PAPYROLOGICA BRUXELLENSIA

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Revel A. COLES

Reports of Proceedings in Papyri

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FONDATION ÉGYPTOLOGIQUE REINE ÉLISABETH

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IMPRIMERIE CULTURA · WETTEREN · BELGIQUE

INTRODUCTION

This study was originally presented as part of a doctoral dissertation in the University of Oxford. Part I, « The use of Oratio Recta », was subsequently presented, in a shorter and simpler form, to the eleventh International Congress of Papyrology in Milan in 1965 (« Shorthand and the use of Oratio Recta in reports of proceedings in the papyri », *Proceedings of the XI International Congress of Papyrology*). It is here revised and brought up-to-date together with Part II. Extensive notes have now been provided, for both parts, and a chronological list of reports of proceedings and an index to sources cited have been added.

In the course of this work I have become indebted to many on many counts : to Professor E. G. Turner ; Prof. H. C. Youtie ; Prof. H. A. Musurillo ; Prof. J. Černý ; Prof. W. H. Willis ; Prof. A. d'Ors ; Prof. G. D. Kilpatrick ; Mr. T. C. Skeat ; Mr. C. E. Stevens ; Mr. J. K. B. M. Nicholas ; Mr. G. E. M. de Ste Croix ; Mr. P. J. Parsons ; Dr. J. Rea ; Miss A. Świderek ; Dr. A. Powell, and Mr. N. Wilson ; but especially to Professor J. W. B. Barns, who supervised me as a student, for his constant encouragement then and since.

Oxford, February 1966. Revel A. Coles.

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PART I

THE USE OF ORATIO RECTA

There is a complete difference in style between reports of proceedings in papyri from Ptolemaic Egypt and such reports from Roman times, reports of proceedings in Oratio Recta not being found before the first century A.D. In the normal Ptolemaic form the declarations of the parties are given in narrative form and are followed by a decision expressed in Oratio Obliqua (1). The style is well illustrated by *P. Torino* 1, of 116 B.C. ; one may compare too *P.Rylands* 65 (?67 B.C.), the latest example of the type. The earliest dated and clearly documentary example of proceedings in Oratio Recta is *P.Oxy.* 37, of A.D. 49 (2) ; here the speeches are given direct, introduced in each case simply by the name of the speaker, standing by itself without any verb of « saying ».

Because of the deficiencies in our material we cannot provide a closely-documented date for this transition in style, but it seems likely to have been a result of the political transition. There is evidence to suggest that the reporting of proceedings in Oratio Recta may have been adopted in Rome, through the development of a Latin shorthand system, at any rate by the middle of the first century A.D. ; if this is correct, the question will be whether the emergence of this style in Egypt was simply a formal imitation of the method adopted by the

(1) On the Ptolemaic reports of proceedings, see e.g. Jörs, Erzrichter und Chrematisten (*ZSS* 36, 39, 40 [1915, 1918-9], esp. 36 pp. 275 ff.).

(2) *P. Fay.* 22 Verso (16/18 A.D.) is not a report of proceedings but an official account of some kind (on the financial aspect of the term *διαλογισμός* see e.g. Reinmuth, *The Prefect of Egypt*, p. 98) ; and I am discounting *P. Oxy.* 2435, recto and verso, here because of the doubt as to their authenticity as documents.

central administration, or whether it may have been adopted more purposefully through the parallel availability of a shorthand system for Greek.

The earliest suggestion of the use of some form of shorthand in Rome dates back to 63 B.C., the year of Cicero's consulship, in connexion with the trial of the Catilinarians. The passage is in Plutarch, *Cato Minor* 23 (1) : *τοῦτον μόνον ὧν Κάτων εἶπε διασώζεσθαί φασι τὸν λόγον, Κικέρωνος τοῦ ὑπάτου τοὺς διαφέροντας ὀξύτητι τῶν γραφέων σημεῖα προδιδάξαντος ἐν μικροῖς καὶ βραχέσι τύποις πολλῶν γραμμάτων ἔχοντα δύναμιν, εἶτα ἄλλον ἀλλαχόσε τοῦ βουλευτηρίου σποράδην ἐμβαλόντος. οὔπω γὰρ ἤσκουν οὐδ' ἐκέκτηντο τοὺς καλουμένους σημειογράφους, ἀλλὰ τότε πρῶτον εἰς ἴχνος τι καταστῆναι λέγουσιν.* The precise interpretation of this passage is in some doubt, but in all probability what Cicero introduced was nothing like the so-called « Notae Tironianae » (2) but only a rudimentary system at this early date (3). Cicero, indeed, himself described his action, admittedly of a few days earlier (4), in the *pro Sulla* (XIV 41-42) delivered in the following year : *Itaque introductis in senatum indicibus, constitui senatores qui omnia indicum dicta, interrogata, responsa per-*

(1) On this passage note MISPOULET, *La Vie parlementaire à Rome*, p. 221.Cf. p. 12 note 2. See further, on this passage and on the general question of the recording of the proceedings of the Senate at Rome, MISPOULET, *op. cit.*, pp. 86-95 ; MORGENSTERN, « Cicero und die Stenographie », *Archiv für Stenographie* 56 (1905) ; STEIN, « Die Protokolle des römischen Senates », *Jahresber. der* I. *deutschen Staatsrealschule in Prag*, 43 (1904) ; *id.*, « Die Stenographie im römischen Senat », *Arch. f. Sten.* 56 (1905) ; WILLEMS, *Le Sénat*, vol. II, pp. 204 ff. ; MOMMSEN, *Annali dell' Inst. di Corrisp. arch.*, 30 (1858), pp. 181-212 ; *id.*, *Staatsrecht* III 2, pp. 1004-21. O'BRIEN MOORE, *RE* Suppl. VI, p. 770.

(2) « Notae Tironianae » : see SCHMITZ, *Commentarii Notarum Tironianarum*. The connexion of Tiro with Latin shorthand is perhaps only later tradition. According to Dio, LV 7.6, Maecenas invented the system : this would actually accord fairly well with the development traced in the text. Contrast MILLIGAN, *New Testament Documents*, p. 246 n. 3, on Ennius. Cf., though, the reference to Seneca in Isidorus, *Orig.* I XXII, with the text below, p. 13, with note 1.

(3) Cf. STEIN, « Die Protokolle », cited above, p. 11, n. 1 *init.*

(4) Note, however, the comments of SETTLE, *TAPA* 94 (1963) pp. 276-7, note 20.

scriberent ... quos sciebam memoria, scientia, consuetudine et celeritate scribendi, facillime quae dicerentur persequi posse. Here there is no mention of any form of shorthand : taken literally, the passage implies that Cicero's senators were simply very practised writers who would have used longhand to make as good a report as they were able. How full and how accurate that report would have been we cannot say, nor can we say what stylistic form the result would have taken — whether the report would have been sufficiently accurate to justify an Oratio Recta presentation or whether it would have been so presented regardless.

Before Cicero's time little or no attempt seems to have been made to record the sententiae expressed during a meeting of the Senate, but only the decision (if any) resulting from the meeting. The system seems to have been that this decision would be written out afterwards in an Oratio Obliqua form under the supervision of a commission of senators (1) ; and the record thus made would then be sent by the president of the Senate to the aerarium for insertion into the Senate's archives.

Cicero's innovation, however, was only an *ad hoc* measure, and it was not until Julius Caesar's first consulship in 59 B.C. that arrangements were made for the regular, official, recording of the Senate's proceedings : as Suetonius (*Caes.* 20) tells us, Caesar *instituit ut tam senatus quam populi diurna acta confierent et publicarentur.* However, what the precise content of these *acta* may have been we cannot say, nor in what form they may have been presented : it is not clear how far any attempt was being made to create a verbatim record, nor does the evidence imply anything as to the use of shorthand in drawing up these *acta.* We cannot yet reasonably infer that anything more was being done in this last respect than whatever may have been done by Cicero four years before.

There is a passage which may bear on the possibility of the use of shorthand in this connexion in Asconius' commentary on Cicero's *pro Milone* (p. 42, ed. Clark), delivered in 52 B.C., where it is said

(1) Commission of senators : the reason for the phrase *scribendo adfuerunt*, frequent in inscriptions. For an example of an attempt to record sententiae of a sort in this early period, cf. the *SC de Oropiis* (73 B.C. : = Bruns[7] 42).

that the (improvised) speech which Cicero actually delivered was also extant : *manet autem illa quoque excepta eius oratio.* Though it is not certain whether *excepta* here need be interpreted in the technical sense in which it is certainly used later (1), it is clear that by the date of the *pro Milone* some system had been developed which made it possible to take down a verbatim copy of an orator's speech (2) ; and by analogy it would have been possible to take down a verbatim report of proceedings in the Senate. Whether in fact such verbatim reports were made we have no direct evidence to show, but there are certain indirect indications that they may have been. In the *In Milonianam* again (p. 44) Asconius gives a citation apparently from the official *acta.* We cannot say from this fragment how full a record the *acta* contained ; but the vital factor is that the speech that Asconius quotes is expressed in the first person. Secondly, in Cicero, *Ad Fam.*, VIII 11.4 (B.C. 50), we read *quam quisque sententiam dixerit, in commentario est rerum urbanarum.* Uncertainty about the precise interpretation of the second part of this should not materially affect the conclusion (3). From a combination of these two contemporary passages, together with the evidence of the first *In Milonianam* passage quoted above, we may deduce that by this time the proceedings of the Senate were recorded, with the sententiae expressed, in Oratio Recta, and that, though they may not have been recorded verbatim, yet facilities for this were available.

(1) A similar difficulty affects the precise interpretation of Suet. *Caes.* 55.

(2) It is not directly clear that more is being implied in the Asconius passage than was implied about Cato's speech in Plut., *Cato Minor* 23. However it seems clear that Asconius had *pro Milone II* available, whereas it is not certain from Plutarch whether he had a text of Cato's speech and, if he did, whether it was genuine : the fact that Sallust (*Cat.* 50) has given us a completely different speech may be an argument at least against the latter point. The authenticity of the Asconius passage and of *pro Milone II* is supported by Quint. IX 2.54 (see MORGENSTERN, *op. cit.*, p. 1). In the context of reports of court proceedings it is interesting to speculate on why *pro Milone II* was recorded : it is perhaps unlikely that the entire text of an orator's speech such as this would have been included in the court minutes. — For a contrary view, see SETTLE, *TAPA* 94 (1963).

(3) See MISPOULET, *op. cit.*, p. 95, n. 1.

The first evidence for the existence of a true shorthand system may be in Seneca, *Apocolocyntosis* 9 : *dixit quae notarius persequi non potuit et ideo non referam ne aliis verbis ponam quae ab eo dicta sunt.* The key point in this passage is the term *notarius*, which seems likely to have had the specific meaning of « shorthand-writer » originally, though used in a more general sense later : it is perhaps significant that the word is only found in the post-Augustan period. The *Apocolocyntosis* passage, despite its satirical character, is evidence for the accurate recording of the sententiae expressed at Senate meetings and for the use of shorthand in so doing (1).

Thus by the middle of the first century A.D. at the latest we may say that reports of proceedings in Latin were taken down in shorthand, with a record of the individual statements, which were drafted out in Oratio Recta and thereby verbatim (2).

(1) Seneca has another passage on shorthand, *Ep. Mor.* 90.25 (circa A.D. 63), in which his explanatory paraphrase rather gives the impression that the art cannot yet have been commonplace. Further refs. to shorthand : Quint. VII 2.24 ; Suet. *Tit.* 3. On Mommsen's claim for the stenographic recording of the *SC Claudianum* (48 A.D. : = Bruns[7] 52), note the remark by REINACH, *Bull. Corr. Hell.* XX (1896), n. 3 on pp. 542-3. Cf., though, for exx. of acclamations earlier than the date of Pliny, *Paneg.* 75, (though admittedly not epigraphic exx.) *P. Fouad* 8 (= MUSURILLO, *Acts of the Pagan Martyrs*, no. Vb) and *P. Oxy.* 2435. Plutarch, *Cato Minor* 23, *τοὺς καλουμένους σημειογράφους*, also provides evidence for the existence of Latin (not Greek) shorthand later (the early second century A.D. : see *OCD*, s.v. « Plutarch », p. 707).

More original evidence for the use of Oratio Recta in reports of proceedings may be provided by the decree of the proconsul of Sardinia (Bruns[7] 71a : 69 A.D.). The details of the pronouncement (ll.5-23) are perhaps artificial, but its basic Oratio Recta format may reflect contemporary practice.

Additional evidence for the practice in Rome may perhaps be provided from the papyri themselves, namely by *P.Oxy.* 2435Verso, recording, in Oratio Recta, the reception in Rome of an Alexandrian embassy perhaps in the first half of A.D. 13. The text itself is a private copy, written perhaps soon after the events it relates. It is not certain what bearing the uncertainty as to who wrote it, and why, will have on the authenticity and significance of the style in which it is set : but it may well be that it preserves a translation from the original official Latin record of the proceedings.

(2) Seneca, *Apocol.* 9 must imply this if Oratio Recta was used. It must be

Before examining the relationship between the Latin and the Greek reports of proceedings, it may be as well to consider the question of the date of the introduction of a shorthand system for Greek. The origins of the system are obscure. I pass over the question of which of the two systems, Greek or Latin, is the original — for it seems likely that one is a derivation from the other (1) — but there would not seem to be any good evidence for the Greek system antedating the earliest suggestion of the possible existence of a Latin system, in the time of Cicero. There are indeed a few items, possibly suggestive of a Greek system, of earlier date than this, the earliest dating from the fourth century B.C., but the direct evidence, epigraphic and pa-

admitted that we cannot be certain that a verbatim record of the entire proceedings was made : it is possible that not every single utterance was recorded (for example, acclamations and interjections may have been omitted), and those that were may not have been recorded in their entirety, although verbatim as far as they went. Evidence for the inauguration of this final stage of development is possibly to be found in Pliny, *Panegyricus* 75 (delivered in 100 A.D.) : *Sed quid singula consector et colligo? quasi vero aut oratione complecti aut memoria consequi possim quae vos, patres conscripti, ne qua interciperet oblivio, et in publica acta mittenda et incidenda in aere censuistis. Ante orationes principum tantum eius modi genere monimentorum mandari aeternitati solebant, acclamationes quidem nostrae parietibus curiae claudebantur.* On this passage note Reinach, *op. cit.*, pp. 542-3 ; also the notes in the ed. of Durry, *ad loc.*, p. 197 ; and briefly Paladini, « Le votazioni del senato romano nell' età di Traiano », *Athenaeum* XXXVII (1959), pp. 86-7. It is not clear whether this passage really implies any more than that the acclamations, simply, were ercorded : the lack of satisfactory original material makes the question difficult to answer. At any rate there is abundant epigraphic and literary evidence for acclamations, at least, after this date. See Ruggiero, *Diz. epig.*, s.v. *adclamatio* ; Reinach, *op. cit.* ; in general, Hirschfeld, « Die römische Staatszeitung und die Acclamationen im Senat », *Sitzungsber. preuss. Akad. Wissensch.*, XLV (1905). [Cf. the papyri cited above, p. 13 n. 1, for two exx. from earlier than the Panegyricus. Other Greek exx. on papyri from later than Trajan are e.g. *P. Oxy.* 41, 1305, 1413-5, 2407 ; *CPH* 7 I ; *P. Hess.* 16. On *ὠκεανέ* note Méautis, *Rev. de Phil.* XL (1916).] However for the present purpose the prime value of the recording of these acclamations and the evidence we have for it is that they put beyond any doubt the use of Oratio Recta for the reporting of proceedings at Rome.

