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## Testamentary Manumission for Slaves of Roman Imperial Soldiers\*

Non-literary evidence has in recent decades increasingly been used to highlight the social complexity of Rome's imperial army that includes the presence of dependents in and around the camps.<sup>1</sup> Soldiers' freedmen and -women remain underexplored, usually only touched upon when incidental to the topic of slaves in the Roman army<sup>2</sup> or, in the case

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N.b.: Throughout this contribution the term "soldier" refers to soldiers in active service.

<sup>1</sup> Interventions by Carol van Driel-Murray, Valerie A. Maxfield, Lindsay Allason-Jones, and Simon James were pivotal in shifting attention to the dependents in and around the military camps: C. van Driel-Murray, *Gender in Question*, in: P. Rush (ed.), *TRAC 1992: Theoretical Roman Archaeology. Second Conference Proceedings*, Aldershot 1995, 3–21; V. A. Maxfield, *Soldier and Civilian. Life Beyond the Ramparts* (Eight Annual Caerleon Lecture), Cardiff 1995 (repr. in: R. J. Brewer [ed.], *Birthday of the Eagle. The Second Augustan Legion and the Roman Military Machine*, Cardiff 2002, 145–163); L. Allason-Jones, *Women and the Roman Army in Britain*, in: A. K. Goldsworthy, I. P. Haynes (eds.), *The Roman Army as a Community* (JRA Suppl. 34), Portsmouth, R.I. 1999, 41–51; and S. James, *The Community of the Soldiers. A Major Identity and Centre of Power in the Roman Empire*, in: P. Baker, C. Forcey, S. Jundi, R. Witcher (eds.), *TRAC 98. Proceedings of the Eighth Annual Theoretical Roman Archaeology Conference, Leicester 1998*, Oxford 1999, 14–25. Exploration in this vein continues to flourish, with a particular emphasis on women and family life, see, e.g., O. Stoll, *Legionäre, Frauen, Militärfamilien. Untersuchungen zur Bevölkerungsstruktur und Bevölkerungsentwicklung in den Grenzprovinzen des Imperium Romanum*, JRGZ 53 (2006) 217–344; P. M. Allison, *People and Spaces in Roman Military Bases*, Cambridge 2013; E. M. Greene, *Identities and Social Roles of Women in Military Settlements in the Roman West*, in: S. L. Budin, J. M. Turfa (eds.), *Women in Antiquity. Real Women Across the Ancient World*, London, New York 2016, 942–953 and the contributions in U. Brandl (ed.), *Frauen und römisches Militär. Beiträge eines runden Tisches in Xanten vom 7. bis 9. Juli 2005*, Oxford 2008.

<sup>2</sup> Whether that be the non-combatant personal slaves of soldiers, whom I focus on here, or the few but notorious cases of recruitment of slaves for combat in the Roman army reported by ancient authors (e.g., the *volones* during the Second Punic War in 216 BCE, see Liv. 22.57.11–12, or the slave levies carried out by Augustus in the context of the Pannonian revolt 6/7 CE and the Varusschlacht 9/10 CE, see Suet. Aug. 25.2). For slave recruitment see esp. K.-W. Welwei, *Unfreie im antiken Kriegsdienst. 3. Teil, Rom*, Stuttgart 1988, 5–55, 113–166 and N. Rouland, *Les esclaves romains en temps de guerre*, Brussels 1977. Soldiers' personal slaves are mentioned, e.g., Tac. hist. 2.87.1 (describing Vitellius' army in 69 CE) and Ios. bell. Iud. 3.69 (describing the army assembled by the legate Vespasian in 67 CE before the assault on Galilee). Soldiers'

of *libertae*, of “marriage” among Roman soldiers.<sup>3</sup> Literary sources offer but little information. Scrutiny of the epigraphic record, however, has revealed nearly five hundred inscriptions attesting freedpersons in the company of Roman imperial soldiers of the principate (27 BCE–284 CE).<sup>4</sup> Slaves are much less frequently attested (n=57). When noticed, the large number of soldiers’ freedpersons in inscriptions has been explained in economic terms. According to this view, soldiers relatively quickly freed their slaves *inter vivos* because they expected a greater economic benefit from them as freedpersons.<sup>5</sup> Little evidence, however, can be found to substantiate such a claim. Instead, as this paper argues, the epigraphic and legal sources suggest that many of the soldiers’ slaves remained in bondage until their master’s death, whereupon they were freed by testamentary manumission. Special imperial concessions permitted soldiers to very easily make valid wills and manumit slaves by them (Dig. 29.1). The appeal of testamentary manumissions is clearly highlighted by the services required from slaves in exchange for their freedom at their master’s death, which are occasionally attested in our sources.

