

II. 103–105, §44. 12 BC

- 103 Πόπλιος Σουλπίκιος Κουρείνος, Λούκιος Ουάλγιος νακ
Κουρείνος, lapis: error of the redactor for Κουρείνιος, OS || Λούκιος
Ουάλγιος, lapis: error of the redactor for Γάιος Ουάλγιος, OS.
- 104 [Ρούφος ὑπατοι πρ]οσέθηκαν· τέλος κατὰ θάλασσαν καὶ κατὰ
γῆν εἰσαγωγῆς καὶ ἐξαγωγῆς ἐντὸς ὄρων καὶ λιμένων Ἀποικίας
Σεβαστῆς Τρωάδος ὑπε[ξ]-
- 105 [ῥήρηται, ἵνα μόνη ἡ] ἀποικία αὐτῆ καρπεύηται· τὰ λοιπὰ κατὰ
τὸν νόμον. •
] ἀποικία, MC&CC; ἀ]ποικία, edd. pr.

II. 105–109, §45. 12 BC

- 105 ὃς ἂν παρὰ τοῦ δήμου τὴν τελωνίαν μισθώσηται, τούτῳ
προένγυον ἐν τρισὶ
προένγυον, MC&CC; προέγγυον, edd. pr.
- 106 [ἡμέραις ταῖς ἑγγι]στα αἷς ἂν μισθώσηται ἐφ' ἡμῶν ἀλλάξαι
ἐξέσται, μήτε ὁ προέγγυος τὴν δημοσιονίαν ταύτην
καρπεύεσθω πρὶν ἢ ἐνγαίοις καὶ
- 107 [αὐθέντη τῷ δήμ]ωι περὶ ἐγγαίων ἀσφαλίσασθαι ἐπικρίσει
Ποπλίου Σουλπικίου Κουρείνου, Γαῖου Ουάλγιου Ρούφου
ὑπάτων καὶ τῶν προεστώτων
[αὐθέντη τῷ δήμ]ωι, MHC; [ἀναδόχοις τῷ δήμωι], edd. pr.; OS, cf. Heil
(1991) 17. || δήμ]ωι περὶ, MC&CC; δήμωι] περὶ, edd. pr. || Κουρείνου,
lapis: error of the redactor for Κουρεινίου, OS || προεστώτων, MC&CC;
προεστῶτων, edd. pr. || ὑπάτων καὶ τῶν προεστῶτων, error of the re-
dactor for ὑπάτων ἢ τῶν προεστῶτων, OS.
- 108 [τοῦ αἰραρίου στρατ]ηγῶν· καὶ ὁ ἐξηγορακῶς ἀπὸ εἰδῶν
Ἰανουαρίων πρώτων ἐπὶ ἔτη ἑξῆς πέντε καρπεύεσθω· τὰ
λοιπὰ κατὰ τὸν αὐτὸν νόμον
καρπεύεσθω, MC&CC; καρπευέσθω, edd. pr.
- 109 [ἐκάστου ἔτους].

II. 103–105, §44. 12 BC

- 103 [The consuls] P. Sulpicius Quirin(i)us and (C.) Valgius [Rufus]
added: the *telos* on import and export by sea and land within
the boundaries and harbours of Colonia Augusta Troas [has
been excepted, in order that the] colony itself [alone] may
exploit (it); the rest (is to be) according to the *lex*.

II. 105–109, §45. 12 BC

- 105 Whoever accepts the contract for the exaction of *telos* from the
people, he will be able to change his *magister* in our presence in
the three [days following] that on which he accepts, and the
magister is not to exploit this *uectigal* before providing security
with *praedia* and [a *cognitor*] in relation to the *praedia* [to the
people,] at the discretion of the consuls P. Sulpicius
Quirin(i)us and C. Valgius Rufus, or of [the praetors] in charge
of [the *aerarium*]; and the person who has accepted the con-
tract is to exploit for five years in succession from the next Ides
of January; the rest (is to be) according to the same *lex* [in each
year.]

II. 103–105, §44. 12 BC

- 103 P. Sulpicius Quirin(i)us (C.) Valgius [Rufus cos.] *addiderunt*:
*portorium importationis exportationisque terra marique intra
fines portusque Coloniae Augustae Troadis [exceptum est, quo
magis] colonia ipsa [sola] fruatur; cetera ex lege.*

II. 105–109, §45. 12 BC

- 105 *quicumque portorium conductum a populo habebit, ei apud nos
magistrum sufficere in [diebus proximis] tribus a quo die con-
duxerit licebit, eique magistro ei uectigali frui ne liceto, antequam
praediis [cognitoreque] de praediis [populo] cauerit, arbitrato
P. Sulpici Quirini C. Valgi Rufi cos. [praetorumue] qui [aerario]
praerunt; isque qui redemerit per quinque annos continuos ab Id.
Ian. proximis frui debeto; cetera [quotannis] ex eadem lege.*

ll. 109–110, §46. 7 BC

- 109 [Τι]βέριος Κλαύδιος Νέρων τὸ β̄, Λεύκιος Καλπούρνιος Πείσων ὕπατοι προσέθηκαν· ἐν ἡμέραις εἴκοσι ταῖς ἔγγιστα τὸν αὐθέρτη[ν]

Λεύκιος Καλπούρνιος Πείσων: our text has replaced the *praenomen* Gnaeus with the *praenomen* Lucius after the condemnation of Piso in AD 20, cf. Eck (1990) 139.

- 110 [ἀλλάξαι ἐξέστω].

[ἀλλάξαι ἐξέστω], MW; [ἀλλάξαι ἐξέσται], edd. pr.

ll. 110–112, §47. 7 BC

- 110 [ὁ δ]ημοσιώνης ὁ τὴν τελωνείαν μισθωσάμενος ἀναδόχοις καὶ ἐνγαίοις τῶι δῆμωι ἀσφαλιζέσθω ἐπικρίσει Τιβερίου Κλαυδίου [ὁ δ]ημοσιώνης, edd. pr.; MW; [ὁ δὲ δ]ημοσιώνης (?), MHC.

