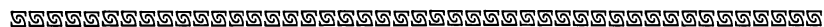


ROMAN DOCUMENTS FROM THE GREEK EAST

SENATUS CONSULTA AND EPISTULAE
TO THE AGE OF AUGUSTUS



ROBERT K. SHERK

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The photograph reproduced as the frontispiece is that of a squeeze showing the text of document No. 12, *Senatus Consultum de Agro Pergameno*. The upper half of the photograph has been enlarged for reproduction on the jacket. (Courtesy of the author.)

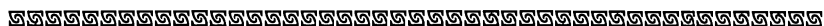
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PREFACE



Paul Viereck's dissertation, entitled *Sermo graecus quo senatus populusque romanus magistratusque populi romani usque ad Tiberii Caesaris aetatem in scriptis publicis usi sunt* (Göttingen, 1888), was a pioneer work that assembled for the first time all the extant copies of Roman *senatus consulta*, *foedera*, and *epistulae* down to the Principate of Tiberius. In the years that followed its publication Viereck turned away from such studies generally and worked in the new and rapidly expanding field of papyrology, without, however, forgetting his earlier interest. After World War I he began to make plans for a new edition of his first book. Other duties constantly interrupted his work, and World War II found him still collecting information and making notes of new texts on the subject. He died on February 9, 1944, in Wittenberge at the age of seventy-nine. His *Nachlass* revealed that he had planned a second edition of his *Sermo Graecus* on a scale much vaster than was possible for the original work. It was to include not only the material from the Republic but also all the *epistulae* and *edicta* of the Empire. His papers and plans for this work eventually reached the hands of James H. Oliver and the present writer. For the most part the papers consist of handwritten copies of the Greek texts as they were published in collections such as Dittenberger's *Sylloge* or in various periodicals. Occasionally he had taken the time to add a note or two of his own to these bare copies. Whenever the reader of the present volume finds the reference *Viereck (notes)* he will know that the information given has been found in his posthumous papers.

The importance of assembling and studying all documents of the same type has been well illustrated by such publications as L. Robert's magnificent *Les gladiateurs dans l'Orient grec*, C. B. Welles's *Royal Correspondence in the Hellenistic Period*, and J. H. Oliver's *Sacred Gerusia*, to name only a few of the outstanding examples. The geographic arrangement of inscriptions followed in the various *Corpora* is a necessary and useful one, but the process should not stop there. An arrangement by type or category would in many ways be far more useful to the investigator of religion, public law, or any of the various institutions of the ancient world. Clearly, the decrees of the Roman Senate and the letters of Roman magistrates can be studied more effectively this way, and it was for this reason that the present work was thought to be necessary.

Several problems were encountered almost immediately. There was the matter of chronological limitation. The large number of imperial letters and edicts made it clear that no single volume could possibly include them all. Division was inevitable. The most that one volume could include easily would be the material from the Republic. Then it proved inadvisable to remove the Augustan decrees and letters from such a volume, for the figure of Augustus stands as a bridge between the old and the new and not merely as the founder of the Principate. Thus the basic design came to be the pres-

entation of all the Roman material in Greek down to the death of Augustus, complete with bibliography, apparatus, and commentary.

In the establishment of the text the matter of control was considered vital. In the case of inscriptions on stones that had been lost after their discovery in modern times, there was, of course, little to do but to utilize the old copies. But for all the others every effort was made to verify the readings. The author is especially indebted to Professor Günther Klaffenbach, who made it possible for him to examine many squeezes from the incomparable collection in Berlin. Whenever these were used, the word *squeeze* was added to the heading of the document in question. In addition, Mr. Pierre MacKay kindly took the time to photograph and to make a new squeeze of the *S.C. de agro Pergameno*, and Mr. Sacantis Symeonoglou graciously sent me a photograph and a squeeze of *I.G.*, VII, 2413-14. Every line of text of the remaining documents was verified, wherever possible, by the use of published photographs.

This is a study in which epigraphical texts have been used to illustrate the machinery of Roman public law and to broaden our knowledge of republican history. One papyrological text (No. 57) has been admitted, but the decrees and letters found in our literary sources have been excluded. The model followed by Viereck in this regard is as valid now as it was then.

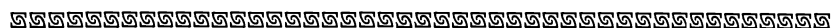
It soon became apparent, in the course of assembling the material, that very extended commentaries were out of the question, for some of them would easily fill small volumes in themselves. The commentaries, therefore, had to be limited to the presentation of only essential information. They were designed to orient the reader in the historical background of the documents, to acquaint him with problems of interpretation, and to give him full bibliographical references.

Occasionally it was believed necessary to include documents other than decrees or letters in order to place those texts in their proper historical perspective. To lift any document out of the body of a large dossier is almost always risky. Such a procedure may not be tampering with evidence, but it is certainly one which can often omit facts of importance. Sometimes, as in No. 68 (Augustus to Sardis), it was impractical to include all the documents in a dossier.

Through the financial assistance provided by the Research Foundation of the State University of New York and the Graduate School of the State University of New York at Buffalo, the expenses involved in travel and extended research were reduced to a minimum. For the original idea of such a work and the encouragement to carry it through, deep gratitude is owed to James H. Oliver. He read the entire manuscript and made possible the elimination of many errors. T. R. S. Broughton and E. Badian also read the manuscript and contributed a large number of suggestions, many of which were adopted in the final stages of the work. To both of them I would like to acknowledge my thanks. The responsibility, of course, for all omissions and mistakes is mine alone.

ROBERT K. SHERK

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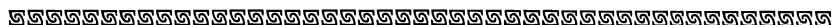
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LIST OF ABBREVIATIONS



INSCRIPTIONS

A.E. – *L'Année Épigraphique*

Choix – *Choix d'Inscriptions de Delos*

C.I.G. – *Corpus Inscriptionum Graecarum*

C.I.L. – *Corpus Inscriptionum Latinarum*

Ehrenberg-Jones – *Documents Illustrating the Reigns of Augustus and Tiberius*

I.G. – *Inscriptiones Graecae*

I.G.R.R. – *Inscriptiones Graecae ad Res Romanas Pertinentes*

I.L.S. – *Inscriptiones Latinae Selectae*

O.G.I.S. – *Orientis Graecae Inscriptiones Selectae*

S.E.G. – *Supplementum Epigraphicum Graecum*

Sermo Graecus – *Sermo graecus quo senatus populusque romanus magistratusque populi romani
usque ad Tiberii Caesaris aetatem in scriptis publicis usi sunt*

*S.I.G.*¹⁻³ – *Sylloge Inscriptionum Graecarum*

T.A.M. – *Tituli Asiae Minoris*

BOOKS

C.A.H. – *Cambridge Ancient History*

Études – *Études d'Épigraphie et d'Histoire Grecques*

*P.I.R.*² – *Prosopographia Imperii Romani*

R.E. – *Real-Encyclopädie der classischen Altertumswissenschaft*

S.E.H.H.W. – *Social and Economic History of the Hellenistic World*

S.E.H.R.E. – *Social and Economic History of the Roman Empire*

PERIODICALS

A.J.A. – *American Journal of Archaeology*

A.J.P. – *American Journal of Philology*

Ἀρχ. Ἐφ. – *Ἀρχαιολογικὴ Ἐφημερίς*

Athen. Mitt. – *Mitteilungen des deutschen archäologischen Instituts, Athenische Abteilung*

B.C.H. – *Bulletin de Correspondance Hellénique*

Jahreshefte – *Jahreshefte des oesterreichischen archäologischen Instituts*

J.H.S. – *Journal of Hellenic Studies*

J.R.S. – *Journal of Roman Studies*

R.É.G. – *Revue des Études Grecques*

LIST OF ABBREVIATIONS

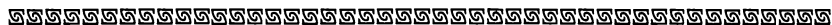
*Sitzungsberichte Berlin – Sitzungsberichte der Preussischen Akademie der Wissenschaften,
Philosophisch-historische Klasse*

*Sitzungsberichte Wien – Sitzungsberichte der (Kaiserlichen) Akademie der Wissenschaften in
Wien, Philosophisch-historische Klasse*

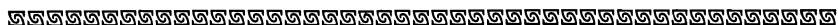
Z.S.S. – Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, romanistische Abteilung

I

SENATUS CONSULTA



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B. INTRODUCTION



1. THE *SENATUS CONSULTA* AND THEIR SOURCES

The reader of Livy or Dionysius of Halicarnassus who keeps his attention fixed upon Roman political institutions soon discovers the wide variety and amazing number of *senatus consulta* issued during the Republic. The Senate was often an extremely busy organ of government, for, unlike our modern Congress, it rarely had an official holiday or vacation. Senators were expected to be on hand constantly and, down to the first century, were subject to call on almost any day of the year.¹ Beginning with the first recorded notice of a senatorial decree in the period of the Republic, introduced on the *relatio* of Brutus and providing *ut omnes Tarquiniae gentis exsules essent* (Livy 2.2. 11), their number and subject matter increased in direct proportion to the political and military expansion of Rome. They dealt with almost every possible aspect of political life, and their contents alone present a vivid outline of the competence and jurisdiction of the Senate: matters of private law, treaties, international arbitration, triumphs, public honors and games, funeral ceremonies, thanksgiving, declarations of war and peace, military levies, advisability of appointing dictators, emergency powers for the consuls, constitutional or magisterial modifications, prorogation of certain magistrates, elections, founding of colonies, salaries for soldiers, public lands, temples, finance, instructions to magistrates, and provincial administration, *inter alia*.

In the strict theory of law a decree of the Senate was merely advice to the magistrate who requested it, and, it has been said, the whole Senate was the *consilium* of the higher magistrates—a board of advisers. But the peculiar nature of the Roman State during the Republic made it *de facto* much more than that, for the senatorial order as a whole was a social as well as a political organization. By its exclusiveness and its monopolization of the higher magistracies the Senate controlled the entire state and perpetuated itself from generation to generation by marriages and liaisons within its own orbit. Thus co-operation among its members was essential, even though the aggrandizement of personal power was the individual goal. Each one of the senators owed his position, his privileges, and his career to that nice balance of ability, social connections, and political collegiality which formed the living body of the Senate. Each was forced to look to the others for the continuation and strengthening of his own interests. Hence the will or desire of the

¹ Willems, *op. cit.*, pp. 149–56; A. O'Brien Moore, *R.E., s.v.* "Senatus," cols. 702–3. Apparently even the division of days into *dies fasti* and *nefasti* did not affect meetings of the Senate. But Varro (*apud* Aulus Gellius 14. 7. 9) tells us that there were some days on which no meeting could take place. We do not know what days he meant. Not until quite late (perhaps either 71 or 61 B.C.) did a *lex Pupia* introduce regulations on the days on which the Senate could not meet. Unfortunately, exact details are not known; see Weiss, *R.E., s.v.* "Lex Pupia," col. 2405.

senatorial class became a kind of silent command; one could disregard it and place his career in jeopardy or listen and gain power. To incur the displeasure of the Senate could be fatal. Only a strong man with a large following could challenge it successfully—a condition generally reserved for the late Republic. The higher magistrates therefore consulted the Senate, not only to be advised of the proper and the most expedient procedure to follow in difficult situations, but also to discover its will or desire. A long tradition had given Rome a Senate, and, with the passing of the monarchy, the New Republic continued to use it and made of it an institution that soon formed the very heart and soul of the ruling class. Naturally, when the aristocrats had expelled the kings, they formed the New Republic around themselves, i.e., around the Senate. Consulting it therefore generated a kind of collective responsibility, at least to a degree.

A competent magistrate convened the Senate, presided over the meeting, introduced a *relatio*, and asked for *sententiae*. When he judged that a sufficient number of opinions had been heard, he asked for the vote.² Such in brief was the procedure, and so powerful was the force of the resultant *senatus consultum* that, even when vetoed by a tribune, it became known as a *senatus auctoritas* and occasionally could still command some degree of political influence. Although technically in Republican times they had no legislative force, nevertheless, representing the voice of the Senate as they did, the result was that *senatus consulta* were felt to be binding. And by the time of the early Empire they had acquired the full force of law.³

Unfortunately for the student of Roman constitutional form, comparatively few complete texts of these decrees have survived. A new and full collection of all the references to them that appear in our sources throughout the entire period of Roman law would fill a small book, but most of them would be mere references with, at best, summaries of their contents.⁴ By far the overwhelming majority of the actual texts have been lost. And the authors who refer to them, such as Livy, Dionysius of Halicarnassus, Appian, or Diodorus, may never have consulted the originals at all. They were usually content with the second-hand information they found in the works of their predecessors.⁵

² For full details on the procedure followed in the Senate see the works of Willems, Mommsen, and O'Brien Moore cited in the Special Bibliography on *Senatus Consulta*.

³ *Senatusconsultum est quod senatus iubet atque constituit idque legis vicem optinet, quamvis fuerit quaesitum*: Gaius I. 4. See Loret-Lorini, *loc. cit.*, and the remarks of H. F. Jolowicz, *Historical Introduction to the Study of Roman Law*² (Cambridge, 1952), pp. 372–74.

⁴ E. Hübner, *op. cit.*, has attempted to give such a list, but it is incomplete and now almost hopelessly antiquated. There is room for a new work, a collection of references chronologically arranged and with a short summary added to each, similar to what Rotondi has done for the *leges*. The present writer has already started such a work.

⁵ See P. G. Walsh, *Livy: Historical Aims and Methods* (Cambridge, 1961), pp. 112–14, who notes that Livy's account of the S.C. de Bacchanalibus, in bk. 39, sec. 14, ll. 3–9, differs from the extant copy (C.I.L., I², 581); cf. the remarks of R. M. Ogilvie, *A Commentary on Livy: Books 1–5* (Oxford, 1965), pp. 5–17. For Dionysius of Halicarnassus we have his own statement (bk. I, 7) for the sources he used (Cato, Fabius Maximus, Valerius Antias, Licinius Macer, and other annalists). Appian's chief sources were also the annalists, especially Asinius Pollio, and the reliable Greeks Polybius and Hieronymus: details in Schwartz, *R.E.*, s.v. "Appianus," cols. 216–37, and the Introduction to E. Gabba's edition of *Appiani Bellorum Civiliū Liber Primus* (Florence, 1958), pp. xxxi–xxv. Notices or sum-

Polybius, however, does appear to have consulted some original material in this regard, but never to the point of quoting the full text.⁶ Such a distinction was claimed by Josephus, who, in his *Jewish Antiquities*, has given us what he claims are true copies of those *senatus consulta* which concerned Jewish history. They may be regarded in general as genuine, but whether he changed anything or was guilty of mistakes in transcription is a matter of conjecture. Even the texts he gives may be mere copies of copies.⁷ Frontinus (*De aquis urbis Romae* 100, 104, 106, 108, 125, 127) gives us excerpts from the six *senatus consulta* passed in 11 B.C. concerning aqueducts. Suetonius quotes from the *S.C. de philosophis et rhetoribus* of 161 B.C., and Aulus Gellius from a *S.C. de hastis Martiis* of 99 B.C.⁸ From Macrobius (*Sat.* 1. 12. 35) we learn of a *S.C. de mense Augusto* of 8 B.C. And Cicero (*Ad Fam.* 8. 8. 5-8) quotes *in extenso* from several *senatus auctoritates*, vetoed by the tribunes, and one *senatus consultum* of 51 B.C., *De provinciis consularibus*.⁹

Thus the literary sources have given us a mass of information on senatorial decrees—mostly in the form of summaries or notices—but only a handful of actual texts or parts of texts. For the later period of Roman history, the Principate through the Dominate, the story is not much brighter. The Codex of Justinian, the Digest, and other legal sources then add to our knowledge. These too, however, usually give summaries or notices, occasionally excerpts.

Although we possess not one of the originals, i.e., those on deposit in the *aerarium Saturni* in Rome, fortunately, official copies (*exempla*, ἀντίγραφα) were often made and sent or given to interested parties upon request. These official copies were then used, especially by the Greeks, to set up permanent records of those decrees which concerned them. It is to the Greek inscriptions, therefore, or to the Greek copies, that we look for full texts in sufficient number and of wide enough chronological spread to study the nature and the redaction of Roman *senatus consulta*. Naturally the subject matter of these inscriptions will be limited generally to those matters which caused the Greek cities to go to the Roman Senate and seek official action: to obtain ἀστυλία either for a

maries of *senatus consulta*, of course, are found in many other historians and writers. No attempt at an exhaustive treatment of such notices can be made here.

⁶ Viereck, *Sermo Graecus*, pp. 89-91, still has the best treatment on the senatorial decrees preserved in Polybius. For the treaties in Polybius see E. Täubler, *Imperium Romanum* (Leipzig, 1913), pp. 373-77, whose remarks must be tempered by the observations of A. Heuß, "Abschluß und Beurkundung antiker Staatsverträge," *Klio*, 27 (1934): 45-53. On the general sources of Polybius see K. Ziegler, *R.E.*, s.v. "Polybios," cols. 1560-64, and F. W. Walbank, *A Historical Commentary on Polybius* (Oxford, 1957), pp. 26-35; cf. E. Mioni, *Polibio* (Padua, 1949), pp. 119-27.

⁷ Josephus *Ant.* 13. 9. 2; 14. 8. 5; 14. 10. 10. A large literature has developed concerning these decrees, for there are numerous problems of chronology and sources. A useful discussion of the older theories, together with a full evaluation of all the important documents given by Josephus, will be found in Viereck, *op. cit.*, pp. 91-116. A full bibliography is given by Ralph Marcus in his Loeb edition of *Josephus*, vol. 7 (London and Cambridge, Mass., 1943), app. J, pp. 775-77. It is very probable, as Niese and Viereck believed, that Josephus found these documents in books 123-24 of the history written by Nikolaos of Damascus.

⁸ Suetonius *De Rhetoribus* 1; Aulus Gellius 4. 6. 2.

⁹ On these see M. van den Bruwaene, "Précisions sur la teneur et l'importance du sénatus-consulte d'Octobre 51 av. J.C.," *Les Études Classiques*, 21 (1953): 19-27.

temple, a city, or an area of land; to retain or acquire possession of territory, buildings, harbors, or to collect revenues from them; to fortify or wall their city or land; to settle disputes between cities or corporate bodies; to conclude treaties of friendship and alliance; to obtain or have confirmed grants of *privilegia* and *immunitates*; and to enter complaints against various groups or people, such as the *publicani*. To attempt a full listing would be tedious. The texts will speak for themselves.

The fact that the inscriptions are in Greek, for the most part, and are, therefore, translations from the Latin, does not detract from their value, for, as we shall see, they were official translations made directly from the originals on deposit in Rome. In addition they were not "literary" translations. On the contrary, the translators slavishly reproduced each word of the Latin, so that at times the Greek becomes intelligible only when the Latin idiom is uppermost in the mind. The value of the translations cannot easily be overestimated. The Latin copies that have survived, on the other hand, are not nearly so numerous or complete in the information they give us.¹⁰

2. THE REDACTION AND DEPOSITING OF *SENATUS CONSULTA*

Down to the first consulship of Caesar (59 B.C.) there may have been no *scribae* or *librarii* in the Senate to keep accurate records of meetings and the various matters discussed in them.¹¹ Thus a small committee was formed immediately after each meeting to put into final form any *senatus consultum* that may have been passed. The committee contained a chairman, i.e., the *relator*, who was usually the presiding magistrate as well, and those members of the Senate who had supported the matter. They acted as witnesses. On the basis of notes and memory they drew up the document. The number of such witnesses, who were always senators, was usually two or three, down to about the middle of the first century B.C., but there were sometimes as many as ten or more.¹² The official redaction itself was always in Latin and was sometimes completed in the meeting-place of the Senate or in the home of the *relator*, but in any case within a short time after the meeting.¹³

Each *senatus consultum* took a specific form, which was rigidly followed, and was composed of four main sections: the prescript, the theme, the decree proper, and the mark of approval.

¹⁰ They can be found in Bruns-Gradenwitz, *Fontes iuris Romani antiqui*⁷ (Tübingen, 1909), chap. 5. In general see Stella Maranca, *loc. cit.*, who also gives (pp. 520-49) a full list of those *senatus consulta* which are alluded to or mentioned in Latin inscriptions.

¹¹ Willems, *op. cit.*, pp. 204-6; Mommsen, *Römisches Staatsrecht*, III³, 2, 1015-21; O'Brien Moore, *op. cit.*, cols. 718-19 and 770-71 (*acta senatus*).

¹² The number of witnesses named in the extant copies may be summarized here: Nos. 1 (4), 2 (2), 4 (at least 3), 5 (3), 7 (2), 9 (3), 10 (3), 15 (3, or 4?), 18 (2), 22 (3), 23 (3), 26 (b = 6, c = possibly 8 or 9), 27 (10), 29 (at least 10); Josephus *Ant.* 14. 10. 10 (11 witnesses); *ibid.*, 13. 9. 2 (2); *De Bacchanalibus* (3).

¹³ Plutarch *Mar.* 4; Cicero *In Cat.* 3. 13. It could even be completed in the home of the *relator*: Cicero *Ad Fam.* 9. 15. 4. The S.C. *de Asclepiade* (No. 22) was passed on the eleventh day before the Kalends of June (l. 4) but was deposited in the *aerarium* before the first of June, as the notation in line 3 shows. Willems, *op. cit.*, p. 207, goes too far in saying that the redaction *always* took place on the same day as the meeting. There is no proof.

The prescript gives the name and rank of the presiding magistrate (or magistrates) followed by the phrase *senatum consuluit* (τῇ συγκλήτῳ συνεβουλεύσατο), the day and month of the meeting, the place, and the names of the witnesses introduced by the phrase *scribendo adfuerunt* (γραφομένων παρήσαν).

The theme announces the *relatio* in the form *quod* (name of *relator*) *verba fecit de* (or *ut*) (περὶ ὧν ὁ δέλινα λόγους ἐποιήσατο περὶ (or ὅπως)). It gives a résumé of the events or motives that prompted the *relator* to lay the matter before the Senate, and there are sometimes several clauses to it in order to make the whole matter clear, as in Nos. 14, 15, 18, 22, 23, and 26. At the conclusion of the theme is found the phrase *d(e) e(a) r(e) i(ta) c(ensuerunt)* (περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν), which actually serves to introduce the next section, the decree proper.

The decree proper, in indirect discourse or introduced by *ut* (*uti*), is technically the advice given by the Senate to the magistrate who had brought forward the *relatio* for consideration. It had been obtained by a simple majority vote. If it included a remark or some kind of instruction to the magistrate, it was always softened by the traditional formula *si ei (eis) videbitur* or *ita uti ei (eis) e republica fideve sua videatur*. The Senate in strict theory did not issue orders.

The mark of approval is the vote of the Senate formally expressed: *c(ensuere)* (ἔδοξεν). However it is not found in all decrees, a fact that may be attributed to the vagaries of a transcriber or stonecutter. In some cases it is found in the body of the decree proper, at the end of individual sentences.¹⁴

From our earliest extant decree (No. 1) to those of Augustan times this basic structure remained unaltered. Only under the Principate, which does not concern us here, were serious modifications introduced.¹⁵

After the decree had been written up in the proper form, the *relator* had to deposit it in the state archives, the *aerarium Saturni*. This was a most important act, necessary for the validity of the decree, and it was usually performed as soon as possible after the writing.¹⁶ At the *aerarium* it was received by the urban quaestor, who saw to it that it was entered into the public records. The technical phrase was *in tabulas publicas referre* (Plutarch *Cato min.* 17; Josephus *Ant.* 14. 10. 10). This was the original copy, and it was never permissible to take it from the building. None of the originals have survived.

¹⁴ Full discussion by Willems, *op. cit.*, pp. 213–15. For the mark of approval within the body of the decree see Nos. 2, 7, 15, 16, and 18. Willems assumes that when it appears only once, at the end, it means that the Senate voted in only one *discessio*, while its repetition at the end of each article shows that the Senate voted separately for each of them. Again we must say there is no proof. Valerius Maximus (2. 2. 7) explains it thus: *veteribus senatus consultis C littera subscribi solebat eaque nota significabatur illa tribunos quoque censuisse*. He appears to have misunderstood it; cf. O'Brien Moore, *op. cit.*, col. 803. Mommsen, *Römisches Staatsrecht* III³, 2, 1009, n. 8, would substitute *senatores* for *tribunos*.

¹⁵ O'Brien Moore, *op. cit.*, col. 803.

¹⁶ That the deposit was necessary for validity can be seen by the decree quoted by Josephus (*Ant.* 14. 10. 10), for the whole purpose of passing the decree was to ensure the registration in the *aerarium* of a decision rendered by Julius Caesar in accordance with a senatorial decree. It is there stated that there was no time for it to be properly registered. Hence, clearly, registration of a state act was a legal necessity; cf. Suetonius *Aug.* 94 and Cicero *In Cat.* 1. 2. 4.

A second archive in Rome in which copies of *senatus consulta* were also on deposit was the Temple of Ceres, under the control of the *aediles*. Its exact relationship to the *aerarium* is not known, but it has been suggested that it was established in order to provide outside, i.e., plebeian, control over the quaestorian records. This sounds reasonable, for, despite many safeguards to guarantee accuracy of the texts of the *senatus consulta*, there was always the possibility of someone tampering with the records or even removing them at some future time.¹⁷ Having an official copy on file in Rome as a check on the original would help to reduce such criminal acts. But since the Temple of Ceres was under plebeian control, its record office may have contained only those decrees which concerned the plebs. At any rate this second archive ceased to function after 11 B.C., and the quaestors remained the sole keepers of the records.¹⁸

After the document had been received by the quaestors it was handed over to the *scriba quaestorius*, who then took care of the details of registration. The decree was apparently surrendered to the quaestors in the form of wooden tablets that were then kept together as a unit with other decrees in the order of arrival. It would appear that the *scribae* did not copy the decree into the records immediately, but rather retained the written form and the materials that the *relator* had deposited. The wooden tablets were given a file number for identification and were bound together with others into a *codex*. And each annual batch in turn was marked off into monthly groups so that all the decrees registered in the space of one month would be bound together in the exact order of registration. They would be stored according to that system. At some time, however, it is possible that they may have been copied into *libri* (Cicero *Ad Att.* 13. 33). To find a particular decree one had to know the year in which it was passed, the month in which it was registered, and the tablet number. Our knowledge of these matters can be deduced largely from the decrees themselves, as we shall see later. Despite the lack of full knowledge of the details of registration, storing, and possible changes in procedure in the course of time, we can be sure that the wooden tablets themselves were registered and stored in the *aerarium*.¹⁹ The material in them may have been copied into *libri* at a later date.

¹⁷ Plutarch *Cato min.* 17; Cicero *Ad Att.* 4. 18. 12; *ibid.*, 15. 26. 1; Cicero *Ad Fam.* 12. 29. 2; Cicero *De lege agraria* 2. 14. 37. For the role of the aediles in safeguarding the texts see Livy 3. 55. 13 and the comments by Ogilvie, *op. cit.*, p. 503. Zonaras (7. 5) is witness to the fact that the plebeian aediles exercised some amount of control over the *acta* of the people and the Senate, i.e., over the texts of those *acta*. It must be emphasized that in the Republic the official record office was always the *aerarium* under the direction of the urban quaestors. The records apparently kept in the Temple of Ceres were official copies, not the originals.

¹⁸ Dio 54. 36. 1, where, however, he gives the mistaken impression that the tribunes and aediles alone had previously watched over the records.

¹⁹ Clearly, wooden tablets were still in use in A.D. 68, when a decree of L. Helvius Agrippa was registered. The beginning of it (*I.L.S.*, 5947) is as follows: *Descriptum et recognitum ex codice ansato L. Helvi Agrippae procons., quem protulit Cn. Egnatius | Fuscus scriba quaestorius, in quo scriptum fuit it, quod infra scriptum est, tabula V O VIII | et VIII et X* (ll. 2-4). Here the O (an obviously reversed C) is an abbreviation for *ceris*. Full commentary by Mommsen, *Hermes*, 2 (1867): 102-27 (*Gesammelte Schriften*, 5: 339ff. and 506). See also O'Brien Moore, *op. cit. cit.*, cols. 805-6.

Whenever an official copy was requested, the *scriba* would locate it and make the copy. He would also indicate on the copy the location in the archives where the original could be found. At a later date, when the copy was published, e.g., in the Greek East where most of our copies have been found, this notation was sometimes engraved along with the decree. It was not a part of the decree at all, but merely served to vouch for the authenticity and accuracy of the copy. Those notations which surely must have been added in the *aerarium* are assembled here.

No. 22, 1-3: 'Επὶ ὑπάτων Κοίντου Λυτατίου Κοίντου υἱοῦ Κάτλου καὶ Μάρκου Αἰμ[ιλίου Κοίντον υἱοῦ] | Μάρκου υἱωνοῦ Α(ε)π(ι)δου, στρατηγοῦ δὲ κατὰ πόλιν καὶ ἐπὶ τῶν ξένων Λευκίου Κορνηλίου[υ. . . . υἱοῦ] | Σισέenna, μηνὸς Μαΐου.

No. 29, 1-3: [Ἐπὶ Σέξτου Πομπηίου Σέξτου υἱοῦ καὶ Λευκίου Κορνηφικί]ου Λευκίου υἱοῦ ὑπάτων ἐκ τῶν ἀν(α) | γεγραμ[μένων ἐν πραγμάτων συμβουλευμένων κηρώμασιν π]έμπτω ἔκτω ἐβδόμῳ ὀγδόῳ ἐνάτῳ τα[μειυτι]κῶν δελτῶν - - *nomina quaestorum* - - ταμ]ίων κατὰ πολιν δέλτῳ πρώτῳ.

Josephus *Ant.* 14. 10. 10: Δόγμα συγκλήτου ἐκ τοῦ ταμείου ἀντιγεγραμμένον ἐκ τῶν δελτῶν τῶν ταμειυτικῶν Κοίντῳ Ῥουτιλίῳ Κοίντῳ ταμίαις κατὰ πόλιν δέλτῳ δευτέρῳ κηρώματι πρώτῳ. At the end here the manuscripts have καὶ ἐκ τῶν πρώτων πρώτῃ, which Viereck, in his *Sermo Graecus* (p. 101), emended as given.

L. Gallet (*op. cit.*, pp. 255-64) thought that lines 1-3 of No. 22 were “une rédaction purement privée,” and that they had been added by the three Greek naval officers for whom the decree had been passed. In his view the reference to the month of May does not allow us to form any conclusion about the system of filing or registering in the *aerarium*. It was on the basis of this text that Willems (*op. cit.*, p. 218, n. 3) had concluded that the archival records were divided into monthly groups within each year for reference purposes. Gallet disagreed, for he saw here a Greek and not a Roman notation. However, he failed to notice that the filiation used in these lines is in the Roman manner, not the Greek (simple genitive). The conclusion of Willems was correct.

In addition to these notations we may suspect others whenever we find a dating by consuls at the beginning of a decree, as in No. 27, lines 3-5. The prescript to a decree did not begin with a consular dating. It began with the name of the *relator* followed by *senatum consuluit*.

From these notations and other references it is possible to form some idea of the Roman filing system, but in the absence of full information it would be foolish to attempt a complete description.²⁰

²⁰ For other passages that contain information see our No. 23, 57-59: ἐν τῷ συμβουλίῳ παρήσαν | οἱ αὐτοὶ οἱ ἐμ πραγμάτων συμβουλευμένων δέλτῳ πρώτῃ, | κηρώματι τεσσαρεσκαίδεκάτῳ. And in No. 12, 20, we find: Δέλτος ν (δευτέρα) ν κ[ήρωμα -]; cf. the decree of L. Helvius Agrippa (above, n. 19). One difficulty arises in the fact that δέλτος sometimes may mean *codex* (as in No. 23, 31) and at other times *tabula* (as, e.g., in No. 23, 58). Then κήρωμα (*cera*) becomes obscure when it is found in the same context with δέλτος = *tabula*. Perhaps κήρωμα then means “column,” especially if the tablets at times were bound chain-fashion, each one linked to the next in a long series. See T. Birt,

3. THE PUBLICATION OF SENATUS CONSULTA

The only extant copy of a senatorial decree which contains exact and detailed instructions for its publication is the *S.C. de Bacchanalibus*.²¹ Actually it appears to be a letter of the consuls of 186 B.C. to the Teurani informing them officially of the decree and directing them to publish it locally. The instructions (ll. 22–30) are as follows:

*Haice utei in conventionid exdeicatis ne minus trinum | noundinum, senatuosque sententiam utei scientes
esetis,—eorum | sententia ita fuit: sei ques esent, quei arvorsum ead fecisent, quam suprad | scriptum est,
eis rem capitalem faciendam censuere—atque utei | hoc in tabolam ahenam inceideretis, ita senatus ai quom
censuit, | utei que eam figier ioubeatis, ubei facilumed gnoscier potisit; atque | utei ea Bacanalía, sei qua sunt,
extrad quam sei quid ibei sacri est, | ita utei suprad scriptum est, in diebus X, quibus vobeis tabelai datai
| erunt, faciatis utei dismota sient.*

No other senatorial decree offers a parallel to this, and it has been suggested that the instructions were given in this case because of the special problem of the Bacchic worship; the Senate felt that it constituted a danger for the Italian communities and therefore took special measures to suppress it.²² Publication was highly desirable. Not only was the decree to be engraved on bronze and erected in a conspicuous place—one is reminded of the banal formulas of Greek epigraphy in this regard—but also it was to be read aloud on three successive market days before the assembled people (*in conventionid*).

One unusual form of publication is seen in the fifth Augustan edict from Cyrene (No. 31), in which Augustus himself communicated a *senatus consultum* by means of the edict.

And a special problem exists in the matter of the *foedera* concluded by Rome with foreign states or cities. Two copies of the treaties were made on bronze tablets in each instance, one of which was erected in Rome on the Capitol, the other in the foreign city. We have the explicit statement of Suetonius (*Vesp.* 8. 5) that 3,000 Capitol bronze tablets had been destroyed by fire and that these consisted of *senatus consulta*, *plebiscita de societate et foedere ac privilegio cuicumque concessis*. But since *senatus consulta* were passed for the execution of many of these treaties—the so-called senatorial treaties—and were published in the Greek East along with the treaties, the question arises as to whether the senatorial decrees of authorization were also published in bronze and set up on the Capitol in Rome. Some scholars have separated the decree from the treaty, e.g., in the case of the treaty with Astypalaea (No. 16), and have concluded that the publication in the Greek

Kritik und Hermeneutik nebst Abriss des antiken Buchwesens (Munich, 1913), pp. 262–63. But Wenger, *op. cit.*, p. 75, n. 10, suggests that it means one side of a wax tablet. He would translate the pertinent part of the decree of L. Helvius Agrippa thus: “Polyptychon (tabula i.d.S.) 5, Seite 8–10.” The *tabula* would therefore be waxed on both sides, and in the present case very many of them would be tied together. From a consideration of all the examples it would appear that the terminology is not consistent. Some illustrations of *tabulae* bound together can be found in the *Notitia Dignitatum*, ed. O. Seeck (Berlin, 1876; reprinted 1962), or. XIX, and oc. XVII.

²¹ C.I.L., I², 581. Latest text with notes by A. Degraffi, *Inscriptiones Latinae Liberae Rei Publicae*, vol. 2 (Florence, 1963), no. 511, pp. 13–17. See also Riccobono, *op. cit.*, no. 30, pp. 240–41, and Von Schwind, *op. cit.*, pp. 59–61.

²² Von Schwind, *loc. cit.* This is made clear by Livy’s account in bk. 39, secs. 8–18, especially secs. 15–16, in which the consul speaks to the people of its dangers.

city did not reflect exactly the form of publication in Rome.²³ They think the treaty alone saw publication in Rome, while the decree was merely deposited in the *aerarium*. The Greek city, having acquired copies of both the decree and the treaty, published both. The inclusion of *senatus consulta* in the statement of Suetonius might then refer only to those passed for the granting of privileges, e.g., to the S.C. *de Asclepiade* (No. 22). Such a view appears to be wrong. Silvio Accame, in my opinion, is right when he says that the authorizing decrees of the Senate were also erected on the Capitol along with the treaties. As proof he cites the text of the treaty with Pergamum, which clearly states that two tablets of bronze were placed in the Temple of Jupiter and that they contained the text of both the decree and the treaty.²⁴ Here is proof for the publication of decrees of this type. None of them, however, have survived.

The bronze tablet containing the text of the S.C. *de Asclepiade* (No. 22) would seem to indicate not only that it was an official publication by Rome but that other decrees of this nature, i.e., those which granted privileges, also were published regularly by Rome. This is not the case, however. No. 22, line 25 of the Greek, specifically gives the recipients of the decree permission to erect a bronze tablet. We may then assume that the recipients did so at their own expense; such an assumption is warranted by the fact that the last two lines of the inscription, containing their names, could not have been part of the decree itself and must have been added by them. The fact that Suetonius (*Vesp.* 8. 5., cited in part above) saw fit to include among those documents which had been destroyed in the fire senatorial decrees granting privileges to anyone leads one to believe that recipients of these decrees often did erect bronze tablets in Rome. Such decrees were publications, but they were not official Roman publications. Consequently we have no way of knowing whether, when such decrees were published in bronze and set up on the Capitol by the recipients, they always included both the original Latin text and the Greek translation. Likewise we have no way of knowing how many of these decrees were actually erected at private expense. But certainly they were not official Roman publications.

From these examples it is reasonably clear that some *senatus consulta* were published, but only those which were of an unusual nature demanding official promulgation or those which were passed to authorize treaties. In addition permission was given to the recipients of decrees involving privileges to erect bronze tablets containing the text of the decree on the Capitol in Rome. But that is all. The great mass of *senatus consulta* were not published officially until the era of Julius Caesar.

How does it happen that we possess a good number of decrees from the Greek East? The answer is this: Whenever a decree of the Senate was passed in the interest of, or at

²³ Heuß, *op. cit.*, p. 247, and H. Horn, *Foederati* (Frankfurt, 1930), pp. 76ff.

²⁴ S. Accame, *Il dominio romano in Grecia dalla guerra acaica ad Augusto* (Rome, 1946), pp. 80–83. The treaty from Pergamum or a nearby community is most easily accessible in S.I.G.³, II, 694: ἀνακειμένο[v] δὲ ἐ[ν] 'Ρώμῃ] ἐν ταῖς ἱερῶ[ι τοῦ] Διὸς τοῦ Καπετωλ[ίου π]νακος [χ]αλκο[ῦ καὶ] ἐν αὐτῶι κατατετα[γμένων] τοῦ [τε γε]γονότος | [δ]όγματος [ὑ]πὸ τῆς [συγκλήτ]ου περὶ τῆς συμμα[χ]ίας, κτλ (ll. 23–27).

the request of, a foreign community, a copy was usually sent to it with a covering letter of a consul or praetor. For these covering letters see Nos. 1, 4, 7, 8, 13(?), 14, 18, 20, 23, 26, and 28. One embassy, at least (No. 10 B, 1), brought a copy of the decree back from Rome. The Greek city then undertook at its own expense the publication of the decree. It could serve as a mark of honor or as a legal text in the local society. These decrees, therefore, which have been preserved for us from the Greek East are not really official Roman publications; for the most part they were erected for private interests. They are copies of copies, for the originals always remained in Rome.

A good example of an unusual circumstance that prompted the publication of a decree concerns one passed in 44 B.C. Dio (44. 7) supplies us with the details. To honor Julius Caesar the Senate passed a series of decrees which gave him the right to be buried within the Pomerium. These decrees were then inscribed in golden letters on silver tablets and deposited beneath the feet of Jupiter Capitolinus—unusual honor for an unusual Roman.

4. THE GREEK TRANSLATION

If one examines all the extant Greek copies of *senatus consulta* from the viewpoint of the language employed and the details of translation, he will soon discover a remarkable consistency in phraseology and vocabulary. The texts span a period of two hundred years, yet one sometimes feels that a single individual has done them all. Some, of course, are short and business-like (No. 5) while others are long and involved (Nos. 2, 10, 14, 15, 18, 22, 23, 31), but these are matters beyond the control of the translator. The texts have been found in widely separated areas of Greece, Asia Minor, and even in Italy (No. 22). If the translations had been made in the countries in which they were found, we should then expect a variety of expressions and vocabulary reflecting the linguistic habits of a number of minds working independently of one another. But such was not the case.

The fact that there is a uniformity in the method and technique of the translations is good evidence that they were not made in those cities or lands in which the copies have been found. It is clear that they are official translations and that they are not the products of chance endeavor. *Senatus consulta* were important documents, and their translation could not be left in the hands of amateurs or Greek provincials, who might deliberately or unintentionally distort the true meaning. One official source was responsible for them, and, in the light of the *color latinus* which they display, that source could only have been in Rome. A brief analysis of the translations is necessary in order to bring out these points more effectively.²⁵

²⁵ No attempt will be made here to give an analysis of the orthography and syntax of the documents. The work of Viereck, *op. cit.*, pp. 55–70, is still the best one on the subject, and the new material has only served to confirm his observations.

The Prescript

Senatum consuluit is regularly translated as *τῇ συγκλήτῳ συνεβουλεύσατο* (Nos. 1, C 1-2; 2, 2; 9, 9; 10, B 2; 11, 4; 18, 19; 19, 2; 22, 3).

Dates are reproduced literally, e.g., in No. 22, 4: *a. d. XI k. Iun.* becomes *πρὸς ἡμερῶν ἕνδεκα καλανδῶν Ἰουνίων*. They are probably the most striking of the Latinisms to appear in these documents. Any Greek who was ignorant of the Roman calendar would be unable to equate them with his own method of dating. (See Nos. 1, C 1; 2, 2; 4, 12; 8, 7; 9, 9; 10, B 2; 14, 76; 19, 3; 20, A 4; 22, 4; 23, 60. One finds *πρὸ μῖσς εἰδῶν* in No. 23, 5, *πρὸ ἁ εἰδῶν* in No. 32, 5, *εἰδυοῖς ἐντερκ(α)λα[ρ]ίοις* in No. 5, 18, and *προτέραι εἰδυῶν Ὀκτωμβρίων* in No. 2, 14.)

The place of meeting is usually in *comitio*, expressed *ἐν κομετίῳ*: Nos. 2, 2; 4, 14; 5, 17; 7, 38; 8, 8; 9, 10; 10, B 2; 15, 4; 22, 4; 23, 60. But we also find *ἐν κουρίαι Ἰουλαί* in No. 26, 39, and *ἐν τῷ ναδί τοῦ [Διός]* in No. 19, 4. The place in No. 20, 5, however, is not certain; perhaps one could read *ἐν τῷ Τι]μητηρίῳ*. In No. 27, 4-5, we have *ἐν τῷ ναῷ τῷ τῆς Ὀμονόας*.

The enumeration of the witnesses (*scribendo adfuerunt*) usually appears in one of two forms: either as *γραφομένῳ παρήσαν*. (Nos. 2, 3, 14; 20, A 5; 22, 4; 26, col. b, 39; 29, 4) or as *γραφομένου παρήσαν* (Nos. 4, 14; 5, 19; 7, 38; 23, 60). But in one instance (No. 27, 5) it is found as *γραφομένοις παρήσαν*.

The Theme

The introductory clause, *quod . . . verba fecit*, etc., assumes the form *περὶ ὧν . . . λόγους ἐποίησατο* followed by indirect statement, as, e.g., in No. 22, 6; *Περὶ ὧν Κόντος Λυτάτιος Κόιντου υἱὸς Κάτ(λ)ος ὑπατος λόγους ἐποίησατο κτλ.* (Cf. Nos. 2, 5, 17, 27, 31, 36; 5, 23; 7, 40; 9, 14; 10, A 1, B 4, 7; 11, 5; 14, 8; 15, 29, 34, 36, 56, 62; 18, 73; 22, 5; 23, 16, 22, 24, 63; 26, 1, 17; 27, 11.) In No. 31, 81, the form *ὑπὲρ ὧν . . . κτλ* is found.

The concluding clause, *de ea re ita censuerunt*, becomes *περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν* and serves to introduce the decree proper (*ut = ὅπως*). (Nos. 2, 10, 21, 42, 51; 3, 6; 5, 31; 6, B 7 [pl.]; 7, 46, 57; 9, 59; 10, B 10; 11, 12; 13, 7; 14, 55; 15, 53 [pl.]; 16, 1; 18, 67; 22, 9; 26, b 19, c 5, 21.)

The Decree Proper

Even here, despite a variety of subject matter, certain common formulas recur. Envoys to Rome, for example, or the recipients of honors are *viri boni et amici populi boni et amici*: *ἄνδρες καὶ ἀγαθοὶ καὶ φίλοι παρὰ δήμου καλοῦ καὶ ἀγαθοῦ* (Nos. 7, 41, 43; 9, 17, 40; 10, A 2). Whenever it is appropriate, their country is further qualified by the addition of *et socii nostri*: *συμμάχου τε ἡμετέρου* (Nos. 10, B 5, 8; 15, 8, 55; 18, 70-72; 20, D 3-5; 21, col. 1, 3). The designation "fine and noble man" is, of course, a commonplace also in Greek epigraphy.

A list of important phrases, apart from those which have already been mentioned, will be useful.

1. *quod cognovimus*: ὃ ἐπέγνωμεν (No. 23, 30).
2. *sententiam pronuntiare*: γνώμην λέγειν οἱ ἀποφαίνεσθαι (No. 23, 43, 29).
3. *referre*: προσαναφέρειν (No. 23, 30).
4. *senatui placere*: ἀρέσκειν τῇ συγκλήτῳ (Nos. 26, c 3; 28, B 6; but No. 31, 97, 137, 142, has ἀρέσκειν τῇ βουλῇ).
5. *censuere*: ἔδοξεν (*passim*).
6. *ex senatus consulto*: κατὰ δόγμα συγκλήτου (No. 9, 54); κατὰ συγκλήτου δόγμα (No. 14, 77); κατὰ τὸ δόγμα συγκλήτου (Nos. 7, 46; 14, 27); κατὰ τὸ τῆς συγκλήτου δόγμα (Nos. 14, 85; 15, 12 [pl.]; 23, 3, 34).
7. *ex (de) consilii sententia*: ἀπὸ συμβουλίου γνώμης (Nos. 14, 78 [?], 97; 23, 29, 39, 43, 55–56); μετὰ συμβουλίου γνώμης (Nos. 17, 9; 18, 96); μετὰ συμβουλίου (No. 14, 75–76); ἐκ συμβουλίου γνώμης (No. 31, 87).
8. *si ei (eis) videretur*: ἐὰν αὐτῷ (αὐτοῖς) φαίνεται (Nos. 18, 104; 20, E 5; 22, 8, 24, 29; 26, b 24, c 6, 22).
9. *ita uti ei (eis) e republica fideque sua videretur*: οὕτως καθὼς ἂν αὐτῷ (αὐτοῖς) ἐκ τῶν δημοσίων πραγμάτων πίστεως τε τῆς ιδίας (vel καὶ τῆς ιδίας πίστεως) φαίνεται (Nos 6, B 9; 7, 50; 9, 70–72; 10, A 11, B 13; 14, 73; 15, 63, 65; 16, 8; 18, 120; 22, 31; 23, 68–69; 26, b 25–26, has ὅπως ὥς ἂν κτλ and 26, c 7, has ὥστε ἂν κτλ).
10. *extra ordinem senatum dare*: ἐκτὸς τοῦ στίχου οἱ ἄρχοντες σύγκλητον διδῶσ[ιν] (No. 18, 66).
11. *coram senatu*: κατὰ πρόσωπον (Nos. 7, 42, 44, 56; 10, B 6, 9; 18, 68).
12. *ex formula*: κατὰ τὸ διάταγμα (Nos. 15, 64; 16, 10; 18, 90; 22, 26).
13. *in amicorum formulam referre*: εἰς τὸ τῶν φίλων διάταγμα ἀναφέρειν (No. 22, 24).
14. *munusque eis ex formula locum lautiaque quaestorem urbanum locare mittereque iuberent*: ξένια τε αὐτοῖς κατὰ τὸ διάταγμα τόπον παροχὴν τε τὸν ταμίαν τὸν κατὰ πόλιν τούτοις μισθῶσαι ἀποστεῖλαι τε κελεύσωσιν (No. 22, 25–26). The verbs are: ξένια δοῦναι (Nos. 9, 67; 16, 10; 18, 90); ξένια ἀποστέλλειν (Nos. 10, A 9, B 12; 15, 64; 22, 25).
15. *benigne respondere*: φιλανθρώπως ἀποκριθῆναι (Nos. 6, B 5; 9, 61; 10, A 6; 15, 54; 16, 5; 18, 35, 68).
16. *gratiam amicitiam societatemque renovare*: χάριτα φιλίαν συμμαχίαν ἀνανεώσασθαι (Nos. 9, 19, 42, 60; 14, 3; 15, 9, 55; 18, 69; 20, D 2; 21, col. 1, 12; 26, b 16).
17. *ut legibus et iustis et moribus suis uterentur*: ὅπως νόμοις τε καὶ ἔθεσιν καὶ δικαίοις τοῖς ἰδίους χρῶνται (vel similia: No. 18, 49, 91).
18. *in integrum restituere*: εἰς ἀκέραιον ἀποκαθίστασθαι (No. 22, 14, 21).

Magistrates, Institutions, Res Romanae

David Magie long ago demonstrated the principles whereby the titles of Roman magistrates were expressed in Greek: *per comparationem*, in which the titles of Greek

magistrates or officials with similar duties were used (*quaestor* = ταμίας); *per translationem*, which is a literal translation (*quaestor* = ζητητής); and *per transcriptionem*, which is simply a transliteration from Latin into Greek (*quaestor* = κναίστωρ). All three of these methods are used in the *senatus consulta*.

1. *quaestor*: ταμίας (Nos. 9, 68; 10, B 13; 15, 65; 16, 10; 26, b 25); *quaestor urbanus*: ταμίας κατὰ πόλιν (Nos. 23, 26; 29, 3).
2. *praetor*: στρατηγός (*passim*); *praetor urbanus et peregrinus*: στρατηγός κατὰ πόλιν καὶ ἐπὶ τῶν ξένων (No. 22, 2).
3. *censor*: τιμητής (No. 25, 10, 12).
4. *consul*: ὑπάτος (*passim*); but in Nos. 10, B 2, and 14, 61, 62, 70, we find the older στρατηγός ὑπάτος).
5. *dictator*: δικτάτωρ (Nos. 18, 43, 74, 103, 125; 26, b 7).
6. *triumvir rei publicae constituendae*: τρεῖς ἄνδρες ο]ἱ τῆς τῶν δημοσίων πραγμάτων διατάξεως (No. 28, B 4 [cf. 28, A 3–5]).
7. *proquaestor*: ἀντιταμίας (No. 18, 90).
8. *proconsule*: ἀνθύπατος (Nos. 15, 60; 18, 114; 21, col. 1, 1. But No. 26, c 11, has ἀν)τάρχων; perhaps it is *pro-magistratu*).
9. *designatus*: ἀποδεδειγμένος (No. 28, 1–2; but No. 26, b 7, has καθ[εσταμένος]).
10. *magistratus*: ἄρχων (Nos. 18, 61, 66; 22, 19, 23, 30; 31, 100, 101, 105, 120, 125, 137).
11. *imperator*: αὐτοκράτωρ (Nos. 17, 10; 18, 104; 20, E 14; 23, 36, 39; 24, 11; 26, b 7, 24, c 27; 31, 86; but No. 21, col. 1, 11, has ἱμπεράτωρ).
12. *princeps*: ἡγεμών (No. 31, 86).
13. *senatus*: ἡ σύγκλητος (*passim*; but in No. 31, 88, 90, 97, 101, 106, 116, 125, 137, and 142, ἡ βουλή is found).
14. *senator*: ὁ συνκλητικός (No. 31, 110).
15. *res publica*: τὰ δημόσια πράγματα (*passim*).
16. *publicanus*: δημοσιώνης (No. 23, *passim*).
17. *iudex*: κριτής (Nos. 22, 19; 31, *passim*; but No. 31, 138, has δικαστής).
18. *provincia*: ἐπαρχία (Nos. 18, 77, 114; 20, G 10; 31, 78, 80, 95).
19. *decretum*: ἐπίκριμα (No. 28, A 25, B 4; but see Stroux-Wenger, *op. cit.*, p. 25, for the word in the Augustan edicts).
20. *capitis accusare*: κεφαλῆς εὐθύνειν (No. 31, 99).
21. *summa pecuniae*: κεφάλαιον χρήματος (No. 31, 132).
22. *accusator*: ὁ εὐθύνων (No. 31, 132).
23. *reus*: ὁ εὐθυνόμενος (No. 31, 118).
24. *milia* (*passuum*): μείλια (No. 31, 108, 109, 112).
25. *sestertius*: σηστέριος (Nos. 9, 69; 10, A 10, B 13).

The Definite Article

The lack of a definite article conditioned the Romans to neglect it when translating into Greek. In the Greek copies of the *senatus consulta* it is absent in those places where

a Greek would normally and naturally have supplied it. Its omission is regular in the prescript for the title of the presiding magistrate. And the place of meeting usually lacks it. Elsewhere it is sometimes used and sometimes omitted, with no real consistency except the general tendency to omit it. No. 22, 25, has ἐν τῷ Καπετωλίῳ, and No. 2, 33, εἰς τὸ Καπετώλιον; but in other passages (Nos. 16, 11; 26, b 17, 21) the same phrase lacks the article. And one finds κατὰ συγκλήτου δόγμα (No. 14, 77), κατὰ τὸ τῆς συγκλήτου δόγμα (Nos. 14, 85; 23, 3, 34), and κατὰ τὸ δόγμα συγκλήτου (Nos. 7, 46; 14, 27).

Generally one feels that the translator is unfamiliar with the use of the article. He knows of its existence in Greek, but is careless about using it—a good indication that he is a Roman, not a Greek.

Καί and Τε

Of all the particles which the Greeks used so effectively in composition, and almost certainly in speech as well, only *καί*, *τε*, *οὐδέ*, *οὔτε*, *μηδέ*, *μήτε*, and *δέ* are used at all commonly in the *senatus consulta*, and they are almost colorless, lacking the subtlety of the others. The use of *καί* and *τε* corresponds exactly to *et* and *-que*, but they are not used very often, for asyndeton is common: compare No. 28, B 5, προσεμέρισαν προσμεριοῦσιν, συνεχώρησαν συνχωρήσουσιν, and No. 11, 9, [δι]ωρθώθη ἐδωρήθη ἀφέθη ἐζημιώ[θη]. Especially revealing is χάριτα φιλίαν συμμαχίαν τε ἀνενεώσαντο (No. 9, 19, 42, 60).

Here the hand of a Roman rather than of a Greek is felt to be moving over the lines, although not so surely as in the case of the definite article.

Filiation

The practice of including the parent's name among the *tria nomina* was official, and it was certainly followed in the Latin originals of our decrees. In Latin the name took the form of the genitive and the word *filius*. So habitual to the Roman mind was this practice that even in Greek one had to have a word for *filius*. In No. 22 the Greek translation of [Polustratu]m Poluarchi f. Carystium is Πολύστρατον Πολυάρκου υἱὸν Καρύστιον. If a Roman, therefore, translated into Greek a document containing filiations, he tended to add the word *υἱός*; a Greek would have omitted it.

In some cases, however, *υἱός* is indeed omitted (e.g., in Nos. 5, 20ff.; 7, 39; 12, 24ff.). These instances can be explained quite easily when one examines No. 10, B, where in line 2 we find *υἱός* used in the name of the presiding magistrate but omitted in the names of the witnesses in lines 3–4. It may be suggested that the Greek translation originally contained *υἱός* everywhere, but that the Greek engraver found it superfluous. He might accept it once at the beginning but not thereafter; to him it was odd. Similarly with No. 12, the engraver omitted *υἱός* each time, even though, we may assume, it stood in his copy.

We may conclude that Romans were responsible for these translations, Romans who worked in an office where a continuity of translation style and vocabulary was achievable. They must have been professionals whose lifetime duties kept them in close contact with official state papers and who were at the same time familiar with Roman constitutional forms. Under the Republic there was no real counterpart to the imperial *ab epistulis*. The closest would be the personnel employed in the *aerarium*, and it is there that we hope to find the particular office we are searching for.

The chief of the *aerarium* during the Republic was the *quaestor urbanus*; he was responsible for the administration and safeguarding of that institution. This was a double responsibility, for the *aerarium* was a combination of Treasury and Record Office. The *quaestor* was usually a young man, holding a position of great importance in the State for the first time. But since the office was an annual one, a more-or-less permanent staff of lower-ranking men performed the necessary routine of bookkeeping, filing, storing, copying, and classifying the documents in its possession. Such work required continuous effort, continuous attention. The most important of these men were the *scribae librarii quaestorii*, each of whom had under him a full staff of *librarii*.²⁶ These *scribae* were organized into *decuriae*, apparently three in number, with first nine and later (after Sulla) twelve *scribae* in each *decuria*. They were assigned to the various magistrates on an annual basis. They were professionals, the key men in the routine and operation of the *aerarium*, and very often they were able to overawe and manipulate the young *quaestors*.²⁷ They were also men of some standing in the community. There is no doubt that some of them had legal training or had otherwise managed to acquire knowledge of the law.²⁸ One of them, a certain L. Naevius L. l. Urbanus, had inscribed on his tombstone *vixi iudicio sine iudice* (*C.I.L.* VI 1819 = *I.L.S.* 1896), and another (*C.I.L.* VI 1853) prided himself on being *iuris prudens*. They and their assistants were the officials who received the original *senatus consulta* at the *aerarium*, saw to their proper

²⁶ See E. Kornemann, *R.E.*, s.v. "Scriba," cols. 848-57, esp. 850-55, and A. H. M. Jones, "The Roman Civil Service (Clerical and Sub-Clerical Grades)," *Journal of Roman Studies*, 39 (1949): 38-55 (= A. H. M. Jones, *Studies in Roman Government and Law* [New York, 1960], pp. 153-75).

²⁷ Plutarch, in *Cato min.* 16, gives a most revealing and important account of the clash between Cato and the *scribae*. Cato expelled one of the *scribae* from the *aerarium* and brought another to trial for fraud. Rather than instruct and acquaint the young *quaestors* with the intricacies of the office, as they should have done, the *scribae* refused to give up to them any of the power they held through their special knowledge. Cato began by treating them as assistants rather than as superiors. Virtual war resulted, says Plutarch.

²⁸ F. Schulz, *History of Roman Legal Science* (Oxford, 1946), p. 87, speaking of laws, senatorial decrees, and magisterial edicts, says: "The technicalities of these acts being beyond the capacity of politicians generally, their texts were framed by professional draftsmen. These men, who were of course jurists and *scribae*, evolved traditional schemes for the various kinds of act, veritable counterparts to the traditional forms of acts in sacral, public, and private law." And on p. 97 he says: "The language of the *senatus consulta* is different. Here too a stereotyped scheme betrays the collaboration of the secretariate, but the pedantic circumstantiality of the *leges* is avoided." This last remark is relevant to our conclusion about the role played by the *scribae* in the redaction and translation of decrees.

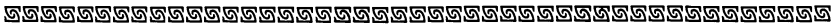
registration, and supplied copies when duly requested.²⁹

The drafting of State acts is generally performed by professional draftsmen. Roman politicians, of course, had some knowledge of legal form, but, given the well-known Roman propensity for exact form and precise detail in matters of law, we may assume that the services of *scribae* were available to the presiding magistrate and his committee at some time during the redaction of the senatorial decrees. In any case the *scribae* could have examined them when they were presented to the *aerarium* for deposition. Their opinions on the proper form to be followed would surely have carried weight.

Considering the position and technical knowledge of the *scribae*, we may now ask ourselves the important question: Is it possible that they, or perhaps other personnel under them, were responsible for the Greek translations of the *senatus consulta*? There is no proof. However, such an assumption does satisfy the main requirements: a central office in Rome, a continuity of duty, and professional ability. In my opinion the *scribae* in the *aerarium* or qualified persons on their staff made the translations.

²⁹ Cf. Cicero *De leg.* 3. 20. 46: *Legum custodiam nullam habemus, itaque eae leges sunt, quas adparitores nostri volunt: a librariis petimus, publicis litteris consignatam memoriam publicam nullam habemus.* Surely the *senatus consulta* fell generally into the same pattern; see Schulz, *op. cit.*, p. 87.

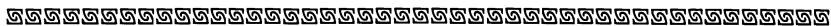
C. THE DOCUMENTS



I

EPISTULAE SPURII POSTUMII ET SENATUS CONSULTUM DE PRIVILEGIIS DELPHORUM

Letters, 189 B.C.
Decree ?



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DESCRIPTION. A large marble stele existing today only in small fragments and copies. Ulrichs in 1840 discovered and published the first of them, but he did not consider all the fragments worth publishing and they lay buried in his notes until Preuner brought them to the attention of scholars. The stone seen by Ulrichs has long since disappeared. In 1894 the French excavators of Delphi found another fragment (A), and in 1914 still another (B). The only trustworthy arrangement of the fragments is the one by Holleaux, whose work unfortunately has all too often escaped the notice of scholars and translators. It can be found in *B.C.H.*, 54 (1930): 38-39 (*Études*, V, 282-83), and is the one presented here. Originally the large stele must have contained a full record, in chronological order, of the official correspondence between Delphi and Rome concerning the status of the city and of the Amphictyonic League.

Document A

[Σπόριος Ποστόμιος Λευκίου υἱός, στρατηγὸς Ῥωμαίων, Δελφῶν τοῖς ἄρχουσι καὶ τῇ πόλει χαίρειν· οἱ παρ' ὑμῶν]
 [ἀποσταλέντες πρεσβευταὶ Βούλων, Θρασσυκλῆς, Ὀρέστας περὶ τῆς ἀσυλίας τοῦ ἱεροῦ καὶ τῆς πόλεως καὶ τῆς]
 [χώρας διαλεχθέντες καὶ περὶ τῆς ἐλευθερίας καὶ ἀνεισφορίας ἣ] ξίου ὅπως [ς ὑμῖν ἐπιχωρηθῇ παρὰ τοῦ δήμου τοῦ]
 [Ῥωμαίων· γινώσκετε οὖν δεδογμένον τῇ συγκλήτῳ τό τε ἱερὸ] ν τοῦ
Ἀπόλλωνο [ς τοῦ Πυθίου ἄσυλον εἶναι καὶ τὴν]
 5 [πόλιν τῶν Δελφῶν καὶ τὴν χώραν καὶ Δελφούς αὐτονόμ] ους καὶ [ἐ] λευθέρους καὶ ἀν[ε] ισφόρους, οἰκοῦντας καὶ πολιτεύοντας αὐτοὺς]
 [καθ' αὐτοὺς καὶ] κυριεύον τας τῆς τε ἱερ ᾶς χώρας καὶ τοῦ ἱεροῦ ὑ λιμένος, καθὼς
πάτρ ιον αὐτοῖς ἐξ ἀρχῆς ἦν· ὅπως]
 [οὖν εἰδῆτε, ἔκρ] ινον ὑμῖν γρά ψαι περὶ τούτων.]

Frag. Preuner

Frag. A

Frag. B

Document B

Frag. Ulrichs

Frag. A

Frag. B

Σπόριος Ποστόμιος Λευκίου υἱός, στρατηγὸς Ῥωμαίων, τῷ κοινῷ τῶν
 Ἀμφικτιόνων [ν χαίρειν· οἱ Δελφῶν πρεσβευ-]
 ται Βούλων, Θρασσυκλῆς, Ὀρέστας περὶ τῆς ἀσυλίας τοῦ ἱεροῦ καὶ τῆς πόλεως καὶ
 τῆς [χώρας διαλεχθέντες]
 καὶ περὶ τῆς ἐλευθερίας καὶ ἀνεισφορίας ἣ] ξίου ὅπως αὐτοῖς ἐπιχωρηθῇ παρὰ
 τοῦ δήμου τοῦ Ῥωμαίων·]
 γινώσκετε οὖν δεδογμένον τῇ συγκλήτῳ [τω τό τε ἱερὸν τοῦ] Ἀπόλλωνος τοῦ
 Πυθίου [υ ἄσυλον εἶναι καὶ]
 5 τὴν πόλιν τῶν Δελφῶν καὶ τὴν χώραν, καὶ Δ[ελφού]ς αὐτονόμ] ους καὶ ἐλευθέρους
καὶ ἀνεισφόρους, οἰκοῦν-
τας καὶ πολιτεύοντας αὐτοὺς καθ' αὐ] τοὺς καὶ κυριεύον τας τῆς τε ἱερᾶς χώρ ας
καὶ τοῦ ἱεροῦ λι-
μένους, καθὼς πάτριον αὐτοῖς ἐξ ἀρχῆς ἦν· ὅπως οὖν εἰδ[ῆ]τε, ἐκρινον ὑμῖν γρά ψαι
περὶ τούτων.]

Document C

Frag. Ulrichs

Frag. B

Πρὸ ἡμερῶν τεσσάρων νωνῶν Μαί [ων ἐν Κομετίῳ ? - -] Ὀκτάκιος Γναίου στρατ[ηγὸς ?
συνε-]

βουλεύσατο τῇ συγκλήτῳ. γραφ[ομένῳ παρῆσαν - -] ος Ποπλίου,
Μάνι [ος - - - - - ,]

Γάιος Ἀτίνιος Γαίου, Τεβέριο[ς - - - - - περὶ ὧν Δ] ελφοὶ λόγους ἐπο[ιήσαντο περὶ
ἱεροῦ]

ἀσύλου, πόλεως ἐλευθέρ[ας καὶ αὐτονόμου καὶ ἀναισφόρου·] περὶ τούτου τοῦ
π[ράγματος οὕτως]

5 ἔδοξεν· καθὼς πρότερο[ν - - - - - ἢ σύγκλητος ?] ἐκεκρίνει ἐκείνῳ [ι τῷ
κρίματι ἐμμέ] νειν ἔδοξεν.

Document D

[Δ]εὺκιος Φούριος Δ[ευκίου υἱός, στρατηγὸς - - - - - - - - - -]
[Δε]λφῶν ἐ[λευθερίας - - - - - - - - - -]

Text by Holleaux, who showed that it is a case of two letters, not one. He restored Document A from Document B. B 2 *διαλεχθέντες*, L. Robert, adopted by Holleaux in place of Viereck's *διελέγησαν*. C 1 Ὀκτάκιος: Holleaux previously had thought of *Baί-* or *Βέ]βαιος*, but a revision of the stone made the present reading almost positive. At the end of this line could be *στρατ[ηγὸς ὑπατος*. C 4 *ἐλευθερι*, Ulrichs, corrected by Holleaux.

COMMENTARY. When the military advance of Manius Acilius Glabrio freed Delphi and the Amphictyonic League from the control of Aetolia in 191 B.C., arrangements were made by the Roman authorities for the future status of the city and the League.¹ To validate these "on the spot" arrangements and to be able to have documentary proof of their status, the Delphians and, presumably, the representatives of the League as well, sent envoys to the Roman Senate. In the absence of the two consuls the praetor Spurius Postumius Albinus convened the Senate and introduced the envoys. A senatorial decree was then passed guaranteeing the inviolability of the Temple of Apollo and affirming the free and autonomous status of the Delphians. Spurius Postumius then sent one letter to the Delphians and another to the League, both of them identical in content, in which he gave a résumé of the contents of the decree. These letters are the present Documents A and B. The date is 189 B.C., and very likely after April of that year, when the two consuls were absent from Rome.²

¹ For the details see Daux, *op. cit.*, pp. 227ff.

² The two consuls of 189 B.C., M. Fulvius Nobilior and Cn. Manlius Vulso, were each given command of an army and sent abroad, Fulvius in Aetolia and Manlius in Asia. Fulvius, however, returned to Rome to hold the elections. For the chronology of the whole year see Holleaux, *loc. cit.*, and T. R. S. Broughton, *The Magistrates of the Roman Republic*, I (New York, 1951), 360.

In the two letters it is a point of interest to note that the Greek *ἐλευθερία* is not felt to be completely adequate to convey the effect of what the Latin *libertas* had upon a Roman. For, whereas *libertas* was capable of exact definition in the Roman world—one was free or he wasn't—the Greek term in this age had lost its original connotation and was interpreted in a very elastic manner by the Hellenistic kings.³ The present documents are the earliest of their type: in them a Greek city is formally declared *libera et immunis*.

Beneath these letters on the stele appeared Document C, a *senatus consultum de privilegiis Delphorum*. Unfortunately it cannot be dated exactly, and all that one may say is that it was passed at a time when the Senate had been convened by a consul or praetor whose *gentilicium* was Octavius. Beginning with the year 190 B.C. no such official appears until 168 B.C., when Cn. Octavius was praetor. But since his was a military rather than an urban command, that year must be discarded. The same Cn. Octavius, however, became consul in 165 B.C., and that might very well be the year in which this decree of the Senate was passed.⁴ The mutilated condition of the fragment makes even this identification only possible and certainly not positive.

Document D is much too short for any definite conclusions to be formed about it, and no satisfactory identification of L. Furius L. f. has been made.⁵

In the third century the political life of Delphi, the sanctuary of Apollo, and the Amphictyonic League were all more or less controlled by the Aetolians, who in the course of that century had acquired great power and prestige. They came to consider the city as their cultural and intellectual capital. In addition the political rivalry of the Hellenistic states, one for the other, produced a corresponding cultural rivalry that was expressed in their efforts to surpass one another in the erection of buildings and monuments in the sanctuary. Under the aegis of the Aetolian League the city enjoyed a quiet prosperity, reasonably secure at a time when the Celtic invasion and later wars might have proved disastrous. No city in that period was completely safe, but Delphi fared better than most. Nevertheless the Delphians must have looked upon the Aetolians with mixed feelings, for, after all, they were not their own masters. Thus, when the Romans in 191 B.C. liberated the city from Aetolian control, it was at last in a position to be truly free and autonomous.

In the two years that followed the expulsion of the Aetolians the city was engaged in a series of diplomatic relations with Rome in an effort to secure its future independence. We are fortunate in having several epigraphic documents illustrating this effort. First there is the letter (early in 190 B.C.) of Manius Acilius Glabrio (No. 37) in which we hear of various properties and houses being removed from Aetolian possession and given to the god and the city. Acilius pledges to use his influence in preserving the ancestral laws of the city and the temple, and in obtaining autonomy for the city. Good news! Delphi lost little time in pressing the point. In 189 B.C. three envoys named Boulon,

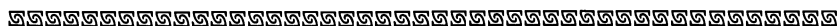
³ Cf. Badian, *op. cit.*, pp. 87ff.

⁴ Broughton, *op. cit.*, pp. 428 and 438, and F. Münzer, *R.E.*, s.v. "Octavius 2," cols. 1803-4. Additional material on Octavius has been assembled by P. Charneau, *B.C.H.*, 81 (1957): 181-202.

⁵ See Holleaux, *Études*, V, 260, n. 2.

Thrasykles, and Orestas were sent to Rome to obtain confirmation of their freedom and autonomy. The Senate yielded to their request and passed a decree on the matter. The praetor Spurius Postumius then communicated the favorable action of the Senate to the city and to the Amphictyons in the present letter (No. 1) in that same year. Unfortunately the three envoys were murdered on their return to Delphi, but two others were almost immediately sent back to Rome to request assistance in fixing responsibility and apprehending the murderers. Rome again received these envoys favorably, assured them of Roman co-operation, and gave them duplicates of the documents that the three previous envoys had been carrying back to their city. The consul C. Livius Salinator sent a letter (No. 38) at that time (late in 189 or early in 188 B.C.) to the Delphians explaining Rome's determination to give them all possible help. Thereafter Delphi was free and autonomous, and it was able to maintain its independence despite the power struggle among the Aetolians, Macedonians, and Thessalians for the control of the Amphictyonic League: see the commentary to No. 39. It is important to distinguish between the city of Delphi, the sanctuary of Apollo, and the Amphictyonic League. Each was separate, but actually each was conditioned by the presence of the others.

The gratitude felt by Delphi for Roman favor and assistance was immediate and long-lasting, as one can see by the series of statues and honorary inscriptions to the Romans. They reflect not empty flattery but sincere appreciation. There were statues to T. Quinctius Flamininus, Manius Acilius Glabrio, M. Minucius Rufus, and others. But perhaps the most impressive display of the city's feeling was the founding of the *Ῥωμαῖα* which thereby set an example for other Greek cities.



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DESCRIPTION. Stele of white marble found in the modern village of Kakosi (the ancient Thisbae) in Boeotia. Height: 1.18 m. Width: 0.54 m. Thickness: 0.19 m. The letters are regularly formed with clear apices, having a height of 0.008-0.011 m. Now in the epigraphical museum in Athens, inventory no. 10053. There is a photograph in Maier's publication, Plate 15 at the end, which is unfortunately very inadequate.

Κόιντος Μαίνιος Τίτου υἱὸς στρατηγὸς τῇ συνκλή-
 τωι συνεβουλεύσατο ἐν κομητίῳ πρὸ ἡμερ-
 [ῶ]ν ἑπτὰ εἰδυὼν Ὀκτωμβρίων· γραφομένῳ
 παρήσαν Μάνιος Ἀκίλιος Μανίου υἱὸς Ὀλτε[ι]-
 5 [νία], Τίτος Νομίσιος Τίτου υἱός. Περὶ ὧν Θισ-
 [βε]ῖς λόγους ἐποίησαντο περὶ τῶν καθ' αὖ-
 [τ]οὺς πραγμάτων, οἵτινες ἐν τῇ φιλίᾳ τῇ
 ἡμετέρᾳ ἐνέμειναν, ὅπως αὐτοῖς δοθῶσιν,
 [ο]ἷς τὰ καθ' αὐτοὺς πράγματα ἐξηγήσωνται· περὶ τοῦ-
 10 του τοῦ πράγματος οὕτως ἔδοξεν· ὅπως Κόιντος
 Μαίνιος στρατηγὸς τῶν ἐκ τῆς συνκλήτου
 [π]έντε ἀποτάξῃ, οἳ ἂν αὐτῷ ἐκ τῶν δημοσίων πρα-
 [γμ]άτων καὶ τῆς ἰδίας πίστεως φαίνωνται. ἔδοξε.
 προτέροι εἰδυὼν Ὀκτωμβρίων· γραφομένῳ παρή-
 15 σαν Πόπλιος Μούκιος Κοῖντου υἱός, Μάρκος Κλαύ-
 διος Μάρκου υἱός, Μάνιος Σέργιος Μανίου υἱός·
 ὡσαύτως περὶ ὧν οἱ αὐτοὶ λόγους ἐποίησαντο περὶ χώρας
 [κ]αὶ περὶ λιμένων καὶ προσόδων καὶ περὶ ὁρέων· ἃ αὐτῶν ἐγε-
 [γ]όνεισαν, ταῦτα ἡμῶν μ[ε]ῖν ἔνεκεν ἔχειν ἐξείναι ἔδο-
 20 ξεν. περὶ ἀρχῶν καὶ περὶ ἱερῶν καὶ προσόδων ὅπως αὐτοὶ
 [κ]υριεύωσι, περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν·
 οἵτινες εἰς τὴν φιλίαν τὴν ἡμετέραν πρὸ τοῦ ἡ Γάιος Λοκρέ-
 τιος τὸ στρατόπεδον πρὸς τὴν πόλιν Θιάβας προσήγα-
 γεν, ὅπως οὗτοι ἔτη δέκα τ[ὰ] ἔγγιστα κυριεύωσιν. ἔδοξ[εν].
 25 περὶ χώρας, οἰκιῶν καὶ τῶν ὑπαρχόντων αὐτοῖς· οὐδ' ποτέ
 τι αὐτῶν γέγονεν, ὅπως [τὰ] ἑαυτῶν αὐτοῖς ἔχειν ἐξῆι
 ἔδοξεν. ὡσαύτως περὶ ὧν οἱ αὐτοὶ λόγους ἐποίησαντο, ὅπω[ς]
 οἱ αὐτόμολοι οἱ ἴδιοι ἐκεῖ φυγάδες ὄντες, τὴν ἄκραν αὐτοῖς ὅπως
 30 τειχίσαι ἐξῆι καὶ ἐκεῖ κατοικῶσιν οὗτοι, καθότι ἐνεφάνισαν, οὕ-
 τως ἔδοξεν· ὅπως ἐκεῖ κατοικῶσιν καὶ τοῦτο τειχίσωσιν. ἔδο-
 ξεν. τὴν πόλιν τειχίσαι οὐκ ἔδοξεν. ὡσαύτως περὶ ὧν οἱ αὐτοὶ
 λόγους ἐποίησαντο, χρυσίον, ὃ συνήνεγκαν εἰς στέφανον, ὃ-
 πως εἰς τὸ Καπετώλιον στέφανον κατασκευάσωσιν, τούτοις, καθ-
 [ότι] ἐνεφάνισαν, ὅπως αὐτοῖς ἀποδοθῇ, ὅ[πω]ς τοῦτον τὸν στέφανον εἰς
 35 [τὸ] Καπετώλιον κατασκευάσωσιν· οὕτως ἀποδοῦναι ἔδοξεν. ὡσαύ-
 [τ]ως περὶ ὧν οἱ αὐτοὶ λόγους ἐποίησαντο, ἀνθρώπους, οἵτινες ὑπενα[ν]-
 [τί]α τοῖς δημοσίοις πράγμασι τοῖς ἡμετέροις καὶ τοῖς ἑαυτῶν εἰσιν,
 [ὅπ]ως οὗτοι κατέχονται· περὶ τούτου τοῦ πράγματος, καθὼς ἂν Κοῖν-
 [τω]ι Μαινίῳ στρατηγῷ ἐκ τῶν δημοσίων πραγμάτων καὶ τῆς ἰδίας πί-
 40 [σ]τεως δοκῇ, οὕτως ποιεῖν ἔδοξεν. οἵτινες εἰς ἄλλας πόλεις ἀ-
 πήλθοσαν καὶ οὐχὶ πρὸς τὸν παρ' ἡμῶν στρατηγὸν παρεγένοντο, ὅπως
 μὴ εἰς τάξιν καταπορεύωνται· περὶ τούτου τοῦ πράγματος πρὸς Ἀῦλον

- [‘Ο]στίλιον ὕπατον γράμματα ἀποστεῖλαι ἔδοξεν, ὅπως περὶ τούτου τῇ δι-
 [αν]οίαι προσέχηι, καθὼς ἂν αὐτῷ ἐκ τῶν δημοσίων πραγμάτων καὶ
 45 [τ]ῆς ἰδίας πίστεως φαίνεται. ἔδοξεν.
 ὡσαύτως περὶ ὧν οἱ αὐτοὶ λόγους ἐποιήσαντο περ[ι]ῖ
 [τ]ῶν δικῶν Ξενοπιδίδος καὶ Μνασίδος, ὅπως ἐκ Χαλκίδος ἀφεθῶσι,
 καὶ Δαμοκρίτα Διονυσίου ἐχ Θηβῶν· ταύτας ἐκ τούτων τῶν πόλε-
 ων ἀφείναι ἔδοξεν, καὶ ὅπως εἰς Θίσβας μὴ κατέλθωσιν. ἔδοξεν.
 50 [ὡ]σαύτως περὶ οὗ ταύτας γυναῖκας ὑδρίας σὺν ἀργυρίῳ[ι]
 [εἰ]ς τὸν στρατηγὸν ἐνεγκεῖν εἴπασαν· περὶ τούτου τοῦ πράγ[μα]-
 [το]ς ὕστερον ἔναντι Γαῖου Λοκρετίου βουλευσασθαι ἔδοξεν.
 ὡσαύτως περὶ ὧν οἱ αὐτοὶ Θισβεῖς ἐνεφάνισαν περὶ σίτου καὶ ἐλ[αί]-
 ου ἑαυτοῖς κοινωνίαν πρὸς Γναῖον Πανδοσῖνον γεγονέναι· περὶ τού-
 55 [τ]ου τοῦ πράγματος κἂν κριτὰς λαβεῖν βούλονται, τούτοις κριτὰς δο[σ]-
 ναι ἔδοξεν. ὡσαύτως περὶ ὧν οἱ αὐτοὶ λόγους ἐποιήσαντο περὶ τοῦ
 γράμματα δοῦναι Θισβεῦσιν εἰς Αἰτωλίαν καὶ Φωκίδα· περὶ τούτου
 τοῦ πράγματος Θισβεῦσι καὶ Κορωνεῦσιν εἰς Αἰτωλίαν καὶ Φωκί-
 δα καὶ ἐάν που εἰς ἄλλας πόλεις βούλονται, γράμματα φιλάν-
 60 θρωπα δοῦναι ἔδοξεν.

This text is based upon those by Foucart and Mommsen. 22 A verb has been omitted here: *παρεγένοντο*, Viereck; *προσῆλθον οἱ προσήλθοσαν*, Robert. 38 [ὅπ]ως οὗτοι κατέχονται, anacoluthon; one expects *ἀνθρώπους* - - - κατέχεσθαι. 55 The stone has KAN, but Mommsen and Viereck (notes) change to [ἐ]άν (= <ἐ>άν).

COMMENTARY. In 172 B.C. a Roman mission led by Q. Marcius Philippus (cos. 186 B.C.) was sent to Greece for the purpose of cementing friendly relations between the Greek communities and Rome, for Roman suspicions of King Perseus had finally become acute when Eumenes went to Rome and spoke to the Senate about the Macedonian king's ambitions and actions. The mission succeeded in breaking up the Boeotian League and winning over to the Roman side numerous Greek communities, but despite these measures three Boeotian cities remained steadfastly loyal to the Macedonian cause and drove out the pro-Roman party: Thisbae, Haliartus, and Coroneia.¹ In 171 B.C. the praetor C. Lucretius Gallus captured Haliartus and marched on Thisbae. The city surrendered, was placed in the hands of pro-Romans, and the Macedonian partisans

¹ For the situation in Greece and Macedonia at this time see, besides the standard histories, E. Bickermann, *R.É.G.*, 66 (1953): 479–506, and Meloni, *loc. cit.* The sources for the stand of the three Boeotian cities against Rome are Polybius 27. 5 and Livy 42. 46. 7 and 42. 63. 12. For the reading of the text in these places see Mommsen, *Ephemeris Epigraphica*, 1 (1872): 288–89. Especially pertinent to our document is Livy 42. 63. 12: *Inde Thebas ductus exercitus; quibus sine certamine receptis urbem tradidit exulibus et qui Romanorum partis erant; adversae factionis hominum fautorumque regis ac Macedonum familias sub corona vendidit.* Here it is clear (cf. Mommsen, *loc. cit.*) that Thebas must be replaced by Thisbae, for the city of Thebes was predominately pro-Roman and did not, of course, resist the Roman army. The commander of this army was the praetor C. Lucretius Gallus.

were sold into slavery. The following year a Thisbaean embassy—clearly composed of members of the pro-Roman party in the city—was sent to Rome to obtain official rulings on the various political and legal questions that had arisen as a result of the city's surrender. The present *senatus consultum* paints a rather full picture of Thisbae's condition at the time and deserves a careful study.

Actually we have two decrees, the first (ll. 1–13), of October 9, 170 B.C., authorizing the praetor Q. Maenius to select a commission of five senators to investigate more fully the Thisbaean requests, and the second (ll. 14 to the end), of October 14, granting concessions to the Thisbaeans on the various issues. The connection between the first decree and the second would appear to be as follows: When the Thisbaeans first approached the praetor with their request for an audience with the Senate, the praetor found that the matters which they wished to present were so lengthy and complex that confusion and misunderstanding might arise. In addition the pro-Roman envoys were perhaps not quite clear in their own minds about their position in Thisbae with respect to Rome. From the type and large number of issues presented in the second decree it is very apparent that they were having difficulties of a serious nature. They needed advice. Therefore I believe that the praetor suggested to them that at the first meeting of the Senate they request that a special committee of senators be formed to advise them about what particular measures would be most effective in securing the control of the city for them. This same committee could then help them to organize and coordinate this material with their other requests in order to present everything in a systematic manner at the next meeting of the Senate. The Thisbaeans themselves were hardly likely to have known about senatorial committees of this sort, and the presiding magistrate of the first session would be the one person most likely to have suggested the matter to them. The Thisbaeans agreed to this proposal. Maenius convened the Senate, and the motion for the creation of a five-man committee was duly approved. After the Thisbaeans had explained their difficulties to the committee, their requests in a revised form were presented at the next meeting of the Senate and were approved.² In this whole procedure we can see that these envoys were becoming the *clientes* not only of the praetor but also of the five men who formed the committee. The relationship between *cliens* and *patronus* may be cemented in many ways, and one of them was certainly to be found in the social and political atmosphere created when foreign envoys arrived in Rome. Here, for example, I believe the envoys are bewildered. They appear to know no one who can help them—just the right conditions for Roman senators to add to their foreign *clientela*.³

There is a distinct possibility that in this instance the committee was composed of the five witnesses to the decree. They would be the most likely choices. Since the presiding magistrate was obliged to supervise the writing of the decree in its final form after

² This is one of the very few examples of a senatorial committee being formed to aid in the preparation of material which would later come before the Senate: see Mommsen, *Römisches Staatsrecht*, III³, 2, 1002.

³ On the whole subject see E. Badian, *Foreign Clientelae* (264–70 B.C.) (Oxford, 1958).

the meeting of the Senate, in the presence of witnesses, it would have been most natural for him to ask those first two witnesses to serve on the committee. Then, at the conclusion of the second meeting and the passage of the second decree he could have asked the other three members of the committee to take their turns at the witnessing of the decree.

1. In the first proposal (ll. 17-20) we learn that the *ager Thisbaeorum* had become *ager publicus* in 170 B.C., after the surrender of the city. The land, harbors, revenues, and mountain pasture are now returned to the possession of the city.

2. The various magistracies of Thisbae are to be held only by members of the pro-Roman party for the next ten years (ll. 20-24).

3. Private property may be retained by the legal owners (ll. 25-27).

4. The pro-Roman party is given permission to fortify the acropolis and live there (ll. 27-31).

5. Permission to fortify the city is denied (l. 31).

6. Gold, collected for a crown to be dedicated in the Capitol, but evidently confiscated by the anti-Roman party, is to be returned (ll. 31-35).

7. Concerning the proposal that anti-Roman Thisbaeans be held in detention, the Senate decreed that Q. Maenius should act as appears best for the interest of the State and according to his own good faith (ll. 35-40).

8. Concerning the proposal that those anti-Roman Thisbaeans who went to other cities to avoid meeting the Roman praetor should not be permitted to return to their former rank in the city, the Senate decreed that a letter be sent to the consul A. Hostilius authorizing him to deal with the matter as appears best for the interest of the State and according to his own good faith (ll. 40-45).

9. Three women, formerly of Thisbae, are to be prevented from living in either Chalcis or Thebes, where they now reside, and are not to be allowed to return to Thisbae (ll. 46-49).

10. The matter of the bribing (?) of the praetor C. Lucretius by these three women is to be postponed until Lucretius can be present (ll. 50-52).⁴

11. Concerning the Thisbaean partnership with the Italian Gnaeus Pandosinus, judges are to be appointed, if so desired (ll. 53-56).⁵

12. Travel visas are to be given to citizens of Thisbae and Coroneia whenever they wish to visit Aetolia, Phocis, and other states (ll. 56-60).

This bare enumeration of requests is sufficient to indicate the very strong Roman measures taken to make sure that a pro-Roman party would not only survive but would

⁴ The entire episode of these three women is expressed in a (deliberately?) vague manner and no satisfactory explanation of it has been given. C. Lucretius seems to have expelled them from Thisbae and (as Mommsen thinks) imprisoned them in Chalcis and Thebes. Viereck (notes) suggests that the Thisbaean envoys are requesting their release because they might in some way be related to the local nobility at Thisbae.

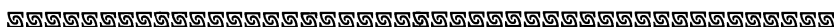
⁵ On this man and his overseas business enterprises see Mommsen, *op. cit.*, pp. 287 and 295-96, and F. Münzer, *R.E.*, s.v. "Pandosinus," cols. 552-53, where further references will be found; cf. Nicolet, *loc. cit.*

also, and more importantly, assume direct control of the local government in all spheres. Maier has also noted that the precaution of allowing the pro-Roman party to fortify the acropolis, while refusing to allow the whole city fortification, appears to have been followed also in Elateia and Coroneia. This would almost guarantee the protection of Roman interests in such cities but would certainly not lead to cordial relations.

3

SENATUS CONSULTUM DE CORONEIA

170 B.C.



BIBLIOGRAPHY. L. Robert, *Études épigraphiques et philologiques* (Paris, 1938), pp. 287–92; P. Meloni, *Perseo e la fine della monarchia macedone* (*Annali Univer. Cagliari*, XX) (Rome, 1953), 263ff.; F. G. Maier, *Griechische Mauerbauinschriften*, I (Heidelberg, 1959), no. 29, pp. 130–31 (cf. *S.E.G.*, XIX [1963], 374).

DESCRIPTION. Stele of white marble now in the Museum at Thebes, complete only on the left side, the reverse decorated with palmettes. Height: 0.305 m. Width: 0.13 m. Height of letters: 0.008–0.009 m., but 0.005 m. for *omicron* and *omega*. *Apices*. There are excellent photographs in Robert, *op. cit.*, at the end, Plates X (stone) and XI (squeeze).

[- - οἴτινες εἰς τὴν φιλίαν τὴν ἡμετέ] -

[ρα] ν προσῆλθ[ον πρὸ τοῦ ἧ προσήγαγεν Πόπλιος]

[Λι] κίνιος τὸ σ[τρατόπεδον πρὸς τὴν]

πόλιν Κορώνε[ιαν, ὅπως κυριεύωσι χώρας]

5 καὶ οἰκιῶν κ[αὶ τῶν ὑπαρχόντων αὐτοῖς]

περὶ τούτου τοῦ π[ράγματος οὕτως ἔδοξεν]

ὅπως ὅσα ποτὲ [αὐτῶν γέγονεν, τὰ ἔαν] -

τῶν αὐτοῖς ἔχει [ν ἐξῆι. ἔδοξεν.]

ὡσαύτως περὶ ὧ[ν οἱ αὐτοὶ λόγους ἐποιήσαν] -

10 το περὶ ἄκρας [- - - - -]

τειχίζειν ε[- - - - -]

ἐκτὸς τῶν [- - - - -]

ΤΟΥΔ

Text by Robert. 11 [ὅπως] | τειχίζειν ἐ[ξῆι or - - τειχίζειν. ἔ[δοξεν].

COMMENTARY. Despite Roman efforts on the eve of the Third Macedonian War to win over the Boeotian cities, three of them remained steadfastly loyal to Macedonia and Perseus.¹ When C. Lucretius Gallus in 171 B.C. captured Haliartus and accepted the surrender of Thisbae, only one of them, Coroneia, remained to face Rome. After harassing the Thebans for their pro-Roman sympathies, Coroneia also was captured..

From the fragmentary remains of the present decree one may deduce with great probability that the pro-Roman party in Coroneia had been driven out and all the property-owners deprived of their possessions while the city was in the hands of the pro-Macedonian faction. After the Roman victory the exiled pro-Roman party must have sent an embassy to Rome, where the present senatorial decree was obtained. Lines 3-10, at any rate, would seem to mean that their possessions are now to be returned to them and that they are to have permission to fortify the city's acropolis for their own protection. If so, then we may be assured that the pro-Roman party, like the one in Thisbae, is to control the political affairs of the city.²

Although parts of the wall on the acropolis are at present *in situ*, it is not possible to fix the exact date of their construction.³

¹ See the commentary and note to the *S.C. de Thisbensibus* (No. 2).

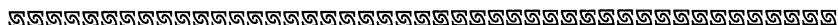
² A comparison of ll. 25-31 of the *S.C. de Thisbensibus* with the present decree will show that the contents of both documents must have been quite similar.

³ Maier, *op. cit.*, pp. 128-29, 131.

4

EPISTULA P. CORNELII BLASIONIS ET SENATUS CONSULTUM DE AMBRACIOTIBUS ET ATHAMANIBUS

Between 175
and 160 B.C.



BIBLIOGRAPHY. Notice by W. Dörpfeld in *Archäologischer Anzeiger*, 1914, p. 50; M. Holleaux, *B.C.H.*, 48 (1924): 381-98 (*Études d'Épigraphie et d'Histoire Grecques*, V [Paris, 1957], 433-47); L. Robert, *S.E.G.*, III (1929), 451; L. R. Taylor, *The Voting Districts of the Roman Republic*, American Academy in Rome, Papers and Monographs XX (Rome, 1960), p. 168.

DESCRIPTION. Discovered at Corcyra in 1912, now in the city museum (Inv. no. 215). G. Fougères and A. Plassart made copies and squeezes. A photograph will be found in the original publication by Holleaux. A squeeze was also made by Klaffenbach and was used by Viereck (notes). Height of front face: 0.44 m. Maximum width of front face: 0.26 m. The lettering is irregular and peculiar, the *omicron* and *theta* being very small and placed above the line. Numerous other peculiarities may be observed in the photograph.

Πόπλιος Κορυ[ή]λιος Π[ο]-

πλίου υἱὸς Βλασίων

στρατηγὸς χαίρειν

λέγει ἄρχουσι δῆμῳ

5 τε Κορκυραίων· πρεσβευ-

ταὶ Ἀμβρακιῶται καὶ

Ἀθαμᾶνες ἐμοὶ προσ-

ήλθοσαν, ἵν' αὐτοῖς σύγ-

κλητον δῶ. Ἐγὼ αὐτοῖς

10 σύγκλητον ἔδωκα.

Συγκλήτου δόγμα τό-

δε ἐστίν. Πρὸ ἡμερῶν

τριῶν νωνῶν Κοιγκτι-

λίῳ ἐγ' κομετίῳ· γρα-

15 φομένου παρήσαν

Γναῖος Ἐγνά[σ]τιος Γατ-

του υἱὸς Σ<τ>ηλατίνας, Τί-

τος Ὠφίδιος Μάρκου υἱ-

20 ὁς Ποπιλίας, Γάϊος Σεμ-
βρώνιος Λευκίου υἱ[ὁς]
[- - - - -]

1 Κορν[η]λιος, Viereck (notes); others, Κορν[η]λιος. 1-2 Π[ο]πλίου, Klaffenbach, but Holleaux, Γάϊου. 16 ΕΓΝΑΣΤΙΟΣ, stone. 17 ΣΗΛΑΤΙΝΑΣ, stone.

COMMENTARY. There are three basic facts necessary for the proper understanding of this document: (1) The praetor is here writing to the people of Corcyra in order to communicate to them certain information about Ambrakia and Athamania. (2) The Ambrakiots and the Athamanians had sent envoys to the Roman Senate to obtain a decree. (3) The praetor here gives a copy of the decree not only to them but also to the people of Corcyra. Although only the prescript of the decree itself is extant, these three facts enabled Holleaux to reconstruct the situation. The Ambrakiots and Athamanians had a dispute over some piece of land and had agreed to leave the decision up to Rome. The Senate in turn decided to hand the case over to the people of Corcyra for final judgment, and the present decree (ll. 12-20) was passed to authorize the friendly state of Corcyra to act as arbitrator. We may confidently assume that Corcyra accepted the Senate's ruling, for some fragments of the decision of the Corcyrean tribunal have survived.¹ Such, in brief, would appear to be the purpose of the decree and its covering letter.

The year in which P. Cornelius P. f. Blasio held the praetorship is unknown, but by a careful sifting of the available evidence Holleaux has established that it must have been between 175 and 160 B.C.² Having arrived at this date by historical, epigraphical, and also prosopographical means, Holleaux drew attention to the fact that the tribal affiliations of two witnesses are given (ll. 16-19). This becomes important when it is realized that formerly it was thought that the mention of the tribe and the cognomen of witnesses in this type of document followed a regular procession that would allow the *senatus consulta* to be dated on the basis of the presence or absence of one or the other of the two. But such a view, as Holleaux saw, can no longer be true with regard to the mention of the tribal affiliation, for from the time of this document the custom of adding the name of the tribe to the name of each witness is followed down to the end of the Republic.³ In the older documents, generally, its use is accidental.

Ambrakia lay in the southern part of Thesprotis, in southern Epirus, on the River Arachthus. It was situated on the northern slope of a hill and protected by the river on the north and west (Liv. 38. 4). Pyrrhus made the city his capital, built a palace there,

¹ See I.G., IX, no. 690, and the remarks of Holleaux, *op. cit.*, p. 438.

² For the complicated method used to arrive at this date see Holleaux, *op. cit.*, pp. 438-46. His dating is accepted by Broughton, *Magistrates*, I, 438, who suggests that Cornelius attained the praetorship "very soon after 166."

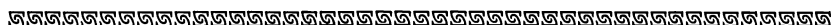
³ Holleaux, *op. cit.*, p. 447.

and adorned the whole city with works of art. But after the Aetolians invaded Acarnania it joined the Aetolian League (229 B.C.), while at about the same time Athamania, to the east, declared itself a separate kingdom under Amynder. It was captured by M. Fulvius Nobilior in 189 B.C. and pillaged by the Roman Army, after which it was separated from the Aetolian League and declared free (Livy 38. 44).

5

SENATUS CONSULTUM DE SARAPEO DELI INSULAE

ca. 164 B.C.



BIBLIOGRAPHY. E. Cuq, "Le sénatus-consulte de Délos de l'an 166 avant notre ère," *Mémoires de l'Académie des inscriptions et belles-lettres*, 39 (Paris, 1912), pp. 139-61 (cf. A. Thomas, *Comp. Rend. Acad. Inscriptions*, 1911, p. 834); R. Cagnat and M. Besnier, *A.E.*, 1912, no. 288; P. Roussel, "Le sénatus-consulte de Délos," *B.C.H.*, 37 (1913): 310-22; P. Wahrmann, *Berliner Philologische Wochenschrift*, 1914, cols. 403-7; P. Roussel, *Les cultes égyptiens à Délos du III^e au I^{er} siècle av. J.-C.* (Paris, 1915), no. 14, pp. 92-94; *idem*, *Délos colonie athénienne* (Paris, 1916), pp. 17, 27, 121; F. Hiller von Gaertringen, in W. Dittenberger, *S.I.G.³*, II (1917), 664; G. De Sanctis, *Atti della Reale Accademia di Torino*, 1918/19, pp. 526-30; F. Durrbach, *Choix*, I, fasc. 2 (1922), no. 77; M. Holleaux, *B.C.H.*, 48 (1924): 390, n. 1 (= *Études d'Épigraphie et d'Histoire Grecques*, V [Paris, 1957], 440); Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 6, pp. 256-57; P. Roussel and M. Launey, *Inscriptions de Délos* (Paris, 1926), no. 1510; W. A. Laidlaw, *A History of Delos* (Oxford, 1933), pp. 178-79; J. A. O. Larsen, "Roman Greece," in T. Frank, *An Economic Survey of Ancient Rome*, IV (Baltimore, 1938), 337, n. 1; Lewis-Reinhold, *Roman Civilization*, vol. 1 (New York, 1951), no. 124; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 33.

DESCRIPTION. This is a stele of white marble with three small projections at the top in the form of acroteria, found in 1911 during the excavations at Delos in the ruins of a building that may have been a sanctuary of Serapis. Height: 1.00 m. Width: 0.33 m. Thickness: 0.11 m. Height of letters: 0.011 m. The letters are decorated with large apices.

Οἱ στρατηγοὶ Χαρμίδει ἐπιμελη-
τεῖ Δήλου χαίρειν· γενομένων
πλείονων λόγων ἐν τεῖ βουλευῇ
περὶ τοῦ δόγματος οὗ ἦνεγκεν
5 ἐκ Ῥώμης Δημήτριος Ῥηναί-
εὺς ὑπὲρ τῶν κατὰ τὸ Σαραπί-
εῖον· ἔδοξεν μὴ κωλύειν αὐ-
τὸν ἀνοίγειν καὶ θεραπεύειν
τὸ ἱερὸν καθάπερ καὶ πρότε-
10 ρον, γράψαι δὲ καὶ πρὸς σε πε-

ρὶ τούτων ἵνα εἰδῆς· ὑποτε-
τάχαμεν δέ σοι καὶ τοῦ ἐνε-
χθέντος ὑπ' αὐτοῦ δόγματος
τὸ ἀντίγραφον.

- 15 Κόϊντος Μινύκιος Κοϊντου
υἱὸς στρατηγὸς τεῖ συγκλή-
ται συνεβουλεύσατο ἐν κο-
μετίῳ εἰδυιοῖς ἐντερκ(α)λα-
[ρ]ίοις· γραφομένου παρήσαν
20 Πόπλιος Πόρκιος Ποπλίου, Τε-
βέριος Κλαύδιος Τεβερίου
Κρυστομίνας, Μάνιος Φοντή-
ιος Γαῖου· περὶ ὧν Δημήτριος
'Ρηναῖος λόγους ἐποίησατο,
25 ὅπως τὸ ἐν Δήλῳ ἱερὸν Σαρά-
πιδος αὐτῷ θεραπεύειν ἐ-
ξεῖ, Δηλίου δὲ κωλύειν καὶ
τὸν ἐξ 'Αθηνῶν ἔπαρχον
παραγινόμενον ὧι ἔλασ-
30 σον θεραπεύει· περὶ τούτου
τοῦ πράγματος οὕτως ἔδο-
ξεν· καθὼς τὸ πρότερον ἐ-
θεράπευεν, ἔνεκεν ἡμῶν
θεραπεύειν ἔξεστιν τοῦ
35 μὴ τι ὑπεναντίον τῷ τῆς
συγκλήτου δόγματι γίνηται.
ἔδοξεν.

1 First two words in *rasura*. The stone-cutter may have engraved *ΟΙΣΤΑΤΗΓΟΙ* and then corrected it. 6 The first *alpha* of *Σαραπιεῖον* is engraved over an erased *epsilon*, the spelling with an *epsilon* perhaps reflecting that of the Latin original; cf. Roeder, *R.E.*, s.v. "Sarapis," col. 2395. 18 ἐντερκαλάρεις may be a mistake for ἐντερκαλαρίοις. 24 'Ρηναῖος (for 'Ρηναῖεύς ll. 5-6); B. D. Meritt, H. T. Wade-Gery, and M. F. McGregor, eds., *The Athenian Tribute Lists*, vol. 1 (Harvard, 1939), "The Register," pp. 392-93, where the usual form is 'Ρεναιῆς, but where 'Ρεναιῖος appears as well (for the year 443/42 B.C.). 34-35 τοῦ μὴ: For the construction see the *S.C. de Prienensium et Samiorum Litibus* (No. 10) and Durrbach, *op. cit.*, pp. 117-18.

COMMENTARY. In 167/66 B.C. the island of Delos was designated a free port by Rome and placed under the control of Athens. Although most of the Delians were driven off the island, a few were allowed to remain on condition that they renounce their nationality. Athenian colonists moved onto the island, and an Athenian *epimelete* was placed in charge. At some unknown date not long after this momentous event had

changed the whole pattern of life in Delos, the Serapeum of the priest Demetrius was closed by order of the Athenian government. The reasons for this are obscure. Cuq believed that Athens favored the cult of Apollo and therefore suppressed that of Serapis. Roussel and Wahrmann objected to this view on the grounds that Athens herself did in fact recognize the Egyptian cults and could hardly have been expected to oppose them in Delos. Roussel believed that the Serapeum was closed because it had been a private rather than a public sanctuary. This view is supported by the fact that public sanctuaries had become the property of Athens, and Athens naturally would not permit private competition to interfere with the public sanctuaries. Furthermore, Wahrmann thought that it was not the cult of Serapis at all which angered the Athenians but rather the fact that it was not an Athenian who controlled this particular sanctuary; Demetrius was not an Athenian.¹ It is possible, I might add, that by closing the sanctuary of Demetrius the Athenians hoped to acquire it themselves. Whatever the motive or motives, Demetrius did not acquiesce meekly. He went to Rome, appealed to the Senate, and won his point. A *senatus consultum* was drafted in his favor and he hurried back to Athens to make known its contents. It was there decided at a meeting of the Athenian boule (l. 3) to comply with the Roman decree. Accordingly the epimelete of Delos, Charmides, was instructed to allow Demetrius to reopen his Serapeum and not to interfere with him in the future. There the matter rested.

The date of this decree cannot be established with certainty, for the year in which the praetor Q. Minucius Q. f. had held office is unknown. Clearly the events took place after 167/66 B.C., but how long after? Livy (45. 44. 2) gives us the names of the praetors for 166 B.C., and our Q. Minucius is not one of them.² Since the *praetor urbanus* (or *peregrinus*) in 165 B.C. may have been P. Cornelius Blasio, the next earliest year would be 164 B.C. And it is very reasonable to assume that the quarrel between Demetrius and Athens developed very soon after 167/66 B.C. and the subsequent expulsion of the indigenous population. At present, however, we do not have the means of dating exactly any of the officials mentioned in the document.

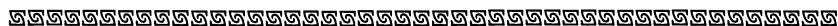
¹ He almost certainly belonged to a priestly family of Egyptian origin and had at some time in the past acquired Delian citizenship. See Roussel, *op. cit.*, pp. 319–20, and Durrbach, *op. cit.*, pp. 119–20.

² See Broughton, *Magistrates*, I, 437. He tentatively lists Q. Minucius as praetor in 164 B.C. (p. 439).

6

SENATUS CONSULTUM DE PRIENENSIBUS ET ARIARATHE

ca. 156 B.C.



BIBLIOGRAPHY. E. L. Hicks, *The Collection of Ancient Greek Inscriptions in the British Museum*, III (1886), nos. CCCCXXIV a-b; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. XXVIII (B only), pp. 50-51; W. Dittenberger, *O.G.I.S.*, I (1903), 351; F. Hiller von Gaertringen, *Die Inschriften von Priene* (Berlin, 1906), 39; E. V. Hansen, *The Attalids of Pergamum* (Ithaca, 1947), pp. 123-24; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 117 and 202, II, 969, n. 93, and 1097, n. 9; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 36a.

DESCRIPTION. Two fragments of wall stone from the cella wall of the Temple of Athena Polias in Priene. Fragment A: top and bottom are complete, sides broken; now in the British Museum. Measurements by Hicks. Height: 20 inches (=ca. 0.50 m.). Width: 13 inches (=ca. 0.33 m.). Fragment B: broken only on the right; copied by A. S. Murray at Priene and later lost. Height: 20 inches (=ca. 0.50 m.). The lettering is well done, with *apices* throughout.

A

[- - - - -] — [. .] ' [- - - - -]
[- - - - - τῶν] φίλων τοὺς ἀνανε[ωσαμένους - - - - -]
[- - - - -] ἐπεὶ γὰρ Ἀριαράθ[ης - - - - -]
[- - - - - οὐ]κ ἵδυν[ίβη] διὰ τῶ[ν - - - - -]
5 [- - - - -] καὶ Ῥωμαίων τῶν [- - - - -]
[- - - - -] τῶν οἰομένων [- - - - -]
[- - - - - ἐν τῷ] ἐρῶι· μετὰ δ[ὲ - - - - -]
[- - - - - ἡ] μὲν ἀποκ[ρίνασθαι - - - - -]
[- - - - -] πάλιν ἐξ[- - - - -]

B

[- - - - - Ἀριαράθης τὴν Πριηνέων] πόλιν πολιο[ρκήσας]
[καὶ κ] τήμα[τ] α [υλήσας, πλεῖστα] δὲ καὶ σώματα [ιδιωτικά τε καὶ]
[δημό]σια ἀπ[αγαγών - - - - -] ἀφείς με[ν - - - - -]
[..] θαι ἃ Ὀροφέρνης ἐν τῷ ἱερῷ τ[ῇ]ς Ἀ[θηνᾶς παρακατέθετο, ἀποκρίνα-]

5 [σθαι] αὐτοῖς φιλανθρώπ[ως· ἔδ]ο[ξε - - - - - οὕτε τῆς]
 συγκλήτου οὕτε τοῦ δήμου ἐπὶ θελπ[- - - - -]
 ος· περὶ τε τούτων τῶν πραγμάτων[ν οὕτως ἔδοξεν· τὸν δεῖνα πρὸς]
 [β]ασιλέα Ἀτταλον καὶ βασιλέα Ἀρια[ράθην γράψαι περὶ τῆς ἐπι-]
 [δ]ρομῆς οὕτω καθὼς ἂν αὐτῶι ἐ[κ τῶν δημοσίων πραγμάτων πίστεύς]
 10 [τε τῆς ἰδίας φαίνεται· ἔδοξεν].

A 2 ἀνανε[ωσαμένους τὴν συμμαχίαν, Hiller. 4-5 Perhaps διὰ τῶ[ν ὅπλων κρατῆσαι τῶν χρημάτων, ἐμποδισθεὶς ὑπὸ - - - | - - 'Ροδίων?] καὶ 'Ρωμαίων τῶν [- -, Hiller. 5-6 Perhaps [- - τῆς τῶν Ἑλλήνων εὐνομίας? καὶ | εὐνοίας προεστώ]των, Hiller, acting upon suggestion of Dittenberger to compare the phraseology of S.I.G.², 304 (=S.I.G.³, 665), l. 43. 7-8 For the general sense Hiller gives μετὰ δ[ὲ ταῦτα πρεσβευτῶν ἐλθόντων παρὰ Πριηνέων - - - | - ἔδοξεν ἡ]μῖν ἀποκ[ρίνασθαι - - .

B 1-4 Cf. Polybius 33. 6 (below, n. 1). 2 πολλά, Dittenberger; πλεῖστα, Hiller. 2-3 ἰδιωτικά τε καὶ δημόσια Hiller, θρέμματα, Hicks; πολλαπλάσια, Hicks, incorrectly; ἀπ[αγωγῶν, Dittenberger. 7-8 Dittenberger. 8-10 Dittenberger and Hicks, but Viereck formerly had ὅπως - - - - γράμματα ἀποστείλει πρὸς] [β]ασιλέα Ἀτταλον καὶ βασιλέα Ἀρια[ράθην, ἵνα ἀπέχωνται τῆς εἰς τὴν Πριηνέων χώραν ἐπι[δ]ρομῆς.

COMMENTARY. In 159 B.C. King Ariarathes V of Cappadocia was driven out of his kingdom by his half-brother Orophernes. During his short reign Orophernes quickly earned the great displeasure of his people by his constant and excessive forced contributions. After amassing a huge sum of money, he deposited 400 talents in the Temple of Athena Polias in Priene as a safeguard against future misfortune. Early in 157 B.C. the Senate ruled that Orophernes and Ariarathes should rule jointly. However, Ariarathes considered such an arrangement impossible and immediately enlisted the help of Attalus II of Pergamum. The two kings soon drove out Orophernes. When Ariarathes then attempted to withdraw the 400 talents from the temple at Priene, that city refused to surrender the money to anybody but the original depositor. Ariarathes and Attalus again joined forces, and an army marched on the city. Priene appealed to Rhodes for help and then to Rome.¹ Our two documents refer to the situation at this precise moment.

¹ The single most important source for this entire incident is Polybius 33. 6, and because of its direct bearing upon the present document it must be quoted in full:

"Οἱ κατὰ τοὺς καιροὺς τούτους καὶ Πριηνεῖς ἐπέπεσον παραλόγῳ συμφορᾷ. δεξάμενοι γὰρ παρ' Ὀροφέρνης, ὅτ' ἐκράτησε τῆς ἀρχῆς, ἐν παραθήκῃ τετρακόσια τάλαντα ἀπητοῦντο κατὰ τοὺς ἐξῆς χρόνους ὑπ' Ἀριαράθου, ὅτε μετέλαβε τὴν ἀρχήν. οἱ μὲν οὖν Πριηνεῖς, ὡς ἐμοὶ δοκεῖν, ὀρθῶς ἴσαντο, φάσκοντες μηδενὶ προήσεσθαι τὰ χρήματα ζώντος Ὀροφέρνης πλὴν αὐτῷ τῷ παραθεμένῳ· ὁ δ' Ἀριαράθης πολλοῖς ἐδόκει παραπίπτειν τοῦ καθήκοντος, ἀπαιτῶν τὴν ἀλλοτρίαν παραθήκην. οὐ μὴν ἄλλ' ἔως μὲν τούτου τάχ' ἂν τις ἔχοι συγγνώμην αὐτῷ καταπειράζοντι τῷ δοκεῖν τῆς ἐκείνου βασιλείας εἶναι τὰ χρήματα· τὸ δὲ καὶ πορωτέρω προβαίνειν ὀργῆς καὶ φιλοτιμίας οὐδαμῶς ἐδόκει γενέσθαι κατὰ λόγον. κατὰ δὲ τοὺς νῦν λεγομένους καιροὺς ἐπαποστείλας ἐλεηλάτει τὴν χώραν τῶν Πριηνέων, συνεργοῦντος Ἀττάλου καὶ παροξύνοντος αὐτὸν διὰ τὴν ἰδίαν διαφοράν, ἣν εἶχε πρὸς τοὺς Πριηνεῖς.

Fragment A is either a decree of Priene (Dittenberger), perhaps thanking the Senate for its favorable attitude toward her, or else a covering letter from a Roman magistrate (Hiller), to which was appended the following decree. Line 8 would seem to support Hiller's view. In its present state one can only say that it included a résumé of the affair up to the moment of writing. Fragment B is the decree of the Roman Senate, which was favorable to Priene (l. 5) and directed that a note of protest be sent to the two kings. The Senate could hardly be expected to do more than that, for the two kings were allies of Rome. The situation was a delicate one, and the Senate compromised. If the restoration of this decree is substantially correct, we may say that Rome gave the impression of sympathizing fully with Priene without actually interfering openly with her two allies.

Such a decision on the part of the Senate is in general agreement with the policy adopted by Rome after Pydna in Asia Minor, a policy calculated to establish and maintain a "balance of power" by making the kingdoms and cities dependent upon Rome alone.² The Senate wished to control Asia by playing one kingdom against the other, by never allowing any single power to acquire great superiority, and by forcing them all to accept Roman arbitration. Resort to force was not her intention as yet, for there were easier, less expensive, and less dangerous means to achieve the same end. A good example of this policy, worth mentioning here because of some similarity to the present situation in Priene, may be seen in the attack launched against the Pergamene kingdom in 156 B.C. by Prusias of Bithynia.³ The Senate intervened, ordered Prusias to desist, and, when he refused, authorized allied cities to support Pergamum. The war ended in 154 B.C. with Pergamum vindicated and Prusias defeated.

πολλῶν δὲ καὶ σωμάτων καὶ θρεμμάτων ἀπολομένων καὶ πρὸς τῇ πόλει πτωμάτων γενομένων, ἀμύνασθαι μὲν οὐχ οἰοί τ' ἦσαν οἱ Πριηνεῖς, ἐπρέσβευον δὲ καὶ πρὸς Ῥοδίουις, μετὰ δὲ ταῦτ' ἐπὶ Ῥωμαίοις κατέφυγον. οἱ δ' οὐ προσεῖχον τοῖς λεγομένοις. καὶ Πριηνεῖς μὲν μεγάλας ἔχοντες ἐλπίδας ἐπὶ τῷ πλήθει τῶν χρημάτων τοῖς ἐναντίοις ἐνεκύρῃσαν τῷ μὲν γὰρ Ὀροφέρνηι τὴν παραθήκην ἀπέδωκαν, ὑπὸ δὲ τοῦ βασιλέως Ἀριαράθου ἱκαναῖς τισι βλάβαις περιέπεσον ἀδίκως διὰ τὴν παραθήκην.

Some further details may be found in Diodorus 31. 32. For modern accounts see Hansen, *op. cit.*, pp. 123-23, and Magie, *loc. cit.* P. V. M. Benecke, *C.A.H.*, VIII (1930), 281, appears to be unaware of the existence of the present decree. M. I. Rostovtzeff, *S.E.H.H.W.*, III (1941), 1520, n. 71, mentions the very difficult economic situation of Priene in this period. An excellent survey of the entire Ariarathes-Orophernes affair will be found in the account by Th. Lenschau in *R.E.*, s.v. "Orophernes," cols. 1168-71. The fact that Orophernes had presented the city of Priene with many gifts (*ibid.*, cols. 1169-70) may have influenced the city in showing such noteworthy loyalty to its greatest depositor.

² See Badian, *Foreign Clientelae*, pp. 96-115. For the relationship of the cities in Asia to Rome see Magie, *op. cit.*, I, 111-18, with the notes in II, 958-69. The attempt to preserve a balance of power in the Greek East after Pydna no doubt reflects the *laissez faire* attitude of the Senate. This attitude changes in about 155-154 B.C.; see H. H. Scullard, *Roman Politics 220-150 B.C.* (Oxford, 1951), pp. 232-36.

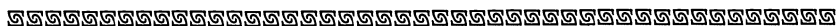
³ For the attack and the war as a whole see Magie, *op. cit.*, pp. 316-17, and, of the older accounts the most detailed, B. Niese, *Geschichte der griechischen und makedonischen Staaten*, III (Gotha, 1903), 326-28. For Prusias' route into the Pergamene kingdom see L. Robert, *Études Anatoliennes* (Paris, 1937), pp. 112-18. The most recent account of the war is that of Christian Habicht in *Hermes*, 84 (1956): 101ff.

The date of the decree can be determined only by considering the historical background of the times. Orophernes ruled for only about two years, 158-156 B.C., and Attalus II could hardly have given much military assistance to Ariarathes in the period of 156-154 B.C. The decree should date, therefore, either from just before the attack upon the Pergamene kingdom in 156 B.C. or after it, around the end of 154 B.C. But I cannot see Orophernes leaving his 400 talents in Priene untouched for two or more years after his expulsion from Cappadocia. Accordingly, I would like to place the decree in 156 B.C., almost on the very eve of Prusias' attack, but the lack of precise information on the chronology precludes positive dating for the document. About 156 B.C. is as much as one should say.

7

EPISTULA M. AEMILII ET SENATUS
CONSULTUM DE MAGNETUM
ET PRIENENSIIUM LITIBUS
[Squeeze]

ca. the middle of the
second century B.C.



BIBLIOGRAPHY. O. Kern, *Die Inschriften von Magnesia am Maeander* (Berlin, 1900), 93 b; W. Dittenberger, *S.I.G.*², II (1900), 928; J. Partsch, *Die Schriftformel im römischen Provinzialprozesse* (Breslau, 1905), pp. 27ff.; G. Colin, *Rome et la Grèce de 200 à 146 avant J.-C.* (Paris, 1905), pp. 509–10; F. Hiller von Gaertringen, *Die Inschriften von Priene* (Berlin, 1906), 531 II B; M. N. Tod, *International Arbitration Amongst the Greeks* (Oxford, 1913), pp. 44–45; M. Holleaux, *B.C.H.*, 38 (1914): 67, n. 2 (*Études d'Épigraphie et d'Histoire Grecques*, I [Paris, 1938], 334–35); F. Hiller von Gaertringen, in W. Dittenberger, *S.I.G.*,³ II (1917), 679 II b; M. Holleaux, *B.C.H.*, 48 (1924): 384–86 and 396–98 (*Études d'Épigraphie et d'Histoire Grecques*, V [Paris, 1957], 436–37 and 446–47; cf. *S.E.G.*, IV [1929], 508); A. Passerini, *Athenaeum*, 15 (1937): 26ff.; V. Arangio-Ruiz, *Fontes iuris Romani antejustiniani*², pt. 3 (Florence, 1943), pp. 501–4; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 113–14, and II, 964, n. 82; Lewis–Reinhold, *Roman Civilization I* (New York, 1951), 336–37; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 38.

DESCRIPTION. White marble inscribed on all four sides, from the southwest corner of the agora in Magnesia. Height: 0.50 m. Width: 0.83 m. Thickness: 0.83 m. Height of letters: 0.01 m.

[- Δόγμα τὸ κομισθὲν παρ] ἂ τῆς συγκλήτου{υ} 'Ρω[μαίων ὑπὸ τῶν
ἀποσταλέντων πρεσβευτῶν]
35 [ὑπὲρ τῶν πρὸς Πιρηνεῖς.] Μάρκος Αἰμύλιος Μάρκου [νῖος στρατηγὸς
Μυλασέων]
[βουλῇ καὶ δήμῳ χαί]ρειν. πρεσβευταὶ Μάγνητες κα[ὶ Πιρηνεῖς ἐμοὶ
προσῆλθσαν]
[ὅπως αὐτοῖς σύγκλ]ητον δῶν· τοῦτοις ἐγὼ σύγκλητον ἔδ[ωκα. συγκλήτου
δόγμα· πρὸ ἡμε-]
[ρῶν - - - - -]βρίων ἐγ κομετίῳ· γραφομένου παρῆσ[αν - - - - -]
[- - - - - Φο?]ντήγος Κοίγκτου Παπειρία, Τίτος Μάλλιος Φα[- - - - -]
40 [- - - - -] περὶ ὧν Μάγνη[τε]ς πρεσβευταὶ Πυθόδωρος
'Ηράκλ[εῖτος - - - - - ἄν-]

[δρες καλοὶ ἀγαθοὶ]οὶ παρὰ δήμου καλοῦ καὶ ἀγαθοῦ καὶ φίλου συμ[μάχου τε ἡμετέ-]
[ρου κατὰ πρόσω]πον λόγους ἐποίησαντο καὶ περὶ ὧν Πριηνεῖς

πρε[σβευταὶ - - - - -]

[- - - - -]νης ἄνδρες καλοὶ καὶ ἀγαθοὶ καὶ φίλοι παρὰ δήμου καλοῦ κα[ὶ]
ἀγαθοῦ καὶ φί-]

[λ]ου σ[υ]μμάχου τε ἡμετέρου κατὰ πρόσωπον λόγους ἐποίησαντο περὶ ἧς
45 χώρας ἐξεχώρησαν Μάγνητες καὶ τὴν κατοχὴν ταύτης τῆς χώρας ἐξεχώ[ρησαν]
δήμῳ Πριηνέων κατὰ τὸ τῆς συγκλήτου δόγμα ὅπως κριτήριον δοθῇ· περὶ
το[ύτου τοῦ]

πράγματος οὕτως ἔδοξεν· ὅπως Μάρκος Αἰμύλιος Μαάρκου υἱὸς στρατηγὸς
δ[ῆμον ἐ-]

λε[ύ]θερον κριτὴν δῶι, ὃς ἂν ἐν αὐτοῖς ὁμόλογος γενηθῇ· ἐὰν δὲ ἐν αὐτοῖς
ὁμόλογος [μὴ γίνη-]

ται, ὅπως Μάρκος Α[ἰ]μύλιος Μαάρκου υἱὸς στρατηγὸς δῆμον ἐλεύθερον
κριτῇ[ν δῶι]

50 εἰς τούτους τοὺς λόγους οὕτως, καθὼς ἂν αὐτῶι ἐκ τῶν δημοσίων πραγμάτων[ν]
πίστε-]

ὡς τε τῆς ἰδίας φαίνεται· ἔδοξεν· ὃς κρινεῖ Μάγνησιν καὶ Πριηνεῦσιν περὶ
ταύ[της τῆς]

χώρας τῆς παρὰ Πριηνέων ἀποκεκριμένης οὔσης, ἐξ ἧς χώρας Μάγνητ[ες ἔαν-]
τοὺς ἔφασαν ἐκκεχωρηκέναι, ὁπότερον ἂν τούτων δήμων εὐρίσκηται ταύτην

χώραν εἰσχηκέναι, ὅτε εἰς τὴν φιλίαν τοῦ δήμου τοῦ Ῥωμαίων παρεγένετο, ταύτῃ[ν]
55 τὴν χώραν ὅπως αὐτῶι προσκρίνῃ ὁρίᾳ τε στήσῃ· ἔδοξεν· ὡσαύτως περὶ ὧν οἱ
αὐτοὶ Πρι-

ηνεῖς πρεσβευταὶ κατὰ πρόσωπον πρὸς Μάγνητας πρεσβευτὰς λόγους ἐποίησαν-
το περὶ ἀδικημάτων ἃ αὐτοῖς Μάγνητες πεποιήκεισαν, περὶ τούτου πράγματος οὕ-
τως ἔδοξεν, ὅπως Μάρκος Αἰμύλιος Μαάρκου υἱὸς στρατηγὸς τὸν αὐτὸν δῆμον
[κρίν]αι κελεύσ[η], ὃς ἂν περὶ χώρας κριτῆς δεδομένος ᾖ, ὃς κρινεῖ ταῦτα
ἀδικήματα· εἰ γεγο-

60 [νότ]α εἰσὶν ὑπὸ Μαγνήτων, ὅσον ἂν καλὸν καὶ δίκαιον φαίνεται. διατιμησάσθω,
καὶ ὅπως

[εἰς] τὸν αὐτὸν δῆμον κριτὴν Μάρκος Αἰμύλιος Μαάρκου υἱὸς στρατηγὸς περὶ
τούτων τῶν

[πραγ]μάτων γράμματα δῶι, πρὸς ᾗν ἂν ἡμέραν ἑκάτεροι παραγίνωνται πρὸς
ἑκάτερα τὰ κρί-

[ματ]α [καὶ καθ'] ἡ[ν ἂ]ν ἡμέραν κρίνωσι[. . . .] ὅ]πως καὶ [- - -]

36 ἐμοὶ προσήλθον or προσήλθοσαν, Holleaux, also Viereck (notes); λόγους ἐποίησαντο Hiller.
39 Φα[λέρνα or Φαίβια, Kern, Holleaux. 40 Μάγνη[τε]ς, Hiller; Μάγνη[τε]ς, Kern. The squeeze
is next to useless at this particular point. Two, not three, names followed. 43-44 Perhaps καὶ
φίλου should be omitted. 48 ἐλε[ύ]θερον. The squeeze shows a badly worn area on the stone.
63 [καὶ καθ'] ἡ[ν ἂ]ν, Hiller, Viereck (notes). I cannot detect the *eta* on the squeeze. Kern saw
nothing between κρί[ματα and ἡμέραν.

COMMENTARY. Somewhere in the vicinity of Priene and Magnesia is a stretch of land which was a bone of contention between the two cities. There are indications that they had quarreled for some considerable time, but it was not until about the middle of the second century B.C. that friction over the possession of this land finally caused them to send envoys to Rome for the purpose of settling the matter permanently.¹ The Senate answered their request with the present decree.

The method adopted by Rome to settle the dispute was to authorize the praetor, M. Aemilius M. f., to appoint some free state as arbitrator, one which both Priene and Magnesia might find acceptable. If they could not agree upon some such state, the praetor himself was to make the appointment. This arbitrating state was to be instructed to determine which one of the two cities actually possessed the land at the moment when *amicitia* with Rome had been established.² That city was then to be granted possession. It seems that the Magnesians were also charged with the commission of injustices against the people of Priene. The arbitrating state was directed to investigate this matter; if the charges were true, the damages were to be evaluated fairly and a corresponding fine was to be levied against Magnesia.

The date of the decree is uncertain, for, although the name of the presiding magistrate is indeed preserved, the omission of his cognomen makes positive identification most difficult. The presence or the omission of tribal affiliation and cognomen may not serve as a sure and reliable guide to the dating of Roman decrees.³ But since the lettering appears to belong to the first half of the second century, possible candidates for our praetor include M. Aemilius Lepidus (cos. 158, praetor in 161 at the latest) and M. Aemilius Lepidus Porcina (cos. 137, praetor in 140 at the latest).⁴ Holleaux believed the date to be about the same as that of the letter of P. Cornelius Blasio which contains the *Senatus Consultum de Ambraciotibus et Athamanibus* (above, No. 4), that is, about 175–160 B.C.⁵ Such a dating may be tentatively accepted until such time as further evidence either confirms it or disproves it.

Fortunately the present document is not the only one which contains information on this particular dispute between Priene and Magnesia, for there were five documents that

¹ That the present quarrel was not the only one between the two cities may be seen in Kern, *op. cit.*, 93 a, ll. 26–28 (= S.I.G.³, II, 679 I. a), where we learn that Magnesia not only won the present dispute with Priene but also another on a previous occasion. The pertinent section reads as follows: ὁ δῆμος νικήσας τὸ δεύτερον Πριηνεῖς τῇ ὑπὲρ τῆς χώρας κρί[σει ἐπὶ Μυλα|σέ]ων δικαστηρίου κτλ. I take this to mean that there were two disputes concerning the same area of land. It is possible, however, that the words might mean that Magnesia is merely boasting of having won two disputes with Priene and that only the last of them involved this land.

² Most probably this took place at the conclusion of the war with Antiochus or very soon thereafter. Tacitus in his *Annals* (3. 62) states that after the defeat of Antiochus (190 B.C.) L. Scipio paid homage to the loyalty and courage of Magnesia by making the Temple of Artemis inviolable. Priene had been free ever since Apamea (Polybius 33. 6; cf. S.I.G.³, II, 688).

³ Holleaux, *Études*, V, p. 447.

⁴ Broughton, *Magistrates*, I, 443 with n. 2 for the former, and 472 with n. 1 for the latter. He lists M. Aemilius Lepidus Porcina under the year 143 B.C., but, as he notes, the date is not assured.

⁵ *Op. cit.*, p. 446.

Magnesia had engraved on stone and set up in her public square.⁶ The first, a decree of the city to honor her public advocates and to order the engraving of the entire dossier about the dispute, informs us that Mylasa had been selected as the arbitrating state and that Magnesia had won. The second is our letter of M. Aemilius and its accompanying senatorial decree. The third is lost. The fourth contains the final decision of the Mylasan arbitrators, and the fifth lists the names of the Magnesian advocates who had presented their city's arguments so convincingly to the Mylasan tribunal.

The exact location of the disputed land is not known, but there are indications that it may have been part of the old territory of the city of Myus. Located south of the Maeander but not far from Priene and Magnesia, it had been settled originally by Athenian emigrants and had become an independent city in its own right.⁷ In the Hellenistic age, however, it had been absorbed by Miletus and then in turn acquired by Philip V, who gave it to the Magnesians in return for food to feed his army.⁸ In 196 B.C., when Miletus and Magnesia signed a peace treaty, much if not all of the land of Myus was divided between those two cities.⁹ It may have been the northern part of that land over which the present quarrel between Priene and Magnesia broke out, for in the first of the Magnesian documents in the dossier on the dispute we are told that the Mylasan arbitrators went to the land itself, heard both the Prienean and the Magnesian advocates on the spot, and retired to the Temple of Apollo in Myus. It is wholly possible therefore that the land in question originally had formed part of the territory of Myus. At any rate one could maintain that the land is not too far away from the triangle formed by the lines Priene, Magnesia, Myus.¹⁰

⁶ S.I.G.³, 679 I-V.

⁷ For the history of Myus see the account by W. Ruge in *R.E.*, s.v. "Myus," cols. 1430-37. Cf. also the remarks of L. Robert, *Villes d'Asie Mineure*² (Paris, 1962), p. 55; *idem*, *Hellenica*, 2 (1946): 88, n. 3; and Magie, *op. cit.*, II, 883-84.

⁸ For Philip's possession of Myus and subsequent gift to Magnesia see Polybius 16. 24. 9: διὸ καὶ Μυοῦντος κυριεύσας τοῖς Μάγνησιν ἐχαρίσατο τὸ χωρίον ἀντὶ τῶν σύγκων.

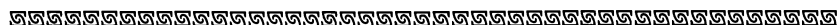
⁹ S.I.G.³, 588 (Miletus).

¹⁰ That Magnesia had acquired the northern part of the old land once probably belonging to Myus is spelled out in the terms of the treaty between Miletus and Magnesia (S.I.G.³, 588, ll. 28-37). Hiller (n. 2 in S.I.G.³, 679 I a) believed that the land over which Priene and Magnesia had quarreled was north of the Maeander and between the two cities, for he thought that the phraseology of the document indicated that the Temple of Apollo at Myus was not within the area of land over which the dispute arose. One cannot wholly agree with this reasoning. The text reads (ll. 9-11): (δικασταὶ) οἱ καὶ ἐπελθόντες [ἐπὶ τὴν χώραν ἢ] μέρας καὶ πλείονας διήκουσαν παραχρημά τε ἐπὶ τῶν τόπων [καὶ μετὰ ταῦτα ἐν] τῷ ἱερῷ τοῦ Ἀπόλλωνος τοῦ ἐν Μυοῦντι. In this passage I would read [καὶ ἐκάθισαν ἐν] τῷ ἱερῷ κτλ. on the analogy of S.I.G.³, 685, ll. 28-29, and I.G., XII, suppl. (1939), 142, C, ll. 122-23. Lines 9-11 mean merely that after the Mylasan arbitrators listened to the arguments from both cities "on the spot" (that is, on the disputed area), they retired to the Temple of Apollo in Myus for divine guidance in reaching a decision. The temple could have been two miles or twenty miles away from the disputed area. However, considering the previous connection between Magnesia and Myus and considering the fact that the arbitrators did in fact go to the temple in Myus, I am strongly tempted to believe that the land in the present dispute lay south of the Maeander. Cf. M. N. Tod, *op. cit.*, pp. 140-42.

8

EPISTULA P. SEXTILII CUM SENATUS CONSULTO

Second Century B.C.?



BIBLIOGRAPHY. N. Giannopoulos, *Ἐφ' Ἀρχ.*, 1934-35, no. 1, pp. 149ff.,
L. Robert, *Études épigraphiques et philologiques* (Paris, 1938), pp. 287-88, n. 1;
T. R. S. Broughton, *The Magistrates of the Roman Republic*, II (New York, 1952),
465.

DESCRIPTION. Found at Triccala in Thessaly. The stone is 0.25 m. high,
0.24 m. wide, and 0.20 m. thick. The letters are 0.005 m. high.

