

Book IX.
Title XXIV.

Concerning adulterated coins.
(De falsa moneta.)

Bas. 60.60.1.2.

9.24.1. Emperor Constantine to Januarius.

Since some persons secretly and criminally made adulterated coins, all must know that it is incumbent on them to discover these men, so that the latter may be delivered to the judges and the accomplices betrayed though torture and thus dealt with by suitable punishment. 1. We grant their accusers immunity (from taxes), the measure of which, since the amount of property they hold varies, will be decided separately in each instance. 2. If a member of the official staff¹ lets any person escape from custody, he will be punished with death. 3. A private person (convicted of such crime) shall have no right of appeal. If a man in the service of the state or one promoted to rank commits such crime, his name and rank shall be reported to the proper judge. 4. And the house or farm on which such crime is perpetrated shall, if the owner is near by so that his carelessness or negligence is punishable, be claimed for the fisc, though the owner was unaware of such acts, unless he, without previously knowing thereof, betrays the perpetrated crime as soon as he learns of it; for in such case his land or house shall not be subject to confiscation. 5. If, however, he was far away from the house or land, he shall suffer no detriment; but the manager of the farm or the slaves, inhabitants or serfs, who gave their aid, shall suffer capital punishment along with the perpetrator of the crime. 6. But we deem widows and minors under the age of puberty worthy of our special consideration, so that the former, though near, shall not lose their house or land, provided that they are not guilty of having knowledge of such grave crime; and although minors under the age of puberty have knowledge of such crime, they shall not suffer any detriment, since their age does not comprehend what it sees. 7. But if their guardians are near, they will be visited with such punishment, since they should not be unaware of what is being done on property of their ward, so that they must pay to the fisc, if solvent, as much as the ward would have paid (if of age).

Given at Constantinople November 20 (321).

C. Th. 9.21.2.

9.24.2. The same Emperor to Tertullian, Proconsul of Africa.

If any man coin money privately², we direct that all of his property shall be confiscated for the benefit of our fisc. For we want the zeal for coining money to be exercised only in our mints. Persons who violate this law are guilty of the crime of treason, and a reward is given to their accusers. Whoever shall be discovered³ as an

¹ [Blume] Gothofredus so interprets "si quis militum." It might mean a soldier having the accused in custody.

² [Blume] Falsa fusione - refers to all coinage outside of public mints. Gothofredus.

³ [Blume] By officers. Gothofredus.

adulterer of gold pieces, or is accused as such by a private person (and is convicted), shall immediately and without delay, be burned to death.⁴

Given at Milan July 6 (326).

See C. Th. 9. 21.3.5.

9.24.3. Emperors Valentinian, Theodosius and Arcadius to Rufinus, Praetorian Prefect.

If anyone has been (unlawfully) granted permission, by rescript or imperial notation, to coin copper, he shall not alone (hereafter) lose all benefit thereunder, but shall also suffer the punishment which he deserves.

Given at Constantinople July 12 (393).

C. Th. 9.21.10.

Note.

This law shows that the right to coin copper money had at times been granted to private individuals.

⁴ [Blume] The public mints were located in various parts of the Empire, as at Constantinople, Alexandria, Cyzicus in Bithynia, Aquileia, Rome and Treves. Gothofredus.