

MINUTES OF AN ACT OF THE ROMAN SENATE

(PLATE 89)

Very rewarding studies of the bronze inscription from Italica by Alvaro d'Ors in *Emerita*, XVIII, 1950 (published in 1952) and in his book, *Epigrafía jurídica de la España Romana*, Madrid, 1953, have revived interest in the so-called *Senatus consultum de pretiis gladiatorum minuendis*. Other suggestions for the difficult text were made by J. H. Oliver, *A.J.P.*, LXXVI, 1955, pp. 189-192. Through the kindness of the Museo Arqueológico Nacional at Madrid the Johns Hopkins University has now received a magnificent photograph (Plate 89) which Oliver did not have at the time he composed his review of the *Epigrafía jurídica*. Robert E. A. Palmer, a graduate student at The Johns Hopkins University, who had already prepared a new text of the marble inscription from Sardis to bring it up to date after the advances made by Professor d'Ors, examined the photograph carefully, and he too succeeded in making further readings. New texts of both inscriptions to provide the full dossier are called for, especially since Professor d'Ors did not have as careful a printer as J. H. Furst and Co. Of the present study Parts I (Diplomatics and History) and III (the Translation) are entirely by Oliver, the Index entirely by Palmer, but II, the main part, consisting of the texts and notes, was prepared in close collaboration. Professor d'Ors, who read our text of the Italicense, generously helped in the elimination of errors.*

I

The *acta urbis*, reports of important events in the capital, were prepared by the Roman government and regularly dispatched to the provinces. In this way the *acta senatus* might be communicated in extracts, or even the complete *commentarii* of an interesting meeting could be included. Before the time of Marcus Aurelius it was not customary to publish on permanent material the full record of the minutes pertinent to an important piece of legislation¹ or clarification of policy, though the speech of the emperor in which such legislation or policy was proposed might very well be engraved for posterity. Though the Roman government communicated the *acta* and though the *acta* may have been by official order exposed to a provincial public in some temporary manner, the decision to engrave an imperial oration permanently in any one locality need not, indeed as a rule probably did not, originate with the Roman authorities. The expense of engraving such a record was presumably undertaken by the city or by the provincial assembly or by a private individual because the city or the provincial assembly had some reason of its own for perpetuating the memory of that particular

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¹ Much fuller accounts of the *Acta Fratrum Arvalium* were published from A.D. 81 on, but even these are not comparable until the third century after Christ. On the *Acta Fratrum Arvalium* and the new fragments Attilio Degraffi, *Doxa*, II, 1949, pp. 94 f. will orient the reader. Also Elio Pasoli's edition of the *Acta Fratrum Arvalium* (= Studi e ricerche, VII, Bologna, 1950) may be mentioned.

oration. In early cases where the Roman government itself desired the engraving of an act of the Senate, the *senatus consultum* alone was engraved with or without a covering letter or edict of the emperor but never, so far as I know, with the minutes of the meeting.

Accordingly, how the meeting at which Emperors and Senate co-operated to reduce for the upper class the burdens imposed by spectacles in the amphitheatres was publicized throughout the empire in the joint reign of Marcus Aurelius and Commodus (A.D. 177-180) arrests the attention of an historian, because fragments of the minutes of the meeting were engraved in provinces as distant from each other as Baetica and Asia. The subject had no peculiar connection with these provinces or with the cities of these provinces. The extant inscriptions show that this *senatus consultum* had both a general interest for the entire Roman world and a special interest for the Three Gauls. Since our fragments do not come from Gaul, the minutes do not owe their engraving to this special interest. Rather they appear to have been published on stone or bronze in various parts of the empire by official order, because it would be too much of a coincidence for so unusual a method of publication on permanent material to make its appearance both at Sardis in Asia and at Italica in Baetica in connection with exactly the same session of the Roman Senate.

The manner of its promulgation is not the only arresting element in the case. The minutes, as far as they are preserved, reveal that after the oration of the emperors had been read, the senator who delivered the first *sententia* did not just accept and praise the proposals of the emperors but criticized and amended them. This fact did not escape André Piganiol, and though his arguments would have to be adjusted to subsequent revisions of the text, they have not lost their cogency. But now what needs to be cited most of all is the papyrus *B.G.U.* 611 (= Riccobono, *F.I.R.A.*², 44) containing a fragment from a speech of Claudius which reflects a tradition of imperial encouragement of the Senate, going back to Augustus and Tiberius. In Charlesworth's translation (*C.A.H.*, X, pp. 697-698) Column III reads as follows:

If these proposals are approved by you, show your assent at once plainly and sincerely. If, however, you do not approve them, then find some other remedies, but here in this temple now, or if you wish to take a longer time for consideration, take it, so long as you recollect that wherever you meet you should produce an opinion of your own. For it is extremely unfitting, Conscript Fathers, to the high dignity of this order that at this meeting one man only, the consul designate, should make a speech (and that copied exactly from the proposal of the consuls), while the rest utter one word only, "Agreed," and then after leaving the house remark "There, we've given our opinion."

The most interesting words of Claudius are those of lines 16-21 which in Latin read: *mini[me] enim dec[o]rum est, p(atres) c(onscripti), ma[iestati] huius or[di]nis hic un[um] ta[ntum] modo consule[m] designatum [de]scriptam [ex] relatio[n]e consulum a[d ver]bum dic[ere] senten[tia]m*. These words are particularly inter-

esting in view of the Aes Italicense, line 27, where the unknown senator who speaks the first opinion refuses to speak an opinion, as it were, *descriptam ex relatione principum ad verbum*.

The question naturally arises why the minutes were engraved. Under the Principate so much legislation was introduced as a bill before the Senate by the Emperor himself that it became, as we have noted, a common practice to publish, not the formal *Senatus Consultum* itself, but the *Oratio* of the Emperor on which the *Senatus Consultum* was based. This procedure emphasized the rôle of the Emperor in a case where the *Senatus Consultum* constituted a striking benefaction. Our dossier, however, is unique in that it emphasizes not only the initiative of the two Emperors but also the rôle of the senator who expressed, in a prepared statement, the first opinion in the Senate on the proposals of the Emperors. It is extremely interesting that he treats the proposals as indeed excellent but as mere leads, which he proceeds to interpret and expand. Marcus Aurelius has continued the policy of co-operation with the Senate, and this record, which would not have been published without the consent of the senior Emperor, publicizes the freedom of the Senate and the legislative function of the Senate in the government of the empire. The Emperor Marcus Aurelius was still encouraging the Senate, as Augustus, Tiberius and Claudius had, to co-operate genuinely. The proposals were not settled once and for all in the *Consilium Principis* but were submitted to the Senate for a final examination which was no mere formality.

One can say that this co-operation is a far cry from opposition, but it does not follow that the Emperor would have refused to brook true opposition. The ground had been prepared in consultation with leading senators. Naturally a rejection of imperial proposals would not under these conditions have taken place in the Senate and would not at any time have been publicized on bronze, but freedom to interpret and expand approaches freedom to amend and reject. The attitude of Marcus Aurelius, in brief, established a condition out of which something other than despotism and servility might have developed. In other words, Antoninus Pius reversed a trend toward despotism and servility, and Marcus Aurelius followed him in his attempt to restore the balance of the idealized Augustan constitution, a balance which never really existed but which belonged to that traditional ideal, the Mixed Constitution.

Moreover, the Emperor wished to consolidate the support of all elements of the population. Among these elements were of course the non-senatorial landowners of the provinces. The engraved minutes of the session at which our *senatus consultum* was passed advertise not only the justice and beneficence of the Emperor and the freedom of the Senate but also the relief of the non-senatorial landowners and even the part played by provincials in the formulation of policy, because the very senator who delivered the first *sententia* appears to have been a man from Gaul himself, friend, relative or patron of the priest mentioned in Italicense 16-18. It might be added that a limitation upon expenses of gladiatorial games was in the tradition of Augustus

(Dio, LIV, 2, 4) and of Tiberius: *ludorum et munerum impensas corripuit* (Suetonius, *Tib.*, 34).

However, our account of the peculiarity of the case has not yet ended. It was, before Marcus Aurelius, nowhere customary to engrave the full minutes of a session, but, from now on, a marked interest, not only in what was decided and in who proposed it, but in the attendant circumstances, makes itself felt to such an extent that the minutes are sometimes actually engraved on permanent materials. The speech of Claudius in *C.I.L.*, XIII, 1668 is no true parallel, though the interruption of the emperor recorded in Col. II, line 20 certainly crept in from the minutes. Now, however, the whole record was sometimes reproduced, it would seem, and when publication of records unconnected with the city of Rome or with the empire is found, it is natural to infer an influence from the practice of the Roman government. Among extant inscriptions the first such case of imitation, if I am not mistaken, occurs in the Iobacchoi inscription of Athens, *I.G.*, II², 1368 = *S.I.G.*³, 1109.

The Iobacchoi inscription is dated by Kirchner, Tod² and others shortly before A.D. 178, i. e. before the death of Herodes Atticus, whose appointment as priest of Dionysus is mentioned therein. Graindor once dated the inscription between A.D. 162/3 and 175/6,³ but he later came to believe that the inscription belonged around A.D. 162/3 because he thought⁴ that in another inscription, *I.G.*, II², 3606, in which Herodes Atticus already appears as priest of Dionysus, the priesthood had to be dated before the trial at Sirmium in A.D. 174. Notopoulos for a surely erroneous reason⁵ has chosen A.D. 175/6 as the exact year of Epaphroditus, the archon mentioned in the Iobacchoi inscription.

If the Iobacchoi inscription reflects, as I suspect, an imitation of an example set by the imperial government of Marcus Aurelius, the case preserved in the inscriptions of Sardis and Italica may not have been the first, because this case postdates the association of Commodus early in A.D. 177.

Not only do minutes occur, from now on, more extensively in inscriptions⁶ but a more lively

² M. N. Tod, *Sidelights on Greek History*, Oxford, 1932, p. 86.

