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The Ptolemaic and Roman idios



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AMERICAN STUDIES IN PAPYROLOGY  
VOLUME EIGHT

THE ALEXANDRIAN AND  
AMERICAN STUDIES IN PAPYROLOGY  
ROMAN IDIOS LOGOS

PAUL R. SWARNEY

A. M. HAKKERT LTD. TORONTO MCMLXX

AMERICAN STUDIES IN PASTORAL

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## PAUL R. SWARNEY

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### Preface

This book is an investigation of a department, called the *idios logos*, within the Ptolemaic and Roman administration of Egypt. I stress this because *idios-logos* invariably has been associated with the *Gnomon of the Idios Logos* and the juridical implications of that famous and important papyrus. I have, however, confined my discussion strictly to the bureaucratic history and structure of the *idios logos*, aspects which have been generally neglected since the publication of the *Gnomon*.

The *idios logos* was introduced, for no clearly documented reasons, during the reign of Philometor, and similarly disappeared during the reign of Septimius Severus or shortly thereafter, perhaps continuing as a title as the title prefect continued after Diocletian's reforms. Hence this investigation is incomplete, an incompleteness which must furthermore remain until such time as other departments in the Ptolemaic and Roman administrations (e.g. the *juridicus* and *dioikesis*) are more closely studied.

This study like so much of the work accomplished under the direction of C. Bradford Welles at Yale began as a commentary for a papyrus text. In the process P. Yale Inv. 289 was reduced to a brief paragraph in the third chapter and the commentary became a Ph.D. thesis presented to Yale in 1965. My research began at Yale, continued at Dartmouth College in Hanover, New Hampshire, and has been completed at York University in Toronto. The gentle persuasion of my colleagues at these institutions is herewith most gratefully acknowledged.

Credit for whatever of value appears in the following pages must be shared with Naphtali Lewis of Brooklyn College who pointed out original sins in my manuscript; Alan E. Samuel of the University of Toronto who dissected the original and whose constant prodding has brought this work to its completion; and Roger S. Bagnall of the University of Toronto whose editorial skills have aided in putting the manuscript back together again.

The first and final cause of all that follows has been C. Bradford Welles, to whose memory this book is fondly dedicated.

May, 1970

Paul R. Swarney

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## Introduction

# THE PTOLEMAIC AND ROMAN IDIOS LOGOS

THE IDIOS LOGOS HAS BEEN OF interest to both ancient and modern students of the Roman Empire. Strabo, in 17.1.12 of his *Geography*, offered his

Detailed explanations of the idios logos began with studies of the Roman imperial bureaucracy toward the end of the last century. Hirschfeld,<sup>1</sup> who more or less followed Strabo's observations and a distinction that Rudorff<sup>2</sup> had made between idios logos and *fiscus*, saw the idios logos as a receiver of *bona dominorum* and *cadau* and as a supervisor of the *procurationes* and *varians potestim* and the *praetorius-nicetus*. Marquardt,<sup>3</sup> in his study of a Ptolemaic idios logos (known from an inscription published by Steiner and reprinted by Madvig<sup>4</sup>), suggested that the idios logos functioned as *procurator vel privatæ* in Egypt. Herzog<sup>5</sup> accepted Marquardt's explanation and the general notion that the Ptolemaic idios logos was in charge of the king's personal income. In the light of the epigraphical evidence then, the term was thought to indicate both some sort of account and also an official known as *idios logos*, or, among other titles, as *procurator regis idios Aegypti*.<sup>6</sup>

1. Otto Hirschfeld, *Untersuchungen auf dem Gebiete der römischen Verwaltungsgeschichte: die konsulichen Verwaltungsbürokraten*, Berlin, 1877, p. 35 note 2, p. 43 note 5.

2. A. Rudorff, *Römische Musen* 2, 1828, pp. 341-142. The observations were made in reference to lines 38 to 44 of the Edict of T. Julius Alexander which Rudorff had re-edited.

3. Joachim Marquardt, *Römische Staatsverwaltung*, Berlin, 1884 (completed by Dugat and Gouanetewski after Marquardt's death in

1882), pp. 310-311.

4. *Comptes rendus de l'Académie des inscriptions*, 1871, pp. 287 ff.

5. *Verfassung und Versetzung des römischen Staates* II, 1882, p. 408 note.

6. Ernst Herzog, *Geschichte und System der römischen Staatsverfassung* II, Leipzig, 1897, p. 678.

7. Even as late as Meyer's article in the Hirschfeld *Festschrift* (Berlin, 1903) this was believed to be an alternate title.

THE PTOLEMAIC AND  
ROMAN IDEOS LOGOES

## Introduction

The idios logos has been of interest to both ancient and modern students of Hellenistic and Roman Egypt. Strabo, in 17.1.12 of his *Geography*, offered his readers a few observations on the role of the idios logos and its position in the administration of Roman Egypt. Some unknown person in the second century for more practical purposes compiled a wealth of detailed information, important to the idios logos of his day, which he thought might be useful for an equally unknown correspondent. This text is *BGU* 1210, the *Gnomon of the Idios Logos*, one of the most important documents for students of Roman law, Roman Egypt and the Roman idios logos. These two diverse ancient "descriptions" have provided the frame of reference for most modern studies of the Ptolemaic and Roman idios logos.

Detailed explanations of the idios logos began with studies of the Roman imperial bureaucracy toward the end of the last century. Hirschfeld,<sup>1</sup> who more or less followed Strabo's observations and a distinction that Rudorff<sup>2</sup> had made between idios logos and *fiscus*, saw the idios logos as a receiver of *bona damnatorum* and *caduca* and as a supervisor of the *procurator ad rationes patrimonii* and the *procurator usiacius*. Marquardt,<sup>3</sup> pointing to a Ptolemaic idios logos (known from an inscription published by Wescher<sup>4</sup> and mentioned by Madvig<sup>5</sup>), suggested that the idios logos functioned as *procurator rei privatae* in Egypt. Herzog<sup>6</sup> accepted Marquardt's explanation and the general notion that the Ptolemaic idios logos was in charge of the king's personal income. In the light of the epigraphical evidence then, the term was thought to indicate both some sort of account and also an official known as *idiologos*, or, among other titles, as *γνώμων τοῦ ἴδιου λόγου*.<sup>7</sup>

1. Otto Hirschfeld, *Untersuchungen auf dem Gebiete der römischen Verwaltungsgeschichte* 1: die kaiserlichen Verwaltungsbeamten, Berlin, 1877, p. 35 note 2; p. 43 note 5.

2. A. Rudorff, *Renische Museum* 2, 1828, pp. 141-142. The observations were made in reference to lines 38 to 44 of the Edict of Ti. Julius Alexander which Rudorff had re-edited.

3. Joachim Marquardt, *Römische Staatsverwaltung* II, Leipzig, 1884 (completed by Dessau and Domaszewski after Marquardt's death in

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6. Ernst Herzog, *Geschichte und System der römischen Staatsverfassung* II, Leipzig, 1887, p. 678.

7. Even as late as Meyer's article in the Hirschfeld *Festschrift* (Berlin, 1903) this was believed to be an alternate title.

In 1888, on the basis of a papyrus of A.D. 234, Wilcken<sup>8</sup> suggested that the idios logos and high priesthood were by then united, and further accepted the Hellenistic idios logos as the king's "Privatkasse".<sup>9</sup> Wessely<sup>10</sup> in 1901 pushed Wilcken's unification of the idios logos and high priesthood back to the second century. The most extensive pre-Gnomon investigation, undertaken by Paul M. Meyer,<sup>11</sup> continued the notion of the Ptolemaic idios logos as the king's "Privatkasse" which accounted for the king's property and which was to be distinguished, as Wilcken had suggested, from the *basilikon*. Most of Meyer's study was devoted to the Roman idios logos, and attempted to construct a definition applicable to the administration of Egypt from Augustus to Diocletian. Meyer distinguished the *dioikesis*, which was in charge of  $\gamma\eta\beta\alpha\sigma\iota\lambda\kappa\eta$ , from the idios logos, which controlled the *ousiakos logos* and was concerned with  $\gamma\eta\beta\alpha\sigma\iota\lambda\kappa\eta$ , *adespota* and in general *bona vacantia*, *caduca*, *ereptoria* and *bona damnatorum*, and suggested that the idios logos' connection with the temple was strictly financial, but that idios logos and high priesthood might have been united in A.D. 234.

The *locus classicus* for the idios logos is Gerhard Plaumann's monograph *Der Idioslogos, untersuchung zur Finanzverwaltung Aegyptens in hellenistischer und römischer Zeit*,<sup>12</sup> an amplification of his *RE* article "ἰδιος λόγος."<sup>13</sup>

To Plaumann, the Ptolemaic idios logos was not a *Privatkasse* but a *Sonderrechnung* for the sale of unproductive property and for fines collected for infractions of the regulations governing the use of Ptolemaic land. Plaumann saw in Strabo's description a reflection of the pre-Roman idios logos, except for the *adespota*, whose relation to the Hellenistic office he found unclear; the Roman idios logos was also a *Sonderkonto* which performed the same functions as the Ptolemaic office but was definitely concerned with *adespota*. The distinguishing

8. *Hermes*, 23, 1888, pp. 600 ff. (= *WChr.* 72).

9. Ulrich Wilcken, *Griechische Ostraka aus Aegypten und Nubien*, I, Berlin, 1899, p. 631.

10. Carl Wessely, "Karanis und Soknopaiu Nesos, Studien zur Geschichte antiker Cultur- und Personenverhältnisse," in Abhandlung IV of *Denkschriften der kaiserlichen Akademie der Wissenschaften: Philosophisch-historische Classe* 47, Wien, 1902, pp. 62 ff.

11. Paul M. Meyer, "Διοίκησις und Ἰδιος λόγος," *Festschrift zu Otto Hirschfelds sechzig Geburtstage*, Berlin, 1903, pp. 131-163. Hirschfeld had the pleasure of quoting from this article in the second edition of his study of the Roman imperial bureaucracy.

12. *Abhandlung der preussischen Akademie der Wissenschaften*, Jahrgang 1918, Philosophisch-historische Klasse, Nr. 17, 1919 (with a brief biographical note and a list of Plaumann's publications included by Schubart).

13. *RE* 9, 1916, Col. 882-903. Much had happened between Meyer's study in 1903 and Plaumann's article of 1916. Meyer himself had voiced some second thoughts in *Archiv* 3, 1906, pp. 86-88. Most importantly the *Gnomon of the Idios Logos* had arrived in Berlin and was read by Plaumann. Of equal importance was the fact that many of the problems posed by the papyri regarding the administration of Hellenistic and Roman Egypt were approaching some sort of resolution, or at least were becoming better defined. Rostovtzeff had begun to discuss and define the various aspects of the Ptolemaic and Roman land administration (*Studien zur Geschichte des römischen Kolonates*, *Archiv* Beiheft 1, 1910). Mitteis and Wilcken in their respective volumes of *Grundzüge und Chrestomathie der Papyruskunde* (Berlin, 1912) clearly stated and sometimes answered the historical, administrative and legal questions raised by the documents which they had re-edited and arranged.

feature of the Roman idios logos, however, was to be found in matters with which it was concerned outside of the land administration, such as its interest in dead trees and dry wood or the general fines revealed in the *Gnomon*. Plaumann also attempted to discover the origins of the idios logos, and briefly entertained the possibility of a Pharaonic foundation. He further explained the impossibility of equating the idios logos with the *res privata*.

Plaumann moreover believed that the idios logos and the high priesthood were united, perhaps as early as Augustus. In the final sections of the monograph he examined the administrative procedures of the Roman idios logos, concluding with a list containing every known "idios logos" and (in the belief that there was no distinction) archiereus.

In 1919 Schubart published the *Gnomon of the Idios Logos*, and since then, this text has been the object of most studies of the idios logos. These investigations lean decidedly towards problems in Roman law and reveal the *Gnomon* as the major juridical document that it is,<sup>14</sup> but they have said little about the role of the idios logos in the administration of Roman Egypt. They treat even less of Ptolemaic Egypt, but their existence makes it possible to examine the administrative implications of the *Gnomon* without simultaneously restating the legal implications.

The wealth of ancillary material published since 1919 and the systematic studies of various aspects of the administration of Ptolemaic and Roman Egypt which have been published during the past five decades have made a reworking of the older material desirable and the positing of a different structure for the more recent material necessary. Our knowledge of the Roman bureaucracy in Egypt has expanded and become more detailed, and it is now necessary to fit into this complex picture a reasoned and clear explanation of the role which the idios logos played in the administration of the country.

The three chapters which follow reflect a distinction not only between the Ptolemaic and Roman idios logos, a generally accepted distinction, but also between the Julio-Claudian department and the office as it continued through the remainder of the first and all of the second century of the present era. Ordering the evidence according to date reveals a logical development in the idios logos of the three periods. The material in each chapter is arranged to demonstrate more specific functions of the idios logos during the periods in question first, and more general views second.

13. The lacunae in MG 1992 Col. 2, 3, 4, 5, and 6 are partially filled by SB 4512.13, 15, 16, and 17. SB 4512 was published originally by Otto Graden-

earliest reference to the idios logos, has been relegated to an appendix, page 134. If the Tebtunis papyrus is truly a document involving the idios logos, it is the earliest reference to the idios logos.

14. A complete bibliography for the idios logos and especially for the *Gnomon* to 1950 has been compiled by Salvatore Riccobono jr., *Il Gnomon*

dell' *Idios Logos*, 1950, pp. ix-xix. Now also see J. Modrzejewski, *Studi in Onore di Eduardo Volterra*, VI, pp. 91-125.



## Chapter One

### The Ptolemaic Idios Logos

The idios logos has its roots in Ptolemaic Egypt, as an offspring of the financial administration of Hellenistic Egypt. The development and function of the office, from its inception to the death of Cleopatra VII, can be illuminated by a thorough analysis of four documents, all of which clearly refer to the idios logos: *BGU 992*, *P. Haun. 11*, *P. Amh. 31* and *BGU 1772*. I shall examine these papyri in sections 1 to 4, with a view to isolating such transactions and officials as may be directly or indirectly connected with the idios logos. When the pertinent aspects of the Ptolemaic financial administration have been so indicated, I shall consider each of the elements individually and in detail in sections 5 to 8. These are concerned mainly with relating the information yielded by the four papyri to all the relevant evidence from Ptolemaic Egypt. Finally section 9 illustrates the probable functions and possible bureaucratic history of the Ptolemaic idios logos.

#### 1. *BGU 992*

*BGU 992* (*WChr.* 162) is the earliest of the documents describing transactions which clearly and directly involve the idios logos. The papyrus is a receipt for a deposit in the bank at Hermonthis, dated Choiak 5 during the 19th year of Ptolemy Philometor, January 5, 162 B.C. This statement along with receipts of subsequent deposits made in accordance with stipulations described in *BGU 992*, was copied into the permanent records of the bank during or after 134 B.C. The copy is *SB 4512*.<sup>1</sup> Fortunately the documents, both original and copy, narrate in detail the bureaucratic history of the money deposited into the bank at Hermonthis, allowing us to see quite clearly the context in which this earliest of the certain references to the idios logos occurs.

The details and procedures of *BGU 992* appear to be as follows, in chronological order:

1. The lacunae in *BGU 992* Col. 2.2,4,5, and 6 are partially filled by *SB 4512.13,15,16*, and 17. *SB 4512* was published originally by Otto Gradenwitz, Friedrich Preisigke and Wilhelm Spiegelberg, *Ein Erbstreit aus ptolemäischen Aegypten*, pp. 31 ff., and discussed by Plaumann, pp. 6 ff.

*P. Teb. 874*, generally considered to be the

earliest reference to the idios logos, has been relegated to an appendix, page 131. If the Tebtunis papyrus is truly a document involving the idios logos, that involvement is completely outside of the business of the Ptolemaic idios logos of this chapter. *P. Teb. 874* is at best obscure and probably irrelevant to the idios logos of *BGU 992*.

a. Myron the son of Moschos was *κύριος*<sup>2</sup> of some *γῆς ἡπείρου*. (Col. 1.5-8)

b. The land was for some unstated reason, *ἀνειλῆθθαι εἰς τὸ βασιλικὸν* before Phaophi 1, year 19, November 5, 163 B.C.<sup>3</sup> (Col. 1.5)

c. Notice was posted in Diospolis Magna and the land advertised by herald, Phaophi 1-6, year 19, November 3-8, 163 B.C. (Col. 1.7-9)

d. On the 7th of Phaophi it was auctioned to Proitos son of Sosikratos. (Col. 1.10)

e. The conditions of sale were:

(i). Proitos would have possession of the land "even as the former *kyrioi*." (Col. 2.5-6)

(ii). Proitos would pay the established *ekphoria* to the royal treasury and *εἰς τὰ ιερὰ τελῶν* . . . [ . . . ] *διδόμενα μέχρι τοῦ ις (ἔτους)*.<sup>4</sup> (Col. 2.6-8)

(iii). He would pay at the time of sale 1/3 of the price, 666 2/3 drachmas. (Col. 2.10-11)

2. Until we discuss *P. Haun. 11*, "kyrios" will be left untranslated. "Kyrios" will then be assumed, since the later papyrus concerns the sale of a house which the buyer is to have as a "kyrios", to mean "owner". The sales prices in both *BGU 992* and *P. Haun. 11* are true sales prices giving the buyers, who are called "kyrioi" in both instances, title to their respective purchases as private owners. Proitos' right to the land confiscated from Myron is the same as the right of the buyer of the house in *P. Haun. 11*, that of a private owner allowing him to lease or to dispose of his property through sale or testament. The sale in the Berlin text might be some sort of perpetual lease in theory, because of the stipulations about the various fees due from the land. However, in practical terms, Myron's property was and is to remain as private property in the same way that the house in the *P. Haun.* text was to remain private property, if an analogy is necessary. Cf. Wilcken on *WChr.* 162 and 340.

3. The papyrus clearly states *ιε* as the date of the auction. However, Plaumann (p. 10) saw that reading *ἔτος ιθ* in line 3 and 8 would clear up many of the difficulties posed by dating the sale in 15. The mistake in dates may be accounted for by the fact that *BGU 992* is unlike *P. Haun. 11*, which follows in the next section, in that it is not a statement by the bank prefacing the actual *diagrampe* which accompanied the deposit. It is rather the bank's description of the deposit's history as was revealed by the deposit slip. Hence the date "year 15" did not necessarily appear on the statement of deposit, but rather the *theta* became an

*epsilon* in the statement of receipt. The immediate problem relieved by Plaumann's reading is that there would then be no three year delay between the sale and first payment and the actual deposit of that first payment.

If the reading of the papyrus is retained, the sale must have been in the 15th year, with the first payment not due until the 19th year (reading *τέτακται τῷ ιθ* (*ἔτει*) in Col. 2.9 with the tense somewhat dubious).

4. It is here that the internal dates of the text become important. If the sale was in 15 the statement on the taxes must mean that certain or all of the fees due from the land would cease after the 16th year, a rather problematic situation. If the sale was in 19, then the *ekphoria* and ecclesiastical taxes could be those that were due on the land until the 16th year but which for some reason were not paid. This in turn might provide the reason for confiscation: Myron the previous owner had failed to meet payment on the taxes and so his property was confiscated. The buyer of the confiscated property was liable then to the payment of such unpaid taxes up to the 16th year which may have been when the land was confiscated. Significantly the *ekphoria* etc. must be paid to the *basilikon* whereas the price for the property is deposited to the *idios logos*. This is of course no proof that Proitos is not himself liable to the same taxes as Myron even after he has paid Myron's back taxes. Presumably Proitos' future payments of *ekphoria* will likewise be to the *basilikon*.

(iv). The remainder of the price would be paid in the 20th and 21st years. (Col. 2.8-9)

f. Included in the bank statement was a declaration by Harendotes, the basilikogrammateus, that the land had been confiscated to the royal treasury and that it formerly belonged to Myron son of Moschos. (Col. 1.5-8)

g. Protarchos ὁ ἐπὶ τῶν κατὰ τὴν Θηβαιδα on the 29th of Phaophi, year 19, drew up a *διαγραφή*, subscribed by Harendotes, to the effect that Harendotes had searched the land in his records and found it to be as above. (Col. 1.3-5)

h. The first installment on the sale price was deposited by Teus the trapezites in the bank at Hermonthis on Choiak 5, year 19, *τέτακται βασιλεῖ εἰς τὸν ἰδιον λόγον*. (Col. 1.1-2)

i. The final deposits were made in the 20th and 21st years, notice thereof being added to a copy of BGU 992 (SB 4512.25-28).

The reason for the confiscation of Myron's property is not given, nor is there any indication of the officials involved or process by which the confiscation was effected. However, the administrative personnel who participated in the sale of Myron's land are both numerous and named:

Teus the banker at Hermonthis, who received the first payment and deposited it to the King into the idios logos and who drew up either himself or through one of his secretaries the receipt that has come down to us;

Protarchos ὁ ἐπὶ τῶν κατὰ τὴν Θηβαιδα, who received the first payment and composed the directive by which it was deposited in the bank at Hermonthis, and who appears to have been the highest ranking official involved in the transaction;

Harendotes the basilikogrammateus of the Thebaid, who subscribed the *διαγραφή* certifying that the property in question had been confiscated to the royal treasury and was at the time of auction above inundation, and whose search of the local records was probably responsible for most of the information about the land contained in the papyrus;

Ptolemaios, assistant to the strategos; Lysimachos, the sitologos and a trapezites; Ptolemaios, the oikonomos; Horos and Psenamounis topogrammateis; Megisthenes the phrourarch; Imouthes, komogrammateus of Diospolis Magna; and many others;

Archelaos, one of the military heralds, who managed the auction, and Dionysiodoros, who became banker at Hermonthis in the year 20, and who received the last payments (SB 4512).

This auction was an event requiring the presence of a wide assortment of administrative personnel in the Thebaid. A piece of actually or potentially arable

land, even though above inundation levels, had been confiscated to the *basilikon* and was not producing any *ekphoria* or ecclesiastical taxes. The confiscated property was evidently not placed into one of the usual categories of Ptolemaic land to be assigned or rented, but was auctioned under conditions that appear to be favorable to the buyer: 1/3 of the sale price to be paid immediately and the rest in two easy installments. Of course the buyer had financial obligations other than the sale price — the *ekphoria* and ecclesiastical taxes — but he did acquire property which he might not have got through regular government assignment. Proitos, whatever advantage he saw in gaining title to this particular piece of property, was the highest bidder and thus became *kyrios* of the land having the same rights as the *kyrioi* who had preceded him.

In *BGU* 992 the *idios logos*, whatever it may be, has no direct connection with either the affairs of Proitos or of Myron before him. In the eyes of the former the property was purchased from the *basilikon* through a sale managed by its agents, the regular bureaucracy, and in the eyes of the latter his property was confiscated to the *basilikon*. Most of the officials in the document can be accounted for as agents of the regular administration and thus of the *basilikon*. Protarchos along with Harendotes was in complete control of the sale and the deposit of the initial installment in the bank at Hermontis. The subordinate nome secretaries were responsible for gathering the information included by Harendotes in the deposit slip, a task by no means out of the ordinary for such local officials nor indicative of any new procedure involving an *idios logos*. The *idios logos* did not enter the transaction until it was far removed from the site of the auction, and someone — it is impossible to determine from the document who — caused this first installment of the sale price to be deposited “to the King into the *idios logos*” and not into the *basilikon* where the *ekphoria* were to be paid. The authority could have come from Protarchos or Harendotes or from the banker Teus, who might have decided that the money should have been so deposited either because of the nature of the transaction or from instructions completely extraneous to the sale. The text certainly does not indicate that the decision to deposit the payment in this matter was determined by the *idios logos*.

Proitos' only tangible connection with the *idios logos* is therefore a banker's notation. *BGU* 992 leaves little room for any concrete conclusions about the *idios logos* other than the fact that it must be something which might receive deposits or credits of payments from the sale of confiscated properties, above inundation, sold at public auction under the direction of the regular administration on the condition that the purchaser pay the taxes to which the properties are liable. There is still much room for speculation.

2. P. HAUN. 11 (SB 9424)

*P. Haun. 11 (SB 9424)*, a receipt for a payment deposited in the bank at Diospolis Magna on Pachon 14, year 23 of Philometor, June 12, 158 B.C., was

found with its *scriptio interior* still rolled up and with both inner and outer texts in superb condition. As in *BGU* 992, the administrative itinerary of the payment being deposited is clearly outlined, thus affording a contemporary bureaucratic companion to the Berlin papyrus.

The business of the papyrus is as follows:

- a. Marsous (or Marasas – the text is inconsistent) lost possession of his house. (Col. 2.3-4)
- b. The house was then placed *ἐν τοῖς ἀδεσπότοις* in Chrysopolis. (Col. 2.2-3)
- c. Through the agency of Ptolemaios, who by 158 B.C. was *ὁ ἐπὶ τῶν κατὰ τὴν Θηβαΐδα*, and Theon the basilikogrammateus, notice was posted on the 28th of Choiak in the 23rd year and the house was publicly advertised on the 29th and 30th of the same month. (Col. 2.4 – Col. 3.2)<sup>5</sup>
- d. On the 1st of Tubi the house was auctioned, but either no one offered a bid or the bids made were too low, for the house was again advertised on the 5th of Tubi and auctioned to Damon son of Apollonios. (Col. 3.3-6)
- e. Damon was to have the house if he paid in two years the price of 1300 drachmas, 650 at once and 650 in the 24th year. (Col. 3.6-7)
- f. He chose to pay the full price immediately and thus received title to the house “even as the former *kyrioi*.” (Col. 3.7 – Col. 5.3)
- g. Before the final deposit of the sales price, Imouthes the komogrammateus certified that the house was *ἐν τοῖς ἀδεσπότοις*, and so notified Harnouphis the topogrammateus. (Col. 2.2-3)
- h. Harnouphis received the payment, entered it into the accounts of Tubi, Col. 4.9-12, and sent it on to Dionysios, the oikonomos, who, on Pharmouthi 20, composed a deposit slip which was subscribed by Harnouphis and passed on to Hermokrates the trapezites.
- i. Hermokrates received the payment, had it deposited to the King into the idios logos, and then through his secretaries drew up the receipt which he himself signed, Col. 4.4-6, and which was also signed by the subordinates of Dionysios and Harnouphis. (Col. 4.7-10)

The officials participating in the sale of the house were of the same rank as

5. *ὁ ἐπὶ τῶν κατὰ τὴν Θηβαΐδα* has a role in *BGU* 992 and *P. Haun.* 11. Thus the only two times he appears in the documents, he is involved in a transaction leading to a deposit to the idios logos. Each instance entails a major auction in the Thebaid of government property. The *Prosopographia Ptolemaica* places the title under the general heading *hypodioiketes* Nos. 911 and 913 but equates it with *ὁ ἐπὶ τῶν προσόδων*, Nos. 995 and

997, cf. Hermias in *P. Amh.* 31 in 112 B.C. The index to *BGU* III and the *Wörterbuch* agree with this identification. Cf. Claire Préaux, *L'Economie royale des Lagides*, 1939, pp. 122, 126, 288, 448, and especially 526 ff. The proximity of this official to these two transactions may, however, indicate some special relationship to the idios logos at its inception.

those who took part in the business of *BGU* 992, and in two instances are the same persons. They are, again in reverse order of proximity to the auction:

Hermokrates, the trapezites at Diospolis Magna, who received the payment from Dionysios the oikonomos, and in accordance with the *διαγραφή* deposited the sales price to the King into the idios logos;

Dionysios, the oikonomos, who apparently took charge of the sale when Ptolemaios and Theon had left, and who composed the deposit slip which was sent on with the payment from Damon to the bank at Diospolis Magna;

Harnouphis, the topogrammateus, who subscribed the deposit slip of Dionysios with information about the status and location of the house in question, received the money from Damon, and recorded the payment into the accounts of Tubi;

Imouthes, the komogrammateus (cf. *BGU* 992), who certified for Harnouphis that the house was *ἐν τοῖς ἀδεσπότοις* in Chrysopolis;

Ptolemaios, ὁ ἐπὶ τῶν κατὰ τὴν Θηβαΐδα, and Theon, the basiliko-grammateus, who at the start of the proceedings were in charge of the auction, and who later departed for an unknown reason leaving matters in the hands of the oikonomos and the topogrammateus;

Megisthenes, the phrourarch (cf. *BGU* 992), Lichas, the archiphylakites, Aristogenes, Iasibis and on the 1st of Tubi two priests of Zeus, all of whom were official witnesses to the auction; Timarchos a military herald who conducted the auction, Apollonios, a secretary in the office of Harnouphis, and Herakleides, secretary for Dionysios, both of whom signed *P. Haun.* 11 for their respective superiors.

A variety of bureaucrats of the Thebaid had once again assembled in Diospolis Magna for an auction of government property. The auction extended from Choiak 28 to Tubi 5 – a total, if the days set aside for public advertising be included, of 8 days. It is obvious that neither the sale of *BGU* 992 nor the auction described in this text was the only business transacted by the officials who had come to Diospolis. On this particular occasion, a house which formerly belonged to Marasas and which was subsequently placed among the *ἀδεσπότοις* was purchased for 1300 drachmas by a certain Damon. The document does not indicate why this particular house was “without owner” (which, for the time being, will be used as a translation for *ἀδέσποτος*), or why, specifically, Marasas was no longer *despotes* (as it were) over it. There is no mention of any taxes or fees attached to the house, such as were connected with the property of Myron, and which allowed us to speculate about the reasons for the confiscation that led eventually to the auction of *BGU* 992. Whether the house had become ownerless through the debt or the death of Marasas was irrelevant to the sale, since such information is not given. What is important is that the house formerly belonged to Marasas and was at the time of sale *ἐν τοῖς ἀδεσπότοις*, as Imouthes the komogrammateus

certified, probably to make sure that there was no claim to the property other than the government's, whose agents were in the process of selling it.

The routine of the auction was well established, or at least was not totally dependent on the presence of ὁ ἐπὶ τῶν κατὰ τὴν Θηβαΐδα or the basiliko-grammateus, who departed before the sale of Tubi 5, leaving the oikonomos and the topogrammateus in charge. The crown was again willing to receive the sale price in installments, but Damon decided on a payment in full. Again the new owner is guaranteed possession under the same conditions as the former *kyrioi*. The payments followed the path of those in *BGU* 992, ending up in the bank at Diospolis Magna where they were deposited by the banker Hermokrates to the King into the idios logos. Once again the idios logos was not connected with the actual sale, and from the brief summary of the receipt in the *scriptio interior*, it had nothing to do with Damon's title to the house. The idios logos is again mentioned only when the facts of the sale are removed from the place of the sale, and separated from the time of the sale by three months. If there were no notation by the banker about the depositing of the sale to the King, there would be no indication of where the payment was placed other than the uninformative ἐν λήμματι τῶι βασιλεῖ of Col. 2.1, which is far less explicit than βασιλεῖ εἰς τὸν ἴδιον λόγον, Col. 1.2.

As in *BGU* 992, all of the administrative authorities may be accounted for without reference to any department outside the regular administration. The one possible exception is ὁ ἐπὶ τῶν κατὰ τὴν Θηβαΐδα, who appears in reference to these two auctions and nowhere else in the papyri of Ptolemaic Egypt so far discovered.

All in all the similarities between *BGU* 992 and *P. Haun.* 11 are frustratingly abundant. Neither document clearly describes the idios logos or allows much more than an indirect definition. The distinction between them is a matter of the object in each transaction, confiscated land above inundation in the earlier sale and a house without an owner in the later auction. A minor distinction, one which would have little bearing on the administrative procedure, is that the Berlin papyrus could be but a copy of the receipt of the deposited payment whereas the condition in which *P. Haun.* 11 was discovered, with its *scriptio interior* still rolled, would indicate that the later document was both a receipt and also a deed of sorts, that is, the legal document by which the new *kyrios* of the house could prove his title to it. As already stated, none of this seems very helpful for establishing a definition of the idios logos.

Although we have from the two texts only a "brief" glimpse of the idios logos, from the similarities we are able to generalize conservatively about what may be placed into or recorded to the idios logos. In 158 B.C. the idios logos was at least an account or an accounting convenience designed to receive or record payments to the government from certain sales. The factors that determine whether or not a payment was deposited to the King into the idios logos may have been in the nature of the property being sold, or the fact of sale itself. The

property had been either "taken back" from the former *kyrioi* or had somehow been abandoned by them and become *ἐν τοῖς ἀδεσπότοις*. Both the house and the land seem to have been formerly in the hands of private owners and were intended to be returned to that status by means of sale. In brief, the property was at one time in the hands of *kyrioi*, was claimed only by the government at the time of sale, and was being returned by the government, for a price, to the condition whence it came.

The transaction appears to have been a sale and not a lease. *P. Haun.* 11 does not mention rent but describes the auction in precisely the same terms as *BGU* 992, where there may be some grounds for disputing the fact of sale (as opposed to lease) because of the mention of *ekphoria*.<sup>6</sup> Thus in each case the government released title to the property that was sold, in that the new *kyrioi* had the same control over the land and house as the former *kyrioi*, with the limitations in the former case that the *kyrios* was responsible to the *basilikon* for whatever taxes the property incurred. In both cases the *kyrioi* were potentially liable to lose their claim to the property even as the former *kyrioi* had.

Such are the circumstances that accompany payment to be deposited "to the King into the *idios logos*." The sales were major administrative events, supervised by the chief officials of the nome. The details of the transactions, as can be expected, were still in the hands of the local secretaries. But the authority to determine when a payment was to be deposited as above resided either with the banker at Diospolis Magna or Hermontis, or with one of the higher bureaucrats, and the deposit into the *idios logos* was irrelevant to the local secretaries or, for that matter, to the person who purchased the property. Whether or not all of the prices paid for property purchased at the auctions mentioned in the two papyri were credited to the *idios logos*, is impossible to say, since mention of the *idios logos* is confined to the banker's receipt and would not appear in any of the other documents connected with the sales, no matter how well preserved they might be.

### 3. *P. AMH.* 31

A different source of revenue recorded to the *idios logos* is described in *P. Amh.* 31 (*WChr.* 161), dated Choiak 8, year 6 of Cleopatra III and Ptolemy IX, December 12, 112 B.C. The text is a receipt for a payment deposited in the bank at Hermontis, and includes mention of the administrative source of the money received.

The procedure is clear:

- a. Senpoëris, daughter of Onnophris, fenced in some land at the

6. It is now assumed that we are dealing with true sales and that the purchaser becomes the owner of the property he has acquired from the government through auction, cf. note 2. As far as Damon is concerned, he has purchased a house

which Marasas no longer owned. The misfortune of the former owner is not even alluded to in the *scriptio interior*, Col. 1, which merely states that Damon has made a payment for the price of the house of Marasas.

Memnoneia in the Pathyrite Nome for the purpose of planting palms.

(8)

b. Hermias, ὁ ἐπὶ τῶν προσόδων, while on a rent- and tax-collecting tour of the Pathyrite Nome was informed of the above. (5-8)

c. Hermias sent for Totoës, the komogrammateus, went to the land and found that it exceeded by 2 cubits the measurements of Senpoëris' property in Totoës' records. (9-10)

d. Senpoëris was summoned and was "persuaded" that the proper *prostimon* for enclosing waste land was 10 talents per aroura, which meant in her case 1200 drachmas. (10-12)

(8) e. On Choiak 6 Hermias composed a deposit slip which he stated would be subscribed by Phibis the basilikogrammateus, and the topogrammateus, who would give the measurements. Senpoëris was to have the land when she paid the *prostimon* of 1200 drachmas. The payment was, lastly, to be deposited or recorded ἐν λήμματι εἰς τὸ πρόστιμον εἰς τὰ ἀναγεγραμμένα ὑπὸ τῶν παρ' ἡμῶν. (13-19)

f. Hermias added a formal notice of the payment. (20)

g. Phibis, the basilikogrammateus, signed the document on the same day on the condition that the topogrammateus found everything in order. (21-22)

h. Pamonthes, the topogrammateus who is mentioned by name only once, acknowledged payment on the same day of what is now a price, not a *prostimon*, and the taxes, adding the measurements to his statement. (25-29)

i. Dionysios, the trapezites at Hermonthis, received the payment and the deposit slip with the acknowledgments of the above-mentioned officials, and deposited the payment to the idios logos of the King and Queen (*τῶν βασιλέων*), recording with his statement of deposit all of the above information. This was done on Choiak 8, year 6. (1-4)

The officials are rather familiar although less numerous:

Hermias, ὁ ἐπὶ τῶν προσόδων, who initiated the investigation and composed the *διαγραφή*;

Phibis, the basilikogrammateus, who, although not present for the transaction, subscribed the statement of Hermias for the bank;

Pamonthes, the topogrammateus, who received the payment and added the measurements of the land to the statement of Hermias;

Totoës, the komogrammateus, who supplied the measurements of Senpoëris' property against which the enclosed land was compared;

Dionysios, the trapezites at Hermonthis, who deposited the payment into the idios logos; and last, a nameless informer.

A second source of payments deposited to the idios logos evidently existed by 112 B.C. Senpoëris added 2 cubits to her property without the formality of

purchase. Her misdeed was discovered by someone none too fond of the woman, and was disclosed to Hermias. A comparison of the altered measurements of her land with the measurements in the records of the komogrammateus substantiated the accusation. The extension of her property was liable to a *prostimon* at the handsome rate of 10 talents per aroura, which meant in her case 1200 drachmas. This *prostimon* at the end of its administrative journey was deposited by the banker at Hermontis into the idios logos of the King and Queen.

The nature of the *prostimon* was viewed variously by the *dramatis personae* of the transaction. Dionysios, the trapezites, described it as *προστίμου π(ηχῶν) β*, (3) which was accurate enough for his records. Hermias at first saw the misdeed which called for a *prostimon* as *τόπους περιειλημμένους εἰς φυτείαν φοινίκων* (8) but elaborated *προστίμου ως τῆς (ἀρούρης) διὰ τὸ παρειληφένει ἀπὸ χέρσον* (11-12). Phibis, the basilikogrammateus, did not comment. Pamonthes thought that the payment was a *τιμή* (23). They were all correct. Firstly, for Pamonthes, the topogrammateus, the payment was a sales price. Upon handing over the money Senpoëris was to receive title to the enclosed cubits (16-17). As far as the local secretary was concerned, the woman had purchased some land for which she paid a price which must be recorded by him and sent on to the proper authorities.

Hermias, on the other hand, although his own statement provides the basis for saying that some sort of sale took place, was obliged to be more accurate in his description of the case. His two qualifications of the matter are not contradictory but complementary: the *prostimon* is more fully described as "for enclosing waste land for the purpose of planting palms" rather than merely "for planting palms." Granted that Hermias did draw attention to the fact that the land might have been already planted with trees when information was given against Senpoëris, he still called for the komogrammateus to measure the piece of property. For Hermias, then, the *prostimon* was both a sales price and some sort of fine to be collected from those who had fenced in waste land, a fine which the guilty party cheerfully paid after a little "persuasion."

Dionysios, the banker, viewed the *prostimon*, after he had acquainted himself with its itinerary, as a payment to be deposited to the idios logos. Senpoëris' comments are not available. Her only consolation from this affair was that she now had clear possession of the waste land which she had added to her property.<sup>7</sup>

*P. Amh.* 31 confirms the role of the local and nome secretaries in transactions that lead to payments recorded to the idios logos, and it clarifies (1) the point in the administrative route at which the payment is determined and (2) who decides that the payment is to be thus registered. Although Hermias apparently had full authority in the case, and although the *prostimon* was to be credited to the account of the revenues collected by him and his men, the deposit slip still

7. For the *prostimon* as sales price cf. Plaumann, pp. 5-8. A fuller discussion of the *prostimon*

will be found in section 8 of this chapter.

needed the signature of Phibis, the basilikogrammateus. Phibis, when he signed, also assumed that the local secretaries would do the same, and that they would add whatever information was pertinent. There is nothing unexpected in the branches of the Ptolemaic bureaucracy which appear here, and although the procedure of the papyrus may be rather unusual, in the end it is the usual secretaries who manage the concluding phases of the business.

The neatly delineated divisions in the text, finally, reveal the banker as the authority who decides that the payment is to be deposited to the idios logos. It might have been obvious to the other officials involved that this was to be the destination of the 1200 drachmas. They did not, however, mention the idios logos or tell Dionysios so to record the payment. The ultimate decision was with the banker who, no doubt, used as his criterion the source from which the deposit came and the procedure by which it was obtained. The idios logos was of importance only when the time came for the banker to register the payment, an implication which we have previously seen in *BGU 992* and *P. Haun. 11*.

The conditions for a deposit to the idios logos are broader than those observed in *BGU 992* and *P. Haun. 11*. The enclosed land is neither confiscated nor *ἐν τοῖς ἀδεσπότοις*. No former owner is mentioned. Senpoëris' title to the 1/50 aroura after she paid the *prostimon* was not the same as that of the former *kyrioi*, but was analogous to her title to the property to which they were attached. Since no *ekphoria* are mentioned as a stipulation of her possession (although she must be liable to the regular *phoros* on whatever she chose to plant or was allowed to plant), she has become a true owner of the 2 square cubits. The land itself was simply waste land which may not even have been recorded in the local scribe's office, but which nevertheless might not be arbitrarily added to any nearby property. The government might not know of the existence of each individual parcel of such land, but it nevertheless had title to it.

Secondly, payments from the sale of such land need not have been derived from a sale by auction in order to qualify for deposit to the idios logos. A *prostimon*, which could be both fine levied against persons who have enclosed waste land and sales price transferring to the guilty party title to the illegally occupied property, could be deposited to the idios logos in 112 B.C.

The least that these three papyri show is that in the second century B.C., the idios logos was something into which were deposited payments from the sale of government property. The sales and the properties were of varying kinds. The sale could be by formal auction, or by the composition of what is called a *prostimon* for the illegal occupation of government land capable of being sold. The property involved could be confiscated land, or more generally ownerless, or even more vaguely, waste land, which the crown and its agents chose not to assign to any regular category of royal property to be rented or assigned, but instead decided to sell to private buyers. The amount of government land which might have been a potential source of deposits to the idios logos because of a sale of either type is best illustrated by the Amherst text, where Senpoëris' two meager cubits of waste

land may by implication be expanded to include similar waste land elsewhere in Ptolemaic Egypt.

The idios logos, so far as these documents reveal, was not itself involved with the procedures by which money is recorded to it. In the second century B.C., it was not concerned with the administration of the property that was being sold, either before, during or after the sale (whatever form it took). The idios logos in brief, must have been some sort of special account to which payments were recorded from sales like those described above. This is substantiated by other, less clear second-century references to it, to be discussed presently.

#### 4. BGU 1772

The evidence from the first century B.C. indicates that the special account of the last three documents became subsequently a bureau within the Ptolemaic administration. BGU 1772, the most complex of the first century texts, implies that this transformation was well established 33 years after the date of *P. Amhi* 31. This papyrus is concerned with the involved affairs of a certain Iatrokles and his companions, whose difficulties over some property were recorded in columns 18 and 19 of one of the rolls of official records of Herakleopolis for the 21st year of Auletes, 61/60 B.C.<sup>8</sup>

The summary of the dispute,<sup>9</sup> fragmentary though it be in the first column of the papyrus, does provide important information which would not have been available if this were a banker's receipt similar to the previous documents. The situation in BGU 1772 developed somewhat as follows:

- a. Hipponikos son of Protesilaos lost possession of the *kleros* which had belonged to his father before him. (11, 16-17)
- b. This *kleros* (or part of it) came into the possession of a man who was gymnasiarch during year 12, and who purchased the property in association with some others. (34-35)

8. For the date, revising the *κε* in the original publication to *κα*, see T. C. Skeat, *Mizraim* 6, 1937, p. 37, and *Reigns of the Ptolemies*, Münch. Beitr. 39, 1954, p. 38.

9. The document is probably a summary by a nome secretary of the pertinent details of a dispute between Iatrokles and his associates. This would explain the physical details of the text. The first four lines, which are in a different hand from the following text, could be a personal note from the secretary who oversaw the gathering of information concerning the case of Iatrokles or from some official forwarding the requested information or a report on a preliminary investigation of the matter. The rest of the document, in a second hand, would then be a copy of the 18th and 19th columns of the records at Herakleopolis which contained the

evidence accumulated in the case of Iatrokles up to that time. This included information about the disputed property contained in the local records, to which information the scribe appended a copy of a letter from Hephaestion to Heliodoros ordering an investigation of the matter, and to which letter Hephaestion had in turn appended a copy of a *hypomnema* sent to him by Iatrokles himself. Since Hephaestion's correspondence had been included in column 19 of the Herakleopolite records (cf. the numeral *ω* in line 20), the information which preceded it ought to have been in column 18. An alternative explanation for the numeral 19 in line 20 might be that the case of Iatrokles was in column 19 of a roll of correspondence sent from Hephaestion to Heliodoros (cf. line 8).

c. The property of the gymnasiarch and his associates was confiscated to the idios logos. (33)

d. The confiscated property was put up for sale and sold to Iatrokles in association with Parmeniskos, Antipater *et al.* before year 13. (31-35)

e. Iatrokles and his associates apparently deposited at least part of the price for the property *εἰς [τὴν] Χάρητος τοῦ ἴδιου λόγου τράπεζαν*. (37)

f. After the payment had been deposited, a dispute arose among the partners who bought the land, Iatrokles appealed to Hephaistion, the dioiketes and ὁ πρὸς τῷ ἴδιῳ λόγῳ.<sup>10</sup>

Several first-century functions of the idios logos are immediately evident. By 69/68 B.C. the idios logos had become a receiver of confiscated property, a function which is unattested before BGU 1772. The confiscation in BGU 992 was to the *basilikon*. There is now evidence of a special administration responsible for land confiscated to the idios logos, and also a title for such an administrator and a person to whom the title belonged, Hephaistion, dioiketes and ὁ πρὸς τῷ ἴδιῳ λόγῳ.

