam esse perspicimus verae religionis indaginem; cuius si cultum tenere potuerimus, iter prosperitatis humanis aperimus inceptis.</s>

<s xml:id="nov-th_3.0.s2" n="la3" xml:lang="la">Quod usu longae aetatis experti piaae mentis arbitrio ad posteros usque perennitatis iure fundare decrevimus caerimonias sanctitatis.</s>

<milestone unit="english" /> 0. </ab>

<ab xml:id="nov-th_3.1" type="caput">

<milestone unit="latin" /> 1. <s xml:id="nov-th_3.1.s1" n="la4" xml:lang="la">Quis enim tam mente <phr type="ampl" subtype="c"><w lemma="capio">captus</w></phr>, quis tam novae <phr type="ampl" subtype="g"><w lemma="feritas">feritatis</w></phr> <phr type="ampl" subtype="c"><w lemma="immanitas">immanitate</w></phr> <phr type="ampl" subtype="g"><w lemma="damno">damnatus</w></phr> est, ut, cum videat caelum divinae artis imperio incredibili celeritate intra sua spatia metas temporum terminare, cum siderum motum vitae commoda moderantem, dotatam messibus terram, mare liquidum et immensi operis <phr type="ampl" subtype="g"><w lemma="vastitas">vastitatem</w></phr> finibus naturae conclusam, tanti secreti, tantae fabricae non quaerat auctorem?</s>

<s xml:id="nov-th_3.1.s2" n="la5" xml:lang="la">quod sensibus <phr type="ampl" subtype="c"><w lemma="excaeco">excaecatos</w></phr> Iudaeos Samaritas paganos et cetera <phr type="ampl" subtype="g"><w lemma="haereticus">haereticorum</w></phr> genera <phr type="ampl" subtype="c"><w lemma="portentum">portentorum</w></phr> <phr type="ampl" subtype="c"><w lemma="audeo">audere</w></phr> cognoscimus.</s>

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<s xml:id="nov-th_3.1.s3" n="la6" xml:lang="la">Quos si ad sanitatem mentis
egregiae lege medica revocare conemur, <phr type="ampl" subtype="g"><w
lemma="severitas">severitatis</w></phr>
<phr type="ampl" subtype="g"><w lemma="culpa">culpam</w></phr> ipsi
praestabunt, qui <phr type="ampl" subtype="c"><w lemma="durus">durae</w></phr>
frontis <phr type="ampl" subtype="c"><w lemma="obstinatus">obstinato</w></phr>
<phr type="ampl" subtype="c"><w lemma="piaculum">piaculo</w></phr> locum veniae
non relinquunt.</s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_3.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-th_3.2.s1" n="la7" xml:lang="la">Quam
ob rem cum sententia veteri <phr type="ampl" subtype="g"><w lemma="desperatus"
>desperatis</w></phr>
<phr type="ampl" subtype="g"><w lemma="morbus">morbis</w></phr> nulla sit
adhibenda curatio, tandem, ne <phr type="ampl" subtype="g"><w lemma="feralis"
>ferales</w></phr> sectae in vitam, <phr type="ampl" subtype="g"><w
lemma="immemor">immemores</w></phr> nostri saeculi, velut indiscreta <phr
type="ampl" subtype="c"><w lemma="confusio">confusione</w></phr>
<phr type="ampl" subtype="c"><w lemma="licens">licentius</w></phr> evagantur,
<seg xml:id="nov-th_3.2.c1">haec victura in omne aevum lege <phr
xml:id="nov-th_3.2.s1.p1" function="cmdw">sancimus</phr> neminem Iudaeum,
neminem Samaritam, neutra lege constantem ad honores et dignitates accedere,
nulli administrationem patere civilis obsequii, nec defensoris fungi saltem
officio.</seg></s>
<s xml:id="nov-th_3.2.s2" n="la8" xml:lang="la"><phr type="ampl" subtype="g"><w
lemma="nefas">Nefas</w></phr> quippe credimus, ut supernae maiestati et
Romanis legibus <phr type="ampl" subtype="g"><w lemma="inimicus"
>inimici</w></phr> ultores etiam nostrarum legum <phr type="ampl"
subtype="c"><w lemma="subrepto">subreptivae</w></phr> iurisdictionis
habeantur obtentu et acquisitae dignitatis, auctoritate muniti adversum
Christianos et ipsos plerumque sacrae religionis antistites velut <phr
type="ampl" subtype="c"><w lemma="insulto">insultantes</w></phr> fidei
nostrae iudicandi vel pronuntiandi quod velint, habeant potestatem:</s>
<milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_3.3" type="caput">
<milestone unit="latin" /> 3. <s xml:id="nov-th_3.3.s1" n="la9" xml:lang="la"><seg
xml:id="nov-th_3.3.c1">illud etiam pari consideratione rationis arcentes, ne
qua synagoga in novam fabricam surgat, fulciendi veteres permissa <phr
type="ampl" subtype="c"><w lemma="licentia">licentia</w></phr> quae <phr
type="ampl" subtype="g"><w lemma="ruina">ruinam</w></phr> praesentaneam
minitantur.</seg></s>
<milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_3.4" type="caput">
<milestone unit="latin" /> 4. <s xml:id="nov-th_3.4.s1" n="la10" xml:lang="la"
><seg xml:id="nov-th_3.4.c1">His <phr xml:id="nov-th_3.4.s1.p1"
function="cmdw">adicimus</phr>, quicumque servum seu ingenuum, <phr
type="ampl" subtype="g"><w lemma="invitus">invitum</w></phr> vel suasionem
<phr type="ampl" subtype="c"><w lemma="plecto">plectenda</w></phr>, ex
cultu Christianae religionis in <phr type="ampl" subtype="g"><w
lemma="nefandus">nefandam</w></phr> sectam ritumve transduxerit, cum
<phr type="ampl" subtype="c"><w lemma="dispendium">dispendio</w></phr>
fortunarum <phr type="ampl" subtype="c"><w lemma="caput">capite</w></phr>
<phr type="ampl" subtype="g"><w lemma="punio">puniendum</w></phr>,</seg></s>
<milestone unit="english" /> 4. </ab>
<ab xml:id="nov-th_3.5" type="caput">
<milestone unit="latin" /> 5. <s xml:id="nov-th_3.5.s1" n="la11" xml:lang="la"
><seg xml:id="nov-th_3.5.c1">ut quisque igitur vel infulas <phr type="ampl"
subtype="c"><w lemma="capio">ceperit</w></phr>, acquisitis dignitatibus
non potiatur, vel synagogam extruxerit, compendio ecclesiae catholicae
noverit se <phr type="ampl" subtype="c"><w lemma="laboro"
>laborasse</w></phr>.</seg></s>
<s xml:id="nov-th_3.5.s2" n="la12" xml:lang="la"><seg xml:id="nov-th_3.5.c2"
ana="#ncp">immo, qui ad honores <phr type="ampl" subtype="g"><w
lemma="irrepto">inrepsit</w></phr>, habeatur, ut antea, condicionis
extremae, etiamsi honorariam promeruerit dignitatem.</seg></s>
<s xml:id="nov-th_3.5.s3" n="la13" xml:lang="la"><seg xml:id="nov-th_3.5.c3">Et
qui synagogae fabricam coepit non studio reparandi, cum <phr type="ampl"
subtype="g"><w lemma="damnum">damno</w></phr> auri quinquaginta librarum
<phr type="ampl" subtype="g"><w lemma="fraudo">fraudetur</w></phr>
ausibus suis.</seg></s>
<s xml:id="nov-th_3.5.s4" n="la14" xml:lang="la"><seg xml:id="nov-th_3.5.c4"
>cernat praeterea bona sua proscripta <phr type="ampl" subtype="g"><w
lemma="poena">poenae</w></phr> mox sanguinis destinandus qui fidem
alterius <phr type="ampl" subtype="c"><w lemma="expugno"
>expugnavit</w></phr>
<phr type="ampl" subtype="g"><w lemma="perversus">perversa</w></phr>
doctrina.</seg></s>
<milestone unit="english" /> 5. </ab>
<ab xml:id="nov-th_3.6" type="caput">
<milestone unit="latin" /> 6. <s xml:id="nov-th_3.6.s1" n="la15" xml:lang="la">Et
quoniam decet imperatoriam maiestatem ea provisione cuncta complecti, ut in
nullo publica <phr type="ampl" subtype="g"><w lemma="laedo">laedatur</w></phr>
utilitas, <seg xml:id="nov-th_3.6.c1">curiales omnium civitatum nec non
cohortalinos, <phr type="ampl" subtype="g"><w lemma="onerosus"
>onerosis</w></phr> quin etiam militiae seu diversis officiis facultatum
et personalium munerum obligatos, suis ordinibus, cuiuscumque sectae sint,
inhaerere <phr xml:id="nov-th_3.6.s1.p1" function="cmdw"
>censemus</phr>,</seg> ne videamur hominibus <phr type="ampl" subtype="g"><w
lemma="execror">execrandis</w></phr>

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<phr type="ampl" subtype="g"><w lemma="contumeliosus">contumeliosus</w></phr>
<phr type="ampl" subtype="c"><w lemma="ambitus">ambitu</w></phr> immunitatis
beneficium praestitisse, quos volumus huius constitutionis auctoritate <phr
type="ampl" subtype="g"><w lemma="damno">damnari</w></phr>.</s>
<milestone unit="english" /> 6. </ab>
<ab xml:id="nov-th_3.7" type="caput">
<milestone unit="latin" /> 7. <s xml:id="nov-th_3.7.s1" n="1a0" xml:lang="la">Hac
exceptione servata, ut apparitores memoratarum sectarum in privatis dumtaxat
negotiis iudicis sententias exsequantur nec <phr type="ampl" subtype="g"><w
lemma="carceralis">carcerali</w></phr> praesint <phr type="ampl"
subtype="c"><w lemma="custodia">custodiae</w></phr>, ne Christiani, ut fieri
adsolet, nonnumquam obtrusi custodum <phr type="ampl" subtype="g"><w
lemma="odium">odiis</w></phr> alterum <phr type="ampl" subtype="c"><w
lemma="carcer">carcerem</w></phr>
<phr type="ampl" subtype="c"><w lemma="patior">patiantur</w></phr>, <phr
type="ampl" subtype="c"><w lemma="incertus">incerto</w></phr> an iure
videantur <phr type="ampl" subtype="c"><w lemma="includo"
>inclusi</w></phr>.</s>
<milestone unit="english" /> 7. </ab>
<ab xml:id="nov-th_3.8" type="caput">
<milestone unit="latin" /> 8. <s xml:id="nov-th_3.8.s1" n="1a1" xml:lang="la">Hinc
perspicit nostra clementia paganorum quoque et gentilis <phr type="ampl"
subtype="c"><w lemma="immanitas">immanitatis</w></phr> vigiliam nos debere
sortiri, qui naturali <phr type="ampl" subtype="g"><w lemma="vesania"
>vesania</w></phr> et <phr type="ampl" subtype="c"><w lemma="licentia"
>licentia</w></phr>
<phr type="ampl" subtype="c"><w lemma="pertinax">pertinaci</w></phr> verae
religionis tramite discedentes <phr type="ampl" subtype="g"><w lemma="nefarius"
>nefarios</w></phr> sacrificiorum ritus et <phr type="ampl" subtype="g"
><w lemma="funestus">funestae</w></phr>
<phr type="ampl" subtype="g"><w lemma="superstitio">superstitionis</w></phr>
<phr type="ampl" subtype="c"><w lemma="error">errores</w></phr>
<phr type="ampl" subtype="c"><w lemma="occultus">occultis</w></phr> exercere
quodammodo <phr type="ampl" subtype="c"><w lemma="solitudo"
>solitudinibus</w></phr>
<phr type="ampl" subtype="g"><w lemma="dedignor">dedignantur</w></phr>, nisi ad
supernae maiestatis <phr type="ampl" subtype="g"><w lemma="iniuria"
>iniuriam</w></phr> et temporis nostri <phr type="ampl" subtype="g"><w
lemma="contemptus">contemptum</w></phr> eorum <phr type="ampl"
subtype="g"><w lemma="scelus">scelera</w></phr> professionis genere
publicentur.</s>
<s xml:id="nov-th_3.8.s2" n="1a2" xml:lang="la">Quos non promulgatarum legum mille
<phr type="ampl" subtype="g"><w lemma="terror">terrores</w></phr>, non <phr
type="ampl" subtype="c"><w lemma="denuntio">denuntiati</w></phr>
<phr type="ampl" subtype="g"><w lemma="exilium">exilii</w></phr>
<phr type="ampl" subtype="g"><w lemma="poena">poena</w></phr>
<phr type="ampl" subtype="c"><w lemma="compesco">compescunt</w></phr>, ut, si
emendari non possint, <phr type="ampl" subtype="c"><w lemma="moles"
>mole</w></phr> saltem <phr type="ampl" subtype="g"><w lemma="crimen"
>criminum</w></phr> et <phr type="ampl" subtype="c"><w lemma="illuvies"
>illuvie</w></phr> victimarum discerent abstinere.</s>
<s xml:id="nov-th_3.8.s3" n="1a3" xml:lang="la">Sed prorsus ea <phr type="ampl"
subtype="c"><w lemma="furor">furoris</w></phr>
<phr type="ampl" subtype="g"><w lemma="pecco">peccatur</w></phr>
<phr type="ampl" subtype="c"><w lemma="audax">audacia</w></phr>, iis <phr
type="ampl" subtype="g"><w lemma="improbis">improbis</w></phr> conatibus
<phr type="ampl" subtype="c"><w lemma="patientia">patientia</w></phr> nostra
<phr type="ampl" subtype="c"><w lemma="pulsio">pulsatur</w></phr>, ut si
oblivisci cupiat <phr type="ampl" subtype="g"><w lemma="dissimulo"
>dissimulare</w></phr> non possit.</s>
<s xml:id="nov-th_3.8.s4" n="1a4" xml:lang="la">Quamquam igitur amor religionis
numquam possit esse securus, quamquam pagana <phr type="ampl" subtype="g"><w
lemma="dementia">dementia</w></phr> cunctorum <phr type="ampl"
subtype="g"><w lemma="supplicium">suppliciorum</w></phr>
<phr type="ampl" subtype="g"><w lemma="acerbitas">acerbitates</w></phr>
exposcat, lenitatis tamen memores nobis innatae <seg xml:id="nov-th_3.8.c1"
ana="#ncp">trabali iussione <phr xml:id="nov-th_3.8.s4.p1" function="cmdw"
>decrevimus</phr>, ut, quicumque <phr type="ampl" subtype="g"><w
lemma="polluo">pollutis</w></phr>
<phr type="ampl" subtype="g"><w lemma="contaminatus"
>contaminatisque</w></phr> mentibus in sacrificio quolibet in loco fuerit
comprehensus, in fortunas eius, in sanguinem <phr type="ampl" subtype="g"><w
lemma="ira">ira</w></phr> nostra consurgat.</seg></s>
<s xml:id="nov-th_3.8.s5" n="1a5" xml:lang="la">oportet enim dare nos hanc
victimam meliorem ara Christianitatis intacta servata.</s>
<s xml:id="nov-th_3.8.s6" n="1a6" xml:lang="la">an diutius <phr type="ampl"
subtype="c"><w lemma="perfero">perferemus</w></phr> mutari temporum vices
<phr type="ampl" subtype="g"><w lemma="irascor">irata</w></phr> caeli
temperie, quae paganorum exacerbata <phr type="ampl" subtype="g"><w
lemma="perfidia">perfidia</w></phr>
<phr type="ampl" subtype="g"><w lemma="nescio">nescit</w></phr> naturae
libramenta servare?</s>
<s xml:id="nov-th_3.8.s7" n="1a7" xml:lang="la">unde enim ver solitam gratiam
abiuravit?</s>
<s xml:id="nov-th_3.8.s8" n="1a8" xml:lang="la">unde aestas messe <phr type="ampl"
subtype="c"><w lemma="ieiunus">ieiuna</w></phr>
<phr type="ampl" subtype="c"><w lemma="laboriosus">laboriosum</w></phr>
agricolam in spe <phr type="ampl" subtype="c"><w lemma="destituo"
>destituit</w></phr> aristarum?</s>

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<s xml:id="nov-th_3.8.s9" n="1a9" xml:lang="la">unde hiemis <phr type="ampl"
  subtype="g"><w lemma="intemperatus">intemperata</w></phr>
  <phr type="ampl" subtype="g"><w lemma="ferocitas">ferocitas</w></phr> ubertatem
  terrarum penetrabili frigore <phr type="ampl" subtype="g"><w lemma="sterilitas"
    >sterilitatis</w></phr>
  <phr type="ampl" subtype="g"><w lemma="laesio">laesione</w></phr>
  <phr type="ampl" subtype="g"><w lemma="damno">damnavit</w></phr>?</s>
<s xml:id="nov-th_3.8.s10" n="1a10" xml:lang="la">nisi quod ad <phr type="ampl"
  subtype="g"><w lemma="impietas">impietatis</w></phr>
  <phr type="ampl" subtype="c"><w lemma="vindicta">vindictam</w></phr> transit
  legis suae natura decretum.</s>
<s xml:id="nov-th_3.8.s11" n="1a11" xml:lang="la">Quod ne posthac sustinere <phr
  type="ampl" subtype="c"><w lemma="cogo">cogamur</w></phr>, pacifica <phr
  type="ampl" subtype="g"><w lemma="ultio">ultione</w></phr>, ut diximus,
  pianda est superni numinis veneranda maiestas.</s>
<milestone unit="english" /> 8. </ab>
<ab xml:id="nov-th_3.9" type="caput">
  <milestone unit="latin" /> 9. <s xml:id="nov-th_3.9.s1" n="1a12" xml:lang="la"
    >Superest, ut, quae in Manichaeos deo semper <phr type="ampl" subtype="g"><w
      lemma="offensus">offensos</w></phr>, quae in Eunomianos <phr type="ampl"
      subtype="g"><w lemma="haereticus">haereticas</w></phr>
    <phr type="ampl" subtype="g"><w lemma="fatuitas">fatuitatis</w></phr> auctores,
    quae in Montanistas Frygas Fotinos Priscillianistas Ascodrogos Hydroparastatas
    Borboritas Ofitas innumerabilibus constitutionibus lata sunt, cessante <phr
      type="ampl" subtype="c"><w lemma="desidia">desidia</w></phr> celeri
    executioni mandentur, Florenti parens karissime atque amantissime.</s>
  <milestone unit="english" /> 9. </ab>
<ab xml:id="nov-th_3.10" type="caput">
  <milestone unit="latin" /> 10. <s xml:id="nov-th_3.10.s1" n="1a13" xml:lang="la"
    >Illustris igitur et magnifica auctoritas tua, cui cordi est cum divinis tum
    principalibus adhibere iussionibus famulatum, quae insatiabili catholicae
    religionis honore decrevimus, propositis excellentiae suae sollemniter edictis,
    in omnium faciat pervenire notitiam, provinciarum quoque moderatoribus
    praecipiat intimari, ut et eorum pari <phr type="ampl" subtype="c"><w
      lemma="sollicitudo">sollicitudine</w></phr> cunctis civitatibus atque
    provinciis quae necessario sanximus innotescant.</s>
  <milestone unit="english" /> 10. </ab>
<ab xml:id="nov-th_3.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-th_3.subs.s1" n="1a14" xml:lang="la">Dat. prid. kal. Feb.
    <placeName corresp="#constantinople">Constantinopoli</placeName> D. N.
    Theodosio A. XVI cons. et qui fuerit nuntiatus. <date when="0438-01-31">(438
    Ian. 31)</date>.</s>
  <milestone unit="english" />
</ab>
<ab xml:id="nov-th_3.intr" type="intr">
  <milestone unit="latin" />INTERPRETATIO. Haec lex specialiter iubet, ut nullus
  Iudaeus, nullus Samaritanus ad nullum militiae aut administrationis honorem possit
  accedere neque defensoris officium nulla ratione suscipere neque carceris esse
  custodes, ne forsitan sub specie cuiuslibet officii Christianos vel etiam
  sacerdotes sub quacumque occasione iniuriis audeant fatigare, ne supra scripti qui
  inimici legis nostrae sunt legibus nostris aliquos aut condemnare aut iudicare
  praesumant. Nullam denuo audeant construere synagogam. Nam si fecerint, noverint
  hanc fabricam ecclesiae catholicae profuturam et quinquaginta pondo auri auctores
  fabricae esse multandos. Sed hoc sibi sciant esse concessum, ut ruinas synagogarum
  suarum debeant reparare. Hoc etiam specialiter in hac lege comprehensum est, ut
  nullus Iudaeus servum aut ingenuum Christianum audeat quacumque persuasione in
  suam legem transferre. Quod si fecerit, amissis facultatibus capite puniatur. De
  reliquo vero haec lex damnat sectas, quae nominatim in hac lege continentur
  insertae. <milestone unit="english" /></ab>
</div2>
</div1>
<div1 xml:id="nov-th_4" type="titulus">
  <head xml:id="nov-th_4.titl">
    <s xml:id="nov-th_4.titl.s1" xml:lang="la">4. NE DUCIANI VEL LIMITANEI MILITES AD
    COMMITTATUM EXHIBEANTUR</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-th_4.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-th_4.insc.s1" n="1a1" xml:lang="la">1. Theodos. et Valentin. AA.
      Florentio pp.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="nov-th_4.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-th_4.0.s1" n="1a2" xml:lang="la">Opem
      atque <rs corresp="#militr" ana="#M_soldiers"><w lemma="auxilium"
        >auxilium</w></rs>
      <rs corresp="#imper1" ana="#I_emperor"><w lemma="nostra-clementia">nostrae
        clementiae</w></rs> limitaneorum poscit utilitas, qui adeo quorundam <phr
        type="ampl" subtype="c" injured="auxilium" crt-inj="high"><w
          lemma="querimonia">querimoniis</w></phr> vel exhibitionibus diversorum
        <rs corresp="#judges" ana="#P_high-officials"><w lemma="iudex"
          >iudicum</w></rs> dicuntur <phr type="ampl" subtype="g" injured="auxilium"
          crt-inj="high"><w lemma="adfligo">adflicti</w></phr>, ut inter privatam
          vitam et militarem scientiam neutri nascentur.</s>
      <s xml:id="nov-th_4.0.s2" n="1a3" xml:lang="la">Adde, quod usum armorum dediscere
        <phr type="ampl" subtype="c" injured="auxilium" crt-inj="medium"
          inj-src="forum" crt-src="high"><w lemma="compello">compelluntur</w></phr>

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observatione <rs ana="#P_law-courts"><w lemma="forum">fori</w></rs>
<rs ana="#P_law-courts"><w lemma="civilis">civilis</w></rs> officii et in vita
peregrinantur <phr type="ampl" subtype="c" injured="auxilium" crt-inj="low"
inj-src="lis" crt-src="high"><w lemma="alienus">aliena</w></phr> expertes
<rs corresp="#courts"><w lemma="lis">litium</w></rs>, actionum <phr
type="ampl" subtype="g" injured="auxilium" crt-inj="medium" inj-src="lis"
crt-src="high"><w lemma="ignarus">ignari</w></phr>, quas <phr type="ampl"
subtype="g" inj-src="forum" crt-src="high"><w lemma="inverecundus"
>inverecunda</w></phr> facundia et doctrina popularis instituit.</s>
<s xml:id="nov-th_4.0.s3" n="la4" xml:lang="la">Haec adsertio viri sublimis
Anatolii <rs ana="#M_military-leaders"><w lemma="magister">magistri</w></rs>
per orientem utriusque militiae nostris sensibus intimavit.</s>
<s xml:id="nov-th_4.0.s4" n="la5" xml:lang="la">Quapropter non ulterius <phr
type="ampl" subtype="c" inj-src="nostra-clementia" crt-src="low"><w
lemma="patior">patimur</w></phr> tantae commoditatis <phr type="ampl"
subtype="g"><w lemma="dissimulo">dissimulare</w></phr> iacturam, cum constet
dispositione maiorum vallo limitis ab excursione <phr type="ampl" subtype="g"
><rs ana="#M_barbarians"><w lemma="barbaricus">barbarica</w></rs></phr>
defensari quidquid intra Romani nominis concluditur potestatem.</s>
<milestone unit="english" /> 0. </ab>
<ab xml:id="nov-th_4.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-th_4.1.s1" n="la6" xml:lang="la"><seg
xml:id="nov-th_4.1.c1" ana="#ncp">Quam ob rem victura in omne aevum lege
<phr xml:id="nov-th_4.1.s1.pl" function="cmdw">sancimus</phr> neminem <rs
corresp="#milstr" ana="#M_military-leaders"><w lemma="ducianus">
>ducianum</w></rs>, neminem <rs corresp="#militr" ana="#M_soldiers"><w
lemma="limitaneus">limitaneum</w></rs>
<rs corresp="#militr" ana="#M_soldiers"><w lemma="miles">militem</w></rs>
per totum tractum Orientis ex ultimis <phr type="ampl" subtype="c"><w
lemma="solitudo">solitudinibus</w></phr> qui exiguis solaciis vix <phr
type="ampl" subtype="c" inj-src="comitas" crt-src="high"
injured="limitaneus miles" crt-inj="high"><w lemma="aegre"
>aegreque</w></phr>
<phr type="ampl" subtype="g" inj-src="comitas" crt-src="high"
injured="limitaneus miles" crt-inj="high"><w lemma="miser"
>miseram</w></phr>
<phr type="ampl" subtype="g" inj-src="comitas" crt-src="high"
injured="limitaneus miles" crt-inj="high"><w lemma="fames"
>famem</w></phr>
<phr type="ampl" subtype="c" inj-src="comitas" crt-src="high"
injured="limitaneus miles" crt-inj="high"><w lemma="repello"
>repellunt</w></phr>, penitus exhiberi ad nostrum sacratissimum <rs
ana="#P_emperor-court"><w lemma="comitas">comitatum</w></rs> nec sacra
<rs ana="#I_emperor"><w lemma="nostrum-numen">nostri numinis</w></rs>
iussione nec <rs corresp="#imperl" ana="#I_emperor"><w
lemma="divinium-responsum">divino responso</w></rs> ad preces adeuntis
elicit, non denique <rs corresp="#imperl" ana="#I_emperor"><w
lemma="perennitas-nostra">perennitatis nostrae</w></rs> mandatis vel
cuiuslibet sententia <rs corresp="#judges" ana="#P_high-officials"><w
lemma="iudex">iudicis</w></rs>, dispositionibus insuper integris viri
magnifici <phr type="ampl" subtype="c"><w lemma="custodio"
>custodiendis</w></phr> in posterum, quas ad utilitatem <rs
corresp="#militr" ana="#M_soldiers"><w lemma="limitaneus"
>limitaneorum</w></rs> sedula investigatione constituit, remissis
omnibus iam nunc ad propria sacramenta qui videntur exhibiti.</seg></s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_4.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-th_4.2.s1" n="la7" xml:lang="la"
>Verum ne condicionem <rs ana="#M_soldiers"><w lemma="miles">militum</w></rs>
praedictorum in quendam arcem videamur quodammodo conlocasse <phr type="ampl"
subtype="g" inj-src="miles" crt-src="high"><w lemma="pecco"
>peccandi</w></phr> concessa <phr type="ampl" subtype="c" inj-src="miles"
crt-src="high"><w lemma="licens">licentia</w></phr> semet <rs
corresp="#courts" ana="#P_law-courts"><w lemma="exhibitio"
>exhibitionis</w></rs>
<phr type="ampl" subtype="c"><w lemma="submoveo">submota</w></phr>
<phr type="ampl" subtype="g" injured="miles" crt-inj="high" inj-src="exhibitio"
crt-src="high"><w lemma="formido">formidine</w></phr>, <seg
xml:id="nov-th_4.2.c1">sub competentibus <rs ana="#M_military-leaders"><w
lemma="militaris">militaribus</w></rs>
<rs ana="#M_military-leaders"><w lemma="iudex">iudicibus</w></rs> adversus
eos agentibus ianuam <phr xml:id="nov-th_4.2.s1.pl" function="cmdw"
>aperimus</phr>, cum ea videlicet definitione, ut, si <rs
corresp="#militr" ana="#M_soldiers"><w lemma="limitaneus"
>limitaneus</w></rs> fuerit confutatus in <rs
ana="#E_agreements-contracts"><w lemma="contractus">contractibus</w></rs>
seu <rs ana="#P_law"><w lemma="lex">legibus</w></rs>
<phr type="ampl" subtype="g" inj-src="limitaneus" crt-src="high"><w
lemma="delinquo">deliquisse</w></phr>, <rs ana="#E_payments"><w
lemma="sumptus">sumptus</w></rs>
<rs ana="#P_court-cases"><w lemma="lis">litis</w></rs> dare <phr type="ampl"
subtype="c" injured="limitaneus" crt-inj="high"><w lemma="cogo"
>cogatur</w></phr>, etiamsi hoc sententia prolata non teneat et
negotium trecentorum <rs ana="#E_money"><w lemma="solidus"
>solidorum</w></rs> summam excedat, eadem in <rs ana="#E_litigant"><w
lemma="actor">actorem</w></rs>
<phr type="ampl" subtype="g" injured="actor" crt-inj="high"><w lemma="poena"
>poena</w></phr> servata, si <rs corresp="#militr"><w
lemma="limitaneus">limitaneus</w></rs> calculum meliorem et victricem

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sententiam reportarit.</seg></s>
<s xml:id="nov-th_4.2.s2" n="la8" xml:lang="la">Aliter quippe <rs
corresp="#litgnt" ana="#E_litigant"><w lemma="litigo">litigantium</w></rs>
tumores et <phr type="ampl" subtype="g" inj-src="litigo" crt-src="high"><w
lemma="execror">execranda</w></phr> studia iurgiorum <phr type="ampl"
subtype="c" injured="litigo" crt-inj="high"><w lemma="compesco"
>compesci</w></phr> non poterunt, nisi animus excitatus in <rs
ana="#E_litigant"><w lemma="lis">litibus</w></rs>
<phr type="ampl" subtype="c"><w lemma="immineo">imminentis</w></phr>
<phr type="ampl" subtype="g" injured="lis" crt-inj="high"><w lemma="damnum"
>damni</w></phr>
<phr type="ampl" subtype="g" injured="lis"><w lemma="periculum"
>periculum</w></phr>
<phr type="ampl" subtype="g" injured="lis" crt-inj="high"><w lemma="pertimesco"
>pertimescat</w></phr>, ut correctionis <phr type="ampl" subtype="c"
injured="lis"><w lemma="metus">metu</w></phr>
<phr type="ampl" subtype="c" injured="lis" crt-inj="high"><w lemma="comprimo"
>compressus</w></phr> aeterno silentio conticescat.</s>
<s xml:id="nov-th_4.2.s3" n="la9" xml:lang="la">Quem enim <phr type="ampl"
subtype="g"><w lemma="avaritia">avaritia</w></phr> terminum sortiatur, quam
si <phr type="ampl" subtype="c"><w lemma="laqueum">laqueis</w></phr>
<phr type="ampl" subtype="c"><w lemma="cupiditas">cupiditatum</w></phr> suarum
circumdata intra saepta propria <phr type="ampl" subtype="g"><w lemma="damno"
>damnata</w></phr>
<phr type="ampl" subtype="g"><w lemma="calumnia">calumnia</w></phr>
<phr type="ampl" subtype="c"><w lemma="comprimo">comprimatur</w></phr>?</s>
<s xml:id="nov-th_4.2.s4" n="la10" xml:lang="la">Et profecto aut hoc est remedium
diu <phr type="ampl" subtype="c" injured="miles" crt-inj="high"><w lemma="vexo"
>vexatis</w></phr> aut, si nec hoc quidem prodesse potuerit, alia ratio
commodorum, alia provisionis flagitanda cautela est, scilicet opperiri,
scilicet optare debemus, ne libeat <phr type="ampl" subtype="c"
inj-src="litigo" crt-src="high"><w lemma="audax">audacibus</w></phr>
exercere <rs ana="#P_court-cases"><w lemma="litigo">litigia</w></rs>, ut liceat
nostris <rs corresp="#militr" ana="#M_soldiers"><w lemma="miles"
>militibus</w></rs> otiari, quos in extrema parte Romani saeculi
sacramentorum legibus amandatos <phr type="ampl" subtype="g" injured="miles"
crt-inj="high"><w lemma="calumnia">calumnia</w></phr>
<phr type="ampl" subtype="c" injured="miles"><w lemma="latens"
>latentes</w></phr> invenit?</s>
<milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_4.3" type="caput">
<milestone unit="latin" /> 3. <s xml:id="nov-th_4.3.s1" n="la11" xml:lang="la"
>Quamobrem, Florenti parens karissime atque amantissime, illustris et magnifica
<rs ana="#P_high-officials"><w lemma="auctoritas">auctoritas</w></rs> tua,
quae statuta <rs corresp="#imperl" ana="#I_emperor"><w lemma="maiestas-augusta"
>maiestatis Augustae</w></rs> cura pervigili et congruo semper fine
conclussit, nunc etiam edictis propositis ad omnium notitiam faciat
pervenire.</s>
<milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_4.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-th_4.subs.s1" n="la12" xml:lang="la">Dat. V kal. Mart. <placeName
corresp="#constantinople">Constantinopoli</placeName> Theodosio A. XVI cons.
<date when="0438-02-25">(438 Feb. 25)</date>.</s>
<milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="nov-th_5" type="titulus">
<head xml:id="nov-th_5.titl">
<s xml:id="nov-th_5.titl.s1" xml:lang="la">5. DE PATRIMONIALIBUS REI DOMINICAE ET
LIMITROPHIS FUNDIS PER ORIENTEM SITIS</s>
</head>
<div2 xml:id="nov-th_5.1" type="constitutio">
<ab xml:id="nov-th_5.1.insc" type="insc">
<milestone unit="latin" />
<s xml:id="nov-th_5.1.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
Marcellino C.r.p.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_5.1.0" type="caput">
<milestone unit="latin" /> 0. <s xml:id="nov-th_5.1.0.s1" n="la2" xml:lang="la"
>Prope est, ut beneficium accepisse credamus, quoties offertur nobis causa
praestandi, et diem <phr type="ampl" subtype="g"><w lemma="pereio"
>perisse</w></phr> procul dubio <phr type="ampl" subtype="c"><w
lemma="suspisor">suspisemur</w></phr>, quem nostri numinis munificentia
non illustrat.</s>
<s xml:id="nov-th_5.1.0.s2" n="la3" xml:lang="la">fruiur quippe conscientia
largitatis et benefaciendi provincia, quae cum deo meritum hominis adplicet,
tum inter imperatorias primasque virtutes obtinet principatum.</s>
<milestone unit="english" /> 0. </ab>
<ab xml:id="nov-th_5.1.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-th_5.1.1.s1" n="la4" xml:lang="la"
><seg xml:id="nov-th_5.1.1.c1">Valuerit igitur in fundis patrimonialibus
sitis per Asianam dioecesim, sitis per Ponticam in diem praesentem et
consulatum sextum decimum nostrae clementiae lex divinae memoriae Constantini,
quae aedes per Constantinopolitanam urbem sacratissimam dominos
exigebat.</seg></s>
<s xml:id="nov-th_5.1.1.s2" n="la5" xml:lang="la">Sed nequaquam ulterius felicitas

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    <phr type="ampl" subtype="c"><w lemma="patior">patitur</w></phr> civitatis
    non suis meritis, verum porro quaesitis compendiis aestimari, nequaquam
    utriusque obsequiis elementi contenta suae fortunae desiderat incrementa
    subsidio praediorum, quae, in caelum usque provecta gloria nominis sui, in
    societatem admittere <phr type="ampl" subtype="g"><w lemma="dedignor"
    >dedignatur</w></phr>
    <phr type="ampl" subtype="c"><w lemma="alienus">aliena</w></phr>
    <phr type="ampl" subtype="c"><w lemma="fatum">fata</w></phr> terrarum.</s>
  <milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_5.1.2" type="caput">
  <milestone unit="latin" /> 2. <s xml:id="nov-th_5.1.2.s1" n="la6" xml:lang="la"
  >Quare eum divinum consilium principis memorati processus temporis vicerit et
  legis proposito in augenda urbe pace superni numinis sit satisfactum, <seg
  xml:id="nov-th_5.1.2.c1">reddidit nostra maiestas gratam possessoribus
  novitatem, ut petitionis vacante <phr type="ampl" subtype="g"><w
  lemma="formido">formidine</w></phr> cui Romae <phr type="ampl"
  subtype="g"><w lemma="desum">desunt</w></phr> penates securus vomerem,
  securus falcem possessor exerceat, quod paraverit <phr type="ampl"
  subtype="c"><w lemma="relinquo">relicturus</w></phr> heredi.</seg></s>
  <s xml:id="nov-th_5.1.2.s2" n="la7" xml:lang="la">Pertinet hoc quoque profecto ad
  pretium civitatis, ad famam tanti splendoris, amantium <phr type="ampl"
  subtype="c"><w lemma="ambio">ambitu</w></phr> frequentari cessante legis
  imperio.</s>
  <milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_5.1.3" type="caput">
  <milestone unit="latin" /> 3. <s xml:id="nov-th_5.1.3.s1" n="la8" xml:lang="la"
  ><seg xml:id="nov-th_5.1.3.c1">Quam ob rem pro suggestione magnitudinis tuae
  victura in omne aevum lege <phr xml:id="nov-th_5.1.3.s1.p1" function="cmdw"
  >sancimus</phr>, ut, quisque patrimoniales possidet fundos seu praedia
  per dioeceses memoratas donationis aliove titulo, firmiter in aeternum
  veluti privato et inconcusso iure possideat, etiamsi domum, etiamsi
  domicilium in Constantinopolitana urbe non habeat, ad heredum quoque suorum
  vel emptorum legitimorum, quin etiam retentatorum, si dominus quoquo pacto
  abalienaverit, ius commodis migraturis, omni petitionis <phr type="ampl"
  subtype="c"><w lemma="excludo">exclusa</w></phr>
  <phr type="ampl" subtype="g"><w lemma="molestia">molestia</w></phr>,
  instructionis quin etiam officio cuius interest <phr type="ampl" subtype="c"
  ><w lemma="licentia">licentia</w></phr>
  <phr type="ampl" subtype="g"><w lemma="denego">denegata</w></phr>.</seg></s>
  <milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_5.1.4" type="caput">
  <milestone unit="latin" /> 4. <s xml:id="nov-th_5.1.4.s1" n="la9" xml:lang="la"
  ><seg xml:id="nov-th_5.1.4.c1" ana="#ncp">Quam si quis tractator <phr
  type="ampl" subtype="g"><w lemma="temerarius">temerario</w></phr> spiritu
  contra iussa divalia, quod non opinamur, offerre <phr type="ampl"
  subtype="c"><w lemma="tempto">temptaverit</w></phr>, quinquaginta
  librarum auri cum <phr type="ampl" subtype="g"><w lemma="amissio"
  >amissione</w></phr> militiae <phr type="ampl" subtype="c"><w
  lemma="dispendium">dispendio</w></phr>
  <phr type="ampl" subtype="c"><w lemma="ferio">ferietur</w></phr>,</seg>
  quatenus cuncti cognoscant firmitus nos possessoribus praesenti lege donasse
  quae exceptionibus et ceteris formulis <phr type="ampl" subtype="c"><w
  lemma="vacillo">vacillabant</w></phr>, Marcelline frater amantissime.</s>
  <milestone unit="english" /> 4. </ab>
<ab xml:id="nov-th_5.1.5" type="caput">
  <milestone unit="latin" /> 5. <s xml:id="nov-th_5.1.5.s1" n="la10" xml:lang="la"
  >Illustis igitur auctoritas tua statuta nostrae clementiae pro devotione
  sincera sollemniter edictis propositis ad omnium notitiam faciat pervenire.</s>
  <milestone unit="english" /> 5. </ab>
<ab xml:id="nov-th_5.1.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-th_5.1.subs.s1" n="la11" xml:lang="la">Dat. VII id. Mai. <placeName
  corresp="#constantinople">Constantinopoli</placeName> Theodosio A. XVI et
  Fausto cons. <date when="0438-05-09">(438 Mai. 9)</date>.</s>
  <milestone unit="english" />
</ab>
</div2>
<div2 xml:id="nov-th_5.2" type="constitutio">
  <ab xml:id="nov-th_5.2.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-th_5.2.insc.s1" n="la1" xml:lang="la">2. Idem AA. Florentio pp.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_5.2.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-th_5.2.0.s1" n="la2" xml:lang="la"
    >Suggestionem tui culminis salutarem debita cum laude divinus amplectitur
    nostrae perennitatis adsensus, per quam suggeritur providendum, ne redituum
    praestatio minor videatur expensis neve erogatio conlationis functionem
    excedat.</s>
    <s xml:id="nov-th_5.2.0.s2" n="la3" xml:lang="la">Quod evenire monstratur
    patrimonialibus fundis ac limitotrofis nec non etiam saltuensibus pro <phr
    type="ampl" subtype="c"><w lemma="libido">libidine</w></phr> petitorum ad
    ius privatum securitatemque translatis.</s>
    <s xml:id="nov-th_5.2.0.s3" n="la4" xml:lang="la">Cui rei, ne ulterius
    adtemptetur, hac lege perpetuo valitura remedium credidimus adferendum omnes
    eiusmodi post hanc legem petitionum materias inhibentes.</s>
    <milestone unit="english" /> 0. </ab>
  <ab xml:id="nov-th_5.2.1" type="caput">
    <milestone unit="latin" /> 1. <s xml:id="nov-th_5.2.1.s1" n="la5" xml:lang="la"

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    ><seg xml:id="nov-th_5.2.1.c1"><phr xml:id="nov-th_5.2.1.s1.pl"
      function="cmdw">Praecipimus</phr> itaque nulli iam in posterum licere
      patrimoniales seu limitotrofos vel saltuenses fundos, qui per tractum
      Orientis positi sunt, ad ius transferre privatum, sive dempto, sive salvo
      canone iuris fundorum immutatio postuletur, legis <phr type="ampl"
        subtype="g"><w lemma="temero">temeratores</w></phr> quinquaginta librarum
      auri <phr type="ampl" subtype="g"><w lemma="poena">poena</w></phr>
      <phr type="ampl" subtype="c"><w lemma="coerceo">coercentes</w></phr>, tam
      videlicet petito rem quam officium, quod petitionem concedit admitti, licet
      adnotatio nostra, licet divina pragmatica contra <phr type="ampl"
        subtype="c"><w lemma="veto">vetitum</w></phr> proferatur,</seg> Florenti
      parens karissime atque amantissime.</s>
    <milestone unit="english" /> 1. </ab>
  <ab xml:id="nov-th_5.2.2" type="caput">
    <milestone unit="latin" /> 2. <s xml:id="nov-th_5.2.2.s1" n="la6" xml:lang="la"
      >Illustris itaque et magnifica auctoritas tua edictis propositis quae sanximus
      ad omnium notitiam <phr type="ampl" subtype="c"><w lemma="perfero"
        >perferri</w></phr> praecipiat.</s>
    <milestone unit="english" /> 2. </ab>
  <ab xml:id="nov-th_5.2.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="nov-th_5.2.subs.s1" n="la7" xml:lang="la">Dat. VI id. Iun. <placeName
      corresp="#constantinople">Constantinopoli</placeName> Theodosio A. XVII et
      Festo V. C. cons. <date when="0439-06-08">(439 Iun. 8)</date>.</s>
    <milestone unit="english" />
  </ab>
</div2>
<div2 xml:id="nov-th_5.3" type="constitutio">
  <ab xml:id="nov-th_5.3.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-th_5.3.insc.s1" n="la1" xml:lang="la">3. Idem AA. Cyro pp.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_5.3.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-th_5.3.0.s1" n="la2" xml:lang="la">In
      omnibus quidem rebus publicam convenit utilitatem privatis commodis anteponi,
      sed tum praecipue, cum saluti pariter provincialium ac imperii nostri
      felicitati consulitur, unde singulorum quoque fortunis ac securitatibus
      prospici debere non habetur <phr type="ampl" subtype="c"><w lemma="incertus"
        >incertum</w></phr>.</s>
    <milestone unit="english" /> 0. </ab>
  <ab xml:id="nov-th_5.3.1" type="caput">
    <milestone unit="latin" /> 1. <s xml:id="nov-th_5.3.1.s1" n="la3" xml:lang="la"
      >Quoniam igitur per consultissimam tuae sublimitatis suggestionem comperimus
      Armeniae tractum in ipso paene limitis aditu Persarum constitutum, pridem
      regalium fundorum copiis ac praesidiis munitum, in praesenti Persicis
      eruptionibus expositum fuisse eo, quod eosdem fundos et maxime
      Theodosiopolitanam et Satalenae civitati contiguos vel propinquantes quorundam
      petito diversis retro temporibus in propria iura mutato pristino canone
      transtulerit, <seg xml:id="nov-th_5.3.1.c1">hac in perpetuum victura lege <phr
        xml:id="nov-th_5.3.1.s1.pl" function="cmdw">censuimus</phr> statuendum,
        ut universi, qui nostram in his munificentiam meruerunt, sub ea condicione
        possessiones habere donatas concedantur, si contatos et bastagas et
        paraveredos et species nec non coemptiones secundum pristinam consuetudinem
        dispositione tuae magnificae sedis iniungendas et alia universa fisci
        calculo sollemniter sine mora dependant et agnoscant aut <phr type="ampl"
          subtype="c"><w lemma="resisto">resistentes</w></phr> pro utilitate
          communis publicae possessioni continuo praedia refundant; sub ea scilicet
          observatione, ut nulli deinceps eosdem fundos liceat <phr type="ampl"
            subtype="g"><w lemma="insidiosus">insidiosus</w></phr> et <phr
              type="ampl" subtype="c"><w lemma="derogo">derogantibus</w></phr> rei
              publicae precibus emereri aut ad sua compendia <phr type="ampl" subtype="c"
                ><w lemma="despicio">despectis</w></phr> publicis utilitatibus
                transferre, centum pondo auri <phr type="ampl" subtype="g"><w lemma="poena"
                  >poenae</w></phr> nomine tam his, qui preces offerre <phr type="ampl"
                    subtype="c"><w lemma="tempto">temptaverint</w></phr>, quam scriniariis
                    vel aliis quorum interest, si <phr type="ampl" subtype="c"><w
                      lemma="supplicatio">supplicationes</w></phr> oblatas ausi fuerint
                      instruere, <phr type="ampl" subtype="c"><w lemma="ferio"
                        >feriendis</w></phr>,</seg> Cyre parens karissime atque amantissime.</s>
    <milestone unit="english" /> 1. </ab>
  <ab xml:id="nov-th_5.3.2" type="caput">
    <milestone unit="latin" /> 2. <s xml:id="nov-th_5.3.2.s1" n="la4" xml:lang="la"
      >Sublimis igitur et magnifica auctoritas tua hanc saluberrimam legem edictis ex
      more propositis ad omnium notitiam faciat pervenire.</s>
    <milestone unit="english" /> 2. </ab>
  <ab xml:id="nov-th_5.3.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="nov-th_5.3.subs.s1" n="la5" xml:lang="la">Dat. VI kal. Iul. <placeName
      corresp="#constantinople">Constantinopoli</placeName> Cyro V C. cons. <date
        when="0441-06-26">(441 Iun. 26)</date>.</s>
    <milestone unit="english" />
  </ab>
</div2>
</div1>
<div1 xml:id="nov-th_6" type="titulus">
  <head xml:id="nov-th_6.titl">
    <s xml:id="nov-th_6.titl.s1" xml:lang="la">6. DE BONIS FABRICENSIVM</s>
  </head>

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<div2 type="constitutio" subtype="solo">
  <ab xml:id="nov-th_6.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-th_6.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
      Aureliano C.r.p.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_6.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-th_6.0.s1" n="la2" xml:lang="la"
      >Fabricensium corpus invenit <phr type="ampl" subtype="c"><w lemma="necessitas"
        >necessitas</w></phr>
        <phr type="ampl" subtype="c"><w lemma="durus">dura</w></phr> bellorum, quod
        immortalitatis genere principum scita <phr type="ampl" subtype="c"><w
          lemma="custodio">custodit</w></phr>, ne <phr type="ampl" subtype="c"><w
            lemma="deficio">deficiente</w></phr> principio successus generis
        laberetur: hoc enim armat, hoc nostrum ornat exercitum.</s>
    <milestone unit="english" /> 0. </ab>
  <ab xml:id="nov-th_6.1" type="caput">
    <milestone unit="latin" /> 1. <s xml:id="nov-th_6.1.s1" n="la3" xml:lang="la">Hinc
      iure provisum est artibus eos propriis inservire, ut <phr type="ampl"
        subtype="c"><w lemma="exhaurio">exhausti</w></phr>
        <phr type="ampl" subtype="c"><w lemma="labor">laboribus</w></phr>
        <phr type="ampl" subtype="g"><w lemma="immorior">immoriantur</w></phr> cum
        subole professioni cui nati sunt.</s>
    <milestone unit="english" /> 1. </ab>
  <ab xml:id="nov-th_6.2" type="caput">
    <milestone unit="latin" /> 2. <s xml:id="nov-th_6.2.s1" n="la4" xml:lang="la"
      >Denique quod ab uno committitur, totius <phr type="ampl" subtype="g"><w
        lemma="delinquo">delinquitur</w></phr>
        <phr type="ampl" subtype="g"><w lemma="periculum">periculo</w></phr> numeri, ut
        <phr type="ampl" subtype="c"><w lemma="constringo">constricti</w></phr>
        nominationibus suis sociorum actibus quandam speculam gerant, et unius <phr
          type="ampl" subtype="g"><w lemma="damnum">damnum</w></phr> ad omnium transit
        <phr type="ampl" subtype="c"><w lemma="dispendium">dispendium</w></phr>.</s>
    <s xml:id="nov-th_6.2.s2" n="la5" xml:lang="la">Universi itaque velut in corpore
      uniformi, uni decoctioni, si ita res tulerit, respondere <phr type="ampl"
        subtype="c"><w lemma="cogo">coguntur</w></phr>, ut viri illustris atque
      magnifici magistri officiorum suggestio nostrae clementiae patefecit.</s>
    <milestone unit="english" /> 2. </ab>
  <ab xml:id="nov-th_6.3" type="caput">
    <milestone unit="latin" /> 3. <s xml:id="nov-th_6.3.s1" n="la6" xml:lang="la">Quae
      cum ita sint, <seg xml:id="nov-th_6.3.c1">praesenti <phr type="ampl"
        subtype="c"><w lemma="sanctio">sanctione</w></phr> perpetuo valitura
      legis in morem <phr xml:id="nov-th_6.3.s1.p1" function="cmdw"
        >decernimus</phr>, ut, quisque fabricensium sine liberis vel legitimo
      herede decesserit non condito testamento, eius bona, cuiuscumque summae
      sint, ad eos nutu nostrae mansuetudinis pertinere, qui velut creatores
      decedentium adtinentur, qui fisco pro <phr type="ampl" subtype="c"><w
        lemma="intercipio">intercepto</w></phr> respondere <phr type="ampl"
        subtype="c"><w lemma="cogo">coguntur</w></phr>.</seg></s>
    <s xml:id="nov-th_6.3.s2" n="la7" xml:lang="la">Hoc enim pacto contingit, ut et
      rei publicae ratio salva permaneat et fabricenses collegarum suorum solaciis
      perfrauantur, qui <phr type="ampl" subtype="g"><w lemma="damnum"
        >damnis</w></phr> ac <phr type="ampl" subtype="g"><w lemma="detrimentum"
        >detrimentis</w></phr> tenentur <phr type="ampl" subtype="g"><w
        lemma="obnoxius">obnoxii</w></phr>, omni in posterum ab eorum
      facultatibus, ab eorum patrimoniis petitione cessante, Aureliane frater
      amantissime.</s>
    <milestone unit="english" /> 3. </ab>
  <ab xml:id="nov-th_6.4" type="caput">
    <milestone unit="latin" /> 4. <s xml:id="nov-th_6.4.s1" n="la9" xml:lang="la"
      >Illustris igitur auctoritas tua post hanc legem nullius petitionem admittat
      vel instructionem fieri <phr type="ampl" subtype="c"><w lemma="patior"
        >patiatur</w></phr> super bonis fabricensis defuncti.</s>
    <s xml:id="nov-th_6.4.s2" n="la10" xml:lang="la">Quod si ulla processerit
      instructio, non sacra adnotatio, non divina pragmatica habeat locum contra
      generalem nostri numinis <phr type="ampl" subtype="c"><w lemma="sanctio"
        >sanctionem</w></phr>.</s>
    <s xml:id="nov-th_6.4.s3" n="la11" xml:lang="la">Quinquaginta etenim auri libras
      officium palatinum fisci <phr type="ampl" subtype="c"><w lemma="vis"
        >viribus</w></phr> inferre <phr type="ampl" subtype="c"><w lemma="cogo"
        >cogetur</w></phr>, si postquam susceperit huiusmodi divinum oraculum,
      vel instructionem dare <phr type="ampl" subtype="c"><w lemma="tempto"
        >temptaverit</w></phr>.</s>
    <milestone unit="english" /> 4. </ab>
  <ab xml:id="nov-th_6.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="nov-th_6.subs.s1" n="la12" xml:lang="la">Dat. prid. non. Nov.
      <placeName corresp="#constantinople">Constantinopoli</placeName> Theodosio
      A. XVI et Fausto V. C. cons. <date when="0438-11-04">(438 Nov. 4)</date>.</s>
    <milestone unit="english" />
  </ab>
</div2>
</div1>
<div1 xml:id="nov-th_7" type="titulus">
  <head xml:id="nov-th_7.tit1">
    <s xml:id="nov-th_7.tit1.s1" xml:lang="la">7. DE AMOTA MILITANTIBUS FORI
      PRAESCRIPTIONE</s>
  </head>

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<div2 xml:id="nov-th_7.1" type="constitutio">
  <ab xml:id="nov-th_7.1.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-th_7.1.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA. Florentio pp.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_7.1.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-th_7.1.0.s1" n="la2" xml:lang="la">
      >Iuratur in militiae sacramenta, ut <phr type="ampl" subtype="c"><w lemma="necessitas">necessitates</w></phr> publicae procurantur, sed suggestione culminis tui comperimus quosdam ideo tantum sortiri militiam, ut <phr type="ampl" subtype="c"><w lemma="alienus">alienorum</w></phr> praediorum idonei possint fieri conductores.</s>
    <s xml:id="nov-th_7.1.0.s2" n="la3" xml:lang="la">Quod nisi numinis nostri fuerit auctoritate correctum, in <phr type="ampl" subtype="g"><w lemma="contumelia">contumeliam</w></phr> aulae divinae proficiet, si iisdem privilegiis muniantur qui in privatis negotiis <phr type="ampl" subtype="c"><w lemma="occupo">occupantur</w></phr>, quibus iure militiae <phr type="ampl" subtype="c"><w lemma="servio">servientes</w></phr> obsequiorum praemiis gloriantur.</s>
    <s xml:id="nov-th_7.1.0.s3" n="la4" xml:lang="la"><seg xml:id="nov-th_7.1.0.c1">
      >Quare praesenti lege <phr xml:id="nov-th_7.1.0.s3.p1" function="cmdw">
        >sancimus</phr> omnes omnino domesticos, agentes in rebus et quaecumque alia praetenditur militiae dignitas, sub moderatoribus provinciarum functionibus publicis respondere, nulla fori praescriptione valitura, si hac qui exiguntur debita publica uti <phr type="ampl" subtype="c"><w lemma="tempto">temptaverint</w></phr>.</seg></s>
    <milestone unit="english" /> 0. </ab>
  <ab xml:id="nov-th_7.1.1" type="caput">
    <milestone unit="latin" /> 1. <s xml:id="nov-th_7.1.1.s1" n="la5" xml:lang="la">
      ><seg xml:id="nov-th_7.1.1.c1">Immo et in aliis privatis actionibus <phr type="ampl" subtype="c"><w lemma="occupo">occupatos</w></phr> <phr xml:id="nov-th_7.1.1.s1.p1" function="cmdw">malumus</phr> respondere qui per provincias otiantur vel conductorum vocabulis defenduntur, sive domorum divinarum sive virorum potentium seu cuiuslibet condicionis sint conductores, nisi forte commeatu ad rem propriam componendam unius anni indutias ostenderint accepisse,</seg> Florenti parens karissime atque amantissime.</s>
    <milestone unit="english" /> 1. </ab>
  <ab xml:id="nov-th_7.1.2" type="caput">
    <milestone unit="latin" /> 2. <s xml:id="nov-th_7.1.2.s1" n="la6" xml:lang="la">
      >Illustris igitur et magnifica auctoritas tua, quae provisionum titulis et commodis publicis illustrantur noverit praesenti lege nostram clementiam statuisset, omnes conductores, omnes qui per provincias otiantur vel suis vacant compendiis sine beneficio, ut dictum est, commeatus, suis <phr type="ampl" subtype="c"><w lemma="adversarius">adversariis</w></phr> agentibus respondere, ne sub praetextu militiae privatum seu publicum debitum <phr type="ampl" subtype="c"><w lemma="desero">deseratur</w></phr>, eadem forma servata in his etiam, qui mercandi et militandi divalia beneficia meruerunt.</s>
    <milestone unit="english" /> 2. </ab>
  <ab xml:id="nov-th_7.1.3" type="caput">
    <milestone unit="latin" /> 3. <s xml:id="nov-th_7.1.3.s1" n="la7" xml:lang="la">
      >Scita sane nostrae perennitatis edictis ex more propositis ad omnium notitiam tua magnificentia faciat pervenire.</s>
    <milestone unit="english" /> 3. </ab>
  <ab xml:id="nov-th_7.1.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="nov-th_7.1.subs.s1" n="la8" xml:lang="la">Dat. XIII kal. Feb. <placeName corresp="#constantinople">Constantinopoli</placeName> Theodosio A. XVII cons. <date when="0439-01-20">(439 Ian. 20)</date>.</s>
    <milestone unit="english" />
  </ab>
</div2>
<div2 xml:id="nov-th_7.2" type="constitutio">
  <ab xml:id="nov-th_7.2.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-th_7.2.insc.s1" n="la1" xml:lang="la">2. Idem AA. Cyro pp.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_7.2.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-th_7.2.0.s1" n="la2" xml:lang="la">
      >Omnes <phr type="ampl" subtype="g"><w lemma="odiosus">odiosae</w></phr> sunt <phr type="ampl" subtype="g"><w lemma="fraus">fraudes</w></phr> et hae maxime quae legibus fiunt, quae contra commoditatem publicam exquiruntur.</s>
    <s xml:id="nov-th_7.2.0.s2" n="la3" xml:lang="la">His itaque legum convenit auctoritatem obponi.</s>
    <s xml:id="nov-th_7.2.0.s3" n="la4" xml:lang="la">fori praescriptiones <phr type="ampl" subtype="g"><w lemma="noxius">noxia</w></phr> quidam interpretatione suis adsertionibus aptare festinant, qui cinguli praerogativa iudiciarias <phr type="ampl" subtype="c"><w lemma="eludo">eludere</w></phr> posse cognitiones existimant, <phr type="ampl" subtype="g"><w lemma="nescio">nescientes</w></phr> veteres quoque leges specialiter eiusmodi praescriptionibus et contractus et negotia gesta et <phr type="ampl" subtype="g"><w lemma="delictum">delicta</w></phr> subtrahere nec <phr type="ampl" subtype="c"><w lemma="patior">pati</w></phr> eum, qui aliquid in qualibet provincia <phr type="ampl" subtype="g"><w lemma="criminose">criminose</w></phr> commiserit vel qui alicubi contraxerit vel qui in

