

TITLE XII.

CONCERNING FESTIVALS.

1. *The Emperors Constantius and Maximian, and the Cæsars, Severus and Maximian, to Verinus.*

As you ask, my dear Verinus, whether the same rule should be observed, so far as the times of appeal are concerned, that apply to the festivals established by Us to celebrate the occurrence of fortunate events, We are pleased to answer you that you should, where cases are appealed, observe the prescribed terms in their regular order, without the addition of days of this kind, for, under such circumstances, additions cannot be made to the observance of the days aforesaid.

2. *The Emperor Theodosius to Vicenus.*

Although it is lawful to manumit and emancipate on Sunday, other business or litigation cannot be attended to on that day. The harvest festival extends from the eighth day of the *Kalends* of July until the *Kalends* of August; and permission is given to institute proceedings in court from the *Kalends* of August until the tenth of the *Kalends* of September. The festival of the vintage lasts from the tenth of the *Kalends* of September until the *Ides* of October. We desire the Holy Festival of Easter, that of the Epiphany, and the birthday of Our Lord, as well as the seven days which precede, and the seven which follow, to be quietly observed; and anything which is done in violation of this provision shall be absolutely void.

3. *The Emperor Constantine to Elpidius.*

Let all judges, the people of cities, and those employed in all trades, remain quiet on the Holy Day of Sunday. Persons residing in the country, however, can freely and lawfully proceed with the cultivation of the fields; as it frequently happens that the sowing of grain or the planting of vines cannot be deferred to a more suitable day, and by making concessions to Heaven the advantage of the time may be lost.

Given on the *Nones* of March, during the Consulate of Crispus and Constantine, Consuls for the second time, 311.

4. *The Same to Severus.*

No judge shall presume to appoint festival-days by his own authority. Such festivals as a ruler establishes shall be called Imperial holidays, and therefore if they are deprived of the name they should also be deprived of the benefit.

Given during the Ides of April . . .

5. *The Emperors Valentinian, Valens, and Gratian to Olybrius.*

You must proceed with criminal and fiscal cases during the two months of festivals, that is to say, without any interruption.

(1) Hereafter, also, during these same days, examination shall be made of matters in which bakers are interested.

Given on the fourth of the *Nones* of May, during the Consulate of the Noble Prince Valentinian, 368.

6. *The Emperors Gratian, Valentinian, and Theodosius to Lucianus, Vicegerent of Macedonia.*

Every investigation of criminal matters shall be prohibited during the four days which precede the auspicious season of the ceremonies of Easter.

Given at Thessalonica, on the sixth of the *Kalends* of April, during the Consulate of Gratian, Consul for the sixth time, and Theodosius, Consul for the first time.

7. *The Emperors Valentinian, Theodosius, and Arcadius to Albinus, Urban Prefect.*

We order that all days shall be proper for the administration of justice, and that only those shall be considered holidays, which, during the two festival months, the year seems to set apart for rest from labor; that is, the days of summer, in order to be better able to endure the heat; and those of autumn, for the purpose of gathering fruit.

We also devote to leisure the days of the *Kalends* of January, which it is customary to observe for this purpose, and to these We add the days of the foundation of the great cities of Rome and Constantinople, during which the administration of justice should be suspended, because it owes its origin to them. We include in the same category the sacred day of Easter, and the seven which precede and follow it; the day of the Nativity, and that of the Epiphanies of Christ; and the time when the commemoration of the Apostolic Passion of all Christianity is properly celebrated by the entire world.

During the above-mentioned most holy days, We do not permit any public exhibitions to be given. The day sacred to the sun, to which the ancients very properly gave the name of Sunday, which returns after a certain period of revolution, must also be respected, so that there shall be no investigation of legal disputes on that day, either before arbitrators or judges, whether they have been appointed or voluntarily chosen.

This rule shall also apply to the days which We first saw the light, or which witnessed the origin of the Empire. During the fifteen days

of the celebration of Easter, compulsory distribution of provisions and the collection of all public and private obligations shall be postponed.

Given at Rome, on the second of the *Ides* of August, during the Consulate of Timasius and Promotus, 389.

8. *The Same to Tatian, Prætorian Prefect.*

All employments, whether public or private, shall be suspended during the fifteen days of the Festival of Easter; still, every person shall have the right of emancipation and manumission during that time, and any proceedings relating to them are not prohibited.

Given on the *Kalends* of January, under the Consulate of Arcadius, Consul for the second time, and Rufinus, 392.

9. *The Emperors Honorius and Theodosius to Anthemius, Prætorian Prefect.*

The Governors of provinces are notified that, so far as the torture of robbers, and especially of Isaurians is concerned, they must not think that any of the forty days of Lent, or the venerated Festival of Easter should be excepted, lest the betrayal of the designs of the criminals, which might be obtained by torture, may be deferred. This should the more readily be accomplished, as, during this time, there is greater hope of pardon by the Almighty, and the health and safety of many persons are secured.

Given at Constantinople, on the fifth of the *Kalends* of March, during the Consulate of Bassus and Philip, 408.

10. *The Emperors Leo and Anthemius to Armasius, Prætorian Prefect.*

We do not wish holidays dedicated to the majesty of God to be employed in public exhibitions, or be profaned by any annoyances resulting from collections.

(1) Hence We decree that Sunday shall always be honored and respected, and exempt from all executions. No notice shall be served upon anyone; no security shall be exacted; bailiffs shall remain quiet; advocates shall cease to conduct cases, and this day shall be free from the administration of justice; the harsh voice of the public crier shall be silenced; litigants shall have a respite from their disputes, and enjoy the interval of a truce; adversaries may approach one another without fear; repentance will have an opportunity to occupy their minds, they can enter into agreements and discuss compromises.

We do not permit persons who are at leisure during this sacred day to devote themselves to obscene pleasures; and no one shall then demand theatrical exhibitions, the contests of the circus, or the melancholy spectacle of wild beasts; and when Our birthday happens to fall on Sunday, its celebration shall be postponed. If anyone should think that upon this holiday he can venture to interest himself in exhibitions; or the subordinate of any judge, should, under the protest of any public or private business, violate the provisions of this law, he

shall suffer the loss of his employment and the confiscation of his property.

Given at Constantinople, on the *Ides* of September, during the Consulate of Zeno and Martian, 469.