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LATIN DEED
OF
MANUMISSION OF A SLAVE

(A.D. 221)

BELONGING TO
THE RIGHT HON. LORD AMHERST OF HACKNEY, *F.S.A.*

BY
SEYMOUR DE RICCI.

*Reprinted from "Proceedings of the Society of Biblical Archæology,"
May & June, 1904.*

*With Lord Amherst of Hackney's
Compliments.*

Didlington Hall, Norfolk.

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A LATIN DEED OF MANUMISSION

(A.D. 221).

Although the setting free of a slave was one of the most frequent acts of Roman every-day life, we had not yet a single copy of an original Latin deed of manumission.¹ Students will be glad to learn that the Right Hon. Lord Amherst of Hackney has been fortunate enough to add to his splendid collection of papyri, the only Latin manumission yet discovered. He has had the great kindness of allowing me to copy and publish this important document, which will prove interesting to many a student of Roman law.

It is written on two wooden tablets, obtained in 1903 by Lord Amherst from the well-known Paris dealer, Mihran Sivadjan. The exact provenance of the tablets was not known to the vendor, who had bought them in Middle Egypt, but the contents prove clearly that they originally came from Hermupolis Magna, the modern Ashmunein.

The accompanying fac-similes (Plates II & III), exactly the size of the original tablets, are photographic reproductions of my hand-made drawings of the boards. It would have been doubtless more desirable to give direct photographs of the tablets themselves, but the wood is so dark, and the ink is so faint, that no photograph would have proved legible. I must however warn the reader that my fac-simile of the handwriting, though faithful enough as to the shapes of the letters, does not always give a very accurate idea of the graceful and flowing strokes of the reed, which was evidently as supple and as flexible an instrument as the best quill pen.

The deed, as stated above, is written on two wooden tablets. Each of them is $7\frac{1}{2}$ in. long and $5\frac{1}{4}$ in. broad (183×151 mm.); the wood is apparently sycamore. On the edge of each tablet are pierced three holes, A B C, A' B' C', the middle one (B, B') being larger than the two other holes. These holes were made use of in the following way: strings were passed through the two pairs of smaller holes (A, A'; C, C'), forming a hinge, joining the two tablets by one edge and enabling them to be opened and shut, like a book.

¹ With the possible exception of a sixth century mediæval papyrus; cf. Appendix I, *d*.

This double tablet, technically known as a *diploma* or *diptychon*, had four pages: 1, 2, 3, 4. The deed having been drawn up, was written out twice: once on the inner pages (2, 3) and once on the outer ones (1, 4), leaving a blank space of about half a page on page 1 for the signatures. A third string was then passed through the central holes (B, B'), closing up the *diptychon* and hiding the inner pages from sight; the string was then tied up by a bow or a knot (across p. 1), which was then carefully secured by the wax or clay seals of the several witnesses. Unfortunately on the Amherst tablets both seals and strings have disappeared; but the accompanying photograph (Plate I) of a somewhat similar tablet from the Danube valley² will give a good idea of the general appearance of a sealed tablet.

The following passage of the *Sententia* of Julius Paulus (written about A.D. 212) mentions an interesting Senatus consultum on the sealing up of legal deeds: *Amplissimus ordo decrevit eas tabulas, que publici vel privati contractus scripturam continent, adhibitis testibus, ita signari, ut in summa marginis ad mediam partem perforate triplici lino constringantur, atque impositæ supra limum cere signa imprimantur, ut exteriori scripturæ fidem interior reseret.* (Paulus, *Sent.* V, 25, 6 = Girard, *Textes*, ed. 3. p. 426, cf. p. 851.)

On the outer pages, 1 and 4 (see Plates II & III), the deed was written out in black ink with the reed. On the inner pages, 2 and 3, the text was engraved on black wax with a sharp metal point; a raised margin, about half an inch wide, runs round pages 2 and 3, protecting the writing. Unfortunately the Egyptian climate has proved too warm for the Roman wax, which has partly melted, so that the writing is hardly legible. Enough however remains to show that the inner text was identically the same as the outer one. I have not been able to make a fac-simile of the very faint remains of the inner text.

It is not the first time that we find Latin deeds on waxed tablets.³ Two great hoards of such tablets have already been discovered:—

(a) Thirty-nine tablets (forming 25 deeds) have been found at Verespatak in Transylvania, in the ancient gold mines of Alburnus

² *Corpus Inscriptionum Latinarum*, Vol. III, p. 938.

³ The use of such tablets continued in France till the fourteenth century. See Edélestand du Ménil, *De l'usage non interrompu jusqu'à nos jours des tablettes en cire*, reprinted in his *Études sur quelques points d'archéologie et d'histoire littéraire*. (Paris, 1862. 8°.)

PLATE I.



A TABLET FROM TRANSYLVANIA,
showing the seals.

maior. They are all published in fac-simile by Mommsen in the *Corpus Inscriptionum Latinarum*, Vol. III, pp. 921-960 (*cf.* pp. 1058 and 2215).⁴

(*b*) A much larger find of tablets (153 different deeds) was made at Herculaneum in July, 1875. The tablets, found in a box, contain receipts delivered to the banker L. Caccilius Jucundus, and are of great legal interest. An admirable edition has been given by the late K. Zangemeister also in the *Corpus Inscriptionum Latinarum*, Vol. IV, Supplement I (1898).⁵

The chief difference between these two groups and the Amherst tablets is, that most of the Herculanean and Dacian deeds are engraved with a point on three wooden tablets, and not on two *i.e.*, on a *triptychon*, and not on a *diptychon*.

Wooden tablets have been frequently found in Egypt. They are generally covered with schoolboy's exercises in Greek, though tablets with accounts scribbled on them have been copied by M. Jouguet in the Cairo Museum.⁶

Latin tablets from Egypt were hitherto quite unknown, with the single exception of a small fragment, yet unpublished, belonging to the Bodleian library, and which I am glad to be able to make known for the first time (*cf.* Appendix II).

A striking parallel to the Amherst *diptychon* may be found in the well known "military diplomas," which contain copies of the imperial edict delivered to Roman veterans having served twenty-five years. These diplomas, of which more than one hundred and ten are now known, are always on two bronze tablets, joined by strings or wire hinges, closed up and sealed down exactly in the same manner as the Amherst *diptychon*. The text of the edict is likewise written out twice, once on the inner pages and once on the outer ones. The object of this duplicate inner copy was to prevent any alterations being made to the outer deed, or, as Julius Paulus puts it, *ut exteriori scripturæ fidem interior reseret*. A similar precaution was made use of many centuries earlier in the clay Babylonian tablets.

