

Book III.
Title XLIII.

Concerning the game of dice and dice players.
(De aleae lusu et aleaoribus.)

3.43.1. The Emperor Justinian to Demosthenes, Praetorian Prefect.

The game of dice is ancient, permitted only to contenders in games outside of working hours, but in the course of times had become a calamity, thousands of others succumbing thereto.¹ Some play it, not knowing anything of the game, except to name 9the figures on the dice) and have lost their property by playing day and night with silver, precious stones and gold. As a result of such misconduct, they dare to blaspheme and they execute duebills. 1. Desiring, therefore, to look after the interests of our subjects, we ordain by this general law, that no one shall be permitted to play in private or public places, either in appearance or in earnest. If this order is violated, no penalty shall follow, but lost money shall be repaid and recovered in a proper action brought by those who have lost, or by their heirs; and in case they fail to bring such actions, then in actions brought by the fathers or defenders of the cities, which shall not be bared except in fifty years. The bishops of the places shall inquire into these maters, using the help of the presidents. They shall further arrange for five games; leaping, pole-vaulting, throwing javelins or pikes, wrestling and show fighting. But no one shall, even in these games, risk more than a gold piece, although he is very rich, so that when anyone happens to be best, the loss may not be great. For we do not alone regulate wars and sacred things well, but games also, threatening punishment to transgressors, giving power to bishops to investigate, and, with the help of the presidents, to curb transgression. Given at Constantinople September 22 (529).

3.43.2. The same Emperor.

We also prohibit (the game with) wooden horses; if any one loses in it, he may recover the loss. The houses of those where these games are played shall be confiscated.

1. If a person who lost refuses, however, to reclaim his loss, our procurator shall make investigation and employ the amount recovered on public works.

2. The judges must also take care that all blasphemy and perjury, which should be suppressed by them, may cease.

¹ The typed original reads “engaging therein.”