(1) A brief summary of the resemblances between the two systems in Milne, *Greek Shorthand Manuals*, p. 2.

pyrological, is meagre and of doubtful character, and provides no clear indication of a developed system ; while the literary evidence is ambiguous, it being uncertain whether it should be interpreted in a strictly technical or a more general sense. A brief general survey of this early material is given in the introduction in Milne, *Greek Shorthand Manuals* : see my notes for more detailed references (1). For our present purpose the most striking factor is the absence, apart from a dubious Leiden papyrus of 104 B.C., of any indications of shorthand among the papyri from Ptolemaic Egypt. The bulk of our good direct evidence, in the form of shorthand manuals (see Milne, *op. cit.*, with his synopsis of previously-published material), dates largely from the fourth century A.D. or later. However the earliest dated specific documentary *reference* to shorthand is in the contract of apprenticeship to a shorthand teacher, *P.Oxy.* 724, 155 A.D. ; contemporary with this may be an unpublished Fayûm fragment of the Commentary in Oxford, dated on palaeographic grounds to the middle second century. Yet earlier than this is *P.Brem.* 82, dated to the reign of Trajan or Hadrian and containing an extensive shorthand text, from which we can probably assume that the system had been established at least by the end of the first century A.D. (2).

The question of the relationship between Oratio Recta reports of proceedings in Latin and in the Greek papyri from Egypt will depend largely on what use was made of shorthand in making the latter. There is unfortunately little or no specific evidence on this point until late. Since, though, the use of shorthand should imply verbatim reports, an examination of the protocols from this point of view may throw some light on the problem. The immediate impression is that these

(1) Athens inscr. : see e.g. WESSELY in *Festb. zur hundertjähr. Jubelfeier der deutsch. Kurzschrift.* The Leiden papyrus of 104 B.C., often cited in this connexion : I regret that I have been unable to find anything here that appears to be shorthand. There seems indeed to be a certain amount of confusion among those who cite it : contrast, for example, FOAT in *JHS* XXI (1901) p. 265 with MILLIGAN, *New Testament Documents*, p. 244 n. 3, and also with FOAT, *op. cit.*, p. 243. Diogenes Laertius : II 48 ; contrast II 122. Psalms : XLV. 1, in LXX.

(2) Note also the small fragment *P. Harris* 51, dated to the ?1st Cent. A.D.

reports are most unlikely to be verbatim, although set out in Oratio Recta : the recorded utterances of the parties therein are usually very brief, as are the reports as a whole, and most of the cases as we have them would not have taken more than a few minutes to transact, and so brief a duration seems perhaps improbable (1). This being so, it would at first seem likely that these reports represent only the essence of the proceedings, and that their Oratio Recta format is a mere fiction and an imitation of the style developed in Rome : the proceedings would have been taken down in longhand, with no attempt to make a complete version but simply to record in note-form the essential details ; in drafting his finished version the scribe would have put his condensed speeches back into colloquial language and arranged the whole in an Oratio Recta quasi-verbatim form. However it must be borne in mind that the vast majority of reports of proceedings in the papyri are private copies made from the official records, and in view of this that first impression must be modified. One might now say that these reports are not complete, since very likely only the portions directly interesting the person having the copy made would have been put down (2), but that they might be verbatim in so far as the utterances they contain could have been extracted as they stand without

(1) That this is so is suggested by a remark in the (admittedly more important) case held before Caracalla at Antioch in A.D. 216 (the « Dmeir Inscription » : publ. *Syria* XXIII (1942) pp. 173 ff.), where one of the advocates says (II 34-5) *λέγω ἐντὸς ἡμισείας*. (Note the comments of the edd., p. 189 with n. 1.) On the « Dmeir Inscription » note the discussion by Crook, *Consilium Principis*, pp. 82-4. I have not succeeded in determining at all the total volume of judicial business handled by the prefect during the conventus, in an effort to estimate the average duration of cases. We do know that in Memphis in A.D. 135 at least the conventus lasted from February 11th to March 24th (*BGU* 19 + 136 : Wilcken, *Archiv* IV p. 416). Possible information may be provided by *P. Oxy.* 2131.5 ; and *P. Yale inv.* 843 (Oates, *Bull. Amer. Soc. Pap.* 1963-4, pp. 24 ff.).

(2) On this note for example the phrase that introduces the copy of a report of proceedings enclosed in a petition, *P. Oxy.* 1204 (A.D. 299) : *ὧν τὸ διαφέρον μέρος καὶ τῶν ἀποφάσεων οὕτως ἔχει*. Note also the discussion on *μεθ' ἕτερα* in Part II below, pp. 48-49 ; and on the « Dmeir Inscription », referred to above, Crook, *op. cit.*, pp. 142-3.

remodelling. This would presuppose the existence of much longer verbatim original records; but no reports are preserved from the early period of Roman rule in Egypt that are likely to be originals from the official files, so that it is difficult to support such a presupposition (1). However we are perhaps given the extent and form of an original report of proceedings through *P.Fam.Teb.* 24 (124 A.D.) a papyrus in the British Museum recording a case also preserved in a virtually duplicate text in Berlin. There is a subscription at the end (l.110) of the British Museum version: *Ἀπολώνιος ἀνέγνων τὸν προκείμενον ὑπομνηματισμὸν ἐν σελίσι τρισὶ ἡμίσει.* Both the BM papyrus and the Berlin text are private copies from the official original and this phrase (here in the same hand as the body of the document) will be a copy of the presiding official's certification of the authenticity of the official record, appended to it originally in his own hand (2). *ἐν σελίσι τρισὶ ἡμίσει* (omitted in the Berlin copy) is the mean between the length of the two copies (BM has four cols., B has three). Provided that the columns in the original were of equivalent size, then *P.Fam.Teb.* 24 must almost certainly preserve the original text, a conclusion supported by the fact that the two copies are effectively identical (3). In this report the majority of the speeches are given in

(1) An examination of the style of the utterances in the copies will hardly provide any information as to how complete and how verbatim the official originals may have been because the style of those utterances, whether it has a verbatim feel or not, could be entirely due to remodelling.

Similarly the occurrence in a report of proceedings of rude, humorous or other remarks irrelevant to an outline of the points of the case cannot be taken as a safe argument for that report being verbatim or for the existence of a verbatim original for it, since such remarks could easily have been caught by a scribe using longhand and a copyist may well not have been able to resist including them. (Cf. e.g. *τάχα κακῶς αὐτοὺς ἐθεράπευσας*, *P. Oxy.* 40.7-8: this text is a very brief copy, where a remark such as *τάχα κακῶς κτλ* seems somewhat extravagant.) Contrast, though, my remarks below on passages that are simply particularly lively in their manner of expression.

(2) *ἀνέγνων*: see the discussion in Part II below pp. 52-3.

(3) Note also the agreement between *P. Fam. Teb.* 24 and 15 where the citations in the two texts correspond.

Oratio Obliqua (1) after an introduction with the name of the speaker and a participle in a Genitive Absolute construction, and these speeches read like a précis of what was said (2): they must then have been given in this summary form in the official original (3).

We might conclude, then, that as late as A.D. 124 reports of proceedings were taken down in longhand, so that the speeches of the parties were given more or less in note-form (4); thus, except in so

(1) Majority of the speeches in Oratio Obliqua: except, principally, the utterances of the various officials presiding. There are a number of possible reasons for this. 1) The grammatical distinction may be simply a stylistic distinction, highlighting the difference in status between official and participants: cf. the remarks in the Introd. to *P. Oslo* 17, p. 40. 2) It may have been easier, in the medium of longhand, to record the utterances of the presiding official in full: they would generally be shorter than speeches by parties or their advocates, and would also be much easier to verify. 3) On the theory expressed further on in this study, all the statements may have been shortened from the preliminary verbatim copy into the official files except for those of the official, whose activities after all it was the purpose of those files to record.

(2) Note, in this connexion, that the opening speaker speaks *διὰ ῥητόρων*. Note, incidentally, the confusion here where his Oratio Obliqua speech at its conclusion is addressed to the presiding official in the second person singular.

(3) The Genitive Absolute construction with a participle in speakers' introductions: a number of possible explanations. 1) Purely stylistic: as when the length of the utterance, in O.O., is unchanged from its original length in O.R., and especially when the construction is still followed by O.R. Cf. sect. 1 of note 1 above. 2) It may indicate that the speaker is non-Greek speaking, as e.g. in *P.Oxy.* 237 VII 38. Note n. 4 below. In all other cases the construction will probably indicate an abridgement: either 3) in copies, where speeches have been shortened in the process of copying; or 4) in originals, where the abridgement takes place simultaneously with the recording. See below, p. 19 n. 1, for a further explanation.

(4) Cf. in agreement, the Introd. to *P. Oslo* 17 (A.D. 136), p. 40. However, the edd. here appear to have failed to notice two points: a) that the majority of our texts are private copies and as such may be abbreviated, and b) the frequent occurrence in the protocols of the phrase *δι' ἑρμηνέως* (e.g. *P.Oxy* 237 VII 37 [133]; *PSI* 1326 [181/3]; *P. Strassb.* 41 = M. *Chr.* 93, 36 [c. 250]; *BGU* 1567 [3rd Cent.]; *P. Ant.* 87 [late 3rd Cent.]; *P. Col.* 181 + 182 (publ. *TAPA* 68 [1937] pp. 357 ff.: = *SB* 8246) [340]). Interpreters must often have been employed even when not specifically mentioned, and naturally in such cases the recorded utterances would represent their words (though perhaps with modifications) and not the words of

far as private copies may have omitted passages not of interest to the persons having them made, there might in general have been little difference in length between the official originals and the private copies that we possess. The Oratio Recta format, which is virtually universal in the protocols of the first century A.D., would then be artificial and only quasi-verbatim.

To so conclude, however, would create the problem of a division between the reports of proceedings from Roman Egypt and those from the Byzantine period, at which time it has been asserted frequently that proceedings were stenographically recorded. The papyri indeed that we possess themselves give little indication of this, but there is ample external evidence. Much of this bears on proceedings in Latin and so is not strictly relevant to the present discussion, but some at least has reference to Greek and should be sufficient proof.

There is, however, a possible alternative explanation for the phenomena revealed in *P.Fam.Teb.* 24 : namely that shorthand was used for the recording of proceedings but that the resulting verbatim record in shorthand was used only as a preliminary draft of which the resolved version, the effectively « original » record which would be kept in the official files, would be a précis. This conjecture however must remain virtually impossible to verify directly through original material, and also it deprives us of any *terminus post quem* for stenographic recording beyond the fact that we have no good evidence for Greek shorthand before the end of the first century A.D. (1).

the parties to whom they are nominally attributed. Possibly sometimes the questions of the presiding official may have been remodelled : note the occasional graphic examples where his questions are phrased in the third person, e.g. *P. Oxy.* 237 VII 38, and *SB* 8246.37.

(1) It should be noted, in the context of the theory here expressed, that the Genitive Absolute construction with a participle in speakers' introductions may, in addition to the explanations proposed for it above, p. 18 n. 3, indicate abridgement in making the official version from the verbatim preliminary draft. The use of such a construction would be quite natural in the circumstances. It may be worth noting, in this connexion, that this Genitive Absolute construction is only evidenced in the protocols from the end of the first century A.D. onward : the earliest example I have noted is in M.*Chr.* 374.27 (90 A.D.).

An examination of the protocols may reveal if any traces have survived from the possible use of shorthand in their original recording. There are two particular types of phrase which may be indicative of its use which occur in a number of them : *P. Ryl.* 77 (A.D. 192) will provide an example of both types. In l. 41 the presiding official announces *ἃ μὲν εἰρήκατε γέγραπται* : and at the conclusion of the proceedings we read (ll. 46-7) *ὁ στρατηγὸς εἶπεν τὰ εἰρημένα ὑπομνηματισθῆναι* (1). These phrases here may support the theory of an initial verbatim draft of the proceedings taken down by means of shorthand and the transference as required from this draft into the official files.

Other possible evidence is to be found in occasional passages of particular liveliness, where the scribe has momentarily broken away from his usual dry style to record some remark which reveals the emotions of the speaker. One must keep separate such strikingly rude or humorous remarks as could easily have been caught by a scribe using longhand (2) ; I am concerned with remarks which are an in-

(1) It is possible that these two phrases may belong to different meetings. In ll. 41 ff. we read *μετ' ὀλίγον πρὸς τῷ Καισαρείῳ Δ καὶ Δ κτλ προελθόντες κτλ.* As it stands this passage recalls some of the narrative non-protocol passages in some of the fragments of the Acta Alexandrinorum, e.g. *P. Oxy.* 1089 ; it does not seem likely that a description of action such as this will have been part of an original report of proceedings. However possibly one should punctuate *μετ' ὀλίγον · πρὸς τῷ Καισαρείῳ · Δ καὶ Δ κτλ προελθόντες κτλ.* In this way ll. 42-7 would be from a subsequent report, from a little later in the files of the strategus (*μετ' ὀλίγον*) ; and the punctuated passage will fall into line with the usual form of preamble that introduces a report of proceedings (see Part II below, pp. 29 ff.). However I do not think that this division of the proceedings will affect the discussion.

With *P.Ryl.* 77.41 cf., as an earlier example, *ἃ εἶπας γέγραπται* in *JEA* XVIII (1932) pp. 69 ff., l.27 (= *SB* 7558 : case is A.D. 148) ; perhaps cf. also *BGU* 168.25 (after 169) : *τὰ ὑφ' ἑκατέρου μέρους λεχθέντα τοῖς ὑπομνήμασι ἀνελήμφθη.* (With this perhaps cf. the fragmentary phrase in *BGU* 361 II 1.) With the second type (*P.Ryl.* 77.46-7) cf. *P.Amh.* 66 II (124) : *(ὁ στρατηγὸς) ἐκέλευσεν ὑπομνηματισθῆναι,* and *P.Oxy.* 237 VII.38 (case is 133) which has the same phrase ; perhaps also *CPR* I 18 (124), ll.39-40 : *BM ἐκέλευσε τήνδε τὴν προφορὰν ὑπομνηματισθῆναι.* On the phrase at the end of *P.Oxy.* 2110 (A.D. 370) see below.

(2) See p. 17, note 1.

tegral part of the proceedings, but lively in expression. The realism of such passages may indicate not indeed that the whole report is verbatim but at least that the proceedings may have been recorded verbatim in the first instance (1). The general absence of such passages may be an indication of the extent of the abridgement of the protocols (2).

(1) Note, for example, the impatient repetition of *Ἀντινοεὺς ἐστίν* ; in *SB* 7558.22 ; and in M.*Chr.* 93 (c. 250) note the vividness in the nervous disjointed utterances of the old man Peison (lines 3-5 of *P.Lips.* 32). (In *SB* 7558 the repetition could, however, be simply a slip by the scribe. Cf., as an obvious example, the repetition of *ἐπὶ παρόντι* in *P.Teb.* 489). There is a less vivid passage in this category in the report of the trial before Appius Sabinus, c. 250 A.D., lines 30-32 (publ. Skeat and Wegener, *JEA* 21 (1935) pp. 224 ff. : = *SB* 7696 : note the discussion in the introduction in *JEA* 21, p. 226).

(2) A further possible line of inquiry is suggested by the inclusion in the protocols of the *speeches of advocates*. Good examples of these are afforded by *P.Mil.Vogl.* 25 (126/7). The speeches here, though, are of no great length : they are longer than the general run of utterances but not strikingly so, and this is true of the majority of such speeches that we have. Certainly there would be no necessity here for some form of shorthand system as was required for *pro Milone II* and would have been required for the accurate recording of the speech of Cato (see above, pp. 10 ff.). The whole organization of judicial hearings in Roman Egypt was of course on a much humbler scale, and we have no evidence that the normal advocate's speech will ever have been of such an extent ; but we are faced here with the same problem that arose above, namely the question of the average duration of hearings there. Other advocates' speeches worth noting are in *P.Teb.* 287 (161-9) and the later *P.Mert.* 26 (274) ; the latter example is little longer than the earlier exx., but its end is not preserved and its style is much more realistic. A further example is in *P.Oxy.* 707 (c. 136) ; there is considerable complex detail here, but the precise character of this text is unclear : it is not certain that it derives from official *ὑπομνηματισμοί* and not rather from a private copy of the advocate's speech. (Note the apparent absence of a date in the first line of col. II. The absence of any phrase such as *ἐξ ὑπομνηματισμῶν κτλ* might suggest that the text is itself the official record (cf. pp. 35-6), but the fact that it is a verso text probably precludes this.) If it is such a private copy it must obviously be discounted from the present discussion, as must all papyri that either contain a speech complete (and nothing further) or are themselves incomplete but occupied by a single speech for as far as they extend. Such texts may however be relevant to the question of the true length of advocates' speeches.

