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Proceedings before Q. Maecius Laetus, Praef. Aeg., etc.

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PROCEEDINGS BEFORE Q. MAECIUS LAETUS, PRAEF. AEG., etc.

P. Berol. inv. 7347

27×26.5 cm

Third century A.D

Of this sheet of papyrus the foot and the right margin are almost entirely preserved, the head is wholly lost, and the beginnings of the lines are lost to a greater or less extent, ranging probably from about 50 down to about 5 missing letters. Holes and abrasions are numerous. The losses and damage are particularly regrettable because the greater part of what is preserved to us is a record of proceedings largely concerned with the misuse of torture in the interrogation of a suspected robber (ληστής). For this sort of text in general see R. A. Cole, *Reports of Proceedings in Papyri* (Pap. Brux. 4; 1966).

The subject of interrogation under torture was studied from the papyri by R. Taubenschlag in *Études de papyrologie* 8 (1957) 97–99 (= *Op. Min.* II 737–9). Not very much is known about it. A new case has appeared in P. Ant. II 87. 13, where the judge conducting the case orders a man to be tortured. In the next line of this fragmentary document someone replies διὰ τὰς βρασάνους [τὰς] πολλὰς εἰρήκαμεν. As here, λησταί are involved (13), and there is mention of a *stationarius* (8), which would be the title of the superior officer of a decadarch and a *duplicarius* such as appear in our text.

The judge is the prefect of Egypt Q. Maecius Laetus, for whom there is a recent bibliography by G. Bastianini in ZPE 17 (1975) 304. The central figure is Julius, a soldier holding the rank of decadarch (*decurio*, δεκάδραρχος), who was therefore probably a subordinate of the centurion stationed in the Arsinoite nome to supervise especially the police duties of the army. Julius had clearly employed torture on a suspected robber in the absence of an essential witness, probably the accuser, see 5–6 n. For the rest the damage makes it impossible to do much more than guess. My guesses are explained in the notes and embodied in the translation, which has had to depend to a large extent on conjectural restorations.

At the foot is a date which is later than the latest possible date for the proceedings, a sheet number equivalent to 646, and an instruction in the form of a subscription. This suggests that the proceedings were cited in support of a petition to which the subscription is the reply.

On the back are three headless columns in very rough cursive. The third column

is short and concluded by a paragraphus, followed by blank space below and to the right. The entries consist chiefly of names, several of which occur more than once, arranged by days of the month. Perhaps this is a record of the duties of day labourers, as one of the sections is headed τὸ κτήμα. The text is much damaged, especially in the middles of the columns. Two samples follow: i 36-8 τὸ κτήμα /'Αντέρως/Πτολλᾶς Θη.(), ii 33-7. 'Οννώ(φρις) 'Αθη(ναίου?) Πτολλαρίων/Σεμ-πρώνιος/ Διοσκορᾶς/'Αγτέρως ε.

- [c. 40 letters]...[c. 12]...[...].
 [c. 28]...[c. 15] δεσμωτηρι[...]. Λαίτος εἶπεν,
 [c. 22]...[...]. αι'; [ἀπεκ]ρίνατο, 'βασ[α]νίζονται
 [...]. λουσιν
 [c. 22] σροντος ὄμ[ο]λόγησεν χ[αί] οἶδα τοῦτο
 ἀσφαλ[ῶ]ς ἐγὼ τω
 5 [c. 22] δεσμωτηρι[...]. Λαῖτος Λόγγω εἶπεν,
 'έβασανίσθη ἀπόντος
 [c. 12'; ἀπεκρίνατο, 'ναί'. Λαῖτος [Ἴο]υλίω (δεκαδάρα)χ(ω)
 εἶπεν, 'διὰ τί ἐπέτρεψας σεαυτῷ τοῦ-
 [το ποιεῖν']; ἀπεκρίνατο, 'π[α]ρόντος τοῦ στρατηγῷ καὶ τοῦ
 βασιλικῷ ἐξετάσθη'. Λαῖτος
 [εἶπεν, 'ἀλλ'ἄ πρότερον — πρὸ τοῦ με παρατυχεῖν, φησὶν — έβασανίσθη,
 τοῦτο δὲ πῶς
 [σεαυτῷ ἐπ]έτρεψας'; ἀπεκρίνατο, 'ἐὰν θ'ο'ρυβηθῆ, τοῦτο βάσανός
 ἐστίν'. Λαῖτος εἶπεν,
 10 [c. 8] ἐὰν θορυβηθῆ ἀγαίτ[ι] [ο]υς πέμπεις καὶ ἐπ'αὐτοφόρῳ εἰλημένους
 ἀπολύεις
 [c. 8] ἀργύριον'. Λαῖτος ἄρχο[...]. 'Α]ρσινοῖτων εἶπεν, 'διὰ τί
 οὐ πληροῦται'; Δίδυμος
 [c. 9] .ας εἶπεν, πρὶν συλημφθῆναι τοὺς κακούργους κατεγράψατο
 ναύτας
 [c. 6] .[.] ροντων πολλῶ[...]. [..]...[...].ων.....[...].ν'.
 'Ηρακλειδης ρήτωρ εἶπεν,
 [c. 8] οὔντος αὐτοῦ'. Ἰούλιος (δεκαδάρα)χ(ος) εἶπεν, 'λείαν
 ἡμελησ[...]. ἐξέκοσίους καὶ πεντή-
 15 [κοντα τὸ]ν ἀριθμὸν λη[σ]τάς συναβών'. Λαῖτος εἶπεν, '[...]. τως
 καὶ τοῦτον ἐνε-
 [c. 7] .[.] αριθμησας'. καὶ προσέθηκεν, 'ἀπο[...]. γ[...]. τ[...].
 ἐπεμψας τὸν τε-
 [c. 7] ἀπρόδιξον ὅτι οὗτος ληστής ἐστίν κα[...]. βημ[...]. εἰ ἐξεκοσίους
 καὶ πεγ-
 [τήκοντ]α πεπομφ[θ]ένας. οὐ γὰρ ζητῶ τὸν ἀρι[θ]μόν, ἀλλ'[εἰ]
 οὗτος λησταὶ ἦσαν'.

