

Book XI.
Title XIV. (XIII.)

Concerning the decuries of the City of Rome.
(De decuriis urbis Romae.)

Headnote.

The subject of this title is not as clear as it might be. It deals only with the so-called decuries in the city of Rome, companies, associations or guilds of men. They were neither artisans, common workmen or men belonging to the higher professions. They seem to have been, generally, speaking, clerks most of whom had to do with writing, including, perhaps bookkeeping in connection with the courts and Senate of Rome and the fiscal department.

The Theodosian Code, in C. Th. 8.9.1; and 14.3.18, mentions decuries of scribes, who probably took down proceedings in shorthand and transcribed them, copyists, closely allied to the scribes, lictors, who seem to have been employed to serve processes issued out of court, fiscal clerks and assessors. Nothing definite is known about the privileges mentioned in the next law, other than what may be gathered therefrom. C. Th. 14.1.3 states that there were two decuriales - as these men were called - in Rome from each city in every province, by which, as Gothofredus notes, probably the large cities were meant. These men were taken from these places probably in order that the senate at Rome and the governmental officers generally might keep in touch with the provinces. The total number of these men must, accordingly, have been large. According to C. Th. 8.9.1 and comment of Gothofredus thereon, these decuries existed also in the provinces. The corps of governmental employees in Constantinople will be considered in book 12 of the Code.

Hogkin in his Letter of Cassiodorus, in note to Var. 5.22, says of these decuries: 'It will be seen from their names that these guilds are not of a commercial character, but are rather concerned with the administration of justice. Some of them must have discharge the duties of attorneys, others of inland revenue officers, others acted as clerks to register proceedings of the senate, others performed the merely mechanical work of copying, which is now undertaken by a law stationer. It was ordained by a law of Constantius and Julian that no one should enter the first class in these decuriae, unless he were a trained a practice literary man.'

The judex mentioned in law 1 of this title doubtless was the rector, chief man, of the decury. Hodgkin, supra; Gothofredus on C. Th. 14.1.3. It is not clear whether the complaint mentioned in the law was only to be brought before this rector, to be by him laid before the prefect of the city, or whether he also was to decide it, is not clear. See Gothofredus on C. Th. 14.1.3.

The decuriales here mentioned must not be confused with the decurions, commonly called curials, members of municipal senates, mentioned at C. 10.32, et seq.

11.14.1. Emperors Valentinian, Theodosius and Arcadius to Trifalius, Praetorian Prefect.

If any one thinks of bringing a suit against a decurial to deprive him of his privileges, he must apply to the rector (judicem) of the decury.

Given at Milan January 19 (389).

C. Th. 14. 1. 3.

11.14.2. Emperors Arcadius, Honorius and Theodosius to Exsuperantius Julius and other decurials.

We confirm by our authority the rules made by former emperors as well as those of our divine parent. 1. We therefore want all judges to know, that no one shall attempt to dishonor this guild by corporeal injuries, or dare to take from them any privileges granted them by law. We want the ancient prerogatives and privileges of this corporation to be preserved.

Given at Rome July 8 (404).

C. Th. 14.1.4.