³ P. Graindor, *Chronologie des archontes athéniens*, p. 179 (= Mémoires publiés par la Classe des Lettres et des sciences morales et politiques de l'Académie royale de Belgique: Collection in 4^o, Deuxième série, VIII, 1921).

⁴ *Un milliardaire antique: Hérode Atticus et sa famille*, p. 70 (Université Égyptienne, Recueil de Travaux publiés par la Faculté des Lettres, V, Cairo, 1931).

⁵ J. A. Notopoulos, *Hesperia*, XVIII, 1949, p. 29: "Graindor has shown that 175/6 is the most appropriate year for this archon" (namely Epaphroditus mentioned in *I.G.*, II², 1368).

⁶ Two inscriptions from the third century deserve special mention. Interesting for its references to *acclamations* the first, the record of the Arval Brothers, is familiar, but fewer scholars know the extensive minutes of a trial before Caracalla at Antioch which are engraved on an inscription first published by P. Roussel and F. De Visscher, *Syria*, XXIII, 1942-3, pp. 194-200, later, with new restorations, by Wolfgang Kunkel, "Der Process der Gohariener vor Caracalla," *Festschrift Hans Lewald*, Basel, 1953, pp. 81-91. When I speak of engraved minutes, I mean more extensive records than a notation such as "seventy votes cast including four negative" or such as accompany the decrees in honor of Ulpian Eubiotus, *Hesperia*, XX, 1951, p. 350. See, however, *S.I.G.*³, 898. Leopold Wenger, *Die Quellen des römischen Rechts* (Österreichische Akademie der Wissenschaften, *Denkschriften der Gesamten Akademie*, II, 1953), pp. 388-395, "Akten des römischen Senats und anderer Körperschaften," does not even mention these last two and especially the Iobacchoi inscription and does not distinguish between a true protocol and a mere abstract, but the reader may well be interested in the many references which he does give to the minutes of councils, colleges, synods, etc., and which are not repeated here. The Aes Italicense and the Marmor Sardinum are mentioned by him on pp. 386-387, but their diplomatic interest is surprisingly neglected.

interest in the minutes manifests itself in literature and papyri. So it is not disturbing that historians today are more inclined to attribute chapters 18 and 19 of the *Vita Commodi* to a documentary source of Marius Maximus and to accept the material as genuine.⁷

The meeting at which Emperors and Senate, early in the year when the proconsuls had just gone out, co-operated to reduce for the upper class the burdens imposed by spectacles in the amphitheatres is traditionally dated by scholars about the year A.D. 177, because the Emperors are addressed as if present, and because Marcus Aurelius left Rome for the last time on August 3, 178. For us the main interest of the record is twofold. It gives us an invaluable glimpse of the Senate itself at work, and it shows us that whatever importance the problems here attacked had or did not have for the rest of the empire, the effect on Gaul, or specifically on the amphitheatre at Lyons, was of the greatest importance. The joy of the *principales viri* throughout the Three Gauls at the prospect of a supply of cheap victims for spectacles which they as priests of the *concilium Galliarum* had to give at Lyons and, on the other hand, the need that the Emperors felt to explain away an obvious objection to what they were about to do in the Three Gauls suggest to the writer a connection with the martyrdom of the Christians at Lyons in A.D. 177. Why this official persecution or prosecution of the Christians should have broken out under the mild but tired Marcus Aurelius precisely in A.D. 177 and why it occurred precisely at Lyons have never been satisfactorily explained by others.⁸ The sacrifice of the Christians is vividly recorded in one of the great documents of Early Christianity, a letter from the Christian communities of Vienne and Lyons in Gaul to Christian communities of Asia and Phrygia. Copious extracts are cited by Eusebius, *Hist. Eccl.*, V, 1, whose terrible account is too long to be reproduced here. In support of the theory here advanced it suffices to emphasize:

⁷ Felix Staehelin, "Felicior Augusto, melior Traiano," *Museum Helveticum*, I, 1944, pp. 179-180, with good bibliography. See further Th. Klauser, *Reallexikon für Antike und Christentum*, I, Stuttgart, 1950, coll. 216-233, s.v. "Akklamation," to which L. Wenger, *Die Quellen des römischen Rechts*, p. 379, note 95 brings *addenda*.

⁸ E. G. Hardy, *Christianity and the Roman Government*, London, 1894, ch. viii, thought that this persecution was just another popular outbreak. Camille Jullian, *Histoire de la Gaule*, IV, Paris, 1913, begins on p. 489 with the remark, "Historiens et philosophes se sont efforcés de justifier Marc Aurèle: aucun n'a encore trouvé la raison décisive qui l'a fait agir," and finishes in an unsatisfactory way by suggesting on p. 498 that the Roman government wished to give the Christians a lesson. André Chagny, *Les martyrs de Lyon de 177: étude historique*, Lyons and Paris, 1936, analyzes the letter in 105 pages; on pp. 20-25 he stresses the interesting fact that the reasons for the outbreak are not given and that none are mentioned as authors of the persecution except the Evil One (Satan). P. Wuilleumier, *Lyon, métropole des Gaules*, Lyons, 1953, p. 22 and especially ch. ix, "Le christianisme," maintains that at Lyons Christianity came into conflict with both the imperial cult and the cult of the Magna Mater (this is true but inadequate as an explanation even of the place). Among other works I have consulted are those of Henri Grégoire, *Les persécutions dans l'empire romain* (Académie Royale de Belgique, Classe des lettres et des sciences morales et politiques, *Mémoires*, Collection in 8°, XLVI, 1951, 1); J. Vogt, *Reallexikon für Antike und Christentum*, II, 1954, coll. 1159-1208, s.v. "Christenverfolgung I (historisch)," and Hugh Last, *ibid.*, coll. 1208-1228, s.v. "Christenverfolgung II (juristisch)."

(1) That the Christian martyrs of Lyons in 177 were killed at a festival of the Three Gauls like the *trinqui* of our dossier and with imperial permission. Eusebius, V, 1, 47: ἐπιστείλαντος γὰρ τοῦ Καίσαρος . . . τῆς ἐνθάδε πανηγύρεως.

(2) That the Christians were a substitute for gladiators just as the *trinqui* were. Eusebius, V, 1, 40: Οὗτοι μὲν οὖν, δι' ἀγῶνος μεγάλου ἐπὶ πολὺν παραμενούσης αὐτῶν τῆς ψυχῆς, τοῦσχατον ἐτύθησαν, διὰ τῆς ἡμέρας ἐκείνης ἀντὶ πάσης τῆς ἐν τοῖς μονομαχίαις ποικιλίας αὐτοὶ θέαμα γενόμενοι τῷ κόσμῳ. In the Loeb edition Kirsopp Lake translates, "Thus after a long time, when their life remained in them through the great contest, they were at last sacrificed, having been made a spectacle to the world throughout that day as a substitute for all the variations of gladiatorial contests." Also Eusebius, V, 1, 53: τῇ ἐσχάτῃ λοιπὸν ἡμέρᾳ τῶν μονομαχίων.

(3) That the Christians were murdered like the *trinqui* in what passed for a sacrificial rite. Eusebius, V, 1, 40, ἐτύθησαν, and 56, ἐτύθη καὶ αὐτὴ (Blandina).

If this theory is correct, the Letter of the Christian communities of Vienne and Lyons in Gaul shows that the *trinqui* fought with beasts, because among other things Eusebius, V, 1, 37 says: ἐπίτηδες τῆς τῶν θηριομαχίων ἡμέρας διὰ τοὺς ἡμετέρους διδομένης. The pretence of a combat suggests this inference even though laceration by beasts was an occasional Roman punishment for criminals.

Also if this theory is correct, one of the great documents of Early Christianity receives a welcome clarification from an official source. The outbreak against the Christians centered in the amphitheatre at Lyons and culminated in the Festival⁹ of the Three Gauls in A.D. 177, because the imperial government had just created for the Three Gauls a special privilege which enabled the priests of the imperial cult to acquire cheaply and use instead of gladiators prisoners condemned to death. This suggestion had come to Marcus Aurelius as a concession to ancient religious customs of the Gauls, a concession demanded for economic reasons by the big landowners of Gaul, perhaps also by less articulate circles for other reasons, and supported by an influential spokesman (from Gaul) in the Roman Senate, and even by some advisor(s) in the imperial *consilium*, for the news reached Gaul well in advance of the meeting of the

⁹ The Festival was celebrated annually around August 1, but some of the deaths occurred before the festival at an unknown date. Later, all the martyrdoms, which clearly extended over several days, came to be celebrated on a single day, June 2, but not in the oldest martyrologies. A christian festival may have been deliberately organized to replace a pagan festival on June 2 or on June 24. Readers interested in the problem are referred to H. J. Lawler and J. E. L. Oulton, *Eusebius* . . . , II, London, 1928, p. 157; also to A. Audin, "Les rites solsticiaux et la légende de Saint Pothin," *Revue de l'histoire des religions*, XCVI, 1927, pp. 147-174. In view of Sardianum 14 it is possible too that shortly before the familiar Festival of the Three Gauls an old Gallic festival, which had been curtailed by the Romans and deliberately replaced by less barbaric festivities around August 1, was in this year celebrated with archaic rites, reactivated in some form with imperial permission.

Senate. Marcus Aurelius had qualms about the would-be remedy, but the religious character of the *trinquī*, a (Gallic?) word occurring only in our dossier where it indicates human sacrificial victims, made the odious suggestion acceptable. In view of the barbarian invasions the loyalty of Gaul was critically necessary to him, and he doubtless never quite foresaw the excesses to which he was opening the way. This would not be the only time that a reform led to worse abuses than those it was meant to correct. The first year of the new system exposed terrible defects, which we hope the Roman government quickly rectified. But before the Roman government could correct the defects of the new ruling, the demand for victims had risen and powerful interests had been enlisted in a search for unpopular characters who could be condemned to death.

