

Book XI.
Title LXXV. (LXXIV)

Concerning the privileges of the imperial house (*domus Augustae*) and of the Crown Domain, and from which contributions they are exempt.
(*De privilegiis domus Augustae vel rei privatae et quarum collationum excusationem habent.*)

11.75.1. Emperor Constantius to Italicus.

Our private possessions shall be exempt from all sordid liturgies, and their lessees or serfs shall not be called on for any extraordinary liturgies (*munera*) or superindictions. Given at Bonona January 25 (343).¹

C. Th. 11.16.5.

Note.

Imperial possessions were exempt from all so-called sordid and extraordinary liturgies (*munera*). What that included is set forth in headnote to C. 10.42. These possessions were also exempt from superindictions - extra levies. But as mentioned in note to law 5 of this title, this probably meant simply extraordinary liturgies.

11.75.2. Emperors Valentinian, Valens and Gratian to Claudius.

For the purpose of alleviating the provincials we want the crown domain to bear the annual tax-burden (of hauling) under the same condition as the others. But this order has been overstepped since the grain collected from various plantations is not carried to the usual places, but the places to which it is difficult and dangerous to convey it. Hence your esteemed Sincerity will take care that the duty in this respect is performed (only) in those places where the grain was formerly accustomed to be brought. (368-370).

Note.

A great deal of the tax was collected in kind. It became, accordingly, necessary to convey the supplies to central stations, and the duty to do this rested upon the lands. No even imperial lands were exempt therefrom, as is also stated in C. 12.38.2. In order not to make the burden in this respect too great, provisions were made so that the hauling would not be for too great a distance. See C. 10.16.6.8 and 9.

11.75.3. Emperors Arcadius and Honorius to Minervius, Count of the Crown Domain.

We direct that emphyteutic lands (*fundi perpetuarii*) of the crown domain shall, instead of furnishing persons required as recruits, pay the price thereof. (397-398).

11.75.4. Emperors Honorius and Theodosius to Asclepiodotus, Praetorian Prefect.

Far be it from us, that we should denominate as "sordid" services the building of public roads, and the work of constructing bridges and pavements, adorned with signs of the great emperors. 1. No persons, therefore, should be exempt from building and

¹ At the end of this manuscript volume Blume wrote: "In 11.75.1 *res private*—still treated as private."

repairing roads and bridges by reason of any rank or desert. And we gladly require the imperial houses to perform such laudible service.²

Given at Constantinople February 15 (423).

C. Th. 15.3.6.

11.75.5. Emperors Theodosius and Valentinian to Florianus, Praetorian Prefect.

Excepting the patrimony of Our Piety, the income from which we frequently devote to public necessities, we order that all holders of real property must, without exception, pay the superindictions.

Given at Ravenna April 29 (431).

C. Th. 11.1.36.

Note.

Imperial property was exempted by this law from superindiction - extra levies. C. 10.17.1 states that 'superindictions' made by the regular annual tax levy (*delegatio*) should be considered part of the ordinary tax and not an extraordinary tax. Partially, perhaps, by reason of that law, the term superindiction came to be applied and used for extra or extraordinary liturgy.' It is plain, that unless it bears that meaning here, the instant law and C. 10.17.1 are absolutely contradictory, but it is probable that the compilers of the Code did not consider them so.

² [Blume] Headnote C. 10.42; C. 11.65.1; C. 1.2.7 and note to C. 1.2.7.