- [c. 5 εἶπεν, 'περὶ ψυχῆς ἀγωνίζομαι δύο φί[λ]ων τολμη[σά]ντων
 ..κα α. .
- 20 [c. 6].ναγ'κη.....ρ.[...].σ[...].[....] ταῦτα δρᾶσ[αν]τας'.
 Λαῖτος εἶπεν,
 ['c. 6]σοι προση[...].[...].[...]; ἀπε[κ]ρίνατο, 'Ἰσάριον
 ἐξ.[...].μενον ἔδω-
- [c. 9]γκαια[c. 10]....'. Λαῖτο[ς] εἶπεν, 'πῶς δέ σοι
 ἦλθε[ν] ἢ 'Ἰσάριον'; ἀπεκρί-
 [νατο, '....].[...][c. 12]....'. Λαῖτος εἶπεν, 'ἐὰν οὖν
 ἔλθῃ τις πρὸς σὲ ἐκθρός
- [c. 25]. ἔχων ἐκθρόν καὶ διαβάλλῃ ἄνθρωπον
 μῆδενα
- 25 [c. 25]. ἐκ περιηγήσεως βασανίζεις καὶ
 δεσμεύ[ε]ι[ς] καὶ πέμπεις
- [c. 15]Λαῖτος 'Ιουλίω (δεκαδάρ)χ(ω) εἶπεν, 'παράστησον
 [[σου]] τὸν κ[ο]λλητίωνα τὸν σόν'.
- [c. 20]Λαῖτος] κομενταρησίους εἶπεν, 'ὁ δουπλικιάριος
 ἐν ἀσφαλεῖ ἦτω
- [c. 25] ἵνα δυνηθῇ ζῆσαι ἐπιτρέπεις αὐτὸν
 ἀνεθῆναι τῶν
- [c. 22].ι.[...]. β[ασ]άνων ἔστιν'. Λαῖτος εἶπεν,
 'δύνασαι τὸ ἱκανὸν
- 30 [c. 20]εἶπεν, 'ναί'. Λαῖτος εἶ(πεν), 'δότη'.
- [c. 20]ιε (ἔτους) Τῦβι κα-, κολ(λήματος) χμς. δηλώσας τῷ
 [c. 20]γραφήν ὥστε τὸν Σαραπίωνα ὑπακοῦσαι μου
 τῷ δικαστηρίῳ
- [c. 20]ειν.
- 4 1. ὠμολόγησεν 6 ^x ι = (δεκαδάρ)χ(ω) 7 1. ἐξητάσθη
- 9 θ'ο 'ρυβηθῆ: υ cog. ex ο 10 1. πέμπεις, ἐπ'αυτοφώρω,
 εἰλημμένους 12. 1. συλλημφθῆναι. 14 ^x ι, 1. λίαν
- 15 1. συλλαβῶν 17 1. ἀπόδειξον, ἐξακοσίους 18 1. οὔτοι?
- 23 1. ἐκθρός 24 1. ἐκθρόν 25 1. πέμπεις
- 26 ^x ι, ὄου 28 1. ἐπιτρέπεις 30 ει), ιε)', κο ^λ

Translation

"... prison."

Laetus said, "..."

He answered, "They are (being?) tortured ... he agreed and I know this for certain. I ... prison."

Laetus said to Longus, "Was he tortured in the absence of [the accuser(?)]"

He answered,] "Yes."

Laetus said to Julius, decadarch, "Why did you permit yourself [to do this(?)]"

He answered, "He was examined in the presence of the strategus and the royal scribe "

Laetus [said, "But] before that—"before I came (into court?)", he says—he was tortured. How did you permit [yourself?] this?"

He answered, "If there is a breach of the peace, that is a matter for torture".

Laetus said, "... if there is a breach of the peace you send up the innocent and release those who are caught in the act, [if you get(?)] money."

Laetus said to the magistrates(?) of the Arsinoites, "Why is (the fleet?) not being manned?"

Didymus ... said "Before the criminals, were arrested he enrolled sailors ... many ..."

Heracleides, advocate, said, "Because he was [grossly negligent?]."

Julius, decadarch, said "Was [I?] grossly negligent to arrest a total of 650 brigands?"

Laetus said, "You [senselessly?] included this man also in your calculation." And he added, "You released the brigands and sent up the man who [pays his taxes?]. Prove that this man is a brigand ... that you sent up 650. For I am not asking about the number, but whether these men were brigands."

... said "I am pleading for the lives of two friends who dared ... necessity(?) ... by doing this."

Laetus said, "[But who brought(?)] ... to you?"

He answered, "Isarium ..."

Laetus said, "How did Isarium come to you?"

He answered, "..."

Laetus said, "So if someone comes to you who has a quarrel and counts [the adversary whom he is accusing] as his enemy and calumniates a man [who has done] nothing [improper], you torture [the wretched man] on hearsay and put him in chains and send him [to court?]"