The papyrus also implies an increase in the types of properties under the administration of the idios logos, whatever that administration may entail, and which might be sold to produce revenue to be deposited into the idios logos. The secretaries who were gathering information for the case of Iatrokles inform us that the disputed property, or part of it, was once the *kleros* of Hipponikos. This does not imply that every confiscated *kleros* was confiscated to the idios logos, or that the idios logos had a significant role in the assigning of *kleroi*. Rather it shows that if a *kleros* was to be confiscated and not re-assigned but sold into what must be private hands, it might be confiscated to the idios logos. Thus, again, the development of the idios logos appears to be intimately linked with the development of private property in Ptolemaic Egypt.

The payment for the gymnasiarch's confiscated property was presumably to the idios logos, although Iatrokles' description of his deposit is rather enigmatic. *διεγράψαμεν εἰς [τὴν] Χάρητος τοῦ ἴδιου λόγου τράπεζαν* is the way he phrased it in his letter to Hephaistion. His words seem to mean "we deposited into the bank of Chares the idios logos." If the banker's receipt were to turn up, we would expect it to read *τέτακται ἐπὶ τὴν τράπεζαν, ἐφ' ἣς Χάρης, βασιλεῖ εἰς τὸν ἴδιον λόγον τοῦ βασιλέως, κατὰ τὴν παρὰ (Ιατροκλέους?) διαγραφήν*. First of all it is highly unlikely that the bank (at Herakleopolis?) would have been officially known as "Chares' bank."<sup>11</sup> Secondly, it is even more improbable that Chares was

10. Athenaios was dioiketes in 17 (64/63 B.C.) BGU 1744, 1747-1749.

11. The editors of BGU 1772 saw the sense of the line as *εἰς τὴν Χάρητος τὴν τοῦ ἴδιου λόγου τράπεζαν*: that is, the idios logos used the bank of

Chares. This is general enough to include the second century relationship of the local bank and bankers to the idios logos without implying a direct control over them by the idios logos.

the idios logos. No other person is called idios logos before the second century after Christ. Thirdly, if the improbable is indeed the case and there is truly a Ptolemaic official called "the idios logos," Hephaestion would be a more likely candidate for the office since he has the title  $\delta\pi\rho\circ\tau\tilde{\omega}\iota\delta\iota\omega\lambda\circ\gamma\omega$ .

A point which cannot be determined is Hephaestion's capacity in the situation. Was he acting as dioiketes or for the idios logos? If he was acting for the idios logos, investigating cases which involved payments to the idios logos or properties confiscated to the idios logos, his concern with this matter would be most significant for an understanding of an important function of the Roman office of idios logos in Egypt. Unfortunately, *BGU* 1772 allows no definite conclusion to be drawn.

The papyrus has much more to say about the economic life of late Ptolemaic Egypt than the few words it states about the idios logos. Iatrokles, a man of station, and his syndicate, composed as it probably was of prominent "capitalists," deserve more attention than can be given here. Before leaving this papyrus, however, it should be noted again, that the idios logos has thus far always been found in the context of a sale of government property, even in the case of Senpoëris' *prostimon*, and that there appears to be some relationship between the evolution of the idios logos and the situation which gives rise to the type of investment witnessed in Iatrokles' syndicate.<sup>12</sup>

These four documents, all of which contain clear, and to a varying degree, understandable references to the idios logos, have served to provide a background for the questions which will now be investigated in the context of indirectly related documents. The sections which follow in this chapter will examine the official in charge of the idios logos; the idios logos and confiscated property; the idios logos and the *adespota*; the idios logos and the *prostimon*. The result should be as definite a picture of the Ptolemaic idios logos as can be drawn from the evidence as it presently stands.

#### 5. $\delta\pi\rho\circ\tau\tilde{\omega}\iota\delta\iota\omega\lambda\circ\gamma\omega$

The appearance of an official with the title  $\delta\pi\rho\circ\tau\tilde{\omega}\iota\delta\iota\omega\lambda\circ\gamma\omega$  in *BGU* 1772 substantiates conclusions that are evident from the papyrus, namely that the idios logos, at least by 61/60 B.C., was an important branch of the Ptolemaic bureaucracy supervised by an official of some distinction. Besides Hephaestion, two other names can be assigned to the office; all three of them have been variously dated to the same year.<sup>13</sup>

12. Cf. Rostovtzeff, *SEHHW*, pp. 732-733, on such corporations, and p. 871 on the development of private *kleroi*.

13. The *Prosopographia Ptolemaica* lists attested dates for Hephaestion from 61/60 B.C. to 52/51 B.C.; for Kastor No. 35 57 B.C.; and for

Noumenios, from the editors' suggestion of the year 25 in *BGU* 1782, No. 38 57/56 B.C. However Hephaestion No. 31 has no attested year 25 and may be removed from the difficulties arising from the two supposedly documented references to that enigmatic year.

Hephaistion is the best attested of the three. In addition to *BGU* 1772 (before 61/60 B.C.), he survives fully titled in *BGU* 1756 and 1757 (59/58 and 52/51 B.C.) and in an inscription, *SB* 7455 (May 2, 59 B.C.). Athenaios was dioiketes in 64/63 B.C. (*BGU* 1744, 1747-1749) providing a *terminus post quem* for Hephaistion's tenure as dioiketes. His term of office may have been hectic if it was dependent upon the fortunes of Auletes, and may not have been continuous from 63/62 B.C. to 52/51 B.C.<sup>14</sup>

Much could be said about his full title; *συγγενής καὶ διοικητής καὶ πρὸς τῷ ιδίῳ λόγῳ καὶ τοῖς προχείροις* denotes a man of some prominence. The question of immediate concern is whether all the components of Hephaistion's title must always occur together. Must the official in charge of the idios logos invariably be the dioiketes and *πρὸς τοῖς προχείροις*? A near parallel for the full title can be found in another Herakleopolite papyrus, *BGU* 1782, in which Noumenios is called *συγγενής καὶ διοικητής καὶ πρὸς τῷ ιδίῳ λόγῳ* but not *τοῖς προχείροις*. Add to this the name of Theon in *BGU* 1845, giving only the first and the last titles, and it becomes probable that the head of the idios logos was not inevitably also *πρὸς τοῖς προχείροις*.<sup>15</sup> That the dioiketes was not necessarily in charge of the idios logos is demonstrated by the title given Athenaios, who was probably the immediate predecessor to Hephaistion. Athenaios was simply a "relative" and dioiketes. Lastly, not only might a dioiketes be without the additional supervision of the idios logos, but the official in charge of the idios logos need not have been dioiketes: one Kastor was *πρὸς τῷ ιδίῳ λόγῳ καὶ οἰκονόμος τοῦ βασιλέως καὶ τῆς ἀδελφῆς καὶ τῶν τέκνων*.<sup>16</sup>

There are some chronological difficulties with these three known Ptolemaic heads of the idios logos. If Hephaistion were the only dated head of the idios logos there would be no major problem in viewing his tenure of office as running continuously from 61/60 B.C. to 52/51 B.C. Auletes' exile and return might have to be accounted for as well as the tenure of C. Rabirius Postumus,<sup>17</sup> who seems to have become dioiketes after Auletes' return in 55. But the matter is complicated by the appearance of Noumenios, whom the editors of *BGU* VIII assign to ca. 57/56 B.C., and by the appearance of Kastor in *OGIS* 188, dated Pauni 25, year 25, which could also be 57 B.C.

If Kastor's date is 57 B.C., as Dittenberger<sup>18</sup> and Wilcken<sup>19</sup> suggest, one of

14. Hephaistion, however, remained as dioiketes for one or two years after the exile of Auletes in 61 B.C. Cf. *SB* 7455, 2 May 59 B.C. and *BGU* 1756.

15. On the *πρὸς τοῖς προχείροις* and the full title cf. *BGU* 1772, final note (*BGU* VIII, p. 58).

16. *OGIS* 188. Cf. C. Wescher, *Comptes-rendus de l'Academie des Inscriptions et Belles-Lettres* 7, 1871, p. 289; also *IG* III 4904, *WChr.* 163. The inscription in full is as follows:

Kάστο[ρ]ος το[ῦ] συγγενοῦς

καὶ πρὸς τῷ λόγῳ ιδίῳ καὶ λόγῳ  
οἰκονόμον τοῦ βασιλέως  
καὶ τῆς ἀδελφῆς καὶ τῶν  
τέκνων τὸ προσκύνημα  
παρὰ τῆς κυρίας Ἰσιδος πεποίηκε  
Τρύφωνος συνεφήβου καὶ προσ-  
κεχειρισμένου ἡπτέντα  
(έτους) καὶ Ηαννι κε

17. On C. Rabirius Postumus cf. *RE* 1A, 1914, Col. 25-28.

18. Commentary *ad OGIS* 188.

19. Cf. introduction and discussion *WChr.* 163.

two situations might have been the case. Either Hephaestion was removed from his offices after 59 B.C. and replaced by an unknown dioiketes and by Kastor who was in charge of the idios logos, both of whom were in turn replaced by the reinstated Hephaestion; or Hephaestion remained as dioiketes while relinquishing his duties for the idios logos to Kastor, who was relieved of this position before or in 52/51 B.C.

Either hypothesis, especially the former, would fit very nicely into the unstable situation that must have existed in the upper echelons of the Ptolemaic bureaucracy during the years of dynastic chaos. The rest of Egypt might have been indifferent to regal intrigues, but not the higher officials in the administration. Hephaestion's demotion or removal would come after the departure of Auletes, Kastor's appointment would be in the hands of the powers then in Alexandria. However, there is another difficulty. If Kastor's tenure did not fall during the years in which Auletes was in Alexandria, why did Kastor's secretary, Tryphon, date Kastor's dedication to Isis at Philae by year 25 of Auletes, Pauni 25, a year in which Auletes was in Rome? Samuel pointed out that there ought to have been no dates of the year 25, and suggested that the date might be explained by a hypothesis that the reign of the children of Auletes had not been recognized up-river.<sup>20</sup> But this entails a view that the date on the inscription is merely a scribal addition, and was not the date Kastor intended. Such may well not be the case, and if we accept the date as Kastor's, the problem remains. For, while a regnal year for the lower levels of the administration might be merely a date, it ought to have been more significant to a man who was in charge of the idios logos, especially a man who was also oikonomos of the king and the royal family. The easiest way out of the complexities surrounding Kastor's date is to see the year 25 as a year in the reign of Ptolemy Alexander, 89 B.C.<sup>21</sup> This both solves the problem of year 25, which has bothered chronologers, and resolves difficulties in the succession to offices in the bureaucracy.

Then there is Noumenios. He is mentioned in *BGU* 1782 for which the editors propose a date of year 25, 57/56 B.C., in connection with Heliodoros, who might be a strategos in the Herakleopolite. If Heliodoros was strategos in 57/56 B.C. his tenure of the office would conflict with the attested dates of Paniskos, 61/60 B.C., 60/59 B.C., 56/55 B.C. and 51/50 B.C. Furthermore, if the Heliodoros to whom Hephaestion wrote in *BGU* 1772 (61/60 B.C.) was strategos, and was the same man as the Heliodoros of *BGU* 1782, the editors' suggestion of 57/56 for that document cannot stand, and the date of Heliodoros would have to fall between the date of yet another strategos, Dionysios 64/63,<sup>22</sup> and that of

20. A. E. Samuel, *Ptolemaic Chronology*, Münch. Beitr. 43, 1962, pp. 155-156.

21. Dittenberger, *OGIS* 188, note 7.

22. Paniskos and his successors are attested as follows: Paniskos: *BGU* 1781, 1813-1817, 1820,

1821; Dionysios: *BGU* 1741, 1743, 1745, 1747, 1748, 1750, 1753; Seleukos: *BGU* 1761, 1826-1828, 1831, 1832; *SB* 7611; Soteles: *BGU* 1794, 1834-1837, 1842, 1843, 1845, 1846.

Paniskos in 61/60 B.C. Thus the succession of dioiketai and of strategoi in the Herakleopolite would be as follows:

<i>Dioiketes</i>	<i>Strategos</i>	<i>Year</i>
Athenaios	Dionysios	64/63 B.C.
Noumenios	Heliodoros	63/62 B.C.
Hephaistion	Heliodoros	62/61 – 61/60 B.C.
Hephaistion	Paniskos	61/60 B.C.

The most convenient arrangement for the three known department heads would then be as follows:

Kastor	89 B.C.
Noumenios	63/62 B.C.
Hephaistion (with interruptions?)	61/60 – 52/51 B.C.

The documents of *BGU VIII* demonstrate quite clearly that the problem of dating is not simply a matter of finding an open slot in which to insert a newly discovered dioiketes or head of the idios logos. The two offices are, by the close of the Ptolemaic era in Egypt, intimately bound with the Ptolemaic bureaucracy from top to bottom.

Kastor and Noumenios had, as is to be expected, subordinates in their offices. The name of Tryphon survives for the former in *OGIS* 188 and 189 and Zosi[mos] for the latter in *BGU* 1782. There is no reason, however, to assume that the machinery of the idios logos involved any special functionaries on the local level outside of the army of nome and village bureaucrats working with and for the more traditional aspects of the Ptolemaic bureaucracy.

#### 6. *τὰ ἀνειληφθέντα*

The Ptolemaic rulers of Egypt from time to time saw fit to give or to lease in one form or another parcels of their property to those who were in their favor. They were, therefore, able occasionally to "take back" (*ἀναλαμβάνειν*) such property from any recipient no longer in favor or who had somehow forfeited his right to retain the King's property. Criminal activity could provide grounds for confiscation. Philadelphos, in an ordinance directed at those who failed to register their herds in Syria-Phoenicia, referred to confiscation of private property (*τῶν δὲ ἀναλαμβανομένων οὐσιῶν εἰς τὸ βασιλικόν*) (*SB* 8008.31-32, 260 B.C.).<sup>23</sup> *UPZ* 112 Col. 8.18-19 (203/202 B.C.) declared about telonai and antigrapheis who disregarded regulations that *τὰ ἴδια αὐτῶν ἀναληφθήσεται εἰς τὸ βασιλικόν*. In the case

23. The full text was discussed by H. Liebesny in *Aegyptus* 16, 1936, pp. 217 ff. All of the comments that appear in this chapter in reference

to the divisions of property and the types of properties in Ptolemaic Egypt are based on Rostovtzeff, *SEHHW* pp. 274-292.

of *kleroi* the procedure of "taking back" was even more appropriate. In 238 or 237 B.C. an official of unknown rank, Artemidoros, wrote to a certain Nikanor, *οἱ ὑπογεγραμμένοι ἵππεις τετελευτήκαστοι, ἀνάλαβε οὖν αὐτῶν τοὺς κλήρους εἰς τὸ βασιλικόν.* (*P. Hib.* 81). *P. Petr.* II.29 (244/243 B.C.) and *P. Lille* 14 (*WChr.* 334-335) (243/242 B.C.) mention the confiscation of the *kleroi* of soldiers who had, in the former, been captured and, in the latter, died. In both cases the confiscation was to the *basilikon*. Confiscation to the *basilikon* seems to have been the case whatever the character of the property. Confiscated *kleroi* are also mentioned in *P. Teb.* 856.46 (ca. 171 B.C.), *P. Teb.* 1001.15 (*Philometor*), *P. Teb.* 808.2 (140 B.C.), *P. Teb.* 61b.74 (118-117 B.C.) and *P. Iand.* 134.10 (83 B.C.). This pattern was broken in the first century before Christ when *BGU* 1772 recorded a confiscation to the *idios logos*.

Although the fact of confiscation is well attested, the future of property "taken back to the *basilikon*" is not very clear. In the case of confiscated *kleroi* we may assume that they were re-assigned to persons qualified to have them. An alternative may be found in *OGIS* 59, where Philometor in August of 163 directed that the income from properties confiscated by the *oikonomos* on Thera be given to the soldiers.<sup>24</sup>

The treatment of confiscated *ousiai* and *idia* is another matter. Such property, if it involved arable land, could be leased as royal land or assigned as *kleroi* or in general disposed of by lease, assignment or gift, as the crown saw fit. However, there is some evidence, prior to *BGU* 992 that property of this sort was sold by the crown to become the personal property of the buyer "even as it had been the property of the former owner." *P. Eleph.* 14 (*WChr.* 340) is a directive concerning the sale by the government in 223/222 B.C. of some property which might have been confiscated. Whoever buys the land at auction may pay in installments, must pay the *phoros* on a garden, the *apomoira*, and the stipulated *ekphoria*. On depositing the price or the first installment *εἰς τὸ βασιλικὸν ἐπὶ τὴν βασιλικὴν τράπεζαν*, the purchaser will have possession of the property "even as the former *kyrios* did." The chief difference between *P. Eleph.* 14 and *BGU* 992 is that the payment in the latter is to be made *εἰς τὸν ἴδιον λόγον*. In both sales there is reference to a former *kyrios* for the property. The property was then sold (or was to be sold) to the highest bidder who, on depositing part of the sales price, would become *kyrios* of the land in the same manner as the former owner.<sup>25</sup>

*UPZ* 114 Cols. 1 and 2, the "Zois papyri," are statements by the banker at

24. Cf. Rostovtzeff, *SEHHW*, p. 1398; on the date, F. Hiller von Gaertringen in *Klio* 18, 1920-21, p. 94, and Wilcken, *UPZ* I, p. 496. Rostovtzeff evidently changed his mind about the date or was not completely decided for on page 1551 he sees the stone as third century B.C.

25. On *P. Eleph.* 14 cf., *inter alia*, Wilcken, *UPZ*

I, pp. 515-16, and *WChr.* 162 and 340; W. L. Westermann, *P. Col.* I, p. 19. If the formula "even as the former *kyrios*" means the same thing in *P. Eleph.* 14 that it is to signify in *P. Haun.* 11, then the buyers in *P. Eleph.* 14 will have possession of their property as Damon in *P. Haun.* 11 had possession of Marasas' house: as a private owner.

Memphis, in 150 and 148 B.C. respectively, that payments had been received at the bank toward the price of some property that had been auctioned in 151 B.C. The property itself had been surety for the collection of a tax and the sales price was to be deposited to the account of the tax. The banker's assistant Chairemon, who composed the first statement, and Asklepiades, who wrote the second, did not, however, specify exactly to which account the payments were to be deposited in the records of the bank, their notices serving only as statements of receipt. Theodoros<sup>26</sup> in his *διαγραφή* to the bank explained that the banker should record the payment *εἰς τὴν ἔγληψιν τῆς νιτρικῆς*, which Heliodoros expanded in the second statement (line 6) to *εἰς τὸ βασιλικὸν εἰς τὴν ἔγληψιν νιτρικῆς*. In each instance the tax was for the 19th year; that is, in place of the payments which ought to have been deposited to the tax in the 19th year, the sales price deposited for the land that was surety for the tax is recorded to the tax of the 19th year. The situation in the Zois papyri adds very little by way of qualification to *BGU 992* other than the probable fact that the property was not confiscated to the *basilikon* because it was surety for the collection of a tax.

The question might be raised as to how a payment of a sales price in excess of the unpaid tax would have been deposited. The aim of the auction in the Zois papyri was to raise enough money to pay the tax. If, for some reason, the price for the property were more than the payment due on the tax, there is no reason for the over payment not to have been deposited to the *idios logos*.

The treatment of confiscated property varied. It could conceivably be leased as royal land. Confiscated *kleroi* were reassigned as *kleroi*, although as *BGU 1772* shows, a confiscated *kleros* might be treated as a private possession and sold.<sup>27</sup> In some instances the income of confiscated *kleroi* might be divided among specified persons, such as the soldiers on Thera.<sup>28</sup> Properties which were confiscated from persons who held them as private possessions and which the government did not wish to lease or assign were sold. If the confiscation were for something as specific as the non-payment of a contracted tax for which the property was a surety, the sales price would be deposited to the account of the unpaid tax. Otherwise, so far as the evidence indicates, to the time of *BGU 992* the payment was to the *basilikon*, after *BGU 992* to the *idios logos*. In all cases, perhaps before the appointment of an official in charge of the *idios logos*, and certainly prior to *BGU 1772*, confiscation was to the *basilikon*. However, the appearance of officials like Kastor, Noumenios, and Hephaistion, in charge of the *idios logos*, indicates a separate administration over confiscated properties in the first century, and if the argument for dating Kastor to 89 B.C. is correct,<sup>29</sup> that separate administration may be pushed back to early in the century.

26. Cf. *UPZ 114* Col. 1.5n.

27. *P. Teb. 194* indicates a change in the nature of *kleroi* in that they were by *P. Teb. 194* cedable.

Cf. Rostovtzeff, pp. 890-891.

28. *OGIS 59*; see above p. 24.

29. See above p. 22.

Confiscated property which was set aside to be sold would require at least a separate administrative listing. Clear, up-to-date records of the condition and location of such property would be needed to facilitate its sale. Auctions of confiscated land would have to be organized and managed and the payment of sales prices to the *idios logos* would have to be supervised. In no instance before the date of Kastor need any of this imply or indicate a separate administration. On the contrary, all of the documents dealing with confiscated property and the *adespota*, as will be seen shortly, plainly reveal the exclusive role played by the regular administration.<sup>30</sup>

In the first century there was an official in charge of the *idios logos*. This indicates, then, that the *idios logos* required an administration in Alexandria separate from the other departments of the Ptolemaic bureaucracy. This requirement may have been generated by ever increasing business involved with confiscated property. The more often the government decided to sell arable confiscated land, the more the number of private property owners was increased. The greater the number of private owners, the greater the opportunity for the government to confiscate property which could not readily or easily be placed in the established categories since it was not royal land taken back from a tenant; it was not in many cases at least, klerouchic land; it was not land which had been, in general, assigned, rented or given as a gift. The creation of an official *πρὸς τῷ ιδίῳ λόγῳ* apparently goes hand in hand with the increase of private property in late Ptolemaic Egypt, a conclusion which is borne out by the *adespota* now to be discussed.

#### 7. τὰ ἀδεσπότων

The payment for the *οἰκία ἐν τοῖς ἀδεσπότοις* in *P. Haun.* 11 was deposited *βασιλεῖ εἰς τὸν ἴδιον λόγον*. Although no other Ptolemaic document so clearly associates the *idios logos* with the *adespota*, there is a plethora of transactions concerning *adespota*, which without *P. Haun.* 11 could only be fully explained by reference to Roman evidence about such property. A good illustration of *adespotos* may be found in *SB 7657*, which has been dated to the years between 165 and 158 B.C.<sup>31</sup> The wife of a man named Peteopoëris owned 80 arouras of land above inundation. Peteopoëris and his wife fled during an uprising. While they were absent, at least 53 of the 80 arouras were placed *ἐν τοῖς ἀδεσπότοις*. These

30. There is of course the *πρὸς τῷ κατὰ τὴν Θηβαΐδα* in *BGU 992* and *P. Haun.* 11 whose only appearances in the extant papyri are connected to transactions involving the *idios logos* (cf. above, note 5). It should be noted that his title implies local competence and that no such specific limitation is ever indicated for the *idios logos*. Although he does appear in connection with the *idios logos* at its inception, his functions will probably be best

explained in terms of the regular administration of the Thebaid.

31. Wilcken, *Archiv* 11, 1933, pp. 292 ff.; P. Collart and P. Jouguet, *Etudes de Papyrologie*, 2, 1933, pp. 23 ff.; L. Wenger, *JJP* 3, 1949, pp. 9 ff. where the text is examined in legal terms; and B. A. van Groningen, *JEA* 40, 1954, pp. 59 ff. The date is Wilcken's.

53 came into the possession of Pemsais from whom Peteopoëris and his wife attempted to buy them. Pemsais answered by occupying the remaining arouras. Peteopoëris wrote to the strategos requesting that Imouthes, the topogrammateus, look into the matter and set things right.

Property could, therefore, become *adespotos* when the owner had abandoned it. Pemsais' possession of the property was similar to that of the wife of Peteopoëris. That is, Pemsais must have purchased the property to have possession of it "even as the former owner," since it is with Pemsais that Peteopoëris negotiated to repurchase the property. Once the owner had abandoned the property and it had become *adespotos* (or more technically when it had been classified with the *adespota*), he was deprived of all claim to it, as is indicated by the fact that Peteopoëris did not charge Pemsais with illegally occupying the first 53 arouras, but rather tried to buy them.

Peteopoëris evidently thought that there was a fair chance of regaining possession of the remaining arouras through the same process by which Pemsais took possession of the 53 arouras. Peteopoëris again met with frustration, since Pemsais, after rejecting the offer to buy the land which he must have owned, occupied what remained of the estate which had been placed in with the *adespota*.

If Pemsais purchased the land (the 53 arouras) from the government, there is every reason to believe that the sales price was deposited to the idios logos. If the remaining arouras were still *adespota*, they were illegally occupied by Pemsais.<sup>32</sup> The topogrammateus Imouthes' main concern with the case would not have been so much to press the claims of Peteopoëris, which were rather dubious to begin with, as to look into the matter of the occupation of the remaining property. If what Peteopoëris stated was true, then the arouras ought to have been put up at auction, or Pemsais ought to pay a *prostimon* or its equivalent by which clear title to the remainder of the property would be obtained. In either case there was payment due for deposit to the idios logos, as in *P. Haun.* 11 and in *P. Amh.* 31. The only claim which Peteopoëris might have had to any of the land which had been abandoned and which had thus become *adespotos* would be a more favorable opportunity to repurchase the now ownerless property or whatever portion of it had not been sold.

Another aspect of the origin of *adespota* is revealed by a *philanthropon* from Cyrene, SEG 9.5 (109/8 B.C.), lines 61-68 of which may provide a link between the confiscated properties we have just examined and the *adespota*.<sup>33</sup>

ἔάν τως τῶν ἐπὶ χρείας τεταγμένων  
ἢ τῶν ἄλλων τῶν ὑπὸ τὴν βασιλείαν

32. That the simple occupation of waste land was illegal is demonstrated by *P. Amh.* 31, in which such an action by Senpoëris, taking two cubits of waste land in 112 B.C., made her liable

for a *prostimon*, which ultimately brought her the land. See above pp. 16-17.

33. Cf. Rostovtzeff, *SEHHW*, p. 1550 and bibliography cited there.

τασσομένων ἀδέσποτα αἰτήσωνται  
 ἡ κατηγορία μένα, μὴ παρασφραγιζέσθωσαν  
 τὰ ὑπάρχοντα τῶν καταιτιωμένων μηδὲ  
 εἰς φυλακὴν παραδιδότωσαν μήτε αὐτοὺς  
 μήτε τοὺς οἰκέτας αὐτῶν ἄνευ τοῦ παρὰ  
 τῶν χρηματιστῶν κομίσαι χρηματισμούς.

The context of the lines relating to the *adespota* implies that they were or perhaps had been *τὰ ὑπάρχοντα τῶν καταιτιωμένων*, as were the *κατηγορία μένα*. The supply of property to be placed in with the *adespota* could have been from both the abandoned property of private owners and from the sequestered private property of accused persons. The inscription indicates that either the property of the accused was potentially *adespotos* and would become so when the accused are condemned, or else the property became *adespotos* at the moment of accusation, in which case it was not to be touched by the responsible officials until, again, the accused were condemned. In any case there is an implied identification with property that had been confiscated from private owners, an identification which allows a rather broad interpretation of the origins of the *adespota* as property to which the former owner has lost title and which in some instances the government chose not to assign or lease but rather to sell.<sup>34</sup>

Several of the papyri in *BGU VI*, and several of Wilcken's *Bankakten* papyri, although throwing little light on the exact connection between the *idios logos* and the *adespota*, increase numerically the number of extant transactions involving property which may have led to deposits to the *idios logos*. Save for a fragmentary reference in *UPZ 218*, none of the following documents mentions the *idios logos* by name, a fact which may be explained by the fragmentary condition of the papyri on the one hand and the form of the *Bankakten* on the other, none of which contain the banker's statement of deposit.

*BGU 1218-1222* appear to be records of *adespota* sold at auction during 145/144 B.C.<sup>35</sup> Certain similarities with *P. Haun. 11* may be cited. The *komogrammateus* was responsible for designating the property as *adespotos* (1219.10). The purchaser was to have the property "even as did the former *kyrioi*" (1218), on the condition that the payment be deposited (1221.7). To what account the money was to be deposited is not revealed. In general the documents follow the

34. Two steps in the official procedure with respect to *adespota* are assumed. Property so designated was first placed "in with the *adespota*" either through the proceedings implied in *SEG 9.5*, or because it was abandoned as in *SB 7657*. It was then decided either to place it in one of the regular categories of land, assigning or leasing it accordingly, or to sell it. The second aspect of the administration of the *adespota* involved the management of *adespota* which were to be sold and hence the

*idios logos*. If the unattested distinction between *adespota* to be leased or assigned and *adespota* to be sold is truly the case, the *idios logos* is not concerned with the primary management of the *adespota* before they are set aside to be sold and probably has no connection with the officials who mishandled the property in *SEG 9.5* (if indeed the *idios logos* is a department by that date).

35. For the date see Henne, *Liste des Stratèges, Supplement*, p. 6.

same formulaic pattern as *BGU* 992 and *P. Haun.* 11. It is most likely that payments from the property sold at auction in 145/144 B.C. were deposited to the idios logos by the banker to whom they were sent. *P. Ryl.* 253, which is also a sale of *adespota* in 143/142 B.C., would similarly be deposited once it reached the bank.

*UPZ* 220-221, which record a transaction of 130 B.C., are a good example of what Senpoëris in *P. Amh.* 31 ought to have done. Hermias addressed a bid of 4000 drachmas for several parcels of land, all of which were *adespotos*, to Dionysios ὁ διαδεχόμενος τὴν θηβαρχίαν. He also requested a διαγραφή ἐγ βασιλικοῦ that he might be able to pay the price, and finally added a promise to pay the *ekphoria* (220 Col. 2.1-12). The bid was forwarded to the local secretaries who raised the price to 1 talent 2000 drachmas, for which price it was sold to Hermias on the 12th of March, 130 B.C. (221 Col. 1). On payment of the price he was to have possession of the property even as *οἱ ἐγ βασιλικοῦ πριάμενοι* (220 Col. 1.12). The payment was made in full on the day of auction and sent off with the usual subscriptions to Herakleides the trapezites at the royal bank at Thebes, for deposit to [.....]. The lacuna (221 Col. 1.16) was restored by Wilcken as [εἰς τὸ βασιλικόν]. However, the transaction in the papyrus, and its similarity to *P. Haun.* 11 in that the price was for *adespota*, suggest that the instructions must have read “εἰς τὸν ἴδιον λόγον τοῦ βασιλέως” as in *UPZ* 218.21 or at least the less specific ἐν λήμματι τῷ βασιλεῖ *P. Haun.* 11 Col. 2.1.

Hermias has done what Senpoëris should have done in 112 B.C. Although the land she had enclosed was waste and not officially *adespotos*, she too ought to have submitted a bid to a responsible official for the two cubits she desired. Hermias had seen some *adespota* which he thought, or perhaps hoped, were worth 4000 drachmas. His bid, unfortunately for him, was forwarded to the relevant local secretaries for verification. They increased the price of the property until it was valued at 1 talent, 2000 drachmas. Hermias was still willing to pay the price for the land, and it was then sold to him technically at auction. The *adespotos* status of the property and the fact that it was sold should leave no doubt that the price was to be deposited to the idios logos.

*UPZ* 218, also of 130 B.C., does mention the idios logos specifically, but in a frustratingly unclear context. A man named Ailouros submitted to the same Dionysios as in *UPZ* 220-222 a bid for a hill near his property. The hill is described neither as *adespotos* nor as confiscated. Ailouros requested ἡ ἐγ τοῦ βασιλικοῦ διαγραφή that he might pay the price for the land just as Hermias had done in *UPZ* 220. The text later explains that Ailouros had actually been persuaded to buy the hill, which could not be sold at auction because all of the potential buyers claimed that it was too close to Ailouros' property. The bid was received and processed very much as was the bid of Hermias. The land was sold to Ailouros at auction, and the price forwarded by Dionysios to Herakleides the trapezites. Ailouros was to have the hill as one buying from the *basilikon*. Instructions from Dionysios to Herakleides about the deposit of the payment if any, are lost.

In line 21 Plaumann restored (*τοῦ τοπογραμματέως*) διασαφοῦντος [περὶ τοῦ μὴ ὑποπίπτεω τὸν βουννὸν τῷ]ι ἰδίῳ λόγῳ τοῦ βασιλέως, or [μὴ ἀδέσποτον εἴηαι μηδ' ὑποπίπτεω κτλ.].<sup>36</sup> But the restoration raises more problems than it solves. Such a use of *ἴδιος λόγος* in the dative is unparalleled in Ptolemaic documents;<sup>37</sup> the transaction does not need a negative, because even without it, the document offers, at least in part, the circumstances needed for a deposit to the *idios logos*; there is no reason to want to restore *ὑποπίπτεω* before *ἴδιῳ λόγῳ*.<sup>38</sup> Alternatives are possible, and it is possible to understand the general import of the passage in relation to other documents since the formulae and the transaction are close to *P. Amh.* 31.<sup>39</sup>

Perhaps we may place the incomplete statement in line 21 midway between the deposit statements of *BGU* 992 and *P. Haun.* 11, and the Amherst text; that is instead of *τέτακται* . . . *βασιλεῖ εἰς τὸν ἴδιον λόγον* of the former, or *τέτακται εἰς τὸν ἴδιον λόγον τῶν βασιλέων* of the latter, the topogrammateus may have mentioned a deposit *τῷ ἰδίῳ λόγῳ τοῦ βασιλέως*,<sup>40</sup> upon which the sale would, of course, be dependent. The main difficulty is that a topogrammateus is not expected to give this sort of information. But neither is the topogrammateus expected to mention the *idios logos*. However unclear the context, we do see the *idios logos* involved in this transaction. The *idios logos* might be involved in other attested auctions. Two Tebtunis papyri, 871 and 1071, both dated 158 B.C., are fragmentary documents recording sales by auction. In the former, one half of a [house] and in the other, a house and a court can be discerned as part of the property that was sold. Since the actual deposit by the bank is wanting, it cannot be stated with absolute certainty that the deposit was to the *idios logos*. However, the circumstances again do not prevent the assumption that such a deposit was made.<sup>41</sup>

In theory and origin, the *adespota* may be distinguished from confiscated and unoccupied property such as Ailouros' hill or Senpoëris' 2 cubits. But from a practical standpoint all were properties to which the former owner had somehow lost title and to which only the government had a claim. They were unoccupied

36. Plaumann, p. 6. He assumed that productive property did not concern the *idios logos*.

37. The dative occurs in Ptolemaic examples only when included as part of the title δὲ πρὸς τῷ ἰδίῳ λόγῳ.

38. The verb *ὑποπίπτεω* is improbable or at least not necessary since prior to *BGU* 1772, 61/60 B.C. there is no indication — other than the possible existence of an official in charge of the *idios logos* in 89 B.C. — that the *idios logos* was in any way involved in the administration of *adespota*. Plaumann borrowed the verb from Strabo's description of the Roman office.

39. The situation is perhaps more understandable if we try to picture what would have hap-

pened if Ailouros had decided to occupy the hill without purchasing it. If he were discovered, he would of course have to pay a *prostimon* or its equivalent; or else he would be deprived of the land and, if not prosecuted, required to bid on the hill very much as Hermias had done in *UPZ* 220.

40. Perhaps διασαφοῦντος [τὴν τιμὴν ταχθήσεσθαι τῷ]ι ἰδίῳ λόγῳ, or [αὐτὸν τὴν τιμὴν τάξεω τῷ]ι ἰδίῳ λόγῳ.

41. The ἡγορασκότας ἐκ τοῦ βασιλικοῦ οἰκίας of *P. Teb.* 5.99 might be another instance of auctioned *adespota* or confiscated property whose sales price was deposited to the *idios logos* (ca. 118 B.C.).

and producing no revenue for the crown. Once the government had decided that such property was not to be leased or assigned, the only profitable alternative was sale. In these terms, administration would involve keeping records of property to be sold. It would be of some importance that the origin of the property be stated – that it was the property of so and so – in order that it might be identifiable in local records.

Whether the officials reprimanded in the *philanthropon* from Cyrene (SEG 9.5.61-68) for mishandling such property were directly responsible for its full administration, or whether they were police officials whose duty it was to seize it, is difficult to determine. For Egypt proper not one document indicates a special administration, still less a special administration under the idios logos, to seize and process confiscated or *adespota* property. There might have been an office in Alexandria which kept up to date records of *adespota* (and confiscated and unoccupied property), but until the appearance of an official in charge of the idios logos such as Kastor the existence of such a bureau must remain speculative. It is hard to imagine from the evidence at hand how the administration of the *adespota* entailed anything but bookkeeping. The property by definition produced no revenue until it was sold or leased. It would then after sale, remain for the regular bureaus and bureaucrats to take over.

There might have been a slight change by 50 B.C. BGU 1798 mentions *ekphoria τῆς τοῦ ἰδίου λόγου γῆς*. Perhaps in 50 B.C. the *adespota* were rented, not as *γῆ βασιλική* but from a new category of land *γῆ τοῦ ἰδίου λόγου*. There were in the first century B.C. a department and an official in Alexandria who would supervise such properties and the collection of whatever income was due from them,<sup>42</sup> and this term *γῆ τοῦ ἰδίου λόγου* may have been devised to categorize them.

That there were *adespota* is an indication of private property. Ownerless property must have had at one point a *despotes* other than the King before becoming *a-despotos*. The sudden increase after 160 B.C. of transactions involving *γῆ ἀδέσποτος* bespeaks both social and political unrest and an increase of private property. When such property had been either abandoned by or removed from the former owner and sold it became the property of the new owner under the same conditions as applied when it had been the property of the former owners. By the first century B.C. the increase in sales of *adespota* whose sales prices were deposited to the idios logos warranted the creation of an *ο πρὸς τῷ ἰδίῳ λόγῳ*, probably to supervise the registration and administration of such property, definitely to watch over the transactions by which payments were to be deposited to the idios logos.

42. It is possible but highly improbable that *ekphoria ἐκ τῆς τοῦ ἰδίου λόγου γῆς* were the *ekphoria* collected from the *adespota* or confiscated properties sold through the idios logos or

whose sales price was deposited to the idios logos, *ekphoria* subsequently to be recorded to the idios logos.

## 8. τὸ πρόστιμον

The only evidence besides *P. Amh. 31* for the Ptolemaic *prostimon* comes from simple receipts recorded for the most part on ostraka, none of which indicate to what account the received payment was deposited. One text *O. Bod. 89*, does state a reason for the *prostimon* which it records. Demetria was given the receipt by the bank at Diospolis Magna for the payment in 113 B.C. of a *πρόστιμον μεταφυτείας*, i.e. apparently a fine or a fee for changing crops. But even if this was so, there is no reason to suppose that the payment was deposited by the banker to the idios logos. The *prostimon* in *P. Amh. 31* was quite obviously, at least in part, a payment for the price of 2 cubits of land, all of which was deposited to the idios logos. It was both a sales price and a fine or fee. If the Bodleian *prostimon* did not perform the function of a sales price and was not a payment by which the depositer received title to additional property, there is no reason for a deposit to the idios logos, which nowhere in the Ptolemaic documents appears as the receiver of payments that are exclusively fines or fees. However, had the alteration of crops, or whatever was meant by *μεταφυτεία*, entailed an ever so slight increase in Demetria's property (and she received title by the payment of the *prostimon*), her *prostimon* would likewise have been a sales price to be deposited to the idios logos. This may have been the case, because in *P. Amh. 31*, the banker termed Senpoëris' payment merely as a *πρόστιμον φοινικῶνος* leaving details obscure. But the statement of the komogrammateus on that document made it clear to Dionysios the trapezites, that the *prostimon* was a sales price which – although his description of it does not make this obvious – he deposited to the idios logos. Whether or not the *prostimon* paid by Demetria had a history similar to Senpoëris' payment and was a sales price is impossible to determine from the ostrakon.

The payment forwarded to the bank in *BGU 992* and in the Zois papyri (*UPZ 114*) was the price for confiscated property. The banker did not automatically deposit both to the idios logos but carefully examined the process by which the property was sold, and the reason for its confiscation. One payment was deposited to the idios logos, the other to the defaulted natron tax, for the collection of which the property sold was security. This must have also been the case with the *prostima*. The banker, reviewing the history of the payments as indicated in any accompanying documents or following any explicit instructions from the collecting officials, would deposit them to the appropriate accounts. If the *prostimon* was a fine, it was not deposited to the idios logos. If it was a fine or fee and a price for some property, it was recorded to the idios logos.

Senpoëris' *prostimon* was a rather high price by which the occupier received title to illegally occupied land. It was made in lieu of a bid properly offered and processed, as in *UPZ 220-221*. The idios logos has only a limited involvement with the *prostimon* levied as a sales price for illegally occupied property, and was not a receiver of all Ptolemaic *prostima* regardless of origin. Even so, the narrowly defined *prostimon* of *P. Amh. 31* expands the potential sources of payments to

the idios logos to include all of the unoccupied land of Egypt that the government might wish to sell, whether that land was *adespotos*, confiscated or simply waste land.<sup>43</sup>

#### 9. SUMMARY: THE PTOLEMAIC IDIOS LOGOS

The idios logos in its earliest certain appearance was first an account to which were recorded most payments received from the sale of government property. In this respect an immediate qualification must be made. The price paid for property confiscated as security for the collection of a contracted tax was deposited to the account of the unpaid tax. Otherwise all payments received as the sales price for government property were recorded to the idios logos. Property sold by the government for a price to be so deposited might be property that was confiscated from private owners. It has been assumed throughout this chapter that at some point the government decided after confiscation to sell this property, rather than place it in one of the regular categories of Ptolemaic property to be leased or assigned or granted as a gift. But there is no evidence for this hypothesis.

The property might be *adespotos*, property abandoned by its owners, or perhaps property which was ownerless because of the death without legal heir of the person who had title to it, or even property which had been lost by an owner against whom accusations had been brought. The *adespota* were closely associated with property confiscated from private owners in that both were properties the title to which had for one reason or another been lost by the original owners.

Deposits to the idios logos came, lastly, from the sale of unoccupied government property which was neither confiscated nor *adespotos* nor identified in any of the government surveys as royal or klerouchic land. Such property, for

43. WO 1232 (143 B.C.), 342 (140 B.C.), 351 (123 B.C.); O. Bod. 103 (151 or 140 B.C.); and BGU 1414 are some other published Ptolemaic receipts for *prostima*.

An unpublished Berlin Papyrus 11345, Plaumann, p. 8, is a fragmentary record of a payment *βασιλεῖ εἰς τὸν ἰδιον λόγον προστίμου* [...] with the amount of and reason for the *prostimon* lost.

Plaumann (page 5) saw the idios logos as a receiver for every *prostimon*. His interpretation was based not so much on the Ptolemaic evidence as it was derived from the *Gnomon of the Idios Logos* wherein the Roman department appears as a receiver of miscellaneous fines.

On the *prostimon* cf. WO 1, p. 289 and Claire Préaux, *L'économie royale des Lagides*, pp. 162, 406-9.

It is unlikely that receipts for payment of *prostimon* which appear on ostraka perform the same function as P. Amh. 31. It was assumed from the condition of P. Haun. 11 (it was discovered with its *scripto interior* rolled and sealed) that the detailed

receipts examined in this chapter were also deeds, that is they were the only documents which the buyer had to prove his title to the land. The receipt was given when the buyer deposited his full or first payment which was the essential condition for obtaining title. As such the receipt included not only the fact of deposit, as do all of the statements found on the ostraka, but also a description of the property sold. If, then, a *prostimon* the payment of which is acknowledged by a receipt written on an ostrakon is similar to the *prostimon* of P. Amh. 31, a fine and a sales price, it must be accompanied by a document as detailed as P. Amh. 31.

The same collection of fragments mentions the idios logos in connection with the dioikesis *ἐξ-απέσταλται εἰς τὴν διοικησίαν καὶ τὸν ἰδιον λόγον*. The business of the fragment may be the payments from sales of *adespota* whose price was to be deposited to the idios logos and of property confiscated for specific debts such as in the Zois papyri where the payment is to the *basilikon*.

which there was no record of former ownership, *might* never have been occupied either by private owners or by royal tenants.

The government sale was a true sale, not a lease, in that the purchaser on depositing the sale price obtained possession of the property on the same conditions as the former owners if there were any, or *oi ἐκ βασιλικοῦ πριαμένοι*. The sale was usually accomplished at an auction managed by the local and nome secretaries and revenue officials. Such was also the case even when the bid had been made by a written statement and in public. A sale might also be effected by the payment of a *prostimon* leveled against those who had occupied government property without purchase. The *prostimon*, which in the case of Senpoëris of *P. Amh.* 31 probably involved a sum higher than an expected auction price for the illegally occupied land, was treated as a sale price which, upon payment, apparently gave the occupier title to the property that he had usurped.

The bank to which payment was sent issued a receipt giving notice of deposit and a complete administrative history of the payment including, when possible, detailed information concerning the location, measurements, and past history of the property which had been sold. The receipt may have served as the purchaser's deed to the property. The bank, examining the source of the payment as outlined in the deposit slip composed by the officials in charge of the sale, deposited the payment to the *idios logos* whenever there was no prior claim from the account of a defaulted tax.