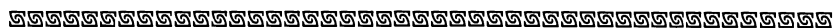
Πόπλιος Σεξτίλιος[ς - - - - - στρα-]
τηγός Ῥωμαίων, ΚΟ[- - - - - τοῖς ταγοῖς]
καὶ τῇ βουλῇ χαίρ[ειν· - - - - - πρά-]
γματος καλῶς γ[ινώσκω? - - - - -]
5 ὑμῶν ἐγὼ σύγ[κλητον ἔδωκα - - - - -]
τε Τρικκαίων[- - - - -]
πρὸ ἡμέρ[αν vel ὦν - - - - -]
ἐγ κομ[ετίω· γραφομένου παρήσαν - - - - -]
μαρακ[- - - - - Σεξτί-]
10 λιος [- - - - -]

Text by Robert. Viereck (notes) had recognized it as a *senatus consultum*. 8 Alternative
spelling, γραφομένου.

9

SENATUS CONSULTUM DE NARTHACIENSIVM ET MELITAEENSIVM LITIBVS

ca. 140 B.C.



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DESCRIPTION. A grayish stone found near the Thessalian village of Limogardi, where ancient Narthacium must have been located. The inscription is engraved on two of its sides, the front face being crowned with a cornice and the other decorated in the Byzantine period by a semicircle. Height of the front face is 0.67 m., width 0.345 m. Height of the other side is 0.68 m., width 0.425 m. The engraving is carefully done, the letters measuring almost one centimeter in height. Omicron and omega have the same height as the other letters except that at the ends of lines omicron is sometimes smaller or elongated. The transverse bar of the alpha is sometimes straight, sometimes curved, and sometimes broken.

- A [Στρατ]αγέοντος τῶν Θεσσαλῶν Λέοντο[s]
 [τοῦ Ἀγ]ησίππου Λαρισαίου, ἐν δὲ Ναρθακίῳ[i]
 [ταγευόν]των Κρίτωνος τοῦ Ἀμεινία, Πολυκλέος
 [τοῦ Φει]δίππου, Γλαυκέτα τοῦ Ἀγελάου, ἀν[ε]-
 5 [γράφη τὸ] δόγμα τὸ γενόμενον ὑπὸ συγκλ[ή]-
 [του ἐπὶ σ]τρατηγοῦ τῶν Θεσσαλῶν Θεσσα-
 [λοῦ τοῦ] Θρασυμήδεος Φεραίου. νν
 [Γάιος Ὀσ]τίλιος Αὔλου υἱὸς Μαγκίνος στρα-
 [τηγὸς τ]ῆς συγκλήτῃ συνεβουλευέσατο πρὸ
 10 [.... νω]νῶν Κοῦντιλίων ἐγ κομετίῳ· γραφο-
 [μένωι π]αρήσαν Κδύντος <Σ>τατυλιηνὸς Κοῦντου
 [υἱὸς Κορ]νηλία, Γναῖος Λοτάτιος Γναίου υἱὸ[s]
 [Ἀ...ήν]ση, Αὔλος Σεμπρώνιος Αὔλου υἱὸς Φα-
 [λέρνα.] νν περὶ ὧν Θεσσαλοὶ Μελιταιεῖς Ἀρμό-
 15 [ξενος Λυ]σάνδρου, Λαμπρόμαχος Πολίτα
 [πρεσβευ]ταὶ λόγους ἐποίησαντο, ἄνδρες κα-
 [λοὶ καὶ] αἰθοὶ καὶ φίλοι παρὰ δήμου καλοῦ
 [κάγαθο]ῦ καὶ φίλου συμμάχου <τε>, χάριτα
 [φιλίαν σ]υμμαχίαν τε ἀνενεώσαντο, πε-
 20 [ρὶ χώρας] δημοσίας καὶ περὶ χωρίου ἐρήμου
 [εἴπασαν?], μεθ' ἧς χώρας εἰς τῆμ φίλιαν τοῦ
 [δήμου τ]οῦ Ῥωμαίων νν παρεγένοντο, ἦγ χώ-
 [ραν Ναρθα]κιεῖς μετὰ ταῦτα ἐαυτῶν ἀδίκως
 [ἐποίησαντ]ο, περὶ τούτου τοῦ πράγματος ὅπως
 25 [τὴν διάνοι]αν πρόσ<σ>χωσιν, ὅπως τοῦτο τὸ πρᾶ-
 [γμα ἀκέρα]ιον αὐτοῖς ἀποκατασταθῇ οὕτω
 [καθὼς πρότερο]ν ἐπὶ Μηδείῳ καὶ ἐπὶ Θεσσαλῶν
 [.....]ων καὶ ἐπὶ τῶν περὶ Πύλλον Μακε-
 [δόνων] κεκριμένον αὐτοῖς ἦν, ταῦτά τε τὰ κ[ρί]-
 30 [ματα κύρια ὅπω]ς ἦ· περὶ τούτου τοῦ πράγμα-
 [τος συνενδόκ]ησεν ἡμῖν καὶ Ναρθακιεῦσιν
 [ὅπως τὸν ἀγῶν]α τὸν παρόντα κρίνῃ ἐμ Μ[ε]λι-
 [τεία(?)] ἐ]ν ταύτῃ τῇ χώρᾳ[i]]
 [... ἀμφοτέρων] τῶν δῆμων ἐ[πιτρεπόντων]
 35 [.....] ἐστὶν ὧι ρα[- - - - -]
- B [- - -]ιη[. .]νη[- - καὶ περὶ ὧν Θεσσαλοὶ]
 [Ναρθακιεῖς Ν]ικάτας Τα[.....]
 [....., πρεσβε]υταὶ λόγ[ο]υς ἐπ[οί]ησαντο κατὰ]
 [πρόσωπον ἐν τῇ] συγκλήτ[ῃ] ἄνδρες καλοὶ]
 40 [κάγα]θοὶ καὶ φίλοι παρὰ δήμου κα[λ]οῦ κα[λ]-
 [γαθοῦ κα]ὶ φίλ[ου] συμμάχου τε ἡμετέρου χά[-

[ριτα φιλ]ίαν συ[μ]μα[χίαν τε ἀνενεώσαντο καὶ]
 [περὶ τῶν πραγ]μάτω[ν τῶν καθ' αὐτοὺς διελέ]-
 [γ]ησαν περὶ χώρας [καὶ] ἰ[ε]ρ[ῶν περὶ τῆ]ς τε
 45 ἀφ[η]ρη[μένης] τ[ῆς κατὰ Μελιτ]α[ι]ῆας ἀρχῆς *Ναρ-*
θακιέ[ω]ν [τῶν] ἐν τ[ῇ Ἀχαι]ία[ι· καὶ γὰρ] μετὰ τα[ύτης]
 τ[ῆ]ς χώρας εἰς τὴν [φ]ιλία[ν] τ[οῦ δῆ]μου [τοῦ Ῥω]-
 [μ]αίω[ν] *Ναρθακιεὺς* παραγ[εγονέν]αι [κ]αὶ περὶ
 τῆς χώρας καὶ τῶν ἱερῶν κριτηρίοις [νευ]ικηκ[έ]-
 50 ναι κατὰ νόμους τοὺς *Θεσσαλῶν*, οἷς [νό]-
 μοις ἕως τα[ν]ῶν χρῶν[τ]αι, οὗς νόμους *Τίτος*
Κοῦγκτιος ὕπατος ἀπὸ τῆς τῶν δέκα πρεσ-
 βευτῶν γνώμης ἔδωκεν, καὶ κατὰ δόγμα
 συγκλήτου, περὶ τε τούτων τῶν πραγμά-
 55 [τω]ν ἔτει ἀνώτερον τρίτῳ ἐπὶ τριῶν δικασ-
 [τη]ρίων νενικηκέναι, ἐπὶ *Σαμίων*, *Κολο[φ]ων[ί]-*
 [ων], *Μαγνήτων*, κεκ[ρι]μένα εἶναι κατὰ νόμου[ς],
 ὅπως ταῦτα κύρια ἢ οὕτως, καθὼς καὶ ἄλλοις
 γεγονός ἐστιν· περὶ τούτου τοῦ πράγματος
 60 οὕτως ἔδοξεν· χάριτα φιλίαν συμμαχίαν
 [ἀ]νανεώσασθαι τούτοις τε φιланθρώπως ἀ-
 ποκριθῆναι, ἄνδρας καλοὺς κάγαθοὺς προσ-
 αγορεῦσαι, ὅσα κεκριμένα ἐστὶν κατὰ νόμους
 οὗς *Τίτος Κοῦγκτιος ὕπατος* ἔδωκεν, ταῦτα, κα-
 65 θὼς κεκριμένα ἐστίν, οὕτω δοκεῖ κύρια εἶναι δεῖν·
 τοῦτό τε μὴ εὐχερὲς εἶναι, ὅσα κατὰ νόμους κε-
 κριμένα ἐστὶν ἄκυρα ποιεῖν. ξενία τε ἑκατέροις *Γάι-*
ος Ὀστίλιος στρατηγός τὸν ταμίαν δοῦναι κε-
 [λ]εύση ἀπὸ σηστερτίων νόμων ἑκατὸν εἴκοσι
 70 [πέν]τε εἰς ἑκάστην πρεσβείαν, οὕτω καθὼς ἀν
 [αὐτῶι ἐκ] τῶν δημοσίων πραγμάτων πίστε-
 [ως τε τῆς] ἰδίας φαίνηται· ἔδοξεν. νν

Text based upon those of Laticheff and Viereck, except where noted. 3 [ταγευόν]των, Stählin and Accame; [ἀργόν]των, others. 4 Φειδίππου, Lolling; Κυδίππου Laticheff. 11 The first *sigma* of *Στατιληνός* was omitted by the engraver. 13 Ἀρνήνη]ση or Ἀνιήνη]ση. 18 Viereck added τε. 21 [εἴπασαν], Wilamowitz, but Kern seems to see Υ before μεθ' ἧς. If Υ is right, there may have been another noun or adjective in the genitive in this place. Viereck, however, feels the need of a verb at this point (notes). 22 The engraver seems to have inscribed *ΡΩΜΑΙΩΝΩΝ* and to have erased the second *ΩΝ* (Kern). 26 Ἀκέραι ?]ον, Kern. 28 Laticheff transcribed part of a mutilated *omega* followed by a clear *nu* at the very beginning of the line, likewise Kern. Viereck rightly indicates (*Sermo Graecus*, and notes) that one expects here the name of some Thessalian city that had formerly rendered a decision about the land in question. 30 ὅπως ἦ, Kern; αὐτοῖς ἦ, others. 32 ἐμ *M*[ελιτεῖαι ?], Kern. 33 ταύτη: it is uncertain whether the *iota* is on the stone, for the space

there is badly worn. 34 ἐ[πιτρειόντων], Dittenberger. 35 ρα, stone; [φ]α, Kern. 36 ΙΗΙΙΙΝΗΙΙΙ stone. 43-46 restored by Dittenberger and Viereck (notes).

Here we have a familiar scene: envoys from two Greek cities in Rome asking the Senate to act as arbitrator in their dispute about a piece of land. Although the Senate could, and usually did, appoint a third city as the arbitrator, in this instance it hands down the decision itself.

Two envoys from Melitaea in Thessaly claim that the Narthacians had unjustly seized control of "public land and a deserted area" which had belonged to Melitaea when that city became a friend of the Roman people. They cite previous arbitral awards in their city's favor and request the Senate to restore the land to its previous status. The envoys from Narthacium state that their city had possessed the land with its sanctuaries when it became a friend of the Roman people and add that it had received favorable judgments in previous cases of arbitration concerning this same land "in accordance with Thessalian laws which they enjoy up to the present moment and which the consul Titus Quinctius had granted them on the advice of the ten *legati*, approved by a decree of the Senate." Then they cite, in particular, a decision concerning the land, won by Narthacium before a composite tribunal whose members came from Samos, Colophon, and Magnesia.¹ The Senate then passed the present decree in favor of Narthacium.

Since the presiding magistrate, C. Hostilius Mancinus, had been consul in 137 B.C., his praetorship may be dated in 140 B.C. at the latest, under the *Lex Villia*.² The early editors of this decree (Laticheff, Viereck, Kern, Hiller, and Abbott-Johnson) believed that it must have been passed prior to 146 B.C., for they saw that in it Thessaly is free and not subjected to the authority of the Macedonian governor. Objections to such a date for the decree were first advanced by Daux, Stählin, and Accame. It was shown in great detail by Accame that after 146 B.C. all of Greece was divided into two parts, one connected with the province of Macedonia, the other independent.³ There is therefore no valid objection to a date after 146 B.C. for the decree. And since it has been shown that the Thessalian officials, whose names are given in the decree, held office toward 140 B.C., it was very probably in that year that Hostilius was praetor and presided over the Senate.⁴ Thessaly belonged to that group of Greek states which retained independence after the Achaean War, and no changes were made in the arrangements agreed upon by T. Quinctius Flaminius.

¹ Tod's interpretation of the phrase ἐπὶ τριῶν δικασ[τη]ρίων appears to be the correct one and it is here accepted.

² Broughton, *op. cit.*, I, 480, and II, 643.

³ *Op. cit.*, pp. 1-15.

⁴ On the Thessalian officials see F. Stählin, "Zur thessalischen Strategenliste," *Philologus*, 88 (1933): 130-32.

The city of Narthacium, situated in Achaea Phthiotis and protected by strong walls with a series of towers, falls outside the mainstream of Greek history until Hellenistic times. The nearby mountain of the same name is mentioned by Xenophon (*Hell.* 4. 3. 8; *Agésilas* 2. 2) in connection with the expedition of Agésilas in 394 B.C., but the city itself apparently remained undisturbed. Only a few inscriptions and the present document tell us of the city's history.

To the north of Narthacium lay Melitaea, separated from it by a ridge of mountains, a city that already in the fourth century had acquired a reputation as a secure fortress. Near the end of the third century it appears, on the evidence of inscriptions, to have been favored by the Aetolians at the height of their power. In the second century, after the humiliation of the Aetolians at the hands of Rome, Melitaea was part of Thessaly and, later, of Phthiotis. The border between the two cities must have been somewhere in the mountains, and the area over which the dispute arose was very likely some choice mountain pastureland.

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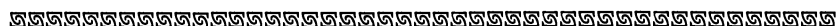
SENATUS CONSULTA

DE PRIENENSIVM ET SAMIORVM

LITIBVS

A: before 135 B.C.

B: 135 B.C.



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DESCRIPTION. A long series of documents had originally been inscribed on the north anta and the north cella wall of the Temple of Athena Polias in Priene to record those events which had been of importance to the city. These included, among others, the dedication of the temple itself in 334 B.C. by Alexander (Hiller, *Inschriften von Priene*, no. 156 [= M. N. Tod, *Greek Historical Inscriptions*, II, 184]); an edict of Alexander (*ibid.*, no. 1 [= Tod, *op. cit.*, II, 185]); a decree of the city granting divine honors to King Lysimachus (*ibid.*, no. 14 [= O.G.I.S., 11]); the answer of Lysimachus to Priene (*ibid.*, no. 15 [= C. B. Welles, *Royal Correspondence in the Hellenistic Period* (New Haven, 1934), no. 6]); the celebrated record of the Rhodian arbitral tribunal concerning a dispute between Samos and Priene (*ibid.*, no. 37); the *Senatus Consultum de Priensibus et Ariarathe* (*ibid.*, no. 39 [= No. 6 of the present volume]); and the present two *senatus consulta* (*ibid.*, nos. 40-41). Our two decrees were immediately to the right of *Inschriften von Priene* no. 37, near the bottom of the cella wall. They are now in the British Museum.

A (*Inschriften von Priene* no. 40): a wall stone of bluish marble, complete at bottom and right side with enough of the top preserved to assure the dimensions. Height: 0.50 m. Width: 0.59 m. Height of letters: 0.015 m. The stone contains lines 1-10 only of A, for line 11 is found on the upper edge of the stone containing B. Hicks (*op. cit.*, no. CCCCIV, p. 20) assumed that this single line might indicate the existence of still another senatorial decree between A and B, line 11 forming its conclusion. Hiller, however, felt that the stone containing A rested directly upon the one containing line 11 and B, and

therefore considered line 11 as the concluding line of A. An uninscribed space of one line separates line 11 from the beginning of B.

B (*Inscriften von Priene* no. 41): four fragments of wall stones of bluish marble. The early copy of Le Bas is here very valuable, for the stones were badly damaged before reaching the British Museum. His readings allow us to form a fuller and more accurate picture of the central portion of lines 6-14. Fragment (1): contains approximately the first third of the beginnings of lines 1-6, the text itself being inscribed on the right side of the same stone that carries *Inscriften von Priene* no. 37 γ. The measurement of this fragment, like that of the other three, is given by Hicks. Height: 10 $\frac{3}{4}$ inches (= ca. 0.27 m.). Width: 56 $\frac{1}{2}$ inches (= ca. 1.435 m.). Fragment (2): contains about the last two-thirds of the ends of lines 1-7. Height: 10 $\frac{3}{4}$ inches (= ca. 0.27 m.). Width: 38 $\frac{1}{2}$ inches (= ca. 0.977 m.). Fragment (3): found on the same stone as *Inscriften von Priene* no. 37 ζ, but on the right side of the stone. It contains the first eleven or twelve letters of the beginnings of lines 8-14. Height: 20 inches (= ca. 0.50 m.). Width: 34 inches (= ca. 0.864 m.). Fragment (4): contains the ends of lines 8-13. Height: 9 inches (= ca. 0.228 m.). Width: 13 $\frac{3}{4}$ inches (= ca. 0.349 m.).

- A [- - - - - ἐς] τιν· καὶ περ[ὶ ὧν οἱ]
 [ἀποσταλέντες παρὰ Πιρηνέων πρεσβευταὶ ἄνδρες καλοὶ καὶ ἀγαθοὶ καὶ φίλοι
 πα[ρὰ δήμου]
 [καλοῦ καὶ ἀγαθοῦ καὶ φίλου λόγους ἐποιήσαντο συμμαχίαν τε ἀνενεώσαντο,
 [καὶ πε-]
 [ρὶ τῆς χώρας, ἣν λέγουσιν ἑαυτῶν γενέσθαι πρὶν ἐλθῆναι] θέναι εἰς ἐκείνην τὴν
 χώραν M[άν-]
 5 [λιον καὶ τοὺς δέκα πρεσβευτάς, ὅπως ταύτην ἔχ]ωσιν· καὶ ὅσα κριτήρια
 κεκριμένα εἰς[ὶ]
 [περὶ ταύτης τῆς χώρας, ὅπως ταῦτα πάντα ἄναν]ξεωθῇ καὶ φιλανθρώπως {τε} αὐτοῖς
 ἀποκρι-
 [θῇ· ἔδοξεν· καὶ ὅσα Πιρηνεῖς λέγουσιν ἐπὶ το]σαῦτα ἔτη κατέχειν ἐκείνης τῆς
 χώρας,
 [περὶ τούτων οὕτω, καθὼς καὶ Ῥόδιοι κ]ε[κ]ρίκασιν, οὕτως δοκεῖ εἶναι· εἰ δὲ τί
 ἐστίν
 [ἐναντίον ὧν ὠρισμένα ὑπὸ Ἀντι]γόνου ἐστίν, οὕτως φαίνεται δεῖν εἶναι· ξενία
 τε αὖ-
 10 [τοῖς ἀποστείλαι τὸν ταμίαν ἕως ἀπὸ νό]μων σηστερτίων ἑκατὸν εἴκοσι πέντε
 καθ' ἐκάστην
 [πρεσβείαν], καθὼς ἂν αὐτῶι ἐκ τ[ῶν δημοσίων πραγμάτων βελτιστα (?)
 φ]αίνη[τ]αι· ἔδοξε[ν].
 B(1) Δόγμα τὸ κομισθὲν παρὰ τῆς συ[γκλήτου] Ῥωμαίων ὑπὸ τ[ῶν ἀποσταλέντων] (2)
 πρεσβευτῶν ὑπὲρ τῶν πρὸς Σαμίους·
 Σέροιοι Φόλοιοι Κοίντου υἱὸς στ[ρατηγὸς] ὕπατος τῇ συκλήτῳ συνεβουλεύσατο
 ἐγ κομετίῳ πρὸ ἡμε-

- ρῶν πέντε εἰδυῶν Φεβροαρίων. γραφομ[ένωι παρ]ῆσαν Λεύκιος Τρεμήλιος Γναίου
 Καμελλία, Γάιος Ἄννιος Γαίου
 Καμελλία, Λεύκιος Λευκίου Πο[λλία. π]ερὶ ὧν Σάμιοι πρεσβευταὶ
 Τηλέμαχος Μάτρωνος, Λεων Λέοντος,
 5 ἄνδρες κα[λοὶ κ]αὶ ἀγαθοὶ καὶ φίλοι παρὰ δῆμο[υ καλοῦ] καὶ ἀγαθοῦ καὶ φίλου
 συμμάχου τε ἡμετέρου ν λόγους ἐποίησαντο
 κατὰ πρό[σ]ωπον πρὸς Πριην[ε]ῖς π[ερὶ χ]ώρας [καὶ ὀρίων, ὅπως ὦσιν], καθῶς
 Γναῖο[ι]ς Μάνλιος καὶ οἱ δέκα πρεσβευταὶ διέταξαν
 [μετὰ τὸν πρὸς Ἀντίοχον πόλεμον· καὶ περὶ ὧν Πριηνεῖς πρεσβευταὶ
 - - - - -]ρου, ν Ἀνα[ξ]ί[- - - - -],
 (3) [Ζ]ηνόδοτος Ἀρ[τέμωρος] ἄνδρες καλοὶ ἀγαθοὶ καὶ φίλοι π[αρὰ δῆμου κα]λοῦ (4)
 καὶ ἀγ[αθοῦ] συμμάχου τε [ἡμετέρου]
 λόγους ἐποίησα[ν]το κατ[ὰ] πρόσω[πον] πρ[ὸς] Σαμίου[ς] περὶ χώρας καὶ περὶ ὀρίων,
 ὅπως οὕτω[ς] ὦσιν, καθῶς ὁ δῆμος ὁ Ῥοδίων
 10 ἐκατέρων θελόν[τ]ων ἔκριεν· περὶ τούτου τοῦ πράγματος[ς] ἀποκρι[θῆναι] οὕτως
 ἔδοξεν· ἡμῖν οὐκ εὐχ[ερ]ές {εἶναι} ἐστὶν μετα-
 θεῖναι ἃ ὁ δῆμος ὁ Ῥοδίων ἐκατέρων θελόντων κέκρι[κε κ]αὶ ὀρ[ισμὸν] πεποιήται,
 τοῦ μ[ῆ] τούτῳ τῶι κρίματι καὶ τού[τοις τοῖς ὀρίοις ἐμμενεῖ]ν ἔδοξεν·
 ἐμμείνωσιν· τ[ούτ]ῳι τε τῶι κρίματι καὶ τού[τοις τοῖς ὀρίοις ἐμμενεῖ]ν ἔδοξεν·
 τούτους τε ξένιον εἰς ἐκάστην πρεσβείαν ἔως
 ἀπὸ σσητερτίων νόμων ἐκατὸν εἴκοσι [Σέρωνιος Φ]όλ[ο]υιος Κοίντου ὑπατος τὸν
 ταμίαν ἀποστεῖλαι κε[λευσάτω καὶ πραξάτω],
 καθῶς ἂν αὐτῶι ἐκ [τ]ῶν δημοσίων πραγμάτων [καὶ τῆς ἰδίας πίσ]τε[ως]
 φαίνεται. ἔδοξεν.

A Text with restorations as given by Hiller in his *Die Inschriften von Priene*, but in lines 1-3 and 10 Hicks had already given the restoration, suggesting, however, ἀφικόμενοι instead of ἀποσταλέντες in line 2. Viereck originally had περὶ ὧν Σάμιοι in lines 1-2, which he later abandoned (notes).

B 4 After Καμελλία space for a single letter is unscripted. Similar spaces are seen in lines 5 and 7. 8 [Ζ]ηνόδοτος, brackets omitted in *S.I.G.*³; Ἀριστάρχου, Le Bas-Waddington, Hiller, but corrected by Viereck; for the name see *Die Inschriften von Priene*, no. 60, l. 10. 10 {εἶναι} is the stone-cutter's own error. 11 τοῦ μ[ῆ]: The scribe seems to have confused two constructions, τοῦ μ[ῆ]... ἐμμενεῖν and ἵνα μ[ῆ]... ἐμμείνωσιν (Viereck, notes).

On the mainland opposite Samos lies the rich plain of Anaea. The ownership of the southern part of this land, called Batinetis, was a long-standing controversial issue between Samos and Priene. The beginnings of the controversy may be found as far back as about 700 B.C., when the city of Melia, located in that area, was destroyed by a combination of enemies and its surrounding territory divided among its neighbors.¹

¹ The two most important documents for the history of the quarrels between Samos and Priene are Hiller's *Inschriften von Priene*, no. 37, the first forty-four lines of which are to be found in *S.I.G.*³, 599, and *Inschriften von Priene*, no. 500 (= *O.G.I.S.*, 13 = Welles, *op. cit.*, no. 7). The first of these is a

Samians and Prieneans promptly moved in and took possession. When the arrangements then made between them for the division of the land were interrupted by the Cimmerian invasion under Lygdamis in the third quarter of the seventh century, all the Samians and Prieneans living there were forced to leave. After the departure of Lygdamis some years later, the Prieneans and a limited number of the Samians returned to Batinetis, the Prieneans apparently in the majority.² Relations between the two cities later in the early sixth century became so strained that a war of seven years' duration was fought. At the conclusion of hostilities a peace treaty was drawn up which appears to have left Priene in possession of much if not all of the land.³ After a lapse of three centuries, during which time we know nothing of the situation, we learn that King Lysimachus in 283/82 B.C. arbitrated a dispute between the cities concerning the very same piece of land. He awarded the victory to Samos.⁴ About a century later (ca. 196–192 B.C.) we find the Rhodians in the role of arbitrator in still another quarrel between them, this time over the possession of the fortress Carium and the surrounding area of Dryoussa. This fortress apparently was located southwest of Batinetis and had been a part of the disputed territory from the very earliest times. The Rhodian tribunal awarded the victory to Priene.⁵ The southern plain of Anaea therefore had been the principal cause of friction between Samos and Priene for five centuries before the Romans interfered in Greek politics.

The present documents, both of them decrees of the Roman Senate, may be said to have brought a more lasting solution to the problem of the possession and boundaries of the Batinetis and adjoining regions. Both of them are here grouped together, for there has been some question about the exact relationship of one to the other. Are they separate parts of the same decree, or do they represent two separate documents? After a careful consideration of the previous theories Hiller concluded that they were two decrees and that A preceded B in time.⁶ The fact that line 11 of A rests upon the same block that contains the first six lines of B is not, however, conclusive proof that A was immediately followed by B, for line 11 might have belonged to some other decree now lost. But Hiller felt that they went together. Clearly both of them are concerned with the question of land, and it is here believed that they are indeed two separate decrees.

long inscription of some 170 lines dating from about 196–192 B.C. and records in detail the dispute between Samos and Priene as argued before a Rhodian tribunal. The second is a letter of King Lysimachus to Samos in which that city's possession of the Batinetis is confirmed. The commentaries of Hiller and Welles are very valuable, but the following works should also be consulted: Ulrich von Wilamowitz-Moellendorf, *Sitzungsberichte der Königlich Preussischen Akademie der Wissenschaften, Phil.-hist. Klasse*, 1906, pp. 41ff. (= *Kleine Schriften*, V, 1, pp. 128ff.); Th. Lenschau, *Klio*, 36 (1944): 227ff.; Magie, *op. cit.*, pp. 892–93, n. 99. There is a good summary in Tod, *op. cit.*, pp. 135–40.

² Welles, *op. cit.*, no. 7, ll. 14–20.

³ For this war see Plutarch 295 F–296 B.

⁴ Welles, *op. cit.*, no. 7.

⁵ Hiller, *op. cit.*, no. 37; see p. VI for location of Carium.

⁶ *Ibid.*, no. 40, p. 46.

A. It appears reasonable to assume that the date of this decree is prior to that of B, perhaps even in the immediately preceding year. And if the restorations are correct, or even approximately correct, the subject matter must have concerned the effect that the Treaty at Apamea had upon the question of Priene's territorial possessions. It would not be rash to suggest that the possession of the Batinetis or the nearby fortress of Carium was at stake, but some other tract of land cannot be excluded. There is the possibility that this decree resulted from an early attempt on the part of Priene to obtain a senatorial ruling on the justice of the territorial arrangement of the Batinetis as made by Manlius and the Ten Commissioners in 188 B.C. Since the second decree (B) invalidates the arrangement made by Manlius, the first may have been an earlier step in this direction. The fragmentary nature of A, however, makes any positive statement about it virtually impossible.

B. The mention of the consul Servius Fulvius Q. f. (Flaccus) dates this decree in 135 B.C.⁷ Here again we find Samians and Prieneans at odds over the possession of the same land that had been the origin of their quarrels over five hundred years before. Samians request the Senate to respect and uphold the arrangement of land made by Manlius and his commissioners, and Prieneans ask the Senate to uphold the decision of the Rhodian tribunal (ca. 196-192 B.C.). The Senate rules that it cannot very well change the dispositions previously made by Rhodes and that the Prienean claim is to be upheld. From this simple fact it becomes clear that the territorial concessions made at Apamea by Manlius with respect to Samos and Priene were in conflict with the Rhodian decision. Bribery has been suggested as the reason which prompted Manlius to favor the Samians at Apamea.⁸ Since the main result of the Rhodian arbitration was the awarding of Carium and Dryoussa to Priene, the present decree guaranteed Prienean possession of that area.

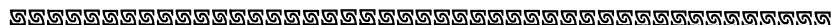
⁷ Broughton, *Magistrates*, I, 488-89.

⁸ See note 5 in *S.I.G.*³, 688, where reference is made to Polybius 21. 35. 4 and Livy 38. 42. 11 in order to show that Manlius was quite willing to accept money in return for Roman favors. His conduct in the Galatian campaign (Livy 38. 12-25) could also be cited to prove his venality.

11

SENATUS CONSULTUM POPILLIANUM DE PERGAMENIS [Squeeze]

Latter part
of 133 B.C.?



BIBLIOGRAPHY. A. Conze and C. Schuchhardt, *Athen. Mitt.*, 24 (1899), no. 61, pp. 190-97, with supplements by Wilamowitz and Mommsen (cf. *Gesammelte Schriften*, 4: 63-68); R. Cagnat and M. Besnier, *Revue archéol.*, *Troisième série*, 35 (1899), no. 200, p. 509; P. Foucart, "Formation de la Province Romaine d'Asie," in *Mémoires de l'Académie des Inscriptions et Belles-Lettres*, 37 (1904): 313; W. Dittenberger, *O.G.I.S.*, II (1905), 435; G. Lafaye, *I.G.R.R.*, 4 (1927): 301; H. Last, *C.A.H.*, IX (1932), 103; T. R. S. Broughton, "Roman Asia," in T. Frank, *An Economic Survey of Ancient Rome*, IV (Baltimore, 1938), 508; M. Segre, *Athenaeum*, 16 (1938): 123ff.; M. I. Rostovtzeff, *S.E.H.H.W.*, II (1941), 811 (with n. 83 on p. 1524); G. I. Luzzatto, *Epigrafia giuridica greca e romana* (Milan, 1942), chap. 5, pp. 111-43; E. V. Hansen, *The Attalids of Pergamum* (Cornell, 1947), pp. 141-42; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 33, and II, 1033-34, n. 1; Lewis-Reinhold, *Roman Civilization*, I (New York, 1951), 321-22; T. R. S. Broughton, *The Magistrates of the Roman Republic*, I (New York, 1951), 496-97, n. 1; G. Tibiletti, "Rome and the Ager Publicus: the Acta of 129 B.C.," *J.R.S.*, 47 (1957): 137, n. 17; J. Vogt, *Atti del terzo congresso internazionale di epigrafia greca e latina* (Rome, 1959), pp. 45-54; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 42; A. H. J. Greenidge and A. M. Clay, *Sources For Roman History 133-70 B.C.*, 3d ed. by E. W. Gray (Oxford, 1960; corrected reprint, 1961), p. 12.

DESCRIPTION. The stone is white marble, broken on all sides. Height: 0.28 m. Width: 0.21 m. Height of letters in lines 3-21: 0.006 m. Height of letters in line 2 and apparently also in line 1: 0.013 m. The lettering is very beautifully and carefully executed, with *apices* used throughout.

[- - - - -] Σ [- - - - -]
 Συνκλ[ήτου δόγμα]
 [Γ]άιος Ποπίλλιος Γαίου υἱός σ[τρατηγός τῇ συγκλή-]
 [τ]ωι συνεβουλεύσατο πρὸ ἡμ[ερῶν - - - - -]
 5 [. . .] ἐμβρίων· περὶ ὧν λόγους ἐπ[οιή - - - περὶ τῶν ἐν Περγᾶ-]
 [μ]ωι(?) πραγμάτων, τίνες ἐντολ[αὶ ἔσονται τοῖς εἰς]
 [Ἀ]σίαν πορευομένοις στρατηγοῖς, ὅ[σα ἐν Ἀσίαι εἰ-]
 [ω]ς τῆς Ἀττάλου τελευτῆς ὑπὸ τῶν βασιλέων]
 [δι]ωρθώθη ἐδωρήθη ἀφέθη ἐξημῶ[θη ὅπως ταῦτα ἦι]
 10 [κῦ]ρια, ὑπὲρ τούτου τῇ συνκλήτῳ οὕ[τως ἔδοξε· περὶ]
 [ὧν Γ]άιος Ποπίλλιος Γαίου υἱός στρατη[γὸς λόγους ἐ-]
 [ποιή]σατο, περὶ τούτου τοῦ πράγματος[ς οὕτως ἔδοξε·]
 [ὅ]πως ὅσα βασιλεὺς Ἀτταλος οἱ τε λο[ιποὶ βασι-]
 [λεῖς] διώρθωσαν ἐξημίωσαν ἢ [ἀφῆκαν ἐδωρήσαν-]
 15 [το, ὅ]σα τούτων ἐγένετο πρὸ μιᾶς [ἡμέρας πρὶν ἢ]
 [Ἀττ]αλον τελευτῆσαι, ὅπως ταῦτ[α κύρια ἦι στρατη-]
 [γο]ί τε οἱ εἰς Ἀσίαν πορευόμενοι μὴ κινῶσι τὴν δια-]
 [θήκ(?)ην, ἀλλὰ ἐῷσι κύρια μένειν, [ἅπαντα καθὼς ἡ σύνκλη-]
 νν τος ἐπέκριν[εν.]
 20 [Γραμ]μάτων [Πο]πλίου Σερούιλ[ίου - - - - -]
 [. . .] υ[π]ε[ρ] - - - - -]

1 The bottom of the *sigma* and the lower ends of the next letter (*ι* /) appear to be in letters larger than those of lines 3–21, but absolute certainty is not possible. Presumably this is the last line of a document quite different from the present decree. 2 In large letters: 0.013 m. 5–6 ἐν Περγᾶμ[ω]ι, Wilhelm, but restoration is not positive. 7–8 ὅσα ἐν Ἀσίαι μέχρις Conze–Schuchhardt; ἔω]ς, Dittenberger. 9 ἀφέθη, stone-cutter's error? ἀφείθη, Viereck (notes). 9–10 πότερον ἢ κῦ]ρια Conze–Schuchhardt. 14 ἢ [ἀφῆκαν, Conze–Schuchhardt; ἢ[φίεσαν, conjecture of Dittenberger. 17 μηδὲν κινῶσιν, Conze–Schuchhardt; μηδὲν κινῶσι μάτ]ην, Dittenberger; μὴ κινῶσι τὴν διαθήκ[ην], Foucart, followed by Viereck (notes). 18 πλὴν ὅσα ἡ σύνκλητος, Conze–Schuchhardt. 19 Since there is an empty space at the beginning of this line, it has been assumed (Dittenberger, Viereck) that the text of the decree ends in this line. 20 This is probably the beginning of a new document. All previous editors record only Ποπλίου, but the horizontal bar and the vertical hasta of the *pi* appear plainly on the Berlin squeeze. With γραμ]μάτων one expects to find the word ἀντίγραφον (Dittenberger and Viereck). 21 Viereck (notes) reads ΥΤΕΥ, and on the squeeze it is possible to detect one upper bar of the *upsilon*, but the trace is too minute to be positive. For P. Servilius Isauricus see his letter to the Pergamenes (No. 55).

COMMENTARY. When Attalus III died in 133 B.C. he bequeathed the Pergamene kingdom to Rome, with the stipulation that the city of Pergamum and its civic territory were to be free.¹ It has been suggested that the motives for his action may be found in the social and economic conditions which prevailed in the Pergamene kingdom at the

¹ For conditions in the Pergamene kingdom during the reign of Attalus III see Rostovtzeff, *op. cit.*, pp. 806–11; Hansen, *op. cit.*, pp. 134–42; Magie, *op. cit.*, I, 30–33 and II, 1033–37, nn. 1–8.

time.² Although the bourgeoisie of Pergamum, like that of Asia in general, enjoyed prosperity and security, the working classes were poor and discontented. The whole kingdom may have been hovering on the brink of a social upheaval. At any rate, Attalus left the kingdom to Rome. Very soon after his death Aristonicus, the illegitimate son of Eumenes, disputed the will and began to gather support for a revolt. The resulting war continued until 129 B.C., when a Roman army under Manius Aquillius succeeded in restoring peace. The province of Asia was then formed.

The present senatorial decree was passed sometime between 133 and 129 B.C., and in the latter part of one of those years, but the exact year is unknown. If we knew when C. Popillius C. f. was praetor, we could date it very precisely, but unfortunately he is otherwise unknown. The traditional view of scholars has been that the date is 133, immediately after Rome learned of the bequest and before any news of the revolt started by Aristonicus had reached the Senate,³ but Magie has challenged this on the ground that a praetor could convene the Senate only when both consuls were absent from Rome.⁴ Since he did not believe that both consuls had been absent in 133, he favored the year 129 when such was the case. And since Aristonicus is not mentioned in the decree, Magie felt obligated to account for this omission and explained it by the fact that by late 129 the war was already over and there was no longer any need to mention him or the war. Broughton, however, rejects this view and champions the older theory that the date is 133, reminding us that one of the consuls for that year, L. Calpurnius Piso Frugi, was in Sicily and the other, P. Mucius Scaevola, might have left Rome for some unknown reason late in the same year.⁵ Support for this older date, he believes, may be found in the relation between this decree and the *Senatus Consultum de Agro Pergameno* (No. 12). He argues that the latter decree, which concerns land disputes brought about by the formation of the new province, was probably passed in 129 and that such disputes could hardly have arisen before the general principles of governing the whole province had been stated. Hence the present decree must have preceded it.

It would appear therefore that the date of 133 B.C. is indeed the correct one, but it cannot be stated positively. The purpose of the decree is to record the Senate's ratifica-

² Rostovtzeff, *loc. cit.*; see also Hansen, *op. cit.*, p. 140.

³ It must have been passed toward the end of the year, for the document itself (ll. 4-5) shows that it was between the Ides of August and the Ides of December. Mommsen, Dittenberger, Foucart, and others favor 133 as the date. For the very early beginning of the revolt of Aristonicus see J. Vogt, *loc. cit.*

⁴ For his arguments see his *Roman Rule in Asia Minor*, II, 1033-34, n. 1.

⁵ Broughton, *Magistrates*, I, 496-97. Although it is true that a praetor would normally convene the Senate only in the absence of both consuls, it is a point worth remembering that occasionally the consuls could empower a praetor to convene the Senate even when they were present in the city. See the full discussion and citation of sources by Mommsen, *Römisches Staatsrecht*, II³, I, 129-31 and 232-33. But since the consul could prevent a meeting of the Senate by his *intercessio*, this situation is only likely to arise when the consuls give their approval. Sickness, for example, could easily prevent a consul from convening the Senate, and, if the other consul was absent from the city and if the situation was sufficiently important, a praetor could be authorized to convene the Senate with the consul's approval.

tion of the will of Attalus and to guarantee his acts and those of his predecessors up to one day before his death. All future Roman governors will honor those acts [and make no changes without good reason]. This final clause may mean that no drastic changes in the internal arrangements of the country as established by the Attalids were to be made by the Romans. Roman rule would be substituted for Attalid rule. However, since part of the text is missing at this point, due caution is best.⁶ A sweeping generalization of this sort in the decree would be a very effective means of softening the fears of the Pergamene bourgeoisie, who might see a possible reversal of their economic security. Perhaps even at this early date (late 133) Rome had been informed of their fears and of the general discontent among the people and had used this opportunity to reassure them.

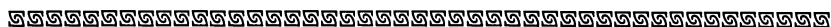
⁶ The restoration of διαθήκ]ην in ll. 17-18 appears incorrect to the present writer, but I can suggest nothing else except possibly μὴ κινῶσιν αὐτὰ μάτ]ην. The phrase ἀλλὰ ἕως κύρια μένειν points to a neuter plural noun or pronoun in the clause immediately preceding.

12

SENATUS CONSULTUM DE AGRO PERGAMENO

129 B.C.?

[Squeeze]



BIBLIOGRAPHY. Copy A (Adramyttium): G. Earinos, *Ἰωνία* 1877, no. 111; *idem*, "Ομηρος, September, 1877, p. 396 (cf. also Μουσείον και Βιβλιοθήκη τῆς Ἐναγγελικῆς Σχολῆς, [1875], 137); T. Homolle, *B.C.H.*, 2 (1878): 128–32; E. Pottier and A. Hauvette-Besnault, *B.C.H.*, 4 (1880): 376; Th. Mommsen, *Ephemeris Epigraphica*, 4 (1881): 213–22 (*Gesammelte Schriften*, 8: 344–55); P. Willems, *Le Sénat de la république romaine*, 1² (Paris, 1885), 693–708; P. Foucart, *B.C.H.*, 9 (1885): 401–3; Th. Mommsen, *Römisches Staatsrecht*, III¹, 2 (Leipzig, 1888), 967–68, n. 4; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. XV, p. 62; P. Foucart, *Mémoires de l'Académie des Inscriptions et Belles-Lettres*, 37 (1904): 337ff.; T. Wiegand, *Athenische Mitt.*, 29 (1904): 267; C. Cichorius, *Untersuchungen zu Lucilius* (Berlin, 1908), pp. 1–6, 9; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 12, p. 268; G. Lafaye, *I.G.R.R.*, IV (1927), 262.

Copy B (Smyrna): F. Miltner and Selahattin Bey, *Türk Tarih, Arkeologya ve etnografya Dergisi*, II (1934), 240–42 (*A.E.*, 1935, no. 173); A. Passerini, *Athenaeum* 15 (1937): 252–83; M. Segre, *Athenaeum*, 16 (1938): 124; L. Robert, *Anatolian Studies Presented to William Hepburn Buckler* (Manchester, 1939), pp. 227–30; G. I. Luzzatto, *Epigrafia giuridica greca e romana* (Milan, 1942), pp. 136–41; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 1055–56, n. 25; T. R. S. Broughton, *The Magistrates of the Roman Republic*, I (New York, 1951), 496–97; G. Tibiletti, *J.R.S.*, 47 (1957): 136–38; T. R. S. Broughton, Supplement to *The Magistrates of the Roman Republic* (New York, 1960); L. R. Taylor, *The Voting Districts of the Roman Republic*, American Academy in Rome, Papers and Monographs XX (Rome, 1960), pp. 170–75; A. H. J. Greenidge and A. M. Clay, *Sources for Roman History 133–70 B.C.*, 3d ed. rev., by E. W. Gray (Oxford, 1960), app. II A, p. 278; J. H. Oliver, *Greek, Roman and Byzantine Studies*, 4 (1963): 141–43; C. Nicolet, *L'ordre équestre à l'époque républicaine (312–43 av. J.-C.)*, I (Paris, 1966), 348–50; R. K. Sherk, *Greek, Roman and Byzantine Studies*, 7 (1966): 361–69.

DESCRIPTION. Copy A: found not far from the ancient site of Adramyttium: Height: 0.700 m. Width: 0.300 m. Height of letters: 0.010 m. I have examined the Berlin squeeze. Earinos dated it according to the lettering in the last twenty or thirty years of the second century B.C.

Copy B: discovered in the agora of Smyrna, where it is still to be seen, at the west end of the north basilica. Height: 1.17 m. Width: 0.82 m. Thickness: 2.31 m. Originally it may have been the anta block of a large

public building in the ancient agora. The inscribed surface, on the front face, is damaged on all sides but still contains the largest of the fragments (a). Fragment b is cemented to the block and measures 0.21 m. in height, 0.25 m. in width. A new break in this fragment has obliterated many of the words and letters once seen by Passerini. Fragment c is a mere sliver, containing 14 letters of the text at the ends of lines 34-36. Fragment d is 0.10 m. high on the left, about 0.18 m. high on the right, 0.12-0.13 m. wide, and contains part of eight lines belonging to the ends of lines 45-52. A new photograph and a new squeeze of fragments a and b have been made by Mr. Pierre MacKay. These have been used in the preparation of the present text.

The letters of the fragments vary in size from 0.010 m. to 0.015 m. in height and are sometimes squeezed quite tightly together so that as many as 75 or as few as 58 might appear in a given line. On the evidence of the lettering, Segre (*apud* Passerini, *op. cit.*, p. 254) estimated that the inscription had been engraved in the first century B.C. Besides the four fragments containing the present decree of the Senate and the magistrate's *sententia*, there are two other fragments (e and f) belonging to the same dossier. They preserve part of a letter written by Julius Caesar (No. 54) and another document which recorded *inter alia* the boundaries of Pergamene land (see L. Robert, *loc. cit.*). These facts make it likely that the question of Pergamene land was raised again in the middle of the first century B.C. and that then all the documents bearing on the matter were engraved in a large dossier on the anta block of the building. Hence the date of the engraving proves nothing about the date of the senatorial decree. *Apices* are used throughout. *Beta* has a larger lower loop. The two bars of the *upsilon* meet the lower vertical bar very near the bottom.

[-----] Frag. b (1-9)

[----- ca. 40 -----] καὶ πε[ρὶ ---- ca. 15 ----]

[----- ca. 25 ----- περὶ τούτου τ]οῦ πράγματ[ος οὕτως ἔδοξεν· Περ]-
[γαμηνοὺς πρεσβευτὰς ἀνδρας καλοὺς κάγαθ]οὺς καὶ φίλο[υς παρὰ δῆμου καλοῦ]
[κάγαθοῦ καὶ φίλου συμμάχου τε ἡμετέρου προσ]αγορεῦσαι, χάρι[τα φιλίαν
συμμαχίαν]

5 [τε ἀνανεώσασθαι. περὶ δὲ τῆς χώρας, ἥτις εἰ]ν ἀντιλογίᾳ ἐστὶν κα[ὶ περὶ - - ca. 10 - -]
[- - ca. 10 - ὅπως περὶ τούτων] τῶν πραγμ[ά]των, περὶ ὧν λόγους ἐπ[οιήσαντο,
ca. 6 - -]

[- - στρατηγὸς κατὰ δῆμον? ἐ]πιγινῶ τίνας ὁρο[ι] Περγαμηνῶν εἰσίν, [ἐὰν αὐτῶ
φαίνεται]

[- - - ca. 20 - - - ὅρι?]σμα ὑπέχειρμε[νο]ν πεφυλαχ[μένον ἐστὶν μὴ καρπίζεσθαι?]
[καὶ Μάνιος Ἀκύλλιος Γάιος Σεμπρώ]νιος ὑπάτοι ἀνὰ μέ[σ]ον αὐ[τῶν φροντίσας
ὅπως ἦ]

10 [αὐτοὶ ἡ - - ὁ δεῖνα - - στρατ]ηγὸς κατὰ δῆμον, [φ]αίνεται αὐτῶν φαίνεται, τοῦτο ὁ αὐ[τῶν]
[ὁ δεῖνα στρατηγὸς κατὰ δῆμον?] ἐπιγινῶ περὶ τούτων τῶ[ν] πραγμάτων εἰς τὴν
σύγκλητον]

[ἀπαγγελῶσι. Ὡσαύτως τῇ]ν σύγκλητον θέλειν κα[ὶ δίκαιον ἡγεῖσθαι ἐκ τε τῶν]

- [ήμετέρων δημοσίων] πραγμάτων διαλαμβάνειν [εἶναι ὅπως, οὕτως καθὼς ἂν τῷ
δεῖνα]
- [στρατηγῷ κατὰ δῆμον? δοκῇ] περὶ τούτων τῶν πραγμάτων, [ἄρχοντες ἡμέτεροι, οἱ
τῇ Ἀσίᾳ]
- 15 [προσόδους ἐπιτιθῶσιν ἢ] τῆς Ἀσίας τὰς προσόδους μι[σθῶσιν, φροντίζωσι οὕτως
ὥς ἂν]
[αὐτοῖς ἐκ τῶν δημοσίων π]ραγμάτων πίστεώς τε τῆς ἰδίας[ς φαίνεται, ταῦτα οὕτως
ποιεῖσθαι?]
[ὅπως τε Μάνιος Ἀκ]ύλλιος ὕπατος, ν ἐὰν αὐτῷ φαίνεται, ΘΙ[- - nomina legatorum
ca. 20]
- [τόπον παροχῇ] ξενία τε κατὰ τὸ διάταγμα {ἐὰν αὐτῷ φαίν[ηται] τὸν ταμίαν
μσθῶσαι]
- [ἀποστεῖλαί τε κελεύ]ση οὕτως καθὼς ἂν αὐτῷ ἐκ τῶν δημοσίων [πραγμάτων
πίστεώς τε]
- 20 [τῆς ἰδίας φαίνεται. ἔδο]ξεν. ν Κρίμα περὶ τῆς χώρας. ν Δέλτος ν Β ν
κ[ήρωμα - - - - - πρὸ]
[ἡμερῶν τριῶν καλανδῶ]ν Κοινκτειλίων ἐγ Κομετίω μετὰ συμβουλ[ίου - - - ὁ
δεῖνα - - - - -]
- [στρατηγὸς κατὰ δῆμον?] περὶ χώρας ἣτις ἐν ἀντιλογία ἐστὶν δημοσ[ιῶναις πρὸς
τοὺς Περ]-
[γαμηνοὺς ἐπέγνω(?). ἐν τῷ συμ]βουλίῳ παρήσαν Κόιντος Καικίλιος Κόιντος
Ἀνιήνης, Γάιος]
[...ιος Γαίου Με]ννία, Μάρκος Πούπιος Μάρκου Σκαπτία, Γά[ιος
Κορνήλιος Μάρκου]
- 25 [Στελατεῖνα, Λεύ]κιος Μέμμιος Γαίου Μεννία, Κόιντος Οὐάγιος [Μάρκου
...λίξ,]
[Λεύκιος Ἰούλιος Σέξτ]ου Φαλέρνα, Γάιος Ἀννιος Γαίου Ἀρνήνης, Γάιος
[Σεμπρώνιος Γαίου]
[Φαλέρνα, Γάιος Κοίλι]ος Γαίου Αἰμιλία, Ποπλιος Ἀλβιος Ποπλίου Κυρίνα,
[Μάρκος Κοσκίω]-
[γιος Μάρκου Τηρητ]εῖνα, Πόπλιος Γέσσιος Ποπλίου Ἀρνήνης, Λεύκ[ιος
Ἀφείνιος]
[Λευκίου Ὠφεντεῖ]να, Γάιος Ρούβριος Γαίου Πουπεινά, Γάιος Δικίνιος Γαίου
[Τηρη]-
- 30 [τεῖνα, Μάρκος Φα]λέριος Μάρκου Κλανδιά, Μάνιος Λευκεῖλιος Μάρκου
Πω[μεντεῖνα,]
[Λεύκιος Φί]λιος Λευκίου Ὠρατία, Γάιος Δίδιος Γαίου Κυρίνα, Κόιντος [Κλαύδιος]
[Ἀππίου Πολλία,] Λεύκιος Ἀνθέστιος Γαίου Μεννία, Σπόριος Καρουί[ος
Λευκίου]
[Σαβατεῖνα,] Πόπλιος Σεῖλιος Λευκίου Οὐαλερία, Γναῖος Ὀκτάι[ος Λευκίου]
[Αἰμιλία, Μά]ρκος Ἀπολλήιος Μάρκου Καμιλία, Λεύκιος Ἀφείνιος Λε[υκίου]

Frag. c

- 35 [Λεμωνία, Γάιος] Ναύτιος Κόιντου Ουτέριξας, Γάιος Νεμετώριος Γαί[ον Λ]εμ[ω]-
[νία, Λεύκιος Κορνή]λιος Μαάρκου Ῥωμιλία, Γναῖος Πομπήσιος Γναΐου Κρ[οσ]τομέι-
[να, Πόπλιος Ποπίλ]λιος Ποπλίου Τηρητηένα, Λεύκιος Δομέτιος Γν[αίου Φαβία],
[- - ca. 15 - Μαάρ]κου Πουπ<ε>νία, Μάαρκος Μούνιος Μαάρκου Λεμ[ωνία, - -]
[- - ca. 15 - -]ου Λεμωνία, Κόιντος Ποπίλλιος Ποπλίου Ῥωμι[λία,]
40 [- - ca. 12 - Μαι]κία, Κόιντος Λαβέρσιος Λευκίου Μαϊκία, Γάιος Ἐρέν[νιος]
[- - ca. 15 - - -]ος Κόιντου Ὁφεντεένα, Μά<α>ρκος Σέρριος Μαά[ρκου]
[- - ca. 15 - - Τ]ηρητηένα, Λεύκιος Γενύσιος Λευκίου Τηρη[τεινά, - - ca. 10 -]
[- - ca. 15 - - -]α, Λεύκιος Πλαϊτώριος Λευκίου Παπειρία, [- - ca. 15 - - - -]
[- - ca. 15 - - - Μ]άρκος Λόλλις Κόιντου Μενηνία, Γάιο[s - - ca. 15 - - - - -]
45 [- - ca. 15 - - - -]είλιος Σέζτω Καμιλία, Γναῖος Ανθ[ίδιος - - ca. 10 - - -]να, Frag. d
[- - ca. 17 - - - -] Ουελείνα, Λεύκιος Ἀνθέστιο[s - - ca. 13 - - - -]να, Πόπλι-
[ος - - ca. 18 - - -] Σαβατεινά, Μάαρκος [- - ca. 22 - - - - -]ισσε. ν Ἀπό
[συμβουλίου γνώμης γν]ώμην ἀπεφηνάτο τὰύ[την - - ca. 23 - - - - -]νηs
εἶναι δο-
[κεῖ - - ca. 20 - - - -]ωι δs καλεῖται [- - - - ca. 18 - - - - - α]ὕτῳ τῷ ποτα-
50 [μῷ - - ca. 20 - - - - ε]στίν ἐκ τούτου τ[οῦ ποταμοῦ ? - - ca. 10 - - -]ασκωμανειτ[- -]
[- - - ca. 25 - - - - -]σ[. . . τ ?] γμβην [- - - - - ca. 20 - -] ἐγιστα εἰ[ναι]
[- - - ca. 30 - - - - - - -] ἀπό δὲ [- - - - - ca. 25 - - -]ησα[- - - - -]
[- - - ca. 30 - - - - - - -] ὄριον [- - - - - ca. 30 - - - - - - -]
[- - - - - - - - - - - - -]

Restorations are those made by Passerini except where noted. The text is based essentially on a new examination of the photograph and squeeze, except for fragments c and d, which are given as recorded by Passerini. 1 καὶ περὶ, Passerini. 3 φιλ[ους, Passerini. 4 χάρι[τα, Passerini. 5-9 The underlined letters were seen by Passerini but are no longer extant. 7 εἰσ[υ, Passerini. 10 στρατηγός, Passerini. 15 τὰς τῆς Ἀσίας προσόδους, Passerini. 17 Θη[- -, Passerini, but it is difficult to decide what the second letter was. One expects here the name or names of the Pergamene envoys. 20 Cf. No. 14, l. 75: δέλτου ὀγδόης κηρώματι [τεσσαρεσ]καδεκάτω. 21 Κοινκτελιών, Passerini; *KOINKTEΛΙΩΝ*, stone. Copy A begins here and continues to line 37 cf. B. It differs from B in the construction, for it clearly contained an indirect statement: [Ἵμῶς εἰδέναι βούλομαι κεκρίκεναι - - - ὁ δὲ δεινὰ - - - στρατ[ηγ]ὸν [πρὸ ἡμερῶν τριῶν καλανδίων κτλ (Foucart). Passerini explains this difference by the fact that copies A and B were engraved in different periods. Copy A might have been influenced by the letter from Rome which communicated the text of the decree. Other differences between A and B may be due to errors at the time of engraving or in the preparation of the copy. 23 ἐπέγνων (?), Passerini, but perhaps ἐπέκρινεν should not be discounted. 23-47 Parts of names are restored in B only when they are extant in A. It will be best to number each of the names and to treat them in the order of their appearance in B. For the list and the numbers, see below. References here will be to lines. 24 For the tribe of C. . . . ius C. f. there is a mistake in copy A, for it reads *ΜΕΛΙΗΝΙΑ*. 26 The names of C. Annius C. f. Arnensis and C. Sempronius C. f. Falerna, numbers 8 and 9 in copy B, have been delayed until numbers 23 and 24 in A. Taylor (*op. cit.*, p. 171), after consultation with E. Gabba, explained this by pointing out that the tribe in post number 7 is also Falerna. Hence the engraver, when he glanced back from his work on the stone to the list in his copy, saw the Falerna of post number 9

and assumed that he had already engraved it. He discovered his omission later and then entered the two names out of order; copy B, therefore, contains the correct order of names. 29 C. Rubrius C. f. Pupinia. For his tribe, copy A has ΠΟΠΙΛΛΙΑ. 31 L. Filius L. f. Horatia. Copy A has Sabatina for the tribe. Taylor (*op. cit.*, p. 173) believes that copy B is more likely to be correct. 32 L. Antistius C. f. Menenia. In copy A the nomen is given as ANOTIOΣ, confirmed by the Berlin squeeze. Taylor (*op. cit.*, p. 191) correctly labels copy A a mistake; B is again correct. 33 P. Silius L. f. Valeria. This is a mistake in copy B; there was no tribe Valeria (Taylor, *op. cit.*, pp. 255 and 173). Copy A has Galeria, which must be correct. 35 C. Nautius Q. f. Veturia. Mommsen's Ναύτιος is confirmed by the squeeze. 37 L. Domitius Cn. f. Fabia. Copy A breaks off at this name with the reading Λεύκι[ος - - 22 - -]ΕΙΣ. On the Berlin squeeze I was able to make out the top parts of what appeared to be ΥΦΑΒ near the end of that lacuna. Clearly, those traces must be the remains of the tribe of Domitius. Hence copy A at that point may be restored thus: Λεύκι[ος Δομέτιος Γναί]οι Φαβ[ία]; this would confirm the tribe of the Domitii. 40 [- - - - Mae]cia. Passerini failed to notice the *iota* between the *kappa* and the *alpha*. 43 Πλαττώριος, Passerini, but what he took to be the first *tau* is actually an *iota*. 47 The small *vacat* near the end of the line indicates the beginning of a new section. 54 - - -]ε[- - Passerini, but these are not visible.

COMMENTARY. In a famous speech before the assembled representatives of the Greeks in the province of Asia, Marcus Antonius is quoted by Appian (*B.C.* 5. 4ff.) as saying that the Romans had released the Greeks from the taxes which they had formerly paid to the Pergamene kings. Only the action of demagogues (i.e., the Gracchan party in 123 B.C.) had forced them to reverse this decision and to reimpose the taxes. His actual words are: Ὑμᾶς ἡμῖν, ὦ ἄνδρες Ἕλληνες, Ἀτταλος ὁ βασιλεὺς ὑμῶν ἐν διαθήκαις ἀπέλυτε, καὶ εὐθὺς ἀμείνονες ὑμῖν ἦμεν Ἀττάλου· οὗς γὰρ ἐτελεῖτε φόρους Ἀττάλῳ, μεθήκαμεν ὑμῖν, μέχρι δημοκόπων ἀνδρῶν καὶ παρ' ἡμῖν γενομένων ἐδέησε φόρων. Clearly the two events meant here are the acquisition of the Pergamene kingdom after the death of Attalus III in 133 B.C. and the legislation of C. Gracchus in 123 or 122 B.C. The Pergamene kingdom had been willed to Rome by Attalus, but actual possession and organization of the land into the province of Asia had been delayed by the revolt of Aristonicus until 129 B.C. The statement as reported by Appian seems to mean that no *publicani* were engaged in collecting taxes in Asia until they were authorized to do so in 123 or 122 B.C. by the terms of the *lex Sempronia*.

There is no question whatever that C. Gracchus had a law passed in 123 or 122 B.C. which regulated the taxation in Asia. From the references to this *lex Sempronia* in our sources (Cicero *In Verr.* 3. 6. 12; *Scholia Bob.*, p. 157, Stangle ed.; Fronto *Epist. ad Ver.* 2. 1; Appian *B.C.* 5. 4) it is clear that the principal tax imposed on Asia was to be the *decumae*, a tenth of the produce, and that it was to be collected by private agents under contract to the government in Rome through the offices of the censors. This meant, of course, that the *publicani* henceforth would be able to obtain those contracts, for they alone had sufficient experience, organization, and working capital to carry through successfully such a complex operation. They would also be able to collect the *portorium* and the *scriptura*.

Therefore, until the discovery of the present documents from Smyrna, modern scholars have generally felt that Appian was right and that no taxes were collected in Asia by the *publicani* until after 123 B.C. But the present decree of the Senate and its accompanying magisterial decision have caused many scholars not only to doubt the accuracy of Appian's remarks but also to re-examine the scope and intent of the *lex Sempronia*. In the case of the latter, for example, one might ask whether it merely regulated and redefined already existing conditions in Asia or actually introduced a system that had not previously been in force. The contents of these documents are of vital interest to students of Roman Asia and are of exceptional importance for the study of republican prosopography.

Lines 1-20: the *senatus consultum*. The Senate decreed in the usual way to recognize the Pergamene envoys and their city as friends and allies. Concerning the land over which a dispute had arisen between the Pergamenes and the *publicani* (l. 22), a Roman magistrate was to conduct an investigation and then determine what were the *ῥοι* of the Pergamenes. His decision was to be communicated to the Senate. And those who collected the taxes in Asia were to be ordered, apparently (the text is fragmentary), to honor that decision. The consul [- - - - -] *ύλλιος* was then ordered to provide the customary accommodation for the envoys. Such, in the briefest of terms, was the decree proper.

Lines 20-53: the decision of the magistrate and the members of his *consilium*. In order to settle the land dispute between the two parties a Roman magistrate, probably the *praetor urbanus*, conducted an investigation as ordered, and in consultation with his *consilium* of 55 Senators (and *equites*?) reached his decision. The text of this decision (ll. 48ff.) is hopelessly mutilated, and the most that can be said is that it defined the borders or extent of the land rather carefully.

There are two reasons for the major interest in this inscription. First, it appears to indicate that Roman *publicani* were collecting the taxes in Asia before the *lex Sempronia*. The consul in line 17 is most likely Manius Aquillius, who succeeded Perperna in Asia and brought the revolt of Aristonicus to an end. He was consul in 129 B.C., but he spent the next three years in Asia as *proconsul* organizing the new province with the help of a ten-man commission. The phrase in line 17 *ἐὰν αὐτῷ φαίνεται* shows that the consul mentioned there was actually in office. When these points are combined with the fact that, of the two consuls in line 9, one had a name ending in *-nius*, it becomes rather apparent that the year of the decree was 129 B.C., when the two consuls were C. Sempronius and Manius Aquillius. The only other combination of consular names that might fit the mold would be M. Tullius Cicero and C. Antonius, consuls in 63 B.C., a date that seems too late not only because of the lettering in copy A but also because of the age at which some of the members of the *consilium* must have lived.¹ Second, the

¹ A weightier objection to such a date is the possibility that Sulla had deprived Pergamum of her freedom as a result of the city's participation in the Mithridatic War; see the commentary to No. 55. It is known that Julius Caesar had been honored by Pergamum as savior and benefactor for having restored to the god "the city and the sacred territory." And Mithridates of Pergamum in that same

consilium itself is unusually large and without parallel in this regard. It is extremely valuable in the information it gives us about the tribal connections of some famous Roman families and in the simple fact that it is a list of Romans who were all (or partially?) active in the Senate at a single point in time. One assumes they are all senators, but there is a slight possibility that others may have been included. Full identification with known individuals, however, is rendered very difficult because of the omission of *cognomina*.

The assumption of 129 B.C. as the date can be considered reasonable only if it can be shown that the members of the *consilium* were indeed alive and active in the Senate at that time. A list is essential:

1. Q. Caecilius Q. f. Aniensis (Taylor, p. 198).
2. C. . . . ius C. f. Menenia (Taylor, p. 223; Broughton, Supplement to *Magistrates*, p. 33).
3. M. Pupius M. f. Saptia (Taylor, p. 249).
4. C. Cornelius M. f. Stellatina (Taylor, p. 207).
5. L. Memmius C. f. Menenia (Taylor, pp. 233–34; Broughton, Supplement, pp. 40–41).
6. Q. Valgius M. f. . . . lia (Taylor, p. 262; Broughton, Supplement, p. 67).
7. L. Iulius Sex. f. Falerna (Taylor, p. 222; Broughton, Supplement, p. 32).
8. C. Annii C. f. Arnensis (Taylor, p. 190).
9. C. Sempronius C. f. Falerna (Taylor, p. 252).
10. C. Coelius C. f. Aemilia (Taylor, p. 199).
11. P. Albius P. f. Quirina (Taylor, p. 188).
12. M. Cosconius M. f. Teretina (Taylor, p. 208).
13. P. Gessius p. f. Arnensis (Taylor, p. 218; Badian, *Historia*, 12 [1963]: 134).
14. L. Afinius L. f. Oufentina (Taylor, p. 187).
15. C. Rubrius C. f. Pupinia (Taylor, p. 251; Broughton, Supplement, p. 54).
16. C. Licinius C. f. Teretina (Taylor, p. 224; Broughton, Supplement, p. 33).
17. M. Falerius M. f. Claudia (Taylor, p. 213).
18. M'. Lucilius M. f. Pomentina (Taylor, p. 227; Broughton, Supplement, p. 37).
19. L. Filius L. f. Horatia (copy A has Sabatina; Taylor, p. 213).
20. C. Didius C. f. Quirina (Taylor, p. 210).
21. Q. Claudius Ap. f. Pollia (Taylor, p. 203).
22. L. Antistius C. f. Menenia (Taylor, p. 191).
23. Sp. Carvilius L. f. Sabatina (Taylor, p. 201).
24. P. Silius L. f. Galeria (Taylor, p. 255).
25. Cn. Octavius L. f. Aemilia (Taylor, p. 239).
26. M. Appuleius M. f. Camilia (Taylor, p. 192).

period was instrumental, because of his friendship with Caesar, in obtaining Pergamum's freedom; see No. 54. If Pergamum had not been free in 63 B.C., there could hardly have been any dispute with the *publicani* about taxation.

27. L. Afinius L. f. Lemonia (Taylor, p. 187).
28. C. Nautius Q. f. Veturia (Taylor, p. 237).
29. C. Numitorius C. f. Lemonia (Taylor, p. 238).
30. L. Cornelius M. f. Romilia (Taylor, p. 207; Broughton, Supplement, p. 18).
31. Cn. Pompeius Cn. f. Crustumina (Taylor, p. 245).
32. P. Popillius P. f. Teretina (Taylor, p. 247; Broughton, Supplement, p. 49).
33. L. Domitius Cn. f. Fabia (Taylor, p. 211; Broughton, Supplement, p. 23).
34. [-----] M. f. Pupinia.
35. M. Munius M. f. Lemonia (Taylor, p. 236).
36. [-----] Lemonia.
37. Q. Popillius P. f. Romilia (Taylor, p. 247; Broughton, Supplement, p. 49).
38. [-----] Maecia.
39. Q. Laberius L. f. Maecia (Taylor, p. 223).
40. C. Herennius [-----].
41. [---] Q. f. Oufentina.
42. M. Serrius M. f. [---].
43. [-----] Teretina.
44. L. Genucius L. f. Teretina (Taylor, p. 218).
45. [-----]a.
46. L. Plaetorius L. f. Papiria (Taylor, p. 243).
47. Missing.
48. M. Lollius Q. f. Menenia (Taylor, p. 226).
49. C.[-----].
50. [---]jilius Sex. f. Camilia (Badian, *Historia*, 12 [1963]: 132).
51. Cn. Aufidius [---]na (Taylor, p. 196).
52. [-----] Velina.
53. L. Antistius [---]na (Taylor, p. 191).
54. P. [---] Sabatina.
55. M. [-----].

It must be emphasized that it is dangerous to work outward from this list in order to date the documents. The absence of *cognomina* is the weak link. One should postulate a probable date by other means and then examine the names to determine if they tend to support or reject that date. Because of the evidence of the consuls' names in lines 9 and 17 and the consequent probability that the date is 129 B.C., Passerini, Broughton, Taylor, and Badian have examined the names from that point of view and appear convinced that such a date could be correct. At least the names in part can be tentatively identified with known individuals or families. The number of these tentative identifications is admittedly small, but despite the objection of one modern scholar it is sufficient to support the date.

It is generally agreed that the names are listed in the order of rank, as was done in the

listing of witnesses to decrees of the Senate.² Hence, those names that occur near the beginning of the list ought to be the senior *consulares*, followed by the *praetorii*. The others, perhaps two-thirds, were of lower rank. There could have been an age difference of perhaps twenty or thirty years between the men at the head of the list and those at the end. A few of the more important identifications must be mentioned at this point, each one, of course, based on the assumption that the date is 129 B.C.

Q. Caecilius Q. f. Aniensis could be the consul of 143 B.C., Q. Caecilius Q. f. L. n. Metellus Macedonicus. Since his name appears first on the list, he must have been the senior consular.

The man whose name is second on the list could have been the consul of 140 B.C., C. Laelius C. f., as suggested first by Passerini.

The man in post number 7 is most probably the son of the consul of 157 B.C., Sex. Iulius Sex. f. L. n. Caesar, and the father of the consul of 90 B.C., L. Iulius L. f. Sex. n. Caesar.³ Mommsen (*Gesammelte Schriften*, 8: 351) was the first to identify him as the father of the consul of 90 B.C. Passerini, Taylor, and Broughton agree. Thus it is likely that our L. Iulius Sex. f. Falerna in post number 7 is identified with a known family in a known period of time. The three generations are accounted for nicely. The names and the sequence fit. As Broughton put it, this "points to an earlier rather than a later date" for the *consilium*.

L. Domitius Cn. f. Fabia, in post number 33, may have been the son of the consul of 162 B.C., Cn. Domitius Cn. f. L. n. Ahenobarbus (cos. suff.), and the brother of the consul of 122 B.C., Cn. Domitius Cn. f. Cn. n. Ahenobarbus, as suggested by Taylor and followed by Broughton.

Quite a few of the other names can be tentatively identified with known individuals or families in such a way that they create no obstacles to the date 129 B.C. The rest of them are unknown or are too fragmentary to allow any attempt at identification.

Rostovtzeff thought that the date was "almost certainly" 129 B.C. and that taxes were probably imposed on Asia at that time.⁴ He doubted the accuracy of Appian and believed the evidence suggested "that the province of Asia was never (even between the death of Attalus and 129 B.C.) immune from taxation, not even the cities of the province, to say nothing of the parts of the province not organized as cities, and that the appearance in the province of *publicani* was not deferred until the time of C. Gracchus." Such a view naturally requires a reconsideration of the contents of the *lex Sempronia*. If it did not impose the taxes and allow the *publicani* to farm them, what did it do? Passerini and Rostovtzeff both felt that it merely instituted a reform in a system already functioning. For example, it may have introduced the *decumae* as a substitute for older taxes rooted in

² Cf. Mommsen, *Gesammelte Schriften*, 5: 508 and 8: 350; Taylor, *op. cit.*, p. 175.

³ Broughton, *op. cit.*, I, 497. Cf. Passerini, *op. cit.*, p. 266. Taylor, *op. cit.*, p. 222, notes that *Falerna* of copy B may be a mistake for *Fabia*. But copy A has *-va*. The tribe of the Iulii was the *Fabia*.

⁴ S.E.H.H.W., II, 811-13. The date was also accepted by M. Segre, *loc. cit.*; E. V. Hansen, *The Attalids of Pergamum* (Ithaca, 1947), p. 151; Tibiletti, *loc. cit.*; Greenidge and Clay, *loc. cit.*; Nicolet, *loc. cit.*; and H. Hill, *The Roman Middle Class in the Republican Period* (Oxford, 1952), p. 67.

Attalid times, the older taxes either being abolished or changed to conform to this new method. Thus, the *decumae*, *portorium*, and *scriptura* may not have received their final form until 123 B.C. The period between 133 and 129 B.C., of course, must have been one of confusion from this point of view, but even then there is evidence that Rome exacted forced contributions from the Pergamenes for the conduct of the war against Aristonicus.⁵

David Magie, in his monumental work on Roman Asia Minor, objects to the dating in 129 B.C., believes Appian is correct, and places the document in 101 B.C. For him the consuls in line 9 need not necessarily be those of the current year, and the consul of line 17 is more likely to be the younger Manius Aquillius, who was consul in 101 B.C. He thinks that the Lucius Domitius Cn. f. of post number 33 in the *consilium* ought to be the consul of 94 B.C., which would appear to make him too young to have been a member of the *consilium* in 129 B.C. He returns therefore to the view that the *lex Sempronia* introduced Roman taxes into Asia for the first time and that it was not until then that *publicani* began their operations there. His view, however, has not been accepted by the majority of scholars. Broughton was the first to point out its weaknesses by noting that the words *ὑπατος* and *ὑπατοι* in the nominative probably meant the consuls currently in office, that L. Iulius Sex. f. in post number 7 almost certainly was the son of the consul of 157 B.C., and that 129 B.C. was the very time when disputes over land or boundaries would naturally have risen in the new province. And Lucius Domitius Cn. f. could just as easily be the son of the consul of 162 and a brother of the consul of 122 B.C.⁶

The date 129 B.C. appears to be correct. Appian is wrong or, at the very least, guilty of excessive compression in his description of conditions in Asia. Before 123 B.C. taxes in Asia were probably farmed out in the province itself under the control of the governor. The *lex Sempronia* simply established the tithe system and laid it down that contracts in the future would have to be let out in Rome by the censors. Such a course of action would have won C. Gracchus the support of the *equites* and any others involved in the *societates*.⁷ Magie stands alone, as far as I know, in rejecting the date 129 B.C., but the evidence for his view is far less convincing than the view of Passerini, Rostovtzeff, Broughton, Taylor, and all the others.

There remains the question of the *ordo* to which the members of the *consilium* belonged. Willems thought that they were all senators, but Mommsen (*Römisches Staatsrecht*, III, 968) warned that such a *consilium* need not of necessity consist entirely of senators. And after the discovery of copy B Passerini felt that *equites* may have been included in the list. Broughton treated the names in his *Magistrates* on the assumption that they were all senators, and Taylor agreed with him. Syme and Badian, however, were not entirely

⁵ Forced contributions: *I.G.R.R.*, IV, 292 (cf. L. Robert, *Études Anatoliennes* (Paris, 1937), pp. 45–50). These must have been wartime measures introduced by the Romans to help finance the war against Aristonicus. They were not regular taxes. See Magie, *op. cit.*, II, 1045–46, n. 34, and Tibiletti, *op. cit.*, p. 136.

⁶ Broughton, *op. cit.*, p. 497; see also E. Gabba, *Athenaeum*, 32 (1954): 69, n. 3, and P. A. Brunt, *Latomus*, 15 (1956): 23.

⁷ Badian, *Foreign Clientelae*, pp. 183–84.

convinced and felt that nonsenators might have been included.⁸ The mutilated state of the list and the lack of *cognomina* make it almost impossible, with the present evidence, to decide this question one way or another, especially in view of the fact that the names become more mutilated toward the end of the list, precisely where *equites* would have appeared.⁹ But the possibility still exists.

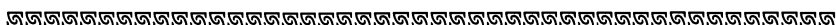
⁸ R. Syme, *Classical Philology*, 50 (1955): 137, and E. Badian, *J.R.S.*, 52 (1962): 208–9.

⁹ See the lists given by Nicolet, *op. cit.*, *Deuxième Partie: Titulature et Prosopographie, Les Structures de l'Ordre Équestre*, pp. 147–464. He assumes, it seems, that our list is senatorial and does not consider the possibility of the presence of *equites*.

13

SENATUS CONSULTUM DE REBUS PHRYGIAE ORDINANDIS

119 B.C.? or 116 B.C.



BIBLIOGRAPHY. W. M. Ramsay, *Journal of Hellenic Studies*, 8 (1887): 496; *idem*, *Classical Review*, 2 (1888): 326; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. XXIX, p. 51; W. M. Ramsay, *Cities and Bishoprics of Phrygia*, II (Oxford, 1897), no. 710, p. 762; Th. Mommsen, *Athen. Mitt.*, 24 (1899): 195 (*Gesammelte Schriften*, 4: 66); Th. Reinach, *Mithridate Eupator, Roi de Pont* (Paris, 1890), no. 4, p. 457; B. Niese, *Geschichte der griechischen und makedonischen Staaten*, III (Gotha, 1903), p. 373; W. Dittenberger, *O.G.I.S.*, II (1905), 436; G. Lafaye, *I.G.R.R.*, IV (1927), 752; A. H. M. Jones, *Cities of the Eastern Roman Provinces* (Oxford, 1937), p. 59; T. R. S. Broughton, "Roman Asia," in T. Frank, *An Economic Survey of Ancient Rome*, IV (Baltimore, 1938), 511; W. M. Ramsay, *The Social Basis of Roman Power in Asia Minor* (Aberdeen University Press, 1941), pp. 282-83; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 169, with nn. 35-37 in II, pp. 1058-59; A. H. J. Greenidge and A. M. Clay, *Sources for Roman History 133-70 B.C.*, 3d ed. rev., by E. W. Gray (Oxford, 1960), p. 55; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 48.

DESCRIPTION. Found in the modern village of Aresli about two miles from Oynayan and northeast of Apameia. It has been assumed by Ramsay that the ancient site of Lysias was in the vicinity, but there is no real proof of the actual location of that ancient city (cf. L. Robert, *Villes d'Asie Mineure*² [Paris, 1962], pp. 156, 367, and 426). Unfortunately, no adequate description of the stone has ever been reported, and for the lettering one must rely upon the transcription first given by Ramsay in the *J.H.S.* (8[1887]: 496).

[----- ο] ὕτως
[-----] ν διωρθώ-
[θη -----] ἐγένετο πρό-
[τερον -----] ος ταῦτα κύρια μέ-
5 [νειν ----- δόγ] μα συνκλήτου.
[περὶ ὧν Κόιντος Φάβιος - - - υἱὸς Μάξιμος (?) Γ] αῖος Λικίνιος Ποπλίου
[υἱὸς Γετας ὑπατοὶ (?) λόγους ἐποίησαν] το, περὶ τούτου πράγματος οὐ-
[τως ἔδοξεν· ὅσα βασιλεὺς Μιθραδάτη]ς ἔγραψεν ἢ ἔδωκεν τισιν ἢ ἀφεί-
[κεν, ἵνα ταῦτα κύρια μείνῃ οὕτω καθὼς] ἔδωρήσατο εἰς ἐσχάτην ἡμέραν,
10 [περὶ τε τῶν λοιπῶν ἵνα κρίνωσιν οἱ δέκα (?)] πρεσβευταὶ εἰς Ἀσίαν διαβάντες
[-----]

2 διαρθρώ[θη Dittenberger and Viereck (notes); διαρθρώ[σατο, others. 3 Perhaps [- - - δσα τούτων] ἐγένετο πρό[τερον, for the phrase ταῦτα κύρια in line 4, requires a preceding δσα; cf. the S.C. *Popillianum de Pergamenis* (No. 11), l. 15. 8 Ramsay, Viereck, and Reinach accepted ἀφεί[λετο, but Dittenberger restored ἀφεί[κεν] (or ἀφῆ[κεν]), which Viereck later (notes) followed. 10 On διαβαίνειν in these documents see L. Robert in *Hellenica*, 1 (1940): 55, and *La Carie*, II, 104, n. 3.

COMMENTARY. Because of the many differences in character, civilization, categories of land, and city life in the Pergamene kingdom Manius Aquilius and the commissioners required two full years to lay the foundation of the new Roman province. On November 11, 126 B.C., in Rome he was granted the singular honor of a triumph for his role in bringing peace to the land and in organizing the province. It had been the general senatorial policy of annexing as few provinces as possible and using client kings to ensure the protection of Roman interests, and in keeping with this policy Aquilius gave rather large portions of the land to the neighboring kings who had aided Rome in the war against Aristonicus. It was for this reason that Greater Phrygia was given to Mithridates V of Pontus.¹

A storm of protest broke out in Rome when the provisions made in Asia became known to the party of Gaius Gracchus and the *publicani*. The Senate was interested in simplicity and a minimum of administrative difficulties, the equestrians in new sources of profit. Greater Phrygia was a potentially profitable source of revenue. Hence the disagreement about its disposition. The land, however, remained in the possession of Mithridates V until his death in 120 B.C. at the hands of his courtiers.² His heirs, two small sons, were much too young to offer serious opposition when Rome reversed its earlier policy and seized Phrygia.³ This reversal may be attributed, apparently, to a decision on the part of the Senate to avoid any further serious confrontations with the

¹ Justinus 37. 1 and 38. 5; Appian *Mithr.* 57 (cf. 11 and 13). There is some discussion as to whether or not the Phrygian gift formed one of the issues in the speech that C. Gracchus made concerning the so-called *Lex Aufeia*, for only one fragment of the speech survives (A. Gellius *Noctes Atticae* 11. 10 = H. Malcovati, *Oratorum Romanorum Fragmenta*² [Florence, 1955], pp. 187-188 = Greenidge and Clay, *op. cit.*, p. 29). See Magie, *op. cit.*, II, 1043-44, n. 27, and, on the possibility that the *Lex Aufeia* may have been the actual *lex provinciae Asiae* and is really the *Lex Aquillia*, see the article by H. Hill in *Classical Review*, 62 (1948): 112-13. Magie believes that this law, whatever its name, had little if anything to do with the gift of Phrygia to Mithridates.

² He was murdered in Sinope: sources and references in Magie, *op. cit.*, II, 1091, n. 50. The elder son, Mithridates Eupator, was only eleven years old.

³ Justinus 38. 5; Appian *Mithr.* 11, 15, and 56. The speech that Sulla is said to have made to Mithridates VI in 85 B.C. (Appian *Mithr.* 57) attempts to justify Rome's seizure of Phrygia by emphasizing that the land was made free and autonomous. Magie, however (*op. cit.*, I, 169), finds it difficult "to regard as an historical fact a statement in a speech evidently composed for the purpose of justifying the seizure, and it seems very improbable that the Senate proceeded on any such elaborate theory or compromised by giving Phrygia this temporary status. . . . There is no evidence to show that Phrygia was regarded thenceforth in any other light than as an integral part of the province of Asia." Broughton, *op. cit.*, p. 511, evidently accepts the historicity of the speech, for he says that "this stage when Phrygia was non-tributary and autonomous must have lasted only a short time."

equestrians, but in the absence of reliable source material both the motive and the method used for authorizing the seizure must remain unknown.⁴

The present document clearly concerns the arrangements made in Rome for the future status of Phrygia, for the stone was found well within the borders of the district and the ratification of somebody's *acta* "to his final day" points unmistakably to the death of a king or ruler. The phraseology reminds one of the clauses in the *S.C. Popillianum de Pergamenis* (No. II), which is concerned with the arrangements made by Rome for the confirmation of the will of Attalus. And, since the presiding magistrate of our document (ll. 6-7) must be C. Licinius P. f. Geta (cos. 116 B.C.), there can be no doubt that its date is 116 B.C. at the very latest and that it laid down the principles by which Rome would be guided in establishing the present status of those acts which the former king had committed "to his last day."

Viereck believed that this decree of the Senate (ll. 6-10) was included in a letter of the two consuls for 116 B.C., of which only the present lines 1-5 remain.⁵ There is a possibility, however, that the first five lines also belong to the text of the decree, for the end of line 5 might have contained the phrase *κατὰ τὸ δόγμα συνκλήτου* rather than *τόδ' ἐστὶ τὸ δόγμα συνκλήτου* *aut similia*. However that may be, lines 6-10 certainly belong to the decree.

Some doubt remains about the exact date, for, although L. Licinius Geta spoke in support of the motion, there is no real proof that he was consul at the time. The reason it is assumed that the name of the other consul for 116 B.C., Q. Fabius Maximus, should be restored in line 6 rests merely upon the position of Licinius' name at the end of the line. This part of a decree is introduced by the words *περὶ ὧν* followed by the names or name of the person speaking. Since these two words must have stood at, or at any rate near, the beginning of the line, according to Viereck and the other editors, somebody else's name must have preceded that of Licinius. Thus it is only an assumption and not a fact that Licinius was consul at the time that this decree was passed. The phrase *περὶ ὧν* need not always occur at the beginning of the line, for in the *S.C. de Asclepiade* (No. 72), line 5 of the Greek version, and in the *S.C. de Prienensium et Samiorum Litibus* (No. 10), line 1, it is found later in the line. Slight as this is, one cannot state positively that the name of Q. Fabius Maximus should be restored in line 6.

But it is very clear that the decree must date after the death of Mithridates V in 120 B.C., but unfortunately the date of the praetorship of Licinius is unknown. The latest

⁴ Magie, *loc. cit.*, believed that another decree must have been passed prior to the present one, which authorized the seizure and annexation of Phrygia. But there is no reason why both of those items could not have formed part of the present decree, especially if its date is not 116 but 119, as is possible (see below).

⁵ Ramsay's suggestion, *Cities and Bishopricks*, II, 762, that the commissioners sent to regulate Phrygian affairs may have written the letter to the city of Lysias, where the stone would have been erected in antiquity, is very unlikely. Such commissioners make their recommendations to the Senate and the Senate either accepts them or does not; if it accepts them, a magistrate is directed to communicate that decision to the people concerned. Besides, there is no proof that the ancient city of Lysias was the recipient of the letter, for the exact location of that city is not known; cf. Robert, *Villes d'Asie Mineure*², p. 156.

possible date for his holding of the praetorship is given by Broughton as 119 B.C., according to the *Lex Villia Annalis*.⁶ This date for the present decree is a more probable one than 116 B.C., for, considering the furor in Rome over the Phrygian affair, the death of Mithridates in 120 B.C. must have aroused almost immediate pressure for a reversal of the grant by Aquilius. The Senate may have acquiesced. Four years and then seizure of Phrygia are difficult to explain if the year 120 B.C. actually saw a concerted effort on the part of the *publicani* and the equestrians in general to have the Senate reconsider its earlier decision. And because of the earlier opposition to the loss of Phrygia I believe that such a concerted effort was begun in Rome in 120 or 119 B.C. Both consuls for 119 may have been absent from Rome campaigning against the Segestani and the Dalmatians, and therefore the praetor would have been able to convene the Senate.⁷ Of course, such a date cannot be considered until it can be shown by independent evidence that Licinius had been praetor in 119 and that both consuls for that year had been absent from the city. And it must be added that the present decree says absolutely nothing definite about the status of Phrygia. Further evidence is needed before final judgment can be rendered.

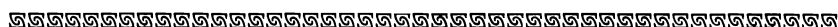
⁶ *Magistrates*, I, 526. It is interesting to notice that the other consul of 116 B.C., Q. Fabius Maximus, had been praetor in 119.

⁷ *Ibid.*, p. 525. One of the consuls, L. Caecilius Metellus, certainly was absent on the campaigns, and his colleague, L. Aurelius Cotta, may have accompanied him as Broughton suggests.

14

EPISTULA L. CALPURNII PISONIS ET SENATUS CONSULTUM DE ITANORUM ET HIERAPYTNIORUM LITIBUS

112 B.C.



BIBLIOGRAPHY. S. Xanthudidis, *Ἀρχ. Ἐφ.*, 1920, pp. 82ff.; W. Crönert, *S.E.G.*, II (1924), 511; M. Cary, *J.R.S.*, 16 (1926): 194-200; G. De Sanctis, *Rivista di filologia*, n.s., 4 (1926): 130ff.; A. Passerini, *Athenaeum*, n.s., 15 (1937): 34ff.; N. Papadakis, *Ἡ ἀρχαία Ἀνατολική Κρήτη* (Canea, 1938), pp. 184ff.; V. Arangio-Ruiz, *Studia et Documenta Historiae et Iuris*, 2 (1939): 592ff.; M. Guarducci, *Inscriptiones Creticae*, III (1942), 4, no. 10, pp. 106-11; H. van Effenterre, *R.E.A.*, 44 (1942): 31ff.; F. W. Schehl, *Κρητικά Χρονικά*, 5 (1951): 302-12; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 50 (cf. T. R. S. Broughton, *The Magistrates of the Roman Republic*, I [New York, 1951], 537-38, on Q. Fabius and his embassy).

DESCRIPTION. Found in 1919 at Erimupolis (Itanus) and now in the Candian Museum. Photograph of the right side of the stele in Guarducci, *op. cit.*, p. 109. Height: 1.25 m. Width: 0.48-0.50 m. Thickness: 0.13-0.15 m. It is engraved on the front and right side, but lines 74 and 88ff. appear only on the front. The letters belong to the second half of the second century, having a height of 0.007-0.008 m. The front is badly corroded and the letters are difficult to decipher, whereas the right side is quite legible. The new publication of the inscription by Guarducci is the only one to be used, for she has examined the stone and a squeeze so thoroughly that the older readings have been superseded. This stele must have contained the conclusion of the document, for there is an extensive vacant space at the bottom.

- [.....] καταστάσιος πρεσβευταὶ Κρήτες Ἱεραπύτνιοι Φεΐδων
Ἑτεάνορος υἱός,
Κώμων [.....]ρος [ὑ]ός, Μνάσιππος Δίωνος υἱός, Εὐβέτης Βειδύλω υἱός, λόγον
ἐποιή-
σαντο χ[άριτα φιλ]ίαν συμμαχίαν τε ἀνευώσαντο καὶ συνθηθῆναι τῇ συνκλήτῳ ἐπὶ τῷ
[-.....- εἴπ]ασαν καὶ καθ' ἰδίαν ἐπὶ τὸ βέλτερον προχωρεῖν
περὶ τε τῆς γεγεννημ[έ]ν-
5 νης [-.....- φιλοτ]ιμίας εὐχαρίστησα[ν] καὶ περὶ τῶν
ἀδικημάτων τῶν ἡμῖν γεγεννη-
μένων [-.....-] Ἱτάνιοι γὰρ ἀδικημάτων μὴ
γινομένων ὑ[φ'] ἡμῶν αὐτοῖς, ὑπὸ δὲ
[τῆς τῶν] Κνωσίων [πό]λεως ποτέ, πόλεμον ἀπαράνγελτον ἡμῖν ἐποίησαν παρὰ τὰ
τῆς συν-
κλήτου δόγματα καὶ ἀδικήματα [ἡμῖν] ἐξετελέσαντο, περὶ ὧν καὶ πρότερον
πρεσβείας ἀ-
πεστείλαμεν [ἐπὶ τὴν σύνκλητον] μ[αρτυροῦ]σας τὰ γεγεννημένα ἀδικήματα εἰς
ἡμᾶς. ἡ δὲ
10 [σύνκλ]ητος κατα[-.....-]μεν ἐπὶ
Μάρκου Αἰμυλίου καὶ ἐπὶ Μανί-
ου Ἀκιλίου ὑπάτων καὶ [ο]ὔτε συμμάχους αὐτοὺς προσηγόρευσε οὔτε Κνωσίους
οὔτε τοὺς
[-.....-] Δραγμίους οὔτε [-...-] ὅπως ἀνεκρίθη καὶ ἔδογματίσε πόλεμον
καὶ ἀδικήματα ἡ-
μῖν αν[-.....-] παραγενόμενοι
ὑπὲρ τε τοῦ πολέμου
καὶ [-.....-] τῆς ἡμέρας [.....]ν τὴν ἀπεδείξαμεν
ἡμετέραν οὐ-
15 σαν [-.....-] διὰ γένους καὶ ἀνάβατ[ο]ν ὑπὸ μῆθεν[ο]ς
γεωργηθεῖσαν, τὴν
δὲ νῆσον τὴν καλουμένην Λεύκην ἡμετέραν οὔσαν ἐκ προγόνων. Ἱτάνιοι δὲ μὴ
δυνάμενοι περὶ τῶν
[-.....-]των εἰς ἡμᾶς ἀδικημάτ[ω]ν
ἀπολογήσασθαι μήτε πρότερον
μήτε νῦν [-.....-]των
πρεσβευτῶν ἀντεγκαλοῦσιν ἡμῖν
[-.....-] τὴν χώραν
περισσὰν οὔσαν ἔτεσι εἴκοσι ὀκτώ, λόγους ἐ-
20 ποιησα[-.....-] πρὸς τῇ συνκλήτῳ, ἡ δὲ
σύνκλητος ἔδογματίσε
[ὅπως τὴν χώραν καὶ τὴν νῆσον πολ]έ[μου ἄρ]χὴν ἐλομένου διακατέσχομεν, ἵνα
οὕτως κα-

τέ[χω]μεν· πράξιν στρατηγοῦ εἶναι, καὶ ὅπως Λαίλιου δῆμον δῶ τὸν ἐν ἡμῖν
 κρινούντα. δοθέν-
 τος δὲ ἡμῖν τοῦ Μαγνήτων δῆμου καὶ Γαίου Λαιλίου ὑπάτου γράψαντος [πρ]ὸς τὸν
 δῆμον τὸν Μα-
 γνήτων [- - - - -] καὶ τὴν ἐπιστολὴν τὴν ὑπ' αὐ[τ]οῦ
 [γ]ραφεῖσαν ἐμ μη-
 25 [- - - - -] δὲ ὡς ὑφ' ἡμῶν τε ἀκείνων
 ὁμόλογον ἐγενήθη. νν
 [- - - - -] ἴσαντι τὴν νῆσον τὴν καλουμένην
 Λεύκην καὶ τὴν χῶ-
 ραν [- - - - -] ος ὁ δῆμος ὁ Μαγνήτων
 ἔκρινε κατὰ τὸ δό-
 [γμα τῆς συνκλήτου ὑπ'] Ἰτανίων [προγο]νικὰς οὐσας καρπίζεσθαι κυρίως. οὐ
 συναντη-
 σαμεν[- - - - -]
 - - -] ἡμῶν αἰτίαν ἐπιφέρουσι
 30 [-]ε[-]σον[- - - - -]
 τε]λευτα[ί]ας ὑπ' αὐτῶν ἀνει-
 [- - - - -]
 αντες ἐπὶ τὴν σύνκλητον εν
 [- - - - -]ν
 εἰς Κρήτην τε παραγεγονότων
 καὶ τὰς [- - - - -]πρ]εσ[β]είας
 οὐδέποτε περὶ τούτων φω-
 νὴν προῆκαν [- - - - -]
 πρεσβεύοντες περὶ τῶν ἐν[ε]-
 35 [- - - - -]ν
 μνήμην ἐποιήσαντο
 [- - - - -]ἐν τῷ] μεταξύ χρόνῳ συνβόλων
 γεγε-
 νημένων ὑπε[- - - - -]χότων ὑπὲρ τε
 ἀνδρῶν ε
 [- - - - -]ν ἀντιποιοῦ[ν]ται
 καὶ νενικηκό-
 των [- - - - -]νημα κα[θ]ὼς
 συνεθέμε-
 40 θα [- - - - -]αυ[. .]ν καὶ
 δεδωκότων καὶ εἰ-
 ληφότων [- - - - -]οῦ]τε λόγον
 ἐποιήσαντο οὐ-
 τε σα[- - - - -]τουμ[έ]νους ὑπ'
 αὐτῶν

- [- - - - -] του καθώς
 ἡμεῖς ο -
 [- - - - -] ἐν Μ[α]γνησίᾳ
 γενομε -
 45 ν[- - - - -] σης διὰ τοῦ
 πρὸς αὐ -
 τ[- - - - -] ἰω[.]
 δ' ἐγκαλέσαι καὶ
 [- - - - -] -πε]ρὶ τῶν ἀνδρῶν καὶ περὶ
 τῶν οἰ -
 κετῶν οὐς ἐπὶ [- - - - -] -ἀδ]ικήματά τε κ[α]ὶ πρότερον καὶ νῦν
 [.] οἰοῦσιν [- - - - -] τῶν πα[ρα]γεγονότων εἰς
 50 Ῥώμην πρεσβευτῶν ὑμῶν, ἐπέμψαμεν δὲ ἐπὶ τὴν σύνκλητον, ἄξιον οὖν τὴν
 σύνκλητον [- - - - -] ἐμ πα]ντὶ καιρῷ τὴν εὐνοίαν πρὸς
 ἡμᾶς [- - - - -] τοῖς] ὑμετέροις δόγμασι βοηθήσαι ἡ -
 μῖν ὅπως ἴσαντι [- - - - -] ψηφίσματος δι' ὑμῶν ἀναγκασθῶσιν ἡμῖν τὸ δίκαι -
 ον [- - - - -] -τες πρὸς τὴν ὑμέτεραν φιλίαν καὶ συμμαχίαν πρὸς ἡ -
 55 μᾶς [- - - - -] -πρεσβ]ευταῖς. περὶ τούτου τοῦ πράγματος
 [οὕτως ἔδοξεν] ὃν τρόπον ἐκάτεροι [τὴν χώραν καὶ τὴν νῆσ]ον νενωμημένοι εἴησαν
 τῇ πρὸ
 τοῦ ἡμέρα[ι ἡ ὁ πόλεμος ἐν αὐτοῖς ἤρξατο οὐ πο]λέμου ἕνεκεν Σέρονιος Σο<λ>πίκιος
 κἀκεῖνη ἡ
 πρεσβεία εἰς Κρήτην ἀπεστάλησαν ὅπως οὕτως [νωμ]ῶνται ἔχουσιν καρπίζωνται τε
 60 τοῦτο το[- - - - -] -σθαι πρὸς Λεύκιον Καλοπῶριον
 στρατηγὸν ὑπατον [- - - - -] -τινες τούτου τοῦ κριτη -
 ρίου [- - - - -] οὐ]τ[ε] ἐπὶ τὸ κριτήρι[ον] παρτύχουσιν οὕτε
 [- - - - -] Λεύκιος Καλοπ]όρ[ιος σ]τρατηγὸς ὑπα -
 τος [- - - - -] -]ην [δ]πως ἑαυτοῖς κρί -
 νη ὃν τρόπον ἐκάτεροι ταύτην [τὴν χώραν καὶ] τὴν νῆσον περὶ οὗ ἡ πράξις [ἐνέ]στηκε
 65 νενωμη -
 μένοι εἴησαν τῇ πρὸ τοῦ ἡμέρα[ι ἡ ὁ πόλεμος ἐν αὐτοῖς ἤρξατο οὐ πολέμ]ου ἕνεκεν
 Σέρονιος
 Σολπίκιος κἀκεῖνη ἡ πρεσβεία εἰς Κρήτην ἀπεστάλησαν ὅπως ο[ὕτ]ω κρίνωσιν
 αὐτοῦ[s]
 [ἔχειν] κατέχειν καρπίζεσθαι τε ἐξεῖναι καὶ θύματα τελῇ ἡμέραν τε ὀρίση πρὸ ἧς ἡμέ -
 ρας κρίνωσιν ε[- - - - -]
 - - -]τας Κόντος Φάβιος κα -
 [- - - - -]
 - - - - -]ν ὅπως Λεύκιος Καλο -
 70 πόριος στρατηγὸς ὑπατος ὑπὸ τῆς αὐτοῦ πρεσβείας ἐπιγνῶ ἂν ἐν ταύτῃ τ[ῇ]
 χώρα ὠικοδομημένον ἔνεσ[τιν] ὅπως αὐτοὺς καθελεῖν κελεύ[σ]ῃ. περὶ δὲ τῶν λο[ι] -
 [π]ῶν πραγμάτων ὧν λόγους ἐποιήσασθε ὅταν ἡ ἐσχάτη Κρητῶν πρεσβεία εἰς

- τὴν σύνκλητον εἰσεπρέσ[βευ]σαν οὐτ[ω]ς ἀποκρίναι καθὼς ἂν αὐτῷ ἐκ τῶν δημοσί-
ων πραγμάτων πίστεως τε τῆς ἰδίας φαίνεται, ἔδοξε. νν
- 75 [τοῦ]το τὸ πρᾶγμα δέλτον ὁγδόης κηρώματι [τεσσαρεσ]καιδεκάτῳ μετὰ συμ-
βουλίου ἐπέγνων πρὸ ἡμερῶν δέκα ἐπτὰ Καλ. Κοινκτειλιων ἐν τῇ βασιλι-
κῇ τῇ Πορκίᾳ [- - - - -]μήρας τυχοῦς[ης] ἰε[ρ]ᾶς κατὰ συνκλήτου
δόγμα [- - - - -] ἀπὸ συμβουλίου[ου] γνώμης
γνώμην
ἀπεφηνάμην [- - - - -] οὐτ[ω]ς[ς]
καθὼς πρότερον
- 80 [- - - - -]σι ἡμέραν ὀρ[ιῶ] πρὸ ἧς ἡμέρας
κρίνωσι
ἐ[ὕσεβ]ώς τε καὶ δικαίως τὴν διαφορὰν] καὶ ἐ[ἴ] τι ἐν[ω] κοδόμηται μετὰ τὸ
τοὺς πρεσβευτὰς [- - - - -]σω ἐν αὐτοῖς
τὸν δῆ-
μον τὸν ὑμέτερον κατὰ [τὸ τῆς συνκλήτου δόγμα] φροντίσαι ὅπως ἐκ τοῦ
πολιτεύματος [ὕμῶν ἀποστείλῃτε δικα]στὰς καλοὺς ἀγαθοὺς τριάκον-
85 τα ἓνα οἱ τὸ [- - - - -] κατὰ τὸ τῆς συνκλήτου δόγμα κρίνωσι Κοινκτειλί-
ων τῶν ἐ[πὶ Λευκίου Καλο]πορνίου καὶ Μάρκου Λειβίου ὑπάτων ἐν ἡμέραις τριακο-
σiais ἐξήκοστη, ἐὰν δὲ πρὸ ἐκείνης τῆς ἡμέρας μὴ κρίνωσι, τότε ὅπως
ἐν τῇ ἐξήκοστῇ καὶ τριακοσιοστῇ ἡμέρᾳ κρίνωσι[ι] νν
Λεύκιος Καλοπόρνιος Λευκίου υἱὸς Πείσων ὑπάτος Ἱεραπυ-
90 τνίων τοῖς ἄρχουσι καὶ τῇ βουλῇ καὶ τῷ δήμῳ χαίρειν· [ιό]ντες
Ἱτάνιοι πρεσβευταὶ καὶ ὑμέτεροι προσήλθοσάν μ[οι] ὅπ[ω]ς
αὐτοῖς σύνκλητον δῶ. ἐγὼ αὐτοῖς σύνκλητ[ο]ν ἔδωκα.
συνκλήτου δόγμα τοῦτο γεγονός ἐστι· ὑμᾶς θέλ[ω] φροντί-
σαι εἴ τι ἐν ταύτῃ τῇ χώρᾳ τῇ ἐν ἀμφιλ[ογ]εῖᾳ οὕσῃ ἐν[ω]-
95 κοδομημένον ἐστί, ὅπως ἐκ ταύτης τ[ῆς] χώ[ρ]ας καθέ-
λῃτε οὕτως καθὼς ἡ σύνκλητος ἐδογμάτισε καὶ κα-
[.]ωσε. ἀπὸ συμβουλίου γνώμης γνώ[μην] ἀ[π]εφηνάμην.
ναίαι

The text followed here is that of M. Guarducci, except where noted. 2 Or *Πύμων* (cf. *Inscriptiones Creticae*, I, 16, no. 43, 1). 4 κοινῇ τε εὐσταθεῖν, Crönert. 12 Before *Δραγμίους* there seems to be space for about nine letters, of which the first two may have been *EIT*, Guarducci. 24–25 Perhaps ἐμ μη[νί]? 27 Before *ΟΣ* remnants of letters (*PK* ?) are visible on the squeeze used by Guarducci. 28–29 οὐ συναντησαμένων δὲ ἡμῶν, Guarducci. 32 πρεσβευτῶν? 33 πρ[ε]σ[β]είας or πρ[ε]σ[β]είας. 34–35 ἐν[ε]στηκότων, Crönert. 40 αὐ[τῶ]ν or αὐ[τῶ]ν? 42 - - οὐδὲ τοὺς ἀνδρας ἀπέδοσαν τοὺς κρα[του]μ[έ]νους ὑπ' αὐτῶν, Crönert, but questioned by Guarducci with a reference to Passerini, *op. cit.*, p. 35, n. 1. 45 After *ΣΗΣ* it is uncertain whether there is a fault in the stone or a letter has disappeared. 56–58 Cf. *Inscriptiones Creticae*, III, 4, no. 9, ll. 51–54, in which is found the quotation of this part of the decree by the Magnesian tribunal, with minor differences. 59 προσέρχε[σθαι] (?), Guarducci. 60 οἵ[τινες] (?), Guarducci. 68 πρεσβευ[τάς] (?), Guarducci, noting that Q. Fabius came to Crete with legates. 75 [τεσσαρεσ]καιδεκάτῳ, Schehl. 77 τῶν

<κ>[αθα]ραῖς [δὲ τῆς ἡμέρας τυχοῦς]ης ἱε]ρας κατὰ συνκλήτου | δόγμα [ῥαῖς - - -, Schehl, whose word order, however, is bad; ταῖς ἱ[λα]ραῖς [ῥαῖς ἡμέρας, Guarducci, but one misses the article with ἡμέρας. Since this day was one of the *intercisi dies*, one might expect here a literal translation into Greek of some form of the Latin verb *intercidere*. 80 [τοῖς περὶ δὲ τῶν ὄρων αὐτῶν δικάσαι]σι κτλ., Schehl. 81 First lacuna restored by Schehl. 82 στήσω (?), Guarducci, who notes that she seems to see *NIOI* before this word. παραγενέσθαι πρότερον αἰτή]σω κτλ., Schehl. 83 Schehl. 84 [ὑμῶν χειροτονῆτε δικα]στάς κτλ., Schehl, but in this type of document one would expect ἀποστείλετε. 85 [ἀμφισβήτημα], Schehl, but the usual word in epigraphical texts of this nature is ἡ ἀμφισβήτησις or τὰ ἀμφισβητούμενα. 97 Before]ωσεῖ is either Γ or Π or Τ.

COMMENTARY. The land dispute between the Cretan cities of Itanus and Hierapytnia has been known for some time through two inscriptions, one from Itanus and the other from Magnesia on the Maeander. Although these contained lengthy descriptions of the origins and general history of the dispute, unfortunately they presented such casual references to the Romans and their participation in the events that it was most difficult, if not impossible, to date and evaluate the various stages of the dispute. The discovery at Erimupolis (the ancient Itanus) in August of 1919, therefore, of a third inscription concerned with the arbitration between the two cities was most welcome, and, although a precise and detailed picture of the whole episode from beginning to end is still not possible, this third document clarifies much that had formerly been very obscure.

The first two inscriptions, far too long to be reproduced here, are really separate copies of the same document and have been published most recently by Guarducci in the *Inscriptiones Creticae*, III, 4, no. 9. Since that document (to be cited as no. 9) and the present one (no. 10) complement each other in the presentation of the past history of the dispute from the time of its very beginning (145 B.C.) to its conclusion (112–111 B.C.), it will be convenient to give a brief summary in chronological order of the information found in them.¹

Before the death of Ptolemy VI Philometor in 145 B.C., the Itanians had controlled considerable land adjoining the nearby sanctuary of Zeus Dictaeus, as well as several off-shore islands, one of which was Leuke. After they had been harassed on various occasions by the Praisians, whose territory adjoined theirs, they asked for help from Ptolemy VI, who obliged them by sending a garrison in order to guarantee the security of Itanus and its possessions. When this garrison was recalled to Egypt after Ptolemy's death, the Itanians managed to defend themselves and their land through the help of friends. But then a general war in Crete broke out, and Praisus was destroyed. The city of Hierapytnia promptly disputed with the Itanians their possession of the land and the island. Servius Sulpicius (Galba, cos. 144 B.C.) arrived in Crete (141 B.C.) with

¹ For the two earlier inscriptions, copies of the same document, see M. Guarducci, *Inscriptiones Creticae*, III, 4, no. 9, and the bibliography there cited, to which, however, should be added R. C. Bosanquet, *Annual of the British School at Athens*, 40 (1939–40): 60–70, and, especially important for the details pertaining to law, J. Partsch, *Die Schriftformel im römischen Provinzialprozesse* (Breslau, 1905), pp. 5–23.

legates from Rome and put an end to the war. Itanus, thereupon, because of Hierapytnia's claims, sent an embassy to Rome to address the Senate on the subject of her land. The Senate in turn called upon the city of Magnesia to act as arbitrator in the dispute. The Magnesians gave its decision under the consulship of C. Laelius in 140 B.C., awarding the victory to Itanus. The matter, however, did not end at that time. Later, when the Knossians, as the friends of the Hierapytnians, had committed some act of injustice against the Itanians, the Itanians began an undeclared war against the Hierapytnians. Thereupon the Roman Senate intervened, stopped the war, and attempted to settle their differences once more. The time of this intervention was 115 B.C., under the consulship of M. Aemilius, and 114 B.C., under the consulship of Manius Acilius.² The attempt was unsuccessful. Finally, in 112 B.C., the Senate decreed that the consul L. Calpurnius Piso was to appoint an arbitral tribunal to review the case and hand down a decision. The consul was also instructed to see to the destruction of any buildings on the territory belonging to the sanctuary of Zeus Dictaeus. This arbitral tribunal was authorized to act upon the recommendations given to it by Quintus Fabius and his legates who had visited the land in question. The Magnesians, again chosen as the arbitrators, were instructed by the Senate to award the victory to that party which possessed the land prior to the earlier Cretan War which had been settled by Servius Sulpicius. They were given one year to settle the case. Accordingly, it may not have been until 111 B.C. that the final decision was reached. At any rate Itanus again was victorious. (All of this is taken from nos. 9 and 10.)

Chronologically our document (no. 10) precedes the other (no. 9). In ours, four distinct sections may be seen, each of them referring to events that occurred in 112 B.C. while L. Calpurnius Piso was the consul: (1) speech of the Hierapytnian envoys to the Senate (ll. 1-55); (2) the *senatus consultum* (ll. 55-74); (3) decree of L. Calpurnius Piso authorizing the city of Magnesia to set up an arbitral tribunal (ll. 75-88); (4) letter of Calpurnius to the Hierapytnians ordering them to destroy any buildings they may have erected on the disputed land. Document no. 9, on the other hand, is the decision of the Magnesians made later, within the period of one year (or actually 360 days; no. 10, ll. 84-88).

The vacant space at the end of our document would seem to indicate that it contained the conclusion of the inscription. In lines 84-88 one can see that up to that point our document is in outward form a letter of the consul in 112 B.C. to the Magnesians and that it was followed by a short letter to the Hierapytnians (ll. 89-97) which ordered them to remove any buildings that they might have erected in the territory under question. Hence one may postulate that the beginning of our document (now lost) must have contained the following matters, as suggested by Guarducci: (1) the prescript of the consul's letter to the Magnesians; (2) the prescript of the *senatus consultum* on the motion of the consul; (3) the speech of the Itanian envoys to the Senate. Although much of it is missing, enough remains to present a connected account of the several episodes. It has

² For these two consuls see Broughton, *op. cit.*, p. 531 (M. Aemilius Scaurus) and p. 533 (M'. Acilius Balbus).

been observed by Cary, *op. cit.*, pp. 198–200, that, although the “second Magnesian jury performed its task in a thoroughly businesslike way,” the Roman Senate behaved in an almost irresponsible manner. In the first place, why did the Senate allow the entire case to be reopened after the first Magnesian tribunal had settled it? If the Senate were not guilty of some mistake itself, it should have upheld the verdict of the first Magnesian tribunal. Secondly, the instructions given by the Senate to the second tribunal are, in one sense, equitable and just while, in another sense, strange and prejudicial. The Senate instructed the second tribunal (no. 9, ll. 51–54, and no. 10, ll. 56–71) that the land was to be possessed in whatever manner it had been possessed prior to the earlier Cretan war. This much is excellent. But it also instructed the Hierapytnians to destroy any buildings they might have erected on it. This prejudged the case, as the Magnesian tribunal pointed out (no. 9, ll. 84–88).³ One may surmise that the Senate handled the later episodes of the dispute in a disinterested and therefore negligent manner, a manner that reminded Cary of the senatorial indecision in the matter of the quarrels between Adherbal and Jugurtha of about this same time. And these are, of course, only two of many examples that could be cited to show that Rome’s foreign policy in the period beginning with the Gracchi was not dictated by any honest effort to govern the provinces with justice or responsibility.⁴

³ τὸ δὲ πάντων μέγιστον καὶ ἰσχυρότατον τεκμήριον τοῦ ἐγνωσμένων τῶν καθόλου πραγμάτων ὑπὸ Ῥωμαίων ἐφ’ ὁμολογουμένους ἡμᾶς καὶ κεκριμένους τὴν ψῆφον ἐπενηνοχέναι. Ἰτανίων γὰρ ἀξιώσαντων τὴν σύνκλητον ἵνα τὸ ἐνωκοδομημένον ὑπὸ Ἱεραπυτνίων χωρίον ἐν τῇ κρινομένῃ χώρᾳ καθαιρεθῇ ἡ σύνκλητος ἐπέταξεν Λευκίῳ Καλοπ[ορνίῳ Λευκίου Πείσωνι στρατηγῷ ὅπως καθαιρ]εθῇ εἴ τι ἐνωκοδόμηται, κτλ.

⁴ In a later generation Cicero (*Pro Plancio* 26. 63) said regretfully: *sed ita multa Romae geruntur ut vix ea quae fiunt in provinciis audiantur*. See R. E. Smith, *The Failure of the Roman Republic* (Cambridge, 1955), chap. 10.

SENATUS CONSULTUM DE COLLEGIIS ARTIFICUM BACCHIORUM

112 B.C.



BIBLIOGRAPHY. G. Colin, *B.C.H.*, 23 (1899): 1-55, 303-16; E. Ziebarth, *Rheinisches Museum*, 55 (1900): 515-18; W. Dittenberger, *S.I.G.*², II (1900), 930; Bruns-Gradenwitz, *Fontes iuris Romani antiqui*⁷ (Tübingen, 1909), no. 40, pp. 171-76; F. Poland, *Geschichte des griechischen Vereinswesens* (Leipzig, 1909), pp. 132ff.; W. S. Ferguson, *Hellenistic Athens* (London, 1911), pp. 370-71; G. Colin, *Fouilles de Delphes*, III, 2 (1911), no. 70 a (tab. 7, 2); G. Klaffenbach, *Symbolae ad historiam collegiorum artificum Bacchiorum* (Diss., Berlin, 1914), pp. 29-35; M. Holleaux, *Hermes*, 49 (1914): 581-89; H. Pomtow, in W. Dittenberger, *S.I.G.*³, II, (1917), 705; M. Holleaux, *Revue des Études Anciennes*, 19 (1917): 157ff.; F. Poland, *R.E.*, s.v. "Technitai," in the *Nachträge* to vol. V A 2 (1934), cols. 2504ff.; G. Daux, *Delphes au II^e et au I^{er} Siècle* (Paris, 1936), pp. 356-72; S. Riccobono, *Fontes iuris Romani antejustiniani*², pt. 1 (Florence, 1941), no. 34, pp. 248-55; J. Day, *An Economic History of Athens under Roman Domination* (New York, 1942), pp. 92-94; S. Accame, *Il dominio romano in Grecia dalla guerra acaica ad Augusto* (Rome, 1946), pp. 4-5; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 49.

DESCRIPTION. Inscribed on four stones that originally formed part of the southwest corner of the Athenian Treasury at Delphi. The fourth stone contained the conclusion of the document, for its lower part is uninscribed. Unfortunately only stones III and IV are reasonably complete, for I and II exist only in fragments.

Stone I, lines 1-16; fragments 210, 968, 2524, 3914c, and two unnumbered fragments.

Stone II, lines 17-33: fragments 113, 160, 179, 184, 227, 269, 289, 291, 301, 3914c, and two unnumbered fragments.

Stone III, lines 34-51: fragment 300.

Stone IV, lines 52-66: fragment 462.

The number of each fragment is the number appearing in the official catalog of the Greek Ephor, but the smallest fragments are unnumbered. Thus we can see that stone I has been put together from six fragments, and stone II from twelve fragments. In the *editio princeps* of Colin will be found a sketch illustrating the position assigned to each fragment in each stone. The present document, however, is not the only one appearing in this part of the Athenian Treasury which was concerned with the events described in it, for actually it is only part of a large dossier connected with the quarrel between the Athenian and Isthmian guilds of Dionysiac Artists. Colin recognized a total of eight stones, and there may have been many more, all connected somehow with the same topic. The attempt by Pomtow (*op. cit.*, pp. 704-5) to restore many of

the other fragments and to reconstruct the outline of this great series of documents must be used with caution. His chronology and interpretation of the fragments should be tempered by the cautious and judicious remarks of Daux (*loc. cit.*).

The lettering is very badly executed, the down-strokes often tilted out of the vertical or curved instead of being straight, with the result that often H may be confused with A or K. The number of letters in each line varies; on stone III it fluctuates between 70 and 79. The height of the letters is 0.010 m., the space between lines, 0.006 m.

[Ἐπὶ Διον]υσίου [υ] ἄρχοντος, ἐπὶ τῆς . . . ἰδος πρώτης πρυτανείας, ἦι Λάμιος Τιμούχου
ῥαμνούσιος ἐγραμμάτευεν,]

[Ἐκατομβ]αιῶνος [ς - - - - - τῆς πρυτανείας. Δόγμα συγκλήτου. Λεύκιος
Καλπῶριος]

[Λευκί]ου υἱὸς Πίσ[ων Καισιωνίνος ὑπατος τῇ συγκλήτῳ συνεβουλεύσατο πρὸ
ἡμερῶν . . .]

[εἰ]δῶ [ν Ἴ]ουνίων ἐγ κ[ομετίωι. Γραφομένῳι παρήσαν Μάρκος Αἰμίλιος Μάρκου
υἱὸς]

5 [Σ]κα[ῦ]ρος Καμιλία, Σέ[ρουιος - - - - - Σερο]υῖο [υ υἱ]ὸς [- - - - -]
Λευκίου υἱὸς Κορινθ[λία, - - - - - Ποπ]λίου υἱὸς Π[απ]ίρια. [Περὶ ὧν
οἱ πρεσβευταὶ]

Ἀθηναῖοι Θεμιστοκ[λῆς - - - - - υἱὸς, Δημ]οχάρης Δη[μοχάρου] υἱός,
Ἀ[- - - - - υἱός,]

[Θ]εοφίλιος Ὀλυμπίχου [υ υἱὸς, ἄνδρες καλοὶ κἀγα]θοὶ φίλ[ο]ι πα[ρὰ] δήμου
[καλοῦ κἀγαθοῦ φίλου]

[σ]υμμάχου τε ἡμετέρου [υ, λόγους ἐποιήσαντο, χά]ριτα φιλιάν συ[μ]αχίαν [τε
ἀνε νέωσαντο καὶ ἐκάλεσαν]

10 τὴν σύνκλητον ὑπὲρ τ[ῶν παρ'] ἑαυτοῖς τεχνιτῶν τῶν [παρὰ τὰ δεδο[γμ]ένα [τῇ
συγκλήτῳ ἡδικομένων, ὅπως]

ταῦτα κύρια διαμένη κα[ὶ] οἱ τεχνῖται οἱ συντελούντες εἰς Ἰσθμόν καὶ Νεμέαν ζημίαν
ἀποτείσωσιν]

κατὰ τὰ τῆς συγκλήτου [δόγματα - - - - -
- - - - -]

ἀπὸ συνκλήτου γνώμης ὅπ[ως - - - - -]ναι [- - - - -
- - - - -]

ἐὰν δέ τις μὴ πειθαρχῇ τοῖς [ς δεδομένοις μηδὲ ἐ]μμέν[η] ταῖς συνθήκαις ὑπόδικος
ἔστω κατὰ τὴν δια[?] -]

15 [β]ούλευσιν, ὅπως ἥτις ἂν εἰς [ἀγῆ] των συνόδων δίκη]ν αἰε δια[φυλάττουσα τὰς
συνθήκας ἀναγκάζη τοὺς]

[ἀ]πειθοῦντας ἐμμένειν τοῖς [ς δεδομένοις τῇ σ]υγκλήτῳ [- - - οἱ δὲ φάσκοντες
πρὸς τοὺς]

[τε Ἀμφικτιόνας κ]αὶ τὴν σύγκλ[η]τον συμφώνους ἡμᾶς γενέ[σθαι] [δοκεῖν, ἀλλὰ
τὰς συνθήκας τ]εθεῖσθαι

- [έναντί]ως αἷς ἐ[λά]βοσαν ἐντολαῖς τ[ι]νες τῶν ἐκ Πελοπον(ν)ήσου τε[χνιτῶν καὶ
διὰ ταῦτα εἶναι ἀκύ]ρους, οὔτε
[ταῖς] συνθήκαι[s] ἐμ<μ>ένουσιν, τῆς τε [ἐ]ργασίας ὑπαρχ[οῦ]σης [ἡμῖν
ἀποκ]ωλύ[ο]υσ [ἡμᾶς ἀδίκως], τά τε χρή-
- 20 [μα]τα ἡμῶν τὰ ὁ[ν]τα κοινὰ ἐξειδιάζ[ου]νται, συνε[λ]θόντες τε εἰς [Σικυῶνα]
σύνδοκον ἐποι[ήσαντο] παρὰ τὸ δό-
[γ]μα τῆς συγκλή[τ]ου τὸ ἐπὶ Ποπ[λίου Κορ]νηλί[ο]υ, ἐ[ν] ᾧ ἔδοξεν ἡμᾶ[s συμπ]-
ορεῦεσθαι ἐν Θήβ[αις καὶ Ἄρ]γει, κα[ὶ]
ἀρχεῖα κατέστ[η]σαν, καὶ τῶ[ν κο]ινῶν χρημάτων τὰς προσό[δους κ]ατεχρήσαντο
[εἰς τὰς ἰδίας δαπάνας]
παρὰ τοὺς [κοινούς νόμους τῶν τεχνι]τῶν, πρεσβευόντων ἡμῶν εἰς Ῥ[ώμην κ]αὶ
καλοῦν[των τὴν σύγκλητον· τὸ δὲ]
[μέγιστον, οὐδὲ ταύτηι ὑπήκουσαν, ἀ]λλὰ καὶ δόγμα ἡμῶν λαβόντω[ν ἐν ᾧ - - - -]
καὶ [- - - - -]
- 25 [- - - - -] τοὺς ἀντιλέγοντας ἡμῖν, οὐδ[ὲν ἔλασσον] τῆς τε ἐργασίας ἡμᾶς ἀ-
[ποκωλύουσι, τά τε χρήματα ἡμῶν ἐξ]ιδιάζονται, σύνδοκον [τε] ἐν Σ[ικυῶνι
συν]άγουσι παρὰ τὸ δογμα τῆς συν-
[κλήτου τὸ ἐπὶ Κορνηλίου καὶ παρὰ το]ῦς χρησμοῦ[s] τοῦ Ῥ[απόλλωνος].
Ἄξιο]ῦμεν οὖν τὴν σύγκλητον ἵνα π[ι] [- -]
[- - - - -]s ἐκατέρω [- - - - -]
- - -] ἡμῶν ἐκτὸς τῶν τριῶν μερῶν
[- - - - -] κα[ὶ] περὶ ὧν οἱ π[ρεσβευταὶ ἀπὸ τ]ῶν περὶ τὸν
Διόνυσον τεχνιτῶν ἐξ-
- 30 [αποσταλέντες τῶν συντελούντων] ἐς Ἰσθμὸν [καὶ Νεμέαν], Σωσικλείδας
Φιλοκράτου, Δαμόξενος
[- - - - -] Πο]λυκράτης [- - - - -] Φί]λιππος Ἡρώδου,
ἐνεφάνισαν τῇ συγκλήτῳ.
[τῶν τεχνιτῶν τῶν ἐν τῇ Ἀττικῇ ὄντων π]οιησαμέν[ων κατ]ηγορίαν κατῆς
συνόδου ἐπὶ τοῦ στρα[τη]γοῦ ἐμ Μακε-
[δονίᾳ Κορνηλίου Σισέinna, καὶ γραμμά]των ἀποδ[ε]χ[θέντων] τῇ συνόδῳ ὑπ[ὸ] αὐτῶν
παρὰ τοῦ στρατηγοῦ ὅπως
[πρ]εσβευτὰς ἀπο[στ]είλωμεν ἐν [ἡ]μέραις [. .] καὶ ἀπ[ο]στει[λάν]τ[ων] ἡμῶν
πρεσβ[ευτὰς π]ερὶ ὧν ὁ στρα-]
- 35 τηγὸς ἐκέλευσεν τοὺς ἀπολογιουμένους αὐτῷ, Διονύσιον, Ἀνδρόνικον, Φιλοκράτην,
Δράκοντα,
τούσδε περὶ ὧν μὲν ἐ<Ι>χον τὰς ἐντολὰς μὴ ἐπιτελεῖσαι, καταφρονήσαντ[ες] δὲ τοῦ
τε τῆς συγκλήτου
δόγματος καὶ τοῦ στρατηγοῦ καὶ τῆς συνόδου ἐλθόντας εἰς Πέλλαν συνθήκας
ποιήσασθαι πρὸς τοὺς
ἐν Ἀθήναις φ[άσκ]οντας εἶναι τεχνίτας ἐπιτίμιον ἐπιγράψαντ[ες] κατὰ τῆς συνόδου
τάλαντα δέκα·

ἐφ' οἷς καὶ [δο]θέντων αὐτοῖς ἐγκλημάτων κατὰ τοὺς τῆς συνόδου νόμους παρόντες
 ἐν Θήβαις κα-
 40 τάδικοι ἐγένοντο καὶ διὰ ταῦτα προσλαβόμενοι τινὰς τῶν ἐν Θήβαις καὶ Βοιωτίας
 τεχνιτῶν τὰ τε
 γράμματα τὰ κοινὰ ἀπῆλθον ἔχοντες μετὰ βίας καὶ ἀποστάται γενόμενοι καθ' ἰδίαν
 σύνοδον ἐ-
 ποιούντο μετ' ἀλλήλων ὑπεναντία πράτ(τ)οντες τῇ συνόδῳ καὶ τοῖς κοινοῖς νόμοις,
 τὴν τε δικ[αι]-
 οδοσίαν διέκοψαν τῶν τεχνιτῶν, τίνες ἱερωσύνους ε(λ)χον ἐπενεγύνων, τὰ τε χρήματα
 καὶ τ[ὰ]
 ἀναθήματα ἀπῆλθον ἔχοντες καὶ τοὺς ἱ(ε)ροὺς στεφάνους, ἃ καὶ οὐκ ἀποδέδωκαν
 οὐδὲ ἕως τοῦ
 45 νῦν, τὰς θυσίας καὶ σπονδὰς ἐκώλουν ποιεῖν καθὼς εἰθισμένον ἦν τῇ συνόδῳ τῷ τε
 Διον[ύ]-
 σῳ καὶ τοῖς ἄλλοις θεοῖς καὶ τοῖς κοινοῖς εὐεργέταις Ῥωμαίοις. Ἀξιοῦμεν οὖν τὴν
 σύγκλη-
 τον, γεγонеῖαν καὶ ἐν τοῖς ἔμπροσθεν χρόνοις παρα(ι)τῆαν τῶν μεγίστων ἀγαθῶν τῇ
 συνόδῳ[ι],
 συντηρῆσαι τὰ ἐκ παλαιῶν χρόνων δεδομένα τίμια καὶ φιλάνθρωπα καὶ φροντίσαι
 ὅπως ἂ-
 ποδοθῇ τὰ χρήματα καὶ τὰ ἀναθήματα καὶ οἱ στέφανοι τῇ συνόδῳ τῇ κοινῇ τῇ
 συντελούσῃ(εις)
 50 Ἰσθμὸν καὶ Νεμέαν, ἃ ἔχουσιν οἱ ἐν Θήβαις τεχνῖται καὶ τινες τῶν ἐν Βοιωτίας
 ἀποσστή[ται]
 γεγενημένοι, τὰς τε συνθήκας ἃς ἐποιήσαντο ἵνα ἄκυροι γένωνται, ἐπεὶ ἐποι(ή)σαντο
 α[ὐτ]-
 [ὅς οἱ πρεσβε]υταὶ παρὰ τὰς δοθείσας αὐτοῖς ἐντολὰς καὶ γέγοναν ὑπὲρ τούτων
 κατάδικοι [κατὰ τοὺς]
 τ[ῆς συνόδ]ου νόμους, ὅπως τε οἱ νόμοι τῶν ἐξ Ἰσθμοῦ καὶ Νεμέας τεχνιτῶν κύριοι
 ὦσιν. περὶ τού[των]
 τῶν [πρα]γμάτων οὕτως ἔδοξεν. Ἀθηναίους πρεσβευταῖς φιλανθρώπως
 ἀποκριθῆναι, ἀνδρας καλοὺς κα[ὶ]
 55 ἀγαθοὺς καὶ φίλους παρὰ δήμου καλοῦ καγαθοῦ καὶ φίλου συμμάχου τε ἡμετέρου
 προσαγορευῆσαι, χάρι[τα]
 φιλίαν συμμαχίαν τε ἀνανεώσασθαι. περὶ δὲ ὧν πραγμάτων λόγους ἐποιήσαντο, τί
 ἡρώτησαν ἢ <ἐ>ψηφίσ[αν]-
 το ἐν ἑαυτοῖς οἱ τεχνῖται οἱ ἐξ Ἰσθμοῦ καὶ Νεμέας ὧι ἔλασσον ἅμα μετ' αὐτῶν οἱ
 τεχνῖται οἱ ἐν τῇ Ἀττικῇ[ῃ]
 ὄντες ἐργασίαν ποιῶσιν, τοῦτο ὅπως ἄρῳσιν. ὁ δὲ σύμφωνον γεγονός ἐστιν τοῖς
 τεχνίταις τοῖς ἐν
 τῇ Ἀττικῇ οὖσιν καὶ τοῖς τεχνίταις τοῖς ἐξ Ἰσθμοῦ καὶ Νεμέας ἐπὶ Γναίῳ
 Κορηλίῳ Σισένῳ στρατηγῷ[ῷ]

- 60 ἡ ἀνθυπάτου ἐκεῖ ὄντος, σύμφωνον ἐστάναι ἔδοξεν. ὅπου τὸ πρότερον ἐξυγκλήτου
 δόγματος τὰς
 συνόδους αὐτῶν ποιεῖν ἠώθασιν, ἐκεῖ αἱ σύνοδοι μετὰ ταῦτα ὅπως γίνωνται ἔδοξεν.
 περὶ δὲ
 χρημάτων δημοσίων ἡ κοινῶν περὶ ὧν λόγους ἐποιήσαντο, ὅπως πρὸς Μάαρκον
 Λεῖβιον ὑπατον προ[σ]-
 ἔλθωσιν, οὗτός τε ἐπιγνώμῃ ἐπικρίνη οὕτως καθὼς <ἄν> αὐτῶι ἐκ τῶν δημοσίων
 πραγμάτων πίστεώς
 τε ἰδία<ς> φαίνεται ἔδοξεν. ὅπως τε Λεύκιος Καλπόρνιος ὑπατος Ἀθηναίοις
 ξένια κατὰ τὸ διάταγμα
 65 τὸν ταμίαν ἀποστεῖλαι κελεύσῃ οὕτως καθὼς ἂν αὐτῶι ἐκ τῶν δημοσίων πραγμάτων
 πίστεώς
 τε ἰδία<ς> φαίνεται ἔδοξεν *vacat*

Text and restorations are those of Colin, except where noted. 14-15 δια(?)β]ούλευσιν, Klaffenbach; συμ]βουλεύσ(ε)ιν, Dittenberger. 17 ἀλλὰ φάσκουσι συνθήκας συντε]θεῖσθαι, Colin; τε]θεισθαι, Klaffenbach (cf. Polybius 1. 11. 7). 19 [ἡμῖν ἀποκ]ωλύ[ο]υσ[ιν ἡμᾶς ἀδίκως], Klaffenbach; [ἡμᾶς ἀποκ]ωλύ[ου]σ[ι] παρὰ τὸ δίκαιον], Colin. 20 [Σικυῶνα]; cf. l. 26. 22 [εἰς τὰς ἰδίας δαπάνας], A. Wilhelm, *Anzeiger Akad. Wien*, 1922, p. 26 (S.E.G., II [1924], 320). 25 οὐδ[ὲν ἔλασσον, i.e., *nihilominus*. 32 ΣΤΡΑΓΟΥ, stone. 34 Klaffenbach reports space for about two letters after ἡμέρας, and Colin two or three. At any rate the stone-cutter forgot to inscribe the numeral, for the space was left empty. 36 EXON, stone. ΚΑΤΑΦΡΟΝΗΣΑΝΤΕΣ, stone. 38 ΕΠΙΓΡΑΨΑΝΤΕΣ, stone. 42 ΠΑΤΟΝΤΕΣ, stone. 44 ΙΡΟΥΣ, stone. 47 ΠΑΡΑΠΑΝ, stone. 49 At the end of the line the space after *συντελούσῃ* is uninscribed. Colin thought of εἰς at this place but did not include it in the text; it was added by Klaffenbach. 51 ΕΠΟΙΣΑΝΤΟ, stone. 52 At the beginning, -]σται, Colin, but Klaffenbach saw -]ΥΤΑΙ. 56 ΗΨΗΦΙΣ' . . ΤΟ, stone. 64 ΙΔΙΑ, stone, as also in l. 66.