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    quodam loco negotia gesserit <phr type="ampl" subtype="c"><w lemma="alienus"
    >aliena</w></phr>, memorata se posse praescriptione defendere.</s>
  </div>
  <ab xml:id="nov-th_7.2.1" type="caput">
    <milestone unit="english" /> 0. </ab>
    <milestone unit="latin" /> 1. <s xml:id="nov-th_7.2.1.s1" n="la5" xml:lang="la"
    >Sed tua celsitudo per suggestionem edocuit quosdam eorum etiam, qui ad curiam
    vocantur quive cohortalibus deberi dicuntur officiis vel qui debitis publicis
    obligantur quive superexactionum vel <phr type="ampl" subtype="c"><w
    lemma="concussio">concussionum</w></phr>
    <phr type="ampl" subtype="g"><w lemma="crimen">criminibus</w></phr>
    involuntur, in tantum audaciae processisse, ut sub specie militiae excelsae
    tuae quoque sedis iudicio praescribere non <phr type="ampl" subtype="g"><w
    lemma="horreo">horrerent</w></phr>: cui quis <phr type="ampl" subtype="c">
    <w lemma="dubito">dubitat</w></phr> nullam personam in quocumque negotio
    posse praescribere?</s>
    <milestone unit="english" /> 1. </ab>
    <ab xml:id="nov-th_7.2.2" type="caput">
    <milestone unit="latin" /> 2. <s xml:id="nov-th_7.2.2.s1" n="la6" xml:lang="la"
    ><seg xml:id="nov-th_7.2.2.c1">Ideo divinis sensibus <phr type="ampl"
    subtype="c"><w lemma="callidus">callida</w></phr> memoratorum resecantes
    incepta hac perpetua lege <phr xml:id="nov-th_7.2.2.s1.p1" function="cmdw"
    >sancimus</phr> excelsae quidem tuae sedis neminem sub specie fori
    praescriptionis in quolibet negotio <phr type="ampl" subtype="c"><w
    lemma="declino">declinare</w></phr> posse sententias.</seg></s>
    <s xml:id="nov-th_7.2.2.s2" n="la7" xml:lang="la"><seg xml:id="nov-th_7.2.2.c2"
    >Sed ne provincialibus quoque iudiciis posse fori praescriptionem obponere
    eos, qui ad curiam vocantur vel cohortalibus deberi dicuntur officiis, vel
    eos, qui debitis publicis obligantur, eosve qui superexactiones vel <phr
    type="ampl" subtype="c"><w lemma="concussio">concussiones</w></phr>
    perpetrassent firmantur quive <phr type="ampl" subtype="g"><w
    lemma="criminose">criminose</w></phr> quid <phr type="ampl"
    subtype="c"><w lemma="arguo">arguuntur</w></phr> in provincia commisisse
    quive contraxisse vel <phr type="ampl" subtype="c"><w lemma="alienus"
    >alienum</w></phr> dicuntur gessisse negotium in ea provincia, in qua
    conveniuntur, hac saluberrima lege <phr xml:id="nov-th_7.2.2.s2.p1"
    function="cmdw">decernimus</phr>, licet talis officii videatur apparitor,
    quod specialiter, ut apud suos tantum iudices responderet, de nostri numinis
    impetravit clementia.</seg></s>
    <milestone unit="english" /> 2. </ab>
    <ab xml:id="nov-th_7.2.3" type="caput">
    <milestone unit="latin" /> 3. <s xml:id="nov-th_7.2.3.s1" n="la8" xml:lang="la"
    >Quod si quis contra tam saluberrimam legem <phr type="ampl" subtype="c"><w
    lemma="pertinax">pertinaciter</w></phr> voluerit impetratis sibimet vel
    suo corpori scitis uti caelestibus, sciat tam tua sublimitas quam moderatores
    provinciarum adversus eum tamquam in <phr type="ampl" subtype="g"><w
    lemma="contumax">contumacem</w></phr> sententiam proferendam, Cyre parens
    karissime atque amantissime.</s>
    <s xml:id="nov-th_7.2.3.s2" n="la9" xml:lang="la">Illustris itaque et magnifica
    auctoritas tua legem saluberrimam edictis propositis ad omnium notitiam <phr
    type="ampl" subtype="c"><w lemma="perfero">perferri</w></phr>
    praecipiat.</s>
    <milestone unit="english" /> 3. </ab>
    <ab xml:id="nov-th_7.2.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="nov-th_7.2.subs.s1" n="la10" xml:lang="la">Dat. XI kal. Oct. <placeName
    corresp="#constantinople">Constantinopoli</placeName> Valentiniano A. V et
    Anatolio V.c. cons. <date when="0440-09-21">(440 Sept. 21)</date>.</s>
    <milestone unit="english" />
  </ab>
</div>
<div2 xml:id="nov-th_7.3" type="constitutio">
  <ab xml:id="nov-th_7.3.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-th_7.3.insc.s1" n="la1" xml:lang="la">3. Idem AA. Cyro pp.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_7.3.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-th_7.3.0.s1" n="la2" xml:lang="la"
    >Nos quidem semper singulis atque universis ea provisionum maiestate
    consulimus, qua <rs ana="#I_state"><w lemma="res-romana">res Romana</w></rs>
    paulatim ad totius orbis terrarum processit imperium.</s>
    <s xml:id="nov-th_7.3.0.s2" n="la3" xml:lang="la">Quibus enim adquiruntur artibus
    bona, iisdem scimus etiam adquisita servari.</s>
    <s xml:id="nov-th_7.3.0.s3" n="la4" xml:lang="la">Quis <phr type="ampl"
    subtype="c"><w lemma="dubito">dubitat</w></phr> suis commodis <rs
    ana="#I_ancients"><w lemma="vetus">veteres</w></rs>
    <rs ana="#I_state"><w lemma="res-publica">rei publicae</w></rs> commoda
    praeferentes mundi finibus fines <phr type="ampl" subtype="c"><w lemma="impono"
    >imposuisse</w></phr> Romanos?</s>
    <s xml:id="nov-th_7.3.0.s4" n="la5" xml:lang="la">sic nos in <rs ana="#I_law"><w
    lemma="lex">legibus</w></rs> maxime promulgandis non quid forte quibusdam
    separatim, sed quid universis in commune prodest, divinis sensibus
    ponderamus.</s>
    <s xml:id="nov-th_7.3.0.s5" n="la6" xml:lang="la">Sed nonnumquam ea, quae
    saluberrime promulgantur, <rs ana="#I_law"><w lemma="interpellatio"
    >interpellatione</w></rs> quidam non recta <phr type="ampl" subtype="c">
    <w lemma="deformo">deformare</w></phr> contendunt.</s>
    <milestone unit="english" /> 0. </ab>
  <ab xml:id="nov-th_7.3.1" type="caput">

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<milestone unit="latin" /> 1. <s xml:id="nov-th_7.3.1.s1" n="la7" xml:lang="la"
>Nuper <rs corresp="#decrns" ana="#E_local-officials"><w lemma="curia"
>curiis</w></rs>
<rs corresp="#cities" ana="#E_cities"><w lemma="civitas">civitatus</w></rs>,
ipsis etiam <rs corresp="#citzns" ana="#E_regions"><w lemma="provincia"
>provinciis</w></rs> consulentes cavimus lege perpetua non debere passim
<rs ana="#P_bureaucracy"><w lemma="cingulus">cinguli</w></rs> praerogativa
vel <rs corresp="#prefec" ana="#P_high-officials"><w
lemma="illustrissima-praefectura">illustrissimae praefecturae</w></rs>
vel <rs corresp="#govnr" ana="#P_high-officials"><w lemma="rector"
>rectorum</w></rs>
<rs ana="#E_regions"><w lemma="provincia">provinciarum</w></rs>
<phr type="ampl" subtype="c" inj-src="cingulus" crt-src="high"
injured="illustrissima-praefectura rector"><w lemma="declino"
>declinari</w></phr> sententias.</s>
<s xml:id="nov-th_7.3.1.s2" n="la8" xml:lang="la">Hanc legem etiam de nostris <rs
corresp="#militr" ana="#M_soldiers"><w lemma="miles">militibus</w></rs>
quosdam comperimus dicere promulgatam.</s>
<s xml:id="nov-th_7.3.1.s3" n="la9" xml:lang="la">Ne itaque <phr type="ampl"
subtype="g" injured="miles" crt-inj="high"><w lemma="male">male</w></phr>
interpretandi scita nostra quibusdam detur occasio, sciat <rs corresp="#prefec"
ana="#P_high-officials"><w lemma="sublimitas-tua">sublimitas tua</w></rs>
<seg xml:id="nov-th_7.3.1.c1">de <rs corresp="#militr" ana="#M_soldiers"><w
lemma="scholaris">scholaribus</w></rs> nostris, <rs
ana="#M_military-leaders"><w lemma="comes">comitibus</w></rs> etiam ac
<rs ana="#M_military-leaders"><w lemma="tribunus">tribunis</w></rs> nec
<rs ana="#M_army"><w lemma="militaris">militaribus</w></rs> consuetudinem
observari <phr xml:id="nov-th_7.3.1.s3.pl" function="cmdw">velle</phr> nos
hactenus observatam, de ceteris vero <rs ana="#M_soldiers"><w lemma="miles"
>militibus</w></rs> armatis vel de <rs ana="#M_military-leaders"><w
lemma="tribunus">tribunis</w></rs>, qui numeros agunt, prorsus legem
nuper promulgatam non loqui certissimum est,</seg>
<rs ana="#P_high-officials"><w lemma="Cyrus">Cyre</w></rs> parens karissime
atque amantissime.</s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_7.3.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-th_7.3.2.s1" n="la10" xml:lang="la"
>Illustris igitur et magnifica <rs ana="#P_high-officials"><w
lemma="auctoritas">auctoritas</w></rs> tua legem perpetuo valituram
edictis propositis ad omnium notitiam <phr type="ampl" subtype="c"><w
lemma="perfero">perferri</w></phr> praecipiat.</s>
<milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_7.3.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-th_7.3.subs.s1" n="la11" xml:lang="la">Dat. IIII kal. Ian.
<placeName corresp="#Constantinople">Constantinopoli</placeName>
Valentiniano A. V et Anatolio V. C. cons. <date when="0440-11-29">(440 Dec.
29)</date>.</s>
<milestone unit="english" />
</ab>
</div2>
<div2 xml:id="nov-th_7.4" type="constitutio">
<ab xml:id="nov-th_7.4.insc" type="insc">
<milestone unit="latin" />
<s xml:id="nov-th_7.4.insc.s1" n="la1" xml:lang="la">4. Idem AA. Ariobindo mag.
milit.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_7.4.0" type="caput">
<milestone unit="latin" /> 0. <s xml:id="nov-th_7.4.0.s1" n="la2" xml:lang="la"
>Quae de fori praescriptione nuper saluberrima lege decrevimus, ipsius legis
definitionibus demonstrantur.</s>
<s xml:id="nov-th_7.4.0.s2" n="la3" xml:lang="la">Sed suggestione tuae
sublimitatis <phr type="ampl" subtype="c"><w lemma="admoneo">admoniti</w></phr>
quosdam etiam de apparitionibus magisteriae potestatis excipi postulantis, ad
eam quoque partem ordinandam divina moderatione pervenimus.</s>
<s xml:id="nov-th_7.4.0.s3" n="la4" xml:lang="la">Itaque neque <phr type="ampl"
subtype="c"><w lemma="pello">pulsatis</w></phr> ab <phr type="ampl"
subtype="c"><w lemma="adversarius">adversariis</w></phr> suis vel in
amplissimae praefecturae iudicio vel in provinciis ad praescribendum sufficiat
apparitorem magisteriae se dicere potestatis, et sint certi, quos obsequiis
magistri militum deputatos ad alia iudicia inconsulto suo iudice <phr
type="ampl" subtype="c"><w lemma="traho">trahi</w></phr> non liceat.</s>
<milestone unit="english" /> 0. </ab>
<ab xml:id="nov-th_7.4.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-th_7.4.1.s1" n="la5" xml:lang="la"
>Per singula officia virorum illustrium magistrorum militum trecentos excipi
lege pridem promulgata decrevimus, quos nec in provincialibus nec in
praetorianae vel urbariae praefecturae iudicio sine permissu viri illustris
magistri militum litigare conveniet; <seg xml:id="nov-th_7.4.1.c1">ceteros
omnes, qui supra praedictum sunt numerum quasi nec militantes et apud
illustrissimas praefecturas et apud viros clarissimos rectores provinciarum
de quolibet negotio <phr type="ampl" subtype="c"><w lemma="pello"
>pulsari</w></phr> et conveniri et respondere sine cinguli
praescriptione <phr xml:id="nov-th_7.4.1.s1.pl" function="cmdw"
>decernimus</phr>.</seg></s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_7.4.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-th_7.4.2.s1" n="la6" xml:lang="la"

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    <>seg xml:id="nov-th_7.4.2.c1">Probari autem apparitores magisteriae
    potestatis neque curiales neque cohortales neque censibus <phr
    xml:id="nov-th_7.4.2.s1.p1" function="cmdw">volumus</phr>
    adscriptos.</seg></s>
  <milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_7.4.3" type="caput">
  <milestone unit="latin" /> 3. <s xml:id="nov-th_7.4.3.s1" n="la7" xml:lang="la"
  >Quo autem sit certum, qui trecentorum numero continentur, <seg
    xml:id="nov-th_7.4.3.c1">in sententiis vel praeceptis, quae apparitoribus
    magisteriae potestatis exsequenda mandantur, vel in comitatibus, si forte
    quis eorum ad sua reverti voluerit comitatu, virum magnificum magistrum
    militum subnotare <phr xml:id="nov-th_7.4.3.s1.p1" function="cmdw"
    >censemus</phr> de numero trecentorum eum esse, cui praecepta vel
    sententiae mandatae sunt exsequendae vel cui ad sua per comitatum reverti
    concessum est.</seg></s>
  <milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_7.4.4" type="caput">
  <milestone unit="latin" /> 4. <s xml:id="nov-th_7.4.4.s1" n="la8" xml:lang="la"
  ><seg xml:id="nov-th_7.4.4.c1">Si quis igitur conventus ex sententia tuae
    excelsae sedis vel urbicae praefecturae vel moderatoris provinciae
    apparitorem se magisteriae potestatis dicat nec magistri militum talem
    subscriptionem protulerit, fori eiusmodi praescriptionem in eius persona
    cessare <phr xml:id="nov-th_7.4.4.s1.p1" function="cmdw"
    >decernimus</phr>.</seg></s>
  <milestone unit="english" /> 4. </ab>
<ab xml:id="nov-th_7.4.5" type="caput">
  <milestone unit="latin" /> 5. <s xml:id="nov-th_7.4.5.s1" n="la9" xml:lang="la"
  ><seg xml:id="nov-th_7.4.5.c1">Quod si qualem diximus magistri militum
    subscriptionem protulerit, si quidem ille est, cui neque a curia neque a
    cohortali officio de statu moveatur controversia, nec tributa vel functiones
    debere firmatur, statim dimittendus est utpote fori alterius
    litigator.</seg></s>
  <milestone unit="english" /> 5. </ab>
<ab xml:id="nov-th_7.4.6" type="caput">
  <milestone unit="latin" /> 6. <s xml:id="nov-th_7.4.6.s1" n="la10" xml:lang="la"
  ><seg xml:id="nov-th_7.4.6.c1">Quod si ab eo proferatur saepe dicta
    subscriptio, qui a curia vel officio cohortali de statu <phr type="ampl"
    subtype="c"><w lemma="patior">patitur</w></phr> controversiam, vel ab eo,
    qui ut tributa vel functiones debens in provincia detinetur, de eius persona
    et ad virum magnificum magistrum militum, cuius se apparitorem dicit, et
    illustrissimam praefecturam referri <phr xml:id="nov-th_7.4.6.s1.p1"
    function="cmdw">decernimus</phr>, ut, si intra quattuor menses non fuerit
    a magistro militum causa rectori provinciae delegata, tunc ex sententia tui
    culminis negotium vel in tuo iudicio vel apud rectorem provinciae
    peroratur.</seg></s>
  <milestone unit="english" /> 6. </ab>
<ab xml:id="nov-th_7.4.7" type="caput">
  <milestone unit="latin" /> 7. <s xml:id="nov-th_7.4.7.s1" n="la11" xml:lang="la"
  ><seg xml:id="nov-th_7.4.7.c1">Quod si apud illustrem atque magnificam tuam
    sedem postulatio contra talem fuerit apparitorem <phr type="ampl"
    subtype="c"><w lemma="depono">deposita</w></phr>, ab ea quoque sede ad
    virum magnificum magistrum militum scribi conveniet. Quo facto intra tres
    menses cum amplissima tua sede viro quoque magnifico magistro militum
    iudicante causam ordine legum determinari <phr xml:id="nov-th_7.4.7.s1.p1"
    function="cmdw">censemus</phr>.</seg></s>
  <milestone unit="english" /> 7. </ab>
<ab xml:id="nov-th_7.4.8" type="caput">
  <milestone unit="latin" /> 8. <s xml:id="nov-th_7.4.8.s1" n="la12" xml:lang="la"
  ><seg xml:id="nov-th_7.4.8.c1">Sed et eo casu, quo apparitor magisteriae
    potestatis de statu supra dicto in provincia <phr type="ampl" subtype="c"><w
    lemma="patior">patitur</w></phr> controversiam, si sententia vel
    interlocutio rectoris provinciae fuerit appellatione <phr type="ampl"
    subtype="c"><w lemma="suspendo">suspensa</w></phr>, similiter utroque
    amplissimo iudice cognoscente causae <phr xml:id="nov-th_7.4.8.s1.p1"
    function="cmdw">iubemus</phr> merita ponderari, licet magister militum
    rectori provinciae causam delegaverit perorandam.</seg></s>
  <milestone unit="english" /> 8. </ab>
<ab xml:id="nov-th_7.4.9" type="caput">
  <milestone unit="latin" /> 9. <s xml:id="nov-th_7.4.9.s1" n="la13" xml:lang="la"
  ><seg xml:id="nov-th_7.4.9.c1">In cognitionibus autem futuris omnes ex iure
    venientes adsertiones partibus illibatas servari <phr
    xml:id="nov-th_7.4.9.s1.p1" function="cmdw">censemus</phr>.</seg>
    Ariobinde parens karissime atque amantissime.</s>
  <milestone unit="english" /> 9. </ab>
<ab xml:id="nov-th_7.4.10" type="caput">
  <milestone unit="latin" /> 10. <s xml:id="nov-th_7.4.10.s1" n="la14" xml:lang="la"
  >Illustris igitur et magnifica auctoritas tua legem hanc edictis propositis ad
    omnium notitiam <phr type="ampl" subtype="c"><w lemma="perfero"
    >perferri</w></phr> praecipiat.</s>
  <milestone unit="english" /> 10. </ab>
<ab xml:id="nov-th_7.4.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-th_7.4.subs.s1" n="la15" xml:lang="la">Dat. prid. non. Mart.
    <placeName corresp="#constantinople">Constantinopoli</placeName> Cyro V. C.
    cons. <date when="0441-03-06">(441 Mart. 6)</date>.</s>
  <s xml:id="nov-th_7.4.subs.s2" n="la0" xml:lang="la">eodem exemplo Aspari V.
    Illustr. com. et mag. militum et exconsuli ordinario.</s>
  <milestone unit="english" />
</ab>

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</div2>
</div1>
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  <head xml:id="nov-th_8.titl">
    <s xml:id="nov-th_8.titl.s1" xml:lang="la">8. DE NAVIBUS ULTRA DUORUM MILIUM MODIORUM
      CAPACITATEM NON EXCUSANDIS</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-th_8.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-th_8.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
        Florentio pp.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="nov-th_8.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-th_8.0.s1" n="la2" xml:lang="la">
        >Semina ferendi leges <phr type="ampl" subtype="c"><w lemma="fragilitas"
          >fragilitas</w></phr> humani generis subministrat, repetitio vero legum
          nostrae est humanitatis indicium, si quidem, cum priorum <phr type="ampl"
            subtype="c"><w lemma="aculeus">aculei</w></phr> adversus <phr type="ampl"
              subtype="g"><w lemma="temero">temeratores</w></phr> earum sufficerent
              corrigendos, <phr type="ampl" subtype="c"><w lemma="admoneo">admoneri</w></phr>
              tamen per legis repetitionem <phr type="ampl" subtype="g"><w lemma="delinquo"
                >delinquentes</w></phr> volumus quam <phr type="ampl" subtype="g"><w
                  lemma="poena">poenas</w></phr> exigi <phr type="ampl" subtype="g"><w
                    lemma="delictum">delictorum</w></phr>.</s>
            <s xml:id="nov-th_8.0.s2" n="la3" xml:lang="la">Ideo <phr type="ampl" subtype="c">
              <w lemma="calco">calcatam</w></phr> legem, quae de navigiis non
              excusandis olim fuerat promulgata, suggestione tuae sublimitatis edocti humanis
              sensibus saluberrima repetere scita <phr type="ampl" subtype="c"><w
                lemma="compello">compellimur</w></phr> ac <seg xml:id="nov-th_8.0.c1"
                  ><phr xml:id="nov-th_8.0.s2.p1" function="cmdw">iubemus</phr>, nullam
                  navem ultra duorum milium modiorum capacitatem ante felicem embolam vel
                  publicarum specierum transvectionem aut privilegio dignitatis aut religionis
                  intuitu aut praerogativa personae publicis utilitatibus excusari posse
                  subtractam.</seg></s>
            <s xml:id="nov-th_8.0.s3" n="la4" xml:lang="la"><seg xml:id="nov-th_8.0.c2">Nec si
              caeleste contra proferatur oraculum, sive adnotatio sive sit divina
              pragmatica, providentissimae legis regulas obpugnare debeat.</seg></s>
            <milestone unit="english" /> 0. </ab>
          <ab xml:id="nov-th_8.1" type="caput">
            <milestone unit="latin" /> 1. <s xml:id="nov-th_8.1.s1" n="la5" xml:lang="la"><seg
              xml:id="nov-th_8.1.c1">Quod etiam in omnibus causis <phr
                xml:id="nov-th_8.1.s1.p1" function="cmdw">cupimus</phr> observari, ut
                generaliter, si quid huiusmodi contra ius contrave utilitatem publicam in
                quolibet negotio proferatur, non valeat,</seg> cum haud dubie <phr
                  type="ampl" subtype="g"><w lemma="subreptio">subreptionem</w></phr>
                  <phr type="ampl" subtype="c"><w lemma="arguo">arguat</w></phr> precatoris.</s>
            <milestone unit="english" /> 1. </ab>
          <ab xml:id="nov-th_8.2" type="caput">
            <milestone unit="latin" /> 2. <s xml:id="nov-th_8.2.s1" n="la6" xml:lang="la">Sed
              ne praesentis iuris videatur <phr type="ampl" subtype="c"><w lemma="impunitus"
                >impunita</w></phr> contemptio, <seg xml:id="nov-th_8.2.c1">quidquid in
                <phr type="ampl" subtype="g"><w lemma="fraus">fraudem</w></phr> istius
                legis quolibet modo fuerit adtemptatum, id navigii quod excusatur
                publicatione <phr xml:id="nov-th_8.2.s1.p1" function="cmdw"
                  >corrigimus</phr>,</seg> Florenti parens karissime atque amantissime.</s>
            <milestone unit="english" /> 2. </ab>
          <ab xml:id="nov-th_8.3" type="caput">
            <milestone unit="latin" /> 3. <s xml:id="nov-th_8.3.s1" n="la7" xml:lang="la">
              >Illustris igitur et magnifica auctoritas tua legem perpetuo valitum ad
              omnium notitiam propositis edictis <phr type="ampl" subtype="c"><w
                lemma="perfero">perferri</w></phr> praecipiat.</s>
            <milestone unit="english" /> 3. </ab>
          <ab xml:id="nov-th_8.subs" type="subs">
            <milestone unit="latin" />
            <s xml:id="nov-th_8.subs.s1" n="la8" xml:lang="la">Dat. VII id. April. <placeName
              corresp="#constantinople">Constantinopoli</placeName> Theodosio A. XVII
              cons. <date when="0439-04-07">(439 April. 7)</date>.</s>
            <milestone unit="english" />
          </ab>
        </div2>
      </div1>
    <div1 xml:id="nov-th_9" type="titulus">
      <head xml:id="nov-th_9.titl">
        <s xml:id="nov-th_9.titl.s1" xml:lang="la">9. NE CURIALIS PRAEDIIUM ALTERIUS CONDUCAT
          AUT FIDEIJESSOR CONDUCTORIS EXISTAT</s>
      </head>
      <div2 type="constitutio" subtype="solo">
        <ab xml:id="nov-th_9.insc" type="insc">
          <milestone unit="latin" />
          <s xml:id="nov-th_9.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
            Florentio pp.</s>
          <milestone unit="english" />
        </ab>
        <ab xml:id="nov-th_9.0" type="caput">
          <milestone unit="latin" /> 0. <s xml:id="nov-th_9.0.s1" n="la2" xml:lang="la">Non
            dubium est in legem committere eum, qui verba legis amplexus contra legis
            nititur voluntatem, nec <phr type="ampl" subtype="g"><w lemma="poena"

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    >poenas</w></phr> insertas legibus <phr type="ampl" subtype="g"><w
    lemma="evito">evitabit</w></phr>, qui se contra iuris sententias <phr
    type="ampl" subtype="c"><w lemma="scaevus">scaeva</w></phr> praerogativa
    verborum <phr type="ampl" subtype="g"><w lemma="fraudenter"
    >fraudenter</w></phr> excusat.</s>
  <milestone unit="english" /> 0. </ab>
<ab xml:id="nov-th_9.1" type="caput">
  <milestone unit="latin" /> 1. <s xml:id="nov-th_9.1.s1" n="1a3" xml:lang="la"
  >Curiales ne ad procuracionem rerum <phr type="ampl" subtype="c"><w
    lemma="alienus">alienarum</w></phr> accederent, cautum est
    providentissima <phr type="ampl" subtype="c"><w lemma="sanctio"
    >sanctio</w></phr>, cuius in <phr type="ampl" subtype="g"><w lemma="fraus"
    >fraudem</w></phr> conducendi eos sibimet <phr type="ampl" subtype="c"><w
    lemma="usurpo">usurpare</w></phr>
    <phr type="ampl" subtype="c"><w lemma="licentia">licentiam</w></phr>
    sublimitatis tuae suggestionem comperimus.</s>
  <s xml:id="nov-th_9.1.s2" n="1a4" xml:lang="la">Quos licet pristinae legis laqueis
    inretiri cernamus - conductionem namque speciem esse procuracionis certissimum
    est -, addamen ne sub <phr type="ampl" subtype="g"><w lemma="fraus"
    >fraudis</w></phr> suae velamine legis lateant contemptores neve eis fucata
    suae <phr type="ampl" subtype="c"><w lemma="calliditas">calliditatis</w></phr>
    excusatio relinquantur, <seg xml:id="nov-th_9.1.c1">hac perpetuo lege valitura
    <phr xml:id="nov-th_9.1.s2.p1" function="cmdw">sancimus</phr> conducendi
    quoque fundos <phr type="ampl" subtype="c"><w lemma="alienus"
    >alienos</w></phr>
    <phr type="ampl" subtype="c"><w lemma="licentia">licentiam</w></phr>
    curialibus <phr type="ampl" subtype="c"><w lemma="amputo"
    >amputari</w></phr>, locatas res fisci <phr type="ampl" subtype="c"><w
    lemma="vis">viribus</w></phr>
    <phr type="ampl" subtype="c"><w lemma="vindico"
    >vindicare</w></phr>.</seg></s>
  <milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_9.2" type="caput">
  <milestone unit="latin" /> 2. <s xml:id="nov-th_9.2.s1" n="1a5" xml:lang="la"><seg
    xml:id="nov-th_9.2.c1">Conductor itaque locatori vel contra locator
    conductori contra hanc legem nulla tenebitur actione.</seg></s>
  <s xml:id="nov-th_9.2.s2" n="1a6" xml:lang="la"><seg xml:id="nov-th_9.2.c2">Nullum
    enim pactum, nullam conventionem, nullum contractum inter eos videri <phr
    xml:id="nov-th_9.2.s2.p1" function="cmdw">volumus</phr> subsecutum, qui
    contrahunt lege contrahere <phr type="ampl" subtype="g"><w lemma="prohibeo"
    >prohibente</w></phr>.</seg></s>
  <milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_9.3" type="caput">
  <milestone unit="latin" /> 3. <s xml:id="nov-th_9.3.s1" n="1a7" xml:lang="la"><seg
    xml:id="nov-th_9.3.c1">Quod ad omnes etiam legum interpretationes tam
    veteres quam novellas <phr type="ampl" subtype="c"><w lemma="traho"
    >trahi</w></phr> generaliter <phr xml:id="nov-th_9.3.s1.p1"
    function="cmdw">imperamus</phr>, ut legis latori quod fieri non vult
    tantum <phr type="ampl" subtype="g"><w lemma="prohibeo"
    >prohibuisse</w></phr> sufficiat, cetera quasi espressa ex legis liceat
    voluntate colligere: hoc est, ut ea quae lege fieri <phr type="ampl"
    subtype="g"><w lemma="prohibeo">prohibentur</w></phr>, si fuerint facta,
    non solum inutilia, sed pro infectis etiam habeantur, licet legis lator
    fieri <phr type="ampl" subtype="g"><w lemma="prohibeo">prohiberit</w></phr>
    tantum nec specialiter dixerit inutile debere esse quod factum
    est.</seg></s>
  <s xml:id="nov-th_9.3.s2" n="1a8" xml:lang="la"><seg xml:id="nov-th_9.3.c2">Sed et
    si quid fuerit subsecutum ex eo vel ob id quod <phr type="ampl" subtype="c"
    ><w lemma="interdico">interdicente</w></phr> factum est lege, illud
    quoque cassum atque inutile esse <phr xml:id="nov-th_9.3.s2.p1"
    function="cmdw">praecipimus</phr>.</seg></s>
  <milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_9.4" type="caput">
  <milestone unit="latin" /> 4. <s xml:id="nov-th_9.4.s1" n="1a9" xml:lang="la">Sed
    quo omne <phr type="ampl" subtype="g"><w lemma="fraus">fraudis</w></phr> semen
    per hanc legem curialibus radicatus <phr type="ampl" subtype="c"><w
    lemma="amputo">amputetur</w></phr>, <seg xml:id="nov-th_9.4.c1">nec fidem
    suam pro conductoribus fundorum interponere <phr function="cmdw"
    xml:id="nov-th_9.4.s1.p1">concedimus</phr> curiales.</seg></s>
  <s xml:id="nov-th_9.4.s2" n="1a10" xml:lang="la">cur enim conductio <phr
    type="ampl" subtype="g"><w lemma="prohibeo">prohibetur</w></phr>, si
    conductionis <phr type="ampl" subtype="g"><w lemma="periculum"
    >periculum</w></phr> vel <phr type="ampl" subtype="c"><w lemma="sollicitudo"
    >sollicitudo</w></phr> permittitur?</s>
  <s xml:id="nov-th_9.4.s3" n="1a11" xml:lang="la"><seg xml:id="nov-th_9.4.c2"
    ana="#ncp">secundum praedictam itaque regulam, quam ubique servari factum
    lege <phr type="ampl" subtype="g"><w lemma="prohibeo">prohibente</w></phr>
    censuimus, certum est nec stipulationem eiusmodi tenere nec mandatum ullius
    esse momenti nec sacramentum admitti nec actionem quolibet pacto adversus
    eum fideiussorem competere locatori,</seg> Florenti parens karissime atque
    amantissime.</s>
  <milestone unit="english" /> 4. </ab>
<ab xml:id="nov-th_9.5" type="caput">
  <milestone unit="latin" /> 5. <s xml:id="nov-th_9.5.s1" n="1a12" xml:lang="la"
  >Illustris itaque et magnifica auctoritas tua providentissime constituta
    edictis propositis ad omnes provincias <phr type="ampl" subtype="c"><w
    lemma="perfero">perferri</w></phr> praecipiat.</s>
  <milestone unit="english" /> 5. </ab>
<ab xml:id="nov-th_9.subs" type="subs">

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<milestone unit="latin" />
<s xml:id="nov-th_9.subs.s1" n="la13" xml:lang="la">Dat VII id. April. <placeName
  corresp="#constantinople">Constantinopoli</placeName> D. N. Theodosio A.
  XVII cons. et qui fuerit nuntiatus. <date when="0439-04-07">(439 April.
  7)</date></s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_9.intr" type="intr">
  <milestone unit="latin" />INTERPRETATIO. Nullus curialium in fiscali vel in
  privato agro conductor accedat nec pro aliquo conductore fideiussor existat. Quod
  si quis curialem in agro suo susceperit conductorem aut pro alio conductore
  fideiussorem acceperit curialem, actionem suam noverit in omnibus vacuari. Nam et
  ager ipse, qui a possessore curiali conductus est, fisci viribus vindicetur.
  curialis vero pro supra scriptis condicionibus, etiamsi cautionem emiseric, non
  teneatur. <milestone unit="english" /></ab>
</div2>
</div1>
<div1 xml:id="nov-th_10" type="titulus">
  <head xml:id="nov-th_10.titl">
    <s xml:id="nov-th_10.titl.s1" xml:lang="la">10. DE POSTULANDO ET DE PERPETUANDA
    ADVOCATIONE</s>
  </head>
  <div2 xml:id="nov-th_10.1" type="constitutio">
    <ab xml:id="nov-th_10.1.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-th_10.1.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
      Florentio pp.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="nov-th_10.1.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-th_10.1.0.s1" n="la2" xml:lang="la"
      >Providentissime suggestis lege saluberrima subvenimus.</s>
      <s xml:id="nov-th_10.1.0.s2" n="la3" xml:lang="la"><phr type="ampl" subtype="c"><w
      lemma="enervo">Enervasse</w></phr> curias vel provinciarum officia
      effusam in amplissimae praefecturae iudicio postulandi <phr type="ampl"
      subtype="c"><w lemma="cupiditas">cupiditatem</w></phr> inlecebris
      immunitatis accensam tui culminis suggestionem comperimus.</s>
      <s xml:id="nov-th_10.1.0.s3" n="la4" xml:lang="la">dispositiones itaque
      sublimitatis tuae in hoc quoque secuti negotio <seg xml:id="nov-th_10.1.0.c1"
      >perpetuo lege valitura <phr xml:id="nov-th_10.1.0.s3.pl" function="cmdw"
      >decernimus</phr> curiales, qui post sexaginta quattuor priores advocatos
      contra licitum iam in amplissimo foro postulandi sibimet <phr type="ampl"
      subtype="c"><w lemma="usurpo">usurpavere</w></phr>
      <phr type="ampl" subtype="c"><w lemma="licentia">licentiam</w></phr>, per
      substitutum munia suae civitatis agnoscere nulloque sacrarum constitutionum,
      quae de advocatis latae sunt, beneficio frui, nisi ad fisci nostri
      pervenerint patronatum.</seg></s>
      <s xml:id="nov-th_10.1.0.s4" n="la5" xml:lang="la"><seg xml:id="nov-th_10.1.0.c2"
      ana="#ncp">Cum vero advocacionem fisci susceperint, omnibus aliis
      perfruantur, substituto curiam non <phr type="ampl" subtype="g"><w
      lemma="fraudo">fraudantes</w></phr>, ulterius neque curiali neque
      cohortali advocatorum praefecturae consortio sociando.</seg></s>
      <milestone unit="english" /> 0. </ab>
    <ab xml:id="nov-th_10.1.1" type="caput">
      <milestone unit="latin" /> 1. <s xml:id="nov-th_10.1.1.s1" n="la6" xml:lang="la"
      >Sed quo numerus, ut suggeritur, infinitus eorum, qui post centum quoque et
      quinquaginta passim matriculis continentur, quadam valeat provisione deminui,
      <seg xml:id="nov-th_10.1.1.c1">nullum ad advocacionem fori culminis tui post
      hos, qui iam matriculis continentur, <phr xml:id="nov-th_10.1.1.s1.pl"
      function="cmdw">iubemus</phr> accedere, nisi ad centum numerus
      advocatorum pervenerit.</seg></s>
      <s xml:id="nov-th_10.1.1.s2" n="la7" xml:lang="la">Hunc enim numerum utpote
      sufficientem litibus amplissimae praefecturae nec minui volumus nec augeri
      concedimus.</s>
      <milestone unit="english" /> 1. </ab>
    <ab xml:id="nov-th_10.1.2" type="caput">
      <milestone unit="latin" /> 2. <s xml:id="nov-th_10.1.2.s1" n="la8" xml:lang="la"
      >Sed ne <phr type="ampl" subtype="c"><w lemma="durus">dura</w></phr> illis, qui
      supra numerum veniunt constitutum, longi temporis expectatio videatur, <seg
      xml:id="nov-th_10.1.2.c1">liberam eis ad alia, si voluerint, fora migrandi
      <phr xml:id="nov-th_10.1.2.s1.pl" function="cmdw">tribuimus</phr>
      facultatem nulla e minoribus iudiciis praescriptione <phr type="ampl"
      subtype="c"><w lemma="pello">pellendis</w></phr>.</seg></s>
      <milestone unit="english" /> 2. </ab>
    <ab xml:id="nov-th_10.1.3" type="caput">
      <milestone unit="latin" /> 3. <s xml:id="nov-th_10.1.3.s1" n="la9" xml:lang="la"
      ><seg xml:id="nov-th_10.1.3.c1">Superest non solum <phr type="ampl"
      subtype="g"><w lemma="fugio">fugiendi</w></phr> provincias advocatis <phr
      type="ampl" subtype="c"><w lemma="necessitas">necessitatem</w></phr>
      extinguere, sed etiam amplectendi eas atque in advocacionis earum officio
      perseverandi ministrare materiam.</seg></s>
      <s xml:id="nov-th_10.1.3.s2" n="la10" xml:lang="la">Quod ita credimus eventurum,
      si ipsis quoque advocacionis praemium securitas proponatur.</s>
      <s xml:id="nov-th_10.1.3.s3" n="la11" xml:lang="la">Sic factiones eorum non <phr
      type="ampl" subtype="g"><w lemma="timeo">timeant</w></phr>, contra quos
      clientibus suis fideliter adfuerint, si officiis amplissimarum potestatum suas
      non viderint subiacere fortunas.</s>
      <milestone unit="english" /> 3. </ab>
    <ab xml:id="nov-th_10.1.4" type="caput">

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<milestone unit="latin" /> 4. <s xml:id="nov-th_10.1.4.s1" n="la12" xml:lang="la"
><seg xml:id="nov-th_10.1.4.c1">Quamobrem nihil advocatis provinciarum vel
spectabilium iudicum quis existimet iniungendum, nulla eis inspectio, nulla
ingeratur peraequatio, nulla operis instructio, nulla discussio, nullum
raticinium <phr type="ampl" subtype="g"><w lemma="impono"
>imponatur</w></phr>, nihil denique aliud eis mandetur praeter arbitrium
in ea dumtaxat provincia, ubi advocationis exercetur officium: quinquaginta
librarum auri <phr type="ampl" subtype="g"><w lemma="poena">poena</w></phr>
officio <phr type="ampl" subtype="c"><w lemma="ferio">feriendo</w></phr>,
quod legis istius regulas <phr type="ampl" subtype="g"><w lemma="temero"
>temerare</w></phr>
<phr type="ampl" subtype="c"><w lemma="tempto">temptaverit</w></phr></seg>
Florenti parens karissime atque amantissime.</s>
<milestone unit="english" /> 4. </ab>
<ab xml:id="nov-th_10.1.5" type="caput">
<milestone unit="latin" /> 5. <s xml:id="nov-th_10.1.5.s1" n="la13" xml:lang="la"
>Illustris itaque et magnifica auctoritas tua legem hanc curiis civitatibus
provinciis profuturam edictis propositis ad omnium notitiam <phr type="ampl"
subtype="c"><w lemma="perfero">perferri</w></phr> praecipiet.</s>
<milestone unit="english" /> 5. </ab>
<ab xml:id="nov-th_10.1.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-th_10.1.subs.s1" n="la14" xml:lang="la">Dat. XIII kal. Mai.
<placeName corresp="#constantinople">Constantinopoli</placeName> Theodosio
A. XVII cons. <date when="0439-04-19">(439 April. 19)</date></s>
<milestone unit="english" />
</ab>
</div2>
<div2 xml:id="nov-th_10.2" type="constitutio">
<ab xml:id="nov-th_10.2.insc" type="insc">
<milestone unit="latin" />
<s xml:id="nov-th_10.2.insc.s1" n="la1" xml:lang="la">2. Idem aa Florentio pp.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_10.2.0" type="caput">
<milestone unit="latin" /> 0. <s xml:id="nov-th_10.2.0.s1" n="la2" xml:lang="la"
>Eloquentia non ut aliae res senio <phr type="ampl" subtype="g"><w
lemma="deterioro">deterioratur</w></phr></s>
<s xml:id="nov-th_10.2.0.s2" n="la3" xml:lang="la">Nullus enim eius est finis,
nisi exercitationis eius cottidianae studium <phr type="ampl" subtype="g"><w
lemma="denego">denegatur</w></phr></s>
<s xml:id="nov-th_10.2.0.s3" n="la4" xml:lang="la">Unde advocationem certo tempore
<phr type="ampl" subtype="c"><w lemma="arto">artare</w></phr> litigatoribus
<phr type="ampl" subtype="g"><w lemma="noxius">noxium</w></phr>, <phr
type="ampl" subtype="c"><w lemma="gravis">grave</w></phr> iudicantibus
aestimantes <seg xml:id="nov-th_10.2.0.c1">constitutionem <phr
xml:id="nov-th_10.2.0.s3.p1" function="cmdw">abrogamus</phr>, quae XX
annorum curriculis silentium imperat advocatis,</seg> Florenti parens
karissime atque amantissime.</s>
<milestone unit="english" /> 0. </ab>
<ab xml:id="nov-th_10.2.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-th_10.2.1.s1" n="la5" xml:lang="la"
>Illustris itaque et magnifica auctoritas tua saluberrimam legem edictis
propositis ad omnium notitiam pervenire praecipiat, quo praeter advocatos
virosum illustrium praefectorum, quos ad finem advocationis specialium
privilegiorum fructus, proposita etiam palma dignitatis hortatur, sciant alii,
lege priore <phr type="ampl" subtype="c"><w lemma="tollo">sublata</w></phr>,
postulandi sibi <phr type="ampl" subtype="c"><w lemma="licentia"
>licentiam</w></phr> datam nullo tempore praescribendam.</s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_10.2.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-th_10.2.subs.s1" n="la6" xml:lang="la">Dat. XIII kal. Mai.
<placeName corresp="#constantinople">Constantinopoli</placeName> Theodosio
A. XVII cons. <date when="0439-04-19">(439 April. 19)</date></s>
<milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="nov-th_11" type="titulus">
<head xml:id="nov-th_11.titl">
<s xml:id="nov-th_11.titl.s1" xml:lang="la">11. DE TUTORIBUS</s>
</head>
<div2 type="constitutio" subtype="solo">
<ab xml:id="nov-th_11.insc" type="insc">
<milestone unit="latin" />
<s xml:id="nov-th_11.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
Florentio pp.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_11.0" type="caput">
<milestone unit="latin" /> 0. <s xml:id="nov-th_11.0.s1" n="la2" xml:lang="la">Cum
in omnibus rebus tum vel maxime moderamen desideratur in legibus, per quas <phr
type="ampl" subtype="g"><w lemma="delinquo">delinquentes</w></phr> pro
qualitate <phr type="ampl" subtype="g"><w lemma="crimen">criminum</w></phr>
convenit emendari.</s>
<s xml:id="nov-th_11.0.s2" n="la3" xml:lang="la">Nec enim utile est vel a
iudicibus observandum, quod modum emendationis excedit.</s>
<s xml:id="nov-th_11.0.s3" n="la4" xml:lang="la"><seg xml:id="nov-th_11.0.c1"

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ana="#ncp">Sic constitutionem, quae matres pupillis vel minoribus
defensionem legitimam non petentes vel <phr type="ampl" subtype="c"><w
lemma="relinquo">relictarum</w></phr> rerum inventarium non facientes
<phr type="ampl" subtype="g"><w lemma="moriior">mori</w></phr> praecepit
intestatas, utpote amaram ac matres immoderata <phr type="ampl" subtype="g"
><w lemma="poena">poena</w></phr>
<phr type="ampl" subtype="c"><w lemma="plecto">plectentem</w></phr>, <phr
type="ampl" subtype="c"><w lemma="antiquo">antiquari</w></phr>
<phr xml:id="nov-th_11.0.s3.p1" function="cmdw">decernimus</phr>.</seg></s>
<milestone unit="english" /> 0. </ab>
<ab xml:id="nov-th_11.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-th_11.1.s1" n="la5" xml:lang="la">Sed
ne superflua vel <phr type="ampl" subtype="c"><w lemma="inhumanus"
>inhumana</w></phr> resecantes <phr type="ampl" subtype="c"><w
lemma="impunitas">impunitatem</w></phr>
<phr type="ampl" subtype="g"><w lemma="delinquo">delinquentibus</w></phr>
promittere videamur, <seg xml:id="nov-th_11.1.c1">hac saluberrima lege
pupillorum quoque utilitatibus <phr xml:id="nov-th_11.1.s1.p1"
function="cmdw">censuimus</phr> providendum.</seg></s>
<s xml:id="nov-th_11.1.s2" n="la6" xml:lang="la"><seg xml:id="nov-th_11.1.c2"
>sciant itaque qui ad successionem vocantur pupilli <phr type="ampl"
subtype="g"><w lemma="mortuus">mortui</w></phr>, si defuncto eius patre
tutorem ei secundum leges non petierint intra annum, omnem eis sive ab
intestato sive iure substitutionis, successionem eius, si impubes <phr
type="ampl" subtype="g"><w lemma="moriior">moritur</w></phr>, <phr
type="ampl" subtype="g"><w lemma="denego">denegandam</w></phr>.</seg></s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_11.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-th_11.2.s1" n="la7" xml:lang="la"
><seg xml:id="nov-th_11.2.c1">Idemque observari <phr
xml:id="nov-th_11.2.s1.p1" function="cmdw">volumus</phr>, et si mater
legitima liberorum tutela suscepta ad secundas contra sacramentum praestitum
adspiraverit nuptias, antequam ei tutorem alium fecerit ordinari eique quod
debetur ex ratione tutelae gestae persolverit.</seg></s>
<milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_11.3" type="caput">
<milestone unit="latin" /> 3. <s xml:id="nov-th_11.3.s1" n="la8" xml:lang="la"
><seg xml:id="nov-th_11.3.c1">Quod si contra huius legis auctoritatem,
antequam haec adimpleverit, secundo se marito crediderit copulandam, mariti
quoque eius praeteritae tutelae ratiociniis bona iure pignoris tenebuntur
<phr type="ampl" subtype="g"><w lemma="obnoxius">obnoxia</w></phr>,</seg>
Florenti parens karissime atque amatissime.</s>
<milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_11.4" type="caput">
<milestone unit="latin" /> 4. <s xml:id="nov-th_11.4.s1" n="la9" xml:lang="la"
><seg xml:id="nov-th_11.4.c1">Illustris itaque et magnifica auctoritas tua legem perpetuo valituras edictis
propositis ab omnibus observari praecipiat.</seg></s>
<milestone unit="english" /> 4. </ab>
<ab xml:id="nov-th_11.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-th_11.subs.s1" n="la10" xml:lang="la">Dat. VI id. Iul. <placeName
corresp="#constantinople">Constantinopoli</placeName> D. N. Theodosio A.
XVII et Festo vc. cons. <date when="0439-07-10">(439 Iul. 10)</date>.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_11.intr" type="intr">
<milestone unit="latin" />INTERPRETATIO. Lex ista liberat matres a poena illa,
quae fuerat in Theodosiani codicis corpore constituta, ut, si non providissent
filiis tutores vel rerum inventarium non fecissent, faciendi de rebus suis
testamenta vel donandi cui voluissent non haberent liberam potestatem et insuper
notarentur infamia. Sed haec constitutio, ut matrem de praedicta poena liberat,
ita minoribus in hac parte consuluit, ut, si mater tutelam filiorum gerendam
legitime suscepit et se iurisiurandi interpositione constrinxerit, si ad alias
nuptias contra promissa transierit et alium tutorem filiis deducta ratione non
dederit aut quae eam constiterit debere non ante persolverit contra legis huius
ordinationem veniens, non solum eius bona, si debitorum extiterit, filiis teneantur
obnoxia, verum etiam secundi mariti, qui obligatae personae coniunctus est,
facultas in eo quo debitum praeceperit loco pignoris teneatur, donec omne debitum
quod ratio tutelae invenerit suppleatur. Nam etiam pupillis in ea parte lex ista
praestat auxilium, ut patre defuncto filio impubere, id est infra annum quartum
decimum, hae personae, quae ei defuncta possunt legibus et iure succedere, si non
aut agendam tutelam ipsi susceperint aut petierint tutorem, qui res eius aut ipsum
minorem debeat gubernare, ab eius successionis habeantur extranei: illis sine
dubio profutura successione, qui ad petendos tutores lege non tenentur adstricti
et defuncto cognationis gradu inveniuntur esse propinqui. <milestone
unit="english" /></ab>
</div2>
</div1>
<div1 xml:id="nov-th_12" type="titulus">
<head xml:id="nov-th_12.titl">
<s xml:id="nov-th_12.titl.s1" xml:lang="la">12. DE REPUDIIS</s>
</head>
<div2 type="constitutio" subtype="solo">
<ab xml:id="nov-th_12.insc" type="insc">
<milestone unit="latin" />
<s xml:id="nov-th_12.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
Florentio pp.</s>
<milestone unit="english" />
</ab>

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<ab xml:id="nov-th_12.0" type="caput">
  <milestone unit="latin" /> 0. <s xml:id="nov-th_12.0.s1" n="la2" xml:lang="la"
    ><seg xml:id="nov-th_12.0.c1">Consensu licita matrimonia posse contrahi,
      contracta non nisi misso repudio dissolvi <phr xml:id="nov-th_12.0.s1.p1"
        function="cmdw">praecipimus</phr>.</seg></s>
    <s xml:id="nov-th_12.0.s2" n="la3" xml:lang="la">solutionem etenim matrimonii
      difficiliorem debere esse favor imperat liberorum.</s>
  </ab>
<ab xml:id="nov-th_12.1" type="caput">
  <milestone unit="latin" /> 1. <s xml:id="nov-th_12.1.s1" n="la4" xml:lang="la">Sed
    in repudio mittendo <phr type="ampl" subtype="g"><w lemma="culpa"
      >culpaque</w></phr> divortii perquirenda <phr type="ampl" subtype="c"><w
        lemma="durus">durum</w></phr> est veterum legum moderamen excedere.</s>
    <s xml:id="nov-th_12.1.s2" n="la5" xml:lang="la">Ideo constitutionibus abrogatis,
      quae nunc maritum, nunc mulierem matrimonio soluto praecipiant <phr type="ampl"
        subtype="g"><w lemma="poena">poenis</w></phr>
      <phr type="ampl" subtype="c"><w lemma="gravis">gravissimis</w></phr>
      <phr type="ampl" subtype="c"><w lemma="coerceo">coercent</w></phr>, hac
      constitutione repudii <phr type="ampl" subtype="g"><w lemma="culpa"
        >culpas</w></phr>
      <phr type="ampl" subtype="g"><w lemma="culpa">culparumque</w></phr>
      <phr type="ampl" subtype="g"><w lemma="coercitio">coercitiones</w></phr> ad
      veteres leges responsaque prudentium revocare censemus, Florenti parens
      karissime atque amantissime.</s>
  </ab>
<ab xml:id="nov-th_12.2" type="caput">
  <milestone unit="latin" /> 2. <s xml:id="nov-th_12.2.s1" n="la6" xml:lang="la"
    >Illustris itaque et magnifica auctoritas tua quae providentissime constituta
      sunt edictis propositis publicari praecipiat.</s>
  </ab>
<ab xml:id="nov-th_12.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-th_12.subs.s1" n="la7" xml:lang="la">Dat. VI id Iul. <placeName
    resp="#constantinople">cor</placeName> Theodosio A. XVII et Festo vc cons.
    <date when="0439-07-10">(439 Iul. 10)</date>.</s>
  </ab>
</div2>
</div1>
<div1 xml:id="nov-th_13" type="titulus">
  <head xml:id="nov-th_13.titl">
    <s xml:id="nov-th_13.titl.s1" xml:lang="la">13. CONTRA SENTENTIAS PRAEFECTORUM
      PRAETORIO INIUSTAS POST SUCCESSIONEM INTRA BIENNIUM SUPPLICANDUM</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-th_13.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-th_13.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
        Thalassio pp. Illyrici.</s>
      </ab>
    <ab xml:id="nov-th_13.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-th_13.0.s1" n="la2" xml:lang="la"
        >Suggestio sublimitatis tuae et nobis non probatae legis abrogandae materiam
          ministravit et, quae sit in examinandis litigatorum allegationibus tua
          celsitudo, monstravit.</s>
      <s xml:id="nov-th_13.0.s2" n="la3" xml:lang="la">Quid enim litigantibus in
        amplissimo tuae sedis iudicio relinquitur, si post sententiam, quam <phr
          type="ampl" subtype="g"><w lemma="nefas">nefas</w></phr> est appellatione
          <phr type="ampl" subtype="c"><w lemma="suspendo">suspendi</w></phr>, nec
          nostrae serenitatis imploretur auxilium?</s>
      </ab>
    <ab xml:id="nov-th_13.1" type="caput">
      <milestone unit="latin" /> 1. <s xml:id="nov-th_13.1.s1" n="la4" xml:lang="la"
        ><seg xml:id="nov-th_13.1.c1">Ideo hac lege perpetuo valitura litigantibus
          in amplissimo praetorianae praefecturae iudicio, si contra ius se <phr
            type="ampl" subtype="g"><w lemma="laedo">laesos</w></phr> adfirmant,
            supplicandi <phr type="ampl" subtype="c"><w lemma="licentia"
              >licentiam</w></phr>
            <phr xml:id="nov-th_13.1.s1.p1" function="cmdw">ministramus</phr>, licet pro
            curia vel qualibet alia publica utilitate dicatur prolata
            sententia.</seg></s>
      <s xml:id="nov-th_13.1.s2" n="la5" xml:lang="la">Nec enim publice prodest singulis
        legum adminicula <phr type="ampl" subtype="g"><w lemma="denego"
          >denegari</w></phr>, Thalassi parens karissime atque amantissime.</s>
      </ab>
    <ab xml:id="nov-th_13.2" type="caput">
      <milestone unit="latin" /> 2. <s xml:id="nov-th_13.2.s1" n="la6" xml:lang="la"
        >Illustris itaque et magnifica auctoritas tua <seg xml:id="nov-th_13.2.c1"
          >constitutione, quae adversus sententiam pro curia latam supplicare <phr
            type="ampl" subtype="g"><w lemma="prohibeo">prohibuit</w></phr>, omni
            parte cassata sciat preces intra biennium tantum nostro numini contra
            cognitionales sedis tuae sententias offerendas, post successionem videlicet
            iudicis numerandum.</seg></s>
      </ab>
    <ab xml:id="nov-th_13.3" type="caput">
      <milestone unit="latin" /> 3. <s xml:id="nov-th_13.3.s1" n="la7" xml:lang="la"
        >Huius legis ne quem latere possit utilitas, edictis propositis eam ad omnium
          notitiam venire praecipiat.</s>
    </ab>
  </div2>
</div1>

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<milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_13.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-th_13.subs.s1" n="la8" xml:lang="la">Dat. III id. Aug. <placeName
    corresp="#constantinople">Constantinopoli</placeName> D. n. Theodosio A.
    XVII et Festo vc. cons. <date when="0439-08-13">(439 Aug. 13)</date>.</s>
  <milestone unit="english" />
</ab>
<ab xml:id="nov-th_13.intr" type="intr">
  <milestone unit="latin" />INTERPRETATIO. Contra iudicem, adversus cuius potentiam
  non licuerit appellare, iubet haec lex, ut, cum privatus effectus fuerit, intra
  biennium liceat cuicumque qui iniuste obpressus est rerum dominis supplicare, ut
  illis iterum audientia deputetur. Quod si intra biennium post successionem illius
  non supplicaverint, quae contra eos fuerant iudicata servantur et perpetuam
  teneant firmitatem. <milestone unit="english" /></ab>
</div2>
</div1>
<div1 xml:id="nov-th_14" type="titulus">
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    <s xml:id="nov-th_14.titl.s1" xml:lang="la">14. DE PATERNIS SIVE MATERNIS BONIS</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-th_14.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-th_14.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
        Florentio pp.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="nov-th_14.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-th_14.0.s1" n="la2" xml:lang="la">
        >Officium est imperatoriae maiestatis his etiam, qui nondum nati sunt,
        providere et in parentum contractibus futuris quoque liberis fructum naturae
        debitum praeparare.</s>
      <milestone unit="english" /> 0. </ab>
    <ab xml:id="nov-th_14.1" type="caput">
      <milestone unit="latin" /> 1. <s xml:id="nov-th_14.1.s1" n="la3" xml:lang="la">
        >Praeteritae constitutiones mulierem, <phr type="ampl" subtype="g"><w
          lemma="mors">morte</w></phr> mariti matrimonio dissoluto communibus
          liberis extantibus, donationem ante nuptias resque alias certis modis ad eam
          devolutas ex mariti persona isdem liberis quibusdam condicionibus servare
          praeceperant.</s>
        <milestone unit="english" /> 1. </ab>
    <ab xml:id="nov-th_14.2" type="caput">
      <milestone unit="latin" /> 2. <s xml:id="nov-th_14.2.s1" n="la4" xml:lang="la">
        >Haec divus nostrae mansuetudinis avus humana mente viros quoque, <phr
          type="ampl" subtype="g"><w lemma="mors">morte</w></phr> mulieris extantibus
          liberis matrimonio dissoluto, circa dotem resque alias certis modis ad eum ex
          persona mulieris devolutas isdem condicionibus suaserat observare.</s>
        <milestone unit="english" /> 2. </ab>
    <ab xml:id="nov-th_14.3" type="caput">
      <milestone unit="latin" /> 3. <s xml:id="nov-th_14.3.s1" n="la5" xml:lang="la">
        ><seg xml:id="nov-th_14.3.c1">Nos feliciter vinculo legis haec a viris
          observanda <phr xml:id="nov-th_14.3.s1.p1" function="cmdw">
            >censemus</phr>.</seg></s>
        <s xml:id="nov-th_14.3.s2" n="la6" xml:lang="la"><seg xml:id="nov-th_14.3.c2">Nam
          generaliter, quoquo casu constitutiones ante hanc legem mulierem liberis
          communibus, <phr type="ampl" subtype="g"><w lemma="mors">morte</w></phr>
          mariti matrimonio dissoluto, quae de bonis mariti ad eam devoluta sunt
          servare sanxerunt, isdem casibus nos per huius legis auctoritatem maritum
          quoque quae de bonis mulieris ad eum devoluta sunt, <phr type="ampl"
            subtype="g"><w lemma="mors">morte</w></phr> mulieris matrimonio
            dissoluto, communibus liberis servare <phr xml:id="nov-th_14.3.s2.p1"
              function="cmdw">censemus</phr> nec interesse <phr
                xml:id="nov-th_14.3.s2.p2" function="cmdw">volumus</phr>, si alter pro
                marito donationem ante nuptias vel pro muliere dotem crediderit
                offerendam.</seg></s>
        <s xml:id="nov-th_14.3.s3" n="la7" xml:lang="la"><seg xml:id="nov-th_14.3.c3">Haec
          observari <phr xml:id="nov-th_14.3.s3.p1" function="cmdw">praecipimus</phr>,
          licet res ante nuptias donatae, ut adsolet fieri, in dotem a muliere
          redigantur;</seg></s>
        <milestone unit="english" /> 3. </ab>
    <ab xml:id="nov-th_14.4" type="caput">
      <milestone unit="latin" /> 4. <s xml:id="nov-th_14.4.s1" n="la8" xml:lang="la">
        ><seg xml:id="nov-th_14.4.c1">nam et si <phr type="ampl" subtype="g"><w
          lemma="culpa">culpa</w></phr> mulieris repudio matrimonium fuerit
          dissolutum, maritus totam donationem, non partes ut in altera dote,
          retinebit.</seg></s>
        <s xml:id="nov-th_14.4.s2" n="la9" xml:lang="la"><seg xml:id="nov-th_14.4.c2">
          >dominium autem rerum, quae liberis vel huius legis vel praeteritarum
          constitutionum auctoritate servantur, ad liberos pertinere <phr
            xml:id="nov-th_14.4.s2.p1" function="cmdw">decernimus</phr>.</seg></s>
        <s xml:id="nov-th_14.4.s3" n="la10" xml:lang="la"><seg xml:id="nov-th_14.4.c3">
          >Itaque defuncto eo, qui eas liberis reservabat, extantes ab omni possessore
          liberi <phr type="ampl" subtype="c"><w lemma="vindico">
            >vindicabunt</w></phr>, <phr type="ampl" subtype="c"><w lemma="consumo">
              >consumptas</w></phr> ab heredibus eius exigent, qui eas servare
              debuerat.</seg></s>
        <milestone unit="english" /> 4. </ab>
    <ab xml:id="nov-th_14.5" type="caput">