In *BGU 992* (162 B.C.) the *idios logos* recorded payments from the sale of government property. As such this *logos* must have been an account, as indeed may be inferred from *P. Haun.* 11, where the instruction from the local officials to list the forwarded payment *ἐν λήμματι τῷ βασιλεῖ* was taken by the bank to mean *βασιλεῖ εἰς τὸν ἴδιον λόγον*. This *logos* was distinguished from the *basilikon*, to which were deposited payments from government sales prior to *BGU 992*, and to which also was confiscated the property and deposited the *ekphoria* in *BGU 992*. None of the documents which we have reviewed implies that the *idios logos* was a division of the *basilikon*. On the contrary, the evidence is most clear on the distinction to be made between the *basilikon*, to which property was confiscated, and the *idios logos*, to which payment for this same property was to be deposited. Until 162 B.C. so far as the evidence allows us to see, all payments received from the sale of government property were recorded to the *basilikon*. Thereafter, for the duration of the Ptolemaic dynasty in Egypt such payments (with some specific exceptions) were recorded to the *idios logos*.

This "special" or "separate" *logos* required a change in bookkeeping, not in administration, on the nome and local level of the Ptolemaic bureaucracy. Explanation of the circumstances of the deposits accompanied all payments to the banks. By means of the information, banks distinguished between those special sales for which the price was still to be recorded to the *basilikon* and those which had not been made to recover payments owed for a contracted tax. There may have been in Alexandria as early as 162 B.C. an office to which records of payments to the *idios logos* were forwarded. Such an office would have been

supervised by an official called  $\delta\pi\rho\varsigma\tau\bar{\omega}\iota\delta\iota\omega\lambda\bar{\omega}\gamma\omega$ , a title which is in evidence probably as early as 89 B.C. The competence and function of such an official in charge of the idios logos lay in supervising the bookkeeping involved in the recording of sales, and perhaps in periodically auditing records to make sure that none of the lower officials concerned with the payments deposited to the idios logos was defrauding it in any way.

The idios logos was involved in the recording of a significant amount of money, as is evident from the transactions previously noted, as well as from *P. Athen.* 12. This fragmentary text, to be dated ca. 100 B.C., mentions a payment of some 12 talents, the source of which is not clear, to be deposited to the idios logos. The sales of property by the public auctions for which we have direct evidence could easily explain the source of such a payment. In addition, the possibility that the account was also recording deposits of  $\epsilon\kappa\phi\bar{\rho}\iota\alpha\tau\bar{\eta}\varsigma\tau\bar{\omega}\iota\delta\iota\omega\lambda\bar{\omega}\gamma\omega\gamma\eta\varsigma$  increases the amount of business which would require the existence of an official in charge of the idios logos, and provides a reason for this *logos* becoming, eventually, a department of the Ptolemaic financial administration.

The evidence in the first century B.C. of property confiscated to the idios logos, of a category of land termed "the land of the idios logos" and of an important official in charge of the idios logos indicates that the functions of the idios logos and its chief officer had exceeded what can be predicated of a mere bookkeeping account. Management of confiscated property — and, by extension, of all properties whose sales produced revenue for the idios logos — would require a major department. Clear and accurate records about the location and indeed the fact of such property would have to be maintained. The department would have to supervise the organization and management of auctions. It would also insure that none of the lower officials in the nomes and villages was in any way mishandling such property so as to deprive the idios logos of revenue from the sale of any property within its administrative competence.

As in the situation when the idios logos was created to record deposits from the sale of government property, the idios logos acquired as a department the functions formerly belonging to the *basilikon*. The chief of the idios logos gained some of the administrative responsibilities of the official who was ultimately in charge of the affairs concerning the *basilikon*, the *dioiketes*. Here again there is no question of newly-created government procedures leading to the establishment of a new office and new official. A decision had been made to separate from the *basilikon* and the *dioiketes* the administration of properties which were sold for a price deposited to the idios logos, and to assign this administration to the idios logos and its chief officer.

We may, therefore, discern from the documents three stages in the development of the idios logos. It was first a logos distinguished from the *basilikon* and established to record certain payments which were, prior to 162 B.C. (*BGU* 992), recorded to the *basilikon*. A second or transitional stage, perhaps contemporary with the first, was the establishment in Alexandria of an office and probably an

official to look after the interests of the *idios logos*. This phase was accompanied by an increasing number of government sales, which raised correspondingly the number of deposits to the *idios logos*.

At this time, although sales of certain confiscated properties were credited to the *idios logos*, the property itself, as well as its management, fell to the *basilikon*, which supervised all the procedures which ultimately led to the deposit to the *idios logos*. Possibly, during this stage of development, the office of the *dioiketes* maintained a secretary to supervise the account of the *idios logos* itself.

The full development of the *idios logos* into a department was reached when the *idios logos* assumed complete administration of the properties whose sale price was to be deposited to it. The functions of the *basilikon* and the *dioiketes* would have been transferred to the *idios logos* and  $\delta\pi\rho\delta\tau\omega\ i\delta\iota\omega\ \lambda\gamma\omega$  at the moment when confiscated property itself was recorded to the *idios logos*, to be supervised and managed by the official in charge of that office, instead of someone in the bureau of the *dioiketes*.

As the *idios logos* was separate from the *basilikon* as an account, so the chief of the *idios logos* must be distinguished from the *dioiketes* as an administrator. The primary difficulty in positing with certainty the complete separation of the two offices comes from *BGU* 1772, the very document which presents the evidence for the final stage as outlined here. It is there that property confiscated to the *idios logos* is first mentioned. The text states quite unambiguously that the property, originally confiscated to the *idios logos* had actually been purchased from the *basilikon*.<sup>44</sup> While it is easy to see that the purport of this formula may have been to designate the purchaser as "one who buys from the *basilikon*," i.e. as a private purchaser,<sup>45</sup> the actual procedures of transfer of land within the bureaucracy are not delineated. It is unclear whether the *idios logos*, to which the property in question was confiscated, was responsible for this sale in 61/60 B.C. and only traditional formulae designating the *basilikon* were employed,<sup>46</sup> or

44. Iatrokles in the same sentence in which he stated that he and his associates had purchased  $\tau\alpha\ \grave{\alpha}\alpha\lambda\epsilon\iota\phi\theta\acute{\epsilon}\nu[\tau\alpha]$   $\epsilon\iota\sigma\ \tau\delta\tau\ \iota\delta[\iota\sigma\ \lambda\gamma\omega\ldots]$ , indicated quite clearly that the purchase had been from the *basilikon*  $\grave{\epsilon}\omega\eta\sigma\acute{\alpha}\mu\eta\ldots$   $\grave{\epsilon}\kappa\ \tau[\iota\sigma]\ \beta\alpha\sigma\iota\lambda\kappa\sigma\ \tau\alpha\ \grave{\epsilon}\kappa\tau\theta\acute{\epsilon}\nu\tau\alpha$   $\epsilon\iota\sigma\ \pi\grave{\rho}\sigma\ \grave{\alpha}\alpha\lambda\epsilon\iota\phi\theta\acute{\epsilon}\nu[\tau\alpha]$   $\epsilon\iota\sigma\ \tau\delta\tau\ \iota\delta[\iota\sigma\ \lambda\gamma\omega]$  (*BGU* 1772.32-33).

45. In *UPZ* 220-221 the purchaser of *adespota*, the price for which would eventually be deposited to the *idios logos*, was to have possession as  $\mathfrak{o}\iota\ \grave{\epsilon}\kappa\ \tau\delta\tau\ \beta\alpha\sigma\iota\lambda\kappa\sigma\ \pi\grave{\rho}\sigma\mu\acute{\epsilon}\nu\iota$ . There is no reason to suspect that in 130 B.C. the *adespota* were not within the administrative competence of the *basilikon* and its agents. The formula would thus have been a sort of catch-all phrase for a situation where  $\mathfrak{o}\iota\ \grave{\alpha}\rho\chi\alpha\iota\ \kappa\acute{\epsilon}\nu\iota$  (*P. Eleph.* 14) was inappropriate or unnecessary. In both formulae the intention must have been that the purchaser was to have

possession as a private owner. Iatrokles' statement that he purchased the land in question from the *basilikon* would establish his position as a "buyer from the *basilikon*," that is as a private owner. The problem arising from lines 32-33 of *BGU* 1772 is whether the *idios logos* — to which the property in question was confiscated — was responsible for the sale of such property in 61/60 B.C. and Iatrokles employed a traditional formula to indicate the nature of his ownership; or whether the *idios logos* released to the *basilikon* property confiscated to it when this property was to be sold.

46. In A.D. 13 a request to purchase  $\grave{\epsilon}\kappa\ \tau\delta\tau\ \iota\delta[\iota\sigma\ \lambda\gamma\omega]$  was addressed to the head of the Roman *idios logos* (*P. Oxy.* 1188). Perhaps this formula had not developed by the time of Iatrokles' letter to Hephaestion as a phrase to designate private ownership. If it did exist, it would be

whether the idios logos released the property to the *basilikon* prior to the sale,<sup>47</sup> and the *basilikon* itself did the selling as the document states.

Whatever be the answer to the problem raised by the statement of purchase in *BGU* 1772, the fact that the idios logos had some administrative control over confiscated property by 61/60 B.C. must be taken into account, as must be its corollary consequence, that the idios logos was by this time a department of the Ptolemaic financial administration. The general difficulty of *BGU* 1772 is in part due to the fact that the same person, Hephaestion, is named both as dioiketes and as head of the idios logos. The fine points in the distinction between *basilikon* and idios logos and the precise history of the development of this distinction must wait until such time as the role of Hephaestion as dioiketes can be separated from that of Hephaestion as head of the idios logos.

The reason for the establishment of the idios logos is obvious. It was created to record payments received from the sale of government properties, payments that prior to *BGU* 992 were deposited to the *basilikon*. The decision by the Ptolemaic financial administration to keep separate records of the sales prices from government property would have logically come at a time when the numbers of such sales had increased sufficiently to make a distinction in deposits desirable. From the sales examined in this chapter this would have followed both a growth in the quantity falling to the government from private owners by one means or another, and the willingness on the part of the government to return this property through sale back to private ownership.

The documents, unfortunately, do not reveal explicitly the utility of a separate account, and leave more than enough room for speculation. The advantages of a separate *logos* may be viewed from two aspects, the practicality of the idios logos *per se*, and the utility of the idios logos in relation to the regular Ptolemaic financial administration. The first practical benefit is that such an account would provide a readily available indicator of the amount of revenue realized from sales of government property and of the number of the sales

difficult to assign Iatrokles' *ἐκ τοῦ βασιλικοῦ* to ignorance, since he knew perfectly well that the property that he claimed to have purchased from the *basilikon* had been confiscated to the idios logos. A variation on this suggestion might be that the change from the *basilikon* to the idios logos as the receiver of confiscated property had been so recent that Iatrokles used the old formula out of habit or because, as proposed above, the new formula had not yet been instituted.

47. The alternative — that the purchase was *de facto* and not in theory from the *basilikon* — is more complex. A sale from the *basilikon* of what was partially within the administrative competence of the idios logos would mean that administration by the idios logos stopped when it came time for sale and that confiscated property was turned over

to the *basilikon* and its agents even though the price to be paid for the land was still recorded to the idios logos. Although the administration of auctions is never taken by the papyri beyond the nome level, directives for auctions such as *P. Eleph.* 14 probably had their final authority in the dioiketes. Even while the idios logos recorded the prices from sales of government property, some sales were still managed to produce payments recorded to the *basilikon*, if the price was deposited for an unpaid tax as in the Zois papyri. Perhaps, then, all property to be sold by the government, whether it be property confiscated for a reason as specific as in the Zois papyri, or *adespota*, was auctioned in the same lot under the direction of the agents for the *basilikon*.

themselves. Without a separate *logos* the only convenient way for revenue from sales to be distinguished from the regular revenue deposited to the *basilikon* would be to abstract from the records of the *basilikon* all payments received for government property. Rather than have the separation take place in Alexandria, it was decided that the distinction should be made at the local bank at the moment of deposit. The government thus had readily accessible figures for the revenue provided by the sale of its property, and perhaps more importantly, a key for determining the effectiveness and the speed of the return into private hands of otherwise unprofitable properties.<sup>48</sup>

In addition to the practical advantage of an *idios logos per se*, there were perhaps some utilitarian consequences of such a *logos* to the regular Ptolemaic financial administration. With the increase of the sale of property falling to the government by the various means illustrated in the documents in the mid-second century B.C., a continuation of recording such sales to the *basilikon* along with the regular or recurrent revenues deposited would result in a rather misleading picture of the state of the regular revenues. For example the significance or even the fact of a decrease in regular cash taxes deposited to the *basilikon* might go unnoticed if offset by an increase in payments received from the sale of government property, unless such payments were deposited and recorded separately. A very unhealthy situation in the economy could not or would not have been accurately assessed. On the one hand, the seriousness of a decline in regular or recurrent taxes deposited to the *basilikon* would not be precisely noted, and, on the other hand, one of the chief reasons for the decline of such revenue – the fact that private owners from whom some of the revenue for the *basilikon* was collected, were abandoning or being deprived of their property – could not be exactly interpreted. A separated account – *ἴδιος λόγος* – however would solve

48. An administrative but not necessarily financial parallel to this aspect of the practicality of the *idios logos* may be found in *P. Teb. 700*, 124 B.C. A deposit was made in the bank at Krokodilopolis for the price of some government property *βασιλεῖ εἰς τὸν κεχωρισμένον λόγον* (lines 2 and 81). The “separated” *logos* served a very particular function: to record the sales price from property confiscated in accordance with a *prostagma* of Euergetes II, fragmentarily quoted in the deposit slip, which excluded the members of certain organizations from the ownership of certain properties. The special but impermanent function of this *logos* is substantiated by the very fact that the *prostagma* was quoted to explain the deposit. That is, the “separated” *logos* was established to record the sale of property included under the *prostagma*,

thereby providing an index for the sale of property confiscated in accordance with the *prostagma* and more significantly an immediate translation of its effectiveness into financial terms. The “separated” *logos* of 124 B.C. was not, however, a division of the *idios logos* but was connected rather with the *basilikon*, which was designated as receiver of the payment (lines 7 and 86). The *κεχωρισμένος λόγος* afforded a method for checking into a specific aspect of the financial business of the Ptolemaic bureaucracy, the sale of particular confiscated properties.

Whether or not the *κεχωρισμένος λόγος* is related to the *κεχωρισμένη πρόσοδος* is debatable. The latter does not appear to have been deposited into the former. Cf. Rostovtzeff, *Kolonat*, pp. 44-46 and *P. Teb. I*, pp. 469-470.

these difficulties. The extraction of credits not part of the regular revenue would show the true state of royal finances, and the data obtained could be used in guiding decisions affecting the disposition of the various kinds of properties which might fall to the state. The establishment of the idios logos suggests a realization on the part of the Ptolemaic financial administration that an immediate source of revenue was available from the confiscation and sale of private property. Along with this, however, there was an awakening to the fact that the sale of property abandoned by its owners had increased to such an extent that it warranted special attention. The idios logos was established when the importance of that sector of the economy which we may call private property had become quite clear. Private property could be exploited through confiscation and sale, but this involved risks, for the government that it might be abandoned and become *adespotos*, for the buyer that it might be confiscated.

The idios logos also focused attention on those in the population who were sufficiently wealthy and willing to invest in the cultivation of property abandoned by others or confiscated by the government. Sale of otherwise unprofitable government property no doubt attracted the capital of those to whom land was not otherwise available through assignment or gift. But the property available to such buyers was, at least in part, the property of former owners such as themselves, from whom it had been confiscated or by whom it had been abandoned, and the growth of the idios logos illustrates the frequency of such misfortune. It was not a business for the faint of heart or for those without influence.

It is not very difficult to see how a separate department in the Ptolemaic bureaucracy evolved. From an account merely recording deposits would come a separate listing of all properties whose sale prices were eventually to be deposited to the idios logos. This in turn would lead to a separate administration of these properties. The business of a department in charge of the confiscated and ownerless properties involving, for the most part, the keeping of records and the management of sales, would not call for the employment of any special officials outside of Alexandria. The papyri reveal none. The head of the department, *ò πρòς τò idíω λóγω*, relied on familiar nome and local secretaries to collect the records concerning property within the competence of his department's administration and to dispose of the property through sale. The head of the idios logos had his undersecretary, but beyond this nothing of the organization in Alexandria is to be found in the documents. The department of idios logos was as independent from the administration of the dioiketes as the property managed by the department of idios logos was distinct from the land within the competence of the dioiketes. In this respect the head of the idios logos was not a subordinate of the dioiketes and his administration. As the amount of abandoned and confiscated property increased or as more royal land was offered for sale, the importance of the head of the idios logos grew, until by 61 B.C. he was second only to

the dioiketes in the bureaucratic hierarchy.<sup>49</sup>

In the final analysis the Ptolemaic idios logos was a bureaucratic necessity. There may be an inclination to see the department as the agent which implemented a more liberal attitude on the part of the government in regard to private property. If indeed more and more arable crown land, and not just confiscated or abandoned private property, was being sold, the motivation was provided not by enlightened economics but by cold practicality. Sale of government property was a source of immediate cash revenue and of immediate cultivation for otherwise unprofitable property.

A date for the establishment of the idios logos cannot be exactly determined. Presumably it came at a time when the turnover of private property during the chaos of the mid-second century B.C. necessitated a separate account for recording payments from confiscated and abandoned property. It must have come at a time when a host of Myrons were being deprived of their possessions and a host of Peteopoëries were deserting theirs. Perhaps a directive arrived at the bank at Hermontis shortly before Choiak 5 in 162 B.C. instructing that all payments from the sale of government property be deposited to an idios logos. On Choiak 5 Proitos' payment was received and so recorded.

The idios logos became a separate department between Choiak 5, 162 B.C. and the date when the *kleros* of BGU 1772 was confiscated to the idios logos. We may assume that it was such when the head of the idios logos was an official as prominent as Kastor perhaps in 89 B.C.

The idios logos came into existence to record the sales prices of government property, became a department to manage such property whose sales prices were deposited to it and remained as an important part of the Ptolemaic bureaucracy until the death of Cleopatra VII in 30 B.C. In subsequent years the idios logos was to continue to play a significant role in the financial administration of Egypt.

49. The notion of the idios logos as the King's "privy purse" has not been entertained. Zenon may have had his personal *logos* (PCZ 59253). Such a personal *logos* is probably also the case in *P. Bon.* 11 verso Col. 2 and *P. Grenf.* 1.16. We might add to these *P. Teb.* 874 (as a personal account not as a "privy purse," cf. Appendix II). Ideally if we wanted to see the idios logos as the King's "privy purse" we would use as an analogy the *κεχωρισμένη πρόσοδος*, that is as the *κεχωρισμένη πρόσοδος* was to the King's children (cf. *P. Teb.* I, p. 470) the idios logos was to the King — a source of revenue for the personal use of the King. We could also appeal to the theoretical idios logos which Rostovtzeff posited for the *idia* of the King

in *Ps. Oecon.* II (Rostovtzeff, *SEHHW*, p. 444). However, the revenue for this hypothetical idios logos mentioned in *Ps. Oecon.* is certainly not deposited to the Ptolemaic idios logos of this chapter. Secondly, the one instance where Rostovtzeff saw a possibility for royal *idia* in Ptolemaic Egypt, *Etudes Andreades*, 1939, pp. 4 ff., he discounted (*SEHHW*, p. 1499). Rostovtzeff offered a social-economic occasion for the establishment of the idios logos, *SEHHW*, p. 708, but saw it as a complete department within the Ptolemaic administration responsible for full control of the various properties falling to the government from private hands from its origin.

## Chapter Two

### The Julio-Claudian Idios Logos

#### 1. SATABOUS SON OF HERIEUS, NESTNEPHIS SON OF TESES AND C. SEPIPIUS RUFUS

With the exception of Strabo's brief description, 17.1.12, there is a lacuna in direct references to the idios logos for most of the principate of Augustus.<sup>1</sup> That the office continued in operation from the beginning of Roman hegemony in Egypt is well attested by a bureaucratic drama acted out in a series of papyri, complex in their interrelation and interpretation and filled with social, economic, administrative, legal and religious information about Roman Egypt. The documents, known collectively as the "Nestnephisprozess,"<sup>2</sup> vividly describe the woes that befell a certain Satabous son of Herieus<sup>3</sup> over a period of five years. What follows here is an attempt to unravel the bureaucratic intricacies of Satabous' affairs, and then to observe what information such matters reveal about the office of idios logos in Julio-Claudian Egypt.

The script for the "Play of Satabous" is pieced together from 16 different documents, some of them in the hands of the leading characters, some copies; some copies of copies. They are:

- 1a. *P. Lond.* 262 (II, p. 176) (*MChr.* 181), a deed in Greek, November 20, A.D. 11;
- 1b. *Sphinx* 14, pp. 1 ff. from the same papyrus, the deed in Demotic;
2. *SB* 5231, a copy of 1a and a translation of 1b;
3. *SB* 5275, a copy of 2;
4. *SB* 5235, a letter from Satabous to Magius Maximus, after May 26, A.D. 12;
5. *SB* 5238, a letter from Satabous to Lucretius the centurion, after May 26, A.D. 12;
6. *SB* 5236, a fragmentary copy of a statement from Nestnephis,

1. The date that will be suggested for Strabo's observation (Section 6 of this Chapter) will indicate that the office was functioning from the beginning of Roman rule in Egypt.

2. Cf. Plaumann, pp. 44 ff.; Meyer, *Festschrift Hirschfeld*, pp. 50 ff.; Wilcken, *Archiv* 4, 1903, p.

408. *SB* 5238 and 5236 have nothing to do with the final outcome of the Satabous affair but have been included for dramatic effect.

3. Herieus (or Herigeus) in most of the documents except the original transcription from the Demotic, *P. Lond.* 262 (II, p. 176) (= *MChr.* 181).

A.D. 14/15;

7. *SB* 5237, a fragmentary continuation of Nestnephis' statement or of another copy of it;

8. *MChr.* 68, a letter from Satabous to C. Seppius Rufus, before June 30, A.D. 15;

9. *SB* 5954, a copy of a letter from C. Seppius Rufus to Lucretius the centurion, the original dated June 30, A.D. 15;

10. *P. Lond.* 276a (II, p. 148); *SB* 10308, copies of the above.

11. *SB* 5239, a copy taken from a copy of a letter from C. Seppius Rufus to Asklepiades the basilikogrammateus, the original dated as above;

12. *SB* 5232, a letter from Satabous to C. Seppius Rufus, between June 30 and August 28, A.D. 15;

13. *SB* 5234, another statement from Nestnephis, A.D. 16;

14. *P. Lond.* 355 (II, p. 278) (Plaumann, p. 50, and *BL* I, p. 259), a *synkrima* of C. Seppius Rufus, A.D. 16;

15a. *SB* 5240 Col. 1, a copy taken from a copy of the above;

15b. *SB* 5240 Col. 2, a copy from a *symbolos*, October 23, A.D.

17.

To the casual observer, the perils of Satabous began legally enough on the 24th of Hathur in the 41st year of Augustus, November 20, A.D. 11. On that day Chairemon, a *prophetes*, and his wife sold to Satabous the son of Herieus a house, a *pronession* on the north, an atrium, some vacant lots and all of the appurtenances thereto, all of which were located in Soknopaiou Nesos in the Herakleides division of the Arsinoite Nome. All this is attested in a deed that was first written in Demotic; this version of the sale was followed by a date, a summary and a translation in Greek, followed in turn by a summary in Demotic. There are three extant documents which fully record the business of 24 Hathur (documents 1-3 above).

In the Demotic version of the deed, Chairemon fully guaranteed that he would come to the aid of Satabous if there arose any challenge to Satabous' title to the property. The sale was registered in the village of Psinachis in the Themistes division.

Any relevant activities of Satabous in the next six months are not documented. On the night before Pauni 1, May 25/26, A.D. 12 (*SB* 5238.10) Nestnephis son of Teses came with some friends, assaulted Satabous and stole a mortar from his mill. Satabous, in four different letters two of which survive, wrote of this attack to Dionysiodoros the strategos (*SB* 5235.11), to the prefect Magius Maximus (*SB* 5235), to Diophantes an assistant to Dionysiodoros (*SB* 5238.13), and to the centurion Lucretius (*SB* 5238).

The feud between the two men, which probably had had its origins in the past, simmered for a few years, during which there may have been some sort of

investigation into the charges brought against Nestnephis by Satabous. Meanwhile, Satabous began to improve the vacant lots that he had purchased (*MChr.* 68.11-12 and *SB* 5232.17-20). Nestnephis' next thrust came during the 43rd year of Augustus and the 1st year of Tiberius (A.D. 14/15). It was in the form of a statement, an *anaphorion*, sent by him to the basilikogrammateus Asklepiades in which he accused Satabous of having added in the 43rd year of Augustus some *ψιλοὶ τόποι ἀδέσποτοι* worth 300 drachmas to a house which he had purchased in the 41st year of Augustus. These Nestnephis offered to buy from the idios logos (*MChr.* 68.2-7).

The statement of Nestnephis can be pieced together from *SB* 5236 and 5237, which may be either fragmentary copies of the *anaphorion* or the fragmentary results of a preliminary investigation by the office of Asklepiades in which the *anaphorion* was cited.<sup>4</sup>

However the *anaphorion* was processed at first, the idios logos in Alexandria was eventually informed of the matter. The charge against Satabous was placed on the agenda of the prefect's *dialogismos* of the 1st year of Tiberius by C. Seppius Rufus, who was in charge of the idios logos. Accuser and accused were both summoned to Alexandria to appear before C. Seppius Rufus' *bema*.<sup>5</sup>

Satabous, on receiving the summons, wrote a *hypomnema* to Seppius Rufus which has survived as *MChr.* 68. He began by stating that Nestnephis had falsely charged him with occupying ownerless vacant lots and had offered to buy them from the idios logos, all of which was highly irregular since he, Satabous, had properly purchased the lots in year 41, and had the documents to prove it (lines 1-11).

Satabous wanted to state his case even more emphatically. He apparently realized that the charge of occupying *adespota* was not to be countered merely by producing evidence of his purchase of the suspect property. The legal title of the alleged former owner would have to be substantiated. This Satabous attempted to accomplish in his letter to Seppius Rufus by mentioning Chairemon's hereditary ownership of the vacant lots which had been sold to Satabous. Before sending his

4. *SB* 5236 is not a copy of Nestnephis' *anaphorion* but a record of what he revealed *διὰ ἀναφορίου*. Plaumann, p. 46, suggested that Satabous had the opportunity to pay an immediate penalty, in accordance with paragraph 3 of the *Gnomon of the Idios Logos*, of 1/4 the value of his property and that in so doing the case would have been concluded. However, since Nestnephis had offered in his *anaphorion* to purchase the property from the idios logos, such an opportunity would have been improbable even if *Gnomon* paragraph 3 had anything to do with the case.

5. At this point Plaumann, p. 46, assumed that Satabous appeared at the *conventus* at Memphis and that he again could have terminated the invest-

igation by paying an *epitimon*. Plaumann based his conclusion upon the verdict of an unnamed official in *SB* 5233: *ἀπαιτείσω ἐπίτιμον* (δραχμὰς) σ. *συνιστῶντα τοὺς εἰσδόντας ή ἐκτίνοντα*. The *epitimon* of *SB* 5233, however, was levied for one of two offences: (1) illegal occupation of ownerless vacant lots or (2) stealing a millstone. There is no way of determining whether the fine was for the latter. There is no proof that the idios logos concluded an investigation before finding some one who could be forced to pay the full price for the occupied land which should have been purchased from the idios logos. Plaumann also identifies or associates this *epitimon* with the Ptolemaic *prostimon*, p. 37.

letter, however, he apparently began to have some doubts about the existence of evidence to prove this important point, or else he was unwilling to perjure himself by referring to documents which he, after some preliminary investigation on his own, knew did not exist. For such other reasons, he crossed out all references to the nature of Chairemon's possession of the vacant lots (lines 10-11). With the documentary evidence for his case slowly sliding into uncertainty, Satabous summed up his personal frustration: he had made improvements on the vacant lots; the bureaucratic machinery had been turned against him; he had been summoned to Alexandria to face his accuser. His last request was: ὑπομνηματισ[θῆν]αι ὁ [ὄνο]μα, i.e. "that my name be recorded in the minutes of the *dialogismos*" until ἀμφιῶμαι τὰς οἰκ[ονομί]ας.

Satabous never arrived for the hearing at the *dialogismos*. Nestnephis did. He testified that a search in the *bybliotheka* revealed that the sale of year 41 had not been registered (SB 5232.30-33). The only evidence that Seppius Rufus had at the time of the *dialogismos* was the statement of Nestnephis and the *hypomnema* of Satabous. Rather than immediately condemn the absent Satabous who, after all, did claim to have documents to disprove the charge brought against him, and who was involved in a personal feud with Nestnephis, Seppius Rufus decided to institute an investigation on the local level and to give Satabous time to establish his proof.

Accordingly, after his decision of Epeiph 6, June 30, A.D. 15 (*P. Lond.* 276a [II, p. 148]), he notified Lucretius the centurion (SB 5954), Asklepiades the *basilikogrammateus* (SB 5239) and presumably the *strategos* who, in the surviving copies of the information sent to the two officials, is mentioned as party to the investigation. The results of the local investigation were to be used as evidence at the next *dialogismos*. The officials were to send for Satabous and have him produce his documents εἰ τῶς ἔχει.

Apparently the *presbyteroi* τῶν ιερέων, who were presently to provide the testimony that would convict Satabous, had either been consulted by or had contacted Rufus before the decision of Epeiph 6, for in one of the copies from the later hearing at which Satabous was found guilty, Rufus is quoted as saying in reference to that decision, τὸ δὲ αὐτὸν καὶ τῶν π[ρε]σβυτέρων ὑπεχομένων ὑπερεθέμην ε[ἰς] διάκρισιν [Λουκρητίον] (SB 5240.8).

Satabous, who probably fully realized by this time that there were no documents to prove Chairemon's title to the property, attempted to take advantage of the irregularity discovered by Nestnephis, the non-registration of the sale of year 41, and the nature of the charge against him as it appeared in the eyes of Seppius Rufus on Epeiph 6. Rufus had made it quite clear in his letters to the centurion and the *basilikogrammateus* that the case against Satabous as far as he was concerned was περὶ τοῦ προσειλῆθαι τῇ ἑαυτοῦ οἰκίᾳ ψιλοὺς τόπους ἀδεσπότους (SB 5954.4-6; SB 5239.5-6). Satabous would have to prove both that he had not added τόποι ἀδεσπότοι to his property, and also that the lots had never been ἀδεσπότοι. His only hope for victory was to have Rufus investigate not

whether the lots were *adespotoi*, but whether or not they had been purchased in year 41 rather than merely having been added to his property in year 43 without benefit of purchase. For the former question he could find no documents; for the latter, even though the sale had not been registered, he could offer as evidence his own record of the sale. He must have had at least one copy of the deed. We have three.

With righteous indignation he composed *SB* 5232 and sent it to Rufus, probably as soon as he learned of the decision of Epeiph 6, but certainly before the end of the 1st year of Tiberius (*SB* 5232.17). He summed up the case as far as it had developed at the time he was writing. He claimed that the empty lots which were the subject of the dispute were part of the property that had been sold to him by Chairemon on Hathur 24, year 41. He declared that the sale had been registered in Psinachis, adding that Socrates and Sambas were the recorders and Petesouchos and Sochotes were witnesses (lines 1-15).

He then reviewed his woes. Up to the first year of Tiberius he had made extensive repairs on the property. But in the same year Nestnephis had improperly sent a statement to Seppius Rufus<sup>6</sup> denouncing Satabous for appropriating some vacant lots near his property which were ownerless and worth 300 silver drachmas. (Satabous here omitted Nestnephis' offer to buy the lots from the *idios logos*, an offer which he had mentioned in the former letter.) Unable to go to Alexandria Satabous had sent a statement (he probably means *MChr.* 68) to Rufus. Then Nestnephis went to Alexandria and declared that the sale had not been registered. Satabous concluded his letter with a denunciation of the registrars named above and a plea for retribution (lines 15-40).

Why the sale was not registered is not suggested. If we did not possess three copies of the sale, we might suspect the fact of sale as much as Chairemon's title to the vacant lots. Perhaps the registrars were guilty of neglect in not registering the sale,<sup>7</sup> perhaps Nestnephis had tampered with the records. Whatever the reason, the question proved to be as irrelevant to the case as Nestnephis' criminal assault in A.D. 12, which Satabous never mentioned in his correspondence with Rufus even though it might have been of some emotional value.

To make sure that the investigation was directed at the legal status of the property before the sale of year 41 rather than at the fact of sale, Nestnephis continued to search the records. Upon realizing that there was no proof of Chairemon's ownership of the property, he revised and expanded his original accusation. *SB* 5234 is a fragmentary copy of what may have been a direct quotation of the new charge, although it mentions neither party by name in the surviving portions of the document. Nevertheless, enough details are preserved to

6. *SB* 5232.24. In *MChr.* 68.3 he wrote that Asklepiades the *basilikogrammateus* was the recipient.

7. Plaumann understood that the *idios logos*

had competence over such bureaucratic slips, pp. 26 and 47. This might have been true for the second century but was not demonstrably the situation in the first.

make the identification with the Satabous affair quite certain. Nestnephis stated in his revised charge that Satabous had purchased an *adespotos* house from the *prophetes* in year 41, and then had in year 43 added to his property vacant lots which were likewise *adespotoi*. Nestnephis admitted that there was a sale, but distinguished between the house which Satabous purchased and the vacant lots which Satabous later occupied. In both cases, he asserted, the property was ownerless.

By the time of the next *dialogismos*, that of the second year of Tiberius, and perhaps in Memphis,<sup>8</sup> Satabous was assumed to have purchased the property, at least in the surviving copies of the minutes of the hearing before Seppius Rufus (*P. Lond.* 355 [II, p. 178] and *SB* 5240, Col. 2). The only documents of relevance for the *synkrima* of Rufus were any pertaining to Chairemon's possession of the property. There were none. It is significant that Rufus did not mention any testimony from Satabous when he summed up the case before issuing his final *synkrima*. There was nothing Satabous could say.

Seppius Rufus considered three sets of testimony. First of all the *presbyteroi* *τῶν ἱερέων* stated in writing that the *oikonomias ἀρχαῖς* were never presented to them, and that it appeared to them that Chairemon did not own the vacant lots (*SB* 5240.4-6). Secondly, Chairemon, honoring the guarantee in the deed, swore that a tower, *pronesion*, vacant lots and all the appurtenances that he had sold to Satabous belonged to him as they had belonged to his ancestors before him (*SB* 5240.9-12; *P. Lond.* 355.2-5 [II, p. 278]). Thirdly, Nestnephis swore, to the contrary, that all of the property mentioned by Chairemon belonged (not to Chairemon but) formerly to a certain Laar . . . and *ὑποπίπτεω τῷ ιδίῳ λόγῳ* (*SB* 5240.12-14; *P. Lond.* 355.5-8 [II, p. 278]).

Since Nestnephis' revised charge involving the house was not substantiated by the written testimony of the *presbyteroi*, who had been interviewed at the time when the investigation concerned only the vacant lots, Rufus decided to put that matter off for further investigation. *διὸ ἐν ἐπικρίσει τετάχθαι* (*SB* 5240.14). The *presbyteroi*, however, had agreed that the vacant lots were *adespotoi*. Therefore, Seppius Rufus decided [*ἀπαιτεῖσθω*] *ὑπὲρ ἐπιβε[βα]ώσεως ψιλῶν τόπων Σαταβοῦς* [*'Εριγ]έως (*δραχμὰς*) φ (*SB* 5240.17-18; *P. Lond.* 355.13 [II, p. 278]).*

Satabous' difficulties were rather similar to those of Senpoëris in *P. Amh.* 31. He had failed to purchase the ownerless empty lots from the government before he had occupied them. The fact that he did not realize that the vacant lots were *adespotoi* was, of course, irrelevant. He should have made an offer for them in the form of an *anaphorion* or *hypommema* very much in the manner that Nestnephis bid for them in the year 43.<sup>9</sup>

8. Cf. Wilcken, "Der Aegyptische Konvent," *Archiv* 4, 1903, pp. 366-422; and Oscar Reinmuth, *The Prefect of Egypt from Augustus to Diocletian*, *Klio Beiheft* 34, 1935, p. 101.

9. Numberless persons must have submitted

bids ever since the time of the Theban *Bankakten*. Had the Ptolemaic regime continued, he would have been persuaded, if discovered, to pay the proper *prostimon* for the occupied property. Senpoëris' *prostimon* was imposed for two cubits

The payment  $\dot{\nu}\pi\dot{\epsilon}\rho\ \dot{\epsilon}\pi\dot{\nu}\beta\dot{\epsilon}\alpha\dot{\iota}\omega\dot{\sigma}\omega\dot{\epsilon}\omega\dot{\varsigma}$  is, in its full significance, unclear.<sup>10</sup> If there is an analogy of the Satabous affair with the payments of *P. Amh. 31*, then we might expect that the 500 drachmas to be paid by Satabous were both a fine and a sales price as was the *prostimon* in the Ptolemaic document. That sum represents the estimated value of the vacant lots as suggested by Nestnephis, increased by 2/3. Thus 300 drachmas would be for the property and the 200 additional drachmas would be a sort of fine against the individual who was found to have occupied it illegally. On paying the 500 drachmas, Satabous would have paid for the vacant lots 2 and 2/3 times the estimated price, since he had already paid once in A.D. 11. Otherwise, the 500 drachmas would have been a pure fine, the payment of which entitled Satabous to no part of the vacant lots. If this was the case, and if Satabous was still anxious to acquire the property which he had improved, he would have had to pay at least another 300 drachmas to purchase the property properly from the *idios logos*. Hence, if the 500 drachmas represented a pure fine, Satabous would have had to pay 3 and 2/3 the estimated price, in total.

The case of the ownerless vacant lots came to an end during the third year of Tiberius, when Satabous  $\delta\iota\alpha\gamma\acute{\epsilon}\gamma\pi\alpha\phi\epsilon\ i\delta\iota\omega\ \lambda\acute{\iota}\gamma\omega\ \gamma\ \delta\pi\alpha\chi(\mu\dot{\alpha}\dot{\varsigma})\ \pi\epsilon\eta\tau\alpha\kappa\omega\dot{\iota}\alpha\dot{\varsigma}$   $\gamma\dot{\iota}\nu\omega\eta\tau\alpha\iota\ \phi$  (*SB 5240 Col. 2*). It is at this point that, in the Ptolemaic structure, a payment  $\epsilon\iota\dot{\varsigma}\ \tau\omega\ \iota\delta\iota\omega\ \lambda\acute{\iota}\gamma\omega$  would have occurred. However, such was not the case according to the language of the Roman document. The genitive apparently depends on the  $\delta\iota\alpha$  of  $\delta\iota\alpha\gamma\acute{\epsilon}\gamma\pi\alpha\phi\epsilon$ , and the text should be translated "Satabous paid through the *idios logos*, in the year 3, 500 drachmas."<sup>11</sup>

Satabous' troubles were by no means concluded with the *synkrima* in A.D. 16. If there were no documents to prove that Chairemon was the owner of the house which Satabous had purchased in A.D. 11 and which Rufus had now placed  $\dot{\epsilon}\nu\ \dot{\epsilon}\pi\pi\kappa\pi\sigma\epsilon\iota$ , Satabous would again be found guilty of occupying *adespota* without benefit of purchase from the *idios logos*. Another *synkrima* would be issued, this time in terms of a payment  $\dot{\nu}\pi\dot{\epsilon}\rho\ \dot{\epsilon}\pi\dot{\nu}\beta\dot{\epsilon}\alpha\dot{\iota}\omega\dot{\sigma}\omega\dot{\epsilon}\omega\dot{\varsigma}\ \omega\dot{\iota}\kappa\dot{\iota}\alpha\dot{\varsigma}$ . If, as suggested above, such a payment was both a fine and sale price like the Ptolemaic *prostimon* exacted in such cases, the amount would be the value of the house as estimated by Nestnephis, increased by 2/3 as a fine, that is, 2,500 drachmas.

That Satabous had bought the vacant lots from Chairemon was of no relevance to Rufus when he passed judgment. His occupation of the lots, which he had twice admitted to Rufus in the letters he had sent him mentioning his improvement of the property, was all that mattered. The investigation initiated by Rufus probably considered three questions: 1. were the lots *adespotoi* falling to

of waste land which she had enclosed. The 500 drachmas which Satabous had to pay  $\dot{\nu}\pi\dot{\epsilon}\rho\ \dot{\epsilon}\pi\dot{\nu}\beta\dot{\epsilon}\alpha\dot{\iota}\omega\dot{\sigma}\omega\dot{\epsilon}\omega\dot{\varsigma}$  represent the closest Roman equivalent to the *prostimon* of *P. Amh. 31*, being distinguished only by the fact that the Ptolemaic payment was for waste land and the

Roman payment for *adespota*.

10. Cf. Plaumann, p. 22.

11. The same payment,  $\delta\iota\alpha\gamma\acute{\epsilon}\gamma\pi\alpha\phi\epsilon\ \dots\ i\delta\iota\omega\ \lambda\acute{\iota}\gamma\omega$ , reappears in the second century in *Stud. Pal.* 22.116 (cf. p. 91).

the idios logos; 2. if so, were they purchased from the idios logos; 3. if so, were they purchased by Satabous or Chairemon? The answer to the first question was affirmative, to the second, negative. Therefore, Satabous, since he had freely admitted that he was occupying the lots, was guilty. It is curious that none of the documents clearly states the exact nature of his delict. He was not convicted on the charge that Nestnephis had originally brought against him, adding ownerless vacant lots to his property, for in his decision Rufus referred to the lots as the lots which Satabous had purchased.

His delict was one of negligence. He had failed to verify Chairemon's title to the property. He would have been better off if he had in fact illegally occupied the property. When Nestnephis sent his information to the authorities, he could then simply have abandoned the property. However, under the misapprehension that he owned the lots, he vehemently asserted that he had occupied them since A.D. 11. Thus his moral innocence was the primary evidence of his guilt, and because he had paid for the lots in A.D. 11, he had to pay for them again in A.D. 16.

There is no indication that Chairemon was to be called to account, even though he had testified on Satabous' behalf. If Satabous was guilty of illegally occupying property falling to the idios logos, Chairemon was guilty of illegally selling the same property. Whether or not such matters were within the competence of the idios logos in A.D. 16 is not readily discernible from present evidence.<sup>12</sup> All Rufus wanted was someone who would pay for the *adespota*. The matter of the vacant lots, as far as the idios logos was concerned, was closed in A.D. 16, although Satabous could bring a suit against the *prophetae*. That, however, was his problem.

It is immediately obvious that the Augustan idios logos was involved in the administration of the *adespota*, which had been important to the idios logos since the time of *P. Haun.* 11. The Ptolemaic account, which had become a separate department of the financial administration of Egypt, continued as a department under the Roman administration. It was within the competence of this department that the case of Satabous fell. The papyri we have just examined define the department's administrative functions from the time at which the *adespota* fell to the department, *ὑποπίπτεω τῷ ιδίῳ λόγῳ* to the time when they were to be sold *ἐκ τοῦ ιδίου λόγου*. The Satabous affair developed within this framework.

The papyri reveal no more about the internal composition of the department than did the Ptolemaic evidence. They do, on the other hand, document the important role that the head of the department played as final arbiter in matters that were investigated primarily by local officials. The only Ptolemaic evidence for the personal intervention of the head of the department in administrative

12. It appears, however, from the fact that Satabous was *de facto* found guilty that the idios logos would not or could not prosecute Chairemon and that the continued investigation was directed

at the rest of the property that Satabous had purchased from the *prophetae*, the house etc., and not at Chairemon's sale of property which did not belong to him.

matters is *BGU* 1772 where, however, it is impossible to distinguish Hephaistion's role as dioiketes from his role as head of the idios logos.

The department's involvement in the Roman texts began when Nestnephis sent information against Satabous to Asklepiades the basilikogrammateus. Satabous saw this in *SB* 5232 as equivalent to informing directly the head of the idios logos. There was really little distinction, for even if the business had never proceeded beyond the basilikogrammateus and the local officials, the local officials would still have been working under the aegis of the department in Alexandria. Once the head of the department in Alexandria became directly concerned, his functions were confined by his administrative competence to investigating the matter, locating the culprit, and assessing a proper penalty. Although the department appeared to have the magisterial means, the *dialogismos* or *conventus*, for discovering and finding the real criminal, it could not exercise anything but administrative jurisdiction. Chairemon had sworn that he had sold to Satabous the property which, as it turned out, belonged to the government. In reality Chairemon was guilty. A judgment against Chairemon by the head of the department was in A.D. 16 apparently not the concern of the idios logos.