P.Ryl. 77, referred to above, should now be considered in respect of its manner of expression. The central portion of this text is a copy of an account of a public meeting (1) in the presence of the strategus. In this account though it is not a matter of the occasional vivid passage : its whole tone is extremely realistic. On the premises of what has just been said it would then seem likely that this is a verbatim report (2). It must be admitted that it is not particularly long : but it is after all only a copy from the official account, of which it may well preserve only a section.

In many of its features *P.Ryl.* 77 anticipates the extensive reports of senatorial and other meetings from the third century and later, especially the accounts of proceedings in the senate of Oxyrhynchus in the late third century (3). In all these texts the general tone is very lively, and though the individual speeches are sometimes quite short they are richly expressed : there is a complete difference from the curtness and dryness of the majority of the earlier reports of proceedings. The most striking example is *P.Oxy.* 2407 : note in particular

Another line of inquiry which might be profitable were there the material available is an examination of corrections and (i.e. uncorrected) mistakes in the protocols, to see if any could be due to incorrect expansion from an original shorthand draft. However, as has been stated, the majority of the protocols are private copies, so that even possibly suggestive errors (as e.g. in *P.Oxy.* 2341) cannot be conclusive (most errors can be explained through haplography [note *BGU* 19 for a striking and complex example] or dittography or as simple slips) ; while none of our few clearly original documents exhibit such suggestive errors.

(1) Note, though, my comments in note 1 on p. 20.

(2) This impression is heightened by the inclusion of apparently irrelevant remarks in ll. 39-40.

(3) Accounts of meetings : *P.Erl.* n° 18 (248, Oxyrhynchus) ; *Archiv* IV p. 115 (258, Antinoopolis) ; *P.Oxy.* 1413-4 (270-275) ; *P.Oxy.* 1415 (late 3rd Cent.) ; *P.Oxy.* 2407 (late 3rd Cent. : βουλή + δῆμος ?) ; *P.Ross.Georg.* II 40 (3rd Cent.) ; *P.Oxy.* 41 (3rd or 4th Cent. : δῆμος) ; and *P.Oxy.* 2110 (370). Other less extensive exx. are *W.Chr.* 27 (2nd Cent. : Antinoopolis) ; *P.Harris* 129 (2nd/3rd Cent.) ; *CPH* 22 ?, 23, 25, 26 (3rd Cent.) ; *BGU* 925 (3rd Cent.) ; *P.Oxy.* 2417 (286) ; and *P.Oxy.* 1103 (360). [On the date of *P.Oxy.* 1414, perhaps note the comments of A. C. Johnson, *Econ. Survey of Ancient Rome*, II p. 701, who would prefer to date it c. 316 A.D.]

the exchanges of abuse in ll.43-52 (1). It is not clear whether this text is the official account from the archives or a copy (2), but if it is a copy the original report if it differed can only have been longer and fuller: while the speeches in 2407 would be quite adequate as they stand as a verbatim record, and shorthand must surely have been used to obtain even the account as we have it. We have clear evidence of the possibility of the simultaneous recording of proceedings in the statement of the prytanis that concludes a later report of the senate of Oxyrhynchus, *P.Oxy.* 2110 (370 A.D.): *ὅσα κοινῇ τε καὶ καθ' ἓν προηνέγκεσθε ἔχει ἡ πίστις τῶν ὑπομνημάτων.*

The vividness of style of *P.Oxy.* 2407 is also shown, though to a lesser degree, by many of the other documents of this class: but this characteristic is not generally shared by contemporary reports of legal proceedings. Because of the fullness of these pre-Byzantine senatorial reports the possibility of the use of shorthand at this time cannot be arbitrarily dismissed, but equally one cannot argue from that fullness for the character of the original accounts of contemporary judicial

(1) The difference between the occurrence of rude or humorous remarks in these texts and in the earlier protocols (above, p. 17 n. 1 : dismissed there as inconclusive evidence for stenographic recording of proceedings) is that whereas earlier it was a matter of isolated examples of such remarks, here their occurrence is more general and much more an integral part of the proceedings.

(2) The omission in *P.Oxy.* 2407.11 of the list of names may indicate that this text is a copy, but it is possible that the assembly was cheering during the reading of the names. Note, however, *ἄλλο* in l.5 : but this does not necessarily indicate an omission. (See my comments below, p. 48, note 3).

A similar difficulty exists with regard to many of the other reports we have of proceedings in the local senates (*et sim.*), largely perhaps because of the lack in them of any introductory section, most of our fragments beginning in mid-discussion. *Archiv* IV p. 115 (Antinoopolis, 258) is clearly from the original records, but is insufficiently well preserved to show how extensively the proceedings were reported. We must perhaps fall back on simple arguments from probability : a) there is no reason why the originals of local meetings such as these texts record should not be preserved ; and b) it is perhaps unlikely that a private copy would be made of a long series of discussions on unrelated subjects such as many of the fragments contain, although equally a copy might well be made of a single item, as is attested by *P.Oxy.* 2110 (an *authenticum* : see the discussion below, p. 24).

proceedings, as is made clear by the brevity of one such report which is included in the well-known official journal *P.Paris* 69 = W.*Chr.* 41 (col. III 17 ff.), of A.D. 232 (1). It seems clear that the two categories must in general have been treated differently ; the distinction would be natural enough in view of the difference between the official *ὑπομνηματισμοί* as primarily the record of the official's activities and pronouncements, and the senatorial proceedings as records of opinions expressed by individuals of equal standing (2).

It seems that the official original accounts of legal proceedings are not likely to have been given regularly in full verbatim form until at least the time of Diocletian, when extensive reforms appear to have been effected in the system of their recording (see BICKERMANN, « Testificatio Actorum », *Aegyptus* 13 (1933) pp. 333-55). The introduction of the *einzelprotokoll* format, with the attendant modifications in introductory formula (see Part II below), led to a blurring of differences in form between official records and copies ; on the other hand the development of the *authentica*-category of official copies of the proceedings (3) gives us a relatively reliable guide to the precise content of the official original record (the *scheda*) of those proceedings. The Byzantine protocols are generally longer than their predecessors while some (4) are fully equal in length to the senatorial proceedings just discussed. Even now, though, we cannot be certain whether the proceedings were given in full verbatim form because the texts we have are not always as lively in tone as the senatorial reports (5) : thus we

(1) For a discussion of this text see WILCKEN, *Ὑπομνηματισμοί*, *Philologus* liii, pp. 81 ff.

(2) This does not preclude either extensiveness in reports of judicial proceedings or abridgement in senatorial proceedings : cf., for the first, M.*Chr.* 93 (c. 250) which is extensive as we have it and was more so when complete ; and for the second, *ἔδοξεν* in *P.Oxy.* 1414.18.

(3) See now especially TENGSTRÖM, *Die Protokollierung der collatio Carthaginensis* ; in brief STEINWENTER, *Urkundenwesen der Römer*, pp. 12-14. See further the discussion on the *ἐξεδόμην*-formula, Part II below, p. 54, with note 1.

(4) E.g. *P.Lips.* 40, *SB* 8246.

(5) But note, as an example of one lively passage, ll.45-8 in *SB* 8246 cited above.

have little better basis for argument than the length alone of the protocols.

More specific evidence for the use of shorthand in reporting proceedings may be provided by references to the scribes responsible for making the recording and their method (1), Unfortunately much of the evidence here, which largely revolves round the use of the term *exceptor* and its Greek transliteration (2), is rendered inconclusive because of the doubt whether this word must necessarily be understood in a strictly technical sense ; and further many of the references usually quoted in this connexion refer to usage not in Greek but in Latin (3).

Also, with the categories of statements in note 1 on p. 20, cf. *P.Masp.* 67131.12-13 (6th Cent.) ; also DRUFFEL, *Pap. Stud. zum byz. Urkundenwesen*, p. 59.

(1) I owe to Miss A. Świderek notice of an unpublished Berlin papyrus (*P.Berl.* inv. 7347) attesting the presence of κομμενταρήσιοι at a trial before the prefect Laetus. This is of great interest but cannot by itself be regarded as probative for shorthand-reporting.

(2) Out of the many names for the recording scribes in connexion with these documents, this and *notarius* (see above), and a few less frequent terms, are the only ones which have or may have any specific derivative connexion with shorthand. *Exceptor* : see *WB* III s.v. ; MEINERSMANN, p. 18 ; DARIS, *Aegyptus* XL (1960), p. 205. Apart from one first-century Latin reference, most exx. are from the later Byzantine period. See, for the general picture, WENGER, *Institutes of the Rom. Law of Civ. Proc.*, p. 301 ; STEINWENTER *Urkundenwesen der Römer*, pp. 12-13 ; for a short analysis of the position and functions of the *exceptor*, BERGER, *Encycl. Dict. of Roman Law*, s.v. ; and note, in more detail, JONES in *JRS* 39 (1949), pp. 53-4. Also TENGSTRÖM, *op. cit.*

(3) Thus the reference to the *exceptor* Flavius Laurentius at the end of the Introduction to the Theodosian Code (A.D. 438) cannot strictly be taken as evidence for the use of shorthand in recording proceedings in Greek ; nor can the reference in MANSI, *Sacr. Conc. Coll.*, iv 174 (*Gesta Collationis Carthaginensis*, 411 A.D.) (cited by STEINWENTER, *op. cit.*, p. 13 note 1).The *exceptor* mentioned in the fourth-century bilingual protocol *P.Berol.* 16045.28 (publ. ZILLIACUS, *Vierzehn Berliner Griechische Papyri*, n° 4 : *CPL* p. 433 n° 8) may provide better evidence. There is a specific reference in D.Just. IV 6.33 : *eos, qui notis scribunt acta praesidum.* This is especially interesting because of its early date (it derives from the jurist Modestinus [who appears in the protocol inscription Bruns[7] 188] and is to be dated to the middle third century) : but then again this refers to Latin shorthand and not Greek. A passage in Eunapius' *Lives of the Sophists* (sect. 489) will refer to

However there are two particular passages from Christian martyrology, having reference to Greek, that may provide less equivocal evidence in this connexion. The first is in the Martyrium of St. Pionius, where we read (sect. IX) : *εἶτα ἐπηρώτησεν ἐγγράφως λέγων αὐτῷ · τίς λέγῃ; γράφοντος τοῦ νοταρίου πάντα. ἀπεκρίθη ·* etc. The martyrdom belongs to the Decian persecution, though the date of composition will probably be the relevant one for our present purpose. That this passage does refer to transactions in Greek is confirmed by the mention of the passing of sentence, a little further on (sect. XX), that *ἀπὸ πινακίδος ἀνεγνώσθη Ῥωμαϊστί* (1). The use of the term *νοτάριος* in this instance is highly suggestive but not probative.

The other especially noteworthy passage is the vivid description of the *commentarienses* at a martyr's trial in the late fourth century ecclesiastical Asterius of Amasea (2) : *οἱ μὲν, τῶν ὑπομνημάτων ὑπογραφείσας δέλτους φέροντες καὶ γραφίδας · ὧν θάτερος ἀναρτήσας ἀπὸ τοῦ κηροῦ τὴν χεῖρα, βλέπει πρὸς τὴν κρινομένην σφοδρῶς, ὅλον ἐκκλίνας τὸ πρόσωπον, ὥσπερ κελευόμενος αὐτῇ γεγωνότερον λαλεῖν, ἵνα μὴ κάμνων περὶ τὴν ἀκοὴν, ἐσφαλμένα γράφῃ.* [*In laudem S. Euphemiae* : Migne, *PG* xl 336 C.] This passage, like so many others, does not specifically refer to shorthand : but, equally, it surely implies it.

This reference to the use of wax-tablets in the initial recording of proceedings is amply supported from elsewhere, notably in the *Gesta collationis Carthaginensis* and in Christian martyrology (3). I should like to add two items of pictorial evidence from the Byzantine period. First, there is the ivory diptych of Probianus, Vicarius of Rome, of about 400 A.D. (4), representing this official in his chair of state with

Greek, in a mid-fourth century context, though the terminology (*οἱ ταχέως γράφοντες*) is somewhat imprecise.

(1) With this phrase cf. the formula-variant in *SB* 9016 I 13-14 (see below, p. 51 note 4).

(2) On this and the Pionius passage above see Geffcken, « Die Stenographie in den Akten der Märtyrer », *Archiv für Stenographie* 57 (1906) pp. 81-9.

(3) See the passages cited in Tengström, *op. cit.*, pp. 15-16.

(4) See Peirce and Tyler, *L'Art Byzantin*, I p. 63, with plate 82. The diptych is discussed by Tengström, *op. cit.* pp. 9 ff., with an inadequate reproduction.

his scribes, one on each side, each holding a stylus and an open book of wax-tablets : these wax-tablets are shown in fine detail and are of identical pattern to the set in the British Museum containing the symbols from the shorthand Commentary (1). Secondly, in the sixth-century Codex Rossanensis (2) there is a painting of Christ and Barabbas before Pilate, in which a similar scribe with wax-tablets is depicted, somewhat less clearly, standing beside Pilate's throne. One may note, in concluding, the quite striking similarities between this painting and the description, itself of a painting, in the Asterius of Amasea passage I have quoted.

(1) Brit. Mus. Add. MS 33270 (3rd/4th Cent) : see MILNE, *Greek Shorthand Manuals*, p. 8, with plates III, IV.

(2) F 16 V. See PEIRCE and TYLER, *op. cit.*, II pp. 115-6, with plate 142.

PART II

STRUCTURE AND FORMULAE IN THE PROTOCOLS

At the beginning of Part I it was stated that the earliest dated documentary example of the Oratio Recta protocol style from the papyri of Graeco-Roman Egypt is *P.Oxy.* 37 (= M.*Chr.* 79) of A.D. 49 ; and that the speeches in this text are introduced simply by the name of the speaker, without any verb of « saying ». A more extensive examination of this text, from this and other aspects, will serve as the basis for an analysis of the subsequent protocols.

The protocol can be divided primarily into four sections : the introductory formulae, the body of the trial, the judgement (*κρίσις*) and any concluding matter such as subscriptions of scribes.

1. The Introductory Formulae.

This section covers everything as far as the introductory phrase preceding the opening speech. In *P.Oxy.* 37 this runs *ἐξ ὑπομνηματισμῶν ΤΚΠ στρατηγοῦ.* Date. *ἐπὶ τοῦ βήματος. Π πρὸς Σ. Ἀ ῥήτωρ ὑπὲρ Π* · followed directly by his words. The first part of this, down as far as the date, divides into two closely-connected factors, the « *extract* » *phrase* and the names + title of the *presiding official*, from whose minutes the report was taken. After the *date* comes the *location*, and finally, before the opening speech with its introductory formula, we have the names of the *parties* in the case. This is the basic pattern and order for the subsequent protocols.

