

Book IX.  
Title XVII.

About those who have killed parents or children.  
(De his qui parentes vel liberos occiderunt.)

Dig. 48.9.

9.17.1. Emperor Constantine to Verinus, Vicar of Africa.

Whoever, secretly or openly, shall hasten the death of a parent, or son or other near relative, whose murder is accounted as parricide, will suffer the penalty of parricide. He will not be punished by the sword, by fire or by some other ordinary form of execution, but he will be sewn up in a sack and, in this dismal prison, have serpents as his companions. Depending on the nature of the locality, he shall be thrown into the neighboring sea or into the river, so that even while living he may be deprived of the enjoyment of the elements, the air being denied him while living and interment in the earth when dead.

Given November 16 (318).

C. Th. 9.15.1; Inst. 4.18.6.

Note.

The punishment of the sack was very ancient among the Romans (Note Moyle, Institutes p. 608), and is also set forth in Inst. 4.18.6. Parricide was the crime of willfully causing the death of an ascendant, a brother, sister, aunt, uncle, cousin, husband, wife or relation by affinity or descent. Dig. 49.9; Inst. 4.18.6.