- 111 [Νέρωνος τὸ β̄, Λευκίου] Ἰαλπουρνίου Πείσωνος ὑπάτων καὶ τῶν προεστώτων τοῦ αἰραρίου ἄχρι τοῦ πενταπλοῦ ὅσου ἂν τὴν δημοσιωνίαν ἐργολα- vac

Ἰαλπουρνίου, MC&CC; Καλπουρνίου, edd. pr. || ὑπάτων καὶ τῶν προεστώτων, error of the redactor for ὑπάτων ἢ τῶν προεστώτων, OS || ἄχρι τοῦ πενταπλοῦ, MC&CC; ἄχρι τοῦ πενταπλοῦ, edd. pr.

- 112 [βῆση ἐκάστου ἔτους] καὶ ἀπὸ εἰδῶν Ἰανουαρίων πρώτων τοῖς ἐξῆς ἔτεσιν πέντε καρπευέσθω· τὰ λοιπὰ κατὰ τὸν αὐτὸν νόμον ἐκάστου ἔτους. vac

ἐκάστου ἔτους], MW; καθ' ἕκαστον ἔτος], edd. pr. || καὶ is now lost on the stone, but was read by edd. pr. and is visible on the latex squeeze (MC&CC) || τὰ λοιπὰ κατὰ τὸν, MC&CC; τὰ λοιπὰ κατὰ τὸν, edd. pr.

ll. 113–114, §48. 2 BC

- 113 [Λεύκιος Κανίνιος Γά]λλος, Κόϊντος Φαβρίκιος ὕπατοι προσέθηκαν· ἕαν τις περὶ τῶν τελῶν τούτων πρὸς δημοσιώνην ἢ ἐ[πίτρο]πον συνθήται, vac

τούτων πρὸς δημοσιώνην ἢ ἐ[πίτρο]πον, MC&CC; τούτων πρὸς δημοσιώνην ἢ ἐ[πίτρο]πον, edd. pr.

- 114 [τοῦτο δίκαιον καὶ] νόμιμον ἔστω{ι}. •

[τοῦτο δίκαιον καὶ], MHC; [ὁ ἂν ἐκ πίστεως ἀγαθῆς γένηται], edd. pr.

ll. 109–110, §46. 7 BC

- 109 The consuls Ti. Claudius Nero, for the second time, and (Cn.) Calpurnius Piso added: [it is to be possible to change] the *cognitor* in the twenty days following.

ll. 110–112, §47. 7 BC

- 110 [The] *publicanus* who has accepted the contract for the exaction of *telos* is to provide security to the people with *praedes* and *praedia* at the discretion of the consuls Ti. Claudius [Nero, for the second time, and (Cn.)] Calpurnius Piso, or of those in charge of the *aerarium*, up to five times the amount for which he has accepted the contract for the *uectigal* [for any one year;] and he is to exploit for five years in succession from the next Ides of January; the rest (is to be) according to the same *lex* in each year.

ll. 113–114, §48. 2 BC

- 113 The consuls [L. Caninius Ga]llus and Q. Fabricius added: if anyone makes a *pactio* concerning these *tele* with the *publicanus* or the [procurator,] it is to be [binding and] lawful.

ll. 109–110, §46. 7 BC

- 109 Ti. Claudius Nero II (Cn.) Calpurnius Piso *cos. addiderunt: cognitorem in diebus proximis uiginti [sufficere liceto].*

ll. 110–112, §47. 7 BC

- 110 [*qui*] *publicanus portorium conductum habebit, quanti operas in uectigali (exigendo) dederit, quinquies usque tanti (?) praedibus praediis populo caueto, arbitrato Ti. Claudi [Neronis II (Cn.)] Calpurnii Pisonis cos., quiue aerario praerunt, perque quinque annos continuos ab Id. Ian. proximis frui debeto; cetera quotannis ex eadem lege.*

ll. 113–114, §48. 2 BC

- 113 [L. Caninius Ga]llus Q. Fabricius *cos. addiderunt: si quis pac-*

ll. 114–115, §49. 2 BC

- 114 οἱ αὐτοὶ προσέθηκαν· ὃ ἂν κατὰ τοῦτον τὸν νόμον ἐνέ[χυρον] [λ]η-
φθῆ τοῦτο ἐν ἡμ[έραις] τριάκοντα
ἐνέ[χυρον] [λ]ηφθῆ, MC&CC; [ληφθῆ] ἐ[νε]χύριον, edd. pr.
- 115 [ταῖς ἔγγιστα αἰς ἂν ληφθῆ] εἰ μὴ ἐπιλυθῆ, τοῦ ἐνεχυράσαντος
ἔστω. •
[ταῖς ἔγγιστα αἰς ἂν ληφθῆ], MW; [ταῖς ἔγγιστα ἐπιλυθήτω, καὶ], edd. pr.

ll. 115–117, §50. AD 5

- 115 Λεύκιος Ουαλέριος Ουόλεσος, Γναίος Κίγγας Μάγνος ὕπατοι
προσέθηκαν·
- 116 [εἰ ἂν ± 12 ἐκ τοῦ] νόμου τούτου ἀμφισβήτησις γένηται, ὑπὲρ
ταύτης στρατηγού τοῦ δικαιοδοτούντος μεταξύ Ῥωμαίων καὶ
ἀλλοεθνῶν
[εἰ ἂν ± 12 ἐκ τοῦ] νόμου, MW, who also suggests [εἰ ἂν τις δημοσιώνη ἐκ
τοῦ] (?) νόμου οἱ [εἰ ἂν τις πρὸς δημοσιώνη ἐκ τοῦ] (?) νόμου; [όποταν ± 7
περὶ τοῦ] νόμου, edd. pr. || δικαιοδοτούντος μεταξύ, MC&CC;
δικαιοδοτούντος μεταξύ, edd. pr.
- 117 [δικαστοῦ ξενοκριτῶ]ν (?) τε δόσις ἔστω. •
[δικαστοῦ ξενοκριτῶ]ν (?), MHC; or perhaps [δικαιοδοσία, κριτοῦ
δικαστῶ]ν; [διάγνωσις ἀγωγῆς], edd. pr.