[Laetus said to] Julius, decadarch, "Produce your *colletio*."

[He answered, "He is not here(?)."]

[Laetus] said to the *commentarienses*, "Let the *duplicarius* be held in custody ..."

[... said, "But] so that he may be able to remain alive will you allow him to be released from [his bonds(?) ... ?]"

Laetus said, "Are you able [to give] surety?"

... said, "Yes."

Laetus said, "Let him give it."

Year 15, Tybi 21; sheet 646.

"If you inform [the *strategus*(?) you will get from him] a subscription to the effect that Sarapion is to answer to his name in my court [so that the case may be terminated(?)]."

5 δεσμωτηρι[...]. Since *omega* is broad, δεσμωτηρι[ω] is no more excluded than the other cases.

Λόγγω. The Latin name suggests, though it does not prove, that this is a soldier. See further 19 n.

5-6 ἀπόντος [c. 12 letters. Very possibly we should restore τοῦ κατηγόρου, see *Dig.* 48.18.22 (*Paulus primo libro sententiarum*). *Qui sine accusatoribus in custodiam recepti sunt, quaestio de his non habenda est, nisi si aliquibus suspicionibus urgueantur.*

7 π[α]ρηγοτος. Clearer would have been παρότων, but I think this is intelligible as a sense construction—the *strategus* being the more important witness and the royal scribe mentioned as an afterthought. There is no need to search for one individual performing the duties of both offices, as is confirmed by the presence of the second article.

ἐξετάσθη. For the unaugmented form see B. G. Mandilaras, *The Verb in the Greek Non-Literary Papyri*, paras. 232 seqq., esp. 242 (ἐξέτασε = ἐξήτασε, BGU II 380. 5); cf. para 425 ἐξέτακα = ἐξήτακα P. Lond. II 404.8 (p. 305).

8 πρὸ τοῦ με παρατυχεῖν, φησίν. It seems that we should understand the infinitive as equivalent to παρατυχεῖν ἐπὶ διάγνωσιν, "to make an appearance at a hearing," cf. M. Chr. 89.13. If so, the victim says that he was tortured before he came into court.

10 Supply e.g. $\xi\gamma\nu\omega\nu \delta\tau\iota$, "I realize that ..."

11 c. 8 letters $\acute{\alpha}\rho\gamma\acute{\upsilon}\rho\iota\omicron\nu$. Strongly suggested is $\lambda\alpha\mu\beta\acute{\alpha}\nu\omega\nu' \acute{\alpha}\rho\gamma\acute{\upsilon}\rho\iota\omicron\nu$ in which case Laetus accuses Julius of accepting bribes to release the guilty.

11-13 Read perhaps $\acute{\alpha}\rho\chi\rho\upsilon\zeta\iota$ 'Αρχρηνοϊτῶν, rather than any more specific title beginning with $\acute{\alpha}\rho\chi-$. The response to the judge's question comes from a single individual, see $\epsilon\acute{\iota}\pi\epsilon\nu$ (12). If $\acute{\alpha}\rho\chi-$ is his title, the end was probably $\lambda\alpha\sigma$ as in 12. The only possibility I can think of is [(ó?) $\acute{\alpha}\rho\chi\iota\epsilon\rho\tau\text{-}\tau\epsilon\upsilon\lambda\omicron\sigma\alpha\varsigma$ which is too long for the space in 11; in addition, $\acute{\alpha}\rho\chi-$ there is probably not followed by $\iota\omicron\tau\alpha$. If the individual is the representative of the group of magistrates addressed, this difficulty disappears.

What Laetus says is hard to understand and even the extent of his remarks is doubtful. So also with what follows. The possibilities which have occurred to me can be illustrated by four examples:

- (1) $\delta\iota\acute{\alpha} \tau\acute{\iota} \omicron\upsilon \pi\lambda\eta\rho\omicron\upsilon\tau\alpha\iota$; $\Delta\acute{\iota}\delta\upsilon\mu\omicron\varsigma$ [$\acute{\omicron}$ και $\Phi\iota\lambda\acute{\omega}\lambda\omicron\varsigma$] $\epsilon\acute{\iota}\pi\epsilon\nu$,
- (2) $\delta\iota\acute{\alpha} \tau\acute{\iota} \omicron\upsilon \pi\lambda\eta\rho\omicron\upsilon\tau\alpha\iota$; $\Delta\acute{\iota}\delta\upsilon\mu\omicron\varsigma$ [$\acute{\alpha}\gamma\omicron\rho\alpha\nu\omicron\mu\acute{\eta}\lambda\omicron\sigma\alpha\varsigma$] $\epsilon\acute{\iota}\pi\epsilon\nu$,
- (3) $\delta\iota\acute{\alpha} \tau\acute{\iota} \omicron\upsilon \pi\lambda\eta\rho\omicron\upsilon\tau\alpha\iota$ $\Delta\acute{\iota}\delta\upsilon\mu\omicron\varsigma$; [$\Theta\acute{\epsilon}\omega\nu \acute{\omicron}$ και $\Sigma\acute{\omega}\lambda\omicron\varsigma$] $\epsilon\acute{\iota}\pi\epsilon\nu$,
- (4) $\delta\iota\acute{\alpha} \tau\acute{\iota} \omicron\upsilon \pi\lambda\eta\rho\omicron\upsilon\tau\alpha\iota$ $\Delta\acute{\iota}\delta\upsilon\mu\omicron\varsigma$ [c. 7 letters; $\Sigma\acute{\omega}\lambda\omicron\varsigma$] $\epsilon\acute{\iota}\pi\epsilon\nu$,

In the first two Laetus seems to ask, "Why is it not being filled?" The significance is obscure, but in view of the mention of the recruitment of sailors in the answer (12) it is worth recalling that $\pi\lambda\eta\rho\acute{\omicron}\omega$ can mean "man" a ship or fleet, see LSJ s.v. III. Possibly, therefore, the question was "Why is it (i.e. a ship or flotilla) not being manned?"