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<milestone unit="latin" /> 5. <s xml:id="nov-th_14.5.s1" n="la11" xml:lang="la"
  ><seg xml:id="nov-th_14.5.c1"><phr type="ampl" subtype="c"><w lemma="alieno"
    >Alienandi</w></phr> sane vel obligandi suo nomine eas res, quae
    liberis reservari praeceptae sunt, eis qui reservaturi sunt adempta <phr
      type="ampl" subtype="c"><w lemma="licentia">licentia</w></phr>
    est.</seg></s>
  <s xml:id="nov-th_14.5.s2" n="la12" xml:lang="la"><seg xml:id="nov-th_14.5.c2"
    >Negotia vero liberorum patri utiliter administrare <phr
      xml:id="nov-th_14.5.s2.p1" function="cmdw">concedimus</phr>.</seg></s>
  <s xml:id="nov-th_14.5.s3" n="la13" xml:lang="la"><seg xml:id="nov-th_14.5.c3"
    >dividendi quoque res inter eos ipsos liberos parentibus pro suo arbitrio
    vel eligendi quem voluerint <phr type="ampl" subtype="c"><w lemma="licentia"
      >licentiam</w></phr> non <phr xml:id="nov-th_14.5.s3.p1"
        function="cmdw" type="ampl" subtype="g"><w lemma="nego"
          >negamus</w></phr>.</seg></s>
  <milestone unit="english" /> 5. </ab>
<ab xml:id="nov-th_14.6" type="caput">
  <milestone unit="latin" /> 6. <s xml:id="nov-th_14.6.s1" n="la14" xml:lang="la"
    ><seg xml:id="nov-th_14.6.c1">In his autem casibus, in quibus res ut
    paternas mater liberis communibus servare praecepta est (hoc est ubi <phr
      type="ampl" subtype="g"><w lemma="mors">morte</w></phr> mariti matrimonio
    dissoluto mulier ad alias nuptias venit) vel ubi ut maternas patrem liberis
    communibus servare censuimus (hoc est ubi <phr type="ampl" subtype="g"><w
      lemma="mors">morte</w></phr> mulieris matrimonio dissoluto vir ad
    alias nuptias venit), si hereditatem eius parentis qui prior <phr
      type="ampl" subtype="g"><w lemma="morio" >mortuus</w></phr> est non
    adierint liberi, licebit eis, tanquam eius tantum res fuerint, eas sibi met
    <phr type="ampl" subtype="c"><w lemma="vindico">vindicare</w></phr>,
    scilicet si vel eius qui posterior <phr type="ampl" subtype="g"><w
      lemma="morio" >moritur</w></phr> hereditatem crediderint ad
    eundam,</seg> ne, quod favore liberorum indictum est, quibusdam casibus ad
    <phr type="ampl" subtype="g"><w lemma="laesio">laesionem</w></phr> eorum
    videatur inventum.</s>
  <milestone unit="english" /> 6. </ab>
<ab xml:id="nov-th_14.7" type="caput">
  <milestone unit="latin" /> 7. <s xml:id="nov-th_14.7.s1" n="la15" xml:lang="la"
    >>Illud etiam humanis sensibus <seg xml:id="nov-th_14.7.c1" ana="#ncp">huic legi
      <phr xml:id="nov-th_14.7.s1.p1" function="cmdw">credidimus</phr>
      inserendum, ut eo quoque casu, quo lucratur vel mulier res, quae ad eam a
      marito perveniunt, vel maritus eas, quae ex bonis mulieris ad eum transeunt,
      ( hoc est ubi primum matrimonium alterius <phr type="ampl" subtype="g"><w
        lemma="mors">morte</w></phr> dissolvitur nec superstes ad secundas
      nuptias venit), si res vel maritus vel uxor (hoc est qui superstes est) non
      <phr type="ampl" subtype="c"><w lemma="consumo">consumperit</w></phr>
      vel <phr type="ampl" subtype="c"><w lemma="alieno">alienaverit</w></phr>,
      quod eis ad secundas nuptias non venientibus quasi rerum dominis concessum
      esse non dubium est, si hereditatem eius qui posterior <phr type="ampl"
        subtype="g"><w lemma="morio" >moritur</w></phr> liberi adire <phr
          type="ampl" subtype="g"><w lemma="nolo">noluerint</w></phr>, ut eis
      liceat res a patre profectas ut paternas, a matre ut maternas
      accipere.</seg></s>
  <milestone unit="english" /> 7. </ab>
<ab xml:id="nov-th_14.8" type="caput">
  <milestone unit="latin" /> 8. <s xml:id="nov-th_14.8.s1" n="la0" xml:lang="la"
    >><seg xml:id="nov-th_14.8.c1">Quod autem scitis prioribus continetur, nec a
      filia quae in potestate est donationem ante nuptias patri nec a filio dotem
      adquiri, eo addito <phr xml:id="nov-th_14.8.s1.p1" function="cmdw"
        >confirmamus</phr>, ut defunctis his adhuc in potestate patris, si
      liberis extantibus <phr type="ampl" subtype="g"><w lemma="morio"
        >morianur</w></phr>, ad liberos eorum eadem res iure hereditatis,
      non ad patrem iure peculii transmittantur nec per nepotes avo videlicet
      acquirendae,</seg> Florenti parens karissime atque amantissime.</s>
  <milestone unit="english" /> 8. </ab>
<ab xml:id="nov-th_14.9" type="caput">
  <milestone unit="latin" /> 9. <s xml:id="nov-th_14.9.s1" n="la1" xml:lang="la"
    >>Illustris itaque ac magnifica auctoritas tua legem saluberrime promulgatam ad
      omnes populos edictis propositis faciat pervenire.</s>
  <milestone unit="english" /> 9. </ab>
<ab xml:id="nov-th_14.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-th_14.subs.s1" n="la2" xml:lang="la">Dat. VII id. Sept. <placeName
    corresp="#constantinople">Constantinopoli</placeName> D. N. Theodosio A.
    XVII et Festo vc. conss. <date when="0439-09-07">(439 Sept. 7)</date>.</s>
  <milestone unit="english" />
</ab>
<ab xml:id="nov-th_14.intr" type="intr">
  <milestone unit="latin" />INTERPRETATIO. Haec lex confirmat, ut, sicut mulier post
  mortem mariti omnia, quae ad eam de rebus mariti quolibet ordine pervenerunt,
  totum filiis profuturum debeat conservare, hoc etiam et patres de rebus maternis
  simili observatione custodiant (excepto quod eis fuerit filiorum morte quaesitum
  ea ratione, sicut lex Theodosiani in octavo libro declarat), si ad secunda vota
  venerint aut forte non venerint. res quae filiis iussae sunt reservari, post
  quorum obitum si alienatae vel obligatae quoquo pacto fuerint, ubicumque eas
  potuerint invenire, ad suum dominium filios praecipit revocare. Nam permisit, ut
  mulier de sponsalicia donatione quam a marito percepit, si proprium mulier nihil
  habeat, dotem exinde ipsi marito possit offerre. causas vero filiorum patres agere
  utiliter et cum summa strenuitate constituit et ut dividere aequaliter inter
  filios facultates maternas aut per se aut per quos elegerint habeant potestatem.
  Sane de omnibus rebus uxoris, quae ad proprietatem mariti quolibet titulo vel

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nomine, seu donatione seu testamento seu morte filii, pervenerunt, etiamsi ad alias nuptias non transierit, si mortuo eo hereditatem eius filii adire noluerint, omnia, quae de maternis bonis maritus quocumque ordine habuit adquisita, filii sibi, sicut reliquas maternas facultates, apud quoscumque invenerint vindicabunt. simili ratione, si et mater marito mortuo, etiamsi ad secundas nuptias non venerit, si hereditatem eius filii adire noluerint, omnia, quae de patris facultatibus mater eorum quoquo modo, ut superius dictum est, adquisivit, filii post mortem matris cuius hereditatem repudiaverint ad integrum sibi vindicent ac defendant: quia iustitiae intuitu constat esse prospectum, ut, quia nihil de illius parentis rebus qui posterior moritur habere dinoscitur, vel ea, quae ex prioris mortui parentis bonis esse constat, ad filios debeant integra pertinere. reliquum vero huius legis in aliis legibus habetur expositum. <milestone unit="english" /></ab>

</div2>
</div1>
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 <s xml:id="nov-th_15.titl.s1" xml:lang="la">15. NE CURIALIS AD SENATORIAM DIGNITATEM VEL AD ALIQUEM HONOREM ASPIRET</s>
 </head>
 <div2 xml:id="nov-th_15.1" type="constitutio">
 <ab xml:id="nov-th_15.1.insc" type="insc">
 <milestone unit="latin" />
 <s xml:id="nov-th_15.1.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA. ad senatum urbis Constantinopolitanae.</s>
 <milestone unit="english" />
 </ab>
 <ab xml:id="nov-th_15.1.0" type="caput">
 <milestone unit="latin" /> 0. <s xml:id="nov-th_15.1.0.s1" n="la2" xml:lang="la">>Splendidissimo coetui vestro, patres conscripti, placere confidimus, si civitatum commodis consulatur.</s>
 <s xml:id="nov-th_15.1.0.s2" n="la3" xml:lang="la">vestrum nempe est velle civitates augeri.</s>
 <s xml:id="nov-th_15.1.0.s3" n="la4" xml:lang="la">vos curiis peculiariter prospicere consuestis, si quidem vobis nostro iudicio res publica solet gubernanda committi.</s>
 <s xml:id="nov-th_15.1.0.s4" n="la5" xml:lang="la">Nam etsi otio frui vos quodam tempore <phr type="ampl" subtype="c"><w lemma="patior">patiamur</w></phr>, ne <phr type="ampl" subtype="c"><w lemma="labor">labore</w></phr> videamini <phr type="ampl" subtype="c"><w lemma="fatigo">fatigari</w></phr> continuo, non tamen ideo cura vos <phr type="ampl" subtype="c"><w lemma="desero">deserit</w></phr> optime regendae rei publicae.</s>
 <s xml:id="nov-th_15.1.0.s5" n="la6" xml:lang="la">Quamobrem lege curiis profutura vobis, patres conscripti, vel maxime gratulamur.</s>
 <milestone unit="english" /> 0. </ab>
 <ab xml:id="nov-th_15.1.1" type="caput">
 <milestone unit="latin" /> 1. <s xml:id="nov-th_15.1.1.s1" n="la7" xml:lang="la">>Suggestione viri illustris atque magnifici praefecti praetorio Orientis et exconsule Florenti comperimus quosdam curiales <phr type="ampl" subtype="g"><w lemma="iniuria">iniuriis</w></phr> se praesidium subtrahere cupientes ad senatoriae dignitatis praerogativam confugere.</s>
 <s xml:id="nov-th_15.1.1.s2" n="la8" xml:lang="la">Hoc curias <phr type="ampl" subtype="c"><w lemma="enervo">enervare</w></phr> non dubium est: curialibus quippe praeturae munus <phr type="ampl" subtype="g"><w lemma="impono">impositum</w></phr> patrias etiam functiones ac suae quemque munia civitatis, patrimoniis eorum eo modo <phr type="ampl" subtype="c"><w lemma="consumo">consumptis</w></phr>, <phr type="ampl" subtype="g"><w lemma="denego">denegare</w></phr> <phr type="ampl" subtype="c"><w lemma="compello">compellit</w></phr>.</s>
 <milestone unit="english" /> 1. </ab>
 <ab xml:id="nov-th_15.1.2" type="caput">
 <milestone unit="latin" /> 2. <s xml:id="nov-th_15.1.2.s1" n="la9" xml:lang="la">>Sed et quod motibus se iudicum reverentia subtrahunt dignitatis, publicis commoditatibus <phr type="ampl" subtype="g"><w lemma="noxius">noxium</w></phr> esse perspicitis.</s>
 <s xml:id="nov-th_15.1.2.s2" n="la10" xml:lang="la">cessat enim debitorum compulsio, si debitori deferat executor.</s>
 <s xml:id="nov-th_15.1.2.s3" n="la11" xml:lang="la"><seg xml:id="nov-th_15.1.2.c1">lege itaque perpetuo valitura <phr xml:id="nov-th_15.1.2.s3.p1" function="cmdw">decernimus</phr> nullum posthac curialem senatoriae sibimet dignitatis infulas <phr type="ampl" subtype="c"><w lemma="usurpo">usurpare</w></phr>, nulli curiali <phr type="ampl" subtype="c"><w lemma="licentia">licentiam</w></phr> dari clarissimo se permiscendi consortio.</seg></s>
 <milestone unit="english" /> 2. </ab>
 <ab xml:id="nov-th_15.1.3" type="caput">
 <milestone unit="latin" /> 3. <s xml:id="nov-th_15.1.3.s1" n="la12" xml:lang="la">>Sed ne providentissime constituta quibusdam praeteritis semiplena <phr type="ampl" subtype="c"><w lemma="relinquo">reliquisse</w></phr> noscamur, <seg xml:id="nov-th_15.1.3.c1">illis etiam curialibus, qui iam senatoriam adepti sunt dignitatem, praeturae munus remitti <phr xml:id="nov-th_15.1.3.s1.p1" function="cmdw">decernimus</phr>, qui nondum praetores sunt nominati vel quos nominatos nondum amplissimi vestri coetus sententia praeturae muneri mancipavit <phr type="ampl" subtype="g"><w lemma="obnoxios">obnoxios</w></phr>.</seg></s>
 <milestone unit="english" /> 3. </ab>
 <ab xml:id="nov-th_15.1.subs" type="subs">
 <milestone unit="latin" />
 <s xml:id="nov-th_15.1.subs.s1" n="la13" xml:lang="la">Dat. prid. id. Sept.

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    <placeName corresp="#constantinople">Constantinopoli</placeName> D. N.
    Theodosio A. XVII et Festo vc. cons. <date when="0439-09-12">(439 Sept.
    12)</date>.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_15.1.intr" type="intr">
    <milestone unit="latin" />INTERPRETATIO. Haec lex hoc praecipit, ut nullus
    curialis natus ad aliquos honores adspiret nec dignitatem aliquam supplicando
    temptet adsumere, nisi tantum officia curiae debita se noverit subiturum.
    <milestone unit="english" /></ab>
</div2>
<div2 xml:id="nov-th_15.2" type="constitutio">
  <ab xml:id="nov-th_15.2.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-th_15.2.insc.s1" n="la1" xml:lang="la">2. Idem AA. Zoilo pp.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_15.2.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-th_15.2.0.s1" n="la2" xml:lang="la">
      >Non esset huius promulgandae <phr type="ampl" subtype="c"><w
        lemma="necessitas">necessitas</w></phr>
      <phr type="ampl" subtype="c"><w lemma="sanctio">sanctionis</w></phr>, si <phr
        type="ampl" subtype="g"><w lemma="improbus">improborum</w></phr>
      <phr type="ampl" subtype="g"><w lemma="temeritas">temeritas</w></phr> aut <phr
        type="ampl" subtype="c"><w lemma="metus">metu</w></phr> legum aut <phr
        type="ampl" subtype="c"><w lemma="pudor">pudoris</w></phr> imperio
      frenaretur.</s>
      <s xml:id="nov-th_15.2.0.s2" n="la3" xml:lang="la">Sed quoniam utrumque <phr
        type="ampl" subtype="c"><w lemma="despicio">despexit</w></phr> audacia,
        nostrarum statim debet provideri remediis <phr type="ampl" subtype="c"><w
          lemma="sanctio">sanctionum</w></phr>, ne ultra serpat <phr type="ampl"
          subtype="g"><w lemma="iniuria">iniuria</w></phr>.</s>
    <milestone unit="english" /> 0. </ab>
  <ab xml:id="nov-th_15.2.1" type="caput">
    <milestone unit="latin" /> 1. <s xml:id="nov-th_15.2.1.s1" n="la4" xml:lang="la">
      >Quantum igitur magnitudinis tuae suggestio patefecit, Valerianus emisinae
      civitatis curialis, iuris publici legumque <phr type="ampl" subtype="g"><w
        lemma="grassator">grassator</w></phr>, ob hoc sibi illustris cingulum
      honoris <phr type="ampl" subtype="g"><w lemma="immerito">immerito</w></phr> per
      <phr type="ampl" subtype="g"><w lemma="subreptio">subreptionem</w></phr>
      adsumpsit, ut illius subnixus infulis dignitatis <phr type="ampl" subtype="g">
        <w lemma="contumeliosus">contumeliosum</w></phr> sui posset amplificare
      propositum.</s>
      <s xml:id="nov-th_15.2.1.s2" n="la5" xml:lang="la">Magna enim stipatus <phr
        type="ampl" subtype="g"><w lemma="barbarus">barbarorum</w></phr> caterva
      secretarium provinciae moderatoris inrupit, priorem sibi locum <phr type="ampl"
        subtype="c"><w lemma="audeo">ausus</w></phr> est <phr type="ampl"
        subtype="c"><w lemma="vindico">vindicare</w></phr>, dexter adsedit ei, cui
      iura commisimus, cui <phr type="ampl" subtype="c"><w lemma="fatum"
        >fata</w></phr> provincialium duximus esse credenda, ita ut omne eius <phr
        type="ampl" subtype="g"><w lemma="fugo">fugaret</w></phr> officium, <phr
        type="ampl" subtype="g"><w lemma="vasto">vasta</w></phr> omnia ac sola
      relinqueret.</s>
      <s xml:id="nov-th_15.2.1.s3" n="la6" xml:lang="la">Qui non magis opibus dives quam
        <phr type="ampl" subtype="g"><w lemma="sclerus">scleribus</w></phr> plenus,
        aliis quoque curialibus domi suae susceptis, ut publica ratio <phr type="ampl"
          subtype="g"><w lemma="fraudo">fraudaretur</w></phr>, <phr type="ampl"
          subtype="c"><w lemma="servilis">servile</w></phr> praesidium exactoribus
        contra publicam ob posuit disciplinam, quo magnum <phr type="ampl" subtype="c">
          <w lemma="dispendium">dispendium</w></phr> nostrae serenitatis aerarium
        per eius pateretur <phr type="ampl" subtype="g"><w lemma="vesania"
          >vesaniam</w></phr>.</s>
      <s xml:id="nov-th_15.2.1.s4" n="la7" xml:lang="la">In quem oportuerat <phr
        type="ampl" subtype="g"><w lemma="acerbus">acerbioribus</w></phr> legum <phr
        type="ampl" subtype="c"><w lemma="aculeus">aculeis</w></phr>
        <phr type="ampl" subtype="c"><w lemma="vindico">vindicare</w></phr>, nisi nos
        mansuetudo, quae adsolet, temperaret et ad suam consuetudinem lenitatemque
        redigeret.</s>
      <s xml:id="nov-th_15.2.1.s5" n="la8" xml:lang="la"><seg xml:id="nov-th_15.2.1.c1"
        >Qua propter eum et cingulo et dignitate simul illustri <phr type="ampl"
          subtype="c"><w lemma="privo">privari</w></phr> hac generali <phr
          type="ampl" subtype="c"><w lemma="sanctio">sanctione</w></phr>
          <phr xml:id="nov-th_15.2.1.s5.p1" function="cmdw">decernimus</phr> et curiae
          redditum per se aut substitutam personam, si ita viro clarissimo moderatori
          et curialibus visum fuerit, suarum <phr type="ampl" subtype="g"><w
            lemma="periculum">periculo</w></phr> facultatum omnibus curiae fungi
            muneribus, iudiciariis ad similitudinem ceterorum sententiis
            pariturum.</seg></s>
    <milestone unit="english" /> 1. </ab>
  <ab xml:id="nov-th_15.2.2" type="caput">
    <milestone unit="latin" /> 2. <s xml:id="nov-th_15.2.2.s1" n="la9" xml:lang="la">
      >Verum quia principale remedium generale esse oportet, <seg
        xml:id="nov-th_15.2.2.c1">ceteros quoque civitatum omnium curiales ab
        illustri dignitate cum cingulo seu citra cingulum <phr
          xml:id="nov-th_15.2.2.s1.p1" function="cmdw">volumus</phr> in posterum
          <phr type="ampl" subtype="g"><w lemma="prohibeo">prohiberi</w></phr> nec
          sibi infulas huius honoris adpetere.</seg></s>
    <milestone unit="english" /> 2. </ab>
  <ab xml:id="nov-th_15.2.3" type="caput">

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<milestone unit="latin" /> 3. <s xml:id="nov-th_15.2.3.s1" n="la10" xml:lang="la"
><seg xml:id="nov-th_15.2.3.c1">Quod si <phr type="ampl" subtype="g"><w
lemma="temere">temere</w></phr> post hanc nostri numinis <phr
type="ampl" subtype="c"><w lemma="sanctio">sanctionem</w></phr> huiusmodi
honorem <phr type="ampl" subtype="g"><w lemma="subreptio"
>subreptione</w></phr> quadam impetrare potuerint, sciant infructuosum
sibi hoc fore nec ullum inter eos atque alios curiales, qui talem non
meruerint dignitatem, esse <phr type="ampl" subtype="c"><w lemma="discrimen"
>discrimen</w></phr>; illos autem, qui vacantem iam vel honorariam
dignitatem adepti sunt, per substitutas personas omnium suarum <phr
type="ampl" subtype="g"><w lemma="periculum">periculo</w></phr>
fortunarum muneribus curiae absque ullo patrocinio respondere,</seg> Zoile
parens karissime atque amantissime.</s>
</milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_15.2.4" type="caput">
<milestone unit="latin" /> 4. <s xml:id="nov-th_15.2.4.s1" n="la11" xml:lang="la"
>Illustis igitur auctoritas tua hanc nostri numinis legem publicis
commoditatibus profuturam edictis sollemniter ubique propositis ad omnium
notitiam faciat pervenire.</s>
</milestone unit="english" /> 4. </ab>
<ab xml:id="nov-th_15.2.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-th_15.2.subs.s1" n="la12" xml:lang="la">Dat. XIII kal. Aug.
<placeName corresp="#constantinople">Constantinopoli</placeName> Theodosio
A. XVIII cons <date when="0444-07-20">(444 Iul. 20)</date>.</s>
</milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="nov-th_16" type="titulus">
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<s xml:id="nov-th_16.titl.s1" xml:lang="la">16. DE TESTAMENTIS</s>
</head>
<div2 type="constitutio" subtype="solo">
<ab xml:id="nov-th_16.insc" type="insc">
<milestone unit="latin" />
<s xml:id="nov-th_16.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
Florentio pp.</s>
</milestone unit="english" />
</ab>
<ab xml:id="nov-th_16.0" type="caput">
<milestone unit="latin" /> 0. <s xml:id="nov-th_16.0.s1" n="la2" xml:lang="la">Ita
prodest gentes <phr type="ampl" subtype="g"><w lemma="barbarus"
>barbaras</w></phr> nostri numinis imperio mancipari, ita nostrae victoriae
videbuntur oboedientibus fructuosae, si pacis commoda legum regulis
componantur.</s>
<s xml:id="nov-th_16.0.s2" n="la3" xml:lang="la">Ideo divinis sensibus die
nocturne res humani generis pertractantes gratum duximus <phr type="ampl"
subtype="c"><w lemma="deficio">deficientium</w></phr> quoque voluntatibus
subvenire, ut pro suo quisque testetur arbitrio, ut in potestate sua suam
habeat voluntatem, ut <phr type="ampl" subtype="g"><w lemma="invitus"
>invitus</w></phr> nemo nec taceat nec loquatur.</s>
<s xml:id="nov-th_16.0.s3" n="la4" xml:lang="la">Illud quippe est proprie
testamentum, quod testantis meram continet voluntatem.</s>
</milestone unit="english" /> 0. </ab>
<ab xml:id="nov-th_16.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-th_16.1.s1" n="la5" xml:lang="la"
>Natura talis est hominum, ut quosdam diligant, alios <phr type="ampl"
subtype="g"><w lemma="timeo">timeant</w></phr>, quibusdam sint officiosae
gratiae debitores, alios <phr type="ampl" subtype="c"><w lemma="suspicior"
>suspicientur</w></phr>, quorundam fidem intellegant eligendam, aliis
nihil credendum existiment nec tamen <phr type="ampl" subtype="c"><w
lemma="audeo">audeant</w></phr> de singulis quae sentiunt <phr
type="ampl" subtype="c"><w lemma="confiteor">confiteri</w></phr>.</s>
<s xml:id="nov-th_16.1.s2" n="la6" xml:lang="la">Ideo veteres testamenta scripta
testibus offerebant oblatarumque eis tabularum perhiberi testimonium
postulabant.</s>
<s xml:id="nov-th_16.1.s3" n="la7" xml:lang="la">Sed dum iuris antiqui cautelam
paulatim mutat posteritatis <phr type="ampl" subtype="c"><w lemma="imperitus"
>imperita</w></phr>
<phr type="ampl" subtype="c"><w lemma="praesumptio">praesumptio</w></phr> et
testes exigunt omnimodo quae testamento continentur agnoscere, eo res
processit, ut, dum sua quisque nonnumquam iudicia publicare <phr type="ampl"
subtype="g"><w lemma="formido">formidat</w></phr>, dum testibus testamenti
sua non <phr type="ampl" subtype="c"><w lemma="audeo">audet</w></phr> secreta
committere, ne suis facultatibus <phr type="ampl" subtype="c"><w lemma="inhio"
>inhiantes</w></phr>
<phr type="ampl" subtype="c"><w lemma="offendo">offendat</w></phr>, intestatus
<phr type="ampl" subtype="g"><w lemma="moriior">mori</w></phr> quam suae
mentis arcana <phr type="ampl" subtype="g"><w lemma="periculosus"
>periculose</w></phr>
<phr type="ampl" subtype="c"><w lemma="patior">patiatur</w></phr>
exprimere.</s>
</milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_16.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-th_16.2.s1" n="la8" xml:lang="la"
><seg xml:id="nov-th_16.2.c1">Hac itaque consultissima lege <phr
xml:id="nov-th_16.2.s1.p1" function="cmdw">sancimus</phr> licere per
scripturam conficiantibus testamentum, si nullum scire volunt quae in eo

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scripta sunt, signatam vel ligatam vel tantum clausam involutamve proferre scripturam vel ipsius testatoris vel cuiuslibet alterius <phr type="ampl" subtype="c"><w lemma="manus">manu</w></phr> conscriptam eamque rogatis testibus septem numero civibus Romanis puberibus omnibus simul offerre signandam et subscribendam, dum tamen testibus praesentibus testator suum esse testamentum dixerit quod offertur eique ipse coram testibus sua <phr type="ampl" subtype="c"><w lemma="manus">manu</w></phr> in reliqua parte testamenti subscripserit: quo facto et testibus uno eodemque die ac tempore subscribentibus et signantibus valere testamentum nec ideo in firmari, quod testes <phr type="ampl" subtype="g"><w lemma="nescio">nesciant</w></phr> quae in eo scripta sunt testamento.</seg></s>

<milestone unit="english" /> 2. </ab>

<ab xml:id="nov-th_16.3" type="caput">

<milestone unit="latin" /> 3. <s xml:id="nov-th_16.3.s1" n="la9" xml:lang="la"><seg xml:id="nov-th_16.3.c1">Quod si litteras testator <phr type="ampl" subtype="c"><w lemma="ignoro">ignoret</w></phr> vel subscribere nequeat, octavo subscriptore pro eo adhibito eadem servari <phr xml:id="nov-th_16.3.s1.p1" function="cmdw">decernimus</phr>.</seg></s>

<milestone unit="english" /> 3. </ab>

<ab xml:id="nov-th_16.4" type="caput">

<milestone unit="latin" /> 4. <s xml:id="nov-th_16.4.s1" n="la10" xml:lang="la"><seg xml:id="nov-th_16.4.c1">In omnibus autem testamentis, quae vel absentibus vel praesentibus testibus dictantur, superfluum est uno eodemque tempore exigere testatorem et testes adhibere et dictare suum arbitrium et finire testamentum sed licet alio tempore dictatum scriptumve proferatur testamentum, sufficiet uno eodemque die nullo actu interveniente testes omnes, videlicet simul nec diversis temporibus, subscribere signareve testamentum.</seg></s>

<milestone unit="english" /> 4. </ab>

<ab xml:id="nov-th_16.5" type="caput">

<milestone unit="latin" /> 5. <s xml:id="nov-th_16.5.s1" n="la11" xml:lang="la"><seg xml:id="nov-th_16.5.c1">Finem autem testamenti subscriptiones et signacula testium esse <phr xml:id="nov-th_16.5.s1.p1" function="cmdw">decernimus</phr>.</seg></s>

<s xml:id="nov-th_16.5.s2" n="la12" xml:lang="la"><seg xml:id="nov-th_16.5.c2">Non subscriptum namque a testibus atque signatum testamentum pro imperfecto haberi convenit.</seg></s>

<s xml:id="nov-th_16.5.s3" n="la13" xml:lang="la"><seg xml:id="nov-th_16.5.c3">Ex imperfecto autem testamento voluntatem tenere defuncti, nisi inter solos liberos habeatur, non <phr xml:id="nov-th_16.5.s3.p1" function="cmdw">volumus</phr>.</seg></s>

<milestone unit="english" /> 5. </ab>

<ab xml:id="nov-th_16.6" type="caput">

<milestone unit="latin" /> 6. <s xml:id="nov-th_16.6.s1" n="la14" xml:lang="la"><seg xml:id="nov-th_16.6.c1">Per nuncupationem quoque, hoc est sine scriptura, testamenta non alias valere <phr xml:id="nov-th_16.6.s1.p1" function="cmdw">sancimus</phr>, nisi septem testes, ut supra dictum est, simul uno eodemque tempore collecti testatoris voluntatem ut testamentum sine scriptura facientis audierint, non ut suum, ut adsolet fieri, narrantis arbitrium, hoc est ut manifeste testari se sub isdem testibus sine scriptura eo ipso tempore dicat, non futurum suae voluntatis promittat arbitrium.</seg></s>

<milestone unit="english" /> 6. </ab>

<ab xml:id="nov-th_16.7" type="caput">

<milestone unit="latin" /> 7. <s xml:id="nov-th_16.7.s1" n="la15" xml:lang="la"><seg xml:id="nov-th_16.7.c1">Si quis autem testamento iure perfecto postea ad aliud pervenerit testamentum, non alias quod ante factum est infirmari <phr xml:id="nov-th_16.7.s1.p1" function="cmdw">decernimus</phr>, quam id quod secundum facere testator instituit iure fuerit consummatum, nisi forte, in priore testamento scriptis his, qui ab intestato ad testatoris hereditatem successionemve venire non poterant, in secunda voluntate testator eos scribere instituit, qui ab intestato ad eius hereditatem vocantur.</seg></s>

<s xml:id="nov-th_16.7.s2" n="la0" xml:lang="la"><seg xml:id="nov-th_16.7.c2">eo enim casu, licet imperfecta videatur scriptura posterior, infirmato priore testamento secundam eius voluntatem non quasi testamentum, sed quasi voluntatem intestati valere <phr xml:id="nov-th_16.7.s2.p1" function="cmdw">censemus</phr>: in qua voluntate quinque testium iuratorum de positiones sufficient.</seg></s>

<s xml:id="nov-th_16.7.s3" n="la1" xml:lang="la"><seg xml:id="nov-th_16.7.c3">Quo non facto valebit primum testamentum, licet in eo scripti videantur extranei.</seg></s>

<milestone unit="english" /> 7. </ab>

<ab xml:id="nov-th_16.8" type="caput">

<milestone unit="latin" /> 8. <s xml:id="nov-th_16.8.s1" n="la2" xml:lang="la"><seg xml:id="nov-th_16.8.c1">Illud etiam huic legi <phr xml:id="nov-th_16.8.s1.p1" function="cmdw">perspicimus</phr> inserendum, ut, quoniam Graece iam testari concessum est, legata quoque ac directas libertates, tutores etiam Graecis verbis liceat in testamentis relinquere,</seg> ut ita vel legata <phr type="ampl" subtype="c"><w lemma="relinquo">relicta</w></phr> vel libertates directae tutoresve dati videantur, ac si legitimis verbis ea testator dari fieri observarique iussisset, Florenti parens karissime atque amantissime.</s>

<milestone unit="english" /> 8. </ab>

<ab xml:id="nov-th_16.9" type="caput">

<milestone unit="latin" /> 9. <s xml:id="nov-th_16.9.s1" n="la3" xml:lang="la"><seg xml:id="nov-th_16.9.c1">Illustris itaque et magnifica auctoritas tua consultissimam legem edictis propositis ad omnium notitiam <phr type="ampl" subtype="c"><w lemma="perfero">perferri</w></phr> praecipiat.</seg></s>

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<milestone unit="english" /> 9. </ab>
<ab xml:id="nov-th_16.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-th_16.subs.s1" n="1a4" xml:lang="la">Dat. prid. id. Sept.
    <placeName corresp="#constantinople">Constantinopoli</placeName> D. N.
    Theodosio A. XVII et Festo vc. cons. <date when="0439-09-12">(439 Sept.
      12)</date>.</s>
  <milestone unit="english" />
</ab>
<ab xml:id="nov-th_16.intr" type="intr">
  <milestone unit="latin" />INTERPRETATIO. Haec lex multa confirmat, quae de
  testamentis in Theodosiani corporis auctoritate conscripta sunt, sed hoc amplius
  continet, ut, si aliquis iure praetorio condiderit testamentum, id est quod septem
  testium subscriptionibus confirmatur, auctor testamenti, si litteras scit, octavus
  ipse subscribat, sin autem aut subscribere non potest aut litteras nescit, tunc
  octavum pro se adhibeat subscriptorem. Nam etsi subscriptores nesciant, quid in
  testamenti pagina continetur, testamentum ex hac re non habetur infirmum.
  testamento vero nihil detrahitur, si per plures dies dicatur fuisse dictatum,
  dummodo uno die sub praesentia testatoris simul omnes rogati a testatore
  subscribant ac suis sigillis subscriptum muniant testamentum. Per nuncupationem
  quoque, hoc est sine scriptura, qui suam publicare maluerit voluntatem, convocatis
  simul una hora septem testibus, primum pro qua re eos venire rogaverit evidenter
  explanet, ut, quia testamentum non fecit, illi apud gesta defuncti publicent et
  allegent voluntatem. Si quis autem facto legitimo testamento aliud postea facere
  voluerit testamentum, non aliter quod prius factum est reddatur infirmum, nisi
  sequens testamentum omni fuerit firmitate conscriptum et legitimo testium numero
  roboratum. Nam si imperfecta fuerit forsitan deficientis secunda voluntas, tunc
  valet, si in primo testamento quod fecerat extraneos scripsit heredes et postea
  in secunda voluntate illos instituit vel ad successionem vocavit, qui, etiamsi non
  testatus fuisset, poterant in hereditate defuncti ab intestato succedere: quae
  tamen posterior voluntas defuncti, licet non sit perfecta, sic in omnibus quae
  scripta sunt valeat, ut quinque testes iurisiurandi religione confirment
  testatorem ad hoc eos convocasse, ut remoto priore testamento secundam in
  propinquis suis, quam perficere non valuit, conderet voluntatem: quae in omnibus
  vel circa omnes firma permaneat. <milestone unit="english" /></ab>
</div2>
</div1>
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  <head xml:id="nov-th_17.titl">
    <s xml:id="nov-th_17.titl.s1" xml:lang="la">17. DE COMPETITIONIBUS</s>
  </head>
  <div2 xml:id="nov-th_17.1" type="constitutio">
    <ab xml:id="nov-th_17.1.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-th_17.1.insc.s1" n="1a1" xml:lang="la">1. Theodos. et Valentin. AA.
        Florentio pp.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="nov-th_17.1.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-th_17.1.0.s1" n="1a2" xml:lang="la"
      >Suggestionem viri illustris comitis sacrarum largitionum Marcellini, vicem
      agentis viri illustris comitis rerum privatarum, admodum comprobamus, quae et
      pio nostro proposito convenit et in commune omnium subiectorum commoditatibus
      consultit.</s>
      <s xml:id="nov-th_17.1.0.s2" n="1a3" xml:lang="la">felicitissimis namque imperii
      nostri temporibus haec nobis praecipua cura est, quemadmodum liberalitatibus
      nostris sine cuiusquam <phr type="ampl" subtype="g"><w lemma="perniciēs"
      >pernicie</w></phr> omnes possint divitiis abundare.</s>
      <s xml:id="nov-th_17.1.0.s3" n="1a4" xml:lang="la">imperatoriae quippe provisionis
      munus esse censemus, ut omnes nostris dispositionibus gaudeant, nemo suis <phr
      type="ampl" subtype="g"><w lemma="iniquus">iniquus</w></phr>
      <phr type="ampl" subtype="c"><w lemma="nudo">nudatus</w></phr> facultatibus
      <phr type="ampl" subtype="g"><w lemma="defleo">defleat</w></phr>.</s>
      <milestone unit="english" /> 0. </ab>
    <ab xml:id="nov-th_17.1.1" type="caput">
      <milestone unit="latin" /> 1. <s xml:id="nov-th_17.1.1.s1" n="1a5" xml:lang="la"
      ><seg xml:id="nov-th_17.1.1.c1">Quare hac perpetuo lege valitura <phr
      xml:id="nov-th_17.1.1.s1.p1" function="cmdw">sancimus</phr>, ut nemini
      liceat bona defunctorum caduca vel quamlibet rem aliam ad fiscum nostrum
      pertinentem vel eam quae eam parit actionem ullo modo a nostra serenitate
      competere, nisi annus ex die <phr type="ampl" subtype="g"><w lemma="mors"
      >mortis</w></phr> defuncti excesserit vel ex quo fiscus locum habuit
      vel habere potuerit,</seg></s>
      <milestone unit="english" /> 1. </ab>
    <ab xml:id="nov-th_17.1.2" type="caput">
      <milestone unit="latin" /> 2. <s xml:id="nov-th_17.1.2.s1" n="1a6" xml:lang="la"
      ><seg xml:id="nov-th_17.1.2.c1">et si sacrum oraculum mansuetudinis nostrae
      secundum hanc legem ab aliquo fuerit impetratum, nullo modo competenti
      iudicio intimari, nisi prius officio productum in iudicio liberae
      condicionis <phr type="ampl" subtype="c"><w lemma="delator"
      >delatorem</w></phr> tradiderit vel in hac alma urbe, si res ad fiscum
      pertinentes hic inventae fuerunt competitae, quorum interest <phr
      type="ampl" subtype="g"><w lemma="periculum">periculo</w></phr> sub <phr
      type="ampl" subtype="g"><w lemma="carceralis">carceralibus</w></phr>
      vinculis observandum vel moderatori provinciae sub artissima <phr
      type="ampl" subtype="c"><w lemma="custodia">custodia</w></phr>
      transmittendum.</seg></s>
      <s xml:id="nov-th_17.1.2.s2" n="1a7" xml:lang="la"><seg xml:id="nov-th_17.1.2.c2"
      ana="#ncp">servos namque nec ab initio, quasi nec personam habentes, in

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iudicium admitti <phr xml:id="nov-th_17.1.2.s2.pl" function="cmdw"
>iubemus</phr> et, si hoc ausi fuerint, continuo eos flammis tradi vel
bestiis.</seg></s>
<milestone unit="english" />
<supplied resp="#jk">2. </supplied>
</ab>
<ab xml:id="nov-th_17.1.3" type="caput">
<milestone unit="latin" /> 3. <s xml:id="nov-th_17.1.3.s1" n="la8" xml:lang="la"
><seg xml:id="nov-th_17.1.3.c1" ana="#ncp">Neque vero praedicti temporis
praescriptionem neque <phr type="ampl" subtype="c"><w lemma="delator"
>delatoris</w></phr> concessione vel speciali adnotationis beneficio
aut sacra pragmatica iussione posse convelli et, si forte quisquam, quod non
credimus, huiusmodi quid per <phr type="ampl" subtype="g"><w
lemma="subreptio">subreptionem</w></phr> elicuerit, id a nullo iudice
admittendum esse <phr xml:id="nov-th_17.1.3.s1.pl" function="cmdw"
>decernimus</phr>; quod si admiserit, non modo <phr type="ampl"
subtype="g"><w lemma="poena">poenae</w></phr>
<phr type="ampl" subtype="g"><w lemma="sacrilegium">sacrilegii</w></phr> eum
esse <phr type="ampl" subtype="g"><w lemma="obnoxius">obnoxium</w></phr>,
sed etiam <phr type="ampl" subtype="g"><w lemma="damnum">damna</w></phr> ei,
qui eius <phr type="ampl" subtype="g"><w lemma="iniquitas"
>iniquitate</w></phr>
<phr type="ampl" subtype="g"><w lemma="laedo">laesus</w></phr> fuerit,
resarcire.</seg></s>
<milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_17.1.4" type="caput">
<milestone unit="latin" /> 4. <s xml:id="nov-th_17.1.4.s1" n="la9" xml:lang="la"
><seg xml:id="nov-th_17.1.4.c1">Illud etiam pro communi omnium commoditate
<phr xml:id="nov-th_17.1.4.s1.pl" function="cmdw">censuimus</phr>
sanciendum, ut, si ab aliquo quicquam petatum fuerit et semel cuius interest
officii instructio praecesserit, nullus id possit a nostra deinceps
clementia postulare neque de eadem causa denuo fieri liceat instructionem:
officio quod id permiserit decem librarum auri <phr type="ampl" subtype="g"
><w lemma="poena">poena</w></phr> pro tali <phr type="ampl"
subtype="c"><w lemma="obreptio">obreptione</w></phr>
<phr type="ampl" subtype="c"><w lemma="ferio">feriendo</w></phr>,</seg>
Florenti parens karissime atque amantissime.</s>
<milestone unit="english" /> 4. </ab>
<ab xml:id="nov-th_17.1.5" type="caput">
<milestone unit="latin" /> 5. <s xml:id="nov-th_17.1.5.s1" n="la10" xml:lang="la"
>Illustriis igitur et magnifica auctoritas tua saluberrimam legem edictis
propositis ad omnium notitiam faciat pervenire, ut sciant provinciales nostri
pro eorum quiete serenitatem nostram iugi <phr type="ampl" subtype="c"><w
lemma="sollicitudo">sollicitudine</w></phr> vigilare.</s>
<milestone unit="english" /> 5. </ab>
<ab xml:id="nov-th_17.1.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-th_17.1.subs.s1" n="la11" xml:lang="la">Dat. XIII kal. Nov.
<placeName corresp="#constantinople">Constantinopoli</placeName> Theodosio
A. XVII et Festo vc. cons. <date when="0439-10-20">(439 Oct. 20)</date>.</s>
<milestone unit="english" />
</ab>
</div2>
<div2 xml:id="nov-th_17.2" type="constitutio">
<ab xml:id="nov-th_17.2.insc" type="insc">
<milestone unit="latin" />
<s xml:id="nov-th_17.2.insc.s1" n="la1" xml:lang="la">2. Idem AA. Zoilo pp.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_17.2.0" type="caput">
<milestone unit="latin" /> 0. <s xml:id="nov-th_17.2.0.s1" n="la2" xml:lang="la"
>Pro magnitudine beneficiorum, quibus singulari circa nos benevolentia superna
maiestas Romanum amplificavit imperium, sinceri nostri propositi, quo solo
divinitas colitur, munere vicissitudo reddenda est.</s>
<s xml:id="nov-th_17.2.0.s2" n="la3" xml:lang="la">Quantum quippe sit illaesum
hominum genus et ab omni <phr type="ampl" subtype="g"><w lemma="iniquitas"
>iniquitate</w></phr> defendere, nostrum est potissimum intellegere, qui
ad hoc nos electos esse cognoscimus.</s>
<milestone unit="english" /> 0. </ab>
<ab xml:id="nov-th_17.2.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-th_17.2.1.s1" n="la4" xml:lang="la"
>Igitur omne semen <phr type="ampl" subtype="c"><w lemma="alienus"
>alienas</w></phr> adpetendi fortunas stirpitur eruere cupientes <seg
xml:id="nov-th_17.2.1.c1">nulli deinceps <phr xml:id="nov-th_17.2.1.s1.pl"
function="cmdw">volumus</phr> petitionis rerum esse <phr type="ampl"
subtype="c"><w lemma="licentia">licentiam</w></phr>, etsi intestatus
quisquam quaeve ac nullis e numero propinquorum ex tantibus vel uxore vel
marito <phr type="ampl" subtype="c"><w lemma="fatum">fati</w></phr> munus
impleverit et cuiuscumque sit condicionis aut sectae, seu quolibet titulo
res caduca fuerit vel fiscalis vel in causam caduci <phr type="ampl"
subtype="c"><w lemma="caedo">ceciderit</w></phr>.</seg></s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_17.2.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-th_17.2.2.s1" n="la5" xml:lang="la"
><seg xml:id="nov-th_17.2.2.c1">Quod idem in tantum de cetero <phr
xml:id="nov-th_17.2.2.s1.pl" function="cmdw">volumus</phr> observari, ut,
etiam si qua petitio iam oblata responsum meruit, cuius tamen etiam nunc
pendet eventus nec ullum finem vel ex transactione vel iudiciaria
auctoritate sortita est, infirmetur omnisque controversia, omnis actio, quae

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ex huiusmodi responso orta sit, seu in iudicium sit deducta seu minime, penitus <phr type="ampl" subtype="c"><w lemma="extinguo"><extinguatur</w></phr></seg></s>

<s xml:id="nov-th_17.2.2.s2" n="la6" xml:lang="la"><seg xml:id="nov-th_17.2.2.c2"><w lemma="extinguo"><extinguatur</w></phr></seg></s>

>Nam si vel definitiva sententia iudicis vel decisionibus interpositis in anteauctum tempus quaecumque petitio terminata sit, hanc deinceps retractari non <phr xml:id="nov-th_17.2.2.s2.p1" function="cmdw" type="ampl" subtype="c"><w lemma="patior">patimur</w></phr></seg></s>

<milestone unit="english" /> 2. </ab>

<ab xml:id="nov-th_17.2.3" type="caput">

<milestone unit="latin" /> 3. <s xml:id="nov-th_17.2.3.s1" n="la7" xml:lang="la"><seg xml:id="nov-th_17.2.3.c1"><w lemma="audeo">audeat</w></phr> ad petitionem rerum defuncti defuncta eve, cuius cumque fortunae vel sectae sit, etsi fisco nostro locus pateat, adspirare, cum ne illis quidem, quorum actu atque officio petitionum procedebat effectus, <phr type="ampl" subtype="g"><w lemma="impune">impune</w></phr> liceat nostris <phr type="ampl" subtype="c"><w lemma="sanctio">sanctionibus</w></phr> adversari.</seg></s>

<s xml:id="nov-th_17.2.3.s2" n="la8" xml:lang="la"><seg xml:id="nov-th_17.2.3.c2"><w lemma="indignatio">indignationem</w></phr> nostri numinis sustinebunt ceterisque fient <phr type="ampl" subtype="c"><w lemma="vindicta">vindictae</w></phr> <phr type="ampl" subtype="g"><w lemma="temeritas">temeritatis</w></phr> exemplum.</seg></s>

<s xml:id="nov-th_17.2.3.s3" n="la9" xml:lang="la"><seg xml:id="nov-th_17.2.3.c3"><w lemma="proscriptio">proscriptione</w></phr> <phr type="ampl" subtype="g"><w lemma="punio">puniri</w></phr> <phr xml:id="nov-th_17.2.3.s3.p1" function="cmdw">decernimus</phr></seg></s>

<milestone unit="english" /> 3. </ab>

<ab xml:id="nov-th_17.2.4" type="caput">

<milestone unit="latin" /> 4. <s xml:id="nov-th_17.2.4.s1" n="la10" xml:lang="la"><seg xml:id="nov-th_17.2.4.c1"><w lemma="obeo">obisse</w></phr> contigerit, sive eius sectae <phr type="ampl" subtype="g"><w lemma="mortuus">mortuus</w></phr> vel <phr type="ampl" subtype="g"><w lemma="mortuus">mortua</w></phr> fuerit, ut eius bona ex divalibus <phr type="ampl" subtype="c"><w lemma="sanctio">sanctionibus</w></phr> fisci <phr type="ampl" subtype="c"><w lemma="vis">viribus</w></phr> <phr type="ampl" subtype="c"><w lemma="vindico">vindicanda</w></phr> sint, seu caduca sit res vel alio titulo fiscalis vel in causam caduci <phr type="ampl" subtype="c"><w lemma="caedo">ceciderit</w></phr>, cuius rei cognitionem iudicio viri illustris praefecti praetorio specialiter <phr xml:id="nov-th_17.2.4.s1.p1" function="cmdw">delegamus</phr>, huius bona ex parte quidem tertia praetorianae praefecturae areae, ex altera vero tertia sacris largitionibus, ex residua portione, eadem praefectura distribuite, privato <phr type="ampl" subtype="c"><w lemma="vindico">vindicabuntur</w></phr> aerario.</seg></s>

<milestone unit="english" /> 4. </ab>

<ab xml:id="nov-th_17.2.5" type="caput">

<milestone unit="latin" /> 5. <s xml:id="nov-th_17.2.5.s1" n="la11" xml:lang="la"><seg xml:id="nov-th_17.2.5.c1"><w lemma="censemus">censemur</w></phr>, scilicet nec pragmatica iussione nec sacra adnotatione vel quolibet oraculo divino vel mandatis, si cui contra hanc <phr type="ampl" subtype="c"><w lemma="sanctio">sanctionem</w></phr> nostram fuerit impetratum, quicquam roboris habere valituris.</seg></s>

<milestone unit="english" /> 5. </ab>

<ab xml:id="nov-th_17.2.6" type="caput">

<milestone unit="latin" /> 6. <s xml:id="nov-th_17.2.6.s1" n="la12" xml:lang="la"><seg xml:id="nov-th_17.2.6.c1"><w lemma="dissimulo">dissimulatae</w></phr> huius legis <phr type="ampl" subtype="g"><w lemma="poena">poenae</w></phr> se <phr type="ampl" subtype="c"><w lemma="obnoxius">obnoxium</w></phr> fecerit, intervenire <phr type="ampl" subtype="c"><w lemma="tempto">temptaverit</w></phr>, <phr type="ampl" subtype="c"><w lemma="implacabilis">implacabilem</w></phr> tam supernae maiestatis quam nostri numinis incurret <phr type="ampl" subtype="g"><w lemma="offensa">offensam</w></phr>: scituris omnibus et <phr type="ampl" subtype="g"><w lemma="supplicium">suppliciis</w></phr>, quae contra <phr type="ampl" subtype="c"><w lemma="delator">delatores</w></phr> promulgatis iam constitutionibus ordinata sunt, nihil per hanc legem esse penitus in minutum,</seg> Zoile parens karissime atque amantissime.</s>

<milestone unit="english" /> 6. </ab>

<ab xml:id="nov-th_17.2.7" type="caput">

<milestone unit="latin" /> 7. <s xml:id="nov-th_17.2.7.s1" n="la13" xml:lang="la"><w lemma="illustro">illustri</w></phr> igitur et magnifica auctoritas tua edictis per omnes urbes imperio nostro subiectas sollemni more propositis neminem prorsus, quae salubriter pro humano genere sanximus, latere concedat.</s>


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<milestone unit="english" /> 7. </ab>
<ab xml:id="nov-th_17.2.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-th_17.2.subs.s1" n="la14" xml:lang="la">Dat. X kal. Mai. <placeName
    corresp="#constantinople">Constantinopoli</placeName> Theodosio A. XVIII
    cons. <date when="0444-04-22">(444 April. 22)</date>.</s>
  <milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="nov-th_18" type="titulus">
  <head xml:id="nov-th_18.titl">
    <s xml:id="nov-th_18.titl.s1" xml:lang="la">18. DE LENONIBUS</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-th_18.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-th_18.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
        Cyro pp.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="nov-th_18.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-th_18.0.s1" n="la2" xml:lang="la">
        >Fidem de exemplis praesentibus mereantnr historiae et omni dehinc ambiguitate
        liberetur antiquitas, quae nobis summos viros praetulisse rem publicam
        facultatibus indicavit, cum virum illustrem Florentium praetorianae
        praefecturae administratione subfultum cernamus non iam cum maiorum laudibus,
        sed cum suis magnis in rem publicam meritis praeclari animi aemula virtute
        certantem existimationem rei publicae non solum consilio suo ac providentia,
        sed etiam devotione ac munificentia <phr type="ampl" subtype="g"><w
          lemma="pudendus">pudendae</w></phr>
        <phr type="ampl" subtype="g"><w lemma="turpitude">turpitudinis</w></phr> labe
        atque <phr type="ampl" subtype="g"><w lemma="ignominia">ignominia</w></phr>
        liberasse.</s>
      <s xml:id="nov-th_18.0.s2" n="la3" xml:lang="la">Nam cum <phr type="ampl"
        subtype="g"><w lemma="leno">lenonum</w></phr>
        <phr type="ampl" subtype="c"><w lemma="calliditas">calliditate</w></phr>
        <phr type="ampl" subtype="g"><w lemma="damnabilis">damnabili</w></phr>
        circumventam veterum videret <phr type="ampl" subtype="g"><w lemma="incuria"
          >incuriam</w></phr>, ut sub cuiusdam lustralis praestationis obtentu <phr
          type="ampl" subtype="g"><w lemma="corrumpo">corrumpendi</w></phr>
        <phr type="ampl" subtype="c"><w lemma="pudor">pudoris</w></phr> liceret
        exercere commercium, nec <phr type="ampl" subtype="g"><w lemma="iniuria"
          >iniuriam</w></phr> sui ipsam quodammodo <phr type="ampl" subtype="g"><w
          lemma="ignarus">ignaram</w></phr> cohibere rem publicam, pio circa omnium
        verecundiam proposito mansuetudini nostrae amore pudicitiae castitatisque
        suggessit ad <phr type="ampl" subtype="g"><w lemma="iniuria">iniuriam</w></phr>
        nostrorum temporum pertinere, si aut <phr type="ampl" subtype="g"><w
          lemma="leno">lenones</w></phr> in hac liceret urbe versari aut eorum <phr
          type="ampl" subtype="g"><w lemma="turpis">turpissimo</w></phr> quaestu
        aerarium videretur augeri.</s>
      <s xml:id="nov-th_18.0.s3" n="la4" xml:lang="la">Ac licet nos illud adverteret
        <phr type="ampl" subtype="g"><w lemma="execror">execrari</w></phr> etiam
        cessante vicaria oblatione vectigal, tamen, ne ullum ad aerarium <phr
          type="ampl" subtype="g"><w lemma="incommodum">incommodum</w></phr>
        perveniret, propriam possessionem obtulit, ex cuius redditibus possit accedere,
        quod praedictum <phr type="ampl" subtype="g"><w lemma="pessimus"
          >pessimum</w></phr> genus consueverat pensitare.</s>
      <milestone unit="english" /> 0. </ab>
    </div2>
    <ab xml:id="nov-th_18.1" type="caput">
      <milestone unit="latin" /> 1. <s xml:id="nov-th_18.1.s1" n="la5" xml:lang="la">
        >Unde providentiam et munificentiam eius libenter amplexi <seg
          xml:id="nov-th_18.1.cl">hac mansura in aevum lege <phr
            xml:id="nov-th_18.1.s1.pl" function="cmdw">sancimus</phr>, ut, si quis
            posthac mancipia tam <phr type="ampl" subtype="c"><w lemma="alienus"
              >aliena</w></phr> quam propria aut ingenua corpora qualibet taxatione
            conducta <phr type="ampl" subtype="g"><w lemma="prostitutio"
              >prostituire</w></phr>
            <phr type="ampl" subtype="g"><w lemma="sacrilegus">sacrilega</w></phr>
            <phr type="ampl" subtype="g"><w lemma="temeritas">temeritate</w></phr>
            <phr type="ampl" subtype="c"><w lemma="tempto">temptaverit</w></phr>, in
            libertatem prius <phr type="ampl" subtype="g"><w lemma="miser"
              >miserrimis</w></phr> mancipiis <phr type="ampl" subtype="c"><w
              lemma="vindico">vindicatis</w></phr> vel ingenuis personis conductione
            <phr type="ampl" subtype="g"><w lemma="impius">impia</w></phr> liberatis
            <phr type="ampl" subtype="c"><w lemma="gravis">gravissime</w></phr>
            <phr type="ampl" subtype="c"><w lemma="verbero">verberatus</w></phr> huius
            urbis finibus, in qua <phr type="ampl" subtype="c"><w lemma="veto"
              >vetitum</w></phr>
            <phr type="ampl" subtype="g"><w lemma="nefas">nefas</w></phr> crediderit
            exercendum, ad exemplum omnium emendationemque <phr type="ampl" subtype="c"
              ><w lemma="pello">pellatur</w></phr>,</seg> Cyre parens karissime
            atque amantissime.</s>
          <milestone unit="english" /> 1. </ab>
        <ab xml:id="nov-th_18.2" type="caput">
          <milestone unit="latin" /> 2. <s xml:id="nov-th_18.2.s1" n="la6" xml:lang="la">
            >Illustris igitur auctoritas tua ea, quae tuendae honestatis decrevimus gratia,
            veneratione debita iubeat <phr type="ampl" subtype="c"><w lemma="custodio"
              >custodiri</w></phr>, officio amplitudinis tuae viginti librarum auri