COMMENTARY. This important document contains a *senatus consultum* of 112 B.C. which settled once and for all—at least as far as we hear—the long-standing quarrel between the Athenian and Isthmian guilds of Dionysiac Artists.¹ For some years these two associations had been engaged in such bitter disputes that they appealed to Roman intervention on four separate occasions. The entire matter eventually became a point of honor with the Athenian people and assumed political importance. Consequently, when this final decree of 112 was passed in favor of the Athenians it was engraved upon the wall of the Athenian Treasury at Delphi for all to see. Fortunately it contains a fairly full résumé of the quarrel.

¹ The clearest and most trustworthy account of the quarrel is the one given by Daux, *loc. cit.* Shorter résumés are presented by Day, *loc. cit.*, and A. Pickard-Cambridge, *The Dramatic Festivals of Athens* (Oxford, 1953), pp. 294ff. The attempt made by Pomtow (*op. cit.*, pp. 704-5) to present the documents and the evidence in sequence suffers (at times) from faulty or misleading chronology and unsupported restorations of the minor fragments. His texts must be used only with due attention to the researches of Daux. The date of the present document is assured by the mention of the consuls L. Calpurnius L. f. Piso (ll. 2-3) and M. Livius C. f. Drusus (l. 62); see Broughton, *Magistrates*, I, 538.

Four stages of the quarrel are at once apparent. The first one culminated in a *senatus consultum* (l. 21) that regulated the relations between the two guilds and established Argos and Thebes as common places in which to hold their meetings. Such co-operation called for the establishment of common officials and funds. The date of this decree is uncertain beyond the fact that it was passed under the consulship or praetorship of a certain P. Cornelius. This official may have been P. Cornelius Scipio Nasica (consul in 138), P. Cornelius Scipio Aemilianus (consul in 134), or P. Cornelius P. f. Lentulus (praetor in an unknown year).² The second stage ended in 118/17 B.C., when representatives of the two guilds met with C. Cornelius Sisenna, the governor of Macedonia.³ At this meeting the Isthmian representatives agreed to pay a fine of ten talents. The end of the third stage was reached by the passage of a second *senatus consultum*, a few years after the meeting before Sisenna, to confirm the provisions of the first decree and to uphold the agreements made in 118/17. When these three measures failed to produce peace between the guilds a fourth appeal to Roman authority was made. This resulted in a third *senatus consultum*, the present one of 112 B.C., which gave complete victory to the Athenian claims. Unfortunately the first two decrees of the Senate are lost and we are dependent upon the present one for their general provisions.

The representatives of the two guilds were given an opportunity to present their cases. Their respective complaints in 112 B.C. were as follows:

1. The Athenian guild:

- a. The Isthmians refused to pay the ten-talent fine imposed by Sisenna.
- b. The Isthmians obstruct them in their profession.
- c. The Isthmians appropriated money belonging to the common fund.
- d. The Isthmians disobeyed the first decree of the Senate by forming a separate guild.

2. The Isthmian guild:

- a. The agreement reached under Sisenna to pay a ten-talent fine was made contrary to the instructions given to the Isthmian envoys.
- b. These envoys, upon their return to Thebes, were called to account for their actions and were condemned. Thereupon they won sympathizers in Thebes, took the records of the guild, and absconded. As rebels they formed a separate guild, set up their own laws, and then appropriated the priesthoods, the money, votive offerings, and the holy crowns that had originally belonged to the common guild.

² Pomtow, *op. cit.*, 704, n. 3, identified the official with the P. Cornelius P. f. Lentulus who had been honored by the Isthmian guild, apparently in 128 B.C. (704 B–C), believing him to be the praetor or propraetor of Macedonia at that time. Daux, *op. cit.*, pp. 361ff., rejects this view. See also Broughton, *op. cit.*, p. 507, n. 1.

³ The date of his governorship can be determined by means of Dittenberger's *S.I.G.*³, II, 704 K¹, which allows us to collate the Macedonian and Athenian years. For his title *στρατηγὸς [ὑ] ἡ ἀνθυπάτου* in l. 60 see Holleaux in *Hermes*, 49: 581–89, and in *Revue des Études Anciennes*, 19: 88ff. See Broughton, *op. cit.*, p. 528, n. 2.

- c. Because of the actions of the rebels the Isthmians have been hindered in the performance of their customary sacrifices to Dionysus, to the other gods, and to the Romans.

From several other documents additional information on the quarrel is obtained, the most significant being the fact that the Amphictyonic Council in about 125 B.C. began to show great affection for the Athenian guild.⁴ This gave the Athenians a powerful ally in their quarrel with the Isthmians.

When one considers the cleverness with which the complaints of the two guilds are worded, it becomes clear that any connected story of the events is bound to be controversial or misleading. Nevertheless, some questions must be asked and at least tentative answers given. If we knew the precise origin of the quarrel, we might be in a far better position to understand and interpret the present decree.

It would appear that in the course of the second century B.C. the somewhat younger Isthmian guild expanded and spread out from its place of origin in the Isthmus. Because of its eventual monopoly over much of Greece it is probable that tension between it and the Athenian guild built up early in the century.⁵ The destruction of Corinth in 146 B.C. may have been a serious economic blow to the Isthmian guild, and the Athenians may have seen an opportunity to expand into the Isthmian "territory" and to break the Isthmian monopoly in cities such as Thebes and Argos.⁶ No solid evidence exists, however, to substantiate such a situation. But we do know that the Athenian guild began to experience difficulty in the exercise of its various immunities at just about this time. Since the Athenian immunities had been guaranteed to them by an Amphictyonic decree of ca. 278/77 B.C. (*I.G.*, II², 1132) and had been renewed in ca. 130/29 B.C. (*ibid.*), very strong motives must have prompted the people or the state which violated them.⁷ One of the reasons for the renewal of Athenian immunities may have been the fact that the Isthmians began to disregard them. That it was no small matter may be deduced from the fact that in our decree of 112 B.C. it is not the Athenian guild which sends its

⁴ *I.G.*, II², 1134, ll. 1-63 (= *S.I.G.*³, II, 704 E). For the date and interpretation of the decree see Daux, *op. cit.*, pp. 366ff., and, for further discussion of the date, see G. Klaffenbach, *Gnomon*, 1938, p. 20, as well as Daux, *Chronologie Delphique*, (Paris, 1943), p. 59. Daux observed that nowhere is there any better evidence for the enthusiasm and good will of the Amphictyonic Council toward the Athenian guild than in this decree. One of the reasons for this good will was certainly the exemplary fashion in which the Athenian guild had taken part in the Pythais of 128/27 B.C. (for this see Daux, *op. cit.*, pp. 722-26, and the text in *Fouilles de Delphes*, III, 2, no. 47).

⁵ See Poland, *op. cit.*, cols. 250off.

⁶ The territory of Corinth and perhaps all of Boeotia and Euboea became *ager vectigalis*: M. I. Rostovtzeff, *S.E.H.H.W.*, II, 748. For the details and latest discussion of the problem see Accame, *op. cit.*, pp. 28ff. On the other hand, however, the evidence for the economic condition of Athens indicates that the Athenians enjoyed considerable prosperity in this same period. See Day, *op. cit.*, pp. 88-100, who points out (p. 94) that the Athenian guild at this time was also prosperous, for very large delegations were sent to Delphi for the Pythais of 128/27, 106/5, and 97/96 B.C.

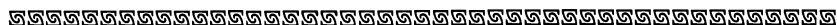
⁷ The date of *I.G.*, II², 1132, ll. 52-94 (= *S.I.G.*³, II, 692) hinges on the date of the Delphian archon Aristion and that of the Athenian archon Demostratus. Daux, in his *Chronologie Delphique*, pp. 58-59, dates it in either 134/33 (?) or 130/29 (?).

delegates to Rome but the Athenian state. Therefore, it is possible that successful Athenian expansion of its guild and "immunity incidents" may have been the basis of the quarrel between the two guilds. Then the difficulties of administering a joint guild, the unauthorized agreement to pay a fine, the rebel Isthmian artists, and the favoritism shown the Athenian guild by the Amphictyonic Council obviously would have widened the breach between them. However that might be, the Athenian victory was a milestone in the history of the Athenian guild. Thereafter it became the leading association of its kind.

16

SENATUS CONSULTUM ET FOEDUS CUM ASTYPALAEENSIBUS

105 B.C.



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DESCRIPTION. The stone was found in the Church of St. Ann on the island of Astypalaea and then transported to Smyrna, where it was destroyed in the fire of 1797. Villosion, however, had made a copy in minuscules, which, despite its inaccuracies, forms the basis for all subsequent editions. F. Hiller von Gaertringen has given a transcription of it in *I.G.*, XII, 3, 173.

A. *Senatus consultum*

- [- -] περὶ τούτου τοῦ πράγματος οὕτως ἔδοξε· [πρὸς]
 [τὸν δῆμον τὸν Ἀστυपालαιέων εἰρήνην φιλίαν συμμα-]
 [χίαν] ἀνανεώσασθαι· ἄνδρα καλὸν καὶ ἀγαθὸν [παρὰ δῆ-]
 [μου] καλοῦ καὶ ἀγαθοῦ καὶ φίλου προσαγο[ρεῦσαι τούτῳ]
 5 [τε] φιλανθρώπως ἀποκριθῆναι· ἔδοξεν. Καὶ [ὅτι Πόπλι-]
 [ος] Ῥοτίλιος ὕπατος χάλκωμα συμμαχίας [ταύτης ἐν]
 [τῷ] Καπετωλίῳ κατηλωθῆναι φροντίσῃ [οὕτως κα-]
 [θ]ὼς ἂν αὐτῷ ἐκ τῶν δημοσίων πραγμάτων [πίστεως]
 [τε] τῆς ἰδίας φαίνεται· ἔδοξεν. Ὅτι [τε Πόπλιος Ῥοτί-]
 10 [λι]ος ὕπατος τὸν ταμίαν κατὰ τὸ διάταγμα [ξένια δοῦναι αὐτῷ]
 [κ]ελεύσῃ θυσίαν τε ἐν Καπετωλίῳ, εἰς θέλη, ποιῆσ[αι αὐτῷ ἐξῆ καὶ κατὰ]
 τὸν νόμον [τόν τε] Ῥόβριον καὶ τὸν Ἀκίλιον [ἀπόγραφον ἀναθεῖναι ἐν]
 [τ]όπῳ δημοσίῳ [καὶ ἐπιφανεῖ] προκείμεν[ον, οὗ ἂν πλείστοι παρα-]
 [σ]τείχωσιν [τῶν πολιτῶν,] καὶ κατ' ἐνιαυτὸν [ἐν τῇ ἐκκλησί-]
 15 [α] ἀναγορεύ[ε]σθαι· ἔδοξεν. Ἐπὶ ὑπάτ[ω]ν Ποπλ[ίου Ῥοτίλι-]
 [ου] Ποπλίου υἱοῦ καὶ [Γν]αίου Μαλλίου Γναίου υἱοῦ, [στρατηγοῦ κα-]
 [τὰ] πόλιν Λευκίου [- -]ωνίου Λευκίου υἱοῦ, [ἐπὶ δὲ τῶν ξένων - -]
 [- - - - -] Ποπλίου υἱοῦ, [ὥς δὲ Ἀστυपालαιεῖς]
 ἀγούσιν ἐπὶ [Φιλε]τα[ί]ρου τοῦ [- - - - -], ἔδοξε]
 20 [πίνακα συμμαχίας ἀνατεθῆναι, πρεσβεύσαντος Ῥοδοκλέους τοῦ Ἀντιμάχου]
 καὶ <τ>αύτης <τῆς> συμμαχίας δοθῆναι τῷ δήμῳ [τῷ Ἀστυपालαιέων πίνα-]
 [κα] κατὰ δόγμα συγκλήτου.

B. *Foedus*

(Space of three lines)

- [- - - - - τῷ δήμῳ τῷ]
 [Ῥωμαίων καὶ] τῷ δήμῳ τῷ Ἀστυपालαιέων εἰρήνην καὶ [φιλίαν]
 [καὶ συμμαχίαν] ἔστω καὶ κατὰ γῆν καὶ κατὰ θάλασσαν [εἰς τὸν ἄ-]
 [παντα χρόνον·] πόλεμος δὲ μὴ ἔστω. Ὁ δῆμος [ὁ Ἀστυपालαιέων μὴ δι-]
 30 [ιέτῳ τοὺς] πολεμίους καὶ ὑπεναντίους [τοῦ δήμου τοῦ Ῥωμαίων]
 [διὰ τῆς ἰδίας χώρας καὶ ἧς ἂν ὁ δῆμος ὁ Ἀστυपालαιέων κρατῇ δη-]
 [μοσ]<ι>α βουλῇ, ὥστε τῷ Ῥωμαίων καὶ τοῖς ὑπὸ Ῥωμαίου<ς>
 [τ]<α>σσομένοις πόλεμον ἐπιφέρωσι· μῆτε τοῖς πο<λ>[εμίους μῆτε ὅπλοις]
 μῆτε χρήμασι μῆτε ναυσὶν βοηθεῖτω {ο} δημοσ<ι>α βουλῇ δόλ[ω] πονηρῷ·]
 35 Ὁ δῆμος ὁ Ῥωμαίων τοὺς πολεμίους καὶ ὑπεναντίους [- - - -]
 [- - τ]οῦ δήμου τοῦ Ἀστυपालαιέων διὰ τῆς ἰδίας χώρας καὶ ἧς ἂν
 [κρατῇ ὁ δῆμος ὁ Ῥωμαίων μὴ διεῖτω] δημοσ<ι>α βουλῇ δό<λ>ω [πο-]
 [νηρῷ, ὥστε τῷ δήμῳ τῷ] Ἀστυपालαιέων καὶ τοῖς ὑπ' αὐτοὺς
 τασσομένοις πόλεμον ἐπιφέρωσιν· μῆτε [τοῖς πολεμίους μῆτε] ὀπλ<οις> μῆτε
 χρήμα<τα>σι μῆτε

- 40 ναυαὶ βοηθεί(τω) μήτε δόλῳ πονηρῶ. Ἐὰν δέ τις [πρότερος πόλεμον] ἐπιφέρῃ τῷ
 δήμῳ [τῷ]
 Ἀστυπαλίων, ὁ δῆμος [ὁ] Ῥωμαίων [τῷ δήμῳ τῷ Ἀστυπαλίων βοηθείτω ?.
 Ἐὰν δέ]
 [τις] πρότερος πόλεμον ἐπιφέρῃ [τῷ δήμῳ τῷ Ῥωμαίων, ὁ δῆμος ὁ Ἀστυπαλίων
 βοηθείτω ἐκ]
 [τῶν] συνθηκῶν καὶ ὀρκίων [τῶν γεγενημένων - - - - - ἀνὰ μέσον ?]
 τοῦ δήμου τῶν Ῥωμαίων καὶ τοῦ δήμου τῶν Ἀστυπαλίων.
 45 Ἐὰν δέ τι [ς] πρὸς ταύτας τὰς συνθήκας κοινή βουλῇ προσθεῖναι ἢ
 ἀφελεῖν βούλ(ω)νται δημοσ(ι)α βουλῇ [ὅς ?] ἂν θελήσῃ ἐξέστω· ἃ δὲ ἂν προσθῶσιν
 ἐν ταῖς συνθήκαις ἢ [ἃ] ἂν ἀφέ(λ)ωσιν ἐκ τῶν συνθηκῶν, ἐκτὸς ἔστω ταῦτα [ἐν] ταῖς
 συνθήκαις γεγραμμένα. [ἀναθέντων δέ] ἀνάθημα ἔμ μὲν Ῥωμαίων ἐν τῷ
 Καπετωλίῳ ναῷ τοῦ
 Διός, ἐν δὲ Ἀστυπαλίων ἐν τῷ ἱερῷ τῆς Ἀθηνᾶς καὶ τοῦ Ἀσκληπιοῦ καὶ πρὸς
 50 τῷ βωμῷ [- - -] τῆς Ῥώμης.

C. Decree of the Astypalaeans

Ἔδοξε τῷ δάμῳ· <Ἀρ>χωρίδας Εὐκλεὺς ἐπεστάται, πρυτανίων [γνώμα·]
 [Ἐπ]ειδ(ῆ) παρα(γέ)γένηται ὁ ἀποσταλεῖς πρεσβευτὰς εἰς Ῥώμαν Ῥ(ο)δοκλῆς
 Ἀντιμάχου καὶ
 [τὰ] πε[ρὶ] συμμαχίας] δογματισθέντα [ἀπενήνοχε,] δοθεῖσα (?) δὲ δι' αὐτοῦ [τοῦ]
 ψαφίσματος
 [- - - - -] τοὺς πρεσβευτὰς ὑπὲρ τῆς πατρίδος καὶ Ῥώ[μας - - - - -]
 55 [- - - - -]
 προαιρούμενος [καὶ] πᾶσαν σπουδᾶν καὶ φιλοτιμίαν [ποτ] ενεγκάμενος
 [- - - - -]
 [- - - - -] συμμαχίαν ποτὶ τοὺς [Ῥωμαίους - - - - -]
 [- - - - -] ἐπεινέσαι μὲν [Ῥοδοκλῆν Ἀντιμάχου - - - - -]

Text is essentially that of Viereck (notes) except where noted.

A 2-3 εἰρήνην or χάριτα; Mommsen had [πρὸς τὸν δῆμον τῶν Ἀστυπαλίων φιλίαν καὶ
 συμμαχίαν]. 4-5 Cf. S.C. de Narthaciensium et Melitaeensium litibus (No. 9), B, ll. 61-63. 6-7 See
 Polybius 3.26. 1: τηρουμένων τῶν συνθηκῶν ἔτι νῦν ἐν χαλκώμασι παρὰ τὸν Δία τὸν Καπετώλιον
 ἐν τῷ τῶν ἀγορανόμων ταμείῳ. 7 Villosion indicates *iota adscriptum* here and in l. 13, but
 elsewhere it is missing. 10 (end) Mommsen had παρέχειν instead of δοῦναι. 12 As interpreted
 by Tibiletti, two laws; [ἀναθεῖναι τε ἀπόγραφον ἐν] κτλ., Viereck and others. 13 Previously
 Viereck restored [καὶ ἐπιφανῶς] προκειμέν[ω], but he adopted the present restoration from a
 suggestion by J. Schmidt; προκειμένου, Villosion. 13-14 Viereck was previously uncertain about
 the restoration, but he has retained it (notes). 15 αναγορευσθαι, Villosion; υπατον, Villosion.
 16 [στρατηγῶν], Mommsen. 18-19 Hicks followed by Viereck; αγοουσιν ἐπι - - - σταρουτου,
 Villosion. 19-20 Hiller and Viereck; Cousin, [πῖναξ | συμμ]α[χία]ς [ἀν]ε[τέθη] πρεσβεύσαν[το]ς
 Ῥοδοκλέους τοῦ Ἀντιμάχου; Täubler, [Ἰσόπλιος Ῥοτίλιος | ὑπατος ἐπέταξε] χάλκωμα
 συμμαχίας ἐν τῷ Καπετωλίῳ καθηλωθῆ[ναι] καὶ κτλ. 21 καὶ αὐτῆς, Villosion, according to
 Hiller's transcription.

B 31 No indication in Villosion of the existence of this line. 31-32 After *βουλῇ* Cichorius adds [*δόλω πονηρῷ*]; *Ρωμαῖοι*, Villosion. 33 *εσσομένοις* and *πον*- , Villosion. 34 *δημοσ*[*ῆ*] *βουλῇ*, Cichorius. Previous editors had *ὁ δῆμος καὶ βουλή*. For this error, introduced by Villosion, see Cichorius, *op. cit.*, p. 444. 35-36 *ὑπεναντίους* |[*τ*]οῦ δήμου τοῦ Ἀστυπαιαίων κτλ., Cichorius; but *ὑπεναντίους* [*τῆς βουλῆς* | καὶ τ]οῦ δήμου κτλ., Viereck and Hiller. Täubler objected to the latter because *δῆμος καὶ βουλή*, which is in the copy by Villosion, is a mistake for *δημοσσαι βουλή*. 37 *δῆμος καὶ βουλή* δοτω, Villosion. 39 *μητε σπλα μητε χρηματασι*, Villosion (with the *τα* deleted). 40 *βοηθῆναι*, Villosion. Cichorius adds [*μήτε? δημοσίᾳ βουλῇ*] after *βοηθείτω*. Cichorius has [*πρότερος πόλεμον*], followed by Viereck (notes). 41 Cichorius has [*στελλέτω (?) βοηθῆναι εὔκαιρον. Ἐὰν δὲ τις*] 40-44 Täubler inverts the order of the lines because of *ἐὰν* δέ in l. 40. He restores the lines thus: [*ἐὰν τις*] *πρότερος πόλεμον ἐπιφέρῃ* |[*τῷ δῆμῳ τῷ Ῥωμαίων, ὁ δῆμος ὁ Ἀστυπαιαίων*], *ἐὰν δὲ τις* [*πρότερος*] *ἐπιφέρῃ* | *τῷ δῆμῳ τῷ Ἀστυπαιαίων, ὁ δῆμος* [*ὁ Ῥωμαίων*] [*βοηθείτω*] *κατὰ τὸ εὔκαιρον ὃ ἂν ἐκ τῶν συνθηκῶν καὶ ὀρκίων* [*ἐξῆ ποιεῖν*] | *τῷ δῆμῳ τῶν Ῥωμαίων καὶ τῷ δῆμῳ τῶν Ἀστυπαιαίων*. 45 *τις*, Villosion, who deleted the *sigma*. 46 *βουλονται*, Villosion; [*ἐ*] *ἂν θελήσῃ*], Viereck (previously); [*ὅς*] *ἂν θελήσει*, Hiller and Täubler; [*ὅς (?)*] *ἂν θελήσῃ*, Cichorius. 47 *ἡ ἀναφερωσιν*, Villosion; *ἐκτός* apparently means here *extra contextum* (cf. A. Wilhelm, *Göttingische Gelehrte Anzeigen*, 1903, pp. 795ff., but see also Täubler, *op. cit.*, p. 60); [*ἐν*], Cichorius, Hiller, and Täubler, but rejected by Viereck. 48 [*ἀντιθέσθω δέ*], Täubler. 50 *τῷ βωμῷ τοῦ Διὸς καὶ τῆς Πώμης*, Boeckh, followed by Viereck at first but then (notes) rejected. 51 *Εὐχωνιδας*, Villosion, corrected by Wilamowitz with reference to *I.G.*, XII, 3, 172, l. 10. 52 *εἰ δε παραγενηται*, Villosion; *Ραδοκλῆς*, Villosion, but Wilamowitz corrected to *Ῥ(ο)δοκλῆς* (cf. *S.I.G.*³, III, 1215, ll. 16, 18-19). 58 *ποτι τοι*, Villosion.

COMMENTARY. One of the means used by Rome in the course of the second century to control the city-states of the Greek East without incorporating them into the body of her own government was the treaty relationship. This laid down certain rules of conduct and therefore, since Rome was the dominant partner, served as an instrument of empire by constantly reminding the Greek states of their obligations and limitations as well as their rights and privileges. But it was soon discovered by Rome that the institution of *civitas libera et immunitas* was more useful in aligning them on her side and making them dependent upon her without making the arrangement a permanent one. Thus the use of the treaty in Roman foreign policy fell into disfavor and was eventually abandoned.¹ The following states are known to have had treaty relationships with Rome: Cibra, Methymna, Astypalaea, Tyrrheum, Cnidus, Mytilene, Pergamum (or Elaea or Pitane), Epidaurus, Aphrodisias, Aetolia, Callatis, to name only those where we have inscriptional evidence.²

¹ Sherwin-White, *loc. cit.* Badian, *Foreign Clientelae*, pp. 113-14, rightly sees in the year 146 B.C. "the end of proper international relations and proper international law over the Roman world. Henceforth all allies—'free' or 'federate'—are clients, in the sense that their rights and obligations are in practice independent of law and treaties and are entirely defined and interpreted by Rome."

² References in Täubler, *op. cit.*, pp. 44-47, and Horn, *op. cit.*, pp. 70-71. For Aetolia see *S.E.G.*, XIII, 382 (now in *I.G.*, IX², 1, 241; see also *S.E.G.*, XVI, 370, and XVII, 280). For the new *foedus Callatinum* see *A.E.*, 1933, p. 106, and, most recently, St. Martin, *Epigraphica*, 10 (1950): 104ff.

The republican organ of government entrusted with the power to conclude formal treaties with foreign states was, of course, the Senate. Hence one or more *senatus consulta* were usually associated with the proceedings involved in the making of a treaty; therefore, when a treaty was concluded and a copy of it published in the Greek East, one usually found with it a copy of the relevant *senatus consulta*. And when a letter from some Roman official was involved, this too was published along with it. But probably neither of these, strictly speaking, should be called a part of the treaty proper.³ In the Greek states, however, all these documents were engraved on the same stone or monument as the treaty in order to preserve a full picture of the proceedings, to pay honor in so doing to various local citizens whose efforts were instrumental in obtaining the treaty, and to have on public display all the documents on which the state's legal relationship with Rome was based.

Unfortunately, in the present case the beginning of the decree of the Senate is lost. The remainder states that peace, friendship, and alliance with Astypalaea will be renewed, that the consul is to see to it that a bronze tablet containing the treaty will be affixed to the Capitol, that the Astypalaeian envoy be accorded the usual privileges, and that a copy of the treaty be set up on public display in Astypalaea. One final, but, I think, significant point is added (ll. 14-15): each year in the Astypalaeian Assembly the treaty shall be read aloud.

The treaty proper (B) is of the usual type for this period, a *foedus aequum*. And at the end, perhaps as a postscript, one finds the order for publication (ll. 48-50).

As with all extant treaties, and especially with this one, there are many unsolved problems. There is the matter of the bronze tablet erected in Rome on the Capitol. Did it contain only the *foedus*, or was the *senatus consultum* engraved along with it? Some scholars maintain that only the *foedus* appeared on the Capitol in bronze, while the decree was merely deposited in the *aerarium*.⁴ Others, however, believe that both of them were engraved on bronze.⁵ In other words, how reliable are these Greek copies in reflecting the arrangement of documents in Roman archives? Then there is the other matter of the "renewal" of a treaty. In the present instance does it mean that Astypalaea had an existing treaty prior to 105 B.C. which is here being "renewed"? Täubler says yes, Horn says no.⁶ Täubler believes that the original treaty was agreed upon in the field by a Roman general with Astypalaea and that in the present document it is being confirmed and renewed at the same time. Horn's argument is that the renewal phrase, here, as often elsewhere, is nothing more than a diplomatic expression of courtesy

³ I follow here A. Heuss, *Klio*, 27 (1934): 247.

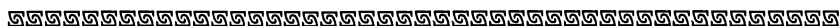
⁴ See the remarks of Horn, *op. cit.*, pp. 76ff., and of Heuss, *op. cit.*, pp. 246-47.

⁵ Accame, *loc. cit.* On this particular point see also the review of his book by F. W. Walbank in *J.R.S.*, 37 (1947): 206, and our Introduction, section 3.

⁶ Täubler, *op. cit.*, pp. 122-23; Horn, *op. cit.*, pp. 72-73. Täubler suggests that the occasion for the making of the treaty may have been the war with Aristonicus. For the meaning of ἀνανεοῦσθαι see G. Daux, *Delphes au II^e et au I^{er} Siècle* (Paris, 1936), p. 304, n. 2, and *idem*, in *Mélanges offerts à A.-M. Desrousseaux* (Paris, 1937), pp. 119-22; cf. L. Robert, *Hellenica*, 1 (1940): 96-97, n. 5.

affixed to the head of all international proceedings in the Senate. Täubler, of course, is aware of this use of the word, but he does not believe that it is applicable here.

To pay full honor to Rhodokles, the envoy who represented his city in the making of the treaty with Rome, the city of Astypalaea passed a decree in his honor and engraved it along with the other documents. It is included here for the sake of completeness.



BIBLIOGRAPHY. G. Doublet, *B.C.H.*, 13 (1889): 503ff.; P. Viereck, *Hermes*, 25 (1890): 624ff.; Th. Mommsen, *Hermes*, 26 (1891): 145ff. (*Gesammelte Schriften*, 5: 514ff.); V. Chapot, *La province romaine proconsulaire d'Asie* (Paris, 1904), pp. 38ff.; W. Dittenberger, *O.G.I.S.*, II (1905), 442; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 16, p. 271; U. von Wilamowitz-Moellendorff, *Mommsen und Wilamowitz: Briefwechsel 1872-1903* (Berlin, 1935), pp. 392ff.; M. Segre, *Clara Rhodos*, 9 (1938): 205; W. H. Buckler and W. M. Calder, *Monumenta Asiae Minoris Antiqua*, VI (Manchester, 1939), no. 162, pp. 59ff.; M. I. Rostovtzeff, *S.E.H.H.W.*, II (1941), 956, and III (1941), 1564; D. Magic, *Roman Rule in Asia Minor* (Princeton, 1950), I, 234ff., and II, 965, 1003, 1112; J. Robert and L. Robert, *La Carie*, II (Paris, 1954), no. 5, pp. 97ff.; Klaffenbach, *Gnomon*, 27 (1955): 234-35; G. E. Bean, *A.J.A.*, 60 (1956): 196 (cf. *S.E.G.*, XV [1958], 656); F. G. Maier, *Griechische Mauerbauinschriften. I: Texte und Kommentare* (Heidelberg, 1959), no. 75, pp. 245-47; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 67; R. K. Sherck, *Greek, Roman and Byzantine Studies*, 6 (1965): 295-300.

DESCRIPTION. First discovered by G. Deschamps and G. Doublet in the wall of a house at Davas, the site of ancient Tabae in eastern Caria. After a long search it was located by Buckler and Calder in 1933 in the wall of a private courtyard which formed part of the house of Kadioglou Mehmet, from which it was removed for safe-keeping at Denizli. It is a "marble block, smoothly tooled on four sides and at end, inscribed on this end surface." Height: 0.40 m. Width: 0.58 m. Thickness: 1.05 m. The letters are 0.01-0.015 m. high. "The inscribed surface of this block allows room for sixteen lines; above and below it must have lain similar blocks bearing the beginning and the continuation of our text. This did not extend beyond the l. and r. edges of our block, as is plain from lines 11-14; this stone was therefore probably one of those forming one of the antae near the entrance to some temple, the whole document being inscribed on the front of the anta." (Buckler and Calder, *op. cit.*, with a photograph of a squeeze on Plate 28 [no. 162]).

- [- - - - -]
 [- - τοῖς τε β]α[ιλέως Μιθραδάτου ἡγεμόσιν]
 [δυνάμεσιν] τε ἐπανδρότατα [περὶ τῆς Ἀσίας]
 [καὶ τ]ῆς Ἑλλάδος ἀντιτετάχθ[αι, ἀρέσκειν τῇ]
 [συν]κλήτῳ καὶ τῷ δήμῳ [τῷ Ῥωμ]α[ίων πάντα αὐ] -
 5 [τοῖς] τᾶριστα εἶναι ἔσεσθαι τε, τῇ[ν τε πρὸς τὴν σύν] -
 [κλή]τον καὶ τὸν δῆμον τὸν Ῥωμα[ίων αὐτῶν (?) πίσυν]
 [διὰ] μνήμης ἔχειν ἔξειν τε νν ὅσ[ας τε κώμας τῆς]
 [τού]των ἀρετῆς καὶ καταλογῆς ἔν[εκεν αὐτοῖς]
 [μετ]ὰ συνβουλίου γνώμης Λεύκιος Κ[ορνήλιος]
 10 [Σύλλ]ας αὐτοκράτωρ συνεχώρησεν νν ὅπω[ς αὐτ] -
 [αι αὐ]τοῖς τοῖς νόμοις αἰρέσεσιν τε ὧσιν [ὑπήκοοι,]
 [ὅπω]ς τε χωρίον Θυησσόν, ὃ ἐστὶν ἐντὸς τῶν [ὁ] -
 [ρίω]ν αὐτῶν, εἰάν βούλωνται, ὀχυρώσωσιν. [τῇν]
 [τε σύ]νκλητον τόν τε δῆμον τὸν Ῥωμαίων [δια] -
 15 [λα]νβάνειν ταῦτα αὐτοῖς καλῶς καὶ νν [προση] -
 [κόντ]ως καὶ ἀξίως αὐτῶν, δεδόσθαι τε [- - -]

The text here given is based essentially on that of Robert. 1-2 Restored originally by Doublet from the phraseology in the *S.C. de Stratonicensibus* (No. 18), ll. 82-84; Buckler and Calder added *συνπεπολε* | *μηκέναι* at the beginning. 3-7 Viereck, but with some changes by Robert. *Ῥωμαίων συμμαχίαν* was introduced by Buckler and Calder, but Robert rightly rejected it. Perhaps one might restore *Ῥωμαίων προαίρεσιν*. 7-11 All editors and commentators except Wilamowitz were misled by the faulty reading of [π]όλ[εις] in l. 10, which was found to be *ὅπω[ς]* when Buckler and Calder had re-examined the stone. 7 *ὅσ[α] τε ψηφισθῆναι*, Buckler and Calder; *ὅσ[α] τε ἐπαθλα* τῆς |, Wilamowitz, followed by Maier; *ὅσ[α] τε φιλόνηθρα* (?), Robert; *ὅσ[ας] τε κώμας τῆς*, Sherck. 10-11 *ὅπω[ς] ἐπ' ἑ[σ]ῃ αὐτοῖς* and *κύρια* at the end (Buckler and Calder); *ὅπω[ς] ταῦτα ἐπ' αὐτοῖς* and *κύρια* at the end (Robert); *ὅπω[ς] ὑφ' | ἐαυτοῖς* and *πάσαις* at the end (Klaffenbach with hesitation, followed by Maier); *ὅπω[ς] αὐτ[α]ι αὐτοῖς* and *ὑπήκοοι* at the end (Sherck). 16 Viereck joined *δεδόσθαι τε[τάχθαι]* to the preceding words in thought; *προσηκόντ*ως, Doublet.

COMMENTARY. At the conclusion of the first war against Mithridates in 85 B.C. Sulla rewarded those cities which had remained loyal to Rome and had resisted the king of Pontus. We learn here that Tabae in Caria had been one of those cities and had received its reward from Sulla while he was still in Asia. He is called *αὐτοκράτωρ* but not yet *Ἐπαφρόδιτος*.¹ Sometime after his return to Italy in 83 B.C., and probably in 81, the people of Tabae dispatched an embassy to obtain senatorial confirmation of Sulla's grant and also permission to fortify Thyessos. This was normal procedure. The Senate approved. The city in turn erected the present inscription in commemoration of the event.

The extent of Sulla's grant to Tabae, however, has been obscured by the unfortunate mutilation of the text at crucial points, lines 7 and 10-11. The difficulty has also been

¹ For Sulla's titles see J. P. V. D. Balsdon, "Sulla Felix," *J.R.S.*, 41 (1951): 1-10.

aggravated by a faulty reading in line 10, [π]όλ[εις] for ὅπω[ς]. It was thereby assumed that Sulla had granted Tabae control of cities in the area, an assumption rejected by Mommsen and Wilamowitz. In 1933 and 1934 Buckler and Calder established the true reading. But the main problem still remained.

The problem is this. The grammatical connection between οὐδ[ε] in line 7 and ὅπω[ς] in line 10 makes it reasonable to believe that whatever was mentioned after οὐδ[ε] should be either the subject of ὥσιν in line 11 or otherwise connected with the ὅπω[ς] clause.² But the key words are missing.

Buckler and Calder restored ὅσ[τα] τε ψηφισθῆναι in line 7 and completed lines 10–11 as follows:

[Σύλλ]ας αὐτοκράτωρ συνεχώρησεν νῦν ὅπω[ς] ἐπ' ἑ[κ] -
[ση] αὐ[τῶν] τοῖς νόμοις αἰρέσεσιν τε ὥσιν [κύρια].

Robert objected, for on historical grounds "all that Sulla permitted them to be voted" was not possible. He had not been in Tabae and could hardly have given the city permission to vote anything at the time of the resistance it offered to Mithridates. Thus Robert proposed ὅσ[τα] τε φιλόνομα ? for line 7 and restored lines 10–11 in quite a different fashion:

[Σύλλ]ας αὐτοκράτωρ συνεχώρησεν νῦν ὅπω[ς] ταῦτα
[ἐπ' αὐ]τοῖς τοῖς νόμοις αἰρέσεσιν τε ὥσιν [κύρια].

Bean disapproved of this and felt that lines 10–11 should be completed in such a way as to allow the city to make its own laws and decisions:

[Σύλλ]ας αὐτοκράτωρ συνεχώρησεν νῦν ὅπω[ς] κύριοι
[ἐφ' αὐ]τοῖς (?) τοῖς νόμοις αἰρέσεσιν τε ὥσιν [χρησθαι].

And Klaffenbach was not satisfied. He felt sure that Wilamowitz was right in suggesting ὅσ[τα] τε ἔπαθλα τῆς | - - - for line 7, and accordingly he followed this up in lines 10–11 with a tentative restoration:

[Σύλλ]ας αὐτοκράτωρ συνεχώρησεν νῦν ὅπω[ς] ἑ[κ] -
[ἐαυ]τοῖς τοῖς νόμοις αἰρέσεσιν τε ὥσιν [πάσαις].

Maier later agreed substantially with Klaffenbach. But no one was happy or satisfied with any of these suggestions.

It would appear that the main source of difficulty after the re-examination of the stone by Buckler and Calder is the assumption that ἔπαθλα or some similar word must be restored in line 7. Such a word must carry over to the ὅπω[ς] clause and the verb in line 11, a combination of words and phrases not ordinarily found. One does not usually speak of "privileges" in connection with "laws" and "policies." A different subject, therefore, must be found, and it is submitted that *villages* is that subject. From an examination of the concessions made by Sulla to other cities at about the same time,

² See the *S.C. de Stratonicensibus* (No. 18), ll. 50–52, and the *S.C. de Asclepiade* (No. 22), ll. 16–18.

it can be seen that he had no objections to the granting of villages, districts, or even revenues to loyal cities of Asia Minor. Examine the following, for example.

1. *S.C. de Stratonicensibus* (No. 18), lines 53–56: χωρία [κώμας λιμένας προσό]δους τε τῶν] πόλεων, ὧν Λεύκιος Κορν[ήλιος Σύλλας αὐτοκράτωρ | τῆς τούτων] ἀρετῆς καταλογῆς τε ἔ[νεκεν προσώ]ρισεν συνεχώρη|σεν, ὅπως τ[αῦτα αὐτοῖς ἔ]χειν ἐξ[ῆι· κτλ. Compare lines 93–97 and 102–4.

2. *S.C. de Thasiis* (No. 20), lines 13–16 of E: ἃς τε προσόδους τῆς τούτων ἀρ[ετῆς καὶ καταλογῆς ἔνεκεν ἀπὸ συμβουλίου γνώμης] | Λεύκιος Κορνήλιος [Σύ]λλας αὐτοκρ[άτωρ τοῖς αὐτοῖς συν] | ἐχώρησεν ν πόλ[εις χωρί]α καὶ ὑ[πάρχοντα αὐτοῖς] (?) - - - | λιμένας κτλ.

3. *S.C. de Oropiis* (No. 23), lines 19–23: ἐπ[ε]ὶ ἐν τῷ τῆς μισθώσεως νόμῳ αὐται αἰ | χώραι ὑπεξειρημένοι εἰσίν, ἃς Λεύκιος Σύλλας θεῶν ἀθανάτων ἱερῶν τεμενῶν | φυλακῆς ἔνεκεν συνεχώρησεν {ὑπεξειρημένοι εἰσίν}, ταύτας τε τὰς προσ[ό]δους, περὶ ὧν ἄγεται τὸ πρᾶγμα, Λεύκιος Σύλλας τῷ θεῷ Ἀμφιαράῳ προ[ο]σώρι|σεν (!), κτλ.

Thus it is possible to suppose that Sulla had also granted Tabae the control of villages or districts. These are in no sense cities and have nothing to do with a confederation of any sort. Some support for this view is to be found in the following clause of the decree (ll. 12–13), where we see that Tabae had been given permission to fortify some (nearby) place called Thyessos. One may assume that, despite the advantageous position Tabae occupied in the deep mountainous retreat of central Caria, it still felt the need of additional fortifications outside its immediate area. It was concerned for its future military security and may have asked Sulla for the control of villages that it considered important from a strategic point of view. Or these villages may have defected to Mithridates and thus were stripped of their freedom as punishment. In any case it appears reasonable to assume that Tabae was given control of villages in the area.³

With *villages* for the subject of the verb in line 11, the possibility of restoring *ὑπήκοοι* at the end of that line is introduced. And the use of that word in lines 16–19, column 1, of the letter written by Dolabella to the Thasians (No. 21) makes the possibility almost a certainty. Lines 7–11 of our decree may then be translated: "... and whatever villages L. Cornelius Sulla *imperator* granted to them, after consultation with his *consilium*, for the sake of their courage and honor, that these villages be subject to them, to their laws, and to their policies."

Tabae enjoyed a privileged position under Roman rule, and the present decree is not the only piece of evidence to illustrate it. A short dedication set up in Rome has been known for some time.⁴

³ Robert thought that *συνεχώρησεν* by itself was not sufficient to convey the meaning of attributing territory to Tabae; he believed that *προσώρισεν* would also be necessary in such a case. But a passage (quoted above, no. 3) from the *S.C. de Oropiis*, ll. 19–23 (cf. ll. 25–27), seems to show that *συνεχώρησεν* alone could be enough. See Sherck, *op. cit.*, p. 299.

⁴ G. Gatti, *Notizie degli Scavi di Antichità*, 1887, pp. 110–11, and *ibid.*, 1888, pp. 134 and 189 (*I.G.*, XIV, 695–96 b; *I.G.R.R.*, I, 63; *C.I.L.*, I², 730 b; *C.I.L.*, VI, 30922 b; J. Robert and L. Robert, *op. cit.*, no. 4, p. 96); cf. Magie, *op. cit.*, II, 954–55 and 1090.

Ὁ δ[ῆμος] ὁ Ταβηνῶν
φίλ[ος] καὶ σύμμαχος
Ῥω[μαί]ων.

Unfortunately we cannot tell whether this dedication dates from a period soon after 167 B.C. (the war against Perseus) or from the age of Sulla.

SENATUS CONSULTUM DE
STRATONICENSIBUS

81 B.C.



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DESCRIPTION. This decree has been engraved on the wall of the Temple of Hecate at Lagina in Caria. Small fragments of it were first published by Newton (Frag. E), Benndorf and Niemann (Frag. G-H), and Le Bas-Waddington (Frag. O), but with the discovery of many more fragments Charles Diehl and George Cousin assembled all of them and attempted a reconstruction of the entire text. They saw that it was spread out over five parallel columns, that the extant fragments represented parts of thirteen stones or blocks, and that the sides of the columns did not, of course, agree with the sides of the blocks. Thus Fragment A is all that remains of block A in column one, and, while much of Fragments B¹⁻² is extant, the first half of block B (= B¹) contains part of the text in column one, and the second half (= B²), part of the text in column two. (For the arrangement of the blocks and the columns see the revised plan in Viereck, *op. cit.*, p. 24.)

The document begins with a letter of Sulla to the city of Stratoniceia, followed by another letter introducing the decree. At the end of the decree is found a local decree of the city of Stratoniceia which authorizes the engraving of a list of those cities which recognized the inviolability of the Temple of Hecate. Part of this local decree and parts of the list of cities are extant but are not

reproduced here. They can be found in the publications by Diehl and Cousin and by Dittenberger.

The fragments containing our decree show some peculiarities worthy of mention from an epigraphical point of view. In the first place the beginnings of lines are indented in a rather unusual way, and we have tried to preserve this indentation in the text. Fragment B² contains a good example, for in it we find the beginnings of lines 15 and 17 forming the extreme left margin of the text with other lines indented from one to seven letter spaces. Secondly, the stones were originally joined so carefully and fitted together so smoothly that lines of text could be engraved both above and below the horizontal line formed by the joining of two stones. For example, stone H rests on top of stone K, and the upper half of the word *Στρατονικεύσιν* (l. 101) is engraved on stone H and the lower half on stone K. Thirdly, at the bottom of stone K, to the right of and one line below *οὕτως γίν(ω)νται* (l. 112), is found a solitary *Ἀγαθὴ τύχη* engraved in different characters from those of the decree. This means that below it was a different inscription and that line 112 marks the bottom of that particular column (the third one according to Diehl and Cousin and Viereck), and probably of all five columns belonging to the senatorial decree.

- Frag. AB¹ [Λεύκιος Κορνήλιος Λ]ευκίου [υἱὸς] Σύλλας Ἐπαφρόδιτος
[δικτάτωρ Στρατονι]κέων ἀρχ[ο]υσι βουλῇ δῆμωι χαίρειν·
[οὐκ ἀγνοοῦμεν ὑμᾶς] διὰ προ[γ]όνων πάντα τὰ δίκαια
[πρὸς τὴν ἡμετέραν] ν ἡγεμ[ον]ίαν πεποιηκότας καὶ ἐν
5 [παντὶ καιρῷ τὴν πρὸς ἡ]μᾶς πί[σ]τιν εἰλικρινῶς τετηρηκότας
[ἐν τε τῷ πρὸς Μιθραδά]την π[ο]λέμῳ πρώτους τῷ ἐν τῇ
[Ἀσίᾳ ἀντιτεταγμένους κα]ὶ διὰ ταῦτα κινδύνους πολλούς
[τε καὶ παντοδαπούς] ὑπὲρ τῶν ἡμετέρων δημοσίων
[πραγμάτων προθυμό]τατα ἀ[ν]αδεεγμένους
10 [-----] καὶ τ[οὺς κοινούς] καὶ τοὺς ἰδιωτικούς
[φιλίας] ἐ[ν]ε[κ] π[ρὸς] ἡμᾶς εὐνοίας τε
[καὶ χάριτος, καὶ ἐν τῷ τοῦ πολέ]μου καιρῷ πρὸς ἡ
[τὰς ἄλλας τῆς Ἀσίας πόλεις πεπρ]εσβευκότας καὶ πρ[ὸς]
[τὰς τῆς Ἑλλάδος -----]
- Frag. B²C¹ Λεύκιος Κορν[ή]λιος Σύλλας Ἐπαφρόδιτος δικτ[ά]τωρ
Στρατο[νικέων] ἀρχουσι βουλῇ δῆμωι χαίρειν·
πρεσβευταῖς ὑμ[ετέροις] τὸ γενόμενον ὑπὸ συγκλήτ[ου] δόγμα τοῦτο [παρέδωκα.]
Λεύκιος Κορνήλι[ος] Λευκίου υἱὸς Σύλλας Ἐπαφρόδιτος δικτ[ά]τωρ
συγκλήτῳ συ[ν]εβουλευσατο πρὸ ἡμερῶν ἐξ κα[λ]ανδῶν
20 Ἀπριλίων ἐν τῷ [κομετίῳ· γραφομένῳ παρήσαν Γ]αίος
Φάννιος Γαίου [υἱὸς ----- Γ]αίος
Φονδάνιος Γαί[ου υἱὸς] ----- Περὶ ὧν Στρατονικε[ῖς] ἐκ Χρυ-
σαι[ρέων]
Παιώνιος Ἱερ[οκλέους, -----]

- 25 'Εκαταίος Πα[-----]
Διονύσιος Ε[----- πρεσβευταὶ λόγους ἐποιή]σαντο
συμ[φάνως καὶ ἀκολούθως τῷ Στρατονικέων ψηφίσματι]
- Frag. D [ἀξιουντες συνήδουσαι ἐπὶ τῷ τ]ὰ δημόσια πράγ[ματα τ]οῦ δήμου
[τοῦ 'Ρωμαίων ἐν βελτίονι κα]ταστάσει εἶναι·
- 30 [ὅπως χρυσούν στέφανον παρὰ τῆς ἰ]δίας πόλεως τῇ συγκλήτῳ
[ἀναθεῖναι ἐξῆι ἀπὸ ταλάντων δ]ιακοσίων,
[θυσίαν τε ἐν τῷ Καπετωλίῳ ὅπως] ποιῆσαι ἐξῆι ὑπὲρ τῆς ν[ίκ]ης
[καὶ τῆς ἡγεμονίας τοῦ δήμου τοῦ] 'Ρωμαίων,
[ὅπως τε τὸ λοιπὸν Λευκίῳ Κορινθίῳ Λ]ευκίου υἱῷ Σύλλαι 'Επαφροδίτῳ
35 [δικτάτορι φαίνεται Στρατονικέων] δήμῳ φιланθρώπως κεχρή[θ]αι·
[εἴπει τε ὁ δῆμος ἐν τῷ καιρῷ τῆς εἰρήν]ης συνετήρησεν τὴν ἰδίαν
[εὐνοίαν τε καὶ πίστιν καὶ φιλίαν] πρὸς τὸν δῆμον τὸν 'Ρωμαίων
[καὶ πρῶτος τῶν ἐν τῇ 'Ασίᾳ, ὅτε Μιθρ]αδάτης ἐν αὐτ[ῇ]
[δεινότατα ἐτυράννευεν, προείλετο ἂν] τιτετάχθαι·
- 40 [εἴπει δὲ ὁ βασιλεὺς ἐπὶ τὴν πόλιν ἐπῆλθεν], ἐλὼν δ' ἐκράτησ[ε]ν
[-----]
- Frag. O [----- Λευκίῳ Κορινθίῳ Λευκίου υἱῷ Σύλλαι]
δικτάτορι ἐπι[τάξαντι -----]
[κ]αὶ ἐπεί ὁ δῆμος [συνετήρησεν αἰ τὴν ὑπάρχουσαν αὐτῷ]
45 εὐνοίαν καὶ πί[στιν] καὶ συμμαχί[αν πρὸς τὸν δῆμον τὸν 'Ρωμαίων, τὰ ἴ]-
δια πράγματα κ[ατὰ τ]ὴν προαίρεσιν [τὴν ἐκείνων διοικήσας, καὶ Μιθραδάτῃ]
πόλεμον ἐπο[ίησε, κα]ὶ τὸν ἴδιον δη[λώσας θυμὸν προθυμότατα ἀντετάχθῃ]
τῇ βασιλικῇ β[ί]αι καὶ δυνάμει [-----]
-----]
- Frag. E [δικαίοις τε κ]αὶ νόμοις καὶ ἐθισμ[οῖς τοῖς ἰδίοις, οἷς ἐχρῶν]-
50 [το ἐπάν]ω, ὅπως χρῶνται, ὅσα τε [ψηφίσματα ἐποίησαν τοῦ]-
[του τοῦ πο]λέμου ἔνεκεν, ὃν πρὸς βασ[ιλέα Μιθραδάτῃν ἀνέδειξαν]
[ὅπως τ]αῦτα πάντα κύρια ὦσιν·
[Π]ήδασάν τε. ?] Θερμῶσόν, Κέραμον, χωρία [κώμας λιμένας προσό]-
[δους τε τῶν] πόλεων, ὧν Λεύκιος Κορν[ήλιος Σύλλας αὐτοκράτωρ]
55 [τῆς τούτων] ἀρετῆς καταλογῆς τε ἔ[νεκεν προσώρισεν συνεχώρη]-
[σεν, ὅπως τ]αῦτα αὐτοῖς ἔχειν ἐξ[ῆι]·
[τὸ ἱερὸν τῆς] 'Εκάτης ἐπιφανεστά[της καὶ μεγίστης θεᾶς, ἐκ πολ]-
[λοῦ τε τι]μώμενον καὶ πολλὰ[-----]
-----]
- [τό τε τέμν]ος, ὅπως τοῦτο ἄστυ[λον ὑπάρχει]·
60 [περὶ τε τῶν ἀ]π[ολωλ]ότ[ων αὐτοῖς ἐν τῷ πολέμῳ, ὅπως]
ἡ σ[ύν]κλητος τῷ ἄρ[χοντι τ]ῷ εἰς 'Ασίαν πορευομένῳ ἐντολὰς
tag. C2F δῶι, ἵνα φρο[ντίσ]ῃ καὶ ἐπιστροφὴν ποιήσῃται, ὅπως τὰ ἐμφανῇ
αὐτοῖς ἀποδοθῆναι φροντίσῃ, τοὺς τε αἰχμαλώτους
κομίσωνται περὶ τε τῶν [λ]οιπῶν ἵνα τύχωσι τῶν δικαίων·

- 65 ὅπως τε πρεσβευταῖς τοῖς παρὰ Στρατονικέων εἰς Ῥώμην
 παρесоμένοις ἐκτὸς τοῦ στίχου οἱ ἄρχοντες σύγκλητον διδῶσ[ιν]
 περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν· πρεσβευταῖς
 Στρατονικέων κατὰ πρόσωπον ἐν τῇ συγκλήτῳ φιλανθρώ-
 πως ἀποκριθῆναι, χάριτα φιλίαν συμμαχίαν ἀνανεώσασθαι,
 70 τοὺς πρεσβευτὰς ἄν[δρα]ς καλοὺς καὶ ἀγαθοὺς καὶ φίλους
 συμμαχοὺς τε ἡμε[τέρο]υς παρὰ δήμου καλοῦ καὶ ἀγαθοῦ
 καὶ φίλου συμμαχοῦ [τε ἡμ]ετέρου προσαγορεῦσαι ἔδοξεν.
 Περὶ τε ὧν οὗτο οἱ [πρεσβευ]ταὶ λόγους ἐποιήσαντο καὶ περ[ὶ ὧν]
 Λεύκιος Κορνήλι[ος Σύλλα]ς Ἐπαφρόδιτος δικτάτωρ λόγο[υς]
 Frag. G [ἐποίησαντο, γνωστὸν εἶναι Ῥω]μαίοις [κατὰ τὰς ἀποσταλείσας]
 [παρ]ὰ τῶν Ἀσίαν τήν τε Ἑλλάδα [διακατασχόντων τῶν τε ἐν]
 [ταῦτα]ις ταῖς ἐπαρχείαις πρεσβευ[τῶν γεγενημένων ἐπιστολάς]
 [τοὺς] Στρατονικεῖς τήν τε φιλίαν κ[αὶ πίστιν καὶ εὖνοιαν πρὸς τὸν]
 [δῆ]μον τὸν Ῥωμαίων διὰ τέλους [ἐν καιρῷ εἰρήνης πολέμου]
 80 [τε] <ᾗ>εἰ συντετηρηκέναι στρατιῶ[ταις τε καὶ σίτῳ καὶ μεγάλας]
 [δαπάν]αις τὰ δημόσια πράγματα [τοῦ δήμου τοῦ Ῥωμαίων]
 [προ]θυμότηα ὑπερησπικέναι π[-----]
 [..]υς ὑπὲρ τῆς μεγαλοφροσύνης [τῆς ἐαυτῶν αὐτοῖς συμπε-]
 [πολ]εμικῆν τοῖς τε βασιλέω[ς Μιθραδάτου ἡγεμόσιν]
 85 [δυν]άμεσιν τε ἐπανδρόατα πε[ρὶ τῶν πόλεων τῆς Ἀσίας καὶ]
 [τῆς] Ἑλλάδος ἀ[ν]τιτετάχθαι.
 [περὶ τούτων τῶν πραγμάτων οὕτως ἔδοξεν· ἀρέσκειν τῇ συγ-]
 Frag. H [κλήτῳ ἀνδρῶν ἀγαθῶν] δικαίων [τε ἀπο]μνημ[ονεύειν καὶ προ-]
 [νοεῖν ὅπως Λεύκι]ος Κορνήλιος Σύλλας Ἐπαφρόδιτ[ος]
 90 [δικτάτωρ τὸν ἀν]τιταμίαν ξένα αὐτοῖς κατὰ τὸ διάτα[γμα δοῦ-]
 [ναί κελεύσῃ, οἷς] τε νόμοις ἐθισμοῖς τε ἰδίοις πρότερον
 [ἐχρῶντο, τοῦ]τοῖς χράσθωσαν.
 [ὅσους τε νόμους αὐτοῖς] ἐψηφίσματά τε ἐποίησαν τούτου τοῦ [πολέ-]
 [μου ἔνεκεν τοῦ πρ]ὸς Μιθραδάτην γενομένου, ἵνα τούτο[ις ταῦτα]
 95 [πάντα κύρια ὑπάρ]χωσιν· ἃς τε τινας τῆς τούτων ἀρετῆ[ς καταλο-]
 [γῆς τε ἔνεκεν μετ]ὰ συμβουλίου γνώμης Λεύκιος Σύλ[λας αὐ-]
 [τοκράτωρ τοῖς αὐ]τοῖς προσώρισεν συνεχώρησεν [πολιτεί-]
 [ας προσόδους χω]ρία κώμας λιμένας τε τούτο[ις, ἵνα ταῦτα]
 [αὐτοῖς ἔχειν ἐξῇ· τό]ν τε δήμον τὸν Ῥωμαίων [-----]
 100 [-----]προση]κόντως ἀξίως τε αὐτ[οῦ] -----
 [-----]τά τε Στρατονικεῦσιν [ἐψηφισμένα? -----]
 [-----]ἀποδεκ[τὰ ὑπάρχει]ν δεῖν.
 Frag. K [ὅπω]ς τε Λεύκιος Κορνήλι[ος Σύλ]λας Ἐπαφρόδιτος δικτάτ[ωρ, ἐὰν αὐτῷ]
 [φα]ίνεται, ἃς αὐτὸς αὐτοκράτωρ Στρατονικεῦσιν πολι[τείας]
 105 [κ]ώμας χώρας λιμένας τε προσώρισεν, ἐπιγνώμῃ διατάξῃ[ι ὅσας ἐκάστη]
 προσόδους Στρατονικεῦσιν τελῇ.

- [ἐά]ν τε διατάξῃ, πρὸς ταύτας τὰς πολιτείας, ἃς Στρ[ατονικεῦσιν]
προσώρισε, γράμματα ἀποστείλῃ, ἵνα τοσοῦτον τ[έλος]
Στρατονικεῦσιν τελώσιν·
- 110 [τ]οῦτό τε, οἷτινες ἂν ποτε αἰεὶ Ἀσίαν τήν τε Ἑλλάδα ἐ[παρχείας]
[δια]κατέχωσιν, φροτίζουσιν διδῶσιν τε ἐργασίαν, ἵν[α ταῦτα]
οὕτως γίν[ω]νται.
- LM¹ Τὸ [ἱερ]ὸν τῆς Ἑ[κάτης] ὅπως ἦ[ι] ἄσυλον·
ἀνθύπατος ὅστις ἂν αἰεὶ Ἀσίαν ἐπ[αρχείαν]
115 διακατέχῃ, ἐπιγνώτω ἅτινα αὐτοῖς ἄ[πε]στιν
οἳ τέ τινες ταῦτα διήρπασαν οἳ τέ τινε[ς δ]ιακατέ-
χουσιν αὐτά, ἵνα παρ' αὐτῶν ἀποδοθῇαι ἀποκατα-
σταθῇαι φροντίσῃ· ἵνα τε τοὺς αἰχμαλώτους
ἀνακομίσασθαι δύνωνται ὑπέρ τε τῶν λ[ο]ιπῶν
120 πραγμάτων τῶν δικαίων τύχωσιν ο[ὗ]τ[ω κα]θώς ἂν
αὐτοῖς ἐκ τῶν δημοσίων πραγμάτ[ων πίσ]τεύς
τε τῆς ἰδίας φαίνεται· ἔδοξεν.
- Στέφανόν τε τὸν παρὰ τοῦ δήμου [τῇ συγκλήτῃ]
ἀπεσταλμένον, οὗ ἂν Λεύκιος [Κορνήλ]ιος
125 Σύλλας Ἐπαφρόφίτος δικτάτ[ωρ]
[ἦγ]ηται [ἀγαθὸν ὅπως ἀναθεῖναι αὐτοῖς]
[ἐξ]ῆι, θυσίαν τε ἐν τῷ Καπετωλίῳ ἂν θέ-
[λωσιν ὅπως αὐτοῖς ποιῆσαι ἐξ]ῆι.]
[τοῖς τε πρεσβευταῖς παρὰ Στρατονικέων εἰς]
3. N¹ [Ῥώμην παρεσομένους ἔδοξε σ]ύγκλητον
[ὑπὸ τῶν ἀρχόντων ἐκτὸς τοῦ στίχου δίδ]οσθαι· [ἔδοξεν.]

The text is that of Dittenberger except where noted. 7 Ἀσία ἀνθεσταμένους, Diehl and Cousin. 8-9 [καὶ μεγάλους ὑφεστηκότας] ὑπέρ τῶν ἡμετέρων δημοσίων [πραγμάτων καὶ δειν]οτάτα αἵ[λλ]α δεδεγμένους, Diehl and Cousin; πολλοὺς [τε καὶ παντοδαποὺς], Dittenberger; προθυ-
μ]οτάτα ἀ[ν]αδεγεγμένους, Bases, followed by Dittenberger and Viereck (notes); πολλοὺς [τε καὶ
δεινο]τάτους, Wilamowitz. 13a Added by Viereck. 15 ἄρχουσι added by Viereck. 17 [ἡμε]δωκα],
Dittenberger; [συνεχώρησα], the former editors. 18 Λευκίου υἱός first added by Viereck. 19 ἐξ,
Viereck by measurement of available space. 25 Πα[ριωνίου] (?), Diehl and Cousin. 26 Ἑ[καταίου] (?),
Diehl and Cousin. 27 ἀκολουθῶς, Viereck; ἐπακολουθῶς (Diehl and Cousin) appears to be too
long. 28 ἐπὶ τῷ, Viereck; διὰ τό, Diehl and Cousin. 36 τῷ and τῆς added by Viereck. 38
πρῶτός τε, Diehl and Cousin. αὐτ[ῇ]ι: Diehl and Cousin seem to see ΑΥΤΑΙΣ on the stone, but
the reading is uncertain. 39 δεινότατα, Viereck; ὠμότατα, Diehl and Cousin. 40 [ἐπεὶ τε ὁ
βασιλεὺς τὴν πόλιν πολιορκήσας], Diehl and Cousin, but here Viereck saw that the particle (δέ)
with ἐλὼν argued against such a construction. He therefore originally restored [ἐπεὶ τε ὁ βασιλεὺς
πρὸς τὴν πόλιν ἐπῆλθεν], but now (notes), following Dittenberger, prefers a change of preposition
to ἐπὶ τὴν πόλιν and refers to Appian *Mithr.* 82. 21. 42ff. Fragment O inserted here by Viereck.
Diehl and Cousin had placed it after Fragment N¹, an arrangement which put an unequal number
of stones in columns two and three. 43 ἐπιτάξαντι, Dittenberger with a reference to *S.I.G.*³,
748, 25. 47 πόλεμον ἐπο[λέμει]ι, Diehl and Cousin, corrected by Viereck; τὸν ἴδιον δῆ[μον], Diehl
and Cousin and Viereck previously, but δη[λώσας κτλ.], Dittenberger. 48 Robert and Robert, *op.*

cit., p. 99, n. 1. 49–50 οἷς πρότερον|ἐχρῶντο], Diehl and Cousin falsely, for their own transcription of Fragment E shows *Ἰδ* before *ὅπως* χρῶνται in l. 50; thus Viereck restored ἐπάν|ω, ὅπως χρῶνται, κτλ. 53 [Πήδασόν τε], Diehl and Cousin and all others, on the basis of Strabo 13. 1. 59, but L. Robert (*Études Anatoliennes*, pp. 561–62) questions its restoration here. 57 [τό τε ἱερὸν τῆς], Diehl and Cousin, but Viereck deleted τε for reasons of available space. 75 γνωστὸν εἶναι 'Ρωμ|αίοις suggested by Viereck, accepted by Dittenberger. 76 παρ|ὰ τῶν κτλ., Viereck, retained by Dittenberger. 77 ἐπιστολὰς], Dittenberger, but other restorations here and in ll. 78–79 are Viereck's. 80 TEI on the stone according to Diehl and Cousin, but emended by Viereck and followed by Dittenberger; σίτωι added by Viereck from Josephus *Ant.* 12. 10. 8. 83–84 [ἐπιμονώτατα | πεπολ]εμηκέαι, Diehl and Cousin. 88 [καλῶς οὖν ἔχει ἀνδρῶν καλῶν καὶ] δικαίων, Diehl and Cousin. 92 τὸ λοιπὸν τοῦ]τοῖς χρᾶσθωσαν, Diehl and Cousin, but Viereck deleted τὸ λοιπὸν for reasons of available space. The transcription of Fragment H by Diehl and Cousin at this point shows TOIΞΠΑΞΘΩΞΑΝ, and hence the brackets in Dittenberger are incorrect. 98 λιμένας τε, τοῦτο]ις, Diehl and Cousin with comma between, but Viereck puts comma after τοῦτο]ις, as does Dittenberger. 100 Or αὐτ[οῦ(?). 105 At the end, restored by Diehl and Cousin, retained by Viereck and also by Dittenberger. 107 [ἑά]ν τε, Wilamowitz; ὁσο]ν τε, Diehl and Cousin. 110 [παρχείας], Bases; ἐ[πέλθωσιν, Diehl and Cousin. 123 [τῇ συγκλήτῃ], Viereck, followed by Dittenberger. 126–29 Restored by Viereck. 130–31 Cf. ll. 65–66 for these expressions. After line 131 follow Fragments I, M², N², an uncertain fragment, and P, all of them quite separate from the *senatus consultum*.

COMMENTARY. Between the end of the first Mithridatic War in 85 B.C. and the departure of Sulla from Asia in 84 B.C. a general reorganization of the communities of Asia was undertaken, a reorganization that had as its principle the rewarding or punishing of those cities which had proved themselves loyal or disloyal to Rome in the war against Mithridates. In the interior of Caria we know that Tabae (see the *Senatus Consultum de Tabenis*, No. 17) and Stratoniceia had remained loyal. Mithridates had captured Stratoniceia and had imposed a fine upon it.¹ Sulla had accordingly rewarded the city for its gallant stand against the enemy and had voiced high praise for its loyalty to Rome. Later, after Sulla's return to Italy, the city had dispatched envoys to obtain from the Senate written confirmation of all that Sulla had bestowed upon it. The present decree was the result.

In this document we see that Sulla is dictator (ll. 14, 18, 43, 74, 103, 125) and has already received officially his title of Epaphroditos (ll. 1, 34, 74, 89, 103, 125). His dictatorship (82–79 B.C.) gives us a rather wide span of four years in which to date the decree, but his title of Epaphroditos (bestowed at the very end of 82 or early in 81 B.C.) reduces this by one year.² The fact that Sulla is named *dictator* but not *consul* is good reason to believe that the decree is to be dated exactly in 81 B.C., for in 80 B.C. he held the consulship with Q. Caecilius Metellus. The assumption that all of Sulla's title at this time would have appeared on the documents is, I think, a valid one.³

¹ Appian *Mithr.* 21, and the information given in the present decree, ll. 6–9, 36–40, 46–52, 83–86.

² On Sulla's titles see Balsdon, *loc. cit.*

³ Viereck, *op. cit.*, p. 29, in speaking of the proquaestor (l. 90), says he was a "magistratus militaris et extraordinarius, qui vix per duos annos munus obtinebat. Itaque documento est senatus consultum

For their good will and loyalty to the Roman people in the recent war the Stratoniceans are rewarded as follows: (1) renewal of good will, friendship, and alliance with Rome; (2) they are to be given gifts; (3) they may enjoy their own laws and institutions just as they had before the Mithridatic War; (4) whatever laws and decrees they may have passed because of the war shall remain in force; (5) whatever cities, revenues, lands, and other places Sulla and his council may have given to them shall remain theirs; (6) Sulla, if he wishes, shall decide how much taxes these places shall pay to Stratoniceia; (7) the Temple of Hecate shall be inviolable; (8) the future governors of Asia shall provide for the restitution of lost property to them upon their claim; (9) whoever of them had been prisoners shall be returned; (10) they may dedicate a crown to Rome and the Senate and offer sacrifice on the Capitol; (11) their future envoys shall be given extraordinary audience before the Senate. It is an impressive list. In a time of general misery for the communities of Asia, such beneficence would be visible proof of the rewards to be won by loyalty to Rome. This and similar grants in Asia must have done much to awaken the eastern cities to a realization of Rome's iron grip upon their futures and of her willingness to reward their loyalty. Thus, when Mithridates returned, their attitudes were generally hostile to his overtures.

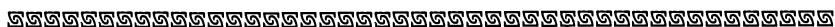
There is another side of the picture as well, for, although the loyal cities such as Stratoniceia had been rewarded, the possession of their newly won privileges depended in the future upon their continued good behavior. The Greeks more than the Romans realized the vagaries and general unreliability of political ascendancy. What Sulla and the Sullan Senate had given them might be taken away by a different master and a different Senate. Hence we find the reason why so many of the eastern cities in the first century before Christ requested confirmation of their privileges from the Senate whenever the political atmosphere in Rome appeared to have changed.

esse ex a(nno) 673/81." This makes sense but can hardly be called positive evidence. It is accepted by Dittenberger, *op. cit.*, n. 68. On the proquaestor see Mommsen, *Römisches Staatsrecht*, II³, I, pp. 531-32.

19

SENATUS CONSULTUM DE CORMIS

80 B.C.?



BIBLIOGRAPHY. E. Kalinka, *Tituli Asiae Minoris*, II, fasc. III (1944), no. 899;
D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 1385, n. 42; R.
Syme, *Historia*, 13 (1964): 160.

DESCRIPTION. A small fragment of limestone, complete only on the top.
Height: 0.14 m. Width: 0.19 m. Thickness: 0.11 m. Height of letters:
0.015 m.

Col. A

[Λεύκιος Κορνήλιος Λευκίου υἱός] Σύλλας
[- - - - - ὕπατος τὸ δεύτε]ρον, συν-
[κλήτῳ συνεβουλεύσατο π]ρὸ ἡμερῶν
[- - - - - ἐν] τῷ ναδὶ τοῦ
5 [Διός· γραφομένῳ παρήσαν Λε]ύκιος(ς) Σέντι-
[ος Γαίου υἱός, - - - - -]ίου υἱός,

Col. B

μ[- - - -
β[- - - -
ρ[- - - -
τ[- - - -
π[- - - -

The restorations are by J. Keil and A. Wilhelm. 4 The spelling NAOI seems assured. 5 A short name of a god is demanded because the following restoration is assured and would allow only a small space at the beginning of the line. The *sigma* of the witness's name was omitted by haplography.

COMMENTARY. In 1894 R. Heberdey discovered a small settlement on the east bank of the Limyrus River in eastern Lycia near the village of Karabük. From two honorary inscriptions found on the site it is clear that its ancient name was Cormus or Cormi, but no Greek or Latin writer mentions it anywhere.¹ Two other inscriptions, from Idebessus, indicate that it had formed a *συμπολιτεία* with Acalissus and Idebessus.²

Why this obscure Lycian community obtained a *senatus consultum* from Rome is unknown, but the editors think that it must concern the granting or the renewal of certain privileges by Sulla in his second consulship, whose grant of freedom to the Lycians after the first Mithridatic War is well known.³ The document's mutilated condition, however, prevents us from drawing any further conclusions.

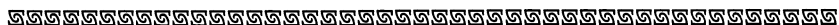
L. Sentius C. f. must be the *monetalis* of ca. 89 B.C. (Broughton, *Magistrates*, II, 452). Since he is here named first among the witnesses, his rank must be at least praetorian. In fact, this is good evidence that he did actually reach the praetorship before the date of this decree.

¹ Kalinka, *op. cit.*, no. 900, mentions a *Κορμέων ὁ δῆμος*; no. 901 refers to *δῆμον τὸν Κορμ[έ]ων*. The name therefore could have been *Κόρμη*, *Κόρμος* or *Κόρμοι*.

² *Ibid.*, no. 830 (= *I.G.R.R.*, III, 646) and no. 833 (= *I.G.R.R.*, III, 647). Cf. A. H. M. Jones, *The Cities of the Eastern Roman Provinces* (Oxford, 1937), p. 108, with nn. 18 and 20; Magie, *op. cit.*, p. 1378, n. 24; and Robert, *Villes d'Asie Mineure*², pp. 56–57 and 272, n. 6.

³ Cf. Magie, *op. cit.*, p. 1385, n. 42. For the grant of freedom see Appian *Mithr.* 61. As a possible aid in the interpretation of the present decree the editor in *Tituli Asiae Minoris* refers to the letter of a proconsul to the Chians (*S.I.G.*³, 785 = *I.G.R.R.*, IV, 943), No. 70 of the present volume.

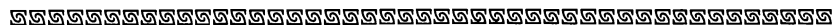
20-21 DOCUMENTA QUAE AD RES THASIAS
PERTINENT



A letter of Sulla to the Thasians with a copy of a senatorial decree, and a letter of Cn. Cornelius P. f. Dolabella to the Thasians concerning the decree. Here are documents of exceptional interest and importance for the history of the island during and after the first Mithridatic War. They serve to illuminate and to supplement our knowledge about the effort of Mithridates to extend his field of operations into Thrace. Both documents must be studied together, for each aids in the interpretation of the other.

EPISTULA L. CORNELII SULLAE
CUM SENATUS CONSULTO DE THASIIS

80 B.C.



BIBLIOGRAPHY. C. Dunant and J. Pouilloux, *Recherches sur l'histoire et les cultes de Thasos*, II: *Études thasiennes*, V (Paris, 1958), no. 174 (Plate VI), pp. 37-45; J. Bousquet, *B.C.H.*, 83 (1959): 402 (cf., *S.E.G.*, XVIII, 349); L. R. Taylor, *The Voting Districts of the Roman Republic*, American Academy in Rome, Papers and Monographs XX (Rome, 1960), pp. 268-69.

DESCRIPTION. These fourteen fragments, engraved on blocks of gray marble, originally formed part of some official building in the agora of Thasos. The stones were later used in the construction of an old Christian basilica.

Section A: Inv. 715 α, β, στ. These are three fragments that join together. Over-all dimensions of the three stones together: width, 0.48 m.; height, 0.15 m.; thickness, 0.07 m.; height of letters, 0.014 m. Lines 1 and 3 project two letter spaces out into the left margin of the text.

Section B: Not preserved.

Section C: Inv. 715. Contains the end of the first column and a part of the last lines of the second. Largest of the fragments: width, 1.28 m.; height, 0.15 m.; thickness, 0.13 m.; height of letters, 0.011 m.

Section D: Inv. 715 ε. Width: 0.45 m. Height: 0.18 m. Thickness: 0.09 m. Height of the letters: 0.010 m.

Section E: Inv. 715 (right side; for dimensions, see above, under Sec. C) to the end of Col. II, line 8, followed by Inv. 715 γ of Col. III. Inv. 715 γ shows a margin on the left. Width: 0.38 m. Height: 0.18 m. Thickness: 0.07 m. Height of letters: 0.012 m. The first two letters of line 4 (Col. II) and of line 13 (Col. III) project out into the margin. The ends of lines 9-11 (Col. III) are contained on a small fragment (Inv. 715 λ) which shows the empty space between Cols. III and IV. Width: 0.14 m. Height: 0.095 m. Thickness: 0.055 m. Height of letters: 0.012 m. (Col. III), 0.008 m. (Col. IV).

Section F: Inv. 715 θ. Broken on all sides. Width: 0.085 m. Height: 0.050 m. Thickness: 0.010 m. Height of letters: 0.011 m.

Section G: Inv. 507 and 520. Found in 1922 and published in *B.C.H.*, 50 (1926), no. 7, p. 234. After its publication the stone was broken into two parts, and several letters (underlined in our text) were obliterated. Over-all dimensions: width, 0.19 m.; height, 0.090 m.; thickness, 0.030 m.; height of letters, 0.010 m. These two pieces form the text up to line 5 of Section G, but with line 6 begins Inv. 715 δ. Width: 0.19 m. Height: 0.11 m. Thickness: 0.055 m. Height of letters: 0.009-0.010 m. The ends of lines 6-15 of Section G are found on Inv. 715 η. Width: 0.18 m. Height: 0.16 m. Thickness: 0.07 m. Height of letters: 0.010 m.

Section H: Inv. 715 λ (right edge). This small fragment carries on its left side

the ends of lines 9–11 (Col. III) (dimensions given above, Sec. E).

Section I: Inv. 715 ι. Small sliver of marble broken on all sides. Width: 0.10 m. Height: 0.045 m. Thickness: 0.015 m. Height of letters: 0.012 m.

Section J: Inv. 715 ζ. Tiny fragment broken on all sides except the right. Width: 0.14 m. Height: 0.195 m. Thickness: 0.075 m. Height of letters: 0.015–0.013 m.

Col. I

- A Λεύ[κ]ιος Κορινή[λ]ιος Λευκίου [υἱὸς Σύλλας Ἐπαφροδίτος ὕπατος]
τὸ δεύτερ[ο]ν χαίρειν λέγε[ι] Θεσίων ἄρχουσι βουλῇ δήμῳ]·
ἐγὼ πρεσβευταῖς ὑμετέροις [τὸ τῆς συνκλήτου δόγμα παρέδωκα· τὸ]
δόγμα τοῦτο γεγονὸς ἐστὶν πρὸς [ἡμερῶν - - - - - ἐν τῷ]
5 [...]μητηρίῳ· γραφομένῳ [ι π]αρήσαν Γά[ιος Σκριβώνιος Γαίου υἱὸς]
[...]ετίνας Κουρί[ων Πωμεντίνα - - - - -]
[...]ΟΞΜΟ[- - - - -]
[- - - - -]

B [περὶ ὧν οἱ πρεσβευταὶ λόγους ἐποιήσαντο - - - - -]
[ἐπεὶ - - - - -]
[- - - - -]

C [- - - - -]ΠΟ[- - - - -]
[.]δότων τῶν [πολεμ]ίων [...].Ἡ[.....] συννομ[ο]σθαι ἑαυτοὺς τέκνα
συνβίου ἀνελεῖν καὶ ταῖς τῶν πολεμίων[ν] δυνάμεσιν παρατάξασθαι καὶ τὰ πνεύ-
ματα ὑπὲρ τῶν δημοσίων πραγμάτων ἡμετέρων ἐν τῇ χρειᾷ ἀποβαλεῖν
5 μᾶλλον ἢ ἐν τινι καιρῷ ἀπὸ τῆς τοῦ δήμου τοῦ Ῥωμαίων φιλίας ἀπεστατηκέναι
δόξωσιν· ν ταύτην τε αὐτοῖς σωτηρίαν ὁρῶντες τῆς πολιορκίας γεγονέναι, διὰ
τε ταύτην τὴν αἰτίαν πικρότερον αὐτοῖς τῶν πολεμίων χρησαμένων μεγίσ-
ταις συμφοραῖς καὶ βλάβαις περιπεσεῖν ν πολλοὺς τε κινδύνους ἀναδεδέχθαι,
[- - - - -]

Col. II

- D [περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν· πρεσβευταῖς Θεσίων [κατὰ]
[πρόσωπον ἐν τῇ συνκλήτῳ φιλανθρώπως ἀποκριθῆναι· χά]ριτα φιλίαν [συμ]-
[μαχίαν ἀνανεώσασθαι, τοὺς πρεσβευτὰς ἄνδρας] καλοὺς καὶ ἀ[γαθοὺς]
[καὶ φίλους συμμάχους τε ἡμετέρους παρὰ δήμου] καλοῦ καὶ ἀγα[θοῦ]
5 [καὶ φίλου συμμάχου τε ἡμετέρου προσαγορεύσαι] ἔ]δοξεν· νασαί
[περὶ τε ὧν οὗτοι οἱ πρεσβευταὶ λόγους πρὸς] τὴν σύνκλητον ἐπ[ιοιή]-
[σαντο, Λευκίου Κορινθίου Σύλ]λα Ἐπαφροδίτου ὑπάτου τοῦ ἐν[ιαντοῦ]
[- - - - - συμβεβουλευκ?]ότος καὶ τῶν πρεσβευτ[ῶν τῶν μετ - -]
[- - - - -]ΤΗΝΤΕ[- - - - -]
[- - - - -]

E [- - -]ΕΝΙ[- - - - -]

[.] ΣΤΕ πρεσβευ[- - - - - τῶν δημοσίων πραγμά] -
των τῶν ἡμετέρω[ν - - - - -]
ἴγα τε Λεύκιος Κορινθίλος Σ[ύλλας Ἐπαφρόδιτος, Κόντος Καϊκίλιος Μέτελλος
Εὐσεβής]
ὑπατοι, ἐὰν αὐτοῖς φαίνεται[- - - - -]
προσηλωμένος ᾦν· ἐν δὲ τῷ ἔμπ[ροσθεν χρόνῳ? - - - - -]
ωὶ ἐν τῷ ναῶι τῷ τῆς Πίστewς π[- - - - - , θυσίαν τε ἐν τῷ Καπε] -
ταλίῳ ἐὰν ποιῆσαι βούλωντα[ι αὐτοῖς ἐξῆι - - - - - ἀρέσκειν?]
αὐτὰ τῇ τε συνκλ[ήτῳ καὶ τῷ δήμῳ τῷ Ῥωμαίων - - - - - ἄρι]στά τε εἶ
ναι καὶ ἔσεσθαι ταῦτα τε [- - - - - διὰ μ]νήμης
ἔχειν ἔξειν τε δώσειν τε ε[- - - - - πε]πρα-
γμένα ὑπ' αὐτῶν ΕΥΚΑΤΑΙ[- - - - -]
ἂς τε προσόδους τῆς τούτων ἀρ[ετῆς καὶ καταλογῆς ἔνεκεν ἀπὸ συμβουλίου γνώμης]
Λεύκιος Κορινθίλος Σ[ύ]λλας αὐτοκρ[άτωρ τοῖς αὐτοῖς - - - - - συν] -
εχώρησεν ν πόλ[εις χωρὶ]α καὶ τὰ ὑ[πάρχοντα αὐτοῖς? - - - - -]
λιμένας καὶ τ[- - - - - c. 8 -] ΠΕ[- - - - -]
[κᾶ]ι τούτῳ[- - - - -]
[- - - - -]
[- - - - - πρ]οσόδου[ς - - - - -]
[- - - - - π]όλεις χω[ρία - - - - -]
[- - - - -] ΤΩΝ Π[- - - - -]
[- - - - -]
[- - - - -] αὐται αἱ πολιτεῖαι[ι - - - - -]
[- - - - - τοῦ?]των τῶν πόλεων χ[ωρίων - - - - -]
[- - - - -]οι διακατέσχον [- - - - -]
[- - - - -]οῖς τοῖς τόπ[οις - - - - -]
[- - - - -] διακατεχ[- - - - -]
[- - - - -] ὅπ[ως ταῦτα οὕτως] [- - - - -] ὁ δῆμος ὁ Ῥωμαῖοι[ν]
[- - - - -] Θά[σοι καρπιζέσθαι δύ]ν[ωνται - - - - -] vacat
[- - - - -] Ῥοιμ[ηταλκας ἢ Τιουτα ἢ] [- - - - -] ν ἢ λαοὶ αὐτῶν Ε
[- - - - -] διακατέχουσιν ἢ [- - - - -] τ[ωι πολέμῳ ἡμετ[έρῳι]
[- - - - -] ἀ[πῆγαγον· ὅπως] Τ[- - - - -] Ε[ὸς ἂν ἐπαρχεία] [- - -]
[- - - - -] Ο[- - -] ΑΣ[- - - - -] Ι[Αβλουπορις ἢ] [- - -]
[- - - - -] τωσαν καὶ ΟΣ[- - - - -]
[- - - - -] vacat
[- - - - -] Αβ[λουπορι] [- - - - -]
[- - - - -] των [- - - - -]
[- - - - -]

ξέν[ια? - - - - -]

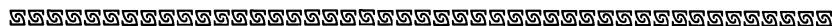
M[- - - - -]
ΣΕ[- - - - -]

I	[- - -] [- - - -] [- - -] ΔΥ/[- - -] [- - -] ΤΗΔ[- - -]	J	[- - - -] Π [- - - - - -] [- - - συν] κλήτον δό[γμα - - -] [- - ἀποσ?] τειλ[- - - - -]
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A 5 [*Τι*]μητηρίωι (?), Taylor, but [*πο*λε]μητηρίωι, Bousquet. A 5-6 Taylor restored the name; cf. E. Badian, *Athenaeum*, n.s., 40 (1962): 356-58. E 9 ἀποδέ?|κτα, Dunant and Pouilloux, but the photograph shows]ΣΤΑ; cf. *S.C. de Tabenis* (No. 17), ll. 5-7. G 6 Dunant and Pouilloux print δπ|ως ταῦτα γίνωνται, but an examination of the photograph seems to show ΩΣΤΑΥΤΑΟΥΤΩΣΙ.

21

EPISTULA CN. CORNELII DOLABELLAE



BIBLIOGRAPHY. C. Dunant and J. Pouilloux, *Recherches sur l'Histoire et les Cultes de Thasos*, II: *Études thasiennes*, V (Paris, 1958), no. 175, pp. 45-55, Plate VII, 1; E. Badian, "The Dolabellae of the Republic," *Papers of the British School at Rome*, 33 (1965): 48-51.

DESCRIPTION. Block of marble carrying the present letter and also one of L. Sestius Quirinalis (No. 56). Much has been lost because of the holes bored into it for fittings. Width: 1.34 m. Height: 0.48 m. Thickness: 0.19 m. Inscription is in two columns, with 0.035 m. between each column. Height of letters: 0.010 m.

[Γναῖ]ος Κορνήλιος Ποπλίου [υἱὸς Δολαβέλλας ἀνθύπατ]ος χαίρειν λέγει ἄρχουσι
 βουλῇ δῆμωι Θασί-
 ων· Μικᾶς Μικᾶ υἱός, Σα[- - καθ' υἰοθεσίαν] Ἐὐρυμενίδου, φύσει δὲ Λυήτου,
 πρεσβευταὶ
 ὑμέτεροι, ἄνδρες κα[λοὶ καὶ ἀγαθοὶ καὶ φίλοι παρὰ δῆμου κα]λοῦ τε καὶ ἀγαθοῦ καὶ
 φίλου συμμαχοῦ τε ἡμε-
 τέρου, ἐν Θεσσαλο[νίκη ἐντυχόντες μοι - - -] ὃν τὴν σύγκλητον τοῦ δήμου τοῦ
 Ῥωμαίων
 ὑπὲρ τῆς ὑμετέρ[ας πόλεως δόγμα περὶ τῆς εἰς τὰ δημόσια] πράγματα καταλογῆς
 ὑμῶν ἐσχηκέναι·
 τοῦτο τε τὸ δόγ[μα - - - - -]
 του ἐπέγγνων τ[- - - - -]
 τερον ἐσχηκέ[ναι - - - - -]
 ἐν τῷ πολέμωι [- - - - -]
 τα]-
 λαμπωρίαις περι[πρεσειν? - - - - -]
 ἡμπεράτοράς τε [- - - - -]
 ὑμῶν ὑμῖν χάριτα [φιλίαν συμμαχίαν ἀνανεώσασθαι - - - - -]
 - - - - -]
 ὅπερ ὑμᾶς ἐπεγν[- - - - -] ὃν τοῖς πρεσβευταῖς Ἀβδηριτῶν ὧι τρόπῳ
 Λεύ[κ]-
 κιος Κορνήλιος Σὺλ[λας - - - - - διέ]κρινεν καὶ ἡ σύγκλητος δίκαιον
 διέλαβεν, ὃ δὴ-

- 15 μός τε Ῥωμαίων ἐκέλ[ευσεν - - - - -]ΜΟ..ΟΞΝ.Λ.
ΧΟΙΣΕΤΟΥΣΕΝΑΠΟΣΤΕΛΕ.. ὑπή-
 κοοι ὑμῖν ὧσιν τὰς τε π[- -]ΕΝ. . . . ΣΝΕ.ΕΙ προσόδους ἢ σύγκλητος [ἢ Ῥω]-
 μαίων συνεχώρησεν ἵνα χρασ[θ - - - - - τ]ούτοις τοῖς ΤΟ..ΙΝΑ γίνηται
 ν. ὁμ-
 οίως τε καὶ Πεπαρηθίοις καὶ [Σκιαθίοις] γράμματα ἀπέστειλα ἵνα ὑμῖν ὑπήκοοι
 ὧσιν ὧι τρόπῳ ἢ σὺν-
 κλητος ἡμετέρα ἠθέλησεν. *vacat*
 20 Εἰ δὲ περὶ τῆς χώρας ἦν ὁμοροῦσαν Ἰσμαρον (?) [..]ΕΝΕ.ΑΙΕ τὴν χώραν ἐμέ
 σταθ[ῆν]αι ΝΤΟ[- - -]
 ὑμῖν σχολάζουσας, παραδοῦναι δέ τινα σχολάζουσα[ν - - c. 19 - -]ΑΙΟΝΙΔΑ καὶ
 πρὸς οὓς [..] γράμ-
 ματα ἀπέστειλα ἵνα περὶ ταύτης τῆς χώρας ΝΟΤΗ.Ν.ΟΝΟ.Π.Ε.-
ΕΝΑΜΗΒΙΗΤΙΝΕΣΕΝΠΑΚΗΠΗ ἀποχω-
 [ρ]ήσωσιν ὑμῖν τε σχολάζουσας παραδῶσιν καθὼς .Ω[- - c. 11 - -]ΙΝ[- - c. 9 - -]
 ΤΟΙΟΙ..ΑΝΕΙΝ εἰν-
 [α?]ί τε εἴ τινα Ῥοιμηταλκας ἢ Αβλουπορις ἢ Τυτα Κ..ΣΕΤ.ΚΑ.Ο..ΡΤ..
 ὑμέτερα διακατέχο[υ]-
 25 [σ]ιν ταῦτα ὑμῖν σχολάζοντα ἀποδοθῶσιν· ὁμοίως τε ΑΜ[- - 14 - 15 - -]
ΤΑΙΗΠ.ΑΣΙΝΩΤΙΑΠ
 [..]ν ὑμέτερα ταῦτα ὑμῖν ἀποκατασταθῆναι φροντίαι [- - - -] ὑπὲρ τούτων τῶν
 πραγμάτων ὑμ[ε]ρ[-
 [έρων] δημοσίαι ἢ ἰδία ἵνα πρὸς ἐμέ ΤΑ.Σ[- - c. 9 - -]ΥΤ[- - - - - - - - - - -]
 - - - - -]
 [- - - - - - - - - - -]

Col. II

- Περὶ δὲ τῶν καταλειπομένων, ἐὰν εἰς ἀμφιλογίαν [- - - - - - - - - - -]
 - - - - -]
 . ταῖς πράγμασι πρεσβευταὶ πρὸς ἐμέ ἐλθέτωσαν | [- - - - - - - - - - -]
 - - - - -]
 αἵτινες ἐν τῇ φιλίᾳ τοῦ δήμου τοῦ Ῥωμαίων ἔμεινα[ν - - - - - - - - - - -]
 - - - - -]
 Γναῖος [Κορνήλιος] Ποπλίου υἱὸς Δολαβέλλας ἀνθύπατος [χαίρειν λέγει ἄρχουσι
 βουλῇ δήμῳ Θασί]-
 5 [ων - - - - - - - - - -] σ[υμμ]ᾶ χωρὶ ἀποκριν[- - - - - - - - - -]
Spatium versum quinq̄ue
 [- - - - - - -] 1 ὑμᾶς θέλω φροντίσασ[ε - - - - - - -]
 [- - - - - - -]ωσιν ὑπήκοοι ᾗτε οὕτως [- - - - - - -]
 [- - - - - - -]σαι τέ τι ὑπεναντίον τουτ[- - - - - - -]
 [- - - - - - -]ῃ αὐτῇ Σκιαθίοις.

vacat

13-14 ΑΕΥΚ|ΚΙΟΣ. 15]ΜΟ. .ΟΞΝ.Α (or Ο) κτλ. 16 Π[-] (or Υ) κτλ.; Dunant and Pouilloux suggest τὰς τε πολιτείας χωρία λιμένας κώμας τε [καὶ προσόδους κτλ. 17 Dunant and Pouilloux suggest with great reservation τ'αὐτοῖς τοῖς ἔθ[εσ]ιν ἃ γίνηται κτλ. 20 ΕΜΑΡΟΝ. .Ε (or Σ) ΝΕ (or Π or Γ) κτλ. 21 [Ι]αρινῖδα? suggested by Dunant and Pouilloux. 22 In the middle Dunant and Pouilloux suggest the possibility of τ[υ]ε[ς] ἐν Ἀμυβίῃ, τινὲς ἐν Πακῆνι (or Πακῆι τῆι); but the place names are unknown. 23 ...ΑΝΕ (or Ο)ΙΝ κτλ. 24 Κ (or Ε). 25 ΑΜ (or ΑΝΝΙ or ΑΙΙΙ), and, later, ΑΞΙΝ (or Α).

COMMENTARY. In the first year of the first Mithridatic War the Pontic king had overrun Bithynia, seized control of Asia, instigated the murders of thousands of Romans and Italians in the province, and started the siege of Rhodes. But his ambitions did not end there. They took in an even broader horizon, for in the late autumn of 88 B.C. he sent Archelaus to Greece with an army to secure allies or to take possession. Soon the forces of Mithridates were well entrenched in Athens, the Peloponnese, all Boeotia except Thespieae, and Euboea.¹ A second Mithridatic army then entered Thrace and Macedonia without, apparently, meeting very serious opposition. This was a strategy presumably calculated to obtain a strong foothold in Europe as an anchor to secure Mithridates' new Asian possessions and eventually as a base to annex all the Balkans.² The Pontic king had planned well. The legate of the governor of Macedonia, Q. Braetius Sura, gathered together his numerically weaker troops and marched south to oppose Archelaus, but he was forced to retreat. Then Sulla arrived, early in 87 B.C. The Pontic army in Thrace and Macedonia overran the whole area and advanced southward against Sulla, but the son of Mithridates, who shared the command of this northern army with a general Taxiles, died on the way. Taxiles turned his troops over to the retreating Archelaus. The combined armies then fell before Sulla at Chaeroneia in 86 B.C. in complete disorder. The following spring Sulla marched north into the borderland of Macedonia and Thrace for a punitive expedition against the Eneti, Dardani, and Sinti, who had been plundering Macedonia after the collapse of the Roman forces in that area during the previous year.³ Then, in the autumn of 85 B.C., the war ended.

It is this northern campaign in Thrace that is of special interest, for the present documents are all directly connected with the Thracian situation that arose during and after the invasion of the country by the Pontic army. The Thracian tribes seem to have taken advantage of the opportunity to attack and plunder the territory of their neighbors. With the Roman troops of Macedonia out of action and the army of Mithridates

¹ For the fullest account of the first Mithridatic War see Th. Reinach, *Mithridate Eupator, Roi de Pont* (Paris, 1890), pp. 121-211. Newer material and the results of later scholarship will be found in D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), chap. IX, with notes.

² That the plans of Mithridates did not end with the conquest of Asia may be surmised from what Sulla said at Dardanus in 85 B.C. (Appian *Mithr.* 57): καὶ τούτου τεκμήριον, ὅτι καὶ Θράκας καὶ Σκύθας καὶ Σαυρομάτας, οὕτω τινὲς πολεμῶν, ἐς συμμαχίαν ὑπήγουν, καὶ ἐς τοὺς ἀγχοὺς βασιλεὺς περιέπεμπες, ναῦς τε ἐποιοῦν, καὶ πρῶρας καὶ κυβερνήτας συνεκάκειν. Sulla accused Mithridates of planning the war for a long time and of aiming at world domination.

³ Appian *Mithr.* 55.

securely in control of Asia they had little to fear, and, if we can believe the accusations uttered by Sulla against Mithridates in 85 B.C. at Dardanus, the Thracians may have made advance preparations with the connivance of the Pontic king for the devastation of the area.⁴ Details, however, are lacking.

The letter of Sulla, dated 80 B.C. by the mention of his second consulship, communicates the text of a senatorial decree to the magistrates and people of Thasos. It is at once clear that the Thasians had resisted the enemy forces and had sworn an oath to kill their families and to die fighting on behalf of the Republic rather than prove disloyal in Rome's hour of need. Because of their resistance they had suffered terribly at the hands of the enemy. The Roman Senate therefore decreed that "friendship and alliance" between Rome and Thasos would be renewed; that the Thasian envoys to Rome would be allowed to make a sacrifice and an offering in the Capitol; that whatever revenues Sulla had previously assigned them would be confirmed; and that whatever cities, ports, and territories they had previously possessed would be restored to them. Later sections of the decree (F and G) seem to refer to the restoration of specific lands and possessions of Thasos occupied by the Thracian chieftains Rhoemetalcas, Ablouporis, and Tiuta. The customary gifts (secs. H-J) for the Thasian envoys while in Rome probably formed the conclusion of the decree.

The letter of Cn. Cornelius P. f. Dolabella, governor of Macedonia from 80 to 78 B.C., is also addressed to the Thasians and recounts how Thasian envoys had met him in Thessalonike and had made known to him the newly passed *senatus consultum*.⁵ Dolabella outlines in some detail the contents of that decree and lists the various measures he has adopted or will adopt in order to carry out its provisions. He states that he has sent letters to the islands of Peparethos and Skiathos informing them that henceforth they will be under the control of Thasos, and that he also has sent letters ordering the restoration of the land formerly owned by Thasos. The mention of the Thracian chieftains would suggest that they had seized those lands in the course of the war and that they were situated on the mainland just opposite the island: the Thasian Peraea. A second letter of Dolabella (Col. II, ll. 4-9) apparently refers to instructions of some kind issued to Thasos concerning the nature and the extent of its control over Peparethos and Skiathos.

Such, in brief, is the information contained in these important documents. It would appear that when the Pontic army under the son of Mithridates entered Thrace and

⁴ See the passage from Appian quoted above (n. 2).

⁵ Dunant and Pouilloux, *op. cit.*, pp. 48-49, suggest that the two Thasian envoys who met Dolabella may have been the men who had gone to Rome for the decree. They had carried a copy of the decree back with them to Thasos and then had met the Macedonian governor to inform him of its provisions. Such was, almost certainly, the sequence of events. Envoys would normally return with a copy of a decree passed in their favor: cf. the S.C. *de Serapeo* (No. 5), ll. 4-7, where it is specifically stated that a [copy of a] decree was carried from Rome. But it is not certain whether the envoys are the same men in both documents, before the Senate in Rome and before the Macedonian governor. Their titles, however, would lead to that conclusion, as Dunant and Pouilloux state. For Cn. Cornelius P. f. Dolabella see T. R. S. Broughton, *The Magistrates of the Roman Republic*, II (New York, 1952), 80. The present letter is important for his filiation; cf. Badian, *loc. cit.*

Macedonia the native chieftains of the area seized the Thasian possessions on the mainland. Whether the "enemy" mentioned in the Senatorial decree and the letter are the Thracians or the Pontic army cannot be decided, but perhaps the word is meant to cover both of them. And since Dolabella (his letter, Col. I, ll. 21ff.) apparently has to write a letter to effect the restoration of that land, one might assume that the land was held or controlled by the Thracians, perhaps intermittently, down to 80 B.C. This is possible, but the fragmentary nature of the present documents makes it impossible to establish certainty. At any rate, at the conclusion of the first Mithridatic War Sulla was aware of the island's resistance and assigned it certain revenues to compensate to some degree for its suffering and consequent poverty.

From the letter of Dolabella it is possible to see that the senatorial decree also had assigned Peparethos and Skiathos to the control of Thasos. The reason for this is almost certainly connected with the fact that in the course of the war the island of Skiathos had been attacked by Q. Braetius Sura because it was being used as a storehouse for the barbarians.⁶ Hence, both islands may have been involved in the war on the side of the Thracians. In addition, as we might expect, Thasos is to be allowed to use its own [laws and] customs, i.e., it is to be autonomous (letter of Dolabella, Col. I, 17). It becomes a *civitas libera*—small enough reward.

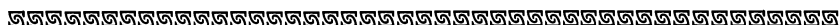
Rhoemetalcas may be related to the Rhoemetalcas of about 12 B.C.–A.D. 14 who was the first king of a united Thrace, although they are two generations apart.⁷ Ablouporis is a Thracian name found only once in our sources.⁸ Tiuta or Tuta is also a Thracian name, but nothing whatever is known about a king or chieftain bearing such a name; it may be feminine.⁹

⁶ Appian *Mithr.* 29. For the name of this legate of the Macedonian governor see *I.G.*, IX, 2, 613; on coins see Dunant and Pouilloux, *op. cit.*, p. 6.

⁷ Dunant and Pouilloux, *op. cit.*, pp. 51–52.

⁸ *Ibid.*, p. 52, referring to W. Tomascheck, *Sitzungsberichte Wien*, 131 (1894): 3; P. Kretschmer, *Einleitung in die Geschichte der griechischen Sprache* (Göttingen, 1896), pp. 184–85; and D. Detschew, *Die thrakischen Sprachreste* (Vienna, 1957), p. 3.

⁹ Dunant and Pouilloux, *op. cit.*, p. 52. They draw attention to the Illyrian queen Teuta of the third century B.C. The variant forms of her name in our documents merely reflect the Roman attempt to spell her name in Latin and Greek.



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DESCRIPTION. Bronze tablet found in Rome in 1570, now in the Museo Capitolino. It contains eleven lines in a fragmentary form of the original Latin text followed by a complete Greek translation. Dimensions: height, 0.34 m.; width, 0.65 m. In 1939 three additional fragments of this same tablet were unearthed near the Palazzo del Museo. This new material is underlined in the present edition. It has been estimated by Pietrangeli that the height of the entire tablet must have been about 0.50 m., but that the tablet was still of greater width than height. The first three and the last two lines of the Greek portion are engraved in larger letters than the others and are indented slightly.

- [Co(n)s(ulibus) Q. Lutatio Q. f. Catulo et M. Aemilio Q. f. M. n. Lepido,
pr(aetore) urbano et inter peregrinos L. Cornelio --- f.]
- [Sisenna, mense Maio. Q. Lutatius Q. f. Catulus co(n)s(ul) senatum
consuluit a. d. XI k. Iun. in comitio. Scribundo adfuerunt]
- [L. Faberius L. f. Ser(gia), C. [---] L. f. Pop(lilia), Q. Petillius T. f.
Ser(gia). Quod Q. Lutatius Q. f. Catulus co(n)s(ul) verba fecit
Asclepiadem]
- [Philini f. Clazomenium, Polustratum Poluarchi f. Carystium, Meniscum
Irenaei, Meniscus Thargelii qui fuit, filium Milesium magistros (?)
in navibus adfuisse]
- [bello Italico coepto, eos operam fortem et fidelem rei publicae nostrae
navasse, eos se ex senatus consulto domos dimissos velle, sei
ei videretur]
- [utei pro rebus bene gestis ab eis fortiterque factis in rem publicam
nostram honor eis haberetur: de ea re ita censuerunt.
Asclepiadem Philini f.]
- 1 [Clazomenium Polustratu]m Poluarchi f. Carystium, [Meniscum Irenaei, qui
fuit ante Meniscus Thargelii, filium Milesium, viros bonos et
ameicos appellari].
- [Senatum populumque Romanum existumare eo]rum operam bonam fortem fidel[em
rei publicae nostrae fuisse; quam ob rem senatum censere, utei
iei leiberei posterei]ue]
- [eorum in patrieis suis leiberei o]mnium rerum et sine tributa sin[t].
Sei qua tributa ex boneis eorum exacta sunt, postquam rei
publicae nostrae caussa profectei]
- [sunt, utei ea eis reddantur, restituant]ur, seive quae praedia aedificia
[bona eorum venierunt, postquam domo rei publicae nostrae
caussa profectei sunt, utei]
- 5 [ea omnia eis in integrum restituantur; sei]ve quae dies praeterieit,
postqua]m domo rei publicae nostrae caussa profectei sunt,
neiquid ea res eis noceat neve quid eis]
- [ob eam causam minus debeatur neve quid minus eis] petere exigere liceat,
quaeque her[editates] eis leiberisve eor[um] obvenerunt, utei eas
habeant possideant fruanturque];
- [quaeque ei leiberei posterei uxoresve eor]um ab altero petent seive
quid ab eis leiberis postereis ux[oribusve] eorum aliei petent,
utei eis leiberis postereis]
- [uxoribusve eorum potestas et optio sit, seive domi le]gibus suis vel(int)
iudicio certare seive apud magistratus [nostros Italicis
iudicibus seive in civitate leibera aliqua]
- [earum, quae perpe]tuo in [amicitia p(opuli) R(omani) manse]runt, ubei
velint utei ibei iudicium de eis rebus fiat. Sei qua [iudicia
de eis absentibus postquam domo profectei sunt]
- 10 [facta sunt, ea] utei in in[tegrum restitu]antur et de integro iudicium
ex s(enatus) c(onsulto) fiat. Seiquas pecunias c[ivitates]
eorum publice deberent, in eas pecunias nei]
- [quid dare d]eberent. Ma[gistrat]us nostri queiquomque Asiam Euboeam
locarunt vectigalve Asiae [Euboeae imponent curent, ne
quid ei dare deberent].

[Uteiq]ue Q. Lutatiu[s M.] Aemilius co(n)s(ules) a (lter) a(mbove) s(ei)
 e(is) v(ideretur) eos in ameicorum formulam re[fe]rundos
 curarent, eis[que] tabulam aheneam amicitiae in Capitolio
 ponere]
 [rem]que deivina[m] facere liceret, munusque eis ex formula locum lautiaque
 q(uaestorem) urb(anum) eis locare mitter[eq]ue i]uber[ent].
 Seique de rebus suis legatos ad senatum]
 [mit]tere ipseive venire vellent, uti <e> is leibereis postereisque eorum
 legatos venire mittereque liceret.////[Uteiq]ue Q. Lutatius
 M. Aemilius co(n)s(ules) a(lter) a (mbove)]
 15 sei v(ideantur) e(is), litteras ad magistratus nostros, quei Asiam,
 Macedoniam provincias optinent, et ad magistratus eorum
 mitt[ant] senatum velle et]
 aequom censere ea ita fieri, i(ta) u(tei) e(is) e t(e) p(ublica) f(ideve)
 s(ua) v(ideatur). C(ensuere).

Ἐπὶ ὑπάτων Κοίντου Λυτατίου Κοίντου υἱοῦ Κάτλου καὶ Μάρκου Αἰμ[ιλίου]
 Κοίντου υἱοῦ]
 Μάρκου υἱωνοῦ Α(ε)π(ί)δου, στρατηγοῦ δὲ κατὰ πόλιν καὶ ἐπὶ τῶν ξένων Λευκίου
 Κορηλίου[υ υἱοῦ]
 Σισέννα, μηνὸς Μαΐου. Κόιντος Λυτάτιος Κοίντου υἱὸς Κάτλος ὑπάτος συγκλήτῳ
 συνεβουλ[εύσατο]
 πρὸς <ῆ>μερῶν ἑνδεκα καλανδῶν Ἰουνίων ἐν κομετίῳ. Γραφομένῳ παρήσαν
 Λεύκιος Φαβέριος Λευκίου υἱὸς Σεργία, Γάιο[s Λευ-]
 5 κίου υἱὸς Ποπλι(λ)ία, Κόιντος Πετίλλιος Τίτου υἱὸς Σεργία. Περὶ ὧν Κόιντος
 Λυτάτιος Κοίντου υἱὸς Κάτ(λ)ος ὑπάτος λόγους ἐποίησατο Ἀ[σκληπιάδην]
 Φιλίνου υἱὸν Κλαζομένιον, Πολύστρατον Πολυάρκου υἱὸν Καρύστιον, Μεν(ί)σκον
 Εἰρηναίου τὸν γεγονότα Μενίσκον Θαρρηλίου υἱὸν Μιλή[σιον].
 ἐν τοῖς πλοίοις παραγεγονέναι τοῦ πολέμου τοῦ Ἰταλικοῦ ἐ[ν] αρχομένῳ, τούτους
 ἐργασίαν ἑπανδρον καὶ πιστὴν τοῖς δημοσίοις πράγμασιν τοῖς ἡμετέρ[οις]
 παρεσχηκέ-]
 ναι, τούτους ἑαυτὸν κατὰ τὸ τ(ῆ)ς συγκλήτου δόγμα εἰς τὰς πατρίδας ἀπολῦσαι
 βούλεσθαι, ἂν αὐτῷ φαίνηται, ὅπως ὑπὲρ τῶν καλῶς πεπραγμένων ὑπ'
 αὐ[τῶν καὶ ἀνδρα-]
 γα(θη)μάτων εἰς τὰ δημόσια <π>ράγματα τὰ ἡμέτερα καταλογῇ [- -] αὐτῶν
 γένηται. περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν. Ἀσκληπιάδην
 Φιλίνου υἱὸν Κλαζ[ομένιον],
 10 Πολύστρατον Πολυάρκου υἱὸν Καρύστιον, Μενίσκον Εἰρηναίου υἱὸν Μιλήσιον τὸν
 γεγονότα Μενίσκον, ἀνωθεν δὲ Θαρρηλίου νν ἄνδρας καλοὺς καὶ ἀγαθοὺς
 καὶ φί[λους προσ-]
 αγορεῦσαι. τῇ(ν) σύνκλητον καὶ τὸν δῆμον τὸν Ῥωμαίων διαλανβάνειν τὴν τούτων
 ἐργασίαν καλ(ήν) καὶ ἑπανδρον καὶ πιστὴν τοῖς δημοσίοις πράγμασιν τοῖς
 ἡμετέρο[ις γεγο]νέναι,

δι' ἧ<ν> αἰτίαν τὴν σύνκλητον κρίνειν, ὅπως οὗτοι τέκνα ἔκγονοί τε αὐτῶν ἐν ταῖς
ἑαυτῶν πατρίσιν ἀλειτούργητοι πάντων τῶν πραγμάτων καὶ ἀνείσφοροι
ῶσιν· εἴ τινες εἰσφ[οραὶ ἐ]κ τῶν

ὑπαρχόντων αὐτῶν εἰσπεπραγμέναι εἰσὶν μετὰ τὸ τούτους τῶν δημοσίων πραγμάτων
τῶν ἡμετέρων χάρ<ιν> ὀρμῆσαι, ὅπως αὐταὶ αὐτοῖς ἀποδοθῶσι<ν>

ἀποκατασταθῶσιν· εἴ τέ τινε{ις} {τ}

ἄγροί, οἰκίαι, ὑπάρχοντα αὐτῶν πέπρανται μετὰ τὸ ἐκ τῆς πατρίδος τῶν δημοσίων
πραγμάτων τῶν ἡμετέρων χάριν ὀρμῆσαι, ὅπως ταῦτα πάντα αὐτοῖς εἰς
ἀκέραιον ἀποκαταστα-

15 θῇ· εἴ τέ τις προθεσμία παρε<λ>ήλυθεν, ἀφ' οὗ ἐκ τῆς πατρίδος τῶν δημοσίων
πραγμάτων τῶν ἡμετέρων χάριν ὤρμησα<ν>, μὴ τι τοῦτο τὸ πράγμα
αὐτοῖς βλαβερὸν γένηται

μηδέ τι αὐτοῖς διὰ ταύτην τὴν αἰτίαν ἔλασσον ὀ<φ>εῖληται μηδέ τι ἔλασσον αὐτοῖς
μεταπορεύεσθαι πράσσειν ἐξῆ· ὅσαι τε κληρονομίαι αὐτοῖς ἢ τοῖς τέκνοις
αὐτῶν

παρεγένοντο, ὅπως ταύτας ἔχωσιν <δ>ιακατέχωσιν καρπεύωνται τε· ὅσα τε ἂν αὐτοί,
τέκνα, ἔκγονοι γυναικῆς τε αὐτῶν παρ' ἑτέρου μεταπορεύωνται, ἐάν τέ τι πα-

ρ' αὐτῶν τέκνων, ἐκγόνων γυναικῶν τε αὐτῶν ἕτεροι μεταπορεύωνται, ὅπως τούτων,
τέκνων, <ἐκγόνων> γυναικῶν τε αὐτῶν ἐξουσία καὶ αἵρεσις <ῆι>· ἐάν τε
ἐν ταῖς πα-

τρὶσιν κατὰ τοὺς ἰδίους νόμους βούλωνται κρίνεσθαι ἢ ἐ<π>ὶ τῶν ἡμετέρων ἀρχόντων
ἐπὶ Ἱταλικῶν κριτῶν, ἐάν τε ἐπὶ πόλεως ἐλευθέρ[α]ς τῶν διὰ τέλους

20 ἐν τῇ φιλίαι τοῦ δήμου τοῦ Ῥωμαίων μεμνηκυῖων, οὗ ἂν προαιρῶνται, ὅπως ἐκεῖ τὸ
κρ<ι>τήριον περὶ τούτων τῶν πραγμάτων γίνηται· εἴ τινα κριτήρια

περὶ αὐτῶν ἀπόντων μετὰ τὸ ἐκ τῆς πατρίδος ὀρμῆσαι γεγονότα ἐστίν, ταῦτα ὅπως
εἰς ἀκέραιον ἀποκατασταθῇ καὶ ἐξ ἀκεραίου κριτήριον κατὰ

τὸ τῆς συνκλήτου δόγμα γίνηται· εἴ τινα χρήματα αἱ πόλεις αὐτῶν δημοσῆαι
ὀφείλωσιν, μὴ τι εἰς ταῦτα τὰ χρήματα δοῦναι ὀφείλωσιν·

ἄρχοντες ἡμέτεροι, οἵτινες ἂν ποτε Ἀσίαν, Εὐβοίαν μισθῶσιν ἢ προσόδους Ἀσίαι,
Εὐβοίαι ἐπιτιθῶσιν, φυλάξωνται, μὴ τι οὗτοι δοῦναι ὀφείλωσιν·

ὅπως τε Κόιντος <Α>υτάτιος, Μᾶρκος Αἰμίλιος ὕπατοι, ὁ ἕτερος ἢ ἀμφοτέροι, ἐάν
α<ν>τοῖς φαίνηται, τ<ού>τους εἰς τὸ τῶν φίλων διάταγμα ἀνενεχθ[ῆ-]

25 ναι φροντίσωσιν, τ[ού]τοις τε πῖνα<κα> χαλκοῦν φιλίας ἐν τῷ Καπετωλίῳ ἀναθεῖναι
θυσίαν τε ποιῆσαι ἐ<ξ>ῆι ξένιά τε αὐτοῖς κατὰ τὸ διάτα-

γμα τόπον παροχὴν τε τὸν ταμίαν τὸν κατὰ πόλιν τοῦτοις μισθῶσαι ἀποστ<εῖ>λαί τε
κελεύσωσιν· ἐάν τε περὶ τῶν ἰδίων πραγμάτων

πρεσβευτὰς πρὸς τὴν σύγκλητον ἀποστέλλειν αὐτοὶ τε παραγίνεσθαι προαιρῶνται,
ὅπως αὐτοῖς, τέκνοις ἐκγόνο[ις τε] αὐτ[ῶν]

πρεσβευταῖς παραγίνεσθαι καὶ ἀποστέλλειν τε ἐξῆ· ὅπως τε Κόιντος Λυτάτιος,
Μᾶρκος Αἰμίλιος ὕπατοι, ὁ ἕτερος ἢ ἀμφοτέροι,

ἐὰν αὐτοῖς φαίνεται, γράμματα πρὸς τοὺς ἄρχοντας τοὺς ἡμετέρους, οὔτινες Ἀσίαν,
 Μακεδονίαν ἐπαρχείας <δ>ιακατέχουσιν,
 30 καὶ πρὸς τοὺς ἄρχοντας αὐτῶν ἀποστείλωσιν, τὴν σύνκ<λ>ητον θέλιν καὶ δίκαιον
 ἡγεῖσθαι ταῦτα οὕτω γίνεσθαι,
 οὕτως ὡς ἂν αὐτοῖς ἐκ τῶν δημοσίων πραγμάτων πίστεώς τε τῆς ἰδίας φα(ί)νηται.
 ἔδοξεν.

Ἀσκληπιάδου τοῦ Φιλίνου Κλαζομενίου, Πολυστράτου τοῦ Πολυάρκου
 Καρυστίου, Μενίσκου τοῦ Εἰρηναίου Μ]ιλησίου.

Latin text: 8 F. De Visscher, *L'Antiquité Classique*, 13 (1944): 26, n. 2. 14 FIS. Greek text: 2 ΔΙΠΕΔΟΥ. 4 ΠΙΜΕΡΩΝ. 5 ΠΟΠΛΙΑΙΑ. 5 ΚΑΤΑΟΣ. 6 ΜΕΝΟΟΚΟΝ; at end of line, [ἐθελοντάς], Gallet; [ναυάρχους], Mommsen; [μετὰ τὸ], Kaibel. 7 ἐ[ν]αρχομένου, Viereck; ἐ[ξ]αρχομένου, Goettling. 8 ΤΙΣ ΣΥΓΚΛΗΤΟΥ; Goettling changed αὐτῷ to αὐτῇ (sc., τῇ συγκλήτῳ). 8-9 ἀνδραΓΑΟΠΜΑΤΩΝ. 9 ΤΡΑΓΜΑΤΑ; after καταλογή the tablet is damaged. 11 ΤΗΜΟΥΝΚΛΗΤΟΝ. 11 ΚΑΛΥΗ. 12 ἦν: ΗΗ. 13 ΧΑΡΗΙ. 13 ΑΠΟΔΟΘΩΣΙΑ. 13 ΤΙΝΕΙΣΤ. 14 ἀποκατασταθῆνι; for ι the stone has C. 14 ΑΓΡΟΙ is inscribed over an erasure. 15 ΠΑΡΕΑΗΛΥΘΕΝ. 15 ΩΡΜΗΣΑΗ. 16 ΟΥΕΙΛΗΤΑΙ. 17 ΑΙΑΚΑΤΕΧΩΣΙΝ. 18 <ῆν>, Mommsen. 19 The first ἐπὶ appears on the stone as ΕΙΤΙ; the second ἐπὶ has a small eta above the epsilon. 20 ΚΡΗΤΗΡΙΟΝ. 24 ΑΥΤΑΤΙΟΣ 24 ΑΟΥΟΙΣ. 24 ΤΣΤΟΥΣ. 25 ΚΑΠΕΤΩΛΙΩΓ. 25 ΕΠΗΙ. 26 ΑΠΟΣΤΟΥΛΑΙ. 29 ΑΙΑΚΑΤΕΧΟΥΣΙΝ. 30 ΣΥΝΚΛΗΤΟΝ. 31 ΦΑΝΗΤΑΙ.

COMMENTARY. The ancient institutions of *amicitia* and *hospitium* that had long been familiar to Romans as necessary adjuncts of social life and interfamily ties were gradually extended to the international sphere when the Romans came into formal contact with foreign states. Various gradations of agreement, official and unofficial, loose and rigid, must have been necessary quite early to express Rome's level of relationship with cities and states. For some the relations of *hospitium* or *amicitia* might be enough. Others might require a *foedus*, more rigid and lasting. By the second century B.C., perhaps much earlier, *amicitia* had become such a common institution on the international level that it achieved a definite form and procedure. A list (*formula*) was kept of all *amici* of Rome. Such status did not necessarily derive from a treaty, as was formerly held by modern scholars, but was granted by Rome as a unilateral favor.¹ The honors and privileges that went with it almost inevitably meant that those states or individuals so singled out would naturally feel very closely connected with Rome. They would then seek to strengthen and expand the ties. Thus *amici* gradually became *clientes*.² Our knowledge of the various privileges accorded to individuals who had acquired the coveted title of *amici populi Romani* depends mainly upon two inscriptions, the present senatorial decree and Octavian's letter concerning Seleucus of Rhosus (No. 58). They

¹ For a detailed résumé of the various theories about the nature of *amicitia* see Gallet, *op. cit.*, pp. 265-93. For the more recent discussion see Accame, *op. cit.*, pp. 48-57; Badian, *Foreign Clientelae*, pp. 11-12, 44, 68; Magic, *op. cit.*, II, 960-61, n. 76.

² Badian, *op. cit.*, p. 68.

exhibit remarkable similarities in the matter of privileges, but they differ in one major point: Seleucus received Roman citizenship, our three Greek naval commanders did not. It is a point worth noting.

Asclepiades of Clazomenae, Polystratus of Carystus, and Meniscus of Miletus are proclaimed *amici populi Romani* for their valiant naval service in the cause of Rome during the Italic War. This would seem to be the war of 90–89 B.C., but the Sullan war of 83 and 82 B.C. must not be discounted.³ The interval of time between 89 B.C. and 78 B.C., the date of the decree, is rather long, but we have no way of knowing how long the three Greeks remained on duty. Twelve years would not be excessive, if one considers the extent of the privileges granted to them.

1. *Fiscal Privileges*

a. The three men and their children and descendants are to be exempted in their respective lands from all liturgies and taxes. Seleucus of Rhodus (II, ll. 20–23) will later receive these same privileges. In addition, presumably because of their long absence, our three captains are to be paid back all the taxes that had accrued on their property since the day they left home in the service of Rome. This means Roman taxes as well as local taxes, for in line 23 it is stated that all future Roman magistrates in the leasing of public land and in the imposing of revenue taxes in their three countries will not require them to pay anything. Thus the simple and unqualified words *ἀλειτούργητοι* and *ἀνείσφοροι* must refer to public services and taxes of any description, whatever the source. The implications of line 23 for the status of each of the cities involved are obvious, but some degree of caution is necessary. These are blanket privileges, granted to all three men without consideration of the separate condition of any one city.⁴ Similarly, it would be hazardous to assume that the decree speaks of *Euboea* and not of *Achaia* because conditions in Euboea were different from what they were elsewhere in Greece. That may be true, of course, but this document cannot prove it alone without supporting evidence. Euboea may have been named simply because Polystratus came from there. But, clearly, Euboea was then subject to Roman taxation.

b. The three Greeks and their families cannot be forced to make contributions toward any public debts acquired by their cities (l. 22). Mommsen took this to mean that immunity in such matters was granted not only in regard to Roman involvement but also in regard to local affairs. And despite the objections raised by Gallet that this appears to be too comprehensive a grant, Mommsen's view seems correct. The language used is very broad, very comprehensive. Such immunity is noticeably absent from the privileges granted by Octavian to Seleucus.

³ Mommsen (cf. the note in Bruns–Gradenwitz, *op. cit.*, p. 177, n. 3) thought it was the war of 90–89 B.C., and his opinion has been followed by the others, except for Gallet, who prefers the Sullan war.

⁴ Cf. Gallet, *op. cit.*, p. 390, on this point.

2. Juridical Privileges

a. Any property of the three men that may have been sold after they had left home in the service of Rome is to be restored to them in full. This is an early application—to non-Romans—of the legal procedure called *in integrum restitutio*. In Roman law it was one of the methods used by a praetor to annul a result which he considered inequitable.⁵

b. If any date for meeting old obligations has passed since the three left their homes, they cannot be held accountable for such an unavoidable situation and it shall not tell against them. Any debts owed to them on this account shall be no less collectable, and they shall have the right to sue and exact payment for such debts (ll. 15–16).

c. They and their families are to enjoy full, legal possession of any inheritances that may have come to them (ll. 16–17).

d. In all legal actions, as plaintiffs or defendants, they and their families and descendants have the choice of the type of court that shall be used to try any particular case. They shall have three main choices: in their own cities by their own legal procedures, by Italian juries before Roman magistrates, or in free cities that have been *amici* of the Roman people without interruption (ll. 17–20).⁶ These are similar to the choices later to be given to Seleucus of Rhosus (II, ll. 53–59). Presumably, however, the “law” to be followed in each of these would be the same, i.e., the local Greek law. They have a choice of jurisdiction, not of “law.”⁷

e. Any judgments handed down concerning them in their absence from their cities shall not be binding. They revert to their previous status and new judgments are to be given (ll. 20–22).

3. Honorary Privileges

a. Their names are to be entered on the official list of *amici populi Romani*.

b. They are permitted to set up a bronze tablet attesting their new status.

c. They may offer sacrifice in the Capitol.

d. They are to receive the usual gifts, housing, and allowances for the period of their stay in Rome.

e. In the future they may send envoys to the Senate on matters of personal interest,

⁵ See Klingmüller, *R.E.*, s.v. “*restitutio*,” cols. 676–85; J. M. Kelley, *Princeps Iudex* (Weimar, 1957), pp. 92ff.; K. M. T. Atkinson, *Revue internationale des droits de l'antiquité*, 7 (1960): 248–49, 259–71. Cf. Gallet, *op. cit.*, pp. 407–25.

⁶ There is a difficulty in line 19. A small *eta* appears above the *epsilon* in the phrase ἐπὶ Ἰταλικῶν κριτῶν. Thus the line might be expressed ἡ ἐ(π)ὶ τῶν ἡμετέρων ἀρχόντων ἡ ἐπὶ Ἰταλικῶν κριτῶν. Kaibel and Gallet follow this interpretation, believing that there was a further choice between a judgment by a magistrate or before a jury, i.e., a choice between a *cognitio* and a formulary procedure. Mommsen, however, could not agree with that interpretation, and on his authority the *eta* was omitted by Bruns–Gradenwitz in their last edition. The question is this: Did the engraver introduce it when he saw that he had accidentally omitted it from the text he was following, or was it added much later by some person living under different conditions?

⁷ See F. De Visscher, *L'antiquité classique*, 14 (1945): 41–47.

or they may come themselves. Similarly, Seleucus of Rhodus (II, ll. 61-63) was granted this privilege.

Such were the impressive privileges accorded to the three Greek captains. Clearly, such *amici* belonged to a special class within the provincial framework. That their numbers must have been considerable and that local resentment arose against them may be seen in the actions taken by Julius Caesar in the case of Mytilene (No. 26, Col. b, ll. 32-33) and by Augustus in the case of Cyrene (Edict III) to force them to carry their share of the municipal burdens. And Suetonius (*Vesp.* 8. 5) tells us that 3,000 bronze tablets were destroyed by fire in the Capitol, tablets recording the alliances, treaties, and special privileges granted to individuals almost from the foundation of the city. The percentage belonging to each category is not known, but the tablets concerning *amici* must have been very numerous.

In the text itself two items of special interest remain. The last two lines (32-33) clearly do not belong to the decree proper. The manner of indicating the filiation, by the use of the genitive alone, is sufficient to show that they were added by Greeks. Gallet explained the point very well by assuming that the three Greek captains, exercising a right granted to them by the terms of the decree itself (l. 25), had set up the bronze tablet on the Capitol as a private offering and had accordingly added their names in the Greek manner at the very end.⁸ This has a ring of truth to it. It is even possible that such a practice was generally followed by all the beneficiaries of *amicitia*, at least in the case of those whose names were to be added to the official list. The wording of line 25 lends itself to such an interpretation, for it reads as if the Senate is *inviting* the three Greeks to set up the tablet. They could have received a copy of the Latin text together with the official Greek translation from the quaestors in the *aerarium*.⁹ Presumably they themselves had to pay for the engraving. Then it would have been perfectly natural for them to have their names added at the end. The normal practice. Treaties with foreign states, of course, were matters of international importance, matters of politics, and were published officially by Rome. In the case of the granting of *amicitia* to individuals, however, the initiative for publication might have been left to the beneficiaries.

Then there is the matter of the first sentence (ll. 1-3). It is written in larger letters than the remainder of the text and it is not an original part of the *senatus consultum* itself. It serves, of course, to date the document in a very precise manner. Willems concluded that it was taken from the official record in the *aerarium* and, presumably, that it had been added at the time of depositing.¹⁰ Thus the decree was voted on on May 22 and

⁸ Gallet, *op. cit.*, pp. 263-64.

⁹ The three Greeks, of course, must have had to wait until the decree had been deposited in the archives, for lines 1-3 were apparently added only at that time. See below.

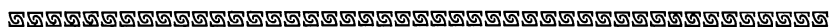
¹⁰ P. Willems, *Le Sénat de la république romaine*, II (Louvain-Berlin, 1883), 218, n. 3. Since this sentence appears in the official Greek translation, it would appear that, at least in the present instance, translation was made after the decree had been deposited in the *aerarium*. How else could it have appeared in the Greek? It was not added by the three Greek captains. See the next note.

deposited in the archives before June 1. Hence, the notation *mense Maio*, as well as the names of the magistrates in office, would have been added at the top of the document when it was entered in the records. One could conclude that the records were subdivided into months. Despite the objection of Gallet, this seems to be the correct interpretation.¹¹

¹¹ Gallet, *op. cit.*, pp. 255 and 263-64. He thinks that the three Greeks added this sentence, but he failed to notice that the manner of filiation is Roman, not Greek—quite different from ll. 32-33.

SENATUS CONSULTUM ALIAQUE ACTA DE
OROPIORUM ET PUBLICANORUM
CONTROVERSIIS

73 B.C.



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DESCRIPTION. A stele of white marble found on July 20, 1884, near the statue of Sulla in Oropus. Height: 1.85 m. Width: 0.68 m. Thickness: 0.16 m. Height of letters: 0.010 m. The omicron is somewhat smaller than the other letters. Many spaces are left uninscribed, the number of spaces varying from one or two to ten or eleven.