The first trace in 12 is a horizontal which looks most like the crossbar of *tau*. If so, the most likely supplement would be a name. We may note Didymus alias Philotas in PSI X 1126.17, but he is described as $\gamma\epsilon\nu\omicron\mu\acute{\epsilon}\nu\omicron\upsilon \beta\omicron\upsilon\lambda\epsilon\tau\omicron\upsilon$, which should mean that he died as a councillor (of Arsinoe) without holding municipal office, whereas the person speaking here may well be a magistrate, see above para. 1. The trace might be held to represent the cap of a *sigma*, rather longer than normal. If so, the title of a previously held office, e.g. $\acute{\alpha}\gamma\omicron\rho\alpha\nu\omicron\mu\acute{\eta}\lambda\omicron\sigma\alpha\varsigma$, cf. above para. 2, would suit very well.

In examples (3) and (4) Laetus asks, "Why is Didymus not being satisfied?" If that is the end of the question, as in (3), "satisfied" might be equivalent to "paid". If the question continued, as in (4), the gap may have contained a word or words denoting in what respect he had been paid or satisfied.

However we take it, the question seems to be an abrupt change of subject, which is perhaps only another way of saying that the text is not yet understood. The reply to Laetus is equally puzzling, chiefly because of the damage to 13, but the beginning is clear, "Before the criminals were arrested he enrolled sailors...". The "criminals" are in all probability the same as the 650 $\lambda\eta\sigma\tau\alpha\iota$ mentioned in 14-15 and in 17-18. The subject of the main verb is not clear and one reason for including $\Delta\acute{\iota}\delta\upsilon\mu\omicron\varsigma$ in the judge's question might be to provide a subject both for $\pi\lambda\eta\rho\omicron\upsilon\tau\alpha\iota$ and, by implication, for $\kappa\alpha\tau\epsilon\gamma\rho\acute{\alpha}\psi\alpha\tau\omicron$ though my impression, or guess, is that the subject of $\kappa\alpha\tau\epsilon\gamma\rho\acute{\alpha}\psi\alpha\tau\omicron$ is the principal figure, Julius the decadarch. Recruiting from Egypt for the imperial navy was common, see CPR V 10 introd. If that is what is happening, the subject of the verb should probably be a soldier. However, there is the faintest of suggestions that the sailors were recruited in order to deal with the brigands locally and then drifted away leaving the boats undermanned after 650 brigands had been arrested. The Arsinoite nome hardly provides opportunities for river pirates, though they were a problem on the Nile, see P. Hibeh II 198. 85-122, but it is perhaps possible that brigands might escape by boat across Lake Moeris, which was 4-7 miles across in the middle (N-S) and about 25 miles long (W-E) in recent times, see map in P. Tebt. II pl. III, and was larger in antiquity. They would get a good start into the desert by leaving the pursuers to ride round or search for boats. To which the answer would be a fleet of police boats.

13-15 On the fragile hypothesis outlined in the previous note the advocate Heracleides would be acting for the magistrates of Arsinoe. My guess is that he intervenes to divert blame from

them, saying that the deficiency was due to the negligence of Julius. Restore, for example, [λ(ε)ιαν ἀμελ]οῦντος αὐτοῦ, "Because he was grossly negligent." To which Julius gives a retort that was plainly ironical. It ran, perhaps, — taking the sentence as a question and restoring the verb in the first person—"Was I grossly negligent to arrest a total of 650 brigands?"

15 λη(σ)τάς Cf. M a y s e r - S c h m o l l para. 44.2 (p. 179).

[..].τως. The first trace after the bracket is extremely small; there follow two traces best taken as the feet of *eta*, *pi* or *nu*, less likely to be separated into *sigma* preceded by an upright. See next note for conjectural restoration.

15-17 A conjectural restoration of these lines might run, Λαῖτος εἶπεν, '[ἀν]ορήτως (or [ν]ορήτως?) καὶ τοῦτον ἐνέ[ταξας κ]ατὰριθμῆσας'. καὶ προσέθηκεν, 'ἀπολ[ύ]ων τ[ι]οῦς] λη(σ)τάς ἐπεμψας τὸν τε[λοῦντα. ἀ]π[ι]ρόδιζον' κτλ., Laetus said, "You senselessly (or 'deliberately'?) included this man also in your calculation". And he added, "Releasing the brigands you sent the man who pays his taxes". The words are doubtful at almost every point where there is damage, but the general sense is clear.

16]αριθμῆσας. The damaged *alpha* is almost certain not to be an *eta*, but there is still the possibility that this is an indicative without an augment, cf. 7 n. on ἐξετάσθη, rather than a participle. If it is the equivalent of κατηριθμῆσας we should probably read ἐν ε — separately in 15, e.g. ἐν ἐ[τέροις].