⁴ See also P. F. Girard, *Textes de droit romain*, 3rd edition (Paris, 1903. 16^o), pp. 802-804.

⁵ See also Girard, *op. laud.*, pp. 820-827.

⁶ No list of Greek wooden tablets from Egypt has yet been published. There are specimens in various museums at London, Oxford, Paris, Marseilles, Leyden, Turin, Berlin, Vienna, New York, Alexandria, and Cairo.

The deed of manumission contained in the Amherst *diplychon*, may be divided into three parts :—

- (a) The deed itself, written out twice, in Latin cursive (pp. 1-4 and 2-3).
- (b) The signatures of the parties named, in Greek cursive (p. 4).
- (c) The signatures of the witnesses, in Greek cursive (p. 1).

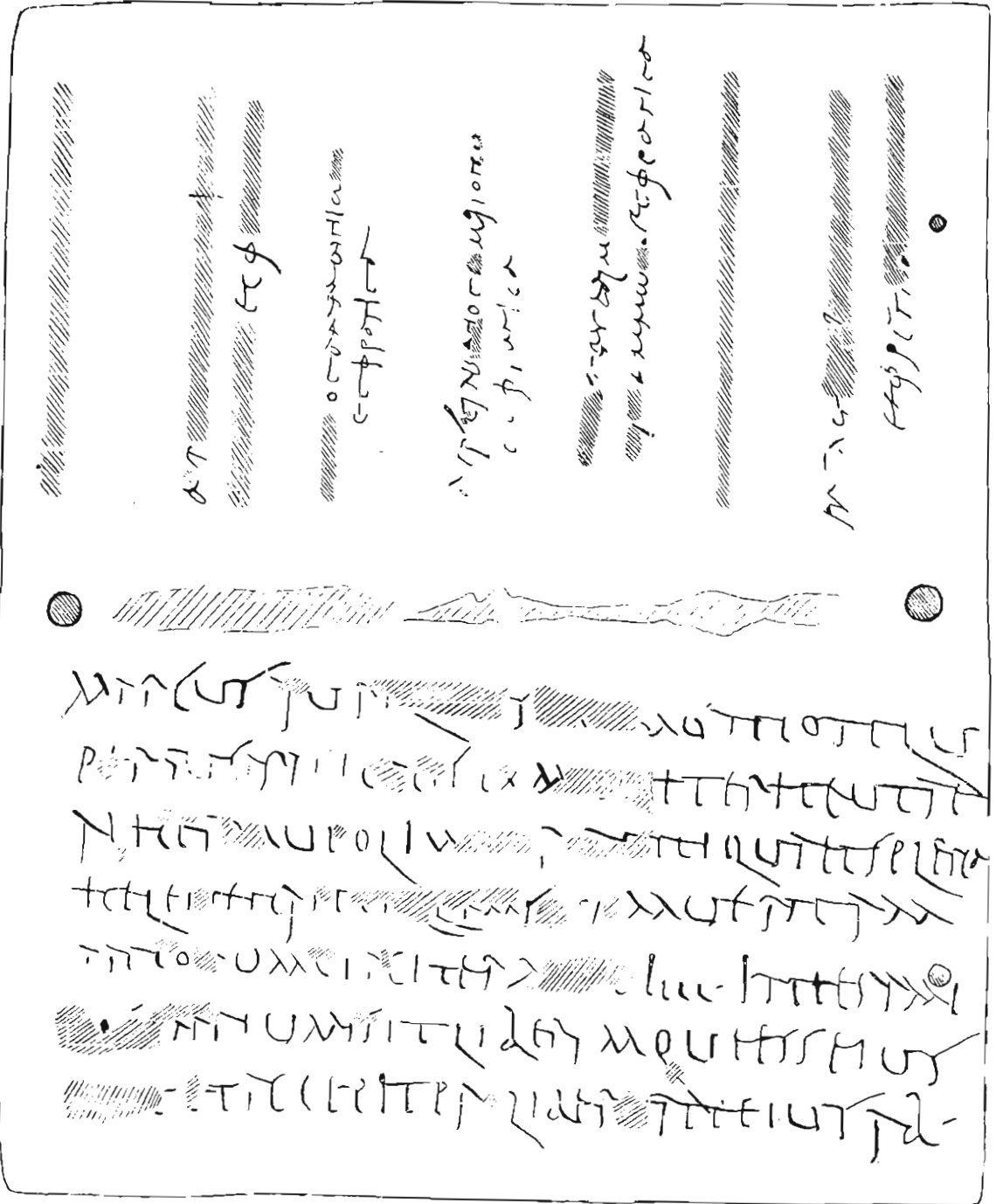
The Amherst *diplychon* is of great palaeographical interest, as it gives a most important specimen of dated Latin cursive handwriting (A.D. 221); the exterior copy of *a*, written in black ink, is in a good flowing cursive, with strong, round, well-formed letters. As may be seen from the fac-simile, it is by no means difficult to decipher. Very few abbreviations are used by the scribe, and they are all very easy to explain.

No published document, either on papyrus, on parchment, or on wood, contains an exactly similar handwriting, but an interesting parallel may be found in an unpublished Berlin papyrus (P. 8334) of which I possess a photograph. A few years ago it would have been considered unwise to compare scriptural forms of papyri with those of texts written on such a different material as wood or even vellum, but it seems now an established fact that the material used to write upon has had but little influence on the handwriting itself.

With the Amherst text may be also compared the Oxford fragment published on Plate III. On both documents the inner writing engraved upon wax is quite different in character from the exterior pen and ink cursive I have just been describing. It is the ordinary cursive of Roman graffiti, of the *tituli scarpinati* so frequent on the walls of Pompei. Its distinctive feature is the continual use of the form II for the letter E.

There is little to be said about the Greek cursive of the various signatures; it is the ordinary small sloping handwriting of papyri in the time of Caracalla.

I will now give the text of the Amherst *diplychon*, first in Roman capitals as it appears on the tablets, and, secondly, in minuscule, with the necessary supplements and restitutions. May I remind readers that square brackets denote letters restored in lacunæ, and round brackets, the explanation of scriptorial abbreviations. The spelling of the original document has in no case been altered. Letters of doubtful reading have a dot below them.



