

Book XI.
Title LXXII. (LXXI)

Concerning Head tenants (conductores) and procurators or agents (actoribus) of fiscal lands, and land of the imperial house.

(De conductoribus et procuratoribus sive actoribus praediorum fiscalium et domus Augustae.)

11.72.1. Emperors Theodosius and Valentinian to Bassus, Praetorian Prefect.

Whenever a legal inquiry is necessary concerning a matter appertaining to the imperial house (domum regiam) the head tenants (conductores) and managers (homines) of such estate shall defend and bring actions in no other manner than in accordance with the regular procedure of law, to which all other men are subject. They shall not interfere in transactions of other litigants, disturb the decision of the judges, or lawful rights through their unallowable influence, or lend their troublesome help to anyone; they shall mix in no private or public transaction; they shall not trouble a peaceful home by any accusation, lest they rue their ill-advised stubbornness too late. For a graver punishment should be visited upon those who belong to us and who should observe our mandates.¹

Given at Ravenna March 14 (426).

C. Th. 10.26.1.

Note.

Conductores were head-tenants - tenants who leased large estates. See note C. 4.65.35. The domus Augusta mentioned in this title and in C. 11.75 seems to have referred to the imperial household lands. His, supra 27. There seems to have been no conductores, head-tenants on the imperial household lands in Cappadocia (His, supra 77), although there may have been on the same class of lands in other parts of the country.

The main idea expressed in this law was to the effect that such head-tenants, or the parties at the head of the imperial lands should not conduct themselves as though they were above the law, but should in all respects obey the law the same as other persons. The law also forbade them to exercise unlawful patronage, mentioned in C. 11.54 and C. 2.17.

¹ At the back of this manuscript, Blume wrote: "These were fiscal laws: 11.72, 11.73. (Treated same as res privatae.) See 11.74, 11.74.3."