Μ[άαρκ]ος Τερέντιος Μαάρκου υἱὸς Οὐάρρων Λεύκολλος, Γάιος Κάσιος Λευκί[ου υἱὸς Λον-]

γῖνος ὑπατοὶ νν Ὀρωπίων ἄρχουσιν βουλῇ δήμῳ χαίρειν· εἰ ἔρρωσθε, εὖ ἂν ἔχ[οι·]

*ὑμᾶς εἰδέναι βουλόμεθα ἡμᾶς κατὰ τὸ τῆς συγκλήτου δόγμα τὸ γενόμενον ἐ[πὶ Λευκί-]
ου Λικινίου Μαάρκου Αὐρηλίου ὑπάτων ἐπεγνωκέναι περὶ ἀντιλογιῶν τῶν ἀνὰ μ[έσον]
5 θεῶν Ἀμφιαράω καὶ τῶν δημοσιωνῶν γεγονότων {ἐπεγνωκέναι}. νν πρό μιᾶς
εἰ[δυν]*

*Ὀκτωμβρίων ἐμ βασιλικῇ Πορκία· ἐν συμβουλίῳ νν παρήσαν Μαάρκος Κλαύδιος
Μαάρκ[ου]*

*υἱὸς Ἀρνήσσης Μαάρκελλος, νν Γάιος Κλαύδιος Γαίου υἱὸς Ἀρνήσσης Γλάβερ,
Μαάρκος Κάσιος Μαάρκου υἱὸς Πωμεντῖνα, νν Γάιος Λικίνιος Γαίου υἱὸς
{Πωμεντῖνα, νν Γάιος Λικίνιος Γαίου υἱὸς} Σηλατίνῃ[ς] Σακέρδως,
10 Λεύκιος Οὐολύσιος Λευκίου υἱὸς Ἀρνήσσης, νν Λεύκιος Λάρτιος Λευκίου υἱὸς
Π<α>πριά, νν Γάιος Ἀνναῖος Γαίου υἱὸς Κλυτομῖνα, νν Μαάρκος Τύλλιος
Μαάρκου υἱὸς*

*Κορνηλία Κικέρων, ν Κόιντος Ἀἰῖος Μαάρκου υἱὸς Κυρίνα, νν Κόιντος Πομπήιος
Κοῖν-*

*του υἱὸς Ἀρ[γῆ]σσης Ροῦφος, Αὔλος Κασκέλλιος Αὔλου υἱὸς {ὁ υἱὸς} Ρωμυλία,
Κόιντος Μυνύκιος Κόιντου υἱὸς Τηρηντῖνα Θέρμος, ν Μαάρκος Ποπλίκιος
15 Μαάρκου υἱὸς Ὀρατία Σκαίουας, νν Τίτος Μαῖνιος Τίτου υἱὸς νν Λεμωνία, ν
Λεύκιος*

*Κλαύδιος Λευκίου υἱὸς Λεμωνία. νν περὶ ὧν Ἑρμόδωρος Ὀλυνπίχου υἱὸς ἱερεὺς
Ἀμφιαράου, ὅστις πρότερον ὑπὸ τῆς συγκλήτου σύνμαχος προσηγορευμέ-
νος ἐστίν, καὶ Ἀλεξίδημος Θεοδώρου υἱός, Δημαίνετος Θεοτέλου υἱὸς πρεσβευ-
ταὶ Ὀρωπίων λόγους ἐποιήσαντο· νν ἐπ<ε>ὶ ἐν τῷ τῆς μισθώσεως νόμῳ αὐταὶ αἱ
20 χώραι ὑπεξεϊρημέναι εἰσίν, ὥς Λεύκιος Σύλλας θεῶν ἀθανάτων ἱερῶν τεμενῶν
φυλακῆς ἔνεκεν συνεχώρησεν {ὑπεξεϊρημέναι εἰσίν}, νν ταύτας τε τὰς προσ-
όδους, περὶ ὧν ἄγεται τὸ πρᾶγμα, Λεύκιος Σύλλας τῷ θεῷ Ἀμφιαράω
πρ<ο>σιώρι-*

*σεν, ὅπως ὑπὲρ τούτων τῶν χωρῶν πρόσδοτον τῷ δημοσιῳνῇ τελῶσιν·
καὶ περὶ ὧν Λεύκιος Δομέτιος Αἰνόβαλβος νν ὑπὲρ δημοσιωνῶν εἶπεν·
25 ἐπεὶ ἐν τῷ τῆς μισθώσεως νόμῳ αὐταὶ αἱ χώραι ὑπεξεϊρημέναι εἰσίν,
ὥς Λεύκιος Σύλλας θεῶν ἀθανάτων ἱερῶν τεμενῶν φυλακῆς ἔνεκεν
συνεχώρησεν, ὥς οὐτε ὁ Ἀμφιαράος, ὡς αὐταὶ αἱ χώραι συνεχωρημέναι
λέγονται, θεός ἐστιν, ὅπως ταύτας τὰς χώρας καρπίσζεσθαι ἐξῆ
τοὺς δημοσιῳνας· νν ἀπὸ συμβουλίου γνώμης γνώμῃ ἀπεφηνά-
30 μεθα, ὃ ἐπέγνωμεν, τῇ συγκλήτῳ προσανοίσασμεν, νν τοῦτο δὲ καὶ
εἰς τὴν τῶν ὑπομνημάτων δέλτον κατεχωρίσαμεν· νν περὶ χώρας
Ὀρωπίας, περὶ ἧς ἀντιλογία ἦν πρὸς τοὺς δημοσιῳνας, κατὰ τὸν τῆς
μισθώσεως νόμον, αὕτη ὑπεξεϊρημένη ἐστίν, ἵνα μὴ ὁ δημοσιῳ-
νῆς αὕτην καρπίζειται· κατὰ τὸ τῆς συγκλήτου δόγμα ἐπέγνωμεν·*

- 35 ἐν τῷ τῆς μισθώσεως νόμῳ ὑπεξειρημένην δοκεῖ εἶναι οὕτως·
ἐκτός τε τούτων ἢ εἴ τι δόγμα συνκλήτου αὐτοκράτωρ αὐτοκράτορες τ[ε]
ἡμέτεροι καταλογῆς θεῶν ἀθανάτων ἱερῶν τεμενῶν τε φυλακῆς
καρπίζεσθαι ἔδωκαν κατέλιπον, ν ἐκτός τε τούτων, ἃ Λεύκιος
Κορνήλιος Σύλλας αὐτοκράτωρ ἀπὸ συνβουλίου γνώμης θεῶν
40 ἀθανάτων ἱερῶν τεμενῶν τε φυλακῆς ἔνεκεν καρπίζεσθαι ἔδωκεν,
ὃ τὸ αὐτὸ ἢ σύνκλητος ἐπεκύρωσεν, οὔτε μετὰ ταῦτα δόγματι
συνκλήτου ἄκυρον ἐγενήθη. ν Λεύκιος Κορνήλιος Σύλλας ἀπὸ συν-
βουλίου γνώμης γνώμην εἰρηκέναι δοκεῖ. νν τῆς εὐχῆς ἀποδόσεως
ἔνεκεν τῷ ἱερῷ Ἀμφιαράου χώραν προστίθῃμι πάντῃ πάντοθεν πόδας
45 χιλίους, ἵνα καὶ αὕτη ἡ χώρα ὑπάρχῃ ἄσυλος· ὥσαύτως τῷ θεῷ Ἀμφιαράω
καθιερωκέναι τῆς πόλεως καὶ τῆς χώρας λιμένων τε τῶν Ὠρωπίων
τὰς προσόδους ἀπάσας εἰς τοὺς ἀγῶνας καὶ τὰς θυσίας, ἃς Ὠρωπίοι
συντελοῦσιν θεῷ Ἀμφιαράω, ὁμοίως δὲ καὶ ἃς ἂν μετὰ ταῦτα ὑπὲρ τῆς
νίκης καὶ τῆς ἡγεμονίας τοῦ δήμου τοῦ Ῥωμαίων συντελέσουσιν,
50 ἐκτὸς ἀγρῶν τῶν Ἑρμοδώρου Ὀλυνπίχου υἱοῦ, ἱερέως Ἀμφιαράου, τοῦ
διὰ τέλους ἐν τῇ φιλίᾳ τοῦ δήμου τοῦ Ῥωμαίων μεμενηκότος· περὶ τού-
του τοῦ πράγματος δόγμα συνκλήτου ν ἐπὶ Λευκίου Σύλλα Ἐπαφροδίτου,
Κοίντου Μετέλλου Εὐσεβοῦς ὑπάτων ν ἐπικεκυρωμένον δοκεῖ εἶναι,
ὅπερ ἢ σύνκλητος ἔδογματίσεν {καὶ} εἰς τούτους τοὺς λόγους· ὅσα τε θεῶι
55 Ἀμφιαράω καὶ τῷ ἱερῷ αὐτοῦ ν Λεύκιος Κορνήλιος Σύλλας ἀπὸ συ(ν)βουλίου
γνώμης προσώρισεν συνεχώρησεν, τὰ αὐτὰ ἢ σύνκλητος τούτῳ τῷ θεῷ
δοθῆναι συνχωρηθῆναι ἡγήσατο· ἐν τῷ συμβουλίῳ παρήσαν
οἱ αὐτοὶ οἱ ἐμ πραγμάτων συμβεβουλευμένων δέλτῳ πρώτῃ,
κηρώματι τεσσαρεσκαίδεκάτῳ. ν Δόγμα συνκλήτου τοῦτο γενόμενον
60 ἐστιν· πρὸ ἡμερῶν δεκαεπτὰ καλανδῶν Νοενβρίων ἐν κομετίῳ·
γραφομένου παρήσαν ν Τίτος Μαίνιος Τίτου υἱὸς Λεμωνία,
Κόιντος Ῥάγκιος Κόιντου υἱὸς Κλαυδία, Γάιος Οὐσέλλιος Γαίου
υἱὸς Κυρίνα Οὐάρρων. νν Περὶ ὧν Μάρκος Λεύκολλος, Γάιος Κάσιος
ὑπατοὶ ἐπιγινόντες ἀπήνγειλαν περὶ Ὠρωπίας χώρας καὶ τῶν
65 δημοσιωνῶν ἑαυτοὺς ἐπεγνώκεναι, ὥσαύτως τὴν Ὠρωπίων
χώραν ὑπεξειρημένην δοκεῖν εἶναι κατὰ τὸν τῆς μισθώσεως νόμον,
μὴ δοκεῖν τοὺς δημοσίωνας ταῦτα καρπίζεσθαι, οὕτως
καθὼς ἂν αὐτοῖς ἐκ τῶν δημοσίων πραγμάτων πίστεώς τε τῆς
ιδίας ἐφάινετο, ἔδοξεν.

4 ἀνὰ μ[έσον, Bases; ἀνὰ μ[έρος, Mommsen. 5 γεγονότων for γεγονυῖων, Viereck (notes); ἐπεγνώκεναι repeated by error. 8 Μάρκος Κα(ι)σιος suggested by E. Badian, *Historia*, 13 (1963): 135. 9 The stone-cutter has repeated a line or so from his draft; cf. Badian, *loc. cit.* 11 ΠΗΠΠΙΑ stone. 13 ὁ υἱὸς not dittography according to Bormann. 14 Between the *eta* and *nu* in the middle of *Τηρηγνία* there is a tiny worn or damaged area on the stone. 35 Mommsen changed to *ὑπεξειρημένον*. 36 Bases changed *δόγμα* to *δόγματι*; Viereck (notes) thinks he is

right, but he retains the reading. 37 Bases added *ἐνεκεν* at the end after *φυλακῆς*, but it is not necessary. 54 Bases deleted *καί*. 62 *Οὐσέλλιος*, Bases, Dittenberger, Viereck; *Οὐ(ς)σέλλιος*, others.

COMMENTARY. This inscription speaks for itself very plainly. It tells us that Sulla, in fulfillment of a vow, had once given to the Temple of Amphiarus in Oropus a considerable amount of land which was to be inviolable. In addition, all the revenues of the city, the surrounding territory, and the harbors of the city were to be turned over to the god Amphiarus and used as an endowment for the celebration of the games and sacrifices in honor of the god and the victory of Rome. Only the lands of Hermodorus were to be exempted. After Sulla's return to Rome from the East this grant was confirmed by the Senate in a *senatus consultum*. A few years later, however, after Sulla's death, the *publicani* attempted to collect taxes from this area and were informed by the Oropians of Sulla's arrangement. The *publicani* did not honor such an arrangement. Oropus refused to pay, and an embassy headed by Hermodorus was sent to Rome. The two consuls, with the assistance of an advisory council composed of fifteen senators, listened to the evidence presented by both parties and rendered their decision on October 14, 73 B.C.¹ L. Domitius Ahenobarbus, the representative of the *publicani*, maintained that the exemptions granted by Sulla referred only to those lands which were sacred to a god and that Amphiarus was no god.² His claim was rejected. The consuls and their committee ruled in favor of Oropus. Their ruling was then presented to the Senate two days later, at which time it was promptly ratified.

The two consuls, M. Terentius M. f. Varro Lucullus and C. Cassius L. f. Longinus, wrote the present letter to the Oropians outlining the procedure followed in Rome and officially communicating to them their decision. Their letter also contains a brief résumé of the various documents connected with the case: a *lex censoria* (ll. 36-43), the proclamation of Sulla about the land grant to Amphiarus (ll. 43-51), the *senatus consultum* (of 80 B.C.) ratifying Sulla's grant (ll. 52-59), and the *senatus consultum* (of

¹ For such advisory councils during the Republic see John Crook, *Consilium Principis* (Cambridge, 1955), pp. 4-7. It is interesting to note that the present controversy was brought to the attention of the Senate in 74 B.C., when L. Licinius L. f. Lucullus and M. Aurelius M. f. Cotta were consuls (ll. 3-4), but that the final verdict was made in October of 73 B.C. The reasons for this delay are not given. The *senatus consultum* of 74 B.C., which authorized the arbitration by the consuls and a senatorial board (ll. 3-4), may have been passed so close to the end of the year that L. Licinius and M. Aurelius did not have enough time in office to begin the proceedings and these were accordingly left for the consuls of the following year. Such a situation, if true, still does not explain why ten months were needed to complete the hearing and render a decision. Perhaps one may postulate here a reflection of the struggle for power going on in this period between the Senate and the middle class. After Sulla had suspended the letting of the Asiatic contracts, for example, it may not have been until 75 B.C. that the *publicani* regained them (see Hill, *Roman Middle Class*, pp. 151-52). Whether politics played a part here is, of course, unknown. It is significant, however, that this document proves that the *publicani* were active in collecting the taxes in Boeotia (see Accame, *loc. cit.*).

² Cf. Cicero, *De Nat. Deorum* 3. 49; *An Amphiarus erit deus et Trophonius? Nostri quidem publicani, cum essent agri in Boeotia excepti lege censoria, negabant immortalis esse ullos, qui aliquando homines fuissent.*

73 B.C.) confirming the decision of the consuls and their board in favor of Oropus (ll. 59–69).³

Here again we find the Senate involved in a case of arbitration and, although the actual details are left up to the consuls and a board of senators, we learn that the final verdict is given official senatorial confirmation in the form of a *senatus consultum*—standard procedure.

The *consilium* is composed of fifteen Romans, all senators, as is proved by the presence of T. Maenius T. f. Lem. in both the *consilium* (at post number 14) and the list of witnesses to the senatorial decree.⁴

1. M. Claudius M. f. Arn. Marcellus, perhaps only of praetorian rank (Taylor, p. 204).
2. C. Claudius C. f. Arn. Glaber, probably not the praetor of 73 B.C., but an elder praetorian (Taylor, p. 204).
3. M. Cassius M. f. Pom., praetorian (Taylor, p. 202).
4. C. Licinius C. f. Stel. Sacerdos. The first part of line 9 appears to be a repetition, by error, of the last half of line 8. Hence his tribe is Stelatina, not Pomentina (Taylor, p. 224).
5. L. Voluscius L. f. Arn. Taylor (p. 267) believes he is an *aedilicius*.
6. L. Lartius L. f. Pap. (Taylor, p. 224).
7. C. Annaeus C. f. Clu. (Taylor, p. 190).
8. M. Tullius M. f. Corn. Cicero (Taylor, p. 260).
9. Q. Axius M. f. Quir., a quaestorian (Taylor, p. 197).
10. Q. Pompeius Q. f. Arn. Rufus, a quaestorian (Taylor, p. 247).
11. A. Cascellius A. f. Rom. (Taylor, p. 202).
12. Q. Minucius Q. f. Ter. Thermus (Taylor, p. 236).
13. M. Publicius M. f. Hor. Scaeva (Taylor, p. 239).
14. T. Maenius T. f. Lem. (Taylor, p. 228).
15. L. Claudius L. f. Lem. (Taylor, p. 203).

Oropus, situated to the north of Athens at the mouth of the Asopus in the border zone between Attica and Boeotia, was famous in antiquity for the nearby Amphiareion. This consisted largely of the Temple of Amphiaraus, with a great altar, a fountain, and a theater with an adjacent stoa. Within the precinct have been found a large number of statue bases with inscriptions—largely of the Roman period—the remains of an aqueduct, a bath for men, and various buildings to house the visitors and care for the sick. The temple itself stood at the western end of the precinct in a most impressive position by the bank of the river. The Amphiareion as a whole was both the seat of an oracle and a

³ The *consilium* mentioned in ll. 57–59 must be that of Sulla mentioned in ll. 55–56 (Viereck [notes]).

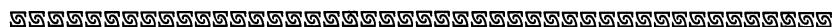
⁴ L. R. Taylor, *The Voting Districts of the Roman Republic* (Rome, 1960), p. 176. She lists sixteen members of the *consilium*, however, since she believes that ll. 8–9 recorded two men with the name of C. Licinius C. f., each belonging to a separate tribe. But the second entry is in part a repetition of the material in the preceding line.

sanatorium. Games in honor of the god are known to have been celebrated there from at least as early as the fourth century, and, after the victory of Sulla, they were extended to honor Rome (*S.I.G.*³, III, 1064). They included musical and gymnastic performances, which, no doubt, were responsible for Sulla's interest in the place. The decision to extend the games to honor Rome was most wise. This brought the precinct to the attention of Sulla. His liking for theatrical people in general did the rest.

24

SENATUS CONSULTUM DE ISSAEIS?

56 B.C.



BIBLIOGRAPHY. F. Vulič, *Vjesnik za arheologiju i historiju dalmatinsku*, 8 (1885), no. 425, p. 115; J. Brunšmid, *Abhandlungen des archäologisch-epigraphischen Seminars der Universität Wien*, 13 (1898): 33ff.; F. Vulič, *Vjesnik za arheologiju i historiju dalmatinsku*, 27 (1904): 92ff.; W. Kubitschek, *Jahrbuch für Altertumskunde*, 1 (1907): 78–85; A. Wilhelm, *Neue Beiträge zur griechischen Inschriftenkunde*, III (Sitzungsberichte Wien, vol. 175, treatise 1) (Vienna, 1913), 18–22; M. Abramić, *Vjesnik za arheologiju i historiju dalmatinsku*, 47–48 (1924–25): 3–7; D. Rendić-Miočević, *ibid.*, 52 (1935–49): 19–34; *idem*, in *Studi Aquileiesi offerti a Giovanni Brusin* (Aquila, 1953), pp. 67–76 (with excellent photograph of the four fragments of document A); J. Robert and L. Robert, *R.É.G.*, 67 (1954): 144 (*Bull. épigr.*, no. 155).

DESCRIPTION. Document A is composed of four fragments found at Salona. The lettering is irregular, the *omicron* smaller than the other letters, the distances between letters inconstant. The limestone slab is about 0.10 m. thick, the joined fragments being about 0.45–0.50 m. wide. The fourth fragment was first published in 1924–25 by Abramić. Documents B and C, published by Brunšmid with improvements by Kubitschek and Wilhelm, were also found in Salona. From a close examination of the squeezes in Vienna, Wilhelm concluded that they belonged to the same monument as document A. The lettering, the length of the lines, and the type of stone are the same in all three documents.

A Ἐπὶ ὑπάτων Γν[αί]ο υ Λέντλου Μ[αρ]-
 κελλείνου καὶ Λ[ευκ]ίου Μαρκίου Φι[λίπ]-
 που πρὸ ἡμερ[ῶν πέ]ντε Νωνῶν [Μαρ]-
 τίων [ἐν δὲ Ἰσση] ἐπὶ ἱερομνάμο[νος]
 5 Ζωπύ[ρου τοῦ - - -]νος μηνὸς Ἀρ[τε]-
 μιτίου [- - - ἰσταμ]ένου, πρεσβε[υ]-
 σάντων Τραγυρί[νων] Παμφίλου τοῦ Π[αμ]-
 φίλου υἱοῦ καὶ Κλεμ[πόρ]ου τοῦ Τιμα[σίω]-
 νος υἱοῦ <καὶ> φιλοξένου [τοῦ] Διονυσίου [υἱοῦ]
 10 ἐν Ἀκοληγίᾳ ἐπὶ Γαίου Ἰουλί[ου] Καί[σαρος]
 αὐτοκράτορος Γάιος Γανένι[ος Γαίου? υἱ]-
 ὸς Φαβία λόγους ἐποίησα[το περὶ τῆς τε]
 ἔλεν[θε]ρίας τῶν Ἰσσαίω[ν καὶ τῆς φιλίας]
 τ[ῶν Ῥωμαί]ων καὶ Ἰσσαι[ων - - - -]

B [- - - - - τ]αὐτα δὲ
 [- - - - - μ]εμεινικένα[ι]
 [- - - - - ν] Ἰσσαίους Αἰγυπ-
 [- - - - - σ] εἰς τὴν χώρα[ν]
 5 [μεθ' ἧς χώρας εἰς τὴν φ]ιλίαν καὶ συμμα-
 χίαν τοῦ δήμου τοῦ Ῥωμαί[ων] παρεγένον-
 [το - - - - -] νόμοις καὶ τῇ [α]ὕ-
 [των? - - - - -] πᾶσαν καὶ ἐπεὶ
 [- - - - - ν] πλεονάκεις
 10 [- - - - - ἀμφο]τέρας Ἰσσαν
 [- - - - -] ΛΙΣ[- - - -]

C [- - - - -]ικ[- - - - -]
 [- - - - -]οριν[- - - - -]
 [- - - - - Τραγο]υρινοὶ κ[αὶ Ἐπετινοὶ - - -]
 [- - - - - καὶ Ἰα]δαστιν[οὶ - - - - -]
 5 [- - - - -]εισιν γὰρ [ρ - - - - -]
 [- - - - -] μετὰ συμ[μαχ - - - - -]
 [- - - - -]πει σὺν Ἰσ[σαίοις - - - - -]
 [- - - - -]ου Μανίου [- - - - -]

Text based on those by Kubitschek, Wilhelm, and Rendić-Miočević.

A 7 Τραγυρί[νων], new reading by Rendić-Miočević; παγια, Abramić. 11 ΙΟΣΤΑΥΕΝΙ in *rasura*.

B Restorations by Wilhelm. 7-8 τοῖς αὐτοῖς] νόμοις καὶ [α]ὕ[τῃ] πολιτεία χρώνται ἢν εἴ[πασαν suggested by Wilhelm, with an earlier introductory καὶ ὅπως. 9-10 πλεονάκεις | [πόλεις ἀμφε]τέρας, Brunšmid, but this makes l. 10 too short.

C 3-4 Rendić-Miočević.

COMMENTARY. Soon after the death of Dionysius, tyrant of Syracuse, Issa, oldest and strongest of the Greek colonies on the eastern coast of the Adriatic, established a *peraea* on the opposite coast of Dalmatia and founded colonies in the area. Among such colonies were Tragurion and Epetion. Down to 230 B.C. the internal wars and the numerous acts of piracy in the whole Illyrian area were not yet of such a serious nature that Rome felt the need to intervene in eastern politics. But in 230 B.C. Rome reversed its policy of noninterference and decided upon war. The exact motives for such a reversal are not known with certainty, but, as Badian has shown, the deep-seated Roman fear of powerful neighbors may have been responsible. The Illyrian queen Teuta was defeated. Terms of peace were agreed upon in 228 B.C. Among the cities which were then received into the *fides* of Rome was Issa, certainly because of that city's resistance to Illyrian aggression. This was evidently the island's first official contact with Rome, and it was a favorable one. Later, in 167 B.C., after the fall of King Genthius and the division of Illyricum, freedom and immunity were granted to Issa by Rome.¹ Thereafter nothing much is known of the island's history until the present series of documents presents us with an interesting but incomplete picture of Issa and her colonies in the year 56 B.C.

Document A appears to be a prescript to the documents on the monument that followed it. From it the following facts emerge. Taking advantage of Julius Caesar's presence in Illyricum very early in the year 56 B.C., envoys from Tragurion were sent northward to meet him and present him with a request. The exact nature of the request is unknown. At the meeting, in Aquileia, a certain Roman citizen with the name of C. Gavenius, who evidently belonged to the party of the envoys and not to the entourage of Caesar, spoke about the freedom and the friendship that existed between Issa and Rome.

Document B contains words and phrases (ll. 4-7) which remind one of the formulas used in decrees of the Roman Senate in which conditions of "friendship and alliance" are agreed upon formally.² Wilhelm has therefore rightly suggested that we may have here a *senatus consultum* or piece of writing from the hand of a Roman official.

Document C is even less informative, but is perhaps more tantalizing because of the references to the people of Tragurion and Iader. Since the exact relationship between all three documents is unknown, it is better to keep them separated. That they all are connected with the meeting at Aquileia, however, appears to be a reasonable assumption.

Prior to the revision of the stone by Rendić-Miočević it was thought that the envoys

¹ For the history of Issa see the account by A. Bauer, *Archäologisch-epigraphische Mitteilungen aus Österreich-Ungarn*, 18 (1895): 128-50; Brunšmid, *op. cit.*, pp. 111ff.; Kubitschek, *op. cit.*, pp. 79-80; Fluss, *R.E.*, s.v. "Issa," suppl. V (1931), cols. 346-50. For the pirate problem in this part of the world see L. Robert, *B.C.H.*, 59 (1935): 489-513, esp. 506-7. For the Roman interference in Illyrian affairs and the establishment of *amicitia* with the cities see E. Badian, "Notes on Roman Policy in Illyria (230-201 B.C.)," in his *Studies in Greek and Roman History* (Oxford, 1964), pp. 1-33. Rome did not make a treaty with Issa; see Livy 45. 26. For Issa's colonies see Polybius 32. 9.

² *S.C. de Narthaciensium et Melitaeensium litibus* (No. 9), ll. 14ff.; *S.C. de Thisbensibus* (No. 2), ll. 17ff.; cf. Wilhelm, *op. cit.*, pp. 19-20.

had come from Issa. Thus the request could very well have concerned the renewal of friendship and alliance. But with the new reading in line 7 the entire matter becomes much more complicated. There is the strange fact that the envoys are from Tragurion, the friendship and alliance concerns Issa, and the inscription was found at Salona.

Rendić-Miočević believed that Tragurion, fully supported by Issa, was using its relationship to Issa to obtain help from the Romans. He thought that Tragurion had become involved in some local difficulty and, in order to resolve it, had decided to send an embassy to Caesar. At the meeting in Aquileia the envoys stressed the fact of Tragurion's relationship to Issa in order to obtain a favorable answer to their request. They were capitalizing, therefore, on Issa's status. Thus Issa is mentioned in the documents only to create an atmosphere in the Roman camp favorable to Tragurion.

It is difficult to accept this view entirely. For one thing the colony would seem to be acting too independently of the mother city, despite the interpretation given by Rendić-Miočević. And the texts themselves are much too fragmentary to allow us to draw the conclusion that Issa is mentioned merely to win sympathetic listeners. Even if the envoys had done such a thing, there would be little point in introducing the story into the document and publishing it. Nevertheless it is a possible explanation and deserves all consideration.³

The reason the documents had been published in Salona is, apparently, that the city was somehow involved in the matter at hand.⁴ Other copies almost certainly would have been published in Tragurion and Issa.

Unknown elements and *lacunae* in the texts suggest caution in the use of these documents to form any judgment about the status and the interrelationship of these cities.

³ L. Robert, *loc. cit.*, says rightly, "On hésite à préférer cette dernière solution à celle de l'existence de liens de dépendance (ou de sympolite, etc.) entre Issa et Tragurion."

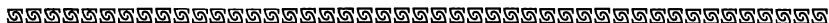
⁴ Rendić-Miočević also proposes a new theory on the status of Salona, considered by earlier scholars as a colony of Issa. He prefers to think of it as a foundation of Tragurion, but not fully organized as a *polis*. Perhaps that was the case.

25

SENATUS CONSULTUM DE AGRIS MYTILENÆORUM

55 B.C.

[Squeeze]



BIBLIOGRAPHY. F. Hiller von Gaertringen, *I.G.*, XII, suppl. (1939), no. 11, p. 208; S. Accame, *Rivista di Filologia*, 74 (1946): 111-12 (cf. *idem*, in De Ruggiero's *Dizionario epigrafico di antichità romane*, s.v. "Lesbus," p. 673); R. K. Sherck, *Greek, Roman and Byzantine Studies*, 4 (1963): 217-30.

DESCRIPTION. Fragment of coarse-grained marble, now in the museum at Mytilene. Height: 0.44 m. Width: 0.40 m. Thickness: 0.23 m. Height of letters: 0.02 m.

- [περὶ ὧν Γναῖος Πομπήϊος Γν]αίου υἱὸς Μάγ[νος ὑπατος τὸ δεύτερον ?]
[λόγους ἐποίησατο περὶ τῆς χώρ]ας ὅπως ἔχω[σιν κατέχωσιν καρπίζονται]
[- - - - - περὶ τοῦτου τοῦ] πράγματος σ[- - - - -]
[- - - - -]λτων συμβουλιῳ [- - - - -]
5 [- - - - -]προν]ομίαν τούτοις τοῖ[ς - - - - -]
[- - - - - Μ]υτιληναίοις καὶ τοῖς [- - - - -]
[- - - - - οἱ προγεγ]ραμμένοι τὴν πόλιν Μυτ[ιληναίων - - - - -]
[- - ὅπως ἔχωσιν κατέχω]σιν καρπίζονται συνεζ[ε]υγμέν[- - - - -]
[- - - - -]τη τε ἡ πολιτεία Μυτιλ[ηναι - - - ταύτην τὴν]
10 [χώραν ἐξελομένων τῶν] τιμητῶν ἐκ τῆς δημοσ[ιωνίας - - - - -]
[- - - - -] καὶ ἀποκατάστασις τῶν [- - - - -]
[- - - - -] Σερουῖλιος τιμηταὶ [- - - - -]
[- - - - -] ἀγρῶν τόπων οἷ[κων - - - - -]
[- - - - -] δεξαμένων [- - - - -]
15 [καθὼς Μάνιος Ἀκύλιος καὶ οἱ] δέκα π[ρεσβευταὶ διέταξαν - - - - -]

1 [περὶ ὧν and ὑπατος τὸ δεύτερον, Sherck. 2 [λόγους ἐποίησατο, Sherck. 3 σ[υνευδόκησε τῇ συγκλήτῳ ? Sherck. 5 αὐτὸν]ομίαν, Hiller; προ]νομίαν, Sherck. 8 συνεζ[ε]υγμένως, Hiller; συνεζ[ε]υγμένων (sc. βοῶν) πλέθρα, J. H. Oliver, but also possibly συνεζ[ε]υγμένοι, Sherck. 10 and 15 Sherck.

COMMENTARY. The remains of the first few lines are very meager but sufficient to identify the document as a senatorial decree at the passage of which Pompeius was the presiding magistrate. And the following words and phrases are important in determining the nature of that decree: right of prior pasturage (l. 5); to hold, possess, and enjoy the use of (land) (l. 8); leasing of the revenues (l. 10); restoration (l. 11); fields, places, homesteads (l. 13); ten commissioners (l. 15). When all of these are considered side by side with the known facts about the history of Mytilene in the period during and after the Mithridatic wars, an outline of probable events takes shape and an interpretation becomes possible.

Mytilene had turned against the Romans at the beginning of the first Mithridatic War, welcomed the Pontic king in person, and murdered the Romans who were living in the area. At the conclusion of hostilities the city refused to surrender and made preparations for a siege. By 80 B.C. it was all over. Mytilene capitulated to the Roman forces and was reduced to the status of a *civitas stipendiaria*, probably attached to the province of Asia. As a result the city's territorial possessions, both on the island and the mainland, were opened up to the *publicani*. Eighteen years later, however, a benevolent Pompeius was induced by his friend and historiographer, Theophanes of Mytilene, to free the city.¹ For Theophanes it was his greatest political feat, and the grateful city hailed him as savior and benefactor.² For Mytilene, it was an unexpected windfall. It would appear, however, that forgiveness and freedom did not bring with them an equal measure of good will on the part of the *publicani*. The Asian Company had suffered a disastrous financial loss in the period 61–59 B.C. because of too high a bid for the contract, and consequently it brought great pressure to bear in an effort to compensate for the loss.³ The claims of Mytilene on her possessions and her right to expect immunity from Roman taxation might very easily have been ignored.⁴ If true—and I believe the situation leads to that conclusion—her ultimate recourse would be Rome and the Senate. The usual procedure would then have been followed: an embassy, an introduction to the Senate, discussion, and, in this case, the passage of a decree.

Since Pompeius was the presiding magistrate at the meeting of the Senate which approved and passed the decree, we may assume that the Mytilenean embassy first sought out their patron and supporter. After hearing their story he would have pre-

¹ For Mytilene in the Roman period see C. Cichorius, *Rom und Mytilene* (Leipzig, 1888), pp. 1ff.; R. Herbst, *R.E.*, s.v. "Mytilene," cols. 1412ff.; F. Hiller von Gaertringen, *I.G.*, XII, suppl. (1939), 70ff.; Magie, *Roman Rule in Asia Minor*, I, 245–46, 365, 404, 415–16, with the relevant notes in II. Cf. Sherk, *op. cit.*, pp. 218–19.

² The facts about the life of Theophanes are conveniently collected by F. Jacoby, *F. Gr. Hist.*, II B, no. 188, pp. 919–23. For an estimate of his high reputation see R. Laqueur, *R.E.*, s.v. "Theophanes," cols. 209off.; F. Hiller von Gaertringen, *Göttingische Gelehrte Nachrichten, Phil.-hist. Klasse, Fachgruppe*, I (1934–36), 109–10; Magie, *op. cit.*, II, 1280, n. 28. Cf. L. Robert, *R.E.A.*, 1960, p. 286.

³ Dio 38. 7. 4; Appian *Bell. Civ.* 2. 13; Cicero *Ad Att.* 1. 17. 9 and 2. 1. 8; Cicero *Pro Plancio* 34ff.; Suetonius *Iul.* 20. See Hill, *Roman Middle Class*, pp. 170–71.

⁴ The rights of a free city are spelled out very carefully in the *lex Antonia de Termessibus* (S. Riccobono, *Fontes iuris antejustiniani*², pt. 1 [Florence, 1941], no. 11). See now also Accame, *Il dominio romano in Grecia*, pp. 46–74.

sented them to the Senate. But in order to convene the Senate he would have had to be praetor or consul. His first consulship, in 70 B.C., was too early to figure in this document. Thus we are left with his second, in 55 B.C., and his third, in 52 B.C. The decree must have been passed in one of those two years. A passage in Cicero (*Ad. Att.* 4. 11. 1) is decisive: *Dixit mihi Pompeius Crassum a se in Albano exspectari ante diem IIII Kal.; is cum venisset, Romam eum et se statim venturos, ut rationes cum publicanis putarent.* Not only is this letter dated in 55 B.C., agreeing with the date of the second consulship of Pompeius, but it also appears to contain a reference to the very situation which prompted the passage of the present decree, i.e., difficulties with the accounts of the *publicani*. The date is thus assured.

The identification of the censor Servilius in line 12 is accordingly complete. He is P. Servilius C. f. M. n. Vatia Isauricus, famous in the military annals of Asia Minor and known to have been censor in Rome in 55 B.C. in advanced old age.⁵

We may conclude, therefore, that in 55 B.C. Mytilene obtained this senatorial decree which granted the city two concessions, one being the recognition of her "right of prior pasturage" in some particular area of land unknown to us, and the other a confirmation of her right to possess her lands without interference from the *publicani*. The decree seems specifically to forbid the censors in Rome to include Mytilene's land in their various contracts with the *publicani*.

For a citation of this *senatus consultum* by a Roman magistrate, possibly in support of a decision he had rendered about land belonging either to the city of Mytilene or to a citizen of the city, see the *Epistula de agris Mytilenaeorum* (No. 51).

⁵ The sources for his censorship are listed by Broughton, *Magistrates*, II, 215. He was still in office in July of 54 B.C.

26

EPISTULAE ET SENATUS CONSULTA DE MYTILENAEIS

Age of Caesar
and Augustus

[Squeeze]



BIBLIOGRAPHY. E. Fabricius, *Athen. Mitt.*, 9 (1884): 83; C. Cichorius, *Rom und Mytilene* (Leipzig, 1888), pp. 12ff.; P. Viereck, *Sermo Graecus* (Göttingen, 1888), nos. XXIII, XXX, XXXI; C. Cichorius, *Sitzungsberichte Berlin*, 1889, pp. 953-73, with a note by Th. Mommsen on pp. 973-81; Th. Mommsen, *Sitzungsberichte Berlin*, 1895, pp. 888ff.; W. Dittenberger, *S.I.G.*², I (1898), 349; W. R. Paton, *I.G.*, XII, 2 (1899), 35; L. Lafoscade, *De Epistulis Imperatorum Magistratuumque Romanorum* (Lille, 1902), no. 4; E. Täubler, *Imperium Romanum* (Leipzig, 1913), pp. 46, 50-51, 56-58, 179-82, 366-67, 456; F. Hiller von Gaertringen, in W. Dittenberger, *S.I.G.*³, II (1917), 764; J. Hatzfeld, *Les trafiquants italiens dans l'Orient hellénique* (Paris, 1919), p. 91; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1936), no. 25; G. Lafaye, *I.G.R.R.*, IV (1927), 33; L. Robert, *R.E.G.*, 42 (1929): 426ff.; H. Horn, *Foederati* (Frankfurt, 1930), pp. 70-71, 73, 75; A. Heuss, *Klio*, 27 (1934): 245-46; F. Hiller von Gaertringen, *Göttingische Gelehrte Nachrichten, Phil.-hist. Klasse, Fachgruppe*, I (1934-36), 121-22; *idem*, *I.G.*, XII, suppl. (1939), 11; V. Arangio-Ruiz, *Rivista di filologia*, 70 (1942): 125ff.; *idem*, in *Acta Divi Augusti*, pt. 1 (Rome, 1945), pp. 232-38; S. Accame, *Il dominio romano in Grecia dalla guerra acaica ad Augusto* (Rome, 1946), pp. 90-92 and 95-99; *idem*, *Rivista di filologia*, 74 (1946): 104-21; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 415-16 and 468, II, 1269-70, n. 39, and 1330, n. 2; Ehrenberg-Jones, no. 307; S. Accame, in De Ruggiero's *Dizionario epigrafico di antichità romane*, s.v. "Lesbus," pp. 674-75; L. R. Taylor, *The Voting Districts of the Roman Republic*, American Academy in Rome, Papers and Monographs XX (Rome, 1960), p. 169; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, nos. 111 and 135; H. Malcovati, *Imperatoris Caesaris Augusti Opera Fragmenta*, 4th ed. (Turin, 1962), no. LXVIII, p. 42 (this document should have been omitted from this collection, for it is not by Augustus at all, but rather by the dictator Caesar, and is our first document); R. K. Sherck, *Greek, Roman and Byzantine Studies*, 4 (1963): 145-53; A. Donati, *Epigraphica*, 27 (1965): 20-25.

DESCRIPTION. These inscriptions were found on the site of the old acropolis of Mytilene, the marble blocks having been built into a Turkish fortress. Originally they had formed part of a huge monument in honor of Potamon, an orator of repute who had benefited his native city of Mytilene in many ways during the last half of the first century before Christ. The monument contained a record of his activities on behalf of the city, the record being mainly copies of official documents in which his name was mentioned or his benefactions enumerated. These blocks were not all found at the same time,

and, although they have been arranged in a form similar to their original order, it is evident that much is missing.

Stone A comprises all we have of column a. It is located high on the inside of the fortress wall. Height: 0.41 m. Width: 0.59 m. (Cichorius, *Rom und Mytilene*, p. 43.)

Stone B contains lines 1-12 of column b. Height: 0.41 m. Width: 0.475 m. (Cichorius, *Sitzungsberichte Berlin*, 1889, p. 955).

Stone C contains slightly more than half of the text of lines 14-27 of column b. Height: 0.41 m. Width: 0.71 m. (Cichorius, *Rom und Mytilene*, pp. 12-13.)

Stone D contains slightly less than the last half of lines 14-27 of column b. To the right of that text is a vacant space which separates column b from column c, and then, on the extreme right of the stone, is the beginning of lines 14-27 of column c. Thus, an examination of stones C and D reveals the width of the entire column. Height: 0.41 m. Width: 0.68 m. (Cichorius, *Sitzungsberichte Berlin*, 1889, p. 956).

Stone E contains lines 28-43 of column b. Height: 0.50 m. Width 0.66 m. (*ibid.*)

Stone F contains lines 1-13 of column c. Height: 0.41 m. Width: 0.69 m. (Mommsen, *op. cit.*, p. 888.)

Stone G contains lines 1-13 of column d and lines 14-27 of column c. Height: 0.41 m. Width: 0.79 m. (Fabricius, *loc. cit.*)

Stone H: its left side contains lines 15-27 of column d, its right side lines 1-14 of column e. Height: 0.41 m. Width: 0.65 m. (Mommsen, *op. cit.*, p. 889).

The height of the letters is uniformly the same (0.020 m.) except in line 36 of col. b (0.025 m.). We may note the following characteristics of the engraving: (1) The first word of several lines projects into the margin one or two spaces (ll. 1, 9, 17, 27, of col. c; ll. 1, 3, 7, 12, of col. d; l. 7 of col. e). (2) In some lines the letters are closer together than in others, but even in the same line there is sometimes a slight variation in the space between letters (col. b, l. 21, and col. b, l. 8). (3) Occasionally spaces are left uninscribed to separate words or phrases. (4) The lettering is similar to other documents in the area belonging to the same age. For the arrangement of the blocks as they might have appeared in Potamon's monument see the sketch by W. R. Paton in the *Corpus*.

Col. a

[Γράμματα Καίσαρος Θεοῦ.]

[Γάιος Ἰούλιος Καίσαρ αὐτοκράτωρ ὑπάτος τὸ] δε[ύτε]ρον Μυτι[ληναίων ἀρχουσι]
[βουλῇ δῆμῳ χαίρειν· εἰ ἔρρωσθε, καλῶς ἂν] ἔχοι· καὶ γὰρ δὲ μετὰ τοῦ
στρατεύμ[ατος]

[ὕγιανον. Ποτάμων Λεσβώνακτος, - - - - -] καφένου, Κριναγόρας
Καλλίπ[που, Ζ]ωίλο[ς]

[Ἐπιγένους - - - - -] Σω]τᾶς Δικαίου, Ὑβρίας
Διοφάντου, Ἰστιάδος

5 [- - - - -] Δημή]τριος Τιμαίου, οἱ
πρεσβευταὶ ὑμῶν, συνέ-

[τυχόν μοι καὶ τὸ ψήφισμα ὑμῶν ἀπέ]δωκαν καὶ περὶ τῶν τιμῶν
διελέχθησαν

[-----]ν

κατωρθώκαμεν, καὶ εὐχαριστήσαντες

[----- ἐνέ]τυχον μετὰ

πολλῆς φιλοτιμίας καὶ εἰς

[-----]ων ἔχειν.

Ἐγὼ δὲ τοὺς τε ἄνδρας ἐπήνε-

- 10 [σα διὰ τὴν προθυμίαν αὐτῶν καὶ φιλοφρόν]ως ἀπεδεξάμην, ἡδέως τε τὴν πόλιν
[ὑμῶν εὐεργετεῖν πειράσσομαι καὶ κατὰ τ]οὺς παρόντας καιροὺς καὶ ἐν τοῖς μετὰ ταῦ-
[τα χρόνοις -----]αν ἐπιστάμενος ἦν

ἔχοντες εὖνοι-

[αν -----]τὸν Ποτάμωνα.

νν [Ἔτι] τε τὴν προ-

[-----] αὐτὸν

ἐπ[ὶ τ]οὺς [...]οντα[---].

Desunt versus vel 14 vel 17.

Col. b

[-----] οὐδὲ [-----]

οτε[-----]

[----- β]ουλόμενος [ὑ]μῶν κεκομίσ[θαι] τὴν [-----]

[----- ἐπικαρπία]ν (?) τῆς φιλίας ἀσφάλειαν, ἔν τε [τοῖς λ]οι-

[ποῖς χρόνοις ----- τὴν] πόλιν αἰεὶ τινος [ὑμ]ῶν ἀ[γαθοῦ] θέ-

- 5 [λω γενέσθαι. Θαρροῦντες οὖν περὶ π]άντων ἐντυγχάνετε ἡμῖν. [Ἐρρωσθε.]

[Γράμματα] Καίσαρος Θεοῦ.

[Γάιος Ἰούλιος Καῖσαρ αὐτοκράτ]ωρ δικτάτωρ τ[ὸ τ]ρίτον, καθε[σταμέ-]

[νος τὸ τέταρτον, Μυτιληναίων ἀρχουσι βο]υλῇ ὑἱμῶι χαίρειν καὶ ἐμψύθει

καὶ γ[ὰρ] ὡ δὲ μετὰ]

[τοῦ στρατεύματος ὑγίαινον. Βουλόμενος] εὐεργετεῖν τὴν πόλιν καὶ οὐ μό[νον]

- 10 [φυλάττειν τὰ φιλάνθρωπα ἃ διεπράξ]ασθε δι' ἡμῶν ἀλλὰ καὶ συναυ[ξάνειν]

[αὐτὰ -----]ος τὴν ἡγεμονίαν, φιλίας δόγ[ματος]

[τοῦ ἡμῖν συγκεχωρημένου δι]απέπομφα πρὸς ὑμᾶς τὸ ἀ[ντίγραφον].

Praescriptio erasa.

[Περὶ ὧν π]ρεσβευταὶ Μυτιληναίων Ποτάμων Λεσβώνακτος, Φαινίας Φαινίου τοῦ

Καλλί[π-]

- 15 [που, Τ]έρφης Διοῦς, Ἡρώδης Κλέωνος, Διῆς Ματροκλέους, Δημήτριος Κλεωνύμου,
Κριναγόρας Καλλίππου, Ζωῖλος Ἐπιγένους λόγους ἐποίησαντο, χάριτα φιλίαν συμμα-
χίαν ἀνενοεῦντο, ἵνα τε ἐν Καπετωλίῳ θυσ[ί]αν ποιῆσαι ἐξῇ ἃ τε αὐτοῖς

πρότερον ὑπὸ τῆς συγκλήτου συγκεχωρημ[έ]να ἦν, ταῦτα ἐν δέλτῳ χαλκῇ
γεγραμμένα προσηλῶσαι ἵνα ἐξῇ· περὶ τούτου τοῦ πράγματος οὕτως
20 ἔδοξεν· χάριτα φιλίαν συμμαχίαν ἀνανεώσασθαι, ἀνδρας ἀγαθοὺς καὶ φί-
λους προσαγορεῦσαι, ἐν Καπετωλίῳ θυσίαν ποιῆσαι ἐξεῖναι, ἃ τε αὐτοῖς πρό-
τερον ὑπὸ συγκλήτου φιλάνθρωπα συγκεχωρημένα ἦν, ταῦτα ἐν δέλ-
τῳ χαλκῇ γεγραμμένα προσηλῶσαι ἐξεῖναι, ὅταν θέλωσιν· ἵνα τε Γάιος
Καῖσαρ αὐτοκράτωρ, ἐὰν αὐτῷ φαίνεται, τόπους χορήγια αὐτοῖς κατὰ τὸ
25 τῶν προγόνων ἔθος ταμίαν μισθῶσαι κελεύσῃ, ὅπως ὥς ἂν αὐτῷ ἐκ τῶν δη-
μοσίων πραγμάτων πίστεώς τε τῆς ἰδίας φαίνεται. Ἔδοξεν. [Ἐπ]εὶ δὲ καὶ
πρότερον ἐνετύχετέ μοι καὶ ἔγραψα πρὸς ὑμᾶς, πάλιν ὑπέμ[ν]αν οἱ
[ὑμέτεροι πρεσβευταὶ μὴ] δένα δεῖν ἀτελεῖ εἶ[ναι] παρ' ὑμῖν ἀκολούθ[ως τοῖς]
[ὑμετέροις νόμοις καὶ τοῖς] φιλανθρώποις ἃ ἔχετε παρ' ἡμῶν τοῖς τε [πρότε-]
30 [ρον καὶ τοῖς διὰ τούτου το] ὕ δόγματος δεδομένοις τὸ ἐξεῖναι ὑμῖν [- - - -]
[- - - - - ταῖς] τῆς πόλεως καὶ τῆς χώρας προσόδοις καθ' ἣ[ς] [συχίαν]
[χρῆσθαι. Βούλομαι οὖν] ἀποφύνασθαι ὅτι οὐδενὶ συγχωρῶ οὐδὲ συγχωρή[-]
[σω ἀτελεῖ παρ' ὑμῖν εἶναι. Ο] ὕτως οὖν πεπεισμένοι θαρροῦντες χρῆσθ[ε - -]
[- - - - - ἀνεμποδ]ίστως· ἐγὼ γὰρ ταῦτα τε ἡδέως
πεποίηκα ὑ[πέρ]
35 [ὑμῶν καὶ πειράσσομαι εἰς τ]ὸ μέλλον αἰεὶ τιнос ἀγαθοῦ παραίτιος ὑμῖν [γεν-]
[έσθαι.]

[Δόγμ]ατα συγκλήτου περὶ ὀρκίου.

[Αὐτοκράτορος Καίσαρος] Σεβαστοῦ τὸ ἕνατον, Μάρκου Σιλανοῦ ὑ[πάτων]
[προτεθέν (?) - - - ἐπ]ι ταγῇ Μάρκου Σιλανοῦ ἐκ συγκλήτου δό[γματος].
[- - - - - Ἰ]ουνίων ἐν κουρίαι Ἰουλίαι. γραφομένῳ
πα[ρήσαν]

40 [Παῦλος Αἰμίλιος Λευ]κίου υἱὸς Παλατίνῃ Λέπεδος, Γάιος Ἀσίν[ιος Γναί-]
[ου υἱὸς - - - - Πωλλίω]ν, Λεύκιος Σεμπρώνιος Λευκίου υἱὸς Φαλ[έρνῃ Ἀ-]
[τρατίνος, Μᾶρκος Τερέν]τιος Μάρκου υἱὸς Παπειρίᾳ Οὐάρρων, Γάιο[ς Ἰού-]
[νιος - - - - - Σι]λανός, Κόιντος Ἀκούτιος Κόιντου υἱός.

Col. c

Περὶ ὧν [Μᾶ]ρκος Σιλανὸς λόγ[ο]υς [ἐποιήσατο ἐπὶ αὐτοκράτορα Καίσαρα Σεβασ-]
τὸν [τ]ὸν συνάρχοντα γράμμ[ατα πεμφθῆναι καὶ ἀπόκρισιν ἐλθεῖν, ὥστε],
[ἐ]ὰν τῇ συγκλήτῳ ἀρέσκη μετ[ὰ τῶν Μυτιληναίων τὰ ὀρκια γενέσθαι],
[τ]ούτου τοῦ πράγματος αὐτῷ [τῷ Σιλανῷ ἡ φροντίς ἐπιτρέπεται, πε-]
5 [ρ]ὶ τούτου τοῦ πράγματος ο[ὕ]τως ἔδοξεν· ὅπως Μᾶρκος Σιλανός]
[ὑ]πατος, ἐὰν αὐτῷ φαίνεται, ὀρκ[ια τῶν Μυτιληναίων γενέσθαι φροντίσῃ ἄλ-]
[λο] τε ὅποιον ὥστε ἐκ τῶν [δημοσίων πραγμάτων πίστεώς τε τῆς αὐ-]
τοῦ φαίνεται. Ἔδοξεν.
[Π]ρὸ ἡμερῶν τριῶν καλανδῶν Ἰο[υλίῳ]ν ἐν - - - - - γραφομένῳ παρῇ[-]
10 [σαν Γάιος Νωρβα[νός] Γαί[ου υἱὸς Φλάκκος - - - - - Ἀπ-]

πίου υἱὸς Παλα[τίνα - - - - -
 - - Μάρκος]
 [Κ]ησωρῖνος [- - - - -
 - - - - -]
 Μάρκος Οὐα[λέριος - - - - -
 - - - - -]
 κου υἱὸ[ς - - - - - ο]υ υἱὸς
 Κλοστο-
 15 μίνα Λ[- - - - - Μάρκος Τερέντιος Μάρκου υἱὸς Παπε]υρία
 Οὐάρρων
 Γάιος Κ[- - - - -
 - - - - -]

Περὶ ὧν Μ[άρκος Σιλανὸς λόγους ἐποιήσατο, τῷ τῆς συγκλήτου] δόγματι ἑαυτῷ
 δεδο[μένῳ, ὅπως, ἐὰν ἑαυτῷ φαίνεται, τὰ ὅρκια τῶν Μυτ]ιληναίων γενέσ-
 20 θαι φροντ[ίσῃ ἄλλο τε ὅποιον ὥστε ἂν ἐκ τῶν δημοσ]ίων πραγμάτων
 πίστεώς τ[ε τῆς ἰδίας φαίνεται, πάντα ἑαυτὸν πείσασθ]αι· λοιπὸν εἶναι
 ἵνα τοῦτ[ου τοῦ πράγματος τὰ ἀκόλουθα πράττηται], περὶ τούτου τοῦ
 πράγματ[ος οὕτως ἔδοξεν· Ὅπως Μάρκος Σιλανὸς] ὑπατος, ἐὰν αὐ-
 τῷ φαίν[εται, τὰ ὅρκια πεμφθῆναι πρὸς τοὺς Μυτιληναί]ους ὡς ἔστακε
 25 γενέσθαι [καὶ ταῦτα καὶ τὰ τῆς συγκλήτου δόγματα τ]ὰ περὶ τούτου
 τοῦ πράγ[ματος γενόμενα ἐν δέλτῳ χαλκῇ ἐγ]χαραχθῆναι καὶ
 εἰς δημό[σιον ἀνατεθῆναι φροντίσῃ. Ἔδοξεν.]
 Αὐτοκράτ[ορος Καίσαρος Σεβαστοῦ τὸ ἕνατον, Μάρκ]ου Σιλανοῦ ὑπά-
 των [- - - - -
 - - - - -]

Desunt versus fere 30.

Col. d

Ὁ [δῆμ]ο[ς ὁ] Μυτιληναίων ἀρχή[ν καὶ ἐπικράτειαν ἦν μέχρι νῦν ἔσχεν (?)]
 φυλασσέτω οὕτως ὡς ἂν τι κ[ρατῆται ἀρίστῳ δικαίῳ ἀρίστῳ ἢ ἐ νύμῳ].
 Τοὺς πολέμους τοῦ δήμου τ[οῦ Ῥωμαίων ὁ δῆμος ὁ Μυτιληναίων διὰ τῆς ἰδίας ἐ-]
 5 πικρατείας μὴ ἀφειέτω[ι] δημοσ[ταί βουλῇ διελθεῖν, ὥστε τῷ δήμῳ τῷ]
 Ῥωμαίων ἢ τοῖς ἀρχομένοις ὑπ' [αὐτοῦ ἢ τοῖς συμμάχοις τοῦ δήμου τοῦ Ῥωμαί-]
 ων πόλεμον ποιῆσαι, μήτε αὐτοῖς [ὅπλοις χρήμασι ναυοὶ βοηθεῖτω.]
 Ὁ δῆμος ὁ Ῥωμαίων τοὺς πολεμί[ους τοῦ δήμου τοῦ Μυτιληναίων διὰ τοῦ ἰδίου]
 ἀγροῦ καὶ τῆς ἰδίας ἐπικρατεία[ς μὴ ἀφειέτω δημοσ[ταί βουλῇ διελθεῖν,]
 ὥστε τῷ δήμῳ τῷ Μυτιλην[αίων ἢ τοῖς ἀρχομένοις ὑπ' αὐτοῦ ἢ τοῖς συμμά-]
 10 χοις τοῦ δήμου τοῦ Μυτιλην[αίων - - - πόλεμον ποιῆσαι, μήτε αὐτοῖς]
 ὅπλοις χρήμα[σι ν]αυοὶ βοηθ[εῖτω.] *vacat*
 Ἐάν τις πρότερος πόλεμον πο[ιῇσιν τῷ δήμῳ τῷ Μυτιληναίων ἢ τῷ δή-]
 μῳ τῷ Ῥωμαίων [καὶ] τοῖ[ς συμμάχοις τοῦ δήμου τοῦ Ῥωμαίων, βοηθεῖτω]
 [ὁ δῆμος ὁ Ῥωμαίων τῷ δήμῳ τῷ Μυτιληναίων καὶ ὁ δῆμος ὁ Μυτιληναί-]

15 [ων τῷ δήμῳ τῷ Ῥωμαίων καὶ τοῖς συμμάχοις τοῦ δήμου τοῦ Ῥωμαίων·
 [- - - - -] βέβαιός τε ἔστω.
Εἰρήνη
 [ἔστω εἰς τὸν ἅπαντα χρόνον.] *vacat*
 [- - - - -] ἑαυτοῦ ἔστω.
Ὀμοίως
 20 [ὅσα - - - - - ὁ δῆμος Ῥωμαίων] ν δήμῳ Μυτιληναίων ἔδω-
 [κεν - - - - -] τοῦ δήμου τοῦ Μυτιληναίων
ἔστω
 [καὶ ὅσα - - - - - Μυτιλη] ναίων ἐγένοντο ἐν νήσῳ
 [Λέσβῳ καὶ ὅσα - - - - - πρὸ καλ] ανδῶν Ἰανοαρίων, αἵτινες
 [- - - - - , τοῦ] τοῖς ἐγένοντο εἴτε
ταύτῃ
 25 [τῇ νήσῳ εἴτε ἄλλῃ - - - - -] ς, ὥς ἕκαστον τούτων τῶν
 [- - - - -] τε οὗτοι
ἐκράτησαν ἔσχον
 [- - - - -] οὗτοί τε
πάντα ταῦτα ἐχέ-
 [τωσαν]. *vacat*
 [- - - - -]
Μ]υτιληναίων ἔστωσαν.

Desunt versus 27.

Col. c

ἔπεγελε [- - - - - ἐγέ] -
 νοντο ἐσθλ[οί - - - - -]
 ων ἡγορασμ[ένων - - - - -]
 5 τούτων ἂν [- - - - - Μυτιλη] -
 ναίων ὑπακ[ου - - - - -]
 προκριματ[- - - - -]
 τοῖς ἄλλοις γ[- - - - -]
 ἔστω ὁ ἂν [- - - - -]
 ται πρασση[- - - - - Μυτι] -
 10 ληναῖος πα[- - - - - ἄρχων ἢ ἂν] -
 τάρχων ὅς ἂν [- - - - -]
ἀποδιδότω. *vacat*
 ᾠτινα φιλάνθρ[ωπα - - - - - αὐτο] -
 νόμου δῆμ[ου - - - - -]

The arrangement of the stones and columns is that of Mommsen and Paton. To control the text I have used the Berlin squeezes.

Col. a Restored by Cichorius, except where noted. 1 Paton, but I have added ὑπατος 4 Σω]τᾶς Hiller. 7 [ἄς ἐψηφίσασθέ μοι καὶ περὶ τοῦ πολέμου δ]ν κατωρθώκαμεν, Sherk. 11 Cichorius had [ὑμῶν εὐεργετεῖν βούλομαι κτλ., but Paton changed the verb to πειράσομαι. 12-13 εὐνοίαν διατελεῖτε, Cichorius. 13 (end) προ|θυμίαν?], Cichorius.

Col. b 1-5 Paton. 5 θαρροῦντες κτλ. restored by Cichorius. 6-12 Restored by Cichorius, except for ll. 8-9, where F. Ziemann (*De epistularum graecarum formulis solemnibus quaestiones selectae* [Diss., Halle, 1910], p. 267, n. 1) suggested the formalization given. 11 ἡσυχ]ως, Cichorius, but Paton read -]ος, not clear on the Berlin squeeze. 14-27 Restored by Cichorius. 27 ὑπέμ[νασ]αν, L. Robert, *R.É.G.*, 53 (1940): 215; earlier, in *R.É.G.*, 42 (1929): 427, he had suggested ὑπέμ[νησ]αν. 29 ὑμετέροις νόμοις, Hatzfeld. 30-35 Paton, but in l. 35 Robert suggested πειράσομαι. 36-43 Restored by Cichorius, but in l. 38 Arangio-Ruiz suggested εἰς δημόσιον ἀνατεθέντα ἐπι|ταγῇ κτλ..

Col. c 1 Mommsen and Paton. 2-6 Restored *exempli gratia* by Arangio-Ruiz. 7-16 Mommsen and Paton, except for l. 9, where Arangio-Ruiz suggested ἐν κουρίαι Ἰουλίαι (?), l. 10, where he has Κλαύδιος Ἀπ|πίου, and ll. 13-14, where he proposes Μάρ|κου. 17-21 Restored by Arangio-Ruiz; in l. 19 Mommsen and Paton have φροντ[ίση] ἄλλο τε ὁποῖον ὥστε ἂν τῶν δημοσίων. 22-26 Restored by Cichorius, except that in l. 23 Paton saw the basic construction, to which Arangio-Ruiz added πεμφθῆναι, as followed here; in l. 25 Cichorius had ἐν δέλτοις χαλκαῖς, which Paton changed to the singular. 27 Paton.

Col. d 1-3 Arangio-Ruiz; ἀρχ[ή]ν τῇν ἐαυτοῦ, Mommsen and Paton. 4-11 Cichorius and Paton. 12-16 Paton. 16 ὡς ἂν εὐκαιρον ἐκ τῶν συνθηκῶν ἐκατέρωι φαίνεται, Arangio-Ruiz. 17-27 Paton, but for ll. 21-24 see Robert in his *Études Anatoliennes*, p. 115, n. 1.

COMMENTARY. The first document (col. a): Mommsen (*op. cit.*, p. 896) has shown that the titulature of the official in the first line must refer to Caesar and not Augustus. There has been some debate, however, about the exact title of Caesar. Was he described here as *consul II* or *dictator II*? If he had been *consul II*, then the letter would be dated sometime after Pharsalus (August 9) but before the beginning of his second dictatorship late in October of 48 B.C.¹ But if he had been *dictator II*, the letter would have been written between October of 48 and October of 47 B.C.² Although several scholars have preferred to date the document in 47 B.C., believing that Caesar had been *dictator II* when he wrote it, the present writer believes that sufficient reasons exist to date it soon after Pharsalus in 48 B.C.³ These reasons may be summarized here.

When Pompey fled from the battlefield of Pharsalus, he made his way to Lesbos where he was warmly received and invited to remain at Mytilene. That city, of course, still remembered his gift of freedom and had no intentions of abandoning her benefactor. But Pompey did not wish to remain in Mytilene, for after advising the city fathers to submit to Caesar he had a brief talk with Cratippus, the famous philosopher, put his wife and friends aboard ship, and sailed away.⁴ Caesar, in rapid pursuit, marched across

¹ Caesar's second dictatorship probably began late in October. The reasons for such a date are given by Broughton, II, 284-85, n. 1.

² For Caesar's second dictatorship see A. E. Raubitschek, *J.R.S.*, 44 (1954): 70.

³ Full details may be found in R. K. Sherck, "Caesar and Mytilene," *Greek, Roman, and Byzantine Studies*, 4 (1963): 217-30.

⁴ Plutarch *Pompeius* 75. 2 and 76. 1. The account by Lucanus, *Civil War*, bk. 8, ll. 110-47, is full of rhetorical exaggeration and the details are therefore suspect.

Macedonia and then sailed down the coastal waters of Asia Minor to Ephesus.⁵ With Pompey's advice still fresh in their ears the news that Caesar was sailing down the coast in pursuit of his enemy must have caused the leaders of Mytilene some degree of concern. No mistake like the one committed in 88 B.C. must be permitted at this point. The city must be quick to indicate her loyalty to Rome's new master. Caesar's army would appear in the vicinity shortly. Delay might be disastrous. An embassy to Caesar at that time would be the best policy. And accordingly, I believe, the city actually did send an embassy, the very one mentioned in this first document of ours, headed by Potamon.⁶ This distinguished citizen, in company with his fellow envoys, presented Caesar with a decree (l. 6) and told him of the honors paid to him by the city of Mytilene, thus expressing in the customary way the city's submission to the new ruler. In turn Caesar assured the city of his good intentions both for the present and the future. The leaders of Mytilene breathed easier when this reply was brought back to them. And Caesar continued on his way in pursuit of Pompey. We do not know the precise location of this meeting between Potamon and Caesar, but there is a chance that it took place somewhere along the coast of the Troad. Appian tells us that not long after Pharsalus many Ionian and Aeolian cities sent envoys to Caesar just after he had crossed the Hellespont.⁷ This information serves not only to locate the meeting of Potamon with Caesar but also to confirm the belief that the meeting actually took place soon after Pharsalus rather than a year later. And there is additional support for this date. Many cities—among them Delos, Pergamum, Chios, Ephesus, and Athens—decreed public honors for Caesar soon after Pharsalus.⁸ This would indicate an almost immediate readiness to recognize Caesar as the new head of the Roman State. Surely Mytilene would have lost no time in sending Potamon and his fellow envoys to submit to the new ruler.

The second document (col. b, ll. 1–5): We have here the conclusion of a letter written by a Roman official. The first and second person pronouns indicate a letter, the fact that a new document begins in line 6 shows that line 5 contains the conclusion of that letter, and the position of this second document on the monument—it is engraved between two letters of the dictator Caesar's—makes it certain that some high Roman official wrote it. Its position, in fact, supports the possibility that Caesar wrote it.⁹ If the documents on Potamon's monument are chronologically arranged, and such seems

⁵ For the itineraries of Pompey and Caesar see W. Judeich, *Caesar im Orient* (Leipzig, 1885), pp. 52ff.; J. P. Postgate, *Lucani de Bell. Civ. Lib. VIII* (Cambridge, 1917), pp. LXXIff.; T. Rice Holmes, *The Roman Republic*, III (Oxford, 1923), 173ff.

⁶ Magie's attempt (*op. cit.*, II, 1269–70, n. 39) to connect I.G., XII, suppl. (1939), no. 30, p. 9 (= I.G.R.R., IV, 30) with the present situation must be discounted.

⁷ *Bell. Civ.* 2. 89.

⁸ See Raubitschek, *op. cit.*, pp. 65–75, with Plate III, and the additional material cited by L. Robert, *Hellenica*, 10 (1955): 257ff.

⁹ It is engraved on the same stone (B) that contains the beginning of the third document. Cichorius (*Sitzungsberichte Berlin*, 1889, pp. 960–61) was the first to make the suggestion that its author was the dictator.

to be the case, then this letter must have been written before the second document and after the first, i.e., in the period 47–46 B.C.

The mention of friendship (l. 3) and the use of the imperative (l. 5) might indicate some connection in content between this letter and the following document.¹⁰ Since the following document contains the relevant part of a *senatus consultum* ratifying the renewal of friendship and alliance between Rome and Mytilene, one might conjecture that the present letter indicates Caesar's willingness to go ahead with such a renewal. Mytilene could have communicated with Caesar beforehand about the matter. The present letter would then be his formal reply—in the affirmative. The imperative in line 5 is thus clear.¹¹ Such a move on the part of Mytilene would be perfectly natural, for the city's earlier success in establishing friendly relations with Caesar (the first document, col. a) would have given her some assurance of equal success in obtaining not only his but also the Senate's confirmation of her political status. This interpretation of the fragment, however, must remain only a conjecture.

The third document (col. b, ll. 6–36): Since the titulature in line 7 will fit only the dictator Caesar, here is another of his letters. The date must be in the year beginning with April of 46 and ending with perhaps January or February of 45 B.C., for that is the length of his third dictatorship.¹² The main purpose of the letter is to communicate to Mytilene the success of her envoys—headed by Potamon and including the poet Crinagoras—in obtaining a *senatus consultum* that approved the renewal of the city's status as "friend and ally" of Rome. After quoting the pertinent section of the decree, or perhaps sending a full copy of it, Caesar adds an edict of his own (ll. 26–36) in which he specifically states that nobody in Mytilene is to be immune from [local] taxation.¹³ The complaint of the provinces about the abuses and difficulties connected with the granting of immunity is widespread in this age, and a restriction is now imposed.¹⁴

¹⁰ The position of the phrase "meet with us" at the very end of a letter could look to a coming conference in the near future. When we search the third document for some possible reference to this earlier meeting of the second document, we find the phrase (col. b, ll. 26–27) spoken by Caesar: [ἐπ]εὶ δὲ καὶ πρότερον ἐνετύχετε μοι κτλ. Hence the possibility of a connection. Of course the phrase in col. b, l. 5, may be a simple, formal way of closing having no literal significance; cf. Octavian's letter to Rhodus (No. 58), IV, l. 93: *Ἀγαροῦντες περὶ ἐν αὐτῷ βούλεσθαι πρὸς με ἀποστέλλετε. Ἐρρωσθε.*

¹¹ I prefer to give it a literal significance, but see the preceding note.

¹² Broughton, *op. cit.*, pp. 294–95. The word used (col. b, ll. 7–8) for *designatus* is unusual, for *καθεσταμένος* soon disappeared from official Greek documents emanating from Roman sources and was replaced by *ἀποδεδειγμένος*. One other example may be noted: the letter of Augustus to Mylasa (No. 60), ll. 2–3.

¹³ Caesar says (l. 12) that he is sending the copy, but what follows (ll. 14ff.) lacks the prescript. Something appears to have been erased in the missing line 13, but it is not known whether it was a heading (as in l. 6) or the beginning of the prescript. At any rate we cannot tell if Caesar's copy contained the full prescript with the full body of the text or an abbreviated form. There is also the possibility that the engraver, given the full text, omitted the prescript to conserve space.

¹⁴ The wealthy families of Asia and the Greek East in the Hellenistic world had been supported by Rome from the second century before Christ and by this time had become the ruling class of the Greek cities. Through them Rome could extend her *clientela* and bind the centers of power and influence to her own cause—the old pattern in a new setting. To these families Rome naturally granted im-

With this grant of *amicitia et societas* and the accompanying edict on local immunities, Mytilene not only has regained the security of her political autonomy (within the framework of Rome's empire, of course, and subject to certain conditions), but also has moved into an even closer relationship with the ruling power.¹⁵ These are big steps from the days of hatred toward Rome, murder of Roman citizens, siege, capitulation, and loss of freedom. She learned her lesson well.

The fourth document (end of col. b and all of col. c): Here we have two *senatus consulta*, both of them passed in 25 B.C. when Augustus was consul for the ninth time, and both of them passed on the *relatio* of M. Iunius Silanus, fellow consul with the emperor. The first of them (col. b, ll. 36–43, and col. c, ll. 1–8) begins with a heading that makes it quite clear that both of the senatorial decrees concern the oath given to Mytilenean envoys for the sealing of a treaty between the two peoples. The treaty itself is given in columns d and e. For any interpretation of this first decree it is vital to keep in mind that Augustus is not in Rome at the time. He is in Spain actively engaged in war against the Astures and Cantabri. When illness forced him to relinquish active command, he retired to Tarraco and remained there.¹⁶ All that can be gleaned from the extant fragments with certainty is that Silanus convened the Senate, spoke about the proposed treaty with Mytilene, and made a suggestion about a letter to be sent to his fellow consul. The second decree (col. c, ll. 9–28) was passed only a very short time after the first. Since the first may be dated sometime between the sixteenth of May and the thirteenth of June (l. 39), the second must date from either May 29 or June 29. If the reference to a letter in the first decree meant that a letter was to be sent to Augustus in Spain and a reply awaited, then the date of the second would certainly be June 29. Unfortunately this second decree is not even as informative as the first, for not a single

munities, thus putting the burdens of taxation and liturgies on those who could bear them least easily. Eventually the cities and then the provinces voiced their displeasure. Here we see that the dictator Caesar was, apparently, the first to act on their petitions. Augustus later imposed similar restrictions on the use of immunity in Cyrene; cf. M. I. Rostovtzeff, *S.E.H.H.W.*, II (1941), 971–73. The granting of immunity by the Greek cities does not seem to have aggravated social unrest until after the Mithridatic wars. The rising number of Roman grants in that period and the growing body of privileged Roman citizens living and working in the Greek East could certainly have contributed to the severity of the economic imbalance and poverty of Greek cities in the second half of the first century B.C. And for these cities Rome was at once the main cause of their difficulties as well as their salvation. For the close connections between prominent Greeks and Romans of this age see G. W. Bowersock, *Augustus and the Greek World* (Oxford, 1965), pp. 1–13.

¹⁵ Previously scholars had thought that a renewal of *amicitia* with Rome presupposed the existence of a *foedus* between the contracting parties, but this view has been successfully challenged. See A. Heuss, "Die völkerrechtlichen Grundlagen der römischen Aussenpolitik in Republikanischer Zeit," *Klio*, 31 (1933): 12ff., 25ff., and 75ff.; Accame, *Il dominio romano in Grecia*, pp. 48–57 and 91–92; Badian, *Foreign Clientelae*, p. 44. *Amicitia* was not necessarily a treaty relationship. In the present instance one sees that the agreement between Rome and Mytilene merely recognizes a state of affairs and does not commit the one city or the other to action of any sort. What the Senate can decree, the Senate can invalidate. The old views of Mommsen and Täubler must be abandoned. Cf. Magie, *op. cit.*, II, 960–61, n. 76, and the commentary to the *S.C. de Asclepiade* (No. 22).

¹⁶ Dio 53. 25. 2–8.

extant word or phrase is significant enough to give a real clue to its meaning. That it was concerned with the treaty and the oath is, of course, obvious. Historians are therefore driven to theory and supposition.

Mommsen believed that the first decree ordered the proceedings to be delayed until Augustus could be consulted and his opinion obtained by letter. When this was done, the Senate was convened a second time on the matter and a second decree was passed authorizing the treaty and the giving of the oath.

But Arangio-Ruiz, closely examining lines 5-8 and 17-21, could find nothing to confirm Mommsen's view. He felt that Silanus had written to Augustus about the matter and had received an answer even before the first decree had been passed. He thought that Augustus had replied by letter that Silanus was to be entrusted with the making of the treaty, if the Senate were of the opinion that a treaty should be made. The Senate approved of Silanus's motion, naturally, for he had the authority of Augustus behind him. Thus empowered, Silanus discussed with the Mytilenean envoys the various points to be covered in the treaty. When these had been worked out to mutual satisfaction, the Senate was summoned again and the second decree was passed. This second decree authorized Silanus to complete whatever details were necessary for the treaty, such as the giving of the oath and the engraving of the text on a bronze tablet.

Despite the attractiveness of this latter interpretation it must not be accepted at face value. The restorations offered are in many places, as Arangio-Ruiz himself admits, *exempli gratia*, especially lines 2-4 and 21. Nevertheless it is worthy of serious consideration. And since Augustus was in Spain the whole time, there can be little doubt that Silanus had corresponded with him. The remains of lines 1-2 would support that belief. And it appears reasonable to assume that Silanus carried out the proceedings involved in the acceptance of a treaty from beginning to end, having at some time obtained the approval of Augustus. The exact details and the exact sequence of events, however, are matters of conjecture.

It is in connection with this treaty that the poet Crinagoras of Mytilene seems to have gone to Spain, perhaps to persuade Augustus to agree or perhaps to thank him after it had been concluded. . . . Although the names of the Mytilenean envoys involved in the negotiations for the treaty are not mentioned, the mere fact that the documents had been engraved on Potamon's monument is proof enough that Potamon was not only one of the envoys but also very likely the leader. Crinagoras had accompanied him on the previous two embassies twenty years before (col. a, l. 3, and col. b, l. 16). Thus they were old acquaintances, and we may assume that the two of them also were together on this embassy to Augustus. There is no hint anywhere in these two *senatus consulta* that any of the Mytileneans went to Spain, but many of the poems of Crinagoras, preserved for us in the so-called Palatine Anthology, not only mention Spain but dwell at length upon several of its points of interest in the age of Augustus.¹⁷ We must, therefore,

¹⁷ The epigrams of Crinagoras have been assembled by M. Rubensohn, *Crinagorae Mytilenaei epigrammata* (Berlin, 1888). This edition should be used in the citation of the epigrams. The remarks of Cichorius, *Rom und Mytilene*, pp. 47-61, on this poet must be used with caution, for his chronology

reckon with a visit by Crinagoras to Spain. This naturally suggests that the visit took place at the time of the Mytilenean embassy to Rome in 25 B.C. and that some or all of the envoys went to Spain to see Augustus. Support for such a visit can be found in an inscription from Mytilene which actually mentions Tarraco by name.¹⁸ That an inscription from Mytilene should even mention this city in the age of Augustus is sufficient reason to suggest a visit to that city at the time when the ailing emperor was confined there in the course of his Spanish campaign. Thus it is generally agreed that Crinagoras made the trip in connection with the embassy in regard to the Mytilenean treaty. I would suppose that he went directly to Tarraco in 25 B.C. when word reached Rome that Augustus was ill.

The fifth document (col. d): This is the text of the treaty, a nonaggression, defensive alliance designed to protect the territorial possessions of each party and to guarantee the status quo. Special interest centers on the very first line, for it may have contained a *maiestas* clause. However, the rarity of such a clause makes its restoration here a matter of doubt.¹⁹

The sixth document (col. e): These fragments may, in the opinion of Arangio-Ruiz, refer to the use of local private law within the framework of Roman law and to the guarantee of Mytilenean privileges.

All these documents are of great value both for the light they shed upon the history of Mytilene after the Mithridatic wars and for the relations between Rome and the Greek East in the closing years of the Republic. Together with the *S.C. de agris Mytilenaeorum* of 55 B.C. and the letter of a Roman official on the same subject (Nos. 25 and 51), they allow us to trace, in outline if not in detail, the history of a Greek city-state from freedom to defeat and then from defeat and political subjection to rehabilitation under the patronage of Rome. Like Rhodes in earlier days, Mytilene affords the historian a fine example of Roman policy in the Greek East.

of the present documents has been superseded by Mommsen and Paton. The best treatment, with excellent chronology and critical insight, is still that of F. Susemihl, *Geschichte der griechischen Literatur in der Alexandrinerzeit*, II (Leipzig, 1892), 561-65. cf. Geffcken, *R.E.*, s.v. "Krinagoras," cols. 1859-64.

¹⁸ *I.C.*, XII, 2, 44 (= *I.G.R.R.*, IV, 38).

¹⁹ A. N. Sherwin-White, *The Roman Citizenship* (Oxford, 1939), p. 159. And for the whole concept of the *maiestas* clause see the study by Hans G. Gundel, "Der Begriff *Maiestas* im politischen Denken der römischen Republik," *Historia*, 12 (1963): 283-320, esp. 294.



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DESCRIPTION. A marble slab broken at the bottom, found in the ruins of the Temple of Zeus at Panamara in Caria. Height: 0.89 m. Width: 0.69 m. Thickness: 0.09 m. The left side of the last seven lines is almost completely effaced and the remainder is very difficult to read.

Δόγμα νυν Ἐπὶ στεφανηφόρου Ἀρτεμιδώρου τοῦ Ἀρτεμι-
 ννν δώρου τοῦ Παμφίλου, καθ' υἱοθεσίαν) δὲ Ἀριστείδου, Ἡρακλεῶνος μη-
 νὸς [τ]ρ[ί]τη ἐξ εἰκάδος. νν Λευκίῳ Μαρκίῳ Κησωρίνῳ καὶ Γαίῳ Καλονησίῳ
 ὑπάτοις πρὸ ἡμερῶν δεκαοκτῶ καλανδῶν Σεπτενβρίων ἐν τῷ ναῷ
 5 τῷ τῆς Ὀμονοίας· γραφομένοις παρήσαν Γάιος Κα[ρρ]ίνας Γαίου υἱὸς
 Κουρίνα, [Πό]π[λ]ιος Σήστιος Λευκίου υἱὸς Κολλίνα, Λευκίος Νώνιος Λευ-
 κίου υἱὸς Ο[ύ]λείνα Ἀσπρήνας, Πόπλιος Ἀττιος Ποπλίου υἱὸς Κ[. . .]ί-
 να, Κόντος Κλοέλιος Μάρκου υἱὸς Κουρίνα, Μάρκος Σεροίλιος Γαίου υἱ-
 ος [.]α, ν Γάιος Ἡδῖος Γαίου υἱὸς Κλαυδία Θῶρος, Πόπλιος Σηστύλ-
 10 λιος Ποπλίου υἱὸς [. . .]εντίνα, νν Τίτος Ἀτίνιος Τίτου υἱὸς Φαβία Τυρα-
 νός, Μάρκος [- - - ca. 16 - - -] υἱὸς Ποπλιλία Παλλακεῖνος· ννν περ[ι]
 ὧν Λεύκιος Κησωρίνος ὑπάτος λόγους ἐποιήσατο Στράτωνα
 Μενίππου, [.] Ἀπολλωνίδου, [Ἀρι]στέαν Μενάνδρου,
 Ἀριστόλαον Ἀριστολάου, [. . .]ε[.]αν Ἀριστοδήμου, Ἑκαταῖον Ἀγη-
 15 σάνδρου, [- - - - - ca. 24 - - - -]ους, Μυωνίδην Ἱεροκλ[ε]-
 ουσ, ν Ἱεροκλῆ[ν] - - - - ca. 22 - - -]οκλῆν Διονυσίου
 [- - - - - ca. 33 - - -] αἰτεῖσθαι τε παρὰ τῆς
 [συνκλήτου - - - - - ca. 24 - - -]ων ννν τὰς ἀξίας τῆς
 [- - - - - ca. 35 - - -] τούτ[ου] πίστεως
 20 [- - - - - ca. 39 - - - - -] Ῥωμαίων

Editio princeps by Cousin and Deschamps. 6 [*A]π[π]ιος, Cousin and Deschamps; [Πό]π[λ]ιος, Viereck. 7 Κ[ουρ]ίνα or Κ[ολλ]ίνα, Cousin and Deschamps. 10 [Ούφ]εντίνα, Cousin and Deschamps; [Ωφ]εντίνα, Viereck, but there is room for four letters: [Τρωμ]εντίνα (?); cf. T. R. S. Broughton, Supplement to *The Magistrates of the Roman Republic* (New York, 1960), p. 60. 11 E. Badian, *Historia*, 12 (1963): 137, suggests M. Quinctius M. f. Pop. (or Pol.) Plancinus, but Cousin and Deschamps suggested a son of M. Lollius Palicanus, praetor in ca. 69 B.C.

COMMENTARY. In 43 B.C., after Mutina and the declaration of Antonius as a public enemy, the Senate, in a moment of magnanimity, confirmed the "liberators" M. Iunius Brutus and C. Cassius Longinus in their provinces of Macedonia and Syria. In addition they were granted an *imperium* superior to that of all other governors in the eastern provinces. After the formation of the second triumvirate in Rome in November of 43 B.C., Brutus and Cassius met in Smyrna and pledged their mutual support against Octavian, Antonius, and Lepidus. They planned at that time to cross over into Macedonia with all their forces and secure the country against attack. First, however, they agreed that they should amass both money and all available troops from the East. Consequently, every city and community of Asia fell prey to their exactions of money and supplies. In the summer of 42 B.C. they met once again, this time in Sardis, and then marched with their combined armies into Macedonia. In October of that year they fought the triumviral armies at Philippi and were defeated. Both died by their own hands.

It was at one of the two conferences between Brutus and Cassius, either at Smyrna or Sardis, that they decided to approach King Orodes of Parthia with a request for assistance against the triumvirs. They sent the young Q. Labienus, the son of Caesar's legate, for this purpose to Parthia.¹ Orodes, however, was slow to give his answer, choosing to await the turn of events in the West before committing himself. Thus it was that the Battle of Philippi found Labienus still at the court of the Parthian king, and, choosing to live there rather than return and run the risk of losing his life as an enemy of the state, he remained in Parthia. But then reports reached him of conditions in Asia, how Antonius had come into the province, levied forced contributions upon the cities, and rendezvoused with Cleopatra in Egypt for the winter of 41/40 B.C. Octavian was engaged in the West with Lucius Antonius at Perusia. Believing there might still be a chance to regain control of the eastern provinces, he managed to persuade Orodes that the subjugation of Syria and the adjoining regions was possible. Labienus and the king's son

¹ The fullest source material on Labienus, his Parthian mission and subsequent invasion of Asia Minor, will be found in Dio 48. 24-27, 39-40. Additional information can be obtained in: Strabo 14. 2. 24; Appian *Bell. Civ.* 4. 63 and 5. 65; Appian *Syr.* 51; Plutarch *Ant.* 28. 1, 30. 1, and 33. 1 and 4; Velleius Paterculus 2. 78. 1; Frontinus *Strateg.* 2. 5. 36; Justin 42. 4. 7; Florus 2. 19. 3. The best modern accounts are W. W. Tarn, *C.A.H.*, X, 47-51, and Magie, *op. cit.*, I, 430-33, with notes in II, 1280-82. See also F. Münzer, *R.E.*, s.v. "Labienus" (no. 5), cols. 258-60; R. Syme, *The Roman Revolution* (Oxford, 1939), pp. 223-24; M. I. Rostovtzeff, *S.E.H.H.W.*, II, 1009-12; Roussel, *op. cit.*, pp. 92-93. Of older accounts the one by V. Gardthausen, *Augustus und seine Zeit* (Leipzig, 1891-1904), I, 224ff., and II, 107ff., is worthy of consultation.

Pacorus marched westward in 40 B.C. at the head of a Parthian army, overran the province of Syria, and entered Cilicia. Pacorus turned south to complete the conquest of all Syria, invaded Palestine, and deposed Hyrcanus. Labienus marched through Cilicia and penetrated Caria as far as the seacoast, meeting only sporadic resistance. Some of the old "republican" troops joined him and the governor of Asia, Plancus, crossed over to the islands in fear for his life. He had to fight at Mylasa, Alabanda, Stratoniceia, and Aphrodisias. Numerous inscriptions from these cities bear witness to their hardships and suffering at the hands of Labienus and his Parthian troops.² Citizens of some communities performed acts of heroism and devotion to country, but with little result.³ Stratoniceia, however, was a real exception, for it was successful in resisting and even driving off repeated attacks.⁴ But the nearby Temple of Hecate at Lagina was desecrated.⁵ Labienus styled himself *imperator Parthicus*, levied money from the hapless provincials, and robbed the temples. This final misery of the cities lasted but a year, for in 39 B.C. Antonius at last began to take action and appointed P. Ventidius Bassus commander of an army with Asia and Syria as his *provincia*.⁶ In the face of this organized force Labienus withdrew from Asia and called for reinforcements from Parthia. Eventually he had to face the army of Ventidius and was defeated. Although he escaped the disaster that engulfed his Parthians, he was eventually arrested in Cilicia and, presumably, put to death. The following year Ventidius met and defeated the army of Pacorus.⁷ The East was once more secure in Roman hands.

Let us now turn to our document. It is a decree of the Senate passed under the consuls L. Marcius Censorinus and C. Calvisius Sabinus in 39 B.C. at a meeting in the Temple of Concord.⁸ Although one cannot say positively what was its object, there are three

² See Roussel, *op. cit.*, p. 93, and Magie, *op. cit.*, II, 1280-81, n. 10.

³ Zeno of Laodiceia and Hybreas of Mylasa, orators and men of spirit, refused to yield and caused their respective cities to offer resistance. Both cities fell however. Hybreas made good his escape and returned to aid in the rehabilitation of his city; see Strabo 14. 24 and the remarks of L. Robert in *Hellenica*, 8 (1950): 95-96. His career is outlined in the *Prosopographia Imperii Romani*², IV, 2 (1958), no. 234.

⁴ Dio (48. 26) says plainly that, despite a long siege, Labienus was unable to capture it. At the nearby Temple of Zeus at Panamara, the god himself, we are told, came forth and routed the enemy by a miracle, an electrical storm of great power coupled with other atmospheric phenomena. A remarkable inscription gives a vivid description of this "miracle" of Zeus, how both a night attack and a day attack of the invaders failed to achieve success. See the reconstruction of the text offered by Roussel (*op. cit.*, pp. 70-116), who presents a wealth of material on similar "miracles" from legendary literature and the later hagiography. Although the inscription does not specifically mention the Parthians, Roussel makes it appear that in all probability the military events are to be connected with the invasion under Labienus.

⁵ See Ch. Diehl and G. Cousin, *B.C.H.*, 11 (1887), no. 56, pp. 151-52 (cf. Roussel, *op. cit.*, p. 93, and H. W. Pleket, *The Greek Inscriptions in the Rijksmuseum van Oudheden* [Leiden, 1958], p. 62).

⁶ See H. Gundel, *R.E.*, s.v. "Ventidius Bassus" (no. 5), cols. 807-13, for his Parthian command, and Broughton, *Magistrates*, II, 388 and 393.

⁷ In addition to the sources and references mentioned above (n. 1), see J. Miller, *R.E.*, s.v. "Pakoros," cols. 2437-38.

⁸ Broughton, *op. cit.*, p. 386.

noteworthy facts which allow us to assume that it is connected with the Parthian invasion led by Labienus. First, there is the matter of the date. It must have been quite early in 39 B.C. that Ventidius entered Asia and caused Labienus with his soldiers to withdraw to the east, for Dio (48. 39–41) tells that in the course of the same year Ventidius pursued him all the way to Syria. There the Parthian reinforcements, for which Labienus had been waiting, arrived and immediately charged the Roman positions. The forces of Ventidius easily defeated them and put them to flight. Labienus escaped for a time in Cilicia but was later arrested and put to death. Ventidius then sent ahead Pompaedius Silo with cavalry to the Amanus mountains and joined him there. Then the two of them with all their Roman troops overran Syria and occupied Palestine without trouble. This was a considerable accomplishment for one year, and Antonius was duly praised. Thus, if Labienus left the province of Asia in the spring of 39 B.C., there would have been ample time for envoys from Stratoniceia to reach Rome and address the Senate by August of that same year. Looking at this matter of date from a different point of view, one might say that the very presence of envoys from Stratoniceia in Rome in August of 39 B.C. asking for passage of a decree concerning their city is in itself good evidence that the decree dealt with matters occasioned by the Parthian invasion.

The second noteworthy fact is the size of the Stratoniceian embassy. Despite the *lacunae* of lines 15–17 it is plain to see that at least ten, and more probably twelve, envoys traveled to Rome. Such a large number, especially burdensome after the hard months of a siege, is an indication of the importance of the mission.⁹ The size of an embassy, as well as the eloquence of its spokesmen, can create an impression of urgency.

Third, there is line 17, where we can see that all the envoys in the name of their city are asking from the Senate some specific grant or assistance. To win their point, apparently they remind the Senate of their loyalty (l. 19). The time at which one mentions his loyalty is generally one in which it has been recently tested. Certainly the successful resistance of Stratoniceia in the Parthian invasion would be excellent proof of the city's loyalty.

There is the additional fact that Tacitus tells us quite plainly that Stratoniceia had resisted the Parthians.¹⁰ We may conclude that this senatorial decree was passed to reward the city for its loyalty and to assist it in the havoc caused by the invasion. This may have included a grant of freedom, since we know that such a grant at one time must have been made.¹¹

As Cousin and Deschamps have noted, the fact that a copy of this decree was found at Panamara should indicate that some clause in it referred to the sanctuary of Zeus, very likely granting it inviolability.

⁹ For the size of embassies see R. K. Sherk, *Greek, Roman, and Byzantine Studies*, 4 (1963): 149.

¹⁰ *Annales* III. 62; see the commentary on the *S.C. de Plarasensibus et Aphrodisiensibus* (No. 28) for a discussion of the passage and its connection with these decrees.

¹¹ H. Dessau, *I.L.S.*, 8780.

The names of the witnesses to the decree, so valuable for republican prosopography, are arranged in the order of rank.

1. C. Carrinas C. f. Quir. He must be the *consul suffectus* of 43 B.C., and is clearly the highest ranking senator on the list.

2. P. Sestius L. f. Col. He would seem to be the quaestor of 63 B.C. and the tribune of 57 B.C. who worked for Cicero's recall. If so, he would be the father of L. Sestius P. f. L. n. Alb[ini]anus] Quirinalis who was proquaestor under Brutus in 43-42 B.C. (see his letter to the Thasians, No. 56). The father is also mentioned as one of the witnesses to the *S.C. de Aphrodisiensibus* (No. 29).

3. L. Nonius L. f. Vel. Asprenas. He is here of praetorian rank, since he did not become consul until 36 B.C.

4. P. Attius P. f. Quir. *aut* Col. He may have been only an *aedilicius* at this time (Broughton, *Magistrates*, II, 466).

5. Q. Cloelius M. f. Quir.

6. M. Servilius C. f. ———. Perhaps the man who was accused of *res repetundae* in Cicero (*Ad Fam.* 8. 8. 2-3) is this Servilius.

7. C. Hedi[us] C. f. Claudia Thorus. He is also one of the witnesses in the *S.C. de Aphrodisiensibus* (No. 29).

8. P. Sestilius P. f. Ouf. *aut* Tro. (see Broughton, Supplement to *Magistrates*, p. 60).

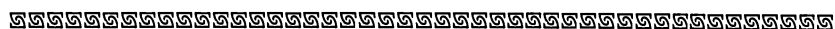
9. T. Atinius T. f. Fab. Tyranus.

10. ——— f. Pop. Pallacinus. Is he a son of M. Lollius Palicanus, who had been praetor in about 69 B.C., as Cousin and Deschamps first suggested? Badian thought he might be M. Quinctius M. f. Pop. (or Pol.) Plancinus. The Greek form of his name makes Plancinus more likely as the Roman original.

28

EPISTULA M. ANTONII AD PLARASENSES ET APHRODISIENSES ET SENATUS CONSULTUM

39–35 B.C.



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DESCRIPTION. First copied by Sherard in 1705 and 1716 from two pieces of marble found at Aphrodisias in Caria. Sherard's copies were then used by Chishull and Boeckh. During the 1934 expedition to the Pisidio-Phrygian borderland and to Aphrodisias, Sir William M. Calder and his staff were unable to locate either of the stones.

- Α [Μάρκος Ἀντώνιος Μάρκου υἱὸς αὐτοκράτωρ ὕπατος ἀποδεδει-]
 γμένος τὸ β' καὶ [τὸ γ']
 [τῶν] τριῶν ἀνδρῶν τῇ[s]
 τῶν δημοσίων πρα-
 5 γμάτων διατάξεως
 Πλαρασέων καὶ Ἀφρο-
 δεισιέων ἄρχουσιν
 βουλῇ δῆμῳ χαίρειν·
 εἰ ἔρρωσθε, εὖ ἂν ἔ-
 10 χοι· ὑγιαίνω δὲ καὶ
 αὐτὸς μετὰ τοῦ στρα-
 τεύματος. Σόλων
 Δημητρίου <ὕ>μέτερος
 πρεσβευτής, ἐπι-
 15 μελέστατα πεφρον-
 τ(ι)κῶς τῶν τῆς πό-
 λεως ὑμῶν πραγ-
 μάτων, οὐ μόνον
 ἠρέεσθη ἐπὶ τοῖς
 20 γεγονόσιν οἰκονο-
 [μή]μασιν, ἀλλὰ καὶ
 ἡμᾶς παρεκάλεσ-
 εν εἰς τὸ τοῦ γεγο-
 νότος ὑμεῖν ἐπι-
 25 κρίματος καὶ δόγμα-
 τος καὶ ὀρκίου καὶ νό-
 μου ἀντιπεφωνημέ-
 να ἐκ τῶν δημοσίων
 δέλτων ἐξαποστεί-
 30 ναι ὑμεῖν τὰ ἀντίγρα-
 φα. ἐφ' οἷς ἐπαινέ-
 σας τὸν Σόλωνα μᾶλ-
 λον ἀπεδεξάμην ἔσ-
 χον τε ἐν τοῖς ὑπ' ἐμοῦ
 35 γεινωσκομένοις,
 ᾧ καὶ τὰ καθήκοντα
 ἀπεμέρισα φιλάν-
 θρωπα, ἄξιον ἡγη-
 σάμενος τὸν ἄν-
 40 δρα τῆς ἐξ ἡμῶν τει-
 μῆς, ὑμεῖν τε συ-
 νήδομαι ἐπὶ τῷ ἔχειν

τοιοῦτον πολείτην.

ἔστιν δὲ ἀντίγραφα

- 45 τῶν γεγονότων ὑ-
μείν φιλανθρώπων
τὰ ὑπογεγραμμένα·
ἃ ὑμᾶς βούλομαι
ἐν τοῖς δημοσίοις
50 τοῖς παρ' ὑμείν
γράμμασιν ἐντάξαι.

Γράμματα Καίσαρος.

[- - - - -]

- B [- -] ἡ ἄγεσθαι ἀτε[λεῖς κ] α[ὐ] ἐλευθέρους εἶναι, τῷ [τε] δικαίῳ καὶ ταῖς [κρίσεσιν ταῖς
ιδίαις τὴν πό-]
[λιν] τὴν Πλαρασέων καὶ Ἀφροδεισιέων χρῆσθαι μήτε ἐγγύην ἐ[ἰς Ῥώμην αὐτοὺς
κατὰ δόγμα τι]
[κ]αὶ κέλευ[σ]ιν ὁμολογεῖν· ἃ τέ τινα ἔπαθλα τειμᾶς φιλάνθρω[πα - -
- - - - -] τρεῖς ἄνδρες]
[ο]ἱ τῆς τῶν δημοσίων πραγμάτων διατάξεως τῷ ἰδίῳ ἐπικρίματι Πλ[α]ρασεῦσι καὶ
Ἀφροδεισιεύ-]
5 [σι] προσεμέρισαν προσμεριούσιν, συνεχώρησαν συνχωρήσουσιν, τα[ῦτα πάντα
κύρια εἶναι]
[γε]νέσθαι. ὁμοίως τε ἀρέσκειν τῇ συγκλήτῳ, τὸν δῆμον τὸν Πλα[ρ]ασέων καὶ
Ἀφροδεισιέ-]
ων τὴν ἐλευθερίαν καὶ τὴν ἀτέλειαν αὐτοὺς πάντων τῶν πραγ[μ]άτων ἔχειν
καρπίζεσθαι,]
[καθ]άπερ καὶ τίς πολιτεία τῷ καλλίστῳ δικαίῳ καλλίστῳ τε νόμῳ ἐστίν, [ἥτις
παρὰ τοῦ]
[δῆμο]υ τοῦ Ῥωμαίων τὴν ἐλευθερίαν καὶ τὴν ἀτέλειαν ἔχει φίλῃ τε καὶ σύ[μ]μαχος
γενέ-]
10 [νηται. ... ὃ τε] τέμενος θεᾶς Ἀφροδίτης ἐν πόλει Πλαρασέων καὶ Ἀφροδεισιέ[ω]ν
καθιέρωται, τοῦτο]
[ἄσυλον ἔ]στω ταῦτῳ {τῷ} δικαίῳ ταῦτῃ τε δεισιδαιμονίᾳ ᾧ δικαίῳ καὶ ἡ
δεισ[ι]δαιμονία Ἀρτέμι-]
[δος Ἐφε]σίας ἐστὶν ἐν Ἐφέσῳ. κύκλῳ τε ἐκείνου τοῦ ἱεροῦ εἴτε τέμενος εἴτ[ε
ἄλλος ἐστίν, οὐ-]
[τος ὁ] τόπος ἄσυλος ἔστω. ὅπως τε ἡ πόλις καὶ οἱ πολεῖται οἱ Πλαρασέων
[καὶ Ἀφροδεισιέων]
[μεθ' ὧ]ν κωμῶν χωρίων ὀχυρωμάτων ὀρῶν προσόδων πρὸς τὴν φιλίαν το[ῦ] δῆμου
προσῆλθον, ταῦτα]
15 [ἔχωσ]ιν κρατῶσιν χρῶνται καρπίζωνται τε πάντων πραγμάτων ἀτε[λεῖς ὄντες.
μηδέ τινα]

[φόρον δ]ιά τινα αἰτίαν ἐκείνων διδόναι μηδέ <σ>υνεισφέρειν ὀφείλωσιν, [ἀλλ'
αὐτοὶ πᾶ-]
[σι τούτ]οις, κατ' οὖσαν μετὰ ταῦτα ἐν ἑαυτοῖς κυρῶσιν χρῶν[ται καρπίζονται
κρατῶσιν· ἔδοξεν.]

Text based on that by Dittenberger except where noted.

A 1 Perhaps two lines instead of one? 3 [τῶν], Viereck. 31 After ἀντίγρα|φα there is a small, raised *omicron* in Sherard's copy, according to Boeckh, which appears to be a mark of punctuation.

B The underscored letters (ll. 1-5) show the readings of Reinach's new fragment, which did not appear early enough to be incorporated into Dittenberger's edition. It is also missing in the editions by Bruns-Gradenwitz (7th ed.), Abbott-Johnson, and Riccobono. The beginning was restored by Mommsen: [Περὶ ὧν - - - - - λόγους ἐποιήσαντο - - - - - περὶ τούτου τοῦ πράγματος οὕτως ἔδοξεν· ἀρέσκειν τῇ συγκλήτῳ Πλαρασεῖς καὶ Ἀφροδισιεῖς, ὥς ἔκρινε Γάιος Καῖσαρ αὐτοκράτωρ κατὰ τὰ δι]καῖα ἐσθλά τε [πολλ]ὰ ἐλευθέρους εἶναι. He did not know Reinach's fragment. 2 (end) Restored by Mommsen, with reference to Dionysius *Ant.* 11. 32. Approved by Viereck, who adds Josephus *Ant.* 16. 163, 168. Hence *vadimonium facere* in Greek becomes ἐγγυήν ὁμολογεῖν. 3 κέλευσιν, all editors, but Reinach's fragment shows ΚΕΛΕΥΕΙΝ. 8 καὶ τίς, Viereck, Mommsen, Dittenberger, but Boeckh emended it to καὶ ἦτις. 9-10 γεγένηται], Wilamowitz. 11 τω deleted by Boeckh; [Ἀρτέμιδος], Wilamowitz. 12 εἴτε[ε ἄλσος ἐστίν, Wilamowitz. 14 ὀρῶν, not ὄρων (as Chishull and Boeckh); cf. Mommsen, *Römisches Staatsrecht*, III², I, 687-88, n. 4. At end of line: τοῦ δήμου προσήλθον, Pick, in Bruns-Gradenwitz. 16 Boeckh records that the copy shows ΖΥΝΕΙΣΦΕΡΕΙΝ, which he, followed by Mommsen, changed to [ξ]υνεισφέρειν, but [σ]υνεισφέρειν is given by Dittenberger and Viereck (notes).

COMMENTARY. In order to bring about a *modus vivendi* with Sextus Pompeius, the triumvirs met with him in the spring of 39 B.C. near Misenum. A treaty was drawn up, sealed, and handed over to the Vestal Virgins for safekeeping. In return for various concessions on his part, Sextus received command over Sicily, Corsica, Sardinia, and Achaia. Octavian, Antonius, and Pompeius then embraced one another and, for several days, toasted each other's health in an outward show of affection. At some time in the course of this meeting it was agreed that the consuls for the period 34-31 B.C. were to be named by them in advance.¹ For 34, Antonius was to be *consul* II with L. Scribonius Libo; for 33, Octavian and Pompeius; for 32, Cn. Domitius Ahenobarbus and C. Sosius; and for 31, Octavian and Antonius, both for the third time. Pompeius then went to Sicily and the two triumvirs returned to Rome.

Since our first document (A 1-2) speaks of Antonius as [*consul*] *designatus* II and [III] (no other restoration appears possible), its *terminus post quem* must be the spring of 39 B.C. And since the envoy from the united community of Plarasa-Aphrodisias asks for official copies of records from the archives (at Rome), it has been assumed that Antonius

¹ Dio 48. 35. 1 and 50. 10. 1; Appian *Bell. Civ.* 5. 73. For the discrepancy between Dio, who says that the consuls were named in advance for an eight-year period, and Appian, who says that it was a four-year period, see the remarks of Drumann-Groebe, *Geschichte Roms*, I² (Leipzig, 1899), 315, and of M. P. Charlesworth, *C.A.H.*, X (1934), 46, n. 1.

was actually in Rome when he replied (A 29–31) that he was sending those copies to the community. Now it was in August or September at the latest in the same year that Antonius left Rome for Athens and never returned to the city. Magie therefore assumed that his letter must have been written in 39 B.C. The official records, of course, could only have been found in Rome, but certainly Antonius could have had them sent to him in the east by the post or by a dispatch carrier.² On the basis of the available evidence one cannot date the letter any closer than the general period after the spring of 39 B.C. and before the end of 35 B.C.

Following the letter we expect to find the documents mentioned: *decretum*, *senatus consultum*, *iusiurandum*, *lex*. Presumably they would have appeared in just that order. The first document, however, is introduced by the heading *Γράμματα Καίσαρος*. This must mean a letter of the dictator Caesar, of which there is no mention in the letter of Antonius. How is this substitution of a letter for a decree to be explained? The word *ἐπίκρμα* is the usual one for decree or edict.³ In addition the *senatus consultum* (B 1–17) which followed the letter of Caesar seems on the surface to contain a reference to the decree mentioned by Antonius. It reads (B 3–6): “Whatever rewards, honors,

² At the conclusion of the letter it is also stated (ll. 44–47) that the copies are subjoined. Hence Antonius is most likely to have been in Rome when he wrote the letter; cf. Magie, *op. cit.*, II, 1282, n. 15. However, we cannot state positively that he was in Rome, for it is possible that he obtained copies of the documents from Rome by the post and then sent them on to the community with the present covering letter. There is one word, of doubtful interpretation, that might lend some support to this latter view. In lines 22–31 of the letter of Antonius we are told that the envoy from Plarasa-Aphrodisias *ἡμᾶς παρεκάλεσεν εἰς τὸ τοῦ γεγονότος ὑμῶν ἐπικρίματος καὶ δόγματος καὶ ὀρκίου καὶ νόμου ἀντιπεφωνημένα ἐκ τῶν δημοσίων δέλτων ἔξαποστεῖλαι ὑμῶν τὰ ἀντίγραφα*. The word *ἀντιπεφωνημένα* is very strange, to say the least, since apparently here it should have the meaning “copied,” corresponding to the Latin *exscripta* or *expressa*. This meaning is accepted by Viereck, *op. cit.*, p. 77, and Dittenberger, *op. cit.*, n. 10, and has found its way into Liddell–Scott–Jones, where it is assigned the meaning “taken from.” There is no other passage in which the verb might have such a meaning, for in the period after Polybius it commonly means “to answer by letter”; cf. the lexicons of Liddell–Scott–Jones, Preisigke, and Stephanus. Therefore one should not discount the possibility that such is its meaning here. If Antonius were in the East when he was asked for official copies of the various documents, he would naturally write to Rome and have them sent to him by the post. Thus lines 22–31 may mean: “he asked me to dispatch to you copies of the *decretum*, the *senatus consultum*, the *iusiurandum*, and the *lex*—all of them concerning you—which have been sent in answer (to my request) from the public records.” There is a passage in Josephus (*Ant.* 14. 265) in which a similar situation is described: *γράμματα πρὸς τὰς περὶ τῶν ἡμετέρων δικαίων ἐπιστολὰς ἀντιπεφωνημένα τοῖς ἡγεμόσιν*, which means “letters sent by the governors in answer to our letters about our rights.” It is therefore possible that Antonius was trying to convey by this word the fact that he had to have the copies sent to him from Rome. In such a case, if true, he would have written the present letter after the copies arrived. It is true that Antonius did not have a native feeling for the language and his knowledge of Greek was imperfect (on this point see Drumann–Groebe, *op. cit.*, p. 371 with references), but here I think he meant exactly what he said. The only objection to this interpretation is that one expects an answer to come from a bureau or an office (*ἐκ τοῦ ταμείου*) rather than from the records themselves (*ἐκ τῶν δημοσίων δέλτων*). But that is not sufficient to allow one to disregard the normal meaning of *ἀντιπεφωνημένα*. Viereck, *op. cit.*, Addenda et Corrigenda, p. VII, dated the document 35 B.C., while Magie, *loc. cit.*, believed that the date could not be later than the autumn of 39 B.C. See the remarks of the present writer in *Historia. loc. cit.*

³ See the Introduction to the *Epistulae*, sec. 1, Magisterial Decisions and Decrees.

and privileges which the *triumviri rei publicae constituendae* by their own decree have apportioned or will apportion, have granted or will grant to the people of Plarasa-Aphrodisias, all are to be valid." This indeed characterizes the *senatus consultum* as one which confirmed the actions and measures previously taken by the triumvirs in regard to the city. Hence, they, as well as Caesar, issued decrees or made pronouncements of some sort about the city of Plarasa-Aphrodisias. But this still does not explain the failure of Antonius to mention the letter. Opinions on that subject are not unanimous.

Dittenberger advanced the possibility that Caesar's letter was one of the documents published after his death by Antonius, i.e., published *ex actis Caesaris*, some of which were forgeries. He thought that after the triumvirs had confirmed these *acta* by their special authority the Senate in turn had issued the *senatus consultum* to confirm what the triumvirs had done. The "letter" of Caesar, perhaps a forgery, was for some reason not mentioned in the introductory letter of Antonius. The actual decree mentioned in A, lines 24-25, is lost.

Täubler rejected Dittenberger's view with the observation that if Caesar's letter had been sent to the city for the first time *ex actis*, it would hardly have gone unmentioned in Antonius' letter. He felt that Caesar had actually written a letter to the city at the time of his stay in Asia and that the city had published it among the documents received from Antonius because of its connection with the confirmatory decree by the triumvirs of Caesar's *acta*. Antonius had not sent it to the city at all. It was already well known there.

Apart from the present documents one must also take account of the literary evidence that exists on the connection between the dictator Caesar and Aphrodisias. In a famous passage Tacitus (*Ann.* 3. 62) writes that, when the Emperor Tiberius decided to examine the credentials of those Greek sanctuaries which claimed inviolability, he ordered all of them to send their charters and documents to Rome as proof of their claims. There appeared before him first the Ephesians, then the Magnesians, and *Aphrodisienses posthac et Stratonicensis dictatoris Caesaris ob vetusta in partis merita et recens divi Augusti decretum adtulere, laudati quod Parthorum irruptionem nihil mutata in populum Romanum constantia pertulissent*. This seems to mean that the Aphrodisians produced a decree of Caesar which they had received for service to his party, and that the Stratoniceians brought a decree of Augustus which had been issued because of their loyalty to Rome during the Parthian invasion.⁴ There is certainly a connection between the decree of Caesar mentioned by Tacitus and the letter mentioned in our documents. It would be rash to consider it accidental.

It is here suggested that the letter of Caesar was an actual letter written and sent by Caesar to the city while he was in Asia. A date soon after Pharsalus would be plausible, since other cities of the East at that time also secured privileges of various sorts. After

⁴ See Boeckh in his commentary, *op. cit.*, pp. 494-95. It has been accepted by Dittenberger and Hatzfeld (*B.C.H.*, 51 (1927): 59-60, and has made its way into the various commentators on Tacitus. See, most recently, E. Koestermann, *Cornelius Tacitus: Annalen*, vol. 1, bks. 1-3 (Heidelberg, 1963), p. 539.

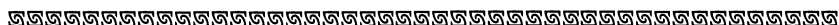
his death it was one of the many *acta* that the triumvirs confirmed, but a copy of it had been sent long before to the city, where it was published and/or deposited in the local archives. When Marcus Antonius was later asked for the copies of all the official documents pertaining to the city, the *ἐπίκριμα* must have been the decree by which the *acta Caesaris* were confirmed by the triumvirs. The city already had a copy of Caesar's letter and would not have needed another. When the four documents arrived in Aphrodisias, the letter of Caesar would naturally have been added to the dossier. All were then published. After all, the letter of Caesar must have been the *first* document of the series that defined the status of the city in the Caesarian period, for Antonius' decree had only confirmed its provisions. And the *senatus consultum* had merely confirmed the measures of the triumvirs. Thus the letter of Caesar, perhaps itself containing an *ἐπίκριμα*, was placed immediately after the introductory letter of Antonius on the stone, for chronologically and historically it belonged there. It must have been concerned with the inviolability of the sanctuary of Aphrodite at Aphrodisias and must have been the document mentioned by Tacitus. Any official letter could contain or communicate a decree.⁵

If this explanation is accepted, then the next document in the dossier would have been the decree of Antonius. It is lost. The *senatus consultum* (B) must be dated after the establishment of the second triumvirate (autumn, 43 B.C.) and before the introductory letter of Antonius. By its terms the united community is to be free and immune from all taxation, the honors and privileges accorded to it by the triumvirs are to remain in force, it is to be enrolled as a friend and ally of Rome, and its sanctuary of Aphrodite is to be inviolable. Thus the whole community is "a most favored nation." Such a high status in this period of the Republic was not granted without good reason, and it is reasonable to assume that the triumvirs and the Senate felt it was justified because of the city's loyalty to Rome during the Parthian invasion of 40 B.C. The chronology would suit such a view, and Antonius, whose *imperium* covered the Greek world, would have been very thankful toward all those cities which had resisted the invaders. A fragmentary inscription from Aphrodisias may actually refer to the invasion, but it is too fragmentary and vague for one to draw positive conclusions from it.⁶

The nature of the oath and the law (A 26–27) cannot be determined. One thinks naturally, however, of a treaty sealed by an oath and confirmed by a law.

⁵ See No. 55, a letter of P. Servilius Isauricus to the Pergamenes with the heading 'Επίκριμα περὶ τῆς ἀσυλίας. Cf. the Introduction to the *Epistulae*, sec. 1, Magisterial Decisions and Decrees.

⁶ M. Holleaux and P. Paris, *B.C.H.*, 9 (1885), no. 5, p. 75 (cf. Robert, *Études Anatoliennes*, pp. 312–14, and Magie, *op. cit.*, II, 1281, n. 10). There are references to food shortages, war, danger, and a shattered economy. The person honored is said to have killed sixty of the enemy in battle.



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DESCRIPTION. A marble block broken on all sides, found at Geyre (Aphrodisias). Height: 0.57 m. Width: 1.24 m. Thickness: 0.43 m. Height of letters: 0.025-0.03 m.

[Ἐπὶ Σέξτου Πομπηίου Σέξτου υἱοῦ καὶ Λευκίου Κορνιφικί]ου Λευκίου υἱοῦ ὑπάτων
ἐκ τῶν ἀν<α>[γεγραμ]-

[μένων ἐν πραγμάτων συμβεβουλευμένων κηρώμασιν π]ῆμπτω ἔκτω ἑβδόμῳ ὀγδόῳ
ἐνάτῳ τα[μειυτι]-

[κῶν δέλτων - - nomina quaestorum - - - ταμι]ῶν κατὰ πόλιν δέλτῳ πρώτῃ· πρὸ
ἡμερῶ[ν]

[- - dies, mensis, locus - - - - -] γραφομένῳ{ν} παρήσαν Μάρκος
Οὐ[αλέριος]

5 [- - - - - υἱὸς] Οἰλλείνῃ Ἀσπρήνας, Λεύκιος [- - - - -]

[- - - - - Λε]υκίου υἱὸς Ὀφεντεῖνῃ Βάλβος, [- - - - -]

[- - - - - υἱὸς] Φαλέρνῃ Πλαῦτος, Γάιος Μ[- - - - -]

[- - - - -] Πόπλιος Σήστιος Λευκίου [υἱὸς - - - - -]

[- - - - - Γάιος Ἡδῖος Γαίου υἱὸς Κλανδία Θῶρος, Λε[ύκιος - - - - -]

10 [- - - - -] — Ἦρος Γ[- - - - -]

A new reading of the stone was made by Calder and Cormack. 1 (at the end) ANE[- - . For the possible restorations of the names of witnesses see the commentary. In l. 10 Viereck has]IO IINOΣΓ[- - .

COMMENTARY. The *S.C. de Panamara* of 39 B.C. (No. 27) mentions at least two witnesses who are identical with senators named in the present decree. Therefore this decree cannot be dated too far removed in time from that one. This makes it easier to identify the consul in the first line, for, although only a small part of his name is extant, the fact that he lacks a *cognomen* is important. After Sulla, official documents regularly included a citizen's full name. If a man had a *cognomen*, it would be given.¹ Now, as Viereck observed, the only consul in the period who had no *cognomen* and whose *nomen* with filiation agrees with the remains of line 1 is the consul of 35 B.C., L. Cornificius L. f. The decree must be dated to that year.

The witnesses:

1. We expect a ranking consular to come first in the list. Viereck accepted the restoration here of M. Valerius M. f. Messala, who could have been the *consul suffectus* of 32 B.C., or possibly the one of 31 B.C. But either of them would have been only of praetorian rank in 35 B.C. Not a serious objection, but doubtful because the person in post number 2 in the list may have been the *consul suffectus* of 36 B.C. and in that case would have outranked him. I prefer to leave the identity of the first witness an open question.

2. Viereck originally restored the name of L. Nonius L. f. Vel. Asprenas for this witness, making him identical with the man of the same name in No. 27, but then (*Addenda*, p. VII) rejected it "*cum propter testium ordinem iidem esse non possint.*" Broughton (*Supplement to Magistrates*, p. 42), however, believes the same man is mentioned in both decrees. If true—and of course it is a distinct possibility—then the man in post number one should outrank him. Who was he?

3. L. ———

4. ——— L. f. Ouf. Balbus. Viereck had accepted the restoration here of the Senator M. Attius L. f. Ouf. Balbus, but other candidates are better suited (see Broughton, *op. cit.*, p. 9). Possibilities for the *gentilicia* include Lucilius, Octavius, and Paccius. Perhaps Balbus was related to the consul suffect of 30 B.C., L. Saenius L. f., as Broughton also suggests.

5. ——— Fa]. Plautus. Unidentified.

6. C. M——. Viereck accepted the name here of C. Memmius L. f. without good reason. Unidentified.

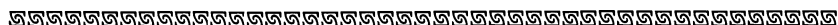
7. P. Sestius L. f. He was also the witness in the *S.C. de Panamara* (No. 27).

8. C. Hedijs C. f. Claud. Thorus. He too was one of the witnesses in the *S.C. de Panamara* (No. 27).

9. L. ———.

¹ See E. Fraenkel, *R.E.*, s.v. "Namenwesen," col. 1649; Mau, *R.E.*, s.v. "Cognomen," col. 225; L. R. Taylor, *The Voting Districts of the Roman Republic*, American Academy in Rome, Papers and Monographs XX (Rome, 1960), p. 169.

First Century B.C.
(Augustan?)



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COMMENTARY. A comparison of the expressions in lines 10–17 with those in the *S.C. de Plarasensibus et Aphrodisiensibus* (No. 28), B 3–6, and in the *S.C. de Stratonicensibus* of 81 B.C. (No. 18), lines 48–50 of fragment E, to mention only those decrees of this same area and time, makes it reasonable to assume that we have here part of a *senatus consultum*.¹ J. Hatzfeld, however, thinks that it may be a *decretum* of Augustus or a *senatus consultum* confirming that *decretum*.² I believe it belongs to a *senatus consultum*.

Its date can be deduced only in a general way. The mention of a war and danger could be a reference either to the first Mithridatic War or to the Parthian invasion of 40 B.C. The fact that privileges formerly granted to the city of Stratoniceia are to be confirmed likewise points to a date after either of those two events. The city received its first major grant of privileges in 81 B.C. from Sulla (No. 18), and the present document (ll. 15–17) in at least one respect supplemented those by making the Temple of Zeus at Panamara, together with its territory, inviolable. This would appear to date the document after the senatorial decree of 81 B.C. Hatzfeld believed its date was 31 B.C., at which time Octavian was in the East and had evidently helped the city of Mylasa for the damage it had sustained during the Parthian invasion nine years before.³ Such a date is a mere conjecture and has nothing to support it except the fact that Tacitus tells us the city had once received a *decretum divi Augusti*.⁴ It may well be that our document is of Augustan date, but to select 31 B.C. merely because Mylasa had received a friendly letter from Octavian in that year is not the best kind of evidence. Octavian would not have to be in the East for the city to obtain a *senatus consultum* from the Senate. I believe our document is a senatorial decree.

One last possibility for a date must be considered. Can this document be part of the *S.C. de Panamara* of 39 B.C. (No. 27)? Only the beginning of that decree is extant. Hatzfeld rejects this because, as he says, the number of letters in line 12 of the present document, if the restoration is correct, does not suit the length of lines in the other. But, he admits, the thickness of both steles is almost identical (0.095 m. for this one and 0.09 m. for the other), and the length of the lines in both is irregular.

¹ Robert and Robert, *loc. cit.*, are convinced *sans doute* that it is a senatorial decree.

² Hé is led to this view because of the passage in Tacitus *Annales* III. 62 (cf. the *S.C. de Plarasensibus et Aphrodisiensibus* [No. 28]), in which we learn that the city of Stratoniceia had received a *recens divi Augusti decretum*.

³ *S.I.G.* 3, 768.

⁴ N. 2 above.

EDICTUM AUGUSTI ET SENATUS
CONSULTUM DE PECUNIIS REPETUNDIS

4 B.C.



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DESCRIPTION. Marble stele found in the agora of Cyrene (2.05 m. high, 0.70 m. wide at the bottom, 0.61 m. wide at the top, and 0.38 m. thick, complete on all sides). In modern times it was used as a bench on the outside of a house with its engraved surface turned toward the wall. The inscription was engraved in two parts. The first part, consisting of four edicts, is separated by one vacant line from the second, which contains the fifth edict and the *senatus consultum*. Both parts were engraved at the same time, however. A few centimeters below the last line (144) there is evidence that from there to the top of the stele the surface had been polished slightly. The letters (0.006–0.010 m.) are of an uneven size, sometimes crowded together and sometimes widely separated, those of the second part being slightly larger than those of the first. Both parts were the work of the same engraver. Very many vacant spaces were used not only to divide the text or set off certain words but also to serve as marks of punctuation and to avoid an incorrect division of syllables at the ends of lines. The engraver also seems to have sketched or drawn in the letters before he cut them, a practice that might account for several omissions and errors as the inscription is studied today. But, aside from such errors as those resulting from the engraver's failure to cut certain letters because his painted sketch gives the impression that they have already been engraved, there are other kinds of omissions. The engraving on the whole is a most instructive example of the several kinds of mistakes an ancient engraver was likely to make.

Edict V

Ἀυτοκράτωρ Καῖσαρ ν Σεβαστὸς ἀρχιερεὺς μέγιστος
δημαρχικῆς ἐξουσίας ννν ΙΘ ννννννν λέγει·

vacat spatium unius versus

- Δόγμα συνκλήτου τὸ ἐπὶ Γαίου Καλουισίου καὶ Λευκίου
75 Πασσίνου ὑπάτων κυρωθὲν ἐμοῦ παρόντος καὶ συν-
επιγραφόμενον, ἀνήκον δὲ εἰς τὴν τῶν τοῦ δήμου τοῦ
'Ρωμαίων συμμάχων ἀσφάλαν, ἵνα πᾶσιν ᾗ γνωστόν,

- ὡν κηδόμεθα, πέμπειν εἰς τὰς ἐπαρχίας διέγων καὶ τῷ
 ἐμῷ προγράμματι ὑποτάσσειν, ἐξ οὗ δὴλον ἔσται πᾶσιν
 80 τοῖς τὰς ἐπαρχίας κατοικοῦσιν, ὅσην φροντίδα ποιούμε-
 θα ἐγὼ τε καὶ ἡ συνκλήτος τοῦ μηδένα τῶν ἡμῶν ὑποτασο-
 μένων παρὰ τὸ προσήκον τι πάσῃν ἢ εἰσπράτεσθαι. vacat
 vacat Δόγμα συνκλήτου vacat
 Ὑπὲρ ὧν Γάιος Καλούσιος Σαβεῖνος Λεύκιος Πασσιῆ-
 85 ν νοσ Ῥούφος ὕπατοι λόγους ἐποιήσαντο περὶ ὧν ν
 ν Αὐτοκράτωρ Καῖσαρ ν Σεβαστός, ἡγεμῶν ν ἡμέτερος,
 ἐκ ξυμβουλίου γνώμης, ὃ ἐκ τῆς συνκλήτου κληρωτὸν ἔσχεν,
 ἀνενεχθῆναι δι' ἡμῶν πρὸς τὴν βουλὴν ἠθέλησεν, ἀνηκόντων νυν
 ἐς τὴν τῶν συμμάχων τοῦ δήμου τοῦ Ῥωμαίων ἀσφάλειαν, ἔδο-
 90 ξε τῇ βουλῇ· νν Τῶν προγόνων τῶν ἡμετέρων δίκας χρημάτων
 [[ξετη]] ἀπαιτήσεως νομοθετησάντων, ὅπως ῥᾶον οἱ σύμμαχοι ὑ-
 πὲρ ὧν ἂν ἀδικηθῶσιν ἐπεξελεθῆν καὶ κομίσασθαι χρήματα ἀφαι-
 ρεθέντες δύνωνται, ὄντος δὲ τοῦ γένους τῶν τοιούτων δικασ-
 τηρίων ἔστιν ὅτε βαρυτάτου καὶ ἀηδεστάτου αὐτοῖς δι' οὗς ἐγρά-
 95 φη ὁ νόμος, τῶν ἐπαρχῶν μακρὰν ἀπεχουσάν ἐ(λ)κεσθαι μάρτυ-
 ρας πένητας ἀνθρώπους καὶ τινὰς ἀσθ(ε)νὺς διὰ νόσον ἢ διὰ γῆρας, ἀρέ-
 σκει τῇ βουλῇ· Ἐάν τινες τῶν συμμάχων μετὰ τὸ γενέσθαι τοῦτο τὸ
 δόγμα τῆς συνκλήτου χρήματα δημοσίαι ἢ ἰδίαπραχθέντες ἀπαι-
 τεῖν βουλευθῶσιν, χωρὶς τοῦ κεφαλῆς εὐθύνειν τὸν εἰληφότα, καὶ ὑπὲρ
 100 τούτων καταστάτας ἐμφανίσωσι τῶν ἀρχόντων τινί, ὧι ἐφέιται συν[ἀ]-
 γειν τὴν σύν[κλ]ητον, τούτους τὸν ἄρχοντα ὡς τάχιστα πρὸς τὴν βουλὴν
 προσαγαγεῖν καὶ συνήγορον, ὃ(ς) ὑπὲρ αὐτῶν ἐρεῖ ἐπὶ τῆς {η} συνκλήτου, ὃν ἄ[ν]
 αὐτοὶ αἰτήσωσιν, δίδοναι· ἄκων δὲ μὴ συνηγορεῖται, ὧι ἐκ τῶν νόμων παρ-
 αίτησις ταύτης τῆς λειτουργίας δέδοται. νν Ὡν ἂν ἐν τῇ συνκλήτῳ αἰ-
 105 τίας ἐπιφέρουσιν ἀκουσθῶσιν ὅπως <ὧσιν κριταὶ> ἄρχων ὃς ἂν αὐτοῖς πρόσδο-
 εἰς τὴν
 οὐνκλήτιον δῶι, αὐτῇμερὸν παρούσης τῆς βουλῆς, ὥστε μὴ ἐλάττους δικασ-
 σίων εἶναι, κληροῦσθω{ι} ἐκ πάντων τῶν ὑπατικῶν τῶν ἢ ἐπ' αὐτῆς Ῥώμης
 [ῆ] ἐντὸς εἴκοσι μειλίων ἀπ(τ)ὸ τῆς πόλεως ὄντων τέσσαρες· ὁμοίως ἐκ τῶν στρατη-
 [γ]ικῶν πάντων τῶν ἐπ' αὐτῆς τῆς Ῥώμης ἢ ἐντὸς εἴκοσι μειλίων ἀπὸ τῆς πόλε-
 110 [ω]ς ὄντων, τρεῖς· ὁμοίως ἐκ τῶν ἄλλων συνκλητικῶν ἢ οἷς ἐπὶ τῆς συνκλήτου γνώ-
 μην ἀποφάινεσθαι ἐξεστὶν πάντων, οἱ ἂν τότε ἢ ἐπὶ Ῥώμης ἢ ἐνγειον εἴκοσι
 μειλίων τῆς πόλεως ὦσιν, δύο· κληροῦσθω δὲ μηθένα, ὃς ἂν ἐβ(δ)ομήκοντα ἢ
 πλείω ἔτη γεγονῶς ἦι ἢ ἐπ' ἀρχῆς ἢ ἐπ' ἐξουσίας τεταγμένος ἢ ἐπιστάτης κριτη-
 115 ρίου ἢ ἐπιμελητῆς σειτομετρίας ἢ ὃν ἂν νόσος κωλύη ταύτην τὴν λειτουργίαν
 λειτουργεῖν ἀντικρυς τῆς συνκλήτου ἐξομοσάμενος καὶ δούς ὑπὲρ τούτου
 τρεῖς ὁμνύντας τῆς βουλῆς ἄνδρας, ἢ ὃς ἂν συγγενεῖαι ἢ οἰκηότῃτι προσή-
 κτι αὐτῷ ὥστε νόμῳ Ἰουλίῳ τῷ δικαστικῷ μαρτυρεῖν ἐπὶ δημοσίῳ δικαστη-
 ρίου (ἄ)κων μὴ ἀναγκάζεσθαι, ἢ ὃν ἂν ὁ εὐθυνόμενος ὁμώσει ἐπὶ τῆς συνκλήτου

ἐχθρὸν ἑατῶι εἶναι, μὴ <π>λείονας δὲ ἡ τρεῖς ἐξομνύσθω. νννννν Οἱ ἂν
ἐννέα τοῦ-

- 120 τον τὸν πρόπον λάχωσιν, ἐκ τούτων ἄρχων ὃς ἂν τὸν κλῆρον ποιήσῃται φροντι-
ζέτω, ὅπως ἐντὸς δυεῖν ἡμερῶν οἱ τὰ χρήματα μεταπορευόμενοι καὶ ἄφ' οὗ ἂν
μεταπορεύωνται ἀνὰ μέρος ἀπολέγωνται, ἕως ἂν πέντε ὑπολειφθῶσιν. νννν
Ὅς ἂν τῶν κριτῶν τούτων πρὶν ἂν κριθῇ τὸ πρᾶγμα ἀποθάνῃ, ἡ ἄλλῃ τις αἰτία
διακωλύ-

- ση αὐτὸν κρίνειν, οὗ ἂν παραίτησις δοκιμασθῇ ὁμοσάντων πέντε ἀνδρῶν τῶν ἐ-
125 κ τῆς βουλῆς, τότε ὁ ἄρχων παρόντων τῶν κριτῶν καὶ τῶν τὰ χρήματα μεταπορευ-
ομένων καὶ τούτου παρ' οὗ ἂν μεταπορεύωνται, ἐπικληροῦσθω ἐκ τούτων τῶν
ἀνδρῶν, οἱ ἂν τῆς αὐτῆς τάξεως ὦσιν, καὶ τὰς αὐτὰς ἄρξαντας ἄρχας, ἣν ἂν τύ-
χη ἄρξας ἐκείνος, εἰς τοῦ τὸν τόπον ἐπικληροῦται, ἐφ' οὗ μὴ ἐπικληρώ-
σεται ἄνδρα, ὃν κληροῦσθαι κατὰ τοῦ εὐθινομένου τούτῳ τῷ δόγματι τῇ<ς> συν-
130 κλήτ<ου> οὐκ ἔξεστιν. ννννν Οἱ δὲ αἰρεθέντες κριταὶ περὶ τούτων μόνον ἀκούε-
τωσαν καὶ διαγινωσκέτωσαν, περὶ ὧν ἂν τις εὐθύνῃται δημοσίαι ἢ ἰδία νε-
ροσφισμένος, ννννν καὶ ὅσον ἂν κεφάλαιον χρήματος οἱ εὐθύνοντες ἀποδε<ι>-
ξωσιν ἀπειρηγέχθαι ἑαυτῶν ἰδία ἢ δημοσίαι, τοσοῦτον ἀποδιδόναι κελευέτω-
σαν, ἐφ' οὗ ἐντὸς τριάκοντα ἡμερῶν οἱ κριταὶ κρινοῦσιν. ννννν Οὗς ἂν δέῃ ὑπὲρ
135 τούτων διαγινώσκειν καὶ γνώμην ἀποφαίνεσθαι, οὗτοι μέχρι ὅτου ἂν διαγνώσιν καὶ
τὴν γνώμην ἀποφάνωνται, πάσης λειτουργίας δημοσίας ἐκτὸς ἱερῶν δημοσί-
ων παρίσθωσαν. ννννν Ἀρέσκειν δὲ τῇ βουλῇ τὸν ἄρχοντα τὸν τὴν κλήρωσιν
τῶν δικαστῶν ποιήσαντα ἢ, εἰ μὴ οὗτος δύναιτο, τῶν ὑπάτων τόν τε προηγοροῦν—
τα ταύτης τῆς διαίτης προϊστασθαι καὶ καταγγέλλ<λ>ιν μάρτυσιν τοῖς ἐπὶ τῆς Ἰτα-
140 λίας οὖσιν ἐ<ξ>ουσίαν δίδόναι, ἐφ' οὗ τῶι μὲν ἰδία τι μεταπορευομένῳ μὴ πλείο- ν
σιν πέντε, τοῖς δὲ δημοσίαι μὴ πλείοσιν <δ>έκα καταγγεῖλαι ἐπιτρέψει. ννννννννν
Ὅμοιως ἀρέσκειν τῇ βου<λ>ῇ κριτάς, οἱ ἂν ἐκ τούτου τοῦ <δ>όγματος τῆς συνκλήτου
λάχωσιν, καθ' ὃ ἂν αὐτῶν ἐκάστωι δόξῃ, ἀναφανδὸν {ο} vacat
ἀποφαίνεσθαι, καὶ ὃ ἂν οἱ πλείους ἀποφάνωνται, ἑᾶν. vacat

vacat

* Edict v 74-82 In this section the letters are larger and the intervals between them greater than in the remainder of the text. 91 (beginning of line) Erased by engraver. 95 ΕΔΚΕΣΘΑΙ (?), but Oliverio reads ἐακ-. 96 ΑΣΘΝΙΣ. 102 ΟΥΠΕΡ. 105 ΑΚΟΥΣΘΩΣΙΝΟΠΩΣΑΡΧΩΝ; here Oliverio, Premierstein, and Stroux and Wenger invert—ὅπως ἀκουσθῶσιν—but La Pira thought a clause had fallen out after ὅπως, and the text in S.E.G. retains the order found on the stone. Oliver's solution (*Memoirs*) is followed here, *Ων, attracted into the case of its antecedent, being the subject of the verb. Thus ἐπιφέρουσιν is the dative plural of the participle. 108 Oliverio changed to τέσσαρ<α>ς. 112 ΕΒΟΜΗΚΟΝΤΑ. 118 ΑΚΩΝ. 119 ΤΑΕΙΟΝΑΣ. 127 ἄρξαν<ε>ς, Oliverio. 129-30 ΤΗΣΥΝ ΚΛΗΤΩ. 132-33 ΑΠΟΔΕΞΩΣΙΝ. 138 τε; Rademacher proposed <τό>τε. 139 ΚΑΤΑΓΓΕΛΛΑΙΝ. 140 ΕΞΟΥΣΙΑΝ. 141 ΑΕΚΑ (?), but Oliverio read ΑΕΚΑ. 142 ΒΟΥΛΗ. After ἐκ τούτου τοῦ the space is empty to the end of the line. The phrase used here was supplied by Oliverio; S.E.G. has τοῦ <δ>όγματος).

COMMENTARY. Of all epigraphical discoveries only the *Res Gestae* of Augustus

may be said to surpass the Cyrene Edicts as inscriptions that make significant contributions to our knowledge of the political, social, and juridical history of Rome. No Greek or Latin literary source mentions the existence of these documents, and for that reason they come not only as a welcome surprise but also as an outstanding example of how inscriptional evidence complements and corrects the literary tradition.

The single most important observation to be made from a study of these documents is the fact that Augustus in 7/6 and 4 B.C. was clearly issuing edicts in his own right to the inhabitants and officials of a province that the Senate had been allowed to control ever since the division of the Empire in 27 B.C. Thus the statement of Dio (53. 32), that Augustus possessed an *imperium* superior to that of all the governors of the provinces, seems to be confirmed.¹ And the manner in which he exercised that *imperium maius* in a senatorial province is worthy of note, for he did not issue his orders with the brusque finality of a general in the field but rather with a courteous deference to the Senate and a mild form of expression: "...until the Senate should reach a decision on this matter or I myself should find some better way, the future governors of Crete and Cyrene would seem to me to be acting in a good and fitting manner if they..." etc. (Edict I, ll. 12-14). It has been justly observed that Augustus used a style similar to that employed by the Senate in giving its instructions to Roman magistrates, a style at once familiar to senatorial officials and therefore perfectly natural and acceptable.² One can issue orders and demand obedience by virtue of his *imperium*, or one can suggest a course of action and receive willing compliance by virtue of his *auctoritas*. The result is the same, obedience in both cases, but the attitudes are strikingly different. A direct order, of course, is sometimes necessary, but a nice appreciation of the difference between issuing an order and offering a suggestion makes an order more appropriate and its military directness less objectionable. Thus Augustus diplomatically combined personal *auctoritas* and military *imperium* to correct those matters in the administration of the provinces which came to his attention.

