

Edict 8.

Concerning the Vicar of the diocese of Pontus.

(De Ponticae dioceseos vicario.)

---

The same emperor (Justinian) to Bassus, glorious praetorian prefect.

Preface.

Thinking that the civil magistrates would suffice in the provinces of the diocese of Pontus, we, in the meantime, abolished the office of vicar formerly devised for these places, not expecting the wrongs afterwards committed in them. But we have since learned by experience that the provinces are inhabited by men who support themselves by robbery and murder, assembling armed men whom they use against each other and escape the punishment provided for them by leaving the province in which they commit their crimes, none of the provincial magistrates daring to leave their own province, burdening the fisc with expenses, and accomplishing nothing, since the magistrate would not be present who could give ready assistance and repress such crimes.

c. 1. It has therefore seemed best to re-establish the office of vicar, and let the president of the first Galatia be nothing more than a civil magistrate, as he was previous to the time that we abolished the office of vicar and honored the president of the first Galatia with the greater dignity and salary, and to again set over the provinces of the diocese a vicar, to represent not only the (praetorian) prefecture, but also the glorious master of offices and the glorious masters of the soldiers, and further, the magnificent magistrates who manage the imperial patrimony and treasure, and those who are in control of the domestics and protectors, and he shall have such authority and power as is customarily inherent in the magistrates sent to such places, so that no one shall

(27) Order of Const. of  
be exempt from his jurisdiction on account of any dignity, priest-  
hood, girdle of office or imperial service or anything else, but  
shall shall be subject to him alike, whether they are persons in  
private station, or are honored with a dignity, or imperial service  
or priesthood, and that not only in criminal cases - for we do not  
make him a military magistrate alone - but also if anyone wants to  
institute a civil suit. We make him a magistrate over all men and  
over all things alike. 1. We return to him the right, which he  
previously had, of hearing cases in place of the emperor (sacrum  
auditorium), so that lawsuits involving up to 500 gold pieces (\$1500)  
appealed in any province of the diocese of Pontus, shall not be  
taken to this fortunate city, but shall be examined by him, in place  
of the emperor (vice-sacra), whether such appeal is taken from the  
decision of the (provincial) magistrate, given pursuant to his in-  
herent jurisdiction, or from the decision of anyone (appointed) by  
order of a magistrate of this great city or by our order, giving  
no one permission, after the appeal has been taken, to take another  
appeal. If the controversy was originally commenced before him,  
and an appeal is taken from him, the appeal shall be taken in the  
same manner as before the time that we combined the magistracies,  
and as though no innovation had been made in the meantime. We di-  
rect this to apply also to the president of Galatia, whom we again  
make an ordinary magistrate, as though nothing had been changed in  
the meantime.

c. 2. We give this vicar the right to go into any province of  
the diocese of Pontus he wishes, from the neighboring Bithynia to  
Armenia, as far as Trapezunta and the Persian borders of our state,  
first of all pursuing with proper punishment the crimes heretofore  
committed - for we also give him the right of the sword - particu-  
larly punishing the soldiers who have left their stations and have  
engaged in such crimes. If anyone is subject to a criminal com-  
plaint, he shall deprive him of his girdle of office, no matter what

complaint, he shall deprive him of his girdle of office, no matter what

it may be, without waiting to inform the officer in charge of such soldiers, since he represents such officer and has plenary power in all matters. We give him permission to enter all places and villages whether belonging to the holy churches, religious houses or monasteries, or to the crown domain, imperial patrimony or imperial house, and, to state it briefly, we exempt no place from his jurisdiction.

c. 3. He shall also take notice whether the soldiers in their marches observe the proper discipline; and if any wrong is committed in such marches, he shall correct it, chastising the soldiers, as well as causing our subjects who have been wronged in their property to be indemnified. We give him the power to take arms away from those who do not possess them on account of military necessity, and to send them to the armories of this great city. 1. He shall suppress adultery, murder, highway-robbery, and especially rape of women, forcible taking of property, attacks, violence and in short every crime of that kind, because that is the main business of the office given him. He shall restrain the dishonest, whether priest or magistrate, and whether landed-proprietors or common people (privati), and shall permit no one to do anything not approved by our laws. 2. He shall examine and adjudicate controversies; he shall have his own official staff of 70 men (vicarii), now serving pursuant to imperial orders of approval, which shall be issued by the bureau, by which they were formerly issued when he was vicar. We give him back the mules, in the number formerly assigned to the vicar, and which the president of the province has now taken into his service, since the latter who is nothing but a civil magistrate has no use for them, but their service is necessary for the vicar who is compelled to travel about. 3. The whole army stationed in these places shall obey him, and the domestics, protectors, scholarians (division of soldiers) and soldiers shall comply with his commands, without requiring the order of the president or our order, but

obeying him by virtue of his right as magistrate. They shall serve him in the place where they are, respectively, stationed, unless some just cause or inevitable necessity, rendering greater help necessary, compels him to take them to another place. 4. He shall have the use of the voice of a crier and of four torches - since we have provided for the expense thereof - and of all the other insignia of a civil and military magistrate. Hence, we order that an adjutant (ad responsum) shall serve him, according to the example in the case of our glorious masters of the soldiers, through whom he may punish the soldiers when necessary and coerce them to perform necessary services. The amount of salary assigned to him and to his counselor (assessor) and to the official staff under him, and the amount which the president of the first G<sub>3</sub>latia shall have for himself and his counselor and the official staff under him, and the fee which he (the vicar) should pay for his letters-patent to the imperial palace or to the office of the glorious praetorian prefect, has been made clear by the annexed schedule. (a) We reinstate this office in these places, so that those upon whom wrongs are inflicted may have ready help, and so that the inhabitants of these places, heretofore oppressed, may be released from their oppression and may enjoy quiet and good order, since we have put in command in these places a magistrate who is able to ward off all wrong and disturbance.

Given September 18, 548.

(a) Schedule - this is lacking.

Epilogue. We have deemed it well to make this known to Your Glory, so that upon knowing what it has pleased us to enact on this matter, you may hereafter observe it and furnish the salary stated in the annexed schedule.

Given September 17, 548.