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        <phr type="ampl" subtype="g"><w lemma="poena">poenam</w></phr>, si praecepta
        nostra <phr type="ampl" subtype="g"><w lemma="neglego">neglexerit</w></phr>,
        luituro.</s>
    <milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_18.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="nov-th_18.subs.s1" n="la7" xml:lang="la">Dat. VIII id. Dec. <placeName
        corresp="#constantinople">Constantinopoli</placeName> Theodosio A. XVII et
        Festo vc. cons. <date when="0439-12-06">(439 Dec. 6)</date>.</s>
    <milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="nov-th_19" type="titulus">
    <head xml:id="nov-th_19.titl">
        <s xml:id="nov-th_19.titl.s1" xml:lang="la">19. DE RESCINDENDIS VENDITIONIBUS
            FUNDORUM REI DOMINICAE</s>
    </head>
    <div2 type="constitutio" subtype="solo">
        <ab xml:id="nov-th_19.insc" type="insc">
            <milestone unit="latin" />
            <s xml:id="nov-th_19.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
                Eudoxio C.r.p.</s>
            <milestone unit="english" />
        </ab>
        <ab xml:id="nov-th_19.0" type="caput">
            <milestone unit="latin" /> 0. <s xml:id="nov-th_19.0.s1" n="la2" xml:lang="la"
                >Amorem circa rem publicam sublimitatis tuae suggestio nuper oblata testatur,
                quippe si observatione diligenti fuerit <phr type="ampl" subtype="c"><w
                    lemma="custodio">custodita</w></phr>, reditus nostros inhibet a
                deminutione perpetua.</s>
            <s xml:id="nov-th_19.0.s2" n="la3" xml:lang="la">occupationibus etenim nostris,
                quibus pro mundi commoditatibus <phr type="ampl" subtype="c"><w lemma="occupo"
                    >occupamur</w></phr>, <phr type="ampl" subtype="c"><w lemma="abutor"
                    >abuti</w></phr> quorundam <phr type="ampl" subtype="g"><w lemma="noxius"
                    >noxia</w></phr>
                <phr type="ampl" subtype="c"><w lemma="cupiditas">cupiditas</w></phr> non
                desinit, qui paulatim canonem possessionum ad divinam nostri numinis domum
                pertinentium comparantes sub specie contractus <phr type="ampl" subtype="c"><w
                    lemma="furtivus">furtiva</w></phr>
                <phr type="ampl" subtype="g"><w lemma="subreptio">subreptione</w></phr>
                patrimonium nostrum <phr type="ampl" subtype="c"><w lemma="exhaurio"
                    >exhauriunt</w></phr>.</s>
            <s xml:id="nov-th_19.0.s3" n="la4" xml:lang="la"><seg xml:id="nov-th_19.0.c1">Hac
                itaque perpetuo valitura lege <phr xml:id="nov-th_19.0.s3.p1"
                    function="cmdw">sancimus</phr> nullum dempto canone ad comparisonem
                dominicae possessionis accedere.</seg></s>
            <milestone unit="english" /> 0. </ab>
        <ab xml:id="nov-th_19.1" type="caput">
            <milestone unit="latin" /> 1. <s xml:id="nov-th_19.1.s1" n="la5" xml:lang="la"
                ><seg xml:id="nov-th_19.1.c1">Quod si quis post hanc legem ad <phr
                    type="ampl" subtype="c"><w lemma="interdictio">interdictum</w></phr>
                contractum accesserit, eum <phr xml:id="nov-th_19.1.s1.p1" function="cmdw"
                    >perdere</phr> pretia <phr type="ampl" subtype="g"><w lemma="perdo"
                    >perdere</w></phr> fundos reddere fructus redhibere perpetuo nec
                expensarum vel melioratae rei fructuum exactioni compensationem obponere nec
                temporis sibimet contra nostra commoda praescriptione <phr type="ampl"
                    subtype="c"><w lemma="blandior">blandiri</w></phr>.</seg></s>
            <milestone unit="english" /> 1. </ab>
        <ab xml:id="nov-th_19.2" type="caput">
            <milestone unit="latin" /> 2. <s xml:id="nov-th_19.2.s1" n="la6" xml:lang="la"
                ><seg xml:id="nov-th_19.2.c1">Palatinum etiam officium, si quoquo modo
                contractus eiusmodi fuerit celebratus vel si talem petitionem instruxerit,
                quinquaginta pondi auri <phr type="ampl" subtype="g"><w lemma="poena"
                    >poenae</w></phr> nomine inferre privato nostrae maiestatis aerario,
                nulla liberalitate nostrae clementiae, nulla <phr type="ampl" subtype="c"><w
                    lemma="sanctio">sanctione</w></phr> contra tanta privatae rei commoda
                valitura, licet adnotatio vel divina pragmatica sit, quae contra <phr
                    type="ampl" subtype="c"><w lemma="veto">vetitum</w></phr> canonem vendi
                concedit vel <phr type="ampl" subtype="g"><w lemma="poena">poenam</w></phr>
                palatino remittit officio</seg> Eudoxi frater amantissime.</s>
            <milestone unit="english" /> 2. </ab>
        <ab xml:id="nov-th_19.3" type="caput">
            <milestone unit="latin" /> 3. <s xml:id="nov-th_19.3.s1" n="la7" xml:lang="la"
                >Illustis itaque auctoritas tua legem hanc edictis propositis ad omnium
                notitiam deferri praecipiat.</s>
            <milestone unit="english" /> 3. </ab>
        <ab xml:id="nov-th_19.subs" type="subs">
            <milestone unit="latin" />
            <s xml:id="nov-th_19.subs.s1" n="la8" xml:lang="la">Dat. XIII kal. Iun. <placeName
                corresp="#constantinople">Constantinopoli</placeName> Anatolio vc. cons.
                <date when="0440-05-17">(440 Mai. 17)</date>.</s>
            <milestone unit="english" />
        </ab>
    </div2>
</div1>
<div1 xml:id="nov-th_20" type="titulus">
    <head xml:id="nov-th_20.titl">
        <s xml:id="nov-th_20.titl.s1" xml:lang="la">20. DE ALLUVIONIBUS ET PALUDIBUS</s>

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</head>
<div2 type="constitutio" subtype="solo">
  <ab xml:id="nov-th_20.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-th_20.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
      Cyro pp. et consuli designato.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_20.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-th_20.0.s1" n="la2" xml:lang="la"
      >Suggestionibus tui culminis semper magnum aliquid rei publicae conferendi
      materia ministratur, semper nobis aliquid porrigitur emendandum.</s>
    <s xml:id="nov-th_20.0.s2" n="la3" xml:lang="la">Quanta itaque magnitudinis tuae
      provincialium cura est, per eas quoque non dubie declaratur.</s>
    <milestone unit="english" /> 0. </ab>
  <ab xml:id="nov-th_20.1" type="caput">
    <milestone unit="latin" /> 1. <s xml:id="nov-th_20.1.s1" n="la4" xml:lang="la"
      >Adluvionum, quae contingere solent in praediis quae ripis quorundam fluminum
      terminantur, ea natura est, ut semper incerta possessio, <phr type="ampl"
        subtype="c"><w lemma="incertus">incertum</w></phr> sit eius dominium quod
      possessori per adluvionem ad crescit.</s>
    <s xml:id="nov-th_20.1.s2" n="la5" xml:lang="la">Nam quod hodie possidemus
      nonnumquam altero die vicini fundi dominio in alteram fluminis ripam translatus
      adquiritur nec tamen apud quem ad crescit semper remanet adquisitum, sed
      plerumque redit ad priorem dominum cum augmento, saepe nec ad posteriorem manet
      nec ad priorem redit, sed in harenam fluminis inundatione dissolvitur.</s>
    <milestone unit="english" /> 1. </ab>
  <ab xml:id="nov-th_20.2" type="caput">
    <milestone unit="latin" /> 2. <s xml:id="nov-th_20.2.s1" n="la6" xml:lang="la"
      >Ideo suggestionem tui culminis admittentes non Aegyptiis solis nec de Nili
      tantum adluvionibus loquimur, sed quod salubre est orbi terrarum atque omnibus
      provinciis promulgamus.</s>
    <s xml:id="nov-th_20.2.s2" n="la7" xml:lang="la"><seg xml:id="nov-th_20.2.c1"
      ana="#ncp">Et ea, quae per adluvionem possessoribus adquiruntur, neque ab
      aerario vendi neque a quolibet peti nec separatim censer i vel functiones
      exigi hac perpetuo lege valitura <phr xml:id="nov-th_20.2.s2.pl1"
        function="cmdw">sancimus</phr>, ne vel adluvionum <phr type="ampl"
        subtype="c"><w lemma="ignoro">ignorare</w></phr>
        <phr type="ampl" subtype="g"><w lemma="vitium">vitia</w></phr> vel rem <phr
        type="ampl" subtype="g"><w lemma="noxius">noxiam</w></phr> possessoribus
        videamur indicare.</seg></s>
    <milestone unit="english" /> 2. </ab>
  <ab xml:id="nov-th_20.3" type="caput">
    <milestone unit="latin" /> 3. <s xml:id="nov-th_20.3.s1" n="la8" xml:lang="la"
      ><seg xml:id="nov-th_20.3.c1">Similiter nec ea quidem, quae paludibus antea
      vel pascuis videbantur adscripta, si sumptibus ac <phr type="ampl"
        subtype="c"><w lemma="labor">laboribus</w></phr> possessorum nunc ad
      frugum fertilitatem translata sunt, vel vendi vel peti vel quasi fertilia
      separatim censer i vel functiones exigi <phr xml:id="nov-th_20.3.s1.pl1"
        function="cmdw">concedimus</phr>, </seg> ne doleant diligentes operam suam
      agri dedisse culturae nec diligentiam suam sibi <phr type="ampl" subtype="g"><w
        lemma="damnosus">damnosam</w></phr> intellegant.</s>
    <milestone unit="english" /> 3. </ab>
  <ab xml:id="nov-th_20.4" type="caput">
    <milestone unit="latin" /> 4. <s xml:id="nov-th_20.4.s1" n="la9" xml:lang="la"
      ><seg xml:id="nov-th_20.4.c1">Huius legis <phr type="ampl" subtype="g"><w
        lemma="temero">temeratores</w></phr> quinquaginta librarum auri <phr
        type="ampl" subtype="c"><w lemma="condemnatio">condemnatione</w></phr>
        <phr type="ampl" subtype="c"><w lemma="coerceo">coerceri</w></phr>
        <phr xml:id="nov-th_20.4.s1.pl1" function="cmdw">decernimus</phr>.</seg></s>
    <s xml:id="nov-th_20.4.s2" n="la10" xml:lang="la"><seg xml:id="nov-th_20.4.c2">
      >Inter quos habendum est officium quoque tuae sedis excelsae, si aliquid
      eiusmodi suggesserit disponendum vel si preces instruxerit petitoris.</seg>
      Cyre parens karissime atque amantissime.</s>
    <milestone unit="english" /> 4. </ab>
  <ab xml:id="nov-th_20.5" type="caput">
    <milestone unit="latin" /> 5. <s xml:id="nov-th_20.5.s1" n="la11" xml:lang="la"
      >Illustris itaque et magnifica auctoritas tua, suggestionem tui culminis hac
      dispositione non admissa tantum, sed etiam conlaudata, legem hanc edictis
      propositis ad omnium notitiam <phr type="ampl" subtype="c"><w lemma="perfero"
        >perferri</w></phr> praecipiat.</s>
    <milestone unit="english" /> 5. </ab>
  <ab xml:id="nov-th_20.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="nov-th_20.subs.s1" n="la12" xml:lang="la">Dat. XI kal. Oct. <placeName
      corresp="#constantinople">Constantinopoli</placeName> D. n. Valentiniano A.
      V et Anatolio vc. cons. <date when="0440-09-21">(440 Sept. 21)</date>.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_20.intr" type="intr">
    <milestone unit="latin" /> INTERPRETATIO. Hac lege sancitum est, ut, si fluvius
    alveum suum paulatim in aliam partem contulerit, terram illi adquirat cuius
    finibus spatium terrae dinoscitur contulisse. Quam rem beneficio aquae
    possessoribus adquisitam nullus velut fiscalem audeat vindicare, cui rei tributum
    nullus adiciat. Si quis etiam paludes suo studio derivaverit et ad usum
    fertilitatis adduxerit, similiter hoc is qui excoluit sine censu perpetuo iure
    possideat neque quisquam hoc audeat a nostra munificentia postulare. <milestone
      unit="english" /></ab>
</div2>

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</div1>
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    <s xml:id="nov-th_21.titl.s1" xml:lang="la">21. DE SCHOLARIBUS ET COMITIBUS SCHOLARUM
      ET DE DOMESTICIS EORUM</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-th_21.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-th_21.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
        Flegetio mag. off.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="nov-th_21.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-th_21.0.s1" n="la2" xml:lang="la">
        >Scholarium nostrorum devotio probata nostris parentibus circa nostrae maxime
        serenitatis affectionem enituit.</s>
      <s xml:id="nov-th_21.0.s2" n="la3" xml:lang="la">inde quidquid ad fovenda
        servandave eorum privilegia postulatut statim credimus admittendum: <seg
          xml:id="nov-th_21.0.c1">ideoque suggestionem tui culminis adprobantes viris
            spectabilibus comitibus scholarum <phr type="ampl" subtype="c"><w
              lemma="verbero">verberandi</w></phr> regradandive senatores ac
              ducenarios <phr type="ampl" subtype="c"><w lemma="licentia">
                >licentiam</w></phr>
            <phr xml:id="nov-th_21.0.s2.p1" function="cmdw" type="ampl" subtype="g"><w
              lemma="denego">denegamus</w></phr>.</seg></s>
          <s xml:id="nov-th_21.0.s3" n="la4" xml:lang="la">ea namque, quae tali commotione
            digna sunt, ad tuae sublimitatis volumus referri notitiam.</s>
          <milestone unit="english" /> 0. </ab>
        <ab xml:id="nov-th_21.1" type="caput">
          <milestone unit="latin" /> 1. <s xml:id="nov-th_21.1.s1" n="la5" xml:lang="la">
            ><seg xml:id="nov-th_21.1.c1">Domesticos etiam eorum a gradibus lege
              praeterita designatis fieri, non senatores vel ducenarios centenariosve <phr
                xml:id="nov-th_21.1.s1.p1" function="cmdw">decernimus</phr>.</seg></s>
            <milestone unit="english" /> 1. </ab>
          <ab xml:id="nov-th_21.2" type="caput">
            <milestone unit="latin" /> 2. <s xml:id="nov-th_21.2.s1" n="la6" xml:lang="la">
              ><seg xml:id="nov-th_21.2.c1" ana="#ncp">Quae super his observandis, <phr
                  type="ampl" subtype="g"><w lemma="poena">poena</w></phr> circa <phr
                    type="ampl" subtype="g"><w lemma="temero">temeratores</w></phr>
                  statutorum promissa, tua statuit celsitudo, ut quinque librarum auri qui de
                  gradibus supra dictis ad in debitum domesticatus accedit officium, decem
                  librarum auri scrinium <phr type="ampl" subtype="g"><w lemma="barbarus">
                    >barbarorum</w></phr>, si tale quid vel adtemptari passum fuerit vel
                    adtemptatum contra legem non suggesserit, quinque etiam librarum auri vir
                    spectabilis comes scholarum, si quid adversum hanc legem vel commiserit vel
                    committi concesserit, <phr type="ampl" subtype="c"><w lemma="percello">
                      >percellatur</w></phr>, firma per istius quoque legis auctoritatem
                      esse <phr xml:id="nov-th_21.2.s1.p1" function="cmdw">praecipimus</phr>, eum,
                      qui contra <phr type="ampl" subtype="c"><w lemma="veto">vetitum</w></phr> ad
                      domesticatum quoquo modo <phr type="ampl" subtype="c"><w lemma="tempto">
                        >temptaverit</w></phr> adspirare, post quinque librarum auri
                        illationem militia quoque <phr type="ampl" subtype="c"><w lemma="pello">
                          >pelli</w></phr> non immerito decernentes.</seg></s>
                    <milestone unit="english" /> 2. </ab>
                  <ab xml:id="nov-th_21.3" type="caput">
                    <milestone unit="latin" /> 3. <s xml:id="nov-th_21.3.s1" n="la7" xml:lang="la">
                      ><seg xml:id="nov-th_21.3.c1">Illud etiam observari non sine ratione
                        conveniet, ne quis, cui domestici officium per militiae gradum vel
                        quinquennii tempus <phr type="ampl" subtype="c"><w lemma="interdico">
                          >interdici</w></phr> censuimus, familiaritate comitis simulata rem
                          <phr type="ampl" subtype="g"><w lemma="prohibeo">prohibitam</w></phr>
                          alio nomine valeat <phr type="ampl" subtype="c"><w lemma="usurpo">
                            >usurare</w></phr>,</seg> Flegeti frater amantissime.</s>
                        <milestone unit="english" /> 3. </ab>
                      <ab xml:id="nov-th_21.4" type="caput">
                        <milestone unit="latin" /> 4. <s xml:id="nov-th_21.4.s1" n="la8" xml:lang="la">
                          >Illustris itaque auctoritas tua legem hanc perpetuo valituram ad
                          devotissimorum scholarium notitiam <phr type="ampl" subtype="c"><w
                            lemma="perfero">perferri</w></phr> praecipiat.</s>
                        <milestone unit="english" /> 4. </ab>
                      <ab xml:id="nov-th_21.subs" type="subs">
                        <milestone unit="latin" />
                        <s xml:id="nov-th_21.subs.s1" n="la9" xml:lang="la">Dat. XV kal. Mai. <placeName
                          corresp="#constantinople">Constantinopoli</placeName> Cyro V. C. cons. <date
                            when="0441-04-17">(441 April. 17)</date>.</s>
                        <milestone unit="english" />
                      </ab>
                    </div2>
  </div1>
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    <head xml:id="nov-th_22.titl">
      <s xml:id="nov-th_22.titl.s1" xml:lang="la">22. DE BONIS DECURIONUM ET DE NATURALIBUS
        FILLIS EORUM IN CURIAM MITTENDIS HEREDIBUSQUE SCRIBENDIS</s>
    </head>
    <div2 xml:id="nov-th_22.1" type="constitutio">
      <ab xml:id="nov-th_22.1.insc" type="insc">
        <milestone unit="latin" />
        <s xml:id="nov-th_22.1.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.

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Apollonio pp.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_22.1.0" type="caput">
<milestone unit="latin" /> 0. <s xml:id="nov-th_22.1.0.s1" n="la2" xml:lang="la">
>Nulla professione virtutum nullaque re alia potius homines deo quam prona
liberalitate iunguntur.</s>
<s xml:id="nov-th_22.1.0.s2" n="la3" xml:lang="la">Nam cum beneficiorum fontibus
genus amplificetur humanum, divinam benevolentiam nobis credimus obligari, unde
spes tota vicissitudinis expectatur.</s>
<s xml:id="nov-th_22.1.0.s3" n="la4" xml:lang="la">Quod si quis bene de se meritum
<phr type="ampl" subtype="g"><w lemma="laedo">laedat</w></phr>, ex amore
omnium, quem liberalitas meruit, communi necesse est <phr type="ampl" subtype="g"><w lemma="odium">odio</w></phr>
<phr type="ampl" subtype="g"><w lemma="condemno">condemnetur</w></phr>
<phr type="ampl" subtype="g"><w lemma="ingratus">ingratus</w></phr>.</s>
<milestone unit="english" /> 0. </ab>
<ab xml:id="nov-th_22.1.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-th_22.1.1.s1" n="la5" xml:lang="la">
>Huius <phr type="ampl" subtype="g"><w lemma="iniquus">iniquissimae</w></phr>
rei <phr type="ampl" subtype="g"><w lemma="acerbitas">acerbitate</w></phr>
commotam celsitudinem tuam a nobis remedium postulasse praesens suggestio
declarat.</s>
<s xml:id="nov-th_22.1.1.s2" n="la6" xml:lang="la">multi enim saepe nullam <phr type="ampl" subtype="c"><w lemma="traho">trahentes</w></phr> sorte maiorum
decurionatus originem sua sponte liberalique sententia pietatis quoddam insigne
duxerunt magnificis patriam muneribus beneficiisque donare; alii, cum extruendi
publici operis nulla eis <phr type="ampl" subtype="c"><w lemma="necessitas">necessitas</w></phr>
<phr type="ampl" subtype="c"><w lemma="immineo">immineret</w></phr>, diversis
eam aedificiorum ornatibus extulerunt.</s>
<s xml:id="nov-th_22.1.1.s3" n="la7" xml:lang="la">id augendae patriae desiderium
maximis laudibus ac praeconiis efferendum alios curialibus <phr type="ampl" subtype="c"><w lemma="onus">oneribus</w></phr>, alios discussionum laqueis
implicavit.</s>
<s xml:id="nov-th_22.1.1.s4" n="la8" xml:lang="la">et, quod ultra omnem <phr type="ampl" subtype="g"><w lemma="indignatio">indignationem</w></phr> est,
rationem liberalitatis suae dare <phr type="ampl" subtype="c"><w lemma="cogo">cogitur</w></phr> qui luxuriae non dedisset.</s>
<s xml:id="nov-th_22.1.1.s5" n="la9" xml:lang="la">Quod nisi provida dispositione
curetur, quotusquisque erit tam sui suaeque utilitatis <phr type="ampl" subtype="g"><w lemma="ignarus">ignarus</w></phr>, qui vel in operibus
construendis largitatem exercere velit, cui discussor <phr type="ampl" subtype="c"><w lemma="immineo">immineat</w></phr>, vel in conferendo aliquo
munere gloriari, cum id quod munus fuerat incipit esse iam debitum?</s>
<s xml:id="nov-th_22.1.1.s6" n="la10" xml:lang="la">qui denique sic patriam suam
diligat, ut, cum frui liceat opibus otiosis, iactura patrimonii sui <phr type="ampl" subtype="g"><w lemma="sollicitus">sollicitam</w></phr> redimat
<phr type="ampl" subtype="g"><w lemma="egestas">egestatem</w></phr>?</s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_22.1.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-th_22.1.2.s1" n="la11" xml:lang="la">
>Quapropter ipsis civitatibus potissimum consulentes, quibus suorum civium
benevolentiam <phr type="ampl" subtype="g"><w lemma="nolo">nolumus</w></phr>
<phr type="ampl" subtype="c"><w lemma="intercludo">interclusam</w></phr>, <seg xml:id="nov-th_22.1.2.c1" n="la12" xml:lang="la">huius aeternae legis saluberrima latrone <phr type="ampl" subtype="c"><w lemma="onus">oneri</w></phr> subditus in qualibet civitate per se
alteriusve personam quodcumque munus ediderit vel honorem gesserit, nullum
ex voluntaria largitate vel praeiudicium sui status incurrat vel
discussionis ratiociniis obligetur.</seg></s>
<s xml:id="nov-th_22.1.2.s2" n="la12" xml:lang="la">Hoc enim pacto, cum ex
voluntate praebeatur quod, si <phr type="ampl" subtype="c"><w lemma="necessitas">necessitas</w></phr>
<phr type="ampl" subtype="c"><w lemma="immineo">immineat</w></phr>, <phr type="ampl" subtype="g"><w lemma="evito">evitetur</w></phr>, nec gratos suae
circa patriam benevolentiae paenitebit nec excusatio relinquetur <phr type="ampl" subtype="g"><w lemma="ingratus">ingratis</w></phr>.</s>
<milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_22.1.3" type="caput">
<milestone unit="latin" /> 3. <s xml:id="nov-th_22.1.3.s1" n="la13" xml:lang="la">
>Illi etiam parti solita nobis circa res humanas providentia suggerente
consulendum esse credidimus: quantum favoris splendorisque legitimae proli ex
legum suffragatione praestatur, tantum naturali ac <phr type="ampl" subtype="g"><w lemma="degener">degeneri</w></phr> suboli <phr type="ampl" subtype="c"><w lemma="derogo">derogatur</w></phr>.</s>
<s xml:id="nov-th_22.1.3.s2" n="la14" xml:lang="la">Nam cum de successionibus
paternarum facultatum quaedam <phr type="ampl" subtype="c"><w lemma="severus">severiora</w></phr>, quaedam humaniora circa eos iura prolata sint,
nulla lex eis adeo pepercit, ut eiusmodi sorte conceptos saltem in aliorum loco
poneret, quos naturae coniunctione proximos invenisset.</s>
<s xml:id="nov-th_22.1.3.s3" n="la15" xml:lang="la">Sed nos, a quibus solet in
hominum genus semper aliquid procedere quo iuventur, una eademque saluberrima
<phr type="ampl" subtype="c"><w lemma="sanctio">sanctione</w></phr> et horum
condicioni et curiarum commoditati subveniendum esse perspeximus, ut, cum et
naturalium liberorum <phr type="ampl" subtype="g"><w lemma="vilitas">vilitas</w></phr>
<phr type="ampl" subtype="g"><w lemma="vilitas">vilis</w></phr> splendidiorem fortunam et decurionum nobilitas
multitudinem desideret auctiorem, utriusque generis utilitatibus in commune

perpensis ab altero commodetur quod alteri <phr type="ampl" subtype="c"><w lemma="deficio">deficit</w></phr> lexque undique temperatissima conlocetur, quae et naturae <phr type="ampl" subtype="g"><w lemma="vitium">vitium</w></phr> dignitatis impertitione soletur et ordinum dignitatem a corporum exiguitate defendat.</s>

<ab xml:id="nov-th_22.1.4" type="caput">
 <milestone unit="english" /> 3. </ab>
 <ab xml:id="nov-th_22.1.4" type="caput">
 <milestone unit="latin" /> 4. <s xml:id="nov-th_22.1.4.s1" n="la0" xml:lang="la">
 ><seg xml:id="nov-th_22.1.4.c1">Hac igitur perpetuo duratura promulgatione
 <phr xml:id="nov-th_22.1.4.s1.p1" function="cmdw">decernimus</phr>, ut,
 si cui et legitimorum et naturalium liberorum progenies subpetat, veterum
 illibata constitutionum auctoritate servata iustae ac legitimae subolis iura
 nulla imminutione decrescant.</seg></s>
 <milestone unit="english" /> 4. </ab>
 <ab xml:id="nov-th_22.1.5" type="caput">
 <milestone unit="latin" /> 5. <s xml:id="nov-th_22.1.5.s1" n="la1" xml:lang="la">
 ><seg xml:id="nov-th_22.1.5.c1">Si qui vero parentibus <phr type="ampl" subtype="c"><w lemma="amitto">amissis</w></phr> naturalem dumtaxat
 fecunditatem, non etiam legitimam sortiatur, seu liber ipse seu curiae sit
 nexibus obligatus, et tradendi filios, vel omnes vel quos quemve maluerit,
 eius civitatis curiae unde ipse oritur et in solidum heredes scribendi
 liberam ei <phr xml:id="nov-th_22.1.5.s1.p1" function="cmdw">concedimus</phr> facultatem.</seg></s>
 <milestone unit="english" /> 5. </ab>
 <ab xml:id="nov-th_22.1.6" type="caput">
 <milestone unit="latin" /> 6. <s xml:id="nov-th_22.1.6.s1" n="la2" xml:lang="la">
 ><seg xml:id="nov-th_22.1.6.c1">Parentibus vero superstitibus si naturalis
 pater vitae munus impleverit, quartam partem honorum contemplatione gradus
 legitimi patri matrive, avo vel aviae salvam intactamque <phr
 xml:id="nov-th_22.1.6.s1.p1" function="cmdw">servamus</phr>, ut, si quis
 eorum vel praeteritus vel parum quam ei debebatur ex legibus fuerit
 consecutus, movere de <phr type="ampl" subtype="g"><w lemma="inofficiosus">inofficioso</w></phr> querelam pro iuris ordine concedatur.</seg></s>
 <s xml:id="nov-th_22.1.6.s2" n="la3" xml:lang="la">Quos ex hac nostra dispositione
 nec <phr type="ampl" subtype="g"><w lemma="laedo">laedi</w></phr> credimus nec
 <phr type="ampl" subtype="c"><w lemma="offendo">offendi</w></phr>.</s>
 <s xml:id="nov-th_22.1.6.s3" n="la4" xml:lang="la">Nec enim aliquid ex eorum iure
 decoquitur, cum nequeant, in quoscumque heredes sorte transmissa quicquam
 amplius ex filiorum suorum nepotumve facultatibus praeter memoratam defendere
 quantitatem.</s>
 <s xml:id="nov-th_22.1.6.s4" n="la5" xml:lang="la">nisi forte <phr type="ampl" subtype="g"><w lemma="moleste">moleste</w></phr> ferendum sit natura sibi
 cohaerentes, licet iure Seiuncti sint, <phr type="ampl" subtype="c"><w lemma="alienus">alienissimis</w></phr> anteferri rerumque esse
 participes, quos consortes sanguinis <phr type="ampl" subtype="c"><w lemma="confiteor">confitentur</w></phr>.</s>
 <milestone unit="english" /> 6. </ab>
 <ab xml:id="nov-th_22.1.7" type="caput">
 <milestone unit="latin" /> 7. <s xml:id="nov-th_22.1.7.s1" n="la6" xml:lang="la">
 ><seg xml:id="nov-th_22.1.7.c1">Quod si cui non ex urbe, sed vico vel
 possessione qualibet oriundo naturales liberi contigerunt eosque velit sub
 definitione praedicta et curiae splendore cohonestare et hereditatis opibus
 adiuvere, eius civitatis adscribendi sunt ordini, sub qua vicus ille vel
 possessio censeatur.</seg></s>
 <milestone unit="english" /> 7. </ab>
 <ab xml:id="nov-th_22.1.8" type="caput">
 <milestone unit="latin" /> 8. <s xml:id="nov-th_22.1.8.s1" n="la7" xml:lang="la">
 ><seg xml:id="nov-th_22.1.8.c1">Quod si alterutram regnantium civitatem
 patriam sortiatur, sit ei liberum susceptam ex inaequali coniugio subolem
 cuiuscumque civitatis decurionibus immiscere, dummodo civitas quae eligitur
 totius provinciae teneat principatum.</seg></s>
 <s xml:id="nov-th_22.1.8.s2" n="la8" xml:lang="la"><phr type="ampl" subtype="g"><w lemma="indignus">indignum</w></phr> est enim, ut, qui sacratissimae urbis
 ubere gloriatur, naturales suos non illustris ordine civitatis illuminet.</s>
 <milestone unit="english" /> 8. </ab>
 <ab xml:id="nov-th_22.1.9" type="caput">
 <milestone unit="latin" /> 9. <s xml:id="nov-th_22.1.9.s1" n="la9" xml:lang="la">
 ><seg xml:id="nov-th_22.1.9.c1">Haec sive cum postrema definiat sive cum
 donationem cuiuslibet quantitatis habita ratione parentum in liberos
 naturales pater conferat, quod de subeunda sorte curiali seu testamento seu
 actorum fide constituat, ita ratum esse stabiliterque <phr
 xml:id="nov-th_22.1.9.s1.p1" function="cmdw">volumus</phr> observari, ut,
 sive abstinendo hereditatibus sive abdicando donationes naturales liberi
 curialem voluerint <phr type="ampl" subtype="g"><w lemma="evito">evitare</w></phr> fortunam posteaque paternarum opum vel in solidum vel
 ex parte reperti fuerint possessores, licet eas <phr type="ampl" subtype="c"><w lemma="alieno">alienaverint</w></phr>, omnimodo ad condicionem, in
 qua pater eos amplificatis opibus esse voluit, etiam <phr type="ampl" subtype="g"><w lemma="invitus">inviti</w></phr>
 <phr type="ampl" subtype="c"><w lemma="cogo">cogantur</w></phr>
 accedere,</seg> Apolloni parens karissime atque amantissime.</s>
 <milestone unit="english" /> 9. </ab>
 <ab xml:id="nov-th_22.1.10" type="caput">
 <milestone unit="latin" /> 10. <s xml:id="nov-th_22.1.10.s1" n="la10" xml:lang="la">Illustris itaque et magnifica auctoritas tua quae sanximus
 edictis propositis ad universorum nostro imperio subiectorum notitiam commear
 perficiat.</s>
 <milestone unit="english" /> 10. </ab>
 <ab xml:id="nov-th_22.1.subs" type="subs">

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<milestone unit="latin" />
<s xml:id="nov-th_22.1.subs.s1" n="la11" xml:lang="la">Dat. XVII kal. Ian.
  <placeName corresp="#constantinople">Constantinopoli</placeName> Eudoxio et
  Dioscoro cons. <date when="0442-12-16">(442 Dec. 16)</date>.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_22.1.intr" type="intr">
  <milestone unit="latin" />INTERPRETATIO. Si quis habuerit legitimos filios et
  naturales habuerit, id lex ista constituit ut id observetur quod est in
  Theodosiani corpore constitutum, hoc est ut extantibus legitimis filiis octavam
  hereditatis naturalibus vel eorum matribus pater, si voluerit, derelinquat. Si
  vero legitimos filios non habuerit et naturales habuerit et eos heredes fortasse
  facere voluerit, non aliter poterit, nisi ut primitus eos corpori curiae sub
  gestorum testificatione coniungat, et sic, si voluerit, integras ad eos sive
  donatione sive testamento heredes scribendo transferre poterit facultates: quarta
  vero patri vel matri, avo aviae, quibus de inofficioso testamento actio subpetit,
  specialiter reservata. Hoc, seu curialis seu liber a curia, naturalibus filiis ita
  conferre legis istius ordinatione permittitur, ita ut in ea civitate, in qua vel
  in cuius territorio habitat, naturales filios constituat curiales. Quod si, ut
  adsolet, in duabus provinciis ei possessio vel habitatio fuerit et voluerit eos in
  civitate sua facere curiales, hoc lex ista permittit, ut in qua provincia
  elegerit, dummodo in metropolitana civitate, instituendi naturales filios curiales
  pater habeat potestatem. <milestone unit="english" />
</ab>
</div2>
<div2 xml:id="nov-th_22.2" type="constitutio">
  <ab xml:id="nov-th_22.2.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-th_22.2.insc.s1" n="la1" xml:lang="la">2. Idem AA. Apollonio
      pp.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_22.2.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-th_22.2.0.s1" n="la2" xml:lang="la">
      >Nulla paene res adeo pro utilitate humani generis invenitur, quae non <phr
        type="ampl" subtype="c"><w lemma="callidus">callidis</w></phr> hominum
        consiliis ad <phr type="ampl" subtype="g"><w lemma="fraus">fraudem</w></phr>
        <phr type="ampl" subtype="g"><w lemma="malitia">malitiamque</w></phr>
        convertitur.</s>
    <s xml:id="nov-th_22.2.0.s2" n="la3" xml:lang="la">Nonnulli enim curiales, quorum
      corpori semper volumus esse consultum, parum habent sua commoda nostris
      beneficiis adiuvari, nisi eis ad aliorum <phr type="ampl" subtype="c"><w
        lemma="abutor">abutantur</w></phr>
      <phr type="ampl" subtype="g"><w lemma="incommodum">incommodum</w></phr>.</s>
    <s xml:id="nov-th_22.2.0.s3" n="la4" xml:lang="la">Sed nos, quibus ingenitum est
      prodesse cunctis <phr type="ampl" subtype="g"><w lemma="obsum">obesse</w></phr>
      nemini, sicut eorum utilitatibus providendum esse censemus, ita <phr
        type="ampl" subtype="g"><w lemma="fraus">fraudibus</w></phr> etiam ducimus
      obsistendum. Hic enim est expeditissime <phr type="ampl" subtype="c"><w
        lemma="sanctio">sanctionis</w></phr> effectus, qui dum aliis prospicit
      aliorum iura non minuit.</s>
    <milestone unit="english" /> 0. </ab>
  <ab xml:id="nov-th_22.2.1" type="caput">
    <milestone unit="latin" /> 1. <s xml:id="nov-th_22.2.1.s1" n="la5" xml:lang="la">
      >Meminimus quippe nuper emissa lege divali portionem quartam de facultatibus
      curialium <phr type="ampl" subtype="c"><w lemma="fatum">fati</w></phr> munus
      implentium, ex qualibet novissima voluntate vel ab intestato etiam ad
      quemcumque, praeterquam si ad filios deferantur, curiarum deputasse
      corporibus.</s>
    <s xml:id="nov-th_22.2.1.s2" n="la6" xml:lang="la">Sed multi tamquam <phr
      type="ampl" subtype="g"><w lemma="corrumpo">corrumpendi</w></phr> totius
      patrimonii occasione <phr type="ampl" subtype="c"><w lemma="capto">
        >captata</w></phr> uniuscuiusque rei sibi particulam <phr type="ampl"
        subtype="c"><w lemma="vindico">vindicans</w></phr> adeo totas dilacerant
        facultates, ut, dum participibus <phr type="ampl" subtype="c"><w
          lemma="relinquo">relictarum</w></phr> opum <phr type="ampl" subtype="g">
          <w lemma="noceo">nocere</w></phr> cupiant, sua quoque iura
          praecipitent.</s>
    <milestone unit="english" /> 1. </ab>
  <ab xml:id="nov-th_22.2.2" type="caput">
    <milestone unit="latin" /> 2. <s xml:id="nov-th_22.2.2.s1" n="la7" xml:lang="la">
      >Quorum nimiam <phr type="ampl" subtype="c"><w lemma="licentia">
        >licentiam</w></phr> provida dispositione frenantes ipsis <seg
        xml:id="nov-th_22.2.2.c1">quidem curialibus <phr type="ampl" subtype="c"><w
          lemma="occupo">occupandi</w></phr> sua auctoritate res <phr
          type="ampl" subtype="g"><w lemma="mortuus">mortui</w></phr> copiam <phr
          xml:id="nov-th_22.2.2.s1.p1" function="cmdw" type="ampl" subtype="g"><w
            lemma="denego">denegamus</w></phr>, optionem vero <phr
            xml:id="nov-th_22.2.2.s1.p2" function="cmdw">damus</phr> heredi, ad quem
            ab intestato vel ex postrema voluntate directis vel fideicommissariis verbis
            decurrit hereditas, utrum aestimationem quartae partis curiae velit offerre
            an omne patrimonium quod <phr type="ampl" subtype="c"><w lemma="relinquo">
              >relictum</w></phr> est in partes quattuor pro sua voluntate dividere,
              ut rebus totis in sortitum <phr type="ampl" subtype="c"><w lemma="casus">
                >casumque</w></phr> deductis vel curiae quadrantis vel heredi ac
                fideicommissario per universitatem dodrantis electio ex sortis condicione
                contingat.</seg></s>
    <s xml:id="nov-th_22.2.2.s2" n="la8" xml:lang="la">Ita scilicet et praefati
      successores et curia promiscui rerum dominii liberabuntur <phr type="ampl"

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subtype="g"><w lemma="incommodum">incommodo</w></phr>.</s>
 <s xml:id="nov-th_22.2.2.s3" n="la9" xml:lang="la">naturale quippe <phr type="ampl" subtype="g"><w lemma="vitium">vitium</w></phr> est <phr type="ampl" subtype="g"><w lemma="neglego">neglegi</w></phr>, quod communiter possidetur, utque se nihil habere, qui non totum habeat, arbitretur.</s>
 <s xml:id="nov-th_22.2.2.s4" n="la10" xml:lang="la">denique suam quoque partem <phr type="ampl" subtype="g"><w lemma="corrumpto">corrumpi</w></phr> <phr type="ampl" subtype="c"><w lemma="patior">patitur</w></phr>, dum <phr type="ampl" subtype="g"><w lemma="invideo">invidet</w></phr> <phr type="ampl" subtype="c"><w lemma="alienus">alienae</w></phr>.</s>
 <milestone unit="english" /> 2. </ab>
 <ab xml:id="nov-th_22.2.3" type="caput">
 <milestone unit="latin" /> 3. <s xml:id="nov-th_22.2.3.s1" n="la11" xml:lang="la"><seg xml:id="nov-th_22.2.3.c1">Sed ubi quarta pars bonorum <phr type="ampl" subtype="g"><w lemma="mortuus">mortui</w></phr> curiae debet offerri, immobiles quidem res, quae nec latere facile possunt nec quicquam si divulgentur officiunt, sub adspectu etiam curialium aestimari dividere <phr xml:id="nov-th_22.2.3.s1.p1" function="cmdw">concedimus</phr> mobiles autem res vel se moventes vel instrumenta vel si quid etiam in huiusmodi iure consistat in medium proferri divulgarique non <phr xml:id="nov-th_22.2.3.s1.p2" function="cmdw" type="ampl" subtype="c"><w lemma="patior">patimur</w></phr>, sed iuratis successoribus, cum apud se diligenter aestimaverint quae quantique sint pretii facultates, credi oportere <phr xml:id="nov-th_22.2.3.s1.p3" function="cmdw">decernimus</phr>.</seg></s>
 <s xml:id="nov-th_22.2.3.s2" n="la12" xml:lang="la">Quid enim tam <phr type="ampl" subtype="c"><w lemma="durus">durum</w></phr> tamque <phr type="ampl" subtype="c"><w lemma="inhumanus">inhumanum</w></phr> est, quam publicatione pompae rerum familiarium et <phr type="ampl" subtype="c"><w lemma="paupertas">paupertatis</w></phr> detegi <phr type="ampl" subtype="g"><w lemma="vilis">vilis</w></phr> et <phr type="ampl" subtype="g"><w lemma="invidia">invidiae</w></phr> patere divitias?</s>
 <s xml:id="nov-th_22.2.3.s3" n="la13" xml:lang="la"><seg xml:id="nov-th_22.2.3.c2">in exigendis vero debitis, si pretium, quod pro quarta parte actionum curiae competit, successores praestare <phr type="ampl" subtype="g"><w lemma="nolo">noluerint</w></phr>, cautionibus iurata fide prolati in medium unusquisque a debitoribus convenientem sibi exigat actionem eque diverso aes <phr type="ampl" subtype="c"><w lemma="alienus">alienum</w></phr>, si cui defunctus fuerat obligatus, tam idem successores quam curia pro sua sorte restituere <phr type="ampl" subtype="c"><w lemma="compello">compellentur</w></phr>.</seg></s>
 <milestone unit="english" /> 3. </ab>
 <ab xml:id="nov-th_22.2.4" type="caput">
 <milestone unit="latin" /> 4. <s xml:id="nov-th_22.2.4.s1" n="la14" xml:lang="la"><seg xml:id="nov-th_22.2.4.c1">Quod si saepe dicti successores sacramentum sibi crediderint excusandum, tum vero ad similitudinem rerum immobilium diligentior curialibus omnium rerum indago praebebitur, scilicet ut universis <phr type="ampl" subtype="g"><w lemma="mortuus">mortui</w></phr> facultatibus in aperto propositis vel aestimatio rerum vel divisio, prout successores elegerint, sub praesentia curialium celebretur.</seg></s>
 <milestone unit="english" /> 4. </ab>
 <ab xml:id="nov-th_22.2.5" type="caput">
 <milestone unit="latin" /> 5. <s xml:id="nov-th_22.2.5.s1" n="la15" xml:lang="la"><seg xml:id="nov-th_22.2.5.c1">In omnibus autem casibus, ubi quarta pars curiae competit, transactiones interpositas firmas illibatasque manere <phr xml:id="nov-th_22.2.5.s1.p1" function="cmdw">decernimus</phr>.</seg></s>
 <milestone unit="english" /> 5. </ab>
 <ab xml:id="nov-th_22.2.6" type="caput">
 <milestone unit="latin" /> 6. <s xml:id="nov-th_22.2.6.s1" n="la0" xml:lang="la"><seg xml:id="nov-th_22.2.6.c1">Ad filiorum vero numerum, ad quos integras opes venire censuimus, filium nepotem pronepotem patrem avum et proavum ad virilis sexus originem pertinentes, etsi <phr type="ampl" subtype="c"><w lemma="alienus">alieni</w></phr> sint curia, <phr xml:id="nov-th_22.2.6.s1.p1" function="cmdw">iubemus</phr> adiungi, ut has quoque personas ex ultima voluntate vel ab intestato delapsae facultates nullius partis imminutione ditescant.</seg></s>
 <milestone unit="english" /> 6. </ab>
 <ab xml:id="nov-th_22.2.7" type="caput">
 <milestone unit="latin" /> 7. <s xml:id="nov-th_22.2.7.s1" n="la1" xml:lang="la"><seg xml:id="nov-th_22.2.7.c1">Filiam quin etiam neptem proneptemve principali eiusdem civitatis, unde pater avus vel proavus oritur, nuptam rerum vel ab intestato vel ex dispositione voluntatis ultimae quaesitarum integrum nullaque parte minutum dominium habere <phr xml:id="nov-th_22.2.7.s1.p1" function="cmdw">sancimus</phr>.</seg></s>
 <milestone unit="english" /> 7. </ab>
 <ab xml:id="nov-th_22.2.8" type="caput">
 <milestone unit="latin" /> 8. <s xml:id="nov-th_22.2.8.s1" n="la2" xml:lang="la"><seg xml:id="nov-th_22.2.8.c1">Quod si post parentum <phr type="ampl" subtype="c"><w lemma="obeo">obitum</w></phr> inveniantur innuptae vel viduae, in impuberibus quidem post transactam pubertatem, in aliis vero, quae pubertatem excesserint, vel etiam in viduis post <phr type="ampl" subtype="g"><w lemma="mors">mortem</w></phr> parentis triennium dumtaxat <phr xml:id="nov-th_22.2.8.s1.p1" function="cmdw">volumus</phr> expectari, ut interim quarta portio <phr type="ampl" subtype="c"><w lemma="suspendo">suspensa</w></phr> vel apud eam, si in matrimonio curialis eiusdem civitatis fuerit conlocata, perpetuo iure permaneat vel, si intra id temporis <phr type="ampl" subtype="c"><w lemma="alienus">alienum</w></phr> eadem curia sortiatur maritum penitusve nupta non

fuerit, memorata pars curiae cum triennii tam urbanorum quam rusticorum praediorum dumtaxat fructibus <phr type="ampl" subtype="c"><w lemma="addico">
 >addicatur</w></phr>: ita tamen, ut et optionis condicio in offerendis rebus quartae partis seu eius pretio et sacramenti tam de quantitate quam de aestimatione rerum mobilium deque actionibus inferendis excipiendisve, sicut in extraneis personis dictum est, ratio conservetur, ceteris videlicet, quae super hac re prolata constitutio continet, firmiter duraturis.</seg></s>

<milestone unit="english" /> 8. </ab>

<ab xml:id="nov-th_22.2.9" type="caput">
 <milestone unit="latin" /> 9. <s xml:id="nov-th_22.2.9.s1" n="la3" xml:lang="la">
 ><seg xml:id="nov-th_22.2.9.c1">Sed et si mater <phr type="ampl" subtype="g">
 ><w lemma="mortuus">mortui</w></phr> vel avia tempore, quo filius neposve <phr type="ampl" subtype="g"><w lemma="moriator">moritur</w></phr>, in coniugio curialis inventa fuerit, ne ipsas quidem <phr function="cmdw" xml:id="nov-th_22.2.9.s1.p1" type="ampl" subtype="c"><w lemma="patior">
 >patimur</w></phr> quartae portionis subire iacturam.</seg></s>
 <milestone unit="english" /> 9. </ab>

<ab xml:id="nov-th_22.2.10" type="caput">
 <milestone unit="latin" /> 10. <s xml:id="nov-th_22.2.10.s1" n="la4" xml:lang="la">
 ><seg xml:id="nov-th_22.2.10.c1">Extraneum quin etiam heredem, propinquitatis quidem iure discretum, curiae tamen eiusdem civitatis <phr type="ampl" subtype="g"><w lemma="obnoxius">obnoxium</w></phr>, supradictae portionis <phr type="ampl" subtype="c"><w lemma="dispendium">
 >dispendio</w></phr>
 <phr xml:id="nov-th_22.2.10.s1.p1" function="cmdw">
 >liberamus</phr></seg></s>
 <milestone unit="english" /> 10. </ab>

<ab xml:id="nov-th_22.2.11" type="caput">
 <milestone unit="latin" /> 11. <s xml:id="nov-th_22.2.11.s1" n="la5" xml:lang="la">
 ><seg xml:id="nov-th_22.2.11.c1">Femineo vero sexui non hac tantum provisione, sed illa insuper iuris adiectione <phr xml:id="nov-th_22.2.11.s1.p1" function="cmdw">consulimus</phr>: <phr xml:id="nov-th_22.2.11.s1.p2" function="cmdw">praecipimus</phr> namque, ut ad similitudinem naturalium filiorum, quos decurionatus sorti paterna sententia dedicavit, filia quoque naturalis in matrimonium curialis adscita, si tamen nulla patri eius subpetat legitima suboles idque paternae visum fuerit voluntati, et omnes res patrias donationis titulo consequatur et heres scribatur ex integro: ita tamen, ut et parentum, quibus quarta pars patrimonii relinquenda est, et locorum, unde gener eligitur principalis, ad formam nuper emissae constitutionis ratio conservetur.</seg></s>
 <s xml:id="nov-th_22.2.11.s2" n="la6" xml:lang="la">Quid enim interest utrum per filios an per generos civitatum commoditatibus consulatur et utrum novos lex faciat curiales an foveat quos invenit?</s>
 <milestone unit="english" /> 11. </ab>

<ab xml:id="nov-th_22.2.12" type="caput">
 <milestone unit="latin" /> 12. <s xml:id="nov-th_22.2.12.s1" n="la7" xml:lang="la">
 >Aliam quoque de negotio curiali <phr type="ampl" subtype="c"><w lemma="caligo">
 >caliginem</w></phr> suggestionem tuae celsitudinis moti recenti interpretatione discutimus.</s>
 <s xml:id="nov-th_22.2.12.s2" n="la8" xml:lang="la"><seg xml:id="nov-th_22.2.12.c1">Et imprimis discriptionis <phr type="ampl" subtype="c"><w lemma="onus">onere</w></phr> siliquarum quattuor, quas lucrativis iugationibus tantum, non humanis vel animalium censibus neque mobilibus rebus iubemus indici, etsi curiales non sint, maiores ac posteros <phr xml:id="nov-th_22.2.12.s2.p1" function="cmdw">liberamus</phr></seg> ut, si pater avus vel proavus filio nepoti pronepotive vel filiae nepti proneptive - nec interest nuptae sint curialibus necne - postrema voluntate vel inter vivos etiam donatione quicquam de suis opibus largiatur, memoratae discriptionis cesset indictio: eque diverso ut, si idem posterius ad maiores praedicta sibi consanguinitate devinctos praefatis titulis suas conferant facultates, nullius accessione <phr type="ampl" subtype="g"><w lemma="gravamen">
 >gravaminis</w></phr> huiusmodi liberalitas <phr type="ampl" subtype="c"><w lemma="onero">oneretur</w></phr>.</s>
 <s xml:id="nov-th_22.2.12.s3" n="la9" xml:lang="la">Ita enim necessariis sibi coniunctisque personis sub liberalitatis appellatione debitum naturale persolvitur.</s>
 <milestone unit="english" /> 12. </ab>

<ab xml:id="nov-th_22.2.13" type="caput">
 <milestone unit="latin" /> 13. <s xml:id="nov-th_22.2.13.s1" n="la10" xml:lang="la"><seg xml:id="nov-th_22.2.13.c1">Cuius auctoritatem iuris pariter valere <phr xml:id="nov-th_22.2.13.s1.p1" function="cmdw">sancimus</phr>, et si ab intestato succedant praefati sibi generis ordine sociati.</seg></s>
 <s xml:id="nov-th_22.2.13.s2" n="la11" xml:lang="la">Ex his enim successionibus maxime debiti potius solutio quam muneris oblatio comprobatur, quae non largientibus etiam dominis ipsa propinquitatis serie deferuntur.</s>
 <s xml:id="nov-th_22.2.13.s3" n="la12" xml:lang="la"><seg xml:id="nov-th_22.2.13.c2">Ceteri vero, licet quadam inter se cognatione iungantur, numquam tamen curiale praedium sine praedicto <phr type="ampl" subtype="c"><w lemma="onus">onere</w></phr> lucrabuntur, nisi forte is, cui lucro res cesserit, eiusdem civitatis ordini sit obstrictus: qui, licet inter extraneos numeretur, vacuum tamen ea functione quod datum est consequitur.</seg></s>
 <s xml:id="nov-th_22.2.13.s4" n="la13" xml:lang="la">Nam cum personae condicio non mutetur, ne rei quidem statum convenit immutari.</s>
 <milestone unit="english" /> 13. </ab>

<ab xml:id="nov-th_22.2.14" type="caput">
 <milestone unit="latin" /> 14. <s xml:id="nov-th_22.2.14.s1" n="la14" xml:lang="la"><seg xml:id="nov-th_22.2.14.c1">Lucrativas vero res eas tantum <phr xml:id="nov-th_22.2.14.s1.p1" function="cmdw">volumus</phr>

appellari ac praedictae discriptionis <phr type="ampl" subtype="g"><w lemma="gravamen">gravamen</w></phr> excipere, quae hereditatis legati fideicommissi iure <phr type="ampl" subtype="g"><w lemma="mors">mortis</w></phr> causa donatione vel cuiuslibet postremae voluntatis arbitrio ad quempiam delabuntur.</seg></s>

<milestone unit="english" /> 14. </ab>

<ab xml:id="nov-th_22.2.15" type="caput">

<milestone unit="latin" /> 15. <s xml:id="nov-th_22.2.15.s1" n="la15" xml:lang="la"><seg xml:id="nov-th_22.2.15.c1">Inter vivos etiam donatio simplici liberalitate confecta lucrativae merebitur et nomen et sarcinam.</seg></s>

<s xml:id="nov-th_22.2.15.s2" n="la0" xml:lang="la"><seg xml:id="nov-th_22.2.15.c2">Si vero vel socer futurus filii nepotis vel pronepotis sponsae adfinitatis coeundae causa donaverit vel parens etiam filiam neptem vel proneptem curiali seu extraneo nubentem dotaverit, licet <phr type="ampl" subtype="c"><w lemma="casus">casus</w></phr> eventu res eius cui data est vertatur ad lucrum, nec inter lucrativas numerabitur nec discriptionis <phr type="ampl" subtype="c"><w lemma="onus">oneri</w></phr> subiacebit.</seg></s>

<s xml:id="nov-th_22.2.15.s3" n="la1" xml:lang="la">Nec enim iuris optimi est matrimonium, cum tot tantisque suis <phr type="ampl" subtype="g"><w lemma="difficultas">difficultatibus</w></phr> obprimatur, adventiciis etiam cumulare ponderibus.</s>

<milestone unit="english" /> 15. </ab>

<ab xml:id="nov-th_22.2.16" type="caput">

<milestone unit="latin" /> 16. <s xml:id="nov-th_22.2.16.s1" n="la2" xml:lang="la"><seg xml:id="nov-th_22.2.16.c1">Res vero, quae memoratis causis lucrativae semel nomen exordiumque sortita est, licet ab eo qui suscepit ad alterum emptionis vel cuiuscumque contractus iure migraverit, cum praedicto discriptionis <phr type="ampl" subtype="g"><w lemma="gravamen">gravamine</w></phr> procul dubio transferetur, ut vel sciens sibi imputet qui accepit <phr type="ampl" subtype="c"><w lemma="onero">oneratam</w></phr> vel, si <phr type="ampl" subtype="c"><w lemma="ignoro">ignoraverit</w></phr>, quod interest consequatur: contraque si cuiuslibet contractus exordio lucrativae nomen <phr type="ampl" subtype="c"><w lemma="evado">evaserit</w></phr> et si postea lucri titulo in dominatum alicuius <phr type="ampl" subtype="c"><w lemma="caedo">ceciderit</w></phr>, sarcinam memoratae discriptionis <phr type="ampl" subtype="g"><w lemma="effugio">effugiet</w></phr>.</seg></s>

<s xml:id="nov-th_22.2.16.s2" n="la3" xml:lang="la"><seg xml:id="nov-th_22.2.16.c2">Nulla enim in huiusmodi causis <phr type="ampl" subtype="c"><w lemma="confusio">confusionis</w></phr> intercedit occasio, si ad primordium tituli posterior quoque formetur eventus, nisi forte res decurionis, quae ad eum cuiuslibet mercimonii iure pervenerit, ad alterum fuerit postrema eius voluntate vel ab intestato vel inter vivos donatione translata.</seg></s>

<s xml:id="nov-th_22.2.16.s3" n="la4" xml:lang="la"><seg xml:id="nov-th_22.2.16.c3">tunc enim, quia semel in personam <phr type="ampl" subtype="c"><w lemma="caedo">ceciderit</w></phr> principalis, veterum titulorum nequaquam ratione perspecta condicionem et <phr type="ampl" subtype="c"><w lemma="onus">onus</w></phr> merebitur lucrativae,</seg> Apolloni parens karissime atque amantissime.</s>

<milestone unit="english" /> 16. </ab>

<ab xml:id="nov-th_22.2.17" type="caput">

<milestone unit="latin" /> 17. <s xml:id="nov-th_22.2.17.s1" n="la5" xml:lang="la">>Illustris igitur et magnifica auctoritas tua edictis ex more propositis <phr type="ampl" subtype="c"><w lemma="sanctio">sanctionem</w></phr> nostrae clementiae, quam in perpetuum volumus observari, ad omnium notitiam pervenire constituat.</s>

<milestone unit="english" /> 17. </ab>

<ab xml:id="nov-th_22.2.subs" type="subs">

<milestone unit="latin" />

<s xml:id="nov-th_22.2.subs.s1" n="la6" xml:lang="la">Dat. VII id. Mart. <placeName corresp="#constantinople">Constantinopoli</placeName> post consulatum Dioscori et Eudoxii vv. CC. <date when="0443-03-09">(443 Mart. 9)</date>.</s>

