

Book XII.
Title XLVI (XLVII).

Concerning the veterans.
(De veteranis.)

12.46.1.

When Emperor Constantine entered the imperial headquarters, and was saluted by the prefects, tribunes and eminent men, this acclamation was made: Augustus Constantine, may God preserve you for us; your safety is our safety; we speak truly; we say so, on our oath. 1. The veterans unitedly exclaimed: Constantine Augustus, for what purpose have we been made veterans, if we have no privileges? The emperor Constantine said: I should rather increase the happiness of my co-veterans than diminish it. 2. Victorinus, the veteran said: It should not be permitted to call on us to perform liturgies and bear burdens in the various places. The emperor Constantine said: Indicate more clearly; what are the liturgies which specially weigh upon you heavily. 3. All the veterans said: You know them yourself. The emperor Constantine said: Let it now be plain, that by my liberality (*munificentia*) this privilege is granted to all the veterans, that they shall not be called on for any municipal liturgy or for any public construction-work or for any contribution demanded by any magistrate or for any municipal dues (*vectigal*). 4. At whatever public markets they are present, they shall not be compelled to pay any fee to sell their property. 5. The publicans (farmers of taxes) also, who generally rob the trades-people, shall keep away from the veterans. They shall enjoy perpetual peace after their labors. 6. We also, by the same letter, forbid our fisc to disturb any of them; but they may sell and buy, use their money for advantageous bargains, and carry on trade, so that they may enjoy their unimpaired privileges in the leisure and peace of our time. 7. And they shall not be compelled to perform any municipal liturgy, that is to say, any corporal or personal one, or be burdened by any duty of convoying (*deportorio onere*). Given March 1 (320).

C. Th. 7.20.2.

Note.

It is not altogether clear just what privileges were granted to veterans. 1. They were exempt from personal and corporal liturgies in cities, but according to this law they were not generally exempt from patrimonial liturgies, although some exemptions from patrimonial liturgies were granted them under C. 10.56.1. See also note C. 10.55.3. It would, also, accordingly, be clear that they were not exempt from ordinary taxes (see C. 10.46.1), although Gothofredus thinks they were; see C. J. 7.20.8, 9 and 11. 2. They could not be called on to contribute anything toward public buildings or other public works apparently either in labor or money. 3. They were not compelled to make any contribution in money (*collatio*) (see C. 50.5.8.3), either to a magistrate, demanding such contribution for highways, perhaps, or for other public works, or for any municipal dues (*vectigal*). Just what such dues were is not clear - perhaps water rent, fees for baths, etc. It is thought that the 'magistrate' here mentioned was the magistrate of the country-district demanding contribution for construction of highways. 4. They were not required to pay any fee for exposing their property for sale. See C. 4.60.1 and note. 5. They were

exempt from duties to convoy goods and they could buy and sell and transport goods at pleasure. See C. 4.61 for transit dues etc. as to "deportorio onere" see Kuhn 50.

12.46.2. The same Emperor to Maximus, Praetorian Prefect.

Care must be taken that veterans who also enjoy the dignity of a protector,¹ or who received various honors in accordance with their deserts, shall not suffer improper wrongs, and the rectors of the provinces, examining the deed within their jurisdiction, shall punish the persons apprehended in such a crime,² according to the nature thereof. Given at Treves December 29 (328).

C. Th. 7.20.5.

12.46.3. The same Emperor to Evagrius, Praetorian Prefect.

Veterans who, through laziness neither cultivate the soil, nor do anything respectable, but devote themselves to robberies, shall be deprived of their privileges as veterans, and be subjected to proper punishment by the rectors of the provinces.

Given August 13 (353).

C. Th. 7.20.7.

12.46.4. Emperors Honorius and Theodosius to Eustathius, Praetorian Prefect of the Orient and Nestorius, Praetorian Prefect of Illyria.

No discharged soldier shall be permitted voluntarily, or shall be compelled involuntarily, to obey a military court. Decisions made in disobedience hereof, shall have no effect, unless the trial was commenced during the time of service; for in that case the matter shall be handled and finished by the military judge, as though the girdle of service had not yet been laid aside, unless a person is protected against it by reason of a special imperial rescript.

About 421-422.

Note.

Discharged soldiers became civilians. Military courts had no jurisdiction in cases in which only civilians were interested. On that subject see C. 3.13.6 and note and references there given.

¹ [Blume] Palace soldier. C. 12.17.

² Blume penciled-in here: "In what crime? G. would substitute for 'such' in aliquo—'any'."