ll. 117–122, §§51–52. AD 5

- 117 οἱ αὐτοὶ προσέθηκαν· ὅς ἂν νοουίκιον δοῦλον ἢ δούλην εἰς
ἐπαρχίαν Ἀσίαν εἰσάγη ἢ ἐξάγη, πρὸ[s]
δούλην εἰς ἐπαρχίαν, MC&CC; δούλην εἰς ἐπαρχίαν, edd. pr. || ἐξάγη,
πρὸ[s], MC&CC; ἐξάγη, πρ[ὸς], edd. pr.
- 118 [τὸν δημοσιώνη ἢ τὸν ἐπίτ]ροπον αὐτοῦ ἀπογραφέσθω, παρὰ
τούτῳ, ὅς ἂν φανερώς ἐν τῷ τελωνίῳ ἢ προγεγραμμένος, ἐν
οἷς ἂν τόποις δημο-
ἐπίτ]ροπον, MC&CC; ἐπίτ]ροπον, edd. pr. || τελωνίῳ, MC&CC;
τελωνίῳ, edd. pr. || δημο-, MC&CC; δημο-, edd. pr.
- 119 [σιώνη ἐποίκιον χάριν τ]ελωνίας ὑπάρχει, καὶ τὸ σῶμα τοῦτο τῇ
τῶν κοινῶν σφραγεῖδι σφραγισθὲν ἐξαγέτω καὶ εἰσαγέτω.
εἰ ἂν ἐν τῷ τελω-
τ]ελωνίας, MC&CC; τ]ελωνίας, edd. pr. || ὑπὲρ τ]ελωνίας, MHC || σφραγεῖδι
σφραγισθὲν ἐξαγέτω καὶ, MC&CC; σφραγεῖδι σφραγισθὲν ἐξαγέτω καὶ,
edd. pr.

ll. 114–115, §49. 2 BC

- 114 The same (consuls) added: whatever may be seized as a pledge according to this *lex*, if it is not redeemed in the thirty days [following its seizure,] it is to belong to the person who seized it.

ll. 115–117, §50. AD 5

- 115 The consuls L. Valerius Volesus and Cn. Cinna Magnus added: [if - - -] there is a dispute [arising out of] this *lex*, the right to grant [*iudex* or *recuperatores*] concerning it is to belong to the *praetor inter peregrinos*.

ll. 117–122, §51–52. AD 5

- 117 The same (consuls) added: whoever imports a new male or female slave into the province of Asia, or exports him or her, is to register (him or her) with [the *publicanus* or] his [procurator,] with the person whose name is clearly displayed on the customs-office, in whatever places the *publicanus* has [a building for the sake of] exaction of *telos*, and he is to export or import this slave branded with the brand of the *socii*; if [neither the *publicanus* nor] the procurator is in the customs-office, then he is to register (the slave) in the nearest city, with the person who holds the highest office.

ll. 114–115, §49. 2 BC

- 114 *iidem addiderunt: quodcumque ex hac lege pignoris nomine captum erit, si diebus [proximis] triginta [a quo die captum erit] redemptum non erit, eius qui ceperit esto.*

ll. 115–117, §50. AD 5

- 115 *L. Valerius Volesus Cn. Cinna Magnus cos. addiderunt: [si - - -] ex hac lege controuersia erit, [iudicis recuperatorum] de ea re praetori qui inter peregrinos ius dicet datio esto.*

ll. 117–122, §51–52. AD 5

- 117 *iidem addiderunt: qui seruum seruam nouicium nouiciam in prouinciam Asiam importabit, exportabit, eum eam apud [publicanum procuratorem] eius in tabulas referto, apud eum qui in teloneo ita uti de plano recte legi possit (?) propositus erit, quibus locis publicanus [aedificium] portorii exigendi [causa] habebit, eumque seruum sociorum stigmatate inscriptum exportato importato; si [neque publicanus neque] procurator in teloneo erit, tum quae urbs propius erit, qui ibi maximam potestatem habebit, apud eum in tabulas referto.*

- 120 [νίωι μήτε δημοσιώνης μήτε] ἐπίτροπος ὑπάρχη, τότε ἐν τῇ ἔγγιστα πόλει, ὃς ἂν τὴν μεγίστην ἀρχὴν ἔχη, παρὰ τούτῳ ἀπογραφέσθω. • οἱ *vac*
] ἐπίτροπος, MC&CC; ἐπί]τροπος, edd. pr. || ἀρχὴν ἔχη, παρὰ τούτῳ, MC&CC; ἀρχὴν ἔχη, παρὰ τούτῳ, edd. pr.
- 121 [αὐτοὶ προσέθηκαν· ὃς ἂν νοο]νίκιον δοῦλον ἢ δούλην κατὰ θάλασσαν εἰσαγάγῃ καὶ ἐξαγάγῃ, ἐπ' ἴσης ἔστω ὡσανεὶ κατὰ γῆν εἰσήγαγεν
νοο]νίκιον, MC&CC; νοοί]κιον, edd. pr. || ὃς ἂν νοοί]κιον, MW; ὅταν τις νοοί]κιον, edd. pr.; ἐάν τις νοοί]κιον, Solin (1991) 183 || ἐπ' ἴσης, MC&CC; ἐπ' ἴσης, edd. pr.
- 122 [καὶ ἐξήγαγεν, ἵνα καὶ ὁ αὐτὸς] ἅπαξ τὸ εἰσαγώγιον δῶ. *vac*
[καὶ ἐξήγαγεν, ἵνα καὶ ὁ αὐτὸς], MHC; [καὶ τοῦ νοουικίου δούλου ἢ δούλης], edd. pr.