The next datable example is *P.Fouad* 21, (1) A.D. 63. There are some

(1) This is a somewhat different type of document, but its preamble follows normal lines down as far as l.9. On this text see Musurillo, *Acts of the Pagan Martyrs*, p. 250 note 1, with the references there given.

differences here from *P.Oxy.* 37. i) *The « extract » phrase.* We have here *ἀντίγραφον ὑπομνηματισμοῦ* (pause) instead of the *ἐξ ὑπομνηματισμῶν* (+ Genitive) of *P.Oxy.* 37. So far as I have been able to ascertain there does not seem to be any special difference in significance between these two types, or the other variants of the extract phrase (1). In one case (2) we find *ἀντίγραφον ὑπομνηματισμοῦ · ἐξ ὑπομνηματισμῶν* + Genitive, together thus, and we also find amalgamations of these types (3). Nor do there seem to be any chronological distinctions between the various phrases : the only point to note in this connexion is that these « extract » phrases as a whole disappear with the beginning of the Byzantine period (4) : cf. the article by Bickermann, « Testificatio Actorum », in *Aegyptus* XIII (1933), referred to in Part I. The latest dated example I have noted is *P.Mert.* 26 (274 : *ἐξ ὑπομνηματισμῶν* + Genitive). There are some further dif-

(1) *ἐξ ὑπομνηματισμῶν* : by far the commonest phrase of this type. Apparently always followed by the Genitive. *ἀντίγραφον ὑπομνηματισμοῦ* : found both by itself and followed by the Genitive. 1) By itself (apart from *P.Fouad* 21) : *P.Hamb.* 29 i (89 A.D.). *P.Rein.* 44 (104). *BGU* 163 (108). *P.Teb.* 488 (121-2). *P.Fouad* 23 (144). *P.Phil.* 3 (144 ?). 2) Followed by Genitive : *P.Fam.Teb.* 19 (118). *P.Mil.Vogl.* 25 (126/7), 27 (128/9). Also *P.Oxy.* 40 (late 2nd / early 3rd Cent.). Also found is *ἀντίγραφον ὑπομνηματισμῶν*, apparently only followed by the Genitive : *P.Oslo* 180 ? (after 69 ?). *P.Fam.Teb.* 15 (up to 114/5). *P.Oslo* 81 ? (after 197) (if the abbrev. is correctly expanded). There is another quite common type where the report is introduced simply by the Genitive of the official's name, with or without any title : this type appears to be particularly frequent in collections of shorter extracts from reports of proceedings. Exx. : *P.Hamb.* 29 ii (94). *P.Ross.Georg.* V 18 (213) ; also *P.Amh.* 65 (early 2nd) ; M.*Chr.* 372 (2nd) ; *PSI* 281 (2nd) ; and *P.Strassb.* 22 (3rd). Also, apart from the further cases dealt with below, there are a number of other exx. occurring only in single papyri : there are also a number of somewhat similar phrases which introduce a protocol that is enclosed in a petition or sim. (e.g. in *SB* 5676), but these perhaps really belong in a different category.

(2) *BGU* 136 (A.D. 135).

(3) *P.Flor.* 61 = M.*Chr.* 80 (85) : *ἀντίγραφον ἐξ ὑπομνηματισμῶν*, by itself. *BGU* 969 (142 ?) : *ἀντίγραφον ἐξ ὑπομνηματισμοῦ* + Genitive.

(4) Though one may note the *pars actorum* formula which occurs in several of the protocols preserved in the texts of Roman Law : e.g. Just. X.48(47).2 (Diocletian and Maximian), Theod. XI.39.5 (362) and XI.39.8 (381).

ferences from *P.Oxy.* 37 : ii) as indicated above, the name and title of the presiding official have been omitted. iii) The location, following the date, is more elaborate but not of a different type. iv) Following the location we find a new factor, which I will call the « *presence* » phrase : *παρόντων ἐν συμβουλίωι* followed by several names, of persons mostly leading officials. The question of the *συμβούλιον* has been well discussed by Skeat and Wegener in the *Journal of Egyptian Archaeology* for 1935 (1). There is a distinction to be drawn here, though, between phrases of the « presence » type (as here) and of the « consultation » type (on which see below, under the *κρίσις*). In this section I am concerned with the « presence » type and the possible conclusions to be drawn from its position in the introductory formulae, a point which will be discussed further below (2).

The next example, to which an approximate dating can be given, is *P.Oslo* 180 (after 69?) (3). The point of interest here is the formula for the *participants* : here we have, instead of the simple A *πρὸς* B type of *P.Oxy.* 37, apparently *ἐπὶ τῶν κατὰ Ἐ ἐντυχόντος κατὰ Ψ.* Again, though, there does not appear to be any special difference in meaning between these phrases, or the several other variants of the « participants » formula (4), nor do there seem to be any significant

(1) *JEA* XXI (1935) pp. 225-6, with the note on ll.29-30, pp. 240-1.

(2) On these phrases in general, I would draw attention to two things : first the phrase at the beginning of the *SC de Oropiis* (73 B.C. : Bruns[7] 42) : *ἐν συμβουλίῳ παρῆσαν κτλ* : and secondly the Latin formula *cum consilio collocutus* (*dixit*) found in a number of inscriptions and generally abbreviated CCC(D) : e.g. Bruns[7] 186 (A.D. 193), 187 (2nd/3rd) and 188 (244). Note also *P.Mich.* 3.159.

(3) There is a slight problem here, as there is no apparent provision for the date in the introductory section. However, it is of course possible in a private copy that the date was omitted.

(4) The *A πρὸς B* formula is perhaps the commonest of the type. In some subsequent protocols we find examples with more elaborate descriptions of the parties but the same structure. Another very common formula is the *κληθέντος καὶ (μὴ) ὑπακούσαντος* type (there are many minor variations of this type : singular or plural, referring to one side or both, with or without *μή*, and so on). This type also occurs frequently in the body of a text (e. g. *BGU* 15 I, *BGU* 705, M. *Chr.* 93), so that its presence cannot necessarily be taken as an indication of the proximity of the beginning of a text.. The *ἐπὶ τῶν κτλ* type is less common. There are two versions

chronological distinctions. Again, also, these phrases are not found after the beginning of the Byzantine period (1), though here this is perhaps simply because of the use of Latin in the introductory formulae of reports of judicial proceedings at this time, rather than a result of the technical changes discussed by Bickermann in his article in *Aegyptus* XIII. One may note the occurrence in the Byzantine bilingual protocols of the *praesentibus* formula, which it seems belongs in this category rather than the « presence » category (2).

The next example of interest is *CPR* I 18 (A.D. 124) (3). There are two particular points here. i) After the names and title of the presiding official we have a new factor, the « *delegation* » phrase : *ἐξ ἀναπομπῆς Ἀ. Ν. τοῦ κρατίστου ἡγεμόνος*, followed by the date (4). In this formula the form remains standard : and again there do not appear to be any chronological distinctions, for although our few examples of the formula in the introductory preamble all date from a fairly narrow period, the word *ἀναπομπή* in this sense is found much later, e.g. in M.*Chr.* 93 (c. 250 A.D.) ; and of course the practice of delegation itself is well attested over a wide period. The narrow date-

of it : i) *ἐπὶ τῶν κατὰ Α ἐντυχόντος κατὰ Β* (*P. Oslo* 180). ii) *ἐπὶ τῶν κατὰ Α πρὸς* B : *P. Amh.*66 + *Archiv* ii 125 b ; *P. Oxy.* 237 vii 30-31 (A here in the Genitive, unusually : but cf. *P. Oslo* 180) ; *BGU* 19 ; *BGU* 969. Perhaps note also *ἐπὶ τῶν μισσικίων* in *P. Fouad* 21 discussed above. Another very common phrase close to the « participants »-type is the *προσελθόντος* type formula : this usually refers to one of the parties (or one side of the parties) only, usually the plaintiff (for an exception note *P. Oslo* 17).

(1) Note that exx. occur later than the accession of Diocletian : note *P. Oxy.* 1503 (288-9 : *προσελθόντων*) and 1204 (299 : *κληθέντος*) : but on the latter cf. note 2 on p. 34

(2) But contrast its use in the Ravenna codex, Bruns[7] 123 (474 A.D.). Note also a first-century example (participants) in Bruns[7] 185.

(3) Often republished : see the Appendix below. *SPP* 20.4 provides the clearest text.

(4) Other exx. : *P.Teb.* 489 (127 : following the date). *BG U* 19 (135 : preceding the date). M.*Chr.* 372 (2nd Cent. : preceding the date). However we do not have sufficient evidence to draw any conclusions from the position of the « delegation » phrase (before or after the date) in view of the conclusion later in the text that the original records began at the date.

range of our examples of the formula would seem to be simply accidental. The second point is ii) the « *presence* » *phrase*, which here comes after the date, preceding the participants : *παρόντος ΚΑ νομικοῦ*. The interest here is in the possible difference in significance of this formula depending on its position before or after the « participants » phrase : in a slightly later case (*P.Teb.* 489 : A.D. 127) we read *Α πρὸς Β, ἐπὶ παρόντι* C (1). It seems a possible general distinction that when the « presence » formula precedes the participants it refers to legal advisors of the presiding official or other functionaries (2), but that when used with reference to persons assisting the participants or other non-official figures (e.g. witnesses) it always follows the « participants » formula (3).

The next example is *P.Mil.Vogl.* 27 (A.D. 129). The point of interest here is the *location*. Examples of this factor mentioned previously have stated simply the building or similar where the case was heard : but here we read, between date and participants, *ἐν Τεπτύνι* (*sic*). If, as I shall try to show below, everything that follows the date in the introductory preamble to a protocol was in the official original of it, one may ask why it was sometimes necessary to specify there the town where the proceedings were held. Perhaps this detail was desirable when the case was heard somewhere other than the regular

(1) All the exx. of this formula in Greek documentary papyri seem to take one or other of the two forms here illustrated (*παρόντος τοῦ δεῖνος* or *ἐπὶ παρόντι τῷ δεῖνι*) except for the uncertain *ἐπὶ παρόντων* in *P. Phil.* 3. 2. All the exx. of the *ἐπί* + Dative form that I have listed follow the «participants» formula : the Genitive Absolute type is found both before and after.

(2) « Presence » before « participants » : (apart from *CPR* I 18) *P.Phil.* 3 (144? *γραμματέως*) ; also *P.Fouad* 21 (63 : discussed above) ; and note *P.Mil.Vogl.* 25 IV 21-4 (126/7 : *παρόντων* does not seem to be preserved, but the persons named seem likely to be officials or their assistants).

(3) « Presence » after « participants » : (apart from *P.Teb.* 489 [*Παβῆκις* is a witness for the prosecution]) *P.Oxy.* 237 VII 31 (133 : participant) ; *P.Oslo* 17 (136 : the witness and the plaintiff) ; *P.Oxy.* 653 (160/2? one of the parties) ; M.*Chr.* 372 (2nd Cent. : I 17 : father of the plaintiff) ; and *P.Mert.* 26 (274 : defendant?). Note, though, *P.Teb.* 287 (161-9 : eclogistes — but present here to give evidence) and *P.Paris* 69 III 18 (232 : *νομικός*?).

centre of activity of the official concerned. Thus one might expect such a location in proceedings held before the prefect during the conventus, and also for example where a strategus was conducting a hearing outside the metropolis of his nome ; a corollary of this, of course, is that a protocol with a location by town should not be from the *ὑπομνηματισμοί* of the local official. An examination of the locations of this type that we have will support this assumption (1). In the *einzelprotokolle* of the Byzantine period (see Bickermann, *op. cit.*) a location by town in this manner becomes generally desirable because of the absence of any ultimate definitive heading with the name and title of the presiding official (2).

(1) *P.Mil.Vogl.* 27 (129) : *ἐν Τεπτύνι* (strategus). *BGU* 136 (135) : *ἐν Μέμφι* (archidicastes, by delegation during the conventus). *BGU* 347 (171) : *ἐν Μέμφει* (archiereus : though a somewhat different form of document). *P.Amh.* 65 (early 2nd) and M.*Chr.* 372 (2nd), *ἐν Μέμφει* and *ἐν Κόπτῳ* respectively, both of the prefect during the conventus. *P.Teb.* 569 (2nd) : *ἐν Ἀρσινοίτῃ* : on this see Wilcken, *Archiv* IV pp. 397-8. (For *Ἀσκληπιόδοτος* note also *BGU* 194, with the mention in Martin, *Les Épistratèges*, pp. 115-6, note 2). *P.Oxy.* 2341 (208) : *ἐν Ὀξυρυγχείτῃ* (prefect : tour of inspection subsequent to the conventus). *P.Oxy* ined (221/2) : *ἐν Ἑρμώνθει* (prefect, soon after appointment : tour of inspection ? Note *P.Ryl.* 74.12). M.*Chr.* 93 (c. 250) : *ἐν Ἀντινόου πόλει* (delegated judge). *P.Thead.* 15 (280/1) : *ἐν τῷ Ἀρσινοίτῃ* (epistrategus : note Martin, *Archiv* VI p. 218). On *JJP* 6 (1952) p. 195 (112 : *ἐν Ναυκράτει* : conventus ?) see the discussion there, pp. 206-12. On *P.Oxy.* 237 VII 30 see Wilcken, *Archiv* IV p. 396. On *P.Strassb.* 5.7 (*ἐν Ἑρμουπόλει μεικρᾷ*) see Wilcken, *op. cit.*, p.397 ; *JJP* 1952 p. 209. There are of course many protocols where such locations might appear and do not ; but in no case where they do appear can they be regarded as redundant. (In *P.Thead.* 15 the epistrategus' sphere of authority of course extended beyond the Arsinoite nome.) The location is generally and naturally given in proceedings before the emperors (e.g. the « Dmeir Inscription » of 216 [*Antiochae*] ; Theod. XI 39.5, 8 [*Constantinopoli*]). It is also found in the third-century bilingual inscription from Phrygia, *SEG* 13.625 : *Anosenis* (proceedings before procurators).

(2) E.g. *P.Ryl.* 653 (321 ?) and *P.Thead.* 13 (322/3) : *Arsinoit( )* ; *P.Lips.* 38 (390) : *Hermupoli*. Also in Bruns[7] 123 (474) : *Rav(ennae)*. *P.Oxy.* 1204 (299) has *ἐν Ἀλεξανδρείᾳ*, of the *καθολικός*, but this text is surely a Greek translation of a bilingual original, of the *einzelprotokoll* type. Note Wilcken, *Atti del IV Congresso di Papirologia*, p. 121 note 1.

So much for the individual features of the introductory formulae in the protocols ; to continue this chronological examination will not introduce any new factors. We may now consider what differences there may have been with regard to the introductory section between the official original records and our copies of them. We have of course little original material as a guide. However some suggestive results may be obtained from an examination of the order, and of omissions of the various features in the copies that we have. The constant section of the preamble is that part from the date to the opening speech, in which is included customarily the « participants » factor, and occasionally other factors whose inclusion depends on the circumstances (« location », « presence » and « delegation » factors). On the other hand, the « extract » phrase and the specification of the presiding official appear to be dispensable features. It seems then plausible that except for the prefixing of these latter features the introductory section of the original record may generally have been transferred into the copy without modification. Comparison with one clearly original protocol, *P.Paris* 69 = W.*Chr.* 41, col. iii 17 ff. (A.D. 232) will support this. The report here will have begun simply with the day of the date formula, followed by the location or possibly directly by the participants ; the month from the date formula precedes the first entry in the column of minutes, with above it the year and imperial titles as a heading. In other words, the original of an individual record would not have begun with *ὑπομνηματισμοί* or *ὑπομνηματισμὸς τοῦ δεῖνος*. The presence of such a heading (in the plural) as a title to the roll, the *amtstagebuch* as a whole, would amply explain the derivation of the « extract » phrase ; *P.Paris* 69 in fact has such a heading at the top of each column, but we do not have sufficient original material to say how far this format may have been regular or exceptional (1).

(1) One difficulty which arises from comparisons with *P.Paris* 69 concerns the form in which the date would have been given at the beginning of an original record. Naturally the date was required in full in a separate copy (so also in the Byzantine *einzelprotokolle*) ; but it could have been equally natural in a continuous roll only to record as much of the date as differed from that of the preceding entry.

However of the reports of proceedings beginning with the date that we have from before the Byzantine period, none (apart from *P.Paris* 69) can clearly be classified as an original report because of the general absence of any preceding matter indicating that they may be actual fragments of the official files (1) : most such documents begin a new column, with no traces of any columns preceding. Apart from this, most such reports can probably be classified as copies on other grounds (2). In the Byzantine period we come to the *einzelprotokolle* which begin with the date anyway, so that other methods of distinguishing between originals and copies have to be used.

Before leaving the introductory formulae, it may be useful to discuss in brief the Byzantine bilingual protocols (3), frequently referred to in the foregoing. The Latin framework of these texts affects all four basic sections into which the protocols can be divided, but can conveniently be considered in general at this point. The earliest dated example of the style from the Byzantine period is *P.Ryl.* 653, of ?321 A.D. (4) The general content of this Latin framework is not substan-

(1) So e.g. in M.*Chr.* 93 and *P.Thead.* 15.

