

Book II.
Title VIII.¹

Concerning advocates of the imperial exchequer.

2.8.1. Emperor Antoninus to Claudius.

Since you say that you have prosecuted fiscal causes, although you deny that you received any salary, still you must acquiesce in the order made; for those who have prosecuted fiscal causes are forbidden to take cases against the imperial exchequer. Promulgated December 20 (213).

2.8.2. Emperors Valerian and Gallienus to Frequens.

You may, by our permission, give legal assistance to private persons as against the imperial exchequer, provided that you decline a case which you perchance handled while you were fiscal advocate. Promulgated February 24 (254).

2.8.3. Emperor Constantine to Aelianus, Procounsul of Africa.

The fiscal advocate must beware, under fear of punishment, not to conceal advantages to the imperial exchequer, nor must he stir up unjustifiable trouble for people of private station in the name of the imperial exchequer, when in fact no cause for a lawsuit exists.²

Given at Treves November 8 (313).

2.8.4. Emperors Gratian, Valentinian and Theodosius to Ammianus, Count of the Crown Domain.

The comptrollers (rationales) who preside in cases involving the Crown Domain (res privata) or the imperial exchequer (fisc) shall inquire into the case in the presence of the fiscal advocate.³

Note.

There were at this time comptrollers of the imperial exchequer and comptrollers of the Crown Domain. They had jurisdiction in certain matters in which the exchequer or the Crown Domain respectively were interested. Headnote C. 3.26. The fiscal advocate, as will be noted from the instant law, represented the interests not only of the imperial exchequer, but also those of the Crown Domain—the latter consisting mainly of imperial lands. As to fiscal advocates generally, see note C. 2.7.10. In cases of restitution of rights against the imperial exchequer, the governor of the province also sat. C. 2.36.2.

¹ Blume had typed in here: “Rev. 4/29/3,” but he lined it out, as it seems clear he did later revisions as well.

² [Blume] C. Th. 10.15.1.

³ [Blume] C. Th. 11.30.41.