¹ Wenger and Premierstein were convinced, but McFayden was not. Although the modern literature on the problems connected with the *imperium* and *auctoritas* of Augustus is enormous, there are several articles that serve as excellent introductions to the various theories and controversies; G. E. F. Chilver, *Historia*, 1 (1950): 408-35; V. Ehrenberg, *A.J.P.*, 74 (1953): 113-36; L. Wickert, *R.E.*, s.v. "Priniceps," cols. 2270-78; E. T. Salmon, *Historia*, 5 (1956): 456-78. In addition one should consult J. Béranger, *Recherches sur l'aspect idéologique du Principat* (Basel, 1953), pp. 77ff. (reviewed by L. Wickert, *Gnomon*, 26 [1954]: 534-44); A. Magdelain, *Auctoritas Principis* (Paris, 1947), chap. 2 (reviewed by H. Last, *J.R.S.*, 40 [1950]: 117-23); and the posthumous work of P. Grenade, *Essai sur les origines du Principat* (Paris, 1961), *passim*. A new document of importance in this regard has been published by H. W. Pleket, *The Greek Inscriptions in the Rijksmuseum van Oudheden at Leyden* (Diss., Leyden, 1958), no. 57, pp. 49-66 (= S.E.G., XVIII, 555). There is a very detailed commentary on it by K. M. T. Atkinson in the *Revue internationale des droits de l'antiquité*, 7 (1960): 227-72, which is marred by the serious error she has committed in believing that the first document of that inscription is a part of a *senatus consultum* in a curtailed form. Further details are available in J. H. Oliver, *Greek, Roman and Byzantine Studies*, 4 (1963): 115-22. The document is No. 61 of the present volume.

² H. Last, *C.A.H.*, 11 (1936): 401, and De Visscher, *Les édits*, p. 47. *Digest* 16. 1. 2. 1: *arbitrari senatum recte atque ordine facturos ad quos de ea re in iure aditum erit*. Cf. also *Digest* 1. 16. 4. 4 and 40. 12. 27. 1.

The Fifth Edict and the Senatus Consultum

Livy (43. 2) tells us that in 171 B.C. envoys from Spain were introduced into the Roman Senate where they lodged formal complaints of extortion at the hands of the Roman magistrates in the province. The Senate, convinced of the truth of their complaints, instructed the Governor of Spain to set up a jury of five *recuperatores*, chosen from the Senate, for each separate complaint. Each accuser in turn could choose a *patronus* and through the *recuperatores* could institute proceedings to recover his money. These temporary commissions were made into a permanent board of *recuperatores* by the *Lex Calpurnia* of 149 B.C., with the penalty for conviction being the simple recovery of the money by the victim and nothing more. This was the origin of the first *quaestio perpetua*. Modifications of this court, mainly with regard to the penalty, were introduced by the *Lex Acilia* of 123 B.C., the *Lex Servilia*, the *Lex Cornelia* of 81 B.C., and the *Lex Iulia* of 59 B.C. The exact details of these laws and the various penalties prescribed by them have given rise to several controversies without final agreement.³ But there is no disagreement about the intolerable burdens and numerous inconveniences that the extortion court of the Republic imposed upon any provincial who approached it. The trials could be delayed for unusually long periods of time and could cause not only financial but also physical hardships for the provincials. Loopholes in the court's provisions also may have allowed the accused various means to have judges appointed who would be partial to his side and hostile to the other. In order, therefore, to remedy the defects of the old system and in particular to reduce the time necessary for the trial to the barest minimum, the present *senatus consultum* was passed. Not only did Augustus himself sponsor it but he also promulgated it in the form of an edict, two points which illustrate nicely the care and attention he gave to the fair and just administration of the provinces.⁴ Its provisions may be summarized as follows:

Any ally of Rome who may wish to recover property of which he has been deprived is advised to present himself before a magistrate who has the power to convene the Senate. If this accuser does not wish to press capital charges, the magistrate will then introduce him immediately into the Senate and will appoint a *patronus* of the accuser's choice; who will address the Senate on the matter. On that same day the magistratus will select by lot from the Senate (at least two hundred senators being present) four *consulares*, three *praetores*, and two other senators. No senator chosen shall be seventy

³ See Th. Mommsen, *Gesammelte Schriften*, 1: 1-64 and 3: 339-55; J. L. Strachan-Davidson, *Problems of the Roman Criminal Law* (Oxford, 1912), 2: 75-152; J. P. V. D. Balsdon, *Papers of the British School at Rome*, 14 (1938): 98-114; Sherwin-White, *ibid.*, 17 (1949): 5-25; Henderson, *loc. cit.*; A. N. Sherwin-White, *J.R.S.*, 42 (1952): 43-55; G. Tibiletti, *Athenaeum*, 31 (1953): 5-100; Brunt, *loc. cit.* For part of a new law belonging to the *leges repetundarum* see R. Bartoccini, *Epigraphica*, 9 (1947): 3-31 (*A.E.*, 1950, no. 80) and G. I. Luzzatto, *Archivio storico pugliese*, 4 (1951): 28-41.

⁴ Usually the presiding magistrate attended to the communication of a *senatus consultum* to the pertinent city or state, more often than not with a covering letter. For a precedent to the present procedure Premierstein (*Z.S.S.*, 48 [1928]: 482-83) mentions the *S.C. de Bacchanalibus* and suggests the *Edictum Augusti de Aquaeductu Venafrano* (H. Dessau, *I.L.S.*, 5743) as "nichts anderes als die Mitteilung eines Senatsbeschlusses im Rahmen eines kaiserlichen Edikts." This is possible. It is interesting to note that Edict IV is called an *ἐπίκριμα* while Edict V is labeled a *πρόγραμμα*.

years of age or older, hold an active magistracy, or preside over a court of law. Other disqualifying provisions are included to insure the immediate availability of the senators to serve as judges in the matter. The plaintiff and the defendant in turn may reject a total of four judges within two days until five are left. These five, freed of all public duties except the public cult, will hear the case. Their majority vote rendered the verdict within thirty days.

It is immediately apparent in this new procedure that the elaborate provisions made for the selection of the judges and the rules to be followed in case of the disability or death of any one of them are all calculated to guarantee smoothness and speed from the beginning to the end. And certainly the limitation of the new procedure to only those cases in which no capital charges are to be introduced is a detail which by itself would speed up the trial considerably. It had long been known from extortion cases mentioned by Tacitus and Pliny that a new procedure had been introduced after the *Lex Iulia* of 59 B.C., but not until the discovery of the present *senatus consultum* did we know its source. However, despite the fullness of our decree and the apparent precision of its provisions, it has generated a series of problems that, in the present state of our sources, are extremely difficult, if not impossible, to resolve.

The most formidable question concerns the relationship of the new procedure to the previously existing form of prosecution for extortion. Does the new supplant the old completely? To what extent can the new procedure be used to determine the nature of penalties in the old *quaestio* under the *Lex Iulia*? Everything hinges on a key phrase in our decree (ll. 97-99): "If any of our allies, after the passage of this decree, wish to recover money that has been extorted from them publicly or privately, without introducing a capital charge against the accused. . . ." This vital and obscure phrase, *χωρὶς τοῦ κεφαλῆς εὐθύνειν τὸν εἰληφόρα*, is unfortunately capable of taking two directions. Without interpreting this phrase in the light of any other evidence, it appears at least possible that either capital or noncapital charges could arise in extortion cases, and not only before but also after the passage of this *senatus consultum*. The phrase therefore cannot be used to give positive proof about the nature of the penalty specified by the *Lex Iulia*. What is certain is that the new regulations were concerned with a reform of procedure and not with penalty, and that they provided for a simple repayment of the amount of money extorted. *Infamia* of the *condemnati* was not, however, excluded. It is only when one asks the question, "What if the accuser *does* wish to include capital charges?", that a difficulty and a dilemma arise.

The school of Premierstein (Oliverio and Arangio-Ruiz) believed that it was a question of two separate charges which by the nature of the situation were connected. A capital crime (e.g., murder) has been committed in connection with extortion. Only the charge of murder is a capital offense, while the extortion is a civil matter. The new procedure provides that the concurrent capital offense will be tried in the appropriate *quaestio* court but that the charge of extortion will be tried separately before the senatorial jury. Thus, in this view, the old *quaestio de repetundis* disappears and the existing laws on extortion apply without any change to the new senatorial procedure. And these laws, notably the *Lex Iulia*, did not know the capital penalty. The limiting clause in our

decree is accordingly a very loose one and, being parenthetical, does not qualify any particular word or phrase. Thus, extortion was not in itself a capital offense and never carried the capital penalty.

The contrary view, championed by Stroux, holds that the limiting clause makes good sense grammatically only when it is taken as qualifying ἀπατεῖν βουλῆθῶσιν. This means that previously the extortion law (i.e., the *Lex Iulia*) had provided for capital penalties. Stroux, then, believed that the provincial accusers could decide whether they wished to prosecute by the old method, before the *quaestio de repetundis* with its repayment of extorted money plus capital punishment for the *condemnati*, or by the new method, which was faster but provided only for the simple restitution of extorted money without a capital penalty being involved. Thus, for Stroux, the old *quaestio* court continued to exist side by side with the new senatorial jury. This separation removed the extortion charge from the criminal atmosphere with which it had been surrounded in the old public court, if the accusers wished to drop the criminal charges.

Premenstein: The extortion charge itself was never criminal, and only when criminal offenses had been committed in conjunction with it could the penalty have been capital. The *Lex Iulia* carried no capital penalties for extortion. Under the new procedure the accuser could decide for himself whether he wished to press charges in the appropriate *quaestio* court (for murder, etc.) or before the new senatorial jury. One would satisfy his thirst for revenge: the other meant speedy recovery of his money. The old *quaestio* court for extortion disappeared.

Stroux: The extortion charge was criminal and the *Lex Iulia* therefore contained provisions for a capital penalty in a case of extortion. The old *quaestio* court for extortion continued to exist and was used in those cases where the accuser desired to press the capital charges as well as those of extortion. If the accuser were to forgo the capital charges, the senatorial jury would try his case speedily.

The one element common to both of these otherwise divergent views is the free choice allowed the provincial for deciding between the two alternatives, criminal or civil charges. De Visscher, however, would have none of this, for he could not believe that the provincials had been allowed to decide the type of jeopardy into which a Roman magistrate or citizen was to be placed. Accordingly, he felt that the Senate had had the choice about what would be the appropriate procedure to follow in each case. He rejected the view of Stroux and followed that of Premenstein, with this last reservation: He felt that the Senate would examine the *charges* and not the *evidence* when deciding whether it would try the case itself according to the procedure outlined in the *senatus consultum* or refer it to the *quaestio* court. Such was the purpose of the preliminary hearing in the Senate. If the charges were civil, with no intent to present matters that would involve the accused in a criminal suit, the five-man senatorial jury would try the case. But, if the Senate decided that criminal charges were involved, it would send the case to the public court.⁵

⁵ His view, that the Senate decides what would be the appropriate procedure, has not been generally accepted; see Last, *J.R.S.*, 35 (1945): 98, and Oliver, *Memoirs*, pp. 108-9. He has also involved himself in a difficulty with his view of *praeiudicium capitis* in charges connected with those of extortion; see Sherwin-White, *Papers of the British School at Rome*, 17 (1949): 15-16.

Then Sherwin-White, in his detailed and valuable account of the republican *leges repetundarum*, reached the conclusion that "the Lex Iulia brought under the extortion law certain offenses which hitherto had had no connection with it, and introduced a scale of punishments culminating in the capital penalty for extortion with violence."⁶ Thus, to him, the limiting clause, as well as the regulations in lines 130-31, refer to charges other than extortion or to actual charges of extortion in "aggravating circumstances." He therefore would disagree with Premierstein about the old noncapital nature of extortion and would agree with Stroux, stipulating that extortion was or could become a capital offense only when it was "aggravated" by *saevitia* or other actions already labeled capital under other laws.

It should thus be clear that the present senatorial decree is hardly the best kind of evidence to use in discerning the nature of the republican extortion court. Its provisions, of course, would be immediately obvious to any competent provincial governor, because he would be familiar with the existing judicial background. The decree assumes that this judicial background will be known to those for whom it is intended. One must therefore establish this background on independent evidence and then see how the present procedure fits into it. To work back from the decree is dangerous.

When we turn from this backward look and examine the period after the introduction of the new procedure, we also find that difficulties arise. For example, when we read of extortion trials in the pages of Tacitus or Pliny, we quite naturally expect to find some similarity with the procedure established by Augustus in 4 B.C. And we are not wholly disappointed. However, the new procedure does not seem to have lasted very long.⁷ A clear-cut example would be the case of Granius Marcellus in A.D. 15, recorded by Tacitus (*Ann.* 1. 74). Perhaps we could include the case of Caesius Cordus (Tacitus *Ann.* 3. 70), if his charge of *maiestas* actually were dropped. But it is clear that, in the majority of cases known to us from the literary sources, the new procedure of 4 B.C. was not used too often and did not last long into the first century. By Pliny's day, charges of extortion were usually complicated by or involved in charges of murder, *perduellio*, or *maiestas*. And De Visscher's effort to read the use of the new procedure into the cases known to us from the Trajanic era is not convincing. By that time we find the entire Senate sitting in judgment on the accused, a procedure in keeping with the tendency of the Senate during the Principate to acquire jurisdiction over those matters which during the Republic belonged to the *quaestio* courts. In fact, as most of the commentators have observed, the new procedure of 4 B.C. was a landmark in the beginning of the decay of the old republican courts and the development of senatorial jurisdiction.⁸

The full meaning and evaluation of the edicts from Cyrene have not yet been realized. Fresh evidence and the resifting of the old may clarify some of the obscurities.

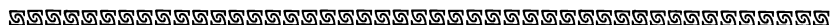
⁶ Sherwin-White, *Papers of the British School at Rome*, 17 (1949): 25.

⁷ De Visscher, *Les édits*, pp. 184-210, and Brunt, *op. cit.*, pp. 198-206.

⁸ For the development of the criminal jurisdiction of the Senate see Th. Mommsen, *Römisches Staatsrecht*, II³, 1, pp. 118ff., and *Römisches Strafrecht* (Berlin, 1899), pp. 251ff.; Premierstein, *Z.S.S.*, 48 (1928): 527-28 (with further references); De Visscher, *Les édits*, pp. 184-86. For a list of senatorial processes *de repetundis* see the work of Bleicken, *op. cit.*, app. I, pp. 158-66.

SENATUS CONSULTUM(?) DE HERAEO
SAMIORUM ET ASCLEPIEO COORUM

A.D. 23



BIBLIOGRAPHY. P. Herrmann, *Athen. Mitt.*, 75 (1960), no. 5, pp. 90-93,
with Plate no. 3 (*Beilage* 38).

DESCRIPTION. Fragment of a stela of white marble, broken on all sides, the
surface badly weathered. Height: 0.45 m. Width: 0.27 m. Thickness:
0.095 m. Height of letters: 0.014 m. Found on Samos in the Palea Ekklesia, a
small church now demolished.

- [- - - - -] YN₁ [- - - - -]
[- - - - -] TO . Σ [- - - - -]
[- - - - -] ΔΙΙΙ ΝΕΙΣΔΟ [- - - - -]
[Γάιος Στερτίνι]ος Μάξιμος κα[ὶ Γάιος Ἀσίνιος Πολλίων ὑπατοὶ ?]
5 [- - - - -] αν πρὸ Ἀ εἰδὼν Σ[επτεμβρίων - - - - -]
[- - - - -] πρεσβευτῶν Κῶων [- - - - -]
[- - - - α]ὐτοῖς Ἀσκληπιοῦ ἱ[ερόν - - - - -]
[- - - -] | Ἡρας ὁ εὐσεβέστα[τος? - - - - -]
[- - - - κ]αταστάντων καθὼ[ς - - - - -]
vacat
10 [- - - -] τῶι ἱερῶι τῆς Ἡρας τ[- - - - -]
[- - - -] ντῶι δικαιοτέραν [- - - - -]
[- - - - ο]ν ἐπιτυχεῖν π[- - - - -]
[- - - - δεισι]δαμονίας ἅ[- - - - -]
[- - - - - τῆς] πόλεως κ[- - - - -]
15 [- - - - -] ησαν = [- - - - -]
[- - - - -] πιτ[- - - - -]

Text by Herrmann except where noted. 1 [σ]υνκ[λητ - - (?), Herrmann, and perhaps [κατὰ τὸ
δόγμα τοῦ σ]υνκ[λήτου. 7 e.g., τὸ παρ' α]ὐτοῖς, Herrmann. 9 ἀποκ]αταστάντων suggested by
Herrmann. 13 Herrmann refers to ταύτῃ δικαίῳ ταύτῃ τε δεισιδαιμονία in the S.C. de
Aphrodisiensibus et Plarasensibus (No. 28), l. 11.

COMMENTARY. The mention of the sanctuary of (the Coan) Asclepius and the Temple of Hera on Samos led Herrmann to assume that the subject matter was connected with the general investigation of the *asylia* of Greek temples which Tiberius ordered in A.D. 22. Greek states at that time were ordered to send envoys to Rome with documents to prove to the satisfaction of the Senate that their privileges had been properly granted. The great number of the envoys and the multiplicity of their documents proved wearisome and endless to the senators, and accordingly the matter was entrusted to the consuls. They were instructed to conduct the investigation and then refer their findings back to the Senate for final action. Appropriate *senatus consulta* were then passed.¹ It was not until A.D. 23, however, that the Samians and the Coans requested the Senate to confirm the grants of *asylia* for their respective temples of Hera and Asclepius.² The agreement of names and places in the Tacitean account of these proceedings with those in the present material cannot be accidental. The facts agree too exactly. Even the date of the present documents can be fixed as A.D. 23 by the fragments of the name in line 4, since almost certainly those fragments refer to C. Stertinius Maximus, the consul for that year.³ The subject matter concerns the confirmation of *asylia* for the temples. And the very fact that the present inscription was engraved on a stele and erected is sufficient proof that the Senate did in fact confirm that *asylia*.

The historical background is therefore reasonably clear, but the nature of the document is another matter. It is included here among the *senatus consulta* only because there is a possibility that it might be part of a senatorial decree. Herrmann thought that such was the case, adding that it contained a reference to the decision of the consuls on the matter of the *asylia*. The consuls would have rendered their decision and then delivered it to the Senate. The Senate in turn would have issued the decree. The previous decision of the consuls just might be mentioned in lines 4 and following, where in line 5 a verb such as ἔγραψ[αν] or ἐπέγνωσ[αν] or ἐπέκριν[αν] might have appeared. But the document cannot be identified as a *senatus consultum* positively. Quite often, however, consuls have been instructed by the Senate to perform some specific service and then report their actions to the Senate, which in turn issued a decree based upon those actions.⁴ This might have been the case with this document from Samos. It is at most, however, only a remote possibility.

¹ Cf. the letter of M. Antonius to Plarasa and Aphrodisias (No. 28).

² Tacitus Ann. 4. 14: *Is quoque annus legationes Graecarum civitatum habuit, Samiis Iunonis, Cois Aesculapii delubro vetustum asyli ius ut firmaretur petentibus. Samii decreto Amphictyonum nitebantur, quis praecipuum fuit rerum omnium iudicium, qua tempestate Graeci conditis per Asiam urbibus ora maris potiebantur. Neque dispar apud Coos antiquitas, et accedebat meritum ex loco; nam cives Romanos templo Aesculapii induxerant, cum iussu regis Mithridatis apud cunctas Asiae insulas et urbes trucidarentur.*

³ See Herrmann, *op. cit.*, pp. 91-92.

⁴ S.C. de Itanoram et Hierapytniorum Litibus (No. 14), ll. 74ff.; S.C. de Collegiis Artificum Bacchiorum (No. 15), ll. 61-64; S.C. de Stratonicensibus (No. 18), ll. 103-6; S.C. de Oropiorum et Publicanorum Controversiis (No. 23), ll. 1-4.

II

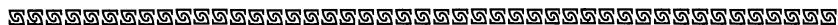
EPISTULAE



For *epistulae* in Part I see the following:

- 1 *Epistulae Spurii Postumii et Senatus Consultum*
- 4 *Epistula P. Cornelii Blasionis et S.C. de Ambraciotibus et Athamanibus*
- 7 *Epistula M. Aemilii et S.C. de Magnetum et Priensium Litibus*
- 8 *Epistula P. Sextilii cum S.C.*
- 14 *Epistula L. Calpurnii Pisonis et S.C. de Itanorum et Hierapytniorum Litibus*
- 18 *S.C. de Stratonicensibus cum Epistula Sullae*
- 20 *S.C. de Thasiis cum Epistula Sullae*
- 21 *Epistula Cn. Cornelii Dolabellae*
- 23 *S.C. aliaque acta de Oropiorum et Publicorum Controversiis*
- 26 *Epistulae et S.C. de Mytilenaeis*
- 28 *Epistula M. Antonii ad Plarasenses et Aphrodisienses et S.C.*

A. INTRODUCTION: OFFICIAL ROMAN CORRESPONDENCE DURING THE REPUBLIC



If by official Roman correspondence we mean letters sent by the Senate or magistrates of Rome to the officials of some foreign city or sovereign state, letters intended to communicate the policy of the Senate or magistrates on a particular point, then we must admit that our sources for the early Republic give us very little information. In fact, such letters do not appear even to have been mentioned before the wars with Carthage.¹ The use of letters, of course, by educated men dates from the beginning of the Republic.² And Roman magistrates sent back to the Senate from foreign posts official letters in order to make reports, request instructions, or make suggestions. Common practice. But official correspondence between Rome and foreign cities does not seem to have been

¹ It is not until the war against Philip that the literary sources begin to mention, regularly at any rate, the sending of official letters of the type we are considering. We are told that T. Quinctius Flamininus sent many letters to the Greeks: Livy 35. 39. 4 (to the Thessalians), 35. 25. 5 (to the Achaean League); Polybius 18. 36 (to the allies in the war), 18. 6 (to Philip). Polybius (22. 4-5) mentions that he got the Senate to write to the Boeotians. And Appian *Bell. Hisp.* 8. 41 tells of sealed letters sent by Cato, the censor, to various Greek cities. Thereafter, the mentioning of letters becomes more common in the literary sources. The whole subject of official Roman correspondence during the Republic has been much neglected since the work by P. Viereck, *Sermo Graecus* (Göttingen, 1888). Although the number of actual letters that have been preserved on stone was small in 1907, Brassloff, *R.E.*, s.v. "Epistula," cols. 204-10, wrote as if there were none at all. Little or nothing of value for us in this regard can be found in K. Dziatzko, *R.E.*, s.v. "Brief," cols. 836-43, or even in J. Sykutris, *R.E.*, suppl. V, s.v. "Epistolographic." H. Peter, *Der Brief in der römischen Literatur* (Leipzig, 1901), was not really interested in official correspondence as we have defined it. The account by Abbott-Johnson on official documents and their preparation, *Municipal Administration in the Roman Empire*, (Princeton, 1926), pp. 232-45, offers some information. More strictly on the Greek side, but often very useful for our purpose, are the contributions made by F. Ziemann, *De epistularum graecarum formulis sollemnibus quaestiones selectae* (Diss., Halle, 1910); C. B. Welles, *Royal Correspondence in the Hellenistic Period* (New Haven, 1934); H. Koskeniemi, *Studien zur Idee und Phraseologie des griechischen Briefes bis 400 n. Chr.* (Helsinki, 1956). For the orthography, inflection, and syntax of the Greek letters see Viereck, *op. cit.*, pp. 55-79; T. Eckinger, *Die Orthographie lateinischer Wörter in griechischen Inschriften* (Munich, 1892); C. L. Döttling, *Die Flexionsformen lateinischer Nomina in der griechischen Papyri und Inschriften* (Diss., Lausanne, 1920); B. Meinersmann, *Die lateinischen Wörter und Namen in den griechischen Papyri* (Leipzig, 1927). Besides the standard grammars of Kühner-Gerth (*Ausführliche Grammatik der griechischen Sprache*³, 2 vols. in 4 [Hannover, 1890-1904]) and E. Schwyzler (*Griechische Grammatik*, 3d ed., 2 vols. [Munich, 1959]), with the Register by D. J. Georgacas, 2d ed., (1960), information of value for our letters can be found in Arndt and Gingrich, *A Greek-English Lexicon of the New Testament and Other Early Christian Literature* (Chicago, 1957); Blass-Debrunner, *A Greek Grammar of the New Testament and Other Early Christian Literature*, English translation and revision of the 9th and 10th eds., by R. W. Funk (Chicago, 1961); and E. Mayser, *Grammatik der griechischen Papyri aus der Ptolemäerzeit*, 2 vols. (Leipzig, 1906-33).

² Dionysius of Halicarnassus (5. 6. 2) records that in the first year of the establishment of the Republic letters were delivered from the exiled Tarquins to friends in Rome; cf. *ibid.* 5. 7. 1.

common until the beginning of the second century before Christ. Then, as we shall see, Hellenistic models and procedures exercised considerable influence upon Roman letters. But only a comparatively small number of actual letters from the Republic has survived, none of them dating before the second century. This cannot be taken to mean that Rome did not make use of diplomatic correspondence before contact with the Greeks. The question must remain open. Under the Empire such correspondence was very common, since imperial *epistulae* and *rescripta* then became the normal vehicles for the creation of law and the communication of the imperial will to the cities and states within the provinces. Their numbers are considerable.³ But under the Republic, diplomatic exchanges of such important matters as war and peace, territorial rights, terms of treaties, and protests required more than mere correspondence. Personal contact was indispensable. Hence the rise of *legati*.⁴

The pages of Livy, Dionysius of Halicarnassus, Polybius, and Appian are full of references to both Roman and foreign embassies. From the beginning of the Republic, and even earlier, in the time of the kings, they were and remained the chief instruments of diplomatic exchange. These envoys were not magistrates but functionaries chosen at Rome from among the senators to perform specific tasks. Whenever Rome wished to communicate officially with a foreign state, an embassy would be formed and dispatched with detailed instructions. A whole body of procedure and regulations developed around its use.

In the course of the third century, however, Roman diplomacy gradually entered into a new phase. Territorial expansion, war with Carthage, and involvement with Illyria thrust Rome into the role of a world power. Although the wars with Carthage had made her aware of further possibilities in her political growth, and although she had conducted a war in 219 B.C. against the Illyrians, nevertheless she apparently had no real plans for eastern expansion. Then conditions changed. The suspicious actions of Philip V, the appearance of his fleet in the Adriatic, his friendly attitude toward Hannibal, and the germination of the fear in Rome that he planned to invade Italy contributed to the general distrust of his ambitions. When envoys from the Greek states came to Rome in 201 B.C. and reported Philip's agreement with Antiochus and the details of his Carian expedition, there was a change in senatorial feeling. War with Philip resulted, then victory at Cynoscephalae. Since military necessity required a peaceful and co-operative Greece during the war, Roman diplomacy took the form of what has aptly been called the *patrocinium libertatis Graecorum*, an outgrowth of an earlier tactic whereby weak states

³ For a collection of imperial letters see the work of L. Lafoscade, *De epistulis aliisque titulis imperatorum magistratuumque Romanorum* (Lille, 1902), which is now, of course, badly in need of revision. For a list of imperial *constitutiones* see R. Taubenschlag, *Journal of Juristic Papyrology*, 6 (1952): 121-42 (= *Opera Minora*, II, pp. 3-28).

⁴ Anton von Premerstein in *R.E.*, s.v. "Legatus," cols. 1133-41; G. Iacopi, in De Ruggiero, *Dizionario epigrafico di Antichità romane*, s.v. "Legatus," pp. 500-26. For the procedure followed in Rome for the reception and accommodation of foreign envoys see Mommsen, *Römisches Staatsrecht*, III³, 2, pp. 1148-57.

were protected against strong states in order to strengthen one's own position.⁵ This policy could gain new friends and lay the foundations of a lasting structure, a structure to be built along Roman specifications and designed to benefit Rome, not Greece.

It is from this age of the wars against Philip and Antiochus that our first epigraphic examples of official Roman correspondence emerge. They were no doubt generated out of the new situations in which Rome found herself involved. Since Rome appeared to be a permanent force in Asia Minor, this correspondence was preserved by the Greek cities. Any communication between them and Rome would serve as solid proof of loyalty and friendship to Rome or recognition of freedom. They preserved, of course, those letters which were favorable to their interests.

It is instructive to note that during this early period—roughly from Cynoscephalae to Pydna—many of the letters reflected, directly or indirectly, the general Roman policy in the Greek East. Number 33 (Flamininus to Chyretiae) may have been designed to win the support of the wealthy classes in a former Macedonian dependency. Number 34 (M. Valerius Messala to Teos) grants freedom and immunity to Teos, an action that under the circumstances could have served as a beacon of Roman friendship shining toward the Greeks of Asia Minor—a promise of things to come. Numbers 35 and 36 likewise may have been inspired by diplomatic motives. And No. 40 is especially interesting, in that it contains a list of the charges brought against King Perseus just before the war against him. The possible motive was the securing of friends in Greece to the Roman cause. Its author very shrewdly addressed the letter to the Delphian Amphictyons.

The early Roman letters were therefore used not only to communicate information of a factual nature but also, more importantly, to serve as diplomatic devices, as tools to influence public opinion. The rest of the letters on the whole are much more matter of fact and deal with local problems: the granting of privileges or benefits of various kinds, the restoration of land, magisterial decisions, arbitration, negotiations between two cities, the loyal actions of a citizen, and a suggestion about suitable honors for Augustus on his birthday. Official letters were also used to transmit the texts of *senatus consulta* to Greek cities. Each has its own special value to us. And all of them are an invaluable and often unique source for republican history.

In form they exhibit certain outstanding characteristics of official letters from the Hellenistic chanceries. In the early years, after the death of Alexander the Great, when the Hellenistic monarchies were engaged in their great struggles for power, they did not yet possess a full bureaucratic organization.⁶ The development of the various departments within each of the kingdoms was gradual, but by the second century B.C. they had

⁵ Badian, *Foreign Clientelae*, pp. 81–83.

⁶ Welles, *op. cit.*, pp. XXXVII–XXXVIII. For the chancery in the Seleucid Empire see E. Bikermann, *Institutions des Séleucides* (Paris, 1938), pp. 190–97. Thanks to the papyri the bureaucratic organization of Egypt is known in some detail: see A. Stein, *Untersuchungen zur Geschichte und Verwaltung Ägyptens unter römischer Herrschaft* (Stuttgart, 1915), and the work of F. Oertel, *Die Liturgie* (Leipzig, 1917). See also the remarks of M. I. Rostovtzeff, *S.E.H.H.W.*, II (1941), 1078–81.

achieved a certain form and had reached a remarkable level of efficiency. One of these departments was the royal chancery, the staff of which cared for the official correspondence and preserved copies of all the royal orders. In Syria the head of the chancery was called the *ἐπιστολογράφος*. In the hands of these men there gradually appeared a form and a style of official letters. Diplomatic correspondence between the Hellenistic kingdoms was therefore well established by the end of the third century B.C.

When the Romans entered eastern politics and began diplomatic relations with the Macedonian and Seleucid kingdoms as well as with Greek cities, they must have become rather quickly familiar with the formalism and style of the letters which they received from them. This was only natural, especially if they had little or no deeply ingrained system of their own in such matters. But, whatever the nature of earlier official Roman correspondence may have been, it now acquired and forever retained the general form and style of the Hellenistic models.

I. FORM OF THE LETTERS

The Salutation

Although no two letters are precisely alike, they all tend to follow prescribed rules which custom and courtesy had established. The Hellenistic Greek letters, from the earliest examples, begin with the name of the sender in the nominative, then the name of the addressee in a combination of genitive and dative, and finally the word of greeting. The letter of Antigonos to Teos at the very end of the fourth century B.C. (*S.I.G.*³, I, 344, ll. 109ff. = C. B. Welles, *Royal Correspondence in the Hellenistic Period* [New Haven, 1934], no. 4) begins in this way: [Βασ]ιλὺς Ἀντίγονος Τηίων τῇ βουλῇ καὶ τῷ δήμῳ χαίρειν. All the others, with minor variations, follow this pattern. It is exactly the form followed in the Greek letters written by Roman magistrates under the Republic and then taken up by the imperial secretariat. The style is formal, business-like, and informative. It is found in private Greek letters, and in time it became the form used everywhere in Latin letters.⁷

The sender is usually one person, generally a consul, praetor, or promagistrate (Nos. 1, 4, 7, 8, 14, 21, 23, 33, 38, 43, 44, 47, 50, 55, 56, 65, 66, 69, 70), but may also be a dictator (Nos. 18, 20, 26, 49, 54), a triumvir (Nos. 28, 57), Augustus (Nos. 58, 60, 61, 64, 67, 68, 72, etc.), or a special figure of very high authority (No. 63, Agrippa). In two letters (Nos. 35 and 36) the brothers Scipio collaborate in writing.

The addressee includes the name of the city in the genitive, followed by the specific city magistrates or other governing bodies in the dative. The name of the city usually appears immediately after the name of the sender (Nos. 1, 8, 14, 18, 23, 26, 28, 33–36, 38, 43, etc.), but the order is not rigid. Sometimes the name of the city comes after the

⁷ Koskenniemi, *op. cit.*, pp. 155–63.

city magistrates (Nos. 4, 21, 55, 61). In two cases the name of the city or recipient is itself in the dative (No. 39, Ἀμφικτίο[σι χαίρειν]; No. 66, Θυατειρηνοῖς ἄρχου[σι βουλῇ δῆμῳ χαίρειν]), but they are exceptions. The actual names of the magistrates or bodies vary from city to city in accordance with the local constitution. The usual combinations are ἄρχουσι βουλῇ δῆμῳ (Nos. 14, 18, 23, 26, 28, 49, 55, 56, 58, 60, 67, 68), βουλῇ καὶ δῆμῳ (Nos. 34–36), and occasionally the names of the magistrates followed by τῇ πόλει (Nos. 1, 33, 38, 43). In four instances letters are addressed to organizations rather than cities: No. 39 to the Amphictyons, No. 44 to the Dionysiac Artists, No. 57 to the koinon of Asia, and No. 63 to the Argive Gerusia.

The simple χαίρειν is sometimes expanded to χαίρειν λέγει (Nos. 4, 20, 21, 61), and it is then placed before the name of the city and the various magistrates. The single word, on the other hand, is regularly found at the end of the salutation. No. 26 (col. b, 8) has the unusual χαίρειν καὶ ἔρρωσθαι.

The Formula Valetudinis

The formula of health is rare in official Hellenistic correspondence and is not found earlier than the middle of the second century B.C. In private Greek letters it is common.⁸ In the letter of Eumenes II to the priest of the Temple of Cybele (O.G.I.S., 315 = Welles, *op. cit.*, no. 56) it appears immediately after χαίρειν and has the form εἰ ἔρρωσαι, εὖ ἂν ἔχοι· καὶ γὰρ δὲ ὑγίαινον. In official Roman letters it does not appear until the first half of the first century B.C., in the form εἰ ἔρρωσθε, εὖ ἂν ἔχοι (No. 23). Whenever a writer employs it, he always puts it after χαίρειν. In only one case, however, is the simple phrase alone used (No. 23), for ordinarily (Nos. 26, 28, 54, 58, 60) it is expanded to include a reference to the army. In the letter of M. Antonius to the city of Plarasa-Aphrodisias (No. 28, A 9–12) we have εἰ ἔρρωσθε, εὖ ἂν ἔχοι· ὑγιαίνω δὲ καὶ αὐτὸς μετὰ τοῦ στρατεύματος. Sometimes this is abbreviated to merely καὶ γὰρ δὲ μετὰ τοῦ στρατεύματος ὑγίαινον], as in No. 26 (col. b, 8–9), or καὶ αὐτὸς δὲ μετὰ τοῦ στρατεύματος [ὑγίαινον], as in No. 58 (I 4–5). Such a reference to the army is not found in the royal Greek letters, to my knowledge, and it may have originated with the Romans.

The Background and Motives for Writing

A wide range of circumstances prompted a Roman magistrate to send a letter to a Greek city. Most often it was because of information or requests brought to him by Greek envoys. Whenever this was the case, his letter naturally mentioned the fact, regularly after the salutation or the *formula valetudinis*, as in Nos. 1, 4, 7, 14, 18, 20, 21, 26, 28, 34–36, 38, 39, 48–49, 55–58 III, 60–61, 64, 67–68, 70, 72, 74–75. It is in these sections of the letters that we learn the names of the envoys, where they met the Roman magistrate, what instructions they were given by the home states, and, occasionally,

⁸ *Ibid.*, pp. 130–39.

what special honors might have been decreed for the magistrate. The magistrate, in turn, noted in his letter how well the envoys acted and spoke on behalf of their countries. All of this material soon became stereotyped in form and style, another diplomatic inheritance from the Hellenistic period. The expressions and vocabulary may be seen best by examining them as a whole.

No. 4, 5-10: *πρεσβευταὶ Ἀμβρακιῶται καὶ Ἀθαμᾶνες ἐμοὶ προσήλθοσαν, ἵν' αὐτοῖς σύγκλητον δῶ. Ἐγὼ αὐτοῖς σύγκλητον ἔδωκα.*

No. 7, 36-37: *πρεσβευταὶ Μάγνητες κα[ὶ] Πιρηνεῖς ἐμοὶ προσήλθοσαν ὅπως αὐτοῖς σύγκλ[η]τον δῶ. τούτοις ἐγὼ σύγκλητον ἔδ[ωκα].*

No. 14, 90-92: *[ἰό]ντες Ἰτάνιοι πρεσβευταὶ καὶ ὑμέτεροι προσήλθοσαν μ[οι] ὅ[π]ως αὐτοῖς σύνκλητον δῶ. Ἐγὼ αὐτοῖς σύνκλητ[ο]ν ἔδωκα.*

No. 18, 17: *πρεσβευταῖς ὑμ[ετέροις] τὸ γενόμενον ὑπὸ συγκλήτ[ου] δόγμα τοῦτο [παρέδωκα].*

No. 21, 2-6: *Μικᾶς Μικᾶ υἱός, Σα[- - καθ' υἰοθεσίαν] Εὐρυμενίδου, φύσει δὲ Λήητου, πρεσβευταὶ ὑμέτεροι, ἄνδρες κα[λοὶ καὶ ἀγαθοὶ καὶ φίλοι παρὰ δήμου κα]λοῦ τε καὶ ἀγαθοῦ καὶ φίλου συμμάχου τε ἡμετέρου, ἐν Θεσσαλο[νίκῃ] ἐντυχόντες μοι - - -]ον τὴν σύγκλητον τοῦ δήμου τοῦ Ῥωμαίων ὑπὲρ τῆς ὑμετέρ[ας] πόλεως δόγμα περὶ τῆς εἰς τὰ δημόσια πράγματα καταλογῆς ὑμῶν ἐσχηκέναι.*

No. 26, 3-10: *Ποτάμων Λεσβώνακτος, κτλ., οἱ πρεσβευταὶ ὑμῶν, συνέ[τυχον] μοι - - - καὶ τὸ ψήφισμα ὑμῶν ἀπέ]δωκαν καὶ περὶ τῶν τιμῶν διελέχθησαν κτλ.*

No. 28, 12-43: *Σόλων Δημητρίου <ὑ>μέτερος πρεσβευτῆς, ἐπιμελέστατα πεφροντ[ι]κῶς τῶν τῆς πόλεως ὑμῶν πραγμάτων, οὐ μόνον ἠρκέσθη ἐπὶ τοῖς γεγονόσιν οἰκονο[μ]ίαις, ἀλλὰ καὶ ἡμᾶς παρεκάλεσεν εἰς τὸ τοῦ γεγονότος ὑμεῖν ἐπικρίματος καὶ δόγματος καὶ ὀρκίου καὶ νόμου ἀντιπεφωνημένα ἐκ τῶν δημοσίων δέλτων ἐξαποστεῖλαι ὑμεῖν τὰ ἀντίγραφα. ἐφ' οἷς ἐπαινέσας τὸν Σόλωνα μᾶλλον ἀπεδεξάμεν κτλ. - -, ὑμεῖν τε συνήδομαι ἐπὶ τῷ ἔχειν τοιοῦτον πολείτην.*

No. 34, 4-II: *Μένιππος ὁ τε παρ' Ἀντιόχου τοῦ βασιλέως ἀποσταλεῖς πρὸς ἡμᾶς πρεσβευτῆς προχειρισθεὶς καὶ ὑφ' ὑμῶν πρεσβεῦσαι περὶ τῆς πόλεως, τό τε ψήφισμα ἀνέδωκεν καὶ αὐτὸς ἀκολουθῶς τούτῳ διελέχθη μετὰ πάσης προθυμίας· ἡμεῖς δὲ τόν τε ἄνδρα ἀπεδεξάμεθα φιλοφρόνως καὶ διὰ τὴν προγεγενημένην αὐτῷ δόξαν καὶ διὰ τὴν ὑπάρχουσαν καλοκαγαθίαν περὶ τε ὧν ἡξίου διηκούσαμεν εὐνῶς.*

No. 35, 3-7: *ἐνέ[τυχον] ἡμῖν οἱ παρ' ὑμῶν πρέσβεις Διᾶς, Διῆς, κτλ., ἄνδρες κα[λοὶ καὶ ἀγαθοὶ] οἱ τό τε [ψήφ]ισμα ἀπέδωκαν καὶ αὐτοὶ διελέγησαν ἀκολου[θ]ως τοῖς ἐν τῷ [ψη]φίσματι κατακεχωρισμένοις οὐδὲν ἐλλείποντες [φιλοτι]μίας.*

No. 36, 4-9: ἐνέτυχον ἡμῖν οἱ παρ' ὑμῶν πρέσβεις Ἀγαμήδης καὶ [- ἄνδρ]ε]ς καλοὶ ἀγαθοί, <οἱ> τό τε [ψήφισμα ἀπέδω]καν καὶ αὐτοὶ διελέγησαν ἀκολούθ[ως τοῖς ὑφ' ὑμῶν δεδογμέ]νοις, οὐδὲν ἐλ[λείποντες φιλοτιμίας κτλ.

No. 38, 3-6: οἱ παρ' ὑμῶν ἀποσταλέντες πρεσβευταὶ Ἡρῦς Εὐδῶρου, [Δ]αμο- [σθέ]νης Ἀρχέλα τά τε γράμματα ἀπέδωσαν καὶ αὐτοὶ διελέγησαν ἀκολούθως τοῖς ἐν αὐτοῖς κατακεχωρ[ισ]μένοις μετὰ πάσης σπουδῆς, φιλοτιμίας οὐθὲν ἐλλείποντες, κτλ.

No. 39, 2-8: [οἱ ἀπεσταλμέ]νοι παρ' ὑμῶν πρεσβευταὶ Αἰακίδα[ς, - - -]ας, Μνασίδαμος, ἄνδρες καλοὶ καὶ ἀγαθοί, εἰσελ[θόντες εἰ]ς τὴν σύγκλητον, διελέγησαν περὶ ὧν αὐτο[ὺς ἀπεσ]τάλκετε καὶ ἡ σύγκλητος ἀπεδέξατό τε α[ὐτοὺς φ]ιλοφρόνως καθότι προσήκεν παρ' ἀνδρῶν κα[λῶν] ἀγαθῶν ἀπεσταλμένους καὶ διήκουσιν ἐπιμ[ελῶς] κτλ.

No. 48, 2-3: [Χ]αιρημῶν Πυ[θοδώρ]ου υἱ[ό]ς, πολέιτης ὑμέ[τερος], πρὸς ἐμέ[ν] ἡλθ[εν ἐ]ν Ἀπαμῆα ἡρώτησέν τε [ὅπως] κτλ.

No. 49, 4-7: Ἐγὼ Ἀλεξάνδρῳ Λαοδικεῖ κιθαριστῇ, ἀνδρὶ καλῷ καὶ ἀγαθῷ καὶ φίλῳ ἡμετέρῳ, πρεσβευτῇ παρὰ τοῦ κοινού τῶν περὶ τὸν Διό[ν]υσον τεχνιτῶν τῶν ἐπὶ Ἰωνίας κτλ., - - ἐπέτ[ρεψε] κτλ.

No. 55, 5-11: Κλεῖτος Τίμωνος πρύτανις, Ἀσκληπιάδης Μάτρωνος ἱερεὺς, κτλ., - - -, ὁμοίως τε καὶ πρεσβευταὶ ὑμέτεροι, ἄνδρες ἀγαθοὶ ἐμοὶ προσήλθον κτλ.

No. 57, 5-6: ἐντυχόντος μοι ἐν Ἐφέσῳ Μάρκου Ἀντωνίου Ἀρτεμιδώρου κτλ.

No. 58, 76-79: οἱ πεμφθέντες πρεσβευταὶ ὑφ' ὑμῶν Σέλευκος ναύαρχος ἕμος, Ἡρᾶς Καλλι[-]έρως, Σύμμαχος, ἄνδρες ἀγαθοί, παρὰ δήμου ἀγαθοῦ, φίλου συμμάχου τε ἡμετέρου, [ἀποδημήσ]αντες εἰς Ἐφεσον πρὸς με διελέχθησαν περὶ ὧν εἶχον τὰς ἐντολάς· ἐγὼ οὖν τοὺς [ἄνδρας ἀπ]εδεξάμην εὐρῶν φιλοπατρίδας καὶ ἀγαθοὺς καὶ τὰς τιμὰς καὶ τὸν στέφανον ὠδέεγμαι, κτλ.

No. 67, 5-7: οἱ πρέσβεις ὑμῶν Διονύσιος β' καὶ Διονύσιος β' τοῦ Διονυσίου ἐνέτυχον ἐν Ῥώμῃ μοι καὶ τὸ ψήφισμα ἀποδόντες κτλ.

No. 68, 23-25: οἱ πρέσβεις ὑμῶν Ἰόλλας τε Μητροδώρου καὶ Μηνογένης Ἰσιδώρου τοῦ Μηνογένους συνέτυχον ἐν Ῥώμῃ μοι καὶ τὸ παρ' ὑμῶν ψήφισμα ἀπέδωσαν κτλ.

A comparison of these expressions with those used in the corresponding sections of the letters from Hellenistic chanceries will prove to be instructive. In the letter of Antiochus II to Erythrae from the middle (?) of the third century before Christ (O.G.I.S., 223 = Welles, *op. cit.*, no. 15, ll. 2-5) we read: Θαρσύνων καὶ Πυθῆς καὶ Βοττᾶς οἱ παρ ὑμῶν πρεσβευταὶ τό τε ψήφισμα ἀπέδωκαν ἡμῖν καθ' ὃ ἐψηφίσασθε τὰς τιμὰς, καὶ τὸν στέφανον

ἀνήνευκαν ὧι ἐστεφανώσατε, κτλ. Lines 3–6 in the letter of the kings of Athamania to Teos from the end of the third century B.C. (Welles, *op. cit.*, no. 35) contain the following: Πυθαγό[ρ]ας κ[α]ὶ Κλεῖτος οἱ ἀποσταλέντες πα[ρ'] ὑμῶν π[ρ]ο[σ]βευταὶ τό τε ψήφισμα ἀπέδωκαν [καὶ αὐ]τ[οὶ δι]ελέγησ[αν πρὸς ἡμᾶς π[ρ]ο[σ] τοῦ συγχωρηθῆναι παρ' ἡμῶν τήν τε πόλιν καὶ κτλ. And in the letter of Antiochus (son of Antiochus III) to Magnesia, dating from about the beginning of the second century B.C. (O.G.I.S., 232 = Welles, *op. cit.*, no. 32, ll. 2–12) we find the words: Δημοφῶν καὶ Φιλίσκος καὶ Φέρης οἱ παρ' ὑμῶν πεμφθέντες πρὸς τὸν πατέρα θεωροὶ ἀπέδωκαν καὶ τὸ πρὸς ἐμὲ ψήφισμα καὶ διελέχθησαν μετὰ σπουδῆς ἀκολούθως τοῖς ἐν τούτῳ κατακεχωρισμένοις, κτλ. With these one should also examine the similar constructions in Welles (*op. cit.*, no. 33, ll. 16–20, no. 41, ll. 2–3, and no. 64, ll. 3–5). The general agreement between the phrases and the modes of expression in the Hellenistic letters and those in the Roman is striking. Diplomatic courtesy and chancery procedure had developed a pattern to be followed in the opening remarks of official Greek letters. The Romans took up this pattern, consciously or unconsciously, and used it in their own correspondence.

The Tenor of the Letters

After the motives for writing have been described (usually involving a reference to Greek envoys and to the information brought by them) the main body of the letter begins. Because of the great variety of topics treated, the vocabulary and phraseology followed no standards or stereotyped model. The several topics demanded their own special models, but, of course, letters that were concerned either in full or in part with the same topic generally tended to employ a similar phraseology. An examination of the more important topics will be useful.

The Granting of Privileges or Benefits Roman magistrates frequently made use of letters to grant or confirm privileges of various kinds upon cities, organizations, and individuals: Nos. 21, col. 2, 4–9; 26, col. b, 6–10; 34, 19–24; 35, 10–12; 44, 3–6; 49, B 2–13; 53–54; 57, 12–19; 58. The common Koine and Hellenistic chancery word for “privileges” was *φιλάνθρωπα*. In Latin it was *beneficia* (S. Riccobono, *Fontes iuris Romani antejustiniani*², I [Florence, 1941], no. 72, l. 15, letter of Vespasian to the Vanacini). Sometimes the phrase *τίμια καὶ φιλάνθρωπα* is used to add the notion of “honors” (Nos. 34, 22; 57, 13–14; 58, 30), a combination found also in the Hellenistic letters (Welles, *op. cit.*, pp. 369–70). When the writer wishes to emphasize that he will watch over or protect the privileges of a given community, he uses the verb *συντηρεῖν* (No. 58, 80–81; cf. No. 52, 40). The granting of privileges was expressed by *συγχωρεῖν* (Nos. 26, b 22; 49, B 7; 57, 19) or *διδόναι* (Nos. 49, A 10, B 7; 58, 66). In one case (No. 58, 90) a Greek is said to have been *κεκόσμηται φιλανθρώποις*.

The most important of the privileges granted or confirmed were those of Roman citizenship (*πολιτεία*), freedom and autonomy (*ἐλευθερία*, *αὐτονομία*), inviolability (*ἀσυλία*), immunity from compulsory public service (*ἀλειτουργησία*), exemption from

the payment of taxes or tribute (*ἀνεισφορία*), freedom from billeting of any kind (*ἀνεπισταθμεία*), and freedom from military service (*ἀστρατευσία*).⁹ (On these see M. Segre in *Rivista di filologia e d'istruzione classica*, 66 [1938]: 260–62; De Visscher, *Les édits*, chap. IV.) M. I. Rostovtzeff (*S.E.H.H.W.*, II [1941], 971–73) has shown that Roman policy in the first century B.C., and earlier, favored the establishment of an aristocratic or even an oligarchic rule in Asia and that Rome supported the people of such groups by granting them the privileges of immunity from taxation and exemption from special imposts. This policy tended to aggravate already serious economic difficulties in the Greek cities. Eventually Augustus (Cyrene Edict III) took some measures to correct the situation.

The Restoration of Land In our earliest Roman letter (No. 33) Flamininus writes to Chyretiae that property which had been confiscated by Rome after the victory over Philip V was to be restored to the rightful owners. Lines 8–10: "Ὅσαι γάρ ποτε ἀπολείπονται κτήσεις ἔγγειοι καὶ οἰκίαι τῶν καθηκουσῶν εἰς τὸ δημόσιον τὸ 'Ρωμαίων, πάσας δίδομεν τῇ ὑμετέρᾳ πόλει, κτλ. Manius Acilius in his letter to the Delphians (No. 37) also refers to the restoration of confiscated property, and an appendix to his letter under the headings *Τὰ δεδομένα χωρία τῷ θεῷ καὶ τ[ᾱ] πόλει* and *Ἄς ἔδωκε οἰκίας τῷ θεῷ καὶ τῇ [πόλει]* gives a detailed list of the owners of the lands and houses. And perhaps a similar return of confiscated property may have been the object of a letter of an unknown Roman magistrate concerning land in Mytilene (No. 51). The Roman policy in some cases was to confiscate property and then, at a later date, restore it (see J. A. O. Larsen, "Roman Greece," in T. Frank, *An Economic Survey of Ancient Rome*, IV [Baltimore, 1938], 311–13).

Magisterial Decisions and Decrees The Roman magistrates frequently exercised their authority in the Greek East to render decisions on various legal matters that had been brought to their attention. In his letter to Dymae (No. 43) Q. Fabius Maximus states that in the matter of the destruction of the town hall with all its records and the enactment of laws contrary to the constitution granted by Rome to the Achaeans he has listened to testimony and has reached a decision. He finds a certain Sosus guilty and condemns him to death (l. 20): *ἔνοχον εἶναι θανάτῳ πα[ρ]εχώρισα*. This appears to be the only passage in which such a verb is found. In line 3 of No. 66, which appears to be connected with legal matters, the pertinent phrase is *Δίκαιον εἶναι νομίζω ὑ[μᾶς] - -*. And Augustus, in his letter to the Cnidians (No. 67), shows a fine, diplomatic touch in the wording of his instructions (ll. 37–39) to the city officials after he has found the accused, Tryphera, innocent: *ἀλλὰ νῦν ὀρθῶς ἂν μοι δοκεῖτε ποιῆσαι τῇ ἐμῇ [περὶ (?) τοῦ] τῶν γνώ[ι]μῃ προνοήσαντες καὶ τὰ ἐν τοῖς δημ[οσίοις] ὑμῶν ὁμολογεῖν γράμματα*.

The group of documents and passages in which we find the noun *ἐπίκριμα* all relate to pronouncements or decrees of high Roman authorities. Appended to a letter of Marcus

⁹ The whole subject of the liturgies in the ancient world needs to be re-examined in a comprehensive work that will illustrate the history of the institution and relate it to the social and economic development of the Graeco-Roman world. The material on the subject is enormous, but, with the exception of Egypt, it has never received adequate treatment as a whole.

Antonius to Plarasa-Aphrodisias (No. 28, B 4; cf. A 5) is a *senatus consultum* which states that whatever honors and privileges the triumvirs have assigned or will assign to the city by their own decree (τῷ ἰδίῳ ἐπικρίματι) are to be valid. Julius Caesar in his letter to the Pergamenes (No. 54, 3) says that [ὑμῶν ἀντίγραφον τοῦ ἐπικρίμα] [τος ἀπέσταλκα τοῦ γεγονότος περὶ τῆς χώρας - -]. The heading affixed to the letter of P. Servilius Isauricus (No. 55, 2) reads: 'Επικρίμα περὶ τῆς ἀσυλίας. No. 50 is a fragmentary document of 67 B.C. which begins with the words 'Επικρίμα Γναίου Κορηγίου Λευτόλου Ποπλίου υἱοῦ Μαρκελλίνου [υ - -]. And in the third of the Cyrene Edicts (No. 31) Augustus orders (ll. 56-59) that those in Cyrene who have received Roman citizenship must perform the liturgies just as the Greeks do, "except for those to whom ἀνεισφορία has been granted, along with the citizenship, by virtue of a law or a decree of the Senate, τῷ τοῦ πατρός μου ἐπικρίματι ἢ τῷ ἐμῷ." Despite textual difficulties in this passage the intent of the last phrase is clear enough. But in the fourth edict, lines 68-69, we find: ὦν δ' ἀνὰ μέσον ἐκ τοῦδε τοῦ ἐμοῦ ἐπικρίματος "Ελλην(ε)ς κριταὶ δοθήσονται, κτλ.

The noun ἐπικρίμα did not come into use by Roman magistrates until the first century B.C. Properly speaking, from the etymological point of view, it signifies *decretum*, a decree issued by a magistrate. But Augustus, in the passage just quoted from the fourth edict, uses it as if it meant *edictum*. The usual term for edict was *διάταγμα*.¹⁰ However, it has been noted that there was a certain amount of fluctuation or elasticity with such words in Latin terminology.¹¹ For further examples of the word ἐπικρίμα see the edict published by F. K. Dörner. *Der Erlass des Statthalters von Asia Paullus Fabius Persicus*, (Diss., Greifswald, 1935), ll. 1ff.; Josephus *Ant.* 14. 321 (a letter of Marcus Antonius in which is mentioned the phrase διατάγμασιν καὶ κρίμασιν, where the last word may be a mistake for ἐπικρίμασιν); O.G.I.S., 669, 28, first century A.D.; P. Teb. 286. 4 (= Mitteis *Chrestomathie* 83, second century A.D.). The corresponding verb ἐπικρίνειν was used by the Hellenistic chancery in the sense of "decide" or "render a decision," as can be seen in the letter of Antigonos to Teos (S.I.G.³, 344 = Welles, *op. cit.*, no. 3, ll. 29, 51-52, 60, and 108). In our documents the verb is also found in the letter of Octavian to Rhodus (No. 58, 72), the S.C. *Popillianum de Pergamenis* (No. 11, 18-19), and the S.C. *de Collegiis Artificum Bacchiorum* (No. 15, 63), in the last of which we learn that it had been decreed ὅπως πρὸς Μάρκον Λεΐβιον ὕπατον προ[σ]έλθωσιν, οὗτός τε ἐπικρινῶι ἐπικρίνη οὕτως καθὼς <ἂν> αὐτῷ ἐκ τῶν δημοσίων πραγμάτων πίστεύς τε ἰδία<ς> φαινέται ἔδοξεν.

Letters were therefore used in one way or another for the communication of magisterial decisions and decrees.

Arbitration The Hellenistic kings had frequently acted as arbitrators in the many quarrels that arose between the Greek cities. In the course of the second century B.C.

¹⁰ J. Stroux and L. Wenger, *Die Augustus-Inschrift auf dem Marktplatz von Kyrene (Abhandlungen der Bayerischen Akademie der Wissenschaften, Phil.-hist. Klasse, 34, 2 [1928])*, p. 25; see also L. Wenger, *Die Quellen des römischen Rechts* (Vienna, 1953), p. 430, n. 45, and, for the edict, pp. 407-14.

¹¹ Cf. A. Passerini in *Athenaeum*, 15 (1937): 274, and De Visscher, *Les édits*, p. 40.

Rome began to supplant them in that capacity, the Senate emerging as the institution to which the Greeks directed their disputes. The Senate sometimes decided each of these while sitting in session (No. 9, 59–67), but it also made use of a second method whereby a senatorial commission was formed to hear the evidence and render a decision. A third method, which recognized the difficulties in making a just decision so far from the actual scene, was for the Senate to state the rule that was to be applied in the case and then to hand it over to some third party, a neutral city, for an investigation of the facts and the finding of a verdict (Nos. 7 and 14). In any event the two parties first dispatched envoys to Rome to present their cases to the Senate, and official letters were usually employed at some time either to send instructions to the parties or to communicate the final decision (cf. Nos. 4, 7, 9, 10, 14, 15, 45). In No. 7, 61–63, for example, it is expressly decreed that the praetor was to write to the arbitrating state concerning possible penalties (cf. No. 14, 23–24, 89–97). Very often the letters are but examples of the common practice of using official sources to communicate senatorial decrees to Greek cities or organizations. It is interesting to note that each time the Senate acted as arbitrator between Greek cities the first thing it did was to take cognizance of the status that each city had at the moment of the submission of Antiochus III (see No. 7, 53–55). On the whole subject see the following works: E. de Ruggiero, *L'arbitrato pubblico presso i Romani* (Rome, 1893); G. Colin, *Rome et la Grèce de 200 à 146 avant J.-C.* (Paris, 1905), pp. 507ff.; A. Raeder, *L'arbitrage international chez les Hellènes* (Christiania, 1912); M. N. Tod, *International Arbitration Amongst the Greeks* (Oxford, 1913); A. Passerini, *Athenaeum*, n.s., 15 (1937): 26ff. (on *uti possidetis* in cases of international arbitration in the second century B.C.); E. Bickermann, *R.É.G.*, 50 (1937): 225; Accame, *Il dominio romano in Grecia*, pp. 38ff.; Magie, *Roman Rule in Asia Minor*, I, 113–14; cf. also M. Holleaux, *Études*, V, 437ff., n. 4.

Because of the distances involved, the number of the parties concerned, and also the complexity of the problems often encountered it was only natural that official letters be used in one or more stages of international arbitration.

...*The Communication of Senatus Consulta* One of the most common uses of the letter form was to communicate *senatus consulta* to Greek cities and organizations which had requested them or were in some way involved in the rulings established by them. See the examples in Nos. 4, 7, 8, 14, 18, 20, 21, 23, 26, 28, 49. The usual formula in such letters was very formal and to the point: οἱ δέινα πρεσβευταὶ μοι προσήλθοσαν ἵνα αὐτοῖς συγκλήτου δόγμα δῶ. Ἐγὼ αὐτοῖς συγκλήτου δόγμα ἔδωκα. Συγκλήτου δόγμα τόδε ἐστίν. Compare Nos. 4, 5–12; 7, 36–37; 8, 5; 14, 90–93. This is sometimes abbreviated to Ἐγὼ πρεσβευταῖς ὑμετέροις [τὸ τῆς συγκλήτου δόγμα παρέδωκα], as in Nos. 20, A 3, and 18, 16. A more friendly and personal touch is added in No. 23, 3–5: ὑμᾶς εἰδέναι βουλόμεθα ἡμᾶς κατὰ τὸ τῆς συγκλήτου δόγμα τὸ γεγόμενον ἐπὶ Λευκίου Μαάρκου Αὐρηλίου ὑπάτων ἐπεγνωκέναι περὶ ἀντιλογιῶν τῶν ἀνὰ μ[έσον] θεῶι Ἀμφιαράω καὶ τῶν δημοσιωνῶν γεγονότων. This letter of the consuls then outlined the procedures that had been followed, including a résumé of the *senatus consultum*

(ll. 52–59). The letter of Marcus Antonius to Plarasa-Aphrodisias (No. 28), although short, is extremely courteous. It employs the familiar phrase *ἔστιν δὲ ἀντίγραφα τῶν γεγονότων ὑμῶν φιλανθρώπων τὰ ὑπογεγραμμένα* (ll. 44–47) to introduce a series of documents, one of which was a senatorial decree. The notion of “appended” documents is also found in the letter of Sulla to Cos (No. 49, 15).

Sometimes, of course, the envoys to Rome simply carried back with them a copy of the senatorial decree, a point expressly stated in No. 5, 4–7.

Although these are the common motives found in the extant letters, we must keep in mind that we possess only a minute fraction of what was certainly a considerable body of correspondence. Internal affairs, such as finances (No. 59) and wars (Nos. 48 and 60), as well as events of great interest to the whole Empire, such as the birthday of Augustus (No. 65), would have given rise to a lively exchange of letters between Greek and Roman authorities. The Hellenistic chanceries developed into large, busy institutions, and there is no reason to believe that Roman magistrates and provincial headquarters were any less active, especially in the East. But only those letters which were inscribed on stone (except No. 57) have survived. The great mass of them has perished.

The Conclusion

Just as official letters begin with a courteous greeting and polite inquiry into the good health of the addressee, so do they end with a wish for his future well-being. Letters sent from the Hellenistic chanceries usually ended with *Ἐρωσθε*, also to be found in private Greek letters.¹² It is short and formal. This type of ending also was used in the Roman letters (Nos. 34, 35, 52, 58, 67, 68, 76). And even when it is missing in our epigraphical copies, one may suspect that it often was to be found in the originals. Only under special conditions, such as the use of letters to communicate *senatus consulta*, may it have been altogether omitted. Sometimes a different, rather colorless expression ended a letter: *[ὅπως ο]ὖν εἰδ[ῆ]τε, ἔκρινον ὑμῶν γρά[ψαι περὶ τούτων]* in No. 1; *ὑμῶν δὲ γέγραφα περὶ τούτων* in No. 57. In one letter (No. 52) the writer mentions the names of the Greek envoys to whom he has given his letter for delivery, putting this information at the end of the letter, just before the formal ending.

In external form, therefore, these Roman letters followed Hellenistic models. The agreements are too striking to be explained in any other way. In the face of the evidence it would not be rash to maintain that the Romans learned the art of letter writing from the Greeks. Whatever the earlier Roman forms and models might have been before the third century B.C., they soon yielded to the well-finished and highly polished products from the Hellenistic chanceries.

2. LANGUAGE OF THE LETTERS

In the second century B.C. the eastward advance of Roman arms was paralleled by a westward advance of Greek culture. Quite unconsciously Philip V became the

¹² Koskenniemi, *op. cit.*, pp. 151–54.

instrument of fate, for, although he did not start the process, he clearly provided the conditions for its acceleration and success. The richness of Greek literature, the fascination that Greek philosophy had for Romans, the great prestige and the past glory of Greece, and the tenacity of the Greek language could not fail to exert a lasting influence upon the Roman character. The West in time became Romanized, with Latin displacing most of the native languages, for in that part of the world Rome represented a higher civilization. But in the East the situation was different. Rome became Hellenized.¹³ Romans began to learn Greek and to use it for literary purposes. Wealthy and socially prominent families soon considered a knowledge of the Greek language and literature a necessary part of their education. A reaction set in to combat this love of Hellenism, but it was late and ineffectual. The river was too strong.

When Roman generals and statesmen crossed over to Greece at the end of the third and the beginning of the second century B.C., many of them were already quite familiar with the language. They, like their successors, soon gave up any attempt to make the Greeks learn Latin. Instead, Greek was in time recognized as a second official language, at least in the East. As we have seen, senatorial decrees were translated into Greek, a thing done for no other people; never do we hear of decrees officially translated into Punic or Germanic. So it was also with official communications between Romans and Greeks. Cato might refuse to speak Greek in Athens, despite his ability to do so,

¹³ The most detailed and instructive account of this process is still the one by G. Colin, *Rome et la Grèce de 200 à 146 avant J.-C.* (Paris, 1905), pp. 15-18, 97-172 (philhellenism in the time of Flamininus), 242-372 (reaction against philhellenism in Rome), 447-606 (Hellenism in Rome after Pydna). For the influence of Latin upon Greek and the problem of Latin as an official language in the East see L. Hahn, *Rom und Romanismus im griechisch-römischen Osten* (Leipzig, 1906). Valuable for the lasting influence of Hellenism upon Roman education is H. I. Marrou, *A History of Education in Antiquity*, English ed. by G. Lamb (New York, 1956), pt. 3, chaps. 2-3. In time a conflict of languages developed between Latin as the official language of the ruling power and Greek as the recognized common language of the whole eastern Mediterranean. The overwhelming superiority of the Greeks in literature and the arts presented a much different and more complex problem than the one in the West, where Rome was felt as the superior civilizing force. In the West, Latin triumphed over the barbarian languages. Not so in the East. See R. J. Bonner, "The Conflict of Languages in the Roman World," *The Classical Journal*, 25 (1929/30): 579-92; Hahn, *op. cit.*, *passim*; H. Zilliacus, *Zum Kampf der Weltsprachen im oströmischen Reich* (Diss., Helsingfors, 1935) (there is an important review by F. Dölger in *Byzantinische Zeitschrift*, 36 [1936]: 108-17). Cf. R. Cavenaile, "Influence latine sur le vocabulaire grec d'Égypte," *Chroniques d'Égypte*, 26 (1951): 391-404. Even in southern Italy the use of Greek continued officially until well into the Principate: see the Greek inscriptions in I.G., XIV, 714-828. In the matter of everyday contact between Greeks and Romans, official or otherwise, interpreters were used, but one frequently feels, upon reading through examples of their use, that often they were employed for official form and were not always absolutely necessary. See W. Snellmann, *De interpretibus Romanorum deque linguae latinae cum aliis nationibus commercio* (Leipzig, 1914); H. S. Gehman, *The Interpreters of Foreign Languages Among the Ancients* (Diss., University of Pennsylvania, 1914); R. Taubenschlag, "The Interpreters in the Papyri," *Charisteria Thaddeo Sinko* (Warsaw, 1951), pp. 361-63 (= *Opera Minora*, II, 167-70); R. Calderini, *Aegyptus*, 33 (1953): 341ff. On the whole, all educated Romans in the last two centuries of the Republic knew the Greek language and literature, some better than others, of course. In the second century there prevailed in many Roman circles a kind of intellectual excitement and enthusiasm for everything Greek. Thus Hellenism helped to mold the Roman character. The concept of *utraque lingua* (Horace *Carmina* 3. 8. 5) was a real, vital force.

Aemilius Paulus might make some announcements in Latin to assembled Macedonians, and Greek envoys might be forced to employ interpreters in the Senate, but this was for the sake of outward appearances, calculated to preserve and uphold the majesty of Rome and her language.¹⁴ Latin was the official language, but the recognition of Greek as a second came to be an acceptable concession.

For that reason the copies of Roman letters that have been preserved for us in the inscriptions are in Greek, not in Latin. But what of the originals? When a Roman general wrote a letter in Greece to a Greek city, did he compose it in Greek? Or did he write it in Latin and then translate it into Greek? Did any of the Romans write letters in Latin and have them translated into Greek by others? If so, were such translators native Romans who had learned Greek, or were they Greeks who had learned Latin? These are important questions, for which simple answers, unfortunately, are not possible. It will be necessary to examine the language of the more fully preserved letters before any conclusions can be reached.

*T. Quinctius Flaminius to Chyretiae (No. 33)**

From our literary sources we learn that Flaminius was an enthusiastic admirer of Greek culture and was able to speak the language. Plutarch (*Flam.* 5. 5) called him "a Greek in voice and language," a statement supported by other authorities and amplified by modern scholars.¹⁵ We may then assume that he himself wrote the letter to Chyretiae in Greek. It is, however, carelessly composed, contains several mistakes, and on the whole gives the impression that its author is using an acquired language, that he is not a native Greek. This last is to be expected. He writes *φανερὰν πεποήκαμεν τὴν τε ἰδίαν καὶ τοῦ δήμου τοῦ Ῥωμαίων προαίρεσιν*, in which strict usage would require *τὴν ἰδίαν* before *τοῦ δήμου*. The use of the perfect tense in *πεποήκαμεν* and *βεβουλήμεθα* (*bis*) betrays the Roman thinker. The phrase *εὐγνώμονα λέγοντες* is apparently used with the meaning "give an honest answer," while the adjective usually means "considerate, prudent, reasonable." And *ἔγκρισις* means "approval." Flaminius should have written *κρίσις*. Behind *κατὰ πᾶν μέρος* seems to hover *omni ex parte*. Finally, in the last part of the letter, in the sentence "*Ὅσοι μέντοι μὴ κεκομισμένοι εἰσὶν τῶν ἐπιβαλλόντων αὐτοῖς*", Flaminius ought to have used *τὰ ἐπιβάλλοντα αὐτοῖς*, as Viereck observes. On the other hand, the use of *προαίρεσις* shows a familiarity with Greek diplomatic phraseology. Like *αἵρεσις* it means "policy" and is common in Hellenistic official Greek letters (Welles, *op. cit.*, p. 310).

* Viereck, *op. cit.*, pp. 75-76.

¹⁴ Hahn, *op. cit.*, p. 35, n. 3, refers to Valerius Maximus (2. 2. 2): *illud quoque magna cum perseverantia custodiebant, ne Graecis unquam nisi latine responsa darent, quin etiam ipsos linguae volubilitate, qua plurimum valent, excussa per interpretem loqui cogeant non in urbe tantum nostra, sed etiam in Graecia et Asia, quo scilicet Latinae vocis honos per omnes gentes venerabilior diffunderetur. Nec illis deerant studia doctrinae, sed nulla non in re pallium togae subici debere arbitrabantur, indignum esse existimantes inlecebris et suavitati litterarum imperii pondus et auctoritatem donari.*

¹⁵ Colin, *op. cit.*, pp. 133-34. Plutarch *Flam.* 12. 6 also says that he composed the Greek verses on some silver shields and a golden wreath which he dedicated at Delphi.

*M. Valerius Messala to Teos (No. 34)**

Here is a good example of a reply by a magistrate to a Greek envoy, the diplomatic phrases so familiar from chancery Greek flowing with ease from the writer's hand. Courteous yet pointed are his remarks at the end, where he says, "we shall try to assist in making an increase of honors for the god and of privileges for you, as long as you also preserve your good intentions toward us in the future." The phrase *πειρασόμεθα συνεπαύξειν* recalls the same formula in Hellenistic chancery Greek (see Welles, *op. cit.*, p. 365). The Roman mind at work, however, can be detected in the letter of Messala in the omission of the article with *δήμαρχοι* (l. 3) and from the faulty position of *τε* in line 4, *Μένιππος ὃ τε παρ' Ἀντιόχου κτλ.* The noun *προτιμία* in line 17 is extant elsewhere only in the second century A.D. writer Maximus Tyrius (2. 5 Dübner), although the verb *προτιμάω* is common enough in chancery Greek (Welles, *op. cit.*, p. 361). Viereck believed that the noun was too strong to be used in the present context and suggested that Messala ought to have used *προθυμία*. The use of *ἀπό* in the phrase *ἀφορολόγητον ἀπὸ τοῦ δήμου τοῦ Ῥωμαίων* (ll. 20–21) is odd. The meaning seems to be "immune from taxation imposed by the Roman people," but *S.I.G.*³, II, 539, A 34, an Amphictyonic decree, has *ἀσφάλειαν καὶ ἀσυλίαν ἀπὸ πάντων*.

Messala, if he wrote the letter himself, was familiar with diplomatic Greek, but his Roman mind obtrudes and betrays his origin.

L. Cornelius Scipio and His Brother to Heraclea (No. 35)†

No errors of language have been committed in this letter. We find everywhere good Koine usage and vocabulary. One expression, however, if correctly restored, reveals a truly Roman frame of mind. It is found in lines 8–9: *παραγεγονότων ὑμῶν εἰς τὴν ἡμετέρα[μ πίστιν]*. The Latin idiom is *in nostram fidem se permittere*. The translation of this expression into Greek had caused considerable misunderstanding between the Aetolians and the Romans. Livy (36. 28) tells us that a meeting was held between the Aetolians and the consul for 191 B.C., Manius Acilius Glabrio, to discuss their differences. The Aetolian envoy said that his people were ready to entrust themselves and their possessions to the good faith of the Romans (*se suaque omnia fidei populi Romani permittere*). Upon being asked to weigh his words carefully, the envoy produced and read from a decree that supported his remark. But when the consul forthwith began to issue orders, the envoy stopped him and said, "not into slavery but into your good faith have we delivered ourselves." It was promptly explained to him what the phrase really meant, to his consternation.¹⁶ The Latin meant unconditional surrender, but the Greek translation had used *πίστις* to render *fides*. That meant only "good faith, trust, guarantee." It is possible that this same word was used in the present letter to Heraclea

* Viereck, *op. cit.*, p. 76.

† Viereck, *op. cit.*, pp. 76–77.

¹⁶ For the whole episode see Livy 36. 28 and Polybius 20. 9–10. For examples of the phrase see Polybius 2. 11. 5, 3. 30. 1, 18. 38. 5, and 20. 10. 2.

as the equivalent of *fides*. A very short word is required by the amount of space available in the lacuna, which excludes the possibility of ἐπιτροπήν or even αἵρεσιν, as suggested by Boeckh and Waddington. Besides, Polybius (3. 30. 1; 18. 38. 5; and 20. 10. 2) uses πίστις in just this way. The restoration appears unavoidable.

C. Livius Salinator to Delphi (No. 38)

Apart from the usual titles of Roman magistrates and "Senate" (ll. 1-2, 7, 11, 18), there is little to distinguish this letter from Hellenistic chancery Greek. The subject matter, of course, stamps it as Roman, but the language and phraseology are consistent with Koine usage. Especially interesting are four words or expressions. In fifth- and fourth-century Greek προσέχειν τὸν νοῦν was used very commonly, but in Hellenistic times the phrase τὴν διάνοιαν προσέχειν makes its appearance. For the first of these see Aristophanes *Equit.* 503 and *Plutus* 113; Plato, *Symp.* 174 d; Antipho 3. 4. 1. For examples of the second see No. 9, 25; *I.G.*, VII, 2225, 45 (second century B.C.) has περὶ τούτου τῇ διανοίᾳ προσέχειν (cf. Septuagint *Exod.* 9. 21; No. 2, 43).

The verb διαφωνέω usually meant "be out of tune, disagree, be found wanting," but in the Hellenistic age it also acquired the meaning "perish," as in the present letter (l. 10). For the latter meaning see also *I.G.*, XII, 7, 386 (= *S.I.G.*³, I, 521, Amorgos); *P. Teb.* 8. 25; *P. Flor.* 59. 5; *B.G.U.*, 530: 31.

In line 11 the expression ὅταν καθ' ἡμᾶς γένηται τὰ κατὰ τὴν Σάμην πράγματα must mean "when affairs at Same turn out favorably for us." This use of γίνομαι seems to have originated in the language of sacrifice. See Thucydides 5. 55 and Xenophon *Hell.* 3. 1. 17.

In line 19 the verb εὐαρεστέω is rare in fifth-century Greek, the only occurrence known to me being in the comic poet Lysippus (Kock, I. 702 = Edmonds, I, no. 7, p. 204). It means "be well pleasing, take delight in." It is fairly common in Koine. See *Diod. Siculus* 14. 4; Dionysius of Halicarnassus 11. 60. 1; Philo *Abr.* 35; Septuagint *Genesis* 5. 22 and 6. 9; *I.G.*, XIV, 757, 8 (Naples, first century A.D.).

Q. Fabius Maximus to Dyme (No. 43)*

Fabius writes very well, his language and style being in keeping generally with the prevailing practices of the age. Only two passages require comment. The first (l. 14) contains the noun ἀσυνναλλ[α]ξ[ία], which appears only here in the epigraphical texts (cf. Stobaeus 2. 7. 25). The adjective ἀσυνάλλακτος, however, is known from Dionysius of Halicarnassus 1. 41 and 5. 66; and Plutarch *Moralia* 416 F (Bernardakis). The meaning is "lack of intercourse." The second passage (l. 20) reads: (Σῶσον) . . . κρίνας ἔνοχον εἶναι θανάτῳ πα[ρ]εχώρισα. The verb παραχωρίζω is not found elsewhere. The meaning is "Having judged Sosus to be guilty, I sentenced him to death," but the construction is not completely clear. *Ένοχος* is often construed with the dative ("liable

* Viereck, *op. cit.*, p. 77.

to...") (see Preisigke, *Wörterbuch*, s.v. ἔνοχος"). It has been suggested (see *S.I.G.*³, II, 684, n. 13) that the verb was used in place of παρέδωκα, but it is equally possible that Fabius made a mistake and intended to write παρεχώρησα. Latin influence may have been responsible for the present combination of words. He may have had the verb *tradere* in mind when he was writing.

C. Cassius to Nysa (No. 48)

Latinisms abound in this letter. On the whole there is far too much Latin and too little Greek in it. More than any other it seems to have been composed in Latin and then translated into Greek. Whether the same person, C. Cassius, was involved in both of these procedures is not easy to say. He wrote the Latin original, of course, but he may or may not have put it into Greek.

Line 3: ἡρώτησέν τε [ὅπως]. Here ἐρωτάω has the later meaning "beg, request," and is followed by ὅπως (or ἵνα), a construction common in the New Testament and the papyri. For examples see Arndt and Gingrich, *A Greek-English Lexicon of the New Testament and Other Early Christian Literature* (Chicago, 1957), s.v. "ἐρωτάω" 2.

Line 5: ἐξουσίαν αὐ[τ]ῷ [π]οιῆσω ἐπὶ τοῦ συμβουλίου[ν]. The writer clearly has a phrase such as *potestatem facere* in mind. Possible parallels have been pointed out (*S.I.G.*³, II, 741, n. 6) in Cicero *Epist. ad Quintum Fratrem* I. 2. 5. 15 (*neque praetores diebus aliquot adiri possent vel potestatem sui facerent*) and Philipp. 8. 10. 31 (*quotidie, simulatque luceret facere omnibus conveniendi potestatem sui*). And A. Wilhelm (*Göttingische Gelehrte Anzeigen*, 160 [1898]: 215) referred to section κ' in the ancient table of contents attached to Josephus *Ant.* 16, where we find: ὡς Καίσαρος ἐξουσίαν δόντος ἐν Βηρυτῷ παρὰ τῷ συνεδρίῳ κατηγορήσε τῶν παίδων κτλ.

Line 6: καταλογῆς τῆς [συν]κλήτου καὶ δ[ήμου] 'Ρωμαίων. The noun καταλογή is rare in this usage among the Greek authors, but quite a few examples occur in the Greek copies of Roman documents. They may be cited here. No. 17, 8: [τῆς τού]των ἀρετῆς καὶ καταλογῆς ἐν[εκεν] κτλ. No. 18, 55: [τῆς τούτων] ἀρετῆς καταλογῆς τε εἵ[νεκεν] κτλ. No. 21, 5: [περὶ τῆς εἰς τὰ δημόσια] πράγματα καταλογῆς ὑμῶν κτλ. No. 22, 9: ὅπως ὑπὲρ τῶν καλῶς πεπραγμένων ὑπ' αὐ[τῶν καὶ ἀνδρα]γα(θη)μάτων εἰς τὰ δημόσια <π>ράγματα τὰ ἡμέτερα καταλογῆ νυν αὐτῶν γένηται. No. 23, 37: καταλογῆς θεῶν ἀθανάτων ἱερῶν τεμενῶν τε φυλακῆς κτλ. No. 49, B4: καταλο- [γῆς αὐτ -γῆ] τοῦ Διονύσου καὶ τῶν Μουσῶν κτλ. Elsewhere it is found in an inscription from Delphi (*S.I.G.*³, II, 739, 9, ca. 85 B.C.): τὰς τε τοῦ θεοῦ τιμὰς ἔνεκα καὶ τὰς Δελφῶν καταλογῆς, κτλ. It also occurs in a long inscription from Solomos, near Corinth, in which the Lycian Koinon honors a woman called Iunia Theodora (*B.C.H.*, 83 [1959]: 496–508 = *S.E.G.*, XVIII, 143, l. 20): ἔχομεν (αὐτήν) ἐν τῇ πλειίστη καταλογῇ, κτλ., dating from about the middle of the first century A.D. Polybius may have used it in 22. 12. 10: τοῖς δὲ πρεσβευταῖς τοῖς αἰεὶ παρ' ἑαυτῶν ἐκπεμπομένοις παρήγει προσέχειν τὸν νοῦν καὶ καταδοχὴν ποιεῖσθαι τὴν ἀρμόζουσαν, καθάπερ καὶ

Ῥωμαῖοι ποιοῦνται τῶν παραγινομένων πρὸς αὐτοὺς πρεσβευτῶν. In this passage the group of manuscripts called Y in the edition by Buettner-Wobst reads καταλογὴν where modern editors print καταδοχὴν. The manuscript reading, however, ought to be retained, since the use of the word certainly is in agreement with the meaning obtained from the epigraphic examples just cited. Besides, Polybius appears to have obtained his information on this matter from a Roman document, where the word is more likely to have occurred than in a Greek source. Viereck (*op. cit.*, p. 73) argued that the word meant *honos*, for in Nos. 17 and 18 it could be equated with *virtutis honorisque causa*. But Dittenberger (*S.I.G.*³, II, 741, n. 9) felt that, because it was also used in the genitive without a preposition in the present letter (as well as in Nos. 23 and 49), its meaning was more likely to have been *gratia* or *reverentia*, for *honore* was not used in that way. The use of the genitive alone indicates a Roman frame of mind. It is not Greek.

Lines 9–11: ἀπεκρίθη[ν κα]λῶς [αὐτ]ὸν πε[ποι]ηκέναι καὶ τάξει ἐματόν τε δ[ώσειν] ἐργα[σία]ν κτλ. Here τάξει reflects a Latin use, the ablative *ordine*. See Cicero *Pro Quinct.* 7. 28: *existima, C. Aquili, modo et ratione omnia Romae Naevium fecisse si hoc, quod per litteras istius in Gallia gestum est, recte atque ordine factum esse videatur*. For *recte atque ordine* see the *Digest* I. 16. 4. 4; I. 1. 2. 1; and 40. 12. 27. 1. Apart from this, the use of the accusative ἐματόν is a Latinism, for Greek would use a nominative when the subject of the infinitive is the same as the subject of the main verb. Behind the phrase ἐργασίαν δίδωμι clearly stands *operam dare*. See Nos. 18, 111, and 15, 58. For many examples of the phrase in the New Testament and the papyri see Blass-Debrunner, *A Greek Grammar of the New Testament and Other Early Christian Literature*, English translation and revision of the 9th and 10th editions, by R. W. Funk (Chicago, 1961), p. 5.

Line 11: ὅπως ἐπιγινῶ ταῦτα ἡμεῖν χάριτα εἶν[αι]. Dittenberger thought that χάριτα was a barbarism, the neuter plural of an adjective χάριτος, corresponding to *gratus*. But, as A. Wilhelm thought, it is more likely a mistake in the use of the noun χάρις. It also betrays the non-Greek.

An Unknown Roman Magistrate to Miletus (No. 52)

Latinisms are seen in line 46 (ἵνα τε ὑμεῖς instead of ἵνα ὑμεῖς τε) and line 51 (ἐσταμένον ἦι = *constitutum sit*). But the most unusual feature of this letter is the statement toward the end (ll. 54–57) about the language employed in the writing of the letter: τὴν δὲ αἰτίαν δι' ἣν ἑλλή[ν]ικοῖς ἔγραψα, μὴ ἐπιζητήσητε· κατὰ νοῦν γὰρ [ἔσ]χον, μὴ τι παρὰ τὴν ἐρμηνείαν ἔλασσον τὰ [γεγραμμ]ένα νοῆσαι δύνῃσθε. This could be translated as follows: "Don't ask the reason why I wrote in Greek. It was my intention that it should be impossible for you to have any thoughts about my letter contrary to the correct interpretation." The writer means that he wants to make absolutely sure that no mistaken impressions be created in the mind of any Greek who reads his letter. His alone is the official text. Hence, the writer must have composed in Greek. That he "thought" in Latin in the process of that composition, however, seems a reasonable assumption from the Latinisms already mentioned. At first glance his statement might

be taken to mean that Roman magistrates up to his time sent their letters to Greek cities only in Latin. This requires careful thought. No such Latin letters from the Republic have come to light.¹⁷ Latin *and* Greek, yes. Latin alone, no. Furthermore, the extant Greek copies contain Latinisms and mistakes of such a nature that a Roman and not a Greek mind is seen at work upon them. Hence, the Romans either composed in Greek or had their Latin originals translated into Greek by Romans who had learned the language. We must understand our writer to mean merely that he wrote his letter in Greek to avoid the danger of mistakes in translation by someone else. In other words, he trusts himself alone. For the publication in Greek cities of both the Latin and the Greek of official Roman letters see Nos. 61, 62 (?), and 65.

*The Letters of M. Antonius (Nos. 28 and 57)**

Marcus Antonius spent some time in Greece after the death of the dictator Caesar, enjoyed the company of Greeks, listened to their literary discussions, and no doubt knew something of their language.¹⁸ That he himself, however, was responsible for the Greek of these two letters is very doubtful. In his letter to Parasa-Aphrodisias he calls himself *τριῶν ἀνδρῶν τῆς τῶν δημοσίων πραγμάτων διατάξεως*, while in the other, to the *koinon* of Asia, he substitutes *ἀπὸ καταστάσεως* for *διατάξεως*. Does this change reveal a different person, a different translator? One might expect that if Antonius wrote both letters in Greek he would have used the same phrase or word in both of them. The matter should not be pressed, but the possibility exists.

In the letter to Parasa-Aphrodisias (No. 28) a phrase occurs which Viereck called *parum graeca*. It is found in lines 32-35: *τὸν Σόλωνα . . . ἔσχον τε ἐν τοῖς ὑπ' ἐμοῦ γεινωσκομένοις*. And in lines 48-51 we have *ἐν τοῖς δημοσίοις τοῖς παρ' ὑμῶν γράμμασιν ἐντάξαι*. One expects the accusative (cf. Josephus *Ant.* 14. 319). In lines 22-31 is an awkwardly constructed sentence: *ἡμᾶς παρεκάλεσεν εἰς τὸ τοῦ γεγονότος ὑμῶν ἐπικρίματος καὶ δόγματος καὶ ὀρκίου καὶ νόμου ἀντιπεφωνημένα ἐκ τῶν δημοσίων δέλτων ἐξαποστεῖλαι ὑμῶν τὰ ἀντίγραφα*. The use of *ἀντιφωνεῖν* is odd. For details see the commentary.

The Letters of Augustus (Nos. 58, 60, 62, 64, 67, 68)

Suetonius (*Aug.* 86-89) has given us a fairly good résumé of the emperor's manner of speaking, his peculiarities of style and vocabulary in writing, his oddities in orthography, and his command of Greek. We are told that from his youth he had devoted himself to the study of oratory and *belles lettres*, and that he had written several prose works—

* Viereck, *op. cit.*, p. 77.

¹⁷ Communications from Rome to Roman magistrates in the East were written in Latin, of course, a practice continued in imperial times: Stroux and Wenger, *op. cit.*, p. 23.

¹⁸ Plutarch *Ant.* 23. 2-3, and Appian *Bell. Civ.* 5. 76. Josephus (*Ant.* 14. 12. 3-5) has preserved three of his letters (one of them communicating an edict) which are related to Jewish affairs.

including his autobiography, in thirteen books, up to the Cantabrian War—as well as a few pieces of poetry. His speeches were carefully composed and well ordered, free from sententious remarks and obscure words, his chief aim being simplicity and clarity. He had studied under Apollodorus of Pergamum and under the philosopher Areus, but, for all that, he was never able to speak Greek fluently or to compose anything in it. When conditions demanded that he write to Greeks, he composed in Latin and had someone else translate it: *non tamen ut aut loqueretur expedite aut componere aliquid auderet; nam et si quid res exigeret, Latine formabat vertendumque alii dabat*, as Suetonius puts it (*Aug.* 89. 1). This is important evidence, and, considering the fact that Suetonius had access to the records in the imperial chancery, we must accept it.

Compared with the mass of correspondence and the written material which Augustus must have produced in the long period of his official activity, the extant remains are small.¹⁹ The *Res Gestae*, of course, is the longest and the most important of these remains, followed by the Cyrene Edicts, the Rhosus letters, the letters to Cnidus and other Greek cities, and a few other *edicta* and *decreta*. From this material some general estimate of his style and technique can be formed, but the Greek itself in the documents should not be ascribed to Augustus. It was the work of anonymous translators in the service of the emperor. Since he is known to have made use of freedmen in his court for administrative purposes, we may be sure that he had a number of bilingual secretaries constantly available. Out of the problems generated by the complexity of the Empire there would have arisen at an early date the need for a more-or-less permanent staff of such personnel, competent to deal with the mass of correspondence. It was accordingly under Augustus that the seeds of the imperial *ab epistulis latinis* and *ab epistulis graecis* were to begin their period of germination.²⁰ But the high level of organization achieved by the time of Hadrian cannot be assumed for the reign of the first *Princeps*. They were private secretaries rather than the heads of bureaus, and they were very likely the men whom the emperor called upon for the translation of his Latin letters into Greek. But we have no first-hand evidence on these translators. Two of the emperor's secretaries are known by name, Polybius and Hilarion (Suetonius *Aug.* 101), but surely more than two would have been required.

When Viereck (*op. cit.*, p. 78) evaluated the Greek letters of Augustus, he concluded that they were elegantly written, with a fine feeling for the use of particles and correct

¹⁹ For his letters see Viereck, *op. cit.*, p. 78; Peter, *op. cit.*, pp. 97–100; E. Boume, "Augustus as a Letter-Writer," *T.A.P.A.*, 49 (1918): 53ff.; H. Malcovati, *Caesaris Augusti Imperatoris Operum Fragmenta*⁴ (Turin, 1962), pp. XVIII–XXV and 6–50.

²⁰ For the bureau *ab epistulis* see M. I. Rostovtzeff, *R.E.*, s.v. "*ab epistulis*," cols. 210–15; O. Hirschfeld, *Die Kaiserlichen Verwaltungsbeamten bis auf Diocletian* (Berlin, 1905), pp. 318–25; L. Friedländer and G. Wissowa, *Darstellungen aus der Sittengeschichte Roms*^{9–10}, I (Leipzig, 1922), 56–59, and IV (Leipzig, 1921), 35–46 (comment by Bang). In the course of time (Hadrianic) the freedmen were replaced by imperial procurators: H. G. Pflaum, *Les procurateurs équestres sous le haut-empire romain* (Paris, 1950), pp. 60–61. Cf. G. B. Townend *Historia*, 10 (1961): 375–81. The title existed under Augustus: *Ianuarius Caesaris Aug. (servus) ab epistulis* (C.I.L., VI, 8596). Trajan, of course, also was active in the placement of equestrian officials in posts of prominence.

grammar, and that the writer had imitated in one case the Attic of the fifth and fourth centuries. Some expressions in the letter to the Cnidians (No. 67) he found particularly happy, such as *τρόπῳ τινὶ πολιορκίας* (ll. 15–16), and *δικαιότερον ἂν σωθέντα τοῦ ἀδελφοῦ* (ll. 26–27). The material which has come to light since Viereck expressed his opinion has amply supported his conclusion. Latinisms do occur in the letters, but in the translation of technical expressions, such as official titles and legal terminology, they are almost unavoidable. Some awkwardness of language, some pulling and stretching of words, is usually necessary. Without attempting to be exhaustive in the case of the emperor's letters, some of these phrases may be listed here. Titles are omitted because they are obvious.

No. 58

Line 11: *εἰς τούτους τοὺς λόγους*, clearly for *in haec verba* = "on the following terms"; cf. No. 23, 54.

Line 16: *[ιδίους καιρ]οὺς τῇ ἡμετέρῃ σωτη[ρίᾳ] συνέξεν*, apparently for *suas utilitates cum nostra salute coniunxit*.

Line 53: *κριτήριον . . . λαμβάνειν*, for *iudicium capere*. De Visscher refers to Cicero *Part. Orat.* 28. 100: *de capiendis subeundisve iudiciis*.

Line 54: *κρίσιν συνίστασθαι* = *litem constituere* or possibly *litem contestari*.

Line 61: *πρόκριμα κεφαλῆς* = *praeiudicium capitis*, explained by Arangio-Ruiz (*Studia et Documenta*, 1936, p. 515), who refers to Cicero *De Inv.* 2. 20. 59–60: *agit is, cui manus praecisa est, iniuriarum. postulat is, quicum agitur, a praetore exceptionem: extra quam in reum capitis praeiudicium fiat. . . non enim oportet in recuperatorio iudicio eius maleficii, de quo inter sicarios quaeritur, praeiudicium fieri*. Roussel, in *Syria*, 15 (1934): 60, n. 3, has found another example in Greek in an imperial rescript of the second century A.D.: *I.G.*, V, 11, col. II, ll. 5ff.

Line 64: *ἐκ προαγωγῆς γινῶι*. Oliver took this to be the equivalent of *pro tribunali cognoverit*. For the first part of the expression, however, De Visscher had suggested *per ambitionem*.

Line 67: *δοῦναι κατ[άδικοι ἔσ]τωσαν*. It was the opinion of Arangio-Ruiz, *op. cit.*, p. 516, that this was the translation of *dare damnas esto*.

The majority of these examples are legal terms and, as such, pose special problems for a translator. The Greek equivalents of the original Latin might well be obscure to a Greek with no knowledge of Roman law. When we turn to the letter to the Cnidians, no such technical expressions are found, despite its legal nature. The Greek is everywhere fluent and correct, marred by only one slight slip. In line 29 the noun *ἐξέτασις* is used, the only occurrence of such a word to my knowledge. The translator ought to have used *ἐξέτασις*.

We may conclude that those who translated the Latin letters of Augustus were well-educated men, capable of writing Greek in the Attic of the fifth or fourth century B.C. But excellent though they were, technical phrases from the language of Roman law taxed their abilities to the limit. And in their particular case it is not easy to decide whether they were Romans who had mastered Greek or Greeks who had mastered

Latin. Technical phrases would have been just as difficult to translate for the one group as for the other. One must also take into consideration the possibility that in the long rule of Augustus many secretaries of different backgrounds and nationalities must have seen service in his court.

The Letter of Paulus Fabius Maximus (No. 65)

Here at last we have a fair amount of the Latin text to compare with the Greek, a rare piece of luck. The Latin, it seems, was not often published along with the Greek, but the nature of the material in the present letter required a full publication. As we shall see, it is a composition of a special kind. The two texts must be seen together, so that they can be compared.

The Latin Copy from Dorylaion
(corrected spelling)

B 2-9

Cumque non ullo ex die feliciora et privatim singulis et universis publice trahi possint auspicia quam ex eo, quem felicissimum communiter (credunt), fere autem omnium in Asia civitatum idem
5 tempus anni novi initiumque magistratuum sit, in quod fortuito, videlicet ut honoraretur, principis nostri natalis incidit, vel quia tot erga divina merita gratum esse difficile est nisi omnis pietatis temptetur materia, vel quia dies est propria cuique laetitia ingressui honoris statutus, publicum videretur diem
[------]

The Greek Copy
(composite)

A 11-19

καὶ ἐπεὶ σὺδεμῶς ἂν ἀπὸ ἡμέρας εἰς
τε τὸ κοινὸν καὶ εἰς τὸ ἴδιον ἕκαστος ὄφελος εὐτυχεστέρας λάβοι
ἀφορμὰς ἢ τῆς πᾶσιν γενομένης εὐτυχούς, σχεδὸν τε συμβαίνει
τὸν αὐτὸν ταῖς ἐν Ἀσίᾳ πόλεσιν καιρὸν εἶναι τῆς εἰς τὴν ἀρχὴν εἰσόδου,
15 δηλονότι κατὰ τινα θῆαν βούλησιν οὕτως τῆς τάξεως προτετυπωμέ-
νης, ἵνα ἀφορμὴ γένοιτο τῆς εἰς τὸν Σεβαστὸν τιμῆς, καὶ ἐπεὶ δύσκο-
λον μὲν ἔστιν τοῖς τοσούτοις αὐτοῦ εὐεργετήμασιν κατ' ἴσον εὐχαρισ-
τεῖν, εἰ μὴ παρ' ἕκαστα ἐπινοήσῃμεν τρόπον τινὰ τῆς ἀμεΐψεως,
ᾗδεῖον δ' ἂν ἄνθρωποι τὴν κοινὴν πᾶσιν ἡμέραν γενέθλιον ἀγάγοι [εν]
κτλ.

It is at once apparent that here is no simple or literal translation from Latin into Greek. Everywhere there is a naturalness of expression and structure, with practically no vestige

of a Latin original clinging to it. The only passage in which one might suggest a Latinism is in A 29, where the passive infinitive in *προστάξω . . . τὸ ψήφισμα ἐν τῷ ναῶ ἀνατεθῆναι* is slightly suspicious. But even that should not be pressed. When one compares whole clauses, one with the other, the result is surprising. The gracefulness of style, the ease with which the clauses are handled, and the manner in which the various ideas are expressed lead one to suspect an original composition in Greek. The thoughts found in the Latin are present in the Greek without a hint of what may be called "translation Greek." There are no slavish or stiff reproductions of words from a glossary, no stilted expressions, no peculiar combinations. The mind of the person writing the Greek does not appear to be confined or restricted by a Latin structure. His rendition of *fortuito*, for example, by *κατὰ τινὰ θῆαν βούλησιν* is not the sort of thing likely to occur to a translator.

Wilamowitz in *Athn. Mitt.*, 24 (1899): 292, was so impressed by the language and style of this letter that he felt it must have been composed in Greek. It was too good to be a translation from Latin. And H. Dessau in his *Geschichte der römischen Kaiserzeit*, I (Berlin, 1924), 105-6, agreed with him, thinking that the Latin either was a translation from the Greek or was composed later in time.

We must accept the view that this letter was composed in Greek, and by a person who possessed an excellent knowledge of the language. But that person need not have been Paulus Fabius Maximus. The presence of a Latin text so different from the Greek demands an explanation. It is here suggested that the proconsul explained in general terms to his translator or bilingual secretary what he wanted to say in his letter. The secretary took down the Latin words of his master, but probably only in the form of notes or isolated phrases. Then he composed the letter in Greek, working not from a full text but only from his notes to guide him. This would have given him scope for greater freedom of expression and for a more natural Greek style. When he finished the letter, he turned to the Latin and made it agree with the Greek as best he could. Hence, not all of the Latin is a *verbatim* record of the proconsul's actual words. Its skeleton is his; the rest was added by the secretary to make it conform to the Greek.

From all these examples one can see that the style and the language can vary considerably from letter to letter. Some are poorly written, with many Latinisms, while others are in excellent Greek, with little trace of Latin influence. They are generally in the Koine of the second or first centuries B.C., but one (No. 67) is worthy of the Attic in the best period. Mistakes in grammar and awkward expressions often must have caused Greek readers to smile or shake their heads in bewilderment. There is even a dative absolute in No. 70, line 12. Those who knew Latin would understand.

Many of the letters were certainly composed in Greek. Such compositions generally were good or bad, depending upon the abilities of the individuals writing. The good ones can be recognized by the scarcity of Latinisms and by the Greek style. Some Latinisms, of course, were unavoidable, such as those necessary in the rendition of Roman

titles and technical expressions from Roman law. They should not, however, be taken always to mean that letters containing them were translations from Latin originals, for by their very nature they do not have precise equivalents in any language except their own.

Some of the letters seem to have been much more affected by Latin originals, in some cases (No. 48) to such a degree that one may suspect they were originally written in Latin and then translated into Greek. This could have been done, for example, by certain Roman magistrates who may not have been able to think out their letters in Greek and then simply write them down. They may have expressed their ideas first in Latin from beginning to end and then either translated them at their leisure or turned them over to someone else. I cannot call these "compositions in Greek." They were not conceived or drawn up in that language. They are really translations. It is not possible, however, in all instances to decide which of these procedures was used, for the one might have been done very badly and the other very well. And at times a writer may have used a combination of both. Clearly No. 65 may be called a "composition in Greek," as we have here defined the term, but No. 48 should be labeled a translation. The remainder of the letters fall somewhere between these two points, for only a few are as good as the former or as bad as the latter. Sometimes letters were sent out in both Greek and Latin, but certainly not always. The individual magistrate used his own discretion in this matter.

On the whole we may say that these letters were originally intended, from beginning to end, to appear in Greek, but the method used to produce the Greek text was not always the same. A capable Roman could think in Greek and write in Greek, but another required a slower process and a different approach. In any case, except for the letters of Augustus, we may be quite sure that the Romans themselves were responsible for the Greek.

Finally it must be emphasized that these letters were written under a number of different conditions. Some were written by consuls or praetors in Rome, some by generals in the field, and some by governors in provincial headquarters. Each has its own history, its own story to tell. The form and the language are Greek. The spirit and the contents are Roman.

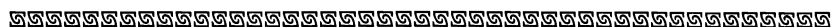
B. THE DOCUMENTS

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# 33

## EPISTULA T. QUINCTII FLAMININI AD CHYRETIENSES

197–194 B.C.



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DESCRIPTION. A stone of white marble built into the wall of a church near the village of Demeniko in Thessaly. Height: 0.56 m. Width: 0.61 m. Height of letters: 0.012 m.

- Τίτος Κοϊνκτίος, στρατηγὸς ὕπατος Ῥωμαίων, Χυρετιέων  
 τοῖς ταγοῖς καὶ τῇ πόλει χαίρειν. Ἐπεὶ καὶ ἐν τοῖς λοιποῖς πᾶσιν  
 φανεράν πεποήκαμεν τὴν τε ἰδίαν καὶ τοῦ δήμου τοῦ Ῥωμαίων  
 προαίρεσιν ἣν ἔχομεν εἰς ὑμᾶς ὁλοσχερῶς, βεβουλήμεθα καὶ  
 5 ἐν τοῖς ἐξῆς ἐπιδεῖξαι κατὰ πᾶν μέρος προσετηκότες  
 τοῦ ἐνδόξου, ἵνα μὴδ' ἐν τούτοις ἔχωσιν ἡμᾶς κατα-  
 λαλεῖν οἱ οὐκ ἀπὸ τοῦ βελτίστου εἰωθότες ἀνα-  
 στρέφεσθαι. Ὅσαι γάρ ποτε ἀπολείπονται κτήσεις  
 ἔγγειοι καὶ οἰκίαι τῶν καθηκουσῶν εἰς τὸ δημόσιον  
 10 τὸ Ῥωμαίων, πάσας δίδομεν τῇ ὑμετέρᾳ πόλει,  
 ὅπως καὶ ἐν τούτοις μάθῃτε τὴν καλοκαγαθίαν ἡμῶν  
 καὶ ὅτι τελέως ἐν οὐθενὶ φιλαργυρῆσ[α]ι βεβουλήμεθα,  
 περὶ πλείστου ποιούμενοι χάριτα καὶ φιλοδοξίαν. Ὅσοι μὲν-  
 15 τοι μὴ κεκομισμένοι εἰσὶν τῶν ἐπιβαλλόντων αὐτοῖς,  
 ἐὰν ὑμᾶς διδάξωσιν καὶ φαίνωνται εὐγνώμονα λέ-  
 γοντες, στοχαζομένων ὑμῶν ἐκ τῶν ὑπ' ἐμοῦ γεγραμ-  
 μένων ἐγκρίσεων, κρίνω δίκαιον εἶναι ἀποκαθίστασ-  
 θαι αὐτοῖς.

Ἐρρωσθε.

Text based on the one by Viereck (notes). 4 Viereck puts comma before ὁλοσχερῶς. 13-14 μέντοι, Leake, but MENTON, stone (cf. L. Cohn, *Hermes*, 17 [1882]: 645). 19 Ἐρρωσθε was inscribed twice, the first one being erased.

COMMENTARY. According to the terms of peace imposed on Philip after his defeat at Cynoscephalae in 197 B.C., all Greeks who had not been subject to the Macedonian king were to be free and autonomous, but the Macedonian dependencies in Greece were to be surrendered to the Romans.<sup>1</sup> Ten commissioners headed by T. Quintius Flamininus took on the task of settling Greek affairs and carrying out the terms of the peace. By the summer of 194 B.C. the job was finished. Flamininus and his army had left Greece and returned to Rome. His letter to Chyretiae was written, therefore, sometime between those two dates. Arbanitopoulos assigned it to 192 B.C., when Flamininus had returned to Greece, but such a date is improbable.<sup>2</sup>

Since Livy (31. 41. 5) tells us that the Aetolians, as allies of Rome, had captured and sacked the city of Chyretiae (in 199 B.C.), it is permissible to assume that the city had been

<sup>1</sup> For the terms of the peace with Philip see the two most important sources: Polybius 18. 44 and Livy 33. 30. For the interpretation of these sources see G. De Sanctis, *Storia dei Romani*, IV, 1 (Turin, 1923), 95, and E. Täubler, *Imperium Romanum* (Leipzig, 1913), pp. 228-39. Of great value for the background and motives for the peace are M. Holleaux, *C.A.H.*, VIII (1930), chap. VI, pp. 138-98 (*Études d'épigraphie et d'histoire grecques*, V [Paris, 1957], 320-86), and Accame, *op. cit.*, pp. 197-208.

<sup>2</sup> From 197 to 194 B.C. Flamininus was *proconsul*, but in 192 B.C. he was *consul*. However, it was in 195-194 B.C. that he visited Thessaly and organized it. Thus it may have been exactly in that period that the present letter was written. Cf. M. Holleaux, *Στρατηγὸς Ὑπατος* (Paris, 1918), pp. 3-4, n. 3.

a subject of Philip. Thus, after Cynoscephalae, the property of the partisans in that city would have been confiscated by the Romans, an assumption supported by the letter itself (ll. 8–10), which states that “all landed property and buildings belonging to the public domain of the Roman state” are to be returned to their owners.

Flamininus, certainly acting in accordance with general instructions from Rome concerning his official attitude toward the Greeks, not only frees the Greek cities that were not subject to the king of Macedon but also takes steps to win the future loyalty of the former Macedonian dependencies. These could pose a greater problem and a greater burden to Rome than any of the other cities. He feels himself justified, therefore, in dictating to them what steps should be taken for the future, for he must secure in all of Greece a state of affairs in harmony with Roman interests.<sup>3</sup> Despite the fact that Chyretiae had been within the Macedonian sphere in the past, her confiscated lands are now to be returned to their rightful owners, if they can successfully establish their ownership. It is plain that Flamininus speaks as a representative of a generous Rome. It is equally plain that he speaks as a master and not an equal. For it is only by the good will and the graciousness of Rome, his letter implies, that the lands and possessions of Chyretiae are being returned.

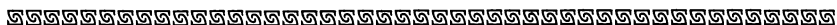
The returning of confiscated property appears superficially to be an act of generosity, a fine gesture to prove the good will and altruistic character of Romans, but actually it is a very practical and clever maneuver to convince the wealthy classes that Rome will look after their interests. It was designed basically, I think, to cause the wealthy to look to Rome as their protector and their *patronus*. Thus the Roman policy in Greece at this time was, as Badian has so vividly illustrated, not merely to free Rome from foreign commitments of a military or administrative nature, but also, more importantly, to plant the seed of Roman paternalism everywhere. This was the proper approach to the establishment of a Greek *clientela* on a grand scale. Free them and win the support of the wealthy, then withdraw.<sup>4</sup>

<sup>3</sup> See F. M. Wood, Jr., “The Military and Diplomatic Campaign of T. Quinctius Flamininus in 198 B.C.,” *A.J.P.*, 62 (1941): 277–88. At the same time, of course, he may have been motivated by a sincere effort to secure the stability and prosperity of the various towns.

<sup>4</sup> See Badian, *Foreign Clientelae*, pp. 69–83.

EPISTULA M. VALERII MESSALAE  
PRAETORIS AD TEIOS

193 B.C.



BIBLIOGRAPHY. E. Chisull, *Antiquitates Asiaticae* (London, 1728), p. 102, from a copy by Sherard; F. Hessel, *Antiquae inscriptiones quum Graecae tum Latinae olim a Marquardo Gudiod collectae* (Leeuwarden, 1731), app. no. 3044, from a copy by Duker; A. Boeckh, *C.I.G.*, II (1843), 3045; Le Bas-Waddington, *Voyage archéologique en Grèce et en Asie Mineure: Inscriptions*, III (1870), 60; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. II, p. 2; W. Dittenberger, *S.I.G.*<sup>2</sup>, I (1898), 279; M. Holleaux, *Revue des études anciennes*, I (1899), 7 (*Études d'épigraphie et d'histoire grecques*, I [Paris, 1938], 357); C. Michel, *Recueil d'inscriptions grecques* (Brussels, 1900), no. 51; M. Holleaux, *Klio*, 13 (1913): 156–59 (*Études d'épigraphie et d'histoire grecques*, IV [Paris, 1952], 200–3); F. Hiller von Gaertringen, in W. Dittenberger, *S.I.G.*<sup>3</sup>, II (1917), 601; G. Lafaye, *I.G.R.R.*, IV (1927), 1557; S. Accame, *Il dominio romano in Grecia dalla guerra acaica ad Augusto* (Rome, 1946), pp. 51–52; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 943, n. 39; Lewis-Reinhold, *Roman Civilization*, I (New York, 1951), 310; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 20; S. Accame, *l'espansione romana in Grecia* (Naples, 1961), pp. 66–67.

DESCRIPTION. A stone discovered among the ruins of the Temple of Dionysus on the site of the ancient Teos.

## \*Ρωμαίων.

Μάρκος Ουαλάριος Μάρκου στρατηγός καὶ  
 δήμαρχος καὶ ἡ σύνκλητος Τηρίου τῇ βουλῇ καὶ τῷ  
 δήμῳ χαίρειν· ν Μένιππος ὃ τε παρ' Ἀντιόχου τοῦ βα-  
 5 σιλέως ἀποσταλεῖς πρὸς ἡμᾶς πρεσβευτὴς προ-  
 χειρισθεὶς καὶ ὑφ' ὑμῶν πρεσβεῦσαι περὶ τῆς πόλεως,  
 τό τε ψήφισμα ἀνέδωκεν καὶ αὐτὸς ἀκολουθῶς τούτῳ  
 διελέχθη μετὰ πάσης προθυμίας· ἡμεῖς δὲ τὸν τε ἄν-  
 10 δρα ἀπεδεξάμεθα φιλοφρόνως καὶ διὰ τὴν προγεγενη-  
 μένην αὐτῷ δόξαν καὶ διὰ τὴν ὑπάρχουσαν καλοκα-  
 γαθίαν περὶ τε ὧν ἡξίου διηκούσαμεν εὐνόως· καὶ ὅτι  
 μὲν διόλου πλεῖστον λόγον ποιούμενοι διατελοῦ-  
 μεν τῆς πρὸς τοὺς θεοὺς εὐσεβείας, μάλιστ' ἂν τις στο-  
 15 χάζοιτο ἐκ τῆς συναντωμένης ἡμῖν εὐμενείας  
 διὰ ταῦτα παρὰ τοῦ δαιμονίου· οὐ μὴν ἀλλὰ καὶ ἐξ ἄλ-

λων πλειόνων πεπείσμεθα συμφανῇ πᾶσι γεγονέναι  
 τὴν ἡμετέραν εἰς τὸ θεῖον προτιμίαν. διὸ καὶ διὰ τε ταῦ-  
 τα καὶ διὰ τὴν πρὸς ὑμᾶς εὐνοίαν καὶ διὰ τὸν ἥξιω[μέν]ον  
 20 πρεσβευτὴν κρίνομεν εἶναι τὴν πόλιν καὶ τὴν χώ-  
 ραν ἱεράν, καθὼς καὶ νῦν ἐστίν, καὶ ἄσυλον καὶ ἀφορο-  
 λόγητον ἀπὸ τοῦ δήμου τοῦ Ῥωμαίων καὶ τὰ τε εἰς  
 τὸν θεὸν τίμια καὶ τὰ εἰς ὑμᾶς φιλάνθρωπα πειρασό-  
 μεθα συνεπαύξειν, διατηρούντων ὑμῶν καὶ εἰς τὸ  
 μετὰ ταῦτα τὴν πρὸς ὑμᾶς εὐνοίαν. νν Ἐρρωσθε.

Text by Viereck (notes). 1 In larger letters. 3 σύγκλητος, Dittenberger, repeated by Hiller, but Boeckh and Le Bas-Waddington indicate a *nu* instead of a *gamma*. 4 τοῦ omitted by Le Bas-Waddington, Dittenberger, and Hiller. 6 ὑπέρ, Boeckh; περί, Le Bas-Waddington. 7 ἀ[π]έδωκεν, Boeckh, but cf. Holleaux, *Études*, I, 357. 16 πᾶσι omitted by Le Bas-Waddington, Dittenberger, and Hiller. 17 προτιμίαν, stone, but Sauppe preferred to write προθυμίαν; however, since one finds τὰ εἰς τὸν θεὸν τίμια in ll. 21–22, as Hiller observed, the reading of the stone should be retained.

COMMENTARY. In the Hellenistic age the Teans had acquired considerable fame through their worship of Dionysus and the selection of their city as the headquarters of the Ionian and Hellespontine branch of the Dionysiac Artists. And when, in about 205 B.C., they decided to introduce a festival in honor of their patron god, they requested that numerous cities recognize the inviolability of their city. A large number of decrees from Greece and Crete testify to their success in this direction.<sup>1</sup> And, after Cynoscephalae had impressed the Asiatic Greeks with the reality of Rome and her willingness to enter the arena of Greek politics, they decided to obtain similar recognition from Rome.<sup>2</sup> The praetor for 193 B.C., M. Valerius Messala, speaking for the people and the Senate, responded with the present letter granting, as one would expect at this time, all that the Teans had requested: the city as well as its land was to be "holy, as it now is, and inviolable and immune from taxation by the Roman people."

The envoy Menippus is a known representative of Antiochus III, having been sent to Rome earlier in the same year. This could mean that, although Teos may have acquired some independence by this time, she still looked to the Seleucid king for protection and assistance in matters of this sort.<sup>3</sup> As Holleaux has pointed out, a representative of Antiochus would be the natural intermediary at this particular time, for the Seleucid king was not yet an enemy of Rome and formal negotiations were still being conducted on a nominally friendly basis. No hidden meaning should be suspected in the phrase which

<sup>1</sup> See W. Ruge, *R.E.*, s.v. "Teos," cols. 547–50; Holleaux, *Études*, IV, 178–203; Magie, *loc. cit.* The Cretan decrees may now be found in *Inscriptiones Creticae*, I no. 1\*, p. 292; II, no. 21\*, p. 161, and no. 3\*, p. 197.

<sup>2</sup> For the Tean tardiness in appealing to Rome see Holleaux, *Études*, IV, 200–3.

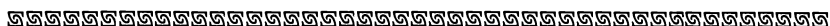
<sup>3</sup> Cf. Holleaux, *Études*, II, 96, n. 2, and IV, 200ff. For Menippus in Rome see Livy 34. 57. 6ff.; Diodorus 28. 15. 2ff.; and Appian *Syr.* 6.

granted Teos immunity from Roman taxes, for this almost certainly is a simple statement recognizing the city's immunity and freedom without any implication of Roman authority in the area.<sup>4</sup>

Notice the appearance of the *tribuni* in the prescript. This is a very unusual feature. Accame, *loc. cit.*

EPISTULA LUCII CORNELII SCIPIONIS  
EIUSQUE FRATRIS AD HERACLEOTAS  
AD LATMUM

190 B.C.



BIBLIOGRAPHY. A. Boeckh, *C.I.G.*, II (1843), 3800, based on a copy by Moustoxydis; W. Henzen, *Annali dell' Istituto archeologico*, 24 (1852): 138ff.; Le Bas-Waddington, *Voyage archéologique en Grèce et en Asie Mineure: Inscriptions*, III (1870), 588; E. L. Hicks, *A Manual of Greek Historical Inscriptions* (Oxford, 1882), no. 193; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. III, pp. 2-3; W. Judeich, *Athen. Mitt.*, 15 (1890): 254; W. Dittenberger, *S.I.G.*<sup>2</sup>, I (1898), 287; B. Haussoullier, *Revue de philologie*, 23 (1899): 277-78; G. Colin, *Rome et la Grèce de 200 à 146 avant J.-C.* (Paris, 1905), pp. 202-3; M. Holleaux, *Revue des études anciennes*, 19 (1917): 237ff.; F. Hiller von Gaertringen, in W. Dittenberger, *S.I.G.*<sup>3</sup>, II (1917), 618; M. Holleaux, *Στρατηγὸς Ὑπατος* (Paris, 1918), pp. 131-46; G. De Sanctis, *Atti dell' Accademia di Torino*, 57 (1921/22): 242ff.; M. Holleaux, *Rivista di filologia*, 52 (1924): 29-44; S.E.G., II (1924), 566; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 4, p. 253; G. I. Luzzatto, *Epigrafia giuridica greca e romana* (Milan, 1942), pp. 125ff.; S. Accame, *Il dominio romano in Grecia dalla guerra acaica ad Augusto* (Rome, 1946), pp. 52-53; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 949, n. 58; Lewis-Reinhold, *Roman Civilization*, I (New York, 1951), pp. 313ff.; F. Ceruti, *Epigraphica*, 17 (1955): 127, 132; H. H. Schmitt, *Rom und Rhodos* (Munich, 1957), p. 130, n. 2; E. Badian, *Foreign Clientelae* (Oxford, 1958), p. 88; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 23.

[Λεύκιος Κορνήλιος Σκιπίων] στρατηγὸς ὕπατος Ῥωμαίων  
[καὶ Πόπλιος Σκιπίων ἀδελ]φὸς Ἡρακλεωτῶν τῇ βουλῇ καὶ τῷ δή-  
[μῳ χαίρειν] ἐνέ[τυχον] ἡμῖν οἱ παρ' ὑμῶν πρέσβεις Διάς, Διῆς, Διονύ-  
[σιος, -] ἀμ[αν]δρος, [Εὐ]δημος, Μόσχος, Ἀριστείδης, Μένης, ἄνδρες κα-  
5 [λοὶ κάγαθοί] οἱ τό τε [ψήφ]ισμα ἀπέδωκαν καὶ αὐτοὶ διελέγησαν ἀκολου-  
[θως τοῖς] ἐν τῷ [ψη]φίσματι κατακεχωρισμένοις οὐδὲν ἐλλείποντες  
[φιλοτι]μίας· ἡμ[εῖς] δὲ πρὸς πάντας τοὺς Ἕλληνας εὐνῶς διακείμε[οι]  
[τυγχά]νομεν καὶ πειρασόμεθα, παραγεγονότων ὑμῶν εἰς τὴν ἡμετέρα[μ]  
[πίστιμ], πρόνοιαν ποιεῖσθαι τὴν ἐνδεχομένην, αἰετινος ἀγαθοῦ παρα[ί]-  
10 [τιοι γεν]όμενοι· συγχωροῦμεν δὲ ὑμῖν τὴν τε ἐλευθερίαν καθότι καὶ  
[ταῖς ἄ]λλαις πόλεσιν, ὅσαι ἡμῖν τὴν ἐπιτροπὴν ἔδωκαν, ἔχουσιν ὑ[φ']  
[αὐτοὺς π]άντα τὰ αὐτῶν πολιτεύεσθαι κατὰ τοὺς ὑμετέρους νόμους,  
[καὶ ἐν τ]οῖς ἄλλοις πειρασόμεθα εὐχρηστοῦντες ὑμῖν αἰετινος ἀγαθῶ



- 15 [παραίτ]ιοι γίνεσθαι· ἀποδεχόμεθα δὲ καὶ τὰ παρ' ὑμῶν φιλάνθρωπα καὶ τὰς  
 [πίστεις, κ]αὶ αὐτοὶ δὲ πειρασόμεθα μηδενὸς λείπεσθαι ἐγ' χάριτος ἀποδόσει·  
 [ἀπεστά]λκαμεν δὲ πρὸς ὑμᾶς Λεύκιον Ὀρβιον τὸν ἐπιμελησόμενον τῆς  
 [πόλεως κ]α[ί] τῆς χώρας ὅπως μηδεὶς ὑμᾶς παρενοχλήῃ. Ἔρρωσθε.

1 Before στρατηγός Haussoullier believed that he could see a *nu*, but Holleaux found no trace of it on the stone. 2 ρος, Judeich and Haussoullier. Holleaux disagreed with their identification of the *rho*. It was actually part of a *phi*: ἀδε[λ]φός. 4 Ἄναξίμ[αν]δρος, Judeich and Dittenberger; but [Ἰαλ]άμ[αν]δρος, Haussoullier; [Σκ]άμ[αν]δρος, De Sanctis; [Εὐ]δημος, Haussoullier. 7 προθυμίας, Haussoullier. 9 Boeckh and Waddington restored [αἵρεσιν]; Dittenberger and Viereck, [πίστιμι]; Holleaux, παρα[ίτιοι]. 10 γυνόμενοι, Henzen and Viereck (notes); γενόμενοι, Holleaux and Haussoullier; but γεννησόμενοι, Boeckh. 11–12 ὑ[φ'] αὐτοῖς, Judeich and Haussoullier, but then ὑ[φ'] αὐτούς, Holleaux and Viereck. 15 [πίστεις], Boeckh.

COMMENTARY. In 1852 W. Henzen suggested that the author of this letter was Cn. Manlius Vulso and that its date should fall between the summer of 189 and the summer or autumn of 188 B.C. He also thought that the second line might have contained a reference to the ten commissioners sent out by the Senate to conclude the treaty with Antiochus and to regulate the local affairs. The majority of scholars accepted this view and restored the name of Vulso in line 1.

Acting upon a suggestion by Holleaux, however, De Sanctis established that the author was actually L. Cornelius Scipio and added that the person named in line 2 might be the brother, P. Cornelius Scipio (Africanus). The date would be 190 B.C., when Lucius Cornelius held the command in Greece and Asia. Holleaux immediately agreed and discovered that the two brothers were co-authors not only of this letter but also of another, to Colophon.<sup>1</sup> Memnon (Jacoby *FrGrHist* 434. 18. 6ff.) mentions another letter by the Scipios, to Heraclea Pontica. Thus the two were associated in public life. Furthermore, they were honored together in a decree from Aptara in Crete (*Inscriptiones Creticae*, II, 3, no. 5). There can be no real doubt that both their names appeared in lines 1–2 of the present letter.<sup>2</sup>

Presumably it was not long after the brothers arrived with the Roman army in Asia that the Heracleans placed themselves under the protection of Rome and dispatched envoys to the commanders to communicate their decree and to ask for assistance.<sup>3</sup> The two brothers in the field then responded with the present letter and granted them freedom, just as had been done for those other cities which had acted in a similar fashion (ll. 10–14). Lucius Orbius also was dispatched by the Scipios to protect the city and its adjacent area from harassment. This last provision could mean that the war against Antiochus was still in progress and that the danger was a military one, or that there were anti-Roman partisans in the area who might cause the city trouble.

<sup>1</sup> See the next letter (No. 36).

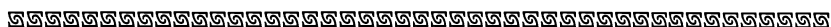
<sup>2</sup> Unfortunately, the old mistake of Henzen is perpetuated in *S.I.G.*<sup>3</sup>, II, 618; see also Luzzatto, *loc. cit.*, and Johnson, Coleman-Norton, Bourne, *loc. cit.*

<sup>3</sup> Cf. A. Heuss, *Klio*, n.s., *Beiheft* 31, *Hefte* 18 (1933): 94–113, esp. 97–98, for the present letter.

# 36

## EPISTULA LUCII CORNELII SCIPIONIS FRATRISQUE AD COLOPHONIOS

190–189 B.C.



BIBLIOGRAPHY. Ch. Picard, *Ephèse et Claros* (Paris, 1922), p. 145, n. 5 (cf. Th. Macridy-Bey and Ch. Picard, *B.C.H.*, 39 [1915]: 47–48); P. Roussel, *S.E.G.*, I, 440 (= *A.E.*, 1925, no. 107); M. Holleaux, *Rivista di filologia*, 52 (1924): 29–44; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 949, n. 58; F. Ceruti, *Epigraphica*, 17 (1955): 125.

[Α]εύκιος Κ[ορνήλιος Σκιπίων στρατη-]  
[γὸ]ς ὑπατος Ῥωμαίων καὶ [Πόπλιος Σκι-]  
[πίω]ν ἀδελφὸς Κολοφονίων τῇ[ι βουλῇ καὶ]  
[τῶι δῇ]μωι χαίρειν· ἐνέτυχον ἡμῖν οἱ]  
5 [παρ' ὑμῶν] πρέσβεις Ἀγαμήδης καὶ [- -]  
[ἄνδρε]ς καλοὶ ἀγαθοί, <οἱ> τό τε [ψήφισμα]  
[ἀπέδω]καν καὶ αὐτοὶ διελέγησ[αν ἄκο-]  
[λούθ]ως τοῖς ὑφ' ὑμῶν δεδογμέ[νοις, οὐ-]  
[δὲν ἐλ]λείποντες φιλοτιμίας καὶ [- - -]  
10 [- <sup>ca. 5</sup> - εἶ]ναι (?) τὸ ἱερὸν ἄσυ[λον - -]

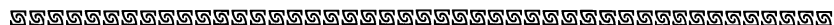
Text by Picard and Holleaux. 3 *Κολοφονίων* for *Κολοφωνίων*, perhaps an engraver's error. 6 <οι>, Holleaux. 9-10 καὶ [σπουδῆς περὶ || τοῦ εἶ]ναι κτλ, Picard; καὶ [ἡξί]ουν εἶ]ναι τὸ ἱερόν ἄσυ[λον τὸ τοῦ Ἀπόλλωνος τοῦ Κλαρίου suggested by Holleaux; καὶ [περὶ τοῦ || διαμεῖ]ναι? τὸ ἱερόν ἄσυ[λον ἡξίου]ν ἡμᾶς | πρόνοιαν ποιήσασθαι (*vel similia*) κτλ], S.E.G.

COMMENTARY. Livy (37. 26. 5-11) reports that in 190 B.C., after L. and P. Cornelius Scipio had landed in Asia with a Roman army, Antiochus decided to besiege Colophon because of that city's strategic position overlooking Ephesus. Colophon promptly requested L. Aemilius Regillus, the praetor with headquarters at Samos, to protect them. But Aemilius had more extensive plans in mind. In the late summer of 190 his naval force succeeded in defeating the fleet of Antiochus near Myonnesus. This alarmed Antiochus so much that he withdrew his garrison from Lysimachia and abandoned the siege of Colophon (Livy 37. 31. 3). Therefore, it must have been sometime after this Roman victory at sea that the city of Colophon dispatched envoys to the camp of the two Scipios to obtain the privilege of inviolability for their Temple of Apollo.<sup>1</sup>

The present letter is the reply written by the two Scipios to the Colophonian request for inviolability of the temple. Although only the opening remarks are preserved, one may safely assume that the request was granted in due form.<sup>2</sup> Since the command of L. Cornelius Scipio came to an end in the spring of 189 B.C., the letter must have been written before that date, probably in 190.

<sup>1</sup> Ceruti, *loc. cit.*, suggests further that Colophon, like Teos (see No. 34), may itself have been granted inviolability by the Romans. Perhaps.

<sup>2</sup> Colophon would hardly have erected the stele if the request had not been granted.



BIBLIOGRAPHY. H. Pomtow, in W. Dittenberger, *S.I.G.*<sup>3</sup>, II (1917), 609-10; H. Pomtow, *Klio*, 16 (1920), nos. 117-18, pp. 123ff.; P. Roussel, *B.C.H.*, 56 (1932): 3ff.; G. Daux, *Delphes au II<sup>e</sup> et au I<sup>er</sup> siècle* (Paris, 1936), pp. 227ff.; J. A. O. Larsen, "Roman Greece," in T. Frank, *An Economic Survey of Ancient Rome*, IV (Baltimore, 1938), 311-12; M. I. Rostovtzeff, *S.E.H.H.W.*, II (1941), 614.

DESCRIPTION. An equestrian statue was erected by the Delphians to honor Manius Acilius Glabrio, who had freed Delphi and the Amphictyonic League from Aetolian control toward the end of 191 B.C. A number of inscriptions were engraved on the base of this statue, including a dedication to Glabrio, a decree of the city, the present document, and a letter of C. Livius Salinator to the Delphians. A tentative, and partially inaccurate, description of the monument has been attempted by Pomtow (*Klio*, 16 [1920]: 114ff.; cf. the remarks of Roussel, *op. cit.*, p. 2, n. 3). The block on which this letter of Acilius Glabrio appeared formed the rear of the monument. Measurements of the block alone: height, 0.76 m.; width, above, 0.69 m., below, 0.71 m.; thickness, above, 0.57 m., below, 0.58 m.; height of letters, 0.005 m. The block itself is of gray limestone. The entire monument was of a type common to Delphi: a plinth, then three blocks slightly pyramidal, and finally another plinth, on which the statue rested.

- A [- - - - -] ὑπάρχ[ει]ν [κατά]λυμα τοῖς ἡμετέροι[ς πολ]ίτα[ις].  
 'Υμεῖς δὲ φροντίσατε]  
 [ἴν]α ταῦτα πάντα ἀναγραφέντα εἰς στήλην ἀνατεθῇ ἐν  
 τῷ [ι ἱερῷ. 'Εὰν δέ τινες ἀντι]-  
 [ποι]ῶνται περὶ τῶν κτήσεων ἢ τῶν ἐκ τούτων καρπῶν ἢ οἰκῶν  
 ἢ τῷ [ν ὑπαρχόντων, φά]-  
 [μεν]οὶ ἑαυτῶν εἶναι, περὶ τούτων, ὅσαι μὲν ἐφ' ἡμῶν γεγόνασι  
 κρίσεις, κ[ύρια] ἔστωσαν· ὑμεῖς δέ,]  
 5 [κριτ]ήριον ἀποδείξαντες τὸ μέλλον ὀρθῶς διαλήμψεσθαι,  
 διεξαγάγ[ετε τὰς λοιπὰς - - - - -].]  
 [...] "Ἠγγέλται δέ μοι μερισμούς τε γίνεσθαι ἀπὸ τούτων εἰς τινας  
 λάθρα[ι καὶ ὧνας, ἀναφορᾶς]  
 [μῆ γ]ενομ[έ]νης ἐπὶ τὸ κοινόν· στοχάσασθε οὖν ὅπως μὴδὲ ἐν  
 τοιοῦτο γίνηται [τοῦ λοιποῦ. Περὶ δέ]  
 [τ]ῶν κατὰ τὸ ἱερόν, ἐάν τε Θεσσαλοί, ἐάν τε ἄλλοι τινὲς πρεσβεύωσι,  
 πειράσο[μαι ἐν 'Ρώμῃ? κατὰ]  
 [τ]ὰ ἐμ[α]υτοῦ φροντίσαι ἵνα ὑμῖν κατὰμονα ᾦ τὰ ἐξ ἀρχῆς ὑπάρχοντα  
 πάτρ[ια, σωζομένης? τῆς]  
 10 τῆς πόλεως καὶ τοῦ ἱεροῦ αὐτονομίας.  
 B Τὰ δεδομένα χωρία τῷ θεῷ  
 καὶ τ[ᾶ]ι πόλει.  
 'Εν 'Υποπλεισίται·  
 τὸ 'Ανδροσθεν[ί]δα Τολφωνίου  
 5 τὸ Μικκυ(λ)ώνος Φυσκέος  
 τὸ Δαμαινέτου 'Αμφισσέος  
 τὸ Δρ[α]κόντιος Καλλιπολίτιδος  
 τὸ Φαινέα 'Αρσινόος  
 τὸ Ε[ὐ]ρυβοῦλας 'Αμφισσίδος  
 10 τὸ Κ[ρ]ατίνου Τριτέος  
 τὸ 'Αρχεδάμου 'Αμφισσέος  
 τὸ Π[ρ]αξιδάμου Τολφωνίας  
 τὸ Μνασιλάου Χαλειέος  
 τὸ Ξενία Χαλειέος  
 15 τὸ Δαμαρμένου Τολφωνίου  
 τὸ Δαμαρμένου Τολφωνίου[ν].  
 vacat  
 'Εν Λ[ι]πάραι·  
 τὸ Πύρρου Ναυπακτίου  
 τὸ 'Αρχιλάου Πλυγονέος  
 20 τὸ Δαμαινέτου 'Αμφισσέος  
 vacat  
 'Εν Ταθείαι·  
 τὸ 'Αγγελίου Ναυπακτίου  
 35 τὸ Πάτρωνος Τολφωνίου  
 τὸ Πολεμάρχου Φυσκέος  
 τὸ Δεξιθέου Φυσκέος  
 τὸ Νικαγόρα 'Ηρακλειώτα  
 40 τὸ Καλλικλέος 'Αμφισσέο[ς]  
 τὸ Ταυρίωνος 'Αλπαίου  
 τὸ 'Αριστοφύλου Φυσκέος  
 τὸ Πραξιδάμου 'Αμφισσέος  
 τὸ Δαμοξένου Χαλειέος  
 45 τὸ Θωπία Καλλιπολίτα  
 τὸ Λύκου Δρυοπαίου τὰ ἄνω  
 τὸ Λύκου Δρυοπαίου τὰ κάτω  
 τὸ 'Αλεξιμάχου 'Αμφισσέος  
 τὸ Εὐδίκου 'Αμφισσέος  
 50 τὸ Μικκυλίωνος Φυσκέος  
 τὸ 'Αριστοδάμου 'Αμφισσέος τὰ κάτω  
 τὸ 'Αριστοδάμου 'Αμφισσέος τὰ ἄνω  
 τὸ Τ[ι]μαίου 'Αρσινόος  
 τὸ Θηρίωνος 'Ανταίος

τὸ Δαμαινέτου Ἀμφισσέος.

