

Novel 29.

Concerning the Praetor of Paphlagonia.
(De praetor Paphlagoniae.)

Justinian Augustus to Johannes, Praetorian Prefect.

Preface. The race of Paphlagonians is old and famous, which sent out many colonies, settled in Venetia in Italy, where Aquileia was founded, the largest city in the Occident, which frequently has been the abode of the imperial house.

c. 1. We have thought it best, therefore, to restore Paphlagonia, reduced in the time of Honorius, of blessed memory, and deprived of some of its cities, to its former condition, and to re-establish a united province of Paphlagonia, and to do in this case, as we did in the case of the two provinces of Pontus. So that the man who has the administration of these people may have it united and consolidated, namely have that of Paphlagonia and Honorias, shall be called praetor—a Roman name, suited to governors of provinces—and shall have one official staff, a consolidation of the former two, composed of one hundred men. He will be in charge of the collection of tribute formerly paid by the inhabitants of Paphlagonia and Honorias, and must look after the cities in both (of the former) provinces, that is to say, Honorias, Prusias, Crater, Hadrianopolis, Tium, Claudianopolis, itself, the metropolis of the province, still since they have once been transferred, we think it would be too much of an innovation to transfer them back to Bithynia and disturb their status. So these six cities of the former province of Honorias shall be part of Paphlagonia. He shall have jurisdiction also of six other cities, a part of Paphlagonia itself, and belonging to that province from the beginning, namely Germaniopolis, by Gangra, and Pompeionopolis, Dadybra, Sara, Amastric and Ionopolis. There will be twelve cities then in the whole province. Neither shall we make any innovation here as to the priesthood and the metropolitan bishops who theretofore received priesthods there, shall retain their positions; their ordination, in reference to the place thereof, shall not be changed, but shall be made by the blessed patriarch of this fortunate city; they themselves, in turn, ordaining those under them, whom they ordained

heretofore, so that they may not dispute among themselves in reference thereto, and nothing may be thrown into disorder, Paphlagonia, accordingly, shall hereafter be but one province with several metropolitan cities, as is true also in other provinces.

c. 2. The person having the government of the whole province—which shall go under the name of Paphlagonia, as formerly—must visit the cities, without reference to any former edict forbidding that, but shall not send any representative there; we plainly forbid him to do that, for it would be absurd for him to exercise his jurisdiction in the province, and then transfer it to another in his place, contrary to law. On the contrary, he shall administer everything himself. He must diligently collect the tribute, demand neither more or less than is due, acting justly and equitably, see to it that any damage to the fisc is made good, and keep cities from harm in their public and private (municipal) affairs. He shall receive the salary received by both (of the former) magistrates, amounting to 725 solidi. He shall have a counselor (assessor) whose salary will be 72 solidi, and an official staff, composed of the members of the two former staffs, consisting of 100 men, with an allowance from the fisc of 447 $\frac{1}{3}$ solidi. Receiving the office without paying therefor, he should accordingly administer his office and his duties gratuitously. For we also redeem our subjects in this case, and the officials who formerly received something (from the subjects) to compensate them for the amount paid for their appointment (suffragii nomine), will be paid by your office out of the taxes of the province, and we do not permit our subjects to be reduced to slavery under the appearance and pretext of a sale. For we, who released our former subjects from the barbarians and restored them to their former freedom, cannot suffer them, when under our own control, to be slaves of others. On the contrary, we bring, as far as we are able, the liberty of our subjects, frequently delivered from hand to hand, as an offering to God who, through us, gave freedom to so many people, so as not ourselves to inflict any damage on those who have been receiving (tribute from subjects for their own benefit)—for we have in place of it provided a lawful emolument—nor do we permit our magistrates (in the future) to buy our subjects, just like slaves, on account of money for their appointment, nor to sell them to parties who oppress them. Thus

the region, formerly divided in two for no reason, shall be but one province in the diocese of Pontus, and, as stated before, you will call the man who governs it the Justinian Praetor of Paphlagonia, although it is permissible to call him strategus in the Greek language.

c. 3. You will remind him of his oath in accordance with which he takes his office, in order that he may keep his hands clean and leave them uncontaminated by any gifts, and in order that he may have the interests of the fisc at heart and better its condition by just and upright means. He shall deal justly and equitably with our subject while they pay their taxes, make contracts and carry on litigation among themselves. He shall go and visit the cities without expense (to them). Neither he nor his assessor nor his help, whether members of the official staff, soldiers or private assistants, shall accept any gift, or live at the expense of others. He should pay his expenses out of the allowance we give him from the fisc, and live in moderation. Soldiers who attend him must know that if they are not content with their allowance, but wrong our subjects or inflict damage on them, or live at their expense, they must indemnify our subjects through the magistrate, who must take such damage out of their salary, and indemnify our subjects from that source at his own peril.

C. 4. So this law, made for Paphlagonia, give the governor thereof greater standing, placing him among those of worshipful rank, gives him control of the soldiers in the provinces in all things in which he justly gives them orders, and of all other persons therein, high or low including persons that manage property of the nobility, without exemption by reason of privilege. He must particularly see to it that no placards bearing a name other than that of the imperial houses are affixed to any lands—something that frequently happens in these places. If he finds anything of that sort, he must immediately tear them down, and if an owner of property who is present, is personally guilty of such act, he must affix placards of the fisc to his lands and break those that were torn down over his head. If an owner is absent, his manager must be seized and severely punished, the placards torn down immediately and broken

over the head of such manager. The praetor must know that if he neglects these things, and we learn that placards have been affixed by others than the fisc or the imperial houses—that of the emperor or the empress—and the magistrate neglects that fact after it is known, his own property will be confiscated, since, though he was easily able to prohibit these matters by using his magisterial powers, he deliberately overlooked them.

c. 5. We also want him to pursue robbers, persons who seize the property of others, ravishers of women and other criminals, restrain them and visit the proper punishment upon them; to suppress all injustice and suffer no honest people to be inflicted with wrong, so that we shall not need special men to do this, nor be compelled to again tolerate officers who check violence (*biocolytae*) and pursue robbers, or similar officers, since we have raised his office in this manner, because of our dislike for them. We give his office so much distinction that appeals taken from him shall be taken to Your Sublimity and to your successors, as well as the celebrated quaestor of the imperial palace, to be heard according to the method of consultation and advice. Cases involving less than 500 solidi and heard by others than worshipful judges, though upon assignment, shall, when appealed, be heard by the praetor himself, in place of the emperor, so that his office, too, may be numbered among the magistracies established by us upon a more exalted basis. He will be more powerful and of greater dignity than his predecessors, and should, accordingly, be ready to serve us in important affairs. For nothing great can be expected from the small, as has been stated by our predecessors and has been by us found to be true by actual experience. Annexed to this law is a schedule which shows what the man who takes this office and his assessor and official staff will receive from the fisc, and what he himself must give for his letters-patent. **1.** The manner in which he must conduct his office, and here briefly set forth, is made clear by the general law concerning magistrates and by the imperial mandates which we give him when we confer the insignia of his office upon him and ask him to take his oath, as stated in our law.

Epilogue. Your Sublimity will, upon learning these provisions, give him the salary and acknowledge him to have such position of honor (as herein stated), so that many may rightly and eagerly seek the honor and dignity now conferred upon him.
Given July 16, 535.