II. 122–123, §53. AD 5

- 122 οἱ αὐτοὶ προσέθηκαν· ὁ κογχυλίωι ὀστρίωι ἰχθύι θαλασσίωι νεαρῶι χρώμενος τὸ
123 [± 15 μέρος τέλους] διδότη. •
[± 25] διδότη, MW; [± 15 μέρος τέλους] διδότη, edd. pr.

II. 123–124, §54. AD 5

- 123 οἱ αὐτοὶ προσέθηκαν, τὸν αὐθέντην ἐπὶ τῶν ἐκάστου ἔτους ἔσομένων στρατηγῶν ἐξεῖναι ἀλλά-
ἐκάστου ἔτους, MC&CC; ἐκάστου ἔτους, edd. pr.
- 124 [ξαι].

II. 124–126, §55. AD 5

- 124 [οἱ αὐτοὶ προσέθηκαν· ὁ τὴν τελω]νίαν ἐξαγοράσας ἀναδόχοις καὶ ἐνγαίοις τῶι δῆμωι δικανοδοτεῖτω ἐπικρίσει Λευκίου Οὐαλερίου Οὐολέσου, *vac*
[οἱ αὐτοὶ προσέθηκαν· ὁ τὴν τελω]νίαν, MHC; [ὁ δημοσιώνης ὁ τὴν τελω]νίαν, edd. pr.
- 125 [Γναίου Κίννα Μάγνου ὑπάτων ἢ τῶν σ]τρατηγῶν τῶν προεστώτων τοῦ αἰραρίου ἄχρι τοῦ πενταπλοῦ ὄσου ἂν τῆν δημοσιωνίαν καρπευθησομένην ἐξαγορά[ση]
σ]τρατηγῶν, MC&CC; σ]ρατηγῶν, edd. pr. || καὶ τῶν σ]ρατηγῶν, edd. pr. || ἐξαγορά[ση], MC&CC; ἐξαγορά-, edd. pr.

- 120 The [same (consuls) added: whoever] imports or exports a new male or female slave by sea, it is to be exactly as if he imported [or exported (the slave)] by land, [in order that the same person] may pay the import duty once and for all.

II. 122–123, §53. AD 5

- 122 The same (consuls) added: the worker of fresh purple shell fish from the sea is to pay the [??? part as *telos*.]

II. 123–124, §54. AD 5

- 123 The same (consuls) added, that it was to be possible to change the *cognitor* in the presence of whoever were to be praetors in each year.

II. 124–126, §55. AD 5

- 124 [The same (consuls) added: whoever] has accepted the contract for [the exaction of *telos*,] is to provide security to the people with *praedes* and *praedia* at the discretion of [the consuls] L. Valerius Volesus and [Cn. Cinna Magnus, or] of the praetors in charge of the *aerarium*, up to five times the amount for which he has accepted the contract for the exploitation of the *uectigal*

- 120 [*iidem addiderunt: qui*] *seruum seruam nouicium nouiciam mari importabit exportabit, siremps lex esto quasi terra importasset [exportasset, ita uti idem] dum semel portorium soluat.*

II. 122–123, §53. AD 5

- 122 *iidem addiderunt: qui piscem nouum conchylium muricem maritimium quaeret, [??? partem portorii causa] dato.*

II. 123–124, §54. AD 5

- 123 *iidem addiderunt, quicumque quotannis praetores essent, apud eos cognitorem sufficere licere.*

II. 124–126, §55. AD 5

- 124 [*iidem addiderunt: qui id portorium] conductum habebit, quanti uectigal fruendum [in annum] conduxerit, quinquies usque tanti (?) praedibus praediis populo satis dato, arbitrato L. Valeri Volesi [Cn. Cinnae Magni cos.,] praetorum[ue] qui aerario praerunt,*

102 [τῶν τε]λῶν εἴσπραξις: This is now the term used to render *exactio* (*portoriorum*); ἀνάπραξις was used in 100, §42.

δικανοδοτεῖτω: *satis dare* (or *cauere*, as MHC suggests), beside the more usual ἀσφαλίζεσθαι: see Crawford, *RS* 1, 267, on the *hapax* ἐ[γ]γα(ι)οδόσεις or ἐ[γ]γυοδόσεις in the *lex de prouinciis praetoriis*, *RS* 1, no. 12, IV, 36.