*vacat*

Ἐν Βάσσαι·

τὸ Ἐχέκλεος Πλυγονέος.

25 Ἐν Αἰθέαι·

τὸ Καλλ(ι)στράτου Πλυγονέος

τὸ Δαμοκράτεος Πλυγονέος.

*vacat*

Ἐν Νατείαι·

30 τὸ Σωξένου Ἀμφισσέος

τὸ Ἀγήσωνος Ἀμφισσέος

τὸ Κριτολάου Φυσκέος.

Ἐν Ἀνδρέαι·

τὸ Καλλιστοῦς Χαλειίδος.

55 τὰν Ἀριστείδα Τολφωνίου

τὰν Θεαγένης Ἀμφισσέος

τὰν Ἰσχοπόλιος Ἀμφισσίδος

τὰν Δάμωνος Τριτέος

τὰν Εὐνίκου Φυσκέος

60 τὰν Μνασιλάου Χαλειίδος

τὰν Δωροθέου Καλλιπολίτα

τὰν Ἀριστοξένου Ἀμφισσέος

τὰν Χαλέπου Ναυπακτίου

τὰν Χαρίξας Χαλειίδος

65 τὰν Ἀρμίου Ἡρακλειωτίδος

τὰν Ἀλεξάνδρου Φυσκέος

τὰν Πραξιδάμου Ἀμφισσέος

τὰν Νικία Φυσκέος

τὰν Κρατίνου Τριτέος

70 τὰν Ἀγησιπόλιος Τριχονίδος

τὰν Ἀλεξομένου Πλευρωνίου

τὰν Ἀγήτα Καλλιπολίτα τὰ κάτω

τὰν Ἀγήτα Καλλιπολίτα τὰ ἄνω

τὰν Φιλονίκου Τολφωνίου

75 τὰν Αἰσχρίος Ἀγρινιάδος

τὰν Δαμοσθένους Ναυπακτίου

τὰν Κρινία Φυσκέος

τὰ Πύρρου Ναυπακτίου βαλανεία

τὰν Εὐκταίου Ἀλπαίου

80 τὰν Ὑβριλάου Οἰνοαίου.

Text based on that of Roussel. 1 [κατά]λυμα, Pomtow; cf. *I.G.*, V, 1, 869. 3 [ἀντιποι]ῶνται περί; cf. *P. Berl.* 993. col. III. 12. 4 Daux, *op. cit.*, p. 229, n. 2, reads κύ[ριαι] since he sees the *upsilon*. 4-5 [τοῦ δὲ λοιποῦ, κριτ]ήριον ἀποδείξαντες. . . , διεξαγάγ[ετε τὸ δίκαιον] is an alternative. 9-10 π[άτ]ρι[α] τὰ περὶ τῆς is an alternative. 17 Perhaps Ἰεπάραι, as Daux reads, *op. cit.*, p. 229, n. 1.

COMMENTARY. This document falls into two parts: one is a letter from a Roman magistrate to the Delphians (ll. 1-10), and the other a list of properties and houses that had been given to the god and the city of Delphi. The fact that the heading of the second part does not cite the name of the giver but merely records the simple verb *ἔδωκε* would indicate that "he" is well known from the letter. Thus, once we know who was responsible for giving all these pieces of property and houses to the city, we shall know the author of the letter. There is good evidence to show that this person was Manius Acilius Glabrio, for in another document of later date concerned with the demarcation of the sacred land at Delphi we learn that Acilius Glabrio had once given the region of the city called *Νάρεα* to the god.<sup>1</sup> Since this same region is mentioned in our document (l. 28), there can be no doubt that Acilius Glabrio was the author of the letter.<sup>2</sup>

When Acilius Glabrio freed Delphi from Aetolian control toward the end of 191 B.C., it was brought to his attention that Aetolians and Aetolian subjects had gained control of a considerable part of the area in and around Delphi consisting of property and houses.<sup>3</sup> Clearly the Delphians found their presence unacceptable and appealed to Acilius, who gave the area in question to the god and the city. This amounted to an act of eviction or expulsion of the Aetolians and their subjects from Delphi. Naturally such an act resulted in a series of complicated legal problems, for our letter indicates that the Delphians were to set up a tribunal to hear and to judge impartially whatever future litigation might arise. Of the fifty men and nine women evicted from their holdings forty-six came from Ozalian Locris and only nine from Aetolia proper. The reason for this would seem to be the proximity of Delphi to Locris.

Most interesting is the conclusion of the letter, for Acilius pledges himself to use all his influence in upholding and preserving the ancestral laws of the city and the temple. It is unfortunate that we cannot tell precisely what he had to say about the liberty (*αὐτονομία*) of Delphi, although it is certain that it was some statement such as "preserving the freedom..."<sup>4</sup> His sentiments about Delphi coincided with those of Rome in general during the years that followed.

The letter was written sometime before Glabrio left Greece, in about April of 190 B.C. Since it mentions legal difficulties that had already arisen (l. 6), some period of time must have elapsed between the gift of the property and the composition of the letter. Thus one would be reasonably safe in assuming that it was written during the first few months of 190 B.C.<sup>5</sup>

<sup>1</sup> For the whole matter see Roussel, *op. cit.*, pp. 6-7. The other document is S.I.G.<sup>3</sup>, 826 E, col. III, l. 38, and its date is 125 B.C. See Daux, *op. cit.*, pp. 228-29, and for the events of 125 B.C. his commentary on pp. 381 ff.

<sup>2</sup> There is no way of knowing how much of the beginning of the letter is lost. But from the tenor of the concluding sentences it may be assumed that it was addressed to the Delphians rather than the Amphictyons. Acilius had been consul for the year 191 B.C. and had been placed in charge of the war in Greece against the Aetolians and Antiochus. His command ended in about April of 190.

<sup>3</sup> It is not known how they gained possession of the property or by what legal means they retained it. Any irregularity in these matters would have given the Delphians legal justification for asking Acilius to evict the Aetolians and their subjects. Daux, *op. cit.*, p. 231.

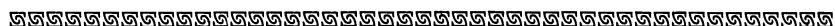
<sup>4</sup> The restoration *τὰ ἐξ ἀρχῆς ὑπάρχοντα πάτρ[ια τὰ περὶ τῆς] τῆς πόλεως καὶ τοῦ ἱεροῦ αὐτονομίας* would give much the same sense.

<sup>5</sup> Roussel, *op. cit.*, pp. 18-19. Acilius, of course, was not in Delphi when he wrote it, but he was almost certainly still in Greece.

# 38

## EPISTULA C. LIVII (SALINATORIS) AD DELPHOS

189-188 B.C.



BIBLIOGRAPHY. H. Pomtow, in W. Dittenberger, *S.I.G.<sup>3</sup>*, II (1917), 611; M. Holleaux, *Στρατηγὸς Ὑπατος, Étude sur la traduction en Grec du titre consulaire* (Paris, 1918), pp. 159-65; K. J. Beloch, *Klio*, 15 (1918): 382ff., esp. 409ff.; H. Pomtow, *Klio*, 16 (1920), no. 119, pp. 130ff.; O. Leuze, *Hermes*, 58 (1923): 268 ff.; M. Holleaux, *B.C.H.*, 54 (1930): 3-6, 15-16, and text on pp. 40-41 (= *Études d'épigraphie et d'histoire grecques*, V [Paris, 1957], 250-51, 261-62, and text on pp. 284-85); P. Roussel, *B.C.H.*, 56 (1932): 2 and 23-24; G. Daux, *Delphes au II<sup>e</sup> et au I<sup>er</sup> siècle* (Paris, 1936), pp. 262ff.; J. A. O. Larsen, "Roman Greece," in T. Frank, *An Economic Survey of Ancient Rome*, IV (Baltimore, 1938), 285; M. I. Rostovtzeff, *S.E.H.H.W.*, II (1941), 609; Lewis-Reinhold, *Roman Civilization*, I (New York, 1951), 312-13; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 26.

DESCRIPTION. This is a block of gray limestone forming part of the equestrian statue of Manius Acilius Glabrio in Delphi (see No. 37). Its measurements are exactly the same as the block carrying the letter of Glabrio to the Delphians. Height: 0.76 m. Width: above, 0.69 m., below, 0.71 m. Thickness: above, 0.57 m., below, 0.58 m. The text followed here is that of Holleaux, which in turn was based on a revision by R. Flacelière.



[Γάιος Λίβιος Μαάρκου στ]ρατηγός ὑπ[α]τος Ῥ[ω]μ[αίων καὶ δῆ]-  
 [μ]αρχοὶ καὶ [ῆ σύγκλ]ητος Δελφῶν τοῖς ἄρ[χο]υσι καὶ τῇ πό[λει χαίρειν·]  
 οἱ παρ' ὑμῶν ἀποσταλέντες πρεσβευταὶ Ἡρὺς Εὐδώρου, [Δ]αμο[σθέ]-  
 νης Ἀρχέλα τὰ τε γράμματα ἀπέδοσαν καὶ αὐτοὶ διελέγησαν ἀκολούθως  
 5 τοῖς ἐν αὐτοῖς κατακεχωρ[ισ]μένοις μετὰ πάσης σπουδῆς, φιλοτιμίας οὐ-  
 θέν ἐλλείποντες, ἐνεφάνιζον δὲ καὶ δ[ι]ότι τὸν τε ἀγῶνα τὸν γυμνικὸν  
 καὶ τὴν θυσίαν ὑπὲρ ἡμῶν συνετελέσατε· καὶ ῆ σύγκλητος τὴν διάνοιαν  
 προσέσχεν τε καὶ ἔδοξεν αὐτοῖς ὑπὲρ τε τῶμ πρότερον πρεσβευτῶν  
 Βούλωνος, Θρασυκλέος, Ὀρέστα, τῶμ πρὸς ἡμᾶς μὲν ἀφικόμενων, ἐν δὲ  
 10 τῇ εἰς οἶκον ἀνακομιδῇ διαφωνησάντων, γράψαι πρὸς Μάαρκον Φόλουιον  
 τὸν ἡμέτερον στρατηγόν, ἵνα φροντίσῃ ὅπως, ὅταν καθ' ἡμᾶς γένηται  
 τὰ κατὰ τὴν Σάμην πράγματα, ἀναζητήσῃ τοὺς ἀδικήσαντας καὶ φρον-  
 τίσῃ ἵνα τύχωσιν τῆς καθηκούσης τιμωρίας καὶ τὰ τῶν πρεσβευτῶν  
 15 ὑπάρχοντα ἀποκατασταθῇ πάντα τοῖς οἰκείοις αὐτῶν· ἔδοξεν δὲ καὶ  
 πρὸς Αἰτωλοὺς γράψαι περὶ τῶν γινομένων παρ' ὑμῖν ἀδικημάτων, ἵνα  
 νῦμ μὲν τὰ ἀπηγμένα ἅπαντα ἀναζητήσωσιν καὶ ἀποκαταστήσω-  
 σιν οὐκ ἐν, τοῦ δὲ λοιποῦ μηθὲν ἔτι γίνηται· καὶ περὶ τῶν ἐν Δελφοῖς κα-  
 τοικόντων ἔχειν ὑμᾶς ἐξουσίαν ἐφῆκεν ῆ σύγκλητος ἐξοικίζειν  
 20 [ο]ῦς ἄμ βούλησθε καὶ εἰς αὐτὸν κατοικεῖν παρ' ὑμᾶς τοὺς εὐαρεστοῦντας τῶι  
 [κ]οινῶι τῶν Δελφῶν· τὰς δὲ δοθείσας ἀποκρίσεις τοῖς ἔμπροσθεν πρὸς  
 [ῆ]μᾶς ἀφικόμενοι παρ' ὑμῶν πρεσβευταῖς ἀνεδώκαμεν αὐτοῖς καθὼς  
 [ῆ]ξιούν ἡμᾶς, καὶ εἰς τὸ λοιπὸν δὲ πειρασόμεθα αἰεὶ τινος ἀγαθοῦ  
 [παρ]αίτιοι τοῖς Δελφοῖς γίνεσθαι διὰ τε τὸν θεὸν καὶ δι' ὑμᾶς καὶ διὰ τὸ  
 25 τῶν αἰτίους τῶν ἀγαθῶν.

1 Μαάρκου] υἱ[ός, Pomtow; Μαάρκου υἱός στ]ρατηγός, Viereck. 4 ἀπέδωκαν, Pomtow, ἀπέδοσαν in Homolle's copy; ἀκολούθως, Homolle. 6 διότι, Pomtow; δ.ότι, Homolle; καί, ὅτι, Viereck. 15 γινομένων, Pomtow; γενομένων, Homolle. 22 αἰεὶ [π]ειρασόμεθα αἰεὶ, Pomtow; δὲ πειρασόμεθα αἰεὶ, Homolle. 23 καὶ δι' ὑμᾶς, Homolle.

COMMENTARY. The difficulties experienced by Delphi at the hands of the Aetolians are well known from a series of documents dated in and after 190 B.C. The present letter is one of the same series and is especially interesting because of the unusual light it sheds on the fate of three Delphian envoys (and their state papers) known to us from another source.

The facts are these: sometime after April, 189 B.C., three envoys from Delphi—Boulon, Thrasycles, and Orestas—had gone to Rome in order to procure Roman confirmation of Delphi's autonomy and freedom, a measure designed in the first instance to rid the city of Aetolian control (see No. 37). From the present letter we learn that the three envoys had been murdered while returning from Rome with the senatorial documents that were the object of their mission (ll. 8–10). As soon as Delphi learned of the murders

it sent two other envoys—Herys and Damosthenes (ll. 3–4)—to inform the Roman Senate and request assistance. After the two envoys were heard in the Senate, the present letter was drafted to explain briefly to Delphi what actions the Roman people were taking in the matter. These actions were four in number: (1) M. Fulvius Nobilior, the consul of 189 B.C., was to be instructed to track down and punish the murderers (ll. 10–14). (2) The Aetolians were to be ordered to bring back to Delphi whatever they had removed from the city and thenceforth to cease and desist from similar action (ll. 14–17). (3) The Delphians were to have a free hand in expelling any undesirable inhabitants from their city or allowing to remain those people who were acceptable to the Delphian koinon (ll. 17–20). (4) Copies of the Roman documents previously given to Boulon and his companions but lost after their murder were given to the present envoys, Herys and Damosthenes, for delivery to Delphi.

Since the Boulon documents may be dated sometime after April, 189 B.C., we may be sure that, whatever the exact date of those documents within that year, the present letter was drafted soon after the murder of the three envoys. The murder of state officials and the loss of state papers are not matters about which the Delphians would have delayed very long; immediate action may be assumed. In addition it is obvious that the letter could not have been written after the news of victory at Same reached Rome, for the letter expressly states that Fulvius is to begin tracking down the murderers after affairs at Same have been cleared up (ll. 11–12). Clearly the siege of Same was going on at the time the letter was written, or else news of the city's fall had not yet reached Rome. Holleaux, in an exhaustive and brilliant essay on this letter and the siege of Same, has shown that the siege lasted from October of 189 B.C. to the end of January, 188.<sup>1</sup> Thus the letter must have been written sometime between October of 189 and late January of 188 (or early February, 188 B.C., allowing time for the news of Same's fall to reach Rome).

In line 1 the restoration of the name of the Roman official who presided over the Senate introduces a nice point in chronology and just might allow us to be more precise in our dating of the letter. That this official was a consul is evident from his title of [στ]παρτηγός ὕπ[α]ρ[χ]ος. The two consuls for 189 B.C. were M. Fulvius Nobilior and Cn. Manlius Vulso, but neither was in Rome at the end of the year: Fulvius was in Same, as the letter itself informs us, and Manlius Vulso was in Asia Minor (Livy 38. 35. 1). The solution appears to rest upon the deviation of the Roman calendar from the dates of the solar year.<sup>2</sup> The extent of this deviation is seen in the statement by Livy (37. 4. 4) that the eclipse of the sun in 190 B.C. occurred on the fifth day before the Ides of Quinctilis (July 11), while modern computations have established the fact that it really happened on

<sup>1</sup> "Le consul M. Fulvius et le Siège de Samé," *B.C.H.*, 54 (1930): 1–41 (= *Études*, V, 249–86). It should also be noted here that the title which Fulvius bears in the letter, *στπαρτηγός*, is of little value in determining the date of the letter, for in this period such a title was used for either a consul or a proconsul. After Fulvius' consulship was over, his military command in the East was prorogued for a year (Livy 38. 35. 3).

<sup>2</sup> For this whole matter and its connection with Fulvius see the remarks of Holleaux, *op. cit.*, pp. 36–38 (= *Études*, V, 280–81).

March 14 of that year.<sup>3</sup> Keeping this in mind, together with the fact that the Varronian year of 565 was intercalary, we find that the Ides of March for 188 B.C. actually fell on November 19 or 20 of 189 B.C. This becomes important when we realize that the consuls for 188 B.C., M. Valerius Messala and C. Livius Salinator, were inaugurated as consuls on the Ides of March in 188 B.C. (Livy 38. 35. 7). Because of the calendar deviation this inauguration of the new consuls actually took place on November 19 or 20, 189 B.C.<sup>4</sup> Therefore, the presiding officer to be restored in the first line of the letter must be one of the consuls for 188 B.C. Since the available space at the beginning of the line is rather short for the name M. Valerius Messala to appear, Pomtow restored the name of C. Livius.<sup>5</sup>

One final point on this interesting document is worth mentioning. It concerns the fact that M. Fulvius in particular was directed to investigate the murders at a time when he was fully occupied with the siege at Same. This could be interpreted to mean that the murders took place on the island of Cephallenia itself or in the vicinity, where Fulvius could begin his investigations without delay. It has been observed that in this period pirates were active in the area and might very well have been responsible.<sup>6</sup> To blame the Aetolians is unwarranted, for, if the Delphians had any sort of evidence, however flimsy, of Aetolian complicity, we may be sure they would have exploited it to the full. In that case, surely, there would have been some reference to it in the letter. Nevertheless, lack of evidence is not proof of innocence.

<sup>3</sup> G. De Sanctis, *Storia dei Romani*, IV, 1 (Turin, 1923), 368–69.

<sup>4</sup> Holleaux, *loc. cit.* If, as some think, the Varronian year 564 was intercalary (this is doubtful, however), the inauguration would have taken place on December 12 or 13 of 189 B.C. Holleaux rightly admits that the matter of such precise dating may be open to scepticism, but just as rightly he maintains that the Ides of March of the Varronian year 566 could not have preceded the beginning or the course of the month October, 189 B.C., or have fallen later than about mid-February, 188 B.C.

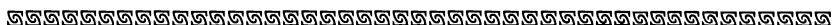
<sup>5</sup> In *S.I.G.*<sup>3</sup>, 611, n. 1, approved by Holleaux, *op. cit.*, p. 3, n. 2 (= *Études*, V, 250, n. 2).

<sup>6</sup> Daux, *op. cit.*, pp. 262–63.

# 39

## EPISTULA LICINII CUIUSDAM AD AMPHICTIONES

186 B.C. ?



BIBLIOGRAPHY. L. Couve, *B.C.H.*, 18 (1894), no. 895, pp. 249ff.; H. Pomtow, *Philologus*, 54 (1895): 358, n. 3; G. Colin, *B.C.H.*, 24 (1900): 102ff.; G. Blum, *B.C.H.*, 38 (1914): 29; M. Holleaux, *Revue des études anciennes*, 19 (1917): 77ff.; H. Pomtow, in Dittenberger, *S.I.G.*<sup>3</sup>, II (1917), 826 K; P. Roussel, *B.C.H.*, 56 (1932): 32–36; G. Daux, *Delphes au II<sup>e</sup> et au I<sup>er</sup> siècle* (Paris, 1936), app. VIII, pp. 675–78; R. Flacelière, *Fouilles de Delphes*, III, fasc. 4 (1954), no. 160; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 47.

DESCRIPTION. Quadrangular base of gray limestone with a frame of plain molding; broken at top and on right and left sides. Height: 0.89 m. Width: 0.67 m. Thickness: 0.77 m. On the same stone is a decree of Delphi from about the middle of the second century B.C. (*O.G.I.S.*, 150 = *Fouilles de Delphes*, III, 4, no. 161). The contrast between the lettering of our document and the decree is striking: that of the decree is very carefully executed in small, thick letters with *apices*, while that of our document is work of a different type, with larger letters and less-regular spacing.

[Μάαρκ]ος Λικίνιος Μάαρκ[ου (?) Λεύκολλος (?) στρατηγός (?) καὶ δῆ-]  
[μα]ρχοὶ καὶ ἡ σύγκλητος Ἀμφικτίο[σι χαίρειν· οἱ ἀπεσταλ-]  
[μέ]νοι παρ' ὑμῶν πρεσβευταὶ Αἰακίδα[s, . . . . .]  
[.α]ς, Μνασίδαμος, ἄνδρες καλοὶ καὶ ἀγαθοί, εἰσελ[θόντες]  
5 [εἰ]ς τὴν σύγκλητον, διελέγησαν περὶ ὧν αὐτο[ὺς ἀπε-]  
[σ]τάλκετε καὶ ἡ σύγκλητος ἀπεδέξατό τε α[ὐτοῦς]  
[φ]ιλοφρόνως καθότι προσήκεν παρ' ἀνδρῶν κα[λῶν]  
κάγαθῶν ἀπεσταλμένους καὶ διήκουσεν ἐπιμ[ελῶς]  
[π]ερὶ τῶν κριτηρίων καὶ ψήφων τῶν Ἀμφικτιον[3–4·]  
10 [περ]ὶ τούτων ἔδοξεν οὕτως ἀποκριθῆναι ὅτ[ι]  
[οὔ]τε ἀφαιρεῖσθαι οὔτε διδόναι νομίζομε[ν δεῖν.]

Based on Daux. 1 Daux restores the official's name without mark of interrogation. Pomtow restores *Λικίνιος Μαάρ[κου υἱὸς Γέτας, ὑπατος Ῥωμαίων* and refers the entire document to the "Scandal of 125" when a huge deficit in the treasury was discovered. 4 *κάγαθοί*, Flacelière. 6 Couve transcribed *ΑΠΕΔΕΙΞΑΤΟ*, which was followed by Colin, Holleaux, and Roussel. Daux reports that there is no *iota* on the stone. 9 *Ἀμφικτιον[ικῶν]* or *Ἀμφικτιόν[ων]*. 11 *νομίζομε[νοι]*, Blum; *νομίζομε[ν]*, others; *νομίζομε[ν δέιν]*, Daux, followed by Flacelière.

COMMENTARY. Although the freedom of the Amphictyonic League had been guaranteed by the Peace of Nicias in 421 B.C., its freedom was often one in name only. The control of the League was a constant source of rivalry among the Greek states and often led to political intrigue, bribery, and violence. During the third century the Aetolians actually directed affairs at Delphi as they saw fit, making the League a political tool. Delphi then took on a more cosmopolitan character and became the second capital of the League.<sup>1</sup> And, although nominally an independent state, it found the Aetolians and their subjects all too frequently intervening in its domestic affairs. Thus, when Roman arms overthrew the Aetolian confederacy and brought freedom to Delphi toward the end of 191 B.C., the city and the League had hopes for a brighter future. The Delphians have been aptly described as opportunists,<sup>2</sup> quick to sense the turn of events and the emergence of a new order. We are not surprised, therefore, that they took immediate steps to profit by the confused conditions in Greece, to make the League more independent, and to play a more profitable role in its administration. They cultivated the Romans from the very beginning and succeeded in obtaining from them one document after another to establish Roman backing for their political status.<sup>3</sup>

The greatest obstacles to their plans were the Thessalians, ancient masters of the League, and the Aetolians. For, although the Aetolians no longer controlled affairs at Delphi, they stubbornly refused to concede defeat. But the quick action of the city in gaining Roman recognition of its freedom and in evicting Aetolian property owners had done much to check any future encroachment on the city and the sanctuary. The control of the League, however, soon passed into the hands of the Thessalians, whose power was clearly expressed in the reorganization of the League in about 190–186 B.C.<sup>4</sup> Their supremacy did not go unchallenged, for from 190 to 168 the Aetolians,<sup>5</sup> Macedonians, and Thessalians all struggled for control. But no single state achieved sufficient voting power to endanger Delphi, whose ambition was simply to maintain her independence within the city and the sanctuary. In this she was successful.

After Pydna (168 B.C.) the previous Roman attitude of good will and philhellenism underwent a change. Greece was free, but Rome was skeptical. Three times Rome

<sup>1</sup> Daux, *op. cit.*, p. 219.

<sup>2</sup> *Ibid.*, p. 313.

<sup>3</sup> See the letter of Acilius Glabrio, No. 37; the letter of Spurius Postumius, No. 1, Documents A–B; the letter of the consul C. Livius (Salinator), No. 38.

<sup>4</sup> Daux, *op. cit.*, pp. 280–92.

<sup>5</sup> The Aetolians were excluded by name from the League, but through the votes of the Aenianians, Locrians, and the Dorians of the Metropolis their influence and pressure were very real. See *ibid.*, pp. 307ff. Even Heraclea represented Aetolian interest.

had left Greece free; four times would be unthinkable. Thenceforth the political importance of the Amphictyonic League all but disappeared, for there was simply no part left for it to play in the political life of the Greek states. Nevertheless, the various members of the League still fought over its control, for the sending of representatives became a matter of pride and honor.<sup>6</sup> And, although the general distribution of the Amphictyonic votes had been settled in the period of the reorganization before Pydna, enough rivalry remained for the privilege of sending the representatives that *within* the member states individual cities and groups quarreled frequently.<sup>7</sup>

Somewhere within this background of second-century Delphi and the League is to be found the reason that prompted the Roman Senate, upon request, to send the present letter to the Amphictyons. The unfortunate lacuna of the first line and the extreme brevity of the concluding lines complicate its dating and interpretation. But Roussel and Daux have advanced noteworthy theories. The main difficulties center on three crucial points.

1. The *κριτήρια καὶ ψήφοι τῶν Ἀμφικτιόνων*. The difficulty of this phrase lies in the fact that we know of two periods in the history of the League in which there were disputes or quarrels involving the votes. The first is the period before Pydna, especially around the years 190–184 B.C. (reconstitution of the League), in which were decided the important questions of what states were to be admitted and in what manner the total number of votes was to be distributed among them. The second begins in about 166 B.C., when we hear of several disputes on the local level concerned with votes within single states. The words themselves do not admit of a positive interpretation, and the decision of the Senate “neither to take away nor to give” is equally obscure. Then, too *κριτήρια* means either “judgments, decisions” or “tribunals.” Roussel believed the whole phrase meant “judgments concerning Amphictyonic votes,” making *ψήφοι* depend upon *κριτήρια*.<sup>8</sup> And Daux is ready to believe that, if the phrase does refer to the internal organization of the League, the document must be dated prior to Pydna. The phrase, however, is not precise enough to allow us to make positive statements. We must look elsewhere for further evidence.

2. The Envoys. Fortunately, the two envoys, Mnasidamos and Aiakidas, may be of additional help in dating the letter. A secretary of the Amphictyons in the period of its reorganization was a Corinthian named Mnasidamos, and it is just possible that he might be the envoy of our letter.<sup>9</sup> In 191–190 B.C. we know that a certain Aiakidas was strategos of the Thessalians, and he could have exercised the duties of representative to the League.<sup>10</sup> This may be coincidental, but at least it may be used to lend support to a date before Pydna.

<sup>6</sup> *Ibid.*, p. 343. Throughout the Hellenistic period there was also a decline in the importance of the Delphic oracle. See H. W. Parke and D. E. W. Wormell, *The Delphic Oracle*<sup>2</sup>, I (Oxford, 1956), 260ff.

<sup>7</sup> For the quarrels after Pydna see Daux, *op. cit.*, chap. VI, pp. 326ff.

<sup>8</sup> Roussel, *op. cit.*, p. 35. For a different interpretation see also Holleaux, *op. cit.*, p. 80, n. 3.

<sup>9</sup> *S.I.G.*<sup>3</sup>, II, 613 (=Daux, *op. cit.*, pp. 281ff., ll. 1–2), for Mnasidamos.

<sup>10</sup> See *I.G.*, IX, 2, 24, and Daux, *op. cit.*, p. 677.

3. The Roman Magistrate. A third piece of evidence that might suggest a date before Pydna would be most welcome. Daux (and Blum) soon saw that in 186 B.C. there was a *praetor peregrinus* called M. Licinius Lucullus, whose name would fit the lacuna of line 1 very nicely. Such a date for the letter would correspond well with the reorganization of the League, the period in which we would expect quarrels to be most prevalent.<sup>11</sup>

When one considers these three points as a whole, one must admit that there is a strong possibility that the date of the letter is 186 B.C., but, as Daux himself admits, it is still only a possibility. All that we may safely say is that, perhaps in 186 B.C., some controversy about Amphictyonic votes and tribunals (or judgments) became so involved that the Roman Senate was asked its opinion; the Senate answered that nothing (votes?) should be given or taken away. There the matter must rest. The attempt by Pomtow to refer this letter to the deficit in the Delphian treasury in the last quarter of the second century has little to support it.<sup>12</sup>

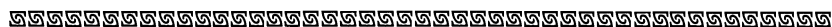
<sup>11</sup> Daux, *op. cit.*, pp. 677-78. For the praetorship of M. Licinius Lucullus see Livy 39. 18. 1 and Broughton, *Magistrates*, I, 371.

<sup>12</sup> Daux, *op. cit.*, p. 676.

# 40

## EPISTULA AUT MAGISTRATUS AUT LEGATI ROMANI DE PERSEO REGE AD AMPHICTIONES

171–170 B.C.



BIBLIOGRAPHY. H. Pomtow, *Neue Jahrbücher für Philologie und Pädagogik*, 153 (1896): 760; A. Nikitski, *Journal du ministère de l'instruction publique*, April, 1906, pp. 174ff., with photograph of squeeze (deceptive, since the letters had been penciled in); A. J.-Reinach, *B.C.H.*, 34 (1910): 249–53, with excellent photograph; H. Pomtow, in W. Dittenberger, *S.I.G.*<sup>3</sup>, II (1917), 643; G. Colin, *Fouilles de Delphes*, III, 4 (1930), no. 75, pp. 108–16, with Plate X, 3; G. Daux, *Delphes au II<sup>e</sup> et au I<sup>er</sup> siècle* (Paris, 1936), pp. 319–25; M. I. Rostovtzeff, *S.E.H.H.W.*, III (1941), 1460–61, n. 14; Lewis-Reinhold, *Roman Civilization*, I (New York, 1951), no. 71, pp. 184–85; E. Bikermann, *R.É.G.*, 66 (1953): 486–87; P. Meloni, *Perseo e la fine della monarchia macedone*, *Annali Univer. Cagliari* XX (Rome, 1953), pp. 241–43; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 29.

DESCRIPTION. Stele of white marble found at Delphi in 1887. Maximum dimensions: height, 0.44 m.; width, 0.26 m.; thickness, 0.06 m.; height of letters, 0.006 m. It may have formed part of the famous monument of Aemilius Paulus. The lettering is small and carefully executed, *omicron* and *theta* being smaller than the other letters.



## A. Pomtow, following Nikitski

- [.....]τ[-----]  
 [.....]οντα ς[-----]  
 [.. τῶν κ]αθεστακό[των] ὕ[-----]  
 [.....] ὅπως αὐτοὶ οἱ Ἀ[μφικτιόνες] -----  
 5 [.....]γῆτε τοῖς θεοῖς κα[-----]  
 [...] δ[ιοι] κῆτε καθὼς ἐπιβά[λλει] -----  
 Περσέα παρὰ τὸ καθῆκον μ[ετὰ τοῦ στρατεύματος εἰς Δελφοὺς παρελθεῖν ἐν τῇ  
 ἐκεχειρίαι]  
 [τῶ]μ Πυθίων· οὐ δίκαιον δὲ σ[υνόλως ἦν ἔαν ἐκείνον οὔτε παριέναι οὔτε τοῦ  
 χρησστηρίου μετέχειν]  
 οὔτε θυσιῶν οὔτε ἀγώνων ο[ὔτε τοῦ Ἀμφικτιονικοῦ συνεδρίου τοῦ κοινοῦ τῶν  
 Ἑλλήνων· ἐκείνος γὰρ]  
 10 ἐπεσπάσατο τοὺς πέραν τοῦ Ἰστροῦ οἰκοῦντας βαρβάρους, οἱ καὶ πρότερόν ποτε  
 ἐπ' ἀγαθῶι μὲν]  
 οὐθενί, ἐπὶ καταδουλώσει δέ [τῶν Ἑλλήνων ἀπάντων συναθροισθέντες εἰς τήν  
 Ἑλλάδα ἐνέβαλον καί]  
 ἐπιστρατεύσαντες ἐπὶ τὸ ἱερὸν τοῦ Ἀπόλλωνος τοῦ Πυθίου τὸ ἐν Δελφοῖς,  
 διανοοῦμενοι διαρπά-]  
 [σ]αι καὶ ἀνελεῖν αὐτό, ἔτυχον π[αρά τοῦ θεοῦ τῆς προσηκούσης τιμωρίας, καὶ οἱ  
 πλείστοι ἀπώλοντο.]  
 παρέβη δὲ καὶ τὰ γεγνημένα τὰ ὕ[φ'] ἡμῶν τῶι πατρὶ αὐτοῦ ὄρκια καὶ τὰς συνθήκας, ἃς  
 αὐτὸς ἀνενέωσατο.]  
 15 [κ]αὶ Θρᾷκας μὲν ὄντας ἡμετ[έρου]ς φίλους καὶ συμμάχους καταπολεμήσας  
 ἀναστάτους ἐποίησεν. Ἀβροῦ-]  
 πολιν δέ, ὃν ἡμεῖς περιελάβομεν τα[ῖς πρὸς αὐτὸν συνθήκαις φίλον ἡμῶν ὄντα καὶ  
 σύμμαχον, ἐξέ-]  
 βαλεν ἐκ τῆς βασιλείας· πρεσβε[υτὰς δὲ παρὰ τε τῶν Ἑλλήνων καὶ τῶν βασιλέων  
 ἀποστελλομένους]  
 εἰς Ἰώμην ἡμεῖς συμμαχίας τῶν [μὲν Θηβαίων κατεπόντισεν, ἄλλους δὲ ἄλλως  
 ἐκποδῶν ποιῆσαι ἐπεβάλετο.]  
 [π]λὴν εἰς τοῦτο ἦλθεν ἀπονοίας [ὥστε καὶ τὴν σύγκλητον ἡμῶν φαρμακοὶς  
 ἀναλῶσαι ἐν νῶι εἶχε. Δόλοπες δὲ ἄφη-]  
 20 ροῦντο τὴν ἐλευθερίαν διὰ τῶν ἐκείνου εἰσβολῶν. ἐν δὲ Αἰτωλίαι πόλεμόν τε καὶ  
 φόνους ἐβουλεύ-]  
 [σατο] καὶ ὅλον τὸ ἔθνος εἰ[ς] ταρ[χὰς καὶ στάσεις κατέστησεν. καὶ κατὰ πάσης  
 τῆς Ἑλλάδος χεῖ-]  
 [ρισ]τα πράσων διετέλει, ἄλλα [τε κακὰ ἐπινοοῦμενος καὶ καταδεχόμενος τοὺς ἐκ  
 τῶν πόλεων φυγάδας.]  
 [κα]ὶ διαφθείρων τοὺς προεσθηκότ[ας, ἅμα δὲ καὶ τὰ πλήθη θεραπεύων, χρεωκοπίας  
 τε ἐπηγγέλλε-]

- [το κ]αὶ νεωτερισμοὺς ἐποίει κατάδ[ηλον ποιούμενος ἦν ἔχει προαίρεσιν πρὸς τε  
 τοὺς Ἑλληνας καὶ τοὺς Ῥω-]  
 25 [μαίω]υς. ἐξ ὧν συμβέβηκε[ν] τοῖς Πε[ρραιβοῖς καὶ τοῖς Θετταλοῖς καὶ τοῖς  
 Αἰτωλοῖς ἀνάτοις περιπε-]  
 [σεῖν] συμφοραῖς, τοὺς τε βαρβάρους φο[βερωτέρους ἔτι καταστήναι τοῖς Ἑλλησιν.  
 πρὸς δὲ ἡμᾶς ἐκ πολλοῦ χρό-]  
 [νου ἐπιθυ]μῶν πολέμου, ὅπως ἀβοηθ[ήτους ἡμᾶς καταλαβὼν μηδεὶν ἐναντιούμενου  
 τὰς Ἑλλη-]  
 [νίδας πό]λεις καταδουλώσῃται π[άσας, τὸν τε Γένθιον τὸν Ἰλλυριὸν χρήμασιν  
 ἀναπείσας καθ' ἡμῶν]  
 [ἐπανάστησε]ν. Εὐμένεά τε τὸν βασιλ[έα, φίλον ἡμέτερον ὄντα καὶ σύμμαχον, δι'  
 Εὐάνδρου ἐπεβού-]  
 30 [λευεν ἀνελε]ῖν, καθ' ὃν καιρὸν ἀπολνύμ[ενος τὴν εὐχὴν εἰς Δελφοὺς ἐπορεύετο,  
 οὐδὲν φροντίσας οὐδὲ]  
 [τῆς παρὰ τοῦ] θεοῦ πᾶσιν τοῖς παραγινο[μένους πρὸς αὐτὸν δεδομένης ἀσφαλείας  
 οὐδὲ ἐν λόγῳ ποιησά-]  
 [μενος, ὅτι ὑπά]ρχ[ε]ι ἡ παρὰ πάντων ἀνθ[ρώπων νενομισμένη καθιέρωσις καὶ  
 ἀσυλία τῆς πόλεως τῶν Δελφῶν]  
 [τοῖς τε Ἑλλησιν] καὶ βαρβάροις ἐκ παντ[ὸς χρόνου] - - - - -  
 - - - - -]  
 [..... ἐσ]τιν ὑμᾶς ἐπὶ πλε[ίστον] - - - - -  
 - - - - -]  
 35 [.....] κοινῶν εἴνα[ι] - - - - -  
 - - - - -]  
 [.....] τῶν ἄλλ[ων] - - - - -  
 - - - - -]  
 [.....] μ[- - - - -  
 - - - - -]

## B. Coim

- [.....]  
 [.....]τ[- - - - -]  
 [.....]οντ[ο] - - - - -]  
 [.....]πρ[ο]εστακότ[ο] νῦν - - - - -]  
 [.....]ς] ὅπως αὐτο[ὶ] οἱ δι[- - - - -]  
 5 [.....]θ]ῆτε τοῖς θεοῖς κα[- - - - -]  
 [...]δ[ιοι] κῆτε καθὼς ἐπιβά[λλει ὑμῖν. — Ἰστε μὲν οὖν πρῶτον]  
 [Περ]σέα παρὰ τὸ καθήκον μ[ετὰ στρατιᾶς ἐλθόντα εἰς ἑορτὴν]  
 [τῶ]μ Πυθίων· οὐ δίκαιον δὲ σ[αφῶς ἐκείνον ἦν κοινωνεῖν ὑμῖν]  
 [οὔ]τε [θ]υσιῶν οὔτε ἀγώνων ο[ὔτε] πανηγυρίδων οὐδαμῶς, ἐπεὶ]  
 10 ἐπεσπάσατο τοὺς πέραν το[ῦ] Ἰστρου βαρβάρους, οἱ ἐπ' ἀγαθῶι μὲν]

- οὐθενί, ἐπὶ καταδουλώσει δὲ [τῆς Ἑλλάδος τὸ πρὶν ἐφωρμήθησαν, καί,]  
ἐπιστρατεύσαντες ἐπὶ τὸ ἱερ[ὸν τὸ ἐν Δελφοῖς, διανοοῦμενοι συλη-]  
σαι καὶ ἀνελεῖν αὐτό, ἔτυχον π[αρά τοῦ θεοῦ τῆς ἀξίας τιμωρίας.]  
Παρέβη δὲ καὶ τὰ γενόμεν[α] τῷ[ι πατρὶ ὄρκια, ἃ αὐτὸς ἀνεκαίνισεν.]  
15 [κ]αὶ Θραϊκας μὲν, ὄντας ἡμετέ[ρους συμμάχους, ἐκράττησε· Ἄβρου-]  
[π]ολιν δέ, ὃν ἡμεῖς περιελάβομεν [ταῖς πρὸς Φίλιππον συνθήκαις, ἐξέ-]  
[β]αλεν ἐκ τῆς βασιλείας· πρεσβε[υτὰς δὲ παρὰ Θηβαίων ἐσταλμένους]  
[εἰς Ῥώμην περὶ συμμαχίας τῷ[ι ναυαγίας δόλωι ἐκποδὼν ἐποίησατο.]  
[ΙΙ]λὴν εἰς τοῦτο ἤλθεν ἀπονοίας [ὥστε, μέγα τι ἡγούμενος παρὰ τοὺς ὄρ-]  
20 [κ]ους τὸ τὴν ἐλευθερίαν διὰ τῷ[ν ἡμετέρων στρατηγῶν δοθεῖσαν ἀφανί-]  
[ζεῖν] τῷ ὅλον τὸ ἔθνος εἰς ταρα[χὰς καὶ στάσεις ἐμβάλλειν, οὐδὲν εἰ μὴ]  
[φά]ϋλα πράσσωσι διετέλει, ἀλλὰ, [πάντα συγχέων, καὶ τὸ πλῆθος θεραπεύων,]  
[καὶ] διαφθείρων τοὺς προεσθηκό[τας, χρεωκοπίας τε ἀλογίστως ἐπηγγέλλε-]  
[το κ]αὶ νεωτερισμοὺς ἐποίει, καταδ[εικνὺς ἣν σχοίη ἀπέχθειαν πρὸς τοὺς  
βελ-]  
25 [τίστ]ους· ἐξ ὧν συμβέβηκε[ν] τοὺς Περραιβοὺς καὶ Θεσσαλοὺς δειναῖς  
ἐμπε-]  
[σεῖν σ]υμφοραῖς, τοὺς τε βαρβάρους φο[βερωτέρους ἔτι ἐπιστήναι. Καί,  
μεγά-]  
[λου ἐπιθυ]μῶν πολέμου, ὅπως, ἀβηθη[ήτους ὑμᾶς καταλαβών, τάχα τὰς  
ἐλλή-]  
[νίδας πό]λεις καταδουλώσεται π[άσας, Ἀρθεταύρωι τε τῷ Ἰλλυρίω φόνον  
ἐπε-]  
[βούλευσε]ν, Εὐμένεά τε τὸν βασιλ[έα, φίλον ἡμῖν καὶ σύμμαχον ὄντα,  
ἐτόλμη-]  
30 [σεν ἐνεδρεῦ]ειν [κ]αθ' ὃν καιρόν, ἀπολυνόμ[ενος εὐχὴν, εἰς Δελφοὺς ἦκεν,  
οὐ φρον-]  
[τίσας τῆς τοῦ] θεοῦ πᾶσιν τοῖς παραγινομ[ένους νενομισμένης καθιερώσεως,  
οὐδὲ]  
[τηρήσας ἣν] σχοίη παρὰ πάντων ἀνθ[ρώπων ἀσφάλειαν τὸ ὑμέτερον ἱερὸν  
ἐν τοῖς]  
[Ἑλλῃσιν ὁμοίως] καὶ βαρβάροις ἐκ παντὸ[ς χρόνου - - - - -]  
[..... ἐστ]ιν ὑμᾶς ἐπὶ πᾶσ[ι - - - - -]  
35 [.....]ν κοινωνεῖ[ - - - - -]  
[..... τῷ]ν ἄλλ[ων - - - - -]  
[.....]

There is room on the stone for two lines before the visible *tau* of our first line. 2 Pomtow read *οντα ν[-]*, but this is almost certainly wrong. Colin says, “peut-être trace d’un O après ONT,” and from the photograph one can clearly see that the pitted surface of the stone led Pomtow into thinking of an *alpha*. Dim and deceptive traces of grooves are visible at this point on the stone. 3 Viereck (notes) follows Colin here, as everywhere in the present text. 5 Colin believes the letter before *ητε* is round. 6 The restorations of the text from here to l. 33 are all based on the edition by

Nikitski. His restorations were made only to illustrate the general meaning and were not intended to be exact and accurate in detail. Pomtow used them for the edition in *S.I.G.*<sup>3</sup> and Colin accepted many of them. However, Colin believed that the stele had been built into the monument of Aemilius Paulus in Delphi. He was forced, therefore, according to his calculations of the space available on the monument, to shorten the length of each line of the inscription. This is an assumption on his part and is not to be accepted as fact (cf. Daux, *op. cit.*, p. 320, n. 2). 14 After γεγόμεν[α] Colin notes that "un T est sûr, et ensuite un Ω est probable," but Reinach agrees with Pomtow's reading. 20 Colin thinks he sees ΟΥΣΤΟ at the beginning of the line with only enough space before it for one letter. Nikitski read nothing before *THN*. Reinach adopted *ρουντο* from a reading by Bourguet. Colin seems able to distinguish *INTΩ* at the beginning of l. 21, but Reinach reads *KAI*. In 22 the traces of letters are very difficult to read as far as *ΑΣΣΩΝ*, but Colin thinks of *ΥΔΑ* or *ΥΛΑ* before *πράσσω*, not *ΠΙΣΤΑ*; Reinach has *τα πράσσω*. 25 Colin sees *ΤΟΥΣ*, not *ΤΟΙΣ*. 27 The *theta* of ἀβουθ[ ] seems to have been superimposed on a *tau*, almost totally obliterating it. 30 The engraver first engraved *ΑΠΟΛΛΟΜ*, but then an *upsilon* was engraved on the second *lambda*. 31 The brackets are missing in *S.I.G.*<sup>3</sup> for this line. 32 Colin believes that Pomtow's original reading of *ΕΧΟΙΗ* is more reasonable than Nikitski's *ΡΧΕΙΗ*. 33 Colin sees the trace of a round letter at the end. 34 "à la fin, ΠΑΣ très net," Colin; it is visible on the photograph. Reinach, ἐπὶ πλε[ιστον] - -.

COMMENTARY. Eumenes II of Pergamum arrived at Rome in 172 B.C. and addressed the Senate on the matter of Perseus, King of Macedonia, and his dynastic plans for expansion and power.<sup>1</sup> He began by outlining the Macedonian king's abilities, his military frame of mind, his prestige and popularity among the Boeotians and the Achaeans, and the legacy of war against Rome which he had inherited from his father. Then he turned from general observations to specific charges:

Abrupolim, socium atque amicum vestrum, regno expulit; Arthetaurum Illyrium, quia scripta ab eo quaedam vobis comperit, socium item atque amicum vestrum, interfecit; Eversam et Callicritum Thebanos, principes civitatis, quia liberius adversus eum in concilio Boeotorum locuti fuerant delaturosque ad vos quae agerentur, professi erant, tollendos curavit; auxilium Byzantiis adversus foedus tulit; Dolopiae bellum intulit; Thassaliam et Doridem cum exercitu pervasit ut in bello intestino deterioris partis auxilio meliorem affligeret; confudit et miscuit omnia in Thessalia Perrhaebiaeque spe novarum tabularum, ut manu debitorum obnoxia sibi optimates opprimeret.<sup>2</sup>

The purpose of Eumenes in making such a speech was to convince the Senate that Perseus posed a danger to the peace of Greece and that steps should be taken to halt his growing power. And, although many of the senators must have felt that some of the charges brought against Perseus by Eumenes were motivated by his hatred of the Macedonian king, his speech, at any rate, made a profound impression upon the majority of them. It was considered so important, in fact, that a cloak of secrecy was thrown over

<sup>1</sup> Livy 42. 11-14 gives us a lengthy account of his visit and speech to the Senate. See P. V. M. Benecke, *C.A.H.*, 8 (1930): 256-57; F. Geyer, *R.E.*, s.v. "Perseus," cols. 1004-5; Meloni, *op. cit.*, pp. 150-66, with a wealth of detail and discussion. For the social and political conditions in Greece at this time see A. Passerini, *Athenaeum*, 11 (1933): 309ff.; Rostovtzeff, *S.E.H.H.W.*, II (1941), 611-15, and III, 1460-61, n. 14; Meloni, *op. cit.*, chap. III; E. Bickermann, *R.E.G.*, 66 (1953): 479-506; cf. the *S.C. de Thibensibus* (No. 2) and the standard histories of the period.

<sup>2</sup> Livy 42. 13. 5-9.

that particular meeting of the Senate. The general public knew only that Eumenes had spoken. The contents of the speech were kept an official secret until after Pydna.<sup>3</sup>

Diplomatic envoys were sent out that very year to regain or strengthen the support of the Hellenistic kings for the cause of Rome. A propaganda mission was dispatched to the Greek mainland under Q. Marcius Philippus, who met with Perseus himself at the Peneus River. The envoy's purpose in meeting Perseus was to win time for the mobilization and transportation of Roman military forces, hardly a noble procedure.<sup>4</sup> But it was successful. In the course of the negotiations Marcius repeated the charges made against Perseus by Eumenes and insinuated that Perseus may have tried to murder Eumenes on his way home from Rome.<sup>5</sup>

Not long after the conference at the Peneus the war officially began (171 B.C.). It was brought to an end with the Roman victory in 168 B.C. at Pydna.

With these facts in mind let us examine our document. That it is a letter can be deduced easily from the words ἡμετ[έροις] and ὑμᾶς (ll. 15 and 34) and from the use of the second person of the verb δ[ιοι] κῆτε and the first person of ἡμεῖς περιελάβομεν (ll. 6 and 16).

Despite its fragmentary state enough significant phrases are extant to identify the subject matter. These phrases are the following: Perseus, contrary to what is proper . . . (l. 7), the Pythian games (l. 8), . . . . . marched with an army against the Temple [of Apollo in Delphi] . . . . . (l. 12), . . . and to destroy it (l. 13), . . . the Thracians being our [friends and allies] . . (l. 15), . . . . . and he expelled [Abrou]polis from his kingdom . . . . (ll. 15-16), . . . . . he came to such a degree of madness . . . (l. 19), . . . . . [he planned to murder] King Eumenes . . . (ll. 29-30). These fragments and the others remind one strongly of the list of charges brought by Eumenes against Perseus in 172 B.C. (Livy 42. 13. 5-9, quoted above). A close study will reveal that our document is actually a listing of those very same charges. Nikitski was the first to use the passages in Livy and Polybius to restore the lacunae in the document.

Since the inscription was found at Delphi it must have been addressed either to the city or to the Amphictyons at Delphi. In view of its subject matter, clearly one of very broad political implications (and therefore of interest to all the Greeks rather than one individual city), it was almost certainly addressed to the Delphian Amphictyons.<sup>6</sup> They in turn could have made it known to all the representatives at one of their meetings.

<sup>3</sup> Livy 42. 14. 1: *Haec oratio movit patres conscriptos. Ceterum in praesentia nihil, praeterquam fuisse in curia regem, scire quisquam potuit: eo silentio clausa curia erat. Bello denique perfecto, quaeque dicta ab rege quaeque responsa essent emanavere.*

<sup>4</sup> See F. W. Walbank, "A Note on the Embassy of Q. Marcius Philippus, 172 B.C.," *J.R.S.*, 31 (1941): 82-93. Meloni follows Walbank's chronology of the events, but he also follows De Sanctis (*Storia dei Romani*, IV, 1, 398) in regarding Livy 42. 36. 8-9 as of Polybian origin. This causes a difficulty; see F. W. Walbank, *J.H.S.*, 75 (1955): 194 (review of Meloni).

<sup>5</sup> Livy 42. 40-43; Polybius 22. 18; Appian *Maced.* 11; Diodorus 29. 33; see Meloni, *op. cit.*, pp. 177-78, 180-82, 185-91. For the attempt on the life of Eumenes see *ibid.*, pp. 162-64. It took place at Delphi in *sacratio loco ante aras* (Livy 42. 40. 8) on the return of Eumenes from Rome to his kingdom.

<sup>6</sup> See Nikitski, *loc. cit.*, Colin, *loc. cit.*, and Meloni, *op. cit.*, pp. 241-42.

Who wrote it? King Eumenes is excluded, for his name appears in the document in the third person (l. 29). Considering the subject matter again and the obviously belligerent tone toward the Macedonian king, it could only have emanated from some Roman source. And, if it is true that the stele had once formed part of the monument of Aemilius Paulus, as Colin thinks, then the matter of Roman authorship is virtually assured. However, there is no solid proof that such is the case.

The important historical issue at stake here is the reason why Rome would even write such a letter. The motive may be found in the political atmosphere prevailing in the Greek states on the mainland on the eve of the third Macedonian War. The Greeks in the various cities were divided into several groups, each group having its own views about Rome and Macedonia: some of the Greeks were completely pro-Roman, others were toadies to Perseus, while a third group preferred the Romans to Perseus only as the lesser of two evils.<sup>7</sup> The situation was explosive: the dynastic policy of Perseus, the divided loyalties of Greeks, the fear of a resurgent Macedonia in the mind of Eumenes, and the growing belief that war between Rome and Macedonia was inevitable. Then the speech of Eumenes to the Roman Senate clearly turned Roman minds even more swiftly to the contemplation of war. The atmosphere was charged. But preparations were necessary. The mainland of Greece was an indispensable military theater of operations, one to be held at all costs. Therefore, the adherence of Greece to the Roman cause was a necessity. The Greeks had to be convinced, not merely overwhelmed by military superiority. Hence, diplomacy and propaganda were employed. Personal envoys were sent in large numbers to win over those Greeks of wavering sentiments and to retain the loyalty of the pro-Romans. No efforts were spared to secure friends in Greece in the period 172–170 B.C. Therefore, a general proclamation by the Delphian Amphictyons to their members concerning the crimes allegedly committed by Perseus might be an effective means to help achieve that end. The present document would seem to be just such a device of propaganda.<sup>8</sup>

If it is a piece of propaganda, and I believe that it is, then clearly it must have been written before the end of the war (168 B.C.). Colin thought it was written and set up on public display after Pydna, but his view seems mistaken.<sup>9</sup> Propaganda serves no purpose after the objective has been gained. The early years of the war (171–170 B.C.) appear to be the period in which the letter was written.

<sup>7</sup> Livy 42. 30.

<sup>8</sup> See esp. Rostovtzeff, *loc. cit.*

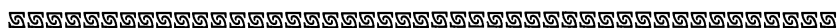
<sup>9</sup> The arguments of Daux (*op. cit.*, pp. 322–25) on this matter appear to be decisive.

# 41

EPISTULA (MAGISTRATUS ROMANI ?)

AD ERESIOS

Second Century B.C.



BIBLIOGRAPHY. F. Hiller von Gaertringen, *I.G.*, XII, suppl. (1939), no. 123, p. 37; S. Accame, *Rivista di filologia*, 74 (1946): 106.

DESCRIPTION. Stele found in Eresus. Maximum height: 0.12 m. Maximum width: 0.165 m. Thickness: 0.11 m. Height of letters: 0.008–0.012 m. Good lettering of the second century B.C.

[ - - - - - ]  
 [ κ ] αὶ τῶν ἄλλων [ - - - - - - π ε ] -  
 πείσμεθα γὰρ ὅτ[ι - - - - - ]  
 πόλεμον, ἀλλὰ πα[ - - - - - ]  
 5 τότερον τῶν δεομ[ένων - - - - - ]  
 τῶν ὑμῶν λε[ι - - - - - ]  
 κατὰ λόγον ἐγ[ - - - - - ]  
 ὑμῶν καὶ καὶ ἰδ[ - - - - - ]  
 [ . . . ] ν[ - - - - - ]

COMMENTARY. Sometime between 200 and 167 B.C. a league of the Lesbians was formed for the prosperity and friendly co-existence of its members: Mytilene, Methymna, Antissa, and Eresus. The event that sparked this new spirit of co-operation on the island must have been either the defeat of Philip or that of Antiochus, for clearly the freeing of the island from Ptolemaic domination and the introduction of a new and sterner Roman policy in Eastern affairs against Philip—and later against Antiochus—must have made the Lesbians realize that they would have to present a united front in order to achieve the “common safety” as well as the “growth and harmony” mentioned in their treaty.<sup>1</sup> The sincerity and strength of the union are attested by its duration, for, with perhaps only a relatively short interruption, it continued to exist until at least the second half of the second century A.D. Clearly it enjoyed the favor of Rome. Mytilene, its most powerful member, had aided Rome in the war against Antiochus.<sup>2</sup> Silvio Accame, therefore, has suggested that the present letter was written in those early days of the league and, following a suggestion of F. Hiller von Gaertringen, that its author may have been a Roman praetor. Of this there is no proof.

The city of Eresus certainly had first-hand connections with the Romans, for the presence of a well-known family of *negotiatores* in Eresus implies business affairs.<sup>3</sup>

<sup>1</sup> I.G., XI, 1064 b, ll. 13 and 33. For the history of the league see Accame, *op. cit.*, pp. 104–21.

<sup>2</sup> Livy 37. 12. 5: *Livius omni classe, cui adiunxerat duas triremes Mitylanaeas, Phocaeam petit.*

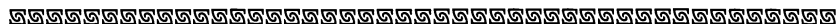
<sup>3</sup> In a list of Eresian proxeni (I.G., XII, suppl. [1939], no. 127, page 39 we have a Πόπλιον Ἀρέλλιον Κόττ[αν? The *Arellii* had been established on Delos since early in the second century B.C. and from there, evidently, spread out to other locations. J. Hatzfeld, *Les trafiquants italiens dans l'Orient hellénique* (Paris, 1919), has located them on Naxos, Boeotia, and Delos; see his list on p. 385, with references. To his list should now be added the one from Eresus and another, from Thera (I.G., XII, 3 [suppl.], 1643); cf. *A.E.*, 1926, 9. The most interesting of these is the Eresian Publius Arellius Cotta.



# 42

## EPISTULA MAGISTRATUS ROMANI AD AMPHICTIONES

ca. 125 B.C. ?



BIBLIOGRAPHY. C. Wescher, *Étude sur le monument bilingue de Delphes* (= *Mémoires présentés par divers savants à l'Académie des Inscriptions et Belles-Lettres*, 1st ser., VIII) (Paris, 1868), pp. 119–26; G. Colin, *B.C.H.*, 27 (1903): 104–21; M. N. Tod, *International Arbitration Amongst the Greeks* (Oxford, 1913), pp. 19–20; H. Pomtow, in W. Dittenberger, *S.I.G.*<sup>3</sup>, II (1917), 826 A; G. Daux, *Delphes au II<sup>e</sup> et au I<sup>er</sup> siècle* (Paris, 1936), pp. 376–77; J. A. O. Larsen, “Roman Greece,” in T. Frank, *An Economic Survey of Ancient Rome*, IV (Baltimore, 1938), 306; M. I. Rostovtzeff, *S.E.H.H.W.*, II (1941), 756.

DESCRIPTION. A badly damaged block discovered by Wescher at Delphi, now bearing the number 717, which had originally formed part of the orthostates of the Temple of Apollo. For a sketch of the block and its position among the other documents of the same dossier see Colin, *op. cit.*, Plate I. Height: 0.45 m. Width: 0.41 m. Thickness: 0.38 m. Wescher indicates that the mean height of the letters is 0.005 m.

[ - - - - - ]  
[ - - - - - ]  
[ - - - - - ἐμ Μακεδο]νίαι  
[ - - - - - γρά]μματα  
[ - - - - - ὡς δὲ Δε]λφοὶ ἄγουσι  
5 [ - - - - - ἀποστέ]λλω δόγμα  
[τῆς συγκλήτου - - - - - δόγ]μα δεδομέ-  
[νον - - - - - π]ερὶ θησα[υ-]  
[ροῦ - - - - - ] καὶ ἀγε-  
[λῶν - - - - - ] συμβου-  
10 [λιο - - - - - δόγμ]ατος οὐ  
[ - - - - - ἐ]π' αὐτοῖς τε  
[ - - - - - ἐ]στὶ καὶ ο-  
[ - - - - - ]ους καὶ οἱ  
[ - - - - - Ἀ]πόλλω[νος - -  
[ - - - - - ] εὐρίσκω  
15 [ - - - - - ] ἐνηνοχο[  
[θὼς ἂν - - - - - ἐκ τῶν δημοσίων πραγμάτων πίστ]εῶς τε ἰδία[ς φαίνονται - - -  
[ - - - - - ]ως  
[ - - - - - συ]νκλήτου γέγονε[ - - - - - ]ι  
[ - - - - - συγ[κλητ - - - - π]ερὶ τοῦ  
[ - - - - - ] ἐπιμεμέλησθε. νν πρ[εσβευ]τὰς  
ἀπέστει[λα - - - ]ιν ἑαν-  
[ - - - - ὅπως - - - - - ]ε ἐξ συνκλήτου δόγματος ὑμεῖς κρίνη[τε  
[ - - - - - ]τι γε-  
20 [ - - - - - ]ν ὅπως ἐπιμεληθῇ. vacat

Text based on Colin, Pomtow, and Viereck (notes). 2 [Γναῖος Κορινθίλιος Σισέννα στρατηγὸς ἀνθύπατος ἐμ Μακεδονίαι Pomtow and Viereck. 5 At the beginning: [μηνὸς (Crönert, in

notes of Viereck). At the end: ]ελω, Colin; ἀποστέ]λλω, Pomtow. 13-14 [περὶ ἱερῶν καὶ τεμέν]ους καὶ οἰ[κήσεων - - - - τῶν τοῦ Ἀ]πόλλω[νος (Crönert, in notes of Viereck). 20 The end of this letter is indicated by a short *vacat*, and then on the same line begins the catalog of the Amphictyones (S.I.G.<sup>3</sup>, 826 B).

COMMENTARY. During the archonship of Eukleidas at Delphi (ca. 125, 119/18, or 118/17 B.C.), a huge deficit was discovered in the treasury of the Pythian Apollo.<sup>1</sup> The amount of money was so large and the feelings of so many were aroused that the matter was brought to the attention of the Roman Senate by thirteen Delphians who had been sent into exile because of the affair. It was clearly robbery or embezzlement on a grand scale. After hearing the thirteen Delphians and a counter-embassy, probably composed of their adversaries, the Senate issued a decree. The decree itself is lost, but the present letter from the Macedonian governor indicates its essential contents: there is to be an immediate meeting of the Amphictyonic Council to investigate the matter and to make an inventory of the total assets of the treasury. The decree of the Senate certainly must have instructed the governor of Macedonia (who would of course have jurisdiction over Greece at this time) to write to the Amphictyonic Council and communicate the will of the Senate. Unfortunately this letter is badly mutilated, but the phrases "treasury," "flocks," "decree of the Senate," "Apollo," "that you see to it," and "that you vote on the matter in accordance with the decree of the Senate" would indicate that a full investigation of the deficit was to be made. An extraordinary session of the Council was duly ordered, an inventory made, and a deficit of fifty talents announced. All other assets of the treasury, whether Apollo's or not, were investigated, including the herds belonging to the temple and the location of the boundaries of the sacred territory. Responsibility for the loss was determined and a fine against each one was levied. The entire affair has been called by Georges Daux "The Scandal of 125," and, although the date is only approximate, the designation is a happy one.<sup>2</sup>

When this session of the Council adjourned, appropriately enough a record of the proceedings was inscribed on the orthostates of the Temple of Apollo. Very large fragments of this dossier have been found, which, despite their fragmentary nature, show that there were eight major documents: (1) our letter from the Macedonian governor; (2) catalog of the Amphictyons, the Hieromnemones, and the Agoratres; (3) speech of the Amphictyons; (4) estimate of the deficit in the treasury; (5) demarcation of the

<sup>1</sup> For the date of Eukleidas see Daux, *op. cit.*, pp. 622-23; G. Klaffenbach, *Gnomon*, 1938, p. 20; Daux, *Chronologie Delphique*, p. 59. Pomtow, *op. cit.*, 704 E, n. 4, puts his archonship in 117 B.C. but does not exclude 119/18. Klaffenbach prefers 119/18 or 118/17 B.C., while Daux, with hesitation, says "vers 125 ?" and admits that one of the later years is not impossible.

<sup>2</sup> The documents relating to the affair were first studied by Wescher and Colin, but the account given by Daux, *op. cit.*, pp. 372-86 and 699-707, is extremely valuable, not only for the new material to be found in it, but also for the chronological and prosopographical observations. To study the documents properly one should begin with the article by Colin and then read the remarks by Daux. The texts may be found in Dittenberger's S.I.G.<sup>3</sup>, II, 826 A-I (no. 826 K has nothing to do with the affair and actually belongs to an earlier age; see No. 39).

territory belonging to Apollo; (6) evaluation of the deficit discovered in the accounts separate from those of Apollo; (7) evaluation of the deficit in the account attributable to the temple herds; (8) amount of the fine imposed on the "culprits." Below these documents was inscribed a decree of C. Avidius Nigrinus, a legate of Trajan, whose intervention in the affairs of Delphi was necessitated by fresh boundary disputes at that late date.<sup>3</sup>

Since the exact year in which this scandal took place cannot be determined, it would be hazardous to supply the name of the Macedonian governor in the second line, as Pomtow has done. It may well be, of course, that Cn. Cornelius Sisenna was the governor who sent this letter to the Council, but, until the exact date of Eukleidas and the extent of Sisenna's office can be discovered, I prefer to leave the second line un-restored.

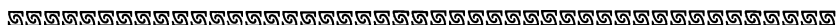
<sup>3</sup> For the decree see *C.I.L.*, III, 567 (= *ibid.*, 7303, and cf. suppl., p. 987; *S.I.G.*<sup>3</sup>, II, 827). For C. Avidius Nigrinus see E. Groag and A. Stein, *Prosopographia Imperii Romani*<sup>2</sup>, I (Berlin, 1933), no. 1408.

# 43

## EPISTULA Q. FABII MAXIMI AD DYMAEOS

115 B.C. ?

[Stone]



BIBLIOGRAPHY. H. J. Rose, *Inscriptiones Graecae Vetustissimae* (Cambridge, 1825), pp. 393 and 405ff.; A. Boeckh, *C.I.G.*, I (1828), 1543; E. L. Hicks, *A Manual of Greek Historical Inscriptions* (Oxford, 1882), no. 202; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. IV, pp. 3–5; W. Dittenberger, *S.I.G.*<sup>2</sup>, I (1898), 316; T. W. Beasley, *Classical Review*, 14 (1900): 162–64; G. Colin, *Rome et la Grèce de 200 à 146 avant J.-C.* (Paris, 1905), pp. 654ff.; M. Holleaux, *Hermes*, 49 (1914): 583, n. 4; F. Hiller von Gaertringen, in W. Dittenberger, *S.I.G.*<sup>3</sup>, II (1917), 684; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 9, p. 261; J. A. O. Larsen, “Roman Greece,” in T. Frank, *An Economic Survey of Ancient Rome*, IV (Baltimore, 1938), 307; S. Accame, *Il dominio romano in Grecia dalla guerra acaica ad Augusto* (Rome, 1946), pp. 9–10, 33–34, 149–53; Lewis-Reinhold, *Roman Civilization*, I (New York, 1951), no. 127, p. 319; T. R. S. Broughton, *The Magistrates of the Roman Republic*, II (New York, 1952), 644; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 40.

DESCRIPTION. A marble slab broken in four pieces, discovered by I. Hawkins in 1797 in the ruins of Dyme in Achaea. It is now in the Fitzwilliam Museum, Cambridge, where I examined it in September of 1967. It is 0.59 m. high, 0.53 m. wide, and has a maximum thickness of 0.14 m. In lines 1–2 the letters are 0.015 m. high, but elsewhere only 0.008 m. There is a small molding at the top, 0.61 m. wide. Very often, but not consistently, the horizontal central bar of the *epsilon* is separated from the vertical bar. The letters are very carefully inscribed.

Ἐπὶ θεοκόλου Λέωνος, γραμματέ-  
ος τοῦ συνεδρίου Στρατοκλέος.

Κόιντος Φάβιος Κόιντου Μάξιμος ἀνθύπατος Ῥωμαίων Δυναί-  
ων τοῖς ἄρχουσιν καὶ συνέδροις καὶ τῇ πόλει χαίρειν· τῶν περὶ

- 5 Κυλλανίων συνέδρων ἐμφανισάντων μοι περὶ τῶν συντελε-  
σθέντων παρ' ὑμῖν ἀδικημάτων, λέγω δὲ ὑπὲρ τῆς ἐμπρήσε-  
ως καὶ φθορᾶς τῶν ἀρχέων καὶ τῶν δημοσίων γραμμάτων, ὧν ἐγε-  
γόνει ἀρχηγὸς τῆς ὅλης συγχύσεως Σῶστος Ταυρομένεος ὁ  
καὶ τοὺς νόμους γράψας ὑπεναντίους τῇ ἀποδοθείσῃ τοῖς  
10 [Ἀ]χαιοῖς ὑπὸ Ῥωμαίων πολιτ[ε]ία, περὶ ὧν τὰ κατὰ μέρος διή[λ]θο-  
μεν ἐν [Π]άτραις μετὰ τοῦ πα[ρ]όν[το]ς συμβουλίου· ἐπεὶ οὖν οἱ διαπρα-  
[ξά]μενοι ταῦτα ἐφαίνοντό μοι τῆς χειρίστης κα[τα]σ[τα]σέως  
κα[τὰ] ταραχῆς κα[τα]σκευῆν ποιούμενο[ι] τοῖς Ἕλλησι πᾶσιν· οὐ μό-  
νον γὰρ τῆς πρ[ὸ]ς ἀλλήλου[ς] ἀσυναλλ[α]ξί[α]ς καὶ χρε[ω]κοπίας οἱ-  
15 [κεία], ἀλλὰ καὶ [τ]ῆς ἀποδοδομένης κατὰ [κ]οινὸν τοῖς Ἕλλησιν ἐ-  
λευθερίας ἀλλοτριᾶ καὶ τῇ[ς] ἡμετέ[ρα]ς προαιρέσεως· ἐγ[ὼ] πα-  
ρασχομένων τῶν κατηγορῶν ἀληθινὰς ἀποδείξεις Σῶ-  
σον μὲν τὸν γεγονότα ἀρχηγὸν [τ]ῶν πραχθέντων καὶ νο-  
μογραφήσαντα ἐπὶ καταλύσει τῆς ἀποδοθείσης πολιτεί-  
20 [α]ς κρίνας ἔνοχον εἶναι θανάτῳ πα[ρ]εχώρῃσιν, ὁμοίως δὲ καὶ  
[Φορ]μίσκον Ἐχέσθένης τῶν δαμιουργῶν τὸν συμπράξαντα  
τοῖς ἐμπρήσασιν τὰ ἀρχεῖα καὶ δημόσια γράμματα, ἐπεὶ καὶ  
αὐτὸς ὠμολόγησεν· Τιμόθεον δὲ Νικία τὸμ μετὰ τοῦ Σώσου  
γεγονότα νομογράφον, ἐπεὶ ἔλασσον ἐφαίνεται ἡδικοκῶς, ἐ-  
25 [κέλευσα] προάγειν εἰς Ῥώμην ὀρκίσας, ἐφ' [ὧ]ν τῇ νομηνίᾳ τοῦ ἐν-  
[άτου μηνὸ]ς ἔστα[ι] ἐκεῖ καὶ ἐμφανίσας τ[ὴν] ἐπὶ τῶν ξένων στρατη-  
[γῶν] τὸ δόξαν, [μὴ] π[ρ]ότερον ἐπά[ν]εισ[ιν] εἰς οἶκον, ἐὰν μὴ ἈΥ

1-2 The letters here are larger than in the rest of the text. There is a very small *epsilon* before Ἐπὶ. 7 APXΩN, stone. 12 I follow Beasley's reading of διή[λ]θο|μεν ἐν [Π]άτραις. 13 κα[τα]σκευῆν, Coiin, followed by Hiller and Viereck (notes), the latter previously having restored κα[τα]βολήν; κα[τα]πείραν, Dobree and Hicks. ποιούμενο[ι] τοῖς Ἕλλησι πᾶσιν, Wilamowitz (among the works of Viereck), followed by Hiller and Viereck (notes); ἡ κολαστέα ἐστίν, Dobree, followed by Boeckh and Hicks; οὐ μό[νον] γὰρ, Wilamowitz, ὡς, Dobree; ἀτε, Boeckh. 14 ἀσυναλλ[α]ξί[α]ς, Beasley, followed by Hiller and Viereck (notes); χρε[ω]κοπίας, Foucart (among the works of Beasley); χρε[ί]ας τῆς καρ' ἰδίαν, Dobree and Hicks. 14-15 οἰκεία, Beasley, who says he made out a bar that might be part of the *alpha*. 16 Hicks saw the *gamma* of ἐγ[ὼ]. 20 πα[ρ]εχώρ(η)σα, Beasley, who could not see the *rho*; this is apparently the only occurrence of the verb and is equivalent to παρέδωκα. 21 Φορμίσκον, Boeckh. 22 Beasley saw the *sigma* of τοῖς. 25-26 τοῦ ἐν[άτου μηνὸ]ς, Dittenberger, followed by others. 27 Dobree restored ὅπως ἂν with the future indicative. Wilamowitz (among the works of Viereck) suggested τὸ δόξαν.

COMMENTARY. There are four consulars who could have been the Q. Fabius

Maximus mentioned in line 3: the consul of 145 B.C. (Aemilianus), of 142 B.C. (Servilianus), of 121 B.C. (Allobrogicus), or of 116 B.C. (Eburnus). Boeckh originally thought that it was Aemilianus, the date of his consulship being closer to the formation of Macedonia as a Roman province, but he did not exclude the possibility that it might be any of the others. However, since the first three of these men were consular promagistrates in Spain or Gaul, it has been thought most recently that Q. Fabius Maximus Eburnus wrote the letter.<sup>1</sup>

Dyme, situated on the southern coast of the Gulf of Patrae and at once the most western of all Achaean cities, is known from Polybius (2. 41) to have been an early member of the Achaean League in the third century B.C. That it was a city of no small importance can be gathered from the fact that Polybius also tells us (4. 59) it took a very active part in the military operations of the League. In addition, one of its citizens, a certain Miccus, became the *ὑποστράτηγος* of the Achaeans.

Our letter gives us direct proof of a revolutionary movement in Dyme after the formation of the province of Macedonia. Achaëa was then under the supervision of the Macedonian governor, and such a movement would naturally have fallen into his sphere of authority. A certain Sosus was the ringleader of the whole affair, described as a *σύγχυσις*, meaning here "confusion," "disorder," or perhaps "breach of the peace." That it was no small episode may be seen in the plans of the conspirators. They must have established some sort of an organization, for they enacted "laws contrary to the type of government granted to the Achaeans by the Romans." This implies rather grandiose plans. The movement had reached the point of violence—the city hall had been burned down and the records destroyed—when the Dymeans *σύνεδροι* sent a report to the governor. Q. Fabius, in Patrae with his advisory board, listened to the evidence and passed judgment on the men. Sosus and Phormiscus were found guilty and were condemned to death. A third conspirator was ordered to Rome to stand trial. That ended the matter.

It is important to note, as Accame has done, that here Dyme has its own magistrates and enjoys autonomy within the limits imposed by Rome in 146 B.C. One might also suggest that Kyllanios was probably the leader of the pro-Roman party.<sup>2</sup> A few generations after the conspiracy of Sosus we learn that Pompeius settled many pirates in Dyme because at that time it was underpopulated (Plutarch *Pomp.* 38; cf. Appian *Mithr.* 96). Also, in 44 and 27 B.C., it was the site of a Roman colony (Pliny *N.H.* 4. 4. 13; cf. E. Kornemann, *R.E.*, s.v. "coloniae," col. 530).

<sup>1</sup> F. Münzer, *R.E.*, s.v. "Fabius," col. 1794, believed that the writer of the letter was Aemilianus, but his belief rested basically upon the assumption that he was identical with the Q. Fabius who led a Roman embassy to Crete in connection with a dispute between Hierapytnia and Itanus. Since that embassy is now known to have taken place at a later date than he realized, his identification will no longer hold; see the commentary to No. 14, and cf. Accame, *op. cit.*, p. 149. Broughton, *loc. cit.*, now believes that it was probably the consul of 116 B.C. who addressed the letter to Dyme. Whether he was also the Q. Fabius who headed the embassy (ca. 113 B.C.) is unknown.

<sup>2</sup> Boeckh and Hicks thought that Kyllanion was the name of a city, Cyllene. For the phrase *οἱ περὶ* with the accusative, see S. Dow, *T.A.P.A.*, 91 (1960): 382-409, esp. 395-409.

# 44

## EPISTULAE MAGISTRATUUM ROMANORUM AD COLLEGIA ARTIFICUM BACCHIORUM

[Squeeze]

Last half of  
second century B.C.



BIBLIOGRAPHY. H. G. Lolling, *Athen. Mitt.*, 3 (1878), no. 2, p. 140; W. Dittenberger, *I.G.*, VII (1892), 2413-14; P. Foucart, *Revue de philologie*, 23 (1899): 257; G. Colin, *B.C.H.*, 30 (1906): 279, n. 1; F. Poland, *Geschichte des griechischen Vereinswesens* (Leipzig, 1909), p. 137; A. Wilhelm, *Jahreshefte*, 17 (1914): 70-71; G. Klaffenbach, *Symbolae ad historiam collegiorum artificum Bacchiorum* (Diss., Berlin, 1914), pp. 24-28; M. Holleaux, *Στρατηγὸς Ὑπατος, Étude sur la traduction en Grec du titre consulaire* (Paris, 1918), p. 5, n. 2; F. Münzer, *R.E.*, s.v. "Mummius," col. 7a, in the *Nachträge* to XVI (1st half-vol., 1933), col. 1203; F. Poland, *R.E.*, s.v. "Technitai," in the *Nachträge* to V A (2nd half-vol., 1934), cols. 2491 and 2503; R. Herzog, *Sitzungsberichte der Königlich Preussischen Akademie der Wissenschaften, Phil.-hist. Klasse*, 1935, p. 974; G. Daux, *Delphes au II<sup>e</sup> et au I<sup>er</sup> siècle* (Paris, 1936), p. 358, n. 1; M. Segre, *Rivista di filologia*, 16 (1938): 259; M. I. Rostovtzeff, *S.E.H.H.W.*, III (1941), 1463, n. 22, and 1561, n. 17; S. Accame, *Il dominio romano in Grecia dalla guerra acaica ad Augusto* (Rome, 1946), pp. 2-15; M. Gelzer, *Gnomon*, 21 (1949): 21-22; T. R. S. Broughton, *The Magistrates of the Roman Republic*, II (New York, 1952), 644-45; H. Bengtson, *Griechische Geschichte*<sup>2</sup> (Munich, 1960), p. 491, n. 4.

DESCRIPTION. Found at Thebes. Mr. Sacantis Symeonoglou, curator of the museum at Thebes, has kindly sent me a photograph of the stone and a new squeeze. He has also supplied me with the following dimensions: height, 0.333 m.; width, 0.336 m.; thickness, 0.090 m.; height of letters, 0.008 m. The lettering is clear and carefully executed, except for line 9, which is much less legible.



[ - - - - - ] ΟΥΙΕ[.] ΟΙ[...]  
 [Μακεδονίαι] τῇ 'Ρωμαίων ἐπαρχείαι καὶ ἥς ἐπάρχουσ[ιν]  
 [τῆς 'Ελλάδος] συγχωρῶ ὑμῖν ἔνεκεν τοῦ Διονύσου κα[ὶ]  
 [τῶν ἄλλων θε]ῶν καὶ τοῦ ἐπιτηδεύματος οὗ προεστήκ[ατε]  
 5 [ὑμῶς παντάπα]σιν ἀλειτουργήτους εἶναι καὶ ἀνεπισταθ-  
 [μεύτους καὶ ἀτελ]εῖς καὶ ἀν[ει]σφό[ρ]ους πάσης εἰσφορᾶ[ς]  
 [καὶ αὐτοὺς καὶ γ]υναῖκας καὶ τέκνα ἕως ἂν εἰς ἡλι[κίαν]  
 [ἀνδρικὴν ἐξίκω]γται καθὼς παρεκαλεῖτε. *vacat*  
*vacat* [ἀ]γαθῇ τύχῃ. *vacat*  
 10 [ - - 13-14 - - - ] στρατηγὸς ὑπατος 'Ρωμαί[ων, τῶ]  
 [κοινῶ τῶν περὶ] τὸν Διόνυσον τεχνιτ[ῶν τῶν ἐπ'] 'Ιω]-  
 [νίας καὶ 'Ελλησπό]γτου καὶ τῶν περ[ὶ τὸν Καθηγεμό]-  
 [να Διόνυσον - - - - -] ΚΡΑΤ[- - - - -]

3-4 For the combination "Dionysus and the other gods" Klaffenbach refers to *Fouilles de Delphes*, III, 2, 7, l. 45. 6 The new squeeze clearly shows *AN..ΣΦΟ.ΟΥΣ*. 7-8 ἡλι[κίαν ἀνδρικὴν, Wilamowitz; ἡλι[κίαν] ἔλθωσι, Dittenberger; ἡλι[κίαν τὴν προσήκουσαν, Viereck (notes). 10 [Λεύκιος Μόμμιος], Klaffenbach; [Μάρκος Λεῖβιος], Accame. 13 Klaffenbach suggests καὶ τοῖς ὑπὸ] Κράτ[ωνος Ζωτίχου συν]ηγμένοις Ἀτταλισταῖς χαίρειν] *aut similia*.

COMMENTARY. Here we have the remains of two official Roman letters addressed to the guilds of Dionysiac Artists, the first almost certainly to the Isthmian-Nemean guild, the second to the Ionian-Hellespontine. The author of the second one, whose name would have appeared in line 10, could have been either a consul or a proconsul.<sup>1</sup> Not enough of this letter is extant to allow us to form any idea of its contents, but the fact that it is addressed to the Ionian-Hellespontine guild is interesting. No positive and satisfactory reason has ever been given to account for such a letter's being published in Thebes.<sup>2</sup> The first letter grants the members of the Isthmian-Nemean guild the privileges of freedom from local liturgies, from the burden of giving quarters to military personnel, and from every kind of tax, both for themselves and their families.

The most debated question raised by this inscription concerns the identity of the writer. All early scholars interested in the text believed, in varying degrees of certainty, that he

<sup>1</sup> Holleaux, *op. cit.*, pp. 1-2, n. 2. The title *στρατηγὸς ὑπατος* could mean *consul* or *proconsul*.

<sup>2</sup> The only scholar, to my knowledge, who has seriously tried to explain the presence of the second letter in the city of Thebes is Klaffenbach, and, although certainly not positive or completely acceptable, his explanation is worthy of notice: "Graecia in potestatem Romanorum redacta illius collegii technitas et ipsos eos adisse, ut sibi liceret etiam posthac veteribus privilegiis usos professionem suam in Graecia quoque administrare; in quibus optatis explendis videtur etiam constitutum esse de horum artificum ratione et cum Atheniensibus et cum iis ἐξ 'Ισθμοῦ καὶ Νεμέας intercedenda, sicut id etiam de his duobus factum esse infra videbimus. Itaque collegium ἐξ 'Ισθμοῦ καὶ Νεμέας et hanc epistolam in lapide incidendam curaverat." (Klaffenbach, *op. cit.*, p. 28.) Poland *op. cit.*, col. 2510) doubts that the Ionian-Hellespontine guild was even mentioned in the second letter, but I cannot see how the final lines of our second letter can exclude it. For possible points of contact between the two guilds see *ibid.*, col. 2504; cf. A. Pickard-Cambridge, *The Dramatic Festivals of Athens* (Oxford, 1953), pp. 293-94 and 317.

was L. Mummius, who, as consul in 146 B.C., destroyed the Achaean army and razed Corinth. Doubts have been expressed, but no serious effort has been made to disprove the identification. Some support for believing Mummius to be the author was found in the fact that he looked with favor upon the Artists in general.<sup>3</sup> Certainly the destruction of Corinth and the disarmament of Thebes must have been detrimental to the prosperity of the Isthmian-Nemean guild. For these reasons one would expect the guild to approach the Roman authorities with a request for recognition of their previously privileged position in Greek society. Mummius and the ten commissioners would have been the obvious officials to contact. Hence the name Lucius Mummius was supplied in the lacuna of line 10.

Silvio Accame, however, argued that these letters should be interpreted in light of the events portrayed in the *S.C. de Collegiis Artificum Bachiorum* of 112 B.C. (above, No. 15). In that decree of the Senate, concerning a quarrel between the Athenian and Isthmian-Nemean guilds about the loss of money and various obstructionist tactics, we learn that both guilds are to appear before Marcus Livius, governor of Macedonia, who is instructed to render a decision in the matter of the misappropriated funds (ll. 61-64).<sup>4</sup> The decree also informs us that the Isthmian-Nemean guild had made a request of the Senate to have its old privileges preserved (l. 48). Accordingly, Accame felt that the present letters were connected with this incident. He restored the name Marcus Livius in line 10 of the second letter and dated both letters 112-111 B.C. "con quasi assoluta certezza." Accame also saw in the first letter, lines 1-2, what he considered to be proof that at that time Greece was divided into two parts, one united with the province of Macedonia, the other independent. Although Accame has apparently solved the old riddle of the status of Greece after the destruction of Corinth in 146 B.C. by the use of this inscription and many other references, he has by no means proved that our two letters are to be dated 112-111 B.C.<sup>5</sup>

In the first place M. Livius Drusus had been instructed by the terms of the decree (No. 15, ll. 61-64) to conduct a hearing concerning the public or common funds belonging to the two guilds and to render a decision in that matter. Nothing was said anywhere in the decree about permission for him or anyone else to honor the request of the Isthmian-Nemean guild about recognition of its ancient privileges. But Accame asks us to believe

<sup>3</sup> Tacitus (*Ann.* 14. 21) says that after the annexation of Achaëa and Asia *ludos curatius editos, nec quemquam Romae honesto loco ortum ad theatralis artes degeneravisse, ducentis iam annis a L. Mummi triumpho, qui primus id genus spectacula in urbe praeberit*. From this it has been concluded that Mummius imported Greek actors to present his triumphal plays in Rome; see Klaffenbach, *op. cit.*, p. 28, and M. Bieber, *The History of the Greek and Roman Theater*<sup>3</sup> (Princeton, 1961), p. 168. And, although one might object to such an interpretation of the passage, it is clear that Mummius must have favored the Greek theatrical performances. Hence it is likely that he would have looked with favor upon the Dionysiac Artists.

<sup>4</sup> *περὶ δὲ χρημάτων δημοσίων ἢ κοινῶν περὶ ὧν λόγους ἐποιήσαντο, ὅπως πρὸς Μάρκον Λεΐβιον ὕπατον προσέλθωσαν, οὗτός τε ἐπὶ γνώμῃ ἐπικρίνῃ οὕτως καθὼς (ἄν) αὐτῷ ἐκ τῶν δημοσίων πραγμάτων πιστεῦς τε ἰδίᾳ(ς) φαίνεται*.

<sup>5</sup> For an appraisal of Accame's view on the status of Greece in this period see M. Gelzer, *loc. cit.*, and H. Bengtson, *loc. cit.*

that a second such request was made and granted at the time when the two guilds presented themselves before M. Livius Drusus, or, if not then, on some other occasion connected with similar matters. However, we must not forget that in the quarrel between the two guilds the final verdict of the Senate in 112 B.C. was to uphold the Athenian cause, not that of the Isthmian-Nemean guild. The period of 112-111 B.C. was certainly not one in which the Isthmian-Nemean guild enjoyed good relations with Rome.

Secondly, Accame has failed to explain why M. Livius Drusus sent a letter to the Ionian-Hellespontine guild. Since he supplied Livius' name in line 10, he must assume that Livius wrote both letters. What is the connection, therefore, between the two letters? Why would Marcus Livius Drusus write to the Dionysiac Artists in Ionia and the Hellespont? Considering the present state of our evidence, these questions must be answered before we can assume that Livius is the author of the letters.

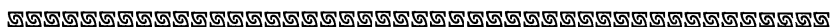
In the way of positive evidence for the date there are, in my opinion, only two facts worthy of mention. The mention of τῇ 'Ρωμαίων ἐπαρχείᾳ in line 2 must refer to the Macedonian province as established after the Achaean War of 146 B.C., and the title of the official in line 10, στρατηγὸς ὑπατος 'Ρωμαίων, would indicate a date within the second century B.C.<sup>6</sup> An additional piece of information is obtained if it is established that both letters were written by the same official, for then it might be theorized that they were written at a time when some far-reaching considerations of the status of all the guilds of Dionysiac Artists were under way. If this is true, there is more reason to ascribe the letters to Mummius than to Livius. The first real annexation of Greek land and the first formation of a Roman province in the Greek East would have been visible evidence of a change in Rome's policy in dealing with the countries of that area. Mummius and his commissioners would have had the power at that time to grant or confirm general privileges for the various guilds.

<sup>6</sup> Holleaux, *op. cit.*, pp. 1-9, has shown that the title began to disappear about 120-115 B.C. Its last occurrence appears to have been in 112-111 B.C. (*Inscriptiones Creticae*, III, 4, no. 9, l. 11; cf. Accame, *op. cit.*, pp. 3-4).

# 45

## EPISTULA (MAGISTRATUS ROMANI?) DE ARBITRORUM IUDICIO

Second Century B.C.



BIBLIOGRAPHY. P. Monceaux, *B.C.H.*, 7 (1883), no. 9, pp. 57–59; O. Kern, *I.G.*, IX, 2 (1908), 301 (from a copy by Giannopoulos).

DESCRIPTION. A marble block, broken on both sides and at the bottom, very worn in the middle section, found in the wall of a church in Trikkala, Thessaly. Height: 0.33 m. Width: 0.40 m. Thickness: 0.37 m. Height of letters: 0.003 m.

- [ - - - - - ] ΝΕΥΝ [ - - - - - ]  
 [ - - - - - ] ἐπὶ τὰ π[ρ]ὸς Τρί[κ]καν μέρη καὶ ἀγαγόντες ἡμᾶ[ς] ἐπὶ  
 [ - - - - - ] τόπον ἐπέδειξαν ἡμῖν τὸ <ν> οἰκεῖον πα[ - - - - - ]  
 [ - - - - - ] ν ὡς ἀφ' ἡλίου δυσμῶν τῇ χώρῃ ταύτῃ [ - - - - - ]  
 5 [ - - - - - ] ἔφασαν εἶναι [ Ἀγαθ]ομένους καὶ καλ[εῖσθαι] ὑπὸ τῶν  
 [ - - - - - ] ἐγδίκων Δερκαίαν [ . . . . . ] πλειστ[ - - - - - ]  
 [ - - - - - ] τὸν οἰκεῖον ἐπὶ [ . . . ] Π[ . . . . . ] νοις [ - - - - - ]  
 [ - - - - - ] ὁ Ἀγαθομένης [ . . . . . ] εἰον τοῦ [τ] εἰχ[ους] - - - - -  
 [ - - - - - ] πεδείαν [ . . . . . ] τούτου τ[οῦ] - - - - -  
 10 [ - - - - - ] ὅμ[ορον] ὡς ἀπὸ τῶν πρὸς Τρί[κ]καν μερ[ῶν] - - - - -  
 [ - - - - - ] ἡμῖν οἱ ἐγδικοὶ τήν τε Ἀ[στ]ακίδα καὶ ἡ [ - - - - - ]  
 [ - - - - - ] γειτονεοῦσας ταύτῃ χώρῃ, ἣν αὐτοὶ [ - - - - - ]  
 [ - - - - - ] καὶ συτήρουν [ἐπὶ (?)] τὰ γειτόνικα κα[ὶ] - - - - -  
 [ - - - - - ] ὑπάρχει, ἣν αὐτοὶ λέγουσι Δερκαίαν [ - - - - - ]  
 15 [ - - - - - ] λαβὼν δὲ καὶ Ἀγαθομένης τὸν λόγ[ον] - - - - -  
 [ - - - - - ] ἔγδικοι ἔφασαν καλεῖσθαι Δερκαί[αν] - - - - -  
 [ - - - - - ] ν καλεῖσθαι Βουκολικὸν τὴν μ[ - - - - - ]  
 [ - - - - - ] οση[ν] πηκτὴν, ἣν οἱ ἐγδικοὶ τη[ - - - - - ]  
 [ - - - - - ] τὴν τε ὁδὸν, ἐφ' ἣ τῇ[ν] καλοῦμ[ε]ν [ἐν] - - - - -  
 20 [ - - - - - ] ναι, ἣν οἱ ἐγδικοὶ ἐπ[ . . . . . ] ἸΥ[ - - - - - ]  
 [ - - - - - ] ὡς ἀπὸ με[ρῶν] - - - - -  
 [ - - - - - ] EXONT[ - - - - - ]

The text is that of Kern and Viereck (notes.) 2 κα[τ]αγόντες, Wilamowitz. 3 ΤΟΠΟΙΚΕΙΟΝ, stone, corrected by Wilamowitz. 8 [τ]οῦ [τ]είχ[ους], Hiller.

COMMENTARY. Boundary disputes between Greek cities were very common and are well illustrated in the inscriptions. The precise topographical descriptions in the present document make it very clear that we are dealing here with a land dispute. However, it appears not to have been a case involving two cities but rather a city and a private person, namely, the city of Trikkala and an individual called Agathomenes. The lands in question are called *Δερκαία* and *Βουκολικόν*.

Using the parallel example of *C.I.G.*, 1732 (*I.G.*, IX, 1, 61), as a guide, Monceaux believed that the city of Trikkala, represented by its *ἐκδικοί*, disputed with Agathomenes over certain areas of land nearby.<sup>1</sup> To settle the dispute a judge was appointed (by the consul and/or the Senate?) to investigate the claims. He and his assessors would have gone to see the land itself and then would have rendered a decision. The present document in its entirety would have contained a short history of the dispute, his decision, and the future boundary and ownership of the land. Only a part of the topographical description is extant.

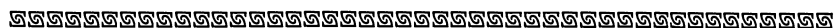
Two questions arise. Who was the judge, a Roman or a local individual? Who sent the present report, the judge himself or some other intermediary agency? No positive answers can be given. Monceaux, Kern, and Viereck (notes) all believe that it is the letter of a Roman magistrate to Trikkala. Possibly, but not positively. There is nothing in the document itself that would suggest such a conclusion. The entire matter could have been handled on a strictly local level without recourse to Roman intervention. Of course, if the document belongs to the second century B.C., as seems apparent from the lettering, the possibility of Roman involvement must be considered. The example of *C.I.G.*, 1732 (*I.G.*, IX, 1, 61), while it also is a case of a city disputing with a private person the ownership of a strip of land, should not be pressed too far. Our document belongs to the second century B.C., the other to the period of Hadrian.

<sup>1</sup> *I.G.*, IX, 1, 61, from Daulis in Phocis, is dated in the year A.D. 118 and is a dossier of a dispute between Daulis and an individual named Memmius Antiochus over certain areas of land. Cassius Maximus, proconsul of Achaia in A.D. 116/17, appointed T. Flavius Eubolus to act as the judge. The case required one to two years to complete. The judge listened to both parties and then visited the land in question. His decision was to divide the land between the city and Memmius Antiochus. In that case, as well as in the present one, the city employed its legal representatives, the *ἐκδικοί*, to meet with the judge and to present the city's claim. As city officials they functioned in purely local matters as well as in those cases involving the Romans. Their presence in our document, therefore, cannot be construed to mean that Rome or Roman officials had a hand in the case. On their duties see Magie, *Roman Rule in Asia Minor*, I, 648-49, and II, 1517-18, n. 49.

# 46

EPISTULA (MAGISTRATUS ROMANI?)  
AD CYPARISSENSES

Second or First  
Century B.C.



BIBLIOGRAPHY. N. S. Valmin, *Kungl. Humanistiska Vetenskapssamfundet i Lund, Årsberättelse*, 1928-29, no. 11, pp. 142-43 (Plate XIX a) (*S.E.G.*, XI, 1025).

DESCRIPTION. Stele of gray limestone, broken on the left and bottom, decorated with rosettes, with an ornamental pediment. Found at Christianoi, southeast of Philiatra, in Messenia. Height: 0.58 m. Width: 0.44 m. Thickness: 0.12 m. Height of the letters diminishes from 0.018 m. in lines 1-2 to 0.010 m. in the last line. Letters belong to the second or first century B.C. and are decorated with *apices*.

[Ἀγαθῇ] rosette Τύχηι.  
*vacat*

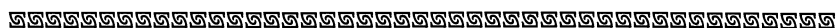
[‘Ο δεῖνα - - ca.20 - - τῶν Κ] υπαρισσέων ἄρχουσι καὶ τῇ  
[πόλει] *vacat* χαίρειν.

[- - - - - ἄ] πολελέχθαι ὑπ’ ἐμοῦ τῇν  
5 [- - - - -]ων ἐποιησάμην τῶν  
[- - - - -]ου βαλανείου τοῦ  
[- - - - -]ον [- - - - -]

In regard to the bath, it was noted by Valmin that the modern village had an abundance of good water. Could the author of the letter have been the governor of Macedonia?

EPISTULAE Q. MUCHI SCAEVOLAE DE  
SARDIANORUM ET EPHESIORUM  
FOEDERE

98/97 or  
94/93 B.C.



BIBLIOGRAPHY. E. Sonne, *De arbitris externis, quos Graeci adhibuerunt ad lites et intestinas et peregrinas componendas, quaestiones epigraphicae* (Diss., Göttingen, 1888), no. 47, p. 26; M. Fränkel, *Die Inschriften von Pergamon*, II (Berlin, 1895), no. 268, pp. 196–203; P. Foucart, *Revue de philologie*, 25 (1901): 87ff.; W. Dittenberger, *O.G.I.S.*, II (1905), 437; M. N. Tod, *International Arbitration Amongst the Greeks* (Oxford, 1913), no. 60, pp. 40–41; G. Lafaye, *I.G.R.R.*, IV (1927), 297; G. I. Luzzatto, *Epigrafia giuridica greca e romana* (Milan, 1942), pp. 133–35; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 1064; T. R. S. Broughton, *The Magistrates of the Roman Republic*, II (New York, 1952), 5–6, n. 2 (on Scaevola's governorship of Asia); L. Robert, *Revue des études anciennes*, 62 (1960): 342–46.

DESCRIPTION. Three fragments (A, B, C) of bluish-white marble, found at Pergamum in 1883–84. Fragment A contains the last few letters of the lines (1–7) in column 1 and the beginnings of the lines (26–32) in column 2. It is broken on all sides, the letters of the heading (line 1) being larger (0.015 m.) than those of the remainder of the text. Fragment B contains the ends of the lines (26–32) in column 2. It is complete only on its lower right side. Because the restorations here appear to be assured Fränkel has calculated that column 2 must have been about 0.32 m. wide and that the width of the upper part of the whole stele was about 0.65 m. Fragment C, broken on all sides, is 0.305 m. high, 0.345 m. wide, and 0.06 m. thick, containing lines 8–25 of column 1 and lines 34–37 of column 2. The height of the letters on all three fragments, apart from the heading, varies from 0.009–0.010 m. (top) to 0.012 m. (bottom). For greater ease in referring to various lines, I have numbered them consecutively.

There are two other fragments (D and E) belonging to this same dossier which are not reproduced here. They contain the treaty between Sardis and Ephesus.

- Col. 1 [Συνθήκαι Σαρδια]νών κ[αὶ Ἐφεσί]ων.  
 A [Κόιντος Μούκιος Ποπλίου υἱὸς Σκαιόλας,]  
 [ἀνθύπατος Ῥωμαίων, Σαρδιανῶν τῇ βουλῇ κ]αὶ  
 [τῷ δήμῳ χαίρειν. Τῶν ἐν τῇ φιλίᾳ κριθέντων]ν[ις]  
 5 [δήμων τε καὶ ἐθνῶν ψηφισαμένων τιθέ]ναι  
 [θυμεικοὺς καὶ γυμνικοὺς ἀγῶνας πε]ντα-  
 [ετηρικοὺς - - - - -]

*quot versus exciderint incertum*

- C [- - - - - εἰς τὸ αὐτὸ σ]υμ-  
 [πορεύονται, ἐπέμψαμεν. . . . . σον ] Φυλο-  
 10 [τίμου Ἀθηναῖον τῶν - - - -, ἄν]δρα κα-  
 [λὸν καὶ ἀγαθὸν καὶ τῆς μεγίστης ἀξι]ούμε-  
 [νον πίστεως παρ' ἡμῖν, πρὸς τε τὸν ὑ]μέτε-  
 [ρον δῆμον καὶ τὸν Ἐφεσίων, τὸν παρ]α[κα]λέ  
 [σοντα δοῦναι τὰς χεῖρας ἡμῖν εἰς] σύλλυ-  
 15 [σιν. συγκαταθεμένων δὲ τῶν δήμω]ν ἑκα-  
 [τέρων τοῖς παρακαλουμένοις καὶ πεμφθ]ά[ν]-  
 [των πρεσβευτὰς ὑμῶν μὲν τοὺς στρατ]η-  
 [γούς Μενεκράτην Διοδώρου, Φοίνικα Φοί-]  
 [νικος, Ἀρχέλαον Θεοφίλου, Ἐφεσίων δὲ]  
 20 [Ἰκέσιον Ἀρτεμιδώρου, Ποσειδώνιον]  
 [Ποσειδωνίου τοῦ Δινυσίου, Ἀριστο-]  
 [γείτονα Πάτρωνος, Ἀρτεμίδωρον Ἀρτε-]  
 [μιδώρου, Μενεκράτην Μενεκράτου τοῦ]  
 [Ἀρτεμιδώρου, Ἀπολλόδωρον Ἑρμοκράτου,]  
 25 [Ἑρμιππον Μενόιτου - - - - -]

*quot versus exciderint incertum*

- Col. 2 A Κόιντος Μού[κιος Ποπλίου υ]ιὸς Σκαιό[λας,] B  
 ἀνθύπατος Ῥω[μαίων, Ἐφεσί]ων τῇ βουλ[ῇ καὶ]  
 τῷ δήμῳ χαί[ρειν· τῶν ἐν τῇ]ι φιλίᾳ κριθέ[ντων]  
 δήμων τε καὶ ἐ[θνῶν ψηφισαμέ]νων τιθέ[ναι θυμ[-]  
 30 λικὸὺς κ[α]ὶ [γυμνικοὺς ἀγῶ]να[ς] πενταετηρι-  
 [κοὺς βουλευσαμένων - - - - - α]ι περὶ τοῦ  
 [- - - - - πρ]οτρεψο-  
 [- - - - -]

*quot versus exciderint incertum*



- C [- - - - -] ΕΝΟΣ [- - - - -]  
 35 [- - - - - Σαρδια] νῶν τι τὰρ [ασσ- - - -]  
 [- - - - -] θραν καὶ διαφορὰν κα [- - - - -]  
 ἐπιφανεστέρας καὶ ἐνδοξ(ο)τ[έρας, ἵνα οἱ ἀφ-]  
 εστηκότες αὐτῶν δῆμοι μετ[ὰ πάσης εὐνοί-]  
 ας εἰς τὸ αὐτὸ{υ} συμπορεύουσιν, ἐπέμ[ψαμεν - - -]  
 40 στον Φυλοτίμου Ἀθηναῖο[ν τ]ῶν ε[- - - -]  
 ἄνδρα κ[αλ]ὸν καὶ ἀγαθὸ[ν] καὶ τῆς [μεγίστης ἀξι-]  
 ούμενον πίστεως παρ' [ἡμ]ῶν, πρὸς [τε τὸν ὑμέ-]  
 τερον δῆμον καὶ τὸν Σαρδιανῶ[ν, τὸν παρακα-]  
 λέσαντα δοῦναι τ[ὰ]ς χεῖρας ἡμῶν εἰ[ς] σύλλυσιν.]  
 45 συγκαταθεμένων δὲ τῶν δῆμων [ἐκατέρων]  
 τοῖς παρακαλουμένοις καὶ πεμψάντω[ν πρεσ-]  
 βευτὰς ὑμῶν μὲν Ἰκέσιον Ἀρτεμιδώρο[ν, Ποσει-]  
 δώνιον Ποσειδωνίου τοῦ Διονυσίου, Ἀ[ριστο-]  
 γείτονα Πάτρωνος, Ἀρτεμιδῶρον Ἀρ[τεμιδῶ-]  
 50 ρου, Μενεκράτην Μενε[κρά]τ[ου] τοῦ Ἀρ[τεμι-]  
 δώρου, Ἀπολλόδ[ωρον] Ἑρμο[κρά]του, Ἑρμιπ-]  
 πον Μενόιτου, Σαρδιανῶν δὲ τοὺς στρατη-]  
 γοὺς Μενεκράτ[ην] Διοδώρου, Φοίνικα Φοίνικος,]  
 Ἀρχέλαον Θεο[φίλου] - - - - -]  
 55 κῆσαι τὰ πρ[- - - - -]  
 τε μεσιτε[ύειν] - - - - -]  
 συμφέρε[ιν] - - - - -]

*exciderunt aliquot versus, deinde  
 sequitur pactum inter Ephesos et  
 Sardianos*

The restorations in the first letter depend upon the extant remains of the second. 4 *NI*, stone; νῶν, Fränkel. 10 The parallel passage in the letter to the Ephesians (l. 40) shows τ]ῶν ε[- - - -], for which Fränkel suggested τ]ῶν ἐ[μ Περγάμῳ, but Dittenberger read τ]ῶν ε[ὐδοκίμων. Robert thought of τ]ῶν ἐ[μῶν φίλων, the sense of which fits nicely into the context. However, the fact that the epistolary plural is used in the letters suggests that ἡμῶν would be found instead of ἐμῶν. 28 τῶν νυν]ι φίλῃαι, Fränkel. 29 καὶ ἐ[τέρων κοινῶ]ν κτλ, Fränkel. 30 *NA*, stone. 37 *ΕΝΔΟΞΟΤ*, stone.

COMMENTARY. The mention of the games instituted in honor of the proconsul (ll. 6–7 and 29–31) indicate that the Q. Mucius Scaevola of lines 2 and 26 is the consul of 95 B.C., the Scaevola who was famous for his systematic treatise on the *ius civile*. Unfortunately, there is divided opinion about the date of his governorship in Asia; one view (Waddington, Dittenberger, Viereck, Last, Balsdon, Broughton) puts it in 98–97 B.C.,

but the other (Reinach, Münzer, Magie, Badian) places it in 94–93 B.C., after his consulship.<sup>1</sup>

The general heading of the dossier makes it plain that its primary purpose was to record the treaty between Sardis and Ephesus, but at the same time it served to honor the governor for his efforts in the cause of provincial welfare and also to make known to everyone the fact that Pergamum had been selected to act as the arbitrator between the cities. It is in three parts: two letters of Scaevola followed by the text of the treaty itself.<sup>2</sup>

Scaevola had written two letters, one to Sardis and the other to Ephesus, each of similar content. Although the beginning and the ending of both letters are fragmentary, it would appear that the governor first expressed his pleasure about the institution of games in his honor and then, perhaps, his displeasure concerning the trouble that had arisen and the animosity felt by each city toward the other (ll. 35–36). We then learn that he had suggested a meeting between the two to talk over their differences. To facilitate this meeting he had sent his representative [ - - - ] *σον Φυλοτίμου*, an Athenian. The venture was successful. Both cities sent their envoys and concluded a treaty, with the city of Pergamum acting as arbitrating power. According to the terms of this treaty, Sardis and Ephesus agreed to the legal principle that civil suits for damages involving citizens of either city were to be tried in the defendant's city. Neither would make war upon the other or aid the other's enemies, a clause that was more a concession to old treaty formulas than a statement of possibility. All future differences were to be settled by arbitration.

Since the names of the Ephesian and Sardian representatives at the treaty conference mentioned in both of Scaevola's letters (ll. 17ff. and 47ff.) agree with the names of the representatives recorded at the end of the treaty proper, it would appear that Scaevola's letters were written either while the arbitration itself was underway or after it had been concluded. Scaevola could hardly have known their names before the negotiations started. In the first case, therefore, his letters might have contained some sort of exhortation or diplomatic suggestion that accord be reached, while in the second case they might have expressed his pleasure that the arbitration had been concluded successfully. But, since the conclusion of both letters is missing, one can only guess.

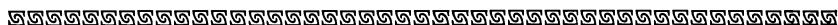
<sup>1</sup> W. H. Waddington, *Fastes des Provinces Asiatiques de l'Empire Romain* (Paris, 1872), nos. 4 and 7, pp. 36ff.; Dittenberger, *loc. cit.*, n. 3; Viereck (notes); H. Last, *C.A.H.*, 9 (1932): 175; J. P. V. D. Balsdon, *Classical Review*, 51 (1937): 8–10; Broughton, *loc. cit.*, and his Supplement to *Magistrates*, p. 42; Th. Reinach, *Mithridate Eupator Roi de Pont* (Paris, 1890), pp. 107–8, n. 3; F. Münzer, *R.E.*, s.v. "Mucius," col. 438, and s.v. "Rutilius," cols. 1273–74; Magie, *loc. cit.*; E. Badian, *Athenaeum*, n.s., 34 (1956): 104–23, and *Proceedings of the African Classical Associations*, 1 (1958): 17 (= *Studies in Greek and Roman History* [Oxford, 1964], p. 101, n. 94).

<sup>2</sup> The text of the treaty is omitted here, but it can be found easily in the publications by Fränkel, Dittenberger, and Lafaye. For what may be a new fragment of the treaty see *Sardis VII: Greek and Latin Inscriptions*, pt. 1, by W. H. Buckler and D. M. Robinson, no. 6, pp. 13–15, which is a clause concerning admission to citizenship.

EPISTULA C. CASSII AD NYSAEOS  
DE CHAEREMONE

88–87 B.C.

[Squeeze]



BIBLIOGRAPHY. F. Hiller von Gaertringen and Th. Mommsen, *Athen. Mitt.*, 16 (1891): 95–106, 441; Th. Reinach, *Mithridate Eupator* (German ed. by A. Goetz [Leipzig, 1895]), no. 23, p. 474; A. Wilhelm, *Göttingische Gelehrte Anzeigen*, 160 (1898): 215; W. Dittenberger, *S.I.G.<sup>2</sup>*, I (1898), 328; C. Michel, *Recueil d'inscriptions grecques* (Brussels, 1900), 50; O. Kern, *Inscriptiones Graecae* (Bonn, 1913), pp. XV–XVI (*tab.* 40); F. Hiller von Gaertringen, in W. Dittenberger, *S.I.G.<sup>3</sup>*, II (1917), 741; Fiehn, *R.E.*, suppl. V (1931), s.v. "Chairemon," cols. 57–58; M. I. Rostovtzeff, *S.E.H.H.W.*, II (1941), 819–21; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 1102, n. 28; Lewis–Reinhold, *Roman Civilization*, I (New York, 1951), no. 82, pp. 200–1; G. W. Bowersock, *Augustus and the Greek World* (Oxford, 1965), p. 8.

DESCRIPTION. A stele of ἀμυγδαλίτης found in a Carian village called Akça. Compare the report by J. R. S. Sterrett, *An Epigraphical Journey in Asia Minor* ([Boston, 1888], pp. 340–41). Height: 0.90 m. Width: 0.58 m. Thickness: 0.22 m. Height of letters: 0.015 m. *Apices*.

Γάιος Κάσιο[ς Ν]υσάεων ἄρχουσι χαίρ[ειν·]  
 [Χ]αιρήμων Πυ[θοδώρ]ου υ[ιό]ς, πολέιτης ὑμέ[τερος],  
 πρὸς ἐμὲ ἦλθ[εν ἐ]ν Ἀπαμῆᾳ ἡρώτησέν τε [ὅπως]  
 ἐξουσίαν αὐ[τῷ] [π]οιήσω ἐπὶ τοῦ συμβουλίου [υ·]  
 , οὐσίᾳ ἐγὼ ἡν ἐξουσίαν ἔδωκα οὕτως, ἐπε[ὶ ἡ]·  
 συμβουλί[ω ὡμ]ολόγησεν καταλογῆς τῆς [συν-]  
 κλήτου καὶ δ[ήμου] Ῥωμαίων ἐπὶ τοῦ στρατοπέ[δου]  
 δώσειεν δῶ[ρον ἄλ]εῦρων μοδίους ἑξακισμυρί[ους·]  
 [ἐγὼ δὲ] περὶ [τούτ]ου τοῦ πράγματος ἀπεκρίθη[ν κα·]  
 10 λῶς [αὐ]τὸν πρ[οι]ηκέναι καὶ τάξει ἐματόν τε δ[ώσειν]  
 ἔργα[σίαν], ὅπ[ως ἐ]πιγνῶ ταῦτα ἡμῖν χάριτα εἶν[αι·]  
 [ἡ]μεῖς [ς δὲ κ]αὶ τ[αῦτα τ]ῇ συνκλήτῳ καὶ τῷ δήμῳ τῷ [Ῥωμαί-]  
 ων δ[ιασαφήσομεν (?)]. *vacat*

*Sequuntur duae Mithridatis epistulae  
 ad Leonippum satrapum*

I have examined the Berlin squeeze and have collated it with the texts by F. Hiller von Gaertringen and Viereck (notes). The dossier begins with the heading [ὁ δὲ] μὲν [ὁ Νυσαίων καὶ ἡ Βου] λή [ἐτίμησαν] | Χ[αίρ] ἡμ[ον] α Πυθοδώρου. 5-6 Dittenberger (*S.I.G.*<sup>2</sup>, 328) had read οὐτ[ο]ς ἐπὶ [τοῦ] συνβουλί[ου], which Viereck (notes) preferred, although he did not introduce it into his text. 13 Hiller, but it remains uncertain.

COMMENTARY. On the eve of the first Mithridatic War the Roman forces were divided into three army corps. One, under C. Cassius, governor of Asia, was stationed on the border of Bithynia and Galatia. A second, under the legate Manius Aquilius, had taken up a position in eastern Bithynia. And a third, under Q. Oppius, governor of Cilicia, was deployed in the mountain passes of Cappadocia. As soon as the army of Mithridates advanced out of the east to a plain near the Amnias River, the Bithynian army under King Nicomedes fled after a single encounter and joined Aquilius. When Mithridates destroyed the army of Aquilius and marched into Bithynia, Cassius did not even offer battle but retreated to central Phrygia. Then Oppius also retreated, stopping at Laodiceia-on-the-Lycus and defending it. Mithridates overran Bithynia, then turned south into Phrygia and finally west to Asia. Cassius vainly tried to reorganize his forces and train new recruits, but he was forced farther south to Apameia and eventually to Rhodes in defeat. In Asia, Laodiceia, Tabae, Stratoniceia, and Magnesia-ad-Sipyllum resisted, but the majority of cities received Mithridates with enthusiasm as a liberator from Roman oppression.<sup>1</sup>

In this year of military blundering and wholesale murder (88 B.C.) C. Cassius and his army found a faithful friend and an active helper in the person of Chaeremon of Nysa. Like many of the wealthy businessmen and members of the old noble families of Asia he was pro-Roman. He proved his loyalty by distributing 60,000 *modii* of wheat flour to the troops of Cassius in their camp at Apameia. In return, probably very soon after the event itself, Cassius sent a letter to the city of Nysa. The effectiveness of Chaeremon's action can be seen clearly in the two letters that Mithridates subsequently wrote to his satrap Leonippus.<sup>2</sup> In them he offers a reward for the capture of Chaeremon, dead or alive. Chaeremon, however, escaped. At the end of the war a grateful Nysa erected a stele to honor her famous citizen. It contained copies of three documents attesting his loyalty to Rome and his hatred of Mithridates: the first is our letter; the other two are the letters of Mithridates.

The erection of such a stele after the war would serve, of course, not merely to honor the far-sighted Chaeremon but also to establish a future bargaining power with the Romans for the welfare of the city. Chaeremon gave aid to Rome in a desperate hour. Chaeremon was a citizen of Nysa. The implication is clear.

<sup>1</sup> The fullest account will be found in Appian *Mithr.* 17-21; cf. Magie, *op. cit.*, I, 211-13.

<sup>2</sup> They were engraved on the same stele as the present letter and may be found in *S.I.G.*<sup>3</sup>, 741, and in Welles, *Royal Correspondence*, nos. 73-74, with commentary.

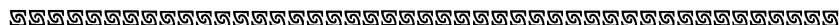
Chaeremon probably had inherited his wealth from his father and then in turn passed it on to his sons, who played an important role in the republican history of Asia Minor.<sup>3</sup> One of his sons—or perhaps grandsons, the exact relationship being uncertain—went to Tralles and prospered to such a degree that he could boast of a fortune of more than 2,000 talents. He became a friend of Pompeius, and his daughter became the wife of King Polemon of Pontus.

The language and style of the letter would seem to indicate that it was first written in Latin and then translated into Greek. Latinisms are patent from beginning to end. Observe the addition of *υἱός* (*filius*) in line 2, the use of *τε* (*-que*) in line 3, the genitive of *καταλογῆς* (*gratia* or *reverentia*) in line 6, the strange *τάξει* (*ordine*) in line 10, the presence of *ἐματόν* in line 10, and the bizarre *χάριτα* (neuter plural of a barbarous adjectival formation to reproduce *grata*?) in line 11.

<sup>3</sup> See Strabo 14. 1. 42. For Anatolian families of wealth and prominence in this period with Roman connections, see Bowersock, *op. cit.*, pp. 1–13.

DUAE EPISTULAE L. CORNELII  
SULLAE DE COLLEGIIS ARTIFICUM  
BACCHIORUM

Toru Yuge & Masao  
198, 169-7  
ca. 84 and 81 B.C.



BIBLIOGRAPHY. M. Segre, *Rivista di filologia*, 66 (1938): 253-63, with an inadequate photograph; L. Robert, *R.É.G.*, 52 (1939): 487; M. I. Rostovtzeff, *S.E.H.H.W.*, III (1941), 1560-61, n.n 16-17; D. Magic, *Roman Rule in Asia Minor* (Princeton, 1950), II, 900; Lewis-Reinhold, *Roman Civilization*, I (New York, 1951), 342-43; C. Garton, *Phoenix*, 18 (1964): 144-46; R. K. Sherk, *Historia*, 15 (1966): 211-16.

DESCRIPTION. From Cos, now in the museum there (Inv. ED 7). Upper part of an opisthographic stele of white marble, decorated with a small projecting cornice on the anterior face. Height: 0.32 m. Width: 0.43 m. Thickness: 0.08 m. Approximate height of letters: 0.012 m. Side A is well preserved and easily read, but B is badly worn and difficult to read. The letters are carelessly and inelegantly inscribed.

- A Ἀγαθαὶ Τύχαι.
- [Α]εύκιος Κορινθίλιος Λευκίου υἱὸς Σύλλας Ἐπα-  
φρόδειτος δικτάτωρ Κώων ἄρχουσι βουλῇ  
δήμῳ χαίρειν. Ἐγὼ Ἀλεξάνδρῳ Λαοδικεῖ κι-  
5 θαριστῇ, ἀνδρὶ καλῷ καὶ ἀγαθῷ καὶ φίλῳ ἡμε-  
τέρῳ, πρεσβευτῇ παρὰ τοῦ κοινοῦ τῶν περὶ τὸν Διό-  
[ν]υσον τεχνιτῶν τῶν ἐπὶ Ἰωνίας καὶ Ἑλλησπόντῶν  
καὶ τῶν περὶ τὸν Καθηγεμόνα Διόνυσον ἐπέτ[ρε]-  
[ψα στήλην] παρ' ὑμῖν ἐν τῷ ἐπισημοτάτῳ τόπῳ ἀναθή-  
10 [σεσθαι ἐν ἧ] ἀναγραφῇσεται τὰ ὑπ' ἐμοῦ δεδομένα  
[τοῖς τεχνίταις] φιλόανθρωπα· πρεσβεύσαντος δ[έ]  
[νῦν αὐτοῦ εἰς Ῥώμην,] τῆς συγκλήτου δὲ δόγμα π[ερὶ]  
[τούτων ψηφισαμένης, ὑμᾶς] οὖν θέλω φροντίσαι ὅπως [ἀπο]-  
[δείχθῃ παρ' ὑμῖν τόπος ἐπισ]ημότατος ἐν ᾧ ἀναθή-  
15 [σεται ἡ στήλη ἡ περὶ τῶν τεχνιτῶν]· Ὑπογέγραφα δὲ  
[τῆς παρ' ἐμοῦ ἐπιστολῆς τοῦ τε δόγματος] τῆς συγκλή-  
[του τὰ ἀντίγραφα - - - - -] ΝΤΩ

- B [ - - - - - ]  
 [ . . . ] δεῖ σὺν δὲ καὶ ἦν ἔχετε πρὸς [ήμ]ας [εὐ]γο[ιαν],  
 ὑμᾶς οὖν θέλω [ἐ]πεγνώκεναι ἐμὲ ἀπὸ συμβο[υ-]  
 λίου γνώμης γνώμην ἀποπεφάνθαι, & φιλόανθ[ρ-]  
 [ω]πα κα[ὶ τι]μὰς ἀλειτουργηγίας τε ὑμείν καταλο-  
 5 [γῆ] τοῦ Διονύσου καὶ τῶν Μουσῶν καὶ τῆς προ[λι-]  
 τείας ὑμῶν χάριτι σύνκλητος ἄρχοντες τε [ἦ ἀν-]  
 τάρχοντες ἡμέτεροι ἔδωκαν σ[υνεχώ-]  
 ρησαν, ἵνα ταῦτα ἔχετε, καὶ κ[αθὼς καὶ πρὶν]  
 πάσης τε λειτουργίας ἀλε[ιτουργητοὶ ἦτε]  
 10 στρατείας τε, μήτε τινὰ [εἰσφορὰν ἢ δαπά-]  
 νας εἰσφέρειτε, μήτε [ἐ]ν[οχλ]εῖσθε ὑπὸ τινος]  
 παροχῆς ἔνεκεν τ[ε καὶ ἐπισταθμείας, μήτε]  
 τινὰ δέχεσθ[αι καταλύτην ἐπαναγκάζησθε.]  
 ἵνα δὲ καὶ [ - - - - - ]  
 15 [ . . . ] IONII [ - - - - - ]  
 ἀναγ[ρ - - - - - ]

Text by Segre. A 2ff. Cf. Sulla's letter to Stratonicea with the *senatus consultum* of 81 B.C. (No. 18) for the heading. 8-9 ἐπέτ[αξα] was considered by Segre and then rejected. 11 Segre also considered and then rejected [αὐτοῖς τίμια καὶ] φιλόανθρωπα. 12 [τοῦτων δογματισαμένης ὑμᾶς] would be too long. B 4-5 καταλο[γῆς], Segre; καταλο[γῆ], Robert. For privileges accorded to the Artists and athletes see the letters of the Roman magistrate(s) to the Artists at Thebes (No. 44), the letter of M. Antonius to the Greeks in Asia (No. 57), and the series of documents in B.G.U., IV, 1074; cf. Segre, *op. cit.*, pp. 259-62, and R. Herzog, *Sitzungsberichte der Königlich Preussischen Akademie der Wissenschaften, Phil.-hist. Klasse*, 1935, pp. 974ff.

COMMENTARY. Sometime after the middle of the third century B.C. inscriptional sources attest the existence of the Ionian-Hellespontine guild of Dionysiac Artists.<sup>1</sup> With its headquarters at Teos and much of its activity centered on the great Temple of Dionysus in that city, it seems to have flourished in its early years and to have enjoyed friendly relations with its host. It participated in the great festival in honor of Artemis Leukophryene in Magnesia at the end of the third century and had become known to the people of Cos. But with the expansion of the Pergamene kingdom the guild entered a new and more turbulent period in its history. Teos fell into the hands of the Pergamenes. This brought a rival guild into the picture, one called οἱ περὶ τὸν καθηγεμόνα Διόνυσον τεχνῖται, with headquarters in Pergamum. By about the middle of the second century a most important change has taken place in the organization of the two

<sup>1</sup> F. Poland, *R.E.*, s.v. "Technitai," vol. V A 2, cols. 2507-11; Welles, *Royal Correspondence*, commentary on no. 53; Magie, *op. cit.*, I, 80-81, and II, notes, 899-900. Also useful are the remarks of W. Hahland, "Der Fries des Dionysostempels in Teos," *Jahreshefte*, 38 (1950): 66-109. The account by A. Pickard-Cambridge, *The Dramatic Festivals of Athens* (Oxford, 1953), chap. VII, pp. 286-319, is to be used with caution, especially in the case of the epigraphical texts quoted by him.

guilds. The two are now united and form one large guild whose composite structure is clearly revealed in its new title: τὸ κοινὸν τῶν περὶ τὸν Διόνυσον τεχνιτῶν τῶν ἐπ' Ἰωνίας καὶ Ἑλλησπόντου καὶ τῶν περὶ τὸν καθηγεμόνα Διόνυσον τεχνιτῶν.

After a stormy political ordeal in Teos the headquarters of the combined guilds is moved to Ephesus, then to Myonnesus, and finally to Lebedus. Internal quarrels and the end of the Pergamene kingdom were no doubt responsible for the eventual splitting of the combined guilds and a return to their separate structures.<sup>2</sup> But, since the present letter of Sulla shows the names of both guilds again joined to form a single title, we may assume with some degree of certainty that they were united in one organization during the age of Sulla.

Like the Athenian, Isthmian-Nemean, and Egyptian guilds of Dionysiac Artists this Asiatic guild also had sought and obtained grants from the various controlling states which gave them immunity from liturgies and certain compulsory services. These were, of course, valuable grants, and everything possible was done to keep them. A change of government or a war might invalidate them. We may be certain, therefore, that at the end of the first Mithridatic War (autumn, 85 B.C.) and with the reorganization of Asia under the leadership of Sulla the guild lost no time in approaching the Roman authorities. The proper person to see would have been Sulla himself. This appears to be the course that the guild followed, probably in 84 B.C., while Sulla was still in Asia.

The present document B is very likely a copy of the original letter sent by Sulla to the Asiatic artists, in which he confirms their possession of those privileges and exemptions which the Roman Senate and magistrates had previously granted them. In addition he excuses them from public and military services, from any tax or special contribution, and assures them that they will not be troubled by Romans demanding food or lodging. The fact that Sulla here mentions his advisory board makes it apparent that he is still in Asia and not yet dictator.

A few years later the joint guild sent a citharist as its representative to Rome to request permission to erect a stele in Cos concerning its privileges. This representative, an otherwise unknown Alexander of Laodicea, was successful. Sulla approved. The Senate passed a decree. The guild was then allowed to erect in Cos a stele on which would be recorded the various privileges granted by Sulla. The date of this event would be about 81 B.C., when Sulla was dictator and "Felix."<sup>3</sup>

The stele on which the present documents were inscribed also must have contained the Senate's decree of approval, but unfortunately it is lost.

<sup>2</sup> Two inscriptions mention the guilds separately in a period when we would expect them to be united: *I.G.*, XII, 8, no. 163 (Samothrace, first century B.C.), and *S.I.G.*<sup>3</sup>, 694 (near Elea) (= F. Sokolowski, *Lois sacrées de l'Asie Mineure* [Paris, 1955], no. 15, ca. 129 B.C.). Concerning the union of the two, Segre, *op. cit.*, p. 257, has this to say: "e non credo che esse si siano staccate subito dopo la fine del regno di Pergamo, per poi riunirsi nuovamente, ma che piuttosto sempre abbiano avuto ciascuna una attività a sè, per ciò che era di interesse di ciascuna, e un'attività comune, per ciò che era di interesse comune." He believes that the repetition of the article in the title of the guild indicates that it is a case of two separate entities. Perhaps, but the matter will bear further inquiry.

<sup>3</sup> On the title "Sulla Felix" see J. P. V. D. Balsdon, *J.R.S.*, 41 (1951): 1-10.

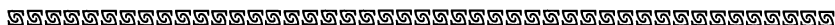


Since the Ionian-Hellespontine guild was a closed organization and had no smaller branches similar to those of the Isthmian-Nemean guild, it is very probable that there were no artists residing in Cos. They would have traveled there from the headquarters at Lebedus at the times of the festivals. Therefore, when the representative Alexander of Laodicea was sent to Rome he was probably instructed to request permission to erect steles in the major cities to which the guild most frequently sent its members. The guild may have experienced difficulties in having the various cities recognize its grant of immunity after the end of the Mithridatic War because of the terrible burdens placed upon them by Rome. The erection of steles bearing Sulla's original letter and the *senatus consultum* in those cities would have the desired effect—recognition of the guild's privileges. There were also Roman magistrates and investors who may have needed solid evidence of the guild's privileged position before deciding not to molest its members. Such a situation would account for the guild's desire to erect a stele in Cos, but we have no solid evidence on which to base this interpretation. It can only be a possibility, therefore, not to be confused with established fact.

# 50

## IUDICIUM CN. CORNELII LENTULI MARCELLINI

67 B.C.



BIBLIOGRAPHY. J. Reynolds, *J.R.S.*, 52 (1962), no. 6, p. 99 (Plate XIII 2); *S.E.G.*, XX, 709; E. Badian, *Roman Imperialism in the Late Republic* (Pretoria, 1967), pp. 34-35.

DESCRIPTION. "Fragment from the upper left corner of a marble stele with molded pediment and acroteria (0.18 by 0.25 by 0.12) inscribed on one face. Found at Apollonia in 1920, during Italian excavation of the East Church; now in Cyrene Museum." Reynolds, *loc. cit.* Its discovery was reported by G. Oliverio, *Africa Italiana*, II (1928), 112, and by P. Romanelli, *La Cirenaica Romana* (Verbania, 1941), p. 49. Letters are of the first century B.C., 0.010 m. high.

Ἐπίκριμα Γναίου Κορνηλίου Λεντόλου Ποπλίου υἱοῦ]

Μαρκελλίνο[υ πρεσβευτοῦ ἀντιστρατήγου περὶ τῆς]

διαφορᾶς ὑ[πέρ - - - ca. 16 - - - τῆς πόλεως τῆς]

Ἀπολλῶ[νιάτων - - - ca. 16 - - - πρὸς τὴν πόλιν]

5 τὴν Κυρ[ηναίων - - - - -]

[ - - - - - ]

COMMENTARY. The *lex Gabinia* of 67 B.C. assigned to Cn. Pompeius Magnus an unlimited *imperium* over the coastal areas of the Mediterranean, extending fifty miles inland, and authorized him to appoint legates with praetorian power. Good organization and strategic commitment of men and materials brought him a swift and well-deserved victory by the summer of the same year. Eighteen names of his legates are known to us, and one of them was Cn. Cornelius Lentulus Marcellinus (praetor in 60 B.C. and consul in 56 B.C.). His specific duties called for control of the Libyan coast from Cyrene to Egypt, and he was probably given a free hand to drive out or defeat the pirates in that sector.<sup>1</sup>

The present inscription is of unusual importance for an understanding of the development of provincial administration during the late Republic. It shows beyond doubt that Cn. Cornelius Lentulus Marcellinus, who was merely a legate of a military commander and not a holder of any independent command, could and did exercise his assigned powers in the local affairs of a province, in this case Cyrene. Presumably, of course, he had been asked to do so by the citizens. That does not lessen the importance of the document in any way. The clause of the *lex Gabinia* must have been interpreted literally and fully. It would be extremely pertinent and revealing to know whether Cyrene in 67 B.C. had its own governor—a point raised by the first editor.<sup>2</sup>

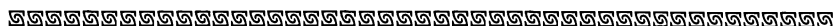
The nature of the matter concerning which Cornelius rendered a decision is not known.

<sup>1</sup> Florus, I. 41. 9, and Appian *Mithr.* 95. For Cornelius see Broughton, *Magistrates*, II, 148, and Münzer, *R.E.*, s.v. "Cornelius" (no. 228), cols. 1389–90. All the known legates are listed by Broughton, *op. cit.*, pp. 148–49.

<sup>2</sup> Reynolds, *op. cit.*, pp. 102–3. The title *legatus pro praetore* is attested twice for Cornelius; therefore, its restoration in this inscription is assured. See *S.I.G.*<sup>3</sup>, 750, and *S.E.G.*, IX, 56 (Reynolds, *op. cit.*, no. 2, p. 97).

EPISTULA MAGISTRATUS ROMANI  
DE AGRIS MYTILENAEORUM

After 55 B.C.