ΑΥΡ
 ΕΦ
 ΟCΑΜΜΩΝΙΩ
 ΕΦΡΑΓΙCΑ
 ΑΥΡ / CΙΛΒΑΝΟC ΜΦΙΟΝΩ
 ΕΦΡΑΓΙCΑ
 ΕΥΔΑΙΜ
 ΑΜΜΩ ΕΦΡΑΓΙCΑ
 Μ ΑΥ
 ΕΦΡΑΓΙCΑ

MARCVSAVREL · S · MMONIONLV
 PERGV SARAPIONISEX · M · ETERHEVTAE
 ABHERMVPOLIM · RANTIQAETSPLEND
 HELENENANCILLAMSVAMVERNAM
 5. ANNORVMCIRCITERX · XIII · INTERAMI
 · OSMANVMISITLIBERAMQVEESSEIVS
 · TETACCEPITPR · LIBER · ATEEIVSAB

AVRELIOALETISINAROV TISA · VICOTISICHEOS
 NOMIHERMVPOLITVDRAVG · DVAMILLIA
 10. DVCENTASQVASETIPSEALESINAROV TISDO
 NAVITHELENELIBERTASVPRASCRIP TA
 ACTVMHERMVPOLIMAIOR · ANTIQVA
 ETSPLEND · VII · KAL · AVGVSTASGRATO
 ETSELEVCOCOSANNOIII · IMP CAESARIS
 15. MARCIAVRELIANTONINIPIIFELICISAVG
 MENSEMESOREDIEI · ΜΑΡΚΟCΑΥΡΗΑΙΟC
 ΑΜΜΩΝΙΩΝΛΟΥΠΕΡΓΟΥCΑΡΑΠΙΩΝΟCΕΑΕΝΗΝΔΟΥ
 ΛΗΝΜΟΥΟΙΚΟΓΕΝΗΩCΛΔΜΕΤΑΞΥΦΙΛΩΝΗΛΕΥ

- ΘΕΡΩΣΑΚΑΙΕΣΧΟΝΥΠΕΡΑΥΤΡ^ΝΝΑΥΤΗΣΔΡΑΧΜΑΣ
 20. ΣΕΒΑΣΤΑΣΔΙΣΧΕΙΑΙΑΣΔΙΑΚΟΣΙΑ^ΥΡΗΑΙΟΥΑΑΗΤΟΣ
 ΙΝΑΡΟΟΥΤΟΣΩΣΠΡΟΚΕΙΤΑΙ Α^ΗΗΛΙΟΣΑΗΝΣΙΝΑΡΩ
 ΟΥΤΟΣΕΞΩΔΙΑΣΑΤΑΣΤΟΥΑΡΓΥΡΙΟΥΔΡΑΧΜΑΣΔΙΣ
 ΧΕΙΛΙΑΣΔΙΑΚΟΣΙΑΣΚΑΙΟΥΜΕΤΕΑΕΥΣΟΜΑΙΕΛΕΝΗΝ
 ΤΗΝΠΡΟΚΕΙΜΕΝΗΝΑΠΕΛΕΥΘΕΡΑΝΑΥΡΗΑΙΟΣΑΜ
 25. ΜΩΝΙΟΣΕΡΜΕΙΝΟΥΕΓΡΑΣΥ^ΠΑΥΤΜΗΕΙΔ^ΟΓΡΑΣ

Page 2.⁷

- MAVRIILIVSAMM [*onion hypergen sa*]
 [*vaphionis ab hermiupoli maior*]
 ANTIIT [sp] LIIND [*helenen anci*] LLAM
 SVAMVIIRNA [*m annorum cir*] ITIIR
 5. XXXIII [*inter amicos manum*] SITLIBII
 RAM [*que esse iussit et ar*] CEPIT
 PROL [*ibertate eius ab auv*] AL [e] TIS
 INAR [*ontis a uico tisicheos*] NOMI
 HIIRMV [*politu dr . aug . dua*] MILLIA
 10. DVCII [*ntas quas et ipse*] ALIISIN [*arou*]
 TISDO [*navit*] HII [*lene suprasc*] RIPTA
 ACTVMHIIRMV POLIMAIORANT
 IITS [p] L [en] D [vii] KAL [august] ASGRATO

Page 3.

- IITSIIL.IIVCOCOSANNO [*iiii*] IMPCAIISARIS
 15 M [α] RCI [αν] RELIANTON [*ini pii fel*] CISAVGVSTI
 ME [ν] S [*e mesore die i μαρκος ανρη λιοσ*]
 [α] MMΩΝ [*ων λουπεργον παραπιωνοσ*] ΕΛΕΝΗΝ
 ΔΟΥΛΗΝ [*μου οικογενη ησ Γ. λι η*] ΕΤΑΞΥ
 ΦΙΛΩΝΗΛΕΥΘ [*ερωσα και εσχον υπερ*]
 20. [λυτρων υπησ εραχμασ] ΔΙΣΧΕΙΑΙΑΣ

The last lines are illegible.

⁷ For the two inner pages I give only one text, filling up the lacunæ with the help of the exterior text.

- Page 1. 1. *Marcus Aurel[iu]s [A]mmonion Lu-*
 2. *-pergu Sarapionis ex M[] ~~terhentae~~ ^{matr[is]e Terhentae}*
 3. *ab Hermupoli M[ai]or(e) antiqua et splend(ida)*
 4. *Helenen ancillam suam uernam.*
 5. *annorum circiter x[x]xiii inter ami-*
 6. *-[e]os manumisit liberamque esse ius-*
 7. *-[si]t et accepit pr[o] liber[is]tate eius ab*
- Page 4. 8. *Aurelio Aletis Inaroutis a uico Tisichos*
 9. *nomi Hermupolitu dr(achmas) aug(ustas) dua millia*
 10. *ducentas quas et ipse Ales Inaroutis do-*
 11. *-nauit Helene liberta(e) suprascripta(e)*
 12. *Actum Hermupoli Maior(e) antiqua*
 13. *et splend(ida) vii kalendas Augustas Grato*
 14. *et Seleuco co(n)s(ulibus) anno iiii Imp(eratoris) Caesaris*
 15. *Marci Aureli Antonini Pii Felicis Aug(usti)*
 16. *mense Mesore die I. Μαρκος Αυρηλιος*
 17. *Αρμενιων Λουπεργου Σαραπιωνος Ελευνην εου-*
 18. *-λην μου οικουμένην ως (ετων) λδ μεταξυ φιλιων ηλευ-*
 19. *-θερωσαι και εσχον υπερ λυτρ[ω]ν αυτης εραχμας*
 20. *σεβαστας εισχειλις εικοσι[ς απο Α]υρηλιου Αλητος*
 21. *λυτροουτος ως προκειται Α[υρ]ηλιος Αλης Ιναριου-*
 22. *-ουτος εξωμισα τας του αρηριου εραχμας εισ-*
 23. *-χειλις εικοσις και ου μετελευσομαι Ελευνην*
 24. *την προκειμενην απελευθεραν. Αυρηλιος Αμ-*
 25. *-ωνιος Ερμειου εγρα(ψα) υπ(ερ) αυ(ου) μη ειδο(τος)*
γρα(μματα)