ἐπικρίσει: This is to happen at the discretion of the same consuls of 17 BC, or, in the following years (the consuls now being omitted from this business), of the praetors in charge of the Aerarium. The concept of ἐπικρίσις in the *lex*, except at 69, §28, always crops up in connection with the problem of security, first here in 17 BC. Here ἐπικρίσις should have proceeded alternatively (this is overlooked in *ed. pr.*) from the consuls or from the praetors of the Aerarium. Its content is unclear; that the security had to consist of *praedes* and *praedia* was hardly expressly to be insisted on: it was conventional and self-evident, and again later on (110, §47), an innovation can hardly be situated in the varying of δημοσίον with τελωνείαν, rather perhaps in the limit set on that occasion at the Ides of January; ἐπικρίσις was directed at the value of the security, which certainly could have varied with the value of the expected revenue from one five-year period to another. In 7 BC (110, §47) the previous alternative authority of the ἐπικρίσις through the collaboration of consuls and praetors appears to be replaced and for the first time the security, with the extension of five-fold the annual value, is uniformly and globally defined as one for the entire period of the contract. That is repeated in AD 5 (125, §55) and AD 62 (146, §62), on that occasion, admittedly in part a supplement, with reference to the ἐπικρίσις of the Emperor; this is probably best explained if the changing value of the security in the three cases was the particular motivating point of the ἐπικρίσις; similarly in 12 BC (107, §45) the consuls and praetors were engaged in an ἐπικρίσις involving the responsibility of the προέγγυος. With the exception of §62 (Emperor Nero) the consuls who take part in the ἐπικρίσις are always those in office at the time who are authors of the whole supplement; there is thus no backward reference. The Latin term rendered ἐπικρίσις cannot be *probatio* (the alternative to *inquisitio* suggested by *edd. pr.*), because this appears to have been a test of efficacy connected with final completion (cf. *ILLRP* 518; *Cic. Font.* 17; 2 *Verr.* 2. 1, 142 f.). There is no room in the context of a disposal

of a lease for a judgment by arbitration, which ἐπικρίνειν and ἐπικρίσις can indicate (e.g. *I.Ephesos* 4, 6), and that means that properly only *decretum* remains. For this ἐπικρίσις seems not to have been attested previously, but in view of the evidence for ἐπικρίνειν in the sense of *decernere* it might not be problematical (evidence and references in Herrmann 1989, 141, n. 32, as well as for the frequently attested ἀποκρίνειν as equivalent of *decernere*; cf. ἐπέκρεινεν below, 128, §57, of Augustus). Nonetheless, *arbitratu*, in a less formal sense than in ‘judgment by arbitration’, seems appropriate here.

103–6, §44 Supplement by the consuls of 12 BC: Privileges of Alexandria Troas.

A colony was founded at Alexandria Troas, probably in the Triumviral period, and was reinforced with new colonists (and called *colonia Augusta Troadensis*) by Augustus between 27 and 12 BC (Ricl, *I.Alexandria*, pp. 20 f.). Its northern neighbour Ilium, ancestral home of the Romans, received repeated privileges (App. *Mithr.* 61; Strabo 13. 1. 26 f., pp. 593 and 595; Tac. *Ann.* 12. 58. 1; Suet. *Claud.* 25. 3, with the nn. of Mottershead 1986 and Hurley 2001). But Alexandria, as a Roman colony, also had claims. It is granted immunity from import and export dues, or rather, the collection of dues is removed from the *publicani* to city officials, this no doubt being meant to strengthen the colony (Ricl, *I.Alexandria*, pp. 21, 225; for other city customs dues, see *RS* 1, 19 (Termessus) and Schwarz 2001a (Myra)). Note that more than one harbour is referred to (only the main harbour is mentioned in *I.Alexandria* 153).

103 Σουλπίκιος Κουρείν(ι)ος: the *cognomen* Quirinius (in fact a *nomen*, perhaps that of the consul’s maternal family, used as *cognomen*) is misspelt (the same mistake is found in 107, §45); it was an easy mistake for a non-Roman, and the correction to Κουρείνιος seems well justified.

Λούκιος Ουάγγιος: Valgius Rufus’s *praenomen* is rendered erroneously: it was Gaius (so in 107). This seems to be the last time the translator transcribes the *praenomen* Lucius as Λούκιος (normal in Greek inscriptions since the early Empire), previously used in 3, *Pr.*, 73, §31, 75, §33. 84, §37; from 109 onwards he changes to the ‘Republican’ form Λεύκιος (also in 115, §49, 124, §55, and 133,

§58; accordingly, the form *Λεύκιος* is correctly restored in 111 and 113, §48, and should perhaps replace the restoration *Λούκιος* in 144, §62).

105 τὰ λοιπὰ κατὰ τὸν νόμον: This is the first appearance of the phrase, which occurs, but—excepting 139, §60—with the addition of *ἐκάστου ἔτους* (or *ἔτους ἐκάστου* 143, §61), at 108–9, 112, 128, 133, 135, at the end of §§ 45, 47, 56–8.

105–9, §45 *Second supplement made by the consuls of 12 BC: Change of proenguos and security to be provided.*

Perhaps *οἱ αὐτοὶ προσέθηκαν* should be added at the beginning; cf. 87, §38.

105 *προέγγυον* (so 135; *προέγγυος*, -ον 142–3 and 145): MHC suggests that the term may be a rendering of *magister*. The purchaser of a contract was the *manceps* (for references see Bonfiglioli 1996, 313 n. 16, citing C. G. Bruns, ed., *Frag. tab. censualis* 347; *CIL* 1. 808; Cic. *Pro Flacc.* 32; *Nep. Att.* 6, 3; *Fest.* 137L; see also Brunt 1990, 360–2), his subordinate the *magister*, for whom see Brunt 366, with n. 44 on his relation to *manceps* and *auctor* (Cic. *Pro Planc.* 32); why this word should be translated as *προέγγυος* is mysterious, unless there is some notion of the *magister* having secondary responsibility.

106 ἐφ' ἡμῶν: It is notable that in the instructions concerning the change of the *προέγγυος* the consuls say, in a rather untechnical style, that the change should take place before them, with no instructions for future cases.

106–7 [*αὐθέντη τῷ δήμῳ*]: MHC's restoration for [*ἀναδόχοις τῷ δήμῳ*] of *ed. pr.* (the dative depends on *ἀσφαλίσασθαι*), *αὐθέντης* being a rendering of *cognitor*. He adduces the *lex municipii Malacitanii* (*FIRA*² 1, 215), ch. 64, where a person in relation to *praedia* is referred to as *cognitor*. M. Wörrle made the same suggestion (*colloquium* 1999) with *auctor* as an alternative; they have a similar role, excluding *magister*; some support for this suggestion might have been given by the fact that the word *auctor* does occur in connection with the purchase of tax contracts: *Festus* 137L uses 'auctorem emptionis', but of the *manceps*, who might be changed once he had made the purchase that defines his role: Brunt 1990, 373, argues that

the *manceps* was no more than the agent of the *socii*, otherwise his death would have made it necessary to draw up a fresh contract. See further below, on 109.