BIBLIOGRAPHY. D. Evangelides, *Ἀρχαιολογικὸν Δελτίον*, 9 (1924/25): 46ff., with photograph; F. Hiller von Gaertringen, *I.G.*, XII, suppl. (1939), no. 11, p. 12; S. Accame, *Rivista di filologia* 74 (1946): 111-12; *idem*, in De Ruggiero's *Dizionario epigrafico di antichità romane*, s.v. "Lesbus," p. 673; R. K. Sherk, *Greek, Roman and Byzantine Studies*, 4 (1963): 217-30.

DESCRIPTION. A stele of bluish marble found at Mytilene, near the sea, in the ruins of a tower called Kastráki. Height: 0.59 m. Width: 0.63 m. Thickness: 0.17 m. Height of letters: 0.02 m. The inscription is in two columns, the ends of lines appearing in the first column and the first few words of lines in the second column.

Col. 1

[ - - - - - , - - - - - ]  
[ - - - - - ] ἀρχισ  
[ - - - - - ] αὐτῶν  
[ - - - - - τ] οὐ Ῥωμαίων  
[ - - - - - π] εριπεπτω-  
5 [ κ - - - - - ] α καὶ παν  
[ - - - - - ] ιη πρὸς πρεσ-  
[ βείαν - - - - - ] πεφευγέναι  
[ - - - - - τοῦ αὐτο] κράτορος ἡμῶν  
[ - - - - - κ] αὶ τῶν λοι-  
10 [ πῶν - - - - - ] αγ[ . ] ασμιπων  
[ - - - - - ] κωι βίωι καὶ  
[ - - - - - Κορινθίλ] ιον Σύλλαν  
[ - - - - - ] σε καὶ τὸν  
[ - - - - - ] νο[ . ] οχε  
15 [ - - - - - ] νοις τε  
[ - - - - - ] εραι τῇ με  
[ - - - - - ] τι διὰ το  
[ - - - - - ] ιλησμενη  
[ - - - - - ] ιε[ - - ] λαι  
20 [ - - - - - τῆς] αὐτῆς μητρὸς  
[ - - - - - ]

## Col. 2

φιλα[-----]  
 τόπου [------]  
 κειω δεδ[-----]  
 σομένους [------]  
 25 αν τειμῆς φιλα[-----]  
 αι σοι ἔδωκαν [------]  
 ταύτην τε τὴν [χώραν ----- πλέ]-  
 θρων διαχιλίω[ν ----- εὐερ]-  
 γεσίας ἀρετῆς [τε -----]  
 30 ωι δὲ δικαίως [------]  
 μιν ἀκόντως σ[-----]  
 οὐδένα δε[------ αὐτο]-  
 κράτωρ [------]  
 τούτων [------]  
 35 γυναικὸς [------]  
 προνομίαν κλε[------]  
 καθὼς Γναῖ[ος Πομπήιος ----- ἀπὸ συμ]-  
 βουλίου γνώμη[ς γνώμην ἀπεφην -----]  
 οὕτως τε ὑμῶν [------ ἔχειν κατέχειν τε]  
 40 καρπίζεσθαι [τε ἐξεῖναι (?) -----]  
 καὶ περὶ τοῦ κ[-----]

Restorations are by F. Hiller von Gaertringen except where noted. 1 - -] αι χις[- -, Evangelides; - -] αρχισ[- -, Hiller. 10 ἀγ[ωνι]σ[α]μ[έν]ων(?), Hiller. 37 καθὼς γ[.]αι[- -], Evangelides; Γ[ρ]αι[- -], Hiller; Γναῖ[ος Πομπήιος, Accame.

COMMENTARY. This inscription belonged to the monument on which the *Senatus Consultum de agris Mytilenaeorum* (No. 25) was inscribed. The type of marble is identical, the letters have the same height and form, and, as we shall see, there is a connection between the two documents.<sup>1</sup>

To judge from the presence of the second person pronouns in lines 26 and 39 we apparently have here a letter. Together with the senatorial decree it was probably engraved on a large monument designed to honor some worthy citizen or benefactor of Mytilene. Like Potamon's monument in the same city, this one seems to have contained all the various documents that mentioned or were somehow concerned with the individual who was honored. These could have included not only "Roman" documents but also local Greek decrees. The celebrated Theophanes of Mytilene, friend of Pompeius, would be a suitable candidate for the honor.<sup>2</sup>

<sup>1</sup> See F. Hiller von Gaertringen's note in *I.G.*, XII, suppl. (1939), no. 11, p. 12, and his letter to Viereck a part of which is printed by Sherck, *op. cit.*, p. 217.

<sup>2</sup> Certainly he was one of the most respected citizens of Mytilene in the age of Pompeius, for it was

The document is badly mutilated, and a large part of it contains nothing but the empty space between two columns of text. It is evident, however, that past history is being reviewed, probably the troublesome days of the Mithridatic wars and those connected with Mytilene's unfortunate decision to accept Mithridates in 88 B.C. Tantalizing references to "flight," "Cornelius Sulla," "mother," "a gift," "honor," and "imperator" are too brief to allow one to reconstruct what particular aspect of that past history is being recounted, but certain other words and phrases are more revealing. The mention of τόπου (l. 22), [πλέ]θρων δισχιλίω[ν] - (ll. 27-28), and προνομίαν (l. 36) indicates that a large part, perhaps the major part, of the letter was concerned with the ownership and the enjoyment of some particular area of land. Such a view is greatly strengthened by the reference to a *senatus consultum* in lines 37-41 which in turn was clearly concerned with the ownership of land. Thus one might assume that the situation or problem discussed in the letter is one which falls under, or is covered by, the provisions of that senatorial decree.

The identification of that decree is assured by the introductory phrase *καθὼς Γναῖ[ος]*<sup>3</sup> in line 37 of the letter, by the fact that the decree concerned the ownership of land, and by the circumstance that the letter was engraved on the same monument as the *Senatus Consultum de agris Mytilenaeorum* (No. 25) of 55 B.C. Gnaeus Pompeius Magnus was the presiding magistrate at the passage of the senatorial decree in 55 B.C.; therefore, the reference in lines 37-41 of the letter must be to that decree. Furthermore, the *προνομίαν* ("right of prior pasturage") of line 36 has its counterpart in line 5 of the decree passed in 55 B.C. The letter refers to the *Senatus Consultum de agris Mytilenaeorum*. The purpose of that decree was the clarification of Mytilene's position with regard to pasturage and property rights without interference from the *publicani*.

This inevitably leads one to believe that the present letter concerns the ownership and enjoyment of a certain plot of land over which some dispute had arisen. Mytilene's loss of freedom after her capture by Roman forces in 80 B.C. opened up vast new areas to the *publicani*. The recovery of her freedom in 62 B.C., however, does not seem to have guaranteed the withdrawal of *publicani* without incident. Claims and counter-claims must have been very common in the years immediately after 62 B.C. They appear to have been settled by the senatorial decree of 55 B.C., which specifically excluded the *publicani* from taxing the land. The writer of our letter thus appears to be handing down a decision concerning a particular area of land, and, in support of his decision, cites the terms of the senatorial decree. The dispute may have been confined to the rights of pasturage alone, but the fragmentary condition of the text makes precision in this matter impossible. The date would be soon after 55 B.C. The writer may have been the governor of Asia.

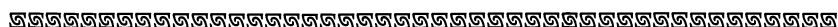
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he who had persuaded Pompeius to grant the city its freedom in 62 B.C. He, no less than Potamon in a later generation, had more than earned the right to a monument. Cf. Sherck, *op. cit.*, pp. 218-19, with references in n. 3.

<sup>3</sup> For this new reading see Accame, *op. cit.*, p. 112.

EPISTULA MAGISTRATUS ROMANI  
AD MILESIOs ALIOSQUE

51-50 B.C.?



BIBLIOGRAPHY. F. Hiller von Gaertringen, *Die Inschriften von Priene* (Berlin, 1906), no. 106, p. 82; H. Knackfuss, *Das Rathaus von Milet (= Milet, II)* (Berlin, 1908), no. 3, pp. 101-3; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), n. 22, pp. 286-87; A. H. M. Jones, *The Cities of the Eastern Roman Provinces* (Oxford, 1937), p. 391, n. 49; L. Robert, *Hellenica*, 7 (1949): 227-28; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 1060-61, nn. 41-42.

DESCRIPTION. Fragments of two copies. One was found in the middle room of the North Hall of the agora in Priene. Height: 0.84 m. Width: 0.69 m. Thickness: 0.36 m. Height of letters: 0.012 m. The other, consisting of three fragments, was found in the *bouleuterion* at Miletus. The first fragment (Inv. 226 b) is from the right half of a block belonging to the anta. Height: 0.59 m. Width: 0.31 m. Thickness: 0.60 m. Height of letters: 0.016 m. The second (Inv. 226 c) belongs to the left of the first fragment and contains only the remains of the upper eight lines. Height: 0.46 m. Width: 0.14 m. The third (Inv. 226 a) belongs to a different course. Height: 0.59 m. Width: 0.705 m. Thickness: 0.73 m.

## 226 c and 226 b

- [ - - - ] ρα . . σι [ - - - - - - - - - ]  
 [ - - - ] ἡ] μείς τα [ - - - - - - - - - ]  
 [ - - - ] ι καὶ γὰρ δὲ [ - - - - - - - - - ]  
 [ - - - ] ν κατὰ [ - - - - - - - - - ]  
 5 [ - - τῇ] ῥ ἐπαρχε[ίας - - - - - - - - - ]  
 [ - - - ] ναι ψευ[δ - - - - - - - - - ]  
 [ - - - ] φερε[ι - - - - - - - - - ]  
 [ - - - ] ἔλασσ[ον - - - - - - - - - ]  
 [ - - - ] τῆσεμ[ . . . . . ] γολο[ - - - - - - - - - ]  
 10 [ - - - ] α ἐμο[ . . . . . ] ν ἡμέλλο[ ν - - - - - - - - - ]  
 [ - - ἐπαρ] χείας [ . . . . . ] εσθαι ποιη[ - - - - - - - - - ]  
 [ - - - ] ν Ἐφεσ[ . . . . . ] ταύτης καὶ [ - - - - - - - - - ]  
 [ - - - ] το ησ[ . . . . . ] στιον ἐπιΓ[ - - - - - - - - - ]  
 [ - - - ] ενο|| [ . . . . . τ] οὐς νόμους [ - - - - - - - - - ]  
 15 [ - - - ] τε[ . . . . . ] γων καὶ του[ - - - - - - - - - ]  
 [ - - - ] λε[ . . . . . ] ματα καὶ πυ[ - - - - - - - - - ]  
 [ - - - ] ουμ[ . . . . . ] μοι κατὰ τῇ[ ν - - - - - - - - - ]  
 [ - - - ] ον [ . . . . . ἡνε] γκάμην ὑπ[ - - - - - - - - - ]  
 [ - - - ] —σ[ . . . . . ] τὴν σπουδ[ ἡν - - - - - - - - - ]  
 20 [ - - - - - - - - - ] νι καὶ εἰς ὑμᾶς Γ[ - - - - - - - - - ]  
 [ - - - - - - - - - ] εἰδέναι θέλω κ[ - - - - - - - - - ]  
 [ - - - - - - - - - ] α] ὑτὸς τὴν ἐπα[ρχεῖαν (?) - - - - - - - - - ]  
 [ - - - - - - - - - ] ἐπὶ ξένωι [ - - - - - - - - - ]  
 [ - - - - - - - - - ]

(12 lines missing)

## 226 a

- [ . . . . . ] ο Κρίν[τ]ον Τ[ . . . . . ] ρ[ . . . . . ]  
 [ . . . ] ρας [ . . . . . ] ἐπ' ἀκυρώσει ὧ[ ν ] ἀνέλ[ηφε καὶ Μάρ-]  
 [κω] ι Κικέρ[ων] ι συντυχῶν εὐχαρίστησε [τὰ ταχ-]  
 40 θέντα ἐπ[ιμ]ελῶς συντηρῶν τὰ ἐπ' ἐμ[οι μὴ δια(?) - ]  
 λύνειν. ὁθεν πῶς ὑμεῖς τὴν τινων περὶ [ταῦτα ἀ-]  
 ναίδειαν ἀνέσχησθε, τεθαύμακα· δι' ἧς [αἰτίας]  
 πρὸς τε τὸ κοινὸν τῶν Ἑλλήνων γέγραφα, [πρὸς]  
 [ὑ]μᾶς, Ἐφεσίους, Τραλλιανούς, Ἀλαβανδεῖς, Μ[υ-]  
 45 [λ]ασεῖς, Σμυρναίους, Περγαμηνοὺς, Σαρδιανο[ύς,]  
 Ἀδραμυτηνοὺς, ἵνα τε ὑμεῖς πρὸς τὰς ἐν τῇ δ[ιοι-]  
 [κ]ήσει τῇ ἰδίᾳ πόλεις διαποστεῖλησθε ἐν τε τῷ ἐπ[ι-]  
 φανεστάτῳ τόπῳ ἐν στυλοπαραστάδι ἐπὶ  
 λίθου λευκοῦ ἐνχαράχθῃναι φροντίσῃτε τ[αῦ-]



- 50 τα τὰ γράμματα, ἵνα κοινῶς πάσῃ τῇ ἐπαρχείᾳ[ι τὸ]  
 δίκαιον ἐσταμένον ἦι εἰς τὸν αἰεὶ χρόνον, αἶ τε ἄλ-  
 λαι πᾶσαι πόλεις καὶ δῆμοι τὸ αὐτὸν παρ' αὐτοῖς  
 ποιήσωσιν, εἷς τε τὰ δημόσια ἀποθῶνται νομο[φυλά-]  
 κια καὶ χρηματιστήρια. τὴν δὲ αἰτίαν δι' ἣν ἐλλή[νι-]  
 55 κοῖς ἔγραψα, μὴ ἐπιζητήσητε· κατὰ νοῦν γὰρ [ἔσ-]  
 χον, μή τι παρὰ τὴν ἐρμηνείαν ἔλασσον τὰ [γεγραμ-]  
 [μ]ένα νοῆσαι δύνησθε· τὴν δὲ ἐπιστολὴν [ν ἔδωκα]  
 [Τι]μοκλῆι Ἀναξαγόρου καὶ Σωσικράτῃ Πυ[θίνος]  
 [πρ]εσβευταῖς Μαγνήτων τῶν πρὸς τ[ῷ Μαιάν-]  
 60 [δρ]ωι. νν ἔρρωσθε. *vacat*

*vacat*

Restorations by Friedrich, Wilamowitz, and Rehm. 23 I suggest *στρατηγὸς* ἐπὶ ξένω[ν](?). 51 Prienean copy begins with εἰς τὸν αἰεὶ κτλ. 55 Prienean copy has ἐσ[χον]. 58 Τιμοκλεῖ Ἀναξα[γόρου, Σωσικ]ράτῃ Πυθίνος, Priene. 60 Prienean copy lacks ἔρρωσθε but employs the *paragraphos* in its place.

COMMENTARY. Some event or condition in the province of Asia, unknown to us but certainly one of importance, caused the writer to compose this letter. He is amazed to see how the Greeks have endured the shamelessness of certain people (ll. 41–42) and for that reason has decided to write to the *koinon* of Asia, to the peoples of Miletus, Ephesus, Tralles, Alabanda, Mylasa, Smyrna, Pergamum, Sardis, and Adramyttium.<sup>1</sup> Each of those cities, certainly the centers of the Asian *conventus*, is given instructions to

<sup>1</sup> According to the original editors, as well as Robert and Magie, Miletus is to be included in the list. The supposition is that the present letter was addressed to the city of Miletus directly—it was found in the *bouleuterion* of Miletus—and that the phrase [πρὸς ὑ]μᾶς must refer to the Milesians. The writer evidently had ten copies of his letter prepared, one for the *koinon* of Asia and the others for the judiciary centers. Each one would have carried the name of the addressee in the salutation, but in the list of cities which followed the phrase [πρὸς ὑ]μᾶς its name would have been omitted. There would have been no need to say πρὸς ὑμᾶς Μιλησίου. Such is the normal way of interpreting *una prius*: if we would suppose that the names of the cities following [πρὸς ὑ]μᾶς were merely in apposition to that phrase, we would have to assume that the salutations in all nine letters were identical, perhaps τοῖς ἐπὶ τῆς Ἀσίας Ἑλλήσιν χαίρειν *aut similia*. This was possible but not very likely. If true, it would mean that Miletus was not a judiciary center at all and that the presence of the letter in its *bouleuterion* meant the same thing as it did in the case of Priene: it was sent there for publication by a judiciary center in compliance with general instructions (ll. 46–50). Jones, in fact, did not make Miletus a judiciary center, but his reason for not doing so was based on a misunderstanding of the letter (see Robert and Magie). Since the writer, almost certainly the Governor of Asia, had also written an identical letter to the *koinon* of Asia, which in turn would have disseminated the information in the letter to all its many members, it seems more likely that he would have addressed the nine letters individually to the judiciary centers. A directive separately addressed adds to the importance of the matter. The finger is pointed, so to speak. General directives were channeled through the *koinon*. Personal, individual responsibility was assigned through direct communication. For these reasons I believe that the first interpretation is the correct one and that Miletus had been a judiciary center in the middle of the first century B.C. By the age of Augustus conditions had changed and other arrangements were made.

transmit his letter to the smaller cities in its district, and the letter is to be published and preserved in each of the various archives. The writer then adds a most unusual statement about his reason for writing in Greek, *viz.*, in order that the Greeks might not misunderstand his meaning (ll. 55–57). He appears to have taken advantage of the fact that two envoys from Magnesia happen to be present, for he asks them to deliver his letter. Such are the bare facts.

Who is the writer and what is the date? The answers depend upon the correct interpretation of two pieces of information: the mention of Cicero and the list of cities. There seems to be little or no doubt that the cities are the centers of the Asian *conventus*, but a comparison with the list preserved by Pliny (*N.H.* 5. 105–26), which reflects the conditions of the Augustan age in general, shows several variations. These may be seen best in tabular form:

| Letter      | Pliny       |
|-------------|-------------|
| *Miletus    | Ephesus     |
| Ephesus     | Alabanda    |
| *Tralles    | Smyrna      |
| Alabanda    | Pergamum    |
| *Mylasa     | Sardis      |
| Smyrna      | Adramyttium |
| Pergamum    | *Cibyra     |
| Sardis      | *Synnada    |
| Adramyttium | *Apameia    |

Note: The starred entries of one list are missing in the other.

For our present purpose the most important point to be noted here is the omission of the Phrygian judiciary centers of Cibyra, Synnada, and Apameia from the list given in the letter. It is important because we know that between 56 and 50 B.C. those three centers belonged to the province of Cilicia, but that before and after those dates they belonged to Asia.<sup>2</sup> Hence the date of our letter must fall within the period 56–50 B.C., and the Cicero of line 39 must be the orator and statesman M. Tullius Cicero.

The combination of such a date and such a notable Roman figure suggests that the writer of the letter is Q. Minucius Q. f. Thermus, governor of Asia in 51–50 B.C.<sup>3</sup> The evidence for this is circumstantial rather than direct. Cicero is most likely to have been named in a governor's letter to the cities of Asia during the time in which he himself was governor of Cilicia (51–50 B.C.), for then he would have been more closely involved in the affairs of Asia Minor. He is known to have been on very friendly terms with Thermus in the course of that year and to have written to him on many occasions for a

<sup>2</sup> For the Asian judiciary districts in general see Magie, *op. cit.*, I, 171–72, and II, 1059–63, nn. 41–42, and Robert, *loc. cit.* For the Phrygian districts see J. Marquardt, *Römische Staatsverwaltung*, I<sup>2</sup> (Leipzig, 1881), 335–36; R. Syme, in *Anatolian Studies Presented to William Hepburn Buckler*, ed. W. M. Calder and J. Keil (Manchester, 1939), pp. 301–5; Magie, *op. cit.*, II, 1060, n. 41, and 1245, n. 18.

<sup>3</sup> For his governorship see the references in Broughton, *Magistrates*, II, 243, and Magie, *op. cit.*, I, 399.

variety of reasons.<sup>4</sup> One final piece of information may also have a bearing on the present letter: Cicero had passed through the province of Asia in 51 B.C., on his way to Cilicia. On that occasion he had met Thermus in Ephesus before proceeding into the interior. And on his return to Italy the following year he had again stopped at Ephesus while awaiting transportation.<sup>5</sup> The possibility is that Cicero may have noticed something while passing through Asia and later brought it to the attention either of Thermus or some other official. This in turn prompted the letter. There are, however, no facts to substantiate such a possibility.

Turning to the contents of the letter and the nature of the information communicated to the cities of Asia, we are almost hopelessly in the dark. Isolated expressions such as "false" (l. 6), "Ephesus" (in Ephesus?) (l. 12), "laws" (l. 14), and "I was forced by . . ." (l. 18) are not sufficient in themselves to be of much help. But that it is a matter about which Cicero had some knowledge I am almost certain. I am led to this belief by the statement (ll. 37-41) that someone, perhaps a subordinate in the *officium* of the governor of Asia, had met with Cicero. Surely that meeting was not unconnected with the matter at hand. Why else would the writer have mentioned it? Official letters from the Roman government may be courteous in their approach, colorful in language at times, and occasionally verbose, but they are never given to idle remarks or extraneous pieces of information. Whatever is said has some connection with the subject. In the present instance, however, we do not have the means to discover what it was.<sup>6</sup>

<sup>4</sup> *Ad Fam.* 13. 53 (Cilicia, 51 B.C., letter of recommendation); *ibid.*, 54 (Laodicea, 50 B.C., personal matter); *ibid.*, 55 (Cilicia, 51 B.C., recommendation); *ibid.*, 56 (Cilicia, 51 B.C., concerning the fact that several Asian cities owe Cluvius, a friend of Cicero's, a great deal of money); *ibid.*, 57 (Laodicea, 50 B.C., request that Thermus send Cicero's legate M. Anneius back to Cilicia from Asia); cf. also *Ad Fam.* 2. 18; *Ad Att.* 5. 13. 2; 20. 10; 21. 14.

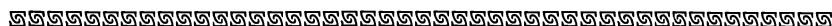
<sup>5</sup> On his way to Cilicia in 51 B.C., Cicero arrived at Ephesus in July and met Thermus (*Ad Att.* 5. 13). On his return to Rome in 50 B.C., however, he left Cilicia by boat by way of Rhodes and was delayed twenty days on the trip from Rhodes to Ephesus. At Ephesus itself he was further delayed until October 1 (*Ad Att.* 6. 8).

<sup>6</sup> Two possibilities, however, present themselves for consideration. The first is that while passing through Asia in July of 51 B.C. Cicero may have noticed or heard of infringement of the *Lex Iulia de Repetundis* of 59 B.C. This law provided *inter alia* for a number of restrictions to be placed upon Roman public officials in the provinces. They were forbidden, for example, to accept any sort of gift in the administration of justice or to accept anything from the provincials while traveling through their country, except shelter and the necessities of life (cf. Magie, *op. cit.*, I, 380, and II, 1243, n. 8, for details and references). Cicero, who at the time prided himself a great deal on his strict observance of its provisions (cf. *Ad Att.* 5. 21. 5; *ibid.*, 10. 2; *ibid.*, 16. 3; *ibid.*, 6. 7. 2; *ibid.*, 15. 11.), would clearly have been told by surprised (?) provincials in the interior of any cases concerning its infringement. The absence of any such reference in his letters to Thermus, however, does not make this possibility a very likely one. The second possibility is that the letter concerns business dealings of some sort, as suggested by the editors in the edition of the Milesian copy (Knackfuss, *op. cit.*, p. 102). In this regard the letter to Thermus (*Ad Fam.* 13. 56) may be pertinent. In it we learn that Cluvius of Puteoli, a wealthy banker with investments throughout the province of Asia, is afraid that he will lose all his interests in the province unless he can secure the help of the governor. The people of Mylasa, Alabanda, Heraclea, Bargylia, and Caunus all owe him money but will not or cannot pay. Cicero outlines the situation for Thermus and adds at the end that the matter is so important that Cn. Pompeius himself is worried. Such a piece of business might be sufficiently large to cause Thermus finally to compose a letter in order to make known his decision to all the cities. I therefore find this second possibility at least worth consideration. Perhaps even Pompey's investments were involved.

# 53

## EPISTULA MAGISTRATUS ROMANI AD ILIENSES

First Century B.C.



BIBLIOGRAPHY. A. Brückner, in W. Dörpfeld, *Troia und Ilion* (Athens, 1902), nos. XVI–XVII, pp. 457–58; G. Lafaye, *I.G.R.R.*, IV (1927), 199; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 1258, n. 3.

DESCRIPTION. No. XVI: four fragments of a block found at Ilium in a well (B a) of the Temple of Athena. Of these fragments, A and B join together with an over-all height of 0.23 m. and width of 0.145 m. Height of letters: 0.015 m. Reproduced by Brückner, *loc. cit.* Fragment C: height, 0.05 m.; width, 0.035 m. Fragment D: height, 0.05 m.; width, 0.036 m. The height of the letters in C and D is the same as in A–B.

No. XVII: one fragment, the dimensions of which are not given by Brückner, found in the same location as no. XVI, and probably belonging to the same text as no. XVI.

### XVI

[ - - - - - ]  
[ - - - - - Ἰλ]ιάδ[ι ? - - ]  
[ - - - - - ἐ]ν τῶι ἱερῶι  
[ - - - - - ]ους ἔγραψα  
[ - - - - - τὴν πόλιν ὑμῶν ἐν]αι ἐλευθέραν  
[ - - - - - καὶ ἀλειτ]ούργητον  
[ - - - - - ] ἅπαντα καὶ  
[ - - - - - ἐν νόμοις ἐε]ροῖς *vacat*  
[ - - - - - συγ]γενεῖς  
[ - - - - - δό]ξαν  
[ - - - - - ]

[Ἀθην]ᾶς [ - - ]  
[ - - ]ον [ - - ]

D [ - - ]υμ [ - - ]  
[ - - ]τρ [ - - ]

## XVII

[-----]  
 [-----] ρ ἱερῶ[ι-----]  
 [---- τῆς Ἀθηνᾶς] τῆς Ἰλιά[δος-----]  
 [-----] νόμους [-----]  
 [-----]

A-B 3 One should not exclude ἐγράψα[μεν]. 7 Brückner refers to *Die Inschriften von Pergamon*, 246, ll. 61-62; τὸ δὲ ψήφισμα τόδε [κ]ύριον εἶναι εἰς ἅπαντα τὸν χρόνον | καὶ κατ[α]τε[θῆν]αι αὐτὸ ἐν νόμο[ις] ἐ[ροῖς].

COMMENTARY. Strabo (13. 1. 26-27) tells us that Ilium was only a village with a small temple of Athena until Alexander visited it after his victory at the Granicus. He is said to have given it the title of city, adorned the temple, and decreed that the city was to be free and exempt from tribute.<sup>1</sup> After Alexander's death Lysimachus built a wall around the city and joined the neighboring cities to it (*synoikismos*). For a time thereafter, however, it seems to have fallen into bad times, but then it was improved very greatly. In 205 B.C., by the terms of the Treaty of Phoenice, it was recognized by the Romans as independent and under Roman protection.<sup>2</sup> After 188 B.C. we know from Livy (38. 39. 10) that Ilium was given control over both Rhoeteum and Gergithus. It was therefore a free city.<sup>3</sup> Much later, in the course of the first Mithridatic War, it was captured by Fimbria and suffered greatly.<sup>4</sup> But, when Sulla emerged triumphant and Fimbria lay dead, Ilium's previous status was confirmed by a grant of freedom.<sup>5</sup> Little more than a generation later Julius Caesar not only preserved that freedom (and immunity from taxation, Strabo adds) but also gave land to Ilium.<sup>6</sup> The Romans, of course, were very well disposed toward Ilium because of the tradition that Aeneas had been their founder. The additional legend that the Julian gens could be traced all the way back to Iulus caused Julius Caesar to be all the more anxious to display his respect toward the city. It is not surprising, therefore, to discover that in Pliny's time Ilium was still *immunis*.<sup>7</sup>

Brückner, on the basis of the letter forms and the report of Strabo, believed that the present document originated in the arrangement made by Caesar for the status of the

<sup>1</sup> Jones, *Cities of the Eastern Roman Provinces*, p. 40, discounts Strabo's statement that Alexander declared Ilium a city "as due to Strabo's theory that Ilium was a mere village hitherto."

<sup>2</sup> For the controversy about the "inclusion" of Ilium in the treaty see the summary by Magie, *op. cit.*, II, 744-46, n. 35.

<sup>3</sup> The mere fact that it was *rewarded* at this time must mean that it continued to be free. Magie, *op. cit.*, I, 108; Jones, *op. cit.*, p. 53.

<sup>4</sup> Strabo 13. 1. 27; Appian *Mithr.* 53; Livy *Epit.* 83.

<sup>5</sup> Appian *Mithr.* 61.

<sup>6</sup> Strabo 13. 1. 27; Lucan *Phar.* 9. 961ff., esp. 998; cf. Magie, *op. cit.*, I, 405, and II, 1258, n. 3.

<sup>7</sup> Pliny *N.H.* 4. 7. 8; 5. 124.

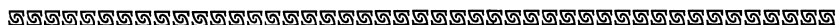
city. He did not call it a letter, but the use of the first person in fragment A–B, line 3, and the possibility of a pronoun of the second person in fragment D would certainly identify it as such. The date in the first century B.C. would point to a Roman magistrate, but whether he is Sulla, Caesar, or someone else I cannot decide. More evidence is needed. The writer, however, clearly confirms a grant of freedom and immunity to the city.

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# 54

## EPISTULA C. IULII CAESARIS AD PERGAMENOS

After Pharsalus



BIBLIOGRAPHY. A. Passerini, *Athenaeum*, 15 (1937): 273-75; M. Segre, *Athenaeum*, 16 (1938): 119-27; L. Robert, in *Anatolian Studies Presented to William Hepburn Buckler*, ed. W. M. Calder and J. Keil (Manchester, 1939), pp. 227-30; M. I. Rostovtzeff, *S.E.H.H.W.*, III (1941), 1527-28, n. 98; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 1258-59, n. 3.

DESCRIPTION. Part of the dossier which contained the *S.C. de Agro Pergameno* (No. 12), from Smyrna. The letters are of the same form and size as those of the senatorial decree. Called fragment e by Passerini. If the width of all the columns in that dossier is the same, then the number of letters in each line of the present letter would average from about 58, minimum, to about 75, maximum. Precise figures, however, cannot be given, because of the irregularity in the spacing.

- [Γάιος Ἰούλιος Καῖσαρ] αὐτοκ[ράτωρ, ἀρχιερεὺς καὶ δικτάτωρ τὸ β' Περγαμηνῶν  
 ἄρχουσι]  
 [βουλῇ δῆμῳ χαίρει]ν· εἰ ἔρρω[σθε, εὖ ἂν ἔχοι· ὑγίαινον δὲ αὐτὸς μετὰ τοῦ  
 στρατεύματος.]  
 [ὑμῖν ἀντίγραφον τ]οῦ ἐπικρίμα[τος ἀπέσταλκα τοῦ γεγονότος περὶ τῆς χώρας τῆς  
 ὑμῖν]  
 [προσωρισμένης· π]ερὶ ὧν Μιθ[ραδάτης Μηνοδότου πολίτης ὑμέτερος καὶ φίλος  
 μου]  
 5 [λόγους ἐποίησατ]ο, περὶ τούτ[ου τοῦ πράγματος οὕτως ἐπέκρινα· vacat]  
 [τὴν τε πόλιν Π]έργαμον καὶ χ[ώρας ὅσον βασιλεὺς Ἀτταλος βασιλέως Εὐμένους  
 τῇ πόλει]  
 [προσώρισεν, ἐ]κτὸς βασιλικο[ῦ - - - - - , ἐλεύθερα αὐτόνομα  
 ἀνεΐσφορα?]  
 [ἀφορολόγητά?]τε εἶναι δοκε[ῖ - - - - -]  
 [- - - - -]ας τε τούτων [- - - - -]  
 10 [τοῦ τῶν Ῥ]ωμαίων δῆμ[ου - - - - -]  
 [- - - - -]τε φαίνεται θέ[λειν - - - - - βασιλεὺς Ἀτταλος]  
 [βασιλέως] Εὐμένους υἱό[ς - - - - -]  
 [- - - - -]σαναστε ἀσυλ[ία - - - - -]  
 [- - - - -]ων ὑφέστησαν [- - - - -]  
 15 [- - - - -]ραψαν ἔκρειναν [- - - - -]  
 [- - - - -]πὲρ τῶν ἱερῶν η[ - - - - -]  
 [- - - Ῥωμα]ῖος ἃ τε ἄλλα π[άντα - - - - -]  
 [- - - - -]υῶν ἀπάντ[ων - - - - -]  
 [- - - - -]κρίσις τοῦ μ[- - - - -]  
 20 [- - - - -]ρηπῶτα[- - - - -]

Restorations by Passerini and Segre. 1–8 The restorations of Segre are followed. 1 *Σμυρναίων* ἄρχουσι κτλ., Passerini. 3–4 περὶ ἐκείνων τῶν πραγμάτων π[ερὶ ὧν Μιθ]ραδάτης? ἐμοὶ λόγους ἐποίησατο, Passerini. 7 After βασιλικοῦ perhaps a noun such as κῆπου, παραδείσου. *ant similia*, Segre. 9–20 As given by Passerini. 16 Robert thinks of a phrase such as τῶν ἱερῶν νόμων.

COMMENTARY. For Pergamum's reception of Mithridates *Eupator* in 88 B.C. and the murder of Roman citizens seeking asylum in its Temple of Asclepius, that city was almost certainly deprived of its freedom and immunity by Sulla.<sup>1</sup> But, like Mytilene and other cities, it possessed a renowned citizen whose friendship and influence with the Romans may have brought about the return of that freedom. The man himself, Mithridates of Pergamum, was an interesting and important figure in the Greek East

<sup>1</sup> Appian *Mithr.* 19ff., esp. 23; Plutarch *Sulla* 11; Cicero *Pro Flacco* 57; see H. Hepding, *Athen. Mitt.*, 1909, pp. 333–34.



about the middle of the first century B.C.<sup>2</sup> Son of Menodotos and Adobogiona, he traced his lineage back to the tetrarchs of Galatia. His mother was said originally to have been a concubine of Mithridates *Eupator*, and his father belonged to a very aristocratic family of Pergamum. The son was reared in the court of the Pontic king, it seems, and performed his military service in the royal army. Although embassies to Rome had brought him to the attention of his Roman masters, his great chance for honor and glory came when Julius Caesar was besieged in Alexandria. He marched to his assistance at the head of an army and managed to rescue him.<sup>3</sup> For this act Caesar rewarded him with the title "friend" and the more material benefits of a tetrarchate of the Trocmi and a kingdom in southern Russia. Unfortunately, Mithridates did not live long enough to enjoy his rewards to the full, for in 46/45 B.C. he fell in battle against Asandros, King of the Bosphorus.

Pergamum honored her famous citizen with statues and inscriptions. In one of them he is credited with "having restored to the gods the city and its land that is holy" and is called the "New Founder after Pergamos and Philetairos" of his country.<sup>4</sup> It was concluded by Hepding, long ago, that Mithridates was described in such terms because he had succeeded in winning back Pergamum's long-lost freedom. His friendship with Caesar no doubt would have made this possible, especially after the rescue in Alexandria. That Caesar was actually responsible for restoring Pergamum's freedom upon the request of Mithridates is nowhere stated positively, but Hepding believed that it was mentioned in a Pergamene inscription, which he restored as follows:<sup>5</sup>

[Ὁ δῆμος]

[ἐτίμησε] τὸν ἑαυτοῦ σ[ωτῆρα καὶ εὐεργέτην]

[Γάιον Ἰούλιον Γαίου υἱὸν Καίσαρα τὸν αὐτοκράτορα καὶ]

[ἀρχι]ερέα καὶ δικτάτορα τὸ [β' πάσης ἀρετῆς καὶ εὐνοίας]

5 [ἐνεκ]εν ἀποκαταστήσασ[τα τοῖς θεοῖς τήν τε πόλιν]

[καὶ τήν] χωρὰν ο[ὔ]σαν ἱερὰν καὶ ἄσυλον καὶ αὐτόνομον.]

Another copy of the same inscription assured the correctness of the restoration in the fifth line, but Segre could not agree with Hepding's conclusion of the sixth line. He thought that the name of some divinity should follow the phrase ο[ὔ]σαν ἱερὰ[ν], perhaps that of Dionysus or Athena.<sup>6</sup> Nevertheless, like Hepding, he concluded that Pergamum had regained her freedom through Mithridates and Caesar. He interpreted the phrase "restored to the gods the city and its land sacred to..." as indicating the

<sup>2</sup> The basic article about the man and his exploits is still that of H. Hepding, *op. cit.*, pp. 329-40. Cf. Segre, *op. cit.*, p. 120; Geyer, *R.E.*, s.v. "Mithridates" (15), cols. 2205-6; L. Robert, *Études Anatoliennes*, pp. 53 and 56, and in *Anatolian Studies*, pp. 227-29; Rostovtzeff, *loc. cit.*, *Magie, op. cit.*, p. 1259, n. 4.

<sup>3</sup> Caesar *Bell. Alex.* 26ff.; see M. Gelzer, *Caesar der Politiker und Staatsman*<sup>6</sup> (Wiesbaden, 1960), pp. 230-32 (English translation by P. Needham [Blackwell, 1968], pp. 251-52).

<sup>4</sup> In two copies, first correctly published and interpreted by Hepding, *op. cit.*, pp. 329-31 (*I.G.R.R.*, IV, 1682; cf. L. Robert, in *Anatolian Studies*, p. 230).

<sup>5</sup> Hepding, *op. cit.*, pp. 336-37 (*I.G.R.R.*, IV, 1677; cf. L. Robert, *loc. cit.*).

<sup>6</sup> Segre, *op. cit.*, pp. 122-26. *Magie (op. cit., p. 1259)* believed that there was little reason to justify the restoration of the name of a god at this point.

restoration of the traditional constitution that had been lost since the end of the first Mithridatic War.

Caesar was in a generous mood after the victory at Pharsalus in 48 B.C., and because of his *clementia* large numbers of cities succeeded in obtaining grants or favors of various kinds from him. It would have been the proper moment for Mithridates to bring up the question of Pergamene freedom and immunity (if not then, at any rate after the rescue in Alexandria). Mithridates probably could have received an affirmative reply from Caesar to any reasonable request. What could have been more important to him than the freedom and immunity of his city? Accordingly, Hepding and Segre believe that Caesar restored the city's freedom. L. Robert also agrees. Magie does not.<sup>7</sup> But one must admit that the available evidence tends to support Hepding, Segre, and Robert. When Pergamum called Mithridates a "New Founder after Pergamos and Philetairos," it did not seem to be (in view of the man's friendship with Caesar) merely extravagant praise, but rather a statement of fact. It must have meant that Mithridates was responsible for some momentous change in his city's political condition or status. The restoration of freedom would be of sufficient importance to warrant such praise.

We turn to the present letter of Caesar. It is important to remember that it is here a part of a large dossier engraved at Smyrna, Pergamum, and probably other cities. The fact that all the texts were assembled and engraved at Smyrna means that all of them were concerned with the same problem, Pergamum and its land.<sup>8</sup> From the letter we learn that Mithridates had met with Caesar, presumably after Pharsalus, and discussed with him the Pergamene question. Extant expressions in lines 6, 7, 8, 13, and 16 make it reasonably clear that the status of the city and its land is the issue.<sup>9</sup> Segre thought that in this letter Caesar officially communicated to Pergamum his decision to declare the city and its territory free and immune. This explains his restoration in lines 7-8.

Magie, however, thought that Caesar's decision "may have resembled in some way the recognition of inviolability received by various Asianic cities during the later third century," and that the grant of freedom was not made until the governorship of P. Servilius Isauricus (46-44 B.C.).<sup>10</sup> There is no doubt that Servilius was responsible for some political or constitutional changes in Pergamum, for one Pergamene inscription speaks of him as "savior and benefactor of the city and one who gave back to the city its ancestral laws and an unrestricted democracy." For Magie this was decisive.<sup>11</sup> For

<sup>7</sup> Magie, *op. cit.*, I, 405-6, and II, 1258-59, n. 3.

<sup>8</sup> Passerini thought that the present letter of Caesar had been addressed to Smyrna, but it was shown by Segre and Robert that it must have been addressed to Pergamum. The only reason why the documents had been engraved and set up at Smyrna is that the Pergamene land issue was one of great importance for all the cities of the area. Publication in many cities was believed to be essential. See Robert, in *Anatolian Studies*, p. 228, n. 3, and the commentary to No. 12 of the present volume.

<sup>9</sup> Another fragment from the same dossier was published by Passerini, *op. cit.*, p. 276 (fragment f), which apparently defined the Pergamene boundaries. It mentions Elaia and Julius Caesar. See also Robert, in *Anatolian Studies*, p. 229, for the text.

<sup>10</sup> Magie, *op. cit.*, I, 405.

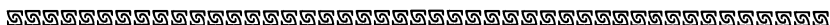
<sup>11</sup> O.G.I.S., 449 (I.G.R.R., IV, 433).

Hepding and Segre it meant merely that the work of restoration was not completed until the proconsulship of Servilius. It is not really necessary to separate the two acts—those of Mithridates and Servilius—for surely the grant of freedom did not solve all Pergamene problems immediately. The difficult questions of the city's lands and its legal status might have required considerable time to resolve. Indeed, Servilius was called upon to adjudicate in a legal issue which concerned the sacred laws and the *asylia* of the Temple of Asclepius in Pergamum (No. 55), an event which proves that the decision of Caesar did not end all difficulties. To restore democratic institutions takes time; to restore them “unrestrictedly” takes even longer.

Although solid evidence is lacking, it would seem that Mithridates of Pergamum managed to have his city's freedom and immunity restored. His friendship with Caesar and the weighty credits “New Founder after Pergamos and Philetairos,” not to mention “Restorer to the gods of the city and its land,” are sufficient to warrant such a suggestion. To state it as a fact may be rash, but to dismiss it altogether would be ill-advised. I tend to believe it.

EPISTULA P. SERVILII ISAURICI  
AD PERGAMENOS

46-44 B.C.



BIBLIOGRAPHY. T. Wiegand, "Zweiter Bericht über die Ausgrabungen in Pergamon 1928-32: Das Asklepieion," *Abhandlungen der preussischen Akademie der Wissenschaften, Phil.-hist. Klasse*, no. 5 (Berlin, 1932), no. 1, p. 32 (*A.E.*, 1933, no. 260); M. Segre, *Il Mondo Classico*, 3 (1933): 485-88 and 4 (1934): 71; L. Robert, *Hellenica*, 6 (1948): 39-40; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 417, and II, 1271, n. 42.

DESCRIPTION. Found at Pergamum at the site of the ancient Asclepieion. Height: 0.28 m. Width: 0.42 m. Thickness: 0.12 m. Height of letters: 0.007-0.008 m. (except those of l. 2, which are 0.012 m. high).

Ἀγαθῇ Τύχῃ.

Ἐπὶ κριμα περὶ τῆς ἀσυλίας.

[Πό]πλιος Σερούλιος Ποπλίου υἱὸς Ἰσαυρικὸς ἀνθύπατος  
[ἄ]ρχουσι βουλῇ δῆμῳ Περγαμενῶν χαίρειν.

- 5 Κλεῖτος Τίμωνος πρύτανις: Ἀσκληπιάδης Μάτρω-  
νος ἱερεὺς: Μοιροφάνης Μητροδώρου: Μενέμαχος  
Ξενοκλείους, Ἡρώδης Ἡρώδου: Νέων Μελεάγρου,  
Ἀπολλοφάνης Ὀρέστου: ἄρχοντες: Περσεὺς Περσέως  
τοῦ Δίωνος γραμματεὺς δῆμου: Κρίτων Μηνοδώρου,  
10 γυμνασίαρχος: ὁμοίως τε καὶ πρεσβευταὶ ὑμέτεροι, ἄν-  
δρες ἀγαθοὶ ἐμοὶ προσήλθον ὑπὲρ τῶν τοῦ Ἀσκλη-  
πιοῦ ἱερῶν νόμων ἀσυλίας τε. ν \*Ἦτις ὑμῖν ἀντίστα-  
σις ὑπὲρ τῶν τοῦ ἱεροῦ δικαίων πρὸς Μάρκον Φάνιον  
Νεμερίου υἱὸν Τηρετεῖνα ὑπῆρχεν, ὑπὲρ τούτ[ου τοῦ]  
15 πράγματος, τῆς ὑποθέσεω[ς ἐξ ἀντικαταστάσεως ὑφ']  
ἐκατέρων ρηθείσης, [- - - - - ἐπέκρινα· περὶ]  
ὧν Μάρκος Φά[νιος Νεμερίου υἱὸς Τηρετεῖνα ἐνε]-  
φάνισεν [- - - - -]  
[- -] Οἷ[ - - - - -]

Note the marks of punctuation in 5-10. 12 At first Segre thought that *TEHTIΣ* was corrupt and that the correct reading was *ΠΕΡΙΗΣ*, but later, on the basis of a photograph, he changed his mind and punctuated as shown here. 15 *ὑποθέσω* [*ς ἀκριβέστατα ἐ*] | *κατέρων*, Wiegand, but Segre, with reference to *S.I.G.*<sup>3</sup>, 785, 7ff., and Josephus *Ant.* 14. 246, suggests *ὑποθέσω* [*ς ἐξ ἀντικαταστάσεως ὑφ'*] | *ἐκατέρων*. 17-18 *ἐνε*] | *φάνισεν*, L. Robert among the works of Segre.

COMMENTARY. P. Servilius Vatia Isauricus (cos. 79 B.C.) helped his family to regain a share of its old prestige, while the good marriage and personal ability of his son P. Servilius Isauricus (cos. 48 B.C.) renewed family ties and strengthened its position.<sup>1</sup> The son, about 60 B.C., had married Junia, a niece of M. Porcius Cato and a daughter of Servilia and Dec. Silanus. His close friendship and political rapport with Cato lasted some ten years, but then he turned from his father-in-law and the majority of his associates to ally himself with the Caesarian party. Caesar received him eagerly as one of the few *nobiles* to make such a change. Servilius found his reward for this in the consulship of 48 B.C., during which he had Caesar himself as colleague. Further honor came a few years later when he was appointed proconsul of Asia, a position which he held from 46 to 44 B.C. In that office he was a man of exceptional ability and great *humanitas*. Not since Scaevola, perhaps, had Asia found a greater benefactor or a more just administrator. Inscriptions in his honor have been found in greater numbers than for any other governor of Asia under the Republic.<sup>2</sup> Magnesia ad Maeandrum, Aegae, Smyrna, Ephesus, Mitylene, Cos, Calymnus, Tenus, Hierocaesarea, and Pergamum all honored him in the appropriate manner. And at Pergamum his name was added to the cult of Roma.<sup>3</sup> His concern for provincials in general was evident at an early date in his career, for in 61-60 B.C. he and Cato had managed to introduce into a *senatus consultum* a clause which helped to protect free cities against the unlawful demands of the *publicani*, an action which was sufficiently strong to cause Atticus to complain about his holdings in Sicyon and Cicero to sympathize. Following his governorship of Asia he returned to Rome only after the death of Caesar and there sought to become an intermediary between the opposing parties. Both he and Cicero spoke out against Antonius in the Senate, but on the whole he remained neutral in the conflict and thus won his reward in a second consulship in 41 B.C. Not long afterward he died, in an unknown year.

When Servilius became governor of Asia in 46 B.C. the city of Pergamum may already have received its freedom. That is a point, however, about which some doubt exists (see the commentary to No. 54). The fact remains that Servilius was praised at Pergamum for, *inter alia*, "having given back to the city its ancestral laws and an unrestricted democracy" (*O.G.I.S.*, 449 = *I.G.R.R.*, IV, 433 = *I.L.S.*, 8779). Clearly he

<sup>1</sup> F. Münzer, *Römische Adelsparteien und Adelsfamilien* (Stuttgart, 1920), pp. 354-58; *idem*, *R.E.*, s.v. "Servilius" (67), cols. 1798-1802; Syme, *Roman Revolution*, pp. 69, 109, 123, 134-36, 147, 164, 170, 182, 189, 197, 208; Magie, *op. cit.*, I, 416-17, and II, 1270-71, n. 42.

<sup>2</sup> See Robert, *loc. cit.*, and Magie, *op. cit.*, II, 1270-71.

<sup>3</sup> See Robert, *loc. cit.*, on this subject.

was responsible not merely for good government but also for substantial improvements in the political and/or legal status of Pergamum. We turn to the present letter.

Sometime during his term of office a delegation of nine Pergamene citizens met with him and discussed the matter of the sacred laws and *asylia* of the Temple of Asclepius. A certain M. Fannius Numerii f. Ter., otherwise unknown, was involved in some sort of legal difficulty with the temple. Whatever its exact nature might have been, it must have had rather broad implications for the future.<sup>4</sup> Its importance can be judged by the number of the delegates and their high positions in the city government. Servilius listened to both sides and then rendered his decision. Details are lacking, but the decision may have been favorable to the city and the temple.

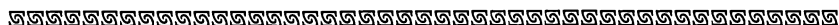
What relationship this document had to the one which appeared after the *S.C. de Pergamenis* (No. II, ll. 20–21) is not known.

<sup>4</sup> It is difficult to agree wholly with Segre (*op. cit.*, p. 487) in thinking that the case might have been one of an escaped slave seeking sanctuary or perhaps one involving Fannius' violation of the sacred precinct by the cutting of wood or the dumping of garbage in the temple area. The issue seems much more important.

# 56

## EPISTULA L. SESTII QUIRINALIS AD THASIOS

44-42 B.C.



BIBLIOGRAPHY. C. Dunant and J. Pouilloux, *Recherches sur l'histoire et les cultes de Thasos*, II (*Études thasiennes*, V) (Paris, 1958), no. 176, pp. 55-56 (Plate VII, 1).

DESCRIPTION. Inscribed on the same block as the letter of Cn. Cornelius Dolabella to the Thasians (No. 21), its first line being just 0.085 m. below the last line of that inscription. Height of letters: 0.014 m.

Λεύκιος Σήστιος Ποπλίου υἱὸς Κυρίναλ[ις - - - - Θασίων ἀρχουσι βουλῇι]  
 δήμωι χαίρειν· Ἰκέσιος Πυθίωνος, Κτ[ησι - - - - - δ]  
 πρεσβύτερος πρεσβευταὶ ὑμέτερο[ι ἐνέτυχόν μοι - - - - -]  
 ἀπέδο[σ]άν τε τὸ παρ' ὑμῶν ψήφ[ισμα - - - - -]  
 - -]  
 5 ἀποσταλέντα δημόσια γράμματα [- - - - -]  
 - - - - -]  
 [- - - - -]  
 - - - - -]

3-4 See the letter of the dictator Caesar to Mytilene in 48 B.C. (No. 26), ll. 5-6; the letter of M. Antonius to the *koinon* of Asia (No. 57), ll. 5ff.; the letter of Augustus to the Cnidians (No. 67), ll. 7-8; and the letter of Augustus to Sardis (No. 68), l. 24, with *συνέτυχον*.

COMMENTARY. L. Sestius P. f. L. n. Albinianus Quirinalis (*cos. suff.* 23 B.C.) was the son of that P. Sestius who, as *trib. pl.* in 57 B.C., had struggled against Clodius and was accused the following year *de vi et ambitu*. It was Cicero who defended him and, with the help of others, succeeded in having him acquitted. In the course of that trial the young son had read aloud documents for his father's defense (*Pro Sestio* 6. 10. 144). The political affiliations of the son are clearly seen in the fact that in 44 B.C. he joined the party of the liberators and aided them in the outfitting of ships for their eastern journey (Cicero *Ad Att.* 15. 17. 1; 16. 2. 4). He was a constant admirer and loyal follower of Brutus, fought in the wars at his side, and became his proquaestor in Macedonia for the period 44–42 B.C. He was asked by the party of Antonius to betray Brutus, but he refused and was therefore placed on the proscription list. He was, however, pardoned by Augustus and was won over to his party. In fact Augustus admired Sestius' qualities of devotion and loyalty to the memory of Brutus (Appian *B.C.* 4. 51; Dio 53. 32. 4). In 23 B.C. Augustus chose him to fill the vacancy in the consulship created by his own resignation from that office—a signal honor, and significant.<sup>1</sup>

It would appear that the present letter dates from the activity of Sestius in Macedonia just prior to the Battle of Philippi, for he certainly is writing to the Thasians in an official capacity.<sup>2</sup> The island of Thasos was under the command of the Macedonian governor and must have had little choice in the role it was to play in the few years between the death of Caesar and the decision at Philippi. It became, in fact, a supply base of real aid to the liberators. No military commander could have afforded to neglect it. After Philippi the defeated forces of Brutus and Cassius looked to their own safety in flight or capitulation, and many of the high-ranking officers escaped to Thasos (Appian *B.C.* 4. 136). Antonius himself came to the island and received from these officers a huge quantity of money, arms, and supplies. For its role in the cause of the liberators Thasos was deprived of its control over Skiathos and Peparethos.

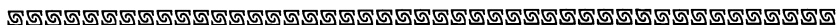
<sup>1</sup> For the facts of his career see F. Münzer, *R.E.*, s.v. "Sestius" (3), col. 1885; Broughton, *Magistrates*, II, 326, 349, and 362–63 (cf. Supplement to *Magistrates*, p. 59); Dunant and Pouilloux, *loc. cit.* He was a friend of Horace and was honored by having an ode dedicated to him (*Od.* I. 4).

<sup>2</sup> There is only a slight possibility that the letter dates from the year of his consulship, but it is one that should not be dismissed. That it might have been written in the period of his proquaestorship is also the opinion of L. Robert, *R.É.G.*, 72 (1959): 234.



EPISTULA MARCI ANTONII  
AD KOINON ASIAE

42-41 or 33-32 B.C.



BIBLIOGRAPHY. F. G. Kenyon, *Classical Review*, 7 (1893): 476-78; C. G. Brandis, *Hermes*, 32 (1897): 509-22; E. Thomas, *Philologus*, 57 (1898): 422-27; E. Ziebarth, *Rheinisches Museum*, 55 (1900): 518-19; V. Chapot, *La province romaine proconsulaire d'Asie* (Paris, 1904), pp. 464 and 492; F. Poland, *Geschichte des griechischen Vereinswesens* (Leipzig, 1909), pp. 150-51 (document no. H 26); J. Keil, *Jahreshefte*, 14 (1911), cols. 123-34; M. San Nicolò, *Ägyptisches Vereinswesen zur Zeit der Ptolemäer und Römer*, I (Munich, 1913), p. 64, n. 1; F. Preisigke, *Sammelbuch griechischer Urkunden aus Ägypten*, I (1915), 4224; F. Poland, *R.E.*, s.v. "Technitai," in the *Nachträge* to vol. V A 2 (1934), cols. 2515-16; L. Robert, *Hellenica*, 7 (1949): 122-23; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 428-29, and II, 1279, n. 4; A. Pickard-Cambridge, *The Dramatic Festivals of Athens* (Oxford, 1953), p. 305; Ehrenberg-Jones, no. 300, p. 132; C. A. Forbes, *Classical Philology*, 50 (1955): 239-41; M. Amelotti, *Studia et Documenta Historiae et Iuris*, 21 (1955): 127-31; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 125.

DESCRIPTION. This text was written on the *verso* of a British Museum medical papyrus (*P. Lond.* 137) discovered by Kenyon. "Why it was transcribed on the back of the medical MS., cannot even be guessed with any confidence. The contents relate to the province of Asia, whereas the papyrus comes from Egypt; and while the rescript was issued in the middle of the first century before Christ, this copy of it can hardly be earlier than the second century of our era. To guess at the personal reasons which may have made the owner of the medical work wish to preserve such a document would be obviously futile. It is written in a single column, in a rather large semi-cursive hand, and with the exception of a few letters near the end it is preserved intact" (Kenyon, *op. cit.*, p. 476). Part of the beginning (ll. 1-5) is also extant, in a very mutilated form, in an inscription said to have been found in Tralles (Keil, *op. cit.*, cols. 123-27). See below, in the critical apparatus on lines 3-4 of the text.

Μάρκος Ἀντώνιος αὐτοκράτωρ  
 τριῶν ἀνδρῶν δημοσίων πραγμάτων  
 ἀπὸ καταστάσεως, τῷ κοινῷ τῶν ἀ-  
 πὸ τῆς Ἀσίας Ἑλλήνων χαίρειν· καὶ  
 5 πρότερον ἐντυχόντος μοι ἐν Ἐφέσῳ  
 Μάρκου Ἀντωνίου Ἀρτεμίδωρου, τοῦ  
 ἐμοῦ φίλου καὶ ἀλείπτου, μετὰ τοῦ ἐ-  
 πωνύμου τῆς συνόδου τῶν ἀπὸ τῆς  
 οἰκουμένης ἱερωνικῶν καὶ στεφα-  
 10 νειτῶν ἱερέως Χαροπέινου Ἐφεσίου,  
 περὶ τοῦ <τὰ> προϋπάρχοντα τῇ συνό-  
 δῳ μένειν ἀναφαίρετα, καὶ περὶ τῶν  
 λοιπῶν ὧν ἤτεῖτο ἀπ' ἐμοῦ τιμίων  
 καὶ φιλανθρώπων τῆς ἀστρατευσίας  
 15 καὶ ἀλειτουργίας πάσης καὶ ἀνεπι-  
 σταθμείας καὶ τῆς περὶ τὴν πανή-  
 γυριν ἐκεχειρίας καὶ ἀσυλίας καὶ  
 πορφύρας, ἵνα συνχωρήσ(ω) γράψαι  
 παραχρήμα πρὸς ὑμᾶς, συνχωρῶ{ν}  
 20 βουλόμενος καὶ διὰ τὸν ἐμὸν φί-  
 λον Ἀρτεμίδωρον καὶ τῷ ἐπωνύ-  
 μῳ αὐτῶν ἱερεῖ εἰς τε τὸν κόσμον τῆς  
 συνόδου καὶ τὴν αὔξησιν αὐτῆς χα-  
 ρίσασθαι. καὶ τὰ νῦν πάλιν ἐντυ-  
 25 χόντος μοι τοῦ Ἀρτεμιδώρου ὅπως  
 ἐξῆ ἑαυτοῖς ἀναθεῖναι δέλτον χαλ-  
 κὴν καὶ ἐνχαράξαι εἰς αὐτὴν περὶ  
 τῶν προγεγραμμένων φιλανθρώπων,  
 ἐγὼ προαιρούμενος ἐν μηδενὶ καθ-  
 30 υστερεῖν το(ῦ) Ἀρτεμιδώρο(υ) περὶ <τού)των  
 ἐντυχόντος ἐπεχώρησα τῇ[ν ἀνά]-  
 θε(σ)ιν τῆς δέλτο(υ) ὥς παρακαλεῖ [με].  
 ὑμῖν δ(ὲ) γέγραφα περὶ τούτων.

3-4 The copy on stone at Smyrna, originally found at Tralles, reads as follows for this section (Keil, *op. cit.*, col. 127): Μάρκος Ἀν|τώνιος αὐτοκρά|τωρ τριῶν ἀνδρῶν δημοσί|ων πραγμάτ|ων ἀπὸ καταστά|σεως τῷ κοινῷ τῶν ἀπὸ τῆς Ἀ|σίας Ἑλλήνων| καὶ τοῖς προέ|δροις - - - - χαί|ρειν· καὶ πρότε|ρον ἐντυχόν|τος μοι κτλ. Note that τοῖς προέδροις is missing in the papyrus. The phrase ἀπὸ καταστάσεως has a partial parallel in the letter of Octavian to Rhosus (No. 58, II 9), where, however, the preposition is ἐπὶ. Cf. also *Res Gestae Divi Augusti* I. 12: ἐπὶ τῇ καταστάσει τῶν δημοσίων πραγμάτων. 14 Papyrus has φιλανθρώπου. 18-19 The papyrus has συνχωρήση - - - συνχωρῶν, which Kenyon emended. 30-31 τὸν Ἀρτεμίδωρον περὶ τῶν | ἐντυχόντος ἐπεχώρησα τῇ[ν - -]|θεξιν, papyrus. The change from the accusative to the genitive

in the envoy's name, first suggested by Oliver, appears correct and in agreement with the verb governing it (*καθυστερῶν*). Kenyon, *περὶ τούτων ἐντυχόντα*; Brandis, *περὶ ὧν ἐνέτυχέ μοι*. The editors of *Sammelbuch* (I [1915], 4224) suggest *περὶ τ(ω)ων ἐντυχόντ(α)*, which is followed by Ehrenberg-Jones. At the end of the phrase (ll. 32) Kenyon has expanded - ]θεξιν, a reading confirmed by Skeat (*per litteras*), to *κά]θεξιν κτλ*; Amelotti corrected it to *ἀνά]θε<σ>ιν*.

COMMENTARY. At some time prior to the writing of this letter two envoys from the world-wide organization of *ἱερονῖκαι* and *στεφανείται* had met with Antonius and had asked him to confirm their former privileges and to add those of exemption from military service, immunity from all liturgies, freedom from billeting, a truce during their festival, personal inviolability, and the right to wear the purple (ll. 4-18). He agreed. Later, when one of the envoys met with him a second time and asked for permission to erect a bronze tablet that would contain a record of these privileges, he also agreed—an understandable after-thought.<sup>1</sup> Antonius then wrote the letter to the *koinon* of Asia.<sup>2</sup>

Since the meeting between Antonius and the envoys took place in Ephesus (l. 5), we have an indication of the approximate date, for, although the titles *imperator* and *triumvir rei publicae constituendae* merely point to a period in the career of Antonius (after the autumn of 43 B.C.) and offer here no solid evidence of a more precise date, our sources tell us that he had been in Ephesus on two occasions, first in 42-41 B.C. after Philippi and a second time toward the end of 33 B.C.<sup>3</sup> Kenyon placed the letter in 41 B.C., but Brandis believed that the privileges of freedom from military service and billeting fitted better into a period when unusual military activity would have made them matters of immediate, if only temporary, importance to the organization. He therefore placed the letter in 33-32 B.C., before Actium because of the demands that the military situation placed upon the Greek East. His proposal might be countered by the reflection that the mere memory of the hardships before Philippi (43-42 B.C.) could have prompted the organization to ask Antonius for those same privileges.<sup>4</sup> Dolabella, then Brutus and Cassius, even Antonius himself—memory of the past prompted action to safeguard the

<sup>1</sup> Cf. the letter of Sulla to Cos (No. 49) in which the principal objective seems to be the granting of permission to the Dionysiac Artists to erect a stele in Cos which would contain a record of their privileges. A grant of privileges had to be accompanied normally by an order or directive authorizing publication. Otherwise a city might refuse to allow the stele to be erected.

<sup>2</sup> The earliest use of the *koinon* of Asia as an official organ through which the Roman government communicated its pleasure or orders appears to have been in about 51-50 B.C. (?) in a letter of a Roman magistrate to the Milesians and other centers of the Asian *conventus* (No. 52). The organization, of course, had existed at least from the beginning of the first century B.C. See Magie, *op. cit.*, I, 447-48, and II, 1294-95, n. 54.

<sup>3</sup> The first visit: Plutarch *Ant.* 24; Appian *B.C.* 5. 4. 5; Dio 48. 24. The second: Plutarch *Ant.* 56 and 58.

<sup>4</sup> There is the additional point that grants of immunity from billeting are now known to have been more common than was thought when Brandis wrote his article. See L. Robert, *Hellenica*, 3 (1946): 84-85, n. 3, and cf. the two letters of Roman magistrates to the Dionysiac Artists in the last half of the second century B.C. (No. 44, ll. 5-6) with the letter of Sulla to Cos (No. 49), ll. 9-12.

future. There is, therefore, good reason for dating the letter just after Philippi in 41 B.C., as Kenyon and Magie have done.

The professional organization to which Antonius here grants and confirms privileges was composed, as its title indicates, of those who had been victorious in sacred games and had won garlands.<sup>5</sup> Such victors could be either athletes or dramatic performers, and for that reason Brandis, Poland, and others have maintained that both athletes and Dionysiac Artists could have been members of it. This seems to be confirmed by the fact that the principal envoy from the organization was an *ἀλείπτης*, or physical trainer. The present document is not the only one which mentions this organization, but it does give us the earliest example of its formal and official title. Contemporary with or preceding it is an inscription from Erythrae which contains three wreaths and the following phrases: *ὁ δῆμος ὁ Ἐρυθραίων, ὁ δῆμος ὁ Ἐλείων, οἱ ἀπὸ τῆς οἰκουμένης ἀθληταί*, and *οἱ ἀπὸ τῆς οἰκουμένης ἱερωνεῖκαι*.<sup>6</sup> Thus the organization of athletes was separate and distinct from the organization of *ἱερωνεῖκαι καὶ στεφανεῖται*. Membership in the former was open to all athletes, the winners as well as the losers, while membership in the latter would naturally have been restricted to those who had been victorious in the sacred games in which the prize was a garland. Of course, any given athlete could have been a member of both organizations as long as he qualified for both; similarly, a dramatic performer could have belonged to his own separate guild of Dionysiac Artists as well as the *ἱερωνεῖκαι καὶ στεφανεῖται* as long as he qualified for both. But the two organizations were quite separate and should be carefully distinguished.<sup>7</sup> Later inscriptions allow us to trace in bare outline only those *ἱερωνεῖκαι* from the period after Actium to the second century A.D.<sup>8</sup>

<sup>5</sup> For a good orientation on athletic guilds see Forbes, *op. cit.*, pp. 238–52, with references to earlier literature.

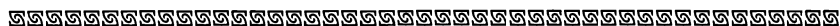
<sup>6</sup> J. Keil, *Jahreshefte*, 13 (1910), no. 54, p. 70; on this inscription see also Forbes, *op. cit.*, p. 239.

<sup>7</sup> Magie, *op. cit.*, II, 1279, n. 4, seems to have misunderstood the intention of Brandis and Poland. They did not mean that the present organization of winners in the sacred games "included the previously independent society of athletes," as Magie assumed. They merely meant that members of one organization could also belong to the other, if they qualified.

<sup>8</sup> Forbes, *op. cit.*, pp. 240–42, with full references.

EPISTULAE OCTAVIANI DE SELEUCO  
NAUARCHA

42–30 B.C.



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DESCRIPTION. Found at Rhosus, limestone tinged with blue, of uneven surface. Height: 1.39 m. Width: 0.58 m. Thickness: 0.15 m. Height of letters: 0.01 m. (first two lines), 0.007 m. (elsewhere), but the size varies. Now in the Museum of Antioch.

## I

"Ετους . . , μηνός Ἀπελλαίου [- - - - -]

[Αὐτοκρά]τωρ Καίσαρ, θεοῦ Ἰουλίου υἱός, αὐτοκράτωρ τὸ τέταρτον, ὕ[ατος]  
[τὸ δεῦτ]ερον καὶ τὸ τρίτον ἀποδεδειγμένος, Ῥωσέων τῆς ἱερᾶς καὶ αἰούλου καὶ  
[αὐτονομ]ου ἄρχουσι, βουλῇ, δῆμῳ χαίρειν· καὶ αὐτὸς δὲ μετὰ τοῦ στρατεύματος  
5 [ὑγίαινον· τ]ὰ ὑπογεγραμμένα ἐξελέφθη ἐκ στήλης ἐκ τοῦ ἐν Ῥώμῃ Καπετωλίου  
[ἄπερ ἄξιῳ] καταχωρίσαι εἰς τὰ παρ' ὑμῖν δημόσια γράμματα. πέμψατε δὲ καὶ  
ἀντίγραφον

[αὐτῶν εἰς] Ταρσέων τὴν βουλὴν καὶ τὸν δῆμον, Ἀντιοχέων τὴν βουλὴν καὶ τὸν  
δῆμον,

[Σελευκέω]ν τὴν βουλὴν καὶ τὸν δῆμον ὅπως καταχωρίσωσιν. νυν Ἐρρωσθε.

## II

[? Καίσαρ α]ὐτοκράτωρ, τριῶν ἀνδρῶν ἐπὶ τῆς καταστάσεως τῶν δημοσίων  
πραγμά-

- 10 [των, κατὰ ν]όμον Μουνάτιον καὶ Αἰμίλιον πολειτεῖαν καὶ ἀνεισφορίαν πάντων τῶν  
[ὑπαρχόν]των ἔδωκαν εἰς τούτους τοὺς λόγους. *vacat*  
[Ἐπεὶ Σέλευ]κος Θεοδότου Ῥωσέως συνεστρατεύσατο ἡμῖν ἐν τοῖς κατὰ τὴν  
[. . . . .]οις, ὄντων αὐτοκρατόρων ἡμῶν, πολλὰ καὶ μεγάλα περὶ ἡμῶν ἑκακοπά-  
[θησεν ἐκιν]δύνυσέν τε οὐδενὸς φεισάμενος τῶν πρὸς ὑπομονὴν δεινῶν  
15 [καὶ πᾶσαν] προαίρεσιν πίστιν τε παρέσχετο τοῖς δημοσίοις πράγμασιν, τοὺς τε  
[ιδίους καὶ] οὓς τῇ ἡμετέρῃ σωτη[ρίαι] συνέξενεν πᾶσάν τε βλάβην περὶ τῶν  
[δημοσίων πρα]γμάτων τοῦ δήμ[ου τ]ο[ῦ] Ῥωμ[αίων] ὑπέμεινε, παροῦσιν καὶ  
ἀποῦσιν

[τε ἡμῖν χρη]στός ἐγένετο.

[Αὐτῷ καὶ γ]ονεῦσι, τέκνοις τε αὐτοῦ γυναικί τε τούτου ἦτις με-

- 20 [τὰ τοῦτο] ἔστ[αι - - - ca. 16 - - -] πολειτεῖαν καὶ ἀνεισφορίαν τῶν ὑπαρχόν-  
[των διδ]όμεν οὕτω[ς οἷτινες τῷ] ἀρίστῳ νόμῳ ἀρίστῳ τε δικαίῳ πολεῖται  
[ἀνείσφο]ροί [εἰσιν, καὶ στρατείας λει]του[ργία]ς τε δημοσίας ἀπάσης πάρε-  
[σις ἔστω]. *vacat*

[Αὐτὸς ὁ ἐπ]άνω γεγραμμένος καὶ γονεῖς, τέκν[α] ἔκγ[ο]νο[ί] τε αὐτοῦ φυλῆς  
Κορηλίας ἔστωι

- 25 [καὶ? ψήφ]ός τε ἐ[ν]τ[α]ῦθα [φερέσθω? καὶ - - - - -] ἔστωι· καὶ ἐὰν  
ἀπόντες τει-

[μᾶσθαι θ]έλωσιν [. .]α[- - - - -]ας Ἰταλίας εἶναι  
θέλωσιν

[. . . . .]οστειμο[- - - - -]. *vacat*

[Καθόσον] ὁ προγεγραμ[μ]ένος καὶ γυνὴ καὶ γονεῖς τ[έ]κνα ἔ[κ]γονοι[?] τε αὐτοῦ  
πρὸ τοῦ πολειτέης

[Ῥωμαῖο]ς ἀνείσφορος ἐ[ἴ]ναι [- - - - -] καὶ πολεῖ[της] Ῥω[μαῖος]  
ἀνείσφορος γεγονώς

- 30 [κατὰ τὸ ?] δίκαιον ἔαν χ[ρῆ]σθ[αι? θέλῃ..... τὰς] ἱερωσ[ύνας .....]ις  
 τείμια φιλάνθρωπα  
 [......]τα τε ὑ[πάρχοντα? ἔχειν, καρπίζεσθαι καθάπερ τις τῶι ἀρίστῳ νό]μῳ  
 ἀρίστῳ τε δικαίῳ ἔχει  
 [καρπίζεται]. vacat  
 [......]του [- - - - - ca. 35 - - - - -] α[.]ο[.] οὔτε χειρίστην  
 εἰσφ[ο]-  
 [ρῶν δη]μοσιῶ[ν]ην τε] ιτ [- - ca. 20 - - - -] αὐτ[..... ὑπ]οδοχῆς ἔνεκεν οὔτε  
 35 [παρα]χειμα[σίας - - - - -]. vacat  
 [Ἀσίαν?] καὶ Εὐρώπην [- - - - -] λισ[- - - - -] αὐτῶ[ι] ἢ αὐτὸς  
 [... τ]έκνα, γυναῖκα [αὐ]τοῦ σ[- - - - -] μετὰ ταῦ-  
 [τα...]ήσεται ἔως ὁ λε[- - - - -]ο[.] πάσης  
 [......] ἔστω. vacat  
 40 [......]ν ἐπιγαμίαν ο[- - - - -] ΟΕΩΝΙΟΝ  
 [......]ΙΗ χρημα[- - - - -] ΠΩΝΙΚΩΝ  
 [......]ΩΝΗΕΙΣ[- - - - -] ΑΙ ἐκπράττεσθαι  
 [......]να τε οὔτε [- - - - -] νόμῳ Ἀτειλίῳ  
 [καὶ νόμῳ] Ἰουλί[ω]ι [- - - - -]οις [ἄ]ρέσκει ταῦτα πάντα  
 45 [......]ΙΛΑΕ[- - - - -]Α[.]Ο[.]Ω ἐπαρχεῖαι Α[...]  
 [......]ΝΟΥΜΕΝΕΣ[- - - - -]ΕΛΟΣ[- - - - -]ΟΝΕ[.]ΕΡΟΙΚ[...]  
 ΧΙΟΥΤΕ  
 [......]ας οὔτε [- - - - -] Ῥωμαίων λαμβ[άν]ειν θέλου[σιν ?... ΤΕΓΡΑΡ  
 [... λαμ]βάνεσθαι [- - - ca. 20 - - -] αὐτῶ[ι] εἰς πόλιν ἢ χώραν Ἀσίας καὶ  
 Εὐρώπης ἐπαρχεῖ-  
 [ῶν .. δη]μοσίων οὐ μ[- - - ca. 22 - - - ε]ἰς ἀγῆν ἢ ἐξ ἀγῆν τῆς ἰδίας χρεῖ[ας] ἔν[ε]κεν  
 50 [ἐκ πόλ]εως ἢ ἐκ χώ[ρας - - - - -] ἐξ ἀγῆν ἐκ τε τῶν ἰδίων τῶν  
 θρεμμάτων τε  
 [τῆς ἰδία]ς χρ[εῖ]ας [ἔ]νεκε[ν - - - ca. 15 - -] τούτων τῶν πραγμάτων τέλος οὔτε  
 πολειτεῖαν οὐ-  
 [τε δημοσι]ώνην παρ' αὐτ[οῦ] εἰσποάττειν]. vacat  
 [Ἐάν τις α]ὐτῶν κατηγορεῖν θέλ[η] ἔγκ[λημ]ά τ[ε] ἐν[ὲν] ἀγειν κριτήριόν τε κατ'  
 αὐτῶν λαμβά-  
 [νειν κρί]σιν τε συνίστασ[θαι - - - ca. 20 - - -] εἰν, ἐπὶ τούτων τῶν πραγμάτων  
 πάντων  
 55 [ἐάν τε ἐ]ν οἴκῳ τοῖς ἰδίοις [νόμοις ἐάν τε ἐν πόλεσιν] ἐλευθέραις ἐάν τε πρὸς  
 ἄρχοντας ἢ ἄν-  
 [τάρχοντα]ς ἡμετέρους [- - - ca. 20 - - - - -] κρί[ν]εσθαι θέλωσιν, αὐτῶν τῇν  
 αἵρεσιν εἶναι  
 [......] μήτε τις ἄλλω[ς ἢ ἐν τ]οῦτ[οις] γεγραμμένον ἐστὶ ποιήσ[η]ν περὶ τε  
 αὐτῶν κρίνη[ι] προσανε[ν]έγ-  
 [κας γνώ]μην τε εἰπῇ. [ἐάν δὲ κριτήριόν τι περὶ αὐτῶν ὑπ]εναντίως τούτοι[ς]  
 γεί[νηται, τοῦτο κύριον

- [μὴ εἶνα]ι. vacat  
 60 [Ἐὰν δέ τ]ις τούτου [τ]οῦ προγεγραμμένου, γ[ονέ]ω[ν, γυναικός, τ]έκνων ἐκγόνων τε αὐτῶν ὄνομα δέξασθαι [θελήσῃ?] πρό[κ]ριμά τε κεφαλῆς ποιῆσ[ασθαι - - - ca. 20 - - -] εἰν, π[ρ]οεσβευτάς τε πρὸς τὴν [σύ]νκλητον [τὴν ἡμετέ]ραν [πρὸς] τε ἄρχοντας ἀντά[ρχοντάς τε τοὺς ἡμετέ]ρους παραγείνεσθ[αι πρ]οεσβευτάς τε πέμ- [πειν περὶ] τῶν ἰδίων πραγμάτων [ν τοῖς προγεγραμμένοις ἐξ]ουσίαν εἶναι [ἀρέ]σκει. Ἦτις ἂν πολει- [τείᾳ οὖσις] τε ἄρχων ὅσα τ[ε κατὰ ταῦτα δεῖ, μὴ ποιήσῃ ἢ ὑπενάντιον] τούτοις ποιήσῃ ἢ ἐκ προαγωγῆς γνῶι  
 65 [ἢ ὁμολ]ογήῃ (?) ἢ ἐνεχυράσῃ<ι> δόλωι τε πο[ν]η[ρ]ῶ[ι κωλύσῃ]ι ὦ<ι> ἔλασσον οὗτοι οἱ προγεγραμμένοι τοῖς [φιλανθρώ]ποις [τ]οῖς δεδογμένοις [χρησθαι δυνή]σονται, τῷ δήμῳ τῷ Ῥωμαίων νόμων ση- [στερτίω]ν δέκα μυριάδας δοῦναι κατ[ά]δικοι ἔσ[τωσαν] τούτου τε τοῦ χρήματος τῷ [θέλοντι?] ἄξ[ίωμ]α ἔκπραξις τε ἔστω[ι ἐάν τε] ἐν τῇ ἐπαρχείᾳ παρὰ ἄρχουσιν ἀντάρχ[ου] - [σὶν τε ἡμε]τέροις ἐάν τε ἐν Ῥώμῃ [πρ]οφα[ίν]ειν ἐ[κ]πράσσειν τε θέλῃ περὶ δὲ τούτων τῶν  
 70 [κριτηρίω]ν ἐγγύας ἱκανῶ[ς δι]δομένωι [κρίνε]σθαι ἀρέσκει. ταῦτα τὰ προγεγραμμέ- [να ὅπως οὗτ]ως γείνηται, ἄρχ[οντες ἀντάρχοντέ]ς τε ἡμέτεροι οἵτινες <ᾗ>ν ἐκε<ῖ> ἐπὶ τῆς δι- [κης κατ]ασ<τ>ῶσιν ἐπικρεῖν[έτ]ω[σαν φροντιζέτωσάν τε. vacat

## III

- [Ἔτους ...] μηνὸς Δύστρου ἰε'. αὐτοκράτωρ Καῖσαρ, θεοῦ υἱός, αὐτοκράτωρ τὸ ἔκτον. ὕπατος  
 - [τὸ τρί]τον, ἀποδεδειγμένος τὸ τέταρτον, Ῥωσέων τῆς ἱερᾶς καὶ ἀσύλου καὶ αὐτονόμου  
 75 [ἄρχουσι], βουλῇ, δήμῳ χαίρειν· εἰ ἔρρωσθε, καλῶς ἂν ἔχοι· καὶ αὐτὸς δὲ μετὰ τοῦ στρατεύ- [ματος ὑγί]αινον· οἱ πεμφθέντες πρεσβευταὶ ὑφ' ὑμῶν Σέλευκος ναύαρχος ἑμὸς, Ἡρᾶς Καλλι- [.....]έρως, Σύμμαχος, ἄνδρες ἀγαθοί, παρὰ δήμου ἀγαθοῦ, φίλου συμμάχου τε ἡμετέρου, [ἀποδημήσ]αντες εἰς Ἑφεσον πρὸς με διελέχθησαν περὶ ὧν εἶχον τὰς ἐντολάς· ἐγὼ οὖν τοὺς [ἄνδρας ἀπ]εδεξάμην εὐρῶν φιλοπατρίδας καὶ ἀγαθοὺς καὶ τὰς τιμὰς καὶ τὸν στέφανον δέδεγμαι,



- 80 [πειράσομ]αί τε ἐπὶ τοὺς τόπους ἔλθων ἀγαθοῦ τινὸς ὑμῖν γείνεσθαι παραίτιος καὶ  
 συντηρήσθαι  
 [τὰ φιλάνθ]ρωπα τῇ πόλει, καὶ ταῦτα ἥδειον διὰ Σέλευκον τὸν ναύαρχόν μου  
 ποιήσωι συνεστρατευμέ-  
 [νον μοι π]άντα τὸν τοῦ πολέμου χρόνον καὶ διὰ παντὸς ἡριστευκότα καὶ πᾶσαν  
 ἀπόδειξιν εὐνοίας  
 [τε καὶ πίσ]τεως παρεσχημένον, ὃς οὐδένα καιρὸν παρελέλοιπεν ἐντυγχάνων ὑπὲρ  
 ὑμῶν καὶ πᾶ-  
 [σαν εἰσφ]ερόμενος σπουδὴν καὶ προθυμίαν ὑπὲρ τῶν ὑμῖν συμφερόντων.  
 \*Ἐρρωσθε.

IV

- 85 [\*Ἐτους . . , μ]ηνὸς Ἀπελλαίου θ'. αὐτοκράτωρ Καῖσαρ, θεοῦ υἱός, αὐτοκράτωρ  
 τὸ ἔκτον, ὑπάτος τὸ τέταρ-  
 [τον, Ῥωσέ]ων τῆς ἱερᾶς καὶ ἀσύλου καὶ αὐτονόμου ἀρχουσι, βουλῇ, δῆμωι  
 χαίρειν· εἰ ἔρρωσθε, καλῶς  
 [ἂν ἔχοι· καί] αὐτὸς δὲ μετὰ τοῦ στρατεύματος ὑγίαινον. Σέλευκος ὁ καὶ  
 ὑμέτερος πολεῖ-  
 [της καὶ ἐμ]ὸς ναύαρχος ἐμ πᾶσι τοῖς πολέμοις συνεστρατευσάμενός μοι καὶ  
 π[ολλ]ᾶς ἀπο-  
 [δείξεις κ]αὶ τῆς εὐνοίας καὶ τῆς πίστεως καὶ τῆς ἀνδρείας δεδωκώς, ὥς καθήκο[ν  
 ἦ]ν τοὺς  
 90 [συνστρατευ]σαμένους ἡμῖν καὶ κατὰ πόλεμον ἀριστεύσαντας, κεκόσμηται  
 φιλανθρώποις  
 [καὶ ἀνείσφ]ορίαι καὶ πολειτεῖαι· τοῦτον οὖν ὑμῖν συνίστημι· οἱ γὰρ τοιοῦτοι  
 ἄνδρες καὶ τὴν πρὸς τὰς  
 [πατρίδας] εὐνοίαν προθυμότεραν ποιοῦσιν· ὥς οὖν ἔμου πάντα δύνата ποιήσαντος  
 ὑμῖν ἥδει-  
 [ον διὰ Σέλ]ευκον, θαρροῦντες περὶ ὧν ἂν βούλησθε πρὸς με ἀποστέλλετε.  
 \*Ἐρρωσθε.

The number of letters which have disappeared on the left varies from line to line because of the irregular engraving, but a maximum of 9-10 and a minimum of 5 may be used as a working rule. 1 After ἔτους can be seen traces of H or IP, probably H (see commentary). 6 [ἄπερ ἀξιῶ], Schönbauer with Wilhelm; [ἄ δει ὑμᾶς] or [ἄ ἀξιῶ ὑμᾶς], Roussel. 7 [Σελευκέω]ν, De Visscher; [Ἐφεσίω]ν, Schönbauer. 9 One expects Γάιος, praenomen of Octavian, but the phrase [Γάιος Καῖσαρ] appears to be too long and [Καῖσαρ] alone too short (Roussel). Manganaro suggests [Γάι(ος) Καῖσαρ α]ὐτοκράτωρ, but such an abbreviation is without parallel. One can write Γάιος or Γ(άιος) but not Γάι(ος). 11 ἔδωκαν: note the plural form. 12-13 Roussel suggested the name of a country after κατὰ τὴν, such as Θράκιην or Σικελίαν, followed by ἐν οἷς κτλ. But Guarducci thought of κατὰ τὴν [ἀνατολὴν τὴν] ποίς for in *Orientis partibus*. [Ἀσίαν πολέμ]οις, Schönbauer; κατὰ τὴν [Ἰταλίαν στε]νοῖς, Manganaro, with reference to the forces of Caesar's murderers in 42 B.C.; IOIS, stone. 17-18 παροῦσιν καὶ ἀποῦσιν [τε ἡμῖν], Roussel. But the τε was omitted by Guarducci and Jalabert and Mouterde. 19-20 με [τὰ τούτου, Roussel; με [τὰ τοῦτο, De Visscher;

με[τ' αὐτοῦ, C. Préaux; ἔστ[αι νομίμως τὴν παρ' ἡμῖν] πολειτείαν, Schönbauer with Wilhelm. 25 [φέρειν καὶ τεμᾶσθαι ἐξ]έσται, Arangio-Ruiz. 26-27 [ἡ κ]α[ί] τινος πόλεως ἡ ἀποικ]ίας Ἰταλίας εἶναι θέλωσιν, [- οὐτ]ως τεμᾶ[σθαι - ἀρέσκει(?), Arangio-Ruiz; [πρ]όστειμο[ν(?)], Schönbauer. 29 ε[ἵν]αι [ἀτελὴς ᾗν, Roussel; [ἀτελὴς ᾗν ἐν τῇ πατρὶδι, Arangio-Ruiz. 30 ἐὰν χ[ρῆ]σθ[αι] (?) θέλῃ, ἐξεῖναι, τὰς τε] ἱε[ρω]σ[ύνας, Roussel; I follow Jalabert and Mouterde. 52 παρὰ Σ[ε]λεύκου(?), Roussel. Guarducci reads ΠΑΡΑΥΤ; hence παρ' αὐτ[οῦ], Jalabert and Mouterde. 53 [Ἐάν τις αὐτῶν κατηγορεῖν θέλ[ωσιν ἐγκλη]μά τ[ε] ἐν]άγειν κριτήριόν τε κατ' αὐτῶν λαμβά[νειν κρ]ί[σιν τε συνίστασθ] [αἰ δίκην τε δοῦναι ἢ ὑπέχ]ειν κτλ, Schönbauer; ἔγκ[λη]μά τ[ε] ἐν]άγειν had been restored by Grégoire. 54 χρήματά τε αὐτῶν ἐκπράττ[ειν, Arangio-Ruiz. 55-57 Roussel referred to the S.C. de Asclepiade (No. 22), ll. 17-20. 55-57 [ἐάν τε ἐ]ν οἴκῳ τοῖς ἰδίοις [νόμοις χρῆσθαι τοῖς ἐν πόλεσιν] ἐλευθεραῖς, ἐάν τε πρὸς ἀρχοντας ἢ ἀντ[ιστοχ]οντας] ἡμετέρους [κατὰ νόμους τῶν Ῥωμαίων κρῖν]εσθαι θέλωσιν, αὐτῶν τὴν αἴρεσιν [ἀρέσκει], Schönbauer. 56 ἡμετέρους [Ῥωμαϊκῶν δικαίῳ κρ]ί[νεσθαι] (?) or [ἐπὶ Ἰταλικῶν κριτῶν κρ]ί[νεσθαι] (?), Arangio-Ruiz. 61 ποιήσ[α]σθαι ἀνεύγκη, Wilhelm; ποιήσ[α]σθαι τολμήσῃ προσαναφέρ[ειν] (?), Arangio-Ruiz. 61-63 Cf. the S.C. de Asclepiade (No. 22), ll. 13-14 (Latin). 64 ἐκ προαγωγῆς γνώμ[ης] [ἡ ὁμο]λογ[η] (=pro tribunali cognoverit vel concedat), Oliver. 66 [χρησθαι δυνή]σονται, Schönbauer. 67 κατ' [εἶδος], Jalabert and Mouterde (commentary). 68 [θέλοντι ?] αἰ[τή]μ[α], Grégoire; ἀξ[ί]μ[α], Oliver; stone, *AE*. 69 (middle) *OOA*. *EIN*, stone; αἰτ[ή]ειν, De Visscher; [πρ]οφά[ν]ειν, Oliver; [πρ]ο(σ)α[ιτ]-εῖν, Jalabert and Mouterde; πόλε[ι] αἰτ[ή]ειν(?), Arangio-Ruiz. 70 Oliver's restoration was followed here; [χρημάτων] ἐγγύς ἱκανῶ[ς δι]δομένω[ι] [ . . . ]ε[ῖ]σθαι, Roussel, who also thought of [δέχε]σθαι but considered it too short. De Visscher first suggested [ἀρκεῖ]σθαι but then rejected it in favor of Wilhelm's [δικάζε]σθαι. 71 (end) Stone, *OITINEΣENEKEN*; Roussel had οἵτινες <ἀν> [ἐνεκεν] ἐπὶ τῆς δι[καιοδοσί]ας, but De Visscher, οἵτινες <οὐ> ἐνεκεν ἐπὶ τῆς δι[κ]ης κατ[αστ]ῶσιν. The restoration of Jalabert and Mouterde was followed here. 72 (beginning) Stone, *ΑΣΕΩΣΙΝ*.

COMMENTARY. I. The first document is a letter from Octavian advising the city of Rhodus to enter in its records an attached document (II), which had been copied from a column in the Capitol at Rome. He also requests that the city send copies of the letter to Tarsus, Antioch, and, most probably, Seleucia.

The titles of Octavian immediately place the letter in the triumviral period. According to the Treaty at Misenum, Octavian was to be *consul II* in 33 B.C. and *consul III* in 31 B.C. Since he had been consul for the first time in 43 B.C. and in the letter is not yet *consul II*, it is clear that he must have written the letter in the period 42-34 B.C.<sup>1</sup> The title of *imperator IV* was granted after the victory over Sextus Pompeius in 36 B.C., which reduces the date to 36-34 B.C.<sup>2</sup> Can it be reduced still further? The weak traces of the numeral *H* after *ἔτους* in line 1 would seem to offer a possibility. H. Seyrig has

<sup>1</sup> For the arrangement made at Misenum see Dio 48. 35. 1 and Appian *Bell. Civ.* 5. 73; cf. Drumann-Groebe, *Geschichte Roms*, I<sup>2</sup> (Leipzig, 1899), 315, and M. P. Charlesworth, *C.A.H.*, X (1934), 45-46. In the present letter it is important to note the position of ἀποδεδειγμένος in the phrase ὑπ[ατος τὸ δεύ]τερον καὶ τὸ πρίτον ἀποδεδειγμένος. Comparing it with ὑπατος [τὸ τρι]τον, ἀποδεδειγμένος τὸ τέταρτον of the second letter (III) makes it certain that in this first letter Octavian is not *consul II* and *consul III designatus* but rather *consul II et III designatus*. N. Festa's Latin translation among the works of Riccobono (*consul iterum designatus tertium*) is therefore incorrect.

<sup>2</sup> Roussel, *op. cit.*, p. 66, with discussion.

demonstrated, on numismatic evidence, that the year 42 B.C. is most probably the era of Rhosus. The eighth year of Rhosus would give us the year 35 B.C., and it is possible that the letter was indeed written in that very year.<sup>3</sup>

The omission of *triumvir* among the titles of Octavian has been very plausibly explained by Roussel as the result of Octavian's growing dislike of what it implied, a partnership with Antonius and a former association with Sextus Pompeius.

II. The second document has been called by Schönbauer an extract from a body of *commentarii*, a description that has not gone unchallenged.<sup>4</sup> But, in any case, as De Visscher points out, the act itself constitutes a *decretum*. By its terms Seleucus of Rhosus, his parents, children, wife, and descendants are granted Roman citizenship along with a whole series of immunities. Accordingly, they are to be immune, in the fullest legal right, from taxation on their property, from military service, and from the public liturgies; they are to be enrolled in the Cornelian tribe, a special honor in itself, and given the right to vote therein; they may enjoy the legal protection of their own native laws and courts, but, if an accusation is brought against them, they may decide whether to have the case tried in their own city by the local laws, in a free city, or in Roman courts under Roman magistrates; they have the right to enter the Roman Senate as appellants or to send envoys in their behalf. To these considerable grants and immunities a binding clause is added, making it mandatory upon all states and magistrates to honor the terms and provisions outlined under penalty of a fine.

Seleucus, we are told (ll. 12–18), deserves all these honors because of the naval aid he has given to Rome, the hardships and dangers he has endured, and the loyalty and devotion to duty he has shown in the cause of Rome. This reminds us of the naval aid rendered by Asclepiades, Polystratus, and Meniscus during the Italic War and the various benefits and immunities conferred upon them for their services (*S.C. de Asclepiade*, No. 22). In that case, however, only *amicitia* was joined with their special privileges, while here *civitas Romana* is granted.

The date of this act is not given, but the *Lex Munatia et Aemilia* was passed in 42 B.C., when L. Munatius Plancus and M. Aemilius Lepidus were the consuls, and seems to have

<sup>3</sup> Seyrig had concluded (among the works of Roussel, *op. cit.*, p. 64) that the traces of the numeral in l. 1 could be either *H* or *IP*, while Wilhelm thought he could make out an *F*. Manganaro, *op. cit.* pp. 290–91, n. 6, believed that the era was not that of the city but that of Caesar and dated the letter in November–December of 36 B.C. This is unlikely, in my opinion. In an important article (*loc. cit.*) Seyrig has shown that the era of Rhosus must have begun in 42, 41, or 40 B.C., but most probably in 42 B.C., according to numismatic evidence, part of which was not available to G. Macdonald, who had previously (*Journal International d'Archéologie et de Numismatique*, 1903, pp. 47–48) dated it in 39 B.C. This would seem to assure the reading of *H* on the stone (cf. Robert and Robert, *R.É.G.*, 73 [1960], p. 199). Nevertheless, positive dating requires a positive, first-hand reading of *H* and positive assurance of the era. I believe that 35 B.C. is correct. But again, a word of caution: that date was not part of the letter proper, but only a local addition, probably, as Roussel thinks, the date on which the letter was either received or registered in the archives of the city. Such was the case in documents III and IV. That a delay, admittedly perhaps of only a few months, could intervene between the writing of the letter and the registration is seen in document III.

<sup>4</sup> Schönbauer, *Archiv für Papyrusforschung*, 13 (1939): 197; but see Luzzatto, *op. cit.*, p. 294.

authorized the triumvirs to confer Roman citizenship upon certain groups of individuals.<sup>5</sup> Octavian is using this law to grant citizenship to Seleucus and thus he observes the legal requirements. Since this act cannot postdate the letter of advice (I), it must fall into the general period of 42–35 B.C. To determine its exact date is not possible, given the present state of the evidence, although good possibilities would seem to be either 41 B.C. (the naval action of Seleucus would then have been connected in some way with the Battle of Philippi in 42) or perhaps 36 B.C. (victory of Octavian over Sextus Pompeius at Naulochus).<sup>6</sup> Of course, there is the added complication that the granting of citizenship need not necessarily have taken place immediately after the war in which Seleucus was involved. Nor was it necessary that the letter of advice be written immediately after the granting of citizenship, although that would seem to be the most reasonable procedure to expect. Various unknown quantities, therefore, make positive dating hazardous, and none of the attempts to fill out the *lacuna* in line 13 should be considered correct until further evidence substantiates it.

III. In the third document, a letter to Rhosus, Octavian says that the Rhosian envoys Seleucus and his companions have met with him in Ephesus and have explained the purpose of their mission. He receives them in the customary way, finds them to be noble and patriotic men—the usual phraseology—and reports that he has received the crown which they brought him. He promises to go to their city and to preserve its privileges, things which he will do all the more readily because of his admiral Seleucus and the loyalty shown by him throughout the course of the war.

The date of this letter can be determined by Octavian's titles. His sixth imperial acclamation was granted right after Actium (September 2, 31 B.C.), and his fourth consulship began on January 1, 30 B.C. Thus the letter must have been composed between those two dates, in the last four months of 31 B.C., after Actium.<sup>7</sup> This was a period in which the victorious Octavian distributed rewards or penalties and listened to requests or pleas of the various states in Asia, the same period in which he had sent a letter to Mylasa (No. 60).

The fifteenth day of the month Dystros probably represents the date on which the letter had been registered in the archives of Rhosus. Dystros, in the Macedonian calendar, corresponds approximately to February or, in the Syrian calendar, to March.

<sup>5</sup> The law is mentioned only here. Note, in this regard that Antonius also seems to have been involved in the granting of citizenship to Seleucus, for, although the name of only one triumvir is apparently given at the head of document II, the use of the plural forms—especially *ἔδωκαν* in l. 11—indicates in the present instance not a mere epistulatory plural but a real plural; *ἔδωκαν* can be explained in no other way that is convincing. Why, then, is Antonius' name omitted? Probably because when the dossier was engraved (in 30 B.C. or later) Actium was past history and Antonius was dead. The original in the Capitol would have contained all the names of the heading (Lepidus too?). The copy may or may not have carried them. At any rate, the prudent city fathers of Rhosus would have used only the name of Octavian; cf. De Visscher, *Comp. Rend. Acad. Inscriptions*, p. 31.

<sup>6</sup> Roussel and Manganaro favor 41 B.C., Levi prefers 36 or 35 B.C., and De Visscher and Magie incline toward 35–34 B.C. No positive facts, however, single out any of them.

<sup>7</sup> Roussel, *op. cit.*, pp. 72–73.

The difference of two or more months between the composition of the letter and its registration in the archives may have been caused by a delay in transportation during the winter months or by some event unknown to us.<sup>8</sup>

IV. A third and final letter concerning Seleucus brings the great dossier to a close. Dated in 30 B.C., it is addressed to the city of Rhosus and may be described as a letter of recommendation. A most important point, here presented in unmistakable terms, is that Octavian refers to Seleucus not only as a Roman citizen but also as a citizen of Rhosus. The principle of double citizenship seems to be confirmed for this period of the Republic.

Two large questions *inter minora* arise from a study of these valuable documents and demand attention. Is this grant of citizenship an individual measure designed exclusively for Seleucus or is it merely a part of a much more comprehensive grant in favor of a large number of veterans? And, secondly, what are the legal implications of double citizenship in the provinces?

Roussel was the first to raise the question of the comprehensiveness or scope of the grant made to Seleucus.<sup>9</sup> Was it a special measure for Seleucus alone, he asked, that was engraved on the original stele on the Capitol, recalling the grants of *proxenia* so common in the Greek world, in which a single individual is named? He replied in the negative. He felt that the verb *ἐξελέφθη* in line 5 of the letter (I) implied that the document (II) sent to Rhosus was an extract from a much more comprehensive act and that the phrase *εἰς τοὺς τοὺς λόγους* (= *in haec verba*) seemed to indicate some modification in the original. He then supported this line of reasoning by referring to a passage in document IV, lines 89-91, in which Octavian says that Seleucus had been honored by citizenship and immunity as was fitting for those who had campaigned with the Romans and had distinguished themselves in battle, and by comparing this passage with the famous edict of Octavian concerning veterans. Of somewhat lesser importance in this regard is the decree of Cn. Pompeius Strabo in which Spanish cavalcymen had been granted Roman citizenship.<sup>10</sup> The edict of Octavian, however, contains passages and phrases that remind one instantly of the phraseology in parts of the present document. It is given here for easy reference.<sup>11</sup>

<sup>8</sup> *Ibid.*, p. 73, n. 6: "Octave quitta précipitamment l'Orient et resta un mois en Italie (cf. R. Holmes, p. 135-160). Les ambassadeurs peuvent avoir attendu son retour en Asie." I am more inclined to attribute the delay to bad weather, despite the shortness of the trip from Ephesus to Rhosus. Admittedly, the numeral indicating the local year is missing from the heading of the document as we have it, but to suppose that the letter was received or registered in Rhosus a year later (i.e., 29 B.C.) is difficult. A few months delay, yes. More than a year, no.

<sup>9</sup> Roussel, *op. cit.*, pp. 46-51.

<sup>10</sup> *C.I.L.*, I<sup>2</sup>, 709 (cf. p. 714 and *ibid.*, VI, 4, fasc. 3, 3, 37045); H. Dessau, *I.L.S.*, 8888 (incomplete); R. Menéndez Pidal, ed., *Historia de España*, 2d ed. (Madrid, 1955), pp. 195-98 (with good photograph of the entire inscription and a full transcription); A. Degraffi, *Inscriptiones Latinae Liberae Rei Publicae*, II, (Florence, 1963), n. 515.

<sup>11</sup> U. Wilcken, *Grundzüge und Chrestomathie der Papyrskunde*, I, 2 (Leipzig-Berlin, 1912), n. 462. The papyrus, however, was re-examined by Wilcken expressly for inclusion by Roussel in his edition of the Rhosus documents. Therefore, Roussel's text (*op. cit.*, pp. 48-49) is to be preferred over the

p. cum Manius Valens veteranus ex[.]ter recitasserit  
partem edi[c]ti hoc quod infra scriptum est: Imp. Caesar  
[d]ivi filius trium[v]ir rei publicae consultor dicit: visum  
[est] edicendum mi [hi vete]ranis dare om[nibus], ut tributis  
[...].ti

(Lacuna of at least four lines)

- Ips[is] parentib[us] lib[er]isque eorum e[st] ux[or]ib[us] qui sec[um]-  
que erunt im[mu]nitatem omnium rerum d[a]re; utique  
10 optimo iure optimaq[ue] leg[is] cives Romani sunt, immunes  
sunt, liberi su[n]to m[il]itiae muneribusque publicis fu[n]gen-  
[d]i vocatio <esto>. Item in [. .]s tribu s[up]ra s[cripta] suffragium  
[fe]rendi c[on]senti[que] potestas esto et si a[bs]entes voluerint  
[c]onseri, detur, quod[cum]que iis qui s[up]ra s[cripti] sun[t] ip[s]is parent[ibus]  
15 [co]n[iu]g[ibus] liberisq[ue] eorum. Item quemmotum veterani  
imm[un]es[que] esint, eor[um] esse volui quec[um]que sacerdotia  
qu[od]sque hon[or]es queque praemia [b]eneficia commo[n]da  
habuerunt, item ut habeant utantur fruanturque permit[t]i  
[d]o. Invitis eis ne[que] magistr[at]us cete[ros] neque l[ib]eratu[m]  
20 [n]eque procuratorem [ne]que em[p]torem t[ri]butorum esse  
[p]lace[re] neque in domo eorum divertendi <h[ab]i[ta]ndi[que] causa <ne>que  
[a]b ea quem de[de]uci place[re].

Text based on Wilcken's revision as given by Roussel and Riccobono. 3 *consultor*: probably corrupt, perhaps for *const(ituendae) iter(um)* or simply *const(ituendae)*. 8 *qui*: masculine in place of feminine. 10 *leg[is]*: papyrus, *legis*. 11 *sunt* (at beginning): papyrus has *sint*, below which is *sunt* (Wilcken's revision). 12 *vocatio*: for *vacatio*. 14–15 *parentes* [co]n[iu]ges, papyrus; *quemmotum*: *quem <ad> mo[n]dum*, Roussel. 16 *esint*: *e[st] s[er]v[ant]*, Roussel; *sacerdotia*: through the letters *dotia* of this word a line has been drawn and they are written on the following line. 17 *queque*: note also *quec[um]que* in the preceding line, for *quaeque*. 21 *hiemandique causamque* [a]b ea, etc., Riccobono. In several places I have substituted < for Roussel's ().

... In this edict Octavian grants immunity to all veterans, their parents, children, and wives, adding that they are to be Roman citizens *optimo iure optimaq[ue] leg[is]*.<sup>12</sup> It is a comprehensive grant. Accordingly, Roussel believed that the original stele of the present act (II) might have carried the names of a large number of veterans, the companions of Seleucus, his comrades in arms. The mere fact that this document refers only to Seleucus does not necessarily mean that the original also concerned only him. Roussel concluded that Seleucus "a dû faire partie d'une nouvelle fournée de citoyens."

older editions. Riccobono (*op. cit.*, no. 56) has utilized this new text. Copy in Ehrenberg-Jones, no. 302.

<sup>12</sup> Note that they are not granted *civitas Romana*, only *immunitas*. See Roussel, *op. cit.*, pp. 49–50.

Guarducci and Schönbauer agreed with Roussel on this point, but Levi saw the act (II) as one taken expressly for Seleucus and his family.<sup>13</sup> He did not believe that the analogy of the privileges accorded other veterans constituted real proof of the collective nature of the act for Seleucus. De Visscher came to the support of Roussel, adding that the general manner in which the act speaks of the free cities (l. 55) is an indication favoring a large extension of the original text.

To all these arguments one point might be added to substantiate Roussel's contention. The use of ἐξελήφθη seems somewhat unusual in the present context. One expects here a verb in the passive signifying "copied," but that appears to be a meaning foreign to the verb ἐκλαμβάνειν. The verb here can mean only "taken out," i.e., lifted out of the main body of the original, in the sense that the document is an abstract, as Roussel says, rather than a straight and full copy of the original.<sup>14</sup> Otherwise one would expect a verb such as ἀντιγράφειν. Hence, we must agree with Roussel. One is reminded here somewhat of the later military *diplomata*, in the sense that each of them is a separate document, a separate application of a collective grant of citizenship for a large number of veterans. In fact, the general procedure and form of documentation for the *diplomata* of the Principate may find their origins right here in the first century B.C.—a collective grant for many veterans easily approved *en masse* by competent Roman authority, then separate "extracts" whenever necessary. The singularly outstanding services performed by Seleucus had brought him to the attention of Octavian. Not all could receive such an honor and such preferential treatment. But other extracts could have been made for other individuals. Out of such a procedure could have developed that which was followed later for the military *diplomata*. It is only the procedure, of course, and not the actual wording of the documents themselves, to which I refer.

When we turn to the matter of double citizenship we are confronted immediately with the old problem of whether it existed under the Republic. Mommsen denied it absolutely, maintaining that it was not until the age of Augustus that the rule of incompatibility was reversed. In the third edict from Cyrene, and especially in the present documents, De Visscher found what he considered proof to justify a revision of Mommsen's theory. He further believed that the rule of incompatibility was unilateral, in that Roman citizens "by origin" could not accept any other citizenship without forfeiting their own, while new Roman citizens could maintain their former citizenships in some other state or city.<sup>15</sup>

The very fact that grants of Roman citizenship and of various privileges are mentioned separately in the Rhodus documents is important. It shows that the grant of citizenship to a provincial did not excuse him from the duties and responsibilities he owed to his

<sup>13</sup> Guarducci, *op. cit.*, p. 55; Schönbauer, *Archiv für Papyrusforschung*, 13 (1939): 197; Levi, *op. cit.*, pp. 123ff.

<sup>14</sup> The phrase ἐκλαμβάνειν ἀντίγραφον in *P. Gen.* 74. 8 (third century A.D.) seems to indicate that the verb alone is not sufficient to mean "make a copy of." At any rate I know of no parallel where it would have such a meaning.

<sup>15</sup> See De Visscher, *Les édits*, pp. 108–18, and *L'antiquité classique*, 14 (1945): 49–59.

native city. The third edict from Cyrene makes it clear that provincials who have acquired Roman citizenship are not on that account exempt from the local liturgies. Despite some ambiguity or difficulty in the language there used, the general intent of the clause is that a grant of citizenship does not carry with it immunity, unless, of course, such immunity is expressly granted by Caesar or Augustus. Hence, the two are separated. Seleucus is given not only citizenship but also *ἀνεσφορία* and *ἀλευτουργησία*. And these are to admit of no exceptions whatever.<sup>16</sup> In fact, in order to avoid any future misunderstanding, the exemptions and immunities are spelled out at length. A rather large portion of the text concerned with them, however, is unfortunately mutilated to a serious degree (ll. 33–52). But *ἐπιγαμίαν* (l. 40) would point to a grant of *conubium*. The *lex Atilia* (l. 43) concerned the appointment of a guardian by a praetor (*datio tutoris*) if no guardian had been named in the last will or designated by law.<sup>17</sup> The *lex Iulia* cited here (l. 44) is perhaps the one which extended the provisions of the *lex Atilia* to the provinces.<sup>18</sup> Lines 48–52 seem to refer to indirect taxes and customs, both Roman and local. The total impression one gains from all the various privileges given to Seleucus and his family is that he and his descendants were thereby elevated to a position of exceptional importance in their portion of the Graeco-Roman world. From such people arose the leading families of Asia Minor.<sup>19</sup>

The jurisdictional privileges require here some explanation, for they involve matters of great importance for the development of Roman law. The text is fragmentary (ll. 53–59), but enough remains to indicate that Seleucus and family have a choice to make. According to Roussel, whenever a criminal or civil action is brought against any one of them, three separate jurisdictions are open to them: they might choose to be judged by their own local laws in their own local courts; they might take the case to some free city, following a custom well known in the Hellenistic world; or they might ask for the case to be tried by Roman magistrates in a Roman court.<sup>20</sup> In all three of these the law would be the local law, not the Roman. Schönbauer objected.<sup>21</sup> He thought that the passage should be restored in such a way that only two possibilities were left open. His restoration (see the critical apparatus pertaining to ll. 55–57) allows Seleucus and family

<sup>16</sup> De Visscher, *Les édits*, pp. 36–39.

<sup>17</sup> Gaius *Instit.* I. 185: *Si cui nullus omnino tutor sit, ei datur in urbe Roma ex lege Atilia a praetore urbano et maiore parte tribunorum plebis, qui Atilianus tutor vocatur; in provinciis vero a praesidibus provinciarum <ex> lege Iulia et Titia.* Cf. *ibid.*, 194–95. See also R. Taubenschlag, *R.E.*, s.v. "Lex Atilia," col. 2330.

<sup>18</sup> See the citation from Gaius in the previous note, and cf. De Visscher, *Les édits*, p. 40.

<sup>19</sup> Rostovtzeff, *op. cit.*, pp. 970–71.

<sup>20</sup> Roussel, *op. cit.*, pp. 58–59. For a parallel he makes use of the passage in the *S.C. de Asclepiade* (No. 22), ll. 17–20, in which Asclepiades and his companions are given somewhat similar choices of jurisdiction. It must be remembered, however, that they were not given citizenship, only *amicitia*.

<sup>21</sup> Schönbauer, *Archiv für Papyrusforschung*, 13 (1939): 204; cf. his remarks in *Wiener Anzeiger*, 86 (1949): 343–69, and in *The Journal of Juristic Papyrology*, 7–8 (1953–54): 137. W. Kunkel, in his *Herkunft und soziale Stellung der römischen Juristen* (Weimar, 1952), p. 361, agrees with him in principle. E. Weiss, in *The Journal of Juristic Papyrology*, 7–8 (1953–54): 75–76, also thought it was a choice of law which was granted to Seleucus and family, stating the case as if it were a fact accepted by all.



to choose between either local law or Roman law. De Visscher could not agree with Schönbauer, for in addition to an annoying imbalance that would then arise between [χρησθαι] and [κρίν]εσθαι he saw no reason for believing that the jurisdiction of Roman magistrates entailed the use of Roman law. They could follow the local, Greek law by way of doing a favor for the provincials.<sup>22</sup> Thus, for Roussel and De Visscher there were three choices open to Seleucus and family, each of them a matter of jurisdiction, of judges, and not of laws. Otherwise, as De Visscher puts it nicely, they would become Proteus-like individuals with whom no one could do any business.<sup>23</sup>

If we believe De Visscher, the concession of Roman citizenship to provincials would not affect their private condition. They would remain subject to local law. To accept this view involves a consideration of the effects it would have upon the development of Roman law in the first two centuries of the Principate and also upon the status of the local law after the edict of Caracalla in A.D. 212.

Ludwig Mitteis, in his great work *Reichsrecht und Volksrecht in den östlichen Provinzen des römischen Kaiserreichs* (Leipzig, 1891), made a comprehensive examination of the connection between official Roman law and local Greek law in the eastern provinces of the Empire. He found that in some of the eastern provinces a local, pre-Roman law existed side by side with official Roman law. He believed that this local law had been attacked, and in many places defeated, by the overpowering strength of the official Roman law. But here and there it survived more or less successfully. He felt that it had been branded as illegal and was slowly but surely being eradicated by imperial *constitutiones*, but that in the process the Roman law was being contaminated or influenced by the local law. He believed that, when the edict of Caracalla in A.D. 212 extended Roman citizenship to almost all of the free inhabitants of the Empire, a concerted attempt was being made in one stroke to extend Roman law to all parts of the Empire and to stamp out once and for all the local law that still persisted in many places. A battle between the two systems developed, but local law was not wholly destroyed even then. It survived to a degree and managed to provincialize the Roman law.<sup>24</sup>

The enormous mass of documents, especially from Egypt, which has been discovered since the publication of Mitteis' book bears out fully his view that local law in the Greek East continued to exist and to be used side by side with the official Roman law. And this local law was not only Greek and Hellenistic but also, to a degree, Oriental. Widely divergent views, however, have been advanced by scholars concerning the official Roman position in regard to this local law both before and after A.D. 212. The survival

<sup>22</sup> De Visscher, *Les édits*, pp. 41-47. The best discussion of the whole institution will be found in Gallet, *op. cit.*, pp. 290ff.

<sup>23</sup> De Visscher, *Les édits*, p. 53: "C'eût été rendre tout commerce juridique impraticable avec ces individus-Protée, en mesure de se couvrir de telle ou telle législation au gré de leurs intérêts."

<sup>24</sup> For an excellent introduction into the great controversies that have arisen as a result of this book see Wenger, *Mélanges Fernand de Visscher*, II, 521-50. In addition cf. E. Weiss, *op. cit.*, pp. 71-82; Schönbauer, *The Journal of Juristic Papyrology*, 7-8 (1953-54): 107-48; S. von Bolla, *ibid.*, pp. 149-56; and F. Pringsheim, *ibid.*, pp. 163-68.

of native principles in the Greek East was proved by Mitteis. His theories about the interaction of these principles and the official Roman law, however, have not gone unchallenged by scholars.

Schönbauer attempted repeatedly to show that the local law was allowed to survive in the East in peaceful co-existence with the Roman law, even after the edict of Caracalla. Political expediency may have prompted such a policy. Co-operation and persuasion can often be more successful than outright rejection of foreign customs. This explains his belief that Seleucus and family had a choice between two systems of law.<sup>25</sup>

De Visscher also attacked this particular aspect of Mitteis' view. He believed that the Roman law introduced into the provinces of the East was not in principle imposed upon new citizens. They could use the local law. The real evolution of the law was not one in which there was a provincialization or contamination of the Roman law but rather a Romanization or penetration of Roman elements into the local laws. This Romanization was not forced upon the provinces but was voluntarily accepted by them because of the superiority of Roman law and the prestige that went with its use.<sup>26</sup>

Arangio-Ruiz, however, defended Mitteis' original view. But he would remove the word "battle" from that view. There were no battles or riots or other displays of violence. Otherwise Mitteis was right.<sup>27</sup>

One thing seems clear and unshakeable. Local law continued to exist alongside Roman law during the first two centuries of the Principate. Whether it was outlawed after the *Constitutio Antoniniana* cannot be answered with assurance. It may have been tolerated and allowed to die gracefully, leaving vestiges of its former existence in the great body of Roman law, or it may have been declared illegal and suppressed by force. In any case it will have left its mark.

Thus, lines 53-59 cannot be lightly restored, for the implications of the restoration will have to reflect the official Roman stand in regard to local law in the East. And that is a matter about which we have no positive information. Opinions differ.

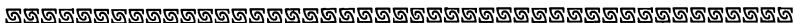
<sup>25</sup> E. Schönbauer, *Z.S.S.*, 49 (1929): 315ff.; *ibid.*, 51 (1931): 277ff.; *ibid.*, 54 (1934): 337ff.; *ibid.*, 57 (1937): 309ff.; *ibid.*, 62 (1942): 267ff.; and his articles cited above, n. 21.

<sup>26</sup> De Visscher, *Les édits*, pp. 55-59.

<sup>27</sup> V. Arangio-Ruiz, *Bulletin de l'Institut d'Égypte*, XXIX, 1946-47 session (Cairo, 1948), pp. 83-130. Cf. his remarks in *Studia et Documenta Historiae et Iuris*, 5 (1939): 552ff.; *Annali del Seminario giuridico dell' Università di Catania*, I (1946-47), 28-37; and *Storia del diritto romano* (Naples, 1960), pp. 338-41, 424-27.

EPISTULA MAGISTRATUS ROMANI  
AD MYLASENSES

After 39 B.C.



BIBLIOGRAPHY. A. Boeckh, *C.I.G.*, II (1843), 2695 b, 2700 e, 2717 b; Le Bas-Waddington, *Voyage archéologique en Grece et en Asie Mineure: Inscriptions*, III (1870), nos. 442–443; report of Briot's copy in *B.C.H.*, 18 (1894): 543–44; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 32, pp. 327–28; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 442, and II, 1290, n. 39; Ehrenberg-Jones, no. 20 (in part only); Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 132.

DESCRIPTION. Two stones from Mylasa, copied first by Boeckh, then by Le Bas-Waddington, but with substantial improvement by Briot. It was Briot who saw that the stone here designated as A ought to be placed to the left of B, not the reverse, as done by Le Bas-Waddington and Johnson.

A

B

[-----]

- καὶ [τ]ὰς ὑπὲρ τῶν δημοσίων κτήσεις εἰς τε τὸν κοινὸν τῆς  
πόλεως καρφισμὸν τινῶν ἀνα[στά]σεις ὑπονοθεύειν, οἷς δὴ κἂν ἐπιτρέ-  
πωμεν φορολογεῖν τὴν [Μυ]λασέων πόλιν εἰς δουλικὴν περιου-  
σίαν, ἡμεῖν μὲν ἂν ἴσως ἢ ἐφ[ορῶ]σιν αἰσχρά τε καὶ ἡμῶν ἀνάξιος, ἀδύ-  
5 νατος δὲ ἂν ὅμως ἀκαί[ν]οις γένοιτο πράξουσι δημοσίαι  
τοὺς δημοσίου κυρίου, μ[ή]τε χρημάτων μῆτε προσόδων  
δημοσίων ὑποκειμέν[ω]ν, εἰ μὴ κατὰ τελῶν ἐπίρειψιν λογεύ-  
ειν τοὺς ἐνὸς ἐκάστου [λόγο]υς (?) τάς τε κεφαλὰς ἐπιτελωνεῖν  
θέλοιεν, τῆς πόλεως οὐδ[έ] τῃν] ἐπανόρθωσιν τῶν ἐκ τῆς Λαβιήνου  
10 ληστήας ἐρειπίων ἐτοίμως ἀ[ν]αφερούσης, ὃ δὴ καὶ αὐτοὶ προῖδόμενοι  
προδανεισμοῖς ἰδιωτῶν ἸΓ χρεᾶ δημοσία τὴν πόλιν ὑπηγάγον-  
το, οὐ διὰ τὸ καθ' ὑπαλλαγή[ν --]ομάτων τὴν Καίσαρος ὑπὲρ Μυλασέων  
[-----]

Briot's new readings in capitals. 1 [ἐπι]κτησεις (?), Johnson; at the end, *THE*. 2 ἐπι*TPE*-. 3 περι*OY*-. 4 ἀ*ΔY*-. 5 πρά*Ξουσι*. 6 προσό*δωN*. 7 λογ*EY*-. 8 ἐπιτελωνεῖ*N*. 9 Λαβιτήνο*Y*. 10 προιδόμε*NOI*. 11 Le Bas-Waddington show *ΙΔΙΩΤΩΝΙΤ* at the end of the line in stone A; Johnson has [εἰς]; perhaps <τὰ> (?) ὑπηγάγ*οN*- at the end of the line in stone B. 12 ἀναλ]ωμά- των (?), Johnson; ]Οματων, Briot; Μυλασέω*N*, Briot.

COMMENTARY. In his letter of 31 B.C. to Mylasa (No. 60) Octavian describes the suffering of the city during the Parthian invasion of 40–39 B.C. under the leadership of Q. Labienus. Even after Actium it still had not recovered from the effects of that terrible episode. The present document, clearly a letter, explains the financial debacle into which it had fallen. Despite textual difficulties it is possible to see that the collection of tribute had been entrusted to greedy and corrupt opportunists who amassed a profit by the financial enslavement of the people. So desperate had the situation become that “the advance of loans by private citizens” was accepted to pay the public debts. The result of such a procedure is not difficult to imagine: an entire city would eventually owe a crushing debt to a few wealthy families. An intolerable situation, this was the sort of financial chaos that during the Principate required the appointment of special imperial agents, the *curatores rei publicae*. In this age, however, there were no such agents. The provincial government usually did what it could. And the Senate in Rome might be asked for suggestions. Here we find a Roman magistrate, perhaps even Augustus, outlining the situation in Mylasa. But, unfortunately, his suggestions or regulations to correct it are missing. To speculate on his identity, beyond the fact that he lived in the period after 39 B.C., would be useless.



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DESCRIPTION. Two fragments found at Mylasa, now in the Louvre.

- Α Αὐτοκράτωρ Καῖσαρ θεοῦ Ἰουλίου  
 υἱὸς ν ὑπατός τε τὸ τρίτον καθεσ-  
 ταμένος ν Μυλασέων ἀρχουσι βου-  
 λῇ δήμῳ χαίρειν· νν εἰ ἔρρωσθε κα-  
 5 λῶς ἂν ἔχοι· ν καὶ αὐτὸς δὲ μετὰ τ[οῦ]  
 στρατεύματος ὑγίαινον· ν κα[ὶ πρό-]  
 τερον μὲν ἤδη περὶ τῆς κατ[ασχού-]  
 σης ὑμᾶς τύχης προσεπέ[μψατέ]  
 μοι, ν καὶ νῦν παραγενωμένῳ[ν τῶν]  
 10 πρεσβευτῶν, νν Οὐλιάδ[ου - - ]

- B [-]ς τῶν πολεμίων παύσαι καὶ κρατῇ[θεί-]  
 σης τῆς πόλεως, ν πολλοὺς μὲν αἰχμαλώτο[υς]  
 ἀποβαλὼν ν πολίτας, οὐκ ὀλίγους μὲν φονευθῆ[ν-]  
 τας ν τινὰς δὲ καὶ συνκαταφλεγέ[ν]τας τῇ πόλει[ι,]  
 5 τῆς τῶν πολεμίων ὁμότητος ν οὐδὲ τῶν  
 ναῶν οὐδὲ τῶν ἱερῶν τῶν ἀγιωτάτων ἀ-  
 ποσχομένης· ν ὑπέδιξαν δέ μοι καὶ περὶ  
 τῆς χώρας τῆς λεληλατημένης νν καὶ τῶν  
 ἐπαύλειων τῶν ἐμπερησμένων, ὥστε ἐμ  
 10 πᾶσιν ὑμᾶς ἡτυχηκένα· ν ἐφ' οἷς πᾶσιν συνε[ι-]  
 [δον παθόντας] ταῦτα πάσης τειμῆς καὶ χάρι-  
 [τος ἀξιόους ἀνδρας γενομέν]ους ὑμᾶς πε[ρὶ]  
 [‘Ρωμαίους - - - - - ]

Restorations by Waddington and Dittenberger. A 4 (at the end) The copy of Le Bas-Waddington shows *K'*. B 1 κρατῇ[θεί]σης is correct and was read also by Dittenberger (*S.I.G.*<sup>1</sup> [1883], 271) and followed by Viereck (including his notes). F. Hiller von Gaertringen (*S.I.G.*<sup>2</sup>) has παρτῇ[θεί]σης, which must be a mistake, but one which subsequent editors (except Malcovati) have followed. The copy in Le Bas-Waddington here shows that the first letter of the word must be a *kappa*, for we see the vertical bar and the lower oblique *hasta*. 4 Stone, ΣΥΝΚΑΤΑΦΛΕΤΕ-ΤΑΣ. 10-12 Restored by Dittenberger; Waddington had suggested συνέ[γνω]ν ἀτυχήματα ταῦτα πάσης τειμῆς καὶ χάρι[τος καὶ εὐνοίας ὄντας ἀξί]ους ὑμᾶς πε[ρὶ] [πονεῖναι - - -].

COMMENTARY. After Actium (September 2, 31 B.C.) Octavian crossed over to Asia and remained at Samos, except for a trip to Ephesus, until January of the following year. He probably sent this letter to Mylasa in the autumn or early winter of 31 B.C., when he was consul for the third time. For Asia it was a period when cities and states looked anxiously to Octavian for mercy or reward, depending upon their individual actions during the past few years. He proved merciful and helpful rather than vindictive and cruel, a policy adopted, perhaps, from a mixture of sympathy and expediency because of the immense exactions of Brutus and Cassius, the liberators, and then Antonius. Mylasa, at any rate, had shown her loyalty and friendship long before Actium and might reasonably expect assistance.

In his letter Octavian gives a résumé of the city's suffering. His description of the city's capture, the taking of prisoners, the murders, the cruelty and impiety of the enemy, the pillaging of the land, and the burning of the homesteads must refer to the Labienus episode nine years earlier. In that Parthian invasion, under the leadership of the renegade Quintus Labienus, the son of Caesar's famous *legatus*, Mylasa suffered a terrible fate after its capture.<sup>1</sup> So great, in fact, was its suffering that even now, after Actium, it has not recovered. Unfortunately we do not know the specific request made

<sup>1</sup> See the commentary and notes to the *S.C. de Panamara* (No. 27), where the sources are cited; cf. also Magie, *loc. cit.*

of Octavian by the Mylasan embassy at this time, but it must have been the granting of some favor designed to aid in the city's rehabilitation. Octavian certainly must have granted it, but that it was not sufficient to assure rapid recovery may be seen in another letter, later in date, in which the city's financial situation may be described as practically hopeless.<sup>2</sup> Strabo, however, who knew of the city's destruction during the Parthian invasion, was able to say of it in his day that *τοιγάρτοι στοαῖς τε καὶ ναοῖς, εἴ τις ἄλλη, κекόσμηται παγκάλως* (14. 2. 23). And Hybreas, the Mylasan orator who had refused to yield to Labienus and had caused his city to resist, is said by Strabo (14. 2. 24) to have returned to his city *καὶ ἀνέλαβεν ἑαυτὸν τε καὶ τὴν πόλιν*. We may assume, then, that much rebuilding must have taken place and that by about the end of the first century B.C. some progress has been made.<sup>3</sup>

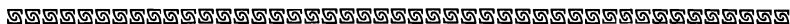
<sup>2</sup> Abbott-Johnson, *op. cit.*, no. 32 (our No. 59).

<sup>3</sup> J. G. C. Anderson, in "Some Questions Bearing on the Date and Place of Composition of Strabo's *Geography*," in *Anatolian Studies Presented to Sir William Mitchell Ramsay* ed. W. H. Buckler and W. M. Calder (Manchester, 1923), pp. 1-13, concludes (p. 10) "that Strabo's knowledge about Eastern affairs was becoming meagre by B.C. 6/5, but that it extends to B.C. 3/2."

# 61

## EPISTULA CUIUSDAM VINICII AD CUMAS ET IUSSUM AUGUSTI

27 B.C.



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DESCRIPTION. Marble stele broken at the bottom, damaged on the right and left sides, decorated with a festoon of ivy at the top. Now at Leiden. Height: 0.475 m. Width: 0.31 m. Thickness: 0.075 m. Height of letters:  $\pm 0.010$  m.



[Α] ὑποκράτωρ Καῖσαρ Θεοῦ υἱὸς Σεβαστὸς [ ]  
[M] ἄρκος Ἀγρίπας Λευκίου υἱὸς ὕπατοι ν € [ - - ] .  
[Eῖ] τινες δημόσιοι τόποι ἡ ἱερὸν ἐν πόλει [ι - ]  
[π] ὁλεως ἐκάστης ἐπαρχίας εἰσὶν εἴτε τι [νὰ ἀναθή] -  
5 ματα τούτων τῶν τόπων εἰσὶν ἔσσονται τ[ε, μηδεῖς]  
[τ] αὐτα αἰρέτω μηδὲ ἀγοραζέτω μηδὲ ἀπο[τίμημα]  
[ῆ] δῶρον λαμβανέτω. ὁ ἂν ἐκέιθεν ἀπεινῇ [νεγμένον]  
[ῆ] ἡ] γορασμένον ἔν τε δώρῳ δεδομένον ῆ, [ὅς ἂν ἐπὶ τῆς]  
[εἰ] παρχίας ἡ ἀποκατασταθῆναι εἰς τὸν δημό[σιον λόγον]  
10 ἡ ἱερὸν τῆς πόλεως φροντιζέτω, καὶ ὁ ἂν χρ[ῆμα ἐνεχύρι] -  
[ο] ν δοθῇ, τοῦτο μὴ δικαιοδοτεῖτω [ι] vacat  
[.] Vinicius proc(onsul) s(alutem) d(at) mag(istratibus) Cumas. Apollonides  
L.f. No [race(us)]  
[c(ivis) v(ester)] me adeit et demonstravit Liberei Patris fanum nom[ine]  
[ven]ditiōnes possidere ab Lusia Diogenis f. Tucalleus c(ive) [v(estro)],  
15 [et c]um vellent thiasetae sacra deo restituere iussu Au[gu]-  
[s]ti Caesaris pretio soluto quod est inscriptum fano,  
[.] berei ab Lusia. E(g)o v(olo) v(os) c(urare), sei ita sunt, utei Lusias quod  
[est] positum pretium fano recipiet et restituit deo fa-  
[nu]m e[st] in eo inscribatur Imp. Caesar Deivei f. Augustu[s] re[st]i-  
20 [tuit. Sei] autem Lusia contradicit quae Apollonides pos[tu]-  
[lat, vadi]monium ei satisdato ubi ego ero. Lusiam prom[it]-  
[tere magi]s probō. Ἐπὶ πρυτάνεως Φανίτου vacat  
[ - - - os] Οὐνίκιος χαίρειν λέγει ἀρχονσι Κυμαίων. Ἀ[πολ]-  
[λωνίδ]ης Λευκίου Νωρακεῖος πολεῖτης ὑμέτερό[ς] μ[οι]  
25 [προσῆλ]θεν καὶ ὑπέδειξεν Διονύσου ἱερὸν ὀνόμ[ατι]  
[πράσεως κ] ἀτέχεσθαι ὑπὸ Λυσίου τοῦ Διογένο[υ]ς [Τυκάλ]-  
[λεως πολεῖτον ὑμέτερό]ν, καὶ ὅτε ἡβού[λ]οντο οἱ θιασεῖ]-  
[ται - - - - - ]

1 At the end there may have been a *vacat*. Pleket has [τὸ ἔβδομον ?]; Atkinson, [τὸ ζ' ?].  
2 Pleket, ἐξέλεσσαν ὁ γρυψαν, but also possible are ἐξέπουν, ἐξέλασαν, ἐξέλεσαν.  
3 [πρεξαν], or [έξισσαν]. The amount of available space seems to be about 6–7 letters long.  
4 Pleket, ἐν πόλειον ἡ ἐν χώρῃ | π]όλεως κτλ.; Arangio-Ruiz, ἐν πόλειον ἡ κατὰ τῆς |  
π]όλεως κτλ.; Oliver, with hesitation, ἐν πόλει[ι τῆς ὑπὲρ | π]όλεως κτλ.; Atkinson, πόλει[ιν  
ῶσαι κτλ.; Kunkel, πόλει[ον αἰτνες] κτλ. 4 Pleket, τι[να ἀναθέ-]; Atkinson, τι[να  
ῶσαι]ματα; Kunkel, κοσμή[ι]ματα. 6 Pleket, ἀπὸ [μηνένος]; Kunkel, ἀπο[τίμνησιν]; Arangio-  
Ruiz, ἀπο[τίμμημα]. 9 Pleket, δημ[όσιον τόπον]; Arangio-Ruiz, δημ[όσιον λόγον]. 10  
Pleket, χρῆ[μα αὐτίκα ἀπο]δοθῇ; Kunkel, χρ[έους χάρι]ν δοθῇ; Sokolowski, in S.E.G., XVIII,  
no. 555, χρ[ίμα ἐνέχυρο]ν δοθῇ; Oliver, χρ[ίμα ἐνεχύρι]ο]ν δοθῇ; Atkinson, χρῆ[μα ὥδε  
ἐ]νδοθῇ. 12 Pleket, Kunkel, and Arangio-Ruiz have [L.]. 14 Read [ven]ditionis. 16–17  
Punctuation by Oliver, making *satisfato* third person imperative. In 17 Pleket has [Li]berei, which  
Oliver changed to [ha]berei. 21–22 Kunkel, prom[ittere magi]s probō. 23 Kunkel and Arangio-  
Ruiz, [Λεύκιο]s.

COMMENTARY. One of the many novel features of the Augustan edicts from Cyrene (No. 31) is the fact that Augustus had issued them to the inhabitants of a province under the control of the Senate. This was hailed by a majority of scholars as good evidence not only that the *imperium* of Augustus was *maius* but also that he did not hesitate to use it whenever and wherever he felt it was necessary. Some did not and still do not agree with that conclusion.

