

Novel 157.

Concerning serfs who contract a marriage on other farms.
(De colonis qui alienis praediis nuptias contrahunt.)

Emperor Justinian Augustus to Lazarus, Count of the Orient.

Preface. We have learned from reports made to us in various ways that wrongs unworthy of our times are committed in Mesopotamia and Osroena. It is stated that it is the custom there, that serfs born on different farms intermarry, but that the proprietors now attempt to dissolve marriages already entered into, or to take the children born of such marriages from their parents; that thereby all the serfs of these places are afflicted with serious grief, while the men and women are forcibly separated, the offspring torn from those who gave them life, and that the matter needs our help.

c. 1. We therefore ordain that the owners of farms may hereafter indeed guard the (female) serfs belonging to them under the law as they wish, in order that they may not marry serfs from other farms, but marriages heretofore entered into shall remain in force, and no one can break the bonds between those heretofore united to each other according to custom, and cannot compel them to cultivate their land, and cannot take the children from their parents because of their status as serfs. If anything of the kind is done you will correct the matter and see to it, if children are taken away from their parents or women from their husbands, that they are restored; and if anyone dares to do anything of the kind in the future, he will be in danger of losing his land. Marriages shall be released from the danger now threatening them, parents shall have their children pursuant to this, and possessors of farms cannot closely scrutinize (of what serfs belong to them) and separate husband and wife or take children (from their parents). Whoever attempts to do anything of the kind, will stand in danger of losing the farm for which he claims the serfs.

Epilogue. Your Magnificence and the official staff under you and every officiating magistrate of your office must take care to carry this our will declared by this imperial pragmatic sanction into effect and cause it to be observed, and a fine of three pounds of gold will be imposed upon the person attempting to violate these provisions.

Given May 1, 542.