

Book XI.  
Title IV.

Concerning ships not to be exempted.  
(*De navibus non excusandis.*)

11.4.1. Emperors Arcadius and Honorius to Longinianus, Praetorian Prefect.

Many protect their ships in the name and with the title of various patrons. To meet this fraud we direct that if any one, to avoid a public duty, dares to affix a placard (showing the property to be another's), his ship will be confiscated for the fisc. 1. For as we do not permit fraud to be perpetrated, since, if necessity demands it, all must equally serve the public interests and must without privilege of rank perform transportation duties.

Given at Ravenna January 11 (406).

C. Th. 13.7.2.

Note.

This law deals with patronage, a subject fully dealt with at C. 11.54 and C. 2.14 and 15. The patron was some person of influence, who in various ways was able to extend patronage to others, in order to relieve the latter from performing certain public duties or functions. As in other laws, so in this, such patronage was declared unlawful.

11.4.2. Emperors Theodosian and Valentinian to Florentius, Praetorian Prefect.

We order that no ship of a capacity of more than 2000 bushels shall be exempted and removed from public duties before the happy embarkment or shipment of public supplies, either by reason of any privilege of rank, consideration for religion, or of any prerogative of person. Not even an imperial rescript, either by marginal notation (by the emperor), or pragmatic sanction which is brought forward, will annul the rules of a providential law. We desire this to be observed in all matters, so that, generally, if any such rescript, notation or sanction is produced in any matter against this law or the public good, it shall not be valid. For whatever is in any manner attempted in fraud of that law, shall be punished by the sale of the ship exempted.

Given at Constantinople April 6 (439).

Note.

This law is the same as C. 1.2.10. The term *felix embola* (fortunate shipment) seems to have been particularly used in connection with the transportation of the grain supply from Egypt to Constantinople. Edict 13. The ships mentioned in the instant law, as not exempted from public duty were ships aside from those of the regular public seamen and were used mainly when the ships of the public seamen did not suffice. As stated in law 1 of this title, all ships were subject to public duty when necessary.

Gothofredus on C. Th. 13.7.1. Cujacius takes a somewhat different view of this law.