“The prime function of the three Imperial provinces” of Gaul, says Albertini in the *C.A.H.*, XII, p. 502, “was to maintain and support the German provinces, which protected the Empire against barbarism, whether from the threat of invasion or the tendency to encroach by infiltration.” In A.D. 167 the invasions of the northern barbarians, which the historian Tacitus had foreseen, began again after two generations of peace. Not only did they quickly reach the Adriatic and lay siege to the great port of Aquileia, but in A.D. 170 the barbarians invaded Gallia Belgica. Raids by the Mauretani on Spain and by the Costobocci on Eleusis were far less important but added to the psychological shock. It took unusual energy, even heroic efforts and expense, to restore security on the northern frontiers, and Marcus Aurelius was still fighting when the disheartening news of the revolt of Syria, Egypt and most of Asia Minor under Avidius Cassius reached him in A.D. 175. For a moment he was desperate, but the Three Gauls with their wealth and manpower supported him faithfully in the new crisis too. The war with the barbarians was interrupted from 175 to 177, while Marcus Aurelius visited the Greek East and resumed contact with the chief centers and garrisons. He suffered a new blow when his wife Faustina, who had accompanied him to Asia, died on the journey. Marcus returned to Rome in November of 176. Operations against the barbarians were resumed in 177.

It was doubtless in 176 that in gratitude toward the Three Gauls and under the pressure of more serious problems the Emperor agreed to notify the Senate that he wished to instruct his procurator in the Three Gauls to hand over at a low price for use in archaic religious rites criminals condemned to death. The decision seems to have been made in the East. The news reached Gaul at a time when the *sacerdotes* were assembled together, an occasion which can hardly be any other than the Festival of the Three Gauls beginning on August 1, A.D. 176. The new officials were already arranging for the coming year and the next festival;¹⁰ the grateful priest was in a mood to promise a show that would surpass all those of previous years.

¹⁰ For the Festival of the Three Gauls see P. Wuilleumier, *Lyon métropole des Gaules*, Paris, 1953, chapter IV. Add the publication of a new document by A. Audin, J. Guey, and P. Willeu-

The plague which began at Seleuceia on the Tigris in the Fall of A.D. 165 and for ten years swept back and forth across the entire empire together with the cruel raids and miseries of war convinced many that the old gods had been alienated by neglect. Under the circumstances the attitude of the Christians became more noticeable and offensive.

II

TEXT OF THE RECORD

The complete bronze tablet from Italica in Baetica, clearly one of a series, preserves neither the beginning nor the end, but a central part, of the speech by the senator who delivered the *sententia prima* after the oration of the emperors had been read. The fragmentary marble from Sardis in Asia preserves part of the imperial *oratio* itself. Since the main fragment of the Marmor Sardinum was discovered after the Aes Italicense and is restored on the basis of the Aes Italicense, the bibliography of the Italicense¹¹ properly precedes that of the Sardinum,¹² but in the combined text the Sardinum will precede the Italicense.

mier, "Inscriptions latines découvertes à Lyon dans la Pont de la Guillotière," *R.E.A.*, LVI, 1954, pp. 297-335.

¹¹ Discovered in 1888 and copied by Hübner in 1889, the Aes Italicense was published in 1890 by Th. Mommsen, to whose article were prefixed Hübner's diplomatic transcript and a few words by Hübner concerning circumstances of discovery, preservation, etc., with corrections to the transcript after revision of the inscription by Berlanga. That is to say, the real *editio princeps* is by Theodor Mommsen on the basis of Hübner's copy as controlled by Berlanga and with suggestions from Hirschfeld and Bücheler. The abundantly commentated edition by Berlanga brings no real change in the text. Some changes appear in the edition which Hübner published in the *C.I.L.*, and many in that of d'Ors. The most important discussion is the masterly commentary of Mommsen; important also are those of Berlanga, Piganiol (on the Marmor Sardinum) and d'Ors.

BIBLIOGRAPHY OF THE AES ITALICENSE:—E. Hübner, "Aes Italicense," *Ephemeris Epigraphica*, VII, 1892 (published April, 1890), pp. 384-387; Th. Mommsen, "Observationes Epigraphicae XLI: Senatus consultum de sumptibus ludorum gladiatorum minuendis," *Ephemeris Epigraphica*, VII, 1892 (published April, 1890), pp. 388-416 (= *Ges. Schriften*, VIII, pp. 499-531); P. Bonfante, "Sunto del commento di Teodoro Mommsen," *Bulletino dell'Istituto di Diritto Romano*, III, 1890, pp. 188-211; M. R. de Berlanga, *El nuevo bronce de Itálica*, Malaga, 1891, pp. 1-225 (with a Spanish translation and a poor photograph); E. Hübner, *C.I.L.*, II, Suppl., Berlin, 1892, no. 6278; [Mommsen *apud* Bruns, *Fontes iuris romani antiqui*, sixth ed. (1893) and seventh ed. (1919), pp. 207-211, no. 63; H. Dessau, *Inscriptiones Latinae selectae*, Berlin, 1906, no. 5163]; S. Riccobono, *Fontes iuris romani anteiusiniani*, first ed., 1909, p. 238, no. 45 and second ed., 1941, p. 294, no. 49; A. Piganiol (see note 12); F. Stella Maranca, "Di alcuni Senatoconsulti nelle iscrizioni latine," *Rendiconti dell'Accademia Nazionale dei Lincei*, Classe di scienze morali, storiche e filologiche, Sixth Series, I, 1925, pp. 504-514; J. Stroux, "Eine Gerichtsreform des Kaisers Claudius," *Sitzungsb. München*, 1929, Nr. 8, p. 80; L. Robert, *Les gladiateurs dans l'orient grec* (Bibliothèque de l'École des Hautes Études, fasc. 278, 1940), pp. 274, 282, 284, 287 and 289; A. d'Ors, "Observaciones al texto de la Oratio de pretiis gladiatorum minuendis," *Emerita*, XVIII, 1950, pp. 311-339 (with two photographs, one of the upper half and one illegible of the entire bronze); *idem*, *Epigrafía jurídica de la España Romana*, Madrid, 1953, pp.

On the Sardinum the words are not divided by interpuncts, and paragraphs are separated by a blank of only one letter space. On the Italicense the first line of the tablet and the first line of each subsequent paragraph, with one or two exceptions, is extended for two or three letters into the left hand margin, and blank areas mark the end of a paragraph. On the Italicense, moreover, interpuncts separate most words; though in thirty-two cases a preposition and its object are treated as a unit and are not separated. On the other hand, an interpunct occurs between the preposition and its object in twenty-three cases, while in line 38 *trans·ferre* appears. The law of syllabic division is scrupulously respected in both versions. On Italicense, line 6, the words *et Luci Commodi* have been imperfectly erased.

TEXT OF THE MARMOR SARDIANUM

Fragment 1, first column (cf. Aes Italicense, lines 42-46)

- [- - - - -]
 1 [- - - - - iis etiam] proc(uratoribus)
 qui provin-
 2 [ciis praesidebunt. Trans Padum autem perque omnes Italiae regio]nes,
 ut cuiusq(ue) of-
 3 [ficion erit, arbitrium habeant praef(ecti) alimentor(um) aut, nisi aderunt,
 tu]m viae curator aut,
 4 [si nec is praesens erit, tum iuridicus vel, si nec is praesens erit, tu]m
 classis praetori-
 5 [ae praefectus. De exceptis censemus ita observandum, ut praecipuu]m
 mercedis gladi-

Frag. 1, Col. I:—1-2 *K. et v. P.* 3 habeant *Palmer* (habebunt *K. et v. P.*); tum *Palmer* (item *K. et v. P.*); aut nisi *Oliver*; cetera *K. et v. P.* 4 si nec is praesens erit, tum iuridicus vel, si nec is praesens erit, tu]m *Palmer* (si nec is praesens erit, iuridicus vel, si non aderit, tu]m *K. et v. P.*). 5 censemus *Oliver*;

37-60 and 451-454, reviewed by J. H. Oliver, *A.J.P.*, LXXVI, 1955, pp. 189-194; J. Stroux, "Neues zur Geschäftsordnung des römischen Senates," *Philologus*, XCVIII, 1954, pp. 150-154.

¹² BIBLIOGRAPHY OF THE MARMOR SARDIANUM:—Th. Mommsen, *Ephemeris Epigraphica*, V, 1884, p. 57, no. 146, text of fragment 3 [= *C.I.L.*, III Suppl., Berlin, 1902, no. 7106]; J. Keil and A. von Premerstein, "Bericht über eine Reise in Lydien und der südlichen Aiolis," *Denkschriften Akad. d. Wiss. in Wien*, Phil.-hist. Kl., LII, Abhandl. 2, 1910, pp. 16-18 (fragments 1 and 3), the real *editio princeps*, in which also the connection with the Italicense was pointed out and used for the reconstruction; [R. Cagnat and M. Besnier, *Ann. épig.*, 1909, pp. 48-49, no. 184, text of fragment 1; H. Dessau, *Inscriptiones Latinae selectae*, Berlin, 1916, no. 9340, text of fragment 1]; A. Piganiol, "Les trinci gaulois, gladiateurs consacrés," *R.E.A.*, XXII, pp. 283-290, reprinted in the same author's *Recherches sur les jeux romains* (Publications de la Faculté des Lettres de l'Université de Strasbourg, fasc. 13, 1923), pp. 62-71; W. H. Buckler and D. M. Robinson, *Sardis*, VII, Part 1, Leyden, 1932, pp. 34-37, no. 16 (first complete text of all known fragments with photograph).

