Book XI.
Title LXVII. (LXVI)

Concerning lands and woodland pastures of the imperial property (rei dominicae).
(De fundis et saltibus rei dominicae.)

11.67.1. Emperors Valentinian, Theodosius and Arcadius to Drepanius, Count of the
Crown Domain.

If any stranger puts herds of sheep or mares into the woodland pastures (saltus) of
our imperial property (rei dominicae), they shall be immediately claimed for the fisc.
And if this is hereafter attempted through venal connivance of the procurators, we order
them (the latter) to be subjected to severe punishment.

Note.

The rei dominicae mentioned in this law and the title hereof is generally accepted
as referring to the crown domain. Cujacius on this law; His, supra 27.
It is also clear that 'saltus' in this law meant woodland pastures. These 'saltus'
have been fully considered by Pelham, Essays on Roman History 304-311. See also
C. 11.61.

11.67.2. Emperors Theodosius, Arcadius and Honorius to Paulus, Count of the Private
Domain.

If any places belonging to the emperor (sacrum dominium) have been occupied
unlawfully, they shall be restored to their former status on the census list books, and all
rescripts, obtained surreptitiously, prescription of a long time (10 and 20 years) and
prejudice resulting from any new inscription on the census roll, shall be brushed aside in
such case. 2. For neither a deceptive request, long possession, or change in the census
roll could destroy the privileges of our ownership.
Given at Constantinople March 28 (396).
C. Th. 10.1.15.

Note.

This law is nearly a duplicate of C. 7.38.3. The long possession here mentioned
was the ordinary prescriptive period of 10 and 20 years. See headnote C. 7.26. These
laws show that prescription did not run against the government except in special cases.
Title could be acquired even against the government by adverse possession for forty
years. C. 11.62.14; C. 11.66.7.