## 2. ἀδέσποτα and γῆ ἐν ὑπολόγῳ

The Satabous papyri illustrate the role of the idios logos as investigator and judge in cases involving property within its jurisdiction. Several Augustan documents from Oxyrhynchos bring to light a few more functions of the department and its head. The earliest of these is *P. Oxy.* 1188. On Mecheir 9 of year 42 of Augustus, February 3, A.D. 13, Didymos son of Herakleides sent to Q. Attius Fronto ὡ πρὸς τῷ ἰδίῳ λόγῳ an *hypomnema* in which he expressed his desire ὡνή(σασθαι) ἐν τῷ Ὁξ(υρυχίτῃ) νομῷ ἐκ τοῦ ἰδίου λόγ(ον) ξύλα ἐξηραμμέ(να) ἀδέσπ(οτα) ὀφεῖλοντ(α) εἰς ἰδίου λόγ(ον) ἀναλη(φθηναι) κατὰ τὸν γνώμο(να) (lines 19-20). He included a detailed list of the estimated value and location of each piece of wood (20-25):

1. in the *kome* of Kerkeura, in the middle toparchy, in the Thoërian of Osorhans – 1 branch of a small persea tree, dried, worth 6 drachmas;
2. at the temple of Harpebekis, on the tomb of the sacred animals – 2 branches from a living persea tree, dried, worth 2 drachmas;
3. in the *kome* of Peënno, in the same toparchy, at the temple of Ammon – 1 branch of a living persea tree, dried, worth 2 drachmas;
4. in the same *kome*, in the *kleros* of Melanthios, at the cutting made in the great dikes – 2 acacia trees fallen, worth 8 drachmas; total – 18 drachmas.<sup>13</sup>

He concluded with a request that Fronto ἐπιστ(εῖ)λαι τοῖς γραμμα(τεῦσι)

13. The logs, at least the persea, may have been used for sculpture; cf. Theophrastos *H.P.* 4.2.5; and Pliny, *N. H.* 13.60 ff. Plutarch, *Moralia* 378c, noted that the persea was sacred to Isis, perhaps com-

plicating any explanation of how a branch of the persea falling on temple ground could be considered ownerless.

ὅπως διαγράψαντ[ό]ς μου τὰς προκει(μένας) τῆς τειμῆς ἀργ(υρίου) (δραχμὰς) η λάβωι τὴν καθή(κουσαν) διαγρα(φήν) (25-26).

Evidently Attius Fronto was near by, for in a brief note appended to Didymos' *hypomnema* he advised the secretaries to write to the basiliko-grammateus requesting an inspection, *γραφήτωι τῷ βασιλικῷ γραμμα(τεῖ) εἰς ἐπίσκεψι(ψι)* (line 27).<sup>14</sup> This was done on the 9th of Mecheir, the day on which Didymos submitted his offer. One of the secretaries acknowledged receipt of the *hypomnema* on the 9th (line 28) and immediately wrote to the basiliko-grammateus, including in his letter a copy of the expanding dossier. The *episkepsis* requested by Fronto was spelled out in greater detail by the basiliko-grammateus: *ἐπελθὼν οὖν ἐπὶ τὰ δι' αὐτοῦ δηλού(μενα) ξύλα, ἀνὴρ ξηρὰ καὶ ἀδέσποτα καὶ ὄφει(λοντα) εἰς ιδιο(ν) λόγον ἀναλη(φθηναι) κατὰ τὸν γνώμον(α), ἐπιγνοὺς τὴν διάθε(σω) καὶ ἐπιθεὶς τὴν ἐπ' ἀλη(θείας) ἀξίαν προσφώνη(σον)* (15-16).

Dioskourides, basilikogrammateus of the Oxyrhynchite Nome, lost no time in following the instructions which he received on the 9th of Mecheir. On the same day he passed the dossier on to the topogrammateus Sarapion, and through him to the pertinent komogrammateis (7-13). The only significant delay in the handling of Didymos' *hypomnema* occurred in the office of Sarapion. Sarapion either did not immediately receive the dossier from Dioskourides, or waited until the 24th before informing the komogrammateis of Kerkeura and Peënno of the matter. On the 24th he wrote to Peturis, komogrammateus of Kerkeura, and instructed him to investigate the logs that were in his *kome*. Sarapion of course included a copy of all the accumulated correspondence which he had received. The document sent to Kerkeura has survived as *P. Oxy. 1188*. A similar letter was no doubt sent to the komogrammateus of Peënno.

This document, *P. Oxy. 1188*, does not expand the administration of the *idios logos*, as it pertained to the *adespota*, from what was observed in the Satabous affair. *Adespota* were within the department's administration from the moment they were appropriated, and remained such until they were sold from the *idios logos*. We are presented with a more detailed picture, however, of the department's role as administrator, or more specifically as sales agent, for *adespota*. *Adespota* were to be purchased from the *idios logos*, bids being submittable directly to the head of the department as Satabous intimated in *SB 5232*. It is also obvious that Q. Attius Fronto, the head of the department, was at hand in the Oxyrhynchite and personally received the bid offered by Didymos. The head of the *idios logos* not only directed the investigation of charges brought against individuals for occupying property falling within the department's administration, he also was directly involved in the sale of this same property. The *hypomnema* was received by Fronto and left the office of the basilikogrammateus on the same

14. He may have been on an administrative tour of Egypt in conjunction with the prefect; cf. note 19.

day. There is no reason to read any special expedition into the rapid processing of the document. It was probably due to the combination of the proximity of Fronto and his staff, and the efficiency inspired by a high official from Alexandria. It is interesting that, although the basilikogrammateus stated in his letter that the matter concerned the idios logos, there was a 15-day delay between the date of Dioskourides' letter and the letter sent out by the topogrammateus. The presence of Fronto was of more stimulus to speed than his office.

The papyrus further bespeaks an established routine familiar to the bidder and to the officials who were responsible for processing his bid. Didymos, and probably any interested party, knew that *adespota* were to be purchased from the idios logos. He knew also that bids for *adespota* could be given directly to the head of the department. He had, no doubt, also learned of the presence of Fronto. The details which were mentioned in his bid, the exact number, worth and location of the lumber and the reference to a *gnomon* which apparently regulated certain aspects of the administration of the *adespota*, all hint at a familiarity on the part of Didymos with the business of buying *adespota*, a familiarity gained either from personal experience or from information published by the various officials involved, perhaps when or if the *adespota* in question were advertised for sale.<sup>15</sup>

That the local and nome officials were equally familiar with sales of *adespota* is likewise evident. Fronto, to whom the offer was addressed, sent it on by way of the secretaries to the basilikogrammateus, with a brief note *eis ἐπίσκεψιν*. Dioskourides knew immediately what this meant and accordingly instructed the topogrammateus to make a detailed investigation of the matter. Because the bid was routine, it entered and left the office of the basilikogrammateus on the same day that it had been handed to Fronto. As a routine matter it was delayed for 15 days before the topogrammateus informed the komogrammateis who were to gather all the information. The *episkepsis* requested by Fronto was expanded by the basilikogrammateus to a directive that the komogrammateis: (1) go to each location; (2) see whether the wood was dry; (3) determine whether each piece was ownerless; (4) determine whether the wood was liable to appropriation to the idios logos according to the *gnomon*; (5) establish the true value of the wood (15-16). Once this had been accomplished, if all were as Didymos had stated, the information would return by the same channels to the secretaries who, when Didymos had paid the price, would give him the proper *διαγραφή* (25-26).

The procedure is what we expect. The mention of the *gnomon* is interesting, calling immediately to mind the second century *Gnomon of the Idios Logos*. From the context in which it occurs in *P. Oxy.* 1188 in A.D. 13 it was consulted to determine whether articles were *ἀδέσποτα ὀφειλούτα εἰς ἴδιον λόγον*

15. The procedure may be the continuation of a Ptolemaic practice, e.g. *P. Haun.* 11 where, however, there is no evidence of an official in

charge of the idios logos or a department of idios logos.

*ἀναληφθῆναι*. This may imply that it either included criteria to be used in determining whether something was *adespotos* or listed certain *adespota* which were to be appropriated to the *idios logos*. In either case it would have been a document which contained a certain amount of detail. The *gnomon* was known both to the officials – the *komogrammateis* would need a copy of it since they were expected to answer certain questions in reference to it – and to the prospective buyer who realized that it was of some importance to the *adespota* which he wanted to purchase. It is impossible, however, to say whether the mention of the *gnomon* was from first-hand knowledge of it or from a published protocol for the purchasing of *adespota*.

The location of the several trees and branches would tend to give the term *adespotos*, when applied to fallen branches, a rather broad definition, perhaps simply *res nullius*. Of the four locations, three are ecclesiastical and the fourth is the *kleros* of Melanthios. Thus any limb that fell from a tree situated on these temple properties or on this unintended *kleros*, assuming that Melanthios was not still occupying his property, became immediately *adespotos*, and was liable to appropriation to the *idios logos*. The branch could not be removed from the place where it fell until it had been duly purchased from the *idios logos*. The branch was technically *ἀδεσπότον ὄφειλον εἰς ἴδιον λόγον ἀναληφθῆναι*.

If Didymos had picked up the logs or had bought them from some one other than the government without realizing that they were ownerless, he would have been exposed to the same sort of troubles that were to beset Satabous. By the same token, if Satabous had been aware of the true condition of his vacant lots, he could have saved himself a great deal of woe by sending to the head of the *idios logos* or one of the local secretaries a bid similar to the offer from Didymos.

*P. Oxy.* 2277 is a perfect complement to 1188. It is also a *hypomnema* addressed directly to Q. Attius Fronto ὁ πρὸς τῷ ἴδιῷ λόγῳ and passed on by him on Mecheir 22, year 42, to the *basilikogrammateus* Dioskourides. The author of the *hypomnema*, whose name is lost, wanted to buy from the *idios logos* ψιλοὺς τόπους ἀδεσπότους ὄφειλοντας εἰς ἴδιον λόγον ἀναληφθῆναι κατὰ τὸν γνώμονα. The would-be buyer was as familiar as Didymos with the form of the *hypomnema* and also knew of the relevance of the *gnomon* to the purchase of *adespota*. The document is another example of what Satabous should have done. The author of the bid in *P. Oxy.* 2277 realized that ownerless vacant lots were within the administrative competence of the *idios logos* and had to be purchased from that department.

Fronto's role in the sale of *adespota* was important but brief. He received the bid, but turned the matter over to subordinate and local officials for processing. He represents both the highest official to whom offers to buy *adespota* from the *idios logos* could be addressed, and also the author of final decisions in disputes involving *adespota* and their illegal occupation. He was able to delegate more menial matters to local officials, and his purpose in coming to the Oxyrhynchite Nome in Mecheir was not merely to sell a few dried logs and some vacant lots.

Part of his business did involve supervising the sale of whatever *adespota* were liable to appropriation to the idios logos in the Oxyrhynchite Nome. This might entail advertising the *adespota* known to the local secretaries and perhaps organizing auctions, although none are attested. From the two papyri that concern Fronto, it is probable that at least a form to be used in applying for purchase was published. Such a form might have accompanied a list of properties being sold from the idios logos.

More importantly, we see that the head of the idios logos, perhaps as part of a regular routine at the start of the administrative year, was touring the nomes to investigate at first hand whether or not *ἀδέσποτα ὀφειλοντα εἰς ἴδιον λόγον ἀναληφθῆναι κατὰ τὸν γνώμονα* were being discovered and properly recorded. This would have been no easy task in the case of Didymos' logs, which Didymos seems to have found *in situ* on his own initiative.<sup>16</sup> An annual visit by the head of the idios logos to sell *adespota* and check local records concerning what should fall to the idios logos would inspire at least temporary efficiency.

Fronto may also have been personally supervising the investigation of cases involving the illegal occupation of *adespota* pending before the idios logos. In brief, we should expect that he was pursuing matters which, by A.D. 13, the date of the text, had been allocated to the department, managing and selling the *adespota* which were appropriated to the idios logos, and investigating and judging cases of irregularities involving these same *adespota*.

The sale of *γῆ ἐν ὑπολόγῳ* may be added to this list of items that concern the idios logos and its chief secretary. *P. Oxy.* 721 (*WChr.* 369) is another example of a bid addressed to the head of the idios logos, in this instance C. Seppius Rufus, who directed the investigation and passed final judgment in the Satabous affair and who followed Q. Attius Fronto as *ὁ πρὸς τῷ ἴδιῳ λόγῳ* by A.D. 14. Since the two petitioners, Polemon and Archelaos, refer to the "coming 44th year of Augustus" it is clear that their bid was handed to Rufus in the 43rd year. The pair wanted *ωνήσασθαι ἐν τῷ Ὁξυρυγχ[είτηι . . . . .] ὑπολόγου βασιλικῆς ἔως τοῦ – (ἔτους) Καίσαρο[ς κλήρων] ἐπὶ τοῦ – (ἔτους) Καίσαρος ἀνειλλημένων καὶ ἀφόρ[ω]ν γεγονότων καὶ κλήρων τῶν ἔως τοῦ – ἀνειλλημένων καὶ αὐτοῦ – (ἔτους) Καίσαρος ἀνειλλημένων πλὴν ιερᾶς εἰς κα[ρποὺς(?)] τοῦ ισιόντος τετάρτου καὶ τεσσαρακοστοῦ ἔτους Καίσαρος . . . (3-8).*

The *kleroi* which they wanted to buy were in three groups:

1. *kleroi* that had been confiscated in year – of Augustus and which had subsequently become dry;
2. *kleroi* that had been confiscated in year –;
3. *kleroi* confiscated that same year.

16. Satabous' vacant lots would similarly have been difficult to locate and record. They were not known to be ownerless and liable to appropriation

to the idios logos until Nestnephis came forward with his information. They certainly were not in any obvious local records.

Roberts and Skeat have constructed a reasonable history for these *kleroi*.<sup>17</sup> For some unknown reason the land was confiscated prior to or during the 43rd year of Augustus. Upon confiscation it became royal land. Following confiscation the *kleroi* became dry and unproductive and were assigned to a special category,  $\gamma\tilde{\eta}$   $\epsilon\nu$   $\bar{\nu}\pi\bar{\omega}\bar{\lambda}\bar{\gamma}\bar{\omega}$ . Ignoring the problems raised by the lacuna in the bid, we may imagine the sale as  $\epsilon\bar{k}$   $\tau\bar{\eta}\bar{s}$   $\bar{\alpha}\bar{p}\bar{\circ}$   $\bar{\nu}\pi\bar{\omega}\bar{\lambda}\bar{\gamma}\bar{\omega}$   $\beta\bar{\alpha}\bar{\sigma}\bar{\iota}\bar{\lambda}\bar{\kappa}\bar{\eta}\bar{s}$ ; that is, the *kleroi* were royal land in the category of land in *hypologos*.

The important point to note is that, according to Roberts and Skeat, the *kleroi* cannot be thought of as *adespota*, ownerless property, if they are royal land. This fact is relevant if we are to determine accurately the connection between the *idios logos*, or the head of the *idios logos*, and  $\gamma\eta\ \epsilon\nu\ \dot{\nu}\pi\omega\lambda\omega\gamma\omega$ . There is one obvious point of extrinsic similarity to *adespota*; offers to purchase land  $\dot{\alpha}\pi\dot{\alpha}\ \dot{\nu}\pi\omega\lambda\omega\gamma\omega$  might also be addressed to the head of the *idios logos*. At least Polemon and Archelaos thought so. Seppius Rufus, who was  $\dot{\alpha}\ \pi\rho\dot{\alpha}\dot{\sigma}\ \tau\dot{\omega}\ \dot{\iota}\dot{\delta}\dot{\iota}\omega\lambda\omega\gamma\omega$  by A.D. 14, would then have supervised the sale both of *adespota*, as did Fronto, and of  $\gamma\eta\ \dot{\alpha}\pi\dot{\alpha}\ \dot{\nu}\pi\omega\lambda\omega\gamma\omega$ . Does it follow, however, that such sales were properly styled  $\dot{\epsilon}\kappa\ \tau\dot{\omega}\ \dot{\iota}\dot{\delta}\dot{\iota}\omega\lambda\omega\gamma\omega$  and that such land was within the administration of the department?

Roberts and Skeat proposed for the lacuna in *P. Oxy.* 721 ἐκ τοῦ δημοσίου ἀπὸ] ὑπολόγου,<sup>18</sup> and point out that the lacuna in the Oxyrhynchos text could not support ἐκ τοῦ ἴδιου λόγου ἀπὸ ὑπολόγου unless abbreviations were used. If the purchase was from the *demosion* and not from the *idios logos* we might envision the transaction as technically ἐκ τοῦ δημοσίου διὰ τοῦ ἴδιου λόγου, (a formula nowhere attested) and conclude that the *idios logos* was involved in the sale of the *kleroi* ἀπὸ ὑπολόγου but not in their administration. *P. Amh.* 68, shortly to be examined, will offer more evidence for this conclusion.

C. Seppius Rufus must have been close at hand, for the offer is addressed directly to him. We may assume that he was at the time of the bid on an administrative tour of the nomes similar to the inspection that had brought Fronto to the Oxyrhynchite Nome in February of the previous year.<sup>19</sup>

17. Roberts and Skeat, "A sale of 'ΤΠΟΛΟΓΟΣ at Tebtunis in the reign of Domitian," in *Aegyptus* 13, 1933, pp. 445-471.

18. *Ibid.*, p. 461 based on P. Lond. Inv. 1871.

19. Cf. note 14. These tours may have been

made after the new department head assumed office, for both Rufus and Fronto appeared in the *Oxyrhynchite* at the beginning of the year, perhaps implying that the appointment was effected on the first of January.

The form of the offer from Polemon and Archelaos points to some sort of public notice listing essential information that would be of interest to a prospective buyer, such as location, condition, and terms of sale. The two petitioners were familiar with such information. An advertisement would not necessarily go into the history of the property offered for sale unless it affected the attractiveness of the land. Hence no details would be given about when the land was confiscated or when it became dry. Consequently, the two men, not knowing these details, left blank those places in their offer where such information, perhaps necessary for the final sale, should have been given. No doubt it was the job of the local secretaries to supply the missing dates. Rufus and his secretaries were unable to fill in the blanks; at least the bid that was sent to Rufus was never supplied with the missing dates.

If neither Rufus nor his staff were familiar with the complete history of the property, we would have a stronger argument for saying that the department's role was only that of sales agent. The property, therefore, could not be described as *ἀφελοντα εἰς ἴδιον λόγον ἀναληφθῆναι* and it was not. The missing dates are significant. All three of the Oxyrhynchos petitions, *P. Oxy.* 721, 1188, and 2277, indicate that the petitioners were aware of a standard form that the bid ought to follow. The bid submitted to Rufus even left room for the addition of information which the bidders did not have. If Polemon and Archelaos knew that the *kleroi* which they desired had been or ought to have been appropriated to the idios logos, it is likely that they would have mentioned this along with the other details in their description of the property. They did not do so, however, and presumably this was not the case; the department did not have administrative control over  $\gamma\eta$  *ἐν ὑπολόγῳ*.

A few more details about the sale of  $\gamma\eta$  *ἀπὸ ὑπολόγου* in Julio-Claudian Egypt are made available by the recto of *P. Amh.* 68 (*WChr.* 374), which was composed on Mesore 4 in the sixth year of Nero's reign, July 29, A.D. 60.<sup>20</sup> An *anaphorion* was sent to Tiberius Claudius, strategos of the Hermopolite Nome, by a certain Dioskoros who wished to purchase  $\gamma\eta$  *ἀπὸ ὑπολόγου* (lines 17-25). The *anaphorion* was processed in the same manner as the bid in *P. Oxy.* 1188 (and probably also *P. Oxy.* 721). In Pauni it was sent to the nome secretaries (14-16), from there to the basilikogrammateus on Pauni 26 (12-13), thence to the appropriate topogrammateus on Epeiph 14 (5-11), who, on the next day, passed it on to the komogrammateus (2-5). The komogrammateus gathered the information requested by the officials and wrote his report on Mesore 4 (25-35).

The property that Dioskoros wished to buy was similar to the property of *P. Oxy.* 721. It consisted of *kleroi* which had been confiscated and had subsequently become dry and unproductive. The conditions of the sale remained the same: upon payment of the stipulated price, Dioskoros would receive the land free of

20. The recto is a later copy from the records of 59/60 which was put forward as evidence for

some Domitianic difficulties involving the land in question.

taxes for the next three years. The dissimilarities in the content of the two bids are that Dioskoros sent his to the strategos and that the prefect, Julius Vestinus, is mentioned in the later *anaphorion* as the authority who established the quoted rate of 20 drachmas per aroura (lines 20-21).

The local secretaries were to establish: (1) whether the *kleroi* were *ἀπὸ [τοῦ]* *καθήκοντος ὑπολόγου*; (2) *καὶ συνκεχωρημένου εἰ[ς] π[ρᾶ]σω*; (3) whether the property was truly dry and when it had become so; (4) whether the land was ready to be sown; (5) whether the measurements had altered because of a change in the river; (6) whether the petitioner was acting for himself or for someone else; (7) the measurements of the land in question.

The idios logos is nowhere mentioned. There is a lacuna in the text at the point at which Dioskoros made known from whom he thought he was buying the property (line 17). If Roberts and Skeat are correct in reading back from *P. Lond. Inv. 1871*, no mention of the idios logos is to be expected, since the purchase was from the *demosion*. There is no reason to deny that the idios logos had some role in this sale, and that if the head of the department were in the vicinity the *anaphorion* could have been addressed to him. In fact, none of the sales *ἀπὸ ὑπολόγου* mention the idios logos by name. It is only because *P. Oxy. 721* was addressed to C. Seppius Rufus who is known from the Satabous affair to have been in charge of the idios logos, that we have evidence for the department's involvement in such sales. *P. Amh. 68* does not contradict this conclusion, but neither does it expand the department's role beyond what we have established from the Oxyrhynchos sales. In its full form the processing of Dioskoros' *anaphorion* offered ample opportunity for alluding to any administrative control that the idios logos might have had over such property, other than that of sales agent. Part of the investigation that preceded a sale of *adespota* involved a check as to whether or not the property put up for sale came within the competence of the department. There was, furthermore, never any question about whether or not the desired property was capable of being sold. The investigation in *P. Amh. 68* was concerned primarily with the question whether or not the *kleroi* were released for sale and whether it was *ἀπὸ ὑπολόγου*.

It seems reasonable to suppose that *γῆ ἐν ὑπολόγῳ* was not within the administrative competence of the idios logos in the same way as the *adespota*. The administration of the latter would involve locating, listing and selling ownerless property. The former did not have to be located – it was royal land that had become barren and dry. It was presumably placed *ἐν ὑπολόγῳ* by the authority in charge of royal land. There is no indication that this authority was the idios logos. It had to be released for sale. Again there is no hint that this was the department's decision. It was the prefect who determined the price. When, however, it came time for the actual sale, the role of sales agent was given to that department which for over a century had been selling financially unproductive government property. The department no doubt acquired, in connection with land in this category, those same broad powers which it had exercised in the Satabous affair: the

function to track down and hear the case of anyone involved in the irregular sale of property which was to be sold through the agency of the *idios logos*.

This distinction between the full administration of the *adespota* from the moment any property could be so defined, and the role of sales agent in the case of  $\gamma\eta\ \dot{\epsilon}\nu\ \dot{\nu}\pi\dot{\omega}\dot{\lambda}\dot{\gamma}\omega$  from the moment when such land was released for sale is an important one, and one which is relevant to a further investigation of the early manifestations of the department's role in ecclesiastical matters.<sup>21</sup>

### 3. TEMPLE AND IDIOS LOGOS

The role of the idios logos in temple affairs emerged as a prominent feature of the office in the second century. Wilcken's tentative conclusion that the idios logos in the third century was to be identified with the high priesthood was generally accepted before the discovery of the *Gnomon of the Idios Logos* and was, of course, thought to be emphatically confirmed by paragraphs 71 to 97 of that document. Nevertheless, all of the papyri, as well as the *Gnomon* itself, which adumbrate the department's connection with the temples can be interpreted and fully understood without reference to the supposed unification of the idios logos and the high priesthood. A full explanation of the post-Neronian documents will be found in the first section of the next chapter. For the Julio-Claudian period there is but one document illustrating a possible concern on the part of the department in temple affairs. The text, *P. Vindob. Boswinkel 1*, may be explained reasonably in terms of the bureau's role as sales agent for *adespota* and  $\gamma\eta\alpha\pi\circ\iota\pi\omega\lambda\circ\gamma\eta\circ$ .

Claudius Geminus, who, as we know from an inscription (SEG 18.646), became head of the idios logos during the prefecture of M. Mettius Rufus, was involved in a case concerning a *propheteia* and *lesoneia* which a group of priests from Nilopolis claimed was transmissible after a payment  $\bar{\nu}\pi\bar{\epsilon}\rho\epsilon$  *εισκριτικοῦ*, but which the basilikogrammateus thought should have been sold outright for the price, 276 drachmas, that the deceased prophetes had paid for the offices. To support their contentions, the priests appealed to a ruling given by Tullius Sabinus in a similar case on July 25, 45, which evidently was in their favor.

It is in the fragmented abstract of their dealings with Tullius that we may find the earliest reference to the department's role in temple affairs. Line 8 of the papyrus states that the priests or their forebears had paid three talents for the two offices. Line 9 continues, as far as can be read, with what must have been a statement of the conditions of that sale: . . . . . ἐκ]άστον ἀνδρὸς (δραχμὰς) ξε [(οβολὸν)] καὶ ὑπὲρ λεσωνείας (δραχμὰς) ϕ καὶ εἰς τὸν ἕ- | [διον λόγον . . .

21. *P. Oxy.* 835 is another *hypomnema* addressed to Rufus, which, according to the editors, concerned confiscated land. However, the description of the property would have been more specific, either *ἀδέσποτος* or *γῆ ἐν ὑπολόγῳ* if it

fell within the competence of the *idios logos*. The department neither controls all confiscated properties nor is a confiscating agent during the Julio-Claudian period.

..... εἰς τὸ δημόσιον ὑπὲρ (εἰσκριτικοῦ (δραχμὰς) ξε (όβολὸν) καὶ ὑπὲρ τῆς λεσωνείας (δραχμὰς) φ. .... In the second century the department would have been the sales agent for the two offices and would have supervised the payment of the installation fee for all transmissible offices. *P. Teb.* 294 is an example of a bid for an office addressed to the head of the idios logos in which the bidder clearly stated what he expected from the office after he was granted, for a handsome price, what amounted to hereditary title. His heirs and assigns would receive the office, a *propheteia*, on payment of an installation fee much lower than the going price for the office when sold outright to any qualified priest. The priests at Nilopolis in *P. Vindob. Boswinkel* 1 were willing to pay three talents in return for permanent possession of the offices and the provision that any of their descendants could assume the offices for the installation fees totaling 77 drachmas, 1 obol. Line 10 explicitly mentions the installation fee and must have constituted part of the general conditions of the purchase. But the fee was already enumerated in line 9, which may have been a more general description of what was expected from the sale, e.g. "the offices were purchased for three talents on the condition that each (new) man assume them on the payment of an installation fee of 65 drachmas 1 obol for the *propheteia* and 12 drachmas for the *lesoneia*." With the statement of the general conditions for transmission, the particulars were described. The first of these particulars was something referring to εἰς τὸν οὐ . . ., which involved the installation fee. The 77 drachmas 1 obol were, however, quite definitely to be deposited to the *demosion*, as was stated by the second of the particulars. In the second century, installation fees were not received by the idios logos, but were recorded to the department's account in tax rolls (*BGU* 1894.88). A reference to the idios logos would not be out of order here. There is a suitable restoration for the text if the first step for the new prophetes before he deposited the installation fee to the *demosion* was to notify or be certified by the idios logos: εἰς οὐδιον λόγον εἰσχρω]ομ[ένον . . . The text as Boswinkel has restored it would support a view that the idios logos was connected with the transfer of transmissible offices and was, therefore, simultaneously engaged in the analogous function of selling temple offices.

The restoration has further implications. The affair of A.D. 45 was referred to Tullius Sabinus (line 17), who must have been (to continue our hypothesis), by analogy to Geminus, head of the idios logos. Unfortunately, this complicates matters even further. *P. Teb.* 298 (A.D. 107-108), listed in the temple records of Soknebtunis the name of a certain Pakebkis, son of Phanesis, who was 75 years old and who [ἐπι]κ[εκ]ρυψ[ένος] τῶι ε(ἔτει) ἐπὶ Σερ[ο]νιανοῦ Σεονήρου (line 25), and also the name of another Pakebkis, aged 74, who was among τῶι ε(ἔτει) ἐπικεκρυψ[ένων] ἐπὶ Λουκίου Τουλλίου Κ[.]β[· · ο]ν (line 27). The editors noted in reference to line 25 that since the *epikrisis* took place before the 14th year, the date of the *epikrisis* is probably Claudian. The *epikrisis* was both a religious and financial matter involving the payment of 52 drachmas. Thus the two officials, Servianus Severus and L. Tullius, were not necessarily performing an ecclesiastical

function as high priests or representatives of the high priest, but might very well have been certifying the registrations after the payment of the registration fees. The prepositional construction does not have to be temporal as translated by the editors, "in the time of" but may depend on the verb and, hence, be translated "who was registered *before* Servianus Severus."

The two officials held the same office, but since they were listed for the same year 5 of Claudius, the office must have changed hands at some point before the Egyptian year ended. Perhaps the older of the two priests was registered before Servianus during the autumn of 43 and the younger priest was registered during 44 before L. Tullius. If the doubtful *kappa* of line 27 can be read as a *sigma*, then L. Tullius becomes Tullius Sabinus, whom we have assumed to have been head of the idios logos in July of 45, and the idios logos becomes involved in the ecclesiastical *epikrisis*. And, of course, Servianus Severus is another name to be added to the list of those who held the title  $\delta\pi\rho\circ\tau\tilde{\omega}\iota\delta\iota\omega\lambda\circ\gamma\omega$ <sup>22</sup> under the Julio-Claudians.

The role of the idios logos in temple matters, if such there was, does not imply that the department had usurped a prerogative of the high priest. An analogy can, perhaps, be drawn to the bureau's role as sales agent for  $\gamma\tilde{\eta}\alpha\pi\circ\tilde{\omega}\nu\pi\circ\lambda\circ\gamma\omega\circ\gamma\omega$ , which was of no concern to the idios logos until released for sale. Similarly, it was sales agent for the offices which it was selling, or for the transmission of which it was supervising the deposit of the installation fee (and perhaps certifying the competence until they were unoccupied and ready for resale or reoccupation by a legitimate successor to the deceased or delinquent office holder). The idios logos was administrator for salable government property and for salable government commodities such as temple offices.

A connection with the *epikrisis*, if indeed there was one, is less understandable. However, we may have resort to the fact that registration was a source of non-recurring irregular income, and that the *epikrisis* may have been a necessary condition for the assumption of all the ecclesiastical positions sold through the idios logos.

The above conclusions are extremely tentative. Nevertheless, they provide a Julio-Claudian basis for the department's very complicated involvement in temple affairs, an involvement that, as shall be seen in the following chapter, was fully developed by A.D. 69. It is quite possible that the role of sales agent for temple positions and the subordinate function of investigating and judging cases that affected that role did not originate with a Flavian fiat, but was a part of the Julio-Claudian idios logos' connection with non-productive *adespota*.

22. H.-G. Pflaum, p. 1084, listed Severus as head of the idios logos and on p. 1086 tentatively listed Sabinus as archiereus. They must have,

however, occupied the same office the one before the other. They are either both archiereus or else both head of the idios logos.

4. P. FOUAD 21, ACTA ALEXANDRINORUM I, THE EDICT OF  
TI. JULIUS ALEXANDER AND THE EDICT OF CN. VERGILIUS CAPITO

The documents in this section add few details to the picture of the administration of the idios logos, but do afford a more general view of the department's position in the bureaucratic structure of Julio-Claudian Egypt. *P. Fouad* 21, September 4, A.D. 63, appears at first glance to be more significant for the history of the department's development than actually is the case. The text is a copy of an *hypomnematos*, the minutes of a hearing held *pro tribunali* during which were present *in consilio*:

Norbanus Ptolemaios, juridicus and ὁ πρὸς τῷ ἴδιῷ λόγῳ,  
Avillius Quadratus and Tennius Vetus,  
... Jus Atticus  
Papirius Pastor and Baebius Juncinus,  
Julius Lysimachos, Claudius Herakleides, dioiketes  
[Claud]ius Euktemon and Claudius Secundus.

The hearing concerned the *politeia* of some veterans (line 10) and might have pointed to an important role for the head of the idios logos in such matters if the *sententia* in this case had been given by Norbanus. P. Yale Inv. 1528 (*JRS* 28, 1938, pp. 41-49), which records the minutes of a hearing on a similar matter before the same board on the same day (Sebastos 7 = September 4), reveals, however, that the prefect, C. Caecina Tuscus, spoke the *sententia* in the second case. It is to him, therefore, that we ought to assign the *sententia* of *P. Fouad* 21. Although the Yale papyrus will not allow us to expand the interests of the idios logos into the field of *politeia* for veterans, we observe that the head of the department sat, *ex officio*, on tribunals hearing questions of citizenship.<sup>23</sup>

The prominence of Norbanus coincides with the order in which Strabo had arranged his list (*Geography*, Book 17.1.12) of important offices and officials in Egypt. It is interesting that in 63 the head of the idios logos was also *juridicus*. Whether this combination occurred before or after 63, or whether it ever extended to include the unification of the idios logos with any other office such as the high priesthood, is a matter of speculation.<sup>24</sup>

*Acta Alexandrinorum* I (*PSI* 1160) is similar to *P. Fouad* 21 in that it appears important to an understanding of the office of idios logos. The clause relating to the department reads: *εἰ δέ τις κατα<βαρ>βαροῖτο παρὰ λόγου πραττόμενος ἢ ὑπὸ ἴδιου λόγου ἢ τυος πράκτορος ἀνθρώπους δια-*

23. Even if Norbanus were the highest authority on the tribunal, it would be difficult to assign complete competence to the idios logos in these or similar matters since Norbanus was simultaneously *juridicus*.

24. Cf. further Leopold Wenger, *ZSS* 59, 1939, p. 384; W. L. Westermann, *CPh* 36, 1941, pp. 21-29; V. Arangio-Ruiz, *FIRA* III, 171, pp.

524-527 (with a Latin translation in which the author renders Norbanus Ptolemaios' title as "juridicus et a re privata"); and Taubenschlag, *ZSS* 73, 1953, p. 287. The Fouad and Yale texts are concerned with two different groups who may have rubbed shoulders on Sebastos 7. One group consisted of veterans concerned about their *politeia*, the other was a group of legionaries.

*σείοντος . . . .* Musurillo offers the following translation: "... and if anyone be unreasonably burdened by taxes exacted by the Idiologos or by any other tax agent . . .,"<sup>25</sup> implying both that the title designated an individual and that the holder of the office was a tax agent, *praktor*. But the individualization of the *idios logos* is merely assumed,<sup>26</sup> and the Greek does not imply that the *idios logos* is a *praktor*, as the translation "other tax agent" suggests.<sup>27</sup> There is no basis either in this or in any other first-century text for linking the department with the *practores*.<sup>28</sup>

The two prefectorial edicts offer an even broader perspective of the impact that the department had made upon the populace and allow more room for speculation. The later of the two, since it is in a better state of preservation and hence more amenable to interpretation, will be considered first. The edict of Ti. Julius Alexander,<sup>29</sup> July 6, A.D. 68, in general concerned the abuses that ran rampant through the prefecture of his predecessor, C. Caecina Tuscus. Problems pertinent to the *idios logos*, lines 38-45, followed directly a policy statement by Alexander about instances of double jeopardy in the prefect's *dialogismos*. He continued in line 38, "The same holds true for matters brought before the *idios logos*." He went on to recite some of the more obvious abuses in the administration of that department. Briefly, there were five major items:

1. matters dismissed *ὑπὸ τοῦ πρὸς τῷ ιδίῳ λόγῳ τεταγμένον* had been brought up again;
2. defendants who had received a favorable decision had been reprocsecuted;
3. some delators were not even appearing in person to prosecute suits that they had initiated but were hiring advocates to do so;
4. furthermore, some prosecutors were pressing suits repeatedly until they obtained a verdict against the defendant;
5. lastly, certain emendations had been made in the *gnomon* of the *idios logos* contrary to the *χάριτες* of the emperors.

The abuses which Alexander described were of two sorts, those perpetrated

25. *Acts of the Pagan Martyrs: Acta Alexandrinorum*, Oxford, 1954, p. 2.

26. The department had no doubt acquired a personality in the first century but in none of the first-century documents can it be shown with any degree of certainty that the name of the department ever designated its chief officer.

27. The passive of *πράσσω* cannot be translated "the exaction of taxes."

28. If *Acta 1* is Claudian, as Musurillo suggests, *op. cit.*, pp. 83 ff., we have here an indication of popular feelings about the office, feelings which would find a sympathetic ear in Satabous son of Herieus. The *idios logos* could be mentioned in the

same breath with the *practores* as acting *παρὰ λόγον* and *διασεῖν*, which we might translate by the modern idiom "shaking down."

29. H. G. Evelyn White and J. H. Oliver, *The Temple of Hibis in El Khargeh Oasis, Part II: Greek Inscriptions, Publications of the Metropolitan Museum of Art Egyptian Expedition*, Vol. XIV, New York, 1938, No. 4. The text presented by Gerard Chalon, *L'édit de Tiberius Julius Alexander*, Olten et Lausanne, 1964, pp. 27-34, does not differ in lines 38-44 from the Oliver-White transcription. Cf. also Naphtali Lewis, *JJP* 9-10, 1955-1956, pp. 123 ff. Restoring *[φανῆν]αι* for *[κείσθ]αι* in line 44 was suggested by C. B. Welles.

by prosecutors conducting cases before the *idios logos* and those engendered by emendations in the *gnomon*. The former went hand in hand with the irregularities that Alexander had previously mentioned in reference to the prefect's *dialogismos*. He attempted to correct these abuses with several injunctions:

- a. in reference to 1 and 2 above, anyone who in the future prosecuted anyone on a matter that had been dismissed or decided would be unmercifully punished;
- b. as a precaution against 3 above, no one might prosecute through an advocate without being present in person;
- c. to correct the fourth abuse, if anyone prosecuted three times without obtaining a favorable verdict, one half of his property would be confiscated.

The situation is not surprising. It represents the Satabous-Nestnephis encounter on a grand scale.<sup>30</sup> Charges of illegalities in the occupation of *adespota* provided a vehicle both for personal vendetta and perhaps for personal aggrandizement. Although there is no explicit evidence that a fixed percentage of any fine assessed was allowed to the successful prosecutor in the *idios logos* during the first century, the zeal of the delators seems to indicate that there may well have been such a system. That there were Nestnephises in abundance is equally obvious: "The sycophants are so numerous that the city is all but uninhabitable" (lines 40-41).

The fifth abuse excerpted from Alexander's statements is more difficult to pin down. The Oliver-White<sup>31</sup> transcription of line 44 is as follows: *καὶ καθόλον δὲ [κ]ελεύσομαι τὸν γνῶμον τοῦ ι[δ]ίου λόγου [.....]αι τὰ καιονποιηθέντα παρὰ τὰς τῶν Σεβαστῶν χάριτας ἐ[πα]νο[ρθ]ωσάμενος . . .* "When I have corrected the innovations contrary to the *charites* of the emperors, I shall order that the *gnomon* of the *idios logos* be [published]." The only alteration in the reading and translation offered here is that *[φανῆν]αι* be substituted for the editors' *[κεῖσθ]αι*. From what we have seen of these references to the *gnomon* in the Oxyrhynchite documents it is impossible to establish what, in 68, was meant by innovations contrary to *τὰς τῶν Σεβαστῶν χάριτας*. References to the *gnomon* in Oxyrhynchos show that according to it, property was to be determined as *διφεύλοντα εἰς ιδιον λόγον ἀναληφθῆναι*. If the innovations broadened the definition or description of property liable to appropriation to the *idios logos*, that would be burdensome enough, and would leave property owners exposed to an even wider variety of pitfalls. This would have increased the number of delators who were prosecuting their private enemies or nourishing their personal

30. The abuses do not indicate that the competence of the *idios logos* had expanded beyond what we have already seen for the first century. They can be understood and explained within the narrow confines of the dispute between

Nestnephis and Satabous which may be seen as an example of many similar prosecutions in the department.

31. Cf. note 29.

fortunes. An innovation of this sort might account for the abuses listed by Alexander for cases brought before the *idios logos*.

But, the innovations to which Alexander referred were specifically contrary to imperial “grants.” Which *charites* had a bearing on the department of *idios logos* is not clear. The opening paragraphs of the *Gnomon of the Idios Logos* devoted a great deal of attention to the status of various classes and their legal right to inherit. The arbitrary contraction of such rights could increase the sum total of *adespota* by redefining the amount of property that heirs in certain classes might inherit. If such hereditary rights were due to general or specific *charites* of the emperors, then any innovation in the *gnomon* which expanded the definition of *adespota* at the expense of these rights could be considered *παρὰ τὰς τῶν Σεβαστῶν χάριτας*. This is of course speculation.<sup>32</sup>

Whatever the specific nature of this abuse, Alexander's solution is a little clearer, although a difficulty arises from the sequence of steps by which he intended to correct the innovations. After making the corrections, he would then order that the *gnomon* be [published]. That is, on July 6, 68, the prefect had not yet made the necessary corrections or, if he had, he was not yet in a position to order the immediate implementation of the revised *gnomon*. Against other abuses concerning the *idios logos* he pronounced an emphatic command. Here he used a future, and a future middle at that. We might note that since the prefect evidently had the authority to correct innovations in the *gnomon*, some of these innovations must have been introduced by previous prefects. If, however, all of these innovations stemmed from the prefect, why had not Alexander made and implemented the corrections prior to his edict, or at least simultaneously with it? After all he had had three years in which to investigate irregularities. In the next section of the edict he commented that he had already corrected "whatever I could" concerning the prosperity of Egypt.

Perhaps the future *κ]ελεύσομαι* may be most simply be taken to imply that it was not the business of this edict to order the publication of the restored *gnomon* and that this would be accomplished in a future directive. The verb may, however, more subtly indicate that final authority over the *gnomon* resided elsewhere and that likewise the emendations originated in part with that authority – i.e. Rome and the Princeps. If this were the case we might translate the verb “recommend” or accept the suggestion of von Bissing and read *ἐ[π]ικελεύσομαι* (*ἐπι*κ]ελεύσομαι to fit the Oliver-White transcription) since the middle of *κελεύειν* is usually found in compounds. Under this hypothesis, it would follow that Nero altered the *gnomon παρὰ τὰς τῶν Σεβαστῶν χάριτας* and that the changes could be put into effect only with the approval of the new Sebastos, hence the delay.

32. Chalon, *op. cit.*, pp. 203-205, does not offer any specific explanation.

Because of our lack of specific knowledge about the changed *gnomon* and the reason for Alexander's use of the future of the verb in his corrective injunction, the edict does not allow us to come to any firm conclusions about the relation of princeps and prefect to the *gnomon* and, more particularly, the relation of each to the *idios logos*. For, if the prefect was required to obtain approval from Rome for his corrections of the *gnomon*, we might assume that he stood, at least in this edict, only as liaison between Rome and the department of *idios logos* in respect to the *gnomon*. If his future verb was dictated simply by press of work and want of time to scrutinize the innovations as carefully as he desired, he then stood as final authority over the *gnomon* and in this same respect over the *idios logos*. Without this statement on correcting the *gnomon* the edict extends the authority of the prefect merely over procedural matters at the *dialogismos*. With the statement, the edict may imply either that the prefect controlled the whole or part of the *gnomon*, or else that neither prefect nor department head could touch any aspect of the *gnomon* without permission from Rome.

The edict of Cn. Vergilius Capito, issued December 7, 48, opened with a reprimand and general pronouncement against those civil and military authorities who had illegally exacted requisitions for expenses. Any local official who felt that his office had been unjustly imposed upon was to file notice of the illegal exactions at the *logisteria* and with the imperial freedman Basilides within 60 days (four months in the Thebaid), and send his *logistes* to Capito so that the abuses might be rectified (lines 14-38).

The rest of the stone<sup>33</sup> is in a sorry state of preservation. In the next section of the edict, the prefect discussed abuses that ran from administrative extortion, *τιμήν σκεπταστικοῦ* (40) in cash and in kind, to the falsification [of documents], *τοὺς ψευσαμένους* (66). His concluding injunction was aimed at expediting the conviction at the *dialogismos* of those guilty of official misconduct.

κελεύω δὲ καὶ

[τοὺς]ς [μὲν] τ[ρ]απεζείτας τῶν νομῶν τῶν  
[ἐκεῖ τοὺς τ]ῶν λόγων ἀναγραφὴν ἐπικε-  
[φαλαίαν ποιο]λυμένους πέμπειν ἐμοὶ τε καὶ  
[εἰς τὰ λογιστ]ήρια [κ]αὶ πρὸς Βασιλείδην καὶ τοῖς  
[ἐκλογισταῖς ἐπιδι]δόναι, ὥ' εἰς διαλογισ-  
[μὸν ἄγωνται ὥστ' ἐ]ξ αὐτῶν εἶναι φανερὸν  
[τὸ ἀληθὲς καὶ τὸ ἀπ]αίτημα λογευθεῖν· οἱ  
[δε . . . . .] τῶι ιδίωι λό-  
[γῳ . . . . . ἐ]ν τῇ ἐξ ἔθους προθεσ-  
[μίᾳ . . . . .]ν

33. White-Oliver, *op. cit.*, No. 3. *IG III* 4956; *OGIS* 665; P. Jouguet, *Atti del IV Congresso internazionale di Papirologia*, Milano, 1936, pp. 4-22; *SEG* 8.794.

The inscription raises the question of the role which the department of idios logos had in cases of administrative misconduct. As has been noted several times, the department functioned in the nomes through the regular bureaucracy, there being no officials responsible to it alone. Any officials that Capito had in mind (he mentioned none specifically) could have been suspected of misconduct while handling the department's affairs. A local secretary might overcharge the purchaser of *adespota* and conveniently rearrange his books, perhaps persuading a local trapezites to do the same. Some hapless landowner could be threatened with prosecution unless he paid a local or nome official who had forged or changed local records or destroyed all the evidence pertaining to the victim's ownership of his property.<sup>34</sup> There would be equal opportunity for corruption within the administration. It is natural to assume that such matters that came to the *dialogismos* as concerned the affairs of the idios logos would be considered by the head of that department and not by the prefect. That is, the department had jurisdiction over those officials who practiced their extortions, forgeries, etc. while conducting the department's business.

