

Book X.
Title XXXIX.

Concerning citizens.
(De municipibus et originariis.)

D. 50.1.

Headnote.

This and the next title show that every man was bound to perform his duty toward his city in which he was born or which he inhabited. That was true not alone as to curials, but as to all others as well. But, as shown by headnote to C. 10.32, most all of the burdens in cities came to rest upon the shoulders of curials, so that the principles announced in these two titles applied mainly, though, it would seem, not entirely, to curials. Artisans, generally, and many professions were exempt. C. 10.66. But plebeian land-holders, who were not curials, probably remained subject to such liturgies as conformed to their standing and wealth.

10.39.1. Emperor Antoninus to Silvanus.

Since you state that you were born at Byblium, but that you are an inhabitant of Berytius, you are properly compelled to perform civic duties in both cities.¹

10.39.2. Emperor Gordian to Frontinus.

If, as you state, the woman who manumitted you pursuant to a trust and from whom you received your legal freedom, came by birth from the province of Aquitania, you, too, will be subject to and have the right of the city from whence she came. For it was long ago decided that persons manumitted pursuant to a trust, have the status of the actual manumittor, not that of the person who directed the manumission to be made.

10.39.3. Emperor Philip to Patrocles.

It is clear under the law that sons may be compelled to fill positions of honor or liturgies in the birthplace of their father, and not in that of the mother, although they may be born there, unless they are retained by their domicil.²

10.39.4. Emperors Diocletian and Maximian to Secundus.

That no one can, by his voluntary action, be released from the condition of his origin, is clear.

10.39.5. Emperor Constantine to Maximus, Vicar of the Orient.

If anyone originates either from a large or small city, and desiring to escape from it, betakes himself to another city, to live there, and he shall attempt, through a petition to us, or by fraud, to escape the duties which he owes to the city of his birth, he shall bear

¹ [Blume] C. 8.47.7.

² [Blume] See C. 10.32.22 and note.

the burden of the decurionate in both cities, in one because of his own free will, in the other by reason of his birth.

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