

Book IV.  
Title XL.<sup>1</sup>

What things cannot be sold and persons who are forbidden to sell or buy.  
(Quae res venire non possunt et qui vendere vel emere vetantur.)

4.40.1. Emperors Valentinian, Theodosius and Arcadius to Faustus, Count of the Imperial Exchequer.

No private person shall have power to dye or sell purple goods, silk or wool, which is called blatta, oxyblatta and hycinthina. And if anyone shall sell cloth of the aforesaid purple, he may know that he incurs risk of losing his property and his head.

Note.

The blatta color was similar to flowing blood; the oxyblatta was a shade different, indicated by the prefix oxus which comes from the Greek word meaning blood; hyacinthine means hyacinth color. Purple was the imperial color and was largely reserved for the use of the imperial family. See further C. 11.8.9.

4.40.2. The same Emperors to Cariobaudes, Duke of Mesopotamia.

As was previously ordered, we also now direct that no one except the Count of Commerce (comes commerciorum), shall have the right to acquire silk from the barbarians.

Note.

Further as to commerce, see C. 4.61-63. The Count of Commerce was under the Count of the Imperial Exchequer. C. 4.63.6 note. Justinian also regulated the commerce in silk. See appendix 5 to Novellae. Bury, 2 History of the Later Roman Empire 331.

4.40.3. Emperors Arcadius and Honorius to the senate and people.

Since it is said that grain belonging to the public treasury is sometimes sold on the different coasts, the sellers and purchasers must know that they will be visited with capital punishment and their commercial contracts in fraud of the public will be declared void.

Given April 15 (397).

Note.

The foregoing law doubtless contemplated the public food supply sent mainly from the African provinces and from Egypt to Rome and Constantinople where the distribution (doles) of food supply were made to the people. See C. 11.25 and C. 1.44.

4.40.4. Emperors Honorius and Theodosius to Faustinus, Praetorian Prefect.

Lest grain, which is sent to the devoted army, be turned to prey and gain, we direct by this ordinance, that any persons trading therein will, if of honorable station, be banished, and if of low and servile station, suffer capital punishment.

(410 or 413?).

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<sup>1</sup> [Blume] Rev. 3/14/32.