TRANSLATION.

“Marcus Aurelius Ammonion, son of Lupergus, son of Sarapion from Hermupolis Maior, the Ancient and Magnificent, has set free, between friends, his female house-born slave, Helene, about 34 years old, and has bidden her to be free, and has received for her freedom from Aurelius Ales, son of Inarous, from the village of Tisichis, in the Hermupolite nome, two thousand two hundred Augustal drachmas, which Ales, son of Inarous, has himself made a present of to Helene, the above-named freed woman. Done at Hermupolis Maior, the Ancient and Magnificent, the viith day before the Kalends of August, Gratus and Seleucus being consuls, the fourth year of the Emperor Cæsar, Marcus Aurelius Antoninus,

the Pious, the Happy, Augustus, the first day of the month of Mesore.

I, Markos Aurelios Ammonion, son Lupergos, son of Sarapion, I have set free, between friends, my house-born female slave Helene, about thirty-four years old, and have received for her freedom two thousand two hundred Augustal drachms from Aurelius Ales, son of Inarous, as written above.

I, Aurelios Ales, son of Inarous, have paid the two thousand two hundred silver drachms, and will make no claim on (*or* against) Helene, the above-named freedwoman. I, Aurelios Ammonios, son of Hermeinos, have written for him, as he knoweth not letters."

COMMENTARY.

L. 1. *Marcus Aurelius Ammonion* (Μαρκος Αυρηλιος Αμμωνιον) had not been long a Roman citizen when he signed the manumission. He gives his father's name as *Lupergos*, and his grandfather's name as *Sarapion*, both being Græco-Egyptian *cognomina*, without the Roman *prænomen* and *nomen*, Marcus Aurelius.⁸ It is evident that he became a Roman citizen in the summer of A.D. 212, when the emperor Caracalla gave the right of city to all the inhabitants of the Roman empire (Ulpianus, *Digesta* I, 5, 17): *In Orbe Romano qui sunt, ex Constitutione Imperatoris Antonini cives Romani effecti sunt*. It is highly probable that the right of city was not given, even at that date, without some restriction.⁹ M. Paul Meyer has written a very able chapter on *Aegypten und die Bürgerrechtsverleihung durch Caracalla*, in his book on the Greek and Roman army in Egypt.¹⁰ He has proved that only a part of the population, chiefly priests, functionaries and citizens of certain towns received the right of city. I must refer readers to his lengthy and well-supported argumentation.

Ll. 1-2. *Ammonion* is not a common name (Oxy. 118, 520; Amh. 122, 124, etc.), but *Sarapion* is exceedingly frequent. As for

⁸ An Egyptian would not have minded repeating three times the name *Aurelius*. See, for instance, the following inscription published by Milne, *Journal of Hellenic Studies* XXI (1901), p. 283: Μαρκωι Αυρηλιωι Μικκαλωνι, etc., υιωι Μαρκου Αυρηλιου Θεοφιλου, etc., υιωνω Μαρκου Αυρηλιου Ευδαιμονος, etc., θυγατριδω Μαρκου Αυρηλιου Ιερακος.

⁹ See Girard, *Manuel élémentaire de droit romain*, 3rd edition (Paris, 1901, 8°), p. 114, note 3.

¹⁰ Paul M. Meyer, *Das Heerwesen der Ptolemäer und Römer in Aegypten* (Leipzig, 1900, 8°), pp. 136-144.

Lupergos, I know no other example of it, so I am afraid I may have deciphered it incorrectly (perhaps for *Lupercus*).

L. 2. *ex M . . . eterheuta*. The three first letters are very doubtful, but the reading of the others seems clear. I can make no sense out of this word, which was apparently omitted in the inner copy and has no equivalent in the Greek part of the document.

L. 3. *ab Hermupoli maiore antiqua et splendida*. *Hermupolis maior* (Ashmunein), appears to have been an important city in the Roman and early Byzantine period. Great quantities of Greek papyri have been found there : some of the finest are in the Amherst Collection, others being in Leipzig and Berlin. The epithets *antiqua et splendida* are unusual. The ordinary Greek qualificative is η λαμπροτατη, "clarissima," which may hardly be considered as an equivalent even for *splendida*. An Amherst papyrus (n. 100), written between A.D. 198 and 211, fortunately gives us the Greek equivalent for these Latin epithets ; it begins : Ερμης Διογενους κοσμευσαυτ[ος] Ερμο[υπο]λεως της μεγαλης αρχαιας¹¹ και [λαμ]πρ[η]ς, according to Messrs. Grenfell and Hunt's excellent publication. The Greek formula translated into Latin gives exactly, *Hermupoleos maioris antiquae et splendidae*.

Professor G. Lumbroso kindly refers me to a Latin inscription from Alexandria (*C.I.L.*, III, n. 6587) which calls that city *splendida urbs*.

L. 4. *Helene* is a Greek name often found in papyri, and, as most mythological names, frequently given to slaves.

L. 4. *Ancillam suam uernam, εουλην μου οικουνην*, "his house-born female slave." Roman law considered as a slave by right every child of a female slave, no matter who the father may have been : *ex ancilla et libero iure gentium seruus nascitur* (Gaius I, 82).

L. 5. *annorum circiter xxxiiii, ως επων λε*, "about thirty-four years old." The words *circiter* and *ως* by no means imply that the age was doubtful, no more than the Latin formula *πλεον ελαττον, plus minus*, more or less, so frequent on christian tombstones.