In broader terms, this examination of soldiers’ testamentary manumissions discloses both the favored position of Rome’s imperial soldiers, and the social structures they shared with other Roman citizens. Most importantly, this study weaves slaves and freedpersons into the social fabric of military life. These individuals join groups highlighted elsewhere, such as women and children,<sup>6</sup> to create a complex tapestry that undercuts imperial narratives and, indeed, modern impressions of Rome’s military as a disciplined fighting machine segregated from the enfeebling attachments of civilian life.<sup>7</sup>

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slaves receive some attention in Welwei, *Unfreie* (this n.) 56–112, but see in particular M. P. Speidel, *The Soldiers’ Servants*, *AncSoc* 20 (1989) 239–248 (repr. as M. P. Speidel, *The Soldiers’ Servants*, in: M. P. Speidel [ed.], *Roman Army Studies II*, Stuttgart 1992, 342–351), J. P. Roth, *The Logistics of the Roman Army at War (264 B.C.–A.D. 235)*, Leiden, Boston 1999, 91–116, and N. Boymel Kampen, *Slaves and liberti in the Roman Army*, in: M. George (ed.), *Roman Slavery and Roman Material Culture*, Toronto 2013, 180–197.

<sup>3</sup> See S. E. Phang, *The Marriage of Roman Soldiers (13 B.C.–A.D. 235). Law and Family in the Imperial Army*, Leiden 2001 and S. E. Phang, *Intimate Conquests. Roman Soldiers’ Slave Women and Freedwomen*, *AncW* 35 (2004) 207–237. I use quotation marks around “marriage” since legal marriage was presumably (on the evidence of Cass. Dio 60.24.3 and Herodian. 3.8.5) outlawed for sub-equestrian ranks during active service until the reign of Septimius Severus (specifically, his military reforms in 197 CE). The documentary sources amply demonstrate that in reality this supposed ban was not enforced and that cohabitation and family formation was in fact quite common especially from the 2<sup>nd</sup> century onwards, see esp. Phang, *Marriage* (this n.) 142–196.

<sup>4</sup> See, e.g., CIL VIII 7981 = ILaI 2.1.66 (Rusicade/Skikda, Numidia, altar, 2<sup>nd</sup> c. CE): *D(is) M(anibus) / C(aius) Ollius Pri(m)igenius mil(es) / leg(ionis) IIII Fl(aviae) stip(endiorum) / XVIII vixit an(nis) XXXV Ael(ius) Sa(binus) heres et Ita/licus lib(ertus) faciundum / curaverunt.*

<sup>5</sup> See L. Wierschowski, *Heer und Wirtschaft. Das römische Heer der Prinzipatszeit als Wirtschaftsfaktor*, Bonn 1984, 67–68 and G. Wesch-Klein, *Soziale Aspekte des römischen Heerwesens in der Kaiserzeit*, Stuttgart 1998, 114.

<sup>6</sup> A considerable number of these women were soldiers’ former slaves, see, e.g., CIL III 7503.

<sup>7</sup> For a critical assessment of this latter notion see S. E. Phang, *Roman Military Service. Ideologies of Discipline in the Late Republic and Early Principate*, Cambridge, New York 2008, 1.

## 1. The Literary Sources

The relative indifference towards the lower strata of society and an inherent bias against non-freeborn populations in many of our literary sources limit their usefulness when studying the dependents of Roman soldiers. The ancient authors hardly ever mention *liberti* alongside soldiers. Slaves, however, appear relatively frequently, though usually they are talked about as a collective, and often in the context of sweeping negative characterizations of one side in a civil conflict. If authors desired a negative portrayal of an army, they were of course inclined to dispense with any differentiation within the group of soldiers' dependents and to employ a disparaging catch-all term denoting slave status, thus calling into question an army's discipline and morals. Even without negative authorial intent, the use of collective nouns glosses over a reality that, no doubt, was much more complex.<sup>8</sup>