- 6 [ator sibi quisque paciscatur, exemplis consideratis eius pecu]niae quae ob
hanc
7 [causam excipiebatur, accipere liber quartam portionem, servus] autem
quintam
8 [accipiat — — — — —] ad
lanistam
[— — — — —]

Fragment 1, second column (cf. Aes Italicense, lines 53-58)

- 9 [— — — — —]
10 ser[— — — V(iri) c(larissimi) forum i]am agunt annuu[m. Cum sacerdotes
querantur lanistas nullo modo]
11 pretia cohibuisse, nos senos his ce[nsemus aureos solvendo pro damnato ad
gladi(um). Id]
12 genus digladiantium, trincos eos [appellant Galli, inhumanitatis cuiusdam
conde]—
13 mnatur, verum, uti aliut aput alios [veteri more et sacro ritu sancitur, in
Galliis liceat]
14 trincos dimicare. Is dies religioni [condonetur — — — ^{±20} — — — ut munus]
15 commit<t>atur. Pretia quantum volu[erint, qui hos trincos muneri praebere
solent, non]
16 facient. Nam procurator noster p[raebabit damnatum sex aureis ne pretium
amplius]
17 fiat. Lanista autem pro trincos n[e plus quam duo milia accipiat, — — ^{±16} — —]
18 plus adque vi<t>ae. Nunc uti prin[cip — — — — —]
[— — — — —]

Porro de exceptis *et cetera K. et v. P.* 6 exemplis consideratis *Oliver* (liber vero *K. et v. P.*); *cetera K. et v. P.* 7 causam excipiebatur quartam portionem, servus *K. et v. P.*; accipere liber *Oliver*. 8 accipiat *K. et v. P.*; ad lanistam *legit Palmer* [a]dimi istam *K. et v. P., Buckler*).

Col. II:—10 V(iri) c(larissimi), Cum sacerdotes *Palmer*; forum, querantur lanistas nullo modo *Oliver*; annuu[m *K. et v. P.*; quod munus i]am agunt annuu[m?..... Satis erit nobis cetera] *Piganiol*; ser[— — — — —]am agunt annuu[m — — — ¹⁴ — — — cum placuerit per procuratores] *Buckler*. 11 ce[nsemus aureos solvendo pro damnato ad gladi(um). Id] *Oliver* (ce[nsemus aureos pro damnato solvendo. Certum] *Buckler*); ce[rnimus aureos fisco inferendo. Quod quidem] *Piganiol*. 12 appellant, conde] *Piganiol*; Galli *Palmer*; inhumanitatis cuiusdam *Oliver*; [nuncupant iudicio nostro inhumanitatis] *Buckler*. 13 [sacro ritu sancitur, aput Gallias liceat] *Piganiol*; veteri more et *Palmer*; in Galliis *Oliver*. 14 Is dies religioni [condonetur neque culpa nostra piaculum] committatur *Piganiol*; [condonetur dum ne quid contra rescripta nostra] *Buckler*; ut munus] commit<t>atur *Palmer*. 15 volu[erint] *K. et v. P.*; qui huius muneris ergo trincos praebere solent] *Piganiol* (qui trincos muneri praebituri sunt, non] *Buckler*); hos *Palmer*. 16 [raebabit damnatum sex aureis ne pretium amplius] fiat *Oliver*; p[lure] quam sex aureis noxium editori praebat neque ullius nisi iuraverit erogandi auctor] *Piganiol* (p[us sex aureis et nisi iuret praebendi auctor ne] *Buckler*). 17 n[e] *Piganiol*; accipiat plus ... milibus *Buckler*; quam duo milia *Palmer*. 18 prin[cipio] *Piganiol*.

Fragment 2

19 - - - - -]o[- - - - -
 ? fr]audis n(ec) vita neq(ue) materie [- - -
 - -]a nihil quod ad pretium at[tinet ?- - -
 - - - - -

Fragment 3

23 - - sace]rdos ipse posside[- - - -
 - - - -n]on adest, ipsi autem [- - -
 - - - -]ias domi suae qui[- - - -

Fragment 4

26 - -]a poscun[t - - -
 - -]rva et e[- - - -

Frag. 2 *Buckler*.

Frag. 3:—23 sace]rdos ipse posside[bat *Mommsen*, posside[bit *K. et v. P.* 24 n]on *Buckler*. 25 - - -
]tas *legit Buckler*.

Frag. 4 *Buckler*.

TEXT OF THE AES ITALICENSE

Tantam illam pestem nulla medicina sanari posse. Nec poterat; verum nostri principes,
 quibus omne studium est quantoli-

2 bet morbo salutem publicam mersam et enectam refovere et integrae valetudini
 reddere, in primis anima{a}dverterunt quae

3 causa illi morbo vires daret, unde foeda et illicita vectigalia ius haberent: quis
 auctor et patronus esset usurpandis quasi

4 legitimis quae omnibus legibus et divinis et humanis prohibentur *vacat*

Fiscus dicebatur. Fiscus non sibi sed qui lanienae aliorum praetexeretur tertia vel
 quarta parte ad licentiam foedae rapinae invi-

6 fatus. Itaque fiscum removerunt a tota harena. Quid enim Marci Antonini
 [et Lūci Com̄modi] cavendum fisco cum hare-

7 na? Omnis pecunia horum principum <p>ura est, null[a] cruoris humani adsper-
 gine contaminata, nullis sordibus foedi quae{s}-

8 stus inquinata, et quae tam sanct{a}e paratur quam insumitur. Itaque facessat
 sive illut ducentiens annum seu trecenties

9 est. Satis amplum patr<imo>nium imperio parati<s> ex parsimonia vestra. Quin
 etiam, ex reliquis lanistarum quae HS quingenties su-

6 a *superscripta*. 7 <p>ura *Buecheler*, cura *aes*. 8 sanct{a}e *Berlanga*. 9 patr<imo>nium *Mommsen*
 et omnes *edd.*, patrociniū *aes*; parati<s> *Buecheler*, parat <l>ex *Mommsen*, parati·ex *aes*.

- 10 pra sunt, pars lanistis condonetur. Ob quae, oro vos, merita? Nulla sane, inqui-
unt, merita, s[e]t prohibiti talibus grassaturis sola-
- 11 cium ferant et in posterum tanto pretio invitentur ad opsequium humanitatis
vacat
- O magni imp(erator)es, qui scitis altius fundari remedia quae etiam malis consulunt
qui se etiam necessarios fecerint! Etiam fructus tan-
- 13 tae vestrae providentiae emerget. Legebatur etiam nunc apud nos oratio, sed ubi
rumore delatu(m) est qu(a)estus lanistarum recisos, fis-
- 14 cum omnem illam pecuniam quasi contaminatam reliquisse, statim sacerdotes
fidelissimarum Galliarum vestrarum
- 15 concursare, gaudere, inter se loqui *vacat*
- Erat aliquis qui deploraverat fortunas suas creatus sacerdos, qui auxilium sibi in
provocatione ad principes facta constituerat. Sed
- 17 ibidem ipse primus et de consilio amicorum: "Quid mihi iam cum appellatione?
Omne onus quod patrimonium meum opprimebat sanc-
- 18 tissimi imp(erator)es remiserunt. Iam sacerdos esse et cupio et opto et editi-
onem muneris, quam olim detestabamur, amplector" *vacat*
- Itaque gratiae appellationis, non solum ab illo verum et a ceteris petitae, et quanto
plures petentur! Iam hoc genus causarum diversam formam
- 20 habebit ut appelle(n)t qui non sunt creati sacerdotes, im(m)o populus *vacat*
- Quae igitur tantis tam salutarium rerum consilis vestris alia prima esse sententia
potest quam ut quod singuli sentiunt, quod universi
- 22 de pectore intimo clamant(e) ego censeam? *vacat*
- Censeo igitur in primis agendas maximis imp(eratoribus) gratias, qui salutaribus
remedis, fisci ratione post habita, labentem civitatum statum et prae-
- 24 cipitantes iam in ruinas principalium virorum fortuna(s) restituerunt, tanto
quidem magnificentius, quod, cum excusatum esset reti-
- 25 nerent quae ali instituissent et quae longa consuetudo confirmasset, tamen illi
peraeque nequaquam sectae suae congruere arbitra-
- 26 ti sunt male instituta servare et quae turpiter servanda esset instituere(t) *vacat*
- Quamquam autem non nulli arbitrentur de omnibus quae ad nos maximi principes
rettulerunt una et succincta sententia censendum,
- 28 tamen, si vos probatis, singula specialiter persequar, verbis ipsis ex oratione
sanctissima ad lucem sententiae translatis, ne qua ex parte pravis in-

13 emerget *aes*, emergit *Hirschfeld*; delatu(m) est *d'Ors*, delatu[m e]st *Mommsen*; qu(a)estus *Berlanga*.

18 sacerdos^s *aes*.

20 im(m)o *Berlanga*. 21 sententia *aes emendatum*. 22 clamant(e) *Buecheler*, clamante *Bonfante*, clamant e(t) *d'Ors*.

24 fortuna(s) *Mommsen*. 26 instituere(t) *Mommsen*. 28 ad lucem *aes*, ad (vi)cem *Stroux* (*Sitzungsb.*

29 terpretationibus sit locus ^{vvvvvv} Itaque censeo uti munera quae assiforana appel-
 30 tu ^v HS XXX. Qui autem supra ^v HS XXXI (*sic*) ad LX ^v usque munus edent,
 31 is gladiatores tripertito praebeantur numero pari. Summum pre-
 32 tium sit primae parti quinque milia, secundae quattuor milia, tertiae tria milia.
 33 A ^v HS LX ^v ad C ^v usque trifariam coetus gladiator(um) divisus
 34 sit: primi ordinis gladiatoris summum pretium sit ^v VIII, ^v mediae classis VI,
 35 deinde quinque. Porro a centum milibus ad CL quinque sint mani-
 36 puli, cuius primi pretium sit XII, ^v secundi X, terti ^v VIII, quarti VI, ^{vv} postremo
 37 quinque. Iam hinc porro a CL ad CC et quidquid supra susum vers[um]
 38 erit, infimi gladiatoris pretium sit VI, ^v super eum VII, terti retro ^v VIII, quarti
 39 XII adusque XV—et haec sit summo ac <p>o<strem>o gladiator*i* defi-
 40 nita quantitas. Utique in omnibus muneribus, quae generatim distincta sunt,
 41 lanista dimidiam copiam universi numeri promisqu<a>e multitu-
 42 dinis praebeat exque his, qui gregari appellantur, qui melior inter tales erit duobus
 43 mili[bu]s sub signo pugnet, nec quisquam ex eo numero
 44 mille nummum minore. Lanistas etiam promonendos vili studio qu<a>estus nec
 45 e<a>m sibi copiam dimidia*e* partis praebendae esse ex nu-
 46 mero gregariorum, uti sciant inpositam sibi necessitatem de ceteris quos meliores
 47 opinabuntur transferre tantisper plendi nu-
 48 meri gregariorum gratia. Itaque is numerus universae familiae aequis par[t]ibus
 49 in singulos dies dispartiat*ur*, atque <n>ullo die minus quam
 50 dimidia pars gregariorum sit ibi qui eo die dimicabunt. Utque ea opservat<i>o a
 51 lanistis quam diligentissime exigatur, iniungendum
 52 his qui provinciae praesidebunt et legatis vel quaestoribus vel legatis legionum
 53 vel iis qui ius dicunt c(larissimis) v(iris), aut procurator(ibu)s maximorum
 54 principum quibus provinciae rector mandaverit, is etiam procurator(ibus) qui
 55 provinciis praesidebunt. Trans Padum autem perque omnes Italiae
 56 regiones arbitrium iniungendum praefectis alimentorum, dandis si aderunt, vel,
 57 <nisi aderunt>, viae curatori, aut, si nec is praesens erit, iuridico vel
 58 tum classis praetoriae praefecto *vacat*
 Item censeo de exceptis ita opservandum ut praecipuum mercedis gladiator sibi quisque
 59 paciscatur eius pecuniae quae ob hanc causam excipi-