All this presumes that the head of the department did take an active part in deciding such cases at the *dialogismos* as involved administrative fraud perpetrated at the expense of the idios logos. It is not the same point of view that Jouguet evidently had in mind when he restored lines 73-74: ὅτι δὲ καθ' ἀμ]ά[ρτ]ημα λογευθείη οἱ [ἐγλογισταὶ λογισθωσαν] καὶ τῷ ιδίῳ λό[γῳ ἀνενεγκάτωσαν]. Jouguet's explanation, "L'intervention de l'idiologue est toute naturelle, puis qu'il sera chargé de recueillir des amendes, sanctions des débits, et des fautes, et qui font partie du revenue extraordinaire relevant du Compte Spécial," is a generalization for which there is no Julio-Claudian evidence.<sup>35</sup> It would be more reasonable to assume that Capito, who requested that the trapezitai send their records to him, intended that cases which were pertinent to the idios logos, i.e. misconduct of the department's business, be passed on to the idios logos. It was Basilides, who in line 35 was to receive information against officials improperly appropriating funds, or through those who were working with him (Jouguet thought the *eklogistai*), that such cases were to be presented to the department for judgment, not for collecting fines from the guilty parties.

Although neither Alexander's nor Capito's edict adds anything to the specific functions of the idios logos deduced from the documents in the preceding sections, both confirm that the prominent feature of the office was the hearings in the department. The agenda of the idios logos at the *dialogismos* was rather crowded. Both edicts indicate that authority to alter and control procedure at these hearings and in general to ferret out administrative abuses, resided in the prefect. Neither edict, however, implies with certainty that the prefect in any way

34. Once again the travails of Satabous provide an example. It will be recalled that he could not find the record of his transaction which was

supposedly registered in Psinachis (SB 5232.10-15).

35. P. Jouguet, *op. cit.*, p. 22.

could control or alter the substance of the idios logos or its administrative duties.

5. ὁ πρὸς τῷ ἴδιῷ λόγῳ

Lusia Paullina was the daughter of M. Vergilius Gallus Lusius who was ὁ πρὸς τῷ ἴδιῷ λόγῳ, probably some time during the principate of Tiberius. She has recorded for us on a stone dedicated to her father and brother the name of another occupant of that office and a complete *cursus*, which will allow an opportunity for some reflection on the bureaucratic character of the Julio-Claudian administrators of the idios logos. *CIL X* 4862, which was found at Venafrum, reads as follows:

Lusia M.f. Paullina  
 Sex. Vettuleni Cerialis  
 sibi et  
 M. Vergilio M.f. Ter. Gallo Lusio  
 patri, prim. pil. leg. XI, praef. cohort.  
 Ubiorum peditum et equitum, donato  
 hastis puris duabus et coronis aureis  
 ab divo Aug. et Ti. Caesare Aug., praef. fabr.  
 III, trib. mil. cohort. primae, idio [lo]go  
 ad Aegyptum, IIvir iterum, pontif.  
 A. Lusio A.f. Gallo, fratri,  
 trib. mil. leg. XXII Cyrenaicae, praef. equit.

The career of Vergilius, in Pflaum's opinion, is typical for the early principate.<sup>36</sup> A suggestion by Mommsen that *prima* in line 9 is equivalent to *praetoriae*<sup>37</sup> would enhance but not change the essential character of the *cursus*. Vergilius' tour as head of the idios logos raises some difficulties, for this first mention of the department in Latin apparently runs contrary to the Greek distinction between the department, ὁ ἴδιος λόγος, and its chief officer, ὁ πρὸς τῷ ἴδιῷ λόγῳ. The *idio* [lo]go in the dedication seems to be a title, not an office: Vergilius was idios logos, not head of the idios logos.

It should be noted in passing that, inasmuch as the items in the dedication are in the dative, the inscription may not be used to prove a Latin nominative *idiologus*. Did the nominative, however, whether *idiologus* or most probably *idius logus* (or even *idios logos*), represent a title in the mind of the inscriber, and was it such in the opinion of Vergilius himself or whoever appointed him head of the idios logos in Egypt? The Greek evidence offers no justification prior to the Flavians for confusing idios logos with a personal title. The first Roman to express

36. Pflaum, No. 7.

37. In the *apparatus criticus*, *CIL X* 4862.

in Latin the title given to the head of the idios logos, whether Lusia, Vergilius or Tiberius, was faced with a problem in translation, and not an easy one at that. He had the convenience of neither an equivalent Roman office, for there never was one, nor of the second century ἐπίτροπος τοῦ ἴδιου λόγου, nor even of Tiberius Alexander's ὁ πρὸς τῷ ἴδιῷ λόγῳ τεταγμένος (line 38 of his edict). Rather than become involved in a lengthy paraphrase, he (or she) may have chosen simply to transliterate the name of the department and to present this transliteration as a personal title.

An alternative explanation would hypothesize a preposition missing before *idio* [*lo*]go. It is in this line that the only epigraphical difficulty on the stone occurs with a break taking away the *lo* of *logo*. An *ab* before *idio logo* would be a far more sensible rendition of the Greek title for a knowledgeable Roman than *idio logo* alone.<sup>38</sup> Without it, we would have to conclude that *idios logos* was mistakenly understood as a title. However the author of the inscription may have viewed the *idios logos*, whether as a department of the Egyptian bureaucracy headed by an *ab idio logo* or as a personal title and a department, he did not confuse the *idios logos* with the *res privata*, privy purse, or any of the translations offered by modern commentators. *Ίδιος λόγος* was *idios logos* (or *idius logus*). The only other adequate translation would be a detailed description.

The few details about Vergilius preserved by the inscription reveal a man of equestrian competence and ambition. It appears that after the birth of his daughter Lusia he, born M. Lusius Gallus, was adopted by a certain Vergilius. He had evidently married the wife of A. Lusius Gallus (his brother? ), for Lusia had a brother A. Lusius A.f. Gallus to whom she was also dedicating the stone. Lusia's brother (Vergilius' nephew? ) was to follow in Vergilius' footsteps but died after serving as military tribune in the 22nd legion and *praefectus equitum*. Lusia was married to Sex. Vettulenus Cerialis, who may have been the Sextus Cerialis in Josephus *Bell. Jud.* 6.4.3, and the Cerialis Vetelianus of 7.6.1, who commanded the 5th legion in Judea during the Jewish wars and who was the brother of C. Vettulenus Cerialis.

Vergilius' tenure as head of the *idios logos* was his last imperial appointment. He retired to Venafrum where he twice served as duumvir and ended his life as pontifex, perhaps with a handsome inheritance from his adopted father Vergilius.

A list of the known chief officers of the Julio-Claudian *idios logos* follows:

Q. Attius Fronto	A.D. 13
C. Seppius Rufus	A.D. 14-16
M. Vergilius M.f. Gallus Lusius	Tiberius
Servianus Severus	A.D. 44

38. Mommsen, *ibid.* inserted "trib. mil. cohort. *praetoriae*" instead of *prima* at this place in the text.

L. Tullius Sabinus  
Norbanus Ptolemaios

A.D. 45-46  
A.D. 63

The length of appointment is not determinable but was probably irregular.<sup>39</sup> Rufus may have served for three years.<sup>40</sup> Servianus and Sabinus are included on the list on the basis of the latter's role in *P. Vindob. Boswinkel 1*.<sup>41</sup> The office was no doubt conferred directly by the princeps. We know that L. Volusenus Clemens, who died before assuming office, had been appointed juridicus by Tiberius (*CIL VI* 6011). We may assume that appointments to the idios logos were similarly made.<sup>42</sup>

The careers of the other heads of the idios logos were probably much the same as Vergilius'. The exception could be Norbanus Ptolemaios, who was probably non-Italian.<sup>43</sup> Such, however, is to be expected in a post-Claudian civil appointee. The idios logos, as well as the other sub-prefectorial offices in Julio-Claudian Egypt, represented the highest provincial civil post for the competent but perhaps less-than-brilliant equestrian. The one known exception to this rule was C. Caecina Tuscus, who was juridicus before Norbanus and who went on to become a flamboyant prefect. All the other lower officials were content to retire as local dignitaries in their home towns. At least we hear nothing to the contrary.

#### 6. STRABO 17.1.12

Strabo's brief description of the idios logos, the earliest Roman reference to the department, can now be considered in the light of the documents we have just seen. The modern opinions on the dating of Strabo's publication all point to a

39. Since Servianus and Sabinus (*P. Teb.* 298) were listed for the same regnal year, the 5th of Claudius, it has been here assumed that the appointment as ὁ πρὸς τῷ ἱδίῳ λόγῳ may have at times become effective on the first of January.

40. Exact dates are problematical for Rufus in that both *P. Oxy.* 721 and *SB* 5240, which appear respectively at the beginning and end of Rufus' tenure, are dated by year but not by month. *P. Oxy.* 721 with its reference to the coming 44th year of Augustus must have been composed in the 43rd year of Augustus. Because of the similarity of this text to *P. Oxy.* 1188 and 2277 in the proximity or apparent proximity of the head of the idios logos to the transaction in each, I have presumed that Rufus was near Oxyrhynchos during Mecheir of 43, as Fronto had been the previous Mecheir. Hence *P. Oxy.* 721 was composed in A.D. 14 either by analogy to *P. Oxy.* 1188 and 2277 or from the nearness of the coming 44th year. *SB* 5240 similarly is dated to A.D. 16 from the

assumption that the *synkrima* was delivered at the *dialogismos* at Memphis that year (cf. note 8).

41. The office of neither is named. The case with which Sabinus was concerned (*P. Vindob. Boswinkel 1*) was part of the evidence submitted for a similar case presented to Claudius Geminus who was head of the idios logos during the prefecture of M. Mettius Rufus (*SEG* 18.646). The case referred to Sabinus directly involved the idios logos (*P. Vindob. Boswinkel 1.10*) and hence he most reasonably was head of the idios logos. Sabinus and Severus were involved in similar procedures in *P. Teb.* 298.25-27, and thus held the same unnamed office which again must have been head of the idios logos. (See above, pp. 58-59.)

42. Pflaum, No. 4.

43. It would be unwise to say more about Norbanus Ptolemaios at this point in the absence of a full scale study of the backgrounds of bureaucrats in Roman Egypt.

first edition during the last decade of the first century B.C.<sup>44</sup> The absence of references to events in the principate of Augustus after 6 B.C. is the most attractive evidence. At least Strabo's research for his "first" edition ended by that date. A revised edition, which included references to Tiberius, was published during the early years of that reign. Hence the latest possible date for the information given in Book 17 would be in the second and third decades of the first century. It is not probable, however, that Strabo felt any need to revise his brief statement on the administration of Egypt. More pertinent for our purposes is a determination of the date when Strabo gathered the information he related.

"I was in Egypt with the prefect, Aelius Gallus" 2.5.12 (26-24 B.C.). He apparently was there in 20 B.C. when Augustus was at Samos (14.1.14). The tour with Gallus would have offered a sufficient opportunity for collecting the data presented at the beginning of section 12 of Book 17, although Strabo might have remained in Alexandria from 24 to 20 B.C. in order to use the Museum. It is fairly certain, then, that Strabo's general statement reflects the bureaucratic structure of Egypt ca. 26 B.C., most definitely by 6 B.C.

'Επαρχία δὲ νῦν ἔστι, φόρους μὲν τελοῦσα ἀξιολόγους, ὑπὸ σωφρόνων δὲ ἀνδρῶν διοικουμένη τῶν πεμπομένων ἐπάρχων ἀεί. Strabo's readers might have taken issue with him about the wisdom of a certain prefect, but would not dispute the wealth of the province. He went on to mention the role of the prefect and his immediate subordinates: ὁ μὲν οὖν πεμφθεὶς τὴν τοῦ βασιλέως ἔχει τάξιν, ὑπ' αὐτοῦ δ' ἔστω ὁ δικαιοδότης ὁ τῶν πολλῶν κρίσεων κύριος. ἄλλος δ' ἔστω ὁ προσαγορευόμενος ἴδιος λόγος, ὃς τῶν ἀδεσπότων καὶ τῶν εἰς Καισάρα πίπτεων διφειλόντων ἐξεταστής ἔστι. On the one hand the prefect took the place of the King and on the other under him was the juridicus. Also under the prefect was the idios logos. (ἴδιος λόγος not ἴδιολόγος is, of course, the correct reading and appears in most of the manuscripts.)<sup>45</sup> We encounter here the same difficulty that we found in the stone dedicated to Vergilius Gallus; is the idios logos, in the eyes of Strabo, a person or an office? The development of the sentence indicates the former. The prefect was the chief authority in Egypt. Under him there were certain subordinates. One of these was the dikaiodotes or juridicus, a person, not a department. It would be logical to expect the next subordinate to be a person. "Another (person subordinate to the prefect) is the so-called idios logos," is the obvious translation of the Greek. Strabo, however, was not quite sure of the exact significance of "idios logos" and evidently did not expect his readers to be familiar with the title, for he qualified his statement with προσαγορευόμενος. The

44. H. L. Jones, *The Geography of Strabo* I, Loeb Classical Library, introduction, pp. xix ff.; J. G. C. Anderson, "Some Questions Bearing on the Date and Composition of Strabo's Geography," in *Anatolian Studies Presented to Sir William Mitchell Ramsey*, ed. Buckler and Calder, 1923, pp. 1-15;

and Ernst Honegman, "Strabon" in *RE* VIII (2nd series), Cols. 90 ff.

45. Apparently the practice of writing ἴδιολόγος rather than ἴδιος λόγος was introduced by Corais.

Greek itself is ambiguous — the relative pronoun *ὅς* can be either “who” or “which.” Hence, if we are forced to concede that Strabo, contrary to the direct evidence that we have accumulated, thought that “*idios logos*” was a personal title, we might find an explanation for his “mistake” in his uncertainty. And, if the pronoun meant “which” to Strabo, there was no misconception on his part. But Strabo’s Greek is a bit more ambiguous than would appear at first sight, and may not contradict the evidence of the documents.

Turning to the examination of the information about the department, we find that Strabo’s description is at once too narrow — the functions of the department went beyond that of an investigator — and too broad: *τῶν εἰς Καίσαρα πίπτεω ὀφειλόντων* could easily be the province of every agency in the Roman administration in Egypt. His very brief statement reveals a remarkable similarity to the formulaic *ἀδέσποτα καὶ ὀφειλοντα εἰς ἴδιον λόγον ἀναληφθῆναι* of *P. Oxy.* 1188 and 2277. The verb *πίπτεω* recalls the *ὑποπίπτεω* used in A.D. 17 for properly falling to the office.<sup>46</sup> There may be here an indication of an early definition of the competence of the department, such as would be needed by anyone new to the remnants of the Ptolemaic bureaucracy.

That the *idios logos* was an “investigator” of *adespota* is clear enough, if it is understood that this included full administration. Strabo’s rather narrow *ἐξεταστής* may have been influenced by the chief occupation of the department during the early principate; tracking down all the property in Egypt to which there was no specific title, land which was not technically royal land and land which had not been or was no longer in the hands of private owners, and which therefore fell to Caesar. It would be difficult to separate, as Strabo appears to have done, the *adespota* from “what ought to fall to Caesar” in speaking of the department’s administrative scope as seen in the papyri. In a strict sense, however, the *idios logos*’ concern did go beyond the *adespota* and the administrative and juridical problems connected with such property. The department was, after all, the sales agent for royal land, specifically *γῆ ἐν ὑπολόγῳ*, which the government had decided to sell. We may understand his *τῶν εἰς Καίσαρα πίπτεω ὀφειλόντων* as a sort of catch-all which was intended to include all those functions of the department that were not specifically involved with the *adespota*.

Strabo described the department as he knew it with the economy of a single clause. In this clause he mentioned what the Augustan documents reveal as the chief concern of the *idios logos*, the investigation of the *adespota*. He also left room for the inclusion of other matters outside of the *adespota*, but indicated by our evidence as within the competence of the department. He did not, however, intend his definition to justify the assignment to the *idios logos* of such financial

46. SB 5240.1-14. *ὑποπίπτεω τῷ ιδίῳ λόγῳ* was Nestnephis’ phrase and does not appear as an official formula.

or administrative functions as might suit the fancy of a casual reader; but he no doubt wanted his brief clause to encompass everything that he knew definitely to be a concern of the department.

#### 7. SUMMARY: THE JULIO-CLAUDIAN IDIOS LOGOS

To achieve a full understanding of the idios logos from Augustus to Nero, it may be helpful to preface the general conclusions with a discussion of the distinctions, obvious and not so obvious, between the Ptolemaic idios logos and its Roman continuation. This can be done by attempting to discover in the Roman evidence used in this chapter such contrasts and parallels as existed in the functions and competence of the idios logos of the two eras.

The idios logos began its history as a "special account" which recorded the revenues received from the sale of property confiscated to the King. The account broadened in scope until it became a full-fledged bureau of the Ptolemaic administration, which not only recorded the sales price for confiscated property but also acted as receiver for such property that was intended for sale. To the department's brief also belonged all property that did not have legal owners and did not readily come under the supervision of any other regular government agency. In general, the property that was in the department's competence could not be easily disposed of by the dioiketes through leasing or klerouchic assignment, and was thus profitable to the government only if sold. The department's chief activity was selling the property under its control and recording the payments so received. The Ptolemaic idios logos also recorded the *prostimon* received from those persons who had illegally occupied what was actually or virtually under the department's administrative control.

When Augustus became the sole ruler of Egypt, he continued the department of idios logos. Both Strabo and the Satabous documents imply an unbroken history from the earliest days of Roman rule in Egypt and a quiet transition from the Ptolemaic to the Roman office. The transition was not without significant change. From Strabo's early description and from the Julio-Claudian evidence relating to the idios logos, it is obvious that the idios logos no longer retained the function for which it had been created: nowhere in the documents discussed in this chapter did it serve as an account to which were deposited the revenues from the sale of confiscated property or of property that was under the department's control. There exists no record of a Julio-Claudian payment *εἰς τὸν ἴδιον λόγον*.<sup>47</sup>

In BGU 1772 the Ptolemaic idios logos had evidently reached a stage in its development where it was a receiver for confiscated property. There is no proof that any private property was ever confiscated directly *εἰς τὸν ἴδιον λόγον* during the first century of Roman rule in Egypt. Instances where the department might

47. The mutilated fragment from *P. Vindob.*  
*Boswinkel* 1.9-10 is probably not an exception.

have been expected to be the receiving or confiscating agent do not imply that the idios logos was even remotely involved. Thus in *BGU* 1200.6-7. (20/19 B.C.), there is a reference to some ecclesiastical property that was confiscated *eis τὸ δημόσιον*. *P. Teb.* 302 (= *WChr.* 368.6-7) refers to *ἀρούρας . . . [ἀναληφθίσας ὑπὸ Πετρωνίου] τοῦ ἡγεμονεύσαντος εἰς βασιλικὴν γῆν*. This does not mean that the department never came into contact with property that had been confiscated. It would seem that all the arable land confiscated during the early principate became royal land, but if any of the confiscated property became barren, and as such unrentable or unassignable through any of the regular processes or through imperial gift, it was placed in the category *γῆ ἐν ὑπολόγῳ* and released to the idios logos for immediate sale. The fact that the idios logos was neither confiscating agent nor receiver of property confiscated from private owners does not imply a circumscription of the department's functions but indicates, rather, more politically and economically efficient employment for such property. In short, the apparent practice of returning property confiscated from private individuals back to private ownership through sale by the idios logos during the late Ptolemaic period was brought to an abrupt halt by Augustus. The growth of the great personal holdings of the imperial family and favorites such as the Petronii is evidence enough that a place was found for confiscated properties other than the administration of the idios logos and the department's auction block.<sup>48</sup>

Control over the *adespota* remained unchanged. It may be assumed that the Ptolemaic idios logos, once it had become a department, acted as sales agent for ownerless property which the government wanted to sell. This was demonstrably a function of the Roman department. From a practical point of view, the *adespota* falling within the competence of the Ptolemaic and early Roman idios logos consisted of property that was non-arable or barren and, in general, unsuited for lease or regular assignment. The main task which the administration of the *adespota* involved was locating ownerless property, if possible, and acting as sales agent for it. The Roman idios logos had in addition the power to investigate and pass final judgment in cases of illegally occupied *adespota*. If the Ptolemaic office was likewise endowed with this capacity, we have no explicit evidence for it. The pre-Roman department did, however, act as recorder for all payments received from those who had appropriated property which belonged in no specific category of government land, and which could be virtually termed *adespota*. Such a payment, the *prostimon*, was both fine and sales price. Whether or not the Ptolemaic department had at its disposal the same administrative capacity as the Roman for implementing the investigation of illegally occupied government property will not be known until the information that has become available for

48. The idios logos certainly had nothing to do with ousiakic land in the first century and not much more in the second. On these holdings cf. M.

Rostovtzeff, *Social and Economic History of the Roman Empire* 2nd edition, pp. 669-672, and Kolonat, p. 120 ff.

the Satabous affair is discovered for a similar Ptolemaic case.<sup>49</sup>

On the other hand, the Julio-Claudian idios logos did not, so far as our evidence is concerned, have anything to do with assessing *prostima*. There may, however, be little or no difference between the Ptolemaic *prostimon* and the Roman payment *ὑπὲρ ἐπιβεβαιώσεως*, but the evidence is inconclusive. We know that Senpoëris in *P. Amh.* 31 received title to the property for which she paid the *prostimon*. We have no positive proof that the hapless Satabous received the empty lots when he paid his 500 drachmas to the *demosion* and, consequently, we cannot be sure that his payment exactly paralleled Senpoëris' *prostimon*.

In a broad sense, there was no radical transformation in the idios logos when it became a Roman office. It remained the chief means by which the private speculator could obtain property to exploit as he saw fit. The department's surroundings had altered substantially. The sum total of private property in all probability remained at least unchanged during the waning days of the Ptolemies, if it did not increase. Property that was confiscated from or abandoned by private owners was returned through sale to private individuals. There is no example in the Julio-Claudian period of any arable land that was confiscated from a private person and sold as private property while still arable. It became royal land to be rented or bestowed as an imperial grant. Consequently, the department's involvement with abandoned and confiscated land was reduced.

A suggestion was made in Chapter One that the idios logos was an administrative safeguard against confusing regular income deposited to the *basilikon* with income realized through sales necessitated by an unstable economic environment. A stable economic and political atmosphere, one in which there was no mass abandonment of private property, in which cultivators could be found for confiscated property, would make such a distinction between regular and irregular income unnecessary. In Augustan Egypt it was evidently expected that payments received through the activities of the idios logos, large or small though they might be, would not be significant enough to justify a separate accounting. All income realized through the idios logos was deposited immediately to the *demosion*. The Princeps was more interested in the amount of revenue produced in Egypt than in its source. The administration of Egypt no longer saw a need for the function for which the Ptolemaic account called the idios logos was devised. The department continued to keep track of the property and sales which it managed. The money was counted elsewhere.

The Julio-Claudian idios logos was an agency through which certain government property was sold. It was the administrator, in a very full sense, of

49. If Senpoëris had appealed her *prostimon* in *P. Amh.* 31 or if in *BGU* 1772 the role of Hephaestion, the dioiketes, could be distinguished

from Hephaestion, in charge of the idios logos, we might be able to argue for an exact parallel.

property that was to be sold or ought to have been sold by it. Some or all of its functions were described in a *gnomon*. It was directed by a Roman bureaucrat and was an important department in the administration of Egypt during the first century of Roman rule. Such are the components that must be explained in order to arrive at something approaching a coherent picture of the early imperial idios logos.

The idios logos acted as sales agent for two categories of government property, *ἀδέσποτα* and *γῆ ἐν ὑπολόγῳ*. The latter was royal land that had become barren, and consequently was no longer suitable for leasing or for being bestowed as an imperial gift. It was not demonstrably the department's decision that such property be sold. It apparently did not come within the administrative province of the idios logos until put up for sale. The price for such land was determined by the prefect; at least this was the case in *P. Amh.* 68. It was advertised for sale, probably under the direction of the department. Offers to buy could be submitted to the head of the department and this seems to have happened for convenience when he himself was in the vicinity of the place of the sale. The more usual procedure was to send in a bid to the strategos or, conceivably, to some other local official. In any case, the offer was turned over to local authorities for processing. The chief administrative aim of the idios logos with respect to the sale of *γῆ ἀπὸ ὑπολόγου* must have been to see that such property was sold as swiftly and as smoothly as possible.

The *adespota* sold through the department ranged from vacant lots to dried logs to which there was no title but the government's. The procedure was much the same as for *γῆ ἐν ὑπολόγῳ*, except that the price could be suggested by the bidder. The department, because of the nature of the *adespota*, did not necessarily know about the existence of the property for which an offer was submitted. When it was not clear whether the *adespota* that the bidder was offering to buy were within the administrative competence of the idios logos, a *gnomon* was consulted to determine if this was the case. The department's role would be a bit more complicated in this respect, in that it probably was consulted whenever the salability of a given piece of government property that was technically *adespotos* was in doubt. For example, someone like Nestnephis in the Satabous affair might come upon a vacant lot which he discovered to be ownerless. The petitioner and a local secretary might disagree about the condition of the property, whether it was arable and hence liable to classification as royal land and therefore not to be sold, or whether it was suitable only for building and profitable to the government only if sold. The department's main concern as sales agent for *adespota*, however, was to sell such ownerless property as rapidly and as profitably as possible. The idios logos no doubt received reports of government sales that were managed by local secretaries. It no longer acted as a separate account to which payments received from sale of government property were deposited. There is no evidence that local bankers kept separate listings for income deposited to the *demosion* by virtue of sales through the idios logos.

There is, equally, no evidence to suggest that the department was notified of every sale of *adespota*. The chief sales agent for ownerless property should be expected to have been so informed. If this was in fact the case, the only way that the administration could separate from the regular payments to the *demosion* the income realized from the sale of government property would be for the department in Alexandria to total up the records of sales forwarded to it.

The head of the department, whenever it was convenient during his administrative tour, personally directed government sales and received offers for property that the department or local officials publicly advertised, or *adespota* that had been discovered by a private individual.

It was through the *idios logos* that hereditary temple offices were sold. The procedure for such sales is not at all clear, but an analogy with the sale of real estate ought to be expected. An offer need not be submitted directly to the department but could be given to a local or nome official, who acting on behalf of the department would notify the department of the sale. Any questions about the salability of a given office or the price that should be paid would be ultimately settled by the *idios logos*. The department also supervised the payment of the installation fee, the payment *ὑπὲρ εἰσκριτικοῦ*, which was collected from anyone assuming an ecclesiastical office as the legitimate heir of the last holder of an hereditary office. In both cases the payment was deposited to the *demosion*. The *idios logos* was simply the department in the administration of Egypt that saw to it that the proper fees were paid.

From the tenuous connection between the Tullius Sabinus of *P. Vindob. Boswinkel* 1, which provides the only indication that the Julio-Claudian *idios logos* was concerned with ecclesiastical financial matters, and the same Tullius Sabinus in *P. Teb.* 394, we have assumed that the department also supervised the payment received for the ecclesiastical *epikrisis*. It is probable that the department, if we may generalize from the meager evidence that we possess, acted as sales agent for all salable temple offices.

It is impossible to determine from available evidence a date when the *idios logos* became the sales agent for ecclesiastical offices. We might theoretically connect the department with such sales through its association with the *adespota*. An unoccupied priesthood may be considered descriptively, if not legally, as *adespotos*, without owner, since no one had complete title to such offices until he had purchased the office or had paid the installation fee for an hereditary office. Temple offices were obviously viewed as commodities by the Julio-Claudian administration. As property that had once been in private hands, an unoccupied priesthood was to be returned as private property by sale through the *idios logos*.

Perhaps we may broadly conclude from the wide range of property for which the department acted as sales agent that any property which was appropriable or appropriated by the government of Roman Egypt, if it was not to become the government's permanent possession as royal land or to be bestowed as an imperial grant, was to be sold as private property within Egypt through the

idios logos. In addition to the property for which we have direct evidence, it may be reasonably assumed that the bureau was sales agent for the non-monetary or non-arable assets of confiscated estates or of estates whose owners died without full legal heirs. This would consist of houses, chattels, etc., which were of value to the government only if sold. There is admittedly no documented proof that the idios logos was exclusive sales agent for all government property previously in private hands, but there is no clear evidence to the contrary. It was certainly the most convenient department for accomplishing such sales.

The department's role as an administrator follows quite reasonably from its involvement with government sales. It was responsible for the full management of all properties to be sold through its agency. A convenient distinction may be made between what we may call the routine affairs of the idios logos and those special administrative matters that arose from time to time.

The keeping of accurate and up-to-date records of property to be sold from the idios logos would be the first order of routine business for the department. This provides a partial explanation for the regular administrative tour that the head of the department apparently made at the beginning of the Roman year. The local secretaries, however, were probably chiefly responsible for keeping track of the property to be sold through the department, just as they were locally in charge of most government sales. There must have been a continual flow of information from the nomes to the department in Alexandria. Such communication was carried on through the regular bureaucracy, since no subordinates employed exclusively by the idios logos appear in the nomes.

Some properties fell immediately within the department's competence on becoming *adespota*, and remained exclusively under the department's control. The *adespota ὁφειλοντα εἰς ἴδιων λόγον ἀναληφθῆναι* were described in a *gnomon* consulted by local secretaries to determine whether a given piece of ownerless property was immediately assignable to the department and immediately salable through it.

Some of the property managed by the idios logos was evidently assigned to it by other agencies and officials in the administration, with the obvious intention that the property be sold. The mass of non-arable property confiscated by the government, for which the Julio-Claudian idios logos was never the confiscating agent, would be released to the department's control if it were unprofitable. The only specific example we have for this procedure is  $\gamma\eta\ \epsilon\nu\ \bar{\nu}\pi\bar{\nu}\lambda\bar{\nu}\gamma\omega$  which the department did not manage until it was assigned to the department for sale.

The same procedure must have been used for the temple offices sold through the department. It can not be argued that the idios logos had anything to do with the regular administration of ecclesiastical affairs, at least from the available evidence. The department assumed control only when notified that such offices were unoccupied and, hence, were to be sold, or that an hereditary priesthood was to be transferred and an installation fee to be paid. This may have involved detailed listings of salable and hereditary offices, but does not imply exclusive

control of temple affairs. Once again, local officials were probably relied upon for collecting and recording pertinent data and expediting actual sales.

The administrative function that impressed and perhaps oppressed the general population was the department's role as investigator and judge in all cases of improper appropriation of property under its management. The idios logos had exclusive and complete jurisdiction over protecting the government's interests in property within its administrative competence. The Satabous affair provides a glimpse of the routine followed in such cases. A delator accused the defendant before a nome official or perhaps even a local one. The accused, who had the alternative of pleading guilty and settling the case on the spot, could have the suit against him brought as far as the *conventus* in Alexandria, where it was heard by the department's chief officer. The *dialogismos*, whether convened in Alexandria or Memphis, must have been more of a burden than a boon to a defendant, for whom the necessities of travel and counsel would provide enough motivation for a quick termination of the affair on the local level. If the accused was proved to have occupied property which ought to have been purchased from the department, he was found guilty and appropriately fined. The head of the idios logos was ultimately in charge of all such investigations which he from time to time directed personally. All information that was gathered as evidence and all preliminary hearings held before the final hearing at the *conventus* were the responsibility of nome officials. There were no special secretaries who were full time investigators for the idios logos.

We might conclude from the Satabous affair, although we have no documented proof, that the department also investigated, judged and penalized those who were implicated in improper sales from the department. We might suppose a case where a local secretary because of incompetence or collusion had received too low a price for some government property or had declared that it fell to the idios logos when it did not meet with the conditions in the *gnomon*. The priests in *P. Vindob. Boswinkel* 1 protested directly to Tullius Sabinus in A.D. 45 as they were to do again years later to Claudius Geminus, that they had been overcharged for a priesthood. The department would, furthermore, be expected to investigate and judge individuals who were allegedly incompetent to occupy property that was purchased through the idios logos, whether the property was a temple office occupied by someone who was ecclesiastically unfit or an empty lot sold to someone who, for one reason or another, did not have the right to purchase it. The vague implications found in Capito's edict indicate that the department had these same powers in regard to any officials who had in any way mishandled departmental affairs. In sum, the idios logos had full power to impose administrative justice on anyone who had criminally or unwittingly mishandled property under its control.

Although the department's jurisdiction was absolute in matters that directly concerned the idios logos, this jurisdiction never extended outside of its administrative competence. The idios logos could not judge and fine Chairemon

the *prophetes*, even though he had admitted under oath that he had sold to Satabous some vacant lots which the department considered to be under its control. As far as the department was concerned, Chairemon's crime was against Satabous, not the *idios logos*. It could only bring judgment against the actual although unwitting occupier of government property. In the light of such evidence, it would be unwise to extend our view of the department's role as investigator beyond what is certainly known to have been within the department's jurisdiction.

This "limited" judicial function of the *idios logos* had nevertheless impressed itself upon the population of Egypt. A generation of delators, motivated by vengeance or, if there was a system of rewards, by profit, were "swelling the city" and the agenda of the *idios logos* at the *dialogismos*.

Some or perhaps all of the above functions were regulated by something called a *gnomon*. This *gnomon*, as it seems from *P. Oxy.* 1188 and 2277, mentioned certain aspects of the administration of the *adespota*. Specifically, it defined which *adespota* were liable to immediate appropriation to the *idios logos*. That is, in more functional terms, it defined what properties on becoming ownerless could be immediately sold from the department. Since the *idios logos* was no longer the confiscating agent that it apparently had been at the end of the Ptolemaic period,<sup>50</sup> confiscated and ownerless property did not automatically fall to the department. Augustus was intent on having all arable property that had been confiscated or had become ownerless classified as royal land. But it would have been inefficient if it had been necessary to transfer to the *idios logos* any non-arable land, or land that had value only if sold, to be sold to private buyers. A more workable *modus operandi* would be possible if a list or a description of properties that were, *per se*, to be sold from the *idios logos* was drawn up. The *gnomon* mentioned in *P. Oxy.* 1188 and 2277 must have been such a list, or something quite similar. As such, it was as available and familiar to the head of the department as it was to local secretaries and, apparently, prospective buyers of *adespota*.

If the *gnomon* was in general a guide for the administration of the *idios logos*, it also contained information relating to matters of inheritance, which, in a stable political atmosphere, would be the main source of *adespota*. The non-capital assets from the estate of someone who had died without full legal heirs would be sold by the department. If the department was the final arbiter in determining what portions of an ownerless estate fell to it, we may assume that the Julio-Claudian *gnomon* contained such details on matters of inheritance as did the second-century *gnomon*, which will be more fully discussed in the next

50. The Julio-Claudian department is in the evidence never involved with confiscating property. *ἀναλαμβάνειν* of the formula *ἀφεῖλοντα εἰς ἔσων λόγουν ἀναληφθῆναι κατὰ τὸν γνώμονα* does not

refer to confiscated property (if indeed "confiscated" is a proper translation here) but to potentially confiscable (more likely "appropriable") property.

chapter. Although there is no direct evidence of a *gnomon* as broad in scope for the first century of Roman rule in Egypt as there is for the second, the edict of Ti. Julius Alexander does indicate that by the end of Nero's reign, the *gnomon* was more general than the Oxyrhynchos texts imply. And we may cautiously retroject from *BGU* 1210. The individuality of Egypt in the provincial scheme of things during the early principate and the uniqueness of the idios logos, for which there is no analogy in the rest of the Roman world, would necessitate some sort of guide for the Roman equestrian who assumed control of that office. The *gnomon* may have served such a purpose.

The *gnomon*, depending on possible interpretations of line 44 of Ti. Julius Alexander's edict,<sup>51</sup> could be altered by prefect or Princeps. If the details presumably contained in the *gnomon* referred to at Oxyrhynchos are indicative of the thoroughness of the full document, manipulation of the *gnomon* would be the most effective and immediate means of controlling the idios logos without actually changing substantially the nature of the department itself. While the department continued, for example, its supervision of non-productive *adespota*, an alteration in the *gnomon*'s definition of such property might remove a significant amount of it from the bureau's administration.

The department was located in Alexandria. Its routine business would consist in receiving notices of the sale of property through the idios logos, keeping complete records of properties that had been appropriated to it and of barren royal land that had been released to the idios logos for sale. The office probably kept detailed lists of salable ecclesiastical offices, although the troubles encountered by the priests in *P. Vindob. Boswinkel* 1 would suggest that no distinction was made in the records between hereditary priesthoods and those offices which were to be sold outright on the death of the occupant.

The department received information from delators and from local officials who were investigating illegal occupation of government property. It, in turn, sent out directives to local officials concerning such matters. The department staff was probably also concerned with recording hearings that were conducted by the department at the *conventus*.

The head of the department was a Roman equestrian appointed by the Princeps. His title was ὁ πρὸς τῷ ἴδιῷ λόγῳ. By the principate of Nero a non-Italian may have been able to hold the position. For an equestrian, from what we know of Vergilius Gallus, the appointment stood as a terminus for his imperial career, a post from which the occupant retired with dignity. His task in Egypt was to oversee the affairs of the idios logos, and this involved the management of what must have been a sizable staff in Alexandria. Through that staff or personally he supervised nome and local secretaries in the regular bureaucracy who were conducting the department's business.

51. See above p. 63.

He was required to tour Egypt, at times in conjunction with the prefect. On such occasions he directed departmental sales, personally receiving offers for land and property to be sold through the department. His administrative prominence, however, stemmed not from his concern for the department's routine business, which was handled for the most part by local officials in the regular administration, but from his role as final judge in all cases that came before the idios logos at the *conventus*. He had full power to investigate, judge and fine those who were accused of illegalities in regard to the department's affairs. He also sat, it would seem *ex officio*, *in consilio* to hear matters that were brought up *pro tribunali*, but which did not necessarily concern the idios logos. In general he was the final authority for all of the diverse activities of the office of the idios logos. It is clear from the papyri that he was always referred to as "supervising" the idios logos, and was never himself called "idios logos."

Augustus preserved the idios logos not for the accounting convenience for which it was created in the second century B.C., but as the administrative organ which necessity had made a full department in the later Ptolemaic bureaucracy. So long as  $\gamma\eta\beta\alpha\sigma\iota\lambda\kappa\eta$  and private property remained in Egypt, the idios logos was the most practical method for managing and selling whatever properties were lost by private owners through confiscation or death, and were at the same time unsuitable for classification as royal land. In the same fashion, royal land that had become unsuitable because of neglect or physical deterioration was to be disposed of through the idios logos. The department was, after private sale and imperial grant, the chief source of private property in Roman Egypt and the administrator of all non-revenue producing government property.

The effectiveness of the department might have gone beyond this administrative convenience. The idios logos (as noted by Strabo and confirmed by the two prefectorial edicts examined in this chapter) was subordinate to the prefect who might, for instance, make or recommend procedural alterations in the department's operations. However, the idios logos was not an agent of the prefect. This distinction is important. From the department's point of view the prefect's concern was for regular revenue-producing property. In this the prefect and his agents had complete administrative competence, from deciding what properties were to be assigned to the prefect's administration to determining when such property was to be released from this administration. But the idios logos also possessed complete competence over matters which were in its administration. Once it was determined what property was within its jurisdiction, the idios logos had full control over the activities of local secretaries handling such property and over the complicated cases that sometimes involved such property, and for which it sat as the final judge. This obviously relieved the prefect of much additional labor. Perhaps more importantly, this distinction between the administration of the prefect and the administration of the idios logos provided a more careful inspection of imperial financial interests in Egypt. While a conflict might arise in

regard to whether a given piece of property was liable to appropriation to the idios logos or, rather, ought to become royal land, there would be no conflict over whether or not it was appropriable to the government. A common administration for both revenue and non-revenue producing property might not be nearly so efficient, or at least not so zealous.

The distinction also provided a check on the regular nome and local bureaucracy. A secretary in the *chora* who ignorantly or corruptly sold arable land as *adespota* would be discovered more readily by a special department which received notice of such sales and regularly checked them. If a secretary confiscated the capital assets from the estate of someone who had died without legal heirs and did not confiscate the non-income producing property, he would be investigated and prosecuted by the department exclusively devoted to the administration of such property. His misjudgment or fraud would not be lost amid the red tape of a single administrator who was trying to separate the various types of government property and manage them accordingly.

The distinction, lastly, might have afforded a check on the prefect himself. With the above stated exceptions of private sale and imperial grant, neither of which was obviously open to manipulation by the prefect, the only source of private property for a landowner in Egypt was through the idios logos. Had the prefect been invested with this function, a situation might have arisen where he favored certain landowners with reduced or token prices in order to enhance his own reputation and influence. He and his agents might also have indulged in personal speculation in regard to such property. As it was, the prefect might threaten or cajole owners of private property by the various powers that he possessed. But he could never gain their favor or allegiance through the bestowal of government property. That was reserved for the emperor. He could reduce prices on government property, but such reductions would be noted immediately by the idios logos, which would pass them on to every purchaser of government land without distinction or discrimination.

By analogy the same importance may be assigned to the department's relationship to the temples. The ecclesiastical administration supervised regular temple income and routine temple affairs. The all-important function of selling temple offices and perhaps determining who was competent to occupy such offices was reserved for the idios logos. An impartial department was inserted into the secular and ecclesiastical financial administration of Egypt to protect the interests of an impersonal *demosion* which was being served by fallible human agents. The possibility of corruption in Alexandria by the prefectorial and ecclesiastical administrations and by the idios logos was confined to the functions of each individual administration. Any attempt at manipulation would become immediately evident to one or another of them.<sup>52</sup>

52. See my "Prefect and Idios Logos," Proc. XII Int. Cong. Papyrology, 1970, pp. 455-460.



## Chapter Three

### The Idios Logos under the Flavians and Antonines

The *Gnomon of the Idios Logos* and a deluge of post-Neronian documents reveal an idios logos significantly different from the pre-Flavian department. The second-century office evolved quite reasonably and, in bureaucratic terms, almost inevitably, from the Julio-Claudian department. The functions of the idios logos, which were (so far as the evidence of the last chapter indicated) always confined to the department's administrative competence, produced a bureau which acted as confiscator, investigator and judge in matters that did not necessarily have a bearing on its expanded administrative capacities; and the department, in terms of its involvement with ecclesiastical affairs and matters pertaining to inheritance and civil status, gained an increased competence.

#### 1. TEMPLE AND IDIOS LOGOS

The relationship of the idios logos to temple affairs that was posited on the basis of a mutilated statement in *P. Vindob. Boswinkel* 1 to have originated in the Julio-Claudian period is emphatically substantiated for the second century by 27 entries in the *Gnomon of the Idios Logos*, paragraphs 71-97. There are also a number of post-Neronian papyri which explain the apparent disparity between the rather restricted role of the department in ecclesiastical matters in the first century, and the extremely broad and all-encompassing role suggested by the *Gnomon* for the second. Very often the *Gnomon* and other documents when considered individually indicate broad, unrestricted ecclesiastical prerogatives for the idios logos, but the evidence when combined limits such a broad conclusion, and shows the development as a clear and logical extension of the department's pre-Flavian involvement in such matters. An examination of the papyri and the *Gnomon* side by side thus serves to define as closely as possible the department's connection with second-century temple affairs.

In April of A.D. 160 the antarchiereus, Ulpius Serenianus, in issuing a pronouncement on the right of the *boule* of Ptolemais to designate a neokoros enumerated (in *SB* 9016) a list of precedents upon which he was basing his decision. The prior pronouncements, all from *hypomnemata*, were chronologically as follows:

1. a decision by Cn. Vergilius Capito on Pharmouthi 1, A.D. 48;  
(lines 5-9)

2. the decision of Lysimachos ὁ πρὸς τῷ ἰδίῳ λόγῳ on Mecheir 4, A.D. 69; (lines 9-18)
3. a second decision delivered by Lysimachos on Mecheir 4, A.D. 88. (lines 11-19)

The verdict of the antarchierus is contained in lines 1-4, with his *subscriptio* added in column 2 of the papyrus. The dispute arose on all four occasions over who was to designate the neokoros at Ptolemais, the *boule* or the priests. The problem relevant to this study is the identity of the authority with jurisdiction in such disputes.

In A.D. 48 it was quite clearly the prefect who solved the problem. The neokoros appointed in 48 had evidently died or forfeited his position, for the same case was heard again in 69. On that occasion the head of the idios logos, Lysimachos, resolved the argument over who was to choose the new neokoros. The intervention of Tullius Sabinus in the dispute at Nilopolis in 45 (*P. Vindob. Boswinkel* 1) provides a possible explanation for the role of the idios logos here at Ptolemais in 69.<sup>1</sup> It was from this department that temple offices were purchased and by this department that irregularities involving the occupation of such offices were investigated and judged, but then there is an obvious difference from the situation in 48, when the prefect decided the case. The *neokoria* was vacant again in 88, and Lysimachos was required to exercise his authority a second time — whether as head of the idios logos or in another capacity is not indicated.<sup>2</sup> At the *dialogismos* in Memphis, where the verdict of 69 was also probably issued, he quoted his own decision as ample precedent, but added the rulings of the Princeps and prefect for good measure. The case did not come up again until 160. Ulpius Serenianus was the judge in his capacity as antarchiereus. He decided in favor of the *boule*, and notified accordingly the strategos and basilikogrammateus of the Coptite Nome. Thus, in the space of 112 years three distinct authorities had heard the same case on four different occasions. Was there confusion or a radical administrative realignment in Alexandria during these years, or is a reasonable explanation determinable from the document itself?