Somewhat more instructive are the very few references to individual soldiers and their dependents. Thus, we learn from one of Cicero's letters (Att. 5.21.4, 50 BCE) that Atticus had entrusted the delivery of a letter to Hermo, slave of the centurion Canuleius. For the 1<sup>st</sup> century CE, we have two episodes in the New Testament attesting slaves in the company of centurions. In one, narrated in Luke (7.2–10) and Matthew (8.5–13), a centurion's slave (δοῦλος), whom the centurion regarded highly, is sick and about to die. The centurion contacts Jesus asking him to come and heal the slave. Because of the centurion's great faith, Jesus heals the slave without even entering his house. The other, related in Acts (10.1–33), involves a certain Cornelius, centurion of the Italian cohort in Caesarea, who is told in a vision to send men to the apostle Peter to summon him to his house. Cornelius sends two slaves (οἰκέται) and a trusted soldier (10.7). Also noteworthy is a passage in Tacitus' Histories (4.59.1) relating to the rebellion on the Rhine frontier in 70 CE. He reports that the praetorian legate C. Dillius Vocula, surrounded by mutinous legions in Novaesium, contemplated suicide, but was prevented from carrying out his intent by his slaves and freedmen (*liberti servique*). Since Vocula was of

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<sup>8</sup> Terms typically taken to denote slaves in these contexts include *calones*, *mancipia*, δοῦλοι, θεράποντες, and οἰκέται. Still far from clear are the semantics of the word *lix*, though the epigraphic record favors the established understanding of *lix* as free individuals, possibly peddlers in military contexts, in other words "sutlers", and not "military slaves" as we might be tempted to understand it in Sall. Jug. 44.5 and Tac. hist. 1.49.1 (with Suet. Galba 20.2), see Roth, *Logistics* (n. 2) 93–96. I count seven inscriptions mentioning *lix*: AE 1936, 25 (Rome, 1<sup>st</sup> c. CE; *lixo* instead of *lix*); AE 1980, 887 = AE 1990, 1012 (Syria, exact location unknown, early 1<sup>st</sup> c. CE); CIL III 11259 (Carnuntum, Pann. sup., mid-1<sup>st</sup> c. CE); AE 2008, 1099 = AE 2009, 1049 (Carnuntum, Pann. sup., 1<sup>st</sup> c. CE); AE 1990, 862 = AE 1996, 1336 (Oescus, Moesia inf., late 1<sup>st</sup> c. CE); CIL XIII 8732 = AE 2015, 600 (Nijmegen, Germ. inf., 71–103/104 c. CE); AE 2007, 1028 (Elst-Westeraam, Germ. inf., late 1<sup>st</sup> c. CE, graffito on *terra sigillata* fragment). For examples of slaves being referred to as a collective see Caes. civ. 3.6 (soldiers ordered to leave behind slaves, referred to as *mancipia*, in Brundisium before boarding ships in 48 BCE), Cass. Dio 56.20.2 (large numbers of slaves, θεραπεία, encumbering the Roman army during the Varusschlacht in 9 CE); examples of intentionally negative portrayal: Tac. hist. 3.33.1 (more plundering *calones* and *lix* than soldiers during sack of Cremona in 69 CE), Tac. hist. 1.49.1 (with Suet. Galba 20.2: after Galba's assassination in Rome in 69 CE, his severed head affixed to a spear and paraded around camp by *calones* and *lix*).

senatorial rank, however, he can hardly be said to be representative of the lower echelons of the army with which we are interested. If the passages in Cicero and the New Testament mentioning individual centurions' slaves are considered at all representative of conditions among the common soldiery more generally, they would seem to caution against assuming that soldiers generally manumitted slaves soon after acquiring them. Rather, the few references convey that slaves remained in their service for some time.

In sum, the literary sources give us no indication that there were large numbers of soldiers' *liberti* accompanying the armies of Rome. This does not necessarily have to mean much given the elite perspective of many authors and the disdain they certainly harbored for non-freeborn populations whether enslaved or freed. If given any credence, the literary evidence in fact suggests that many soldiers kept slaves. If they tended to free them immediately, we would expect some trace of this, at least in writings closer to the popular strata, such as the New Testament. The inadequacy of the literary sources makes all the more important a close reading of documentary and other sources.