L. 6. *inter amicos manumisit, μεταξω φιλων ηλευθερωσω*, "has set free between friends." An interesting formula already known by several judicial texts, which throw some light on its importance in

¹¹ The town of Herakleopolis (*Akhis*) was known as *αρχαια και θεοφιλος* B.G.U. 924 ; C.P.R. 205).

our document. The following passage of the Pseudo-Dositheus¹² (written about A.D. 200 or 210), gives an interesting historical account of the *manumissio inter amicos*.

4. Primum ergo uideamus, quale est quod dicitur *de* eis, qui inter amicos *olim* manumittebantur, non esse liberos, sed domini uoluntate in libertate morari et tantum seruiendi metu dimitti.

5. Antea enim una libertas erat et *manumissio* fiebat uindicta, uel testamento, uel censu et ciuitas Romana competebat manumissis: quæ appellatur iusta *manumissio*. Hi autem qui domini uoluntate in libertate erant, manebant serui; *sed si* manumissores ausi erant in seruitutem denuo eos per uim ducere, interueniebat praetor et non patiebatur manumissum seruire. Omnia tamen quasi seruus adquirebat manumissori, uelut si quid stipulabatur *uel* mancipio accipiebat uel ex quacumque causa alia adquisierat, domini hoc faciebat, id est manumissi omnia bona ad patronum pertinebant.

6. Sed nunc habent propriam libertatem, qui inter amicos manumittuntur, et fiunt Latini Iuniani, quoniam lex Iunia quæ libertatem eis dedit, exaequauit eos Latinis coloniariis qui cum essent ciues Romani [liberti] nomen suum in coloniam dedissent.¹³

7. In his qui inter amicos manumittuntur uoluntas domini spectatur; lex enim Iunia eos fieri Latinos iubet, quos dominus liberos esse uoluit. *Quod cum ita sit*, debet uoluntatem manumittendi habere dominus: unde si per uim coactus uerbi gratia ab aliquo populo uel a singulis hominibus manumiserit, non uenit seruus ad libertatem, quia non intellegitur uoluisse qui coactus est. . .

10. Communis seruus ab uno *ex sociis* manumissus, neque ad libertatem peruenit et alterius domini totus fit seruus iure *adcrescendi*. Sed inter amicos seruus ab uno ex sociis manumissus utriusque domini seruus manebit; ius *enim* *adcrescendi* in hac manumissione *non* uersatur. . .¹⁴

¹² A very corrupt text, published by Boecking, Huschke, Krüger and others. I quote it from Girard, *Textes*, 3rd edition, p. 477.

¹³ Cf. Ulpianus, *Liber Singularis Regularum*, 1, 10: Hodie autem ipse iure liberi sunt ex lege Iunia, qua lege Latini fiunt nominati inter amicos manumissi.

¹⁴ Cf. Ulpianus, *l.c.* 1, 18: Communem seruum unus ex dominis manumittendo partem suam amittit, eaque adcrecit socio; maxime si eo modo manumisserit, quo, si proprium haberet, ciuem Romanum facturus esset; nam si inter amicos cum manumisserit, plerisque placet eum nihil egisse. (Cf. also Paulus, *Sent.* IV. 12, 1.)

13. Minor uiginti annorum manumittere nec uindicta potest nec testamento, itaque nec Latinum facere potest; *sed* tantum apud consilium *causa probata* potest manumittere seruum suum.

14. Is autem qui manumittitur inter amicos, quotcumque est annorum, Latinus fit, et tantum ei hoc prodest manumissio, ut postea iterum manumitti possit uindicta uel testamento et ciuis Romano fieri.

15. Mulier sine tutoris auctoritate *inter amicos manumittere non potest*, nisi ius liberorum habeat; tunc enim *et* uindicta sine tutore potest manumittere.

§ 13 is given also by Gaius (I, 41) under a more complete form specifying that the *manumissio* shall be *inter amicos*:

Et quamuis Latinum facere uelit minor xx annorum dominus, tamen nihilo minus debet apud consilium causam probare, et ita postea inter amicos manumittere.

The *manumissio inter amicos* is mentioned further on by Gaius (I, 44):

Licet ñs qui uindicta aut censu aut inter amicos manumittunt, totam familiam liberare, scilicet si alia causa non impediat libertatem.

And by Iulius Paulus, *Sent. IV, 12, 2*:

Mutus et surdus seruum uindicta liberare non possunt: inter amicos tamen et per epistulam manumittere non prohibentur. Ut autem ad iustam libertatem peruenire possit, condicione uenditionis excipi potest.

And in the *Fragmenta Vaticana* (§ 261):

Peculium uindicta manumisso, uel inter amicos, si non adimatur, donari uidetur.

An important constitution of Justinian, *de Latina libertate tollenda et per certos modos in ciuitatem Romanam transfusa* (*Codex Iust.*, VII, 6) proves that although the consequence was quite different, the form of the act had persisted down to A.D. 531, for we read in § 2 of this law:

Sed et si quis inter amicos libertatem dare suo seruo maluerit, licebit ei quinque similiter testibus adhibitis suam explanare uoluntatem et quod liberum eum esse uoluit dicere: et hoc siue inter acta fuerit testificatus siue testium uoces attestationem sunt amplexæ et litteras tam publicarum personarum quam testium habeant, simili modo serui ad ciuitatem producantur Romanam quasi ex codicillis similiter libertatem adipiscentes.

Of course Helene became a Junian Latin, and not a Roman citizen.

It is not easy to determine what is the exact sense of *inter amicos*; the expression is apparently used to indicate a private act, written out without the intervention of any public official or functionary, but before witnesses.¹⁵ The word *amicus* itself becomes nearly synonymous with *testis*, witness, as remarked by Dirksen in his *Manuale latininitatis fontium iuris civilis Romanorum* (Berlin, 1837, 4^o), p. 62.¹⁶ Justinian seems to consider an act *inter amicos* as nearer to a secret act than to a public one (*Codex Inst.* VII, 6, 10): "Si enim ipse tali adfectione fuerat accensus, ut etiam filium seruum suum nominare non indignetur, et hoc non secreto neque inter solos amicos, sed etiam actis interuenientibus et quasi in iudicii figura nominauerit . . ." and such appears to have been already the case when in A.D. 472 Emperor Leo (*Cod. Inst.* VIII, 17, 11) says that: Scripturas quæ sæpe adsolent a quibusdam secreta fieri, interuenientibus amicis nec ne, transigendi uel paciscendi causa seu fenerandi uel societatis cœundæ gratia seu de aliis quibuscumque causis uel contractibus conficiuntur, quæ idiochira Græce appellantur, siue tota series eorum manu contrahentium uel notarii aut alterius cuius libet scripta fuerit, ipsorum tamen habeant subscriptiones, siue testibus adhibitis siue non, licet condicionales sint, quos uulgo tabularios appellant, siue non quasi publice scriptas, si personalis actio exerceatur, suum robur habere decernimus.