The dispute, which on each occasion might be described as the *boule* at Ptolemais vs. the priests of the temple of Soter at Coptos where the *neokoria* was located, can be approached from several directions. In 48 the primary concern of the administration was with the rights of the *boule* at Ptolemais. Hence the prefect acted as the final judge. A verdict by the prefect against the *boule* would probably have been appealed to Rome. Twenty years and several prefects later the

1. See pages 57-59.

2. Lysimachos did not remain department head for 20 years, for *P. Ryl.* 598 mentioned in 73 Μουμίουν Γάλ[λον τοῦ πρὸς τῷ ἰδίῳ λόγῳ] in connection with a problem about a *propheteia*. Evidently Lysimachos either lost his position and then, by dint of bureaucratic diligence, was re-

appointed in 88 or earlier; or he was in 88 as archiereus anticipating the role of Ulpius Serenianus. However, since both of his decisions were apparently pronounced at the Memphis *dialogismos*, the former alternative is probably correct.

administration's attention was focused on the nature of the *neokoria*. The claim was no doubt put forward that it was the hereditary possession of the temple. This was a matter for the idios logos. Lysimachos in 69 as head of the idios logos was neither in conflict with the competence of the prefect nor assuming a new role for the idios logos. The rights of the *boule* had been decided by Capito. Lysimachos decided that the status of the *neokoria* had not changed, and thus his verdict was obviously and completely within his role as head of the idios logos. For some unknown reason the priests tried again in 88 for a favorable judgment, only to come up against Lysimachos a second time. He had not only the precedent of a prefectorial verdict to guarantee that he was not usurping the prefect's prerogatives in the case, but also his own previous pronouncement. He came to a rapid decision.

By 160 the dispute was evidently a routine ecclesiastical matter to be decided by ecclesiastical authorities on the basis of prior verdicts. Upius Serenianus would have no reason to believe that he was in conflict with the competence of either the prefect or the head of the idios logos, since he knew perfectly well what the opinion of each was in regard to the case. He passed judgment without referring the case to either authority.

The role of the idios logos revealed in this text is no different from that deduced from the pre-Flavian evidence. It was through the department that any fees, either sales prices or *ὑπὲρ εἰσκριτικοῦ*, were paid by whoever was appointed neokoros after each of the four verdicts. It was to the department that all cases involving the proper transfer of temple offices were referred.<sup>3</sup>

To recapitulate, the idios logos was called upon in 69 to decide whether or not a *neokoria* which was to be purchased through it had been previously purchased as an hereditary office. The matter was settled to the satisfaction of Lysimachos, the head of the idios logos, only to be brought up again in 88. By 160 the well-kept records of the previous disputes over the neokoros removed the need to appeal either to the prefect or to the idios logos. As a routine ecclesiastical matter the antarchiereus confidently issued a verdict. He had assumed a prerogative of the idios logos no more than he had infringed upon a function of the prefect.

The office of neokoros at the temple of Soter at Coptos was not the only position requiring a decision from the idios logos on several occasions. The priests at Nilopolis, whose appearance before Tullius Sabinus was discussed in section 3 of Chapter Two, appealed to the idios logos again in 89 (*P. Vindob. Boswinkel*

3. If the papyrus is to be used as proof for the unity of the offices of idios logos and archiereus, the document must be followed to the logical conclusion that in 48 Capito was head of the idios logos prefect and high priest, and that the rights of the *boule* at Ptolemais could be decided by the head of the idios logos—high priest. After coming

to these conclusions one would then have to argue that the idios logos had absolute control over temple affairs.

On the antarchiereus of the text cf. Scherer's excellent commentary to *P. Fouad Inv. 211*, *BIFAO* 41, 1942, pp. 59-60.

1.26 ff.). From what can be extracted from the section of the papyrus describing the difficulties of the priests in the Flavian period, there had been an overcharge of some 276 drachmas *ὑπὲρ εἰσκριτικοῦ* for the *propheteia* and *lesoneia* at Nilopolis. This had come about, according to the priests, because the late prophetes and lesones had paid that same high price. But, since the offices were hereditary, as had been clearly determined by Tullius Sabinus, the installation fee should have been 77 drachmas 1 obol. The priests complained to a local official and sent a delegation to Claudius Geminus, who had succeeded Lysimachos in the idios logos in A.D. 89 (SEG 18.646). The investigation of the matter, which was by 89 a routine departmental procedure, was turned over to the basilikogrammateus. The priests had evidently composed their case — which included a summary of the hearing before Sabinus and the investigation of the new difficulties as far as it had progressed in 89 — in preparation for a final hearing before Geminus.

The department's jurisdiction in 89 was no different from its jurisdiction in 48, 69 and 88. A question had arisen whether a temple office was hereditary or not. Since such offices were to be purchased through the department, any problem concerning the transmission of ecclesiastical positions was to be settled by the department. The interest of the idios logos was financial. In 88 and 69 Lysimachos decided who would designate the candidate who would pay for the *neokoria*. The question in 89 was the amount to be paid *ὑπὲρ εἰσκριτικοῦ* for a *propheteia* and *lesoneia*. The priests contended that the offices were hereditary and were to be transferred to the legal heir after a payment to the *demosion* of 77 drachmas and 1 obol. Their chief evidence was the previous decision of Tullius Sabinus, who had confirmed the rate. The evidence against them was (1) the opinion of the basilikogrammateus, who might have been responsible for the alleged overcharge, that the offices were not hereditary, and (2) the fact that the late prophetes and lesones had paid the same high price demanded from the new holder of the offices.

The most complicated attested case that the idios logos was required to handle by virtue of its jurisdiction over disputes involving temple offices sold through it is presented in *Stud. Pal.* 22.184.<sup>4</sup> On October 3, 139, the priests of Soknopaiou Nesos addressed to the strategos Aelius Numisianus a summary of a dispute in which they had been involved since 135. The analysis of the document presented here does not pretend to explain the intricacies of the text but attempts merely to extract enough information to outline the department's role in the affair. The events preceding the summary of A.D. 139 were apparently as follows:

1. Stotoëtis the father of Stotoëtis died. He had been priest and

4. With the readings from *BL* II, p. 167, and Bickerman, *Aegyptus* 3, 1922, pp. 337-338; in the

latter the restoration of line 10, [ἀπὸ ἦ]λων λόγων, is improbable.

prophetes of Soknopaiou and ought to have been succeeded by his son since the offices were allegedly hereditary. (line 16)

2. Nepheros son of Onnophris, the villain in the opinion of the authors of the document, thought that he had a reason for claiming the offices. With this in mind and perhaps with the aid of Ision the komogrammateus, who is mentioned in an uncertain context, he had his cause presented to Herakleides the strategos in 135. (lines 46-49)

3. At this point the priests mentioned a copy of *hypomnematismoi* indicating that a preliminary hearing may have taken place before the strategos or before Claudius Julianus who was ὁ κράτιστος πρὸς τῷ ἴδιῳ λόγῳ. (lines 62 and 66)

4. Whatever may have been the immediate results of Nepheros' appearance before the strategos, Stotoëtis and his comrades sent a *biblidion* to Claudius Julianus in which they included information about a hearing before a certain Aurelius (who might have been basilikogrammateus) in addition to the one that may have taken place before the strategos; the *syntaxis* (which may have been cut off); someone who had thrown them out of the shrine; something *χωρὶς εἰσκριτικοῦ*; and a foreign priest, no doubt Nepheros. (lines 66-81 ?)

5. Julianus turned the *biblidion* over to Herakleides with a note requesting him to conduct an investigation. (lines 55-61)

6. There was a hearing before the new strategos Aelius Numisianus. Ammonius, a rhetor, represented Nepheros. The letter of Claudius Julianus was introduced. Aelius Numisianus ordered a further inquiry into the following points: (1) Did Stotoëtis have an hereditary priesthood and *propheteia*? (2) Did he come to some sort of agreement with Nepheros before the payment for *eiskritikon* and thus by-pass the lawful sale of the offices? (3) Did anyone in the temple gain an illegal profit (from the sale of the offices)? (4) Did Nepheros pay someone (illegally) for the offices? (5) Did the office belong to any of the other priests at the temple, a price being paid for the *propheteia*? (lines 12-54)

7. Evidently the basilikogrammateus Antimachos assumed control of the investigation at this point, for he issued an *εἶδος εἰς ἐξέτασιν*, to which the priests were replying with an oath in 139.

The questions into which Numisianus was inquiring indicate that the interests of the idios logos went further than determining who was to occupy a given office and thus pay a sales price or *eiskritikon* fee. When the friends of Stotoëtis appealed to Julianus they may have believed that the problem was simply to have the idios logos choose between Stotoëtis and Nepheros in much the same way that it had settled difficulties at Nilopolis and Ptolemais in the past. Since we do not know the final verdict in the case, we may speculate that this was the situation and that it went no further. If the offices were found to be

hereditary, paragraph 77 of the *Gnomon*, *ai ἐπὶ δ[i]αδοχῇ προφητεῖαι τῷ γένει φυλάσσονται*, would have been applied and Stotoëtis awarded the offices – provided of course that he was the legal heir and that he paid for *eiskritikon*. If the offices were not hereditary, then paragraph 78 of the *Gnomon*, *ai δὲ πραθεῖσαι ψειλῶς καὶ μὴ ἐφ' αἰρέσι πραταί εἰσω*, would have followed. This second eventuality would complicate matters, for Stotoëtis would then admittedly have been occupying government *adespota* and thus be liable to the same sort of judgment previously seen in the Satabous affair.

Numisianus realized and the *Gnomon* indicates that the department's jurisdiction went beyond this. The strategos saw the possibility of a *συγχωρήσεως τῆς [προ]φητείας* (line 52), that is, although Stotoëtis may have been the legitimate heir of Stotoëtis, the dead priest, he might have ceded to Nepheros, for a price, his rights to the offices occupied by his father. This was illegal, for paragraphs 77 and 78 of the *Gnomon* indicate that an hereditary *propheteia* was either transmitted to the next heir or sold (by the government). If Stotoëtis had sold his father's office and this was considered equivalent to abandoning his priestly duties, he would have been liable to a fine, as is suggested by paragraph 75 of the *Gnomon*, *ἱερεὺς καταλειπών τὰς θρησκείας κατεκριθη (δραχμῶν) σ.* The department, perhaps from the earliest years of Roman rule in Egypt and at least by the middle of the second century, had jurisdiction over cases involving irregularities in temple affairs even after the mishandled office had been properly sold through it or the legal heir to an hereditary position had duly paid for *eiskritikon*. There were several possible decisions which Julianus could issue in the case, all of them within the competence of the department by A.D. 139. Stotoëtis, in the least complicated of the possible verdicts, would be declared the heir of his father, Stotoëtis, and legal occupier of the offices. Such verdicts had been issued from the department from the time of Claudius and probably earlier. He might be found to have assumed the offices after paying for *eiskritikon*, although the offices themselves were not hereditary. He would then be guilty of illegally occupying *adespota* which should have been purchased through the *idios logos* (*Gnomon*, paragraph 78). Nepheros, if it were proved that he had purchased the offices from Stotoëtis who did not own them, would likewise be guilty of occupying the offices illegally. The improper appropriation of a commodity that should have been purchased through the *idios logos* had been under the department's jurisdiction since the time of Satabous.

An involvement in ecclesiastical matters otherwise undocumented would be implied if Julianus found Stotoëtis guilty of giving up an office to which he was legal heir. The department's competence in such an affair may have followed from its position as sales agent for temple offices. It is obvious from the questions that were asked by Numisianus and from the three statements in the *Gnomon*, paragraphs 75, 77, and 78, that the *idios logos*' jurisdiction no longer ended once an office had been properly sold or transferred. The department had acquired the additional function of investigation and judgment in cases concerning the

mishandling of temple offices sold through it. It should be noted that the idios logos was not interested so much in the orderly management of temples as it was in the financial well-being of the fiscus. There was a possibility in the business at Soknopaiou Nesos that a payment had not been made for *eiskritikon*; that there had been a payment for *eiskritikon* when a much higher sales price should have been charged for the offices; or that the priests of the temple were guilty of illegal conduct with respect to the positions and should be fined accordingly. Julianus, in directing the investigation and eventually passing judgment in the affair at Soknopaiou Nesos, was not performing the duties of the archiereus. The routine of the temple was of concern to him only so far as it involved offices that were to be sold by the department or possible fines that were to be paid by those found guilty of abusing these same offices. The Satabous affair provides an adequate precedent.

The earliest of the surviving documents providing a key for understanding the department's ecclesiastical activities which have been thus far discussed is *P. Teb.* 294 (= *WChr.* 78). The papyrus is a copy of a petition composed on the fifth of January, 147.

'Αντίγ[ρ]αφον.  
 Τιβ[ερίωι] Κλ[α]υδίωι Ιούστωι τῷ πρὸς τῷ  
 ιδιῶ[ν] λόγω[ν]  
 πα[ρὰ Πα]κήβκιος Μαρσισούχου [ι]ερέως ἀπολυσίμου  
 5 ἀ[πὸ] Σοκνεπτύνεως τ[ο]ῦ καὶ τῶν συννάων  
 [θεῶν μεγ]ίστων ιεροῦ λονίμου τοῦ ὄντος ἐν κώμῃ Τε-  
 [πτύνει τ]ῆς Πολέμωνος μερίδος τοῦ Ἀρσω[ο]είτου νομοῦ.  
 Β[ούλομα]ι ὡνήσασθαι τὴν τοῦ προκιμένου ιεροῦ προ-  
 φη[τ]εία[ν] εἰς π[ρ]ᾶσι π[ρ]οκιμένην ἔτι πάλαι ἐπὶ τῷ κα-  
 10 ταχ[ . . . . . ]ν καὶ βαιοφορε[ῖ]ν με καὶ τὰ ἄλλα τὰ τῇ προφη-  
 τείᾳ προ[σ]ήκοντα ἐ[πι]τ[ελ]ε[ῖ]ν καὶ λαμβάνε[ι]ν πάσης  
 ὑποπιπτούσης τῷ ί[ε]ρῷ προσόδου τὸ πέμπτον κατὰ  
 τὰ κ[ε]λευ[σ]θέντα τέψης ἀντὶ ὧν ὑπέσχετο ἔτι πάλαι  
 Μαρσ[ι]σοῦχος Πακήβκιος δραχμῶν ἔξακοσίων τεσσα-  
 15 ράκ[ο]ντ[α] ἐπ[ι]τὸ δραχμῶν δι[σχ]ειλ[ίω]ν διακοσίων,  
 ἀς κ[αὶ] διαγράψω κυρωθεὶς ἐπὶ τὴν ἐπὶ τέτων λημοσίαν  
 τράπεζαν ταῖς συνήθεσι προθεομίας. Μενεῖ[ν] δέ μοι  
 καὶ ἐγγόνοις καὶ τοῖς παρ' ἐμοῦ μεταληψομένοις ἡ τού-  
 των κυριεῖ[α] καὶ κράτησ[ις ἐπὶ τ]ὸν ἀεὶ χρόνο[ν] ἐπὶ τοῖ[ς αὐ.]  
 20 τοῖς τιμίοις καὶ δικαίοις πᾶσει, διαγράφου[σ]ι ὑπὲρ ισκριτικ[οῦ]  
 δραχμὰς δια[κ]ιοσίας. Ἐὰν οὖν σοι δόξῃ, κύριε, κυρώσει[ς]  
 μοι ἐνθάδε ἐπὶ τῆς πόλεως ἐπὶ τούτοις μου [τ]οῖς δικαί-  
 οις καὶ γράψης τῷ τοῦ νομοῦ στρατηγῶι περὶ τούτου, ἵνα  
 καὶ αἱ ὁφιλ[ο]νσαι ιερουργίαι τῶν σε φιλούντων θεῶν ἐπι-  
 25 τελῶνται. Ἐστι δὲ τὸ ἐπιβάλλον μοι ε' μέρος τῶν

ἐκ τῶν προσπειπτόντων ὡς πρόκιται μετὰ τὰς γω-  
[μέ]νας δαπάνας (πυροῦ) (ἀρτάβαι) ν φακοῦ (ἀρτάβαι) θ γ' ἀργυρίου  
(δραχμαὶ) ξ.

Διεντύχει.

(Ἐτους) ι Αὐτοκράτορος Καισαρος Τίτου Αἰλίου Ἀδριανοῦ  
30 Ἀντωνεύοντος Σεβαστοῦ Εύσεβοῦ Τῦβει ι.

The orthography of the text is rather curious.<sup>5</sup> Aside from line 2, the scribe who made the copy, whether he was attempting to imitate irregularities in the original or was himself responsible, employed *iotas* adscript for the dative article in lines 9 and 12 but not in 10 and 23. The adscript was omitted in *κώμη* of line 6 and *προφητείᾳ* in line 11 but applied in other datives where appropriate. There is *nu* after *μενεῖ* in line 17. These peculiarities may account for the strange *πρὸς τῷ ιδίων λόγων* in 2-3. Whatever the explanation for the curiosities, Tiberius Claudius Justus was obviously *ὁ πρὸς τῷ ιδίῳ λόγῳ* and his title should have been so rendered.

Pakebkis wanted to buy a *propheteia* that had long been vacant. A certain Marsisouchos had offered to pay 640 drachmas for the office but Pakebkis was willing to pay 2200 drachmas to the local bank on condition that:

1. ....
2. he be allowed to carry the palm branch;
3. he be allowed to perform all of the duties pertaining to the office;
4. he receive one-fifth of the total revenues of the temple;
5. and the office remain the property of himself and his heirs, to whom the office would be transferred on the payment of 200 drachmas for *eiskritikon*.

He requested that Justus notify the strategos of the Arsinoite Nome if the sale was ratified. The *propheteia* was to be hereditary. Perhaps Marsisouchos who had submitted a previous bid wished to have the office for himself and not for his heirs, for which reason he offered only 640 drachmas. *P. Teb.* 294 substantiates the obvious conclusions drawn from earlier papyri that ecclesiastical offices were purchased from the *idios logos*, and that the department in receiving such petitions and investigating irregularities involving these offices was not acting in the capacity of the high priest but as the administrator and sales agent for *adespota*.

The next three papyri in the Tebtunis collection, *P. Teb.* 295-297, concern problems surrounding the sales of *propheteiai* between A.D. 123 and 137, all of

5. Grenfell and Hunt read lines 2/3 as *πρὸς τῷ[ν] / ιδίων λόγων*; and Wilcken *πρὸς τῷ [.....] ιδίων λόγων*.

which may have come to the department's attention. *P. Teb.* 296 may be a letter from the department, and 297 an abstract of a hearing in the idios logos. *Stud. Pal.* 22.116, an *arithmesis* for the month of Pauni during the reign of Commodus, lists an entry of 230 drachmas which one Stotoëtis διέγ(ραψε) ιδίου λόγου. The statement is reminiscent of the way in which Satabous' payment was recorded in *SB* 5240 Col. 2. The 230 drachmas paid by Stotoëtis through the idios logos might have been for *eiskritikon*. It was apparently too low to be the price of a major office. It might also have been paid for any of a host of non-ecclesiastical reasons.<sup>6</sup>

The department's role in temple affairs as described above expanded quite reasonably from its pre-Flavian involvement. Every aspect of this role can be traced directly to the bureau's function as sales agent for temple offices. Competence in such matters was really no different from the control it exercised over all of the government properties assigned to it for sale. Evidently the idios logos continued in the second century as sales agent for ecclesiastical positions, and thus as an important and impartial third party between the regular ecclesiastical administration and the individual temple. There are, however, a number of papyri and several paragraphs of the *Gnomon* which, when considered separately, imply a more intimate connection between idios logos and temple than we have been willing to admit from the evidence thus far examined. The documents to be discussed in the following pages have been the main evidence for those proposing a unification of the high priesthood and the idios logos, a unification which some believe may have extended back to Augustus.<sup>7</sup> However, although this evidence reveals a nexus between the department and the ecclesiastical administration quite similar to the connection posited above, this connection can be explained without assuming that the head of the idios logos must have been archiereus.

*BGU* 250 (= *WChr.* 87) appears to deal with a matter of ritual procedure. Pakysis the son of Pakysis offered in Hadrian's fifth year, 120/121, a sacrificial animal which he claimed had been duly sacrificed by Marreies, son of Apychis, in the proper and usual way. He claimed further that he did not receive the customary *grammata*. Subsequently, in 122/123, Pekmeis and some others who sealed bulls for sacrifice addressed an *anaphorion* to Julius Pardalas, τὸν γενόμενον πρὸς τῷ ιδίῳ λόγῳ, in which they stated that Pakysis had offered for sacrifice an improperly sealed bullock. Word was sent to a prostrategos who issued an εἴδος εἰς ἔξέτασιν, to which Pakysis responded in *BGU* 250 with a statement to the strategos Archias.

6. *P. Teb.* 296, with M. Talamanca's reading in line 5 (BL III, p. 241) Μάρ]κ[ιος] Μοισιακ[ος] (Μοισια[ρος] Plaumann, p. 61), may have actually involved Marcus Moesiacus, the head of the department who appears in *SEG* 2.848. If this is so,

then a sale of a temple position by auction had to be approved by the head of the idios logos before becoming final. *P. Teb.* 296 quotes the approval of Moesiacus.

7. Walter Otto, *Archiv* 5, 1913, pp. 181-182.

*BGU* 16 (= *WChr.* 114) records another reply to an *eidos* for investigation, this time from τῆς τοῦ ἰδίου λόγου ἐπιτροπῆς, addressed to Hierax the strategos and TeImagenes the basilikogrammateus of the Arsinoite Nome. In 159/160 six priests of Soknopaiou swore a statement by the genius of the emperor concerning one of their fellow priests who had been denounced for letting his hair grow long and wearing a woolen garment.

Both cases involve ecclesiastical procedure. In the first the delators allege that a bull had been sacrificed without first being ritually sealed. The routine for such a sacrifice required that the person offering the animal receive certain *grammata* from the person performing the ritual.<sup>8</sup> In this case, the allegation that a bullock had been improperly sealed and offered was directed to the idios logos instead of the ecclesiastical authorities. The department directed all investigations into the matter and presumably delivered the final verdict. So also in the case of those who have long hair and wear woolen garments contrary to the regulations of their clerical office. The investigation of such irregularities was obviously a function of the idios logos.

There is no apparent connection between improper ecclesiastical activity and the other temple matters with which the department was concerned. Specifically, the investigation of ritual improprieties has nothing to do with the sale of priestly offices. Prior to the discovery of the *Gnomon* the two Berlin papyri (along with *WChr.* 72<sup>9</sup>) were considered sufficient evidence for concluding that the idios logos and the office of the high priest were one and the same.<sup>10</sup> The *Gnomon* with its extensive concern for temple activities was taken as final proof. Paragraphs 72 and 76 of the *Gnomon* do indeed explicitly cover the two cases presented in *BGU* 16 and 250, but, most importantly, they reduce the department's interests to monetary terms. Paragraph 72 states ἀσφρα[γ]ίστους μόσχους οὐκ ἔξον θύεω· οἱ δὲ π[α]ρὰ ταῦ[τα θύσ]αντες κατακρύψο[ν]ται (δραχμῶν) φ. Paragraph 76 suggests a fine for the infraction described in *BGU* 16, ιερεὺς ἐρεᾶ ἐσθῆτι χρησάμενος καὶ κόμην φορέσας (δραχμῶν) ἀ.

Although the department's involvement in temple affairs has been ascribed in the previous pages to its role as an impartial, i.e. non-ecclesiastical, supervisor over irregular payments due to the fiscus from the sale of temple positions, and arbiter of all difficulties concerning such sales, it must be admitted that the new functions illustrated by the Berlin texts and the *Gnomon* in no way involved a salable commodity. The department's concern for irregular income due the fiscus from fines levied for ecclesiastical impropriety does not, however, mean that the idios logos was exercising a prerogative of the high priesthood. Whether this

8. *WChr.* 89 is an example of the sort of statement which should have been delivered to Pakysis.

9. *WChr.* 72 was the first published papyrus to mention the idios logos (cf. Introduction, page 1).

I have reserved discussion of the problems involved with this text for Appendix II, p. 133.

10. Plaumann, pp. 31 ff. For a full discussion of the various opinions cf. Scherer, *op. cit.*, pp. 60-66.

aspect of the department's competence over temple affairs was Augustan or, more probably, Hadrianic in origin, these fines should be viewed simply as irregular payments due to the government through the supervision not of the archiereus but of the head of the idios logos. If there had been a change in the administration of such matters between the first and the second century, it was not that the head of the idios logos had become high priest, but that final authority in the investigation of ritual infractions was given to the idios logos.

The procedure followed in such investigations was no different from the routine in secular matters. There was evidently a denunciation delivered to the head of the idios logos or to a nome strategos. In *BGU* 16, the department recorded the charge in an "eidos for investigation." The priests in 159/160 were answering *πρὸς τὸ μεταδοθὲν εἰς ἐξέτασων εἶδος τῆς ἱδίου λόγου ἐπιτροπῆς γ τόμου, κολλή(ματος) γ*. The *eidos* here must have been something like a summary (of cases) for investigation. The charge against the priest of Soknopaiou was contained in column 3, roll 3 of this summary. There is no reason for suspecting that all 3 rolls of the *eidos* were devoted to ecclesiastical matters. In *P. Iand.* 139 there is an *eidos* from the idios logos of at least 19 rolls, which evidently concerned cases that were not concluded at the *conventus* of A.D. 148. Column 119 of roll 19 of that *eidos* involved a secular matter, the failure to register some *adespota*. There is no indication that any distinction was made between secular and ecclesiastical cases either at the *conventus* or in local investigations or that there was a separate *eidos* for each.

The paragraphs in the *Gnomon* that deal with ecclesiastical procedure, even when no specific fine is suggested, can be interpreted from the same point of view: all charges of ecclesiastical impropriety where there was a possibility of a fine were to be investigated and judged by the idios logos. The *Gnomon* listed the more difficult cases and detailed the more intricate instructions about temple offices because such matters would be the hardest to handle. Cases of blatant sacrilege, if liable to a fine, could be easily concluded by the department or by nome secretaries acting on behalf of the idios logos without reference to information about the complexities of temple procedure. The ecclesiastical portion of the *Gnomon* is a digest of some rules and regulations that would be of use in deciding less-than-routine cases. Such a digest would be both convenient and necessary. Under the heading of activities pertinent to the aspect of the department's concern for temple life we might place *Gnomon* paragraphs 71-76, 81-83, 86-90, 93, 95, and 97. These paragraphs, probably reflecting some of the more complex cases heard in the department, provide no indication that the idios logos was in any way involved in establishing temple procedure. Centuries of tradition and the Roman ecclesiastical administration had created the regulations. Any infraction of ecclesiastical propriety liable to a fine and brought to the attention of the idios logos was investigated and judged by that department.

In sum, the role of the idios logos in temple affairs was threefold. It was: (1) sales agent for salable temple offices; (2) investigator and judge for irregularities in

the occupation of these same offices; (3) investigator and judge for all cases of ecclesiastical impropriety liable to a fine. As sales agent the department operated very much as it must have done in the Julio-Claudian period – in general, supervising the sale of offices and, in particular, receiving notices of such sales or actual offers from prospective purchasers, which offers were turned over to nome officials for processing. The *idios logos* had competence over the payment for *eiskritikon* deposited by everyone who succeeded to an hereditary position. The department quite naturally would have been concerned with the rapid and profitable sale of all vacant non-hereditary offices and may have been informed if any office remained unoccupied for any length of time. The *Gnomon* contained some information pertaining to this function. Paragraph 78 explained how a non-hereditary *propheteia* was to be sold, and 80 that *stolisteiai* were salable (by the department).

The department's jurisdiction over irregularities in the occupation of temple offices was a supplement to its role as sales agent. Of immediate concern to the *idios logos* were the qualifications of a given individual to occupy a position that he wished to purchase, or to which he had succeeded. The department had the final say in every dispute involving the ecclesiastical credentials of anyone holding an office sold through its agency. It was the final authority in determining the ecclesiastical legitimacy of anyone who, with dubious qualifications, inherited a temple office. All controversies requiring a decision as to whether an office was hereditary and transmissible after a payment for *eiskritikon*, or non-hereditary and salable at auction to a qualified individual, were resolved in the *idios logos*.

Every question about the rights, duties or limitations of a temple position sold from the department or inherited after the payment for *eiskritikon*, was referred to the *idios logos* for a final decision if such a decision could not be satisfactorily given by a local official. The department's involvement in such cases as *Stud. Pal.* 22.184 was motivated by the possibility of a fine or of resale of the disputed office. The *Gnomon* offered some helpful information in this direction but certainly did not provide a precedent for every eventuality. Paragraph 74 mentioned a fine of 300 drachmas in addition to the loss of revenue for a stolistes who deserted his office; 75 noted that a priest was fined 200 drachmas for neglecting his duties; but 79 explained that a prophetes was entitled to one-fifth of all temple revenues.

The *idios logos* had exclusive jurisdiction over all cases involving liturgical impropriety liable to a fine. Since this is not a necessary consequence of the department's role as sales agent, a pre-Hadrianic origin for this function would be difficult to demonstrate without explicit evidence. The bureau's concern for ecclesiastical infractions from the time of *BGU* 250 may be partially understood if the fines assessed for such infractions are regarded as irregular income derived from ecclesiastical sources. Before the period of the Flavians, the department already had an interest in one type of such revenue – the payments for *eiskritikon* and for non-hereditary temple positions. These payments were

non-annual and non-recurring, and were due only when an office was vacated and reoccupied. Another source of income, the payment for *epikrisis* suggested in Chapter Two to explain the role of Tullius Sabinus in *P. Teb.* 298, may also be classified as a non-regular ecclesiastical payment with which the department was already involved by the time of Hadrian. By reason of its very limited role as administrator of certain aspects of temple activity, the idios logos was, at the beginning of the second century, quite familiar with temple routine and ritual. The limitations and privileges of temple offices directly affected its function as sales agent. In this respect it was already the final authority in many aspects of temple routine. Apparently, during the reign of Hadrian the department was assigned complete jurisdiction in all cases of liturgical improprieties liable to fines, even though a given case might have no direct relation to its role as sales agent.

Whatever the administrative motives, the department had become the final judge and director of investigations for these cases in the second century. The significance of this new function may be estimated from two points of view. The change in administration for ecclesiastical infractions was first of all, as was implied above, a matter of convenience. With the idios logos as final judge for irregular activities, the archiereus<sup>11</sup> would be left to concentrate exclusively on ordinary problems of the ecclesiastical administration. To the idios logos was assigned the task which must have been a prominent aspect of its administration, investigating and judging cases involving the misappropriation or the mishandling of government property. The important innovation was that a case need no longer concern, directly or indirectly, a commodity to be sold through the department in order that the department have jurisdiction.

We might postulate the same separation of authority narrowly, for the department's interests in temple ritual, and broadly, for the involvement in temple affairs that was suggested in Chapter Two as its proper role in the administration of government property. The ecclesiastical administration controlled the most important and the most profitable facets of temple life, but ecclesiastical affairs were not exclusively the concern of only one department. The final authority in filling all important temple positions was to be found outside of the ecclesiastical establishment. This establishment, even if the archiereus or prefect were sympathetic, would have difficulty in achieving such a unity of purpose that it could become politically significant without the support of the idios logos. Although the department may not at all times have been an impartial judge in deciding who was or was not qualified for a temple office, it was a non-ecclesiastical authority whose interests were more for the well-being of the fiscus than for the well-being of the temple. The high priest (or prefect) might still have been able to exercise a great deal of control over the temples, and perhaps manipulate the ecclesiastical establishment for personal gain, but

11. Cf. Scherer, *ibid.*

exclusive control of the temple belonged to no one department in the Roman administration of Egypt.

To the idios logos, the temple affairs within its jurisdiction were just another part of its general administration. As far as our evidence goes, there was no secretary in the department devoted specifically to ecclesiastical matters. Difficulties pertaining to temple offices were handled side by side with other departmental business. The *eidos* in which the bureau summed up pending cases for investigation no doubt referred to both temple and secular affairs. The fact that a separate section of the *Gnomon* was devoted to ecclesiastical information should be viewed as a matter of convenience, not as a reflection of a distinct administration within the department. As will be seen in the remainder of this chapter, the department's involvement with the temple in the second century was closely analogous to its role in the other sectors of the Roman administration of Egypt.

In the *Gnomon*, paragraphs 71-97 present a list of useful information regarding the sale of temple positions, the competence of certain individuals to hold these positions, and some ritual and procedural infractions that were liable to fine. These paragraphs constitute a helpful guide, gathered from the more difficult cases that came to the department's attention, to proper and improper liturgical conduct. As such, this section of the *Gnomon* would be useful and necessary for anyone handling the affairs of the idios logos, from ὁ πρὸς τῷ ἴδιῷ λόγῳ in Alexandria to a local secretary in any village.

The head of the idios logos stood as the final authority in all the complex ecclesiastical cases coming to the department's notice. He was at once director of sale and investigations, and final judge for the idios logos in temple affairs as well as in secular matters. Although by the middle of the second century the head of the idios logos may have been quite reasonably confused with the department itself, he was never in the Flavian-Antonine documents referred to as the high priest. If we have rightly interpreted the second-century evidence in the preceding pages, there is no reason for claiming such an identification. The department's concern for temple activities can always be reduced to questions of revenue rather than of religious procedure, so that it deals with such matters as: whether the government has been deprived of some payment for a priesthood; whether any unqualified person holds a priesthood which should be resold; whether someone should pay a fine for a ritual infraction.<sup>12</sup>

## 2. INHERITANCE, CIVIL STATUS, AND IDIOS LOGOS

It was suggested in Chapter Two that a substantial portion of the *adespota* under the control of the idios logos came from the non-productive assets of

12. For a discussion of *WChr.* 72 see Appendix II, page 133.

intestate estates. *P. Oxy.* 2277, one of the Oxyrhynchos petitions addressed to Seppius Rufus, indicated that ownerless empty lots were among the properties listed in the Julio-Claudian *gnomon* as immediately assignable to the idios logos, ἀδέσποτα ὁφειλοντα εἰς ἴδιον λόγον ἀναληφθῆναι κατὰ τὸν γνώμονα. Any empty lot that was part of an intestate estate to which there was no legal heir would fit this definition and would be appropriable to the department. Since the Augustan idios logos does not appear to have been endowed with general appropriating or confiscating powers other than those outlined in the Augustan *gnomon*, it was probably proportionately restricted in its competence over hereditary matters. A disputed inheritance involving the government's claim to the cash assets of an estate or to arable property would have come under the jurisdiction of the prefect. This is admittedly a restricted interpretation of the department's competence, a conclusion based primarily on the absence of evidence indicating that the Augustan idios logos was in any way concerned with productive property. Such a restricted estimate of the bureau's prerogatives could be readily upset if in paragraph 50 of the *Gnomon Norbanus* (Ptolemaios) can be proved to have acted in his capacity as head of the idios logos when he heard a case involving the legal competence of the children of a freedwoman of an *astos* to inherit from their mother, and if the Rufus who gave a contrary opinion in a similar case is definitely Seppius Rufus. But no demonstration is possible, because Norbanus was also juridicus and Rufus, who was mentioned after Norbanus in paragraph 50, was more probably a prefect, either Mettius or Junius Rufus.<sup>13</sup>

From its concern for *adespota* the department became in the second century the final judge and chief investigator for most cases involving problems in inheritance. The analysis of documents in the following pages illustrates the apparent linear development of the department's competence in these matters. The bureau's interest in non-productive *adespota* from intestate estates liable to immediate appropriation to its administration eventually expanded to include all *adespota*, i.e. all the assets of a contested estate to which the government had a claim. The next level of development was effected when the idios logos received jurisdiction over all testamentary and hereditary problems even though a given case did not involve the government's title to part or all of the disputed estate. The final stage of this expanding competence was reached when the department became investigator and judge for alleged infractions against the regulations governing civil status, infractions which would alter the guilty party's ability to will or inherit but which were *de facto* liable to immediate fines.

13. Uxkull-Gyllenband, *Der Gnomon des Idios Logos* (BGU V, heft 2), p. 52, note 2, presumed that this was the situation. However, that was before the publication of *P. Fouad* 21 and the

appearance of Norbanus Ptolemaios. Cf. Salvatore Riccobono jr., *Il Gnomon dell' Idios Logos*, p. 186, note 2 (where he does not refer to the Fouad papyrus).

Paragraph 4 of the *Gnomon of the Idios Logos* provides the basis for the second-century department's role in the complex problems of inheritance: *[τ]ῶν [τ]ελευτῶν{των} ἀδιαθέτων οἷς οὐδεὶς ἔστω ἄλλος κατὰ νόμους κληρονόμοντα τὰ ὑπάρχοντα τῷ φίσκῳ προσκρείεται*. Intestate estates without legal heirs had been confiscated since the principate of Augustus. By the reign of Hadrian, however, all government claims based on the provisions of paragraph 4 of the *Gnomon* were protected and advanced by the idios logos. As the chief prosecutor and final judge for government claims, the idios logos was responsible for appropriating property that would not remain within its administration: cash was immediately deposited to the fiscus and arable property was turned over, at least until the middle of the second century, to whatever agency was in charge of such land. The department retained control over that property which had been under its jurisdiction in the Julio-Claudian period. The documents offer no precise date for the expansion of the department's judicial capacities beyond the limitations of its Augustan function, to include all matters involving the government's title to intestate or improperly willed property. Most of the illustrative evidence is Hadrianic or later.

The routine of the department's role in hereditary matters is only sparsely documented. Appropriations of intestate or improperly willed estates without full legal heirs were expedited through the local administration and were, no doubt, regularly reported to the idios logos in Alexandria. Cash assets from such estates were deposited to the fiscus and property assigned to the appropriate agency by officials in the *chora*. Two entries in the Karanis tax lists reveal how the portions of these estates remaining within the administration of the idios logos were handled. *P. Mich.* 224.258 ff., report the price received in the 12th year (of Marcus Aurelius) (A.D. 172/173), from a certain Valeria for property once belonging to Sempronius Gemellus, who had been murdered. The sum of 99 drachmas and 30 obols was recorded to the idios logos. Line 1671 from the same roll records to the department the interest realized from a loan negotiated by this same Gemellus. Apparently, all or part of Gemellus' estates, including some property and an outstanding note, for which there must have been no legal heir, were confiscated to the government. The property was sold through the idios logos, which was also responsible for collecting the interest on the loan and seeing to it that the payments from both transactions were deposited to the fiscus.

The papyri more often relate the complex problems with which the idios logos had to contend as investigator and judge for all government claims to inheritance. *BGU* 388 (= *MChr.* 91) recorded a hearing at which the head of the idios logos was required to unravel the conflicting claims of the fiscus and heirs to the estate of Sempronius Gemellus, who had been murdered (Col. 2.21) and who may well be the same Gemellus whose estate was mentioned in the Karanis tax lists. Postumus, the official before whom the hearing was held, was mentioned without title. Meyer, comparing *BGU* 57 verso Col. 1.3-4, has suggested that the Postumus of these two Berlin texts be identified with the Postumus of line 9 in

BGU 868, who in turn was probably the unnamed ὁ κράτιστος πρὸς τῷ ιδίῳ λόγῳ in line 1 of the same papyrus.<sup>14</sup> Postumus in BGU 388 Col. 2.7-11, quite clearly established the department's concern in the cases:

ἐγώ ἀ δύναμαι ἐνθάδε εὐρίσκεω ξητῷ, περὶ δὲ τῶν ἐν Αἰγύπτῳ ἔγραψα πᾶσι τοῖς στρατηγοῖς, ὥa τῇ αὐτῶν πίστει περὶ πάντων ἐξετάσωσι. διὰ τοῦτο δὲ πολλάκις [ἢ]πειξα τὸν Σεμπρωνιανὸν ἀποδημῆσαι, ὥa μηδὲν τῶν διαφερόντων τῷ ταμείῳ ἢ τῷ παιδὶ [ω] παραπόληται.<sup>15</sup>

In A.D. 164 or 165 L. Silius Satrianus heard a case involving an inheritance left (by a Greek) in trust to a Roman who had admitted receiving the inheritance (from a Greek) (P. Warren 1).<sup>16</sup> Paragraph 18 of the *Gnomon* provided for such a situation: τὰς κατὰ πίστων γεωμένας κληρονομίας ὑπὸ Ἑλλήνων εἰς Ῥωμαῖων οὐς ἢ ὑπὸ Ῥωμαίων εἰς Ἑλληνας ὁ θεὸς Οὐεσπασιανὸς [ἀ]νέλαβεν, οἱ μέντοι τὰς πίστεις ἐξωμολογησά[ντες] μενοι τὸ ἡμισ[υ] ε]ιλήφασι. L. Silius Satrianus was probably head of the idios logos. The purpose of the hearing was most likely to determine whether or not the Roman had admitted to the fact of the trust and, consequently, whether the government took all or only half of the inheritance in question.

The idios logos was not restricted to cases involving hereditary properties but was required from time to time to settle disputes related to hereditary positions, as it had been doing for temple offices. In 120 Marcius Moesiacus ὁ πρὸς τῷ ιδίῳ λόγῳ pronounced a verdict on September 4 in a dispute over a μνηματοφυλακία. A group of men ἀ[πὸ πολειτ]εύματος Λυκίων led by Ulpius Potamon had protested the seizure of the *mnemataophylakia*, which they regarded as their hereditary possession, by Dionysios the grammateus of the Lycians. SEG 2.848 records these events, but at the point where Moesiacus' verdict begins the text unfortunately breaks off. If, however, Ulpius and his friends were the authors of the text on the stone, the pronouncement may be presumed to have been favorable to their cause.<sup>17</sup>

In many of the cases heard in the idios logos the department was required both to establish the government's title to an inheritance and to determine the competence of various heirs to inherit what remained of the contested estate. In

14. P. M. Meyer, *Festschrift Hirschfeld*, p. 153.

15. Plaumann attempted to unravel all of the legal problems presented by the papyrus, pp. 76 ff.

In BGU 1033 (and Wilcken, *Archiv* 3, 1906, pp. 504 and 505) a problem concerning inheritance (or civil status) may have been referred to ..]λάνον τοῦ πρὸς τῷ ιδίῳ λόγῳ τῷ Λ. dated by Wilcken to 105/106. The two other Berlin texts, BGU 57 verso Col. 1 and BGU 868 could have involved similar matters.

16. SB 7472; Hunt, *BIFAO* 30, 1930, pp. 477 ff.

17. Ulpius Potamon did not apparently claim possession of the tomb. If the ruling of Claudius Geminus in SEG 18.646 lines 16-17 is of relevance, the tomb would belong to the bodies within. I presume that possession of the *mnemataophylakia* was beneficial to the owners in some way other than right of burial. The owners might for instance have claim to whatever the tomb (and its garden?) produced.

*BGU* 388 (= *MChr.* 91), after Postumus had determined what part of Gemellus' estate belonged to the government, he had to decide what remaining property went to the dead man's Greek wife and what went to his infant son. Once the idios logos had received jurisdiction over all government claims to inheritances, it is reasonable that the department eventually, or perhaps simultaneously, accepted jurisdiction over every case that concerned a problem in inheritance, even if there may not have been a possibility of a government claim. The department was definitely settling such civil disputes during the principate of Hadrian. *P. Oxy.* 2199 is a fragmentary description of a dispute over the inheritance left by a Roman, to which his daughter and minor son both sought exclusive title. In the last line of the only reasonably complete section of the papyrus there is a reference to [*Ιούλιον Πα]ρδαλᾶν τὸν γενόμ[ε]νον πρὸς τ[ῷ]*] at which point the column ends. Pardalas was head of the idios logos in A.D. 123 (*BGU* 250). The case, which was referred to Pardalas while he was head of the idios logos, does not appear to have involved a government claim to all or part of the dead Roman's estate. The idios logos was acting as judge in private disputes over inheritances.

In practicing this dual capacity as protector of the government's full or partial title to an inheritance and as final arbiter in civil disputes involving rival claims to an estate, the idios logos in Alexandria as well as the strategoi and local secretaries who were acting for the department in the *chora* needed a concise and convenient summary of the many laws and regulations directly or indirectly affecting an individual's testamentary and hereditary competence. The government's title to a given estate could be established only after the idios logos had determined that a will was defective or that allegedly legal heirs to an intestate estate were, for one reason or another, totally or partly incompetent to inherit. Conflicting claims to an estate could be resolved only when the same factors had been established. The *Gnomon of the Idios Logos* provided some of the necessary information. More than a third of the paragraphs in *BGU* 1210 can be related to the department's jurisdiction over the problems of inheritance.

The bulk of the pertinent information runs from paragraphs 4 to 35, with 29 excepted, and continues in 38, 39, 41, 45, 50, 54 and 55. Paragraph 4 is a general introduction establishing the government's title to the estate of anyone who dies intestate and without legal heirs. The rest of the entries cover many of the questions that the idios logos would have to answer in its judicial capacity. The hereditary competence of the offspring from the various forms of "mixed" marriages in second-century Egypt, the exact determination of the civil status of the deceased and heir alike, were some of the problems with which the department was confronted. The idios logos needed information to decide the amount that an *astos* could bequeath to a freedman (paragraph 14), and a guide for ordering posthumous confiscations (41 and 107).

