

Book XII.
Title XXX.

Concerning the special property of the palatine officials.
(De castrensi omnium palatinorum peculio.)

12.30.1. Emperor Constantine to Severus, Prefect of the City.

We direct that all palace officials, whom our edicts have long ago loaded with privileges, shall have as their own special property, whatever they acquire while serving in the palace, and which they save by their own parsimony or obtain by gifts from us. For what is so much like special military property (*ex castris*) as what is acquired with our knowledge and under our eyes? 1. Nor are they strangers to dust and toil of the camps, since they accompany our standards, are always present at our acts, and intent upon deep studies, are worn out by the length of the journeys and the difficulty of the expeditions. The palace officials, therefore, who have been able to take advantage of the privileges of the edict, shall retain their own special property, whatever they have acquired, as has been said, by their labor in the palace or which they received as a favor from us.

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C. Th. 6.35.15.

Note.

To understand this law, we must bear in mind the existence of the paternal power. The father - or other male head of household - had originally absolute power over his offspring, and owned all the property which children might acquire. But to encourage soldiers, they were given absolute control over property acquired in the service. The palace officials were considered in the imperial service just as much as soldiers, except that the latter were in the armed service, the former in the civil service. And the right which originally was granted to soldiers as to absolute control over their property acquired in the service was by this law extended to the employees of the various offices at court. The subject is more fully considered at headnote C. 6.60 and note C. 8.46.2. See also C. 12.36.