(2) *P.Phil.* 1 iii : copy (connected with other documents). *P.Amh.* 64 : copy — later doc. following is in same hand. *P.Teb.* 489 is verso text, so probably copy. *P.Ryl.* 678 : *μεθ' ἕτερα* suggests copy. *P.Teb.* 287 is more of a problem. *ἀνέγνων* occurs here twice in a second hand, but the original edd. suggested that the case may have been heard in Alexandria. It could have been heard on the other hand at a conventus in Arsinoe : see WILCKEN in *Archiv* IV pp. 397 ff. Severianus has not been identified. Against its being original is the fact that it proceeds from the first hearing straight to the second with no intermediate other business ; note also the breathings, and the lacuna at the beginning of l. 1. Wilcken has suggested that the text is an officially authenticated copy : in support of this may be cited *P.Aberd.* 17, which has *ἀνέγνων* in a second hand but is itself written in a literary hand. *P.Oxy.* 2340 would not seem to be an original : it is written across the fibres over an erased text, and the case was probably heard in Alexandria. It appears to be one of a collection of copies on a particular subject. The date here is written in a different style but is perhaps by the same hand.

(3) See ZILLIACUS, *Vierzehn Berliner Griechische Papyri*, n° 4, introduction ; *PSI* 1309, introd. (p. 110, with the references cited in note 1).

(4) But cf. note 2 on p. 34 above (*P.Oxy.* 1204).

tially different from that of the framework of the all-Greek protocols from immediately before : the principal change is simply one of language. This will presumably derive from the (conjectured) ordinance of Diocletian that Latin was to be the official language of the Empire (on which see e.g. STEIN, *Histoire du Bas-Empire*, I p. 77) (1). This bilingual format must nevertheless be that of the original protocols, because of the existence of certain such bilingual documents which are definitely copies : if a report were being translated for private purposes it would naturally have been translated completely. Because the Latin is found in the copies, the Greek must belong to the original. This is put beyond doubt by the presence in *P.Ryl.* 653 and *P.Thead.* 13 of a translation into Greek, appended to the end of the proceedings, of the decisions of the presiding official given just before in Latin, while the other speeches are given in Greek in the reports themselves. One cannot then use the general fact of the bilingual format as a means of distinction between official originals and private copies.

The earliest bilingual protocol from Egypt that we possess dates from well before the Byzantine period, namely *P.Ross.Georg.* V 18, of A.D. 213. In this particular case however the use of Latin must be simply a stylistic method of emphasizing the distance between presiding official and parties, further to the methods discussed below, since it is used in the speech introductions not of all the speakers but solely of the presiding official : this is a detail distinction not found in the Byzantine texts, where when Latin is used it is used throughout (2). Closely contemporary with *P.Ross.Georg.* is the inscription from Dmeir in Syria of 216 (*Syria* XXIII [1942] p. 178) where the Latin framework reflects the normal language of the imperial *commentarii* while the Greek speeches reflect the language in which the proceedings were actually transacted. Other early examples of bilingual proceedings are the fragmentary *P.Doura* 128 (c. 245?), and the third-century inscription recording proceedings before Roman procurators in Phrygia,

(1) See now also LALLEMAND, *L'administration civile de l'Égypte* (1964) pp. 40, 160, 223.

(2) But contrast *P.Oxy.* 2187.24-32 (302?), where Greek is used for the presiding official, but the parties appear to have had Latin speech-introductions.

SEG 13.625. The bilingual form of these inscriptions must be authentic and is an illustration of the working of Roman administration in Greek-speaking provinces. In Egypt this problem had not arisen because numerically at any rate the greater part of the administrative personnel also was Greek-speaking : but from the fourth century onwards bilingual protocols are found frequently (see the Appendix pp. 60 ff.), the latest dated example that I have noted being *P.Masp.* 67329 of 529-530 A.D. On the revival of Greek as the official language note STEIN, *op. cit.*, I pp. 295-6.

2. The body of the trial.

This comprises everything from the opening speech introduction down to (but not including) the κρίσις. The first point to consider here is the *style of the speakers' introductions*, for both the opening and subsequent speeches (not however for the κρίσις, where the introductory formula for the presiding official often has a special character : see below). These introductions fall into two basic parts : the description of the speaker, and the verb of « saying », when one is used.

1). *Descriptions of the speakers.* A distinction must be drawn here between the treatment given to the participants and that given to the presiding official, and in the former category a further distinction must be drawn between the participants' first and subsequent formulae. The parties on their first appearance often have descriptive or explanatory details attached to their names, which are subsequently omitted. In *P.Oxy.* 37 (A.D. 49), our earliest documentary protocol, the parties are simply given one name each, and the ῥήτωρ who appears for the plaintiff and opens the proceedings is specified at that time as ῥήτωρ ὑπὲρ Π. This use of one name each for the participants is regular in these reports : the ῥήτωρ here does not make a second appearance, but if he had he would undoubtedly have been called simply by his name alone, as is customary also in the subsequent protocols — cf. *P.Flor.* 61 (85 A.D.) for example. The addition of the client's name (here ὑπὲρ Π) to the description ῥήτωρ is not regular

but is by no means uncommon (1). Another differentiation found between first and subsequent speeches of the participants is the attachment of the father's name to a speaker on his first appearance, as e.g. in *P.Fam.Teb.* 19 (118). As regards the presiding official : the strategus in *P.Oxy.* 37 is not called by name but simply *ὁ στρατηγός* : and so commonly in other protocols. Other officials are not often called thus just by their title (2) : they are rather called by one name simply (parallel with the participants) or more often (especially the prefect) by two names, e.g. *Σεπτίμιος Οὐέγετος* in *P.Flor.* 61. Names and title however are often combined in the *κρίσις* (see p. 51). There is hardly ever any special detail attached to the presiding official on his first appearance (3).

This pattern applies throughout the first century A.D. and for much of the second. In *P.Oslo* 18 (162), however, we find the first hint of the later elaboration, where the *ῥήτωρ* who appears is described as such before *both* his utterances (and this is the conclusion of the report). At this stage though this elaboration only affects the *parties* in the case : it is not until the early third century that it extends to the presiding official and not until the end of that century that it becomes regular for him. On a par with *P.Oslo* 18 is *BGU* 15 I (194) where *ῥήτωρ* is again repeated : contrast, again, the simple treatment of the presiding official. A later and more extensive example of this pattern is M.*Chr.* 93 (c. 250). In *SB* 5676 (232?), however, we find for the first time the presiding official given his title formula throughout : *Ὁ. ἔπαρχος Αἰγύπτου* ; slightly later but much more extensive evidence

(1) Cf. e.g. *P.Oxy.* 707 V (c. 136) and *BGU* 969 (142?). For a different way of expressing this, see e.g. *P.Fam.Teb.* 19 (118) and *CPR* I 18 (124), and (a more complex expression) *P.Fam.Teb.* 24 (up to 124). On the other hand it may be noted that in *P.Teb.* 489 (127) the opening speech is introduced simply by *ῥήτωρ*, with neither the client's name nor the advocate's name.

(2) Though note, for a longer parallel, *ὁ ἱερεὺς καὶ ἀρχιδικαστής* in *P.Mil. Vogl.* 25 (126/7) and *P.Fouad* 24 (c. 144), and *ὁ ἱερεὺς καὶ ὑπομνηματογράφος* in *P.Oxy.* 1102 (c. 146). Also apparently *ὁ ἐπιστράτηγος* in *P.Oslo* 180 (after 69?).

(3) In *BGU* 19 (135) the presiding official (one name only) is called *ὁ κριτής* at his first appearance : but here this is necessary, as he is a delegated judge, to establish his identity.

is provided by *SB* 7696 (c. 250). One result of this development is the disappearance of distinctions of form between the κρίσις of the presiding official and his preceding utterances. However it is not until the end of the third century that this becomes regular usage, while a further refinement is developed at that time in the form of the addition of honorific adjectives. *P.Oxy.* 1503 (288-9) and 1204 (299) will well illustrate the stage the procedure has reached (1). It is noteworthy that concurrently with this elaboration for the presiding officials we find a reversion to the earlier simple style of speech introductions for the participants, who often now have just one name each. The elaboration in the speech introductions for the presiding officials reaches the height of its development in the long Latin formulae in the bilingual protocols from the fourth century and later.

2). *The Introductory Verbs.* Practice here divides into four main phases : a) speakers' introductions where the introductory verb is omitted (first century A.D.). b) The no-introductory-verb type with an admixture of the Genitive Absolute participial construction with Oratio Obliqua (early 2nd Cent.). c) Speeches introduced by εἶπεν (early 2nd Cent. to early 3rd Cent.) : with two subdivisions here, for protocols having an admixture of εἶπεν with either the Genitive Absolute construction or other indicative verbs (ἀπεκρίνατο etc.). d) Speeches introduced by εἶ( ) (middle third century onwards) : with perhaps a further phase for the speakers' introductions in the bilingual protocols (*dixit*). There is of course a certain amount of overlapping between the various styles, but these phases do represent the styles customary during the periods indicated.

a) *The no-introductory-verb type*, of which our earliest documentary protocol from the Roman period, *P.Oxy.* 37 (A.D. 49) provides the earliest example, as stated at the beginning of Part I. This style remains universal in the protocols, for all speakers, until the end of the

(1) Note also the lengthy titles in the reports of meetings of senates *et sim.* : in particular note *P.Oxy.* 1413-4, 2407.

first century : there is then in the texts of this style no differentiation between participants and presiding official in this respect at any rate.

b) The first sign of change comes at the very end of the century in M. *Chr.* 374.27 (90 A.D.), where the opening speech in the case, by one of the participants, is introduced by a *Genitive Absolute construction with a participle* (here *εἰπόντος*) (1), the speech itself being given in Oratio Obliqua. This new construction becomes very common in the early part of the second century ; other early examples of it are *SB* 5761, *P.Phil.* 1 iii and *P.Amh.* 64. It is found only with Oratio Obliqua at this early stage ; also it is *never* used by the presiding official (2). The no-introductory-verb style (3) remains the standard construction for the presiding official (though used by others also) until about the 130's, when it becomes supplanted by the *εἶπεν* style. However it is still found occasionally later than this : note *P.Oslo* 17 (136), *P.Phil.* 3 (144?) and *P.Oxy.* 1102 (c.146). There are a few examples of it from much later than this (*P.Oslo* 81 [after 197], *P.Erl.* n° 18 [248], *P.Oxy.* 41? [3rd/4th Cent.]), but their general character is different.

c) *εἶπεν*. The earliest dated example we have of this in a documentary protocol is in M. *Chr.* 374.30 (A.D. 90). The next example is in M.*Chr.* 372 iii 11-22 (A.D. 114) (4). There are further examples elsewhere in M.*Chr.* 372 ; other early exx. are in *P.Oxy.* 706 (c. 115), 1420 (c. 129), and 2111 (c. 135) ; and *BGU* 19 (135). With *BGU* 19, however, contrast the contemporary *BGU* 136, and note II 20

(1) Other verbs used in this construction are : *λεγούσης*, *προσειπόντος*, *ἀποκριναμένου*, *ἀξιούντων*, *ἀξιωσάντων*, *ἀξιουμένης*, *διαβεβαιωσαμένου* (*CPR* I 18), *ἀπαγγείλαντος* (also *CPR* I 18), *φήσαντος* (*SB* 7601), *προενεγκαμένων* (*P.Amh.* 66), and *φάσκοντος* (M. *Chr.* 372). Examples of most of these are of course found of different number and gender. The speaker's name regularly precedes the verb : for one exception note the second case of *φάσκοντος* in M. *Chr.* 372 (col. vi 12).

(2) Possible explanations of the use of this Genitive Absolute participial construction have been discussed above, p. 18 n. 3 and p. 19 n. 1.

(3) Some exx. of the purely no-introductory-verb style protocol are still found alongside the mixed-style texts : e.g. *P.Fam.Teb.* 15 (up to 114/5) ; *P.Teb.* 286 (121-138) ; *P.Mil. Vogl.* 25 (126/7 : the first case only) and 27 (128/9).

(4) The restoration of *εἶπεν* in *PSI* 281 I 18 (A.D. 103-7) is doubtful.

in *BGU* 19 itself : the usage is not yet firmly established. After this, though, *εἶπεν* occurs with increasing regularity, and from the middle of the century onwards it is never seriously challenged as the leading introductory formula in the protocols.

One problem is the reason for the appearance of the *εἶπεν* form of introduction. It is of course very much more a narrative style than the abrupt no-introductory-verb type : but I do not feel that this is the right direction in which to search for its antecedents. Its occurrence in some of the early fragments of the *Acta Alexandrinorum* does suggest that it may possibly derive from the use of *dixit* in Latin *commentarii* (1). This suggestion is difficult to substantiate, however, because the lack of original material makes it difficult to trace the emergence of the use of *dixit* in this way (2).

The Genitive Absolute construction continues to be found in conjunction with the new *εἶπεν*-style ; as before, it is never used by the presiding official, who now always has an indicative verb. The construction has really been transferred more or less unchanged from the old form to the new. Occasionally now it is followed by Oratio Recta (3) ; also some new verbs are used in it (4). Normal forms of the construction seem to have disappeared by the third century (5).

(1) *εἶπεν* in the early fragments of the *Acta Alexandrinorum* : this may to some extent be derived from the usage of the novel, but in *P.Oxy.* 2435 Verso particularly it seems attractive to explain it as a translation of *dixit* in the original Latin record of the hearing, although the manner of the employment of *εἶπεν* here is perhaps not completely documentary (note the linking of two indicative verbs by *καί* in ll. 40-1, and the position of *εἶπεν* (restored) preceding the speaker's name in l.54).

(2) Though one may perhaps note *sententiam dixit* in *P.Mich.* 3.159 (41-68 A.D.), although this text is not an Oratio Recta protocol. See also the inscriptions from Dalmatia, *L'Année Épigraphique*, 1890 (nº 12, = 13 : A.D. 37-41).

(3) E.g. in *PSI* 1326 ; *P.Ryl.* 77 ; and *P.Oxy.* 40. On the significance of this construction with Oratio Recta, see p. 18, note 3.

(4) E.g. *ὁμολογήσας* (*sic*) in *PSI* 1326 ; *ἐπιφωνησάντων* in *P.Ryl.* 77.

(5) Note *φήσαντος* (+ O.R.) in *P.Ross.Georg.* V 29 (360?) and *καταθεμένου* (+ O.R.) in *P.Oxy.* 2110 (270). With *λέγοντος* in *P.Oxy.* 1503.10, 13, cf. *P.Col.* 181 + 182 (*TAPA* 68 [1937] pp. 357 ff.) l.4 : *καὶ ἑξῆς λέγοντος*. Also *P.Oxy.* 2407. On interruptions in the protocols note the brief discussion by Skeat and Wegener in *JEA* xxi p. 226. Note also *ὑποτυχών* in *P.Ryl.* 77.

The *εἶπεν*-formula is also found together with other indicative verbs. The most obvious of these is *ἀπεκρίνατο* (1), which first occurs in *P. Oxy.* 237 vii 25-6 (case is 128 : but here *ἀπεκρίνατο* is followed by Oratio Obliqua ; this is perhaps due to abridgment in making the present copy, while the verb itself may have been introduced at the same time,

(1) *ἀπεκρίνατο* : the natural antithesis to *εἶπεν*, and the most common of the other indicative verbs : found constantly from its first appearance up until the fourth century. It is of course no longer found in the bilingual protocols from that time, all their speech introductions being in Latin, but it is still found e. g. in *P. Col.* 181 + 182, 340 A.D. (see p. 42 n. 5 above). Because of its nature as the antithesis to *εἶπεν*, often to a directly-aimed question (the «dative of addressee» formula : *ὁ δεῖνα τῷ δεῖνι εἶπεν*), it is often found standing by itself without the speaker being specified (e. g. in *PSI* 1100 ; *PSI* 1326 ; *P. Mich.* 6.365 ; *P. Oxy.* 2341 ; M. *Chr.* 93 ; and *SB* 7696. (This omission of the name of the speaker in replies is also found with the Genitive Absolute participial construction : see e. g. *P. Oslo* 17.)