München, 1929, Nr. 8, p. 80). 29 locus Mommsen, locis aes. 34 <p>o<strem>o Oliver, formonso aes, famoso Hirschfeld. 37 promonendos aes, promovendos Hübner et Berlanga, praemonendos Hirschfeld; qu<a>estus Berlanga; nec em legimus, nec eam d'Ors, negem cett. edd. et corr. 39 atque <n>ullo Oliver, <ne>que ullo Mommsen, atque ullo aes. 40 opservat<i>o Mommsen, opservato aes; <arbitrium> iniungendum d'Ors, cf. vs. 43. 41 procurator(ibu)s Mommsen et cett. edd. excepto d'Ors, procuratores aes. 43 alimen-
 60 torum dandis aes, dandis expunxit Mommsen, aliment<is> dandis d'Ors, alimentorum dand<orum> Hirschfeld
 (Kais. Verwaltungsbeamten², p. 215, n. 4); vel <nisi aderunt> viae Oliver.

- 46 ebatur quartam portionem liber, servus autem quintam accipiat. De pretis
autem gladiatorum opservari paulo ante censui secundum praescrip-
47 tum divinae orationis, sed ut ea pretia ad eas civitates pertineant in quibus
ampliora gladiatorum pretia flagrabant. Quod si quibus civitatibus
48 res publica tenuior est, non eadem servantur quae ap[ut] fortiores civitates
scripta sunt; nec supra modum virium onerent, sed hactenus in eundem;
49 ut quae in publicis privatisque rationib[u]s repperientur pretia summa ac media
ac postrema, si q[ui]dem provinciarum eae civitates sunt, ab eo
50 qui praesidebit provinciae opserventur, ceterarum autem iuridico vel curatore
viae vel classis praetoriae praefecto vel procuratori
51 maxumorum principum vel cuiusque civitatis potestas quae ibi prima erit.
Atque ita rati[o]nibus decem retroversum annorum inspectis, exemplis
52 munerum in quaque civitate editores erunt consideratis, consti[tua]ntur ab eo
cuius arbitratus erit de tribus pretis; vel, si melius ei videbitur,
53 ex eo modo quem peraequ[e] fi[er]i licebit trifariam pretia diducantur; eaque
forma etiam in posterum servetur; sciantque v(iri) c(larissimi) qui procon-
54 sules paulo ante profecti sunt intra suum quisque annum it negotium exsequi se
oportere, et ii etiam qui non sortito provincias
55 regunt [i]ntra annum *vacat*
Ad Gallias sed et rinquos qui in civitatibus splendidissimarum Galliarum veteri
more et sacro ritu expectantur ne ampliore pretio
57 lanistae praebeant quam binis milibus, cum maximi pr[in]cipes oratione sua
praedixerint fore ut damnatum ad gladium
58 procurator eorum non plure quam sex aureis lanistis pra[ebea]t *vacat*
Sacerdotes quoque provinciarum, quibus nullu[m] cum lanisti[s] nego[tia]m e[ri]t,
gladiatores a prioribu[s] sacerdotibus su[s]-
60 ceptos, vel si placet auctoratos, recipiunt, at post editi[o]n(em) pl[u]re ex
p[re]tio in succedentes tran[sf]erunt. Ne quis singulatim aliquem

45 quisque *aes*, quisquis *Buecheler*. 46 servus *Mommsen*, servs *aes*. 47 pertineant *Mommsen*, pertineat *aes*. 49 ut quae *Buecheler*, utque *aes*. 50 viae *Mommsen*, provinciae *aes*. 52 editores erunt *Palmer*, editorum consideratis *Mommsen*, editoerunt *aes*. 53 licebit *Oliver*, legit et *d'Ors*, licitet *aes*. 54 oportere et *d'Ors* (ut *Hübner coniecerat*), oporteret *aes*. 55 regunt legit *Oliver*.

56 ADGALLIAS·SEDET·PRINCEPS *aes*, Ad Gallias s*i* edet princeps qui *Buecheler*, Ad Gallicas {s} ed*i*tione)s quae *Hirschfeld*, Ad Galliam sed et princeps ... *Mommsen apud Bruns*, Ad (= at) Galli assedent rinquos vel rinos *Piganiol*, Ad Gallias sedet princeps *d'Ors*, Ad Gallias se det princeps *Stroux* (*Philol.*, 1954, p. 152), Ad Gallias (quantum pertinet, non aliter), sed et rinquos *Oliver*. 57 ad *Hübner*, as *aes*. 58 lanistis prae[beat] *Stroux* (*Philol.*, 1954, p. 152), lanistis pra[ebea]t vel pra[ebe]r[e]t *Palmer*, lui sic servi[s] si[t] *d'Ors*, et nisi iuraverit *ceteri editores*.

59 nullu[m] *Mommsen*; cu[m] lanistis negot[ium] eri[t] *Berlanga* (nullu[m] cum] la[nist]is nego[t]ium e[s]t *d'Ors*). 60 vel si placet *d'Ors* qui plaret vel blaret legit; editi[o]n(em) pl[u]re ex *d'Ors*, editionem

- 61 rei gladiatoriae causa vendat plure quam lanistis est pretium perscr[ip]tum *vacat*
 Is autem qui apud tribunal <p>lebei c(larissimum) v(irum) sponte ad dimicandum
 profitebitur, cum habeat ex lege pretium duo milia, s[i]l]iberatus discri-
 63 men instauraverit, aestimatio eius posthac HS ^v $\overline{\text{XII}}$ ^v non excedat. Is quoque qui
 senior atque inabilior operam suam denuo

sic ex pr[et]io *Berlanga et Hübner*, editi[o]ne[m eod]e[m] p[re]tio *Mommsen*; tran[sf]erunt *d'Ors*, tra[mi]t[t]unt *Mommsen*. 61 perscr[ip]tum *Oliver*, pers[olu]tum *d'Ors* (persolutum *ceteri editores*).

62 <p>lebei *d'Ors* (plebei *Mommsen*), dlebei *aes*; s[i]l]iberatus *d'Ors*. 63 in<h>abilior *Mommsen*.

TEXTUAL NOTES

S(ardianum) 1-5:—The restoration of this passage is based on I(talicense) 42-44, where, however, the words of S 2, *ut cuiusq(ue) of | [ficium erit]*, do not appear. The version of the Italicense emerges clearly as an abbreviated, slightly recast version.

S 5-7:—The restoration is based on the abbreviated version in the section concerning prize money in I 45-46, where the imperfect tense of *excipiebatur* is probably to be explained as follows. Local custom determines the amount to be set aside as prize money. The amount varies from place to place. The prize money, the amount of which is fixed by local precedent, presumably goes to the *lanista*, who turns over a share of it to the gladiator; or perhaps his share of it is paid directly to the approved gladiator. The imperfect tense, accordingly, reflects a reference to precedent, which would, we think, have been mentioned more explicitly in the imperial oration than in the senator's word-sparing recapitulation of a text which his audience had just heard. The senator omits words which were not strictly necessary for that particular audience; we, on the other hand, restore as the extra words in the Sardinian words which give greater clarity. For the phrase *exemplis consideratis* see I 51.

S 9-10:—Palmer at one time thought of restoring *eaque forma etiam in posterum* | *ser[vetur]* on the basis of I 53. But since in I 53, according to Piganiol's convincing interpretation, we have a passage in which the senator is proposing changes, and since the three extant letters at the beginning of S 10 do not need to be read as *ser[vetur]*, Palmer preferred to leave the clause of S 9-10 unrestored.

S 10-12:—The parallel passage of the I 56-58 concerns the removal of an excuse advanced by the *lanistae* for excessive charges; there the emperors are said to have announced that their procurator would let the *lanistae* have a condemned man for only six gold pieces. Accordingly, the restoration of Sardinian 11, *nos senos his ce[nsemus aureos solvendo pro damnato ad gladium]*, is practically imposed; and the word *his* must be interpreted as a reference to the *lanistae*. Hence the *lanistae* must have been mentioned immediately before, at the end of line 10. It is the relief of the *sacerdotes* which the speaker of the Italicense, especially in lines 14-20, particularly emphasizes. Hence the restoration *Cum sacerdotes querantur lanistas nullo modo* accords with the style of motivation and with the sense of our parallel. In line 11 the phrase *pro damnato* would not be explicit enough; it must be *pro damnato ad gladium*, because the type of prisoner has not been previously mentioned. This longer restoration leaves only two letter spaces for the beginning of the next sentence, but the word *Id*, which suits perfectly, requires only two spaces.

