

Book VII.  
Title XLII.

Concerning the decisions of the praetorian prefect.  
(De sententiis praefectorum praetorio.)<sup>1</sup>

7.42.1. Emperors Theodosius and Valentinian to Thalossius, Praetorian Prefect of Illyria.

If litigants in the high court of the praetorian prefecture allege that they have been injured contrary to law, they are granted the right, not of appeal, but of supplication, although a decision was given in favor of a curia, or for the public interest or for the benefit of any other matter. For it is not in the interest of the public to deny the aid of the law to individuals; but such right of supplicating Our Majesty against the judicial decisions of the court of the praetorian prefecture exists only for two years from the time that the judge is succeeded by another.

Given at Constantinople August 11 (439).

Note.

The subject of appeals generally is considered in C. 7.62 and subsequent title. No appeal was permitted from the praetorian prefect as shown by the foregoing law. But a defeated party had the right to file a petition for rehearing. C. 7.62.35, which should be read in connection with this law, provides that a judge is not likely to reverse his own decision, and that the quaestor, accordingly, should be called in to participate in the rehearing, where there was no change in the personnel of the praetorian prefecture. See also C. 1.19.5, limiting the right of supplicating against the decision of the praetorian prefect to one time.<sup>2</sup> There had previously been a law forbidding a supplication if the decision had been in favor of a curia. Novel Theo. 13.2.

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<sup>1</sup> Blume crossed out a headnote below this and added “substitute another,” but he did not add another.

<sup>2</sup> This and the following lines were penciled in.