

Book XII.  
Title LXIII (LXIV).

That messengers who announce occasions of public rejoicing or of (new) consuls and who give notice of constitutions and imperial and magisterial orders shall not receive immoderate fees by levy or from unwilling persons.

(Publicae laetitiae vel consulum nuntiatores vel insinuates constitutionum et aliarum sacrarum vel iudicialin litterarum ex descriptione vel ab invitis ne quid accipiant immodicum.)

12.63.1. Emperors Gratian, Valentinian and Theodosius to Florus, Praetorian Prefect.

Whenever any event, fortunate to us, is announced; when wars cease; when we have victories; when the names of new consuls are enrolled in the register; when it is to be made known that the conclusion of peace has brought repose; when we show the picture of the emperor to the wondering multitude, these things shall be announced to and received by the people without incurring immoderate expense. 1. We want the messenger to be modest; we forbid the herald of such news to be too eager for fees; the judges must take care that joys are not paid for by fees extorted by collusion from the poor. 2. If this is violated by sacrilegious neglect, the receiver of money will lose his good name and his property, the person using force will incur a like penalty, and the official staff will be visited with a penalty of 30 pounds of gold.

Given at Constantinople February 2 (383).

C. Th. 8.11.4.

Note.

As this law was originally enacted, it altogether forbade the taking of any money for the joyful announcements mentioned in this law. Prior to that time, charges had been made and levied upon the property owners, apparently according to their holdings. See Gothofredus on C. Th. 8. 11. The instant law forbade any 'immoderate' charges, in that respect modifying the original law, and permitting some charges to be made, the amount being fixed in the next law. Law 2 of this title prescribed the fees apparently for all announcements. As to fees of officials in general see C. 3.2.2.

12.63.2. (Synopsis in Greek). Emperor Justinian to Julianus, Praetorian Prefect.

We ordain that if a messenger announces in a province either the promotions of any magistrates or consuls, or any general order of our glorious prefects or of another of our magistrates, or give notice of (new) constitutions, imperial instructions or general orders, or of the erection of statues of the emperor, he shall not be permitted to demand more than 6 solidi for each announcement, or for each order, constitution, imperial instruction, or general order, or for notice of the erection of a statue, in any one province to which he carries the notice. And no matter how many cities there may be in the province, he shall demand only 6 solidi. If he demands more, he shall pay it back fourfold, and the president, bishops, primates of the city, and the whole official staff must prevent it. 2. For the bishop will incur the displeasure of the emperor the president will be removed from office, his goods will be confiscated and he will be banished, and his official staff, too, will be endangered (if they permit it). 3. No tribute beyond six solidi shall be imposed for such announcements; not even voluntary gifts shall be accepted, and

whoever does so shall repay them fourfold. 4. If the citizens, however, want to assess themselves, perchance, at any time, either for some public work or for the purchase of grain, or ask the emperor to be permitted to do so, no damage should be inflicted on them on that account, lest (otherwise)<sup>1</sup> bishops incur the same displeasure, the presidents be removed from office, and banished, after confiscation of their property. The members of the official staff will suffer bodily chastisement if they fail to notify the emperor of violations of the constitution. 5. Any (unlawful) demand may be resisted by those upon whom the demand is made; if they are not strong enough to do so, they may call on the president and notify the emperor. 6. Neither the defenders of cities, nor the curators of food supplies, must give away any of the money collected by them and in their hands, but must preserve it for the purpose for which it was intended. If the president neglects this, he shall make restitution from his own property, for the funds of the fisc and the public property of the city should remain unimpaired.  
Given at Chalcedon June 24 (530).

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<sup>1</sup> [Blume] i.e. if the citizens are damaged.