καὶ προσέθηκεν. Cf. M. Chr. 93 (= P. Lips. 32; c. A.D. 241). 13, M. Chr. v. 372 (= P. Cattaoui iv; A.D. 142). 11. Also similar are P. Oxy. II 237 vii 28; SB V 7696.15; 8246.2; P. Ryl. IV 6794. See R. A. C o l e s, *Reports of Proceedings*, 43 n. 1.

ἀπο[. . .]γ[. . .].τ.ς. The restoration ἀπολ[ύ]ων τ[ι]οῦς] λη(σ)τάς suits both sense and remains very well; cf. ἀπολύεις (10) and λη(σ)τάς (15). If the trace after the first lacuna is part of *omega*, *hypsilon* and the left hand part of *omega* will fill the available space.

17 κα[. . .]βημ[. . .]ε. No solution has been reached. I should have expected something like, "Prove that this man is a brigand and stop shouting that you sent up 650", or, "I know that you sent up 650." The chief trace of *beta* is a horizontal below the base line. Also possible would be]β[.]η[, which suggests part of βοή or βοάω but with this the best I can do is κα[ι] β[ο]η μη[λ]έγ]ε, "and do not say with a shout" etc. This is hardly Greek. Also possible is γ instead of η.

17-18 ἐξεκοτίους (read ἐξά-) καὶ πεν [τῆκοντ]α. For the spelling cf. S. G. K a p s o m e n a k i s, *Voruntersuchungen*, 125. It may have been written the same way in 15, where the trace of the third letter is very small. The figure gives us the best evidence for the number of missing letters at the left. It would, of course, be possible to restore here—τῆκοντα ἐπτ]α or ἐνν]ε]α and similarly in 15, but a round number is much more likely and gives satisfactory results in 7-9.

The number is surprisingly high and we cannot escape from it by supposing that the decarch is saying that over the years he had arrested 650 brigands, because πρὶν συναλημφθῆναι τοὺς κακούργους (12) fairly plainly implies that the arrests were the result of some single action or at least some single campaign. Brigandage was a perennial problem in Egypt, see e.g. J. L i n d s a y, *Daily Life in Roman Egypt*, 142-4, 338-9, and note especially the prefect's edict and circular letter of c. A.D. 211-13, which shows that Middle Egypt was still plagued with it not many years later than this case (P. Oxy. XII 1408. 11-26). For a concise survey of the subject of brigandage throughout the Roman empire see R. M a c M u l l e n, *Enemies of the Roman Order*, 255-68; for Egypt 265-7.

18 οὗτος λησται ἤσση. The simplest correction is to read οὗτοι "I am not asking about the number, but whether these people were brigands". Since up to this point the judge seems to have been investigating one man's case and asking for proof that he was a brigand (17), there may be reason to ask whether we should correct to εἰ οὗτος ληστής ἦν.

19 c. 5 εἴ]πεν. A short name is required. Of those known to be available Longus, see 5, is the most suitable. Some conclusions about the speaker's position can perhaps be drawn from a paraphrase of the skeleton remains of the dialogue of 19-26 as follows:

X, "I am pleading for the lives of two friends who dared..."

Laetus, "Who (brought? Y?) to you?"

Answer, "Isarium".

Laetus, "How did Isarium come to you?"

Answer, "..."

Laetus, "So if someone comes to you and accuses his enemy, on hearsay you torture the accused and put him in chains and send him up for judgement?"

Laetus said to Julius, decadarch, "Produce your *collectio* in court".

From the last stage direction it is clear that the second person in the dialogue before line 26 is not Julius the decadarch. Yet the judge's speech in 23-5, accusing this person of applying torture on hearsay, is much like the passages accusing Julius in 6-11, 15-18. Less certain, but quite plausible, is the suggestion that it was to this speaker that a woman brought the man whom she accused and who was unjustly or illegally tortured. The speaker also says that he is pleading for the lives of two friends.

From these shreds of evidence I surmise that two members of a detachment of soldiers stationed in the Arsinoite nome on police duty are accused of misconduct, and that the man who says that he is pleading for the lives of two friends is their superior officer, probably the centurion *stationarius*. He may also be identical with the Longus who is mentioned in line 5; at least, that name might fit in 19.

One of the two accused is clearly Julius the decadarch (*decurio*). The second is probably to be identified with the *duplicarius* (δουπλικιάριος) mentioned below in 27. *Duplicarius* is a military title indicating not rank so much as the receipt of double pay and applied to an under-officer assisting a centurion or decurion, see P. Dura, *Introd.* pp. 32-3.

21 Restore perhaps something like ἀλλὰ τίς σοι προσή[γαγε cf. 19 n.

23-9 The following conjectural restoration is offered with the limited purpose of showing one way in which the remains might be interpreted.

Λαῖτος εἶπεν, 'ἐὰν οὖν ἔλθῃ τις πρὸς σὲ ἐχθρὸς [ὄν καὶ ὃν αἰτιᾶται ἀντίδικον] ἔχων ἐχθρὸν καὶ διαβάλλῃ ἄνθρωπον μὴδὲν ἄ[τοπον πεποιηκότα, σὺ τὸν ἄθλιο]ν ἐκ περιηχίσεως βασιανίζεις καὶ δεσμεύεις καὶ πέμπεις [εἰς τὸ δικαστήριον; 'Λαῖτος 'Ιου]λίω (δεκαδάρ)χ(ω) εἶπεν, 'παράστησον τὸν κολλητίωνα τὸν σόν.' [ἀπεκρίνατο, 'οὐ πάρεστι.' Λαῖτος] κομενταρησίους εἶπεν, 'ὁ δουπλικιάριος ἐν ἀσφαλεῖ ἦτω [μέχρι διαγνώσεως.' Λόγγος εἶπεν,] 'ἵνα δυνηθῆ ῥῆσαι ἐπιτρέψεις αὐτὸν ἀνεθῆναι τῶν [δεσμῶν...'

