

Book XII.  
Title LV (LVI).

Concerning the apparitors of the proconsuls and legate.  
(De apparitoribus proconsulis et legati.)

12.55.1. Emperors Valentinian, Theodosius and Arcadius to Flaccianus, Proconsul of Africa.

No curial or member of other corporations shall belong to the staff in your service; and if any such persons are among your apparitors they shall be immediately ordered back to their own duties.

Given at Constantinople October 7 (393).

C. Th. 1.12.4.

Note.

That curials were not permitted to leave their city was shown at C. 10.32 and headnote. There were certain corporations, or guilds, who were engaged in public functions, and who were bound to their condition just as curials were bound to the city and serfs to the soil. See headnote C. 11.2. These were the corporations, doubtless, to which reference is made in this law.

12.55.2. Emperors Arcadius and Honorius to Victorius, Proconsul of Africa and to Dominator, Vicar of Africa.

We have ordered that 400 apparitors be assigned to you and your legates, but from among those only of those withdrawal the citizens of a city do not complain.

Given at Milan May 21 (398).

C. Th. 1.12.6.

Note.

The proconsul of Africa, as also the proconsul of Asia, had a privileged position, and were not subordinates of either a prefect or a vicar, but of the emperor directly. The instant law was enacted prior to the time that the Vandals conquered Africa, and it is accordingly strange that the present law was left in the Code at all. Africa was reconquered in 534 A.D. and an entirely different arrangement as to the government of Africa was made. C. 1.27, enacted in 534 A.D. See Bury, 1 Hist. Later Roman Empire 27 and 2 Bury 140.

The office of the provincial governors had about 100 persons (C. 12.57.9); that of the vicars about 300, the vicars of Asia, however, having only 200 (C. Th. 1.15.5 and 13); the count of the Orient had 600 men (C. 12.56.1), and the Augustal prefect of Egypt the same number (Edict 13, c. 2). The official staff of the masters of the soldiers counted at one time 300, and that of the count of the imperial exchequer under Arcadius in the East 224 regulars and 610 supernumeraries. See 1 Bury, supra 23, note; Kuhn, 1 Verfass. D. R. R. 157. Upon the re-organization of Africa, the praetorian prefect had only allowed 396, and the governors 50.

12.55.3. The same Emperor to Messala, Praetorian Prefect.

The official staff in the proconsular province may ask what it is accustomed to demand, but must not impudently interfere in other affairs.

Given September 29 (399).  
C. Th. 1.12.7.

Note.

This law, doubtless, had reference to the fees chargeable by the various officers.  
See Cujacius on this law.