

Book XI.
Title LXIV. (LXIII)

Concerning fugitive serfs on patrimonial and emphyteutic lands and on woodland pastures.

(De fugitivis colonis patrimonialibus et emphyteuticis et satuensibus.)

11.64.1. Emperors Gratian, Valentinian and Theodosius to Cynegius, Praetorian Prefect.

The children of decurions (municipibus) or serfs on patrimonial land or woodland plantations, whose grandfather and fathers were bound to duties of that kind¹ and who have entered the military or other imperial service through official connivance, shall be recalled to the duties in their native city or to the cultivation of their fields by the assistance of the dukes, tribunes and provosts (praepositis), nor shall they have the benefit of any official stipend.

11.64.2. The same Emperors to Cynegius, Praetorian Prefect.

Whoever has received a patrimonial serf, after inciting him to come, or conceals him, shall be compelled not only to restore him but also pay a fine of a pound of gold.² Given at Constantinople October 25 (386).

C. Th. 5.9.12.

11.64.3. Emperors Honorius and Theodosius to Anthemius, Praetorian Prefect.

Nullifying the authority of every notation or rescript heretofore granted or hereafter elicited, if any persons whose fate binds them to the patrimonial estates, are engaged in any grade of imperial service, they shall immediately, under sufficient bonds, be sent to the court of the moderator of the province.³

(408-415).

¹ [Blume] See C. 11.48.11; C. 11.63.4, as to taking serfs back to their duty. As to decurions, see C. 10.32.17 and 43. See also C. 11.66.6.

² [Blume] See C. 11.48.12.

³ [Blume] to be sent back to the estates.