None of the entries alters the conclusions derived from other documents about the administrative or judicial capacities of the idios logos in hereditary

matters. Although they illustrate the complexities of the problems which the bureau faced in performing its functions, they do not in any way show how the department went about its business of investigating and judging cases involving such matters. Information was recorded in the *Gnomon* as an aid for anyone deciding a case in the idios logos in Alexandria (specifically the head of the idios logos), or for the idios logos in the *chora*. The head of the idios logos might establish a precedent in deciding a given case, as Pardalas did in paragraph 23, but the department was never the legislator for any of the laws and regulations which it was required to consult before issuing a verdict. These paragraphs in general, and for that matter the rest of the *Gnomon*, constituted a judicial handbook, not an administrative guide.

The department became thoroughly familiar with the problems of civil status as they affected testamentary and hereditary capacities, and it was given complete jurisdiction over infractions of many of the numberless and intricate laws and ordinances regulating the rigid class structure of Roman Egypt. Violations of the edicts and pronouncements pertaining to matrimony, divorce, adoption, military service, civil registration, etc. not only affected an individual's ability to bequeath and inherit, but often brought immediate or posthumous fines. The head of the department must have discovered many of these infractions while conducting investigations into hereditary irregularities. At some stage in its development, however, the idios logos became the final authority in cases involving these violations, even when there was no immediate question of an inheritance.

The case in *MChr.* 372, Col. 7,<sup>18</sup> labeled *ἰδίου λόγου Ἰονλιανοῦ* illustrates the convenience of the expansion in the department's jurisdiction. The minutes of a hearing before Claudio Julianus on November 21, A.D. 136, formed the last column in a series of verdicts issued from the reign of Trajan to that of Antoninus Pius. This list of precedents was compiled during or after the reign of Pius. In 136, Julianus<sup>19</sup> was investigating the title of a certain Cornelia to seven slaves that she had received from her late husband, Acutianus. Before coming to a verdict in the matter at hand, Julianus had to decide whether the seven slaves in question were truly a gift, or were, rather, part of Acutianus' intestate estate. To accomplish this he was required to determine whether the law forbidding *donatio inter virum et uxorem* had been violated. He therefore had to decide whether Acutianus and Cornelia were legitimately married. As it happened, Acutianus was in the army when he gave Cornelia the slaves — which thus did not constitute a *donatio inter virum et uxorem*, because a soldier could not be legitimately married. Cornelia consequently might retain whatever she received while her "husband" was in military service, but had to release to the *kyriakos logos* everything she received

18. First published as *P. Cattaoui* V.

19. Julianus appears in *Stud. Pal.* 22.184 as δοκιμαστής πρὸς τῷ ιδίῳ λόγῳ and was there

involved in the case concerning Stotoëtis (see above p. 87). I understand the words *ἰδίου λόγου*, which introduce these minutes, as a caption.

after his discharge. Julianus, then, before issuing a verdict for the case before him, was required to give an opinion on the legitimacy of a military marriage and to establish whether or when a *donatio inter virum et uxorem* had taken place.

The *Gnomon of the Idios Logos* indicates quite clearly that the idios logos during the second century had jurisdiction over matters which relate only in a secondary way to problems of inheritance. Paragraphs 41 (and 107) call for the confiscation at death of one-fourth of the estate of anyone who rears a child *èk kópōias*. The penalty at once restricts the testamentary capacity of the guilty party and acts as a fine for the infraction. Paragraph 51 informs the user of the *Gnomon* that the son of a Syrian and an *aste* was fined a fixed sum because he married an Egyptian. The invalid marriage would obviously have some bearing on the competence of both parties and any offspring to bequeath and inherit, but was *de facto* liable to an immediate fine. The idios logos was furthermore in charge of enforcing through its verdicts the various regulations affecting the childless and unmarried. Thus paragraph 29, which states that an unmarried free born Roman woman possessing 20,000 sesterces had to pay one per cent (to the fiscus) annually, provided a convenient reference for any department head to whom such a case was presented.

The illegal registration of Egyptians as ephebes called for the confiscation of one-fourth of the property of the guilty father and illegally registered son. The final authority in such a case was the idios logos. At one time the department had jurisdiction over all illegal registrations, but when the *Gnomon* was composed, the prefect had assumed (or reassumed) control over cases involving the Alexandrian *epikrisis*. In general, paragraphs 23-27, 29, 40-53, 56, and 58-63 may be viewed as information supplementary to the paragraphs that have a more direct relation to the department's concern for problems of inheritance. In particular, however, they detail the complicated class structure of Roman Egypt, the continuation of which was the function of the idios logos acting as investigator and judge.

The expanding administration of the idios logos as judge and investigator may be summarised in the following schema:

1. *ἀδέσποτα ὀφειλοντα εἰς Ἰδιον λόγον ἀναληφθῆναι κατὰ τὸν γνώμονα* from intestate or contested estates to which there was a possibility of a government claim;
2. *τὰ ὑπάρχοντα ὀφειλοντα εἰς φίσκον ἀναληφθῆναι* from the same estates;
3. all problems of inheritance, even when the government clearly had no claim to part of the disputed legacy;
4. all irregular activities affecting civil status liable to immediate or posthumous penalties but not immediately altering the guilty party's testamentary or hereditary competence.

The documents clearly imply such a progression by which the department eventually received control over problems in civil status. Each succeeding stage

implies the preceding; e.g., jurisdiction over civil disputes involving a legacy was probably not assigned to the idios logos before the department was investigating government claims to intestate estates. But the sequence may not have stretched over any long period of time. It is possible that the entire sequence was effected during the reign of Augustus, and that the lack of evidence for the department's involvement in every aspect of the schema during the Julio-Claudian period is entirely fortuitous.

If, however, it is not just chance that the verdicts of Rutilius Rufus, the prefect, and Ulpius Asklepiades, the archidikastes, in fact preceded the verdict of Julianus in *MChr.* 372, and if the lack of pre-Flavian and even pre-Hadrianic evidence is not accidental, the changes in the department's jurisdiction must have come in stages. Expansion over a period of time is not unreasonable. The experience gained at one stage of development led to the next.<sup>20</sup> At some point when the idios logos had become well versed in the details of government claims to intestate estates, and when the prefect had established the precedents reflecting imperial policy, the bureau was designated as the chief government agency for protecting and advancing the government's title to inheritances. The change would have been neither difficult nor complicated, since all that was required, a transfer of jurisdiction in Alexandria, would have had only a slight effect on the routine in the *chora*. The strategoi, and the local and nome secretaries, would refer to the idios logos for guidance and for final decisions, instead of to the prefect or juridicus. Of course the department's administrative structure was appropriately altered, in that its additional judicial capacity would require a distinction between such properties confiscated to the government as were to remain within the department's administration, and such properties as were to be converted into royal land and assigned to the appropriate agency. The cash assets of an estate wholly or partly confiscated as the result of a hearing in the idios logos were deposited immediately to the fiscus.

The assignment of all problems of inheritance and then all cases involving civil status to the jurisdiction of the idios logos probably followed the same general pattern. The assignment came because the idios logos was familiar both with the intricacies of the next level of jurisdiction and with the precedents established by the authority which had previously been responsible for the cases now being assigned to it. In A.D. 136, Julianus could consult the opinions of the prefect and archidikastes who had issued verdicts in cases analogous to the one that he was deciding.

It is easy to see then, that the evidence fits a view of the development of the idios logos that suggests an evolution over some time. But there is greater

20. Seppius Rufus and Attius Fronto, while investigating property appropriate to the idios logos in the first century, probably discovered defective titles not only to property belonging to

the department's administration but also to property which should have been classified as royal land.

difficulty in suggesting dates for the stages of the development. The papyri and the *Gnomon* can supply a *terminus post quem*, but in so doing inform us only that the department was definitely engaged in a specific function at a particular date. The *Gnomon*'s statement that the jurisdiction over the Alexandrian *epikrisis* was transferred to the prefect is sufficient warning that the department did not always maintain control over every type of case assigned to it. Circumstantial evidence, however, offers an appealing argument for a Hadrianic completion of the schema suggested above, and perhaps a Hadrianic origin for the last two phases of the sequence.

We may first observe an analogy between the department's jurisdiction over ritual improprieties and its jurisdiction over violations in civil status. In each capacity the *idios logos* was acting exclusively as an investigator and judge, since neither type of infraction involved property potentially appropriable to the department's administration. The earliest documented date for the department's role in liturgical improprieties is Hadrian's 7th year, A.D. 122/123, when Pakysis was denounced to Julius Pardalas for having offered an improperly sealed bullock (BGU 250). The first appearance of the *idios logos* as judge for violations of the rules regulating civil status is in paragraph 23 of the *Gnomon*, where the same Pardalas is mentioned as having confiscated the property of a Roman who had married his sister. It is certainly not unlikely that the *idios logos* was at the same time assigned jurisdiction over both types of infractions. Interestingly enough, Julius Pardalas is also the first datable head of the *idios logos* to whom a dispute over a legacy to which the government had no obvious claim was referred (P. Oxy. 2199). This triple coincidence is too striking to be credited exclusively to chance, and strongly suggests that it was during the reign of Hadrian that the department had become responsible for matters pertaining only remotely to its original administrative functions.

On the basis of the evidence now available, it is reasonable to accept the view that before the reign of Hadrian, the jurisdiction of the *idios logos* was limited to those cases involving property immediately appropriable to the department or to some other government agency. During that reign this changed, and the jurisdiction of the *idios logos* was expanded, so that it comprehended violations of ecclesiastical procedure, and dealt with the laws concerning civil status.<sup>21</sup>

21. For example the fixed penalty in *Gnomon* 51 to be imposed if the son of a Syrian and an *aste* married an Egyptian. This particular regulation would have indirectly involved the *idios logos* in the first century only if it were called upon to determine the capacity of a designated heir to inherit or the testamentary capacity of a testator. It would not have been the final judge in deciding

whether or not the regulation had been violated without reference to the functions which we have assigned to the office in the first century. In the second century such regulations became the primary concern of the department even when they did not come to the department's notice from investigation of matters relevant to it in the first century.

## 3. THE IDIOS LOGOS AS CONFISCATING AGENT, INVESTIGATOR AND JUDGE

None of the documented activity of the pre-Flavian idios logos involved confiscation in the strict sense. Private ownership of the property appropriable directly to the Julio-Claudian department had ceased before the idios logos became involved. Its appropriating powers were limited to non-productive *adespota* and were defined in the first century *gnomon*. In the second century the situation had changed significantly. Once the idios logos had become the deciding authority for all *bona caduca* falling to the government, whether to the idios logos or to some other agency, and was itself levying fines in property against those found guilty in verdicts issued from the department, it was *de facto* a confiscating agent. Individuals in Egypt were being deprived of their property by the idios logos.

It is not surprising, therefore, to find in *Gnomon* 36 and 37 that the department was the government's chief confiscating agent for most *bona damnatorum*. The condemnation of the convicted criminal's property did not necessarily come from the idios logos; the actual confiscation was, however, effected by the department. The assignment of this function to the idios logos required no major transformation in departmental routine. No doubt familiarity with the problems of seizing the *bona caduca* and *bona damnatorum* that constituted fines for infractions over which the idios logos had jurisdiction prepared the way for the new functions. Instead of tracking down the property of an individual who had died intestate or without legal heirs, the department simply received a name from the prefect or some other magistrate and proceeded in the same fashion.

Confiscating *bona caduca* and *bona damnatorum* involved similar considerations. The former allowed certain concessions to some heirs; the latter excepted certain properties from full confiscation. The first paragraph in the *Gnomon* describes the treatment accorded tombs and the distinction between garden tombs and monuments; paragraph 36 states that a tenth of the property confiscated from certain criminals was allowed to their children, and that their wives were granted dowries in cash.

In the preceding section, we saw the department's appropriation of *bona caduca* in terms of its ever-increasing jurisdiction in hereditary matters. Once the idios logos had begun confiscating *bona damnatorum* outside of its own judicial competence, it most likely no longer continued to confiscate *bona caduca* in its old capacity as investigator and judge in matters of inheritance, but in its new capacity as confiscator for the government of Roman Egypt. We might view the first confiscation of *bona damnatorum* executed by the idios logos outside of its own jurisdiction as an assignment from an overburdened prefect to a department that knew how to go about the business of seizing private property. It began confiscating *bona damnatorum*, quite reasonably, as investigator and judge for *bona caduca*. Once the idios logos had become an established confiscator of *bona damnatorum* in matters beyond its jurisdiction, it continued to confiscate *bona*

*caduca*, but acted by virtue of its role as confiscator, not as investigator and judge.

In much the same manner, the idios logos emerged from its involvement with ecclesiastical and hereditary matters as an investigator and judge which could function independently of its role as administrator. The evidence shows that the department's jurisdiction, although greatly expanded from the Julio-Claudian period, was always at least indirectly linked to an administrative function. The idios logos heard cases involving ritual improprieties as sales agent for priestly offices; it passed judgment on violations involving the laws regulating civil privileges because it had a commitment to the appropriation of *bona caduca*. In such cases it was truly acting as a judge, but there always existed some point of reference to the department's administrative capacities.

The *Gnomon* demonstrates very convincingly that during the second century the idios logos was exercising jurisdiction over certain improprieties in business and financial transactions for which it had not the slightest administrative concern. There are, of course, some provisions in the *Gnomon* affecting the department's role as investigator and judge which have a bearing on the bureau's administrative routine. Certain individuals could not buy all or some of the property offered for sale through the idios logos.<sup>22</sup> Violations of some rules were to be investigated and judged by the idios logos and were liable to definite penalties.<sup>23</sup> In most cases no such connection is recognizable. Paragraphs 98-101 recorded information pertaining to violation of contract or the improper registration of the same. Paragraph 102 suggested a fine of twenty talents for the illegal importation and sale of oil by the gymnasiarchs of the city. Paragraphs 103-106 defined the injunctions against lending on liquids, the sale of commodity futures or of unregistered crops, exorbitant usury and the illegal exchange of money. The inclusion of this information in the *Gnomon* is understandable only if the department had jurisdiction over infractions against the injunctions described, even though the various contracts etc. were not within the department's administration.

Paragraph 64 implies quite strongly that it was a matter of jurisdiction and not of administration. Jurisdiction over cases involving those who departed by sea without passes (not the administration of these same passes) was transferred from the idios logos to the prefect. The assignment (or reassignment) of this function to the prefect must have been quite recent in relation to the composition of the

22. The reader of the *Gnomon* was informed by *Gnomon* 111 that soldiers were not allowed to purchase property in the province where they were stationed, and by *Gnomon* 70 that public officials and their families were forbidden to buy property sold at auction and  $\gamma\eta\ \alpha\pi\delta\ \nu\pi\omega\lambda\gamma\eta\eta$ .

23. The department was no longer exclusively

interested in these business regulations to the extent that they affected an individual's capacity to do business with the idios logos but was now also concerned with judging violations of these same regulations whether or not the violation involved transactions with the department. See note 21 above.

extant *Gnomon*, for the text lists in paragraphs 66 and 68, rather inconsistently, the fines suggested for infractions against the passport law. Paragraphs 65, 67 and 69 quote penalties for the illegal exportation of slaves.

The concluding paragraphs of the *Gnomon* reveal the idios logos as investigator and judge in such miscellaneous cases as membership in certain guilds (108), illegal purchases by Caesariani, vicarii and men in military service (109-111). The final fragments may pertain to the department's judicial capacities. However, paragraph 112 explains the restricted testamentary capacity of eunuchs and is part of the information relating to *bona caduca*.

Of the many areas outside of its administrative competence in which the department functioned as investigator and judge there is only one illustrated by a document other than the *Gnomon*. Paragraph 2 of the *Gnomon* indicates that the idios logos was also assigned jurisdiction over illegal sales of tombs, and states that Romans were allowed by Hadrian to sell non-negotiable tombs, the implication being that the department was to dismiss the case of any Roman so charged. *SEG* 18.646<sup>24</sup> seems to deal with such matters.<sup>25</sup> The text, which may have been inscribed in or around A.D. 90,<sup>26</sup> is made up of a dedication (lines 1-6), followed by a description of events affecting the garden tomb mentioned in the dedication. The prefect M. Mettius Rufus was presented by a *karpistes*, one (nomen lost) Rufus, with an *anaphorion*, in which he charged that a garden tomb had been sold illegally. The matter was turned over to Κλαυδίω Γεμείω ὅντι ιδίωι [λόγωι].<sup>27</sup> The text, fragmentary though it is, gives the verdict, or part thereof, issued by Claudius Geminus. The text ends with a reference to one Manius Memmius Rufus,

24. *JRS* 48, 1958, pp. 117 ff.; *SEG* 18.646 and 20.507; *SB* 9801 and 10044. The stone has acquired an impressive bibliography: see *inter alia* F. De Visscher, *Revue internationale des droits de l'antiquité* 6, 1959, pp. 178-207; *Chronique* 35, 1960, pp. 271-277; and *Les droits des tombeaux romains*, Milan, 1963, pp. 197 ff.; Jeanne and Louis Robert, *REG* 72, 1959, "Bulletin épigraphique," pp. 272/273, n. 498; A. Stein, *Studi Biondi* 2, 1963, pp. 177 ff.; Arangio-Ruiz, *Mélanges Meylan*, *Studi Biondi* 2, 1963, pp. 177 ff.

25. The variant readings of relevance to the discussion here occur in line 2 where *JRS* 48, 1958, pp. 117 ff. (*SEG* 18.646 and *SB* 9801) have Πο[μπω]ρία Μοῦσα whereas *SEG* 20.507 (*SB* 10044) have Πο[μπ]ρία Μοῦσα; and line 7 where the editor has suggested Οὐ]μμιδίου 'Ρούφου but J. and L. Robert have most reasonably read [Μανίου Μον]μμ[ε]ίου 'Ρούφου.

26. M. Mettius Rufus, line 8, was prefect from 89 (*P. Fam. Teb.* 15.53) to 91/92 (*SB* 9163.14).

The author of the inscription knew that Rufus the *karpistes* had personally handed his *anaphorion* to Mettius Rufus διερχομένῳ and that Mettius Rufus in turn immediately gave the *anaphorion* to Claudius Geminus (lines 7-10). Such details were apparently fresh in the mind of the author and certainly would not have appeared in the minutes of the hearing before Geminus. Since they appear irrelevant to the decision they were, in my opinion, included by the author partly because they were within recent memory.

27. This is the earliest reference to the head of the idios logos as simply θως λόγος. But since the standard title continues well into the second century, I must view this as unofficial and indeed a title current in the popular conception of the idios logos from the time of Ti. Alexander's edict when there is every reason to believe that the head of the idios logos and the idios logos were one and the same for the people of Egypt.

who had inherited from one Pompeius Epaphras.<sup>28</sup> The connection of this transaction with the *Gnomon* is easy to see. In lines 10 f. of the text, we find that the matter is turned over to the idios logos, and paragraph 2 of the *Gnomon* specifically states that sales of non-negotiable tombs by Romans were, prior to a ruling issued by Hadrian, illegal. The concern of the idios logos for such matters should perhaps be seen as originating ca. A.D. 90, or shortly before. Claudius Geminus would then be hearing the case as a routine matter within his jurisdiction.

This interpretation of the affair does not, however, account for Mummius Rufus, whose inheritance from Pompeius does not necessarily involve the garden tomb. If he had inherited the tomb, a more emphatic statement of the fact should be expected. We have no clue about the object of the legacy other than that the inheritance made it possible for Mummius *φροντίζειν καὶ καρπίζειν* (line 20). Although he was not necessarily an heir to the tomb, or perhaps in addition to being an heir, Mummius had inherited the duty to watch over the tomb and work the garden: he was hereditary curator and *karpistes*. By analogy with the *μηματοφυλακία* in *SEG* 2.848,<sup>29</sup> we might speculate that Mummius had inherited a *καρπηταφο-φυλακία,-φροντιστεία,-καρπιστεία* or some other such equivalent.

Mummius Rufus as *karpistes* immediately brings to mind [...] Rufus the *karpistes* who denounced the illegal sale. If Roberts' restoration<sup>30</sup> [*Μανίου Μον]μμ[ε]ίου*] in line 7 is acceptable, the activity described in the inscription becomes a bit clearer. If the identification is correct, it is probable that Mummius was responsible for erecting the inscription which was narrated, for purposes of dramatic objectivity, in the third person.

As hereditary *karpistes*, Mummius' position would definitely have been threatened by the illegal sale. The garden that he was working was quite obviously the object of the sale, for the culprits had tried to disguise the sale as a lease, and

28. The first two "scenes" are grammatically subordinate to the third inasmuch as they were narrated within the framework of a genitive absolute beginning in line 7 and apparently related to the aorists in line 22. They are at least circumstantially, if not causally, connected with the main verbs. Before Mummius' activity was described, he was, by means of a participial construction, put forward as an heir to Pompeius Epaphras. Regrettably the nature of his inheritance was not stated. The three "scenes" might be grammatically summed up as (1) [...] 'Ρούφου προσελθόντος, (2) (Γέμεως) [ἀπέφη]νεν, and (3) Μουμμείος 'Ρούφος κληρονόμος καταλειμμένος ἐφρόντισεν καὶ ἐκαρπίσατο.

29. See above p. 99.

30. J. and L. Robert, *REG* 72, 1959, pp. 272/273, n. 498. Epigraphically the reading is sound. Although it requires 11 letters for a space occupied by 9 in the line below (but by 13 letters in the line above, mostly restored), placing the initial *μν* in the margin to correspond with the marginal *kappas* in lines 13 and 19 and perhaps a marginal *pi* in line 2 and the general irregularity in letter sizes on the stone will account for the space problems. The fragmentary remains of the *epsilon* before the surviving *iota* reveal a squared letter in comparison to the generally rounded *epsilon*s throughout the rest of the inscription. There are, however, two exceptions: in *ἐστω*, line 18, and most happily in *Μονμ/μεῖος*, line 21.

there would certainly have been no profit for a lessee in renting a tomb without the right to work the garden. There is no information given about the relationship of the would-be sellers to the garden tomb. It may be that the *karpisteia* here, like the *mnemotophylakia* in *SEG* 2.848, did not, apparently, include ownership.<sup>31</sup> Perhaps, then, Pompeius Epaphras while leaving the garden tomb to the eventual culprits, willed the *karpisteia* of the same tomb to Mummius. The garden tomb was therefore a source of profit to Mummius alone. The heirs could not lease it, since Mummius was entitled to the produce. They could not sell the garden, for the garden tomb was *ἀδιαίρετον* and any sale of the garden would by the conditions of the dedication include the sale of a non-negotiable tomb, which was illegal. Even worse, the indivisibility of the garden tomb would also involve in the sale a *mnemeion* which clearly belonged to the bodies within. The heirs, if they were direct descendants of the persons mentioned in the dedication, might have the right of burial in the tomb, but there was no immediate profit in that.

The attempted sale was denounced by Rufus. The accused pleaded that the transaction was a lease, which Claudius Geminus recognized, from the position of Mummius, was a probable disguise. The accused must have pleaded further that they had sold only the garden. But Claudius Geminus, knowing that the garden tomb was indivisible, stated that they had clearly sold a non-negotiable tomb. He accordingly proclaimed *ὅσον εἰλίθιασσον ἀπαιτηθήσονται*. The text does not reveal whether he also demanded a fine. However, [ . . . ]mus, who was implicated in the matter by Dionysius, was also held liable for the share of the 4000 drachmas falling to him. Whether the 4000 were part of the sales price or a penalty is left unstated.

In the final analysis, it is difficult to pin down the exact nature of the idios logos' intervention in this case. If it is, as it appears on the surface, a question of jurisdiction over the sale of non-negotiable tombs, we must redate the beginning of the department's jurisdiction over cases outside its administrative competence to about A.D. 90. There is no indication that Geminus was pressing a possible government claim. The main obstacle to a firm conclusion is the fact that the affair is not narrated from the point of view of the idios logos. Only a few details of the hearing were recorded, and they are badly preserved. We do not know the full contents of the *anaphorion* delivered to the prefect, which may have in its complete form involved a squabble over inheritance within the competence of Geminus. The author of the inscription wanted the reader to realize only that those who had tried to sell the garden tomb could not legally do so.

The idios logos had been rehearsing for its second-century judgeship since before the time of Seppius Rufus. In investigating and passing verdicts on illegal

31. The Lycians simply stated that the grammateus had deprived them of their hereditary *mnema-*

*tophylakia*, not their hereditary cemetery. See above p. 99 and note 17.

occupation of property under its administrative control, the department had become familiar with the avenues through which information and evidence were gathered. At the *dialogismos* it established a routine that probably paralleled the prefect's. By A.D. 69 the idios logos was such a well-known investigator and judge of matters affecting its administration that delators flocking to the city were making Alexandria almost uninhabitable. Extending the department's juridical competence to matters not related to its administration necessitated no major readjustment. The shift did require a thorough knowledge of the laws with which the idios logos was already partially familiar, but for which in its new capacity it became the sole interpreter. An abstract of precedents established by the prefect and other authorities who had decided cases similar to those now under the department's jurisdiction would have been very convenient. Whatever else the *Gnomon of the Idios Logos* may be, it certainly is such a list of laws and precedents designed to aid the head of the department and those acting on the department's behalf in reaching verdicts in cases assigned to the department's jurisdiction.

It is most probable that once the idios logos began investigating and judging cases that were in no way connected with its administrative functions, it investigated matters pertaining to those same functions in its more recent capacity. Thus Satabous,<sup>32</sup> whose case was heard by the idios logos as the department that managed the property which he had illegally occupied, would in the second century have had his case heard by the idios logos as investigator and judge. The role of investigator and judge constituted a function of the idios logos as distinct from the department's administrative capacities in its role as confiscator.

As the final authority for violations of the laws and ordinances regulating civil, ecclesiastical, business and financial activity the idios logos played an important role in the life of second-century Egypt. Improper registration at birth and improper wills at death were objects of investigation. The illegal marriage of the noblest Roman or the lowest Egyptian was potentially liable to a penalty from the department. In brief, the *Gnomon* gives evidence for the many facets of private and public life with which the idios logos was directly concerned and for which it stood as a possible investigator, judge, or confiscator.

Although the department's competence as investigator, judge and confiscator meshed well with its control over certain types of government property, it added nothing to the bureau's administrative responsibilities. The idios logos heard cases involving illegal registrations, marriages, rituals, passports etc.; it ostensibly had no further connection with managing registrations, issuing marriage licenses or recording marriages, prescribing proper rituals or issuing passports. There is one exception.

32. See above pp. 41-49.

In A.D. 194, one Eudaimon requested permission from Claudius Apollonius ὁ κράτιστος πρὸς τῷ ἴδιῷ λόγῳ to hellenize the names of his Egyptian parents (*WChr.* 52). A condition of the change was that Eudaimon be free of public and private debts. The petition was approved and officials in the Nesyt were accordingly informed. The idios logos had jurisdiction over improper designation in public and private documents, for which paragraph 42 of the *Gnomon* ordered confiscation of one-fourth of the property of the guilty party and of all those who knowingly concurred. It is, therefore, understandable that the department processed requests for changes in nomenclature, although the involvement attested by *WChr.* 52 need not necessarily have arisen as a result of the *Gnomon*. The idios logos was indeed the final interpreter of any law applicable to a case within its jurisdiction, but certainly was neither legislator nor promulgator of these laws, nor was it as a general rule responsible for the administrative procedures stipulated by the rules and ordinances for which it was the final authority.

#### 4. THE IDIOS LOGOS AS ADMINISTRATOR OF GOVERNMENT PROPERTY

Popular knowledge of the idios logos must have arisen primarily from the department's role as confiscator, investigator and judge. It was in these capacities that the department came into contact with the general population and was generally viewed as a personified agent of the government. By the middle of the second century the popular and even the official mind eliminated the distinction between ὁ πρὸς τῷ ἴδιῷ λόγῳ and idios logos, since the head of the idios logos controlled and directed all the confiscating and judicial powers assigned to the idios logos. Whenever the head of the idios logos pronounced a verdict for the idios logos, the verdict was effectively a pronouncement of the idios logos. These functions, independent as they were of the department's administrative activity, rendered the bureaucratic distinction between idios logos and the department's chief meaningless.

Although confiscating, investigating and issuing verdicts were the most prominent activities of the idios logos, the department nevertheless continued to maintain control over certain types of government property. There are enough surviving second-century documents to demonstrate adequately that the department was sales agent for unproductive *adespota*, and that it was still responsible for tracking down and selling such ownerless property as the dead trees of *P. Oxy.* 1188. But there is also a substantial body of evidence indicating that at some point during the second century the department ceased reassigning to other government agencies properties confiscated as penalties for the many infractions over which it had jurisdiction. The retention of control over all properties confiscated by the department, no matter what their status, simultaneously altered the bureau's administrative *modus operandi*. In the first century the administrative duty of the idios logos consisted mainly in locating and selling the otherwise unprofitable property under its control. In the second century, since that control extended to both non-productive and productive

property, the department was obliged to lease much of the land that it acquired by virtue of its confiscating powers. Along with this new responsibility came the business of a renting agency, collecting rents in cash and kind, accounting for the various fees extracted from lessees for altering crops, and confiscating the income from rented property for a tenant's failure to meet his financial obligations to the department, etc.

The *dioikesis*, the government's chief agency for supervising government land in the second century, was at the same time given a similar function to retain control over all property falling within its administrative competence, to rent and sell as it saw fit. It is probable that any property confiscated because of debts to the *dioikesis* was generally retained by the dioiketes to be administered in the most appropriate fashion.

With the expansion of the administrative responsibilities of the *idios logos*, the flow of information pouring into the Alexandrian office became a deluge. It is often difficult for us to distinguish among the communiqués reporting *τὰ ἀνήκοντα τῷ ιδίῳ λόγῳ* the items relevant to each individual departmental function. But it is possible from these reports to estimate the amount of activity in the *chora* directed by and performed for the *idios logos* in Alexandria.

As in the first century, the department functioned through the regular bureaucratic structure in the nomes. None of the *practores* or local secretaries who were continually sending reports to the department were exclusively responsible to the *idios logos*. The increase in the department's bureaucratic obligations apparently added to the bureau's Alexandrian staff certain secretaries, rather prosaically styled *οἱ γράφοντες ἐν ιδίῳ λόγῳ τὸν νομόν*, each evidently assigned to process the business relating to a single nome.

The sale of ownerless empty lots must have been a fairly routine matter by the end of the Julio-Claudian period, for we find no second-century offers to buy such property addressed directly to the *idios logos*, and evidence of only one such sale from the *idios logos*. A marriage contract in 110 listed some building lots that had been purchased *ἐξ ιδίου λόγου* (CPR 28.19 and 22). There is no clue about how the sales were effected or whether the head of the department was as personally involved as was Q. Attius Fronto in *P. Oxy.* 2277. The department of course also sold much of the property falling to it in its capacity as confiscator and judge. The price for some property once belonging to the murdered Sempronius Gemellus was recorded at Karanis to the *idios logos* (*P. Mich.* 224.4258). As is obvious from section 1, above, of this chapter, the department similarly continued as sales agent for priestly offices.

*P. Land.* 139 illustrates much of the routine involved in the administration of *ξύλα ἀδέσποτα*, which the *idios logos* had controlled since the beginning of Roman rule in Egypt. The papyrus contains the reply of a dike overseer to an *εἴδος εἰς ἐξέτασων* from the *idios logos* concerning the overseer's alleged failure to register some fallen trees. The case against the man developed as follows:

1. The records of Mecheir, A.D. 140, pertaining to *τὰ ἀνήκοντα τῷ ιδίῳ λόγῳ* reported that several trees had fallen along the dikes around Teis; the trees were duly registered under oath by the komogrammateus and were subsequently sold.

2. It was later discovered that the overseers of the dikes had not registered the trees, and the department ordered an investigation.

3. The matter came up in the *conventus* of 148 (before Claudius Justus, who was then head of the idios logos, cf. *WChr.* 173); the above information was introduced, but the matter was referred back to the nome in column 119 of roll 19 of the *eidos* for investigation.

4. Theon, the perplexed dike overseer, swore an oath in reply to the *eidos* that it was not customary for dike overseers to register fallen trees.

The department was responsible for recording ownerless trees and correspondingly as investigator and judge was required to investigate the failure to register such trees. The registered trees were reported regularly to the department in Alexandria. It is significant that in Theon's case the idios logos was not interested so much in tracing missing trees that belonged to its administration (they had already been reported), as it was in bringing Theon to justice in its capacity as investigator and judge of such infractions as were charged against the dike overseer.

Theon's case, although it was closely connected with the idios logos as administrator over ownerless trees, illustrates the distinction between the department's administrative and judicial functions. If the latter were subordinate to the former, and the idios logos had been interested only in administrative efficiency, the case against Theon would probably never have developed. The trees had not only been registered, but had been properly sold. However, as investigator and judge, the idios logos sought to bring to justice a man who allegedly committed a procedural error eight years before the department had taken up the case.

Theon was not alone in his difficulties. His was only one of the many cases that filled at least 19 rolls of the department's *eidos* for investigation. The idios logos was certainly taking seriously its role as investigator.

Routine registrations have survived in P. Yale Inv. 289 and *BGU* 492. The Yale papyrus is a copy of a list of trees which had fallen in a storm. The exact measurement of every tree, every branch and, it would seem, every twig was listed when available. The Berlin text is a copy of a similar list.

A sufficient explanation for much of the evidence touching on the administrative competence of the idios logos may be had only by assuming that the department had control over properties other than non-productive *adespota*. Many of the entries in tax lists and many of the reports sent to the bureau in Alexandria show that the idios logos had become a renting agent for productive property which must be, therefore, understood as part of the department's

administrative responsibility. Unfortunately, the general conclusion that the idios logos maintained control over all property confiscated as a penalty assessed by it or appropriated to the government through the department in its capacity as confiscator is never specifically demonstrated by the documents. The *Gnomon* never speaks of a confiscation *εἰς ἴδιον λόγον*, but usually designates the fiscus whenever it mentions a receiver. Furthermore, Claudius Julianus in *MChr.* 372 Col. 6 provides an immediate qualification for such a generality in his ordering that any slave that was part of the intestate estate of Acutianus be remanded to the *kyriakos logos*, over which the idios logos does not appear to have had control in A.D. 136. A second and perhaps more immediate qualification is that all money confiscated through the idios logos was, quite naturally, deposited to the fiscus. Nevertheless, some productive property did remain under the department's control and was rented rather than sold.

A tax roll from Theadelphia, *BGU* 1894, in A.D. 157 credited to the idios logos payments from the following sources (lines 79-91):

1. ὑπηρεσίας ἱεροῦ Ἡρώων ἀγν (sic)
2. ὑπηρεσίας ἱεροῦ Θοηρείου
3. προσόδων ὑπαρχόντων
4. φόρου φοινίκων καὶ ἐλαιώνων
5. φόρου φυτῶν
6. (ε)ἰσκριτικοῦ ἱερέων
7. τόκου τιμῆς ὑπαρχόντων

The ecclesiastical payments, 1, 2 and 6, are readily assignable to the idios logos. 1 and 2 are probably payments for certain privileges and 6 is the installation fee for a priesthood. The interest on the price for property, 7, may indicate that the idios logos was lending money to purchasers of property which it sold. The rest of the payments, however, are from arable property. Number 3 represents the income from sequestered property which the department might have been holding until a tenant could be found. The reason for the sequestration may have been the failure of one tenant to pay his rent. Numbers 4 and 5 are payments for arable garden land which was evidently being rented from the idios logos. That the idios logos had not become the sole agent responsible for these fees is proved in the same tax list. The garden taxes are credited also to the *dioikesis* in line 72 as is, strangely enough, the interest on the price of property in line 47. Moreover, the *ousiakos logos*, still in the same tax roll, was assigned a payment from the income of sequestered property (line 113), and from the tax for planting (line 118). Thus the variety of fees credited to the idios logos with the exception of those received from ecclesiastical sources were also credited to the *ousiakos logos* and the *dioikesis*. The department had usurped the prerogative of neither, nor had it become the administrator of the other agencies. The idios logos was evidently engaged in the same activity as the *dioikesis* and the *ousiakos logos*.

Similar listings may be found in many other tax rolls. *P. Col.* 2 verso 69, records a payment to the account of the idios logos for *φόρος φυτῶν* in A.D. 160.

*P. Mich.* 223.2265, and 224.5456, list in the Karanis tax rolls for 172 and 173 a payment *προσόδ(ων) οίκοπ(έδων)* to the idios logos. *P. Ryl.* 215.50, and *P. Oxy.* 1436.23-24, are similar entries.<sup>33</sup>

The department had the regular tax-gathering corps at its disposal for collecting payments in cash and in kind from the property it was leasing. At some date between 136 and 161 Psenouris, who was a praktor of cash payments in the Memphite Nome, submitted a statement that he had to declare *τὰ ἀνήκοντα τῷ ιδίου λόγου ἐπιτρόπῳ μηδὲν ὑπέρ λημμάτων ιδίου λόγου* (*P. Ryl.* 83). He followed his declaration with an oath and a statement of receipts. There were certainly no cash payments due directly to the idios logos in its first-century capacities. Then the sale prices from property sold through the department were deposited immediately through the local banks to the *demosion*. The only possible cash payments in this context are those described in the above-mentioned papyri, and these must be from land leased or taxes collected by the department.

A declaration similar to the one in *P. Ryl.* 83 can be found in *P. Flor.* 358. Heron and his associates, praktores of grain in Euhemeria, sent in 146 a report to Herakleides and his associates who received documents to be forwarded to Alexandria *τῷ γράφοντι ἐν ιδίῳ λόγῳ τὸν νομόν*. Heron presented a record of *τῶν ἀπαιτηθέντων ὥφ' ήμων ἀπὸ λημμάτων ιδίου λόγου*. There is a slight difficulty in the use of *ἀπὸ* instead of the *ὑπὲρ* in the Rylands text. Whether Heron was accounting for expenses incurred by his men or payments due, he and his men had been engaged in collecting payments in kind for the department, payments which must have been due from the tenants of the department's land.

These declarations not only provided red tape for the idios logos as administrator, they also, not unexpectedly, supplied grist for the department's judicial mills. A nameless and hapless praktor who had been accused of failing to register payments received for the idios logos had his case brought up at the *conventus* of January/February 148 before the then head of the department, Claudius Justus. Significantly, the charge against the praktor concerned an administrative error, and not a charge of defrauding the fiscus. The case was continued for several years, for the praktor in 151 swore an oath, no doubt in reply to an *eidos* for investigation, which he addressed to [...] and to Sarapion the basilikogrammateus. The praktor included copies of the receipts which he claimed to have received from Hermias, the secretary in the idios logos for the Oxyrhynchite Nome, through a certain Serapion who was, perhaps, in charge of transmitting documents to Alexandria. The alleged infraction occurred between 136 and 139, the case received a hearing in 148 and was still pending in 151 (*WChr.* 173).

33. For the various fees and their collection cf. S. L. Wallace, *Taxation in Egypt from Augustus to Diocletian*, Princeton Studies in Papyrology no. 2, 1938; a list may be found in Allan Chester John-

son's *Roman Egypt to the Reign of Diocletian*, Volume II of Tenney Frank's *An Economic Survey of Ancient Rome*, 1936, pp. 552-580.

Other surviving declarations show little variation in the routine outlined above. *P. Amh.* 69 is a statement from Heron and his associates, sitologoi, delivered to Aphrodisios and his associates who received and transmitted accounts sent to Alexandria, to the eklogistai of the nome and to the idios logos. Heron declared that of the produce of 153/154 nothing was measured out to the idios logos from Pauni to Mesore of 154. Similarly, Pasion, a komogrammateus, declared to Bolanos, the strategos of the Arsinoite Nome in 196, that there was nothing pertaining to *τὴν τοῦ ἴδιου λόγου ἐπιτροπῆ* (*P. Lond.* 1219 [II, p. 124] [= *WChr.* 172]).

Two papyri reveal the idios logos as a renting or assigning agent. In *PSI* 928 Aelius Sarapomenon, a veteran, stated that on 5 October 183 ἐκυρώθην ὑπὸ Μοδέστου τοῦ γενομένου πρὸς τῷ ἴδιῳ λόγῳ certain parcels of property. *BGU* 1091 describes the lease of an estate confiscated from a certain Diogenes. The property remained unsold until 212/213, when it was forced on Eudaimon who agreed [*μισθώσησθαι* . . . *ἀπὸ ἀπράτω[ν]* *τῆς τοῦ ἴδιου λόγου ἐπιτροπῆς*].

The idios logos was definitely retaining control over much of the arable property confiscated by it either as a penalty for an infraction over which it had jurisdiction, or as the condemned property of a convicted criminal. In turn the department was also quite obviously renting as much of this arable property as it could. This created a whole new set of responsibilities, since the idios logos was now required to collect the regular payments and fees due from rented land. Such collections were accomplished through the ordinary tax-gathering machinery.

The functions of the secretaries in the idios logos for each nome may have been confined to this aspect of the department's administration; we only see them receiving reports from the *praktores* who were collecting payments from rented property. It seems reasonable, however, that they should also have processed information from their respective nomes when it concerned other departmental activities. *P. Fay.* 23a listed a "former secretary in the idios logos for certain nomes," from which it may be concluded that several nomes might have been served by a single secretary in the idios logos.

The department's own bureaucratic organization does not appear to have extended beyond the office in Alexandria in the second century any more than it did in the first. Many of the officials in the *chora* acted for the idios logos, but none of them exclusively. Several of the *praktores* handed in reports to couriers who transported information to the secretaries in the idios logos, but some of these were performing the same activity for other departments — e.g., Aphrodisios in *P. Amh.* 69, who transmitted reports both to the eklogistai of the nomes and to the idios logos.

Why and when the department began to retain and lease arable property is problematic. The primary bureaucratic benefit to be derived from such a policy would be the elimination of a rather cumbersome process of reassigning to suitable agencies arable land confiscated through the idios logos. At some point a simple solution to this complex operation evolved by having the department

retain control over property so confiscated, with responsibility for selling or renting it. The only inconvenience in this administrative shift would have been the additional bureaucratic obligations that the idios logos assumed as an active participant in the regular land administration. In the first century the bureau simply sold the property which it controlled as rapidly and as profitably as possible. This land, after the sale, became private property, for which the idios logos had no concern unless an owner died intestate or abandoned it. But in the second century the department, which had then become sole administrator for government property appropriated by the idios logos in its capacity as confiscator, was required to rent productive land, and was thus burdened with all the red tape involved.

It must be admitted that in comparison with the other agencies renting government land, especially in the Berlin, Rylands and Michigan tax rolls, the idios logos was not involved with productive land on a major scale. For instance, the entries in the Theadelphia rolls listed to the *dioikesis* and *ousiakos logos* far exceeded in number those listed to the idios logos. Nevertheless, the documents are clear in showing that the idios logos was a renting agency.

While the idios logos was becoming an agency for arable land other departments were beginning to sell confiscated property. *P. Oxy.* 513.7 (= *WChr.* 183) refers to the sale of a confiscated house *ἀπὸ τῶν ἀπράτων τῆς διοικήσεως* in 184. Valeria, in *P. Mich.* 224, who, beginning at line 4258, was recorded as paying for the property of the murdered Gemellus, also paid 79 drachmas, 3 obols for some property purchased from the *dioikesis*. The property was not part of the Gemellus estate, nor had it been confiscated through the idios logos. Rather, the *dioikesis* must have seized it for back rent or some financial obligation due to it as the administrator of the land for which the payment was owed. Property, therefore, confiscated for debts owed to the *dioikesis*, remained within the *dioikesis* no matter what the condition, to be sold or rented.

If this was indeed the second-century situation, we expect that purchases *ἀπὸ ὑπολόγου* should be made from the agency which controlled royal land: the *dioikesis*. There are, accordingly, no post-Flavian sales of such land recorded to the idios logos. *Aegyptus* 13, 1933, p. 461 (= *P. Lond. Inv.* 1871), describes one such sale from the *demosion* during the reign of Domitian, but it is impossible to ascribe it to the idios logos. *PSI* 109 mentions a sale *ἀπὸ ὑπολόγου* that was definitely managed by the *dioikesis*. It is, consequently, even more difficult to state with certainty that a sale of dry worthless land such as that recorded in *SB* 5673 was directed by the idios logos unless it can be proved that the department controlled the land being sold. It might just as well have been royal land that had become dry, or land that had been turned over to the *dioikesis* in lieu of defaulted rent.

Although the above interpretation of the altered competence of the idios logos may explain many of the documents, the department's role as controller of arable land and leasing agent does not fully account for *BGU* 599 (= *WChr.* 363),

where the department is somehow concerned with property sequestered for back rent owed to the *ousiakos logos*. The term *γενηματογραφούμενα ὑπάρχοντα* is common enough.<sup>34</sup> It never appears to describe properties confiscated from condemned criminals, but is applied exclusively, when a reason for sequestration is given, to property appropriated for failure to meet financial obligations due to a renting agency. Hence the *idios logos*, since it was leasing land, would have been involved in sequestered property as much as any other department similarly leasing government land. Such property was managed in the *chora* by officials known as *ἐπιτηρηταὶ γενηματογραφουμένων*, who acted on behalf of the agency owed the unpaid fees for which the property was seized. They could perform duties simultaneously for the *dioikesis*, *ousiakos logos* or *idios logos*, and were as such no different in their obligations to each department than were any other officials in the nome. They served the *dioikesis* in *P. Fay.* 23 and 26 and in *P. Lond.* 164 (II, p. 116), and the *ousiakos logos* in *P. Fay.* 26. Sequestered land in *BGU* 599 (= *WChr.* 363) involved the *ousiakos logos* and perhaps the *dioikesis* and *idios logos* at the same time. *P. Fay.* 106 indicates that by 140 the local office in charge of sequestered property was filled as a liturgy. The department for which the official in *SB* 4416 was acting is not revealed.