In line 12 the word *trincos* is obviously mentioned as the Gallic name for this type of fighters; if so, the word *Galli* must be restored with a verb meaning "call." This adversative *verum* of line 13 indicates that the emperors in line 12 refer to a disqualification of this type of fighters, but they cannot have expressed themselves so strongly as Buckler's restoration *iudicio nostro inhumanitatis*

conde] | *mnatur* would imply, or else they could not decently have condoned it. Still *inhumanitatis* points in the right direction; it merely needs to be softened with *cuiusdam*. The *dira inhumanitas* of the religion of the Gauls, with its rites of human sacrifice which Augustus, Tiberius and Claudius had curtailed and sublimated but, in our opinion, not obliterated, had always shocked the Romans (see discussion and literature *apud* Hugh Last, "Rome and the Druids: a Note," *J.R.S.*, XXXIX, 1949, pp. 1-5).

S 13:—The entire restoration is based on elements found in I 56.

S 14:—In support of his restoration *munus*] *commit<t>atur* Palmer presents the following parallels (from Mertel's article in the *Thesaurus Linguae Latinae*): *haec scripsi a.d. VIII K. Novembr., quo die ludi committebantur* (Cic., *ad Quint.*, III, 4, 6); *ludis commisis* (Cic., *de fin.*, III, 28); *item ludos Latinos committem[us and ludique noctu sacrificio [co]nfecto sunt commisi in scaena* (Commentarium Ludorum Saecularium, *C.I.L.*, VI, 4, 2, no. 32323, lines 85 and 100); *priusquam committerentur ludi* (Livy, II, 37, 2); *circenses . . . commisit* (Suet., *Claud.*, 21, 2) and *naumachiam . . . commisit* (ibid., 21, 6); [*item*] *ad lud(os) vo[ti]vos committend(os) conven(erunt)* (Acta Fratrum Arvalium, anno 218, b34).

S 16:—The restoration *p[rae]bebit damnatum sex aureis* is based on the parallel *sex aureis* in I 58. The restoration *ne pretium amplius*] | *fiat* is based on the parallel I 56-57, *ne ampliore pretio lanistae praebeant*. New readings of the Italicense have destroyed the base on which Buckler's restoration rested.

Palmer argues that the procurator mentioned here and in I 58 is not the fiscal procurator, for one thing because the fiscal affairs of the Three Gauls did not come under a single procurator. It is the procurator in charge of the recruitment of gladiators, the beginning of whose function in the Transpadane region H. G. Pflaum, *Les procurateurs équestres sous le Haut-Empire Romain*, Paris, 1950, p. 73, dates in the reign of Marcus Aurelius. Under Lucius Commodus similar procuratorships appear embracing greater parts of the Empire (Pflaum, pp. 76-77).

S 17:—The restoration *n[e plus quam duo milia accipiat]* is based on the parallel in I 56-57, *ne ampliore pretio lanistae praebeant quam binis milibus*.

I 9:—In defense of Mommsen's emendation *patr<imo>nium* against the reading of the tablet *patrocinium*, which d'Ors too rejects on p. 454, Palmer cites the following parallels (from Gudeman's article in the *Thesaurus Linguae Latinae*, s.v. "amplus"): *satis amplum patrimonium* (Cic., *de domo*, 58, 147); *amplum et copiosum patrimonium* (Cic., *Ros. Am.*, 2, 6); *lauta et copiosa patrimonio* (Cic., *Rab. Post.*, 14, 38); *amplissimis patrimonii copius* (Cic., *Flac.*, 36, 89); *patrimonium quamvis amplum* (Cic., *Phil.*, II, 27, 67); *ex admodum amplo patrimonio* (Val. Max., VII, 8, 2). The phrase *amplum patrocinium*, on the other hand, appears to be unparalleled. For *parsimonia*, d'Ors aptly cites Cicero, *Paradoxa*, 6, 3, 49, *magnum vectigal sit parsimonia*.

I 10, *inquiunt*:—This is said by the senator himself. This is not a notation by the scribe who wrote the *commentarii*. Notations by the scribe describing the speeches, acclamations, etc., were always given in the past tense.

I 12:—For the atmosphere of the word *remedia* Palmer points to two cases in the *oratio* of the emperor Claudius (*B.G.U.* 611 = Riccobono, *F.I.R.A.*², p. 285, no. 44): *nec defuturas ignoro fraudes monstrore agentibus multas, adversus quas excogitavimus, spero, remedia* (col. II, 6 foll.); and *haec, p(atres) c(onscripti), si vobis placen[t st]a[t]im signi[ficat]e simpl[i]citer et ex anim[i vestri] sententi[a: sin] displicent, alia[m] reper[it]e sed hic in[tra] templum remedia* (col. III, 10 foll.).

I 22:—Buecheler's assumption of dittography, *clamant{e} ego*, restores the passage with simple elegance, while d'Ors' assumption of a short omission, *clamant e<t> ego censeam*, produces a, to us, unsatisfactory sense.

I 29-39:—Lines 29-39 deal with two big types of gladiators: lines 29-34 concern gladiators who fight singly, while lines 35-39 concern gladiators who fight in teams *sub signo*. In lines 29-34, as Mommsen pointed out, four categories (*genera*) of spectacles are distinguished to correspond with four levels of total expenditure by the exhibitor. For each *genus* the gladiators are classified differently into three or five grades (*classes, ordines* or *manipuli*). In lines 35-39 the four categories are again mentioned, perhaps to include all games without ambiguity, and the gladiators are divided into two grades. The phrase of Suetonius, *Aug.*, 45, 2, *catervarios . . . pugnantes temere ac sine arte*, does not concern gladiators but deserves to be mentioned.

I 34, *adusque*:—In the case of the most expensive games Mommsen assumed there were five grades of gladiators, who were rented out respectively for 6,000, 7,000, 9,000, 12,000 and 15,000 sesterces apiece. This seems to be true, but the ordinance calls for the same number of *meliores* from each grade on every day of the games, and for this purpose the best gladiator, who is rented out for 15,000 sesterces, is counted as in the same grade as those who are rented out for 12,000 sesterces. This interpretation of the word *adusque* occurred independently to Palmer and to H. G. Pflaum, *Le marbre de Thorigny* (Bibliothèque de l'École des Hautes Études, CCXCII, 1948), pp. 14-15, and seems to be supported by evidence on the marble of Thorigny.

I 34, *et haec sit summo ac formonso gladiatorum definita quantitas*:—The beauty of the gladiator can hardly have counted. Surely *formonso* is a mistake for *postremo*, which is the term used in line 33. Whereas the grades of the preceding category (line 33) are indicated with the words *primi, secundi, terti, quarti*, and *postremo*, the grades of this category are indicated with the words *infimi gladiatoris, super eum, terti retro, quarti* and *summo ac <p>o<strem>o gladiatorum*. Also in line 49 the prices of the last mentioned grade are called *postrema*.

I 37:—Where previous editors read *negem*, d'Ors recovered the true reading *nec e<a>m*. He thought he could actually discern the missing A in ligature with the following M, but we cannot discern it on the photograph.

I 43:—Line 43 contains some corruption, for it reads *arbitrium iniungendum praefectis alimentorum dandis si aderunt vel viae curatori aut, si nec is praesens erit, iuridico*, etc. The title of the prefect appears regularly as *praefectus alimentorum*, and so Mommsen deleted the word *dandis*. Since ancient titles were not as fixed as modern titles, Hirschfeld assumed a mere variation such as often turn up in inscriptions, and he emended to *praefectis alimentorum dand<orum>*. This explanation, unsupported by a parallel, may not be right, but it is better than Mommsen's solution which fails to show how the error arose. Buecheler (*C.I.L.*, II Suppl., p. 1036) wrote, "*dandis futuros, non qui sunt, significat praefectos*." Oliver suggests that the word *dandis* means, not "who are yet to be appointed," but "who must be assigned (to such cases) if they are in the neighborhood." A second difficulty lies in the absence of a conditional clause in the section *vel viae curatori*. We think that in the following section, *aut, si nec is praesens erit, iuridico*, the word *nec* points back to a negative conditional clause which has fallen out. Hence we emend to supply it.

I 49-50:—The grammar of lines 49-51 is of a colloquial laxity. The ablative construction *ab eo | qui praesidebit provinciae opserventur* seems to be continued in line 50 with *iuridico* and *CURATORF* (so read by d'Ors). Then comes *praefecto* and then an unmistakable dative *procuratori* (with a tall I, i. e. a real I, not an incompletely engraved E). Finally a nominative *potestas*. The senator (or scribe or engraver) thinks successively in terms of *observentur, observandum* and

observet, but the original of the emperors' oration, if this section does come from the imperial oration, need not have had so loose a construction.—In line 50 the word *provinciae* is a mistake, as Mommsen said, for *viae*. The title is *curator viae*; a title *curator provinciae* would be impossible. The error *provinciae* for *viae* is best explained as due to the influence of the preceding clause (in the same line), *ab eo qui praesidebit provinciae*.

I 52:—The words *exemplis munerum in quaque civitate edito·erunt consideratis* call for emendation. Mommsen thought that *edito·erunt* reflected a misreading *editorum*. This is paleographically unconvincing. Hübner suggested <quae> in quaque civitate edit<a>erunt. This emendation assumes two errors, the second of which is paleographically unlikely. Palmer suggests merely the common error of the short omission, *edito<res>* or *edito<r>(es)*. There is no need to assume a second omission, *qua<cum>que*, because *quaque* itself can stand for *quacumque*, so that the phrase may be translated: "when models of exhibitions have been evaluated in whatever community there will be exhibitors. . . ."

I 53:—The letters LICIT·ET or LECIT·ET do not give a satisfactory sense. Since a future is needed, we emend to *licebit*.

