

Book XII.
Title LXII (LXIII).

Concerning the office of the governor's quartermaster.
(De primipilo.)

Headnote.

The primipilar was the governor's quartermaster, looking after the provisions for the army. C. 12.37.9 and note. The present title evidently speaks of the office (primipilus) also called primipilatus.

12.62.1. Emperors Valerian and Gallienus to Domitius.

The emoluments of the office of a primipilar begin to be owing after (the beginning of) the administration (of that post); and if the person who ought to receive them, is taken away from earthly affairs, his heirs shall be entitled thereto.

12.62.2. Emperors Diocletian and Maximianus to Alexander.

Civil actions are not to be transferred to other judges on the pretext (that they arise out of the position) of primipilar.

12.62.3. The same Emperor to Domna.

Public benefit takes precedence over private contracts. If it therefore appears that the fisc has been satisfied on account of the office of primipilar, you can (only then) claim the property hypothecated to you for your dowry, so as to satisfy such claim.

Note.

According to this law, the rights of the fisc were apparently superior to the rights of dowry of a woman. But this was changed by later laws. and the dowry was protected even against the fisc. C. 7.73.2 and reference there given. But see C. 8.17.2 and 29 Z.S.S. 370 ff.

12.62.4. The same Emperor to Dronysius.

Since the divine Aurelian ordained that children are responsible for the debts of their father, though not his heirs, only when these debts arise out of the office of primipilar, if you did not become your father's successor, and have none of his property, it follows that you cannot be sued by your father's creditors.

Note.

Children who became heirs to their parents, either under a will, or on intestacy, and who entered upon or accepted such inheritance, were responsible for the debts of the decedent to the extent that they inherited the estate, but not otherwise and to no greater extent. Headnote C. 6.30. The instant law shows that an innovation was made in that respect, Aurelian providing that they should be liable for their father's debt arising out of the administration of the post of primipilar even though they did not inherit any property from him. Evidently a harsh provision.