107–8 ὑπάτων καὶ τῶν προεστῶτων | [... στρατ]ηγῶν: καὶ instead of ἦ (ἦ correctly in 102) must be an error of the translator; cf. καὶ for ἦ at 111, §47, 125, §55 (supplement).

108 ἀπὸ εἰδῶν Ἰανουαρίων πρώτων ἐπὶ ἔτη ἐξῆς πέντε καρπεύεσθω: For this phraseology, cf. 126, καὶ ἀπὸ εἰδῶν Ἰανουαρίων τῶν ἔγγιστα ἔσομένων ἔτεσιν ἐξῆς πέντε καρπεύεσθω; 127–8, ἀπὸ εἰδῶν Ἰανουαρίων πρώτων ἐπὶ ἔτη{ι} ἐξῆς | [πέντε καρπεύεσθαι ὀφειλέτω]; and 134, ἀπὸ εἰδῶν Ἰανουαρίων πρώτων ἐπὶ ἔτη ἐξῆς πέντε καρπεύεσθαι ὀφειλέτω. For the five-year contract and its continuance into the Principate, see Brunt 1990, 377; he argues (369) that the great companies were able to renew their leases again and again after the expiry of the original term: rival firms might have been unable to operate efficiently without the experienced slave staff in the service of their predecessor.

109–10, §46 + 123, §54 *Supplements by the consuls of 7 BC: Changing the authentēs; provision of securities by the publicanus.*

109 [Τι]βέριος Κλαύδιος Νέρων τὸ β, Λεύκιος Καλπούριος Πείσων ὕπατοι: Eck 1990, 139–45, cf. Eck *et al.* 1996, 214 f., recognized these men as the consuls of 7 BC (the later Emperor Tiberius and the Cn. Calpurnius Piso condemned in AD 20, the use of whose *praenomen* was banned for his son by the senate at that time and is here replaced with Lucius: Tac. *Ann.* 3. 17. 8; *SC de Cn. Pisone patre* 99 f., with Eck *et al. loc. cit.*) and vindicated the strictly chronological ordering of all supplements to the *lex*. So there is a distinct development, not the identity of content postulated in *ed. pr.* After 7 BC the *αὐθέντης* might be changed in the first 20 days after the agreement, before that perhaps not at all. In AD 5 exchange was apparently allowed quite freely (with his '20 days' now 'a whole year', H. W. Pleket, *SEG* 39, 1180 *ad loc.*, may not have understood the innovation correctly), only with the stipulation that it had to take place with the collaboration of the praetors of the Aerarium. (They were two in number and replaced the *praefecti aerarii* from 23 BC to AD 44: Corbier, *Aerarium* 639–43.)

For an earlier occurrence of ἀθέντης in the text (restored), see above 106. *Edd. pr.* translate it as ‘Zeichnungsberechtigter’, authorized signatory, and conjectured *magister* as their first choice for the Latin equivalent, while MHC (first in *SEG ad loc.*) thinks of *cognitor*. The function of *cognitores*, whatever it was, appears to have been to act in the sphere of the guarantors, at any rate somehow subordinate to that of the actual *praedes* (cf. *lex Malacitana* 63–5 with Spitzl 1984, 86. In 106–7, §45 there is talk of security, ἐγγαίους καὶ | [...] περὶ ἐγγαίων; is the series *praedes-praedia-praediorum cognitores* of the *lex Malacitana*, in a different order, to be reconstructed here?) and not to have included the idea of administrative independence implicit in the Greek word. Possibly one should rather think here of the *manceps* (but see above, on 106; cf. Urögdí 1968, 1205; Kunkel and Wittmann 1995, 2, 453 f.; Badian 1997, 85 f. is right repeatedly to draw attention to our lack of information on the internal organization of *societates publicanorum*). Or, with C. Nicolet (*AÉ*, 1989, p. 222, followed by Lewis 1996, 210), should one think of the *auctor societatis*? His position, in what may be thought of as the sphere of the managerial *magistri*, and in general the whole internal structure of the *societates* are admittedly too little known to allow a decisive judgement here, certainly not on a possible change in structure which brought the *manceps* into the position of one of the agents who might be replaced or removed by the *socii* (cf. Steinwenter 1928, 990 f.) and which might perhaps account for the modification of AD 5.

110–12, §47 + 124–6, §55 *Securities to be exacted from the publicanus at the discretion of the consuls.*

110 μισθωσάμενος: Variants such as μισθωσάμενος (110)/ ἐξαγοράσας (124), ἀσφαλίσασθαι (107)/ δικανοδοτείτω (124), ἐργολαβήση (ll. 111–12)/ καρπευθησομένην ἐξαγορα[ση] (125), πραισί (102)/ ἀναδόχοις (110) raise the question whether verbal variants in the Latin original or the activity of different translators is to be assumed as their basis (so Eck 1990, 145).

ἐπικρίσει: See on 102.

111 ἄχρι τοῦ πενταπλοῦ: Verres had taken five times as much as the law allowed him (Cic. *Verr.* 2. 3. 97. 225).