Laetus said, "So if someone comes to you who has a quarrel, and has an adversary whom he accuses who is his enemy, and calumniates a person who has done nothing irregular, you torture the wretched man on the strength of rumour and put him in chains and send him up to court"? Laetus said to Julius, decadarch, "Produce your filing clerk in court". He answered, "He is not present". Laetus said to the *commentarienses*, "Let the *duplicarius* be placed in safe custody until trial." Longus said, "That he may be able to survive will you allow him to be released from his bonds...?"

It should go without saying that no reliance can be placed on this reconstruction. Many other stopgaps could be invented.

23-24. ἐχθρὸς ... ἔχων ἐχθρὸν (read ἐχθρὸς...ἐχθρόν). Cf. *Dig.* 48.18.1.24, *Praeterea inimicorum quaestioni fides haberi non debet, quia facile mentiuntur, nec tamen sub praetextu inimicorum detrahenda erit fides quaestionis, causaque cognita habenda fides aut non habenda.*

25 περιηχίσεως. This is the first occurrence of the word in the papyri and apparently the first occurrence anywhere in this sense of "rumour, hearsay" which is, however, closely related to the use of the verb in the papyri, cf. P. Oxy. VIII 1119.7, P. Flor. I 36.24.

26 κ[ο]λλητίωνα. This term has always been a puzzle from both the philological and historical points of view. The fundamental study of it was made by L. R o b e r t, who in *Rev. phil.* 17 (1943) 111-119 (= *Op. Min. Selecta* I 364-372) collected the papyrological and epigraphical references and pointed out that κολλητίωνες occur preeminently in connexion with police matters. Another

reference was detected in BGU I 23 by N. Lewis (CE 29 (1954) 292) and this document has recently been discussed by Mrs. D. J. Crawford in JJP 18 (1974) 169–175. In that papyrus villagers complain against “Pasion κολλητήτων of the decadarch.” Here too the connexion with the decadarch is close; the judge says to him, “Produce your κολλητήτων in court.” And once again the matters at issue are police matters and have nothing to do with taxation, cf. CE 29 (1954) 292, “military personnel charged with police duties.”

The derivation of the word is also a problem, see JJP 18 (1974) 173 and nn. 14–16. Most scholars favour a Latin origin, from *collatio*, *collectio* or even *colletio*(!). J. A. Crook suggested a derivation from κολλάω in the sense “Blood-suckers” (JJP 18 (1974) 173 n. 16). Though I do not think that this translation is correct, I favour a derivation from κολλάω and suggest in my turn that κολλητήτων may be a translation of the rare Latin word *glutinator*. The principal text illustrating the meaning of this word is Cic. *ad Att.* IV 4a 1, *et velim mihi mittas de tuis librariolis duos aliquos quibus Tyrannio utatur glutinatoribus, ad cetera administris, iisque imperes ut sumant membranulam ex qua indices fiant, quos vos Graeci, ut opinor, σιττύβας appellatis*, “and please send me two of your scribes for Tyrannio to use as *glutinatores* (and) as assistants in other matters, and instruct them to bring with them the parchment of which are made the title tags, which you Greeks, I believe, call σιττύβαί”. TLL s.v. cites also CIL X 1735, *Mannio Stichio Tiberii Caesaris glutinatori*, and two other inscriptions in which three names are accompanied by this title, *Ephem*, *Epigr.* IX no. 699, p. 417, CIL X 6638. 4,5.

Lewis and Short translate “a gluer together of books, a bookbinder.” The second is clearly anachronistic, since the codex form is not supposed to have originated before the time of Martial, see C. H. Roberts, *The Codex*, (Proc. Brit. Acad. 40), 177. The *Oxford Latin Dictionary* defines *glutinator* as “a person employed to paste together strips of papyrus to make a sheet, and sheets of papyrus to make a roll.” Besides Cicero and CIL X 1735 it refers only to Lucil. 793 (828), “*praeterito tepido glutinator glutino*”, which is not helpful, but it is extremely unlikely that the process of making up sheets of papyrus, which required fresh sap-laden reed, could have been carried out in Italy by Cicero’s clerks.

More precise is the note by D. R. Shackleton Bailey, *Cicero’s Letters to Atticus* Vol. II, p. 181, “Their job was to glue the loose strips (*sic*; better ‘sheets’?) of papyrus edge to edge so as to make a connected length ready to roll round the central stick” cf. Crönert, *Hermes* 38 (1903) pp. 404 f.

In any case from other passages in this series of letters, given below in Shackleton Bailey’s text and translation, we can gather that Cicero was having his library put in order at his house in Antium. Apparently his books had been damaged when his house in Rome and his villas at Tusculum and Formiae were looted and destroyed, see Shackleton Bailey on 60 (III 15) 6, 10, Vol. II p. 152.

78 (IV 4a)1 *offendes dissignationem Tyrannionis mirificam librorum meorum, quorum reliquiae multo meliores sunt quam putaram*. “You will find that Tyrannio has made a wonderful job of arranging my books. What is left of them is much better than I had expected.” (This is followed immediately by the passage first quoted.)