Of the other verbs in this category, *προσέθηκεν* is perhaps the most important. It occurs in *P. Oxy.* 237 vii 28, in a case dated 128 : this is the text which also provides the first example of *ἀπεκρίνατο*, and *προσέθηκεν* is also followed by Oratio Obliqua. Cf. the discussion in the text above. The earliest example of it actually with Oratio Recta is in M.*Chr.* 372 v 11. Other exx. : M.*Chr.* 93 ; *SB* 7696 ; and *P.Col.* 181 + 182. Because of its meaning this verb too can be found without the name of the speaker. With *προσέθηκεν* one may perhaps cf. the Latin *subiunxit*, e.g. in the « Dmeir Inscription », and also *adiecit*, e.g. in Cod. Just. 9.51.1, *P.Bour.* 20, and Theod. 8.15.1. Note also *subiungunt* in *P.Ryl.* 653. Other verbs : found later, in reports of meetings of senates *et sim.*, are *ἐφώνησαν*, *ἐβόησεν*, etc. The earliest documentary example of this type seems to be in *BGU* 925 = W.*Chr.* 37 (*ἐφώνησεν*), of the third century (though note *ἐπιφωνησάντων* in *P.Ryl.* 77, A.D. 192 : also *ἐπεφώνησαν* in *OGIS* II 595.35-6 (A.D. 174)). [Note also *ἐφώνησαν* in *P.Oxy.* 2435 Recto, of the early first century : but with this one may perhaps cf. *ἔκραξαν*, *ἐκραύγασαν et al.* in the Gospels. However because of the lack of original documentary records parallel to *P.Oxy.* 2435 Recto it cannot be positively argued that *ἐφώνησαν* there is a non-documentary usage at this date.]

Also found is *ἔφη*, but this does not seem to belong properly to that group of indicative verbs that are on a par with *εἶπεν*. Other indicative verbs used, which do not come in this category, are *ἐπύθετο* (usually followed by an indirect question— but note *P.Ross. Georg.* II 22), *ἐκέλευσεν* (followed by a narrative instruction, often in connexion with the *κρίσις*) and *ἀπεφήνατο* (peculiar to the *κρίσις* : see the discussion in sect. 3 of the text below, esp. p. 51).

These other indicative verbs, as *εἶπεν* itself, regularly follow the speaker's name.

as otherwise we would have *ἀπεκρίνατο* in antithesis to a no-introductory verb construction). *P. Oxy.* 2111 (c. 135) is the earliest dated example of *ἀπεκρίνατο* in antithesis to *εἶπεν*. This use of other indicative verbs and the Genitive Absolute construction are found concurrently, though the two are rarely found in the same document (1) ; after the disappearance of the latter form the indicative-verb style continues as the sole complement to the *εἶπεν* style. The construction is used principally by other speakers than the official, although some of the verbs employed are used by the official on occasion : *ἀπεκρίνατο*, however, is *never* used by the official.

d) *εἶ*( ). The final change in the Greek introductory-verb style is not one of language but simply of form : from the full form of *εἶπεν* to its abbreviated form. The latter supplants the former as the regular style in the protocols in the middle of the third century, but occurrences of the abbreviated form date from much earlier than this. The earliest documentary example would appear to be *BGU* 969 (A.D. 142?) (2). Other early exx. are *BGU* 329 (before 152) ; *P.Ryl.* 271 (before 159/60?) ; *P.Ryl.* 77 (192) ; and *P.Oxy.* 899 (200 : the case is 154, but the writing date is probably more relevant in this context). The unabbreviated form is still found in M.*Chr.* 93 (c. 250), though together with the

(1) Note *BGU* 388 = M.*Chr.* 91 : contrast I 12-13 with II 17. And note the *P.Oxy.* 237 VII report just cited.

One important point which may be raised here is the *combination in a protocol of introductions of the no-introductory-verb type and the εἶπεν type.* See e.g. *BGU* 19 (135) : contrast I 5 with II 20. Most exx. are similar to this : they are rarely extensive and indeed seem almost accidental. One striking example of the admixture, where it does seem indiscriminate, is in M.*Chr.* 87 (c. 141 : = *P.Lond.* 196 [vol. II p. 152]). The reading in I 11 here may be wrong, but that in I 12 seems unavoidable. Cf., for the admixture of the two styles, the *Acta Appiani* (Musurillo, *Acts of the Pagan Martyrs*, n° XI). The degree of the combination here seems scarcely likely to be authentic, and the presence of introductions of the no-introductory-verb type is most unusual in any case at this late date (dramatic date c. 190 ? text written probably early 3rd Cent.). Possibly there has been a deliberate attempt at archaism here : in this connexion, note the comments of Musurillo (*op. cit.* p. 206) on the style of the handwriting.

(2) Though note Barns in *JHS* 1961, pp. 179-80, who (tentatively) suggests *εἶ*( ) as the reading in *P.Oxy.* 2435 Verso, l.52.

abbreviated form (1), but in the contemporary *SB* 7696 the abbreviated form occurs throughout, and is the dominant form thereafter (2). The other indicative verbs continue to be found with *εἶ*( ) as they were with *εἶπεν*, although rather less frequently ; sometimes they themselves are abbreviated (3).

There is one further stage in the development of the introductory-verb style, although it concerns only one specific category of our material : namely the use of *dixit* in the bilingual protocols (4). The speakers' descriptions, with which this use is found, have been discussed above : the earliest example of *dixit* in this category is the same as the earliest text there cited, namely *P.Ryl.* 653, ?321 A.D. It is found thereafter throughout the texts of this style (5), where it is the principal introductory form ; in fact other introductory verbs are rarely found (6), *dixit* being used regularly by all speakers. The

(1) *Use together of εἶπεν and εἶ*( ) : the earliest example of the combination is apparently *BGU* 329 (before 152). Also in *P.Ryl.* 77 ; *Archiv* IV p. 115 ; and *P.Lips.* 33 II (= M.*Chr.* 55).

(2) *Forms of the abbreviation* : the usual form consists of a circular stroke open to the left, thus : *ει*). In *BGU* 705 (234 ?), at any rate, we have *ε*). In *P.Oxy* 2407 (late 3rd Cent.), verso ll.47 and 52, we have (*εἶπεν*), abbrev. thus : ≠.

(3) Principally *ἀπεκρ*(*ίνατο*) : the earliest example of this seems to be in *SB* 7696, c. 250 A.D. The usual form seems to be *απεκρ*/. For an example of the full and abbreviated forms together see *P.Ant.* 87 [late 3rd Cent. : here *ἀπεκρεί* ( )].

(4) *dixit* : invariably found abbreviated in the Byzantine bilingual protocols. The usual abbreviated form seems to be *d*(*ixit*), thus : ⅆ . In Latin inscriptions the form is sometimes Ð ,or simply D. Note also the peculiar form in the second-century Greek inscription *IG* II^2 1092, on which note *Dura Final Report* V, part I, p. 399 note 1.

(5) Except, principally, the *P.Oxy.* 1876-9 group : here the presiding official is not given an introductory verb at all. The court officials who appear in these texts (titled *ex offic*(*io*) simply, without name) are similarly not provided with an introductory verb. There is a parallel for this in an all-Greek text, *P.Lond.* 1650 (373 ?), where Ϝ is not followed by any verb : in this case the presiding official is given a full formula + verb of the normal type. (On Ϝ , incidentally, cf. Krebs' expansion in *BGU* 705 [234 ?].) Note also M.*Chr.* 95.

(6) *Recitavit* is the principal exception, but this is not really parallel. In *P.Bour.* 20 we have *adiecit*, and *subiungunt* in *P.Ryl.* 653 : cf. *subiunxit* in the « Dmeir

latest dated example that I have noted is in *P.Masp.* 67329 (529-530). *Dixit* is of course also the regular verb in the all-Latin protocols at this time : original examples are provided by the Ravenna codex (one of the cases therein is reprinted in Bruns[7] 123), and it is also found in reports of proceedings embodied in texts of Roman Law (note, above all, the Introduction to the Theodosian Code) ; it occurs further in the *Gesta Ecclesiastica* (e.g. the *Gesta Collationis Carthaginensis* of 411 : see the Appendix, p. 61). The history of *dixit* in all-Latin texts can be taken back much earlier than its appearance in the Byzantine bilingual protocols, but the evidence is largely non-original material (1). It may be noted, however, that there are examples of it in original bilingual records prior to the Byzantine period (although only one of these is of Egyptian provenance) (2). In the Byzantine period *dixit* does not entirely supplant *εἶ*( ), as there are many all-Greek protocols still, in which the latter verb remains the regular form as before (3). *Dixit* and *εἶ*( ) seem (apart from *P.Ross.Georg.* V 18, and M.*Chr.* 55, not a real exception) never to occur in the same text together, as although in these bilingual reports of proceedings some of the speeches may be in Latin and some in Greek (4), the introductory formulae for the speakers are invariably in Latin.

The body of the trial, continued. After the speakers' introductions, the *intermediate narrative passages* may next be considered. These are generally kept as brief as possible, only essential details being so recorded. The earliest-attested, and also the commonest, category

Inscription ». Perhaps oddly, *respondit* seems never to be found. (It occurs, *passim*, in the Acts of Phileas, but this does not reflect the usage in the Greek version.)

(1) Though note Bruns[7] 187 (2nd/3rd Cent.) and 188 (the *lis fullonum* : A.D. 244).

(2) The earliest example is in *P.Ross.Georg.* V 18 (A.D. 213), where it is used solely by the presiding official. Note also the « Dmeir Inscription » (216), *P.Doura* 128 (c. 245 ?), and the inscr. from Phrygia, *SEG* 13.625 (3rd Cent.). On all these see the discussion earlier in the text, pp. 37-38.

(3) Note, most extensively, *P.Col.* 181 + 182 (340 A.D.) ; also reports of meetings in the Oxyrhynchite Senate, e.g. *P.Oxy.* 2110 (370).

(4) No difficulty would be encountered with shorthand-reporting through this, as Latin shorthand is amply evidenced at this period.

of these narrative passages is what may be called the « reading » phrase, the notice of the reading in the court of written evidence or other documents. In the first and second centuries A.D. there are two main types of this phrase : both are expressed in a Genitive Absolute participial construction, but one is expressed in the Active (*ἀναγνόντος* most usually) (1) and the other in the Passive (*ἀναγνωσθέντων* or sim. usually) (2). The two forms appear more or less simultaneously, and continue to be used so without apparent distinction. Together with these must be considered a third phrase, the corollary of the first two, namely the closing formula *μετὰ τὴν ἀνάγνωσιν* (3), which is found after both the first two phrases : the earliest dated examples are in *SB* 15 and 16 (both 155/6). During the third century the two Genitive Absolute forms continue in use, but a new version makes its appearance with an Indicative construction : *ὃ δεῖνα ἀνέγνω τὰ ὑποτεταγμένα οὗ ἀρχή · . . .* (*καὶ τὰ ἑξῆς*). *μετὰ τὴν ἀνάγνωσιν . . .* (4). These phrases are still found in the fourth century, but not in the bilingual protocols of that and later date, *recitavit* or *recitatum est* being used instead, as in the Latin protocols (5).

The other principal category of narrative passage is the *ἐκέλευσεν*-formula, introducing an instruction of the presiding official given in

(1) First attested in *P.Flor.* 61 (A.D. 85). Other exx. are *P.Teb.* 287, *P.Ryl.* 77, *P.Fay.* 203, W.*Chr.*27, and M.*Chr.* 93. In M.*Chr.* 372 we find the same construction but with different participles, *ἀναγεινώσκοντος* and *ἀναγεινωσκούσης* (col. vi 9, 19-20) ; but it may be noted that this is not the only unusual terminology in this particular case. In *P.Col.* 181 + 182 we find an active participial construction, but in the nominative : *ἀναγνούς*.

(2) First attested in *P.Phil.* 1 iii (late 1st/early 2nd Cent.). Other exx. are *JJP* 6 (1952) p. 196 (col. iii *ad fin.*), *P.Fam.Teb.* 19, *P.Mil.Vogl.* 25, *CPR* I 18, *JEA* XVIII p. 70, *P.Goodsp.* 29, *SB* 15, *W.Chr.* 27, M.*Chr.* 372, *P.Amh.* 65, *BGU* 925, *PSI* 293, and *P.Thead.* 14. On *P.Oxy.* 2340 (*κεχρονισμένον*) cf. *P.Mil.Vogl.* 25 III 27, 29.The « reading » phrase here will presumably have to be an active one.

(3) In *OGIS* II 595.31 we find *μεθ' ἣν ἀνάγνωσιν*. Contrast, by the way, *μετὰ τὰ λεχθέντα* in *SB* 9016 (I 12-13).

(4) *P.Amh.* 67 (c. 232) ; *JEA* XXI pp. 224 ff. (c. 250). Note also *P.Oxy.* 1504 (late 3rd Cent.) : see SKEAT and WEGENER in *JEA op. cit.*, p. 225.

(5) Note that *legit* does not seem to be used, except for the example in the Introduction to the Theodosian Code.

narrative form. This formula is found not only in the body of the report but also following the κρίσις. In the latter position it may either follow it immediately and record an order consequent upon it (see p. 50, note 3), or refer in some manner to the preparation of the official record of the proceedings (1). In the body of the report the phrase records instructions to the court personnel, frequently regarding the conveyance or treatment of the parties. In the latter category orders for the beating of one of the participants are most usual, not as punishment but generally to elicit information. The earliest clearly documentary example of this is in *P.Oslo* 17 (136 A.D.) ; note also *P.Ant.* 87 (late 3rd Cent.). There are Latin examples of the type in the bilingual *P.Lips.* 40 (4th/5th Cent.) (2).

One other point remains to be considered before passing on to the κρίσις, namely the occurence of phrases of the μεθ' ἕτερα type (3),

(1) As in *P. Amh.* 66 II : ὁ δεῖνα ἐκέλευσεν ὑπομνηματισθῆναι. These phrases have been discussed in Part I above, p. 20, and listed in note 1 thereto.

(2) Perhaps note also *P.Oxy.* 2339 (1st Cent. : *Acta Alexandrinorum*?). In this sphere of literature note also *P.Bibl. univ. Giss.* 46, III 25 [= MUSURILLO, *Acts of the Pagan Martyrs*, nº III], with Musurillo's discussion on pp. 112-14. It may be interesting to compare with some of these passages, and the practice there revealed, the similar methods used in the interrogation of tomb-robbers in Pharaonic times : see PEET, *Great Tomb Robberies*, e.g. I p. 148. Note also, for a further example of Oratio Recta at this date, the Inscription of Mes (GARDINER, *Untersuchungen zur Geschichte und Altertumskunde Aegyptens*, IV [1905]). The protocol form in these texts need not cause disturbance because it seems that Hieratic, as a consonant-based language, could be written sufficiently fast for a shorthand-system to be unnecessary.

(3) μεθ' ἕτερα : the commonest form of this type of phrase. Exx. : *P.Strassb.* 22.29 (A.D.90). *P.Teb.* 286. *P.Ryl.*678. *SB* 9016 (twice). *PSI* 1100. *BGU* 1085. *PSI* 1326. *BGU* 15 I. *P.Ryl.* 75. *P.Ross.Georg.* V 18. *P.Erl.* nº 18. *P.Oxy.* 1204. *P.Oxy.* 2187 (302?). μεθ' ἕτερα is generally written in full, but note the abbrev. $\overline{\mu\varepsilon\theta}$ in *BGU* 15 I.

The other very common phrase is μετ' ἄλλα : *BGU* 19 II 4 (135). *P.Bon.* 16. *P.Oxy.* 237 VII 40. *P.Oxy.* 2341. *P.Oxy.* ined. (221/2 : see Appendix p. 59). On *P.Oxy.* 1504 note the comments of SKEAT and WEGENER, *JEA* XXI p. 225.