<milestone unit="english" />

</ab>

<ab xml:id="nov-th_22.2.intr" type="intr">

<milestone unit="latin" />INTERPRETATIO. Lege hac curiales testamentum facere minime prohibentur, sed ita ut legitimis filiis, si voluerint, facultates suas integras sine imminutione aliqua derelinquant. Ceterum si filii legitimi defuerint, quemlibet etiam extraneum a curia scribere permittantur heredem, sed ita ut heres, qui condicionem curiae nullam debet, quartam hereditatis acceptae curiae sine aliqua imminutione mox refundat. Quod si is, qui heres scriptus est, integram hereditatem habere voluerit, pro quarta illa, quae curiae deputatur, pretium quantum valuerit dare non differat. agri domus vel quidquid latere non potest communi aestimatione taxentur. De residuo vero aut quidquid latere potest heres scriptus curiae praebeat sacramenta secundum fidem pretium soluturus. Quod si noluerit, prolatis omnibus tres partes heres et quartam curia vindicabit. De cautionibus vero, quae testatori curiali debentur, simili ratione divisas etiam, quae testator curialis debuisset convincitur, tres partes heres et quartam curia creditoribus sine dilatione dissolvat. pactiones, quae inter heredem et curiam de hereditatis divisione factae fuerint, firmas permaneant. filii vero nepotes et pronepotes, qui avis et proavis per virilem gradum successerint, seu scripti heredes sint seu ab intestato succedant, sive curiales sint sive a curia liberi, de hereditate sibi debita vel demissa quartam partem curiae nomine penitus non amittant. filia etiam curialis, neptis, proneptis, si curiali ipsius civitatis in matrimonio iuncta fuerit, avo proavo intestatis in integra hereditate succedit. Et

si testatus fuerit et has personas relinquat heredes, quartam portionem curiae refundere non coguntur. Quod si filia neptis aut proneptis a patre avo vel proavo vel in minore aetate vel viduae relinquantur heredes, posteaquam ad annos pubertatis accesserint triennio expectentur, ut, si curiali eius civitatis nupserint, integram hereditatem, sicut eis vel debita est vel demissa, sine aliqua imminutione possideant. Si vero ei nupserint, qui curiae nihil debebat, quartam partem hereditatis a die mortis auctoris curiae cum fructibus sine dissimulatione restituant. Et si sine maritis voluerint perdurare, quartam similiter curiae cum fructibus reddant. Quod si rem relictam a parentibus tenere maluerint, sacramento praebito de quantitate hereditatis quartam partem curiae in pretio mox refundant. Matri quoque vel aviae, si tamen curiales maritos habuerint, quartam portionem hereditatis defuncti filii vel nepotis, quae eis adquisita est, lex ista a curia non iubet auferri. Nam si quis curialis quemlibet extraneum et tamen curialem scribat heredem, et ipse quartam, quia portio curiae ipsius est, non refundat. curialis etiam si legitimos filios non habuerit et habuerit naturales, si voluerit eos curiae iungere, et heredes scribere vel donatione in eos propriam conferre substantiam faciendi habeat potestatem. filia quoque naturalis si curiali nupta fuerit, licet ei proprias et donare et relinquere facultates, ea condicione ut patrem matremve vel quibus actio de inofficioso testamento competit nullatenus praetermittat, sed eis legibus debitam vel donationis vel mortis tempore, hoc est quartam, portionem reservet. <milestone unit="english" /></ab>

</div2>
</div1>
<div1 xml:id="nov-th_23" type="titulus">
 <head xml:id="nov-th_23.titl">
 <s xml:id="nov-th_23.titl.s1" xml:lang="la">23. DE LOCIS REI PUBLICAE QUOQUO MODO POSSESSIS CIVITATIBUS RESTITUENDIS</s>
 </head>
 <div2 type="constitutio" subtype="solo">
 <ab xml:id="nov-th_23.insc" type="insc">
 <milestone unit="latin" />
 <s xml:id="nov-th_23.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA. Apollonio pp.</s>
 <milestone unit="english" />
 </ab>
 <ab xml:id="nov-th_23.0" type="caput">
 <milestone unit="latin" /> 0. <s xml:id="nov-th_23.0.s1" n="la2" xml:lang="la">Cum summo studio totisque <phr type="ampl" subtype="c"><w lemma="vis">>viribus</w></phr> enitatur civitates dicioni nostrae subiectas in perpetua felicitate versari, nihil tam <phr type="ampl" subtype="g"><w lemma="iniquus">>iniquum</w></phr> esse neque a nostris temporibus dissentiens arbitramur, quam si eas adventiciis quidem subsidiis adiuvari velimus, propriis vero facultatibus <phr type="ampl" subtype="c"><w lemma="nudo">>nudari</w></phr> <phr type="ampl" subtype="g"><w lemma="spolio">>spoliarique</w></phr> <phr type="ampl" subtype="c"><w lemma="patior">>patiamur</w></phr>.</s>
 <s xml:id="nov-th_23.0.s2" n="la3" xml:lang="la">Quapropter cum voti causa per Heracleotanam civitatem transitum faceremus, petitionibus civium eiusdem maxima sumus commiseratione commoti, qui tam murorum suorum quam aquaeductus nec non etiam aliorum operum publicorum, utpote longo tempore <phr type="ampl" subtype="g"><w lemma="neglego">>neglectorum</w></phr>, curam fieri oportere nostris provisionibus flagitarunt.</s>
 <s xml:id="nov-th_23.0.s3" n="la4" xml:lang="la">Et quoniam saepe ab una civitate vel homine postulatum remedium generalem solet formam correctionis adferre, horum desideriis adnuentes liberalitatem nostram ad omnes provincias ducimus propagandam.</s>
 <s xml:id="nov-th_23.0.s4" n="la5" xml:lang="la">tunc enim maxime vota proficiunt, cum statui rei publicae, quae causa votorum est, consulatur.</s>
 <milestone unit="english" /> 0. </ab>
 <ab xml:id="nov-th_23.1" type="caput">
 <milestone unit="latin" /> 1. <s xml:id="nov-th_23.1.s1" n="la6" xml:lang="la">
 >Omnibus itaque consiliis diu nostro animo voluntatis <seg
 xml:id="nov-th_23.1.c1">nullam salubriorem causam revocandae pristinae beatitudinis <phr xml:id="nov-th_23.1.s1.p1" function="cmdw">>invenimus</phr>, quam si praedia tam urbana quam rustica nec non etiam tabernae, quae ad ius civile pertinent et a quibusdam quolibet modo intra triginta annos abhinc retro numerandos detentae sunt, universis civitatibus assignentur exceptis videlicet tantum his, quae vel a procuratore divinae domus vel a viro illustri comite rerum privatarum iussu nostrae clementiae vel communi consensu civitatum cum scripturae interpositione distractae sunt.</seg></s>
 <s xml:id="nov-th_23.1.s2" n="la7" xml:lang="la"><seg xml:id="nov-th_23.1.c2">Nemo igitur quodcumque memorati iuris praeter civitates, quas suis <phr xml:id="nov-th_23.1.s2.p1" function="cmdw">>volumus</phr> opibus frui, sibi deinceps existimet possidendum,</seg> ne propositum nostrae pietatis <phr type="ampl" subtype="c"><w lemma="offendo">>offendat</w></phr>, quod divinitus nobis in mentem venisse confidimus.</s>
 <milestone unit="english" /> 1. </ab>
 <ab xml:id="nov-th_23.2" type="caput">
 <milestone unit="latin" /> 2. <s xml:id="nov-th_23.2.s1" n="la8" xml:lang="la">Et credimus quidem nostris praeceptionibus divulgatis neminem tam <phr type="ampl" subtype="g"><w lemma="incautus">>incautum</w></phr> esse, ut dispositionibus nostris obviam ducat esse veniendum: verum quia nulla paene res adeo tuta atque inviolanda est, contra quam hominum naturalis <phr type="ampl" subtype="c"><w lemma="aviditas">>aviditas</w></phr> non umquam aliquid existimat <phr type="ampl" subtype="c"><w lemma="molior">>moliendum</w></phr>, totius rei perfectionem amplitudini tuae, cuius provisionem amoremque circa rei publicae commoditates ipsis rerum documentis saepe sumus experti, una cum viro illustri magistro officiorum, cuius administratio probatissima nobis est, delegamus, Apolloni parens karissime atque amantissime.</s>


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<milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_23.3" type="caput">
  <milestone unit="latin" /> 3. <s xml:id="nov-th_23.3.s1" n="la9" xml:lang="la">
    >Illustris itaque auctoritas tua certo scitura, quod tam nobis haec causa
    huiusque rei efficacitas cordi est, ut omnibus eam paene aliis praeponamus,
    quae per hanc divinam legem sanximus ad omnium provinciarum notitiam edictorum
    propositione pervenire constituat, quatenus summa cum celeritate modis omnibus
    impleantur.</s>
  <milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_23.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-th_23.subs.s1" n="la10" xml:lang="la">Dat. XI kal. Iun. <placeName
    corresp="#aphrodisias">afrodisiade</placeName> Maximo II et Paterio vv CC.
    conss. <date when="0443-05-22">(443 Mai. 22)</date>.</s>
  <milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="nov-th_24" type="titulus">
  <head xml:id="nov-th_24.titl">
    <s xml:id="nov-th_24.titl.s1" xml:lang="la">24. DE AMBITU ET LOCIS LIMITANEIS INIBI
    REDHIBENDIS</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-th_24.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="nov-th_24.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
        Nomo mag. off.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="nov-th_24.0" type="caput">
      <milestone unit="latin" /> 0. <s xml:id="nov-th_24.0.s1" n="la2" xml:lang="la">Cum
        nulla paene res adeo parva sit, quae non plurimum provisionis de <rs
        corresp="#imper1" ana="#I_emperor"><w lemma="nostra-clementia">nostra
        clementia</w></rs> consequatur, praecipiam <rs ana="#M_frontiers"><w
        lemma="limes">limitibus</w></rs> curam impertiendam esse censemus, quibus
        maxime communitur universa <rs corresp="#state" ana="#I_state"><w
        lemma="res-publica">res publica</w></rs>.</s>
      <s xml:id="nov-th_24.0.s2" n="la3" xml:lang="la">Haec una res enim diligentissime
        procurata multarum <rs ana="#I_emperor"><w lemma="nos">nos</w></rs> rerum <phr
        type="ampl" subtype="c" injured="nos" crt-inj="high"><w lemma="sollicitudo">
        >sollicitudine</w></phr> relaxabit nec singulis <phr type="ampl"
        subtype="c" injured="nos" crt-inj="high"><w lemma="cogo">cogemur</w></phr>
        adhibere medicinam, si generali remedio cuncta sanemus.</s>
      <milestone unit="english" /> 0. </ab>
    <ab xml:id="nov-th_24.1" type="caput">
      <milestone unit="latin" /> 1. <s xml:id="nov-th_24.1.s1" n="la4" xml:lang="la">
        >Inprimis itaque <rs corresp="#milsnr" ana="#M_military-leaders"><w lemma="dux">
        >duces</w></rs>
        <rs ana="#M_frontiers"><w lemma="limes">limitum</w></rs> et praecipue, quibus
        <rs corresp="#barbrn" ana="#M_barbarians"><w lemma="gens">gentes</w></rs>
        quae maxime cavendae sunt adpropinquant, iudicio <rs corresp="#imper1"
        ana="#I_emperor"><w lemma="nostra-clementia">nostrae clementiae</w></rs>
        provehi volumus, quorum integritatem fortitudinem vigilantiam probata rerum
        documenta commendant: <phr type="ampl" subtype="c"><w lemma="capital">
        >capitali</w></phr>
        <phr type="ampl" subtype="g"><w lemma="poena">poena</w></phr> videlicet <phr
        type="ampl" subtype="c"><w lemma="ambitus">ambitus</w></phr>
        <phr type="ampl" subtype="c"><w lemma="libido">libidine</w></phr>
        restinguenda.</s>
      <s xml:id="nov-th_24.1.s2" n="la5" xml:lang="la"><seg xml:id="nov-th_24.1.c1">Eos
        igitur, quos nostra aestimatio, sicut iam dictum est, promovendos esse
        censuerit, in ipsis plerumque <rs ana="#M_frontiers"><w lemma="limes">
        >limitibus</w></rs> commorari et <rs corresp="#militr"
        ana="#M_soldiers"><w lemma="miles">milites</w></rs> ad antiquum redigere
        numerum, <phr type="ampl" subtype="c" inj-src="magisterius" crt-src="high"
        injured="dux" crt-inj="low"><w lemma="immineo">imminentibus</w></phr>
        <rs corresp="#milsnr" ana="#M_military-leaders"><w lemma="magisterius">
        >magisteriis</w></rs> potestatibus diurnisque eorum exercitationibus
        inhaerere <phr xml:id="nov-th_24.1.s2.p1" function="cmdw">
        >praecipimus</phr>.</seg></s>
      <s xml:id="nov-th_24.1.s3" n="la6" xml:lang="la"><seg xml:id="nov-th_24.1.c2">
        >castrorum quin etiam ipsis lusoriarumque pro antiqua dispositione curam
        refectionemque <phr xml:id="nov-th_24.1.s3.p1" function="cmdw">
        >mandamus</phr>.</seg></s>
      <milestone unit="english" /> 1. </ab>
    <ab xml:id="nov-th_24.2" type="caput">
      <milestone unit="latin" /> 2. <s xml:id="nov-th_24.2.s1" n="la7" xml:lang="la">
        ><seg xml:id="nov-th_24.2.c1">Quibus cum <rs ana="#M_military-leaders"><w
        lemma="princeps">principe</w></rs>
        <rs ana="#M_forts"><w lemma="castrum">castrorumque</w></rs>
        <rs ana="#M_military-leaders"><w lemma="praepositus">praepositis</w></rs>
        pro <phr type="ampl" subtype="c" injured="limitaneus miles" crt-inj="high">
        ><w lemma="labor">laborum</w></phr> vicissitudine <rs
        ana="#M_soldiers"><w lemma="limitaneus">limitanei</w></rs> tantum <rs
        corresp="#militr" ana="#M_soldiers"><w lemma="miles">militis</w></rs>
        duodecimam annonarum partem, distribuendam videlicet inter eos <rs
        ana="#M_military-leaders"><w lemma="magisterius">magisteriae</w></rs>
        potestatis arbitrio, <phr xml:id="nov-th_24.2.s1.p1" function="cmdw">

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    >deputamus</phr>.</seg></s>
<s xml:id="nov-th_24.2.s2" n="la8" xml:lang="la"><seg xml:id="nov-th_24.2.c2">De
  <rs corresp="#barbrn" ana="#M_allies"><w lemma="Saracen"
  >Saracenorum</w></rs> vero <rs corresp="#barbrn" ana="#M_allies"><w
  lemma="foederatus">foederatorum</w></rs> aliarumque gentium <rs
  ana="#M_supplies"><w lemma="annonarium-alimentum">annonariis
  alimentis</w></rs> nullam penitus eos decerpendi aliquid vel auferendi
  <phr type="ampl" subtype="c" inj-src="dux" crt-src="low"><w
  lemma="licens">licentiam</w></phr> habere <phr
  xml:id="nov-th_24.2.s2.p1" function="cmdw">concedimus</phr>.</seg></s>
<s xml:id="nov-th_24.2.s3" n="la9" xml:lang="la"><seg xml:id="nov-th_24.2.c3">
  >sciant plane, quod, si quid amplius, quam eis ex <rs corresp="#imperl"
  ana="#I_emperor"><w lemma="nostra-auctoritas">nostra auctoritate</w></rs>
  statutum est, <phr type="ampl" subtype="c" inj-src="dux" crt-src="low"><w
  lemma="audeo">audeant</w></phr>
  <phr type="ampl" subtype="c" inj-src="dux" crt-src="low"><w lemma="usurpo"
  >usurpare</w></phr>, utpote <rs corresp="#trsury" ana="#P_treasury"><w
  lemma="sacra-pecunia">sacrae pecuniae</w></rs>
  <phr type="ampl" subtype="g" inj-src="dux" injured="sacra-pecunia"
  crt-src="low" crt-inj="high"><w lemma="violator">violatores</w></phr>, et
  ipsi, <rs ana="#E_property"><w lemma="facultas">facultatibus</w></rs> suis
  <rs corresp="#consist" ana="#P_high-officials"><w lemma="tuum-culmen">tui
  culminis</w></rs> dispositione <rs ana="#M_frontiers"><w lemma="limes"
  >limitibus</w></rs> adsignandis, <phr type="ampl" subtype="g"
  injured="dux" crt-inj="low"><w lemma="poena">poenam</w></phr> gladii
  sustinebunt et qui tanti <phr type="ampl" subtype="g"
  inj-src="minister-particeps" crt-src="high"><w lemma="flagitium"
  >flagitii</w></phr> vel potius <phr type="ampl" subtype="g"
  inj-src="minister-particeps" injured="publica" crt-src="high"
  crt-inj="high"><w lemma="proditio">proditionis</w></phr>
  <rs ana="#P_state"><w lemma="publica">publicae</w></rs>
  <rs ana="#E_criminal"><w lemma="minister-particeps">ministros
  participesve</w></rs> se dederint, pari <phr type="ampl" subtype="g"
  injured="minister-particeps" crt-inj="high"><w lemma="supplicium"
  >supplicio</w></phr> subiacebunt: nullum effugium nec sacra
  adnotatione nec lege pragmatica divinisve mandatis, nullam spem salutis
  habituri.</seg></s>
<milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_24.3" type="caput">
<milestone unit="latin" /> 3. <s xml:id="nov-th_24.3.s1" n="la10" xml:lang="la">
  ><seg xml:id="nov-th_24.3.c1">Viros autem illustres <rs corresp="#milsnr"
  ana="#M_military-leaders"><w lemma="magister-militum">magistros
  militum</w></rs> priorem integritatem suae administrationis imitatos
  in posterum quoque ab omni <rs corresp="#militr" ana="#M_soldiers"><w
  lemma="limitaneus-miles">limitaneorum militum</w></rs> ac <rs
  corresp="#barbrn" ana="#M_allies"><w lemma="foederata-gens">foederatarum
  gentium</w></rs>
  <phr type="ampl" subtype="c" inj-src="magister-militum" crt-src="high"
  injured="limitaneus-miles foederata-gens"><w lemma="concussio"
  >concussione</w></phr> temperatos suaque <rs
  corresp="#offici" ana="#P_bureaucracy"><w lemma="officium"
  >officia</w></rs>
  <phr type="ampl" subtype="g" inj-src="magister-militum" injured="officium"
  crt-inj="high" crt-src="high"><w lemma="prohibeo">prohibituros</w></phr>
  esse <phr xml:id="nov-th_24.3.s1.p1" function="cmdw"
  >confidimus</phr>.</seg></s>
<s xml:id="nov-th_24.3.s2" n="la11" xml:lang="la"><seg xml:id="nov-th_24.3.c2">
  >Quod si quid huiusmodi fuerit perpetratum, <rs corresp="#offici"
  ana="#P_bureaucracy"><w lemma="apparitio">apparitiones</w></rs>, quae his
  obsequuntur, quadrupli solutionem agnoscere isdem <phr type="ampl"
  subtype="c"><w lemma="addico">addicendam</w></phr> limitibus <phr
  xml:id="nov-th_24.3.s2.p1" function="cmdw">imperamus</phr>.</seg></s>
<s xml:id="nov-th_24.3.s3" n="la12" xml:lang="la">id enim ipsis quoque viris
  eminentissimis <rs corresp="#milsnr" ana="#M_military-leaders"><w
  lemma="magister-militum">magistris militum</w></rs> amicis esse non <phr
  type="ampl" subtype="c"><w lemma="dubius">dubium</w></phr> est, qui semper
  omnia sua compendia pro salute <rs ana="#I_state"><w lemma="res-publica">rei
  publicae</w></rs>
  <phr type="ampl" subtype="g" inj-src="magister-militum" crt-src="high"><w
  lemma="contemno">contempserunt</w></phr>.</s>
<s xml:id="nov-th_24.3.s4" n="la13" xml:lang="la">Quis enim <phr type="ampl"
  subtype="c"><w lemma="dubito">dubitat</w></phr> eos <rs ana="#I_state"><w
  lemma="communis-status">communem statum</w></rs> suis <rs
  ana="#E_property"><w lemma="ops">opibus</w></rs> praelatos, qui defensione
  strenua <phr type="ampl" subtype="c" inj-src="magister-militum" crt-src="low"
  ><w lemma="bellicus">bellicisque</w></phr>
  <phr type="ampl" subtype="c" inj-src="magister-militum" crt-src="low"><w
  lemma="conflictus">conflictibus</w></phr>
  <rs ana="#I_state"><w lemma="imperium-nostrum">imperium nostrum</w></rs> suo
  saepe sanguini praetulerunt?</s>
<s xml:id="nov-th_24.3.s5" n="la14" xml:lang="la"><seg xml:id="nov-th_24.3.c3">
  >universis videlicet, qui hoc <phr type="ampl" subtype="g"
  inj-src="dux magister-militum iudex officium" crt-src="high"><w
  lemma="nefandus">nefandum</w></phr> atque <phr type="ampl" subtype="g"
  inj-src="dux magister-militum iudex officium" crt-src="high"><w
  lemma="illicitus">illicitum</w></phr>
  <phr type="ampl" subtype="c" inj-src="dux magister-militum iudex officium"
  crt-src="high"><w lemma="facinus">facinus</w></phr> perpetrare <phr
  type="ampl" subtype="c" inj-src="dux magister-militum iudex officium"

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crt-src="high"><w lemma="tempto">temptaverint</w></phr>, adeo tam sacrae
<rs ana="#P_law"><w lemma="adnotatio">adnotationis</w></rs> quam <rs
ana="#P_law"><w lemma="lex">legis</w></rs> pragmaticae <rs ana="#P_law"
><w lemma="mandatum">mandatorumque</w></rs> nostrorum subsidio, etsi
aliqua forsita <phr type="ampl" subtype="c"
inj-src="dux magister-militum iudex officium" crt-src="high"><w
lemma="obreptio">obreptione</w></phr> meruerint, <phr type="ampl"
subtype="c" injured="dux magister-militum iudex officium" crt-inj="high"
inj-src="adnotatio lex mandatum" crt-src="high"><w lemma="excludo"
>excludendis</w></phr>, ut neque intimatio, licet admissa fuerit,
penitus prosit et <rs corresp="#milsnr" ana="#M_military-leaders"><w
lemma="dux">ducis</w></rs> seu <rs corresp="#milsnr"
ana="#M_military-leaders"><w lemma="magister-militum">magistri
militum</w></rs> vel cuiuslibet <rs corresp="#judges"
ana="#P_high-officials"><w lemma="iudex">iudicis</w></rs>, si
insinuationi adnuerit <rs corresp="#offici" ana="#P_bureaucracy"><w
lemma="officium">officium</w></rs>, centenarum librarum <rs
ana="#E_money"><w lemma="aurus">auri</w></rs>
<phr type="ampl" subtype="g" injured="adnotatio lex mandatum" crt-inj="high"
><w lemma="damnatio">damnatione</w></phr>
<phr type="ampl" subtype="g" injured="adnotatio lex mandatum" crt-inj="high"
><w lemma="multo">multetur</w></phr>: quam summam ad eorundem <rs
ana="#M_frontiers"><w lemma="limes">limitum</w></rs> refectionem <phr
xml:id="nov-th_24.3.s5.pl" function="cmdw">volumus</phr>
proficisci.</seg></s>
<milestone unit="english" /> 3. </ab>
<ab xml:id="nov-th_24.4" type="caput">
<milestone unit="latin" /> 4. <s xml:id="nov-th_24.4.s1" n="la15" xml:lang="la"
><seg xml:id="nov-th_24.4.c1" ana="#ncp"><rs ana="#E_land"><w lemma="ager"
>Agros</w></rs> etiam <rs ana="#M_frontiers"><w lemma="limitaneus"
>limitaneos</w></rs> universis cum <rs ana="#E_land"><w lemma="palus"
>paludibus</w></rs> omnique <rs ana="#P_law"><w lemma="ius"
>iure</w></rs>, quos ex <rs ana="#I_ancients"><w
lemma="prisca-dispositio">prisca dispositione</w></rs>
<rs corresp="#militr" ana="#M_soldiers"><w lemma="limitaneus-miles"
>limitanei milites</w></rs> ab omni munere vacuos ipsi curare pro suo
compendio atque arare consueverant, et si in praesenti coluntur ab his,
firmiter ac sine ullo <phr type="ampl" subtype="c"
injured="limitaneus-miles" crt-inj="high"><w lemma="concussio"
>concussionis</w></phr>
<phr type="ampl" subtype="g" ana="#meta" injured="limitaneus-miles"
crt-inj="high"><w lemma="gravamen">gravamine</w></phr> detineri, et si ab
<rs ana="#E_citizens"><w lemma="alius">aliis</w></rs> possidentur,
cuiuslibet spatii temporis praescriptione cessante ab universis detentoribus
<phr type="ampl" subtype="c"><w lemma="vindico">vindicatos</w></phr>
isdem <rs corresp="#militr" ana="#M_soldiers"><w lemma="miles"
>militibus</w></rs> sine ullo prorsus, sicut antiquitus statutum est, <rs
ana="#E_taxes"><w lemma="conlatio">conlationis</w></rs>
<phr type="ampl" subtype="c" inj-src="conlatio" crt-src="high"
injured="miles" crt-inj="high"><w lemma="onus">onere</w></phr>
<phr xml:id="nov-th_24.4.s1.pl" function="cmdw">volumus</phr> assignari: in
his etiam contra eos, qui praeceptionibus nostris obviam venire <phr
type="ampl" subtype="c"><w lemma="tempto">temptaverint</w></phr>, eadem
<phr type="ampl" subtype="g" injured="dux" crt-inj="high"><w
lemma="poena">poenarum</w></phr>
<phr type="ampl" subtype="g" injured="dux" crt-inj="high"><w
lemma="acerbitas">acerbitate</w></phr>, quae <phr type="ampl"
subtype="c"><w lemma="adversus">adversus</w></phr>
<rs corresp="#milsnr" ana="#M_military-leaders"><w lemma="dux"
>ducum</w></rs>
<phr type="ampl" subtype="c"><w lemma="aviditas">aviditatem</w></phr>
prolata est, valitura.</seg></s>
<s xml:id="nov-th_24.4.s2" n="la0" xml:lang="la"><seg xml:id="nov-th_24.4.c2"
ana="#ncp">Nam si quis forte, quod minime <phr type="ampl" subtype="c"><w
lemma="audeo">audere</w></phr> debuerat, emptionis titulo memorati
iuris possidet praedia, competens ei actio contra venditorem intacta
servabitur.</seg></s>
<milestone unit="english" /> 4. </ab>
<ab xml:id="nov-th_24.5" type="caput">
<milestone unit="latin" /> 5. <s xml:id="nov-th_24.5.s1" n="la1" xml:lang="la">Id
autem curae perpetuae <rs corresp="#cnsist" ana="#P_high-officials"><w
lemma="tuum-culmen">tui culminis</w></rs> credimus iniungendum, ut tam
<rs ana="#M_regions"><w lemma="Thracia">Thracici</w></rs> quam <rs
ana="#M_regions"><w lemma="Illyricum">Illyrici</w></rs> nec non etiam <rs
ana="#M_regions"><w lemma="orientalis">orientalis</w></rs> ac <rs
ana="#M_regions"><w lemma="Pontus">Pontici</w></rs>
<rs ana="#M_frontiers"><w lemma="limes">limitis</w></rs>, <rs ana="#M_regions"
><w lemma="Aegyptiacus">Aegyptiaci</w></rs> insuper <rs ana="#M_regions"
><w lemma="Thebes">Thebaici</w></rs>
<rs ana="#M_regions"><w lemma="Libycus">Libyci</w></rs> quemadmodum se <rs
corresp="#militr" ana="#M_soldiers"><w lemma="miles">militum</w></rs>
numerus habeat <rs ana="#M_forts"><w lemma="castrum">castrorumque</w></rs> ac
<rs ana="#M_transport-ships"><w lemma="lusorius">lusoriarum</w></rs> cura
procedat, quotannis mense Ianuario in sacro <rs corresp="#cnsist"
ana="#P_emperor-court"><w lemma="consistorium">consistorio</w></rs>
significare nobis propria suggestionem procures, ut, uniuscuiusque tam industria
quam <phr type="ampl" subtype="c"><w lemma="desidia">desidia</w></phr> nostris
auribus intimata, et strenui digna praemia consequantur et in <phr type="ampl"
subtype="g" ana="#meta"><w lemma="dissimulator">dissimulatores</w></phr>

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competens <phr type="ampl" subtype="g" ana="#meta"><w lemma="indignatio"
>indignatio</w></phr> proferatur.</s>
<s xml:id="nov-th_24.5.s2" n="la2" xml:lang="la">credimus namque, quod, re
militari ad eum modum quem disposuimus observata, quocumque terrarum se <phr
type="ampl" subtype="g" ana="#meta"><w lemma="hostis">hostis</w></phr>
movere <phr type="ampl" subtype="c"><w lemma="tempto">temptaverit</w></phr>
victoria nobis propitia secundum numinis voluntatem nuntiabitur ante quam
proelium, <rs ana="#P_high-officials"><w lemma="Nomus">nome</w></rs> frater
amantissime.</s>
<milestone unit="english" /> 5. </ab>
<ab xml:id="nov-th_24.6" type="caput">
<milestone unit="latin" /> 6. <s xml:id="nov-th_24.6.s1" n="la3" xml:lang="la"
>Illustris igitur <rs ana="#P_high-officials"><w lemma="auctoritas"
>auctoritas</w></rs> tua, cuius integram fidem rebus ipsis experta est
<rs ana="#I_emperor"><w lemma="nostra-perennitas">nostra
perennitas</w></rs>, hanc generalem saluberrimamque <rs ana="#I_emperor"><w
lemma="nostra-clementia">nostrae clementiae</w></rs>
<phr type="ampl" subtype="c"><w lemma="sanctio">sanctionem</w></phr> et
observationi perpetuae effectuique mancipari praecipiat et edictis ubique
propositis ad omnium notitiam venire perficiat.</s>
<milestone unit="english" /> 6. </ab>
<ab xml:id="nov-th_24.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-th_24.subs.s1" n="la4" xml:lang="la">Dat. prid. id. Sept.
<placeName corresp="#constantinople">Constantinopoli</placeName> Maximo II
et Paterio VV. CC. cons. <date when="0443-09-12">(443 Sept. 12)</date>.</s>
<milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="nov-th_25" type="titulus">
<head xml:id="nov-th_25.titl">
<s xml:id="nov-th_25.titl.s1" xml:lang="la">25. DE METATIS</s>
</head>
<div2 type="constitutio" subtype="solo">
<ab xml:id="nov-th_25.insc" type="insc">
<milestone unit="latin" />
<s xml:id="nov-th_25.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
Nomo mag. off.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-th_25.0" type="caput">
<milestone unit="latin" /> 0. <s xml:id="nov-th_25.0.s1" n="la2" xml:lang="la">Cum
inter multa privilegia, quae <rs corresp="#militr" ana="#M_soldiers"><w
lemma="militaris">militaribus</w></rs> detulit viris antiqua provisio,
habituaculis etiam eorum certae portionis domorum sorte prospexerit, <rs
ana="#I_emperor"><w lemma="nos">nos</w></rs>, quibus familiare est universa
negotia competenti temperatione disponere, suggestione <rs corresp="#cnsist"
ana="#P_high-officials"><w lemma="tua-magnitudo">tuae magnitudinis</w></rs>
moniti <seg xml:id="nov-th_25.0.c1">ita hospitii <rs corresp="#militr"
ana="#M_soldiers"><w lemma="militans">militantium</w></rs>
<phr xml:id="nov-th_25.0.s1.p1" function="cmdw">volumus</phr> esse
consultum, ut tamen honore praeditis in <rs ana="#E_property"><w
lemma="excusatio-aedium">excusationibus aedium</w></rs> debita <rs
ana="#E_nobles"><w lemma="dignitas">dignitati</w></rs> reverentia
conservetur.</seg></s>
<milestone unit="english" /> 0. </ab>
<ab xml:id="nov-th_25.1" type="caput">
<milestone unit="latin" /> 1. <s xml:id="nov-th_25.1.s1" n="la3" xml:lang="la"
>Meminimus quippe nos divina <rs ana="#P_law"><w lemma="promulgatio"
>promulgatione</w></rs> tam <rs corresp="#nobles" ana="#E_nobles"><w
lemma="consularius">consularium</w></rs> virorum quam <rs
ana="#P_bureaucracy"><w lemma="praefectura">praefecturae</w></rs> infulis
ornatorum ceterorumque <rs corresp="#nobles" ana="#E_nobles"><w
lemma="illustris">illustrium</w></rs> nec non etiam <rs corresp="#offici"
ana="#P_bureaucracy"><w lemma="silentium">silentiariorum</w></rs> certas <rs
ana="#E_property"><w lemma="domus">domos</w></rs> in hac <rs
corresp="#cnstnp" ana="#E_Constantinople"><w lemma="sacratissima-urbs"
>sacratissima urbe</w></rs> sitas <rs ana="#E_allowances-housing"><w
lemma="metor">metatorum</w></rs> praebendorum <phr type="ampl"
subtype="c" injured="domus consularis praefectura illustris silentium"
crt-inj="high" inj-src="metor" crt-src="high"><w lemma="onus"
>onere</w></phr> liberasse: <seg xml:id="nov-th_25.1.c1">cui nunc addi
oportere <phr xml:id="nov-th_25.1.s1.p1" function="cmdw">censemus</phr>, ut
his <rs corresp="#nobles" ana="#E_nobles"><w lemma="consularis"
>consularibus</w></rs>, qui auspiciis etiam <rs corresp="#nobles"
ana="#E_nobles"><w lemma="patriciatus">patriciatus</w></rs> exultant,
ternarum <rs ana="#E_property"><w lemma="domus">domorum</w></rs>
excusationis <phr type="ampl" subtype="c"><w lemma="licens"
>licitia</w></phr> concedatur, in <rs corresp="#chldrn"
ana="#E_inheritance"><w lemma="heres">heredibus</w></rs> etiam eorum,
quibus excusationis ius datum est, immunitatis aedium privilegio pro tenore
sacratissimae <rs ana="#P_law"><w lemma="constitutio"
>constitutionis</w></rs>, quae super hac re loquitur, firmiter
valituro.</seg></s>
<milestone unit="english" /> 1. </ab>
<ab xml:id="nov-th_25.2" type="caput">
<milestone unit="latin" /> 2. <s xml:id="nov-th_25.2.s1" n="la4" xml:lang="la">Sed
ne liberalitate nostra laxius quam oporteat propagata vel <rs

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ana="#E_allowances-housing"><w lemma="hospitalis">hospitalis</w></rs>
 commoditas <rs ana="#P_bureaucracy"><w lemma="militans">militantibus</w></rs>
 abnegetur vel nihil emolumentum referatur in <rs ana="#P_state"><w
 lemma="publicus">publicum</w></rs>, <seg xml:id="nov-th_25.2.c1"><id
 imprimis constituendum esse <phr xml:id="nov-th_25.2.s1.p1" function="cmdw"
 >censemus</phr>, ut, si quis vel <rs ana="#P_law"><w
 lemma="ius-excusanda">ius excusandarum</w></rs>
 <rs ana="#E_property"><w lemma="aedes">aedium</w></rs> non habens vel, licet
 habeat, in pluribus tamen <rs ana="#E_property"><w lemma="domus"
 >domibus</w></rs>, quam ex sacratissima <rs ana="#P_law"><w
 lemma="constitutio">constitutione</w></rs> concessum est, beneficium
 excusationis, ut <rs ana="#E_allowances-housing"><w lemma="metor"
 >metati</w></rs>
 <phr type="ampl" subtype="c" injured="metor" crt-inj="high"><w lemma="onus"
 >onere</w></phr> sit immunis, seu sacro oraculo seu quocumque modo vel
 iam consecutus est vel consequetur in posterum, tertiae partis <rs
 ana="#E_property"><w lemma="domus">domus</w></rs> super quem oportuit
 numerum excusatae <rs ana="#E_taxes"><w lemma="pensio">pensionem</w></rs>
 arbitrio <rs ana="#P_high-officials"><w lemma="tuum-culmen">tui
 culminis</w></rs> in <rs ana="#P_treasury"><w lemma="ratio-publica"
 >rationes publicas</w></rs> conferre <phr type="ampl" subtype="c"
 inj-src="ratio-publica" crt-src="high" injured="domus" crt-inj="high"><w
 lemma="cogo">cogatur</w></phr>, ut aurum ex huiusmodi titulo
 profligatum pro iussu nostri numinis cura <rs ana="#P_high-officials"><w
 lemma="tua-sublimitas">tuae sublimitatis</w></rs>, quo visum nobis
 fuerit, erogetur.</seg></s>
 <s xml:id="nov-th_25.2.s2" n="la5" xml:lang="la"><seg xml:id="nov-th_25.2.c2"
 >idque in omnibus huius almae <rs corresp="#cnstnp" ana="#E_Constantinople"
 ><w lemma="urbs">urbis</w></rs>
 <rs ana="#E_property"><w lemma="domus">domibus</w></rs>
 <phr type="ampl" subtype="c"><w lemma="custodio">custodiri</w></phr>
 <phr xml:id="nov-th_25.2.s2.p1" function="cmdw">decernimus</phr>: ceteris
 videlicet omnibus, qui <rs ana="#E_allowances-housing"><w lemma="metor"
 >metata</w></rs> in suis <rs>domibus</rs> praestant, sive hospitia
 praeberint <rs ana="#P_bureaucracy"><w lemma="metator">metatoribus</w></rs>
 seu quolibet pacto satis eis fecerint, nullam vel <rs ana="#E_taxes"><w
 lemma="pensio">pensionis</w></rs> vel <rs ana="#P_bureaucracy"><w
 lemma=" Discussio">discussionis</w></rs>
 <rs>domus</rs> gratia <phr type="ampl" subtype="g" injured="domus"
 inj-src="pensio Discussio" crt-inj="high" crt-src="high"><w
 lemma="molestia">molestiam</w></phr> sustinere <phr type="ampl"
 subtype="c" inj-src="metor" crt-src="high" injured="domus" crt-inj="high"
 ><w lemma="cogo">cogendis</w></phr>.</seg></s>
 <milestone unit="english" /> 2. </ab>
 <ab xml:id="nov-th_25.3" type="caput">
 <milestone unit="latin" /> 3. <s xml:id="nov-th_25.3.s1" n="la6" xml:lang="la"
 ><seg xml:id="nov-th_25.3.c1">Deinde neminem <phr xml:id="nov-th_25.3.s1.p1"
 function="cmdw">volumus</phr> cuiuslibet <rs ana="#E_nobles"><w
 lemma="locus">loci</w></rs> vel <rs ana="#E_nobles"><w lemma="ordo"
 >ordinis</w></rs> in hac florentissima <rs corresp="#cnstnp"
 ana="#E_Constantinople"><w lemma="urbs">urbe</w></rs>
 <rs corresp="#domus" ana="#E_property"><w lemma="domus">domum</w></rs>
 propriam excusantem <rs ana="#E_allowances-housing"><w lemma="metor"
 >metatum</w></rs> sibi in <phr type="ampl" subtype="c"
 inj-src="locus ordo" injured="domus" crt-inj="high" crt-src="high"><rs
 ana="#E_citizens"><w lemma="alienus">alienis</w></rs></phr>
 <rs ana="#E_property"><w lemma="domus">domibus</w></rs> privilegio <rs
 corresp="#officl" ana="#P_bureaucracy"><w lemma="militia"
 >militiae</w></rs>
 <phr type="ampl" subtype="c" inj-src="locus ordo" crt-src="high"><w
 lemma="vindico">vindicare</w></phr>.</seg></s>
 <milestone unit="english" /> 3. </ab>
 <ab xml:id="nov-th_25.4" type="caput">
 <milestone unit="latin" /> 4. <s xml:id="nov-th_25.4.s1" n="la7" xml:lang="la"
 ><seg xml:id="nov-th_25.4.c1" ana="#ncp">Et his quidem, quibus iam praebendi
 metati immunitatem <rs corresp="#nobles" ana="#E_nobles"><w
 lemma="illustris">illustris</w></rs> favor dignitatis indulsit, licet
 vacantis <rs corresp="#officl" ana="#P_bureaucracy"><w lemma="militia"
 >militiae</w></rs>
 <rs corresp="#officl" ana="#P_bureaucracy"><w lemma="cingulus"
 >cingulo</w></rs> usi sint vel utantur vel <rs corresp="#nobles"
 ana="#E_nobles"><w lemma="honoraria-praerogativa">honorariae
 praerogativae</w></rs> potiantur insignibus, inviolata, ut cautum est,
 <rs><w>excusationis</w></rs> iura <phr xml:id="nov-th_25.4.s1.p1"
 function="cmdw">largimur</phr>.</seg></s>
 <s xml:id="nov-th_25.4.s2" n="la8" xml:lang="la"><seg xml:id="nov-th_25.4.c2">In
 posterum vero hi quidem, quibus <rs ana="#E_nobles"><w lemma="illustris"
 >illustrem</w></rs> dignitatem ius actae <rs ana="#P_bureaucracy"><w
 lemma="administratio">administrationis</w></rs> adtribuit, <rs
 ana="#E_property"><w lemma="domus">domos</w></rs> suas pro modo, quem
 sacratissima <rs ana="#P_law"><w lemma="constitutio">constitutio</w></rs>
 praeferendum censuit, excusabunt, ceteris vero, quibus <rs
 corresp="#nobles" ana="#E_nobles"><w lemma="illustris">illustris</w></rs>
 dignitas cum <rs corresp="#officl" ana="#P_bureaucracy"><w lemma="cingulus"
 >cingulo</w></rs> vel citra cingulum pro solo honore delata est, <rs
 ana="#E_allowances"><w lemma="excuso">excusandarum</w></rs>
 <rs ana="#E_property"><w lemma="aedes">aedium</w></rs>
 <phr type="ampl" subtype="c"><w lemma="licens">licentiam</w></phr> penitus
 <phr xml:id="nov-th_25.4.s2.p1" function="cmdw" type="ampl" subtype="g"


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inj-src="nos" injured="excuso aedes" crt-src="low" crt-inj="high"><w
lemma="denego">denegamus</w></phr>.</seg></s>
<milestone unit="english" /> 4. </ab>
<ab xml:id="nov-th_25.5" type="caput">
<milestone unit="latin" /> 5. <s xml:id="nov-th_25.5.s1" n="la9" xml:lang="la"
><seg xml:id="nov-th_25.5.c1">Hoc iuris in his etiam <phr
xml:id="nov-th_25.5.s1.p1" function="cmdw">praecipimus</phr> observari,
quos ipsa quidem <rs corresp="#officl" ana="#P_bureaucracy"><w
lemma="administratio">administrationis</w></rs> condicio <rs
corresp="#nobles" ana="#E_nobles"><w lemma="spectabilis"
>spectabiles</w></rs> novit, honor tamen additus a nostra liberalitate
reddit <rs corresp="#nobles" ana="#E_nobles"><w lemma="illustris"
>illustres</w></rs>: excepto videlicet viro <rs corresp="#nobles"
ana="#E_nobles"><w lemma="spectabilis">spectabili</w></rs>
<rs corresp="#officl" ana="#E_nobles"><w lemma="primicerius"
>primicerio</w></rs>
<rs corresp="#officl" ana="#P_bureaucracy"><w lemma="notarius"
>notariorum</w></rs>, cui <phr xml:id="nov-th_25.5.s1.p2"
function="cmdw">volumus</phr> in <rs ana="#E_allowances"><w
lemma="excuso">excusandis</w></rs>
<rs ana="#E_property"><w lemma="aedes">aedibus</w></rs>
<rs corresp="#nobles" ana="#E_nobles"><w lemma="illustris"
>illustrium</w></rs>
<rs corresp="#officl" ana="#P_bureaucracy"><w lemma="magistratus"
>magistratum</w></rs> privilegium convenire.</seg></s>
<milestone unit="english" /> 5. </ab>
<ab xml:id="nov-th_25.6" type="caput">
<milestone unit="latin" /> 6. <s xml:id="nov-th_25.6.s1" n="la10" xml:lang="la"
><seg xml:id="nov-th_25.6.c1">Sed et si quis iam <rs corresp="#nobles"
ana="#E_nobles"><w lemma="illustris">illustrem</w></rs> dignitatem inter
vacantes vel honorarios consecutus <rs corresp="#domus" ana="#E_property"><w
lemma="domus">domum</w></rs> postea in hac <rs corresp="#constnp"
ana="#E_Constantinople"><w lemma="sacratissima-civitas">sacratissima
civitate</w></rs> possederit, hunc quoque <phr
xml:id="nov-th_25.6.s1.p1" function="cmdw">iubemus</phr> esse
privilegiorum <rs ana="#E_allowances"><w lemma="excusatio"
>excusationis</w></rs>
<phr type="ampl" subtype="c" injured="illustris" crt-inj="high"><w
lemma="alienus">alienum</w></phr>.</seg></s>
<milestone unit="english" /> 6. </ab>
<ab xml:id="nov-th_25.7" type="caput">
<milestone unit="latin" /> 7. <s xml:id="nov-th_25.7.s1" n="la11" xml:lang="la"
><seg xml:id="nov-th_25.7.c1">Scituris omnibus, quod si quis, cum <rs
corresp="#officl" ana="#P_bureaucracy"><w lemma="cingulus"
>cingulo</w></rs> perfruatur et <rs ana="#E_allowances"><w
lemma="excusatio">excusationem</w></rs> ita propriae <rs
ana="#E_property"><w lemma="domus">domus</w></rs> impetraverit, ut a <rs
ana="#E_taxes"><w lemma="pensio">pensione</w></rs> etiam portionis
tertia sit immunis, et <rs corresp="#officl" ana="#P_bureaucracy"><w
lemma="militia">militiae</w></rs> causa <rs
ana="#E_allowances-housing"><w lemma="metor">metatum</w></rs> in <phr
type="ampl" subtype="c" injured="alienus" crt-inj="high"><rs
corresp="#domus" ana="#E_citizens"><w lemma="alienus"
>alienis</w></rs></phr>
<rs ana="#E_property"><w lemma="domus">domibus</w></rs> sibi crediderit <phr
type="ampl" subtype="c" injured="metor domus alienus" crt-inj="high"
inj-src="militia" crt-src="high"><w lemma="vindico"
>vindicans</w></rs>, si quidem <rs corresp="#nobles" ana="#E_nobles"><w
lemma="honor">honore</w></rs> praeditus excusationis ius habeat,
carebit <rs ana="#P_law"><w lemma="lex">legum</w></rs> privilegiis, quas
<phr type="ampl" subtype="g" inj-src="honor" injured="lex" crt-src="high"
crt-inj="high"><w lemma="fraudo">fraudare</w></phr> conatus est: si vero
inter eos quibus nulla suffragatur <rs ana="#E_nobles"><w lemma="dignitas"
>dignitas</w></rs> numeretur.</seg></s>
<s xml:id="nov-th_25.7.s2" n="la12" xml:lang="la"><seg xml:id="nov-th_25.7.c2"
>centum librarum <rs ana="#E_money"><w lemma="aurus">auri</w></rs>
sacratissimis <rs corresp="#trsurry">largitionibus</rs> pendendarum illatione
<phr type="ampl" subtype="g" injured="dignitas" crt-inj="medium"><w
lemma="multo">multabitur</w></phr>.</seg>
<rs ana="#P_high-officials"><w lemma="Nomus">nome</w></rs> frater
amantissime.</s>
<milestone unit="english" /> 7. </ab>
<ab xml:id="nov-th_25.8" type="caput">
<milestone unit="latin" /> 8. <s xml:id="nov-th_25.8.s1" n="la13" xml:lang="la"
>Illustris igitur <rs ana="#P_high-officials"><w lemma="auctoritas"
>auctoritas</w></rs> tua, quae per hanc divinam legem duximus sancienda,
sollemniter ad omnium notitiam pervenire constituat.</s>
<milestone unit="english" /> 8. </ab>
<ab xml:id="nov-th_25.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-th_25.subs.s1" n="la14" xml:lang="la">Dat. XVII kal. Feb.
<placeName corresp="#constantinople">Constantinopoli</placeName> Theodosio
A. XVIII cons. <date when="0444-01-16">(444 Ian. 16)</date>.</s>
<milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="nov-th_26" type="titulus">
<head xml:id="nov-th_26.tit1">

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<s xml:id="nov-th_26.titl.s1" xml:lang="la">26. DE RELEVATIS, ADAERATIS, VEL DONATIS
POSSESSIONIBUS</s>
</head>
<div2 type="constitutio" subtype="solo">
  <ab xml:id="nov-th_26.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="nov-th_26.insc.s1" n="la1" xml:lang="la">1. Theodos. et Valentin. AA.
      Hermocrati pp. Orientis.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="nov-th_26.0" type="caput">
    <milestone unit="latin" /> 0. <s xml:id="nov-th_26.0.s1" n="la2" xml:lang="la">
      >Perfecta est ac plena liberalitas, qua praecedens munificentia communitur,
      tuncque se maxime unusquisque tuto confidit habere quod meruit, si quod
      singulis specialiter indultum est, generali provisione firmetur.</s>
    <s xml:id="nov-th_26.0.s2" n="la3" xml:lang="la"><rs><w>
      lemma="possessio">possessiones</w></rs> meminimus nostro <rs><w>
      corresp="#imperl" ana="#P_emperor"><w> lemma="beneficium">beneficio</w></rs>
      aliquatenus <rs> corresp="#taxes" ana="#E_taxes"><w> lemma="tributum"
      >tributorum</w></rs>
    <phr type="ampl" subtype="c" inj-src="tributum" injured="possessio"
      crt-src="high" crt-inj="high"><w> lemma="onus">onere</w></phr> sublevatas
      eisque postea certam concessae quantitatis partem, quia id <phr type="ampl"
      subtype="c" inj-src="tributum" crt-src="high"><w> lemma="necessitas"
      >necessitas</w></phr> flagitabat, indictam: ut, quod <rs>
      corresp="#imperl" ana="#P_emperor"><w> lemma="liberalitas-nostra"
      >liberalitati nostrae</w></rs>
    <phr type="ampl" subtype="c"><w> lemma="derogo">derogatum</w></phr> est, non
      paenitentiae potius videatur fuisse quam temporis, <seg xml:id="nov-th_26.0.c1"
      ana="#necp">summam, quae iam ex <rs> corresp="#taxes" ana="#E_taxes"><w>
      lemma="discriptio">discriptione</w></rs> illata est, profligatione
      contentionis in posterum ab huiusmodi <rs> corresp="#collec" ana="#E_taxes"
      ><w> lemma="exactio">exactionis</w></rs> inquietudine <phr
      xml:id="nov-th_26.0.s2.p1" function="cmdw">liberamus</phr>, ut et
      praeteriti temporis pro sublevatis <rs> corresp="#lndhld" ana="#E_land"><w>
      lemma="praedium">praediis</w></rs>
    <rs> corresp="#taxes" ana="#E_taxes"><w> lemma="reliquum">reliquorum</w></rs>
    <rs> corresp="#collec" ana="#E_taxes"><w> lemma="exactio">exactio</w></rs>
    concedatur et in posterum nulla talis <rs> corresp="#taxes" ana="#E_taxes"><w>
      lemma="discriptio">discriptio</w></rs>
    <phr type="ampl" subtype="g" inj-src="discriptio" crt-src="high"
      injured="praedium" crt-inj="high"><w> lemma="formido"
      >formidetur</w></phr>.</seg></s>
    <s xml:id="nov-th_26.0.s3" n="la4" xml:lang="la">Hoc enim necessario <rs>
      ana="#P_emperor"><w> lemma="nos">nobis</w></rs> hac generali <phr type="ampl"
      subtype="c" inj-src="nos" crt-src="high"><w> lemma="sanctio"
      >sanctione</w></phr> fuerat promulgandum, cum multo sit <phr type="ampl"
      subtype="c" injured="praedium" crt-inj="low" inj-src="exactio" crt-src="low"
      ><w> lemma="onerous">onerousius</w></phr> simul et in aggere coacervatam
      solvere quantitatem, quam particulatim reddere quod debetur.</s>
    <milestone unit="english" /> 0. </ab>
    <ab xml:id="nov-th_26.1" type="caput">
      <milestone unit="latin" /> 1. <s xml:id="nov-th_26.1.s1" n="la5" xml:lang="la">
        >Haec tamen <rs> ana="#P_emperor"><w> lemma="liberalitas-nostra">liberalitas
        nostra</w></rs> nihil dispositionis amplissimae recordationis <rs>
        corresp="#prefec" ana="#P_high-officials"><w> lemma="Antiochus"
        >Antiochi</w></rs>, quae certam quantitatem ante se relevatis <rs>
        corresp="#lndhld" ana="#E_land"><w> lemma="possessio">possessionibus</w></rs>
        nomine <rs> corresp="#taxes" ana="#E_taxes"><w> lemma="canon">canonis</w></rs>
        indixit, imminuit.</s>
      <s xml:id="nov-th_26.1.s2" n="la6" xml:lang="la"><seg xml:id="nov-th_26.1.c1">id
        enim, quod iam in <rs> corresp="#taxes" ana="#E_taxes"><w> lemma="canon"
        >canonem</w></rs>
      <phr type="ampl" subtype="c" inj-src="canon" crt-src="high"><w> lemma="caedo"
        >cecidit</w></phr> et anniversaria debet pensatione persolvi, nec in
        praeteritum nec in posterum <phr function="cmdw" xml:id="nov-th_26.1.s2.p1"
        type="ampl" subtype="c" inj-src="liberalitas-nostra" crt-src="low"><w>
        lemma="patior">patimur</w></phr> esse concessum: nullique deinceps
        copia <phr type="ampl" subtype="c"><w> lemma="relinquo">relinquitur</w></phr>
        <rs> corresp="#invstg" ana="#P_bureaucracy"><w> lemma="inspector"
        >inspectores</w></rs> sibi specialiter expetendi, nisi secundum <phr
        type="ampl" subtype="c"><w> lemma="sanctio">sanctionem</w></phr> nostram,
        quae ad viri illustres et consularis <rs> corresp="#prefec"
        ana="#P_high-officials"><w> lemma="Florentius">Florenti</w></rs>
        suggestionem emissa est, ex communi civitatis aut provinciae desiderio
        postuletur.</seg></s>
      <milestone unit="english" /> 1. </ab>
    <ab xml:id="nov-th_26.2" type="caput">
      <milestone unit="latin" /> 2. <s xml:id="nov-th_26.2.s1" n="la7" xml:lang="la">
        ><seg xml:id="nov-th_26.2.c1">Indulgentiam vero memoratae <rs>
        corresp="#taxes" ana="#E_taxes"><w> lemma="discriptio"
        >discriptionis</w></rs> et in anteactum et in posterum tempus non solum
        in relevatis, verum etiam in donatis <rs> corresp="#land" ana="#E_land"><w>
        lemma="adaero">adaeratis</w></rs> translatis vel quodlibet aliud nomen
        novae <rs> corresp="#taxes" ana="#E_taxes"><w> lemma="discriptio"
        >discriptionis</w></rs> excogitatum est, <phr
        xml:id="nov-th_26.2.s1.p1" function="cmdw">volumus</phr> observari
        nullamque super his umquam <rs> corresp="#collec" ana="#E_taxes"><w>
        lemma="exactio">exactio</w></rs>

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<phr type="ampl" subtype="g" inj-src="exactio" injured="adaeratio"
  crt-src="high" crt-inj="high"><w lemma="molestia">molestiam</w></phr>
<phr type="ampl" subtype="g" inj-src="exactio" injured="adaeratio"
  crt-src="high" crt-inj="high"><w lemma="formido">formidari</w></phr>,
  quibus non tantum <rs corresp="#taxes" ana="#E_taxes"><w lemma="reliquum"
    >reliqua</w></rs> praeteriti temporis relaxamus, sed nec in posterum
  quicquam innovationis aut <phr type="ampl" subtype="c" inj-src="reliquum"
    crt-src="high" injured="adaeratio" crt-inj="high"><w lemma="onus"
      >oneris</w></phr> adiciendum esse censemus.</seg></s>
<milestone unit="english" /> 2. </ab>
<ab xml:id="nov-th_26.3" type="caput">
  <milestone unit="latin" /> 3. <s xml:id="nov-th_26.3.s1" n="la8" xml:lang="la"
    ><seg xml:id="nov-th_26.3.c1">Quod et si qua innovatio post administrationem
      illustris memoriae <rs corresp="#prefec" ana="#P_high-officials"><w
        lemma="Antiochus">Antiochi</w></rs> facta est aut aliquid eis <rs
        corresp="#taxes" ana="#E_taxes"><w lemma="indico">indictum</w></rs> esse
      monstratur, hoc inritum fieri omnemque innovationem aut adiectionem <phr
        type="ampl" subtype="c" injured="indico" crt-inj="high"><w lemma="vis"
          >viribus</w></phr> carere <phr xml:id="nov-th_26.3.s1.p1"
            function="cmdw">decernimus</phr>.</seg></s>
    <s xml:id="nov-th_26.3.s2" n="la9" xml:lang="la">sufficere etenim novimus illud,
      quod illustris memoriae <rs corresp="#prefec" ana="#P_high-officials"><w
        lemma="Antiochus">Antiochus</w></rs> ante se relevatis vel adaeratis vel
      donatis vel translatis <rs corresp="#land" ana="#E_land"><w lemma="possessio"
        >possessionibus</w></rs> nomine <rs corresp="#taxes" ana="#E_taxes"><w
        lemma="canonicus">canonicae</w></rs> solutionis indixit.</s>
    <s xml:id="nov-th_26.3.s3" n="la10" xml:lang="la"><seg xml:id="nov-th_26.3.c2"
      >Quod suam firmitatem convenit obtinere, in <rs corresp="#land"
        ana="#E_land"><w lemma="possessio">possessionibus</w></rs> tantum
      videlicet, quae ante eius administrationem huiusmodi beneficium meruisse
      noscuntur: post eius vero administrationem nec innovationem quandam nec
      adiectionem nec excogitationem contra eas nec aliquam dispositionem prolatam
      firmam esse <phr xml:id="nov-th_26.3.s3.p1" function="cmdw"
        >concedimus</phr>.</seg></s>
  </ab>
  <ab xml:id="nov-th_26.4" type="caput">
    <milestone unit="latin" /> 4. <s xml:id="nov-th_26.4.s1" n="la11" xml:lang="la"
      ><seg xml:id="nov-th_26.4.c1">Verum et si quis ex auctoritate <rs
        corresp="#imper1" ana="#P_emperor"><w lemma="nostrum-numen">nostri
          numinis</w></rs> vel praeceptis amplissimae <rs corresp="#prefec"
          ana="#P_high-officials"><w lemma="praefectura">praefecturae</w></rs> de
          <rs corresp="#land" ana="#E_land"><w lemma="fundus">fundis</w></rs>
          <rs corresp="#imper1" ana="#E_emperor"><w lemma="patrimonium"
            >patrimonialibus</w></rs>
          <rs ana="#E_land"><w lemma="sterilis">steriles</w></rs> sub certi <rs
            corresp="#taxes" ana="#E_taxes"><w lemma="canon">canonis</w></rs>
          pollicitatione suscepit, firmiter eum <phr xml:id="nov-th_26.4.s1.p1"
            function="cmdw">volumus</phr> possidere sub eiusdem tantum <rs
              corresp="#taxes" ana="#E_taxes"><w lemma="canon">canonis</w></rs>
            solutione, quem <rs corresp="#imper1" ana="#P_emperor"><w
              lemma="nostra-maiestas">nostrae maiestatis</w></rs> auctoritas aut
            praeceptum <rs ana="#P_high-officials"><w lemma="magnifica-tua">magnificae
              tuae</w></rs> sedis per annos singulos solvendum esse praescipsit,
            nullamque eos <rs corresp="#taxes" ana="#E_taxes"><w lemma="discriptio"
              >discriptionem</w></rs> aut adiectionem aut innovationem in posterum
            sustinere,</seg> quoniam nimis <phr type="ampl" subtype="g" ana="#meta"
              injured="sterilis fundus" crt-inj="high"><w lemma="absurdus"
                >absurdum</w></phr> est eos, qui nobis hortantibus aut magnifica <rs
                  corresp="#prefec" ana="#P_high-officials"><w lemma="praefectura"
                    >praefectura</w></rs>
                  <rs corresp="#land" ana="#E_land"><w lemma="fundus">fundos</w></rs>
                <phr type="ampl" subtype="g" injured="fundus" crt-inj="high"><w lemma="inops"
                  >inopes</w></phr> atque <phr type="ampl" subtype="c" injured="fundus"
                    crt-inj="high"><w lemma="ieiunus">ieiunos</w></phr> magno <phr type="ampl"
                      subtype="c" injured="fundus"><w lemma="labor">labore</w></phr> impenso aut
                    <phr type="ampl" subtype="c" injured="patrimonium"><w lemma="exhaurio"
                      >exhausto</w></phr>
                  <rs corresp="#inhrit" ana="#E_inheritance"><w lemma="patrimonium"
                    >patrimonio</w></rs> vix forte meliorare potuerint, utpote <phr
                      type="ampl" subtype="g" injured="fundus" crt-inj="high"><w lemma="decipio"
                        >deceptos</w></phr> inopinatum <phr type="ampl" subtype="c"
                          injured="fundus"><w lemma="onus">onus</w></phr> suscipere illudque velut
                        quadam <phr type="ampl" subtype="g"><w lemma="circumventio"
                          >circumventione</w></phr>
                      <phr type="ampl" subtype="c" injured="fundus" crt-inj="high" inj-src="exactio"
                        crt-src="high"><w lemma="deposco">deposci</w></phr>, quod si se daturus
                        praescissent, fundos minime suscipere aut etiam colere <phr type="ampl"
                          subtype="c" inj-src="exactio" crt-src="high" injured="fundus" crt-inj="high"
                            ><w lemma="patior">paterentur</w></phr>.</s>
                    </ab>
    <ab xml:id="nov-th_26.5" type="caput">
      <milestone unit="latin" /> 5. <s xml:id="nov-th_26.5.s1" n="la12" xml:lang="la"
        >Sed ut his, qui ante <rs ana="#P_law"><w lemma="lex">legem</w></rs> datam ex
        suggestione viri illustris <rs corresp="#prefec" ana="#P_high-officials"><w
          lemma="Florentius">Florenti</w></rs>
        <rs corresp="#land" ana="#E_land"><w lemma="possessio">possessiones</w></rs>
        suas liberarunt, magna liberalitate prospeximus omni <phr type="ampl"
          subtype="g" injured="possessio" crt-inj="high"><w lemma="timor"
            >timore</w></phr> in perpetuum, sicut convenit, absolutis, ita eos, qui post