## 2. Soldiers' Slaves and Freedpersons in the Documentary Record

In a funerary inscription on a marble slab (1.21 × 0.94 × 0.16 m) dated to 112 CE, found ca. 30 km north of Heraclea Lyncestis in the province of Macedonia, the *libertus* T. Flavius Hermas commemorates in almost identical words in Latin and Greek his former master T. Flavius Capito, soldier of a *cohors Hispan(i)ensis*<sup>9</sup> XIII:<sup>10</sup>

[D]is Manibus / [T(itus) Flav]i[us] Capiton mil(es) coh(ortis) / [Hispa]ne(n)s(is) · XIII mil(i)tavit · an(n)is · II / [vixit] an(n)is · XXV · fecit T(itus) Flavius β [Her]mas l(i)bertus ex testamento [sic]. / ἔτος ζσ' / θεοῖς δάμοσιν / [T(ίτου) Φ]λαυοῦ Καπίτωνος / [στ]ρατιώτου σπείρης · ιγ' / [Ισ]πανῆς, ἑστράτευσε[ν ἔτ/εσι δ]υσίν, ἕζησεν ἕτεσι [εἴκοσι πέντ]ε· Ἑρμᾶς κατ[ὰ] δ[ιαθήκην].

"To the Spirits of the Departed. T. Flavius Capito, *miles cohortis Hispan(i)ensis XIII*,<sup>11</sup> served for two years and lived for twenty-five. T. Flavius Hermas, his *libertus*,<sup>12</sup> made it in accordance with his will. In the year two hundred sixty."<sup>13</sup>

<sup>9</sup> Following the standard naming conventions for auxiliary units, we would expect gen. pl. *Hispanorum*, see C. Cichorius, *Cohors*, RE IV.1 (1900) 231–356, at 232–233.

<sup>10</sup> The text here follows IG X 2.2.309. The reading in CIL III 7318, attributing the inscription to the *cohors XIII urbana*, was completely revised by N. Vulić, *Antički spomenici naše zemlje*, Spomenik 71 (1931) 178, no. 468, a fact overseen by R. K. Sherk, *Roman Imperial Troops in Macedonia and Achaëa*, AJPh 78 (1957) 52–62, at 55. See comments by J. and L. Robert, Bull. ép., 1958, no. 93, p. 204. For a discussion see F. Papazoglou, *Quelques aspects de l'histoire de la province Macédoine*, ANRW II 7.1 (1979) 302–369, at 348–349.

<sup>11</sup> The numeral of this unit, XIII, is unusually high for the auxiliaries, but nevertheless appears secure thanks to the Greek version of the text. A *cohors VI Hispanorum equitata* is known, but the intervening numerals are unattested. See M. Roxan, *The auxilia of the Roman Army Raised in the Iberian Peninsula*, diss., London 1973, 293–294, who, it must be added, did not have a reliable transcription of the Greek text and thus erroneously states that "the Greek text lacks a number."

<sup>12</sup> The Greek text interestingly does not mention Hermas' freedman status.

<sup>13</sup> I.e., of the Macedonian provincial era, which converts to 112 CE. See F. Papazoglou,



Inscriptions like this one, which record freedpersons attached to Roman imperial soldiers, represent a thin, yet fascinating slice of the thousands of texts in stone mentioning Roman soldiers.<sup>14</sup> Scrutiny of the epigraphic record for all regions of the Roman empire has revealed 458 inscriptions (see Table 1), mostly funerary (95%) like the one set up by Hermas, though there is also a smaller number of votive inscriptions (3%, see Table 3). Much rarer are inscriptions mentioning soldiers' slaves, whether as commemorators or as the commemorated. I count only 57 (see Table 1), of which 75% are funerary and 18% votive (see Table 4). Though I give exact numbers and percentages, we must keep in mind that the perilous nature of epigraphic survival precludes any conclusions based on small differences. Only broad, clear-cut tendencies in the data warrant comment.<sup>15</sup>

The distinction between freedperson and slave is irrelevant if we are simply collecting evidence for slave ownership among soldiers. Any mention of a *libertus* or a *liberta*

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*Notes d'épigraphie et de topographie macédoniennes*, BCH 87 (1963) 517–544, at 522, n. 1. All translations are my own unless otherwise indicated.

<sup>14</sup> A comprehensive count is difficult to accomplish since, as M. A. Speidel, *The Roman Army*, in: C. Bruun, J. C. Edmondson (eds.), *The Oxford Handbook of Roman Epigraphy*, Oxford 2015, 319–344, at 323 states, “[m]aterial relating directly or indirectly to the Roman army can be found in all categories of Roman inscriptions.” Some sense of scale, however, can be achieved with queries in online epigraphic databases using the tags “military personnel” AND “epitaph.” These result in 5,829 hits in the Epigraphik-Datenbank Claus/Slaby (EDCS) and 3,506 hits in the Epigraphische Datenbank Heidelberg (EDH, both accessed 2020-03-16). We must bear in mind, however, that the semantic tagging (“Kategorisierung,” cp. <http://db.edcs.eu/epigr/hinweise/hinweis-de.html>) is far from complete in the EDCS (to date, ca. 56.1% of the texts excluding *sigilla impressa*). The EDH has a geographically more restricted coverage, though the metadata is typically more detailed (see <https://edh-www.adw.uni-heidelberg.de/projekt/inhalt/erweiterteSuche>). For a discussion of the problematic descriptor “military inscription” see Speidel, *The Roman Army* (this n.) 321.