113–14, §48 *First supplement made by the consuls of 2 BC: Pactiones made with the publicanus to be valid.*

Of the two supplements of 2 BC the first refers, according to the interpretation of *edd. pr.*, to *pactiones* with the *publicani* (on these see Greenidge 1901, 125 f., and more recently Merola 2001, 101–7). The restoration proposed by *edd. pr.* for the beginning of 114, with 25 letters (instead of about 16), is unacceptably long. One could with the same sense, though less verbal elegance, formulate it more shortly with [πίστει ἀγαθῇ, τοῦτο]. If the supplement is really so general, it lays down only a banal principle of private law. Perhaps in the gap (but not in the place of the *τούτων*, which was read as uncertain in *ed. pr.*, but which has now been confirmed) a concrete item belonging to the *pactio* has gone missing. MHC points out that reference to *bona fides* (*edd. pr.* 119) is inappropriate in a contract of this kind and that we need the equivalent of *ius ratumque*.

114–15, §49 *Second supplement of the consuls of 2 BC: Dealing with confiscated goods.*

114 ἐνέ[χυρον] [λ]ηφθῆ: There is no doubt that this section is concerned with how confiscated goods were dealt with. It was difficult to reconcile the supplement [ληφθῆ ἐνέ]χύριον, proposed in *ed. pr.*, with the traces recognizable in the photo; renewed scrutiny of the original by MC&CC has altered the order of words but confirmed the sense.

115 [ταῖς ἐγγίστα αἰς ἀν ληφθῆι]: This alternative to the supplement in *ed. pr.* is proposed on factual grounds and for reasons of space. The supplement has nothing to do with the *commissum* resulting from cheating the customs of items illegally transported over the border (*ed. pr.* 82 is wrong to make this connection here), but specifies the *pignoris capio* ... *aduersus eos, qui aliqua lege uectigalia deberent* (Gaius, *Inst.* 4, 28), generally provided to the *publicanus lege censoria* through enforcement of tax requirements. Without touching on the question of further proceedings, perhaps of a sale, the consuls arrange the forfeiture of the pledge after a period of 30 days, in which the person who has suffered distraint can redeem the property by fulfilling the required conditions (Klingenberg 1977, 94 f.; 1992, 360 f.; Kaser and Hackl 1997, 146–8). The previous legal position, modified by the supplement, is unknown; whether the decision

improved the position of the *publicani* or of the person subject to the tax is impossible to say.

115–17, §50 *The first of four supplements made by the consuls of AD 5: Jurisdiction of the praetor.*

It is remarkable that the question of jurisdiction appears only here for the first time, but the supplement confirms the jurisdiction of the *praetor peregrinus* and so also the venue at Rome for legal confrontations with the *publicani*. In his account of Claudius's grant of extended jurisdiction to procurators, Tac. *Ann.* 12. 60. 3 speaks of *equites* taking over areas previously reserved for praetors, 'quae olim a praetoribus noscebantur'; the regular jurisdiction of praetors in cases concerning *publicani*, along with that of censors and consuls, is discussed by Brunt 1990, 360, n. 18 (on the absence of censors from this document, see above, 10 n.). The function of the praetor in the formulary process consisted in *iuris dictio*, *iudicii datio* and *iudicis*, at that time properly only *recuperatorum*, *datio*. (On the formulary process, see Kaser and Hackl 1997, 151 f., on the formulation for the praetor's jurisdiction 183 f., on proceedings involving *publicani* 199.) The background that gave rise to the supplement (an earlier attempt, or intervention by the governor) is unknown. *Edd. pr.* trace it to a decision intended to favour the *publicani*; but the opposite might be the case, as perhaps with 147–9, §63 (see note there).

116 [ἐὰν ± 12 ἐκ τοῦ] νόμου τούτου ἀμφισβήτησις γένηται: The formulation lends itself only to tentative reconstruction: [ἐὰν τις δημοσιώνη ἐκ τοῦ] (?) νόμου or, rather long, [ἐὰν τις πρὸς δημοσιώνην ἐκ τοῦ] (?); contrast 147.

στρατηγῶ τοῦ δικαιοδοτοῦντος μεταξύ Ῥωμαίων καὶ ἀλλοεθν[ῶν]: The *praetor peregrinus*: see Brennan 2000, 85–9 (origin); Mommsen, *Staatsrecht* 2. 1³, 196 f.; naturally he had a role under the *lex repetundarum* and in the Tarentum Fragment: RS 1, 66 and 212, nos. 1, 12 and 8, 12 (restored).

117 [δικαστοῦ (?) ξενοκριτῶ]ν: What stood in the gap of about 20 letters at the beginning of the line and in what Greek terms cannot be said with any certainty. The supplement of *ed. pr.* is too short; perhaps [δικαιοδοσία, κριτοῦ δικαστῶ]ν or the like might be conjectured.

117–20, §51 + 120–2, §52 *Second and third supplements made by the consuls of AD 5: Duty on untrained slaves.*

See Jones 1987 and compare 50. The first of the supplements, which are closely linked in their subject matter, focuses, for the special case of the *novicii serui* (see Plaut. *Capt.* 718), on the basic regulation which in 75 BC already belonged to the core of the *lex portorii* (40–2, §16), that only the *publicanus* or his business manager was authorized to receive a customs declaration and that only the *σφραγίς* of the *societas* established top-grade immunity. (Schäfer 1991 has shown it to be probable that this *σφραγίς* meant not a brand or tattoo, but a neckband bearing a lead seal or something similar.) Only if the customs officer was away might and should the holder of the supreme magistracy in the neighbouring town (who at that time as a rule would not be a Roman citizen) legitimately take on this function as a substitute. The problem that prompted the supplement appears here to have lain in the fact that the basic rate of duty for *novicii serui* was not in dispute, in contrast to the *ueterani* who had already been a longer time in the possession of their itinerant masters. (Marcian in *Dig.* 39. 4. 16. 3 makes the distinction between the two categories of slave through service in slavery in the city for one year, *anno continuo in urbe*; the question of its transference to the customs law of Asia can only be posed.) The opposite view resurfaces during the Severan age in Marcian's opinion. According to this, undeclared introduction leads to sequestration in the case of *novicia mancipia*, not however in that of *ueterana*. For Marcian the liability to customs depended probably on the utilization of the new slaves as *uenalia siue usualia* (see with reference to scholarly discussion Klingenberg 1977, 65–70, where the ruling of AD 5 obviously has no role to play). The *δοῦλα σώματα* whom the itinerants brought with them *οἴκοθεν* must be assigned to the category of these *ueterani* whose exemption from customs dues already belonged to the core of the *lex portorii* of 75 BC (62, 76, §§25 and 33). Apparently not all travellers were granted these exemptions, but only state transport agents in the first place and *publicani* in the second.