I 56:—Line 56, where the bronze reads *Ad Gallias sedet princeps qui . . . expectantur ne ampliore pretio | lanistae praebeant quam binis milibus*, seems to concern the *trinci*, as Piganiol pointed out by comparing lines 10-16 of the marble from Sardis. In fact Piganiol's emendation <t>rinc<o>s or <t>rin<quo>s for *princeps* clears up the main difficulty. But Piganiol's further emendations *Ad* (read *at*) *Galli assede<n>t* not only disregards a clearly visible point of separation after *Gallias* but gives a poor sense. Stroux, *Philologus*, 1954, p. 152 would interpret these words as an *acclamatio* and divide them *Ad Gallias se det princeps*, "es wende sich der Kaiser zu Gallien." This is in our opinion unacceptable, because these words form the beginning of a paragraph and extend out as such into the margin, and because there were two Emperors, and because the *trinqu* must be mentioned specifically as in the *oratio principum*. When he wrote his review of d'Ors, Oliver interpreted the sentence to mean "As for the Three Gauls, it is all settled that *lanistae* shall not charge for *trinqu* more than 2,000 sesterces apiece," *Ad Gallias* (sc. *quantum pertinet*) *sedet* <t>rin<quo>s, etc. So poetical a use of *sedet* cannot be justified by the frequency of poetical words in histories and other rhetorical prose, because the senator in this part of his speech has avoided rhetoric; but Oliver has given up this point of his interpretation chiefly because he is impressed by a similarity between the letters SEDET and the copula *sed et* which introduces Article 2 of the Table of Brigetio, *Année épigraphique* 1937, No. 252 (A.D. 311) and which is discussed by Denis van Berchem on p. 83 of *L'armée de Dioclétien et la réforme constantinienne* (Institut Français d'Archéologie de Beyrouth, *Bibliothèque archéologique et historique*, LVI, Paris, 1952). As on the Table of Brigetio, so also here a copula *sed et* could be said to introduce a special case not covered by the general rule. We believe, despite weighty opinions to the contrary, that apart from the error *princeps* for *trinquos* there is no garble but that something is implied or omitted after the phrase *Ad Gallias*, though whether this is ellipsis or scribal negligence we cannot say with confidence. The phrase *Ad Gallias*, coming as it does in first place, constitutes a kind of rubric, but since no article in this inscription is preceded by a separate rubric, and since this phrase is not separated by blank spaces from the rest of the paragraph, it seems hard to interpret the phrase *Ad Gallias* as a true rubric, i.e. one without syntactical connection. It seems better to reckon with an ellipsis, and therefore Oliver now proposes hypothetically *Ad Gallias* (*quantum pertinet, non aliter*), *sed et* <t>rin<quo>s qui, etc.

I 58:—Part of this line was recently worked out by d'Ors, and now Palmer, without knowing that Stroux had conjectured *lanistis prae[beat]*, has successfully read *lanistis pra[e]be[r]t*. Oliver

regards Palmer's reading of the first word *lanistis* as certain. The reading *pra[ebe]r[e]t* does not have the same degree of probability but seems possible. One should allow for the fact that in this inscription E and I are sometimes confused and so not demand a wide E. The form *praebeat* is spatially better.

I 60:—One of the most difficult areas of the inscription was read as *vel sibimet* by earlier editors, but as *vel siblaret* or *siplaret* by d'Ors, who emended to *vel si pla<c>et*. In Figure 1 Palmer presents a drawing of what he thinks he sees in the photograph.

CEPTOS V COSIBLARET.

I 61:—Where previous writers read *persolutum*, d'Ors indicated that this was a mere restoration, *pers[olu]tum*. Oliver proposed *pers[crip]tum*, and Palmer actually reads the bottom of the CR.

CONTENT

The *Content* of the Italicense falls entirely within the speech of the senator who gave the *sententia prima* after the reading of the imperial oration. Presumably the senator expressed the sense of the meeting. His words began on the lost tablet which preceded. The first and ornamental part of his oration, the part which extends through line 20, is characterized by a highly rhetorical style full of hyperbole, pathos, and indignation, and concluding with an extravagant pleasantry. A stylistic transition of some interest occurs in lines 21-29. In line 29, finally, the practical part of the oration begins. There is no rhetorical adornment here. The senator now follows the example of the Emperors and adheres to the severity of the juristic style.

The practical part of the oration reproduces proposals for legislation, as it were, and summarizes clarifications concerning administration. The *sententia prima* reflects the traditional rôle of the Senate which had authority to make the rules in certain areas and which in other areas formally gave mere advice to magistrates.

From the *sententia prima*, which in certain passages can actually be compared with the imperial proposals of the Sardinianum, the following articles to be enacted, clarifications from the Emperors, and pieces of advice from the Senate may be distinguished and listed.

Article 1 is introduced by *uti* in line 29 and runs into line 35. It might have had the rubric *De pretiis gladiatorum meliorum*. The senator apparently makes no change; in fact he implies as much in lines 45-46.

Article 2 is introduced by *Utique* in line 35 and runs into line 40. The rubric might have been *De pretiis gregariorum*. The senator probably makes no change. The sentence about warning the *lanistae* could conceivably be interpreted as an addition by the senator but is more easily interpreted as a comment by the Emperors on administrative plans. Indicatives of the imperial oration appear as infinitives of indirect discourse.

3. A statement of administrative policy begins in line 40 where *Utque* does not introduce a third article. This statement runs through line 44 and seems to have been taken from the Emperors' oration entirely. The senator makes no change, except that he paraphrases more freely than the words of line 28, *verbis ipsis*, might lead one to believe.

4. Another statement of administrative policy begins in line 45 and runs merely into line 46. It has the rubric *De exceptis*. The senator apparently makes no change.

5. Advice on administrative policy is offered by the senator in a paragraph which begins in line 46.¹³ It might have had the rubric *De pretiis gladiatorum apud tenuiores civitates*. The paragraph extends into line 55. The words *i]am agunt annuu[m* of Sardianum 10, which are not repeated in the Italicense, probably belong to a statement of administrative policy out of which the new section developed in part.

6. A paragraph concerning the special problem of the *trinqui* in Gaul fills lines 56-58. It seems to have the rubric *Ad Gallias*, to be introduced with the copula *sed et* and the conjunction *ne*, and to reflect faithfully the thought of the Emperors, though it certainly departs more boldly from the *verba ipsa* of the Emperors than line 28 would lead us to expect.

7. A paragraph concerning those other than *lanistae* who might be selling gladiators fills lines 59-61. There is a statement followed by advice which is not introduced in the form of an article with *Uti* or *Utique* and which looks like advice on administration from the senator rather than a proposal to the Senate from the Emperors.

8. Another paragraph concerning special cases begins in line 62 and continues on the lost tablet which follows. This too looks like advice on administration from the senator rather than a proposal to the Senate from the Emperors.

¹³ Piganiol thought that this was a change introduced by the senator, and if so, interpretation of the letters SER of Sardianum 10 as part of the formula *eaque forma in posterum servetur* is precluded. If the senator did not make changes, there would have been no reason to repeat every article, and certainly no reason to engrave the repetition. We think that Piganiol was right. We believe that this phrase may have been used also in the imperial oration but not as applying to the sections *de pretiis gladiatorum meliorum*, *de pretiis gregariorum* and *de exceptis*. In the senator's oration this phrase applies to only one section, the section *de pretiis gladiatorum apud tenuiores civitates*. Either the whole section already existed in the imperial oration, or the restoration *eaque forma in posterum] ser[vatur* is impossible. The letters SER are not enough to outweigh the probability that this section, which the senator contrasts with the section *secundum praescriptum divinae orationis*, is a new section.

III

TRANSLATION OF THE AES ITALICENSE

— — — that that pestilence so great could not be cured by any medicine. And it could not. But our imperial leaders, whose entire concern is to revive the public security from any disease by which it is overwhelmed and strangled and to restore it to complete health, turned their attention to the cause which gave strength to that disease whence the law permitted foul and morally offensive revenues to be derived. They asked what influence and protection made it possible to use, as it were, legitimate ways of doing things which are forbidden by all the laws of God and Man.

(I 5-11) “The Fiscus,” they were told, again and again. The Fiscus, not for itself but in order that it might serve as protection for the butchery in which others engaged, had been invited with an interest amounting to a third or fourth portion to make the filthy plundering legitimate. And so they took the Fiscus out of the arena completely. After all, why should the Fiscus of Marcus Aurelius and Lucius Commodus be supported by a connection with the arena? All the money of these emperors is clean, not stained with the splashing of human blood, not soiled with the filth of sordid gains, and it is as innocently produced as it is collected. So away with that revenue, whether twenty or even thirty million sesterces a year. Large enough for the empire is the fortune you accumulate by your thrift. “Let even a part be cut from the back debts owed by *lanistae*, which come to more than five million sesterces, as a free gift to the *lanistae*.” For what deserts, I respectfully ask you. “Of course,” the emperors say, “for no deserts, but since they have been forbidden to engage in the disorderly conduct of their old life, let them have this consolation, and in the future let them be invited to serve the public at a fixed rate.”

(I 12-15) Oh, great Emperors, who know that remedies which allow for the interests even of the wicked who have made themselves actually indispensable are set on deeper foundations, the harvest of your great foresight will indeed come forth. The official reading of the address in our assembly has barely finished, but when it was unofficially reported that the profits of the *lanistae* had been pruned back and that the fiscus had renounced all that money as contaminated, immediately the priests of your most loyal Gallic provinces rushed to see each other, were full of joy, and plied each other with questions and answers.

(I 16-18) There was one who upon being appointed priest had given up his fortune for lost, had named a council to help him in an appeal addressed to the Emperors. But in that very gathering, he himself, before and after consulting his friends, exclaimed, “What do I want with an appeal now? Their most sacred Majesties the Emperors have released the whole burden which crushed my patrimony. Now I desire

and look forward to being a priest, and as for the duty of putting on a spectacle, of which we once were solemnly asking to be relieved, I welcome it."

(I 19-20) And so permission to withdraw the appeal was sought not only by him but by all the others, and how much more numerous petitions to withdraw them will be! Now this class of cases will assume a new form in which those will appeal who have *not* been made priests, in fact even those who do not qualify as members of an order.

(I 21-22) Therefore, when your advice is so good and its objects so salutary, what other "first opinion" can there be for me to give than that which all individually feel and express in an acclamation of the whole group from the bottom of their hearts?