<sup>15</sup> Databases queried (Nov. 2018 to Mar. 2019): Epigraphik-Datenbank Claus/Slaby, Epigraphische Datenbank Heidelberg, PHI Searchable Greek Inscriptions. The indices of AE and SEG were consulted up to AE 2015 (2018) and SEG 63 (2013, published 2017). The language distribution is as follows: Latin, 534 texts; bilingual Latin/Greek, 11 texts; Greek, 5 texts. As indicated by my use of the word “freedpersons”, this study includes both men and women. Veterans and members of the higher command (equestrian and senatorial officers) are not included in my discussion since it is not clear that the arguments brought forth here have the same bearing on these groups. The tally for veterans is 320 inscriptions, for senior officers 41 inscriptions. Helpful as a starting point are the lists of inscriptions compiled by G. Forni, *Il reclutamento delle legioni da Augusto a Diocleziano*, Milan 1953, 122, n. 2 and 125 with nn. 2–3 (41 texts) and Wierschowski, *Heer und Wirtschaft* (n. 5) 235–236, n. 219 and 68–71 (309 texts). Though I recorded inscriptions mentioning *alumni/ae*, I did not include them among the freedpersons or slaves unless their status was clear. The challenges in determining the status of *alumni/ae* are obvious from B. Rawson, *Children in the Roman familia*, in: B. Rawson (ed.), *The Family in Ancient Rome: New Perspectives*, Ithaca, NY 1986, 170–200, at 181–183 and H. Sigismund-Nielsen, *Slave and Lower-Class Roman Children*, in: J. Evans Grubbs, T. G. Parkin (eds.), *The Oxford Handbook of Childhood and Education in the Classical World*, Oxford and New York 2013, 286–301, at 289.

represents evidence for slave ownership.<sup>16</sup> This approach is exemplified by René Cagnat who discusses together the evidence for slaves and *liberti* of Roman soldiers in Africa.<sup>17</sup> If, however, we are interested in better understanding the lives of these enslaved individuals, we must separate the two strands and explore why the epigraphic evidence for *liberti* is relatively plentiful.<sup>18</sup>

Lothar Wierschowski in his 1984 landmark study on the Roman imperial army as an economic factor was the first to bring attention to the discrepancy of epigraphic attestations for soldiers' freedpersons and soldiers' slaves.<sup>19</sup> He explained the large number of *liberti* in economic terms. According to him, soldiers did not wait long to free their slaves because they expected them to be more motivated as *liberti* to learn a profession and make a profit, which, in turn, would generate additional income for them.<sup>20</sup> He cites sparse documentary evidence attesting professions for soldiers' *liberti* to corroborate this hypothesis.<sup>21</sup> Four years later, Karl-Wilhelm Welwei, though not willing to go as far as the earlier scholar, repeatedly highlighted freedmen engaging in

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<sup>16</sup> When the word *libertus/a* is not used, mention of a *patronus* in many cases indicates libertine status as well.

<sup>17</sup> R. Cagnat, *L'armée romaine d'Afrique et l'occupation militaire de l'Afrique sous les empereurs*, Paris <sup>2</sup>1913, 366–367. His remark “[i]l faut pourtant remarquer que les inscriptions ne mentionnent que fort peu d’esclaves appartenant à des simples soldats” refers to both *servi* and *liberti* as is clear from the examples he gives in n. 7.

<sup>18</sup> A very similar pattern also emerges from the tabulations in R. Saller, B. Shaw, *Tombstones and Roman Family Relations in the Principate. Civilians, Soldiers and Slaves*, JRS 74 (1984) 124–156, at 152–155: Calculating percentages from the tallies of *liberti* and slaves in the tables presenting “Military Populations” (I–IV) one arrives at 92% *liberti* and 8% slaves. Note, however, that Saller and Shaw count individual relationships, whereas my figures are based on inscription counts. Thus, an inscription mentioning more than two people leads to more counts according to their method, while one inscription always equals one count according to mine. For this study, the cases of overlap between slaves and *liberti* in inscriptions were too few to justify counting individual relationships.