79 (IV 8) 2 *postea vero quam Tyrannio mihi libros disposuit, mens addita videtur meis aedibus. qua quidem in re mirifica opera Dionysi et Menophili tui fuit. nihil venustius quam illa tua pegmata. postquam sittybae libros illustrarunt*. “And now that Tyrannio has put my books straight, my house seems to have woken to life. Your Dionysius and Menophilus have worked wonders over that. Those shelves of yours are the last word in elegance, now that the labels have brightened up the volumes”.

80 (IV 5) 4 *bibliothecam meam tui pinxerunt cum structione et sittybis*. “Your people have painted my library together with the book cases and labels”.

This was an exceptional case. The books required gluing because they had been damaged. However, it allows us to make a guess about the function of an office-worker whose title was *glu-*

tinator. Papyrus was sold by the roll, made up of about twenty sheets, cf. E. G. Turner, *Greek Papyri*, 4. This could be used as it was for a long text, it could be shortened or lengthened by cutting or by gluing on another bit, or it could be cut up again to provide sheets for short texts. The process of gluing together sheets of papyrus in the office is particularly associated with files in roll form made up of short documents glued together into rolls called τόμοι συγκολλήσιμοι cf. E. G. Turner, *Greek Papyri*, 140. This is not a mere mechanical process. If such files are to be of any use, the individual documents have to be organized, not merely stuck edge to edge pell mell. I suggest, therefore, that κολλητίων means "filing clerk".

If, then, the κολλητίωνες were the filing clerks of the military police, they clearly had opportunities to abuse their positions by receiving bribes for the insertion or deletion of names, and so to incur the odium of the provincials, as the texts expounded by Robert show they did.

One papyrus text seems to give support to the theory. Robert pointed out in *Rev. phil.*, 17 (1943) 118 (= *Op. Min. Sel.* I 371) n. 1, that in P. Flor. I 91. 27 κολλητίωνα should probably be read where the editor printed κα...τιωνα and noted "sembra καλλητιωνα". See now the plate in P. Laur I, Tav. II, which strongly supports this reading. Unfortunately, Robert gave no commentary. P. Flor. I 91 is fragmentary, having lost nearly half of its width with the beginnings of the lines. The full text is impossible to recover, but a skeleton outline indicated by words which actually do survive is very significant: ὁ... κωμογραμ(ματεὺς) Παντβεὺς ... [προ]σηφώνησεν τὸν Πετεσοῦχον ... μ]ῆ εἶναι κολλητίωνα αὐτοῦ ... γεγραμματουκέναι δέ ... [τοῖς γ]ενομένοις πρεσβυτέρους, "the village scribe Pantbeus ... reported that Petesuchus...is not his κολλητίων but has acted as secretary to the former (village) elders." Even if μ]ῆ (27) is not correct, the implication is clear that the activities of κολλητίων and γραμματοεὺς were related, just as were those of *librarioli* and *glutinatores* in Cicero's letter. My only doubt is whether αὐτοῦ (27) really refers back to ὁ κωμογραμ(ματεὺς) (24). We would expect to find rather that the κολλητίων was the secretary of an army officer, and I think it probable that if the text could be recovered entire this would be found to be the case. However, this raises the question whether the κολλητίωνες were soldiers or civilians, to which no certain answer can be given. It seems not impossible that, though there were military secretaries (*librarii*: cf. Domaszewski-Dobson, *Rangordnung*², 37,73), the army also employed civilian office workers, see perhaps the *conductor librariae* in P. Oxy. XLI 2951. 33 and the μ]ισθωτῆς κριντ[α]ν[η]ς in Ch. L. A. III 200. 30.

The papyrological dictionaries (WB, S. Daris, *Spoglio lessicale, id., Lessico latino*) are confused on κολλητίων. The references should be P. Oxy. VIII 1100. 19 (A.D. 206), P. Flor. I 91. 27 (II A.D.?), P. Brux. E. 7193 (CÉ 16 (1941) 256-7) = SB VI 9207. 7 (II/III A.D.), as corrected in *Rev. phil.* 17 (1943) 111-119, BGU I 23. 5,6 (latest text JJP 18 (1974) 169; c. A.D. 207); O. Tait II 1934. 7 (III A.D.). This word might be intended in P. Gron. 20.5 ('Απίων (= 'Απίων) ὁ κολλη[] and/or P. Berl. Leihg. 4 verso i 3 Μύσθης Μύσθου κολ(); these references are given under κολλητῆς in the dictionaries. Delete the reference to O. Tait II 2044. 7 from *Spoglio* and *Lessico latino*; κολλεγ() is printed, the ostrakon (inspected in the Ashmolean Museum, Oxford) had κολλει^γ, which is probably to be understood as the equivalent of κολλήγ(α) as the note suggests. Delete κολληγίων from WB *Suppl.*, *Spoglio* and *Lessico latino*.

It should be noticed that the Greek-Latin glossaries give κολλητῆς (and κολλιστῆς) as the equivalent of *glutinator* and also of *stagnarius*, "plumber, welder", for references see CGL *Indexes* Vol. VI (s.v. *glutinator*), VII (s.vv. *stagnarius*, *κολλητῆς*, *κολλιστῆς*). In the papyri there is only one certain occurrence of κολλητῆς (SB I 805.4); this is on a mummy ticket. In P. Tebt. II 316. 70 this word is not quite certain.

In P. Lond. III 1177. 278, 279 (p. 188), κολλητωγ and κολλη^γ may or may not represent this word; the damaged context relates to plumbing work. This confusion suggests the theory that κολλητίων was coined in order to provide a translation of *glutinator* which was not liable to be confused with κολλητῆς, henceforth to be kept to mean only "plumber, welder".

