

Book IX.  
Title XXXVIII.

Concerning Nile-dams not to be broken.  
(De Nili aggeribus non rumpendis.)

Bas. 60.25.6.

9.38.1. Emperors Honorius and Theodosius to Anthemius, Praetorian Prefect.

If any man in Egypt hereafter diverts any flow of water from its customary use, contrary to law and the custom of antiquity, before the Nile has risen twelve cubits, he shall be committed to the flames at the place where he disregarded the reverence due to antiquity and nearly the safety of the empire itself; his accomplices and confederates shall be punished by deportation, and they shall have no permission to supplicate for restoration of citizenship, dignity or property.

Given at Constantinople September 22 (409).

C. Th. 9.32.1.

Note.

Strabo 17, c. 1, 3, says that at times when the river rose fourteen cubits there was plenty; at one time there was plenty when it rose only to twelve cubits. This height was evidently regarded as essential in order to insure plenty overflow. Egypt supplied Constantinople with grain and hence the interference above mentioned was deemed to be such detriment. The "safety of the empire," depended, as stated, on Egypt's supply, inasmuch as a scarcity of corn frequently caused seditions and tumults.