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memoratae constitutionis tenorem suas <rs corresp="#land" ana="#E_land"><w
lemma="possessio">possessiones</w></rs> relevare conati sunt, nihil
commodi <phr type="ampl" subtype="c"><w lemma="capio">capere</w></phr>
volumus.</s>
<s xml:id="nov-th_26.5.s2" n="la13" xml:lang="la"><seg xml:id="nov-th_26.5.c1"
>Quapropter sciant omnes, qui tale beneficium post huiusmodi constitutionem
meruerint, infructuosum sibi hoc esse nullique licere deinceps contra
divalia <rs ana="#P_law"><w lemma="statuo">statuta</w></rs> aut relevare
suas <rs corresp="#land" ana="#E_land"><w lemma="possessio"
>possessiones</w></rs> aut <rs ana="#E_land"><w lemma="adaeratio"
>adaerationem</w></rs>
<rs ana="#E_payments"><w lemma="translatio">translationemque</w></rs>
<phr type="ampl" subtype="c"><w lemma="deposco">deposcere</w></phr>: quod et
si <phr type="ampl" subtype="g" inj-src="possessio"><w lemma="surrepticius"
>subrepticiis</w></phr> precibus fuerit impetratum, nihil valere
beneficium tale <phr xml:id="nov-th_26.5.s2.p1" function="cmdw"
>sancimus</phr>.</seg></s>
<milestone unit="english" /> 5. </ab>
<ab xml:id="nov-th_26.6" type="caput">
<milestone unit="latin" /> 6. <s xml:id="nov-th_26.6.s1" n="la14" xml:lang="la"
><seg xml:id="nov-th_26.6.c1">Noverit tamen <rs ana="#P_high-officials"><w
lemma="amplissima">amplissimae</w></rs> tuae sedis <rs
corresp="#offici" ana="#P_bureaucracy"><w lemma="officium"
>officium</w></rs>, quod si aliquando <rs ana="#P_emperor"><w lemma="nos"
>nobis</w></rs> vel suggestio huic nostrae <phr type="ampl"
subtype="c" inj-src="nos" crt-src="high"><w lemma="sanctio"
>sanctioni</w></phr> contraria porrigatur vel si <rs ana="#P_law"><w
lemma="lex">legi</w></rs> sacrisve <rs ana="#P_law"><w
lemma="mandatum">mandatis</w></rs>, si qua forte citra suggestionem
his piis dispositionibus <phr type="ampl" subtype="c" injured="lex mandatum"
><w lemma="adversus">adversa</w></phr> manaverint, obsequatur et
aliquos tamquam <rs corresp="#debtor" ana="#E_debtors"><w lemma="debitor"
>debitores</w></rs> ex huiusmodi titulo crediderit exponendos,
ducentarum librarum auri se <phr type="ampl" subtype="c" injured="debitor"
crt-inj="high"><w lemma="condemnatio">condemnatione</w></phr>
<phr type="ampl" subtype="g" injured="debitor" crt-inj="high"><w
lemma="multo">multandum</w></phr>.</seg></s>
<s xml:id="nov-th_26.6.s2" n="la15" xml:lang="la">Omnibus enim circa <rs
ana="#E_property"><w lemma="res">res</w></rs> proprias <phr type="ampl"
subtype="c"><w lemma="amputo">amputanda</w></phr>
<phr type="ampl" subtype="g" injured="res" crt-inj="high"><w lemma="tristitia"
>tristitia</w></phr> est, quibus ex salute nostra vera sensimus gaudia
contigisse, ut non minus commoditatibus domesticis quam sospitate laentur,
<rs corresp="#prefec" ana="#P_high-officials"><w lemma="Hermocrates"
>Hermocrates</w></rs> parens karissime atque amantissime.</s>
<milestone unit="english" /> 6. </ab>
<ab xml:id="nov-th_26.7" type="caput">
<milestone unit="latin" /> 7. <s xml:id="nov-th_26.7.s1" n="la0" xml:lang="la"
>Illustris itaque et magnifica <rs ana="#P_high-officials"><w
lemma="auctoritas">auctoritas</w></rs> tua, quae per hanc saluberrimam
legem pro multorum commoditate statuimus, sollemniter edictis ubique propositis
ad omnium notitiam venire perficiat.</s>
<milestone unit="english" />
<supplied resp="#jk">7. </supplied>
</ab>
<ab xml:id="nov-th_26.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-th_26.subs.s1" n="la1" xml:lang="la">Dat. III k. Dec. <placeName
corresp="#constantinople">Constantinopoli</placeName> Theodosio A. XVIII et
Albino vc. conss. <date when="0444-11-29">(444 Nov. 29)</date>.</s>
<s xml:id="nov-th_26.subs.s2" n="la2" xml:lang="la">eodem exemplo Theodoro V.
Illustr. pp. Illyrici.</s>
<milestone unit="english" />
</ab>
</div2>
</div1>
</body>
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</TEI>

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          <s xml:id="nov-marc_1.titl.s1" xml:lang="la">1. NEMINEM EXHIBERI DE PROVINCIA AD
COMITATUM NISI AD RELATIONEM JUDICIS A QUO FUERIT APPELLATUM</s>
        </head>
        <div2 type="constitutio" subtype="solo">
          <ab xml:id="nov-marc_1.insc" type="insc">
            <milestone unit="latin" />
            <s xml:id="nov-marc_1.insc.s1" n="la1" xml:lang="la">1. Valentiniani et Marciani
AA. edictum.</s>
            <milestone unit="english" />
          </ab>
          <ab xml:id="nov-marc_1.0" type="caput">
            <milestone unit="latin" />0. <s xml:id="nov-marc_1.0.s1" n="la2" xml:lang="la"
>Multa remedium genera <rs corresp="#imper1" ana="#I_emperor"><w
lemma="nostra-clementia">nostrae clementiae</w></rs>
<rs corresp="#citizns" ana="#E_citizens"><w lemma="provincialis"
>provincialibus</w></rs> suis prospicere gestienti et crebra cogitatio
subpetit et ipse rerum usus adportat.</s>
<s xml:id="nov-marc_1.0.s2" n="la3" xml:lang="la">Nam cum <phr type="ampl"
subtype="c" injured="iudex" crt-inj="high"><w lemma="venalis"
>venalem</w></phr>
<rs corresp="#judges" ana="#P_high-officials"><w lemma="iudex">iudicum</w></rs>
<phr type="ampl" subtype="c" injured="iudex" crt-inj="high"><w lemma="ambitus"
>ambitum</w></phr> radicatus <phr type="ampl" subtype="c" injured="iudex"
crt-inj="high"><w lemma="amputo">amputasset</w></phr> et ad res privatas vel
publicas sincerissime gubernandas homines spectandos atque consultos <phr
type="ampl" subtype="c" injured="iudex" crt-inj="high"><w lemma="traho"
>traxisset</w></phr>
<phr type="ampl" subtype="g" inj-src="nostra-pietas" injured="iudex"
crt-inj="high" crt-src="high"><w lemma="invitus">invitos</w></phr> - sciens
quippe felicem fore <rs corresp="#state" type="r" ana="#P_state"><w
lemma="res-publica">rem publicam</w></rs>, si a <phr type="ampl"
subtype="g"><w lemma="nolo">nolentibus</w></phr> et actus <rs
corresp="#officl" ana="#E_local-officials"><w lemma="publicus"
>publicos</w></rs> repulsantibus regeretur -, cogitanti <rs
corresp="#imper1" ana="#I_emperor"><w lemma="nostra-pietas">nostrae
pietati</w></rs> statim <phr type="ampl" subtype="c"><w lemma="occurro"
>occurrit</w></phr>, quonam modo possint longi itineris intervallo et
<phr type="ampl" subtype="c" injured="publicus" crt-inj="high"><w
lemma="enormis">enormibus</w></phr>
<rs corresp="#expnse" type="r" ana="#E_payments"><w lemma="sumptus"
>sumptibus</w></rs> legitimo egentes auxilio liberari.</s>
<s xml:id="nov-marc_1.0.s3" n="la4" xml:lang="la">videtis enim agmina, videtis <rs
ana="#E_citizens"><w lemma="caterva">catervas</w></rs> adeuntium infinitas
non solum a finitimis <rs ana="#P_regions"><w lemma="provincia"
>provinciis</w></rs>, verum extremo <rs corresp="#state" type="r"
ana="#P_regions"><w lemma="orbis-romanus">orbis Romani</w></rs>
<rs ana="#M_frontiers"><w lemma="limes">limite</w></rs> confluentes et adversum
suos <phr type="ampl" subtype="c" inj-src="caterva" crt-src="high"><w
lemma="adversarius">adversarios</w></phr>
<phr type="ampl" subtype="c" inj-src="caterva" crt-src="high"><w
lemma="conqueror">conquerentes</w></phr>.</s>
<s xml:id="nov-marc_1.0.s4" n="la5" xml:lang="la">Quod profecto nullatenus
accidisset, si in <rs ana="#P_regions"><w lemma="locus">locis</w></rs>
integritas vel <phr type="ampl" subtype="g" inj-src="iudex" crt-src="high"><w
lemma="severitas">severitas</w></phr>
<rs corresp="#judges" ana="#P_high-officials"><w lemma="iudex">iudicum</w></rs>
floruisset.</s>
<s xml:id="nov-marc_1.0.s5" n="la6" xml:lang="la">Ne igitur huiusmodi <phr
type="ampl" subtype="g" inj-src="iudex" crt-src="low"><w lemma="flagitium"
>flagitia</w></phr> etiam ulterius porrigantur, ne quis <phr type="ampl"
subtype="c" injured="lar pignus" crt-inj="high"><w lemma="desero"
>desertis</w></phr>
<rs ana="#E_cities"><w lemma="lar">laribus</w></rs> suis aut certe dulcibus <rs
corresp="#chldrn" ana="#E_family-children"><w lemma="pignus"
>pignoribus</w></rs> per incognitas mundi partes diutius pervagetur, hoc
consultissimo edicto statuendum pariter et omnibus declarandum <rs
corresp="#imper1" ana="#I_emperor"><w lemma="pietas-nostra">pietas
nostra</w></rs> decernit:</s><milestone unit="english" />0. </ab>

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<ab xml:id="nov-marc_1.1" type="caput">
  <milestone unit="latin" />1. <s xml:id="nov-marc_1.1.s1" n="la7" xml:lang="la"
    ><seg xml:id="nov-marc_1.1.c1">quicumque <rs corresp="#courts" type="r"
      ana="#P_low-courts"><w lemma="civilis-actio">civilem actionem</w></rs>
    vel certe <phr type="ampl" subtype="g" inj-src="accusatio"
      injured="adversarius" crt-src="high" crt-inj="high"><w lemma="criminalis"
        >crimale</w></phr>
    <phr type="ampl" subtype="g" inj-src="accusatio" crt-src="high"><rs
      ana="#E_litigant"><w lemma="accusatio">accusationem</w></rs></phr>
    <phr type="ampl" subtype="c" injured="adversarius" crt-inj="high"><rs
      corresp="#litgnt" ana="#E_litigant"><w lemma="adversarius"
        >adversarii</w></rs></phr> suis intendere <phr type="ampl"
      subtype="c" injured="accusatio" crt-inj="high"><w lemma="molior"
        >moliantur</w></phr>, viros clarissimos adeant <rs corresp="#govrnrr"
      ana="#P_regions"><w lemma="provincia">provinciarum</w></rs>
    <rs ana="#P_high-officials"><w lemma="rector">rectores</w></rs> et expositis
    <phr type="ampl" subtype="c" inj-src="accusatio" crt-src="high"><w
      lemma="querimonia">querimoniis</w></phr> insinuatique desiderii suis
    paratissimum promptissimumque posthac subsidium iuris expectent.</seg></s>
  <s xml:id="nov-marc_1.1.s2" n="la8" xml:lang="la">Illi <phr type="ampl"
    subtype="g" inj-src="iudex" crt-src="low"><w lemma="noxius">noxiae</w></phr>
    potentiae <phr type="ampl" subtype="c"><w lemma="vim">vim</w></phr> legum benignam obponant, illi
    divitiis integram mentem obiciant.</s>
  <s xml:id="nov-marc_1.1.s3" n="la9" xml:lang="la">Non illos <phr type="ampl"
    subtype="c" inj-src="iudex" crt-src="low"><w lemma="supercilium"
      >supercilium</w></phr>, quod hoc tempore nullum est, <phr type="ampl"
    subtype="g" injured="iudex" crt-inj="low"><w lemma="terreo"
      >terrebit</w></phr>, non <phr type="ampl" subtype="g" injured="iudex"
      crt-inj="low"><w lemma="effemino">effeminabit</w></phr> mentem <phr
      type="ampl" subtype="c" inj-src="iudex" crt-src="low"><w lemma="severus"
        >severam</w></phr> quilibet <rs type="r" corresp="#paymnt"
      ana="#E_payments"><w lemma="census">census</w></rs> oblatus.</s>
  <s xml:id="nov-marc_1.1.s4" n="la10" xml:lang="la">Sed unicuique, non alitore <phr
    type="ampl" subtype="g" inj-src="iudex" crt-src="low"><w lemma="suspectus"
      >suspecta</w></phr>, non <phr type="ampl" subtype="c" inj-src="iudex"
      crt-inj="low"><w lemma="despicio">despecta</w></phr>
    <phr type="ampl" subtype="c"><w lemma="humilis">humiliore</w></phr> fortuna,
    nostrae <rs corresp="#imperl" ana="#P_low"><w lemma="mandatum"
      >mandatorum</w></rs> non <phr type="ampl" subtype="g" inj-src="iudex"
      crt-src="low"><w lemma="immemor">immemores</w></phr> pietatis et antiquo et
    nostro <rs type="r" corresp="#prcdnt" ana="#I_low"><w lemma="ius">iure</w></rs>
    succurrent et <phr type="ampl" subtype="c" inj-src="accusatio" crt-src="low"><w
      lemma="querimonia">querimonias</w></phr> suas probantibus aut indemnitate
    servata aut legitima <phr type="ampl" subtype="c" injured="adversarius"
      crt-inj="low"><w lemma="vindicta">vindicta</w></phr> consulent
    subsecuta.</s>
  <milestone unit="english" />1. </ab>
<ab xml:id="nov-marc_1.2" type="caput">
  <milestone unit="latin" />2. <s xml:id="nov-marc_1.2.s1" n="la11" xml:lang="la"
    ><seg xml:id="nov-marc_1.2.c1">Has ergo ob causas nullum <phr type="ampl"
      subtype="c" injured="adversarius" crt-inj="high"><rs corresp="#litgnt"
        ana="#E_litigant"><w lemma="adversarius">adversarium</w></rs></phr>
      suum a proximis vel longinquis partibus, non per sacros <rs ana="#P_low"><w
        lemma="adfatus">adfatus</w></rs>, non per magnificentissimorum vel <rs
        ana="#P_high-officials"><w lemma="illustris-iudex">illustrium
        iudicum</w></rs> sententias <phr xml:id="nov-marc_1.2.s1.p1"
        function="cmdw">volumus</phr> exhibere, nisi forsitan aut propter
      potestatem <phr type="ampl" subtype="c" injured="adversarius" crt-inj="high"
        ><rs corresp="#litgnt" ana="#E_litigant"><w lemma="adversarius"
          >adversarii</w></rs></phr> aut ipsius rei <phr type="ampl"
          subtype="g" inj-src="adversarius debitum" crt-src="high"><w
            lemma="difficultas">difficultatem</w></phr> aut <rs ana="#P_state"><w
              lemma="publicus">publici</w></rs>
        <rs corresp="#debt" type="r" ana="#P_treasury"><w lemma="debitum"
          >debiti</w></rs>
        <phr type="ampl" subtype="c" inj-src="debitum" crt-src="high"><w
          lemma="moles">moles</w></phr>
        <phr type="ampl" subtype="c" inj-src="rector" crt-src="high"><w
          lemma="deficio">deficiente</w></phr>
        <rs corresp="#govrnrr" ana="#P_high-officials"><w lemma="rector"
          >rectore</w></rs>
        <rs ana="#P_regions"><w lemma="provincia">provinciae</w></rs>
        <rs corresp="#judges" ana="#P_high-officials"><w lemma="spectabilis-iudex"
          >spectabilis iudicis</w></rs>, qui in locis vel proximo deget, vel <rs
          corresp="#prefec" ana="#P_high-officials"><w lemma="amplissima-potestas"
            >amplissimae potestatis</w></rs> vel aliorum maiorum <rs
            corresp="#judges" ana="#P_high-officials"><w lemma="iudex"
              >iudicum</w></rs> auxilium postuletur.</seg></s>
    <milestone unit="english" />2. </ab>
  <ab xml:id="nov-marc_1.3" type="caput">
    <milestone unit="latin" />3. <s xml:id="nov-marc_1.3.s1" n="la12" xml:lang="la"
      >His pro commodum vestro et pro <rs corresp="#imperl" ana="#I_emperor"><w
        lemma="nostrum-imperium">nostrum imperii</w></rs> humanitate dispositis
      unusquisque vestrum, cum sint in locis <rs corresp="#judges"
        ana="#P_high-officials"><w lemma="iudex">iudices</w></rs> legum custodes et
      earum pervigiles defensores, prout quisque possit sine peregrinatione, sine <rs
        type="r" corresp="#expnse" ana="#E_payments"><w lemma="sumptus"
          >sumptibus</w></rs> super <phr type="ampl" subtype="c" inj-src="res"
            crt-src="high"><w lemma="dubius">dubius</w></phr> rebus et adire <rs

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corresp="#judges" ana="#P_high-officials"><w lemma="iudex">iudices</w></rs>
et auxilium amicum legibus adipisci, haec quae dicta sunt observare
debebit.</s>
<s xml:id="nov-marc_1.3.s2" n="1a13" xml:lang="la"><seg xml:id="nov-marc_1.3.c1"
>Si vero vel ab <phr type="ampl" subtype="c" injured="adversarius"
crt-inj="high"><rs corresp="#litgnt" ana="#E_litigant"><w
lemma="adversarius">adversario</w></rs></phr> tamquam excedente <rs
ana="#P_regions"><w lemma="provincialis">provinciale</w></rs>
<rs ana="#E_land"><w lemma="praeses">praesidium</w></rs> fuerit <phr
type="ampl" subtype="g" inj-src="adversarius" crt-src="high"><w
lemma="contemptus">contemptus</w></phr> vel a <rs corresp="#judges"
ana="#P_high-officials"><w lemma="iudex">iudice</w></rs> non auditus
hocque in <rs corresp="#prefec" ana="#P_high-officials"><w
lemma="amplissima-potestas">amplissimae potestatis</w></rs> vel alio
maiore, competenti tamen, examine per relationem <rs corresp="#judges"
ana="#P_high-officials"><w lemma="iudex">iudicis</w></rs> contra <phr
type="ampl" subtype="c" injured="adversarius" crt-inj="high"><rs
corresp="#litgnt" ana="#E_litigant"><w lemma="adversarius"
>adversarium</w></rs></phr> missam seu ipsum <rs corresp="#judges"
ana="#P_high-officials"><w lemma="iudex">iudicem</w></rs> documentis
quibusdam <phr type="ampl" subtype="g" inj-src="iudex" crt-src="high"><w
lemma="neglego">neglexisse</w></phr>
<rs corresp="#imper1" ana="#I_emperor"><w lemma="nostra-maiestas">nostrae
maiestatis</w></rs> edicta sui <phr type="ampl" subtype="g"
injured="accusatio" crt-inj="low"><w lemma="periculum">periculi</w></phr>
memor se promiserit probaturum, tunc post indemnitate ei legibus servatam
etiam <phr type="ampl" subtype="c" injured="adversarius" crt-inj="high"><w
lemma="vindicta">vindicta</w></phr> iuri congrua in <phr type="ampl"
subtype="c" injured="adversarius" crt-inj="high"><w lemma="convinco"
>convictum</w></phr> protinus subsequetur.</seg></s>
<milestone unit="english" />3. </ab>
<ab xml:id="nov-marc_1.4" type="caput">
<milestone unit="latin" />4. <s xml:id="nov-marc_1.4.s1" n="1a14" xml:lang="la"
><seg xml:id="nov-marc_1.4.c1">Quod si appellatio apud <rs corresp="#judges"
ana="#P_high-officials"><w lemma="iudex">iudicem</w></rs> fuerit
subsecuta, ea, quae super provocationibus <rs ana="#I_law"><w lemma="lex"
>legibus</w></rs> antiquitus statuta sunt, diligentius modis omnibus
complebuntur.</seg></s>
<milestone unit="english" />4. </ab>
<ab xml:id="nov-marc_1.5" type="caput" exclude="#nov-marc_1.5.s3">
<milestone unit="latin" />5. <s xml:id="nov-marc_1.5.s1" n="1a15" xml:lang="la"
>His additur aliud maius, quod innocentes praecipue hactenus <phr type="ampl"
subtype="c" inj-src="accusatio" crt-src="low"><w lemma="contero"
>conterebat</w></phr>.</s>
<s xml:id="nov-marc_1.5.s2" n="1a0" xml:lang="la">Nonnulli namque suis <rs
ana="#E_litigant"><w lemma="adlegatio">adlegationibus</w></rs>
<phr type="ampl" subtype="g" inj-src="adlegatio" crt-src="high"><w
lemma="diffido">diffidentes</w></phr>, <phr type="ampl" subtype="c"
injured="adversarius" crt-inj="high" inj-src="adlegatio" crt-src="high"><w
lemma="vexo">vexare</w></phr> suos <phr type="ampl" subtype="c"
injured="adversarius" crt-inj="high"><rs corresp="#litgnt" ana="#E_litigant"
><w lemma="adversarius">adversarios</w></rs></phr> tantummodo
cupientes, non iure cum his, sed arte pugnabant et per sermonem fucatum et
falerata verba, nonnumquam legibus arte <phr type="ampl" subtype="c"
inj-src="adlegatio" crt-src="high"><w lemma="confundo">confusis</w></phr>,
ad <phr type="ampl" subtype="c" injured="adversarius" crt-inj="high"><w
lemma="alienus">aliena</w></phr> eos <rs type="r" corresp="#courts"
ana="#P_law-courts"><w lemma="iudicium">iudicia</w></rs> pertrahebant, ita
ut hinc saepius eveniret, ut et <rs corresp="#militr" ana="#M_soldiers"><w
lemma="miles">miles</w></rs> in civili et privatus in <rs
corresp="#militr" ana="#M_court-cases"><w lemma="militaris"
>militari</w></rs>, sed sibi incongruo, peregrinaretur <rs corresp="#courts"
type="r" ana="#P_law-courts"><w lemma="iudicium">iudicio</w></rs>.</s>
<s xml:id="nov-marc_1.5.s3" n="1a1" xml:lang="la">ergo hanc quoque partem ne ad
<phr type="ampl" subtype="g" injured="subicio" crt-inj="high"><w
lemma="laesio">laesionem</w></phr> nobis <rs ana="#E_citizens"><w
lemma="subicio">subiectorum</w></rs> per <rs ana="#P_law"><w lemma="ius"
>iuris</w></rs> et <rs ana="#P_law"><w lemma="lex">legum</w></rs>
<phr type="ampl" subtype="g" inj-src="accusatio" crt-src="low"
injured="ius lex" crt-inj="high"><w lemma="contemptus">contemptum</w></phr>
ulterius perduraret, <seg xml:id="nov-marc_1.5.c1">hoc providentissimo edicto
<rs corresp="#imper1" ana="#I_emperor"><w lemma="nostra-pietas">nostra
pietas</w></rs>
<phr xml:id="nov-marc_1.5.s3.p1" function="cmdw">censuit</phr>
emendandum.</seg></s>
<s xml:id="nov-marc_1.5.s4" n="1a2" xml:lang="la"><seg xml:id="nov-marc_1.5.c2"
><phr xml:id="nov-marc_1.5.s4.p1" function="cmdw">iubemus</phr> namque
omnes pro priscis ac saluberrimis institutis suos <phr type="ampl"
subtype="c" injured="adversarius" crt-inj="high"><rs corresp="#litgnt"
ana="#E_litigant"><w lemma="adversarius">adversarios</w></rs></phr>
satisfactionem forsitan differentes in proprio, non in minime competenti
<phr type="ampl" subtype="g" inj-src="accusatio" crt-src="low"><w
lemma="fictus">fictis</w></phr> quibusdam occasionibus exposcere
litigii <rs type="r" corresp="#courts" ana="#P_law-courts"><w lemma="forum"
>foro</w></rs>.</seg></s>
<milestone unit="english" />5. </ab>
<ab xml:id="nov-marc_1.6" type="caput">
<milestone unit="latin" />6. <s xml:id="nov-marc_1.6.s1" n="1a3" xml:lang="la"><rs
corresp="#accser" ana="#E_litigant"><w lemma="actor">Actor</w></rs>

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<rs ana="#P law-courts"><w lemma="res">rei</w></rs>
<rs corresp="#courts" type="r" ana="#P law-courts"><w lemma="forum"
  >forum</w></rs> sequatur.</s>
<s xml:id="nov-marc_1.6.s2" n="la4" xml:lang="la" ana="#meta">Quod sine caelesti
sententia non constat esse decretum, intactum inviolatumque servetur: nemo a
  <rs corresp="#imperl" ana="#I emperor"><w lemma="nostra-serenitas">nostra
    serenitate</w></rs> postulet - nec enim impetrabit non rescriptum non
    mandatum vel iussum quod dicunt sacrum - suos <phr type="ampl" subtype="c"
      injured="adversarius" crt-inj="high"><rs corresp="#litgnt" ana="#E litigant"
        ><w lemma="adversarius">adversarios</w></rs></phr> in minime
    competenti <rs corresp="#courts" type="r" ana="#P law-courts"><w
      lemma="iudicium">iudicio</w></rs> respondere, maxime cum hoc tempore,
    quod superius dictum est, unusquisque clarissimorum vel spectabilium <rs
      corresp="#judges" ana="#P high-officials"><w lemma="iudex">iudicum</w></rs>,
    si tamen propter causas praedictas ita usus tulerit, et integras adeuntibus
    aures praebere et omni postposita <phr type="ampl" subtype="g" ana="#meta"
      inj-src="actor" crt-src="low"><w lemma="invidia">invidia</w></phr>, omni
    spreta gratia recto proposito potuerit iudicare.</s>
<milestone unit="english" />6. </ab>
<ab xml:id="nov-marc_1.7" type="caput">
<milestone unit="latin" />7. <s xml:id="nov-marc_1.7.s1" n="la5" xml:lang="la"
  ><seg xml:id="nov-marc_1.7.c1">Quam formam etiam in <rs corresp="#militr"
    ana="#M soldiers"><w lemma="militaris">militari</w></rs> parte <phr
      xml:id="nov-marc_1.7.s1.p1" function="cmdw">volumus</phr> observari nec
      passim aliquem <rs corresp="#militr" ana="#M soldiers"><w
        lemma="armata-militia">armatae militiae</w></rs> sociatum longinquis
        partibus <phr type="ampl" subtype="c" injured="armata-militia"
          crt-inj="high"><w lemma="traho">trahi</w></phr>, sed in locis apud
          competentem <rs corresp="#judges" ana="#P high-officials"><w lemma="iudex"
            >iudicem</w></rs>
        <phr type="ampl" subtype="c" injured="armata-militia"><w lemma="pulsio"
          >pulsari</w></phr>, nisi tamen super maximis et necessariis causis et
          <rs corresp="#militr #judges" ana="#M court-cases"><w
            lemma="militaris-iudex">militarem iudicem</w></rs> in locis
            excedentibus fuerit <phr type="ampl" subtype="g" injured="armata-militia"><w
              lemma="accusatio">accusatus</w></phr> non <phr type="ampl" subtype="c"
                injured="accusatio" crt-inj="low"><w lemma="ignoro">ignorante</w></phr>
                eo, cuius ex interpellatione aliquis secundum datam formam in longinqua
                fuerit protractus examina, quod, si <phr type="ampl" subtype="g"
                  inj-src="accusatio" crt-src="low"><w lemma="culpa">culpa</w></phr> sui
                  fuerit dilata cognitio vel minime actioni suae adfuerit vel delata
                  probaverit, pro <phr type="ampl" subtype="g" inj-src="accusatio"
                    crt-src="low"><w lemma="calumnia">calumnia</w></phr> quidem <phr
                      type="ampl" subtype="g" injured="accusatio" crt-inj="low"><w
                        lemma="poena">poenam</w></phr> luat legibus constitutam; pro vero <rs
                          corresp="#paymnt" type="r" ana="#E payments"><w lemma="pecuniarius"
                            >pecuniaria</w></rs> causa post <phr type="ampl" subtype="c"
                              injured="accusatio" crt-inj="low"><w lemma="dispendium"
                                >dispendia</w></phr>, post sumptus, considerata quantitate postulatorum
                                vel medii itineris intervallo, <phr type="ampl" subtype="c"><rs
                                  corresp="#fine" type="r" ana="#E payments-fines"><w
                                    lemma="condemnatio">condemnationem</w></rs></phr> pro aestimatione
                                    <rs corresp="#judges" ana="#P high-officials"><w lemma="iudex"
                                      >iudicis</w></rs> sustinebit.</seg></s>
    <s xml:id="nov-marc_1.7.s2" n="la6" xml:lang="la">Nam dignum est eos, qui maiorum
      nostrorum nostrarumque legum, <phr type="ampl" subtype="g" inj-src="accusatio"
        crt-src="low"><w lemma="avaritia">avaritia</w></phr> stimulante vel <phr
          type="ampl" subtype="g" inj-src="accusatio" crt-src="low"><w lemma="invidia"
            >invidia</w></phr> incitante, fines <phr type="ampl" subtype="g"
              inj-src="accusatio" crt-src="low" injured="militans" crt-inj="high"><w
                lemma="perturbo">perturbare</w></phr> seu castra perfringere conabuntur
                <rs corresp="#militr" ana="#M soldiers"><w lemma="militans"
                  >militantur</w></rs>, saltem intimato, quo magis <phr type="ampl"
                    subtype="g" injured="accusatio" crt-inj="low"><w lemma="punio"
                      >puniuntur</w></phr>, <phr type="ampl" subtype="c" injured="accusatio"
                        crt-inj="low"><w lemma="dispendium">dispendio</w></phr> refrenari.</s>
    <milestone unit="english" />7. </ab>
  <ab xml:id="nov-marc_1.8" type="caput">
  <milestone unit="latin" />8. <s xml:id="nov-marc_1.8.s1" n="la7" xml:lang="la"
    >Ergo consilite vestris commodis, nostris saluberrimis parete praeceptis.</s>
  <s xml:id="nov-marc_1.8.s2" n="la8" xml:lang="la"><seg xml:id="nov-marc_1.8.c1"
    >Nemo a <rs corresp="#imperl" ana="#I emperor"><w lemma="nostra-pietas"
      >nostra pietate</w></rs> maioribus <phr type="ampl" subtype="c"
        injured="nostra-pietas"><w lemma="occupo">occupata</w></phr> vel a
        magnificentissimis seu <rs ana="#P high-officials"><w
          lemma="illustris-iudex">illustribus iudicibus</w></rs> nisi in maximis
          ac necessariis, quod superius cautum est, rebus publicis vel <rs type="r"
            corresp="#debt" ana="#P treasury"><w lemma="debitum">debitis</w></rs>
            exhibitionis subsidium poscat.</seg></s>
    <s xml:id="nov-marc_1.8.s3" n="la9" xml:lang="la">Nam si quis aliter quam edicta
      continent <phr type="ampl" subtype="g" inj-src="accusatio" crt-src="low"><w
        lemma="petulans">petulanti</w></phr> animo his <phr type="ampl"
          subtype="c" inj-src="accusatio" crt-src="low"><w lemma="despicio"
            >despectis</w></phr> maiorem <rs corresp="#judges"
              ana="#P high-officials"><w lemma="iudex">iudicem</w></rs> vel nostram primum
              contra ordinem legum adierit <rs corresp="#imperl" ana="#I emperor"><w
                lemma="maiestas">maiestatem</w></rs>, sciat se non solum litis iacturae
                atque plus petitionis <phr type="ampl" subtype="g" injured="accusatio"
                  crt-inj="low"><w lemma="periculum">periculo</w></phr>, verum etiam

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        competenti motui fore subdendum.</s>
    <milestone unit="english" />8. </ab>
    <ab xml:id="nov-marc_1.subs" type="subs">
        <milestone unit="latin" />
        <s xml:id="nov-marc_1.subs.s1" n="la10" xml:lang="la">Dat. V id. Oct. <placeName
            corresp="#constantinople">Constantinopoli</placeName> Valentiniano A. VII et
            Avieno vc. cons. <date when="0450-10-11">(450 Oct. 11)</date>.</s>
        <milestone unit="english" />
    </ab>
    <ab xml:id="nov-marc_1.intr" type="intr">
        <milestone unit="latin" />INTERPRETATIO. Si quis adversarium suum aut repetitione
        aut criminis obiectione pulsaverit, in provincia, in qua consistit ille qui
        pulsatur, suas exerat actiones nec aestimet adversarium suum alibi aut longius ad
        iudicium pertrahendum: illi vero qui pulsatus fuerit, si iudicem suspectum
        habuerit, liceat appellare. simili etiam et militantes ordine teneantur, ut et
        ipsi apud competentes iudices, quas competere sibi credunt, exerant actiones, quia
        omnibus legibus constitutum est, ut actor rei forum sequatur. <milestone
            unit="english" /></ab>
    </div2>
</div1>
<div1 xml:id="nov-marc_2" type="titulus">
    <head xml:id="nov-marc_2.titl">
        <s xml:id="nov-marc_2.titl.s1" xml:lang="la">2. DE INDULGENTIIS RELIQUORUM</s>
    </head>
    <div2 type="constitutio" subtype="solo">
        <ab xml:id="nov-marc_2.insc" type="insc">
            <milestone unit="latin" />1. Valentin. et Marcianus AA. Palladio pp. <milestone
                unit="english" />1. Emperors Valentinian and Marcian Augustuses to Palladius,
                Praetorian Prefect. </ab>
        <ab xml:id="nov-marc_2.0" type="caput">
            <milestone unit="latin" />0. <s xml:id="nov-marc_2.0.s1" n="la1" xml:lang="la">
                >Curae nobis est utilitati humani generis providere; nam id die ac nocte
                prospicimus, ut universi, qui sub nostro imperio vivunt, et armorum praesidio
                ab <phr type="ampl" subtype="g" ana="#meta"><w lemma="hostilis">
                    >hostili</w></phr>
                <phr type="ampl" subtype="c"><w lemma="impetus">impetu</w></phr> muniantur et
                in pace libero otio ac securitate potiantur.</s>
            <s xml:id="nov-marc_2.0.s2" n="la2" xml:lang="la">Ideoque mirati sumus laudabilem
                suggestionem <rs corresp="#prefec" ana="#P_high-officials"><w
                    lemma="celsitudo-tua">celsitudinis tuae</w></rs>, quae praeter alias
                virtutes, quibus <rs corresp="#prefec" ana="#P_high-officials"><w
                    lemma="sublimitas-tua">sublimitas tua</w></rs> plurimum pollet, etiam
                humanitatem <rs corresp="#prefec" ana="#P_high-officials"><w
                    lemma="tuum-culmen">tui culminis</w></rs> evidenter ostendit.</s>
            <s xml:id="nov-marc_2.0.s3" n="la3" xml:lang="la">Nam <rs corresp="#taxes"
                ana="#E_taxes"><w lemma="debitum">debitorum</w></rs>, quae in <rs type="r"
                corresp="#taxes" ana="#E_taxes"><w lemma="reliquum">reliquis</w></rs>
                <phr type="ampl" subtype="c"><w lemma="traho">trahuntur</w></phr>, <rs
                corresp="#collec" ana="#E_taxes"><w lemma="exactio">exactionem</w></rs>
                <phr type="ampl" subtype="g" inj-src="exactio" injured="debitor" crt-src="high"
                crt-inj="high"><w lemma="molestia">molestiam</w></phr> esse testatur <phr
                type="ampl" subtype="g" inj-src="exactio" injured="debitor" crt-src="high"
                crt-inj="high"><w lemma="obnoxius">obnoxius</w></phr> ac merito postulavit,
                ut praedicti <rs corresp="#debtor" ana="#E_citizens"><w lemma="debitor"
                    >debitores</w></rs> sacra nostra indulgentia liberentur.</s>
            <s xml:id="nov-marc_2.0.s4" n="la4" xml:lang="la">Quapropter admirabilem
                insinuationem tuam probandam esse censuimus.</s>
            <milestone unit="english" />0. </ab>
        <ab xml:id="nov-marc_2.1" type="caput">
            <milestone unit="latin" />1. <s xml:id="nov-marc_2.1.s1" n="la5" xml:lang="la">
                ><seg xml:id="nov-marc_2.1.c1">Cesset igitur pro securitate <rs
                    corresp="#citizens" ana="#E_citizens"><w lemma="provincialis">
                        >provincialium</w></rs>
                <rs corresp="#collec" ana="#E_taxes"><w lemma="exactio">exactio</w></rs>
                <rs corresp="#taxes" type="r" ana="#E_taxes"><w lemma="reliquum">
                    >reliquorum</w></rs> et a sextae indictionis initio usque ad finem
                <rs corresp="#lndhld" ana="#E_land"><w lemma="possessio">
                    >possessionibus</w></rs> ... liberari vel <rs type="r"
                    corresp="#imperl #land" ana="#E_emperor"><w lemma="patrimonium">
                        >patrimonialis</w></rs>
                <rs type="r" corresp="#church #land" ana="#I_temples"><w lemma="templum">
                    >templorumve</w></rs> aut <rs corresp="#cities" ana="#E_cities"><w
                    lemma="civilis">civilis</w></rs>
                <rs type="r" corresp="#trasury" ana="#P_treasury"><w lemma="fiscalis">
                    >fiscalisve</w></rs> iuris, seu in <rs type="r" corresp="#land"
                    ana="#E_money"><w lemma="aurus">auro</w></rs> seu in <rs type="r"
                    corresp="#land" ana="#E_money"><w lemma="argentum">argento</w></rs> seu
                    in <rs type="r" corresp="#prducts" ana="#E_money"><w lemma="species">
                        >speciebus</w></rs> vel in metallica quacumque materia aliove quolibet
                <rs type="r" corresp="#taxes" ana="#E_land"><w lemma="conlatio">
                    >conlationis</w></rs>
                <rs ana="#E_taxes"><w lemma="titulus">titulo</w></rs> in publicis calculis
                residere noscuntur.</seg></s>
            <s xml:id="nov-marc_2.1.s3" n="la7" xml:lang="la"><seg xml:id="nov-marc_2.1.c3">Et
                sive arcae <rs corresp="#prefec" ana="#P_high-officials"><w
                    lemma="sublimitas-tua">sublimitatis tuae</w></rs> sive <rs type="r"
                    corresp="#trasury" ana="#P_treasury"><w lemma="thesaurus">
                        >thesauris</w></rs> sive sacro debentur <rs type="r" corresp="#trasury"

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ana="#P_treasury"><w lemma="aerarium">aerario</w></rs>, sive <rs
ana="#P_treasury"><w lemma="cellarius">cellariis</w></rs> vel <rs
ana="#E_emperor"><w lemma="privata-res">privatae rei</w></rs> nostrae aut
<rs ana="#E_emperor"><w lemma="dominus">dominicae</w></rs>
inclitae <rs corresp="#byzntm" ana="#P_Constantinople"><w lemma="urbs"
>urbis</w></rs>, omnia <rs corresp="#citzns" ana="#E_citizens"><w
lemma="conlator">conlatoribus</w></rs> nec non <rs corresp="#decrns"
ana="#E_local-officials"><w lemma="curialis">curialibus</w></rs> seu <rs
corresp="#officl" ana="#P_bureaucracy"><w lemma="cohortalis"
>cohortalibus</w></rs> seu <rs corresp="#officl" ana="#P_bureaucracy"
><w lemma="provinciale-officium">provincialibus officiis</w></rs> et
aliis, quicumque reperiuntur <phr type="ampl" subtype="g"
injured="conlator curialis cohortalis provinciale-officium"
crt-inj="high"><w lemma="obnoxius">obnoxii</w></phr>,
remittantur.</seg></s>
<milestone unit="english" />1. </ab>
<ab xml:id="nov-marc_2.2" type="caput">
<milestone unit="latin" />2. <s xml:id="nov-marc_2.2.s1" n="la8" xml:lang="la">Et
ne qua liberalitatem nostram <phr type="ampl" subtype="c"
injured="debitum-publicum" crt-inj="high"><w lemma="caligo">caligo</w></phr>
<phr type="ampl" subtype="g" ana="#meta" injured="debitum-publicum"
crt-inj="high"><w lemma="fraus">fraudis</w></phr> valeat impedire, <seg
xml:id="nov-marc_2.2.c1">etsi in <rs type="r" corresp="#cncrtct"
ana="#E_agreements-contracts"><w lemma="privatus-contractus">privatum
contractum</w></rs> vel in <rs type="r" corresp="#recrds"
ana="#E_payments-debts"><w lemma="cautio">cautionem</w></rs>
<rs type="r" corresp="#debt" ana="#E_taxes"><w lemma="debitum-publicum"
>debitum publicum</w></rs> transisse vel novatum esse dicatur aut si
quis <rs ana="#E_local-officials"><w lemma="curialis">curialis</w></rs>
<rs ana="#P_bureaucracy"><w lemma="exactor">exactor</w></rs> vel <rs
corresp="#officl" ana="#P_bureaucracy"><w lemma="cohortalis"
>cohortalis</w></rs>
<rs corresp="#collec" ana="#P_bureaucracy"><w lemma="compulsor"
>compulsor</w></rs> pro <phr type="ampl" subtype="g"
injured="conlator" crt-inj="low"><w lemma="obnoxius">obnoxio</w></phr> se
intulisse commemoret, nihilominus liberalitas nostra firma
permaneant.</seg></s>
<milestone unit="english" />2. </ab>
<ab xml:id="nov-marc_2.3" type="caput">
<milestone unit="latin" />3. <s xml:id="nov-marc_2.3.s1" n="la9" xml:lang="la"
><seg xml:id="nov-marc_2.3.c1"><rs corresp="#decrns"
ana="#E_local-officials"><w lemma="curialis">Curialibus</w></rs> etiam et
<rs corresp="#officl" ana="#P_bureaucracy"><w lemma="cohortalis"
>cohortalibus</w></rs> nulla super <rs corresp="#collec"
ana="#E_taxes"><w lemma="exactio">exactionibus</w></rs>
<phr type="ampl" subtype="c" injured="obsum" crt-inj="high"
inj-src="curialis cohortalis" crt-src="high"><w lemma="adversus"
>adversus</w></phr>
<rs corresp="#collec" ana="#P_bureaucracy"><w lemma="obsum"
>obiones</w></rs> vel <rs corresp="#collec" ana="#P_bureaucracy"><w
lemma="actuaris">actuarios</w></rs> vel devotissimos <rs
corresp="#militr" ana="#M_soldiers"><w lemma="miles">milites</w></rs>
<phr type="ampl" subtype="g" inj-src="curialis cohortalis" crt-src="high"
injured="exactio" crt-inj="high"><w lemma="querella">querellae</w></phr>
permittatur occasio, ita ut et <rs corresp="#collec" ana="#M_army"><w
lemma="obsum">obiones</w></rs> et <rs corresp="#collec" ana="#M_army"
><w lemma="actuaris">actuarii</w></rs> et devotissimi <rs
corresp="#militr" ana="#M_soldiers"><w lemma="miles">milites</w></rs>
invicem taceant et nullam <phr type="ampl" subtype="c" inj-src="miles"
crt-src="high"
injured="curialis cohortalis conlator officium-provinciale decurio"
crt-inj="high"><w lemma="adversus">adversus</w></phr>
<rs corresp="#decrns" ana="#E_local-officials"><w lemma="curialis"
>curiales</w></rs> seu <rs corresp="#officl" ana="#P_bureaucracy"><w
lemma="cohortalis">cohortales</w></rs> vel <rs corresp="#citzns"
ana="#E_citizens"><w lemma="conlator">conlatores</w></rs> seu <rs
corresp="#officl" ana="#P_bureaucracy"><w lemma="officium-provinciale"
>officia provincialia</w></rs> seu <rs corresp="#decrns"
ana="#E_local-officials"><w lemma="decurio">decuriones</w></rs> moveant
pro <rs corresp="#debt" type="r" ana="#E_taxes"><w lemma="debitum-publicum"
>debitis publicis</w></rs> actionem, etiam si quas expensas se pro
aliis intulisse contendant.</seg></s>
<milestone unit="english" />3. </ab>
<ab xml:id="nov-marc_2.4" type="caput">
<milestone unit="latin" />4. <s xml:id="nov-marc_2.4.s1" n="la10" xml:lang="la"
><seg xml:id="nov-marc_2.4.c1">Praeterea quidquid ex <rs type="r"
corresp="#trrsury" ana="#E_taxes"><w lemma="titulus">titulo</w></rs>
<rs corresp="#senatr" ana="#E_senators"><w lemma="senatorius"
>senatorii</w></rs> follis in provinciis debetur, hoc quoque remitti <phr
xml:id="nov-marc_2.4.s1.p1" function="cmdw">iubemus</phr>.</seg></s>
<milestone unit="english" />4. </ab>
<ab xml:id="nov-marc_2.5" type="caput">
<milestone unit="latin" />5. <s xml:id="nov-marc_2.5.s1" n="la11" xml:lang="la"
><seg xml:id="nov-marc_2.5.c1">Si quid autem ex quintae decimae indictionis
vel superiorum temporum <rs type="r" corresp="#debt" ana="#E_taxes"><w
lemma="debitum">debitas</w></rs> ad <rs type="r" corresp="#expnse"
ana="#P_public-expenses"><w lemma="expensa">expensas</w></rs> primae
indictionis seu posteriorum temporum deputatum est et si quid ex <rs

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        type="r" corresp="#prcdts" ana="#E_transport-ships"><w lemma="naulum"
        >naulis</w></rs> ac pretiis <rs corresp="#prcdts" type="r"
        ana="#E_property-materials"><w lemma="materia">materiarum</w></rs> et
        relevatis vel donatis aut translatis atque <rs type="r" corresp="#land"
        ana="#E_property"><w lemma="adaero">adaeratis</w></rs> vel ab <rs
        type="r" corresp="#trsury" ana="#P_treasury"><w lemma="arca"
        >arca</w></rs> sacratissimae <rs corresp="#byzntm"
        ana="#P_Constantinople"><w lemma="Constantinopolitana"
        >Constantinopolitanae</w></rs> urbis debetur, id huius donationis
        beneficio non tenebitur.</seg></s>
<s xml:id="nov-marc_2.5.s2" n="la12" xml:lang="la"><seg xml:id="nov-marc_2.5.c2"
        >Sed et si quid in <rs type="r" corresp="#land" ana="#E_money"><w
        lemma="aurus">auro</w></rs> vel in <rs type="r" corresp="#prcdts"
        ana="#E_money"><w lemma="species">speciebus</w></rs> vel in <rs type="r"
        corresp="#prcdts" ana="#E_property-materials"><w lemma="materia"
        >materiis</w></rs>
        <rs ana="#E_cities"><w lemma="civitas">civitatum</w></rs>
        <rs ana="#E_property-materials"><w lemma="opus">operibus</w></rs> deputatum
        est et hoc erogatum non esse monstratur, eius quoque <rs type="r"
        corresp="#recrds" ana="#E_taxes"><w lemma="ratio">ratio</w></rs> servetur
        intacta nec possint debitores huius donationis auxilio niti, sed <phr
        type="ampl" subtype="c" inj-src="ratio" crt-src="high"><w
        lemma="compello">compellantur</w></phr> hi, qui <phr type="ampl"
        subtype="g" injured="ratio" inj-src="opus" crt-src="high" crt-inj="high"
        ><w lemma="noxius">noxii</w></phr> reperiuntur, implere suscepta opera
        et <rs type="r" corresp="#expnse" ana="#E_payments"><w lemma="sumptus"
        >sumptuum</w></rs> reddere <rs type="r" corresp="#recrds"
        ana="#E_taxes"><w lemma="ratio">rationes</w></rs>.</seg></s>
<s xml:id="nov-marc_2.5.s3" n="la13" xml:lang="la">Nec enim oportet hanc
        liberalitatem nostram eo usque protendi, ut in aliorum lucra iniuste proficiat,
        quod ornatui <rs corresp="#cities" ana="#E_cities"><w lemma="urbs"
        >urbium</w></rs> delegatum est.</s>
<milestone unit="english" />5. </ab>
<ab xml:id="nov-marc_2.6" type="caput">
<milestone unit="latin" />6. <s xml:id="nov-marc_2.6.s1" n="la14" xml:lang="la"
        >Sentiant universi, quantum sibi <rs corresp="#imperl" ana="#I_emperor"><w
        lemma="pietas-nostra">pietas nostra</w></rs> profuerit, et in posterum
        devoto animo <rs corresp="#taxes" type="r" ana="#E_taxes"><w
        lemma="pensatio-publica">pensationes publicas</w></rs> solvant qui se
        sciant praeteritis <rs type="r" corresp="#debt" ana="#E_taxes"><w
        lemma="debitum">debitis</w></rs> liberatos, <rs corresp="#prefec"
        ana="#P_high-officials"><w lemma="Palladius">Palladi</w></rs> parens
        karissime atque amantissime.</s>
<milestone unit="english" />6. </ab>
<ab xml:id="nov-marc_2.7" type="caput">
<milestone unit="latin" />7. <s xml:id="nov-marc_2.7.s1" n="la15" xml:lang="la"
        >Illustis igitur et praeclsa <rs ana="#P_high-officials"><w lemma="magnitudo"
        >magnitudo</w></rs> tua huius saluberrimae pragmaticae legis moderationem
        per universos <rs corresp="#citizns" ana="#E_citizens"><w lemma="populus"
        >populos</w></rs> ac provinciarum <rs corresp="#judges"
        ana="#P_high-officials"><w lemma="iudex">iudices</w></rs> edictis propositis
        divulgari curabit ut securi et beneficium <rs corresp="#imperl"
        ana="#I_emperor"><w lemma="nostra-pietas">nostrae pietatis</w></rs> et
        securitatis suae fructum libenter agnoscant.</s>
<milestone unit="english" />7. </ab>
<ab xml:id="nov-marc_2.subs" type="subs">
<milestone unit="latin" />
<s xml:id="nov-marc_2.subs.s1" n="la0" xml:lang="la">scripta Palladio V. Illustr.
        P. Orientis, Hermogeni V. Illustr. com. sacr. larg. genethlio V. Illustr.
        C.r.p. Maximino V. Illustr. comiti et praeposito sacri cubiculi ...</s>
<s xml:id="nov-marc_2.subs.s2" n="la1" xml:lang="la">D. n. Valentiniano A. VII et
        Avieno vc. cons. <date from="0450-10-11">(450 post Oct. 11)</date>.</s>
<milestone unit="english" />
</ab>
<ab xml:id="nov-marc_2.intr" type="intr">
<milestone unit="latin" />INTERPRETATIO. Lex ista hoc continet, ut per provincias
        relaxatae beneficio principis tributorum reliquiae non quaerantur, tamen quod
        exactum est, si apud exactores resedissee constiterit, id praecipit, ut publicis
        debeat utilitatibus non perire, sed quod exactum est a retentatoribus thesauris
        inferatur et a provincialibus vel a possessoribus quod solutum non fuerit non
        quaeratur. <milestone unit="english" /></ab>
</div2>
</div1>
<div1 xml:id="nov-marc_3" type="titulus">
<head xml:id="nov-marc_3.titl">
<s xml:id="nov-marc_3.titl.s1" xml:lang="la">3. DE PRAEDIIS CIVITATUM OMNIUM</s>
</head>
<div2 type="constitutio" subtype="solo">
<ab xml:id="nov-marc_3.insc" type="insc">
<milestone unit="latin" />1. Valentin. et Marcianus AA. Palladio pp. orientis.
        <milestone unit="english" />1. Emperors Valentinian and Marcian Augustuses to
        Palladius, Praetorian Prefect of the Orient. </ab>
<ab xml:id="nov-marc_3.0" type="caput">
<milestone unit="latin" />0. <s xml:id="nov-marc_3.0.s1" n="la1" xml:lang="la"
        ><phr type="ampl" subtype="g"><w lemma="avaritia">Avaritiae</w></phr> suae
        <phr type="ampl" subtype="g"><w lemma="culpa">culpam</w></phr>
        <phr type="ampl" subtype="c"><w lemma="arguo">arguit</w></phr>, qui pro
        possessionibus, quas detinet, debitas functiones inferre cunctatur.</s>
<s xml:id="nov-marc_3.0.s2" n="la2" xml:lang="la">Itaque inter ceteros egregios

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actus, quibus rei publicae tua sublimitas prodest, etiam suggestionem de praediis iuris civilis oblatam iure laudamus, per quam postulatum est, ut, si qui memorata praedia dempto civili canone consecuti sunt, veterem canonem in posterum <phr type="ampl" subtype="c"><w lemma="cogo">cogantur</w></phr> agnoscere.</s>

<milestone unit="english" />0. </ab>

<ab xml:id="nov-marc_3.1" type="caput">

<milestone unit="latin" />1. <s xml:id="nov-marc_3.1.s1" n="la3" xml:lang="la">

><seg xml:id="nov-marc_3.1.c1">Celsitudo igitur tua <phr xml:id="nov-marc_3.1.s1.pl1" function="cmdw">id nobis placuisse</phr> cognoscat, ut, si qui vel ex titulo donationis vel ex emptione sive ex alio quolibet titulo possessiones iuris civilis, tantummodo quae huius iuris esse vere probantur, cuiuslibet civitatis et praecipue huius aeternae urbis, cui maiorem debemus favorem, tam civilis, ut dictum est, iuris quam etiam agonometicas possessiones, ex consulatu Auxonii et Olybrii dempto civili canone acceperunt, <phr type="ampl" subtype="c"><w lemma="impono">impositum</w></phr> praediis canonem iuxta fidem publicorum monumentorum civitati, ad quam praedia pertinuerunt, praebere iubeantur ex praesenti quoque quarta indictione, cessante praeteriti temporis canonis exactione, manente penes eos successoresque eorum et detentatores illibato dominio.</seg></s>

<s xml:id="nov-marc_3.1.s2" n="la4" xml:lang="la">Nam si privatis viris debita non <phr type="ampl" subtype="c"><w lemma="patior">patimur</w></phr> <phr type="ampl" subtype="g"><w lemma="denego">denegari</w></phr>, multo magis praebenda sunt civitatibus quae iure debentur, cum sufficiat possessoribus, quod apud eos dominium in perpetuum ex nostra liberalitate permaneat.</s>

<milestone unit="english" />1. </ab>

<ab xml:id="nov-marc_3.2" type="caput">

<milestone unit="latin" />2. <s xml:id="nov-marc_3.2.s1" n="la5" xml:lang="la">

><seg xml:id="nov-marc_3.2.c1">Si quae tamen possessiones iuris civilis canonem privatis largitionibus in praesenti praebent vel numquam adeptum vel postea <phr type="ampl" subtype="c"><w lemma="impono">impositum</w></phr>, ad hanc pragmaticam iussionem non pertinebunt, sed privato aerario canonem, quem nunc agnoscunt, inferre ex more debebunt, dominio firmiter apud eos successoresque eorum et detentatores pari modo permanente.</seg></s>

