

Novel 75.

Concerning Appeals from Sicily.  
(De appellationibus Siciliae.)

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Note. This Novel is the same as Novel 104, which, however, is entitled "Concerning the praetor of Sicily."

The same emperor (Justinian) to Tribonianus, quaestor of the imperial palace.

Your Sublimity, put at the head of the quaestorial labor and a member of our council, knows that in example of the ancient arrangement we placed a praetor at the head of Sicily, in order that all civil affairs might be attended to by him, and that he might look after the collection of the military supplies (expensae). The collection and delivery of the (other) public contributions, is, according to an ancient custom, in charge of the Count of the Imperial Patrimony (sacri patrimonii) in Italy. But since lawsuits are bound to occur in a province as large as that, we desire that any appeals that may be taken from the praetor or duke or other judge of the island, shall be sent to the tribunal of Your Highness, so that you may investigate the merits thereof, in the manner of appeals by consultation and for advice, and report to us so that after your disposition thereof has been made known to us, we may terminate the suit by our authority. No such appeal shall be sent to ancient Rome or to any judge of that imperial city, but you yourself shall hear and decide the appeal sitting in place of the emperor. 2. Not alone shall these appeals be within your jurisdiction, but also if any order in reference to municipal affairs has been made, that need confirmation - for example an order as to (the election of ) defenders or fathers of the city - that too shall be referred to your tribunal, so that it may be confirmed by your decision and by our authority, since Sicily has always been under the special care of the emperor, and if there is any doubt in any of the municipal matters, it must be decided by the judgment of the quaestor, the office of which we have deemed best to

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be held by you, whom we have advanced, whom we have placed at the head of the legal work, and by whose care and industry, the ambiguity and diffuseness of the law has been placed in its present state of harmony and beautiful brevity.

Your Sublimity, upon learning what Our Eternity has directed by this imperial law, will let it be known to the judges of Sicily, so that they may know to whom cases, suspended by appeal, must be sent, and so that by your and your successors' report to us everything may become known to us and we ourselves may seem to decide such cases. For we have not deemed it unworthy, that our quaestor, the participant in our councils, should take Sicily, which is, in a manner, our peculiar property, under his jurisdiction.

Given in the month of December (or November), 537.