

Novel 10.

Concerning referendaries.

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Emperor Justinian to Hermogenes, glorious Master of Offices, ex-consul and patrician.

Preface. Among things which we have reduced to order, we thought we should not fail to do so as to those things which concern our referendaries, especially since they are more useful to us than many others. Formerly there were not many of them; but we subsequently increased their number so that we might be enable by their assistance to aid many and speedily learn of the various petitions. But some people abused our liberality, sending us many petitioners and many petitions, and by heaping one upon the other increasing so honorable a matter to an undignified proportion. And there was no end to petitioners, till the number of referendaries was increased to fourteen. Therefore, in order that a matter, justly considered by us as attended by some honor, may [not] be so extended as to become undignified, we have decided to keep the number of referendaries with a certain limit. We do not deprive those who are such of their position, for that would be unbecoming to the imperial majesty; and especially since all of them have fulfilled their duty to our satisfaction, we remove no one of them. They shall remain as they are, but no one shall be added to their number, till this number is reduced to eight. Thus eight shall always have such appointment; this number shall not in any manner be increased at any time, the appointees always vying with each other in their devotion and zeal toward us and our reign. No one shall hereafter be permitted to ask anything of the kind (i.e. an increase in the number; and if he does so) he may know that he will not only not be granted what he asks, but he shall also be subject to a fine of ten pounds of gold, and lose his own position. For we want the referendaries to be limited to the number aforesaid, let justice and the other virtues, moreover, be increased, and make them (the referendaries) more respected. Greatness in number has no dignity, seeing that only a few out of many lead a distinguished life. Let them, therefore, who no hold this position, remain in this situation.

Epilogue. Your Highness must take cognizance of this law and take care that no provisions thereof are permitted to be violated. If persons do anything contrary hereto, you must collect from them the fine with which they are threatened herein, as persons who ask for something which it is unlawful to grant. Our law, it is true, does away with a multitude (reduces the number of referendaries), but, in turn, invests these officials with a preeminence which is found in but few, and which is especially becoming in men who, the children of worthy parents, dedicate their life to the petitions of suppliants and to the aid to be extended by us to the latter. You will, accordingly, take care to put into effect the provisions stated in this law.  
Given at Constantinople, April 15, 535.

Note.

See reference to them in Novel 113.