119 [χάρων τ]ελωνίας ὑπάρχη: The restoration is not wholly satisfactory: see above on 92, §39. An alternative suggested by MHC is ὑπὲρ τ]ελωνίας.

120 ἐν τῇ ἐγγιστα πόλει, ὅς ἂν τὴν μεγίστην ἀρχὴν ἔχη: Cf. 41 above. Merola 2001, 113, notes that the repetition suggests that the practice was frequent.

121 κατὰ θάλασσαν: Why the otherwise consistently unquestioned equivalence of land and sea boundaries (cf. esp. 45, §18) had to be insisted on at this point in particular is hard to determine, and the idea that the special collection of customs dues for new slaves in contrast to the general system of Roman customs policy, which provided for exaction on each occasion a boundary was crossed, was intended to lighten the burdens of transit trade (so *edd. pr.*) is questionable.

122–3, §53 *Fourth supplement of the consuls of AD 5: tax on purple.*

See Herrmann 1975. The supplement picks up once again a topic that had already formed part of the original core of the *lex* (20, §7). Damage to the text prevents our discovering whether and how it was modified. The *πορφυρική* (monopoly of purple) is one of the Ptolemaic sources of income from Lycia, likewise managed through farming out (*P.Tebt.* 8, 29–31, of 202–1 BC; cf. Bagnall 1975; 1976, 108 f.), and the Roman *τέλος* on the murex emerges as an inheritance from the hellenistic period, even if we have as yet no evidence of it from the Attalid kingdom. (Conversely, on the question whether the Lycian purple (τὴν κατὰ Λυκίαν πορφυρικήν) was liable to a tax or was a monopoly, the *lex* can probably provide an argument for the first.) It is, as Nicolet has shown (1991, 468 f.), the only levy in the sphere of activity of the *portorium Asiae* which is not a customs due. Why it is leased out along with the customs dues we do not know. *Ed. pr.*, with the heading ‘Erhöhte Abgaben, erhöhter Steuersatz’ (‘Rise in levies, rise in tax-rate’), presupposes a misleading amalgamation with the *portorium*. Nicolet’s interpretation, ‘Ce telos est presque un *portorium*’ (‘This telos is virtually a *portorium*’), points in a similar direction.

123–4, §54 + 124–6, §55 *Fifth and sixth supplements of the consuls of AD 5: changing the authentics; five-fold security to be produced; the lease to last for five years.*

Cf. 109–12, §§46–7.

127–8, §56 *First supplement of consuls of an uncertain year: the lease is to last for five years.*

The clause virtually repeats what is said in 126.

The consuls whose names are lost belong to the period AD 6–18, 5 and 19 being the dates of the preceding and following supplements; 6–14 if one assumes with *edd. pr.* 128 that the death of Augustus in AD 14 is the *terminus ante quem* for the following section (128: Augustus is not deified; but see below). *Edd. pr.* also argued from the years in which the *Romaia Sebasta* were held at Pergamum (128–30, §57) that the consuls belonged to those years: hence 8 or 12. But the space available (about 32 letters, followed by Σ, the first preserved letter of 127) evidently restricts the choice to the suffects of 8, Lucius Apronius and Aulus Vibius Habitus (33 letters), and the *ordinarii* of 14, Sextus Pompeius and Sextus Appuleius (31).

127–8 ἐπὶ ἔτη{ι} ἐξῆς | [πέντε καρπεύεσθαι ὀφειλέτω: καρπεύεσθαι and ὀφειλέτω (*frui, debeto*) are something of an oxymoron, and the repetition of the phrase henceforward (134, §58; 139, §60; 141, §61; 145, §62) is also striking; admittedly at 73, §31, *καρπεύεσθαι* occurs, but the governing verb is missing. The phrase takes the place of the simple *καρπεύεσθω* used previously, and once later (106 and 108, §45; 112, §47; 126, §55; 137, §59). It is tempting to ask if someone who had leased the tax in the period before 12 BC had tried to renegotiate it, as the *publicani* of Asia had done in 61 BC (Cic. *Ad Att.* 1, 17, 9; 18, 7; 2, 1, 8; 16, 2; Suet. *Div. Iul.* 20, 3; App. *BC* 2, 13, 47 f.; cf. Spagnuolo Vigorita 1999b, 194, on Cic. *Verr.* 2. 3. 7. 18, changes requested in 75 BC, when, however, there is no evidence for major reform, as *edd. pr.* 160 claimed); the consuls would then be forestalling this manoeuvre or responding to it.

128–33, §57 *Second supplement of consuls of an uncertain year: Immunity for the Romaia Sebasta.*

Edd. pr. argue that this supplement refers to the exemption from dues for the imperial festival of the *Ῥωμαία Σεβαστά* held every four years at Pergamum. Their reconstruction is problematic in other ways (130, for example, is too long) and is best abandoned.

129 [Περγαμηνῶν ± 23]: One might rather expect *Περγαμηνῶν* in the introduction to the procedure than *πρεσβευτῶν* (*ed. pr.*). The tax immunity on commercial transactions that featured in religious festivals of the Greek east was clearly of interest to the rulers of