Students of Roman law will be glad to have in the Amherst tablets the only specimen preserved of an act *inter amicos*.

L. 6. *liberamque esse iussit*, and has bidden her to be free. The word *iubere* is here used to mark the well-defined *uoluntas*, stated as necessary by the above-quoted passage of Pseudo-Dositheus (§ 7). The word *iubeo* is particularly appropriately used in wills, such as the *Testamentum Dasumii*, in which we even read the sentence [*omni*]es quos *liberos esse iussi*.¹⁷

L. 7. *et accepit pro libertate eius, και εσχον υπερ λυτρων αυτης*, and has received for her freedom. It may be remarked that *libertas* here means rather *liberatio a domini potestate* than *conditio liberi hominis*.¹⁸ The *Digesta* mention sums paid *pro libertate*, for instance,

¹⁵ See Mommsen, *Romisches Staatsrecht*, Vol. I (3rd edition), p. 308, note 2 = *Droit public* I, p. 352, note 3.

¹⁶ See also Kübler and Helm, *Vocabularium Iurisprudentiæ Romanæ*, fasc. II (Berolini, 1898, 4^o), col. 414.

¹⁷ Girard, *Textes*, 3rd edition, p. 769, l. 54; l. 41, *iubeo*, would perhaps be a better restitution than *uolo*.

¹⁸ Dirksen, *Manuale*, pp. 540-541.

XVI, 1, 3, 33: *Eleganter apud Iulianum quæritur, si pecuniam servus apud me deposuit ita, ut domino pro libertate eius dem, egoque dedero, an tenear depositi? Et libro tertio decimo Digestorum scribit, si quidem sic dedero quasi ad hoc penes me depositam teque certiorauro, non competere tibi depositi actionem, quia sciens recepisti, careo igitur dolo: si uero quasi meam pro libertate eius numerauero, tenebor.*¹⁹

L. 8. *ab Aurelio Aletis Inaroutis*, ἀπο Αὐρηλίου Ἀλητος Ἰναρουουτος (and l. 21 Αὐρηλίου Ἀλης Ἰναρωουτος). This person also doubtless became a Roman citizen in A.D. 212. His name, *Ales*, is very rare, and, perhaps, as yet unknown.²⁰ His father's name is hardly more frequent, but it appears on a curious Greek inscription from Karnak, in the Cairo Museum (n. 33,028), recently published by M. Héron de Villefosse, *Petites notes d'archéologie* III (1902), pp. 18-21, in which occurs (Col. I, l. 25) the names Ἀχιλλεὺς Ἰναρουουτος. It seems highly probable that the name read Ἰναρσουουτος, by Professor Mitteis in a Leipzig Greek papyrus (n. 17, l. 10), ought to be printed Ἰναρουουτος, as, perhaps also a mutilated name in the Oxyrhynchus papyrus n. 489, l. 17, though the published reading, [Ι]λαρου[το], is quite satisfactory. Another form of the same name, Ἰναριεω, occurs on two Tebtunis papyri (93 and 82).

L. 8. *a uico Tisicheos nomi Hermupolitu*. The village of Tisichos is mentioned in two Berlin papyri from Herakleopolis (B.G.U. 552; B., I, B. and 555, 7), both times in a list of villages of the Λευκοπυργειτης κατω τοπαρχία:

552. Λευκοπ (υργειτου) κατω 555.

Τεκερκ[]	
Ψιν.[]
Σερκε[ρκ]	Σερκερκ.[]
Τεκερκ[εθοηρεωσ]	Τεκερκεθο[ηρεωσ]
Μαγλωλ[ωυ]	Μαγλωλεω
Χαιρεφαν[ων]	Χαιρεφανων
Ταλ[οι]	Ταλοι
Κερ[κεθοηρεωσ]	[Κε]ρκεθοηρεωσ
Τισ[ιχεωσ]	[Τισ]ιχεωσ

¹⁹ Cf. also *Digesta*, XII, 4, 2, 14, and XII, 2, 4, 9, and XVI, 1, 13; Girard, *Manuel*, p. 95.

²⁰ Cf. *Αλεις*, in B.G.U., 493.

The "*Leukopygeites katō*" toparchia does not belong (as still believed in 1898) to the Herakleopolite nome, but to the Hermopolite, as acutely remarked by Wilcken (*Archiv für Papyrusforschung* I, 1901, p. 555).

L. 9. The form *Hermopolitu* is not the correct one: we would have expected *Hermopolitu*. As early as 1848 Letronne had established the following rule:²¹ when an Egyptian town name is composed of a god's name followed by *πολις*, the two words are never contracted into one by the omission of the last letter in the god's name. The contract form, on the contrary, is always used for the ethnic; we have, for instance,

Αντιροου πολις	Αντιροοπολιτης
Διος πολις	Διοπολιτης
Κυριων πολις	Κυροπολιτης

and in the same manner

Ερμου πολις	Ερμοπολιτης
-------------	-------------

L. 9. *drachmas augustas*, ἰραχμας αὐγουστας, augustal drachms (and l. 22, τας του αργυριου ἰραχμας). The drachm is the ordinary word by which the Roman silver *denarius* is called in Greek papyri. The history of this coinage will be found in Professor Mommsen's important article, *Zum ägyptischen Münzwesen*, in the *Archiv für Papyrusforschung* I (1900) pp. 273-284. Two thousand two hundred drachms would make about £80 worth of silver, that is to say, the possible equivalent of £400 in modern money.

L. 10. *quas et ipse Ales*—Compare line 23 of British Museum papyrus, 229: *C. Iulius Titianus suboptio triere Libero Patre et ipse rogatus pro Gato Iulio Antihoco*, etc. Instead of *et ipse*, Schulten has proposed to read *scripsi*, which seems necessary to the sense of the sentence, and suits pretty well the letters visible. The Amherst tablets however prove conclusively that *et ipse* is actually written on the British Museum Papyrus, though of course, in that document, *et ipse* may be an error of the scribe for *scripsi*.