<sup>19</sup> Wierschowski, *Heer und Wirtschaft* (n. 5) 67.

<sup>20</sup> Wierschowski, *Heer und Wirtschaft* (n. 5) 67–68: “Daß die Freilassung auch ökonomische Gründe hatte, zeigen einige Berufsangaben bei den nun freien Personen. Als sicher kann gelten, daß die ehemaligen Herren die finanziellen Starthilfen gaben und am Verdienst partizipierten. Dies könnte auch die Diskrepanz zwischen der Anzahl der Sklaven bei Soldaten und Freigelassenen erklären. Die Tendenz ging eindeutig dahin, daß ein hoher Prozentsatz der Sklaven relativ schnell freigelassen wurde; wahrscheinlich erhofften sich die Soldaten einen größeren Nutzen, der darin bestanden haben kann, daß der *libertus* wesentlich mehr zu arbeiten bereit war als ein *servus*, dessen ganzer Verdienst vom Herrn abgeschöpft wurde.”

<sup>21</sup> Wierschowski, *Heer und Wirtschaft* (n. 5) 236, n. 235: CIL III 1652 (*libertus* of an *optio legionis* identified as *faber argentarius*, silversmith, Viminacium, Moesia Superior, 2<sup>nd</sup> c. CE); less convincing are CIL III 4456 (grave stele for *miles legionis XV Apollinaris* by his *liberti*, whose connection to artisanal activities is inferred from the depiction of tools in the bottom panel, Carnuntum, Pannonia Superior, after 94 CE) and CIL III 14492 (grave stele for a *signifer legionis V* by Antonius, *architectus*, and Titus, *coriarius*, the latter two conjectured to be slaves or freedmen, Moesia Inferior, mid-1<sup>st</sup> c. CE).

business on behalf of their patrons using the same evidence.<sup>22</sup> Finally, Gabriele Wesch-Klein in her 1998 monograph on social aspects of the Roman imperial army echoed Wierschowski's argumentation.<sup>23</sup>

Such an economic explanation has its merits. One can well imagine the soldiers' desire to increase their material wealth. Yet there is no solid evidence to prove that soldiers in fact relied more on *liberti* than on slaves to generate supplementary income.<sup>24</sup> As parallels from civilian contexts show, slaves were used alongside freedmen as business agents and in various other positions.<sup>25</sup> Against the argument that *liberti* were more motivated to achieve economic success one could counter that the prospect of manumission likewise was a powerful motivator to do well.

My intent, however, is not to categorically discount the possibility of an economic explanation, which certainly may have played a part in the pattern observed. Instead, I

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<sup>22</sup> Welwei, *Unfreie* (n. 2) 101–102. Both Welwei, *Unfreie* (n. 2) 101, n. 176 and Wierschowski, *Heer und Wirtschaft* (n. 5) 75–76 also mention in this context P.Oxy. XXII 2349 (freedman acting as a legionary soldier's representative in a land transaction, Oxyrhynchus, 70 CE).

<sup>23</sup> Wesch-Klein, *Soziale Aspekte* (n. 5) 114. More recently Boymel Kampen, *Slaves and Liberti* (n. 2) 185 has pointed out this epigraphic discrepancy between *liberti* and slaves, though she offers no explanation.

<sup>24</sup> Enslaved women and *libertae* must explicitly be factored into this economic rationale as well, although we have no occupational titles for them in the texts studied here. Prostitution in military camps, perhaps in some instances organized as a side business by soldiers or officers using female and male slaves, is poorly attested, though universally assumed, see Phang, *Marriage* (n. 3) 244–251 and T. A. McGinn, *The Economy of Prostitution in the Roman World. A Study of Social History & the Brothel*, Ann Arbor 2004, 27, n. 96. Interesting documentary evidence attesting prostitution organized for soldiers has more recently been emerging from excavations at small fortified posts along the trade routes through the Eastern Desert of Egypt, see H. Cuvigny, *La société civile des praesidia*, in: H. Cuvigny (ed.), *La route de Myos Hormos – L'armée romaine dans le désert oriental d'Égypte 2*, Cairo 2003, 361–397, at 383–389 and H. Cuvigny, *Femmes tournantes. Remarques sur la prostitution dans les garnisons romaines du désert de Bérénice*, ZPE 172 (2010) 159–166. An array of commercial activities in which women engaged is known from civilian contexts, see, e.g., S. Treggiari, *Lower Class Women in the Roman Economy*, *Florilegium* 1 (1979) 65–86 and L. Larsson Lovén, *Women, Trade, and Production in Urban Centres of Roman Italy*, in: A. Wilson, M. Flohr (eds.), *Urban Craftsmen and Traders in the Roman World*, Oxford 2016, 200–221. We must also remember that many of these women were living in quasi-marital unions with soldiers. For thoughts on their contribution to a soldier's household income see E. M. Greene, *Roman Military Pay and Soldiers' Families. The Household Contribution to Subsistence*, in: N. Sharankov, L. Vagalinski (eds.), *Proceedings of the 22<sup>nd</sup> International Congress of Roman Frontier Studies*, Sofia 2015, 495–499. On the official marriage ban for soldiers see Phang, *Marriage* (n. 3).