<milestone unit="english" />2. </ab>

<ab xml:id="nov-marc_3.3" type="caput">

<milestone unit="latin" />3. <s xml:id="nov-marc_3.3.s1" n="la6" xml:lang="la">

><seg xml:id="nov-marc_3.3.c1">Illud etiam dispositionis culminis tui probamus atque firmamus, ut, si qui cuiuslibet iudicis commotione <phr type="ampl" subtype="g"><w lemma="multo">multati</w></phr> sunt et partem seu totam <phr type="ampl" subtype="g"><w lemma="multa">multam</w></phr> adhuc debere noscuntur, id quoque indulgentia nostrae clementiae perfruantur, ut nullam sustineant exactionem,</seg> Palladi parens karissime atque amantissime.</s>

<milestone unit="english" />3. </ab>

<ab xml:id="nov-marc_3.4" type="caput">

<milestone unit="latin" />4. <s xml:id="nov-marc_3.4.s1" n="la7" xml:lang="la">

>Celsitudo igitur tua haec, quae per hanc pragmaticam legem sanximus, rectoribus provinciarum declarare non differat, ut et civitates et possessores et ceteri, de quibus haec constituimus, utilitati suae consultum esse laetentur.</s>

<milestone unit="english" />4. </ab>

<ab xml:id="nov-marc_3.subs" type="subs">

<milestone unit="latin" />

<s xml:id="nov-marc_3.subs.s1" n="la8" xml:lang="la">Dat. XV kal. Feb. <placeName corresp="#constantinople">Constantinopoli</placeName> Marciano A. i cons. <date when="0451-01-18">(451 Ian. 18)</date>.</s>

<milestone unit="english" />

</ab>

<ab xml:id="nov-marc_3.intr" type="intr">

<milestone unit="latin" />INTERPRETATIO. Si quid de fiscalibus agris vel aedificiis donatione principis vel venditione vel qualibet ratione ad privatos fortasso pervenerit, id lex ista constituit ut soluto canone a possessoribus in perpetuum teneatur et, impletis fiscalibus debitis, illi qui possident heredibus suis relinquendi aut quibus voluerint donandi habeant potestatem. <milestone unit="english" /></ab>

</div2>

</div1>

<div1 xml:id="nov-marc_4" type="titulus">

<head xml:id="nov-marc_4.tit1">

<s xml:id="nov-marc_4.tit1.s1" xml:lang="la">4. DE MATRIMONIIS SENATORUM</s>

</head>

<div2 type="constitutio" subtype="solo">

<ab xml:id="nov-marc_4.insc" type="insc">

<milestone unit="latin" />

<s xml:id="nov-marc_4.insc.s1" n="la1" xml:lang="la">1. Valentin. et Marcianus AA. Palladio pp.</s>

<milestone unit="english" />

</ab>

<ab xml:id="nov-marc_4.0" type="caput">

<milestone unit="latin" />0. <s xml:id="nov-marc_4.0.s1" n="la2" xml:lang="la"><rs ana="#I_law"><w lemma="lex">Leges</w></rs> sacratissimae, quae <phr type="ampl" subtype="c" inj-src="lex" crt-src="high"><w lemma="constringo">constringunt</w></phr> omnium vitas, intellegi ab omnibus debent, ut universi praescripto earum manifestius cognito vel inhibita <phr type="ampl" subtype="c"><w lemma="declino">declinent</w></phr> vel permissa sectentur.</s>

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<s xml:id="nov-marc_4.0.s2" n="la3" xml:lang="la">Si quid vero in isdem <rs
  ana="#P_law"><w lemma="lex">legibus</w></rs> latum fortassis <phr
  type="ampl" subtype="c" inj-src="lex" crt-src="high"><w lemma="obscurus"
  >obscurius</w></phr> fuerit, oportet id <rs corresp="#imperl"
  ana="#I_emperor"><w lemma="imperatorius">imperatoria</w></rs>
  interpretatione patefieri, ut omnis <phr type="ampl" subtype="c"><w
  lemma="sanctio">sanctionis</w></phr>
  <phr type="ampl" subtype="c"><w lemma="removeo">removeatur</w></phr> ambiguum
  et in suam partem iuris <phr type="ampl" subtype="c" inj-src="litigator"
  crt-src="high"><w lemma="dubius">dubia</w></phr> derivare <rs
  corresp="#litgnt" ana="#E_litigant"><w lemma="litigator"
  >litigatorum</w></rs> contentio alterna non possit, negotiorum quoque <rs
  corresp="#judges" ana="#P_high-officials"><w lemma="cognitor"
  >cognitores</w></rs> ac tribunalium praesides apertam definitionem legum
  secuti <phr type="ampl" subtype="c" injured="cognitor" crt-inj="high"><w
  lemma="suspendo">suspensis</w></phr> nutantibusque sententiis inter scita
  <phr type="ampl" subtype="c" injured="cognitor" crt-inj="high"><w
  lemma="incertus">incerta</w></phr> non fluctuant.</s>
<s xml:id="nov-marc_4.0.s3" n="la4" xml:lang="la">Plana enim et facilis ad
  pronuntiandum via patet <rs corresp="#judges" ana="#P_high-officials"><w
  lemma="iudex">iudici</w></rs>, quotiens non est illud ambiguum, iuxta
  quod necesse est <rs corresp="#judges" ana="#P_high-officials"><w
  lemma="iudiciarius">iudiciaria</w></rs>.</s>
<milestone unit="english" />0. </ab>
<ab xml:id="nov-marc_4.1" type="caput">
  <milestone unit="latin" />1. <s xml:id="nov-marc_4.1.s1" n="la5" xml:lang="la"><rs
  corresp="#prefec" ana="#P_high-officials"><w lemma="magnificentia-tua"
  >Magnificentia tua</w></rs> in causis omnibus terminandis rectum semper
  tramitem studens tenere iustitiae consuluit <rs corresp="#imperl"
  ana="#I_emperor"><w lemma="clementia-nostra">clementiam nostram</w></rs>
  super <rs type="r" corresp="#prcdnt" ana="#P_law"><w lemma="constantiniana-lex"
  >Constantinianae legis</w></rs> ea parte, in qua aliquid existere videtur
  ambiguum.</s>
  <s xml:id="nov-marc_4.1.s2" n="la6" xml:lang="la">Nam cum sanciret, ne <rs
  corresp="#senatr" ana="#E_senators"><w lemma="senator">senatori</w></rs>,
  <rs corresp="#nobles" ana="#E_nobles"><w lemma="perfectissimus"
  >perfectissimo</w></rs>, <rs corresp="#officl" ana="#P_bureaucracy"><w
  lemma="duumviro">duumviro</w></rs>, <rs corresp="#officl"
  ana="#E_local-officials"><w lemma="flamen-municipalis">flamini
  municipali</w></rs>, <rs corresp="#priest" ana="#I_clergy"><w
  lemma="sacerdos">sacerdoti</w></rs> provinciae habere liceret <rs
  corresp="#female #spouse" ana="#E_spouses-women"><w lemma="uxor"
  >uxorem</w></rs>
  <rs corresp="#female #servus" ana="#E_unfree-women"><w lemma="ancilla"
  >ancillam</w></rs>
  <rs ana="#E_family-women-daughters"><w lemma="ancillae-filia">ancillae
  filiam</w></rs>, <rs corresp="#female #freemn" ana="#E_freeborn-women"><w
  lemma="liberta">libertam</w></rs>
  <rs ana="#E_family-women-daughters"><w lemma="libertae-filia">libertae
  filiam</w></rs>, sive <rs corresp="#citzn" ana="#E_citizens"><w
  lemma="romana">Romanam</w></rs> vel <rs corresp="#freemn" ana="#E_women"
  ><w lemma="latina">Latinam</w></rs> factam, <rs corresp="#female #entrtn"
  ana="#E_lower-class-women"><w lemma="scaenica">scaenicam</w></rs> vel <rs
  ana="#E_family-women-daughters"><w lemma="scaenicae-filia">scaenicae
  filiam</w></rs>, <rs corresp="#female #tavern" ana="#E_lower-class-women"
  ><w lemma="tabernaria">tabernariam</w></rs> vel <rs
  ana="#E_family-women-daughters"><w lemma="tabernari-filia">tabernari
  filiam</w></rs> vel <phr type="ampl" subtype="g" inj-src="leno"
  crt-src="high"><rs corresp="#entrtn" ana="#E_lower-class"><w lemma="leno"
  >lenonis</w></rs></phr> aut <rs corresp="#entrtn" ana="#E_lower-class"
  ><w lemma="harenarius">harenarii</w></rs>
  <rs corresp="#female #chldrn" ana="#E_family-women-daughters"><w lemma="filia"
  >filiam</w></rs> aut eam, quae <rs ana="#E_vendors"><w
  lemma="mercimonium">mercimoniis</w></rs>
  <rs ana="#P_state"><w lemma="publicus">publicis</w></rs> praefuit, <phr
  type="ampl" subtype="c" inj-src="humilis" crt-src="high"><w lemma="veto"
  >vetitis</w></phr>
  <phr type="ampl" subtype="c" inj-src="humilis" crt-src="high"><w
  lemma="interdico">interdictisque</w></phr> personis adiecit etiam <phr
  type="ampl" subtype="c"><rs ana="#E_lower-class"><w lemma="humilis"
  >humilem</w></rs></phr>
  <phr type="ampl" subtype="c" inj-src="humilis" crt-src="high"><w lemma="abicio"
  >abiectionem</w></phr> personam.</s>
  <s xml:id="nov-marc_4.1.s3" n="la7" xml:lang="la">exinde de <rs type="r"
  corresp="#mrrige" ana="#E_marriage"><w lemma="matrimonium"
  >matrimonio</w></rs> magnam <phr type="ampl" subtype="g" injured="iudicium"
  crt-inj="high"><w lemma="dubitatio">dubitationem</w></phr> in <rs
  corresp="#courts" type="r" ana="#P_law-courts"><w lemma="iudicium"
  >iudiciis</w></rs> nasci tua adseruit <rs corresp="#prefec"
  ana="#P_high-officials"><w lemma="celsitudo">celsitudo</w></rs>, utrumne
  haec nomina etiam ad <rs ana="#E_lower-class"><w lemma="pauper"
  >pauperes</w></rs>
  <rs ana="#E_freeborn"><w lemma="ingenuus">ingenuas</w></rs>
  <rs ana="#E_lower-class-women"><w lemma="femina">feminas</w></rs> referri
  debeant easque a <rs type="r" corresp="#mrrige" ana="#E_marriage"><w
  lemma="matrimonium">matrimonio</w></rs>
  <rs corresp="#senatr" ana="#E_senators"><w lemma="senator">senatorum</w></rs>
  praescriptum <rs ana="#P_law"><w lemma="lex">legis</w></rs>
  <phr type="ampl" subtype="c" inj-src="lex" crt-src="high">

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injured="ingenua-femina" crt-inj="high"><w lemma="excludo"
>excludat</w></phr>.</s>
<s xml:id="nov-marc_4.1.s4" n="la8" xml:lang="la">absit hoc <phr type="ampl"
subtype="g" ana="#meta"><w lemma="nefas">nefas</w></phr> illis penitus
temporibus, ut credatur cuiquam <phr type="ampl" subtype="g"
inj-src="paupertas" crt-src="high"><w lemma="dedecus">dedecori</w></phr>
data esse <phr type="ampl" subtype="c" inj-src="paupertas" crt-src="high"><rs
ana="#E_lower-class"><w lemma="paupertas">paupertas</w></rs></phr>, cum
saepe plurimis multum paraverint gloriae opes modicae et continentiae fuerit
testimonium census angustior.</s>
<s xml:id="nov-marc_4.1.s5" n="la9" xml:lang="la">Quis arbitretur inclitae
recordationis <rs ana="#P_law"><w lemma="Constantinus">Constantinum</w></rs>,
cum <rs corresp="#mrrige" type="r" ana="#E_marriage"><w lemma="genialis"
>geniales</w></rs>
<rs corresp="#senatr" ana="#E_senators"><w lemma="senatorius"
>senatorios</w></rs> toros <phr type="ampl" subtype="g" injured="senatorius"
inj-src="mulier" crt-src="high"><w lemma="contamino">contaminari</w></phr>
<phr type="ampl" subtype="g" inj-src="mulier" crt-src="high"><w lemma="polluo"
>pollutarum</w></phr>
<rs corresp="#female" ana="#E_women"><w lemma="mulier">mulierum</w></rs>
<phr type="ampl" subtype="c" inj-src="mulier" crt-src="high"><w lemma="faex"
>faece</w></phr>
<phr type="ampl" subtype="g" inj-src="Constantinus"
injured="genialis senatorius" crt-src="high" crt-inj="high"><w
lemma="prohibeo">prohiberet</w></phr>, fortunae munera <rs
corresp="#status" type="r" ana="#E_freeborn"><w lemma="bonus-naturalis"
>bonis naturalibus</w></rs> praetulisse et divitiis, quas varietas <phr
type="ampl" subtype="c"><w lemma="casus">casuum</w></phr> tam potest adimere
quam tribuere, postposuisse <rs type="r" corresp="#status" ana="#E_freeborn"><w
lemma="ingenuitas">ingenuitatem</w></rs>, quae auferri non potest, si
semel nata sit?</s>
<milestone unit="english" />1. </ab>
<ab xml:id="nov-marc_4.2" type="caput">
<milestone unit="latin" />2. <s xml:id="nov-marc_4.2.s1" n="la10" xml:lang="la"
>Ille vero honesti amantissimus et morum sanctissimus censor eas <phr
type="ampl" subtype="c" inj-src="femina" crt-src="low"><w lemma="humilis"
>humiles</w></phr>
<phr type="ampl" subtype="c" inj-src="femina" crt-src="low"><w lemma="abicio"
>abietasque</w></phr> iudicavit esse personas et <rs type="r"
corresp="#mrrige" ana="#E_marriage"><w lemma="matrimonium"
>matrimoniis</w></rs>
<rs corresp="#senatr" ana="#E_senators"><w lemma="senator">senatorum</w></rs>
duxit <phr type="ampl" subtype="g" inj-src="femina" crt-src="low"
injured="senator" crt-inj="high"><w lemma="indignus">indignas</w></phr>,
quas aut <rs ana="#E_lower-class"><w lemma="nascor">nascendi</w></rs>
<phr type="ampl" subtype="c" inj-src="femina" crt-src="low"><w lemma="decolor"
>decolor</w></phr>
<phr type="ampl" subtype="c" inj-src="femina" crt-src="low"><w lemma="macula"
>macula</w></phr> aut vita <phr type="ampl" subtype="g"><w
lemma="probrosus">probrosis</w></phr> quaestibus <phr type="ampl"
subtype="c"><w lemma="dedo">dedita</w></phr>
<phr type="ampl" subtype="g" inj-src="femina" crt-src="low"><w lemma="sordeo"
>sordentibus</w></phr> notis <phr type="ampl" subtype="g"
inj-src="femina" crt-src="low"><w lemma="polluo">polluit</w></phr> et vel
per <rs type="r" corresp="#status" ana="#E_lower-class"><w lemma="origo"
>originis</w></rs>
<phr type="ampl" subtype="g" inj-src="femina" crt-src="low"><w
lemma="turpitude">turpitudinem</w></phr> vel <phr type="ampl" subtype="g"
inj-src="femina" crt-src="low"><w lemma="obscaenitas">obscaenitate</w></phr>
<rs type="r" corresp="#status" ana="#E_lower-class"><w lemma="professio"
>professionis</w></rs>
<phr type="ampl" subtype="g" inj-src="femina" crt-src="low"><w lemma="inficio"
>infecit</w></phr>.</s>
<s xml:id="nov-marc_4.2.s2" n="la11" xml:lang="la">Ideoque omnem <phr type="ampl"
subtype="g"><w lemma="dubitatio">dubitationem</w></phr>, quae quorundam
mentibus iniecta fuerat, auferentes, manentibus et solidissima in perpetuum
firmitate durantibus cunctis his, quae super <rs type="r" corresp="#mrrige"
ana="#E_marriage"><w lemma="matrimonium">matrimoniis</w></rs>
<rs corresp="#senatr" ana="#E_senators"><w lemma="senator">senatorum</w></rs>
sanxit constitutio divae memoriae <rs ana="#P_law"><w lemma="Constantinus"
>Constantini</w></rs>, <seg xml:id="nov-marc_4.2.c1"><phr type="ampl"
subtype="c" inj-src="femina" crt-src="high"><w lemma="humilis"
>humilem</w></phr> vel <phr type="ampl" subtype="c" inj-src="femina"
crt-src="high"><w lemma="abicio">abietam</w></phr>
<rs corresp="#female" ana="#E_women"><w lemma="femina">feminam</w></rs>
minime eam <phr xml:id="nov-marc_4.2.s2.p1" function="cmdw">iudicamus</phr>
intellegi, quae, licet <rs corresp="#poor" ana="#E_lower-class"><w
lemma="pauper">pauper</w></rs>, ab <rs corresp="#freemn"
ana="#E_freeborn"><w lemma="ingenuus">ingenuis</w></rs> tamen <rs
corresp="#parent" ana="#E_family-parents"><w lemma="parens"
>parentibus</w></rs> nata sit.</seg></s>
<s xml:id="nov-marc_4.2.s3" n="la12" xml:lang="la"><seg xml:id="nov-marc_4.2.c2"
>Sed licere <phr xml:id="nov-marc_4.2.s3.p1" function="cmdw">statuimus</phr>
<rs corresp="#senatr" ana="#E_senators"><w lemma="senator"
>senatoribus</w></rs> et quibuscumque <rs ana="#E_nobles"><w
lemma="amplissimus">amplissimis</w></rs> dignitatibus praeditis ex <rs
corresp="#freemn" ana="#E_freeborn"><w lemma="ingenuus">ingenuis</w></rs>
<rs corresp="#female #chldrn" ana="#E_family-women-daughters"><w
lemma="nata">natas</w></rs>, quamvis <rs corresp="#poor"

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ana="#E_lower-class"><w lemma="pauper">pauperes</w></rs>, in <rs type="r"
corresp="#mrrige" ana="#E_marriage"><w lemma="matrimonium"
>matrimonium</w></rs> sibi adscire nullamque inter ingenuas ex <rs
ana="#E_nobles"><w lemma="divitia">divitiis</w></rs> et opulentiore <rs
ana="#E_nobles"><w lemma="fortuna">fortuna</w></rs> esse
distantiam.</seg></s>
<milestone unit="english" />2. </ab>
<ab xml:id="nov-marc_4.3" type="caput">
<milestone unit="latin" />3. <s xml:id="nov-marc_4.3.s1" n="la13" xml:lang="la"
><seg xml:id="nov-marc_4.3.c1"><phr type="ampl" subtype="c" inj-src="mulier"
crt-src="high"><w lemma="humilis">Humiles</w></phr> vero <phr type="ampl"
subtype="c" inj-src="mulier" crt-src="high"><w lemma="abicio"
>abietasque</w></phr> personas eas tantummodo <rs corresp="#female"
ana="#E_women"><w lemma="mulier">mulieres</w></rs> esse <phr
xml:id="nov-marc_4.3.s1.pl" function="cmdw">censemus</phr>, quas
enumeratas et specialiter expressas copulari <rs corresp="#mrrige"
ana="#E_marriage"><w lemma="matrimonium">matrimoniiis</w></rs>
<rs corresp="#senatr" ana="#E_senators"><w lemma="senator"
>senatorum</w></rs>
<rs ana="#P_law"><w lemma="lex">lex</w></rs> praedicta non <phr type="ampl"
subtype="c" inj-src="lex" injured="senator humilis" crt-inj="high"><w
lemma="patior">passa</w></phr> est: hoc est <rs
corresp="#female #servus" ana="#E_unfree-women"><w lemma="ancilla"
>ancillam</w></rs>
<rs ana="#E_family-women-daughters"><w lemma="ancillae-filia">ancillae
filiam</w></rs>, <rs corresp="#female #freemn" ana="#E_freeborn-women"
><w lemma="liberta">libertam</w></rs>
<rs ana="#E_family-women-daughters"><w lemma="liberta-filia">libertae
filiam</w></rs>, sive <rs corresp="#citzns" ana="#E_citizens"><w
lemma="romana">Romanam</w></rs> vel <rs corresp="#freemn"
ana="#E_women"><w lemma="latina">Latinam</w></rs> factam, <rs
corresp="#female #entrtn" ana="#E_lower-class-women"><w lemma="scaenica"
>scaenicam</w></rs> vel <rs ana="#E_family-women-daughters"><w
lemma="scaenicae-filia">scaenicae filiam</w></rs>, <rs
corresp="#female #tavern" ana="#E_lower-class-women"><w
lemma="tabernaria">tabernariam</w></rs> vel <rs
corresp="#female #chldrn #tavern" ana="#E_lower-class-women"><w
lemma="tabernari">tabernari</w></rs> vel <phr type="ampl" subtype="g"
inj-src="leno" crt-src="high"><rs corresp="#entrtn" ana="#E_lower-class"
><w lemma="leno">lenonis</w></rs></phr> aut <rs corresp="#entrtn"
ana="#E_lower-class"><w lemma="harenarius">harenarii</w></rs>
<rs corresp="#female #chldrn" ana="#E_family-women-daughters"><w
lemma="filia">filiam</w></rs> aut eam, quae <rs ana="#E_vendors"><w
lemma="mercimonium">mercimoniis</w></rs>
<rs ana="#P_state"><w lemma="publice">publice</w></rs> praefuit.</seg></s>
<s xml:id="nov-marc_4.3.s2" n="la14" xml:lang="la">Quod quidem haud <phr
type="ampl" subtype="c"><w lemma="dubius">dubie</w></phr> credimus ipsum
divae memoriae <rs ana="#P_law"><w lemma="Constantinus">Constantinum</w></rs>
in ea, quam promulgavit, <phr type="ampl" subtype="c"><w lemma="sanctio"
>sanctione</w></phr> sensisse ideoque huiusmodi inhibuisse <rs type="r"
corresp="#mrrige" ana="#E_marriage"><w lemma="nuptia">nuptias</w></rs>, ne
<rs corresp="#senatr" ana="#E_senators"><w lemma="senator"
>senatoribus</w></rs> harum <rs corresp="#female" ana="#E_women"><w
lemma="femina">feminarum</w></rs>, quas nunc enumeravimus, non tam
conubia quam <phr type="ampl" subtype="g" inj-src="femina" crt-src="high"><w
lemma="vitium">vitia</w></phr> iungerentur.</s>
<milestone unit="english" />3. </ab>
<ab xml:id="nov-marc_4.4" type="caput">
<milestone unit="latin" />4. <s xml:id="nov-marc_4.4.s1" n="la15" xml:lang="la"
><seg xml:id="nov-marc_4.4.c1">Cetera etiam, quae ab inclitae recordationis
<rs ana="#P_law"><w lemma="Constantinus">Constantino</w></rs> vel ab
aliis post eum divis <rs ana="#I_emperor"><w lemma="princeps"
>principibus</w></rs> super naturalibus <rs corresp="#chldrn"
ana="#E_family-children"><w lemma="filius">filiis</w></rs> eorumque <rs
corresp="#female #parent" ana="#E_family-women-mothers"><w lemma="mater"
>matribus</w></rs>, de <rs corresp="#female #spouse"
ana="#E_spouses-women"><w lemma="concubina">concubinibus</w></rs> quoque
<rs corresp="#freemn" ana="#E_freeborn"><w lemma="ingenuus"
>ingenuis</w></rs> et de his, quae post <rs corresp="#female #spouse"
ana="#E_spouses-women"><w lemma="uxor">uxoris</w></rs>
<phr type="ampl" subtype="c" injured="uxor" crt-inj="high"><w lemma="obeo"
>obitum</w></phr> in <rs corresp="#mrrige" type="r" ana="#E_marriage"
><w lemma="nuptia">nuptias</w></rs> convenerunt, quaecumque sacris
constitutionibus definita sunt, <phr xml:id="nov-marc_4.4.s1.pl"
function="cmdw">iubemus</phr> inviolabiliter <phr type="ampl" subtype="c"
><w lemma="custodio">custodiri</w></phr>: ita tamen, ut promulgatas
prius leges eae, quae postmodum latae sunt, auctoritate praecedant et
quaecumque ex ipsis est posterior tempore sit validior <phr type="ampl"
subtype="c"><w lemma="sanctio">sanctione</w></phr>.</seg>
<rs corresp="#prefec" ana="#P_high-officials"><w lemma="Palladius"
>Palladi</w></rs> parens karissime atque amantissime.</s>
<milestone unit="english" />4. </ab>
<ab xml:id="nov-marc_4.5" type="caput">
<milestone unit="latin" />5. <s xml:id="nov-marc_4.5.s1" n="la0" xml:lang="la"
>>Illustris igitur et magnifica <rs ana="#P_high-officials"><w
lemma="auctoritas">auctoritas</w></rs> tua hanc <rs corresp="#imperl"
ana="#I_emperor"><w lemma="serenitas-nostra">serenitatis nostrae</w></rs>
legem perpetuo in aevum omne valituram edictis ex more propositis ad omnium
notitiam faciat pervenire.</s>

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<milestone unit="english" />5. </ab>
<ab xml:id="nov-marc_4.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-marc_4.subs.s1" n="la1" xml:lang="la">Dat. prid. non. April.
    <placeName corresp="#constantinople">Constantinopoli</placeName> Aetio et
    Studio VV. CC. conss. <date when="0454-04-04">(454 April. 4)</date>.</s>
  <milestone unit="english" />
</ab>
<ab xml:id="nov-marc_4.intr" type="intr">
  <milestone unit="latin" />INTERPRETATIO. Hac lege permissum est, ut exceptis
  vilibus infamibusque personis, quas lex ista commemorat, pauperes et sine ulla
  dignitate natalium, dummodo honestas et honestis parentibus procreatas, senatores,
  si voluerint, uxores eligendi et ducendi habeant potestatem. Quod et omnibus
  exemplo legis huius sine dubitatione permittitur. <milestone unit="english"
  /></ab>
</div2>
</div1>
<div1 xml:id="nov-marc_5" type="titulus">
  <head xml:id="nov-marc_5.titl">
    <s xml:id="nov-marc_5.titl.s1" xml:lang="la">5. DE TESTAMENTIS CLERICORUM</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="nov-marc_5.insc" type="insc">
      <milestone unit="latin" />1. Marcianus A. Palladio pp. <milestone unit="english"
      />1. Emperor Marcian Augustus to Palladius, Praetorian Prefect. </ab>
    <ab xml:id="nov-marc_5.0" type="caput">
      <milestone unit="latin" />0. <s xml:id="nov-marc_5.0.s1" n="la1" xml:lang="la">
        >Saepe materiam scribendis ferendisque legibus negotia inopinato exorta
        suppeditant et aut novas constitui <phr type="ampl" subtype="c"><w
          lemma="sanctio">sanctiones</w></phr> aut <phr type="ampl" subtype="c"><w
            lemma="durus">durius</w></phr> et asperius latas faciunt abrogari.</s>
      <s xml:id="nov-marc_5.0.s2" n="la2" xml:lang="la">aequalis enim in utroque
        aequitas est vel promulgare, quae iusta sunt, vel <phr type="ampl" subtype="c">
          <w lemma="antiquo">antiquare</w></phr>, quae <phr type="ampl"
            subtype="c"><w lemma="gravis">gravia</w></phr> sunt.</s>
      <s xml:id="nov-marc_5.0.s3" n="la3" xml:lang="la">nuper cum de testamento
        clarissimae memoriae Hypatiae, quae inter alios virum religiosum
        Anatolium presbyterum in portione manifesta bonorum suorum scripsit heredem,
        amplissimo senatu praesente tractaret pietas mea et <phr type="ampl"
          subtype="c"><w lemma="dubius">dubium</w></phr> videretur, an valere deberent
        eae voluntates viduarum, quae testamento suo aliquid his clericis <phr
          type="ampl" subtype="c"><w lemma="relinquo">relinquunt</w></phr>, qui sub
        praetextu religionis huiusmodi feminarum domos adeunt, cum lex divinae memoriae
        Valentiniani et Valentis et Gratiani ecclesiasticos vel eos, qui continentium
        se volunt nomine nuncupari, nihil quacumque liberalitate viduarum vel extremo
        iudicio permittat adipisci, contra haec autem divinae memoriae Valentiniani
        Theodosii et Arcadii constitutio legeretur: ...</s>
      <s xml:id="nov-marc_5.0.s4" n="la4" xml:lang="la">insipientibus et aestimantibus
        nobis latoris animum visum est iusta ac rationabili paenitentia priorum
        constitutionum vigorem <phr type="ampl" subtype="c"><w lemma="antiquo">
          antiquare</w></phr> voluisse.</s>
      <s xml:id="nov-marc_5.0.s5" n="la5" xml:lang="la">Nam cum in prima lege viduarum
        tantummodo mentio facta sit, in secunda autem tantummodo diaconissarum,
        intellegitur eam constitutionem, quae viduarum et diaconissarum meminit, de
        lege utraque dixisse.</s>
    <milestone unit="english" />0. </ab>
    <ab xml:id="nov-marc_5.1" type="caput">
      <milestone unit="latin" />1. <s xml:id="nov-marc_5.1.s1" n="la6" xml:lang="la">
        >Quod cum de voluntate latoris et de <phr type="ampl" subtype="c"><w
          lemma="sanctio">sanctione</w></phr> legis nobis videretur, universum
          testamentum iussimus relegi atque replicari; et cum repertum fuisset alias
          quoque partes eiusdem voluntatis ita iuste ac prudenter institutas, ut nullum
          bene de se meritum <phr type="ampl" subtype="g"><w lemma="neglego">
            neglexerit</w></phr>, multa sacrosanctis ecclesiis, multa pauperibus,
            multa monachis religionis intuitu, multa captivorum redemptioni commota <phr
              type="ampl" subtype="g"><w lemma="miserabilis">miserabili</w></phr> eorum
              sorte contulerit, multa libertis suis <phr type="ampl" subtype="c"><w
                lemma="delator">delatorum</w></phr> sibi obsequiorum contemplatione
                praestiterit, alteram quoque partem institutionis, in qua Anatolium presbyterum
                <phr type="ampl" subtype="c"><w lemma="relinquo">relinquit</w></phr> heredem,
                advertimus ordine fuisse dispositam.</s>
      <s xml:id="nov-marc_5.1.s2" n="la7" xml:lang="la">ea enim mobilia, quae plurimis
        iuste ac pie <phr type="ampl" subtype="c"><w lemma="relinquo">
          reliquit</w></phr>, per hunc voluit universa compleri, ut non solum
          heredis, sed paene etiam dispensatoris fungatur officio.</s>
      <s xml:id="nov-marc_5.1.s3" n="la8" xml:lang="la">Ideoque huiusmodi praedictae
        clarissimae memoriae Hypatiae voluntatem etiam in ea parte, qua Anatolium
        presbyterum instituit heredem, mea auctoritate firmavi.</s>
    <milestone unit="english" />1. </ab>
    <ab xml:id="nov-marc_5.2" type="caput">
      <milestone unit="latin" />2. <s xml:id="nov-marc_5.2.s1" n="la9" xml:lang="la">Sed
        ne in posterum vel ex prioribus constitutionibus, quarum superius fecimus
        mentionem et quas nunc praecipio penitus abrogari, vel ex praesentis negotii
        <phr type="ampl" subtype="g"><w lemma="dubitatio">dubitatione</w></phr>
        aliquid forte <phr type="ampl" subtype="c"><w lemma="relinquo">
          relinquitur</w></phr> ambiguum, securitati vel fiduciae <phr type="ampl"
          subtype="g"><w lemma="moriator">morientium</w></phr> providentes <seg
          xml:id="nov-marc_5.2.c1">generali perpetuoque victura hac lege <phr
            xml:id="nov-marc_5.2.s1.pl" function="cmdw">sancimus</phr>, ut sive vidua

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sive diaconissa seu virgo deo dicata vel sanctimonialis mulier, sive
quocumque alio nomine religiosi honoris vel dignitatis femina nuncupatur,
testamento vel codicillo suo, quod tamen alia omni iuris ratione munitum
sit, ecclesiae vel martyrio vel clerico vel monacho vel pauperibus aliquid
vel ex integro vel ex parte in quacumque re vel specie crediderit <phr
  type="ampl" subtype="c"><w lemma="relinquo">relinquendum</w></phr>, id
modis omnibus ratum firmiter consistat, sive hoc institutione sive
substitutione, seu legato aut fideicommisso per universitatem seu
specialibus, sive scripta sive non scripta voluntate fuerit derelictum: omni
in posterum de huiusmodi negotio ambiguitate <phr type="ampl" subtype="c"><w
  lemma="submoveo">submota</w></phr>.</seg></s>
<milestone unit="english" />2. </ab>
<ab xml:id="nov-marc_5.3" type="caput">
  <milestone unit="latin" />3. <s xml:id="nov-marc_5.3.s1" n="la10" xml:lang="la"
    ><seg xml:id="nov-marc_5.3.c1">Donationibus etiam vel qualibet liberalitate
    tam viduarum quam diaconissarum sive virginum, quae deo dicatae sunt, vel
    sanctimonialium quaecumque in ecclesiam vel martyrium vel clericum vel
    monachum vel pauperes conlata fuerint, pari robore firma esse <phr
      xml:id="nov-marc_5.3.s1.p1" function="cmdw">praecipio</phr>,</seg>
    Palladi parens karissime atque amantissime.</s>
  <milestone unit="english" />3. </ab>
<ab xml:id="nov-marc_5.4" type="caput">
  <milestone unit="latin" />4. <s xml:id="nov-marc_5.4.s1" n="la11" xml:lang="la"
    >Illustris igitur et magnifica auctoritas tua ea, quae generali legis huius
    <phr type="ampl" subtype="c"><w lemma="sanctio">sanctione</w></phr> decrevi,
    edictis ex more propositis ad omnium notitiam faciat pervenire.</s>
  <milestone unit="english" />4. </ab>
<ab xml:id="nov-marc_5.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="nov-marc_5.subs.s1" n="la12" xml:lang="la">Dat. X kal. Mai. <placeName
    corresp="#constantinople">Constantinopoli</placeName> Anthemio vc. cons.
    <date when="0455-04-23">(455 April. 23)</date>.</s>
  <milestone unit="english" />
</ab>
<ab xml:id="nov-marc_5.intr" type="intr">
  <milestone unit="latin" />INTERPRETATIO. Sanctimonialibus viduis diaconissis
  omnibusque religiosis matronis hac lege permittitur, ut, seu per testamentum seu
  per fideicommissum seu per nuncupationem seu per codicillos vel quibuslibet aliis
  scripturis, quod voluerint ecclesiae episcopis presbyteris vel diaconibus et
  omnibus clericis relinquendi habeant potestatem. Et si voluerint heredibus suis
  quoscumque post eorum obitum substituere, habeant potestatem. <milestone
    unit="english" /></ab>
</div2>
</div1>
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</text>
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            AETATES JUDICIO EPISCOPORUM ET TESTIMONIUM UNIUS EPISCOPI ACCEPTO FERRI</s>
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              Ablabium pp.</s>
            <milestone unit="english" />
          </ab>
          <ab xml:id="sirmond_1.0" type="caput">
            <milestone unit="latin" />
            <s xml:id="sirmond_1.0.s1" n="la2" xml:lang="la">Satis mirati sumus gravitatem
              tuam, quae plena iustitiae ac probae religionis est, clementiam nostram
              sciscitari voluisse, quid de sententiis episcoporum vel ante moderatio nostra
              censuerit vel nunc servari cupiamus, Ablabi, parens karissime atque
              amantissime.</s>
            <s xml:id="sirmond_1.0.s2" n="la3" xml:lang="la">Itaque quia a nobis instrui
              voluisti, olim promulgatae legis ordinem salubri rursus imperio propagamus.</s>
            <s xml:id="sirmond_1.0.s3" n="la4" xml:lang="la">sanximus namque, sicut edicti
              nostri forma declarat, sententias episcoporum quolibet genere latas sine aliqua
              aetatis discretione inviolatas semper incorruptasque servari; scilicet ut pro
              sanctis semper ac venerabilibus habeantur, quidquid episcoporum fuerit
              sententia terminatum.</s>
            <s xml:id="sirmond_1.0.s4" n="la5" xml:lang="la">Sive itaque inter minores sive
              inter maiores ab episcopis fuerit iudicatum, apud vos, qui iudiciorum summam
              tenetis, et apud ceteros omnes iudices ad executionem volumus pertinere.</s>
            <s xml:id="sirmond_1.0.s5" n="la6" xml:lang="la">
              <seg xml:id="sirmond_1.0.c1">Quicumque itaque litem habens, sive possessor sive
                petitor vel inter initia litis vel decursis temporum curriculum, sive cum
                negotium peroratur, sive cum iam coeperit promi sententia, iudicium elegerit
                sacrosanctae legis antistitis, ilico sine aliqua dubitatione, etiamsi alia
                pars refragatur, ad episcopum personae litigantium dirigantur.</seg>
            </s>
            <s xml:id="sirmond_1.0.s6" n="la7" xml:lang="la">multa enim, quae in iudicio
              captiosa praescriptionis vincula promi non patiuntur, investigat et publicat
              sacrosanctae religionis auctoritas.</s>
            <s xml:id="sirmond_1.0.s7" n="la8" xml:lang="la">
              <seg xml:id="sirmond_1.0.c2">Omnes itaque causae, quae vel praetorio iure vel
                civili tractantur, episcoporum sententiis terminatae perpetuo stabilitatis
                iure firmentur, nec liceat ulterius retractari negotium, quod episcoporum
                sententia deciderit.</seg>
            </s>
            <s xml:id="sirmond_1.0.s8" n="la9" xml:lang="la">testimonium etiam ab uno licet
              episcopo perhibitum omnis iudex indubitanter accipiat nec alius audiatur
              testis, cum testimonium episcopi a qualibet parte fuerit repromissum.</s>
            <s xml:id="sirmond_1.0.s9" n="la10" xml:lang="la">Illud est enim veritatis
              auctoritate firmatum, illud incorruptum, quod a sacrosancto homine conscientia
              mentis illibatae protulerit.</s>
            <s xml:id="sirmond_1.0.s10" n="la11" xml:lang="la">Hoc nos edicto salubri
              aliquando censuimus, hoc perpetua lege firmamus, malitiosa litium semina
              comprimantes, ut miseri homines longis ac paene perpetuis actionum laqueis
              implicati ab improbis petitionibus vel a cupiditate praepostera maturo fine
              discedant.</s>
            <s xml:id="sirmond_1.0.s11" n="la12" xml:lang="la">Quidquid itaque de sententiis
              episcoporum clementia nostra censuerat et iam hac sumus lege complexi,
              gravitatem tuam et ceteros pro utilitate omnium latum in perpetuum observare
              convenit.</s>
            <milestone unit="english" />
          </ab>
          <ab xml:id="sirmond_1.subs" type="subs">
            <milestone unit="latin" />
            <s xml:id="sirmond_1.subs.s1" n="la13" xml:lang="la">Dat. III nonas Maias
              Constantinopoli Dalmatio et Zenofilo cons. (333 Mai. 5).</s>
            <milestone unit="english" />
          </ab>
        </div2>
      </div1>
      <div1 xml:id="sirmond_2" type="titulus">

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<head xml:id="sirmond_2.titl">
  <s xml:id="sirmond_2.titl.s1" xml:lang="la">2. EPISCOPOS JUDICIO EPISCOPORUM DAMNATOS
    CENTUM MILIBUS CIVITATE IN QUA FUERUNT DEBERE EXCLUDI</s>
</head>
<div2 type="constitutio" subtype="solo">
  <ab xml:id="sirmond_2.insc" type="insc">
    <milestone unit="latin" />
    <s xml:id="sirmond_2.insc.s1" n="la1" xml:lang="la">1. Imppp. Arcadius, Honorius
      et Theodosius AAA. Hadriano praefecto praetorio.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="sirmond_2.0" type="caput">
    <milestone unit="latin" />
    <s xml:id="sirmond_2.0.s1" n="la2" xml:lang="la">Ut veneratio sacerdotibus debetur
      innoxiiis, ita et poena moderata inquietis adque deiectis.</s>
    <s xml:id="sirmond_2.0.s2" n="la3" xml:lang="la">Quemadmodum enim deo servientes
      et divini sacerdotii integritate lucentes non solum vitam suam proprio
      praestant ornamento, sed etiam subiectae plebis atque oboedientis exemplo, ita
      hi, quorum indigniora sunt sub integritatis professione peccata, si exclusi
      degradatique ab episcopiis comprobentur, qui resupinos spiritus adversum
      definita rettulerint, separati ab his urbibus, quas errore proprio tenuerunt,
      et sibi debent esse reperti et aliis constituta ablegatione terrori.</s>
    <s xml:id="sirmond_2.0.s3" n="la4" xml:lang="la">Plurimos enim bonos faciunt et
      veneratio optimorum sacerdotum et notabilis reprehensio pessimorum.</s>
    <s xml:id="sirmond_2.0.s4" n="la5" xml:lang="la">suggestentibus episcopis didicimus
      quosdam sacerdotes Christianae legis, quorum delicta coetu episcopali et
      deprehensa fuerint et eorum sententia vindicata, in sinu earum urbium, in
      quibus talia commissa sunt, permanere et quaerere turbas populi, convocare
      turbatores quietis, exsistere tumultus popularis auctores, innocentes se post
      iudicium dicere, plebem colligere et velut adhuc episcopos salutari, comitatum
      sacrum petere, mereri mendaciis oracula et furtiva rescripta.</s>
    <s xml:id="sirmond_2.0.s5" n="la6" xml:lang="la">
      <seg xml:id="sirmond_2.0.c1"><phr xml:id="sirmond_2.0.s5.p1" function="cmdw"
        >Sancimus</phr> itaque hac lege, ut quicumque residentibus sacerdotibus
        fuerit episcopali loco detrusus et nomine, si aliquid vel contra sententiam
        vel contra quietem moliri fuerit deprehensus rursusque sacerdotium petere, a
        quo videtur exclusus, procul ab ea urbe, quam indignus infecit, secundum
        legem divinae memoriae Gratiani centum milibus vitam agat.</seg>
    </s>
    <s xml:id="sirmond_2.0.s6" n="la7" xml:lang="la">
      <seg xml:id="sirmond_2.0.c2">Sit ab eorum coetibus separatus, a quorum est
        societas discretus; careat urbe, quam tenuit, segregetur a plebe, quam
        mentitus vitae praeceptor infecit.</seg>
    </s>
    <s xml:id="sirmond_2.0.s7" n="la8" xml:lang="la"><seg xml:id="sirmond_2.0.c3">Sit
      huiusmodi personis tenore huius legis illicitum sacra nostra adire secreta
      et impetrare rescripta: omnia abiectis per culpam sacerdotio personis quae
      impetrata sunt vel quae impetrata fuerint infecta permaneant: scituris his,
      quorum defensione nituntur, absque sui reprehensione non futurum, si hoc eis
      polliceantur suffragium, qui divinum non videntur meruisse iudicium,</seg>
      Hadriane parens carissime atque amantissime.</s>
    <s xml:id="sirmond_2.0.s8" n="la9" xml:lang="la">Hanc igitur legem sublimis
      magnificentia tua cunctas per dioceses sibi creditas publicabit edictis, ut id,
      quod pro quiete repertum, pro iudicii episcopalis confirmatione constitutum,
      pro reprimendis culpis inventum est, ab omnibus excolatur, a sacerdotibus
      reservetur.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="sirmond_2.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="sirmond_2.subs.s1" n="la10" xml:lang="la">Dat. pridie nonas Februarias
      Ravennae Stilichone II cons. (405 Feb. 4).</s>
    <milestone unit="english" />
  </ab>
</div2>
</div1>
<div1 xml:id="sirmond_3" type="titulus">
  <head xml:id="sirmond_3.titl">
    <s xml:id="sirmond_3.titl.s1" xml:lang="la">3. NON LICERE CLERICOS IN CAUSIS
      ECCLESIASTICIS AD PUBLICUM PERTRAHERE JUDICIUM</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="sirmond_3.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="sirmond_3.insc.s1" n="la1" xml:lang="la">1. Imppp. Valentinianus,
        Theodosius et Arcadius AAA. ad Optatum praefectum Augustalem.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="sirmond_3.0" type="caput">
      <milestone unit="latin" />
      <s xml:id="sirmond_3.0.s1" n="la2" xml:lang="la"><phr type="ampl" subtype="c"
        injured="nostra-clementia" crt-inj="high"><w lemma="gravis"
        >Graviter</w></phr> admodum mota est <rs ana="#I_emperor"><w
        lemma="nostra-clementia">nostra clementia</w></rs> quaedam ab his, qui
        <rs ana="#I_bishops"><w lemma="episcopus">episcoporum</w></rs> sibi nomina
        <phr type="ampl" subtype="c"><w lemma="vindico">vindicant</w></phr>,
        perpetrata et contra <rs ana="#I_law"><w lemma="lex">leges</w></rs> non minus
        divinas quam humanas <phr type="ampl" subtype="g" inj-src="episcopus"
        crt-src="high" injured="lex" crt-inj="high"><w lemma="improbis"

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>improba</w></phr>
<phr type="ampl" subtype="g" inj-src="episcopus" crt-src="high" injured="lex"
crt-inj="high"><w lemma="temeritas">temeritate</w></phr> comissa, <phr
type="ampl" subtype="c" inj-src="episcopus" crt-src="high"
injured="orthodoxus clericus" crt-inj="high"><w lemma="vexo"
>vexatos</w></phr> etiam nonnullos <rs type="r" corresp="#belief"
ana="#I_belief"><w lemma="orthodoxus">orthodoxorum</w></rs>
<rs corresp="#clergy" ana="#I_clergy"><w lemma="clericus">clericos</w></rs>,
quorum aetas huic <phr type="ampl" subtype="g" injured="orthodoxus clericus"
crt-inj="high" inj-src="episcopus" crt-src="high"><w lemma="iniuria"
>iniuriae</w></phr> ac sacerdotium <phr type="ampl" subtype="c"
injured="orthodoxus clericus" crt-inj="high"><w lemma="repugno"
>repugnabat</w></phr>, <phr type="ampl" subtype="c"
injured="orthodoxus clericus" crt-inj="high"><w lemma="fatigo"
>fatigatos</w></phr> itineribus, <rs corresp="#invstg" ana="#P_bureaucracy"
><w lemma="quaestionarius">quaestionariis</w></rs>
<phr type="ampl" subtype="c" inj-src="episcopus" crt-src="high"
injured="orthodoxus clericus" crt-inj="high"><w lemma="dedo"
>deditos</w></phr>, adque haec omnia per eos comissa, qui ad tegumenta
frontis <rs corresp="#clergy" ana="#I_clergy"><w lemma="sacerdotium"
>sacerdotii</w></rs> nominis titulos praeferebant.</s>
<s xml:id="sirmond_3.0.s2" n="la3" xml:lang="la">Denique lectis in <rs
corresp="#palace" ana="#P_emperor-court"><w lemma="consistorium"
>consistorio</w></rs> precibus, quibus <rs ana="#I_bishops"><w
lemma="episcopalis">episcopalis</w></rs>
<rs ana="#I_bishops"><w lemma="pieta">pietas</w></rs> aliquid postulans
refragatur in eo ...</s>
<s xml:id="sirmond_3.0.s3" n="la4" xml:lang="la">
<seg xml:id="sirmond_3.0.c1">adque idcirco continua lege <phr
xml:id="sirmond_3.0.s3.pl" function="cmdw">sancimus</phr>, nomen <rs
corresp="#bishop" ana="#I_bishops"><w lemma="episcopus"
>episcoporum</w></rs> vel eorum, qui <rs corresp="#church"
ana="#I_churches"><w lemma="ecclesia">ecclesiae</w></rs>
<phr type="ampl" subtype="c" injured="ecclesia" crt-inj="high"><w
lemma="necessitas">necessitatibus</w></phr>
<phr type="ampl" subtype="c"><w lemma="servio">serviunt</w></phr>, ne ad <rs
corresp="#courts" type="r" ana="#P_law-courts"><w lemma="iudicium"
>iudicia</w></rs> sive ordinariorum sive extraordinariorum <rs
corresp="#judges" ana="#P_high-officials"><w lemma="iudex"
>iudicum</w></rs> pertrahatur.</seg>
</s>
<s xml:id="sirmond_3.0.s4" n="la5" xml:lang="la">Habent illi <rs ana="#I_bishops"
><w lemma="iudex">iudices</w></rs> suos nec quicquam his publicis commune
cum legibus: quantum ad causas tamen <rs corresp="#church" ana="#I_churches"><w
lemma="ecclesiasticus">ecclesiasticas</w></rs> pertinet, quas decet <rs
corresp="#bishop" ana="#I_bishops"><w lemma="episcopalis"
>episcopali</w></rs> auctoritate decidi.</s>
<s xml:id="sirmond_3.0.s5" n="la6" xml:lang="la"><seg xml:id="sirmond_3.0.c2">
>Quibuscumque igitur mota fuerit quaestio, quae ad Christianam pertineat <rs
ana="#I_belief"><w lemma="sanctitas">sanctitatem</w></rs>, eos decebit
sub eo <rs corresp="#judges">iudice</rs> litigare, ut ille praesul sit in
suis tamen partibus omnium <rs corresp="#clergy" ana="#I_clergy"><w
lemma="sacerdos">sacerdotum</w></rs>, id est per Aegypti
dioecesim,</seg>
<rs corresp="#prefec" ana="#P_high-officials"><w lemma="Optatus"
>Optate</w></rs> carissime ac iucundissime.</s>
<s xml:id="sirmond_3.0.s6" n="la7" xml:lang="la">Quare laudabilis auctoritas tua
arbitrio temperato quidquid negotiorum talium incidat, terminet habituro
pontificium sacrae disceptationis <rs ana="#I_bishops"><w lemma="Timotheus"
>Timotheo</w></rs>
<rs ana="#I_bishops"><w lemma="episcopus">episcopo</w></rs>, quem sibi omnes
etiam suo <rs corresp="#courts" type="r" ana="#P_law-courts"><w
lemma="iudicium">iudicio</w></rs> praetulere.</s>
<s xml:id="sirmond_3.0.s7" n="la8" xml:lang="la">Est enim vir cum omnium <rs
corresp="#clergy" ana="#I_clergy"><w lemma="sacerdos">sacerdotum</w></rs>
suspectione venerandus, tum etiam <rs corresp="#imperl" ana="#I_emperor"><w
lemma="nostrum-iudicium">nostro iudicio</w></rs> iam probatus.</s>
<milestone unit="english" />
</ab>
<ab xml:id="sirmond_3.subs" type="subs">
<milestone unit="latin" />
<s xml:id="sirmond_3.subs.s1" n="la9" xml:lang="la">Dat. pridie nonas Februarias
<placeName corresp="#constantinople">Constantinopoli</placeName>.
<date>(384?)</date>.</s>
<milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="sirmond_4" type="titulus">
<head xml:id="sirmond_4.titl">
<s xml:id="sirmond_4.titl.s1" xml:lang="la">4. NON DEBERE SERVOS A JUDAEIS CIRCUMCIDI
NEC INQUIETARI JUDAEOS QUI CHRISTIANI FIUNT</s>
</head>
<div2 type="constitutio" subtype="solo">
<ab xml:id="sirmond_4.insc" type="insc">
<milestone unit="latin" />
<s xml:id="sirmond_4.insc.s1" n="la1" xml:lang="la">1. Imp. Constantinus ad
Felicem pp.</s>
<milestone unit="english" />

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</ab>
<ab xml:id="sirmond_4.0" type="caput">
  <milestone unit="latin" />
  <s xml:id="sirmond_4.0.s1" n="la2" xml:lang="la">Iam dudum quidem constitutionis
    nostrae saluberrima sanctio promulgata est, quam nostrae repetitae legis
    veneratione geminamus, <seg xml:id="sirmond_4.0.c1">ac <phr
      xml:id="sirmond_4.0.s1.p1" function="cmdw">volumus</phr>, ut, si quispiam
      Iudaeorum Christianum mancipium vel cuiuslibet alterius sectae mercatus
      circumcidere non perhorruerit, circumciscus quidem istius statuti mensura
      libertatis compos effectus eiusdem privilegiis potiat: non fas Iudaeo sit
      qui circumciderit mancipium generis memorati in obsequium servitutis
      retinere.</seg></s>
  <s xml:id="sirmond_4.0.s2" n="la3" xml:lang="la">
    <seg xml:id="sirmond_4.0.c2">Illud etenim hac eadem sanctione <phr
      xml:id="sirmond_4.0.s2.p1" function="cmdw">praecipimus</phr>, ut, si
      quispiam Iudaeorum reserans sibi ianuam vitae perpetuae sanctis se cultibus
      mancipaverit et Christianus esse delegerit, ne quid a Iudaeis inquietudinis
      vel molestiae patiat. </seg>
  </s>
  <s xml:id="sirmond_4.0.s3" n="la4" xml:lang="la"><seg xml:id="sirmond_4.0.c3">Quod
    si ex Iudaeo Christianum factum aliquis Iudaeorum iniuria putaverit esse
    pulsandum, <phr xml:id="sirmond_4.0.s3.p1" function="cmdw">volumus</phr>
    istiusmodi contumeliae machinatorem pro criminis qualitate commissi poenis
    ultricibus subiugari,</seg> Felix parens carissime.</s>
  <s xml:id="sirmond_4.0.s4" n="la5" xml:lang="la">Quare divinitatis affectu
    confidimus ipsum in omni orbe Romano qui nostri debita veneratione servata: ac
    volumus, ut excellens sublimitas tua litteris suis per dioecesim sibi creditam
    commeantibus iudices moneat instantissime huiusmodi debitam reverentiam
    custodiri.</s>
  <milestone unit="english" />
</ab>
<ab xml:id="sirmond_4.subs" type="subs">
  <milestone unit="latin" />
  <s xml:id="sirmond_4.subs.s1" n="la6" xml:lang="la">Dat.XII kal. Novemb.</s>
  <s xml:id="sirmond_4.subs.s2" n="la7" xml:lang="la">Proposita VII id. Mart.
    Carthagine Nepotiano et Facundo cons. (336 Oct. 21).</s>
  <milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="sirmond_5" type="titulus">
  <head xml:id="sirmond_5.titl">
    <s xml:id="sirmond_5.titl.s1" xml:lang="la">5. COLLECTICIOS EORUM ESSE QUI
      COLLEGERINT AUT PRETII DUPLUM NUMERARI ET EXPENSAS</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="sirmond_5.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="sirmond_5.insc.s1" n="la1" xml:lang="la">1. DD. NN. Honorius et
        Theodosius AA. ad Proiectum consularem.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="sirmond_5.0" type="caput">
      <milestone unit="latin" />
      <s xml:id="sirmond_5.0.s1" n="la2" xml:lang="la">Inverecunda arte defenditur, si
        hi ad condicionem vel originem reposcuntur, quibus tempore famis, cum in mortem
        penuria cogerentur, opitulari non potuit dominus aut patronus.</s>
      <s xml:id="sirmond_5.0.s2" n="la3" xml:lang="la">porro autem iniquum est, si
        expensis alterius servatum hominem in lucem quisque sibi obnoxium quocumque
        titulo sperans audeat vindicare.</s>
      <s xml:id="sirmond_5.0.s3" n="la4" xml:lang="la">
        <seg xml:id="sirmond_5.0.c1">Itaque magnificentia tua inspecta serie de his,
          qui per necessitatem aut comparati sunt aut fortasse collecti, in eorum
          dominium eos faciat perdurare; aut si ab aliquo flagitantur, enumerata
          duplici pecunia, quae data est, pretii nomine adque expensarum habita
          ratione, ita demum ad vindicantis auctoritatem eos redire permittimus, ne
          sit miserum ita exhibuisse alimoniam morienti, ut servatus in vitam postea
          commodis alterius in dispendio alterius prosit.</seg>
      </s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="sirmond_5.subs" type="subs">
      <milestone unit="latin" />
      <s xml:id="sirmond_5.subs.s1" n="la5" xml:lang="la">Dat.xv kal. Iunias Monaxio et
        Plinta VV. CC. cons. (419 Mai. 18).</s>
      <milestone unit="english" />
    </ab>
  </div2>
</div1>
<div1 xml:id="sirmond_6" type="titulus">
  <head xml:id="sirmond_6.titl">
    <s xml:id="sirmond_6.titl.s1" xml:lang="la">6. NON LICERE CLERICOS JUDICIO LITIGARE
      ET HAERETICOS DEBERE DE CIVITATIBUS PROJICI. CHRISTIANOS NON DEBERE JUDAEIS
      SERVIRE NEC JUDAEOS CAUSAS AGERE VEL MILITARE</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="sirmond_6.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="sirmond_6.insc.s1" n="la1" xml:lang="la">1. Imp. Theodosius A. et