L. 11. *donavit Helenē liberta suprascripta*. The reading *libertae suprascriptae* is quite an obvious correction,²² the sense being of

²¹ *Recueil des inscriptions grecques et latines de l'Égypte*, Vol. II, p. 48-51.

²² It is a well established fact that final *ae* was pronounced in the same way as final *a*. The confusion is frequent in late texts. See Lumbroso, *Expositio totius mundi et gentium* (Rome, 1903, 8^o), p. 51, note on line 274.

course that Aurelius Ales has paid 2200 drachms for the freedom of Helene, and that he has not lent her the money, but made her a present of it. It may be conjectured that Aurelius Ales intended marrying Helene. Females were frequently set free in order to be able to marry Roman citizens. The following passage of Justinian's constitution of 531 (*Cod. Inst.* VII. 6, 9: *cf. supra*) mentions a somewhat different case:

Sed et si quis homini libero suam ancillam in matrimonio collocauerit et dotem pro ea conscripserit, quod solitum est in liberis personis solis procedere, ancilla non Latina, sed ciuis efficiatur Romana. si enim hoc quod frequentissime in ciues Romanas et maxime in nobiles personas fieri solet, id est dotalis instrumenti conscriptio, et in hac persona adhibita est, necessarium est consentaneum effectum huiusmodi scripturae obseruari.

L. 12. *Actum*, "done," is the official word, meaning that an act has been drawn up and signed. It is used, for instance, in nearly all the donations, sales, and leases published in Bruns's *Fontes iuris romani*, or in Girard's *Textes de droit romain* (3rd edition) pp. 783-818.

L. 13. *Grato et Seleuco consulibus*. Gaius Vettius Gratus Sabinianus and Marcus Flavius Vitellius Seleucus were consuls in A.D. 221. The texts mentioning their names have been brought together by Klein, *Fasti consulares*, p. 96; and by Mommsen, *Corpus inscriptionum latinarum*, Vol. III, p. 1997.

L. 14. *anno liii Imperatoris Caesaris Marci Aureli Antonini Pii Felicis Augusti*. The emperor named is Marcus Aurelius Antoninus, better known by his nickname *Elagabalus* or *Heliogabalus*; he reigned from May the 6th, A.D. 218 to March the 11th, 222. His name is not common on papyri, although between twenty and thirty texts mentioning him are now known.²³ It will be remarked that the Amherst tablets bear a double date: a Roman one by kalends and consuls, and an Egyptian one by the year of the reigning emperor. The fourth year of Elagabalus extends from the 29th of August, A.D. 220 to the 28th of August, 221. The seventh day before the kalends of August is the 26th July; but the first day of Mesore is the 25th July and the 24th in leap years. There is a discordance of one day between the two dates. Doubtless the

²³ Most of them are quoted by Milne, *A History of Egypt under Roman Rule*, p. 73.

blunder is due to the scribe's ignorance of the Roman calendar, and the real date of the document is July the 25th, 221.

L. 20. Instead of *απο, παρα* might perhaps be read.

L. 22. *εξωδίασα*, I have paid, from *εξοδίαζω*; a most uncommon word even in papyri; it is used by the LXX (4 Kings, 12, 12): *εἰς πάντα ὅσα ἐξωδίασθη ἐπὶ τὸν οἶκον τοῦ κραταιώσαι*, or as the Revised version has it: "For all that was laid out for the house to repair it" (Jerome: *quae indigebant expensa ad muniendam domum*), it is not in the New Testament.²³ In papyri it is found in B.G.U. 362 several times (A.D. 215): Amh. 109, 10 (A.D. 185, 186); Amh. 135, 19 (early second century A.D.); Oxy. 55, 7 (A.D. 383); Oxy. 84, 12 (A.D. 316); Oxy. 474, 26 (A.D. 184?); Oxy. 531, 21 (second century A.D.), etc.; in all these examples it has merely the sense "to pay." It is evidently a word of the Aegypto-Alexandrine *Koine*, and would deserve a place in Professor Deissmann's *Bible Studies*, by the side of so many other Old and New Testament rare Greek words found also on papyri.²⁴

L. 23. *ὄν μετελευσάμαι Ἑλενην*, I will make no claim on Helene, or I will make no claim against Helene. The sense of the verb *μετελευσάμαι* is here exceedingly doubtful. In the first case, Ales would declare that he in no manner considers the sum paid as the price of Helene, and that he in no manner claims her as his own property. In the second theory, by far the more probable, he confirms the word *donavit* of l. 10-11, and states that he has made Helene a present of the money, and will not ask it back again from her.

L. 25. *Ἀργηλιὸς Ἀιγυπτίος Ἐρμηῖων*. Another newly-made Roman citizen. The name *Ἐρμηῖων* is frequent (Amh. 99, 109, 139, 72, 71), and is often written *Ἐρμηῖος* (B.G.U. 21, 352, 435; Oxy. 135), or even *Ἐρμηῖνος* (G.P. II, 69).

L. 26. *εγραψα ὑπερ αὐτῶν μὴ εἰδὼτος γραμμάτα*, have written for him as he knoweth not letters. A formula very frequent in Greek papyri, and even found in a Latin one (Br. Mus. 229): *qui negavit se literas.*

The signatures of the witnesses on p. 1 are unfortunately in a very bad state of preservation. There seem to have been seven

²³ Two other examples of *εξοδίαζω*, chiefly from late texts, will be found quoted in Estienne's *Thesaurus* (Didot edition) Vol. III, col. 1317. M. Hubert Pernot kindly informs me that it is quite frequent in modern Greek, with the sense of to "spend."

signatures, that is to say, that besides Ammônion and Ales *five* witnesses put their seals on the tablet, and wrote beside them their name and the word *εσφραγισα*, "I have sealed."

It is probable that the third signature ought to be read: [*Αυρηλι*]ος *Αμμονια*[ν] *εσφραγισα*, Aurelius Ammônion, I have sealed.

The fourth signature gives the name of *Αυρ(ηλιος) Σιλβανος*, *Aurelius Silvanus*.²⁵

APPENDIX I.

OTHER MANUMISSIONS.