<sup>25</sup> See A. Tchernia, *The Romans and Trade*, Oxford 2016, 27–28. W. Broekaert, *Freedmen and Agency in Roman Business*, in: A. Wilson, M. Flohr (eds.), *Urban Craftsmen and Traders in the Roman World*, Oxford 2016, 222–253, at 230 speaks of a “continuity between management by slaves and freedmen.” Most *actores* and *vilici* were slaves, see J.-J. Aubert, *Business Managers in Ancient Rome. A Social and Economic Study of Institores, 200 B.C.–A.D. 250*, Leiden, New York 1994, 193. *Actores* in our dataset: AE 1934, 235; AE 1992, 1003; CIL III 14356, 5a = ILS 9104a; CIL XIII 6730 = ILS 4615. The two *procuratores* in our dataset are *liberti*: ILS 9173; CIL VIII 2922.

wish to broaden the discussion by suggesting that the evidence in fact more readily aligns with a legal explanation. Hitherto underutilized evidence suggests that many of the *liberti* in our record quite possibly had only just attained their freedom upon the death of their master, by testamentary manumission. This would mean that the *liberti* had actually lived as slaves throughout the lifetime of the commemorated soldier, a circumstance that is veiled in the epigraphic record.

Three strands of evidence converge to suggest that testamentary manumission was a common path to freedom for many of the *liberti* attested in the inscriptions of soldiers. First, two epitaphs and a will on wax tablets explicitly document slaves freed by soldiers' testaments. These texts alone, however, cannot tell us how frequent the practice was. The legal sources — our second strand of evidence — suggest that it was at least very easy for soldiers to manumit by testament. Indeed, the jurists report that soldiers were freed from the stringent formalities of civilian wills and could testate in almost any way they wished. Cases involving testamentary manumission by soldiers are frequently featured in the legal sources, suggesting that they were in fact quite common. Third, in votive inscriptions set up for the wellbeing of soldiers we find a much higher proportion of slaves as dedicators (37%) than in the epitaphs (8%, see Table 2). Testamentary manumission is quite possibly complicit in producing this pattern, as we shall see.

### 3. Documentary Evidence for Testamentary Manumission by Soldiers

Two funerary inscriptions and a will on wax tablets provide direct evidence for testamentary manumission by active soldiers.<sup>26</sup>

The first inscription (AE 1961, 17) was discovered near Olbasa in Pisidia on a large marble block (0.88 × 0.53 × 0.63 m), obviously part of a funerary monument. The initial editor did not attempt to date it, though subsequently a date in the first half of the 1<sup>st</sup> century CE was suggested.<sup>27</sup>

<sup>26</sup> Testamentary manumission is attested in veterans' wills in papyri and in inscriptions as well. Papyri: P.Select. 14 = Pap.Lugd.Bat. XIII 14 = L. Migliardi Zingale, *I testamenti romani nei papiri e nelle tavolette d'Egitto. Silloge di documenti dal I al IV secolo d.C.*, Turin 1997, no. 7 and BGU I 326 = M.Chr. 316 = Migliardi Zingale, *Testamenti* (this n.) no. 12 = FIRA III 50. Inscriptions: AE 2010, 1313 = TitAq 2.732; ILS 8269, and CIL XIII 8293 (according to E. Schallmayer, *Der Römische Weihebezirk von Osterburken I. Corpus der griechischen und lateinischen Beneficiarier-Inschriften des Römischen Reiches*, Stuttgart 1990, 68).