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Valentinianus Caesar Amatio V. I. praefecto praetorio Galliarum.</s>
<milestone unit="english" />
</ab>
<ab xml:id="sirmond_6.0" type="caput">
<milestone unit="latin" />
<s xml:id="sirmond_6.0.s1" n="la2" xml:lang="la">Privilegia ecclesiarum vel
clericorum omnium, quae saeculo nostro tyrannus inviderat, prona devotione
revocamus.</s>
<s xml:id="sirmond_6.0.s2" n="la3" xml:lang="la">
<seg xml:id="sirmond_6.0.c1">Scilicet ut quidquid a divis principibus singuli
quique antistites impetrarunt, iugi solidata aeternitate servantur nec
cuiusquam audeat titillare praesumptio, in quo nos nobis magis praestitum
confitemur.</seg>
</s>
<s xml:id="sirmond_6.0.s3" n="la4" xml:lang="la">
<seg xml:id="sirmond_6.0.c2">Clericos etiam, quos indiscretim ad saeculares
iudices debere deduci infaustus praesumptor edixerat, episcopali audientiae
reservamus, his manentibus, quae circa eos sanxit antiquitas.</seg>
</s>
<s xml:id="sirmond_6.0.s4" n="la5" xml:lang="la">Fas enim non est, ut divini
muneris ministri temporalium potestatum subdantur arbitrio.</s>
<s xml:id="sirmond_6.0.s5" n="la6" xml:lang="la">Illustris itaque auctoritas tua
omni aevo mansura quae iussimus in provinciarum missa notitiam praecipiet etiam
sub poena sacrilegii custodiri, specialiter id illustribus comprehensura
praeceptis, ut in omnibus circa ecclesiastica privilegia veterum principum
statuta servantur.</s>
<s xml:id="sirmond_6.0.s6" n="la7" xml:lang="la">
<seg xml:id="sirmond_6.0.c3">Diversos vero episcopos nefarium Pelagiani et
Caelestiani dogmatis errorem sequentes per Patroclum sacrosanctae legis
antistitem praecipimus conveniri: quos quia confidimus emendari, nisi intra
viginti dies ex conventionis tempore, intra quos deliberandi tribuimus
facultatem, errata correxerint seseque catholicae fidei reddiderint,
Gallicanis regionibus expelli adque in eorum loco sacerdotium fidelius
subrogari, quatenus praesentis erroris macula de populorum animis tergeatur
et futurae bonum disciplinae iustioris instituatur.</seg>
</s>
<s xml:id="sirmond_6.0.s7" n="la8" xml:lang="la">Sane quia religiosos populos
nullis decet superstitionibus depravari, <seg xml:id="sirmond_6.0.c4">
>Manichaeos omnesque haereticos vel schismaticos sive mathematicos omnemque
sectam catholicis inimicam ab ipso aspectu urbium diversarum exterminari
debere <phr xml:id="sirmond_6.0.s7.p1" function="cmdw">
>praecipimus</phr>,</seg> ut nec praesentiae quidem criminis contagione
foedentur.</s>
<s xml:id="sirmond_6.0.s8" n="la9" xml:lang="la"><seg xml:id="sirmond_6.0.c5">
>Iudaeis quoque vel paganis causas agendi vel militandi licentiam denegamus:
quibus Christianae legis <phr xml:id="sirmond_6.0.s8.p1" function="cmdw">
>nolumus</phr> servire personas,</seg> ne occasione dominii sectam
venerandae religionis inmutent.</s>
<s xml:id="sirmond_6.0.s9" n="la10" xml:lang="la">
<seg xml:id="sirmond_6.0.c6">Omnes igitur personas erroris infausti <phr
xml:id="sirmond_6.0.s9.p1" function="cmdw">iubemus</phr> excludi, nisi
his emendatio matura subvenerit.</seg>
</s>
<milestone unit="english" />
</ab>
<ab xml:id="sirmond_6.subs" type="subs">
<milestone unit="latin" />
<s xml:id="sirmond_6.subs.s1" n="la11" xml:lang="la">Dat.vii idus Iulias Aquileiae
D. n. Theodosio A. XI et Valentiniano cons. (425 Iul. 9. Aug. 6).</s>
<milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="sirmond_7" type="titulus">
<head xml:id="sirmond_7.titl">
<s xml:id="sirmond_7.titl.s1" xml:lang="la">7. UT EXCEPTIS QUINQUE SOLITIS
CRIMINIBUS, ALIORUM OMNITM REI CARCERIS CUSTODIA PROPTER PASCHALEM SOLEMNITATEM
LIBERENTUR)</s>
</head>
<div2 type="constitutio" subtype="solo">
<ab xml:id="sirmond_7.insc" type="insc">
<milestone unit="latin" />
<s xml:id="sirmond_7.insc.s1" n="la1" xml:lang="la">1. Imppp. Valentinianus,
Theodosius et Arcadius AAA. ad Eutropium pp.</s>
<milestone unit="english" />
</ab>
<ab xml:id="sirmond_7.0" type="caput">
<milestone unit="latin" />
<s xml:id="sirmond_7.0.s1" n="la2" xml:lang="la">Placida beneficia lenitatis dei
omnipotentis arbitrio commoti pro felicitate saeculi publicamus, <seg
xml:id="sirmond_7.0.c1">ut illos, quos imminetis supplicii terror exagitat,
insperatae miserationis indultio securitati perpetuae restitutos ad communis
vitae gaudia depulsa culparum acerbitate perducatur,</seg> ut novae
reparationis luce perfusi melioris vitae teneant novitatem.</s>
<s xml:id="sirmond_7.0.s2" n="la3" xml:lang="la">Ideo denique pro festivitate
paschali, quam communi et praecelsa professione veneramus, <seg
xml:id="sirmond_7.0.c2" ana="#ncp">noxas <phr xml:id="sirmond_7.0.s2.p1"
function="cmdw">remitimus</phr>, ut ii, quos mansuetudinis nostrae
indulgentia liberarit, melioris instituti praecepta sectantes nihil

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        periculosum audeant perpetrare, Eutropi parens carissime atque amantissime,
        exceptis his, quos quinque inmanitas criminum minime patitur relaxari,
        ceteros carceris custodia liberatos statui pristino restituat,</seg> ut
        communi traditi libertati concessae securitatis gratia perfruantur.</s>
    <milestone unit="english" />
</ab>
<ab xml:id="sirmond_7.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="sirmond_7.subs.s1" n="la4" xml:lang="la">380/1.</s>
    <milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="sirmond_8" type="titulus">
    <head xml:id="sirmond_8.titl">
        <s xml:id="sirmond_8.titl.s1" xml:lang="la">8. UT PRAETER QUINQUE CAPITALIA CRIMINA,
        OMNES REI QUOS PASCHALIS SOLEMNITAS IN CARCERE INVENERIT DIMITTANTUR PRO GAUDIO ET
        VENERATIONE TANTAE FESTIVITATIS</s>
    </head>
    <div2 type="constitutio" subtype="solo">
        <ab xml:id="sirmond_8.insc" type="insc">
            <milestone unit="latin" />
            <s xml:id="sirmond_8.insc.s1" n="la1" xml:lang="la">1. Imppp. Valentinianus,
            Theodosius et Arcadius.</s>
            <milestone unit="english" />
        </ab>
        <ab xml:id="sirmond_8.0" type="caput">
            <milestone unit="latin" />
            <s xml:id="sirmond_8.0.s1" n="la2" xml:lang="la">Studiis nostrae serenitatis,
            quibus etiam praeter consuetudinem statutae adque annuae lenitatis ad
            propagandas ex more indulgentias naturali beneficio semper animamur,
            desideratum bonis mentibus tempus advenit.</s>
            <s xml:id="sirmond_8.0.s2" n="la3" xml:lang="la">Neque enim alias magis talibus
            beneficiis imperatoriam decet aequare pietatem, quam cum toto penitus orbe
            terrarum sacer dies festiva sollemnitate reparatur.</s>
            <s xml:id="sirmond_8.0.s3" n="la4" xml:lang="la">Et nos quidem praeter hanc velut
            indictam et a maioribus traditam pro religionis observatione clementiam
            liberandis paene <seg xml:id="sirmond_8.0.c1">omnibus, quos legum severitas
            strinxerit, effusa penitus humanitate operam sacrae mentis <phr
            xml:id="sirmond_8.0.s3.p1" function="cmdw">exserimus</phr>.</seg></s>
            <s xml:id="sirmond_8.0.s4" n="la5" xml:lang="la"><seg xml:id="sirmond_8.0.c2">Quin
            per omne hoc, quod inter venerandos et celebres dies medium fluit tempus,
            catenis <phr xml:id="sirmond_8.0.s4.p1" function="cmdw">levamus</phr>,
            exilio <phr xml:id="sirmond_8.0.s4.p2" function="cmdw">solvimus</phr>, a
            metallo <phr xml:id="sirmond_8.0.s4.p3" function="cmdw">abstrahimus</phr>,
            deportationibus <phr xml:id="sirmond_8.0.s4.p4" function="cmdw"
            >liberamus</phr>,</seg> cum satis constet nullum prope diem esse, quo non
            aliquid clemens sanctumque iubeamus, censes nos etiam damnum quoddam horarum
            pati, si qui liberetur nullus occurrerit.</s>
            <s xml:id="sirmond_8.0.s5" n="la6" xml:lang="la">Ex quo apparet properato nos
            semper arripere istam necessariam exsolvendis, quatenus tamen iusta humanitas
            patitur, legibus sanctimoniamque continuamus omnibus temporum metis
            voluntariam.</s>
            <s xml:id="sirmond_8.0.s6" n="la7" xml:lang="la">Neque enim convenit inter
            festivas caeremonias et venerabiles sacri temporis ritus strepere infelicium
            dissonas voces, trahi ad communem misericordiam horrentibus passis feraliter
            crinibus reos, audiri tractos ex imo pectore gemitus, cum utique bene sibimet
            sacra et laeta conveniant et non deceat inter serena votorum ac dicatas aeterno
            numini pias voces aliquid triste sentire audire conspicere.</s>
            <s xml:id="sirmond_8.0.s7" n="la8" xml:lang="la">Unde notam beneficiis nostris non
            supprimimus lenitatem, <seg xml:id="sirmond_8.0.c3"><phr
            xml:id="sirmond_8.0.s7.p1" function="cmdw">aperimus</phr> quin etiam
            carcerem</seg>, vincla deponimus, impexos tenebrosae pedore custodiae crines
            decenter amovemus.</s>
            <s xml:id="sirmond_8.0.s8" n="la9" xml:lang="la">
                <seg xml:id="sirmond_8.0.c4"><phr xml:id="sirmond_8.0.s8.p1" function="cmdw"
                >eripimus</phr> omnes feralibus poenis praeter eos, quibus pro
                magnitudine scelerum non decet subveniri.</seg>
            </s>
            <s xml:id="sirmond_8.0.s9" n="la10" xml:lang="la">
                <seg xml:id="sirmond_8.0.c5">Habeant illa generalibus excepta indulgentiis
                crimina suum fatum et competens maiorum scelerum reos exitus teneat.</seg>
            </s>
            <s xml:id="sirmond_8.0.s10" n="la11" xml:lang="la">
                <seg xml:id="sirmond_8.0.c6">Nullius nos manibus in absolvendis iniuriam
                faciemus homicidis; nullius inultos toros remisso adulteriorum ac talium
                scelerum supplicio deseremus; causam, quae late tenditur, maiestatis
                integram reservamus.</seg>
            </s>
            <s xml:id="sirmond_8.0.s11" n="la12" xml:lang="la">
                <seg xml:id="sirmond_8.0.c7">Non aliquos in astra peccantes, non venenarios aut
                magos, non falsae monetae reos absolvendorum felicitati conectimus: si
                quidem digni non sunt festivae lucis usura, a quibus graviora commissa sunt,
                quam prudens solet liberare clementia.</seg>
            </s>
            <s xml:id="sirmond_8.0.s12" n="la13" xml:lang="la">Et ne diutius in hac criminum
            serie laetior versetur oratio, exceptis solitis notisque criminibus alios
            relaxamus, Antiochine carissime ac iucundissime.</s>
            <s xml:id="sirmond_8.0.s13" n="la14" xml:lang="la">Quocirca spectabilitas tua

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        nostrae mansuetudinis scita quantocius iubebit impleri, ut velocius laeta
        propagentur, adque in communi omnium celebritate suspendi, quicumque meretur
        absolvi.</s>
    <milestone unit="english" />
</ab>
<ab xml:id="sirmond_8.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="sirmond_8.subs.s1" n="la15" xml:lang="la">Dat.x kal. Mai.
        Constantinopoli Honorio nobilissimo puero et Euodio cons. (386 April. 22).</s>
    <milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="sirmond_9" type="titulus">
    <head xml:id="sirmond_9.titl">
        <s xml:id="sirmond_9.titl.s1" xml:lang="la">9. UT DAMNATOS AB EPISCOPIS CLERICOS ET
            AB ECCLESIA SEGREGATOS CURIA SIBI VINDICET</s>
    </head>
    <div2 type="constitutio" subtype="solo">
        <ab xml:id="sirmond_9.insc" type="insc">
            <milestone unit="latin" />
            <s xml:id="sirmond_9.insc.s1" n="la1" xml:lang="la">1. Impp. Arcadius et Honorius
                Augg. Theodoro iterum pp.</s>
            <milestone unit="english" />
        </ab>
        <ab xml:id="sirmond_9.0" type="caput">
            <milestone unit="latin" />
            <s xml:id="sirmond_9.0.s1" n="la2" xml:lang="la">Utinam quidem ii tantum <rs
                corresp="#clergy" ana="#I_clergy"><w lemma="clericus">clericorum</w></rs>
                nomen induerent, quorum in <phr type="ampl" subtype="g" inj-src="error"
                    crt-src="low"><w lemma="deterior">deteriorem</w></phr> partem relabi vita
                non possit.</s>
            <s xml:id="sirmond_9.0.s2" n="la3" xml:lang="la">esset laetitia communis et facile
                pios ritus cultusque divinos veneratio humana sequeretur.</s>
            <s xml:id="sirmond_9.0.s3" n="la4" xml:lang="la">Sed facile <phr type="ampl"
                subtype="g" inj-src="error" crt-src="high"><w lemma="vitium">vitia</w></phr>
                <phr type="ampl" subtype="c" inj-src="error" crt-src="high"><w lemma="subrepo">
                    >subrepunt</w></phr>, ut illuc etiam <phr type="ampl" subtype="c"><rs
                        type="r" corresp="#belief" ana="#I_belief"><w lemma="error"
                            >error</w></rs></phr>
                <phr type="ampl" subtype="g" inj-src="error" crt-src="high"><w lemma="irrepo">
                    >irrepat</w></phr>, ubi esse nisi pura non possunt.</s>
            <s xml:id="sirmond_9.0.s4" n="la5" xml:lang="la">Et si <phr type="ampl"
                subtype="c" inj-src="iudicium sacerdotalis" crt-src="high"><w
                    lemma="censura">censura</w></phr>
                <rs type="r" corresp="#courts" ana="#I_bishops"><w lemma="iudicium"
                    >iudicii</w></rs>
                <rs corresp="#clergy" ana="#I_bishops"><w lemma="sacerdotalis"
                    >sacerdotalis</w></rs> in specula provideat, ut inter bonos non sint, qui
                boni esse non possunt; ne tamen <phr type="ampl" subtype="g" inj-src="clericus"
                    crt-src="high"><w lemma="crimen">crimina</w></phr>
                <phr type="ampl" subtype="c" inj-src="clericus" crt-src="high"><w
                    lemma="deprehendo">deprehensa</w></phr> luxurient et sit libera <phr
                    type="ampl" subtype="g" inj-src="clericus" crt-src="high"><w lemma="pecco"
                        >peccantibus</w></phr>
                <phr type="ampl" subtype="c" inj-src="clericus" crt-src="high"><w
                    lemma="pertinax">pertinacia</w></phr>, <seg xml:id="sirmond_9.0.c1"><phr
                        xml:id="sirmond_9.0.s4.p1" function="cmdw">placet</phr>, ut, quemcumque
                        <rs corresp="#clergy" ana="#I_clergy"><w lemma="clericus"
                            >clericum</w></rs>
                    <phr type="ampl" subtype="g" inj-src="episcopus" injured="clericus"
                        crt-inj="high" crt-src="high"><w lemma="indignus">indignum</w></phr>
                    officio suo <rs corresp="#bishop" ana="#I_bishops"><w lemma="episcopus"
                        >episcopus</w></rs> iudicarit et ab <rs corresp="#church"
                            ana="#I_churches"><w lemma="ecclesia">ecclesiae</w></rs> ministerio
                    segregaverit, aut qui professum sacrae <rs ana="#I_belief"><w
                        lemma="religio">religionis</w></rs> obsequium sponte dereliquerit,
                    continuo eum <rs corresp="#decrns" ana="#E_local-officials"><w lemma="curia"
                        >curia</w></rs> sibi <phr type="ampl" subtype="c" injured="clericus"
                            crt-inj="high"><w lemma="vindico">vindicet</w></phr>, ut liber illi ultra
                    ad <rs corresp="#church" ana="#I_churches"><w lemma="ecclesia"
                        >ecclesiam</w></rs> recursus esse non possit et pro <rs type="r"
                            corresp="#status" ana="#E_property"><w lemma="hominum-qualitas">hominum
                                qualitate</w></rs> vel quantitate <rs type="r" corresp="#inhrit"
                                    ana="#E_inheritance"><w lemma="patrimonium">patrimonii</w></rs> vel <rs
                                        corresp="#decrns" ana="#E_local-officials"><w lemma="ordinus"
                                            >ordini</w></rs> suo vel <rs corresp="#guilds" ana="#E_guildsmen"><w
                                                lemma="collegium">collegio</w></rs>
                    <rs corresp="#cities" ana="#E_cities"><w lemma="civitas">civitatis</w></rs>
                    adiungat, modo ut quibuscumque apti erunt publicis <phr type="ampl"
                        subtype="c"><w lemma="necessitas">necessitatibus</w></phr> obligentur,
                    ita ut <phr type="ampl" subtype="c" inj-src="clericus" crt-src="high"><w
                        lemma="conludium">colludio</w></phr> quoque locus non sit: ut per
                    singulos binae librae <rs ana="#E_money"><w lemma="aurus">auri</w></rs>
                    inferendae <rs type="r" corresp="#trsury" ana="#P_treasury"><w
                        lemma="aerarium">aerario</w></rs> nostro a decem primis <rs
                            corresp="#decrns" ana="#E_local-officials"><w lemma="curialis"
                                >curialibus</w></rs> exigantur, si alicui <phr type="ampl" subtype="g"
                                    inj-src="curialis" crt-src="high"><w lemma="illicitus"

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    >illicitam</w></phr>
    <phr type="ampl" subtype="c" inj-src="curialis" crt-src="high"><w
      lemma="coniventia">coniventiam</w></phr> et <phr type="ampl"
      subtype="c" inj-src="curialis" crt-src="high"><w lemma="conludium"
      >colludia</w></phr>
    <phr type="ampl" subtype="g" inj-src="curialis" crt-src="high"><w
      lemma="foedus">foeda</w></phr> praestiterint, omnisque hominibus <phr
      type="ampl" subtype="g"><w lemma="improbis">improbissimis</w></phr> ab
      omnibus officiis <rs ana="#P_bureaucracy"><w lemma="militia"
      >militiae</w></rs> aditus obstruatur.</seg></s>
    <s xml:id="sirmond_9.0.s5" n="la6" xml:lang="la">nusquam enim fidi esse possunt,
      quos <phr type="ampl" subtype="g" injured="ecclesia" crt-inj="high"><w
      lemma="infidelis">infideles</w></phr> deo summo <rs corresp="#church"
      ana="#I_churches"><w lemma="ecclesia">ecclesia</w></rs> refutaverit, <rs
      corresp="#prefec" ana="#P_high-officials"><w lemma="Theodore"
      >Theodore</w></rs> parens carissime adque amantissime.</s>
    <s xml:id="sirmond_9.0.s6" n="la7" xml:lang="la">Quod illustris <rs
      ana="#P_high-officials"><w lemma="magnificentia">magnificentia</w></rs> tua
      in omnium notitiam datis ad singularum <rs ana="#P_high-officials"><w
      lemma="iudex">iudices</w></rs>
      <rs ana="#E_regions"><w lemma="provincia">provinciarum</w></rs> litteris faciet
      pervenire, ut universis id proposita sollemniter edicta declarent.</s>
    <milestone unit="english" />
  </ab>
  <ab xml:id="sirmond_9.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="sirmond_9.subs.s1" n="la8" xml:lang="la">Dat.v kal. Decemb. <placeName
      corresp="#ravenna">Raveannae</placeName> Basso et Filippo VV. CC. conss.
      <date when="0408-11-27">(408 Nov. 27)</date>.</s>
    <milestone unit="english" />
  </ab>
</div2>
</div1>
<div1 xml:id="sirmond_10" type="titulus">
  <head xml:id="sirmond_10.titl">
    <s xml:id="sirmond_10.titl.s1" xml:lang="la">10. UT CLERICI CUM EXTRANEIS FEMINIS NON
      HABITENT ET SACRARUM VIRGINUM RAPTORES DEPORTATIONE PLECTANTUR</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="sirmond_10.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="sirmond_10.insc.s1" n="la1" xml:lang="la">1. Imp. Honorius et
        Theodosius AA. Palladio pp.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="sirmond_10.0" type="caput">
      <milestone unit="latin" />
      <s xml:id="sirmond_10.0.s1" n="la2" xml:lang="la"><rs type="r" corresp="#belief"
        ana="#I_belief"><w lemma="religiosus">Religiosi</w></rs>
        <rs corresp="#clergy" ana="#I_clergy"><w lemma="sacerdos">sacerdotis</w></rs>
        fida suggestio exigit probabilem saeculo disciplinam.</s>
      <s xml:id="sirmond_10.0.s2" n="la3" xml:lang="la">agit enim bonis moribus, ne <rs
        corresp="#clergy" ana="#I_clergy"><w lemma="clericus">clerici</w></rs>
        <rs corresp="#clergy" ana="#I_clergy"><w lemma="sacrum-ministerium">sacris
        ministeriis</w></rs>
        <phr type="ampl" subtype="c"><w lemma="servio">servientes</w></phr>
        <rs corresp="#female" ana="#I_women"><w lemma="femina">feminis</w></rs>
        iungantur externis, quas <phr type="ampl" subtype="c" inj-src="femina"
        crt-src="high" injured="sororius" crt-inj="high"><w lemma="decolor"
        >decolore</w></phr> consortio <rs corresp="#female #clergy"
        ana="#I_women"><w lemma="sororius">sororiae</w></rs> appellationis
        excusant.</s>
      <s xml:id="sirmond_10.0.s3" n="la4" xml:lang="la">credimus quidem hanc devotis
        mentibus <rs type="r" corresp="#belief" ana="#I_belief"><w lemma="deus"
        >dei</w></rs> inesse reverentiam, ut divorsorii huius habitaculum
        conscientia <phr type="ampl" subtype="g" inj-src="femina" crt-src="low"><w
        lemma="pravus">pravae</w></phr> persuasionis <phr type="ampl" subtype="c"
        ><w lemma="ignoro">ignoret</w></phr>.</s>
      <s xml:id="sirmond_10.0.s4" n="la5" xml:lang="la">Sed hac societate seu amicitia
        non penetret, fama <phr type="ampl" subtype="g"><w lemma="contamino"
        >contaminat</w></phr>, datque <phr type="ampl" subtype="c"
        inj-src="alternus-sexus" crt-src="high"><w lemma="sinister"
        >sinistris</w></phr> moribus locum <rs corresp="#female" ana="#I_women"><w
        lemma="alternus-sexus">alterni sexus</w></rs> adiunctio, cum foris
        positos ac <rs type="r" corresp="#prodnt" ana="#P_law"><w lemma="publicum-ius"
        >publico iure</w></rs> viventes ad <phr type="ampl" subtype="c"
        inj-src="alternus-sexus" crt-src="high"><w lemma="illecebra"
        >illecebram</w></phr>
        <phr type="ampl" subtype="g" inj-src="alternus-sexus" crt-src="high"><w
        lemma="crimen">criminis</w></phr>
        <phr type="ampl" subtype="c" inj-src="alternus-sexus" crt-src="high"><w
        lemma="traho">trahit</w></phr>
        <phr type="ampl" subtype="g" inj-src="alternus-sexus" crt-src="high"><w
        lemma="obscaenus">obscaenae</w></phr>
        <phr type="ampl" subtype="g" inj-src="alternus-sexus" crt-src="high"><w
        lemma="suspicio">suspicionis</w></phr> exemplum.</s>
      <s xml:id="sirmond_10.0.s5" n="la6" xml:lang="la">Quae cum ita sint, illustris et
        praecelsa <rs ana="#P_high-officials"><w lemma="magnificentia"
        >magnificentia</w></rs> tua praesentis <rs ana="#P_law"><w

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        lemma="oraculum">oraculi</w></rs>
    <phr type="ampl" subtype="c" inj-src="oraculum" crt-src="high"><w
        lemma="sanctio">sanctionem</w></phr> propositis ubique divulget edictis,
    ut noverint cuncti, <seg xml:id="sirmond_10.0.c1">qui cuiuscumque gradus <rs
        corresp="#clergy" ana="#I_clergy"><w lemma="sacerdos">sacerdotio</w></rs>
        fulciuntur vel <rs corresp="#clergy" ana="#I_clergy"><w lemma="clericatus"
            >clericatus</w></rs> honore censentur, extraneorum sibi <rs
            corresp="#female" ana="#I_women"><w lemma="mulier">mulierum</w></rs>
    <phr type="ampl" subtype="c" injured="sacerdos clericatus" crt-inj="high"
        inj-src="mulier" crt-src="high"><w lemma="interdictio">interdicta</w></phr>
    consortia: hac sibi tantum facultate concessa, ut <rs
        corresp="#female #family" ana="#I_women"><w lemma="mater"
            >matres</w></rs>, <rs corresp="#female #family" ana="#I_women"><w
                lemma="filia">filias</w></rs> adque <rs corresp="#female #family"
                ana="#I_women"><w lemma="germana">germanas</w></rs> intra domorum suarum
                saepa contineant.</seg></s>
    <s xml:id="sirmond_10.0.s6" n="la7" xml:lang="la">In his enim nihil <phr
        type="ampl" subtype="c"><w lemma="scaevus">scaevi</w></phr>
    <phr type="ampl" subtype="g" ana="#meta"><w lemma="crimen">criminis</w></phr>
    aestimari foedus naturale permittit.</s>
    <s xml:id="sirmond_10.0.s7" n="la8" xml:lang="la"><rs corresp="#female"
        ana="#I_women"><w lemma="illa">Illas</w></rs> etiam non <phr type="ampl"
        subtype="c" injured="maritus" crt-inj="high" inj-src="illa sacerdos"
        crt-src="high"><w lemma="relinquo">relinqui</w></phr> castitatis hortatur
        affectio, quae ante <rs corresp="#clergy" ana="#I_clergy"><w lemma="sacerdos"
            >sacerdotium</w></rs>
        <rs corresp="#male #spouse" ana="#I_family-husbands"><w lemma="maritus"
            >maritorum</w></rs> legitime meruere <rs corresp="#mrrige" type="r"
            ana="#I_marriage"><w lemma="coniugium">coniugium</w></rs>.</s>
    <s xml:id="sirmond_10.0.s8" n="la9" xml:lang="la">Neque enim <rs corresp="#clergy"
        ana="#I_clergy"><w lemma="clericus">clericis</w></rs>
    <phr type="ampl" subtype="g" inj-src="mulier" crt-src="low"><w
        lemma="incompetens">incompetenter</w></phr> adiunctae sunt, quae dignos
        <rs corresp="#clergy" ana="#I_clergy"><w lemma="sacerdos"
            >sacerdotio</w></rs>
        <rs corresp="#male #spouse" ana="#I_family-husbands"><w lemma="vir"
            >viros</w></rs> sui conversatione fecerunt.</s>
    <s xml:id="sirmond_10.0.s9" n="la10" xml:lang="la">Illam vero desiderii partem
    legum quoque praeaeuntium scita solidarunt, <seg xml:id="sirmond_10.0.c2">ut
    quisquis dedicatam deo <rs ana="#I_women"><w lemma="virgo">virginem</w></rs>
    prodigus sui <phr type="ampl" subtype="g" injured="virgo" inj-src="raptor"
        crt-src="high" crt-inj="high"><rs corresp="#raptor" ana="#E_criminal"><w
            lemma="raptor">raptor</w></rs></phr>
    <phr type="ampl" subtype="c" inj-src="raptor" crt-src="high" injured="virgo"
        crt-inj="high"><w lemma="ambio">ambierit</w></phr>, publicatis <rs
        corresp="#prprty" type="r" ana="#E_property"><w lemma="bonum"
            >bonis</w></rs>
    <phr type="ampl" subtype="c" injured="raptor" crt-inj="high"><w
        lemma="deportatio">deportatione</w></phr>
    <phr type="ampl" subtype="c" injured="raptor" crt-inj="high"><w
        lemma="plecto">plectatur</w></phr>, cunctis <phr type="ampl"
        subtype="g" inj-src="delatio" crt-src="high" injured="raptor"
        crt-inj="high"><w lemma="accusatio">accusationis</w></phr> huius licentia
        absque <phr type="ampl" subtype="c" injured="delator" crt-inj="high"><w
            lemma="metus">metu</w></phr>
    <phr type="ampl" subtype="c" inj-src="delator" crt-src="high"><rs
        corresp="#accser" ana="#I_accusers"><w lemma="delatio"
            >delationis</w></rs></phr> indulta.</seg></s>
    <s xml:id="sirmond_10.0.s10" n="la11" xml:lang="la">Neque exigi convenit <rs
        corresp="#accser" ana="#I_accusers"><w lemma="proditor">proditorem</w></rs>,
        quem pro pudicitia <rs type="r" corresp="#belief" ana="#I_belief"><w
            lemma="religio">religionis</w></rs> invitat humanitas.</s>
    <milestone unit="english" />
</ab>
<ab xml:id="sirmond_10.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="sirmond_10.subs.s1" n="la12" xml:lang="la">Dat.VIII id. Mai. <placeName
        corresp="#ravenna">Ravennae</placeName> Domno n Theodosio Aug. VIII et
        Constantio III V. C. cons. <date when="0420-05-08">(420 Mai. 8)</date>.</s>
    <milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="sirmond_11" type="titulus">
    <head xml:id="sirmond_11.titl">
        <s xml:id="sirmond_11.titl.s1" xml:lang="la">11. A QUIBUS ONERIBUS ECCLESIAE
            HABEANTUR IMMUNES</s>
    </head>
    <div2 type="constitutio" subtype="solo">
        <ab xml:id="sirmond_11.insc" type="insc">
            <milestone unit="latin" />
            <s xml:id="sirmond_11.insc.s1" n="la1" xml:lang="la">1. DD. NN. imp. Honorius et
                Theodosius Augg. Melitio pp.</s>
            <milestone unit="english" />
        </ab>
        <ab xml:id="sirmond_11.0" type="caput">
            <milestone unit="latin" />
            <s xml:id="sirmond_11.0.s1" n="la2" xml:lang="la">Recte clementiam nostram
                sacrosanctae religionis obsequiis devotis adsiduitatibus servientem ad

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confirmationem privilegiorum, quae ecclesiis dicavit vetustas, magnificentiae tuae suggestio religiosa commonuit, ut temerariorum hominum conatibus penitus obpressis, quibus studium est Christianam innocentiam semper appetere, eam nostri formam sanciamus arbitrii, cui deinceps nullus impune refragator existat.

11.0.2 Placet igitur rationabilis consilii tenore perpenso, quoniam quid remedii ...

11.0.3 confusa nequissimis ausibus viam relinquunt, destituta moderatione praescribere, a quibus specialiter necessitatibus ecclesiae urbium singularum habeantur immunes.

11.0.4 primo quippe illius usurpationis contumelia depellenda est, ne praedia usibus caelestium secretorum dicata sordidorum munerum fasce vexentur.

11.0.5 Nulla iugationem talium privilegiorum sorte gratulantem muniendi itineris constringat iniuria; nihil extraordinarium ab hac vel superindicticium flagitetur; nulla pontium instauratio, nulla translationum sollicitudo gignatur.

11.0.6 Non aurum ceteraque talia poscantur.

11.0.7 postremo nihil, quod praeter canonicam illationem adventiciae necessitatis sarcina repentina depoposcerit, eius functionibus adscribatur.

11.0.8 Vacent ecclesiae solis, quibus bene consciae sunt, divinae praedicationis officiis, cuncta in orationibus celebrandis horarum omnium momenta consumant.

11.0.9 Gaudeant nostra in perpetuum liberalitate munitae, quarum nos erga cultum pietatis aeternae devotione gaudemus.

11.0.10 Quapropter sublimis magnificentia tua religiosis mentibus in huiusmodi negotio nobiscum decenter adincta, oraculi praesentis adque in omne aevum perpeti firmitate duraturi serie comperta, roboratis omnibus, quae sacrosanctae venerationis intuitu huiusce sanctionis auctoritate praescribimus, provinciarum iudices scriptis currentibus admonebit, quo evidenter agnoscant universos, qui deinceps temerariae praesumptionis adnisi in iniuriam ecclesiarum nostrique praecepti aliquid fortasse temptaverint, severissima interminatione quatiendos, ita ut in talibus deprehensi contumacia fervente peccati post debitae ultionis acrimoniam, quae erga sacrilegos iure promenda est, exilio perpetuae deportationis utantur.

Milestone unit="english" />

</ab>

<ab xml:id="sirmond_11.subs" type="subs">

<milestone unit="latin" />

<s xml:id="sirmond_11.subs.s1" n="11.12" xml:lang="la">Dat.VIII kal. Iulias Ravennae dd. nn. Theodosio Aug. IIII cons. (412 Iun. 24).</s>

<milestone unit="english" />

</ab>

</div2>

</div1>

<div1 xml:id="sirmond_12" type="titulus">

<head xml:id="sirmond_12.titl">

<s xml:id="sirmond_12.titl.s1" xml:lang="la">12. ADVERSUS HAERETICOS ET GENTILES, ET DE UTRORUMQUE AEDIFICIIS ATQUE TEMPLIS AD USUM PUBLICUM VINDICANDIS</s>

</head>

<div2 type="constitutio" subtype="solo">

<ab xml:id="sirmond_12.insc" type="insc">

<milestone unit="latin" />

<s xml:id="sirmond_12.insc.s1" n="12.1" xml:lang="la">1. Imp. Honorius et Theodosius Aug. Curtio pp.</s>

<milestone unit="english" />

</ab>

<ab xml:id="sirmond_12.0" type="caput">

<milestone unit="latin" />

<s xml:id="sirmond_12.0.s1" n="12.2" xml:lang="la">Profanos haereticorum spiritus superstitionemque gentilium vel sola quidem religiosorum virorum sacerdotum dei in observandis sollicitudo criminibus, sedulitas in monendo, auctoritas in docendo emendare debuerat.</s>

<s xml:id="sirmond_12.0.s2" n="12.3" xml:lang="la">Nec nostrarum tamen legum scita cessarunt, quae in dei omnipotentis cultum poenae etiam terrore proposito reducerent deviantes, ignaros quoque in ministeria divina formarent.</s>

<s xml:id="sirmond_12.0.s3" n="12.4" xml:lang="la">Sed nimirum ipsa vis mali humana pariter ac divina permiscens deceptos plerosque persuasionibus pravis tam in praesens quam in futurum impellit exitium et deo simul ac nobis perdit infeliciam vitas, quas et hic legibus dedit et illic cogit ferre iudicium.</s>

<s xml:id="sirmond_12.0.s4" n="12.5" xml:lang="la">compulsi igitur Donatistarum pertinacia, furore gentilium, quae quidem mala desidia iudicum, coniventia officiorum, ordinum contemptus accendit, necessarium putamus iterare quae iussimus.</s>

<s xml:id="sirmond_12.0.s5" n="12.6" xml:lang="la">Quapropter omnia, quae in Donatistas, qui et Montenses vocantur, Manichaeos sive Priscillianistas vel in gentiles a nobis generalium legum auctoritate decreta sunt, non solum manere decernimus, verum in executionem plenissimam effectumque deduci, ita ut aedificia quoque vel horum vel Caelicolarum etiam, qui nescio cuius dogmatis novi conventus habent, ecclesiis vindicentur.</s>

<s xml:id="sirmond_12.0.s6" n="12.7" xml:lang="la">poena vero lege proposita vel convictos tenere debet eos, qui Donatistas se confessi fuerint vel catholicorum sacerdotum scaevae religionis obtentu communionem refugerint, quamvis Christianos esse se simulent.</s>

<s xml:id="sirmond_12.0.s7" n="12.8" xml:lang="la">Iam vero templorum detrahantur


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        annona et rem annonariam iuvent expensis devotissimorum militum
        profuturae.</s>
<s xml:id="sirmond_12.0.s8" n="la9" xml:lang="la">simulacra, si qua etiamnunc in
templis fanisque constistunt et quae aliquem ritum vel acceperunt vel accipiunt
paganorum, suis sedibus revellantur, cum hoc repetita sciamus saepius sanctione
decretum.</s>
<s xml:id="sirmond_12.0.s9" n="la10" xml:lang="la">aedificia ipsa templorum, quae
in civitatibus vel oppidis vel extra oppida sunt, ad usum publicum
vindicerentur.</s>
<s xml:id="sirmond_12.0.s10" n="la11" xml:lang="la">arae locis omnibus destruantur
omniaque templa in possessionibus nostris ad usus adcommodos transferantur,
domini destruere cogantur.</s>
<s xml:id="sirmond_12.0.s11" n="la12" xml:lang="la">Non liceat omnino in honorem
sacrilegi ritus funestioribus locis exercere convivia vel quicquam
sollemnitatis agitare.</s>
<s xml:id="sirmond_12.0.s12" n="la13" xml:lang="la">episcopis quoque locorum haec
ipsa prohibendi ecclesiasticae manus tribuimus facultatem.</s>
<s xml:id="sirmond_12.0.s13" n="la14" xml:lang="la">Nam et agentum in rebus
executionem Maximi, Iuliani, Eutychi, ut ea, quae generalibus legibus contra
Donatistas, Manichaeos adque huiusmodi haereticos vel gentiles statuta sunt,
impleantur, indulsimus.</s>
<s xml:id="sirmond_12.0.s14" n="la15" xml:lang="la">Qui tamen scient in omnibus
modum statutorum esse servandum, ut ea, quae contra vetitum videntur esse
commissa, mox iudicibus iuxta vim legum deferant vindicanda.</s>
<s xml:id="sirmond_12.0.s15" n="la0" xml:lang="la">Quos quidem viginti librarum
auri poena statuae dudum multae constringet, pari multa officiis ordinibusque
proposita, si haec quae statuimus eorum fuerint dissimulatione neglecta, Curti
parens carissime adque amantissime.</s>
<s xml:id="sirmond_12.0.s16" n="la1" xml:lang="la">Quod ad continendos hominum
mores religionemque provium et ad rectores provinciarum sublimis magnificentia
tua faciet pervenire et digno per omnes iubebit vigore servari.</s>
<milestone unit="english" />
</ab>
<ab xml:id="sirmond_12.subs" type="subs">
<milestone unit="latin" />
<s xml:id="sirmond_12.subs.s1" n="la2" xml:lang="la">Dat.vii kal. Decemb. Romae,
proposita Carthagine in foro sub programme porphyrii proconsulis nonis Iuniis
Basso et Filippo VV. CC. cons. (407 Nov. 25).</s>
<milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="sirmond_13" type="titulus">
<head xml:id="sirmond_13.titl">
<s xml:id="sirmond_13.titl.s1" n="la" xml:lang="la">13. DE CONFUGIENTIBUS AD ECCLESIAS UT
QUINQUAGINTA PASSIBUS EXTRA FORES SECURI SINT, ET UT EPISCOPO CARCERES VISITANTI
LIBER ADITUS PATEAT</s>
</head>
<div2 type="constitutio" subtype="solo">
<ab xml:id="sirmond_13.insc" type="insc">
<milestone unit="latin" />
<s xml:id="sirmond_13.insc.s1" n="la1" xml:lang="la">1. Impp. Honorius et
Theodosius pii Augg.</s>
<milestone unit="english" />
</ab>
<ab xml:id="sirmond_13.0" type="caput">
<milestone unit="latin" />
<s xml:id="sirmond_13.0.s1" n="la2" xml:lang="la">Convenit, nostris praescita
temporibus ut iustitiam inflectat humanitas.</s>
<s xml:id="sirmond_13.0.s2" n="la3" xml:lang="la">Nam cum plerique vim fortunae
saevientis aufugerint adque ecclesiasticae defensionis munimen elegerint,
patiuntur inclusi non minorem quam vitavere custodiam: nullis enim temporibus
in luce vestibuli eis aperitur egressus.</s>
<s xml:id="sirmond_13.0.s3" n="la4" xml:lang="la">Adque ideo quinquaginta passibus
ultra basilicae fores ecclesiasticae venerationis sanctitas inhaerebit.</s>
<s xml:id="sirmond_13.0.s4" n="la5" xml:lang="la">Ex quo loco quisque tenerit
exeuntem, sacrilegii crimen incurrat.</s>
<s xml:id="sirmond_13.0.s5" n="la6" xml:lang="la">Nihil enim confugientibus
miserationis impenditur, si aura Liberior negatur adflictis.</s>
<s xml:id="sirmond_13.0.s6" n="la7" xml:lang="la">Eam quoque sacerdoti concedimus
facultatem, ut carceris ope miserationis aulas introeat, medicetur aegros, alat
pauperes, consoletur insontes et cum singulorum causas scrutatus agnovit,
interventiones suas apud iudicem competentem pro iure moderetur.</s>
<s xml:id="sirmond_13.0.s7" n="la8" xml:lang="la">Scimus enim idque crebris
aditionibus supplicatum frequenter ideo plerosque in custodiam detrudi, ut
adeundi iudicis libertate priventur et, cum semel coeperit humilior persona
pati custodiam, antequam causa sciatur, iniuria poneam sustinere
compellitur.</s>
<s xml:id="sirmond_13.0.s8" n="la9" xml:lang="la">Confestim duas auri libras fico
nostro contumax solvet officium, si sacerdotem negotia tam sancta curantem
ianitor feralis excluserit.</s>
<milestone unit="english" />
</ab>
<ab xml:id="sirmond_13.subs" type="subs">
<milestone unit="latin" />
<s xml:id="sirmond_13.subs.s1" n="la10" xml:lang="la">Dat.XI kal. Decemb. Ravennae
Monaxio et Plinta VV. CC. cons. (419 Dec. 21).</s>
<milestone unit="english" />
</ab>

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</div2>
</div1>
<div1 xml:id="sirmond_14" type="titulus">
  <head xml:id="sirmond_14.titl">
    <s xml:id="sirmond_14.titl.s1" xml:lang="la">14. DE EPISCOPIIS IN AFRICA VEXATIS: UT
      CAPITALI SENTENTIA DEINCEPS IN EOS VINDICETUR QUI ECCLESIIIS VEL EPISCOPIIS AC
      MINISTRIS INIURIAM INTULERINT</s>
  </head>
  <div2 type="constitutio" subtype="solo">
    <ab xml:id="sirmond_14.insc" type="insc">
      <milestone unit="latin" />
      <s xml:id="sirmond_14.insc.s1" n="la1" xml:lang="la">1. Impp. Honorius et
        Theodosius Theodoro viro ill. pp.</s>
      <milestone unit="english" />
    </ab>
    <ab xml:id="sirmond_14.0" type="caput">
      <milestone unit="latin" />
      <s xml:id="sirmond_14.0.s1" n="la2" xml:lang="la">Dubium non est coniventia
        iudicum fieri et culpabili dissimulatione inultum relinqui, quod ad turbendam
        quietem publicam in contemptum Christianae religionis, quam debito cultu
        veneramur, sub publica testificatione commissum addiscimus et pariter non
        punitum.</s>
      <s xml:id="sirmond_14.0.s2" n="la3" xml:lang="la">Vicina peccato in iudice
        dissimulatio est, quem ignoratio commissi criminis non defendit.</s>
      <s xml:id="sirmond_14.0.s3" n="la4" xml:lang="la">Per provinciam Africam tantum
        quorundam temeritati licuisse comperimus, ut Christianae legis antistites de
        propriis domibus raptos vel, quod est atrocius, de ecclesiae catholicae
        penetralibus protractos cruciatibus diversis afficerent, alios vero ad solam
        divini cultus iniuriam avulsa capillorum parte foedatos vel alio iniuriae
        genere deformatos concurrentium speculis exhiberent, ut esset circa eos venia
        gravior, quorum saluti contemptus ignoverat.</s>
      <s xml:id="sirmond_14.0.s4" n="la5" xml:lang="la">Tanti sceleris nefas et immane
        flagitium numquam ante compertum Africanorum iudiciorum auctoritas nec creditae
        sibi potestatis iure persequitur nec debita cura referendi in nostram fecit
        notitiam pervenire.</s>
      <s xml:id="sirmond_14.0.s5" n="la6" xml:lang="la">Ignorari ab his potuisse non
        credimus, quod commissum in civitatibus publice memoratur, quod iugis et
        magistratuum et ordinum cura, stationarii apparitoris sollicitudo, quae
        ministra est nuntiorum atque indicium, absentiae exhibet potestatem.</s>
      <s xml:id="sirmond_14.0.s6" n="la7" xml:lang="la">Licet enim insinuare levia,
        graviora reticere?</s>
      <s xml:id="sirmond_14.0.s7" n="la8" xml:lang="la">Non tacuissent, quod propriis
        innotescere rectoribus per alterum formidarent, nisi intellegerent nolle
        iudicem vindicare.</s>
      <s xml:id="sirmond_14.0.s8" n="la9" xml:lang="la">Expectandum fuit institutis
        accusationibus contra professionis propriae sanctitatem, ut episcopi suas
        persequerentur iniurias et reorum nece deposcerent ultionem, quos invitos decet
        vindicari?</s>
      <s xml:id="sirmond_14.0.s9" n="la10" xml:lang="la">Deducitur in hanc necessitatem
        veniae persuasor alienae, praeceptor indulgentiae, ut de se aut ipse tractasse
        videatur, quod et petenti alius non negaret, aut praeceptis obsecuturus
        sacerdotii criminorum vi impunitae subiaceat.</s>
      <s xml:id="sirmond_14.0.s10" n="la11" xml:lang="la">episcopos et alios ecclesiae
        catholicae ministros nisi aut vigor potestatum aut fides iudicum laudabili
        auctoritate tueatur, erunt addicti audaciae pessimorum.</s>
      <s xml:id="sirmond_14.0.s11" n="la12" xml:lang="la">Quapropter iubemus, ut eos,
        qui talia commisisse dicuntur, diversorum per Africam iudicum sine innocentum
        laesione requirat auctoritas, ac proprio exhibitos examini, si convinci
        manifesta probatione cognoverit, cuiuslibet dignitatis et honoris reos probatos
        aut metallo tradat aut poenam deportationis subire compellat, facultatibus
        eorum fisco nostro sociatis, ut habeant vitam sibi clementiae nostrae more
        concessam, quae similibus non donabitur tempore futuro criminibus.</s>
      <s xml:id="sirmond_14.0.s12" n="la13" xml:lang="la">Si quidem praesentis legis
        aeternitate cunctis observanda constituimus, Theodore parens carissime adque
        amantissime, quod illustris magnificentiae tuae praelatum litteris, proponendum
        edictis, in omnium volumus notitiam pervenire: ut, si quisquam in hoc genus
        sacrilegii proruperit, ut in ecclesias catholicas irruens sacerdotibus et
        ministris vel ipsi cultui locoque aliquid importet iniuriae, quod geretur,
        litteris ordinum, magistratuum et curatoris et notoriis apparitorum, quos
        stationarios appellant, deferatur in notitiam potestatum, ita ut vocabula
        eorum, qui agnosci potuerint, declarentur.</s>
      <s xml:id="sirmond_14.0.s13" n="la14" xml:lang="la">Et si per multitudinem
        commissum dicitur, si non omnes, possunt tamen aliquanti cognosci, quorum
        confessione sociorum nomina publicentur.</s>
      <s xml:id="sirmond_14.0.s14" n="la15" xml:lang="la">Adque ita provinciae
        moderator, sacerdotum et catholicae ecclesiae ministrorum, loci quoque ipsius
        et divini cultus iniuriam capitali in convictos vel confessos reos sententia
        noverit vindicandam nec expectet, ut episcopus iniuriae propriae ultionem
        deposcat, cui sacerdotii sanctitas ignoscendi solam gloriam derelinquit.</s>
      <s xml:id="sirmond_14.0.s15" n="la0" xml:lang="la">sitque cunctis non solum
        liberum, sed etiam laudabile, factas sacerdotibus vel ministris atroces
        iniurias velut publicum crimen persequi ac de talibus reis ultionem mereri, ut
        hac saltem ratione, quod agi adversum se per episcopum non posse confidit, at
        aliorum accusationibus malorum audacia pertimescat.</s>
      <s xml:id="sirmond_14.0.s16" n="la1" xml:lang="la">Et si multitudo violenta
        civilis apparitionis executione et adminiculo ordinum possessorumve non
        potuerit praesentari, quod se armis aut locorum difficultate tueantur, iudices
        Africani armatae apparitionis praesidium, datis ad virum spectabilem comitem
        Africae litteris praelato legis istius tenore deposcent, ut rei talium criminum

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    non evadant.</s>
<s xml:id="sirmond_14.0.s17" n="la2" xml:lang="la">Et ne Donatistae vel ceterorum
vanitas haereticorum aliorumque eorum, quibus catholicae communionis cultus non
potest persuaderi, Iudaei adque gentiles, quos vulgo paganos appellant,
arbitrentur legum ante adversum se datarum constituta tepuisse, noverint
iudices universi praeceptis earum fidei devotione parendum et inter praecipua
curarum, quidquid adversus eos decrevimus, exequendum.</s>
<s xml:id="sirmond_14.0.s18" n="la3" xml:lang="la">Si quisquam iudicum peccato
coniventiae, dissimulandi arte, executionem praesentis legis omiserit, noverit
amissa dignitate graviolem motum se nostrae clementiae subiturum, officium
quoque suum, quod saluti propriae contempta suggestioni defuerit, punitis
tribus primatibus condemnationi viginti librarum auri subdendum.</s>
<s xml:id="sirmond_14.0.s19" n="la4" xml:lang="la">Ordinis quoque viri, si in
propriis civitatibus vel territoriis commissum tale aliquid siluerint gratia
obnoxiorum, deportationis poenam et propriarum amissionem facultatum se
noverint subituros.</s>
<milestone unit="english" />
</ab>
<ab xml:id="sirmond_14.subs" type="subs">
<milestone unit="latin" />
<s xml:id="sirmond_14.subs.s1" n="la5" xml:lang="la">Dat. XVIII kal. Februar. dd.
nn. Honorio VIII et Theodosio V Aug. conss. Ravenna. (409 Ian. 15).</s>
<milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="sirmond_15" type="titulus">
<head xml:id="sirmond_15.titl">
<s xml:id="sirmond_15.titl.s1" xml:lang="la">15. EOS INFAMIAE NOTAM SUBIRE QUI
OBJECTA CLERICIS CRIMINA PROBARE NON POSSUNT)</s>
</head>
<div2 type="constitutio" subtype="solo">
<ab xml:id="sirmond_15.insc" type="insc">
<milestone unit="latin" />
<s xml:id="sirmond_15.insc.s1" n="la1" xml:lang="la">1. Imp. Honorius et
Theodosius AA. ad Melitium virum illustrem pp.</s>
<milestone unit="english" />
</ab>
<ab xml:id="sirmond_15.0" type="caput">
<milestone unit="latin" />
<s xml:id="sirmond_15.0.s1" n="la2" xml:lang="la">Non cassum veterum prudentia
constituit quod adpetitam innocentiam solaretur et purgatis repperit ultionem,
ne libera calumniantis intentio insontes adfligeret.</s>
<s xml:id="sirmond_15.0.s2" n="la3" xml:lang="la">terret quidem reum proposita
poena criminibus et facit accusatorem vindictae contemplatione cautiorem, ne
quisquam solis aliquando inimicitiarum stimulis incitatus ingerat non probanda
iudicibus.</s>
<s xml:id="sirmond_15.0.s3" n="la4" xml:lang="la">Quae fori aequitas, responsis
veterum et legum nostrarum aeternitate solidata, cunctis est delata personis,
debet clericis nunc prodesse, quos non nisi apud episcopos convenit
accusari.</s>
<s xml:id="sirmond_15.0.s4" n="la5" xml:lang="la">Quibus nihil convenit habere
commune, ne cultus venerabilis sacerdos et Christianae legi dicatus minister,
quibus intuitu religionis maior quam ceteris talibus reverentia deferenda est,
seculo calumniantis arbitrio cuiuslibet criminis nondum probata obiectione
maculetur et talibus personis, quibus dignum est detulisse pro merito, peccatum
iniuria fieri et sine ultione illicite patiamur.</s>
<s xml:id="sirmond_15.0.s5" n="la6" xml:lang="la">Quapropter placitura omnibus
legis aeternitate sancimus, ut, si episcopus vel presbyter, diaconus et
quicumque inferioris loci Christianae legis minister apud episcopos, si quidem
alibi non oportet, a qualibet persona fuerint accusati, sive ille sublimis vir
honoris sive cuiuslibet alterius dignitatis, qui hoc genus miserandae
intentionis arripiat, ut homo peccatis aliquibus vel criminibus pollutus
mentio probatis obsequio vel locum tenentibus sacerdotii vel divinis
servientibus mysteriis delationem ingerat, noverit docenda probationibus,
monstranda documentis se debere deferre.</s>
<s xml:id="sirmond_15.0.s6" n="la7" xml:lang="la">In quo si est culpa, minister
religionis vitae suae pollutione removendus sacris non potest interesse
secretis.</s>
<s xml:id="sirmond_15.0.s7" n="la8" xml:lang="la">At si huius est vesaniae, quae
nullis fulta probationibus composita criminatione talium virorum adpetisse
propositum videatur aut ...</s>
<s xml:id="sirmond_15.0.s8" n="la9" xml:lang="la">Si quis igitur circa huiusmodi
personas</s>
<s xml:id="sirmond_15.0.s9" n="la10" xml:lang="la">
<supplied resp="#mommssen">non probanda detulerit, auctoritate huius sanctionis
intellegat se iacturae famae propriae subiacere, ut damno pudoris,
existimationis dispendio discat sibi alienae verecundiae impune insidiari
saltem de cetero non licere.</supplied>
</s>
<s xml:id="sirmond_15.0.s10" n="la11" xml:lang="la">
<supplied resp="#mommssen">Nam sicut episcopos presbyteros diaconos ceterosque,
si his obiecta comprobari potuerint, maculatos ab ecclesia venerabili aequum
est removeri, ut contempti post haec et miserae humilitatis inclinati
despectu iniuriarum non habeant actionem, ita similis videri debet
iustitiae, quod adpetitae innocentiae moderatam deferri iussimus
ultionem.</supplied>
</s>
<s xml:id="sirmond_15.0.s11" n="la12" xml:lang="la">

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        <supplied resp="#mommsen">Ideoque huiusmodi dumtaxat causas episcopi sub
        testificatione multorum actis audire debebunt.</supplied>
    </s>
    <milestone unit="english" />
</ab>
<ab xml:id="sirmond_15.subs" type="subs">
    <milestone unit="latin" />
    <s xml:id="sirmond_15.subs.s1" n="la13" xml:lang="la"><supplied resp="#mommsen"
    >Dat. III id. Dec. Ravennae Honorio VIII et Theodosio V AA. cons. (412
    Dec. 11).</supplied> (412 Dec. 3).</s>
    <milestone unit="english" />
</ab>
</div2>
</div1>
<div1 xml:id="sirmond_16" type="titulus">
    <head xml:id="sirmond_16.titl">
        <s xml:id="sirmond_16.titl.s1" xml:lang="la">16. LEX QUAE REDEMPOTOS DE CAPTIVITATE
        JUBET AUT RESTITUERE PRETIUM AUT SI PAUPERES SUNT QUINQUENNIO REDEMPTORIBUS SUIS
        OBSEQUI</s>
    </head>
    <div2 type="constitutio" subtype="solo">
        <ab xml:id="sirmond_16.insc" type="insc">
            <milestone unit="latin" />
            <s xml:id="sirmond_16.insc.s1" n="la1" xml:lang="la">1. Imp. Honorius ad Theodorum
            II pp.</s>
            <milestone unit="english" />
        </ab>
        <ab xml:id="sirmond_16.0" type="caput">
            <milestone unit="latin" />
            <s xml:id="sirmond_16.0.s1" n="la2" xml:lang="la">Punitis auctoribus mali publici
            laesorum quidem dolori dedimus ultionem, sed provincialibus nostris libertatis
            restituendae festinatione sentimus uno eodemque tempore armis et legibus
            consulendum.</s>
            <s xml:id="sirmond_16.0.s2" n="la3" xml:lang="la">Hinc denique bellorum curis
            mixta ratio et salubris constitutio admonuit faciendum, ut diversarum homines
            provinciarum cuiuslibet sexus condicionis aetatis, quos barbaricae feritatis
            discursus captiva necessitate transduxerat, invitos nemo retineat, sed ad
            propria redire cupientibus libera sit facultas.</s>
            <s xml:id="sirmond_16.0.s3" n="la4" xml:lang="la">Quibus si quicquam in usum
            recuperandarum virium vestium vel alimoniae dicatur impensum, humanitati sit
            praestitum, nec maculet boni facti gloriam avara victualis sumptus repetitio,
            cum forsitan alimoniae istius mercedes operarum reddiderit compensatio.</s>
            <s xml:id="sirmond_16.0.s4" n="la5" xml:lang="la">Quod in examen venire non
            patimur, ne ad propria redire cupientes indecoris contentionibus retardentur:
            exceptis his, quos quis barbaris vendentibus emisse docebitur, a quibus status
            sui pretium propter utilitatem publicam emptoribus aequum est redhiberi: ne
            ingentis damni consideratio in tali necessitate positus negari faciat
            emptionem, et inveniamur, quorum libertati consuli volumus, saluti potius
            obfuisse.</s>
            <s xml:id="sirmond_16.0.s5" n="la6" xml:lang="la">Hos decet aut datum pro se
            pretium emptoribus restituere, aut labore, obsequio vel opere quinquennii vicem
            referre beneficii, habituros incolumem, si in ea nati sunt, libertatem.</s>
            <s xml:id="sirmond_16.0.s6" n="la7" xml:lang="la">Nec honestas emptoribus
            quinquennii tempus ad compensationem maioris forsitan pretii datum ingemiscat
            exiguum, quia humanae vitae fragilitas forte intra metas potest temporis
            constituti deficere nec ad legis beneficium pervenire.</s>
            <s xml:id="sirmond_16.0.s7" n="la8" xml:lang="la">credant saltem perditum casibus,
            quod humanitate detulerint, licet humana misericordia deo iudice quod alteri
            tribuit, sibi praestet.</s>
            <s xml:id="sirmond_16.0.s8" n="la9" xml:lang="la">Quapropter servata definitione
            legis, cuius moderationem placere non dubium est, reddantur sedibus propriis,
            quibus iure postliminii et veterum responsis prudentium incolumia cuncta
            servata sunt.</s>
            <s xml:id="sirmond_16.0.s9" n="la10" xml:lang="la">Quam sanctionem adeo volumus
            custodiri, ut, si quisquam temeritate sacrilega praeceptis fuerit conatus
            obsistere, actor et conductor procuratorque, qui ad tuendam absentis domini
            possessionem esse detegitur, dari se metallo aut poenam deportationis non
            ambigat subitum.</s>
            <s xml:id="sirmond_16.0.s10" n="la11" xml:lang="la">Si vero possessionis dominus
            contra mansuetudinis nostrae salubre constitutum venire temptaverit, rem suam
            fisco noverit vindicandam seque per rectoris provinciae sententiam
            deportandum.</s>
            <s xml:id="sirmond_16.0.s11" n="la12" xml:lang="la">Et ut facilis exsecutio
            proveniat imperatis, Christianae sacerdotes, vicinorum et proximorum locorum
            ecclesias retinentes, quorum moribus congruit effectus talium praeceptorum,
            curiales quoque proximorum civitatum placuit admoneri, ut emergentibus talium
            necessitatum causis adeant iudices legis nostrae auxilium petitori.</s>
            <s xml:id="sirmond_16.0.s12" n="la13" xml:lang="la">Et ne quis contumaciae suae
            culpam praecepti ignorance tueatur, Theodore parens carissime adque
            amantissime, illustris magnificentia tua legis tenorem litteris suis edictisque
            propositis ad omnium iudicum et provincialium notitiam faciet pervenire, ita ut
            noverint rectores universi decem libras auri a se et tantundem ponderis a suis
            apparitoribus exigendum, si quod praeceptum est, in gratiam cuiuspiam neglectum
            esse doceatur: cum saluberrimae sanctionis executionem deferri ab omnibus
            quidem, sed iudicum maxime et officiorum cura obsequioque iubemus.</s>
            <milestone unit="english" />
        </ab>
        <ab xml:id="sirmond_16.subs" type="subs">
            <milestone unit="latin" />

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<s xml:id="sirmond_16.subs.s1" n="1a14" xml:lang="la">Dat.iii non. Decemb.  
  Ravennae Basso et Filippo VV. CC. conss., accepta XVI kal. Ianuarias. (408 Dec.  
  10).</s>  
  <milestone unit="english" />  
</ab>  
</div2>  
</div1>  
</body>  
</text>  
</TEI>
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