(I 23-26) I think, therefore, first that thanks should be offered to Their Majesties the Emperors, who with healthful remedies subordinating the interests of the Fiscus have stopped the decline of the states and the headlong rush of the leading men into ruin and restored the condition of the former and the fortunes of the latter. It was all the more magnificent of them, because, though the excuse was available that they were merely retaining what others had instituted and long custom had confirmed, nevertheless they thought that it was by no means consonant with their philosophical principles either to preserve bad institutions or themselves to institute what others must be dishonorable to preserve.

(I 27-29) Moreover, although many think that concerning what Their Majesties the Emperors have reported to us we should go on record with only one succinct opinion, nevertheless, with your permission, gentlemen, I shall take up each article separately, taking over from the most sacred oration the very same words to clarify the opinion, so that there be no room anywhere for misinterpretation.

(I 29-35) Accordingly, I support the proposals:—"That the spectacles which are called *munera assiforana*¹⁴ remain within their old limit and not exceed 30,000 HS in expenditure. That to those, however, who produce spectacles at an expenditure between 30,000 and 60,000 HS, gladiators be furnished in equal number in three classes: maximum price for the first class be 5,000 HS, for the second class 4,000 HS, for the third class 3,000 HS. That when it is from 60,000 to 100,000 HS, the company of gladiators be divided into three classes: maximum price of a gladiator of the first class be 8,000 HS, middle class 6,000, lowest 5,000. Next, that when it is from 100,000 to 150,000 HS, there be five grades: for a man of the first grade the price be 12,000 HS, second 10,000, third 8,000, fourth 6,000, last 5,000. Next in order, finally, that when it is from 150,000 to 200,000 HS or any sum which may be over and above this, the price of the gladiator of the lowest grade be 6,000 HS, of the next higher

¹⁴ Non-gratuitous spectacles for the profit of the exhibitor.

7,000, of the third by backward count 9,000, fourth 12,000 up to 15,000 which is the amount fixed for the gladiator of the highest and <last> grade.

(I 35-40) "That at every spectacle of all the categories into which they have been classified the *lanista* provide as half of the whole group a number of men who are not expected to perform singly, and that of these, who are known as *gregarii*, one who may be rated 'superior among *gregarii*' fight in a team under a standard for 2,000 HS, and that no one from this group fight for less than 1,000." (They explain that) the *lanistae* should also be warned against a low desire to profiteer and be warned that they no longer have a free hand in supplying the half which the group of *gregarii* constitute, in order that they may realize that an obligation has been placed upon them to make from the others whom they may rate as superior temporary transfers to fill up their quota of *gregarii*. "Accordingly, that that group which the entire establishment constitutes be divided into equal parts for individual days and that on no day less than half of those who may fight on that day consist of *gregarii*."

(I 40-44) "In order that the *lanistae* may be compelled to observe this rule as carefully as possible, competence must be assigned to provincial governors and their legates, or to quaestors, or to legates in command of legions, or to senatorial *iuridici*, or to procurators of " Their Majesties "upon mandate of the provincial governor, also to praesidial procurators. Across the Po, however, and throughout all regions of Italy competence must be given to *praefecti alimentis*, who should be assigned if present, or, <if they are not present>, to a *curator viae*, or if not even he is present, to a *iuridicus*, or if he too is unavailable, then to a prefect of a praetorian fleet."

(I 45-46) Likewise I support the opinion "that in the matter of prize money care must be taken that as his own share of the reward each free gladiator contract to receive a quarter of that money, whatever used to be set aside for this purpose in the past, but each slave gladiator receive a fifth."

(I 46-55) Concerning the prices of gladiators, however, I expressed a little while ago an opinion in accord with the prescription of the divine oration, but I think the rule is formulated in such a way that those prices apply to those states in which prices of gladiators have been flagrantly high. In respect to states which have a rather weak commonwealth, on the other hand, (I suggest that) these rules which are prescribed in stronger communities be not so rigidly maintained and not place burdens upon them beyond the limit of their strength but keep within that limit, so that whatever prices in public and private accounts are found to be highest, mean and lowest may be observed for those states—, in the case of states within provinces by the governor of the province, in other cases, however, by the *iuridicus*, or by the *curator viae*, or by the prefect of a praetorian fleet, or by the procurator of Their Majesties the Emperors, or by whoever in each state will be its ranking magistrate—, and that

so, upon inspection of the accounts of the last ten years, upon consideration of the spectacles which have been precedents in whatever city there will be donors, a ruling be made by him whose competence it will be concerning the three price levels, or if it shall seem to him better, the prices be divided into three levels in whatever way it will be possible to do so fairly, and that this system be preserved also for the future. And (I suggest that) their Excellencies who went out as proconsuls a short while ago be informed that each of them is supposed to carry out this assignment within his year, and that also those who govern provinces where the lot is not used finish within the year.

(I 56-58) As for the Gallic provinces, (the same limits on prices for gladiators apply). But also for *trinqui*, who because of an ancient custom of sacred ritual are eagerly awaited in the states of the most glorious Gallic provinces, let the *lanistae* not charge a higher price than 2,000 sesterces apiece, since their Majesties the Emperors have announced in their oration that the policy will be for a procurator of theirs to hand over to the *lanistae* at a price of not more than six gold pieces a man who has been condemned to death.

(I 59-61) There will be provinces too where the provincial priests have no dealings with *lanistae*. They take over gladiators bought and trained by previous priests, or free fighters who had bound themselves with a contract, but after giving a spectacle they pass them on to successors at a higher price. Let no one sell anyone for gladiatorial service at a price per individual higher than that to which *lanistae* are limited.

(I 62-63) In the case of him, however, who voluntarily, in the presence of His Excellency the Tribune of the People, may announce his intention to fight at the legal price of 2,000 sesterces, (I suggest that) if this man, when he has obtained his release, will have reentered his dangerous occupation, his valuation thereafter not exceed 12,000 sesterces. In the case of him too who after growing older and less capable may again apply himself — — —

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 aestimatio: aestimatio eius I 63.
 ago: agunt S 10; agendas maximis impp(eratoribus) gratias I 23.
 alimentum: praefectis alimentorum I 43.
 alius: alia I 21; aliut S 13; ali I 25; aliorum I 5; aput alios S 13.

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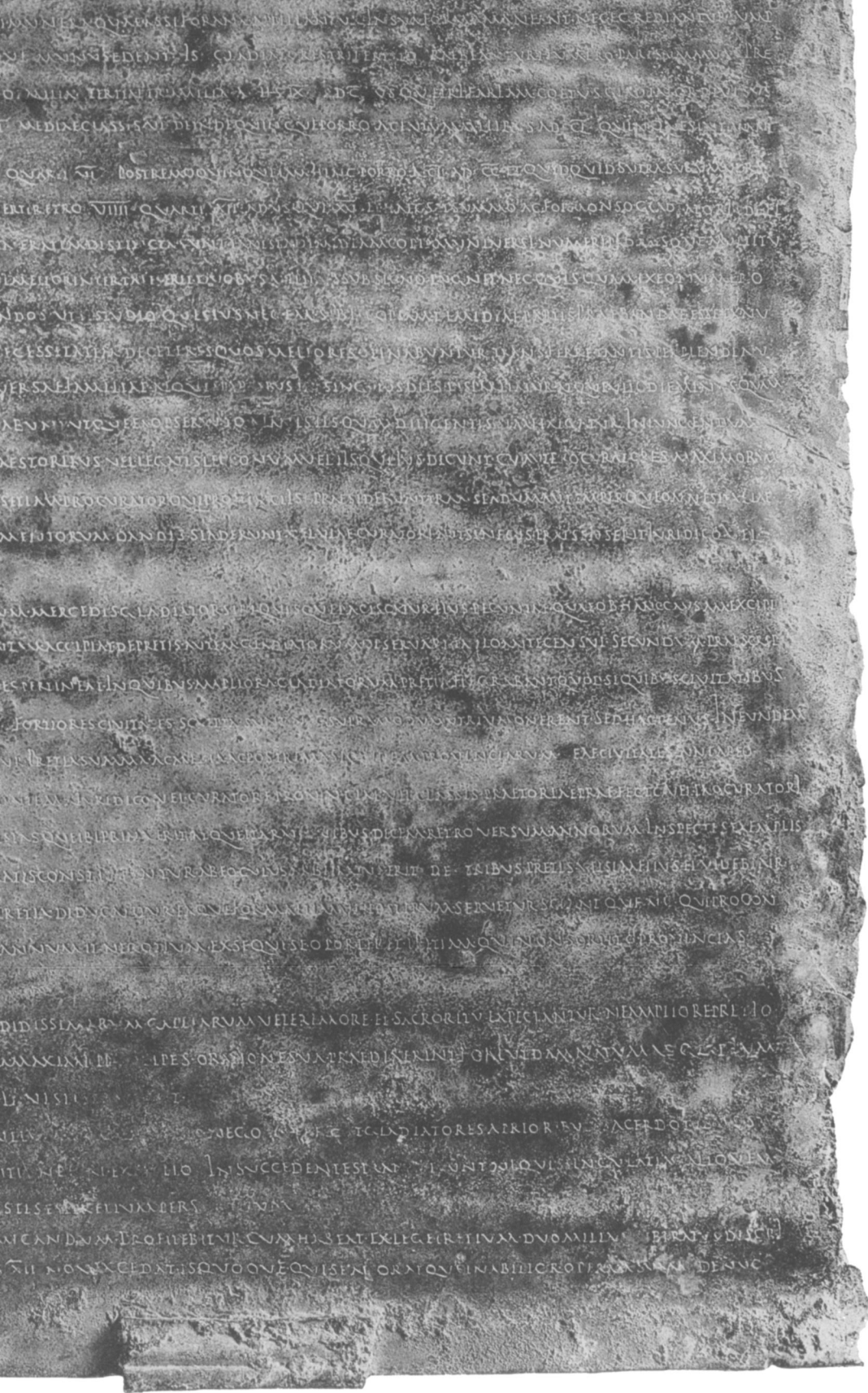
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 ROBERT E. A. PALMER

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Aes Italicense

E. A. PALMER: MINUTES OF AN ACT OF THE ROMAN SENATE