On the range of dates of references to κολλητίων see JJP 18 (1974) 172, where it is suggested

that the office was a Severan innovation. Robert (*Rev. phil.* 17 (1943) 118) pointed out that the documents all belong to a comparatively short period and suggested that the post was abolished quite quickly. The new reference is to be dated in the prefecture of Q. Maecius Laetus (A. D. 200–203). A *terminus ante quem* is given by the first dated appearance of his successor in November, A.D. 204 (BGU XI 2024).

There is a serious doubt about the date of P. Flor. I 91. The seventh, the ninth and tenth years of an emperor entitled Ἀντωνίνου Καίσαρος [τοῦ κυρίου mentioned. The editor took him to be Antoninus Pius. Mrs. Crawford pointed out that he might be Caracalla, see P. Bureth, *Les titulatures*, 102, but the likelihood is not very great. The two references to Caracalla under this titulature are so doubtful as to be no evidence at all, viz. P. Leit. 6. 26, P. Reinach II 100.4. Caracalla shared the empire until his twentieth regnal year with Severus and/or Geta, so that such dates would have to refer back at least ten years, and somewhat inaccurately, to the joint reign of Severus and Caracalla. The likelihood is that the first editors were right to refer the titulature to Pius, cf. Bureth, op. cit. 66–72. Just possible also is Marcus Aurelius, *ibid.* p. 83. In P. Laur. II 45 (VI/VII A.D.) for κολλητιών(ων) τῶν, in line 7 read perhaps μελλητιώντων, see Tav. XLV.

27 The conjectural restoration ἀπεκρίνατο, “οὐ πάρεστι” suggested above n. 23–9, is a stopgap. The shortness of the space and the fact that there is no interrogation of the κολλητιών suggest that he was not available. However, since both κολλητιών and *duplicarius* are terms quite likely to describe subordinates of a decadarch, there is the possibility that they refer to the same individual.

κομενταρησίους. This passage was referred to by Dr. R. A. Coles in *Reports of Proceedings*, 25, 1 n., without direct knowledge of the context, which implies that these *commentarienses* were in all probability not employed in recording the trial but rather were in charge of prison records, cf. RE IV 760–1 (s.v. *a commentariis custodiarum*), de Ruggiero, *Diz. epigr.* II 541 i–ii, and especially *Cod. Iust.* 9.4.4 (A.D. 371) *Ad commentariensem receptarum personarum custodia observatio pertinet*. Cf. 5 (A.D. 380) *Iubemus autem, ut intra tricesimum diem semper commentariensis ingesserit numerum personarum, varietatem delictorum, clausorum ordinem aetatemque victorum.*

28 The stopgap μέχρι διαγνώσεως is based on the guess that the absence of the κολλητιών has occasioned an adjournment.

ἵνα δυνήθῃ ζῆσαι Cf. *Cod. Iust.* 8.4.1, where Constantine lays down rules for the custody of the prisoner *ne poenis carceris perimatur, quod innocentibus miserum, noxiis non satis severum esse dignoscitur.*

29–30 What follows [δεσμῶν, cf. 23–9 n., if that is correct, up to β[ασ]άνων ἔστιν, I have not been able to guess. After that the text might be conjecturally restored, Λαῖτος εἶπεν, “δύνασαι τὸ ἱκανὸν [δοῦναι ὑπὲρ αὐτοῦ;” Λόγγος εἶπεν, “ναί”. Λαῖτος εἶπεν, “δότη”, Laetus said, “Can you [give] surety [on his behalf?” Longus] said, “Yes”. Laetus said, “Let him give it”. Cf. *Dig.* 48.3.3. (Ulpian VII *de off. proc.*) *Divus Pius...rescripsit non esse in vincula coiciendum eum qui fideiussores dare paratus est.*

30–1 The date 15th year, Tybi 21, is probably by regnal year of Severus and Caracalla, and so equivalent to 16 January, A.D. 207, several years after Maecius Laetus was out of office and in the term of Subatianus Aquila, his next successor but one: (Since third century reigns are mostly short, there is only one other possibility, viz. 15 Gallienus, i.e. 17 January, A.D. 268, and this is much less likely.) The date makes it clear that the proceedings before Laetus are cited in connexion with some later transaction, perhaps subjoined to a petition which is lost. Yet what the date and the sheet number refer to exactly is not clear. It might mean that the proceedings before Laetus, which must have taken place c. A.D. 200–203, were used and recopied on the 646th sheet of a record of 16 January, A.D. 207 and are quoted here again not from the original, but from that record. Or it might mean that they were copied on that date from the 646th sheet of the original record. There may well be other possibilities too.

What follows the date and reference is clearly a judicial decision in the form of a subscription. It seems to be in effect a licence to bring proceedings in the writer's court. Its wording may have been something like, δηλώσας τῷ [στρ(ατηγῷ)] λήμψη παρ'αυτοῦ ὑπο]γραφὴν ὥστε τὸν Σαραπίωνα ὑπακοῦσαι μου τῷ δικαστηρίῳ [πρὸς τὸ τὴν δίκην πέρας λαβ]εῖν, "If you report to the strategus you will get from him a subscription to the effect that Sarapion is to answer to his name in my court so that the case may be terminated."

For ὑπογραφὴν ὥστε cf. P. Achmim 8.32 τυχῶν ὑπογραφῆς ὥστε ἐντυχεῖν μοι δικάζοντι οὐδὲ οὔτως ἐνέτυχεν.

[Oxford]

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