As I have said, no other Latin manumission is known; Greek manumissions from Egypt are exceedingly rare, only two having yet been published:

a. The Edmonstone papyrus. Published by Th. Young, *Act of manumission brought from Egypt by Sir Archibald Edmonstone, Bart.*, in *Hieroglyphics collected by the Egyptian Society*, Vol. II (London, 1828, fol.) pl. 46, lithographed fac-simile without transcription; Adolph Schmidt, *Forschungen auf dem Gebiete des Alterthums*. 1 Teil. *Die Griechischen Papyrusurkunden der Königlichen Bibliothek zu Berlin* (Berlin, 1842, 8°) pp. 298-302 and 305; E. Curtius, *Anecdota Delphica* (Berolini, 1843, 4°) Appendix I; E. M. Thompson, *Handbook of Greek and Latin Palæography*, p. 142, with a specimen of the writing (Greek translation by Lambros, *Βιβλιοθεκη Μαρασσι*, Vol. 194, p. 245); C. Wessely, *13 Jahresbericht des K.K. Staatsgymnasiums in Hernals* (Wien, 1887, 8°) p. 47, *seqq.*; P. Viereck, *Bericht über die ältere Papyruslitteratur in Bursian's Jahresbericht*, Vol. 98 (1898), pp. 144-145. A correct edition will be given by Messrs. Grenfell and Hunt in Vol. IV of their excellent *Oxyrhynchus Papyri*; Mr. Grenfell kindly informs me that he has found several interesting Greek manumissions in his excavations at Oxyrhynchus.

b. The Berlin papyrus P. 6618, published by Wilcken in the *Ägyptische Urkunden aus den Königlichen Museen zu Berlin herausgegeben von der Generalverwaltung: Griechische Urkunden*, Vol. I, Part 4 (Berlin, 1893, 4°), pp. 115-116, n. 96, with a correction by Krebs, Part 12 (1895), p. 395.

²⁵ On the name *Σιλβανος* see Wessely, *Die lateinischen Elemente in der Gräcität der ägyptischen Papyrusurkunden*, II, p. 17 (= *Wiener Studien*, Vol. XXV, 1903).

c. A Greek christian inscription from Kalabshah (Nubia) is perhaps a manumission; but is so badly preserved that it is impossible to determine exactly the contents of the text. Published by Gau, *Antiquités de la Nubie* (Stuttgart and Paris, 1822, fol.). *Inscr.*, pl. II, n. 3, engraved fac-simile and text (by Niebuhr) p. 9; Franz, *Corpus Inscriptionum Graecarum*, Vol. III, p. 477, n. 5040; A. H. Sayce, *Revue des études grecques*, Vol. VII (1894), p. 294.

d. Last of all I must mention here a small fragment of what may be a Latin deed of manumission on papyrus of the sixth century. It is a papyrus preserved in the Vatican library at Rome, and published by J. B. Doni, *Inscriptiones antiquae* (Florentiae, 1731, 4^o), p. 491, n. IX (Grimaldi's copy; cf. Cod. Vat., 6064, p. 24, and Cod. Ottobon. 3168, p. 21); G. Marini, *I papiri diplomatici* (Roma, 1805, fol.), p. 207, n. CXII, cf. p. 377; E. Spangenberg, *Juris Romani tabulae negotiorum sollemniium* (Lipsiae, 1822, 8^o), pp. 376-377, n. LXXVI; H. Marucchi, *Monumenta papyracea latina bibliothecae Vaticanae* (Romae, 1895, 4^o), p. 24, n. xxiv.

APPENDIX II.

THE OXFORD TABLET. (Pl. IV.)

The Oxford tablet will be published by Mr. E. W. B. Nicholson, in Mr. F. Madan's *Accessions* (a catalogue of MSS. added to the Bodleian library since 1900), pp. 153-154, n. 32,409.²⁶ Mr. Madan was kind enough to give me a copy of the proof sheets of this catalogue, so I am able to quote Mr. Nicholson's excellent description of the fragment. Brought from Egypt by Mr. Grenfell, it was bought for the Bodleian library on the 23rd October, 1896. It is now inscribed in that library as Ms. Lat., class. e., 16 (P). It is $7\frac{3}{8}$ inches long and only $2\frac{3}{8}$ inches broad (194×67 mm.). I copied it in December, 1901 (see my drawing on pl. III). "This," says Mr. Nicholson, "is part of a diptych or triptych. One side of it is sunk within a frame, and the sunk part covered with black wax. The full length of the frame is preserved, $6\frac{3}{8}$ in., and a hole is pierced in the middle of the length, for the purpose of tying it to the other leaf or leaves of the tablet."

²⁶ It is briefly described in my *Bulletin papyrologique, Revue des études grecques* Vol. XV (1902), p. 432, and in my *Prefects of Egypt* in these *Proceedings*, Vol. XXIV (1902), 64, n. 49.

On the waxed side I read with Mr. Nicholson—

**L ANNIOLARGOCPRASTINAMESSALINO COS
IIII·K SEPTEMBRES·ANNOX·IMPCAESARIS**

The rest is broken off except the tops of a few letters.

On the unwaxed side of the board, written in black ink, only the beginnings of the lines are preserved. My copy is not always exactly identical with Mr. Nicholson's reading: my fac-simile may help to check my text:

1.	ERAT·D		<i>qui</i>
2.	INFRA		<i>scripti sunt</i>
3.	L·ANN		<i>io Largo C. Prastina Messalino</i>
4.	COS·ANN		<i>o x Imp. Caesaris T. Aelii</i>
5.	HADRIA		<i>ni Antonii Aug. Pii</i>
6.	M·PET		<i>ronio Honorato praef. Aeg.</i>
7.	PROFES		
8.	CCCMCA		
9.	TAB IL		
10.	LONGIN		
11.	VMPRID		
12.	HERENN		
13.	F·L·H		
14.	V·IDVS I		

The restorations proposed for lines 3 to 6 are by Mr. Nicholson.

L. 8 very doubtful; Mr. Nicholson reads **CCDRAC(M)** with some hesitation.

L. 11 also doubtful; Mr. Nicholson reads **V(AE?)N(O?)(D?)**.

L. 11. *[ac]am* is just possible.

Unfortunately too little remains of the text to be able to understand almost anything else than the names of the two consuls (A.D. 147), the date by the year of the reigning emperor, and the name of the praefect of Egypt; all this has been correctly determined by Mr. Nicholson.