The present inscription from Cyme in Asia complements the Cyrene Edicts in the matter of *imperium* and *auctoritas* as held by Augustus. Unfortunately, some key phrases and words are missing. Its meaning, therefore, cannot be fully understood, given the present state of our knowledge. The inscription consists of two basic documents. The first of them (ll. 1-11) is a joint order or pronouncement of some kind made by Augustus and Agrippa at a time when they were sharing the consulship, i.e., in 27 B.C. Taken by itself the pronouncement establishes that public places or sacred areas in the cities of each *eparcheia*, along with their various properties, shall in no way fall into the possession of anyone. All such places and properties that may have come under the control of any private person are to be restored to public or sacred ownership. The person in charge of each *eparcheia* shall take measures to insure the restitution of such places and properties to the ownership of the city or the god. In brief, we may say that Augustus (and Agrippa) intended public and sacred places to remain in the possession of the city and the gods, and if for any reason they had come into the possession of private individuals they were to be returned to the city and the gods. Clearly, many such places had indeed passed into private ownership, probably because of the great exactions of the Roman generals in Asia during the years preceding Actium. Otherwise the pronouncement would have been meaningless.

The jurisdictional extent of this order is not stated, but, since it had been engraved here undoubtedly as the authority by which a governor of Asia handed down a ruling, it must have applied to some part of the Greek East, almost certainly to the province of Asia or a part of it. The word *eparcheia* here is important. It may mean "district" or perhaps even "prefecture," according to one view. The point is a delicate one, and the extant remains of the document do not allow any kind of positive answer.<sup>1</sup>

The second document (ll. 12-22) is a letter from the governor of Asia, Vinicius, directing the magistrates of Cyme to investigate the truth of a declaration made by a citizen of Cyme to the effect that the sanctuary of the god Dionysus in the city is in the private possession of an individual named Lysias, and, if true, to see to it that the individual is made to accept the price and to return the property to the ownership of the god. He further directs that the sanctuary be inscribed with the statement "Restored by Emperor Caesar Augustus, Son of the Deified." A most important passage of his

<sup>1</sup> The absence of the article would seem to be telling evidence against the view that the word meant *provincia*, its ordinary meaning in this type of document, for it would then mean "of a province" and would extend the geographical limits of the order beyond the borders of one province. Furthermore, the word *ἐκάστης* should be taken with *πόλεως*. See Arangio-Ruiz, *op. cit.*, pp. 330-32, and Oliver, *Greek, Roman and Byzantine Studies*, 4 (1963): 117-18.

letter (ll. 15–16) indicates that the members of the *thiasos* of the sanctuary thought they could recover ownership for the god *iussu Augusti*. Although only the name of Augustus is mentioned here, the *iussum* in question must be the one represented by the first document. Why else would it appear first on the stele? The emperor takes precedence over Agrippa.<sup>2</sup> A Greek translation (ll. 22–28), unfortunately incomplete, concluded the short dossier.

The general situation is clear enough. In 27 B.C. Augustus issued an order of some sort regulating the possession and restitution of public or sacred places. At a later date the proconsul Vinicius was informed of an apparent violation of this order in regard to the sanctuary of Dionysus in Cyme. Having been asked for his decision in the matter, he sent the present letter with his solution. Since he specifies that an inscription be set up naming Augustus as the “Restorer” of the sanctuary, we may rightly assume that the procedure he outlines is the one authorized or intended by the *iussum* of Augustus.<sup>3</sup> The implications of both the *iussum* and the letter are patent for the student of Roman constitutional history. But caution is necessary. There are unknown elements in both which may make it extremely difficult to be exact about the legality of the action taken by Augustus in issuing the order. Can we be sure that Augustus on his own initiative issued such an order to the province of Asia, which by the settlement of 27 B.C. was to remain under the control of the Senate? Or was he authorized in some way to do so? And who is Vinicius? How much time separates him and his letter from the *iussum*?

The particular point that distinguishes the first document from the Cyrene Edicts is not simply that Augustus appears to be issuing an order to a senatorial province, but rather that he does so in the year 27 B.C., the very year in which he is said to have publicly transferred the state from his own power to the disposition of the Senate and the people. From 27 B.C. down to 23 B.C. he was consul each year and, as he himself says, he possessed in that period no more power than any of his colleagues in office.<sup>4</sup> After 23 B.C. we are told by Dio that he received an *imperium maius*. Pleket and others were not disturbed by the thought of Augustus issuing an order to Asia even in 27 B.C. Nor should one be disturbed. But Mrs. Atkinson was immediately alarmed. She could not believe that Augustus would have done such a thing on his own initiative in 27 B.C. She therefore searched for an explanation to circumvent the idea and found one in the view that the first document was really a *senatus consultum* in an abridged form. This would have “exculpated” Augustus. Her view must be rejected. One has only to examine the framework and formulas of the Greek copies of *senatus consulta* to see that even in an abbreviated form there are no points of comparison between them and the Cyme

<sup>2</sup> Mrs. Atkinson, *op. cit.*, pp. 238 and 252, felt that the *iussum* of the second document was not the same as the *iussum* of the first. But the fact that the name of Agrippa as co-author of the *iussum* is missing in the governor's letter need not mean that a different order is intended. Augustus, not Agrippa, is Princeps.

<sup>3</sup> For the procedure itself, *restitutio in integrum*, see the S.C. de *Asclepiade* (No. 22) and its commentary, and Atkinson, *op. cit.*, pp. 259–72.

<sup>4</sup> *Res Gestae* 34; see E. T. Salmon, *Historia*, 5 (1956): 461–62, on this passage.

document.<sup>5</sup> Her approach, however, may indeed have some merit. Everything from the constitutional point of view hinges on the nature of that first document. What is its legal form?

The prescript could point to a *decretum*, *edictum*, or perhaps even a *lex*. Wolfgang Kunkel thought it was a *lex*, or that it pointed to one, for he was struck by the use of the imperative. He was aware, of course, that the prescript to a *lex*, even in a shortened form (*populus iure scivit*), was too long to fit into the space available at the end of line 2. And he was also aware that it was not customary for provincial regulations of such a nature to be authorized by *leges*. Nevertheless, he favored ἐ[κέλευσαν] in line 2. J. H. Oliver likewise believed that the verb in line 2 announced or proclaimed *leges datae*. He thought that Augustus had revived something like the old republican institution of the *praefectura municipalis* and had had a *praefectus iure dicundo* appointed in Asia. Accordingly, he saw in the word *eparcheia*, as used here, the Greek equivalent of the Latin *praefectura*. These *praefecti* in Asia would have been authorized to perform their duties and functions by *leges a consilibus datae*.

But others, such as Arangio-Ruiz and Crook, preferred to see in the document an edict rather than a *lex*.<sup>6</sup>

In the absence of direct evidence no explanation is likely to be accepted by all scholars, but all possible suggestions must be examined and evaluated. Like the Cyrene Edicts, the Cyme document will require a large number of minds attacking the problem from different angles. One such approach is suggested here.

The nature of the regulation established by Augustus, in my opinion, implies the previous existence of complaints from the cities of Asia about private ownership of public or sacred places. It would appear likely that after Actium, when through imperial aid the cities of Asia slowly began to recover from the burdens placed upon them by the wars, various communities discovered that many of their public and sacred places had passed into private ownership. The cities and the sacred officials quite naturally would want to recover this lost property, now that some semblance of economic stability had begun to appear. We may assume that the owners refused to give up or sell back what they considered to be a good investment. The cities then, perhaps collectively, sent envoys to Rome to lodge an official complaint and to ask for a ruling. The matter would have come up before the Senate, the government organ ordinarily used to handle such provincial details. The Senate listened and approved. Approval of the Senate would normally be given in the form of a *senatus consultum*. This would not necessarily mean that the Senate itself gave a direct opinion on the solution to the problem in Asia,

<sup>5</sup> Kunkel, *op. cit.*, p. 597, saw immediately that her view was wrong. Only if the consul had convened the Senate would his name appear in the nominative, and then it would be followed by the standard formula *τῇ συγκλήτῳ συμβουλευσατο*. In addition, the usual way in which the Senate issues its instructions involves the use of one or all of the following formulas: (1) *ῥα --- ἡγήσατο*; (2) *περὶ ᾧν --- δοκεῖν εἶναι*; (3) *ὅπως ---*. And *oratio obliqua* prevails.

<sup>6</sup> The mere fact that there is room for only one word at the end of line 2 makes the case for calling the document either an edict or a highly abbreviated letter more probable.

for frequently in such cases it would delegate or authorize an official, usually one or both of the consuls, to investigate the matter more thoroughly and to render an opinion. This is exactly the sort of procedure which, I believe, was followed by the Senate at some time immediately prior to the issuance of the *iussum* by Augustus in 27 B.C. The following parallels may be cited.

1. *S.C. de Itanorum et Hierapytniorum Litibus* (No. 14). By the terms of this decree of the Senate the consul L. Calpurnius Piso was instructed to appoint an arbitral tribunal to review the history of the quarrel between the Cretan cities of Itanus and Hierapytnia over a stretch of land and to hand down a final decision. The consul, thus authorized to act, obeyed.

2. *S.C. de Collegiis Artificum Bacchiorum* (No. 15). This decree of the Senate, which settled the long-standing quarrel between the Athenian and the Isthmian guilds of Dionysiac Artists in 112 B.C., stipulated that in regard to the common fund of the combined guilds the consul M. Livius was to conduct an investigation and hand down a decision. He obeyed.

3. *S.C. de Stratonicensibus* (No. 18). Here the Senate in 81 B.C. stated that the dictator Sulla, if he so wished, was to determine what amount of taxes the surrounding cities and lands were to pay to Stratonicea.

4. *S.C. de Oropiorum et Publicanorum Controversiis* (No. 23). M. Terentius Varro Lucullus and C. Cassius Longinus, the consuls of 73 B.C., had been commissioned by the Senate to appoint and head a senatorial commission to investigate and render a decision in the dispute between the officials of the sanctuary of Amphiaraus and the publicans. The two consuls obeyed.

5. *S.C. de Mytilenaeis* (No. 26) of 25 B.C. The consul Marcus Silanus, in the absence of Augustus, convened the Senate and apparently was authorized by it to seek approval from Augustus for the renewal of a treaty with Mytilene and then to give the oaths. This last example, despite the poor condition of the text, certainly brings the procedure down to the age of Augustus.

Taken as a whole, several conclusions may be drawn from these examples. Clearly it was common for the Senate to instruct the consul or consuls to investigate and render binding decisions on specific problems raised by provincials. This is a procedure well known to us.<sup>7</sup> These senatorial instructions were communicated in the form of *senatus consulta*. And the verbs used to describe the decision of the consul, when he was authorized to render it, were *ἐπιγινώσκειν* and *ἐπικρίνειν*.<sup>8</sup> The consuls in such a situation did not act on their own initiative but were empowered to act by the Senate. This was true even under Augustus.

When we turn to Cyme, we see that the matter of private ownership of public or

<sup>7</sup> In such examples of "consular discretion" the Senate often gives the consul a *consilium*. See De Ruggiero, *L'arbitrato pubblico in relazione col privato presso i Romani* (Rome, 1893), pp. 158ff., and W. Liebenam, *R.E.*, s.v. "Consilium," cols. 919-20.

<sup>8</sup> See the *senatus consulta* cited as examples: No. 14, ll. 74-75; No. 15, ll. 61-64; No. 18, ll. 103-6; No. 23, ll. 1-4; and cf. the *S.C. de Pergamenis* (No. 12), ll. 7-8; *S.I.G.*<sup>3</sup>, 831 (letter of Hadrian), l. 9.

sacred places is one of purely provincial interest. One cannot conceive of Augustus' regulation as having had very wide application. It certainly might have extended throughout the province of Asia, but hardly beyond it. Therefore, one may assume that the problem reached the Senate in the usual manner, by envoys coming to Rome and requesting a Senate hearing. The Senate in turn must have agreed that their complaints were justified and accordingly have passed a *senatus consultum* authorizing the two consuls, if they saw fit, to hand down their decision on the matter. Augustus (and Agrippa) did so in the old, customary manner. After all, it was a small affair and was not likely to require much time. To follow the old procedure would do no harm. They reviewed the case and communicated their decision to the envoys. They probably then wrote a letter to the city, cities, or provincial organ that sent the envoys and in it explained their decision officially. This decision could certainly be referred to as a *iussum*. And perhaps the verb at the end of line 2 was ἐ[πέννωσαν] or ἐ[πέκριναν]. It must not be pressed, however.<sup>9</sup>

Thus it is possible that Augustus in 27 B.C. is not issuing orders or pronouncements on his own initiative without the prior approval of the Senate. He may be following the time-honored procedure so familiar from republican times. The Senate had turned a matter over to him and his colleague and requested a decision. They complied. Therefore, the possibility exists that the first document may be simply the bare decision of the two consuls, perhaps shortened and extracted from a broader context.<sup>10</sup> There is, however, no way to prove that such is the background of the document. Like all the other suggestions, it must remain tentative.

We turn to the letter of Vinicius, and are confronted immediately by the problem of his identity. It is a complex problem, for at least two and possibly three *Vinicii* are known to have been proconsuls of Asia. M. Vinicius (cos. A.D. 30 and 45) appears to have held the office in A.D. 39/40, but 67 years is much too long for Cyme to wait for the restoration of the god's property. He may be rejected as a candidate.<sup>11</sup> P. Vinicius (cos. A.D. 2) was the governor in about A.D. 3, although a somewhat later date is also possible.<sup>12</sup> And a M. Vinicius is also attested as a governor, according to an inscription from Mylasa mentioned by L. Robert.<sup>13</sup> Whether he is the same person as the consul

<sup>9</sup> The amount of space available would seem to limit the restored word to six or seven letters at most. A shorter word would be preferable.

<sup>10</sup> Mrs. Atkinson's suggestion (*op. cit.*, pp. 240-41) that the prescript is given in a "curtailed form" seems well founded. The stele appears to have been erected at private cost by the worshippers of Dionysus, and to reduce the expense a shortened version of the documents would therefore be expected.

<sup>11</sup> R. Hanslik, *R.E.*, s.v. "Vinicius" (7), cols. 116-19, refers the inscription from Mylasa reported by L. Robert (*Revue archéologique*, 1935, II, 156) to this man and not to the M. Vinicius who had been consul in 19 B.C. He also believes that the inscription from Chios (*A.E.*, 1932, 7; cf. Pleket, *op. cit.*, p. 61) was erected to honor the consul of A.D. 30 and 45.

<sup>12</sup> See R. Hanslik, *R.E.*, s.v. "Vinicius" (8), cols. 119-20, and Pleket, *op. cit.*, p. 61. Mrs. Atkinson, *op. cit.*, p. 329, makes him governor in the period A.D. 10/11-14/15.

<sup>13</sup> *Revue archéologique* 1935, II, 156-58. See n. 11, above, and Pleket, *loc. cit.*

of A.D. 30 and 45 is not wholly clear, but Robert seems to be convinced that they are not identical. He identifies him with the M. Vinicius who had been consul in 19 B.C.; however, the possibility of confusion because of the similarity of names would make it advisable to suspend judgment. Which of these men is the Vinicius of the Cyme document? Mrs. Atkinson, believing that the natives of Cyme approached Augustus himself during his presence in Asia in the period 20–19 B.C., thought that the M. Vinicius who had been consul in 19 B.C. might have been our Vinicius. Her reasons for suggesting such a date are not in any way conclusive, and her view must remain merely a possibility.<sup>14</sup> Pleket, on the other hand, thought that none of these *Vinicii* was the governor of our document, for to him it was much more likely that there would not have been much of an interval between the *iussum* of 27 B.C. and the subsequent action of Cyme which prompted the governor's letter. He thought that L. Vinicius (cos. suff. 33 B.C.) may have held the governorship in either 28/27 or 27/26 B.C., and others tend to support him.<sup>15</sup>

Despite the numerous *Vinicii* that might enter into consideration, it seems much more probable that the action of Cyme in seeking to recover possession of the sanctuary for the god would not have been delayed very long. Once the *iussum* of Augustus had become known in Asia, the worshipers of Dionysus in Cyme would have taken almost immediate steps. And there is nothing in either of the two documents which would permit the suggestion that they went first to Augustus and then to Vinicius. The sequence of events most likely was the usual one, simple and uncomplicated. They learned of the *iussum* and its applicability to their situation, went to Vinicius, and received a favorable response. Vinicius then sent the letter with his official decision to Cyme, and the worshipers erected the stele after the successful recovery of the sanctuary. The stele, erected at their own cost, probably presented the documents in a shortened form, an especially reasonable supposition in the case of the first document. Thus, the governor Vinicius was most likely the consul suffect of 33 B.C.

Vinicius, of course, was very careful to give credit to Augustus for the original legal concept. Even in senatorial provinces the authoritative presence of Augustus was a very real thing. The mere fact that the governor wishes Augustus to be recorded as the "Restorer" of the sanctuary is highly significant. Outward agreement between Senate and Princeps was one thing, practical politics quite another.

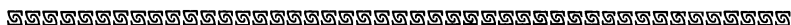
<sup>14</sup> Atkinson, *op. cit.*, pp. 256–59. There is absolutely nothing in the inscription to indicate that the citizens of Cyme went to Augustus first and then turned to the governor.

<sup>15</sup> See R. Syme, *J.R.S.*, 45 (1955): 159, and Kunkel, *op. cit.*, pp. 613–14.

# 62

EPISTULA (?) AUGUSTI  
AD SAMIOS

19 B.C. (July ?)



BIBLIOGRAPHY. P. Herrmann, *Athen. Mitt.*, 75 (1960), no. 4, pp. 84-90; A. D'Ors, *Epigrafia jurídica griega y romana*, VII (*Studia et Documenta Historiae et Iuris*, 29 [1963]), 468-69.

DESCRIPTION. Stele of white marble, broken on all sides. Photograph in Herrmann, *op. cit.*, *Beilage* 37, no. 3. Height: 0.40 m. Width: 0.14 m. Thickness: 0.09 m. Height of letters: 0.011 m., Latin; 0.015 m., Greek. The lettering of the Latin section is similar to cursive or "freehand lettering," the words separated by points, and the letter S lengthened at the beginning of words. The Greek has large *apices*.

[-----]  
[-----]m et cohortis me[-----]  
[-----]iu]reiu(r)ando) proveisum [-----]  
[-----]disciplineina tam[-----]  
[-----]tot praetorib[us-----]  
5 [-----]ordinum atque h[-----]  
[-----]ennium praeu[-----]  
[-----]e functa sit leibe[-----]  
[-----]cei]vitatem ex form[a?-----]  
[-----]scriptione nostr[a?-----]  
10 [-----]re solet remitt[-----]

*vacat*

[\*Ετους Ι] Ἰ̅ Ἰ̅ τῆς Αὐτοκ[ράτορος]  
[Σεβαστ]οῦ νίκης, ἐ[πὶ - - -]  
[ - - -] μὴνός 'Ε[κατομβαιῶνος?]  
[.. πρὸ] ἐπτά εἰδ[ῶν 'Ιουλίῶν?]  
15 [Γ. Σεντί]ωι Σατ[ορνίνωι ὑπάτωι]  
[Αὐτοκρά]τωρ Κα[ῖσαρ Σεβαστός]  
[ - - -] ΤΟΝ[-----]

8 Or *ex form[ula]*?, Herrmann.



COMMENTARY. The double dating of the Actian era (ll. 11–12) and the Roman consul gives us the year 19 B.C., for, although the text is fragmentary, enough is left of both dates to assure the restoration. Only one consul appears to have been named, to judge from the space available on the stone, and this fixes the date between the beginning of that year and the month of September.<sup>1</sup> The restoration of the Samian month in line 13 is not certain, for it is attested nowhere else. But, if it is correct, it would seem to correspond with July.

Herrmann believes that there is a connection between this document and another from Samos (*I.G.R.R.*, IV, 976), which is a short heading on a block that apparently formed part of a large monument. It reads: *Αὐτοκράτω[ρ Καῖσα]ρ Σεβαστὸς αὐτοκράτωρ | τὸ ἔνατο[ν, δημαρ]χικῆς ἐξουσίας τὸ ε'.* The fifth tribunician power of Augustus puts it in the period from July 1 of 19 B.C. to June 30 of 18 B.C., well within the date of the present document. Thus, both of them may be dated in the very year in which Augustus terminated his visit on Samos and left for Italy.<sup>2</sup> Dio (54. 9. 7) tells us that Augustus gave Samos her freedom in the winter of 20/19 B.C., a fact that may be of significance in the interpretation of the monument.

The Greek section of our document would appear to be an edict or a letter, but no key words or phrases are extant to identify it absolutely. The Greek is perhaps a translation of the Latin, but the two may also be separate documents that were placed together when the material for the stele was assembled. The remains give us little exact information: *military cohort, an oath, discipline, praetors, military ranks, citizenship.* Important words, but the link between them is lost. The mention of citizenship probably refers to that of the soldiers involved rather than to the citizenship of Samos as a whole. Herrmann reminds us of veteran colonies but tempers his remark wisely with the observation that no veteran colonies on Samos are known. There is some support for a connection with a colony, for two Samian inscriptions speak of an era *τῆς κολωνίας*, but the full significance of such an era on Samos has not been explained satisfactorily.<sup>3</sup>

The most that one may say of the document in its present shape is that it appears to be an edict or letter of Augustus from 19 B.C. which concerned military matters and citizenship. That these matters affected Samos and the Samians goes without question. Why else would Samos have erected the stele?

<sup>1</sup> C. Sentius Saturninus was sole consul in 19 B.C. until the month of September, Q. Lucretius Vespillo being added as a colleague at that time. And on September 2 began the thirteenth year of the Actian era. See Herrmann, *op. cit.*, pp. 85–86.

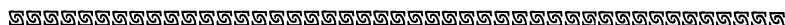
<sup>2</sup> Herrmann (*ibid.*, p. 86) thinks that Augustus may still have been on Samos at the beginning of July, 19 B.C.

<sup>3</sup> *I.G.R.R.*, IV, 991–92. Herrmann (*op. cit.*, pp. 88–89) suggests that our documents may concern the granting of citizenship to soldiers who have served their time and, as veterans, have started a *colonia* on the island. This might account for the colonial era. But he is rightly skeptical of this, even though it is attractive. See also J. Robert and L. Robert, *R.É.G.*, 79 (1966), no. 340, p. 417, with references.

# 63

## EPISTULA M. AGRIPPÆ AD GERUSIAM ARGIVAM

17-16 B.C.?



BIBLIOGRAPHY. W. Vollgraff, *Mnemosyne*, 47 (1919), no. 28, pp. 263-70 (*A.E.*, 1920, no. 82); M. Reinhold, *Marcus Agrippa* (Geneva, N.Y., 1933), pp. 122, 169-72; Ehrenberg-Jones, no. 308; J. H. Oliver, *Historia*, 7 (1958): 474-76 and app. II, pp. 480-81.

DESCRIPTION. Stele found at Argos. It contains two inscriptions, the present one and one in honor of Alexander of Sicyon (*Mnemosyne*, 44 [1916]: 64). Height of letters: 0.026 m. (l. 1) and 0.015 m. (ll. 2-11).

### Γερόντων

Ἀγρίππας Ἀργείων γέρουσι τοῖς ἀπὸ  
Δαναοῦ καὶ Ὑπερμήστρας χαίρειν.

Ἐγὼ τοῦ τε διαμεῖναι τὸ σύστημα  
5 ὑμῶν καὶ φυλάξαι τὸ παλαιὸν ἄξιωμα  
τὴν αἰτίαν ἐματῶ συνοῖδα παρεσχη-  
μένῳ καὶ πολλὰ τῶν καταλελυμένων  
ὑμῖν ἀποδεδωκότι δικαίων πρὸς τε  
τοῦτιον προνοεῖν ὑμῶν [προθύμως]  
10 ἔχω καὶ τὴν [ - - - - - ]  
νομιζ[ - - - - - ]  
[ - - - - - ]

After the *zeta* in l. 11 the upper part of *O* or *Ω* is visible on the stone. 5-8 For the phrase *φυλάσσειν τὰ δίκαια* in Roman imperial letters see L. Robert, *Revue de Philologie*, 84 (1958): 30.

COMMENTARY. The *gerusia* was an aristocratic corporation of elder citizens existing in many Greek cities (very likely from the earliest periods) and concerned with the management of one or two of the local cults. In Hellenistic Ephesus, for example, it cared for the festival of Artemis and the various resources used to defray the expenses. Our information about their numbers and functions becomes much fuller by the Hellenistic and Roman ages, and we learn that they suffered a general decline in the third century B.C. Many weathered the economic storm and continued to exist on into the early third century A.D.<sup>1</sup>

The letter of Agrippa to the "Gerusia Descended From Danaus and Hypermestra" at Argos shows Roman interest in the institution, for Agrippa says that he restored many of its lost rights and that he will safeguard them in the future. It has been suggested that the Roman government deliberately revived (where necessary) and fostered these *gerusiae* as a sort of eastern counterpart to the western *Augustales*.<sup>2</sup> Agrippa himself may have been the key figure in the movement, but we have no proof except for this letter. Thereafter Rome treated them with distinct respect and carefully observed their rights. They became useful to the imperial cult, for their activities were no longer restricted to the local festivals. The figure of the emperor was added. A letter of M. Aurelius and L. Verus to the financial commissioner of the Ephesian *gerusia* is our source for this new development, for in it are mentioned "old" and "worn out" silver images of the emperors stored in the *gerusia's synedrion*. Thus the Ephesian *gerusia*, and certainly the others, served imperial policy.<sup>3</sup>

It is not at all unlikely, therefore, that the Roman interest in the revival and encouragement of the eastern *gerusiae* goes back to the Augustan age and that, as Oliver has suggested, it was a policy deliberately formulated to strengthen the ties of loyalty between the cities and the Roman government.

The date of the letter would fall in the period 17-13 B.C., when Agrippa was continuously active and present in the Greek East.<sup>4</sup> He passed the winter of 17/16 B.C. in Corinth, and that would have been the most likely time for either a visit to Argos or the reception of an embassy from that city. This may be accepted, but only provisionally, as the date of composition.

<sup>1</sup> J. H. Oliver, *The Sacred Gerusia (Hesperia, suppl. VI)* (Baltimore, 1941), and the same author's "Gerusiae and Augustales," in *Historia*, 7 (1958): 476-96.

<sup>2</sup> Oliver, "Gerusiae and Augustales," pp. 475 and 494-96.

<sup>3</sup> The letter: *Forschungen in Ephesos*, II (1912), no. 23, pp. 119-23 (= *Sacred Gerusia*, no. 11, pp. 93-96).

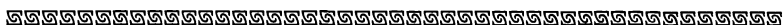
<sup>4</sup> For the itinerary of Agrippa in the East see Reinhold, *op. cit.*, pp. 106ff., and R. Hanslik, *R.E., s.v. "Vipsanius"* (*Nachträge*), cols. 1251-66, for an excellent year-by-year account.

# 64

## EPISTULA AUGUSTI AD ERESIOS

After 15 B.C.

[Squeeze]



BIBLIOGRAPHY. A. Conze, *Reise auf der Insel Lesbos* (Hannover, 1865), tab. XV, no. 4; E. David, *Ἐπιγραφαὶ Ἐρεσσοῦ* (Athens, 1895), no. 32; W. R. Paton, *I.G.*, XII, 2 (1899), 531; G. Lafaye, *I.G.R.R.*, IV (1927), 7; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 1336–37, n. 19, and 1340, n. 28; H. Malcovati, *Imperatoris Caesaris Augusti Operum Fragmenta*<sup>4</sup> (Turin, 1962), no. 72, pp. 45–50.

DESCRIPTION. A fragment of a stele of white marble found in the wall of the house of Stavros Vaphiadis at Eresus. Height: 0.32 m. Height of letters: 0.006 m.

[ - - - - - ] ΕΞ [ - - - - - ]  
 [ - - - - - ] τω [ - - - - - ]  
 [ - - - - - ] ολ [ . . . ] πολιτ [ - - - - - ]  
 [ - - - - - ] ον Λεσβ [ - - - - - ]  
 5 [ - - - - - ] ν [ ἐν ] σκευα [ σαμμενο - - ]  
 [ - - - - - ] θηκε [ . . . . ] υπ [ - - - - ]  
 [ - - - - - ] ν εἰς 'Ρ [ ὡμην - - - ]  
 [ - - - - - ] ὀφείταν π [ - - - - - ]  
 [ - - - - - ] λιν γ [ - - - - - ]  
 10 [ - - - - - ] ον μαρτυ [ - - - - - ]  
 [ - - - - - ] ἀποκριμα [ - - - - - ]  
 [ - - - - - ] π]οιῶ ἐκ Καί[σαρος - - ]  
 [ Ἀυτοκράτωρ Καίσαρ Θεοῦ υἱὸς Σεβαστὸς δημοαρχὶ κῆς ἐξουσίαις τὸ - - ]  
 [ - - - - - αὐτοκράτωρ τὸ - - δέ] κατ[ον 'Ερ] εἰσίων ἄρχο[υσι βουλῇ]  
 15 [ δῆμψ χαίρειν - - - - - ] α τὸ παρ' ὑμῶν ψή[φισμα - - - - ]  
 [ - - - - - ] μ[.] καὶ ὑπερεθέμην [ - - - - - ]  
 [ - - - - - ] ινω καὶ αὐτὸν [ - - - - - ]  
 [ - - - - - ] καὶ τῆς πρὸς ἡμᾶς [ - - - - - ]  
 [ - - - - - ] Ἀγρίππας ὁ διαφέρων [ - - - - - ]  
 20 [ - - - - - ] ὁμένος τῷ θεῷ Καίσαρι [ - - - - - ]  
 [ - - - - - ] τὸ παρ' αὐτὸν ἀπ' ἀμ[φοτέρων - - - ]  
 [ - - - - - ] ψ Κάλλιππον ΔΙΑ [ - - - - - ]

I have compared the Berlin squeeze with Paton's readings. Above and slightly to the left of  $\tau\omega$ , in the first line, David reads  $E\Xi$ , none of which was seen by Paton. 6  $\Theta\eta\kappa\epsilon\gamma\eta\eta$ , David, but Paton agrees with what is given here and confirmed by the squeeze. 8  $\Theta\iota\omicron\tau\alpha\eta\eta$ , David, but Paton could not see  $\Theta\iota\omicron$  on the stone. I cannot see it on the squeeze. 9  $\Lambda\iota\eta\eta\alpha\pi\alpha$ , David;  $\Lambda\iota\eta\eta$  II, Paton. 10  $\text{ONM}\alpha\tau\tau\gamma$ , David, but Paton could not see the *omicron*. 11 Perhaps -] ἀποκρίμα[σιν κοσμήσαντα (?) *aut similia*. Cf. L. Robert, *Études Anatoliennes*, p. 324, for words commonly found with ἀποκρίμα, and see also J. Robert and L. Robert, *La Carie*, II (Paris, 1954), 106, n. 2. 15 Perhaps τὸ παρ' ὑμῶν ψή[φισμα ἀπέδωσαν αὐτ' ἀπέδωκεν? David thought he saw an *alpha* at the beginning of the text, but Paton could no longer see it. 22 David alone has read the *omega* at the beginning.

COMMENTARY. Since the *formula* of lines 13–15 so clearly indicates the beginning of a letter, lines 1–12 must belong to a different document. This document may also be a letter, for the use of the first person in the verb [π]οιῶ would point in that direction, but its fragmentary state precludes any positive assertion about its contents. We may be sure, however, that it was connected with the second letter in some manner.

Lines 13–22 are most likely part of a letter of Augustus to the city of Eresus. The mention of *tribunicia potestas* (l. 13) and of Agrippa (l. 19) leads us almost without question to Augustus. The date of the letter, on the other hand, can only be estimated, for the imperial acclamation (l. 14) could be simply the tenth (δε[κα]τ[ον]) or some higher number (-καιδε[κα]τ[ον]). In any case the date must be after Augustus was *imperator X*, i.e., 15 B.C. or later. The old view of Paton, Lafaye, and Viereck (notes), that the letter was written after the death of Agrippa (12 B.C.) on the ground that the length of lines 13–14 seems to demand somewhat long numbers for the tribunician power and the imperial acclamation, may be discounted. There is no way for us to be absolutely sure of the exact length of any line in the document, and therefore no way to tell whether δε[κα]τ[ον] or, e.g., [τρισκαιδε]κατ[ον] is right. Therefore, 15 B.C. or later is the closest dating possible.<sup>1</sup>

There are two general periods of time in which Agrippa could have visited Eresus. The first is 23–21 B.C., when he spent practically all of his time right at Mytilene and on Lesbos, using his special power as a “deputy of Caesar” to rule the East through his own representatives.<sup>2</sup> The second is 17–13 B.C., when, after traveling through Greece and the Thracian Chersonese (17–15 B.C.), he spent the winter of 15/14 B.C. in Mytilene. He was absent from the city for much of 14 B.C., but did return to Lesbos and Mytilene for the winter of 14/13 B.C. Thus his connections with the island were of some duration.

<sup>1</sup> R. Hanslik, *R.E.*, s.v. “Vipsanius” (*Nachträge*), col. 1266, says that the letter may belong to the year 13 B.C., but he gives no real evidence. We may not assume, without evidence, that Augustus mentions Agrippa in his letter in connection with some recent event. It is, of course, probable, though not conclusive, that Agrippa was honored by Eresus during his second period of travel in the East (17–13 B.C.), that a decree by Eresus concerning the honor had been forwarded to Augustus upon the return of Agrippa to Rome, and that Augustus then (13 B.C.) wrote the present letter.

<sup>2</sup> Josephus *Ant.* 15. 350; *ibid.*, 16. 86; cf. Dio 53. 32. 1. For the chronology of Agrippa's two visits to the East see Hanslik, *op. cit.*, cols. 1251–53 and 1259–66, where earlier works are cited along with the sources.

On one of these occasions it is possible that he visited Eresus with Julia and was honored in some fashion (a statue ?) by the city, an event that Augustus might have mentioned in the present letter.

The phrase (l. 19) Ἀγρίππας ὁ διαφέρων may possibly be a reference to his general *imperium*, but it is, unfortunately, too incomplete for us to be sure of its nature.<sup>3</sup>

<sup>3</sup> Cf. *Res Gestae* 34: ἀξιῶμ[α]τι πάντων διήνεγκα (*auctoritate omnibus praestiti*). Agrippa might have been qualified as ὁ διαφέρων [ἐξουσία - -] or ὁ διαφέρων [ἀρετῇ *aut similia*. See L. Robert, *Études épigraphiques et philologiques* (Paris, 1938), p. 27, n. 6. Cf. also *T.A.M.*, II, 197 and 261 for other nouns used with the verb.

EPISTULA PAULI FABII MAXIMI ET  
DECRETA DE FASTIS PROVINCIALIBUS

ca. 9 B.C.?

[Squeeze]



BIBLIOGRAPHY. Th. Mommsen and U. von Wilamowitz-Moellendorf, *Athen. Mitt.*, 24 (1899): no. 275-93; R. Cagnat and M. Besnier, *A.E.*, 1900, no. 76; J. G. C. Anderson, *Athen. Mitt.*, 25 (1900): 111-12; H. Dessau, *Hermes*, 35 (1900): 332-38; V. Chapot, *La province romaine proconsulaire d'Asie* (Paris, 1904), pp. 390-94; A. Harnack, *Reden und Aufsätze*, I (Giessen, 1904), pp. 301-6; P. Wendland, *Zeitschrift für die neutestamentliche Wissenschaft und die Kunde des Urchristentums*, 5 (1904): 335ff.; W. Dittenberger, *O.G.I.S.*, II (1905), 458; F. Hiller von Gaerttringen, *Die Inschriften von Priene* (Berlin, 1906), 105; E. Groag, *R.E.*, s.v. "Fabius" (102), cols. 1782-83; J. Keil and Anton von Premerstein, *Denkschriften der Kaiserlichen Akademie der Wissenschaften in Wien*, 54 (1911), 2, no. 166, pp. 80-82; A. von Domaszewski, *Sitzungsberichte der Heidelberger Akademie der Wissenschaften, Phil.-hist. Klasse*, X (1919), 2d treatise, pp. 1-6; A. Deissmann, *Licht vom Osten*\* (Tübingen, 1923), pp. 313, 316-17 (photos of the Prienean copy); E. Norden, *Die Geburt des Kindes* (Leipzig, 1924), p. 157, n. 2; H. Dessau, *Geschichte der römischen Kaiserzeit*, I (Berlin, 1924), 105-6; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 34, pp. 331-32 (second decree of the *koinon* only); R. Laqueur, *Epigraphische Untersuchungen zu den griechischen Volksbeschlüssen* (Leipzig, 1927), pp. 175ff.; W. H. Buckler, *Classical Review*, 41 (1927): 119-21 (ll. 32-49; cf. *S.E.G.*, IV [1929], 490); W. H. Buckler and W. M. Calder, *Monumenta Asiae Minoris Antiqua*, VI (Manchester, 1939), nos. 174 and 175, pp. 65-66, with Plate 30, on copy from Apameia; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 480-81, and II, 1342-43, n. 40; M. P. Nilsson, *Geschichte der griechischen Religion*, II (Munich, 1950), 370-71; Lewis-Reinhold, *Roman Civilization*, II (New York, 1955), 64-65 (this does not include the governor's letter); A. H. M. Jones, *Classical Review*, n.s., 5 (1955): 244-45 (= *S.E.G.*, XV [1958], 815; cf. J. Robert and L. Robert in *R.E.G.*, 71 [1958], no. 400, pp. 319-20), Elucaberg-jones, no. 98, pp. 74-76 (without utilization of the copy from Maeonia); Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 142.

DESCRIPTION. This letter, as well as the other documents of which it was a part, was published in numerous cities of Asia. Fragments of the copies from five cities have survived, one of considerable size (Priene) and the others varying from passages of many lines to short phrases and parts of lines. The dossier was originally composed of at least three (possibly four) documents, beginning with the proconsul's letter and followed by two decrees of the provincial *koinon*.

1. Priene: *Inschriften von Priene*, 105. This is the fullest of the copies and gives us a connected text of 84 lines. A significant fact is that it is preserved on two

blocks of different type, one (the upper) of blue limestone and the other of white marble. Dimensions of the upper: height, 0.485 m.; width, 0.67 m.; thickness, 0.34 m. Dimensions of the lower: height, 0.84 m.; width, 0.68–0.69 m.; thickness, 0.35 m. The lettering is of a common type, without *apices*. Height of letters: ca. 0.01 m. This copy was used by Dittenberger to form the basis of his composite text.

2. Apameia: *C.I.G.*, III (1853), 3957; *C.I.L.*, III, 12240 (cf. 13660 a, 14192<sup>8</sup>); *B.C.H.*, 17 (1893): 315; Anderson, *loc. cit.*; Buckler and Calder, *loc. cit.* For the new Apameian fragment, discovered by W. H. C. Frend in 1954, see Jones, *loc. cit.*, where, unfortunately, the dimensions are not given. Although the Apameian copy is much more mutilated than the Prienean, it does contain part of the original Latin text of the governor's letter (to be given below) and a sort of heading prefixed to the beginning of the Greek portion. White marble. Dimensions of the older fragment (as reported by Buckler and Calder): height, 0.68 m.; width, 0.78 m.; height of letters, 0.015 m. Dimensions of the Latin fragment: height, 0.20 m.; width, 0.85 m.; thickness, 0.68 m.; height of letters, 0.03 m. (l. 1), 0.02–0.025 m. (ll. 2–4), 0.033 m. (l. 5 = the Greek heading). The Apameian copy also seems to have included a fourth document, which was engraved immediately after the proconsul's letter but which is lacking in the Prienean copy.

3. Eumeneia: *C.I.G.*, III (1853), 3902 b. It contains only the remains of lines 55–67 (of the composite text) from the decree of the *koinon*.

4. Dorylaion: *C.I.L.*, III, 13651 (cf. 14189). Unfortunately, the stone was destroyed and there remains only a very bad copy. See Mommsen, *op. cit.*, pp. 276–77. This is the largest extant fragment of the Latin original of the governor's letter.

5. Maeonia: Keil and Premierstein, *loc. cit.* This fragment shows that the dossier was erected not only in the larger cities of the province but also in the less populated areas. White marble, broken on the right, top, and bottom. Height: 0.33 m. Width: 0.455 m. Thickness: 0.08 m. Height of letters: 0.013–0.016 m. Contains the Greek translation of the governor's letter corresponding to lines 8–20 of the Prienean copy, but only about half of each line is preserved. Nevertheless, it is of help in establishing the correct text in a number of places where the Prienean copy is fragmentary.

#### A. The Proconsul's Letter

- [-----]
- [. . παρ]ὰ τῶν πρότ[ερ]ον παρειλ[ή]φαμεν -----]
- [. . . . .] τῶν θεῶν [ε]ὐμενὲς κα[ὶ] -----]
- [πρότ]ερων ἡδεῖων ἢ ὠφελ[ιμω]τ[έρα ἐ]στὶν ἢ τοῦ θειοτάτου Καίσαρος γενέ-
- 5 θλιος ἡμέρα, ἣν τῇ τῶν πάντων ἀρχῇ ἴσῃν δικαίως ἂν εἶναι ὑπ[ολά]βοιμεν,
- καὶ εἰ μὴ τῇ φύσει, τῷ γε χρησίμωι, εἴ γε οὐδὲ[ν ο]ὐχὶ διαπεύπτον καὶ εἰς ἀν-
- χὲς μεταβεβηκὸς σχῆμα ἀνῶρθωσεν, ἑτέραν τε ἔδωκεν παντὶ τῷ
- κόσμωι ὥψιν, ἥδιστα ἂν δεξαμένωι φθοράν, εἰ μὴ τὸ κοινὸν πάντων εὐ-
- τύχημα ἐπεγεννήθη Καίσαρ. διὸ ἂν τις δικαίως ὑπολάβοι τοῦτο ἀτῶι
- 10 ἀρχῇ τοῦ βίου καὶ τῆς ζωῆς γεγενῆσθαι, ὃ ἐστὶν πέρας καὶ ὁρος τοῦ με-



- ταμέλεσθαι, ὅτι γεγέννηται. καὶ ἐπεὶ οὐδεμιᾶς ἂν ἀπὸ ἡμέρας εἰς  
 τε τὸ κοινὸν καὶ εἰς τὸ ἴδιον ἕκαστος ὄφελος εὐτυχστεράς λαβοί  
 ἀφορμὰς ἢ τῆς πᾶσιν γενομένης εὐτυχούς, σχεδὸν τε συμβαίνει  
 τὸν αὐτὸν ταῖς ἐν Ἀσίᾳ πόλεσιν καιρὸν εἶναι τῆς εἰς τὴν ἀρχὴν εἰσόδου,  
 15 δηλονότι κατὰ τινα θῆαν βούλῃσιν οὕτως τῆς τάξεως προτετυπωμέ-  
 νης, ἵνα ἀφορμὴ γένοιτο τῆς εἰς τὸν Σεβαστὸν τιμῆς, καὶ ἐπεὶ δύσκο-  
 λον μὲν ἔστιν τοῖς τοσούτοις αὐτοῦ εὐεργετήμασιν κατ' ἴσον εὐχαρισ-  
 τεῖν, εἰ μὴ παρ' ἕκαστα ἐπινοήσασιν τρόπον τινὰ τῆς ἀμείψεως,  
 ἥδειον δ' ἂν ἄνθρωποι τὴν κοινὴν πᾶσιν ἡμέραν γενέθλιον ἀγάγοι[εν]  
 20 [ἐ]ὰν προσγένῃται αὐτοῖς καὶ ἰδία τις διὰ τὴν ἀρχὴν ἡδονή, δοκεῖ μοι  
 πασῶν τῶν πολιτηῶν εἶναι μίαν καὶ τὴν αὐτὴν νέαν νουμηνίαν  
 τὴν τοῦ θηοτάτου Καίσαρος γενέθλιον, ἐκεῖν τε πάντας εἰς τὴν  
 ἀρχὴν ἐνβαίνειν, ἥτις ἔστιν πρὸ ἐννέα καλανδῶν Ὀκτωβριῶν, ὅπως  
 καὶ περισσότερον τιμηθῇ προσλαβομένη ἔξωθεν τινα θρησκίαν καὶ  
 25 μᾶλλον πᾶσιν γίνῃται γνώριμος, ἣν οἶομαι καὶ πλείστην εὐχρηστίαν  
 τῇ ἐπαρχίᾳ παρέξεσθαι. ψήφισμα δὲ ὑπὸ τοῦ κοινοῦ τῆς Ἀσίας δεή-  
 σει γραφῆναι πάσας ἐνπεριειληφὸς τὰς ἀρετὰς αὐτοῦ, ἵνα τὸ ἐπινοη-  
 θὲν ὑφ' ἡμῶν εἰς τὴν τιμὴν τοῦ Σεβαστοῦ μείνῃ αἰώνιον. προστάξω  
 δὲ χαραχθὲν <ἐν> τῇ στήλῃ τὸ ψήφισμα ἐν τῷ ναῷ ἀνατεθῆναι, προστά-  
 30 ξας τὸ διάταγμα ἐκατέρως γραφέν.

*Sequuntur decreta duo concilii  
 provincialis*

Apameia

B. The Latin Fragments of the Proconsul's Letter

[--- iuc]undior an salubrior principis nost[ri natalis -----  
 ---]  
 [---] cumque non ullo ex die feliciora et privatim singulis et universis publice [trahi  
 possint auspicia ---]  
 [---] quem Graeci suo nomine diem nean numenian appellant eum clarissimi viri  
 Caesaris [natalem ----]  
 [---] nonus XXX decumus XXXI undecumus XXX duodecumus XXXI interkalaris  
 -----  
 ----- interpone[stur -----]  
 5 [---]ves καθιερωθείσας εἴτε διὰ θρησκε[ίαν -----]

Dorylaion

[propterea recte homines existimant hoc sibi principium]  
 <vitae, q>uod paenitendi <f>uerit natos se esse <f>inis.  
 c<u>m<q>ue non u<l>lo ex die feliciora et <p>rivatim sin<g>ulis et uni-  
 versis publice trahi possint aus<pici>a <q>uam ex eo, <q>uem felicissi-  
 mum communiter (credunt), fere autem omnium in Asia <ci>vitatium  
 idem  
 5 temp<us>an(n)i novi in(i)tiumq<u>e magist{e}ratuum sit, in <q>uod  
 <f>o<rt>ui-

to, videlicet> ut hono(r)are(t)ur, <p>rin<ci>pis nostri nata<l>is incidit, vel  
 <q>uia tot er<g>a divina merita <g>rat<um> esse di<ff>icile est nisi omnis  
 pietatis temptetu<r> materia, vel <q>uia <dies est> pro<p>ria <cuiq>ue  
 <l>aetitia in<g>ressui honor<i>s <st>atu<t>us, publicum videtu<r> diem  
 10 [- -----]um  
 [- -----]om  
 [- -----]AVNIA TNSA  
 [- -----] ha<b>ebit u<til>itatem et  
 [- -----]tissimo dierum IC autem E  
 15 [- -----]<q>ue <G>raecos DERICI NVN  
 [- -----]NRIA LI Ca<e>saris trahentis  
 [- -----] H L Caesar ANOC ARNXX S  
 [- -----]

## C. The Appendix (?) to the Proconsul's Letter in the Apameian Copy

## Col. I

[- -----] γραφέν. Τοὺς  
 [- -----] τὸν ἀριθμὸν  
 [- -----]ς ἀπὸ τῆς πρὸ  
 [- -----] Καίσαρος ως  
 10 [- -----]ΑΙΟΝΠΕΙΚΑΙ  
 [- -----]ΙΣΣΙΙΝ τὸν Σε-  
 [βαστὸν (?) - - - - -]ιον[- - -]λλ  
 [- -----]ΛΑΤΙΕΟΜ  
 [- -----]

## Col. II

μηδὲ ἔσται μία ἡμέρα δύο μέσων γενομένων [ἐτῶν]  
 κατὰ τὴν Ῥωμαϊ[κ]ήν συνήθησαν.  
 νκατ

*Sequuntur decreta concilii  
 provincialis*

## D. The Two Decrees of the Koinon

Ἐδοξεν τοῖς ἐπὶ τῆς Ἀσίας  
 Ἑλλήσων, γνώμη τοῦ ἀρχιερέως Ἀπολλωνίου τοῦ Μηνοφίλου Ἀζανίτου·  
 ἐπε[ιδὴ ἡ θείως] διατάξασα τὸν βίον ἡμῶν πρόνοια σπουδὴν εἰσεν[ενκα-]  
 [μ]ένῃ καὶ φιλοτιμίαν τὸ τελότατον τῷ βίῳ διεκόσμη[σεν ἀγαθὸν]  
 ἐνεκαμένη τὸν Σεβαστόν, ὃν εἰς εὐεργεσίαν ἀνθρώ[πων] ἐπλή-

- 35 ρωσεν ἀρετῆς, <ὦ>σπερ ἡμεῖν καὶ τοῖς μεθ' ἡ[μᾶς σωτήρα χαρισισμένη]  
τὸν παύσαντα μὲν πόλεμον, κοσμήσοντα [δὲ εἰρήνην, ἐπιφανείς δὲ]  
ὁ Καῖσαρ τὰς ἐλπίδας τῶν προλαβόντων [εὐαγγέλια πάντων ὑπερ-]  
ἐθήκεν, οὐ μόνον τοὺς πρὸ αὐτοῦ γεγονότ[ας εὐεργέτας ὑπερβα-]  
40 λόμενος, ἀλλ' οὐδ' ἐν τοῖς ἐσομένοις ἐλπίδ[α ὑπολιπὼν ὑπερβολῆς,]  
ἤρξεν δὲ τῷ κόσμῳ τῶν δι' αὐτὸν εὐαγγελί[ων ἡ γενέθλιος ἡμέ]ρα  
τοῦ θεοῦ, τῆς δὲ Ἀσίας ἐψηφισμένης ἐν Σμύρνῃ [ἐπὶ ἀνθ]ύπτου  
Λευκίου Οὐολκακίου Τύλλου, γραμματεύοντος Παπ[ίωνος Διοσιεριτοῦ]  
τῷ μεγίστας γ' εἰς τὸν θεὸν καθευρόντι τειμὰς εἶναι στέφανον,  
Παῦλλος Φάβιος Μάξιμος ὁ ἀνθύπατος τῆς ἐπαρχίας εὐεργέτης  
45 ἀπὸ τῆς ἐκείνου δεξιᾶς καὶ [γ]νώμης ἀπεσταλμένος ξὺν τοῖς ἄλλοις  
οἷς εὐεργέτησεν τὴν ἐπαρχίαν, ὧν εὐεργεσιῶν τὰ μεγέθη λόγος  
εἰπεῖν οὐδεὶς ἂν ἐφίκοιτο, καὶ τὸ μέχρι νῦν ἀγνοηθὲν ὑπὸ τῶν Ἑλλή-  
νων εἰς τὴν τοῦ Σεβαστοῦ τειμὴν εὔρετο, τὸ ἀπὸ τῆς ἐκείνου γενέ-  
σεως ἄρχειν τῷ βίῳ τὸν χρόνον· διὸ τύχῃ ἀγαθῇ καὶ ἐπὶ σωτηρίᾳ δεδό-  
50 χθαι τοῖς ἐπὶ τῆς Ἀσίας Ἑλλήσι, ἄρχειν τὴν νέαν νομηνίαν πάσα[ις]  
ταῖς πόλεσιν τῇ πρὸ ἐννέα καλανδῶν Ὀκτωβρίων, ἥτις ἐστὶν γενέ-  
θλιος ἡμέρα τοῦ Σεβαστοῦ. ὅπως δὲ αἰὶ ἡ [τε] ἡμέρα στοιχῇ καθ' ἑκάσ-  
την πόλιν, συνηρηματίζειν τῇ Ῥωμαϊκῇ καὶ τὴν Ἑλληνικὴν ἡμέραν.  
ἀγεσθαι δὲ τὸν πρῶτον μῆνα Καίσαρα, καθὰ καὶ προεψήφισται, ἀρχόμε-  
55 νον ἀπὸ πρὸ ἐννέα μὲν καλανδῶν Ὀκτωβρίων, γενεθλίου δὲ ἡμέρας  
Καίσαρος, τὸν δὲ ἐψηφισμένον στέφανον τῷ τὰς μεγίστας εὐρόντι  
τειμὰς ὑπὲρ Καίσαρος δεδόσθαι Μαξίμῳ τῷ ἀνθυπάτῳ, ὃν καὶ αἰὶ  
ἀναγορεύεσθαι ἐν τῷ γυμ[ν]ικῷ ἀγῶνι τῷ ἐν Περγάμῳ τῶν Ῥω[μα]ίων  
Σεβαστῶν, ὅτι στεφανοῖ [ἡ Ἀσ]ία Παῦλον Φάβιον Μάξιμον εὐ[σεβ]έ[σ]-  
60 τατα παρευρόντα τὰς εἰς Καίσαρα τειμὰς. ὡσαύτως δὲ ἀνα[γορεύ]εσ-  
θαι καὶ ἐν τοῖς ἀγομένοις κατὰ πόλιν ἀγῶσιν τῶν Καισαρήων.  
ἀναγραφῆναι δὲ τὸ δελτογράφημα τοῦ ἀνθυπάτου καὶ τὸ ψήφισμα τῆς  
Ἀσίας ἐν στήλῃ λευκολίθῳ, ἣν καὶ τεθῆναι ἐν τῷ τῆς Ῥώμης καὶ τοῦ  
Σεβαστοῦ τεμένει. προνοῆσαι δὲ καὶ τοὺς καθ' ἔτος ἐκδίκους ὅπως  
65 ἐν ταῖς ἀφηγουμέναις τῶν διοικήσεων πόλεσιν ἐν στήλαις λευ-  
κολίθοις ἐνγραφῇ τὸ τε δελτογράφημα τοῦ Μαξίμου καὶ τὸ τῆς Ἀσίας  
ψήφισμα, αὐταὶ τε αἱ στήλαι τεθῶσιν ἐν τοῖς Καισαρήοις. ἀχθήσονται  
οἱ μῆνες κατὰ τάδε· Καῖσαρ ἡμερῶν λ', Ἀπελλαῖος ἡμερῶν λ',  
Αὐδναῖος ἡμερῶν λ', Περίτιος ἡμερῶν λ', Δύστρος κη', Ξανδικὸς λ',  
70 Ἀρτεμισίων ἡμερῶν λ', Δαΐσιος λ', Πάνημος λ', Λῶος λ', Γορπιαῖος λ',  
Ὑπερβερεταῖος λ'. ὁμοῦ ἡμέραι τξξ'. ἐφ' ἔτος δὲ διὰ τὴν ἰντερκαλάριον  
ὁ Ξανδικὸς ἀχθήσεται ἡμερῶν λβ'. ἵνα δὲ ἀπὸ τοῦ νῦν στοιχῇσιν οἱ  
μῆνες καὶ αἱ ἡμέραι, ὁ μὲν νῦν ἐνεστὼς Περίτιος μὴν ἀχθήσεται μέχρι τῆς  
ιδ', τῇ δὲ πρὸ ἐννέα καλανδῶν Φεβρουαρίων ἄξομεν νομηνίαν μηνὸς  
75 Δύστρου, καὶ καθ' ἑκάστον μῆνα ἀρχή[ι] ἐσται τῆς νομηνίας ἡ πρὸ ἐννέα

καλανδῶν· ἡ δὲ ἐνβόλιμος ἡμέρα ἔσται πάντοτε τῶν ἰντερκαλιάρων καλανδῶν τοῦ Ξανδικοῦ μηνός, δύο ἐτῶν μέσων γεινομένων.

80 \*Ἐδοξεν τοῖς ἐπὶ τῆς Ἀσίας Ἑλλησιν, γνώμη τοῦ ἀρχιερέως Ἀπολλωνίου τοῦ Μηνοφίλου Ἀξεανείτου· ἐπεὶ τὴν νέαν νομηνίαν αἰεὶ δεῖ ἑστάναι τὴν αὐτῇ[ν] ἅπασιν τῆς εἰς τὰς ἀρχὰς εἰσόδου κατὰ τε τὸ Παύλου Φαβίου Μαξίμου τοῦ ἀνθυπατοῦ διάταγμα καὶ τὸ τῆς Ἀσία(ς) ψήφισμα, ἐνποδίζεσθαι δὲ ἡ τοῦ χρόνου τάξις παρὰ τὰς ἐν τοῖς ἀρχαιρεσίοις ἐπικλήσεις, γείνεσθαι τὰ κατὰ τὰ ἀρχαιρέσια μηνὶ δεκάτῳ, ὡς καὶ ἐν τῷ Κορνηλίῳ νόμῳ γέγραπται, ἐντὸς δεκάτης ἱσταμένου. *vacat*

A. The proconsul's letter. This is a composite text based on the copies from Apameia, Priene, and Maconia. I have consulted the Berlin squeeze of Priene. Of the heading which preceded the Apameian copy of the Greek text only the following words have survived: --] *νες καθιερωθείσας εἶτε διὰ θρησκει[ίαν] ----*. 4 *ὠφελ[ιμωτέρα]*, Dittenberger, but *ὠφελ[ιμω]τ[έρα]*, stone (Priene). 5 *ἴσῃν*, Apameia; *ἴσῃ*, Priene. 6 *φύσει*, Apameia; *φύσι*, Priene. 9 *ἐπεγενήθη*, Apameia and Maconia; *-θη*, Priene; *ἀτῶ*, Apameia; *ἀτῶ*, Maconia. 15 *θῆαν*, Priene and Maconia; *θείαν*, Apameia. 16 [*καὶ ἐ*] *πεὶ δύσκολον*, Maconia; *καὶ ἐπε[- -]*, Priene. 17-18 *εὐχαριστεῖν*, Maconia. 18 *ἀμέψε[ως καὶνόν]*, Priene, and Hiller's restoration, but Maconia shows [*ἀμέ*] *ψεως ἡδαιο[ν κτλ.]*. 19 *ΝΘΡΩΠΟΙΤ*, stone A and thus Dittenberger, but *ἀνθρώποι[s]* *ῆν*, Hiller; *ἀγάγοι[εν-]*, Maconia, but *ἀγαγ[εῖν]*, Wilamowitz and Hiller on the basis of Priene; however, Dittenberger correctly restored *ἀγά[γοιεν]*. 22 *ἐκεῖνη*, Apameia; *ἐκεῖνην*, Priene. 24 *τιμηθῇ*, Apameia; *τειμηθῇ*, Priene. 25 *γένηται*, Apameia; *γένηται*, Priene. 29 *ἐν* seems to have been omitted by the engraver. In l. 30 the proconsul's letter was followed immediately, without an intervening space, by the first of the provincial decrees in the copy from Priene. In the copy from Apameia, however, it was followed by a different document, extant only in a very mutilated form.

B. The Latin fragments (Apameia). Lines 1-3 correspond to lines 4, 10-11, and 21-22 of the Greek version. Thus the Latin portion must have been engraved in lines of quite unusual length. 4 In Mommsen's view it ought to read *undecimus XXXI duodecimus XXX*. The Dorylaion fragment. 1 *TIVIA OVOD*; only in one place (l. 5) is the letter Q correctly engraved; elsewhere it is O; *EVERIT*; at the end, *ELNIS·Δ·Δ·Δ*. 2 *CYMOVE; VILO; ORIVATIM; SINOVLS*. 3 *AVSELIPA*. 4 *ELVITATIUM*. 5 *TEMRY MANI; INTIVMQYE; PONEVITO*. 6 *LICEP; ORINOPIS; NATACIS*. 7 *ERCA; CRATIN; DIPEICILE*. 8 *TEMPTETVA; VELSOVIA IVVOVIS PROCRIAVISOVE*. 9 *IAETITIA INCRESSVI HONORES. RATVIVS*. 10 *HABERIT VILEITATEM*. 15 *CRAECOS*. 16 *CAOSARIS*.

C. The appendix. The text is that of C.I.G., 3957, with additions by Mommsen, *op. cit.*, p. 279. The lines are numbered here from the beginning of the column in the Apameian copy. 6 *γραφέν*. This is the last word in the proconsul's letter (cf. A, l. 30, of the Prienean copy). 8-9 Wilamowitz suggested to Mommsen: *ἀπὸ τῆς πρὸ [ἐννέα μὲν καλανδῶν Ὀκτωβρίων, γενεθλίου δὲ] Καίσαρος* [- - -].

D. The two decrees of the *koinon*. The numbering of lines follows the Prienean copy. 31 *Αἰξεανίτου*, Apameia; *Ἀξ[α]ν[ί]του*, Priene. 32 *τ[ὸν] βίον*, Priene; *πάντα*, Wilamowitz, Hiller, and Dittenberger; *θείως*, Buckler. 33 *διεκόσμη[σεν]*, Wilamowitz, Hiller, and Dittenberger; *διεκόσμη[σεν ἀγαθόν]*, Buckler. 35 *ΟΞΙΠΕΡ*, Priene; *χαρισσαμένη*, Buckler; *πέμψασα*, Wilamowitz, Hiller, and Dittenberger. 36 *δὲ εἰρήνην, ἐπιφανείς δὲ*, Buckler; *δὲ πάντα, φανεῖς δὲ*, Wilamowitz, Hiller, and Dittenberger. 37 Wilamowitz, Hiller, and Dittenberger leave un-restored; Buckler's suggestion is given here. 40-49 New Apameian fragment, Jones.

COMMENTARY. That the writer of the letter (A) is Paulus Fabius Maximus, the proconsul of Asia, is clear from the reference to him in the accompanying decree of the *koinon* of Asia (D), lines 44ff. Addressing himself, probably, to the *koinon*, he eloquently praises Augustus and proposes a somewhat unusual manner of honoring the emperor. He suggests—and his suggestion is worded in such a way as to constitute virtually a directive—that the calendar of the province be re-aligned in such a way that its first month begin on September 23, the birthday of Augustus. Although the calendar is the Julian, the Macedonian names of the months are to be retained, except that the first will be called, as previously agreed, “Caesar” instead of “Dios.” Accordingly, the local magistrates of the province will enter office on September 23, the first day of each new year. His letter ends with the notice that the *koinon* ought to pass a decree approving the change. He himself will then issue orders that the decree is to be inscribed and set up “in the temple,” his own directive to be in both Latin and Greek.

His letter may have contained some sort of an appendix or accompanying note concerned with the method to be followed in making the calendar change. This appendix (B and C), however, is found only in the Apameian copy and too little of it remains for one to be sure of its exact contents. That it was short may be gathered from the available space allotted to it in both the Latin and the Greek text, and the fact that it was in Latin as well as Greek indicates that it formed part of the governor's letter. The similarity of part of it to the material in lines 76–77 of the *koinon*'s decree (D) may mean that for the sake of economy it was omitted from the Prienean copy. The decree of the *koinon* probably incorporated the details of the letter's appendix into the body of the text, and therefore the officials at Priene may not have seen fit to have the appendix itself engraved as a separate document. At Apameia, however, it was dutifully included.

To the governor's suggestion the *koinon* responded with enthusiastic approval, echoing his own praises of the emperor with an equally grandiloquent phraseology. It decreed not only that the proposed calendar change should be approved but also that Paulus Fabius Maximus should be honored with a crown for having suggested such a unique way of honoring Augustus. It seems that under a governor of Asia by the name of Lucius Volcacius Tullus (the consul of 33 B.C.?) the province of Asia had decreed in Smyrna that a crown be given to the person who suggested the best way of showing the greatest honors to Augustus.<sup>1</sup> The crown is now to be given to *rauius*, and his letter,

<sup>1</sup> Of the older scholars who expressed opinions on the identity of L. Volcacius Tullus only Domaszewski had maintained that he was governor of Asia and that he was the consul of 33 B.C., the uncle of that Tullus to whom Propertius had dedicated the first book of his *Elegies*. The new Apameian fragment proved that he had been right in his contention that Volcacius Tullus was a governor of Asia. K. M. T. Atkinson (*Historia*, 7 [1958]: 312–14) has demonstrated very well that the consul of 33 B.C. ought to have become governor of Asia in ca. 26/25 B.C., but she refused quite rightly at that time to commit herself on the identity of the L. Volcacius Tullus of our documents. Thus, although the consul of 33 B.C. became governor of Asia, he need not necessarily have been the same man mentioned as governor in our decree of the *koinon*. This is an important point. It does appear somewhat strange that a crown should have been proposed in ca. 26/25 B.C. to the one who conceived of the greatest honors for Augustus, but that the crown was awarded some fifteen or more years later to Paulus Fabius Maximus. Either the awarding of the crown would have had a time limit of,

together with the decree of the *koinon* (the present one), is to be inscribed on a stele of white marble and erected in the precinct of Roma and Augustus. In addition the chief cities in the judiciary *conventus* of Asia are to set up similar steles in the various temples of Caesar.

The date of this letter by Paulus, and consequently the date of his proconsulship, can only be approximated. Some familiarity with Roman chronology is necessary to understand the reasoning used to arrive at the date.

To rectify the accumulative errors of the old pre-Julian calendar and to prevent their recurrence Julius Caesar in 46 B.C. abolished the old lunar calendar and substituted for it another, which used the sun as the unit for measuring time. This new solar calendar produced a year of 365 days and included a different and less clumsy way of intercalating than had existed under the old method. To compensate for the omission of one-fourth of a day it was now necessary to intercalate only a single day (called *bis sextum Kal. Mart.*) every four years (on February 24).<sup>2</sup>

The significant point for our present purpose is the fact that even in such a simple system a mistake was made shortly after Caesar's death in the intervals to be followed in the intercalations. If allowed to continue unchecked, the civil year would again become at variance with the solar year. Macrobius (*Sat.* I. 14. 13-15) explains it fully:

Sic annum civilem Caesar habitis ad lunam dimensionibus constitutum edicto palam posito publicavit. Et error hucusque stare potuisset, ni sacerdotes sibi errorem novum ex ipsa emendatione fecissent. Nam cum oporteret diem qui ex quadrantibus confit quarto quoque anno confecto, antequam quintus inciperet, intercalare: illi quarto non peracto sed incipiente intercalabant. Hic error sex et triginta annis permansit: quibus annis intercalati sunt dies duodecim, cum debuissent intercalari novem. Sed hunc quoque errorem sero deprehensum correxit Augustus, qui annos duodecim sine intercalari die transigi iussit, ut illi tres dies qui per annos triginta et sex vitio sacerdotalis festinationis excreverant sequentibus annis duodecim nullo die intercalato devorarentur. Post hoc unum diem secundum ordinationem Caesaris quinto quoque incipiente anno intercalari iussit, et omnem hunc ordinem aerae tabulae ad aeternam custodiam incisione mandavit.

Thus the *pontifices* committed a serious error by intercalating in the years 42, 39, 36, 33, 30, 27, 24, 21, 18, 15, 12, and 9 B.C. It produced a total of twelve intercalated days

say, one year imposed upon it or else the crown was to be awarded each year. The proposed award under the governorship of L. Volcacius Tullus, presumably sponsored by the *koinon* itself, sounds as if it were a contest, and contests have time limits of some sort. One might argue that in ca. 9 B.C. the *koinon* simply decided to award the crown to Paulus, regardless of the passage of time and the expiration of the contest. An annual award would fit the present situation, but facts are lacking. We simply don't know. No other Volcacius Tullus in the age of Augustus is known to me (cf. H. Gundel in *R.E.*, s.v. "Volcacius," cols. 754-57). Jones (*loc. cit.*) and Broughton (*Supplement to Magistrates*, p. 70) believe that the new Apameian fragment shows that L. Volcacius Tullus of our documents was the consul of 33 B.C. That is a conclusion, however, not an established fact. It may be true. Nevertheless, the awarding of the crown fifteen or more years after the announcement of the "contest" has to be explained. I therefore prefer to suspend judgment on the identity of our L. Volcacius Tullus and the year of his governorship. On the *koinon* see J. Deininger, *Die Provinziallandtage der römischen Kaiserzeit* (Munich, 1965), pp. 16ff. and 36ff.

<sup>2</sup> For the details and a bibliography see E. J. Bickerman, *La Cronologia nel mondo antico* (Florence, 1963), pp. 43-44, and p. 47 for the calendar.

where only nine were needed. Augustus corrected this error by ordering that for the next twelve years no intercalations at all would be made. Thereafter the years in which they should be made were to be A.D. 8, 12, 16, etc.

In his analysis of the present documents, however, Mommsen immediately saw that the intercalations were to be made in the old, erroneous manner before Augustus had begun his corrective measure. In D 77 (cf. C, col. II), the phrase *δύο ἐτῶν μέσων γενομένων* must refer to the intervals of years in which intercalations were to take place. But "two years coming between" is the interval used by the *pontifices* for the period 42–9 B.C. Therefore, Paulus must have written his letter in *ca.* 9 B.C. or before that date. Since Paulus had been consul in 11 B.C., it seemed likely to Mommsen that his governorship of Asia should have been in about 9 B.C. But he would not accept that date as positive, since, as he says, the old error might still have continued after its discovery had been made known by Augustus. And, in fact, the date can be only approximate, since we do not know the exact year in which Augustus made his discovery.<sup>3</sup> In addition there is the possibility that Paulus received the proconsulship of Asia even sooner after his consulship. The old five-year interval between the consulship and the governorship was not strictly observed under Augustus.<sup>4</sup> At any rate, Mommsen's reasoning is still valid.

These are documents of great importance, not only for the light they shed on Roman chronology and the Asian calendar, but also for the history of the provincial *koinon* and the early imperial cult. The *koinon* of the Hellenes in Asia had been in existence at least from the beginning of the first century B.C. and had been used in about the middle of that century, if not even earlier, as the organization through which the Roman government could make known its intentions and decisions to the Greeks of that province. Through its annual meetings, attended by representatives from the various peoples and tribes, official communications could be made and official liaisons established with all the sections of the province. It maintained the worship of Roma and Augustus and celebrated various festivals in its centers of Pergamum, Smyrna, and, later, Ephesus. Its importance was not so much religious as national and social, for it was used by Rome to perpetuate and preserve a local loyalty to Rome and the emperor.<sup>5</sup>

Thus, when Paulus Fabius Maximus made such a suggestion to the *koinon* for the greater glory of Augustus, that organization naturally replied in the affirmative, and one

<sup>3</sup> Since the year 45 B.C. was intercalary, Macrobius presumably began his count of thirty-six years from that date, but the year 45 could not, strictly speaking, be called the first year in which erroneous intercalating began. The first mistake was intercalating one day in the year 42 B.C. Mommsen and Dittenberger had assumed that Macrobius was counting thirty-six years from 45 B.C. That may be true, but the other possibility should not be discounted. Perhaps *ca.* 9–6 B.C. might be better, at least up to February 23 of 6 B.C. And, since there were no absolutely rigid rules in the department of administration of the provinces during the reign of Augustus, at least concerning the rank and tenure of provincial governors in Asia, even that general date should not be accepted as positive.

<sup>4</sup> Atkinson, *op. cit.*, p. 303.

<sup>5</sup> See Nilsson, *op. cit.*, pp. 366–76 ("Der Kaiserkult"), and L. Cerfaux and J. Tondriau, *Le Culte des Souverains* (Tournai [Belgium], 1957), pp. 313–39, with excellent bibliography.

more ever-present and visible symbol was created to bind the Greek world to the Roman world. The position occupied by Augustus as emperor and god in the Greek East is nowhere else more clearly or eloquently illustrated. The language used to describe him reaches literary levels.<sup>6</sup>

Augustus is called *θειότατος*, significant enough in itself, especially since the Latin does not seem to have a corresponding adjective in the extant fragments. Since Paulus is addressing Greeks and not Romans, the use of such an adjective might seem appropriate. However, he appears not to have called Augustus anything but the usual "our Princeps." The Greeks must have added *θειότατος*.<sup>7</sup> The birthday of Augustus is to begin each new year in the Asian calendar because Augustus himself is described as the originator of a new era and as one who has given the whole world a new appearance. His birthday is rightly called the beginning of life. Such concepts may be found in different media during the Augustan age, in the literature as well as in the inscriptions.<sup>8</sup> They stand as a fine complement to the religious representation of Augustus in the Ara Pacis, a monument perhaps completed at about the same time the present letter was written. One is reminded of Virgil's fourth eclogue with its resounding *magnus ab integro saeculorum nascitur ordo* (l. 5) and his *Aeneid* VI with its *aurea condet saecula* (ll. 792–93). The same motif is the spirit of the secular festival of 17 B.C. and of Horace's *Carmen Saeculare*. Augustus was *σωτήρ*, the savior of a war-torn and shattered world, the hope for the future, the bearer of *εὐαγγέλια*. A title and an expression, these are keys to an understanding of the religious movements which were then taking shape.<sup>9</sup>

<sup>6</sup> Wilamowitz, *op. cit.*, p. 292: "Der Stil ist auf der Höhe der Aufgabe. Zwar ist der Hiat nicht geachtet und bestimmte rhythmische Cadenz nicht gesucht, aber die feierlichen Perioden sind wolgegliedert, und die Wortstellung bringt ihren Effect durch das Aufsparen der wichtigsten Worte auf den letzten Platz wol heraus (9, 13, 18, 20, 28, 34). Die Wortwahl ist nicht atticistisch, aber durchaus rein von den Künsteleien, die wir zwei Menshenalter früher finden würden." Wilamowitz thought that the letter was composed in Greek, and, in this, one would have to agree with him. It is possible, however, that it was composed in Greek with the help of Latin notes to guide the writer. Otherwise one would have to believe that the Latin text had been made after the Greek, probably translated from it. But very likely the proconsul dictated to a secretary what he wanted to say in very brief form. The secretary then wrote it out in Greek, using the Latin notes as a guide. See the discussion of this letter in the Introduction to Part II (pp. 207–8).

<sup>7</sup> Paulus, of course, may have been unwilling to call Augustus "most divine" in either Latin or Greek, even when addressing Greeks. But it cannot be denied that the use of the word in Greek and the absence of a corresponding word in the Latin are striking facts, not noticed by previous editors. It could mean the composer was a Greek (see n. 6).

<sup>8</sup> See E. L. Hicks *et al.*, *The Collection of Ancient Greek Inscriptions in the British Museum* (Oxford, 1874–1916), no. 894, and the remarks of Buckler, *loc. cit.*

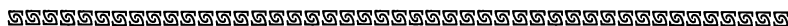
<sup>9</sup> Nilsson, *op. cit.*, pp. 371–72.



# 66

## EPISTULA P. CORNELII SCIPIONIS AD THYATIRENOS

10-6 B.C.



BIBLIOGRAPHY. M. Clerc, *B.C.H.*, 10 (1886), no. 3, pp. 399-401; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. VIII, p. 9; V. Chapot, *La province romaine proconsulaire d'Asie* (Paris, 1904), p. 128 and p. 309; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 35, p. 332; G. Lafaye, *I.G.R.R.*, IV (1927), 1211; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 479-80, and II, 1342, n. 37; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 146 a.

DESCRIPTION. Stone, broken on the right, found at Thyatira. Height: 0.69 m. Thickness: 0.18 m. Alternate lines are indented one letter space.

Πόπλιος Κορνήλιος Σ[κιπίων ἀνθύπατος Ῥωμαίων]  
 Θυατειρηνοῖς ἄρχουσ[ι βουλῇ δῆμωι χαίρειν.]  
 Δίκαιον εἶναι νομίζω ὑ[μᾶς - - ca. 14 - - ὡς]  
 καὶ νόμιμόν ἐστιν τ[ὰς γενομένας ὑπὲρ τῶν ἱε]-  
 5 ρῶν χρημάτων κρίσε[ις - - - - ca. 21 - - - ]  
 γης δικαστῶν κελευ[- - ca. 16 - - - καὶ οὐ]-  
 δὲν πλέον τοῖς ἐπικαλ[οιμένοις - - ca. 10 - ὑπε]-  
 ρωνηθεῖσι τὸ παραβόλ[ιον - - - ca. 15 - -δ]-  
 [π]όση τοῖς φυγοδικουῖσ[ι - - - - ca. 20 - - ]  
 10 ἐμὴν ἅπαντα [- - - - - ]  
 [Ε]ἰσηγησαμένου Αὐλοῦ Ῥαυο[- - - - - ]  
 [- - - - - ]

Restored by Clerc except where noted. 1 Viereck added 'Ρωμαίων. 3 ὡς added by Wilamowitz, among the works of Viereck. 5 κρίσε[ις διατηρεῖν, Clerc; omitted by Viereck. 6 κελει[σάντων, Clerc. 8 παραβόλ[ιον, Wilamowitz. 8-9 δ[π]ό[σ]η, Wilamowitz; Viereck reported ///OPH on the stone, but Clerc saw ΟΣΗ there. 9-10 Δεῖ κατὰ τὴν γνώμην] ἐμὴν ἅπαντα [γίγνεσθαι, Clerc, but omitted by Viereck. Unfortunately, Clerc did not indicate whether the beginning of l. 10 was unengraved. He does, however, say that the stone is complete on the left except for one or two letters at the beginning of lines 9 and 11. 11 'Ραυο[ίου, Clerc; 'Ραυ(ί)ο[u, Viereck. Clerc believed he was probably Aulus Ravius Iulianus, mentioned in a Pergamene dedication (C.I.G., 3543; cf. M. Fränkel, *Die Inschriften von Pergamon*, II [Berlin, 1895], 513), but of whom nothing else is known. For the spelling and the name see W. Dittenberger, *Hermes*, 6 (1872): 304.

COMMENTARY. By the Augustan age all but a few of the *Scipiones* are extinct, one of them who survived to achieve a high post being the consul of 16 B.C., P. Cornelius Scipio.<sup>1</sup> Ronald Syme included him among those "aristocrats who rallied to the Principate, receiving the consulate at the earliest age permissible, if not with dispensations," and M. Grant has supposed that he was one of the *amici principis*.<sup>2</sup> It was an age of some political security for Augustus, an age in which the young sons of the old *nobiles* were approaching maturity and looking for their places in the new world, an age which was in need of loyal followers to fill the posts of the growing empire. The P. Cornelius Scipio of our letter was surely one of them. A coin of Pitane, whose obverse bears the head of Augustus, probably carries his portrait on the reverse, for an inscription Π. Σκιπίωνα can be made out.<sup>3</sup> This was a most significant honor, illustrating the trust and confidence placed in the young man.

His proconsulship of Asia can be dated in general 10-6 B.C., but the specific years of 8/7 or 7/6 B.C., advanced by some scholars for that post, are not certain.<sup>4</sup>

From the extant remains of the letter it is at once clear that Cornelius had been asked to express his opinion on a point of law in which the city of Thyatira had become involved.<sup>5</sup> Exact details are unknown, but the issue concerned previous decisions about "sacred funds," the "farming out at excessive rate" (of temple land?), and a "deposit"

<sup>1</sup> E. Geog., *P.I.R.*, C 1438.

<sup>2</sup> Syme, *Roman Revolution*, pp. 373 and 423; M. Grant, *From Imperium to Auctoritas* (Cambridge, 1946), pp. 229 and 387.

<sup>3</sup> See Grant, *op. cit.*, p. 229.

<sup>4</sup> A general date of 10-4 B.C. for Cornelius is obtained by a comparison with the dates at which portraits of such proconsuls on coins were allowed by Augustus. Mommsen (*Gesammelte Schriften*, 4: 183ff.) set the limits at 10-3 B.C., but R. Syme (*A.J.P.*, 77 [1956]: 265) would reduce them to 10-4 B.C. The governorship of C. Asinius Gallus in 5 B.C. would reduce the limits of Cornelius to 10-6 B.C.; see the letter of Augustus to the Cnidians (No. 67), where I suggest 5/4 B.C. for the governorship of Gallus. K. M. T. Atkinson, *Historia*, 7 (1958): 326, tentatively suggests 8/7 B.C. for the proconsulship of Cornelius, but she questions it. E. Klebs (*P.I.R.*, C 1175) suggested 7/6 B.C. and was followed by Chapot, *op. cit.*, p. 309, by Magie, *op. cit.*, II, 1342, n. 37, and by Grant, *op. cit.*, p. 387.

<sup>5</sup> Presumably he did not interfere in the affair on his own initiative.

presumably made in lodging an appeal to another court.<sup>6</sup> Viereck had assumed it concerned the *publicani* and that they had gone to the governor for a ruling against Thyatira because that city had not lived up to the decisions previously handed down by a court in a dispute over sacred property. The dispute may have centered on the very high price for which that property had been let out. But Abbott-Johnson believed that the "temple-lands had been leased for a high rental and the lessees had brought suit for an abatement of the terms. It would seem that the decision of the court had been unacceptable to the Thyatirenes and they had persisted in holding the lessees to their contract. The latter had appealed to the governor, and he urged the city to abide by the decision of the court or of the arbiters." The absence of any mention of the *publicani* would seem to favor the second of these two interpretations, but both of them rely to a large extent on guesswork. The inscription is too mutilated to allow certainty in its reconstruction.

The letter proper may end with line 10, for the next line possibly forms the introduction to a new document. If true, this new document could nevertheless be connected with the general subject matter of the letter.<sup>7</sup> A local decree, for example, might have been included.

<sup>6</sup> From Pollux (8. 63) we learn that *παράβολιον* is a later form for *παράβολον* and that it was a sum of money which has to be deposited whenever an appeal to a court or tribunal was made. If the suit was lost, the deposit was forfeited. For details see E. Berneker, *R.E.*, s.v. "*παράβολον*," cols. 1127-29.

<sup>7</sup> I do not know of any official Roman letter in which the verb *εισηγέομαι* is used in the genitive absolute with a person's name. It would appear that here it belongs to a separate document, but it is engraved on the same stone and connected in some way with the case mentioned in the governor's letter. It would normally mean in official documents of the city "On the motion of..." and would find its place in the prescript of a decree. It is thus used at Cyzicus (*S.I.G.*<sup>3</sup>, 798, A.D. 37); Delphi (*S.I.G.*<sup>3</sup>, 836, 3-4, A.D. 125); Aegiale on Amorgos (*S.I.G.*<sup>3</sup>, 866, 6-7, A.D. 153); for others see W. Larfeld, *Griechische Epigraphik*<sup>3</sup> (Munich, 1914), p. 348.

# 67

EPISTULA AUGUSTI AD CNIDIOS

Last half of 6 B.C.

[Squeeze]



BIBLIOGRAPHY. F. G. Osann, *Sylloge Inscriptionum Antiquarum Graecarum et Latinarum* (Leipzig, 1834), no. XXX (ll. 1–3 only), p. 394; A. Boeckh, *C.I.G.*, II (1843), 2493 (ll. 1–3); L. Ross, *Inscriptiones Graecae Ineditae*, III (Berlin, 1845), no. 312; A. Nauck, *Philologus*, 9 (1854): 168–72; M. Dubois, *B.C.H.*, 7 (1883): 62–67 (first complete text); Th. Mommsen, *Römisches Staatsrecht*, II<sup>3</sup>, 2 (Berlin, 1888), pp. 959, n. 1, and 967, n. 1; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. IX, pp. 9–11; L. Mitteis, *Reichsrecht und Volksrecht in den östlichen Provinzen des römischen Kaiserreichs* (Leipzig, 1891), p. 88, n. 3 a; F. Hiller von Gaertringen, *I.G.*, XII, 3 (1898), 174; W. Dittenberger, *S.I.G.*<sup>2</sup>, (1898), 356; U. von Wilamowitz-Moellendorf, *Griechisches Lesebuch* (Berlin, 1902), I, 2, pp. 394–95, and II, 2, pp. 257–58; Th. Mommsen, *Römische Geschichte*, V<sup>5</sup> (Berlin, 1904), p. 325, n. 1; V. Chapot, *La province romaine proconsulaire d'Asie* (Paris, 1904), pp. 126–28; G. Ferrero, *The Greatness and Decline of Rome*, vol. 5, English translation by H. J. Chaytor (New York, 1909), p. 251; R. Helbing, *Auswahl aus griechischen Inschriften* (Berlin, 1915), no. 8; F. Hiller von Gaertringen, in W. Dittenberger, *S.I.G.*<sup>3</sup>, II (1917), 780; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 36, pp. 333–34; G. Lafaye, *I.G.R.R.*, IV (1927), 1031; H. Dessau, *Geschichte der römischen Kaiserzeit*, II, 2 (Berlin, 1930), pp. 596–97, n. 2; H. Volkmann, *Zur Rechtsprechung im Prinzipat des Augustus* (Munich, 1935), pp. 161ff.; V. Arangio-Ruiz, *Fontes iuris Romani antejustiniani*<sup>2</sup>, pt. 3 (Florence, 1943), no. 185, pp. 582–85; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), I, 480, and II, 1342, n. 38; Ehrenberg-Jones, no. 312, pp. 143–44; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 147; H. Malcovati, *Caesaris Augusti Imperatoris Operum Fragmenta*<sup>4</sup> (Turin, 1962), no. LXXV, pp. 47–48; J. Colin, *Les villes libres de l'Orient gréco-romain et l'envoi au supplice par acclamations populaires* (Collection Latomus 82) (Brussels, 1965), pp. 87–89; R. K. Sherk, *Greek, Roman and Byzantine Studies*, 7 (1966): 57–62; P. Garnsey, "The *Lex Julia* and Appeal under the Empire," *J.R.S.*, 56 (1966): 167ff.

DESCRIPTION. A marble stele found at Astypalaea, containing two imperial letters: the first is the letter of Augustus to the Cnidians (height of letters *ca.* 0.01 m.), the second a letter of Hadrian to the Astypalaeans (height of letters *ca.* 0.014–0.017 m.). Height of the stele: 1.00 m. Width: 0.60 m. Thickness: 0.17 m.

- [-----]  
 [ἐπὶ δαμι]ωργοῦ δὲ Καιρογένεος Λευ[κα]θέου (?).  
 Αὐτοκράτωρ Καῖσαρ θεοῦ υἱὸς Σεβαστὸς ἀρχιερεὺς  
 ὕπατος τὸ δωδέκατον ἀποδεδειγμένος  
 καὶ δημαρχικῆς ἐξουσίας τὸ ὀκτωῖκαιδέκατον  
 5 Κνιδίων ἀρχουσι βουλῇ δήμῳ χαίρειν· οἱ πρέσ-  
 βεις ὑμῶν Διονύσιος β̄ καὶ Διονύσιος β̄ τοῦ Διону-  
 σίου ἐνέτυχον ἐν Ῥώμῃ μοι καὶ τὸ ψήφισμα ἀποδόντες  
 κατηγορήσαν Εὐβούλου μὲν τοῦ Ἀναξανδρίδα τεθνεῖς-  
 ὤτος ἤδη{ι}, Τρυφέρας δὲ τῆς γυναικὸς αὐτοῦ παρούσης  
 10 περὶ τοῦ θανάτου τοῦ Εὐβούλου τοῦ Χρυσίππου. ἐγὼ{ι}  
 δὲ ἐξετάσαι προστάξας Γάλλῳ Ἀσινίῳ τῷ ἐμῷ φίλῳ  
 τῶν οἰκετῶν τοὺς ἐνφερομένους τῇ αἰτίᾳ διὰ βα-  
 σάνων ἔγνω Φιλεῖνον τὸν Χρυσίππου τρεῖς νύ-  
 κτας συνεχῶς ἐπεληλυθότα τῇ οἰκίᾳ τῇ Εὐβού-  
 15 λου καὶ Τρυφέρας μεθ' ὕβρεως καὶ τρόπῳ τινὶ πολυ-  
 ορκίας, τῇ τρίτῃ δὲ συνεπη{ι}γμένον καὶ τὸν ἀδελ-  
 φὸν Εὐβουλον, τοὺς δὲ τῆς οἰκίας δεσπότης Εὐβου-  
 λον καὶ Τρυφέραν, ὡς οὔτε χρηματίζοντες πρὸς  
 τὸν Φιλεῖνον οὔτε ἀντιφραττόμενοι ταῖς προσ-  
 20 βολαῖς ἀσφαλείας ἐν τῇ ἐαυτῶν οἰκίᾳ τυχεῖν ἡδύνα-  
 το, προστεταχ{χ}ότας ἐνὶ τῶν οἰκετῶν οὐκ ἀποκτεῖ-  
 ναι, ὡς ἴσως ἂν τις ὑπ' ὀργῆς οὐ[κ] ἀδίκου προήχθη{ι}, ἀλ-  
 λά ἀνείρξαι κατασκεδάσαντα τὰ κόπρια αὐτῶν, τὸν  
 δὲ οἰκέτην σὺν τοῖς καταχεομένοις εἴτε ἐκόντα  
 25 εἴτε ἄκοντα — αὐτὸς μὲν γὰρ ἐνέμεινεν ἀρνούμενο[s] —  
 ἀφείναι τὴν γάστραν, [κα]ὶ τὸν Εὐβουλον ὑποπeseῖν δικαιό-  
 [τ]ερων ἂν σωθέντα τὰ{ι}δελοῦ. πέπονφα δὲ ὑμεῖν καὶ α[ὕ]-  
 [τ]ας τὰς ἀνακρίσεις· ἐθαύμαζον δ' ἂν, πῶς εἰς τόσον  
 ἔδειςαν τὴν παρ' ὑμεῖν ἐξετασίαν τῶν δούλων οἱ φ[εύ]-  
 30 γοντες τὴν δίκην, εἰ μὴ ποι σφόδρα αὐτοῖς ἐδόξ[ατε]  
 χαλεποὶ γεγενῆσθαι καὶ πρὸς τὰ ἐναντία μισοπότη[ροι];  
 μὴ κατὰ τῶν ἀξίων πᾶν ὅτιοῦν παθεῖν, ἐπ' ἄλλο[τρίαν]  
 οἰκίαν νύκτωρ μεθ' ὕβρεως καὶ βίας τρίς ἐπεληλυ[θό]-  
 των καὶ τὴν κουὴν ἀπάντων ὑμῶν ἀσφάλειαν [ἀναι]-  
 35 ρούντων ἀναναχτοῦντες, ἀλλὰ κατὰ τῶν καὶ ἡμ[ικ' ἡ]-  
 μύνοντο ἡτυχηκότων, ἡδικηκότων δὲ οὐδ' ἔστ[ιν ὁ τι].  
 ἀλλὰ νῦν ὀρθῶς ἂν μοι δοκεῖτε ποιῆσαι τῇ ἐμῇ [περὶ (?) τοῦ]-  
 των γνώ{ι}μη προνοήσαντες καὶ τὰ ἐν τοῖς δημ[οσίοις]  
 ὑμῶν ὁμολογεῖν γράμματα. νν ἔρρωσθε. vacat

vacat  
 sequitur epistula Hadriani

The text followed here is that of F. Hiller von Gaertringen (*S.I.G.*<sup>3</sup>) as approved by Viereck (notes), but I have checked each reading with the Berlin squeeze.

COMMENTARY. Augustus here informs the Cnidians of the steps he has taken and the decision he has rendered in an alleged case of murder. Although he gives the background and the evidence, he does not give us enough of the details to allow us to answer several important questions concerning the legal implications.

In brief the situation is as follows: Two Cnidian envoys appeared in Rome before the emperor and accused Eubulus (now dead), son of Anaxandrides, and his wife Tryphera of the murder of Eubulus, son of Chrysippus, in the city of Cnidus. Augustus ordered his *amicus* C. Asinius Gallus to question by torture the slaves of the defendant, since they had been involved in the charge. From this questioning it came to light that Philinus, another son of Chrysippus, had gone to the house of Eubulus and his wife for three nights, insulting them and threatening to take the house by storm. On the third and final night Philinus was joined by his brother Eubulus. The husband and wife, fearing for their lives, barricaded themselves in the house and ordered one of their slaves to drive off the attackers by emptying the contents of a chamber pot over them. The slave lost his grip on the pot and dropped it. It struck and killed Eubulus.

The letter ends with a statement by Augustus that he was amazed to see how fearful the defendants were of allowing the Cnidian court to examine their slaves, unless it was because of great hostility toward them on the part of the Cnidians. He finds the defendants not guilty and asks the city officials of Cnidus to enter his verdict in their public records.

Mommsen thought that the defendants, because of the official feeling against them, had requested a decision by the emperor.<sup>1</sup> Augustus accordingly agreed and had Asinius Gallus question the slaves. On that evidence he had then declared them innocent, informing the Cnidians that they had handled the case in a highly prejudiced manner. Then he directed the free city of Cnidus to uphold his decision. This, in Mommsen's view, constituted a violation of the city's sovereign rights.

Viereck took quite a different view of the case. He believed that the defendants had fled from Cnidus in order to escape the trial. Tryphera's husband then died, either at Rome or somewhere along the route. The Cnidians sent envoys to Rome and accused them of the crime before Augustus. Viereck sees no evidence of *appellatio*, for, to him, neither of the two parties had appealed to the emperor.<sup>2</sup>

<sup>1</sup> Mommsen's interpretation (*Römische Geschichte*, V<sup>3</sup>, 325, n. 1) sounds as if it were a case of *appellatio*: "Die Besitzer des belagerten Hauses wurden darauf des Todtschlags angeklagt, perhorrescirten aber, da sie die öffentliche Meinung gegen sich hatten, das städtische Gericht und verlangten die Entscheidung durch den Spruch des Kaisers Augustus." So also Mitteis, *loc. cit.*, and the others. But in his *Römisches Staatsrecht*, II<sup>3</sup>, 2, p. 959, n. 1, Mommsen says: "Appellation ist dies nicht, da das knidische Gericht kein römisches ist." He then adds by way of explanation: "Uebrigens kommt die Sache an den Kaiser auf Grund eines Psephisma der Knidier, in dem sie vermuthlich formell ihn um Entscheidung ersuchten." He appears to be misunderstood in this regard. See his remarks in his *Römisches Strafrecht* (Leipzig, 1899), p. 106, n. 1 (= *Le Droit Penal Romain*, I [Paris, 1907], 123, n. 1).

<sup>2</sup> See n. 1 above. Viereck (*Sermo Graecus*) does not seem to understand Mommsen's interpretation.

Dessau agreed with Viereck, adding that the sovereign rights of Cnidus had not been violated, for the Cnidian envoys themselves had brought the case to the emperor. *He* had not intervened.

Ferrero explained the embassy of the Cnidians by assuming that their purpose in coming to Rome was to ask Augustus to arbitrate the matter.

Volkmann thought that the purpose of the embassy was concerned with the examination of the slaves alone. Believing that the law regarding the evidence of slaves was the same in Cnidus as it was in Athens, i.e., that in particular the owner of a slave had to give his consent before his slave could be examined, he felt that the defendants in this case had declared themselves willing to have their slaves examined only if Augustus would conduct that examination. Hence they went to Rome and presented their request.<sup>3</sup>

Arangio-Ruiz could not agree with Volkmann, for he could not conceive of Augustus in the role of an examiner involved in the torture of slaves. He thought rather that free, federated states could have requested the *cognitio* of the emperor in certain doubtful cases.<sup>4</sup>

No real agreement, therefore, has been reached by scholars on the legal issues. In the view taken by Viereck it would seem that no trial had taken place in Cnidus, for the defendants may have fled to Rome merely to escape it. And clearly Tryphera is at Rome in the presence of Augustus at the time of the proceedings.<sup>5</sup> Whether she arrived there before the Cnidian envoys or in their company cannot be decided. Evidently she took up residence at Astypalaea after the emperor's decision.<sup>6</sup> That the proceedings took place as a *cognitio* of the Emperor is plain to see, but the matter of *appellatio* is doubtful. The parties involved are not Roman citizens.<sup>7</sup>

Quite apart from these legal issues is the matter of the governorship of Asinius Gallus. The present letter is usually cited as evidence that Gallus had been the governor of Asia for the term 6/5 B.C., for the letter must date from the second half of the year 6 B.C., while other evidence places him in Asia as governor between the dates of January 1 and

<sup>3</sup> He thus rejects the Viereck-Dessau interpretation. In his view the defendants would have gone to Rome in the company of the Cnidian envoys, if I understand him correctly.

<sup>4</sup> For the *cognitio Caesariana* see Arangio-Ruiz, *op. cit.*, p. 583; Volkmann, *op. cit.*, pp. 63-93 (criminal cases only). Cf. L. Wenger, *Die Quellen des römischen Rechts* (Vienna, 1953), pp. 449ff.

<sup>5</sup> The participle *παρούσης* in l. 9 can only mean, to me at least, "being present," and not "being alive," as taken by Johnson, Coleman-Norton, Bourne, and Arangio-Ruiz. Evidence exists to show that *παίρειμι* also has the meaning "to be present before a court or official." See F. Preisigke, *Wörterbuch, s.v. "παίρειμι,"* for many examples in the papyri. This leaves no doubt in my mind that Tryphera must have been in Rome.

<sup>6</sup> The fact that the stone had been found on Astypalaea has been offered by Viereck as a possible indication that Tryphera went there to live either before or after the audience with the emperor. This seems reasonable. Clearly, the family of the murdered Eubulus, son of Chrysippus, must have been of considerable importance, perhaps a noble family. Why else should the city of Cnidus be so disturbed and so hostile toward the defendants?

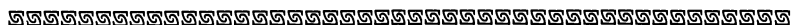
<sup>7</sup> For *appellatio* of Roman citizens see, most recently, A. H. M. Jones, "I Appeal Unto Caesar," *Studies in Roman Government and Law*, pp. 51-65. *Appellatio*, of course, in general merely means a simple appeal by some litigant to a higher court in the event of an adverse judgment in a lower court. To use the word in the present situation appears to be incorrect.

June 30 in the year 5 B.C.<sup>8</sup> The absence of the title *pronconsul Asiae* in the present letter is then explained by the fact that Cnidus is a free city and therefore beyond the jurisdiction of the governor. Gallus is asked to conduct the examination of the slaves in his capacity as a private individual and not as governor. A convenient explanation, plausible, but I find it unconvincing. The omission of the title should mean that he was not governor at the time. Furthermore, the examination of the slaves undoubtedly took place in Rome, not Asia. Gallus must have been governor for the term 5/4 B.C.<sup>9</sup> He had been asked to question the slaves for the simple reason that, as an *amicus principis*, he would have been present at the *cognitio* as a member of the emperor's *consilium*. To have dispatched slaves from Rome to Asia with the resultant delay would have been pointless.

<sup>8</sup> The other evidence consists of four copies of an inscription from Ephesus (C.I.L., III, 6070 and 7118; Hicks *et al.*, *Inscriptions in the British Museum*, III, no. 522; H. Dessau, *I.L.S.*, 97).

<sup>9</sup> For a full discussion see Sherck, *loc. cit.*





BIBLIOGRAPHY. W. H. Buckler and D. M. Robinson, *A.J.A.*, 18 (1914): 322-62; G. Lafaye, *I.G.R.R.*, IV (1927), 1756; W. H. Buckler and D. M. Robinson, *Sardis*, VII, 1 (Leyden, 1932), no. 8, pp. 16-27, with Plate IV; Ehrenberg-Jones, no. 99, p. 85; H. Malcovati, *Imperatoris Caesaris Augusti Operum Fragmenta*, 4th ed. (Turin, 1962), no. LXXVI, pp. 48-49.

DESCRIPTION. A stele of bluish marble found near the Temple of Artemis in Sardis, almost perfectly preserved. The letter of Augustus is the second document of a total of twelve relating to a citizen of Sardis called Menogenes. Height: 2.24 m. (of the pediment 0.23 m.). Width: 0.55 m. (of pediment 0.64 m.). Thickness: 0.11 m. Height of letters: 0.005-0.01 m. There is a squeeze of the whole stele at The Institute for Advanced Study, Princeton, New Jersey, the relevant part of which I have consulted.

Αὐτοκράτωρ Καῖσαρ θεοῦ υἱὸς <σ> Σεβα<σ>τός, ἀρχιερεὺς, δημαρχικῆς ἐκξουσίας  
ιβ',

Σαρδιανῶν ἄρχουσι βουλῇ δήμῳ χαίρειν· οἱ πρέσβεις ὑμῶν Ἰόλλας τε  
Μητροδώρου καὶ

Μηνογένης Ἰσιδύρου τοῦ Μηνογένους συνέντευχον ἐν Ῥώμῃ μοι καὶ τὸ παρ' ὑμῶν  
23 ψήφισμα ἀπέδοσαν δι' οὗ τὰ τε δόξαντα ὑμεῖν περὶ ὑμῶν δηλοῦντες καὶ  
συνήδεσθε ἐπὶ τῇ τε-

λειώσει τοῦ πρεσβυτέρου μου τῶν παίδων· ἐπαινῶ οὖν ὑμᾶς φιλοτειμουμένους  
ἀνθ' ὧν εὐεργε-

τήσιν ἐπὶ ἐμοῦ εὐχαρίστους αὐτοὺς εἶς ἢ ἐμὲ καὶ τοὺς ἐμοὺς πάντας  
ἐνδείκνυσθαι· ἔρρωσθε.

22 υἱὸς <σ> Σεβα<σ>τός: sigma had been omitted. 24 Μηνογένης: the sigma at the end is engraved over a nu.

COMMENTARY. It was the cherished hope of Augustus that the transfer of imperial power to his grandsons, Gaius and Lucius, would be smooth and uncomplicated. He adopted them as his own sons in 17 B.C. and appointed them immediately, says Dio (54. 18. 1), as his future successors. Gaius, as the elder, was considered by the people as the first in line. They agitated for his election to the consulship in 6 B.C., although he was not yet of age. And a year later he received the *toga virilis* and was designated for the consulship five years in advance (i.e., in A.D. 1). The Senate approved. The equites made him—and his brother—*princeps iuventutis* with suitable decorations (*Res Gestae* 14). Tiberius was now in exile. The future ruler had been selected. Fate would change the situation.

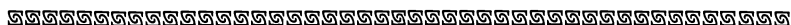
The occasion must have been one of great importance and satisfaction to Augustus. It must also have been one to be carefully observed by the provinces. It was about the beginning of the year 5 B.C., and as soon as the news reached Asia the city of Sardis decreed that the very day on which Gaius had assumed the toga of manhood was to be a sacred day each year, a day on which the people were to wear wreaths and festal clothing, on which sacrifices were to be performed to the gods, supplications made for his health, and his image consecrated in his father's temple. Then an embassy was chosen to carry a copy of the decree to Augustus and to convey the city's felicitations.<sup>1</sup>

Undoubtedly the Sardian decree and embassy constituted but a part of a world-wide expression of loyalty to Augustus and his line at this time, but diplomatic courtesy demanded a separate answer to each city which saw fit to send a decree. The answer of Augustus to Sardis is here happily preserved among a long series of decrees inscribed on a stele erected in Sardis to honor one of the two envoys, Menogenes, son of Isidorus, for his long and valuable service not only to his native city of Sardis but also to the *koinon* of Asia. Its sentiments are cordial and sincere, its message brief but sufficient. Behind it one can see a ruler busy with the demands of empire but still interested and courteous enough to dictate or write an answer to an expression of loyalty. And it is perhaps significant that, four years later, when Augustus wished to introduce his heir more officially to the Roman world, Gaius was given proconsular *imperium* and sent to the Greek East, where his authority was superior to that of any governor.

<sup>1</sup> See the first decree on the stele published by Buckler and Robinson, *Sardis*, VII, 1, no. 2, ll. 6-21. One is reminded of the letter of Paulus Fabius Maximus and the subsequent action of the *koinon* of Asia in about 9 B.C. (?) in agreeing to a re-alignment of the Asian calendar to honor the birthday of Augustus (No. 65). A special day to honor the emperor, and now another to honor his son—it is a fine touch, with clear associations.

EPISTULA CN. CORNELII LENTULI  
AD NYSAEOS

I B.C.



BIBLIOGRAPHY. R. Pococke, *Inscriptionum antiquarum Graecarum et Latinarum liber* (London, 1752), I 2, 6, no. 5, p. 13; A. Boeckh, *C.I.G.*, II (1843), 2943; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. XXIV, pp. 47-48; F. Hiller von Gaertringen, in W. von Diest, *Nysa ad Maeandrum* (*Jahrbuch des kaiserlichen deutschen Instituts, Ergänzungsheft X*) (Berlin, 1913), pp. 64-65; C. B. Welles, *Royal Correspondence in the Hellenistic Period* (New Haven, 1934), p. 56; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), II, 990, n. 27; Ehrenberg-Jones, no. 316.

DESCRIPTION. The stone, from which Pococke made his copy, has long been lost. Boeckh's text was based on Pococke's. Undoubtedly it formed part of a long series of documents from Nysa connected with the rights and privileges of the city's Temple of Pluto.

## I

[ - - - - - ]

- [ι]ερέως Ῥώμης καὶ Αὐτοκράτορος Καίσαρος Σεβαστο[ῦ Ῥρα]-  
[κλ]είδου τοῦ Ῥρακλείδου Μασταυρείτου· στεφανηφόρου  
Διομ[ή]δους τοῦ Ἀθηναγόρου τοῦ Διομ[ή]δους, ἱερ[έ]ως  
[Δ]ιὸς Καπετωλίου διὰ βίου, μηνὸς Γορπιαίου ἐννεακαίδε-  
5 κάτῃ, πρὸ μαῖς [ε]ἰδῶν Αὐγούστω<ν>, Κόσσω [Κ]ο[ρ]νηλίῳ Λεντύλῳ  
καὶ Λευκίῳ Πείσωνι ὑπάτοις· ἐπὶ γραμματέως τοῦ δ[ι]ήμου Ῥλι-  
οδώρου τοῦ Μαιαγδρίου τοῦ Θεοδότου, ἱερέως Τιβερίου Κλαυ-  
δίου Νέρωνος διὰ βίου· Ἀριμείδωρος Ἀἰμιλιίου Παιῶνος, ἱε-  
τῆς πόλεως στρατηγῶ<ν>, ἐπιμεληθεὶς ἀποκατέστη-  
10 σεν εἰς τὸ γραμματῆον τὰ ἱερὰ γράμματα περὶ τῶν θεῶν  
καὶ τῆς ἀσουλίας αὐτῶν καὶ τῇ[ς] ἱκεσίας καὶ τῆς περὶ τὸ ἱε-  
ρὸν ἀτ[ε]λίας, ἐμφ[α]ν[ι]σας <Γ>νήῳ Λέντλῳ Αὐγορι τῷ ἀνθυπ[ά]-  
τῳ καὶ ἀποδοῦς <τ>ὴν υπογεγραμμένην ἐπιστολή<ν>.

## II

Ἐπὶ Διομήδους τοῦ Ἀθηναγόρου μὴνὸς Δαισίου ιζ'.

[Γ]ναῖος Λέντλος Αὔ(γ)ου(ρ) ἀνθύπατος Νυσαέων ἄρχουσι. ἐ(π)-  
 ηρ(ώ)τ(η)σε Ἀρτεμίδωρος Δημητρίου Παπᾶς <ε>ὶ χ(ρῆ) (?)  
 [-----]

Text by F. Hiller von Gaertringen. I 12 EMΦ[.]MΙΣΑ T[.]NHΩ. II 2 ΑΥΤΟΥΠ, and at the end EA. 3 HPOTEIH, and at the end IXIHZ.

COMMENTARY. On the main road running between Tralles and Nysa-on-the-Maeander there existed throughout the Hellenistic age the so-called Plutonium, not far from the city Acharaca. This was actually the Temple of Pluto and Kore, together with a sacred cave, the Charonium. The cave became a famous place in Asia Minor where the sick often experienced miraculous cures at the hands of experienced priests.<sup>1</sup> Its sanctity was so well known and respected that it received special privileges from the ruling monarchs of Asia Minor. In 281 B.C., soon after the defeat of Lysimachus at Corupedium, Seleucus I and his son Antiochus sent a letter to the Athymbrians (later to form the nucleus of the city of Nysa) in which they granted the temple the three privileges of receiving suppliants, inviolability, and freedom from taxation.<sup>2</sup> In the second century some Hellenistic king confirmed these privileges and all the other honors that former kings had granted.<sup>3</sup> Thus, the city of Nysa with the nearby Plutonium and sacred cave had long enjoyed a special position among the cities of the area, and the notable action of Chaereemon during the first Mithridatic War clearly brought it into a favorable position with regard to Rome.<sup>4</sup> We may reasonably assume that the Roman government showed the same respect toward the city and the temple as had the Hellenistic kings.

From the present documents we learn that, in the consulship of Cossus Cornelius Lentulus and Lucius Calpurnius Piso (1 B.C.), a member of Nysa's Board of Generals by the name of Artemidorus, son of Demetrius, had restored to the archives of the city the various documents connected with the privileges that had been granted to the temple: inviolability, the right of receiving suppliants, and immunity from taxation. But before doing this he had explained the reasons for his action to the governor of Asia, Cn. Cornelius Lentulus. The governor, in turn, had then sent a letter to the city officials in which he gave his formal approval for the restoration of the documents. Only three lines of his letter are extant (II), but the mere fact that the documents had been engraved on stone is sufficient indication that he had given his approval. And his

<sup>1</sup> Fully described by Strabo 14. 1. 44.

<sup>2</sup> Welles, *op. cit.*, no. 9.

<sup>3</sup> *Ibid.*, no. 64; cf. also no. 43.

<sup>4</sup> See No. 48.

approval, of course, in such a matter brings with it confirmation of those privileges by the Roman authorities in Asia.

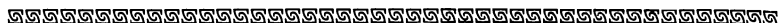
A question arises immediately. Why was it necessary for these documents to be restored to the archives? What had happened to the originals? The only reasonable answer would appear to be that the originals—the letters of the Hellenistic kings—had been lost or destroyed in some way, perhaps by fire or an act of war. At any rate they were gone, and an attempt was then made to duplicate them. Whether the Hellenistic letters had originally been engraved and set up in the city or in the Plutonium is not known, for the fragmentary epigraphic copies that we possess of them were all engraved in 1 B.C. In other words, they were erected as a result of the efforts of Artemidorus and on the authority of the governor. Where, then, did the present copies come from, if not from old steles? From private or perhaps temple copies? We do not know.

# 70

## EPISTULA PROCONSULIS AD CHIOS

ca. A.D. 4/5?

[Squeeze]



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DESCRIPTION. From Chios, now in the museum there (Inv. 164). Height of letters, as measured from the Berlin squeeze: 0.017 m. Interval between lines: 0.009 m. Very small *apices*. The stone was recently seen and studied by W. G. Forrest, whose text, as given in *S.E.G.*, XXII, 507, is presented here. A few letters in some lines have been damaged since the original publication.

- METAME ... ΚΑ[..... ἐντ]ευχθεὶς ὑπ' Ἀ[.....] ΚΩ[- -]  
 Σταφύλου ὑπαρχόντων πρὸς τοὺς Χείων πρέσβεις, ἀναγεινωσ[κόν]-  
 των ἐπιστολὴν Ἀντιστίου Οὐτέρος τοῦ πρὸ ἐμοῦ ἀνθυπά[του]-  
 5 ἀνδρὸς ἐπιφανεστάτου· κατακολουθῶν τῇ καθολικῇ μου [προ]-  
 θέσει τοῦ τη[ρ]εῖν τὰ ὑπὸ τῶν πρὸ ἐμοῦ ἀνθυπάτων γραφέντα [φυ]-  
 λάττειν καὶ τὴν ὑπὲρ τούτων φερομένην ἐπιστολὴν Οὐτέ[ρος]  
 εὐλογον ἡγήσάμην· ὕστερον δὲ ἑκατέρου μέρους ἐξ ἀντικα[τα]-  
 στάσεως περὶ τῶν κατὰ μέρος ζητημάτων ἐντυχόντος διήκ[ου]-  
 10 σα καὶ κατὰ τὴν ἐμὴν συνθηεῖαν παρ' ἑκατέρου μέρους ἐπιμελ[έ]ς]-  
 τερα γεγραμμένα ἤτησα ὑπομνήματα· [ἄ λ]αβὼν καὶ κατὰ τὸ ἐπιβ[άλ]-  
 λον ἐπιστήσας εὗρον τοῖς μὲν χρόνοις ἀρχαιοτάτον δόγμα[τος]  
 συνκλήτου ἀντισφράγισμα γεγονότος Λουκίῳ Σύλλᾳ τὸ δε[ύτε]-  
 15 ρον ὑπάτω, ἐν ᾧ μαρτυρηθεῖσι τοῖς Χείοις ὅσα ὑπὲρ Ῥωμαίων διε[θ]η-  
 κάν τε Μιθριδάτην ἀνδραγαθοῦντες καὶ ὑπ' αὐτοῦ ἔπαθον ἢ σύγκ[λη]-  
 τος εἰδικῶς ἐβεβαίωσεν ὅπως νόμοις τε καὶ ἔθουσιν καὶ δικαίοις χ[ρ]ῶν]-  
 ται ἃ ἔσχον ὅτε τῇ Ῥωμαίων φιλίᾳ προσήλθον, ἵνα τε ὑπὸ μήθ' ὥτινι[σθ]ν  
 τύπῳ ὥσιν ἀρχόντων ἢ ἀνταρχόντων, οἳ τε παρ' αὐτοῖς ὄντες Ῥωμ[αῖ]-  
 20 οἱ τοῖς Χείων ὑπακούωσιν νόμοις· Αὐτοκράτορος δὲ θεοῦ υἱοῦ Σ[ε]-  
 βαστοῦ τὸ ὄγδοον ὑπάτου ἐπιστολὴ πρὸς Χείους γραφοντ[- - - - -]  
 [.....]Ρ[.]ΕΙΝ ἀμφι[.....] τῆς περὶ τὴν πόλιν ἐλευθ[ερί]ας  
 [- - - - -]

Text by W. G. Forrest (S.E.G., XXII, 507), but I have checked each reading on the Berlin squeeze. In several important areas, however, the squeeze is of little value, especially in l. 20. At the beginning of l. 1 former editors had read *M...A...NA*. 19 Forrest thinks of ἐπιστολὴ[ν] - - - - - γράφοντ[ος τοῦ δεινός or ἐπιστολὴ - - - - -, κτλ. 20 Forrest thinks of some form of ἀμφισβήτησις. L. Robert here had *ιεπεν τήν*; former editors, *ισ...εν τήν*.

COMMENTARY. It is quite clear from this letter (ll. 15–18) and from the report of Appian (*Mithr.* 61) that a *senatus consultum*, passed with the approval of Sulla in 80 B.C., had granted freedom to Chios. In addition the city was given the privilege of making resident Romans subject to her laws, a privilege that may not have been too common. Ordinarily such Roman citizens would come under the jurisdiction of the provincial governor or, in criminal cases, under that of the emperor.<sup>1</sup>

Free cities, of course, were not subject to control by the provincial governor but were free to settle their own civil and criminal actions of law, at least when the issues involved did not transcend local interests and collide with Roman policies. In the present

See Volkmann, *op. cit.*, sect. VI, pp. 126–50, for a good résumé of the information known to us about the organization and jurisdiction of the courts in the various types of provinces. His notes will lead one to the older material. Our information in this matter is very slight for the western provinces, but quite full for the eastern, especially for Egypt. See Arangio-Ruiz, *Storia del Diritto romano*<sup>7</sup>, pp. 330–32. The Egyptian material deals largely with private law.

instance, therefore, we may possibly assume that some legal issue arose which proved to be too difficult or too politically involved for the Chian courts to resolve. Witness the Cnidian affair (No. 67). Whatever the issue might have been, the governor of Asia here appears to me to be cast in the role of an arbitrator. He has been asked to provide a solution. Thus he is not infringing on the rights of Chios, nor is his attitude indifferent. On the contrary, he appears to be most conscientious. He wants to examine documents and proof before making his decision in the matter. His policy of examining and honoring the prior action of his predecessors in office (in Asia) is very significant in this regard.<sup>2</sup> And thus we may assume with confidence that he respected the provisions of the *senatus consultum* passed under Sulla.

The exact nature of the matter put before the governor for his verdict is not known to us. It would have appeared at the beginning of the document. But since he had requested *pertinent* documents from each of the parties involved and since one of the documents had proved to be a decree of the Senate concerning the freedom of Chios, it is reasonable to believe that the matter may have concerned an infringement of the city's freedom. An alternative is the possibility that it was a legal issue involving a Roman citizen, a citizen who refused to recognize the jurisdiction of the Chian court. I prefer the latter explanation.

The fact that Augustus appears to be alive at the time the letter was written would indicate that the Antistius Vetus of lines 3 and 6 should be the consul of 6 B.C. (C. Antistius Vetus), known to have been governor of Asia in about A.D. 2/3 or 3/4, and not the consul of A.D. 55 (L. Antistius Vetus), governor of Asia under Nero.<sup>3</sup> The writer of our letter, therefore, may have been governor in about A.D. 4/5 (M. Plautius M. f. Silvanus?). However, since the exact year in which Antistius Vetus was governor is not known (although clearly several years after his consulship in 6 B.C.) such a date can only be tentative and approximate.

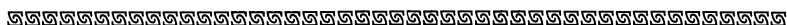
<sup>2</sup> Very misleading is the statement by Johnson, Coleman-Norton, Bourne, *loc. cit.*, that "as governor he seems to have entered his province rather ill-informed about the status or the rights of various cities under his care." It is misleading in that it assumes that provincial governors knew such matters, in general, prior to their arrival in the several provinces. How they could have acquired such information in Rome I do not know, apart from the remote possibility of their working their way through the senatorial decrees in the *aerarium* or the various *epistulae* of Roman magistrates. The way that most of them could be made aware of such matters, I believe, would be upon consultation with the departing governor, when that was possible. Failing that, there were the provincial archives in the provincial capital and the archives of the separate cities within each province. In the case of documents not available in the provincial archives there was little for a governor to do but to gather the information exactly as our unknown governor had done. In many instances such matters very likely would become known to the governor only piecemeal, a full picture of the province's local problems and the status of its various cities being acquired only by the end of his period in office. Then he was relieved by a new governor. This was one of the defects of provincial administration during the Republic, and it was not completely rectified in the senatorial provinces under the Empire. The whole subject of the kinds of information to be found in the provincial archives should be examined.

<sup>3</sup> For C. Antistius Vetus see *P.I.R.*<sup>2</sup>, A, n. 771, and Atkinson, *Historia*, 7 (1958): 328. For L. Antistius Vetus see *P.I.R.*<sup>2</sup>, A, no. 776.



EDICTUM (?) M. HERENNII PICENTIS  
DE MURO EPHESIO

Augustan



BIBLIOGRAPHY. C. Curtius, *Hermes*, 4 (1870): 194-96; W. H. Waddington, *Fastes des provinces asiatiques de l'Empire romaine* (Paris, 1872), p. 84; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. VII, p. 8; E. L. Hicks, *The Collection of Ancient Greek Inscriptions in the British Museum*, III, 2 (1890), no. DXXI, pp. 176-77; W. Dittenberger, *S.I.G.<sup>2</sup>*, II (1900), 544; F. Hiller von Gaertringen, in W. Dittenberger, *S.I.G.<sup>3</sup>*, II (1917), 784; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton, 1926), no. 39, p. 340; O. Cuntz, *Jahreshefte*, 25 (1929): 72; M. Grant, *From Imperium to Auctoritas* (Cambridge, 1946), p. 395; D. Magic, *Roman Rule in Asia Minor* (Princeton, 1950), II, 1580; T. R. S. Broughton, *The Magistrates of the Roman Republic*, II (New York, 1952), 416; K. M. T. Atkinson, *Historia*, 7 (1958): 324-25; Johnson, Coleman-Norton, Bourne, *Ancient Roman Statutes*, no. 154.

DESCRIPTION. Wall stone of white marble broken at the right and bottom. Description by Hicks. Height: 1 ft. 8 $\frac{3}{4}$  in. Width: 4ft. 11 $\frac{1}{2}$  in. Height of letters: 1 $\frac{1}{2}$  in. *Apices*.

Μάρκος Ἑρέννιος Πίκης ἀνθ[ύπατος λέγει (?)]  
ἀφανούς γεγενημένου τοῦ πα[ρατειχίσ(?)]-  
ματος, ὅπερ δημοσίαι κατασκε[υήι ὑπὸ τῶν]  
'Εφεσίων μεταξὺ τῆς ἀγορᾶς κα[ὶ τοῦ λιμέ]-  
5 νος γεγονέναι συνεφωνεῖτο, εἴτε ἔν τινι  
τῶν καιρῶν ἢ τοῦ πολέμου πε[ριστάσει, εἴ]-  
τε διὰ τὴν τούτων ἀμέλιαν, οἱ τ[εταγμένοι]  
[ἦσαν - - - - -]

1 λέγει added by Waddington. 2 Hicks suggested πα[ρατειχίς] | ματος οἱ πα[ροικοδομή] | ματος, but Waddington had π[αλαιού χώ] | ματος. 3 συνεφωνεῖτο may be a literal translation of *consensus* *est.*; see the remarks of Hicks, *loc. cit.* 4 πε[ριστάσει] restored by Dittenberger, with reference to S.I.G.<sup>3</sup>, 731, l. 2. 5 τ[εταγμένοι] (?), Hicks; Hiller added ἦσαν and omitted the question mark.

COMMENTARY. "M. Herennius Picens, proconsul, [proclaims (?)]. Now that the [cross-wall], generally agreed to have been built by the Ephesians as a public structure between the agora and the [harbor], has disappeared either because of some vicissitude of fate or the war or because of the carelessness of [those in charge]..." These are meager remains.

There is no reference to M. Herennius Picens as proconsul of Asia in any document other than this one, but the *Herennii*, of Oscan origin, survived the revolutionary period and reached positions of eminence in the Augustan world. The first of them to reach the consulship was M. Herennius M. f., in 93 B.C. A certain T. Herennius from Picenum fought among the insurgents as a general in the *Bellum Italicum*.<sup>1</sup> And later a M. Herennius became consul suffect in 34 B.C. A generation later we hear of another consul suffect (A.D. 1), M. Herennius M. f. M'. n. Picens. These two would seem to be father and son.<sup>2</sup> Since the lettering of our inscription points to a date in the Augustan age at the earliest, clearly the proconsul should be identical with one of the two consuls. Dittenberger, Dessau, Münzer, Groag, and Viereck (notes) identified him as the consul of A.D. 1, but Cuntz, Grant, Magie (with a doubt), Broughton ("possibly"), and Atkinson preferred the consul of 34 B.C. Opinions are thus sharply divided. The view of Mrs. Atkinson is very positive and her reasons are set out fully. They must be given a hearing. She states (*loc. cit.*):

Epigraphists being agreed in attributing the inscription to the period of Augustus, and it being known that the father of the consul of 34 B.C. had a different praenomen . . . the last war which comes into question in the province Asia is that of 35-34 B.C., when Sextus Pompeius invaded the province. This would hardly continue to be spoken of as "*the war*" at a late date in the reign of Augustus.

Mrs. Atkinson then proceeds to give her reasons for assigning the proconsulship of Herennius to about 28/27 B.C. rather than 35-34 B.C. (Magie, tentatively). But her reasons for selecting the earlier consul (of 34 B.C.) are open to serious doubt. The praenomen of the father of the consul of 34 B.C. would have been *Manius*, if the consul in A.D. 1 actually was the son of the consul in 34 B.C. But such information is of little or no help in identifying the proconsul of our document. And the importance Mrs.

<sup>1</sup> Eutropius 5. 3. 2: *Duces autem adversus Romanos Picentibus et Marsis fuerunt T. Vettius, Herius Asinius, T. Herennius, A. Cluentius.* The *Herennii* were patrons of Marius; see Badian, *Foreign Clientelae*, p. 195, n. 1.

<sup>2</sup> For the consul of 34 B.C. see Münzer, *R.E.*, s.v. "Herennius" (13), cols. 664-65; Broughton, *op. cit.*, pp. 411 and 416. For the consul of A.D. 1 see E. Groag, *R.E.*, s.v. "Herennius" (34), cols. 675-76, and *idem*, *P.I.R.*<sup>2</sup>, H 118; cf. Taylor, *Voting Districts*, pp. 219-20.

Atkinson attaches to the article in the phrase "the war" must be discounted. Even today "the war" means World War II to a whole generation at least twenty years after the event, while to an older generation it means World War I. The presence of the article proves nothing.

The proconsul indeed appears to be one of the two consuls, but from the available evidence I cannot see how we can tell positively which one. No single piece of information points more to one than to the other. To speculate, therefore, on the probable date of his Asian governorship is fruitless.

Turning to the document itself, the brevity of the opening line makes the restoration of λέγει very attractive, and this has been accepted by most editors, but it cannot be taken for granted. The doubt about the verb in the inscription from Cyme (No. 61, l. 2) should cause one to hesitate before restoring λέγει or ἔγραψε here. A letter may have been written or an edict issued. Precision is impossible. Herennius appears to have been asked to render a decision connected with the disappearance of a wall of some sort which had formerly stood between the agora and the harbor. The purpose of the wall is unknown, but Hicks assumed that it served as a control or check point for the collection of the *portorium*. That is possible, for customs dues seem to have been exacted at Ephesus.<sup>3</sup>

<sup>3</sup> T. R. S. Broughton, "Roman Asia," in T. Frank, *An Economic Survey of Ancient Rome*, IV (Baltimore, 1938), 799; S. J. De Laet, *Portorium: Étude sur l'organisation douanière chez les Romains* (Geneva, 1950), p. 278. Cf. F. Vittinghoff, *R.E.*, s.v. "Portorium," col. 373. One must bear in mind, however, that in the present document there is no direct reference to the *portorium*.

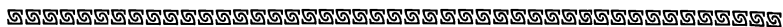
72-78    FRAGMENTA QUAE AD RES  
MYTILENAEAS PERTINENT



This group of fragments was found in Mytilene, and all of them seem in one way or another to be connected with events during the last half of the Republic or the early Principate. Exact dating, of course, is impossible, but at least one (No. 73) might have formed part of the many documents that originally had been engraved on Potamon's great monument (see the *Senatus Consulta de Mytilenaeis*, No. 26).



## EPISTULA ET FOEDUS



BIBLIOGRAPHY. W. R. Paton, *I.G.*, XII, 2 (1899), 36; G. Lafaye, *I.G.R.R.*, IV (1927), 34; V. Arangio-Ruiz, *Acta Divi Augusti*, pt. 1 (Rome, 1945), p. 236.

DESCRIPTION. Height of letters: 0.020 m.

## Frag. a

[ - - - - - ]  
 [ - - - - - ] εὐλι[ - - - - - ]  
 [ - - - - - ] καιωιω[ - - - - - ]  
 [ - - - - - ] Μυτιληνα[ι - - - - - ]  
 [ - - - - - ]ιτω δόλω[ι πονηρῶι - - - - - ]  
 5 [ - - - - - κοιν]ῇ γνώμῃ [ - - - - - ]  
 [ - - - - - ]ωι ἔαν ἐξε[ - - - - - ]  
 [ - - - - - δόλ]ος πονηρ[ὸς - - - - - ]  
 [ - - - - - ]P[ - - - - - ]

## Frag. b

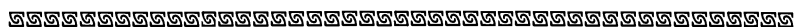
[ - - - - - ]ος Μυτιλ[ηνα - - - - - ]  
 [ - - - - - ]ον διὰ τὸν [ - - - - - ]  
 [ - - - - - ]μηι καὶ ἀνασ[ - - - - - ]  
 [ - - - - - ]ν ὑμῶν ἐνπ[ - - - - - ]  
 5 [ - - - - - ]λωι τῶι ἀν[ - - - - - ]  
 [ - - ἡ πόλις ἡ ὑμ]ετέρα ἐλε[υθέρῃα - - - - - ]

COMMENTARY. One could conclude from the size and form of the letters that these two fragments once belonged to Potamon's monument. The first of them, a, is clearly part of a treaty, the imperative (l. 4) and the Greek equivalent of *dolo malo* leaving no room for doubt. But the second, b, appears to belong to a letter, and accordingly Paton assumed that these two fragments might be part of a letter of Caesar in which an old treaty is cited by him. Perhaps. There was ample room on Potamon's monument for the inclusion of many more documents than those which have been found. There is also sufficient room for these fragments to fit into gaps of the extant documents. Arangio-Ruiz felt that fragment a might be a part of the treaty concluded by Augustus with Mytilene and he therefore placed it after col. c in that series of documents (No. 26). Paton, however, refused to separate fragment a from fragment b. Definite conclusions are impossible.

# 74

EPISTULA (MAGISTRATUS ROMANI ?)  
AD MYTILENAEOS

Age of Caesar  
or Augustus



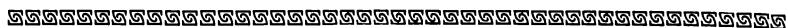
BIBLIOGRAPHY. H. G. Lolling, *Athen. Mitt.*, 11 (1886), no. 10, p. 268;  
Papadopoulos-Kerameus, *Παράρτημα τοῦ XV τόμου τοῦ ἐν Κωπόλει φιλ. Συλλ.*,  
no. 5, p. 40; W. R. Paton, *I.G.*, XII, 2 (1899), 37.

DESCRIPTION. Height of letters: 0.018 m.

[ - - - - - ] Α [ - - - - - ]  
[ - - - - - ] ης καὶ πρέσβε[ις - - - - -]  
[ - - - - - ] τὸν δῆμον ὑμῶν κ[ - - - - - ]  
[ - - - - - ] ἀπολάμψεως πᾶσαν εἰς [ - - - - - ]  
5 [ - - - - - ] ξύρων καὶ τὴν π[όλιν - - - - - ]  
[ καὶ τὸ -- ὑμ]ῶν ἄξιον εὐνοί[ας - - - - - ]  
[ - - - - - ] μειν τιμίων ἡγων[ίσασθε - - - ]

COMMENTARY. In his notes Viereck considered this fragment to be part of a letter of some Roman magistrate in the age of Caesar or Augustus. The use of the first person (l. 5) would indeed point to a letter, but nothing else appears significant enough to allow us to form any conclusions about the content.

## EPISTULA AD MYTILENAEOS

Age of Caesar  
or Augustus

BIBLIOGRAPHY. C. Cichorius, *Rom und Mytilene* (Leipzig, 1888), p. 29; P. Viereck, *Sermo Graecus* (Göttingen, 1888), no. XXXII, p. 54; W. R. Paton, *I.G.*, XII, 2 (1899), 38; G. Lafaye, *I.G.R.R.*, IV (1927), 36.

DESCRIPTION. Height of letters: 0.018 m.

[-----]  
 [---- Μυτ]ιληνα[ίων ἄρχουσι βουλῇ δῆμωι χαίρειν (?)]  
 [οἱ πρέσβεις ὕ]μῶν Ποτ[άμων Λεσβώνακτος -----]  
 [-----]ον πρὸς ὕ[μῶς -----]  
 [-----τ]οῖς ὕμετέ[ροις -----]

*vacat*

5 [----]ων Αὐτοκρ[ατ-----]  
 [---- Π]ο[τ]άμων [-----]  
 [----]αντικ[-----]

5 [Περὶ] ὧν Αὐτοκρ[άτωρ Καῖσαρ λόγους ἐποίησατο (?)], first suggested by Cichorius.



# 76

EPISTULA (MAGISTRATUS ROMANI ?)

Age of Caesar  
or Augustus

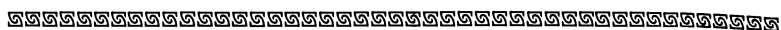


BIBLIOGRAPHY. W. R. Paton, *I.G.*, XII, 2 (1899), 39.

DESCRIPTION. Found in a wall near a Turkish school. The letters are carelessly inscribed, 0.02 m. high.

[ - - - - - τῇ ] s εὐεργ[εσίας - - - - -]  
 [ - - - - π]ρὸς αὐτὸν [ - - - - - ]  
 [ - - φιλαγ]άθως οὐδὲ [ - - - - - ]  
 [ - - - - ]των ἐν ασ[ - - - - - ]  
 s [ - - - - ] . ^ [ τῶ ] ν εἰσφο[ρῶν - - - - - ]  
 [ - - - - ]ων. Ἐρρωσθε. [ - - - - - ]  
 [ - - Ποτάμ]ωνος νιὸν [ - - - - - ]  
 [ - - τῇν δ] ἐ γυνα[ῖκα - - - - - ]

## EPISTULA (MAGISTRATUS ROMANI ?)

Age of Caesar  
or Augustus

BIBLIOGRAPHY. C. Cichorius, *Athen. Mitt.*, 13 (1888), no. 16, p. 65; W. R. Paton, *I.G.*, XII, 2 (1899), 40.

DESCRIPTION. Height: 0.21 m. Width: 0.19 m. Height of letters: 0.015 m.

[- - - -] κ [- - - - - - - -]  
 [- - - -] σιν ἐν χ [- - - - -]  
 [- - - -] θεντε [- - - - -]  
 [- - - -] ως ὑμᾶς [- - - - -]  
 5 [- - - -] των ἅμ [- - - - -]  
 [- - - -] μων γν [- - - - -]  
 [- - - -] τ ^ [- - - - -]

# 78

## EPISTULA (CN. POMPEI MAGNI ?)



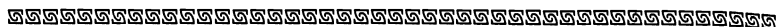
BIBLIOGRAPHY. C. Cichorius, *Athen. Mitt.*, 13 (1888), no. 17, p. 66; W. R. Paton, *I.G.*, XII, 2 (1899), 41; G. Lafaye, *I.G.R.R.*, IV (1927), 37.

DESCRIPTION. Height of letters: 0.02 m.

[ - - - - ] ωνιαι [ - - - - - ]  
 [ - - - - ] σικατεσ [ - - - - - ]  
 [ - - - - ] ιεγασα' [ - - - - ]  
 [ - - - - ] ἐνέστησε v [ - - - - ]  
 5 [ - - κατ ] ασταθῆναι εχ < [ - - ]  
 [ - - - - ] ιεριδεπολιτε' [ - - ]  
 [ - - - - ] 'Ρώμης σε μὴ κρ [ - ]

3 The first letter of the line could be any letter with a vertical hasta. Perhaps one could read the name of Pompey: [Γναῖος Πομπήϊος] Μέγας, Α[ὕτοκράτωρ - - -]. 6 Perhaps (as in *I.G.R.R.*) περὶ δὲ πολιτεῖ [ - - - ].

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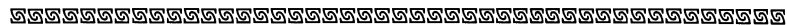
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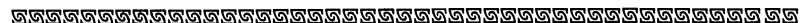
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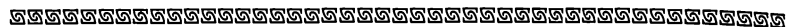
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