

Book XI.
Title XXXI. (XXX)

Concerning the administration of public property.
(De administratione rerum publicarum.)

11.31.1. Emperor Phillip to Crescentia.

It is clear that if the fixed rental on emphyteutic land¹ are paid in proper time, it cannot be taken from a possessor against his will.

11.31.2. Emperors Diocletian and Maximian and the Caesars to Julius and Zenodorus.

You will take care that an action is commenced for an amount to indemnify the city for not taking sureties against those who managed the public property and failed to required sureties on account of a conditioned trust left to the city which, by reason of their office they should have required.

Promulgated November 25 (294).

Note.

This law is about the same as C. 6.54.8. Officials were held strictly accountable for their acts.

¹ [Blume] fundus vectigalis. Most of the cities had a certain communal property, which was leased. The term vectigal had a varied meaning, and in the instant case meant a fixed rental. Headnote C. 4.61. From this law it appears that if such rental was paid in accordance with the terms of the lease, it could not be taken from the lessee. The lease was, accordingly, an emphyteusis, perpetual lease. See C. 4.66 and see Marquardt, 2 R. Staatsverw. 95-97.