

Book I.
Title XXXVIII.

Concerning the office of vicar.
(De officio vicarii.)

Headnote.

Vicar. Vicars were of worshipful rank and were governor of a diocese, and their relation to the praetorian prefect and to the emperor and provincial governors has already been stated in general terms in headnote to C. 1.27. While representatives of the praetorian prefect, yet they were also in immediate relation with the emperor. They had the right to investigate the conduct of the provincial governors, but could not remove them. That rule was true as to the Augustal prefect, as stated in C. 1.37.2, and was doubtless true also as to all vicars, who occupied the same relative high position in the government. 1 Karlowa 855. Vicars had general, immediate supervision over the provincial governors. They were required to see that the latter did their duty and to bring complaints of provincials to the ears of the emperor; to see that lawsuits were speedily finished and that the taxes were collected by the provincial governors. They heard cases on appeal from the latter, if they were nearer than the praetorian prefect. They had an official staff similar to that of the praetorian prefect and the provincial governors. 1 Karlowa 855; 3 Bethmann-Hollweg 46-58.

1.38.1. Emperors Valens, Gratian and Valentinian to Antonius, Praetorian Prefect.

It is proper that in civil causes the vicars should have precedence over the military counts; that in military matters the counts should have precedence over the vicars; whenever it happens that they are associated in trying a case, the vicar should occupy the first place, having the count as an associate; for since the prefecture ranks above all other positions, the dignity of vicar shows by its very name that it partakes of a portion thereof and has the power of trying cases and giving decisions in the name of the emperor.

Given January 8 (377).

C. Th. 1.15.7.

1.38.2. The same emperors to Hesperius, Praetorian Prefect.

Whenever the occasion arises, the reports of the vicars must be laid before Our Clemency. For we hear reports of our judges gladly so that the influence of the administrators may not seem to decrease by repelling their consultations, as prayers of the wicked, from our shrine.

Given January 21 (377).

C. Th. 1.15.8.