Also found is μετ' ὀλίγον (*CPR* I 18.38, *BGU* 388, *P.Ryl.* 77), but the significance of this seems generally to be somewhat different. On *P.Ryl.* 77 note my comments above, p. 20 note 1. A further Greek example is ἄλλο μέρος in *SEG* 13.625 ;

significant for omissions in reports of proceedings. These phrases appear in the protocols in the early second century, and thereafter are found frequently throughout the period covered by this study. It is difficult to ascertain if the phrases ever indicate the recording scribe's failure, from incompetence, to report some part of the proceedings. The presence of these phrases in a protocol is generally taken as an indication that the text is a copy, but if the records in the original files were abridged from full verbatim accounts (see Part I p. 19), their presence in an original official protocol would not be impossible. In the bilingual protocols, at any rate, the presence of a Latin phrase of the type should indicate that the abridgement had been made in the original record, while conversely the presence there of a Greek form of the phrase should indicate an omission made only in the copy.

3. The κρίσις

As has been seen, the protocols exhibit a general differentiation by a number of methods between the utterances of the presiding official and those of the other speakers. There is often a further differentiation, now to be considered, between the presiding official's preliminary utterances and his final decision. Such a differentiation is natural because of the nature of the *ὑπομνηματισμοί* as a record of the official's activities and not as a judicial record *per se*: thus the *κρίσις* is the most important factor, and the preliminary discussion is basically only of value as a statement of the circumstances of that *κρίσις*. This is made particularly clear in those protocols where an

perhaps cf. *ἄλλο* in *P.Oxy.* 2407 R 5, but this may not indicate an omission but simply the commencement of another topic. (If the reading *ἄλλο[ν* is taken, this text would probably have to be a copy.) For Latin exx. of this type of phrase, note *et infra* and *et alio capite* in Bruns[7] 188 (244 A.D.). Latin is also used in the bilingual protocols: note *ecc(aetera)* in *P.Bour.* 20 (350). (Cf. Theod. XI.39.5 [362].) Perhaps note also *habuissentque inter se aliquamdiu tractatum* in the Introduction to the Theodosian Code (438).

Note also the *καὶ τὰ ἑξῆς* phrase: see the text above, and also p. 42 note 5.

Oratio Recta *κρίσις* (and so customarily, although not differing in this respect from the presiding official's ordinary utterances) is the official's only statement and follows the speeches of the disputing parties expressed indirectly after a Genitive Absolute introduction (1).

Here, however, I am concerned with the more detailed distinctions in introductory formulae between the *κρίσις* and the other utterances of the presiding official. In our earliest dated documentary protocol (*P. Oxy.* 37, A.D. 49) the decision is expressed in Oratio Recta after *ὁ στρατηγός* simply, and here the introductory formula differs in no respect from the official's previous utterances. Parallel examples of early date, similarly employing the presiding official's regular formula without distinction, are *P.Hamb.* 29 and *P.Amh.* 64 (2). It may be noted here that as far as usage regarding introductory verbs is concerned, the presiding official regularly uses the same style in the *κρίσις* as he used in his previous utterances, except that there are certain formulae sometimes used which are special to the *κρίσις* (on which see further below). Apart from these formulae, one simple method of distinction between *κρίσις* and ordinary utterance is in the use of the « dative of addressee » formula : thus in *P.Flor.* 61 (3) (85 A.D. : the earliest example) we read at the end : *Σεπτίμιος Οὐέγετος τῷ Φιβίωνι* · followed directly by the Oratio Recta of the *κρίσις*. It is true that the « dative of addressee » formula (4) is often found elsewhere in the body of a report, but its use seems to be the prerogative of the

(1) E.g. *BGU* 136 (A.D. 135). Note further on the *κρίσις*-differentiation the discussion on punctuation *et sim.*, p. 54, note 3.

(2) In this connexion it may be noted that there is a large number of texts, principally of the second half of the second century, where the presiding official has simply one name and *εἶπεν* (always in full in these exx.), similarly thus without difference from his normal speech-introductions.

(3) Note that after the conclusion of the Oratio Recta of the *κρίσις* here we read *ἐκέλευσε* (of the presiding official) followed by a narrative instruction. This type of phrase is very common in the protocols. Note however that in *PSI* 1326 it seems to take the place of a normal direct-speech *κρίσις*. (Note also *BGU* 347 and 82, but these are a somewhat different type of document.)

(4) Note, for an elaborate paraphrase of the formula, *ἀπιδὼν κτλ* in *P.Oxy.* 2111.

presiding official (1), and in many texts as in *P.Flor.* 61 it is given only before the final judgement.

P.Phil. 1 iii, *P.Fam.Teb.* 15, *P.Teb.* 286 and *P.Teb.* 488 are perhaps early examples (*P.Teb.* 286 is a particularly elaborate one) of a type first clearly exemplified in *CPR* I 18 (A.D. 124 : again a particularly elaborate example), where the presiding official, called simply by name in the body of the text, in the *κρίσις* is given in addition his full title formula (2). Elaboration in this manner is perhaps the most frequent form of differentiation between the ordinary utterances of the presiding official and his *κρίσις*. Besides this, *P. Phil.* 1 iii introduces us to a new phrase, one of the special *κρίσις*-formulae referred to above : *ὁ δεῖνα* (name and titles) *ἀπεφήνατο κατὰ λέξιν οὕτως ·* (O.R.). So, more simply, *P.Oxy.* 706 (c. 115) : *ὁ δεῖνα . . . ἀπεφήνατο οὕτως ·* (O.R.) (3). This latter text also introduces us to the «consultation»-type phrase (here *βουλευσάμενος μετὰ τῶν φίλων*) : these phrases have been well discussed by Skeat and Wegener in *JEA* xxi (1935) pp. 225-6, with the note on ll. 29-30, pp. 240-1. Here it should perhaps just be repeated that they may occur in the body of a text as well as in connexion with the final decision. *P.Teb.* 286, cited above, introduces us to the other special *κρίσις*-formula : *ὁ δεῖνα* (name and titles, «consultation») *ὑπηγόρευσεν ἀπόφασιν, ἣ καὶ ἀνεγνώσθη κατὰ λέξιν οὕτως ἔχουσα ·* (O.R.) (4). *κατὰ λέξιν* (= « word for word ») may be of interest because of the apparent contrast with the other utterances that are not so described. However it need not on the other hand im-

(1) Contrast, though, its use in the *Acta Alexandrinorum* : e.g. in the *Acta Isidori* (MUSURILLO, *Acts of the Pagan Martyrs*, n° IV), Recension A col iii 2, 14. In the *Acta* though there is naturally not the same stress on the pre-eminence of the official presiding.

(2) There are alternative varieties of this, where the official is normally called by title and has his name added in the *κρίσις* (e.g. *P.Oxy.* 1102, *P.Aberd.* 17, *?P. Fouad.* 24) ; and also where the official, normally called by one name only, in the *κρίσις* is given a second name as well as his title formula (e.g. *BGU* 82).

(3) And note *ὁ δεῖνα . . . ἀπεφήνατο* simply in *BGU* 19.

(4) Similarly *CPR* I 18, *P.Oxy.* 1102, *BGU* 592. Cf. *ex tilia recitavit* in Bruns[7] 186 (A.D. 193). Cf. also the slightly different, and interesting, version of the formula in *SB* 9016 I 13-14.

ply the necessity of a shorthand system to record this much verbatim, because a decision so dictated could be passed to the recording scribe in writing for entry into the minutes.

In *SB* 5676 (A.D. 232?), as stated above, we find for the first time the full title formula, previously reserved for the *κρίσις*, given to the presiding official throughout : cf. *SB* 7696 (= *JEA* XXI p. 224 : c. 250). Hereafter the distinctions in this respect at least between *κρίσις* and ordinary utterances gradually disappear (1).

4. The concluding section.

Following the *κρίσις* one sometimes finds one or more of a number of factors that belong to the concluding framework of the report, and these may now be discussed briefly. The first that should be considered is the *ἐξῆλθεν ὁ δεῖνα ὑπηρέτης* formula (2). The significance of this is perhaps not too certain (3) ; however the inclusion of such a detail is curious unless the phrase is to denote an act of some importance for the proceedings or their recording. Frequently perhaps the *ὑπηρέτης* withdraws to effect some administrative task on the court's behalf : cf. the exchange between the presiding official and Isidorus at the end of *CPR* I 18 (= M.*Chr.* 84 ; lines 35-39), where although the formula itself does not occur the substance is illuminating and would have suited it. Alternatively the phrase could perhaps relate to the procedure followed in making the recording : cf. the discussion of Tengström on this matter, *Die Protokollierung der collatio Carthaginensis*, especially p. 18.

Next to be considered is the *ἀνέγνων*-factor, the official certification of the record (4). (This is perhaps not confined to a position following

(1) See the discussion on punctuation *et sim.* in the protocols, p. 54 note 3.

(2) Exx. : *P.Fam.Teb.* 15 = 24 ; *P.Oxy.* 1102 ; *BGU* 613 (= M.*Chr.* 89) ; *BGU* 592 II 9-10 ; *BGU* 388 III 10 ; and perhaps *P.Mil.Vogl.* 25 V 15.

(3) For discussions, see MITTEIS, *Chr.* 89, note on ll. 36/42 ; WILCKEN, *Archiv* VI p. 294 ; VAN GRONINGEN, note on *P.Fam.Teb.* 15.146 (p. 62) ; GRADENWITZ, *Einführung*, pp. 10-11.

(4) *ἀνέγνων* : the earliest example I have noted in a protocol is in *BGU* 163, 108 A.D., in the same hand. Others (all exx. in the same hand, and once only, except

the conclusion of the proceedings, although most often found there: it seems it may also occur in the body of a text, as in *P.Doura* 128 [*legi*], and perhaps *SPP* 20.60. *P.Paris* 69 is not an example of this.) In the original records this must regularly have been in a different hand from the body of the text, so that its occurrence in the *same* hand (as in most examples of it preserved) must stamp the text concerned as a copy. Its occurrence in a different hand, however, will not necessarily indicate that the text concerned is the original record: cf. the discussion on *P.Teb.* 287, p. 36, note 2. The use of *ἀνέγνων* in this way approaches more the *ὑπογραφή*-category which follows.

Finally (1), we sometimes find what may be termed the *ὑπογραφή* (2),

where stated otherwise): *P.Fam.Teb.* 19. *Archiv* II p. 125 fr.b. *P.Fam.Teb.* 24. (On this note the discussion above, p. 17.) *P.Oxy.* 1420. *BGU* 136. *P.Oxy.* 1102. *P.Teb.* 287 (twice, in 2nd H.). *BGU* 347. *BGU* 361. *P.Oxy.* 237. *P.Aberd.* 17 (2nd H.). *BGU* 592. *PSI* 281. *P. Paris* 69 (*passim*, in 2nd H.). *SPP* XX. 60 (2nd H., not at conclusion of text). Perhaps note also *PSI* 1363 (*passim*, in 2nd H.). Cf. also the Latin *legi* in *P.Doura* 128 (frequent: in same hand?).

For modern literature see WILCKEN, *Philologus* LIII; PREISIGKE, *Die Inschrift von Skaptoparene*, esp. pp. 26-7; and the introduction to *P. Doura* 128.

(1) I pass over phrases of the type of *ἕως τούτων οἱ ὑπομνηματισμοί* at the end of *P.Fam.Teb.* 24; these are really the complement to the introductory phrases such as in *SB* 5676 discussed in note 1 on p. 30. (Cf. *SB* 5676.19.)

(2) This is the term used by MUSURILLO in his summary analysis of the protocols, *Acts of the Pagan Martyrs*, p. 250 (the example there given, *ἔγραψα*, is presumably from *P.Fouad.* 21 mentioned in his note, but I know of no other example of this phrase in the protocols). From *BGU* 592, though, it is clear that the term then was not used with such restricted application.

Examples are in *CPR* I 18 and *P.Oxy.* 2280 (both in 2nd H., of the scribe checking the copy), and *P.Fouad* 21 (in the same hand as the body of the text, which is a copy: this example will probably be rather the signature of the copyist). The frequent docket of registration, in many different hands, in *P.Paris* 69 does not really belong in this category. On *CPR* I 18 note that the authenticating scribe has carefully checked and corrected the text, in red ink, before signing it (this is clearest in the MS transcript in *SPP* XX. 4): note also that this was done some three months later than the proceedings (his subscription is followed by the date). In this connexion it may be noted that the presence of a date at the end of the proceedings, not infrequent in the protocols, will usually be indicative that the text is a copy and owe its presence to this in some manner.

the subscription in some form of the court scribe or copyist. In fact all our examples appear to pertain to the preparation of the particular copy in which they occur, and except for the unparalleled *ἔγραψα* of *P.Fouad* 21 to be in some form an official certification of its accuracy.

The *ὑπογραφή* is only found sporadically in our texts from before Byzantine times, and there are no special verbal similarities between our examples of it. In the Byzantine period however something closer to a standard form emerges, namely the *ἐξεδόμην*-type formula and the Latin versions of this (1). These phrases attest the issue of the *authentica* or official copies (2) to those qualified to receive them (and at the same time certify that the text in which they occur belongs to that class), and so are to a certain extent comparable with the earlier examples of the category that have just been considered (3).

(1) The *ἐξεδόμην*-formula : *P.Oxy.* 2110 ; cf. *P.Oxy.* 1204.26. (Note, on the meaning, *P.Oxy.* 1204.25-6, and *P.Masp.* 67131.29-30.) Latin exx. are in *P.Oxy.* 1877, *CPL* p. 433 n° 8, and the Introduction to the Theodosian Code.

(2) See STEINWENTER, *Urkundenwesen der Römer*, pp. 12-14 ; and TENGSTRÖM, *Die Protokollierung der collatio Carthaginensis.*

(3) Beyond the actual structure and formulae of the protocols, a few points concerning their manner of presentation may be of value. Because the majority of our texts are copies, a study of differences in the style of handwriting employed in the various fragments will produce little conclusive evidence. However an analysis of *punctuation et sim.* may be useful.

Space before speaker : *P.Flor.* 61. *P.Hamb.* 29 I : and II (prefect only). *P.Amh.* 64. *CPR* I 18 (pres. off. only). *P.Oxy.* 2111. *P.Oslo* 17. *P.Phil.* 3. *P.Mil. Vogl.* 25. *BGU* 136. *P.Mert.* 26.

Sometimes, but before the late 3rd century perhaps only in conjunction with the « space-before » layout, the names of speakers at the beginnings of lines are *projected into the margin.* Thus : *P.Flor.* 61. *P. Hamb.* 29, as above. *P.Mil. Vogl.* 25. *BGU* 245. This usage should be distinguished from the later convention where the projection does not correspond to the use of spaces but is used in conjunction with the system where speakers (esp. the official) start a new line : e.g. in *P.Thead.* 13 ; *P.Oxy.* 1103. The format in *P.Oxy.* 1413-15 perhaps represents an intermediate style. [Note that in *P. Oxy.* 37 ii 3 *ὁ στρατηγός* begins a new line, unnecessarily.]

Occasionally we find the use of *marks to indicate the κρίσις*, (in addition to the stylistic distinctions already discussed in the text) : *CPR* I 18, and (later) *P.Mon.* 6.

More frequent is the later use of marks to distinguish the utterances of the presiding official generally : M.*Chr.* 93. *P.Oxy.* 2612. *P.Oxy.* 1204. *P.Oxy.* 2187.

APPENDIX

List of reports of proceedings in chronological order

1. Dated examples

c. 270 B.C.	*P.Hib.* 31
c. 250 B.C.	? *P.Hib.* 233
233-2 B.C.?	*P.Petr.* II 21 = III 24 (republ. M.*Chr.* 28)
229-8 B.C.?	*P.Petr.* II 38 = III 25 (= M.*Chr.* 30)
226 B.C.?	*P.Gurob* 2
226-5 B.C.	*P.Petr.* III 21 a-g (b, f = M.*Chr.* 3 ; g = M.*Chr.* 21)
169/4 B.C.	*P.Amh.* 30 (= W.*Chr.* 9)
167/134 B.C.	*SB* 4512
158 B.C.?	*P.Princ.* II 16
153 B.C.?	*P.Grenf.* 1.11 (= M.*Chr.* 32)
149/8 B.C.	*P.Lond.* 610
147 B.C.?	*P.Tor.* 13 (= M.*Chr.* 29)
141 B.C.	*P.Paris* 16
135/4 B.C.?	*PSI* 1310
120 B.C.	*P.Paris* 15
117 B.C.	Bruns[7] 184 (*Sententia Minuciorum* : inscription)
116 B.C.	*P.Tor.* 1 (= M.*Chr.* 31)

P.Col. 181 + 182. *P.Thead.* 14. *P.Lips.* 33. *P.Lond.* 1650. This usage also occurs in *SB* 7696 [*JEA* xxi pp. 224 ff.] but is not restricted to the presiding official.