Property sequestered for back rent or failure to meet other financial obligations probably accounts for the various *προσόδοι ὑπαρχόντων* credited to the *idios logos*. Unfortunately this does not explain *BGU* 599. The unnamed individual who was guarantor for some land rented from the *ousiakos logos* had his property seized for the failure of the lessee to pay the rent. He had evidently met his obligations to the *ousiakos logos*, *τῶν δὲ πρὸς τὸν οὐσιακὸν [λόγον ὁφειλομένων κεφ]αλαῖων ἀποδοθέντων* (lines 14-16), but he still had to deal with the *idios logos*. The restoration of the next fragment, as suggested by Plaumann,<sup>35</sup> *[τοῦ δ' ἐγγύου εἰσδοθ]έντος ἐν ιδίῳ λόγῳ*, may be explained in terms of the distinction we have made between the department's administrative and judicial capacities. The *idios logos* was involved not as the department which had final control over all sequestered property, but as final judge in such cases. Sequestered land could not be returned to its owners until their cases had been heard in the *idios logos* and they had established that they had cleared all of their outstanding debts. Sequestration was definitely a penalty which could be imposed by any department leasing government land, but it was a condition, in light of Plaumann's restoration of this fragment, which could be removed only by the *idios logos* in its judicial capacity.

An alternate explanation might be that this same property was given as surety for land simultaneously rented from the *idios logos* and, as such, for the same lessee's failure to pay rent to the *idios logos*, it was placed *ἐν αὐτῷ*

34. *Aegyptus* 13, 1933, p. 461 (*P. Lond. Inv.* 1871).

35. Plaumann, p. 20.

*γενηματογραφίᾳ* (line 18) the income from it to be proportionately divided between the idios logos and *ousiakos logos*. The guarantor, having met his obligations to the *ousiakos logos*, was heard in the idios logos but failed to prove conclusively (*μὴ ἀποδεῖξαντος*, 19) that he had removed the debt owed the idios logos. The head of the idios logos (Petronius?) wrote to the strategos of the Arsinoite Nome that *ἐὰν μηδὲν ὀφελη [πρὸς ἰδιον λόγον]* he should receive the land; otherwise it should remain sequestered, even though he had paid his debt to the *ousiakos logos*.<sup>36</sup>

Hence, the appeals concerning sequestered lands or the income from them referred to the idios logos, such as *P. Fay. 23a* or *Papyri Selectae* (Pap. Lugd.-Bat. XIII) 21 can be explained in terms of the department's function either as administrator of productive property or as judge in such matters. There is certainly no need for placing all such sequestered property or, for that matter the *dioikesis* and *ousiakos logos*, under the control of the idios logos.

##### 5. THE GNOMON OF THE IDIOS LOGOS

To[ῦ γ]νώμον[ος], ὃν ὁ θεὸς Σεβαστὸς τῆς τοῦ ιδίου λόγου  
ἐπιτροπῆ [παρ]εστήσατο, καὶ τῶν ὑπὸ χεῖρα αὐτῶ  
π[ρ]οσγεγονότ[ω]ν ἡτοι ὑπὸ αὐτοκρατόρων ἡ συνκλή-  
[το]ῦ ἡ τῶν [κατ]ὰ καιρὸν ἐπάρχων ἡ ιδίων λόγων τὰ  
ἐν μέ[σ]ῳ [κεφ]άλαια συντεμὼν ὑπέταξ[ά] σοι, ὅπως τῇ  
τ[ῆς] ἀναγραφῆς ὀλιγομερίᾳ τὴν μνήμην ἐπιστή-  
[σας] εὐχερ[ῶς] τῶν πραγμάτων περικ[ρ]ατῆς.

(BGU 1210.1-7)

About the *Gnomon of the Idios Logos*, an important and imposing document, much has been said. The contribution which it has made to an understanding of the idios logos has been adequately demonstrated in the preceding pages, where the *Gnomon* was often the only evidence revealing specific aspects of the department's role as confiscator and judge. The full extent of the bureau's judicial competence and its role as confiscator of *bona damnatorum*, while vaguely adumbrated in other documents, would have remained, without the *Gnomon*, in the realm of speculation.

Most of the studies<sup>37</sup> of BGU 1210 have rightly examined the *Gnomon* for the judicial document that it is. Most of the 121 whole and fragmentary entries relate directly or indirectly to the department's judicial capacities, providing a guide for the head of the idios logos or for those officials, perhaps the strategoi and epistrategoi, who in the *chora* held preliminary hearings into cases under the

36. There is a reference to such a sequestration by the idios logos in *P. Princ. 22.3*; see Plaumann, p. 58; Rostovtzeff, *Kolonat*, pp. 136 ff.; and

Wilcken's introduction to *WChr. 363*.

37. See above page 5 note 14.

department's jurisdiction. The *Gnomon* as a judicial document supplements or supplies most of the evidence for the distinction that we have made between the idios logos as confiscator, as investigator and judge, and as administrator for government property under its control: each of these functions, although sometimes complementing the others, could be performed independently. The idios logos was judge for cases having no connection with its role as administrator; it also confiscated property condemned at trials held before other officials.

Since BGU 1210 was, for the most part, designed to be consulted by anyone acting for the idios logos in a difficult or unusual case, or desiring to know the exact nature of the law and locate a precedent for a case he was deciding, it says little about how the department went about investigating and confiscating, and it offers only a few hints pertaining to the department's administrative duties. Paragraphs 77-80 in the ecclesiastical section of the *Gnomon* offer some information relevant to the department's role as sales agent for temple offices. The lack in the *Gnomon*, or for that matter in the other documents that we have discussed, of information describing the specific routine the idios logos was to follow in performing its several functions, is not surprising since such information must have been very rapidly and firmly implanted in the bureaucratic tradition of the idios logos. BGU 1210 is not by any means a full manual of procedure for the department of idios logos. From the observations in the preceding pages on the nature and content of the *Gnomon* in general, it is doubtful that the *Gnomon* functioned as such a manual. The *Gnomon* was intended, instead, as a guide for the more difficult problems that the head of the idios logos and those under him might have to face and decide in the routine pursuit of the department's affairs.

The above-mentioned paragraphs 77-80, and possibly the entries delineating ecclesiastical qualifications for various temple offices, represent the only probable similarity between BGU 1210 and the *gnomon* consulted at Oxyrhynchos late in Augustus' principate and mentioned in the edict of Ti. Julius Alexander. The Julio-Claudian idios logos was appropriating and selling ownerless or abandoned non-productive government property, and was investigator and judge only for this same property, which was potentially or actually under its administrative control. The *Gnomon* supplies information pertinent to the pre-Flavian department only in the ecclesiastical sections. Otherwise it offers nothing relating to the appropriation of ownerless empty lots, dry ownerless logs or similar property like that with which the early Roman idios logos was concerned. These matters were by the second century most certainly routine.

Although the author of the *Gnomon* stated that he was summarizing information that went back to Augustus, he copied very little that was relevant to the Julio-Claudian office. He began with an historical viewpoint, but produced a document that reflected contemporary needs: he was, after all, neither antiquarian nor historian, but bureaucrat. It should be noted that in his zeal to sanctify his endeavors with a reference to an Augustan origin, he committed a slight historical error in terminology. Augustus never established a *gnomon τῆς*

*ἰδίου λόγου ἐπιτροπῆ*. The head of the Augustan idios logos was not a procurator, and the office was not an *ἐπιτροπεία* before Antoninus Pius. The *gnomon* that Augustus created was *τῷ ιδίῳ λόγῳ*.

It is impossible to identify to whom the proemium of the *Gnomon* is addressed; as has been often suggested in these pages, the *Gnomon* was of use both to *ὁ πρὸς τῷ ιδίῳ λόγῳ* and to any official involved in the department's business. Ultimately, however, the head of the department was the final arbiter for all the rules and procedures in the *Gnomon*. There is the difficulty, if the author was writing for a nome or village official, of explaining the inclusion of certain paragraphs, specifically paragraph 40, which was an Alexandrian matter, even though it stated that the prefect now had jurisdiction in cases involving the improper registration of persons as Alexandrian citizens. Yet some of the entries are just as superfluous to the head of the department: paragraphs 66 and 68 suggest fines for those found guilty of leaving by sea without passports, malefactors over whom jurisdiction was, according to paragraph 64, no longer held by the idios logos.

The author of the *Gnomon* was obviously copying from a fuller and perhaps official document, which he attempted to abstract in some sort of judicial order, as opposed to administrative,<sup>38</sup> digesting such information as would be useful to anyone confiscating, investigating and judging for the idios logos.<sup>39</sup>

In terms of the functions described in this chapter, most of the entries in the *Gnomon* could have been in existence during the reign of Hadrian. The full document, however, was composed at a time when idios logos could be used as a personal title and when the department head had become commonly referred to as an *ἐπίτροπος*. Neither of these facts contributes anything to the problem of dating the *Gnomon*, since either or both usages could have begun anywhere between A.D. 90 and 160. Idios logos as personal title occurred after 90 in SEG 18.646, *BGU* 16 (A.D. 159/160), and *P. Ryl.* 83 (A.D. 135-160). The latter both refer to *τῷ τοῦ ιδίου λόγου ἐπιτροπῇ* and both are datable to the reign of Antoninus Pius. I can suggest no solution to the problem of paragraph 36. If the Antoninus mentioned there is Pius, the *Gnomon* was composed between 149, the date on the recto, and 161, the date of Pius' death. Otherwise Antoninus is Marcus Aurelius and the *Gnomon* was composed during that reign. From what we have observed in this chapter, there certainly is no objection to the earlier date.

The idios logos of the *Gnomon* was a direct descendant of the Julio-Claudian department. Nevertheless, the nature of the *Gnomon* and the implications contained in it — that there existed a real distinction between the various functions of the idios logos and that these functions did not depend exclusively

38. See Riccobono's chart at the end of his book, *ibid.*

39. The pedantic enthusiasm which allowed the

inclusion of paragraphs 66 and 68 evidently gave out at paragraph 80 where the numbering of paragraphs stopped.

on the department's administrative competence — are sufficient warnings that the *Gnomon* may be only cautiously employed as proof for a pre-Flaviān or perhaps pre-Hadrianic judicial or non-judicial function. The *Gnomon of the Idios Logos*, composed during the second century of the present era, was designed for contemporary use to solve contemporary problems.

#### 6. SUMMARY: THE IDIOS LOGOS UNDER THE FLAVIANS AND ANTONINES

During the first quarter of the second century the idios logos realized the potentialities latent in the Julio-Claudian department. As suggested in the first two sections of this chapter, the expanding judicial responsibilities which were assigned to the department in matters affecting its administrative competence eventually separated the bureau's role as administrator from its role as investigator and judge. In a similar fashion, the many confiscations effected by the idios logos in its judicial and administrative capacities established the department as the government's agent for many confiscations totally removed from its other functions. In turn, the idios logos as administrator of government property was required to assume control over much of the non-productive as well as productive property that it confiscated. It continued to sell non-productive *adespota* which, by definition or direct seizure, were within its administration, but it began to lease arable property which it managed as a regular leasing agency. The second-century idios logos was, therefore, an administrator of certain types of government property, a confiscating agent and an investigator and judge.

As an investigator and judge the idios logos stood as final authority over many cases, some of which affected its administrative and confiscating functions, many of which did not.

Illegal occupation or improper sale of property within the department's control came under the department's jurisdiction, just as such violations had been investigated and judged by the idios logos in the Augustan period. Of primary concern were *adespota* liable to appropriation to the idios logos and temple offices sold through the department, which were particularly susceptible to illegal occupation by unqualified persons.

Official negligence in the management of property in the administration of the idios logos was investigated by the department. The case of the dike overseer in *P. Iand.* 139 who was prosecuted in the department for failing to register in the idios logos ownerless trees that had been properly registered and sold by a *komogrammateus* is sufficient indication that both slight and serious bureaucratic slips in the conduct of the department's business were pursued by the department.

The idios logos was the deciding authority in establishing the government's claims to *bona caduca* or whatever portions of an intestate or improperly willed estate were appropriable to the government. It ruled on defective wills and the

competence of civilian, military and ecclesiastical heirs to inherit.

The idios logos arbitrated disputes between heirs over legacies. After establishing the government's claims, it was required to determine who among the feuding heirs was competent to receive whatever remained and how much each heir could claim. It settled rival claims to hereditary and non-hereditary temple offices, deciding in the former who was to pay the installation fee and in the latter who was to pay for the office outright.

All charges of ritual impropriety were referred to the idios logos for investigation and decision. The department thus had jurisdiction over such improper activity as the wearing of non-liturgical garments and the sacrificing of improperly sealed animals.

Infractions against the laws and ordinances regulating civil privileges were likewise under the jurisdiction of the idios logos. The department was thereby charged with maintaining the rigid class structure of Roman Egypt by means of the verdicts issued with regard to illegal marriages, adoptions, registrations, designations etc.

Paragraphs 70 and 98-111 of the *Gnomon* illustrate the various illegal business, financial and official activities, over which the department held judicial competence even though these activities did not necessarily affect the department as administrator.

Lastly, paragraph 36 implies that the idios logos was obliged to determine what portions of a confiscated estate could be given to a convicted criminal's children and wife.

Except for official negligence in the pursuit of the department's business, which could be uncovered through a check of departmental records, most of the cases heard in the idios logos were probably initiated by delators. *Stud. Pal.* 22.184 mentions preliminary hearings held by nome officials. Perhaps if a given case, by agreement between the defendants and prosecutor, could be settled at one of these hearings, it was so concluded with the idios logos subsequently notified of the result and the amount of the fine. Final decisions were otherwise pronounced by the head of the idios logos at the *dialogismos*. Investigations were accomplished by an *eidos* for investigation, in which the pending case was described as far as it had developed, and which was sent to local officials who were required to gather the information that would be introduced as evidence in the final trial. Cases to be investigated were probably grouped at the idios logos according to nomes and sent to appropriate officials in each nome, such as the strategos of the Busirite Nome in *P. Ryl.* 78 who, in A.D. 157, received a number of such dispatches; the nome official probably collected information from local officials and evidently demanded a sworn statement from the accused. The *eidos* to which the beleaguered dike overseer replied in *P. Iand.* 139 referred to his case as listed in column 199, roll 19. The idios logos was a very active investigator.

The department's judicial functions were the most evident, and probably the most important, part of its second-century responsibilities. As judge it established

the precedents potentially affecting the lives of every individual in Egypt. It relied heavily on the verdicts of those authorities who had ruled, during the preceding century of Roman occupation, on many of the cases placed under the department's jurisdiction. All of the precedents, at least the most difficult of them, necessary for untangling the complicated legal problems that the department faced, were written in a *gnomon* (part of which has survived in a digested form), which the department head consulted before issuing verdicts. As investigator and judge the idios logos prevented the chaos that would have resulted from a breakdown of the class structure in Egypt, but at the same time perpetuated the difficulties of that same class structure. It protected the rules and regulations that governed financial transactions between citizen and government and citizen and citizen, while at the same time greatly restricting the same sort of transactions. It guaranteed the smooth transmission of property from deceased to heir or from deceased to fiscus. In brief, as investigator and judge the idios logos could enter the life of every man, woman and child who happened to be born, married or buried in Roman Egypt.

As a confiscating agent the department continued to appropriate the same unproductive *adespota* that had, since the first century B.C., belonged to its administration. Its jurisdiction as confiscator extended to *bona caduca* so designated by the idios logos as judge, property that constituted fines for infractions under the department's jurisdiction, and the *bona damnatorum* of exiles and of criminals convicted by other authorities. Once the idios logos had levied a penalty requiring confiscation, or had received the name of a convicted criminal, it probably informed nome and local officials in the area where the property was situated. These officials in turn located the condemned property, recorded it to the proper agencies and in turn notified the idios logos that the confiscation had been effected.

The position of the idios logos as a confiscator is difficult to estimate. If the number of violations listed in the *Gnomon* as liable to fines in property is an accurate index, this function was an important feature of the department's routine. On the other hand, the absence of documents illustrating this role (PSI 104 seems to be the only reference to a departmental confiscation other than in the *Gnomon*) indicates that property confiscated by the idios logos was rapidly absorbed into the department's administration (e.g. the property of Gemellus at Karanis), or that this role was not as prominent as it seems. The former alternative is more likely.

As an administrator of government property the idios logos controlled, with some obvious exceptions, property appropriated to the government through the idios logos as confiscator. The chief administrative function of the Julio-Claudian office was to locate and sell as rapidly and profitably as possible all the property which it managed. Once it began to receive arable land, the idios logos was obliged to become a leasing agency and to assume all of the corresponding duties.

The bureau's confiscating activity, along with the elimination of the practice, probably in the first century, of reassigning all the productive property confiscated through the department to other departments in the administration, expanded the types of property under the department's administrative competence. Of course the cash assets of any confiscated estate were deposited immediately to the fiscus. It is also apparent that the slaves in *MChr.* 372 Col. 6, had they been part of a true *donatio inter virum et uxorem* and thus a part of the dead Acutianus' intestate estate, would have gone to the *kyriakos logos*. The idios logos continued to maintain control over salable temple offices. The department was responsible for seeing to it that all property now belonging to its administration was properly registered to it. It definitely continued to supervise the registration of ownerless trees. In general, the routine activity of the department in regard to such property involved leasing what was rentable and selling everything else. It sold ownerless trees and temple offices, for which it collected a sales price or an installation fee. It continued to act as sales agent for empty lots.

It was, however, in handling productive property that the second-century department differed from the Julio-Claudian. It was required to collect the rents and fees due from the lessees of government property, to sequester property for failure to meet payments in cash or in kind, and to account for the income produced from property so sequestered. All of this was accomplished through an army of tax collectors and officials who worked both for the idios logos and the other departments in the administration managing productive government property. Rent and tax collecting agents reported to couriers the fees in cash and in kind that were relevant to the idios logos. These couriers transmitted the reports to government agencies in Alexandria and to the idios logos, where they were received and processed for the nomes by the secretaries in the idios logos. These secretaries are the only known officials, other than Kastor's assistant in 89 B.C.,<sup>40</sup> who worked exclusively for the idios logos. Any official in the *chora* who mismanaged the business of the idios logos was, of course, liable to be investigated and tried by the idios logos in its capacity as judge.

Such then was the second-century idios logos. At least this is all that our information has revealed. The reason for the department's position during most of the century as administrator, confiscator, investigator and judge is not to be found in any theory of Roman administrative genius but in the convenience afforded the other branches of the Roman administration in Egypt by the bureau's assuming these functions, none of which was exclusively a feature of the idios logos. As an administrator of government property and as a lessor of some of the property coming into its administration it shouldered some of the burden that would otherwise fall on the regular land administration. In its judicial capacities

40. See above p. 23 for assistants to Kastor (89 B.C.) and Noumenios (63/2 B.C.).

and as a confiscator the *idios logos* was an aid to the prefect. A date for the various stages in the department's second-century development would be desirable, but the nature and condition of the evidence, specific though it be in illustrating the functions of the *idios logos*, will allow nothing but the suggestion that the *idios logos* had more or less achieved its final second-century form during the reign of Hadrian.

The *idios logos* under the Flavians and Antonines was a natural outgrowth of the Julio-Claudian office which, in turn, was begotten of a Ptolemaic department which had developed from a special account. More than three centuries separate *BGU* 992 from *BGU* 1210. In the former, the *idios logos* was a special account for irregular income received from sales of ownerless or confiscated government property to private individuals. In its final form the *idios logos* was a special department assigned judicial and administrative functions.

Although one may be tempted to see in the Ptolemaic origin of the office an enlightened interest in private property, and in the Roman development a manifestation of the Roman organizational genius, it is rather more likely that the Ptolemaic origin was due only to administrative convenience, and the growth of the office in the Roman period was merely the normal effect of bureaucratic expansion.

## Appendix I

### Ptolemaic and Roman Heads of the Idios Logos

#### Ptolemaic

Kastor	89 B.C.	OGIS 188
Noumenios	63/62 B.C.	BGU 1782
Hephaistion	61/60-52/51 B.C.	BGU 1772; 1756; 1757; SB 7455

(For commentary and discussion see pages 21-23.)

#### Julio-Claudian

Q. Attius Fronto	A.D. 13	P. Oxy. 1188; 2277
C. Seppius Rufus	14-16	P. Oxy. 721; <i>MChr.</i> 68; SB 5954; <i>P. Lond.</i> 276a (II, p. 148); SB 5239; 5232; <i>P. Lond.</i> 355 (II, p. 178); SB 5240
M. Vergilius M.f. Gallus Lusius	Tiberius	<i>CIL</i> X 4862
Servianus Severus	44	<i>P. Teb.</i> 298
L. Tullius Sabinus	45-46	<i>P. Teb.</i> 298; <i>P. Vindob. Boswinkel</i> 1
Norbanus Ptolemaios	63	<i>P. Fouad</i> 21

(For commentary and discussion see pages 66-68.)

#### Galba to Septimius Severus

Lysimachos	29 January 69	P. Fouad Inv. 211 (= SB 9016)
Mummius Gall[us]	73	P. Ryl. 598
Lysimachos	29 January 88	P. Fouad Inv. 211 (= SB 9016)
Claudius Geminus	89-90	SEG 18.646; <i>P. Vindob. Boswinkel</i> 1
....inus	105/106	BGU 1033 (and Wilcken, <i>Archiv</i> 3, 1902, pp. 304 and 505)
Marcius Moesiacus	120-122 (?)	SEG 2.848; <i>P. Teb.</i> 296 ( <i>BL</i> III, p. 241)
Julius Pardalas	123	BGU 250
Maximus Statilius	early second century	<i>CIG</i> 4815c, add. p. 1213
Claudius Julianus	135/136-137	<i>Stud. Pal.</i> 22.184; <i>MChr.</i> 372 Col. 6
Eclectus	142	<i>P. Oxford</i> 3 (?)

Ti. Claudius Justus	147	P. <i>Teb.</i> 294 (= <i>WChr.</i> 78)
Postumus	ca. 158	<i>BGU</i> 868 (Meyer, p. 153) (?)
L. Crepereius Paulus	under Antoninus Pius	<i>Stud. Pal.</i> 22.99
L. Silius Satrianus	164 or 165	<i>P. Warren</i> 1
C. Calvisius Faustinus	170	<i>PSI</i> 1105
Modestus	184	<i>PSI</i> 928 and <i>SB</i> 9658
Claudius Apollonius	194	<i>WChr.</i> 52
P. Aelius Sempronius Lycinus	early third century	<i>CIL</i> III 6756 and 6757
T. Aurelius Calpurnius Apollonides	early third century	<i>CIL</i> III 244
L. Suc[conius]	early third century	<i>CIG</i> II 3751 and <i>IGRR</i> I 1107
		<i>CIL</i> XI 7868 <sup>1</sup>

Several of the above names are found in documents not previously mentioned in Chapter Three.

*P. Ryl.* 598 mentions Μουμμίου Γάλλ[ου τοῦ πρὸς τῶι ιδί]ωι λόγ[ωι], who was somehow concerned with the privileges of a *propheteia*.

The name of Maximus Statilius is preserved by *CIG* III 4815c, add. p. 1213, (*OGIS* 408) found at Thebes: Τιμόθεος Ψερκιοκωμήτης ἐμνήσθη ἐπ' ἀγαθῷ Φιλοπάππου τοῦ βασιλέως καὶ Μαξίμου Στατιλίου ιδίου λόγου..... The association of his name with Philopappus indicates an early second-century date (cf. *PIR* II<sup>2</sup>, p. 262, No. 1086). Timotheos evidently understood *idios logos* as Maximus' personal title in much the same way that the author of *SEG* 18.646 believed that Claudius Geminus was *idios logos*.

The end of a name ....]λάνου τοῦ πρὸς τῷ ιδίῳ λόγῳ τῷ η (ἔτει) has survived in *BGU* 1033 (cf. Wilcken's notes in *Archiv* 3, 1902, pp. 304 and 505). The context is not clear. Wilcken understood the date as Trajanic, 105/106.

In 142 a question about some trees that had been cut down on an ousiakic estate was referred to Ἐκλέκτῳ τῷ κ[ρ]ατίστῳ ἐπιτρόπῳ (*P. Oxford* 3). If Eclectus was the final authority in the matter, it is quite probable that he was then head of the *idios logos*.

Stein, *PIR* II<sup>2</sup>, p. 385, No. 1571, has proposed that L. Crepereius Paulus in *Année épigraphique* 1915, p. 46, be identified with Κ[ρε]περηίω [Πα]ύλωι τ[ῷ]ι [κρατίσ]τωι πρὸ[ς τῷ]ι δίω[ι] λόγ[ωι] in *Stud. Pal.* 22.99. The fragmentary

1. Plaumann, p. 68, listed along with the department heads all the known high priests in the belief that the chief of the *idios logos* was *ex officio* high priest. In addition to what we have concluded from section 1 of Chapter III, the impossibility of this identification is furthered by the interruption of the supposed tenure of Ulpianus Serenianus as high priest-*idios logos* by L. Silius Satrianus in 164 or 165. Pflaum, p. 1085, listed

several very doubtful names: Ti. Claudius Blastus in *MChr.* 220 is not demonstrably acting for the *idios logos*; the position of Timocrates, *P. Teb.* 297, is equally uncertain; Flavius Titianus appeared in Dio-Xiphilinos 77.21 (Boissevain edition) simply as a procurator with no connection with the other Flavii Titiani found in Egypt; cf. *PIR*<sup>2</sup> III, pp. 174/175, no. 385, no. 386.

papyrus involved an ecclesiastical matter. If Stein's suggestion is correct, Crepreius may have come from Attaleia in Pamphylia where the inscription was found. His career, as far as it is known, was that of an ordinary equestrian.<sup>2</sup>

C. Calvisius Faustinus, who may have been the promising son of C. Calvisius Statianus referred to by Cornelius Fronto, *Epist. ad amicos* 1.5, appears in *PSI* 1105 in a judicial capacity as ὁ πρὸς τῷ ἰδίῳ λόγῳ in A.D. 173.<sup>3</sup>

A full *cursus* has survived for P. Aelius Sempronius Lycinus. *CIL* III 6756, 6757, and 244, all from Ancyra, describe the following civilian career for Lycinus, *militis equestribus ornato*:

1. procurator XX hereditatum per provincias Narbonensem et Aquitaniam;
2. procurator Daciae Porolissensis;
3. procurator idiu logu (*CIL* III 6756, hidi logi, 6757);
4. procurator Augustorum provinciae Syriae Palestinae.

He referred to himself in a dedication *M. Aurelio Antonino invicto Augusto Pio as vir egregius* (*CIL* III 244). Pflaum suggests that the title procurator Augustorum (Severus and Caracalla) implies that the post was attained before A.D. 209.<sup>4</sup> Hence, Lycinus was head of the idios logos towards the end of Severus' reign.

The career of T. Aurelius Calpurnius Apollinides did not go beyond his position as ἐπίτροπος δουκενάριος Ἀλεξανδρείας τοῦ ἰδίου λόγου (*CIG* II 3751) or Αἰγύπτου ἰδίου λόγου (*IGRR* I 1107). After military service with the 13th, 14th and 15th legions he was appointed, prior to becoming head of the idios logos, ἐπίτροπος (τῶν Σεβαστῶν) Γαλλίας Ἀκουτανικῆς ἐπὶ κένσων, ἐπίτροπος Μυσίας τῆς κάτω, ἐπίτροπος Θράκης, ἐπίτροπος Δελματίας. He came to Alexandria with the same broad administrative and geographical background as Lycinus. *IGRR* I 1107 was inscribed at Mendes, probably during his tour of duty as department head; *CIG* II 3751 was found at Nicaea, which may have been Apollinides' native city. Pflaum, again basing his conclusion on the occurrence of ἐπίτροπος Σεβαστῶν in the Nicaean inscription, places his tenure as head of the idios logos, which was listed as *procurator ducenarius*, after 209.<sup>5</sup>

L. Suc[conius], on the other hand, may have been from Spoletium in Umbria, where the stone informing us that he was a department head was found. His fragmentarily preserved *cursus* proclaims that he was *pro(curator) d[ucenarius] Alexandriae ad] idios lo[gos]*. He could have served at any date between 196, when Severus evidently instituted *ducenarius* positions, and 234, in which came the last datable reference to the idios logos, *WChr.* 72.

The idios logos was consistently thought of as a department, not as a person. Exceptions may be found in *SEG* 18.646, *CIG* III 4815c, add. p. 1213, and perhaps *MChr.* 372 Col. 6, where, however, *ἰδίου λόγου Ἰουλιάνου* at the head of

2. Pflaum, no. 146.  
3. Pflaum, no. 177.

4. Pflaum, no. 262.  
5. Pflaum, no. 268.

the column is the caption for a case heard in the idios logos by Julianus, ὁ πρὸς τῷ ἰδίῳ λόγῳ. The head of the department was known as ὁ πρὸς τῷ ἰδίῳ λόγῳ from Lysimachos to Claudius Julianus. After Eclectus, he was sometimes referred to as ὁ κράτιστος ἐπίτροπος τοῦ ἰδίου λόγου or ὁ κράτιστος πρὸς τῷ ἰδίῳ λόγῳ, i.e. *egregius procurator* or simply *egregius*. After Claudius Apollonius he became a *procurator ducenarius*.<sup>6</sup>

The equestrian character of the officials in charge of the idios logos was obviously continued into the second century. The only *notabilia* among the names assembled above are that Lysimachos, like Norbanus Ptolemaios under Claudius, might have been a native Egyptian; Claudius Geminus served as epistrategos of the Thebaid (OGIS 685), and L. Crepereius Paulus, P. Aelius Sempronius Lycinus and T. Aurelius Calpurnius Apollonides may have been born in the East.

If what we have concluded to be the second-century condition of the department is true and the idios logos was a confessor, administrator, investigator and judge, then the head of the idios logos was chief confessor, administrator, investigator and judge for the department. He was, in sum, the personification of the idios logos and was to most of Egypt, as he is to many modern commentators, the idios logos.

6. Idios logos as a title for the head of the idios logos may be read in *P. Aberd.* 51, line 11, *ἰδίῳν*

λόγῳν καὶ ἀρχιερέων κρίσις.

## Appendix II

### *P. Teb. 874 and WChr. 72*

These two papyri dated 179 B.C. and A.D. 234 by their respective editors are at the chronological extremes in the development of the idios logos. Both present problems of interpretation which have made discussion of them in the main body of this study impossible.

*P. Teb. 874*, dated Pharmouthi, year 2 — which is, from the other documents on the same roll, assumed to be year 2 of Philometor, hence 179 B.C. — is commonly accepted as the earliest reference to the idios logos.

ἔτους β [Φαρ]μοῦθι ἴδιου λόγος  
τῶν διὰ [Κε]φάλωνος χει(ριστοῦ) καὶ [Α]  
'Απολλωνίου τοῦ παρὰ ἀντιγραφέως  
α λῆμμα βα(σιλ.) οὐθέν  
'Ασκληπιάδηι ἀλ(ήπτορι), Ἡρακλείτωι καὶ  
[Δ]ημ[ητρ]ίωι ὑπηρέταις δι(οικητικοῖς) Ἀσ  
[.....]ις ρα τά(λαντα) ε Γ  
[.....]ροη δ(δρ.) 'Β ε(δρ.) Ἀρξ μι( ) σοδ  
[ ] φ/ἐπ( )ξ, / τά(λ.) α Δτ β,  
[ /τά(λ.) ξ] 'Βφ β.  
[β?, λῆμμα] βα(σιλ.) οὐθέν  
['Ἡρακλείτωι κ]αὶ Δημητρίωι, 'Ασκλη(πιάδηι)..( ) Ἀσ

1. ἴδιου (λόγου) λόγος ed. 5. ἀλ(ήπτορι) ἀκλ(ήπτορι) Karl Fr. W. Schmidt, *Philologische Wochenschrift* 11, 1941, p. 18. 6. δι(οικητικοῖς) Schmidt, *ibid.*; cf. P. Flor. 312.7 (I A.D.)

The *logos* of the caption apparently contains receipts and expenditures for the 1st (line 4) and perhaps the 2nd (line 11 ?) of Pharmouthi, 179 B.C. Both days list nothing for λῆμμα βα(σιλ.). There is no clue as to how the abbreviation is to be completed, but one possibility may be of importance. Completion of the abbreviation may be as follows: λῆμμα βασιλέως, -βασιλικόν, -τῷ βασιλεῖ. The last recalls the instructions in *P. Haun.* 11 that the price for the house is to be received ἐν λήμματι τῷ βασιλεῖ, which the bank at Diospolis Magna deposited βασιλεῖ εἰς τὸν ἴδιον λόγον. However, it is by no means certain that instructions to receive a payment “in account to the King” invariably meant a deposit to the idios logos. Should ἐν λήμματι τῷ βασιλεῖ as a true equivalent for εἰς τὸν ἴδιον λόγον, and λῆμμα βα(σιλ.) as an abbreviation for ἐν λήμματι τῷ βασιλεῖ be

substantiated, the editorial emendation of line 1 would have added justification.

The rest of the entries for the 1st are expenditures. Evidently the datives make the word *ἀνάλωμα* unnecessary. The payments are quite handsome, even in copper. For Asclepiades, an (e)kleptor and for Herakleides and Demetrios, hyperetes of the dioiketes, 1200 drachmas; 95 talents apparently divided among 191 persons at the rate of 3000 drachmas per man; 2000 per man for four persons; 1,160 drachmas per man for five persons; and 274 drachmas, perhaps for rent. The total for expenditures was 97 talents, 2,592 drachmas.

The expenditures, as would have been the receipts if there were any, were managed by Kephalon, a cheiristes, and Apollonios, an agent of an antigrapheus.

Whose or what logos is referred to in line 1 is a problem. The editors read the first line *ἴδιον (λόγου) λόγος*, which, if correct, is extremely important since there would then be evidence for otherwise undocumented expenditures for the Ptolemaic idios logos. The payments on the 1st of Pharmouthi might be for clerical fees (so *P. Teb. 876.1-4* ?), or for renting equipment, e.g. the pack animals hired by a cheiristes in *P. Enteux. 38*. Whatever the reason for the payments, the idios logos would be supporting an army of underlings, the necessity of which is not even hinted at by the documents examined in Chapter One.

Furthermore if the nameless horde were collecting revenues for the account mentioned in line 4 to be deposited to the idios logos, there would be more sources of payments to the idios logos than the sales prices revealed in the papyri of the first chapter. Of course 200 men might be conducting a herculean audit for the idios logos and might not be in any way involved in the collection of revenue. There would then be no need for noting the account in line 4 since, presumably, the auditors would not be receiving payments.

Lastly, if the editorial suggestion is acceptable, we have slightly misconstrued the picture of the idios logos as a logos. Although it is a logos, it also has a *logos*. There is perhaps a clerical step which precedes a deposit *εἰς τὸν ἴδιον λόγον*, namely a deposit *εἰς τὸν τοῦ ἴδιον λόγου λόγον*. The *logos* of the idios logos is further divided for receipts and expenditures. A full reading of lines 1-3, without clerical short hand, would then be *τοῦ ἴδιον λόγου λόγος τῶν λημμάτων καὶ ἀναλωμάτων*. The simple deposits of the payments in Chapter One are to be seen as rather deceptive, short cuts to which the various banks resorted in order to avoid complicated deposit statements.

The situation might be somewhat simplified if the *ἴδιον (λόγου)* suggested by the editors in line 1 is an official rather than an account. *P. Teb. 874* would be the *logos*, otherwise known as the idios logos, of the idios logos, otherwise known as *ὁ πρὸς τῷ ἴδιῷ λόγῳ*.

However, our interpretation of the *logos* in *P. Teb. 874* may be significantly altered if the first line is read *ἴδιος λόγος* and translated as "personal account". An unidentifiable official, perhaps Kephalon or Apollonios, may have been keeping a separate listing of the revenue handled by Kephalon and Apollonios. If by the two

officials, perhaps it served as a personal and more accessible record of the funds managed by them. If by a third party, perhaps it was a separate listing to be checked against the official entries of Kephalon and Apollonios. There are no examples of personal accounts, *ἴδιοι λόγοι*, of royal revenues such as must have been the case in *P. Teb. 874*, but neither is there an example of a *logos* of the *idios logos*.

In short, if one accepts the interpretation suggested by the text as emended by the editors, the relation of the matters in the text to the Ptolemaic *idios logos* must remain speculative since they reveal unattested and very obscure aspects of the Ptolemaic *idios logos*. The conclusion to be drawn from the second suggestion, that this is a private or personal account of official revenue, is, of course, that *P. Teb. 874* has nothing to do with the Ptolemaic *idios logos* and that *BGU 992* is the earliest reference to the *idios logos* as described in Chapter One.

*WChr. 72*, the first published papyrus to mention the *idios logos*,<sup>1</sup> presents the most compelling evidence illustrating the possible unification of the office of *idios logos* and high priest. Wilcken suggested 234 as the date in line 4.<sup>2</sup> This earliest of the published texts is thus also the latest datable reference to the department. It is apparently the last five lines of a declaration addressed to the *basilikogrammateus* of the *Herakleopolite Nome*.

δηλοῦμεν μηδὲν δεῶ ἀνῆ.  
 [κον σ]ημᾶναι ποτε τῇ τοῦ ιδίο(ν) λόγου κ[αι]  
 [ἀρχ]ιερέως ἐπιτροπ(ῆ) τοῦ ὄντος μηνὸς Τῦ[βι]  
 [τοῦ ἐν]εστῶτος ιγ (έτους), μηδένα δὲ τῶν ιερέω[ν]  
 [ἢ] ιερωμένων ἐνκαταλελοιπέναι τὰς  
 [θρ]ησκείας.

The problem raised by the papyrus is two-fold: (1) are *idios logos* and high priesthood united? (2) if so, should this unification be pushed back into the second century? The answer to these questions has generally been affirmative.<sup>3</sup> I have interpreted the position of the *idios logos* in ecclesiastical affairs as being explicitly distinct from the high priesthood. It is my belief that all the evidence, particularly the *Gnomon*, can be understood and explained without reference to a hypothetical unification of the two offices. No evidence directly suggests such a combination except *WChr. 72*.<sup>4</sup>

If this document does prove unification, such a unification cannot be pushed back into the second century. The absence of evidence for this combined office may not be explained by suggesting that the new office was so well established

1. The papyrus is from the Rainer collection published by Hartel and commented upon by Wilcken in 1888 in *Hermes* 23, 1888, pp. 600 ff.

2. Presumably the report came at the end of

Tubí hence January 234.

3. Plaumann, pp. 33 ff.

4. *P. Aberd.* 51 might, however, be employed to support the combination.

that a reference to one implied the other. Such reasoning would be applicable only after the earliest direct reference to unification. That is if the office of idios logos-high priest is so well known in 150 that officials need only address and mention one and mean both, then no one in 234 need mention the combination. After 234 reference to one might imply the other, but even this would be tentative.

It is, therefore, my opinion that *WChr.* 72 may not be used to substantiate a hypothesis for the second century. Does it, however, conclusively prove that idios logos and high priesthood were one and the same office in the third century? The difficulty of an affirmative answer again comes from the absence of support in contemporary or near contemporary documents. Three names of chief officers survive for the third century idios logos: P. Aelius Sempronius Lycinus, T. Aurelius Calpurnius Apollonides and L. Suc[conius].<sup>5</sup> All three are found exclusively in inscriptions which mention other positions which they held. Such inscriptions, if any one of them was also *ex officio* high priest in Egypt, should be expected to include the full title of the office. If the office was not officially termed idios logos-high priest, why does the author of *WChr.* 72 seem to use it? Of course the inscriptional material may be earlier than the papyrus.

If the reading were  $\tau\bar{\eta} \tau\bar{\eta} \iota\delta\bar{\iota}\bar{\omega}(\nu) \lambda\bar{\omega}\bar{\gamma}\bar{\omega} \langle\bar{\epsilon}\bar{\pi}\bar{\iota}\bar{\tau}\bar{\rho}\bar{\omega}(\bar{\eta})\rangle \kappa[\bar{a}\bar{i}\bar{l}] \langle\bar{\tau}\bar{\eta} \tau\bar{\eta}\rangle [\bar{\alpha}\bar{\rho}\bar{\chi}]\iota\epsilon\bar{\rho}\bar{\epsilon}\bar{\omega}\bar{\varsigma}$   $\bar{\epsilon}\bar{\pi}\bar{\iota}\bar{\tau}\bar{\rho}\bar{\omega}(\bar{\eta})$  or  $\tau\bar{\eta} \tau\bar{\eta} \iota\delta\bar{\iota}\bar{\omega}(\nu) \lambda\bar{\omega}\bar{\gamma}\bar{\omega} \kappa[\bar{a}\bar{i}\bar{l}] \langle\bar{\tau}\bar{\eta} \tau\bar{\eta}\rangle [\bar{\alpha}\bar{\rho}\bar{\chi}]\iota\epsilon\bar{\rho}\bar{\epsilon}\bar{\omega}\bar{\varsigma} \bar{\epsilon}\bar{\pi}\bar{\iota}\bar{\tau}\bar{\rho}\bar{\omega}(\bar{a}\bar{i}\bar{s})$  the reference to the two offices need not be surprising. In no instance can it be shown that any official in the *chora* acted exclusively for the idios logos.<sup>6</sup> Both idios logos and high priest were concerned with the ecclesiastical matters mentioned in the negative report. Each would have been concerned in different ways if the report were substantive and of course the positive information reported would have to be distinguished in the statement between idios logos and high priest. But the text as presented by Wilcken does not support this and it would be unwise to base rejection of this bit of evidence on scribal error. It must therefore be admitted that by the date of *WChr.* 72 idios logos and high priesthood may have been united. If such is the case, unification is late and for the history of the idios logos which ends here inconsequential.

5. See Appendix I, p. 128.

6. See above, pp. 115-116.

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Marcius Moesiacus, ὁ πρὸς τῷ ἴδιῷ λόγῳ: 91n, 99, 127.

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Maximus Statilius, ὁ πρὸς τῷ ἴδιῷ λόγῳ: 127, 128.

M. Mettius Rufus, prefect: 57, 68n, 97, 107-109.

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Myron son of Moschos: 9, 40.

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Norbanus Ptolemaios, juridicus and ὁ πρὸς τῷ ἴδιῷ λόγῳ: 60, 68, 97, 127, 130.

Noumenios, dioiketes and ὁ πρὸς τῷ ἴδιῷ λόγῳ: 20n, 21, 22, 23, 25, 125n, 127.

ownerless property: see adespota.

ousiakos logos (οὐσιακὸς λόγος): 114, 117, 118, 119.

Pardalas: see Julius Pardalas.

Petepoeris: 26, 27, 40.

Petronius (ὁ πρὸς τῷ ἴδιῷ λόγῳ ?): 119.

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secretary in the idios logos (ὁ γράφων ἐν ἴδιῳ λόγῳ): 112, 115, 116, 119.

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 C. Seppius Rufus, ὁ πρὸς τῷ ἴδιῷ λόγῳ: 41-49, 53-55, 56, 67, 97, 103n, 109, 127.  
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 Silius Satrianus, ὁ πρὸς τῷ ἴδιῷ λόγῳ: 99, 128.  
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 L. Succonius, ὁ πρὸς τῷ ἴδιῷ λόγῳ: 128, 129, 133.

Tryphon (secretary to Kastor): 21n, 22, 23.  
 L. Tullius Sabinus, ὁ πρὸς τῷ ἴδιῷ λόγῳ: 58, 59, 68, 75, 77, 84, 85, 86, 95, 127.

Ulpius Asklepiades, *archidikastes*: 103.  
 Ulpius Serenianus, *antarchiereus*: 83-86.

Cn. Vergilius Capito: see Index IB, *Edict of Cn. Vergilius Capito*.  
 M. Vergilius Gallus, ὁ πρὸς τῷ ἴδιῷ λόγῳ: 66-68, 79, 127.  
 L. Volusenus Clemens, *juridicus*: 60.

Zosimos (secretary to Noumenios): 23.

### III. Greek Terms

(Terms which have not been translated or transliterated in the text and terms which have not been consistently translated.)

ὁ ἐπὶ τῶν κατὰ τὴν Θηβαΐδα: 9, 11, 12, 13, 26n.  
 ὁ ἐπὶ τῶν προσόδων: 11n, 15.  
 ὁ πρὸς τοῖς προχείροις: 21.  
 ὁ πρὸς τῷ ἴδιῷ λόγῳ: *passim*.

οἰκονόμος τοῦ βασιλέως καὶ τῆς ἀδελφῆς καὶ τῶν τέκνων: 21.  
 ταμείον: 99.  
 ὑπέρ ἐπιβεβαιώσεως: 46, 47, 73.

### IV. Abbreviations

The abbreviations used in this book are either self-explanatory or those employed in the standard literature, e.g. Liddell and Scott, *Greek Lexicon*. A few which may not be so obvious are listed below:

Pflaum: H. G. Pflaum, *Les carrières procuratoriennes equestres sous le haut-empire romain*, 1961.

Plaumann: Gerhard Plaumann, *Der Idioslogos, untersuchung zur Finanzverwaltung Aegyptens in hellenistisches und römischer Zeit*, Abhandlung der preussischen Akademie der Wissenschaften, Jahrgang 1918, Philosophisch-historische Klasse, Nr. 17, 1919.

Rostovtzeff, *Kolonat*: M. I. Rostovtzeff, *Studien zur Geschichte des römischen Kolonates, Archiv für Papyrusforschung*, Beiheft I, 1910.

Rostovtzeff, *SEHHW*: M. I. Rostovtzeff, *Social and Economic History of the Hellenistic World*, 2nd ed., Oxford, 1953.



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