Diaereses and apostrophes occur too commonly to be worth comment. As regards lectional signs proper, *breathings* are apparently found in *P.Teb.* 287 ; *P.Oxy.* 1503 ; ?*P.Oxy.* 1204 ; and ?*P.Oxy.* 1876. A *high point* occurs in *P.Aberd.* 17, and an *accent* in *JEA* xxi pp. 224 ff., ii 26. *Paragraphi*, finally, are in *P.Erl.* n° 18 (documentary in type) and *P.Ryl.* 701.

73 B.C.	Bruns[7] 42 (*SC. de Oropiis* : inscr.)
67 B.C.?	*P.Ryl.* 65
Cleopatra?	*P.Ryl.* 590
37/41 A.D.	*L'Année Épigraphique*, 1890, n° 11 (Latin inscr.) ; and n° 12 (= n° 13)
c. 40?	(*Syll.I.G.*[3] 796B)
41-68	*P.Mich.* 3.159 (Latin : = *CPL* 212)
49	*P.Oxy.* 37 (= M.*Chr.* 79)
63	*P.* Y*ale* Inv. 1528 (publ. *JRS* 28 [1938] pp. 41 ff. : = *SB* 8247)
63	*P.Fouad* 21
69	Bruns[7] 71a (Latin inscr. : *Decretum proconsulis Sardiniae*)
After 69?	*P.Oslo* 180
85	*P.Flor.* 61 (= M.*Chr.* 80, Bruns[7] 194)
89-91?	*SEG* 18, 646, « Funerary garden of Mousa » inscr. : publ. *JRS* 1958, p. 117 (revised *JRS* 1962, p. 156)
89	*P.Hamb.* 29 i
94	*P.Hamb.* 29 ii
91-96	*SB* 5761
100-114	*JJP* 6 (1952) 195 ff. (*P.Graec.Vind.* 25824 + *P.Amh.* 65) (= *SB* 9050)
104	*P.Rein.* 44 (= M.*Chr.* 82)
107	*P.Amh.* 64
107/112	*PSI* 450.2
108	*BGU* 163
113/4	*CIL* XI.1.3614 (Commentarii Caeritum)
Up to 114/5	*P.Fam.Teb.* 15
c.115	*P.Oxy.* 706 (= M.*Chr.* 81)
118	*Archiv* xv p. 93 (= SB 9252)
118	*P.Fam.Teb.* 19
120	*SB* 8757 (6025) (inscr.)
121-138	*P.Teb.* 286 (= M.*Chr.* 83)
121/2	*P.Teb.* 488

123	*Archiv* II 125 a
c. 123	? *P.Teb.* 297
124	*CPR* I 18 (= M.*Chr.* 84, Bruns[7] 189, *SPP* XX.4)
124	*P.Amh.* 66 + *Archiv* II 125 b
Up to 124	*P.Fam.Teb.* 24
126/7	*P.Mil.Vogl.* 25 (= *SB*/Bh. 2, p. 30)
127	*P.Teb.* 489
128/9	*P.Mil.Vogl.* 27 (= *SB*/Bh 2, p. 35)
c. 129	*P.Oxy.* 1420
c. 130	*P.Oxy.* 472
133/5?	*P.Teb.* 562
c. 135	*P.Oxy.* 2111
135	*BGU* 19 (= M.*Chr.* 85, Bruns[7] 190)
135	*BGU* 136 (= M.*Chr.* 86)
135	*Aegyptus* 13 (1933) p. 516 (= *SB* 7601)
c. 136	*P.Oxy.* 707 Verso
136	*P.Oslo* 17
138?	*BGU* 5
138-9?	*P.Mil.Vogl.* 98
140?	*SPP* 22.184 (revised Bickermann, *Aegyptus* 13 (1933) pp. 337-8)
c. 140	*P.Fay.* 106 (= W.*Chr.* 395)
c. 141	*P.Lond.* 196 (vol. II p. 152; = M.*Chr.* 87)
141	*BGU* 587
142?	*BGU* 969
143	*JEA* 40 (1954) p. 107 (P.Wisc. 23; = SB 9315)
144	*P.Fouad* 23
c. 144	*P.Fouad* 24
144?	*P.Phil.* 3
c. 140-150	*SB* 7516
c. 146	*P.Oxy.* 1102
147	*Berl.P.* 6982
148	*JEA* 18 (1932) p. 70 (= *SB* 7558; enclosed in petition, dated 172/3)
149	W.*Chr.* 77

c. 150	*P.Ryl.* 678
c. 150	*P.Goodsp.* 29
c. 150?	*P.Harr.* 67
150/1	*P.Oxford* 4
Before 152	*BGU* 329
154	*P.Oxy.* 899 R 20-32 (= W.*Chr.* 361). Also on the verso (date unclear)
154-8	*SB* 8261
c. 154-9	*P.Ross.Georg.* II 22
155/6	*SB* 15
155/6	*SB* 16
156-9	*P.Ross.Georg.* II 24
160-162	*P.Oxy.* 653 (= M.*Chr.* 90)
160	*BIFAO* 41 (1942) p. 43 (= SB 9016)
160/1?	*BGU* 613 (= M.*Chr.* 89)
161-9	*P.Teb.* 287 (= W.*Chr.* 251)
161	*PSI* 1100
After 161	*P.Oslo* 80
Before c. 161?	?*P.Fay.* 139 Recto
162	*P.Teb.* 291 (= W.*Chr.* 137)
162	*P.Oslo* 18
166	*D.Just.* 28.4.3 (Latin)
After 169	*BGU* 168
After 170/1	*BGU* 1085
171	*SB* 9329
171	*BGU* 347
174	*IG* XIV 830 (= *OGIS* II 595)
176/7	? Bruns[7] 63 (*SC. de sumptibus ludorum*)
176-180	*P.Strassb.* 179
181/3	*PSI* 1326
184	*BGU* 361 (= M.*Chr.* 92)
185	*BGU* 82
186	*P.Oxy.* 237
186	? *SB* 5693
192	*P.Oxy.* 2340

192	*P.Ryl.* 77
193	Bruns[7] 186 (Latin inscr.)
194	*BGU* 15 I (= W.*Chr.* 393)
194	*P.Mich.* 6.365
After 197	*P.Oslo* 81
208	*P.Oxy.* 2341
209/10?	*Bull. Corr. Hell.* 20 (1896) pp. 523 ff. (Mylasa : bilingual inscription : = *OGIS* II 515)
210-214	*P.Oxy.* 1408
Caracalla	*Cod. Just.* 9.51.1 (Latin)
213-215	*P.Oxy.* 2279
213	*P.Ross.Georg.* V 18 (bilingual : *CPL* p. 431)
215	*SB* 9213 (*Acta Heracliti* : Musurillo, *Acts of the Pagan Martyrs*, nº XVIII)
216	*Syria* XXIII p. 178 (inscr. from Dmeir ; bilingual)
221/2	*P.Oxy.* ined. (Kindly communicated by Dr. John Rea)
After 225	*P.Strassb.* 275
c. 230	*Hesperia* Suppl. VI, nºs 31, 32 (Athens, inscr.)
c. 232	*P.Amh.* 67
232	*P.Paris* 69 (= W.*Chr.* 41)
232?	*SB* 5676
234?	*BGU* 705
235	*P.Doura* 125 (Latin : = *CPL* 328)
235	*P.Doura* 126
235?	? *P.Doura* 127
242?	*P.Oxy.* 62 R
243-9	*SPP* 20.60
244	Bruns[7] 188 (*Lis fullonum* : Latin inscr.)
c. 245?	*P.Doura* 128 (bilingual)
248	*P.Erl.* nº 18
c. 250	M.*Chr.* 93
c. 250	*JEA* 21 (1935) pp. 224 ff. (= *SB* 7696)
258	*Archiv* IV p. 115
c. 260-1	*P.Oxy.* 1502
262	*P.Strassb.* 5

265/6	*P.Giss.* 34
270-275	*P.Oxy.* 1413
270-275	*P.Oxy.* 1414
274	*P.Mert.* 26
280/1	*P.Thead.* 15
c. 284	*P.Oxy.* 2332 Recto
286	*P.Oxy.* 2417
Diocletian and Maximian	*Just.* IX 47.12 (Latin) *Just.* X 48 (47). 2 (bilingual)
288-9	*P.Oxy.* 1503
299	*P.Oxy.* 1204
302? (1)	*P.Oxy.* 2187.24-32
305	*P.Ryl.* 701
After 307	*P.Thead.* 16
321?	*P.Ryl.* 653 (bilingual : *CPL* p. 431)
322/3	*P.Thead.* 13 (bilingual : *CPL* p. 431)
323(?)	*P.Herm.Rees* 18
After 330	*P.Oxy.* 2562
340	*P.Col.* 181 + 182 (*TAPA* 68 [1937] pp. 357-387 ; = *SB* 8246)
350	*P.Bour.* 20 (bilingual : = M.*Chr.* 96 ; *CPL* p. 432 ; *P.Abinn.* 63)
360	*P.Oxy.* 1103 (= W.*Chr.* 465)
360?	*P.Ross.Georg.* V 29
362	*Theod.* XI 39.5 (bilingual)
368	*P.Lips.* 33 (partly bilingual : = M.*Chr.* 55 ; Bruns[7] 191 ; *CPL* p. 432)
370	*P.Oxy.* 2110
373?	*P.Lond.* 1650
381	Theod. XI 39.8 (Latin)
386	Theod. IV 20.3 (Latin)
390	*P.Lips.* 38 (bilingual : = M.*Chr.* 97 ; *CPL* p. 433)

(1) For the date, cf. VANDERSLEYEN, *Chronologie des préfets d'Égypte de 284 à 395*, pp. 76-7.

411	*Gesta Collationis Carthaginensis* (Mansi, *Sacr. Conc. Coll.*, vol. IV)
434	*P.Oxy.* 1879 (bilingual : *CPL* p. 434)
438	Introduction to the Theodosian Code (Latin)
461	*P.Oxy.* 1878 (bilingual : *CPL* p. 434)
465	*PSI* 768
474	Bruns[7] 123 (pap. codex, Ravenna : with four later cases, all ed. Marini, *Pap. Dipl.* [1805])
c. 480	*P.Oxy.* 1876 (bilingual : *CPL* p. 434)
c. 488	*P.Oxy.* 1877 (bilingual : *CPL* p. 434)
529-530	*P.Masp.* 67329 (bilingual : *CPL* p. 436)
567?	*P.Lond.* 1708
Before c. 570?	*P.Lond.* 1709 (Coptic)
583	*P.Mon.* 6

2. General-date examples

III B.C.

P.Petr. III 22. *P.Petr.* III 23

II B.C.

? *P.Bon.* 12 d

Early I A.D.

P.Oxy. 2435 Recto and Verso (*Acta Alexandrinorum*?)

I

P.Ryl. 270. ? *P.Oxy.* 2339 (*Acta Alexandrinorum*?).
Bruns[7] 185 (Latin inscr.)

I/II

? *P.Mich.* 7.456 (Latin). ? *P.Doura* 14. ? *Archiv* v p. 382 n° 69

Late I/early II

P.Teb. 492. *P.Phil.* 1.3

II

P.Oxy. 2281. M.*Chr.* 372. *P.Aberd.* 17. *P.Ryl.* 271. *P.Ryl.* 272. *P.Ryl.* 296. *P.Teb.* 569. *BGU* 592. *P.Oxy.* 578. W.*Chr.* 27. *BGU* 868. *PSI* 1411. *PSI* 281 (3 cases : A.D. 103-7, 107-12 and 118). *IG* II² 1092 (*Hesperia* XXI : « Documents concerning the

Eleusinian endowment »). *P.Fouad* 25. *P.Phil.* 2. *P.Teb.* 574. *P.Giss.* 84. *P.Erl.* nº 16 (*not* « Acta Alexandrinorum »?). *P.Fay.* 203 (= *P.Preis.* 1, where full transcr.). *BGU* 1019 (speech of an advocate). ? *SB* 9488. ? *P.Ant.* 98. ? *P.Ryl.* 680. ? *P.Fay.* 322. ? *PSI* 1159 (= *SB* 7522). ? *P.Erl.* nº 17. ? *P.Athen.* 58 (revised *Chr. d'Ég.* 39 [1964] pp. 147-9)

II?

BGU 245

Late II

P.Gen. inv. 76 (*Chr. d'Ég.* 7 [1932] pp. 300 ff.). *P.Ryl.* 75. *BGU* 388 (= M.*Chr.* 91). *P.Strassb.* 234

Late II/early III

P.Oxy. 40 (revised Youtie, *Stud. zur Pap. und antiken Wirtschaftsgeschichte* (1964) pp. 20 ff.). *P.Mich.* inv. 4800 (publ. *Bibl. Teubn.*, « Acta Alexandrinorum »)

Late II/early III?

SB 7368

II/III

P.Harris 129. *P.Giss.* 99. Bruns[7] 187 (Latin inscr. : « Sententia de sepulcris »). *BGU* 893. *P.Bon.* 16. *Ath. Mitth.* VI p. 167 (inscr., Chalcis : = Syll.I.G.[2] II 607)

Early III

P.Oxford 5. ? *P.Strassb.* 276

III

BGU 925 (= W.*Chr.* 37). *P.Lond.* 1283 Verso. *P.Ryl.* 679. *BGU* 389. *BGU* 390. *P.Strassb.* 22 (= M.*Chr.* 374 ; Bruns[7] 192). *PSI* 293. *PSI* 294 (on verso of 293). *P.Ross.Georg.* V 21. *BGU* 7.1567. *SEG* 13.625 (bilingual inscription from Phrygia : publ. *JRS* 1956). *P.Ross.Georg.* II 40. *CPH* 7 ; 22 ; 23 ; 24 ; 25 ; 26. *Syria* 23 (1942) pp. 194 ff. («xoana » affair : inscr., bilingual). *Ath. Mitth.* XIX p. 248 (inscr., Athens : = Syll.I.G.[3] III 1109). *P.Hess.* 16. *Berl.P.* 1944 (Wilcken, *Philologus* LIII, pp. 108-9). ? *P.Lond.* 1112 (vol. III p. LVII)

Late III

P.Oxy. 1305 ; 1415 ; 1504 ; 2280 ; 2407 ; 2612. *P.Ant.* 87. *SB* 8945

III/IV

P.Oxy. 41 (= W.*Chr.* 45). *Fr. Vat.* 112 (publ. e.g. Girard, *Textes de Droit romain*, p. 534). ? *PSI* 1363

Early IV

P.Oxy. 1417. *P.Harris* 160. *P.Ryl.* 702 (bilingual : = *CPL* 234)

IV

P.Thead. 14. *P.Cair.* 10268 (+ 10723?). *P.Ryl.* 654 (bilingual : *CPL* p. 433). Wessely, *Lat. Schr.* 14 (bilingual : = *CPL* 232). *Theod.* VIII 15.1 (bilingual). *P.Lips.* 43 (= M.*Chr.* 98). *CPL* p. 433 nº 8 (bilingual)

IV?

BGU 1024. *P.Lond.* 971 (vol. III p. 128 : = M.*Chr.* 95)

Late IV

P.Lips. 41 (= M.*Chr.* 300)

IV/V

P.Lips. 40 (bilingual : *CPL* p. 433)

V

Wessely, *Lat. Schr.* 26 (bilingual : *CPL* p. 435). *SB* 5357 (bilingual : *CPL* p. 435)

V/VI

PSI 1309 (bilingual : *CPL* p. 435)

VI

P.Lond. 113.1 (vol. I p. 199 : bilingual?). *P.Masp.* 67131 (bilingual : *CPL* p. 436). *P.Oxy.* 2419

VI?

P.Mich. 7.463 (bilingual : *CPL* p. 436)

VI/VII

P.Oxy. 893 (= M.*Chr.* 99)

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