<sup>27</sup> The *editio princeps* is G. E. Bean, *Notes and Inscriptions from Pisidia. Part I*, AS 9 (1959) 67–117, at 98. The text here follows M. P. Speidel, *The Roman Army in Asia Minor. Recent Epigraphical Discoveries and Research*, in: S. Mitchell (ed.), *Armies and Frontiers in Roman and Byzantine Anatolia. Proceedings of a Colloquium Held at University College, Swansea in April 1981*, Oxford 1983, 7–34, at 15. As Speidel notes, there is more uncertainty concerning the end of l. 1 than indicated by Bean. From Bean's plate (XVIc) it is hard to ascertain whether we have *cohor(tis) II* followed by uninterpreted characters or *cohortis II*. Speidel dismisses the options *cohors II*, *cohors XII*, and *cohors I Hisp*. P. A. Holder, *Studies in the Auxilia of the Roman Army from Augustus to Trajan* (BAR International Series 70), Oxford 1980, 159 (with no. 1571 on p. 310) proposes a Claudian date citing the placement of the regimental numeral after the name *Hisp(anorum)* and the use of *tur(mae)*. See also N. P. Milner, *An*

----- / *qui [et C]ratero dec(urioni) cohōr[---] / M(arcus) Iustus Rusticus qui et / Tatas eques cohōr(tis) Hisp(anorum) I tur(mae) / Baebi et Ammia Papu ex te[st(amento)] ♂ po(suerunt) et manumiserunt servom / Irotem uti praestus sit eo sepu[l]/chro.*

“For [---], also known as Cratero,<sup>28</sup> *decurio* of the *cohōr[---]*, M. Iustus Rusticus, also known as Tatas, *eques* of the *cohōrs Hisp. I*,<sup>29</sup> of the *turma* of Baebius, and Ammia, daughter of Papos/as/es,<sup>30</sup> set it up in accordance with his will and freed his slave Iros/Eros<sup>31</sup> so that he might look after this grave.”

At least one line is missing at the beginning of this inscription, casting some uncertainty onto the deceased person’s identity. There can be little doubt, however, that we are dealing with an auxiliary soldier. He might very well be the person whose agnomen, Cratero, and military rank, *decurio cohōr[---]*, we have in the first line. The text plainly states, however, that the slave Iros/Eros was freed under the terms of the soldier’s will.<sup>32</sup> We learn, however, that the manumission was conditional upon Iros/Eros remaining in service as caretaker of the tomb. The exact terms of this condition are not fleshed out, that is, whether Iros/Eros had to remain in the vicinity, for how long, and what tasks were understood to be his responsibility. Yet this represents significantly more information than the usual (*ex*) *testamento* we find in inscriptions.<sup>33</sup>

Importantly, the condition in this inscription opens an avenue to understanding why soldiers may have been interested in manumitting slaves by testament. Testamentary manumission allowed them to secure from their soon-to-be *liberti* services which they could no longer demand from those who had already been freed *inter vivos*.<sup>34</sup> These

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*Epigraphical Survey in the Kibyra-Olbasa Region Conducted by A. S. Hall* (Regional Epigraphic Catalogues of Asia Minor 3), London, Oxford 1998, 63, no. 136.1.

<sup>28</sup> The nominative form *Craterus* is also possible if we consider *Cratero* to be a dative, as sometimes the *agnomen*-formula ‘*qui et*,’ a nominative, can be paired with the dative if the antecedent also is in the dative, see I. Kajanto, *Supernomina. A Study in Latin Epigraphy* (Commentationes humanarum litterarum 40), Helsinki 1966, 11, table 2. If the 1<sup>st</sup> century dating is correct, the *agnomina* with *qui et* would seem to point to strong Greek influence, since the formula did not become widespread in Latin epigraphy until the 2<sup>nd</sup> century, cf. Kajanto, *Supernomina* (this n.) 7–8.

<sup>29</sup> Interpreted as *cohōrs I Hispanorum equitata* by Holder, *Studies in the Auxilia* (n. 27) 235 (app. III).

<sup>30</sup> Given the signs of Greek influence elsewhere in the inscription, I equate Ammia Papu (l. 4) to Ἀμμία Πάπου, Papu thus representing a filiation or the name of a husband.

<sup>31</sup> Presumably Eros in conventional Latin spelling. See Speidel, *Asia Minor* (n. 27) 28, n. 33.

<sup>32</sup> Whether this was a direct testamentary manumission, or a fiduciary manumission, in which case Rusticus and Ammia would have been Iros/Eros’ *patroni*, is not central to my argument here, though the verb *manumiserunt* reflecting an action taken by the commemorators perhaps tips the balance in favor of the latter. On the distinction see Kaser, *RPR I*, 294–295.

<sup>33</sup> We also find *secundum verba testamenti* (CIL VI 33033; CIL VIII 2768) and, perhaps also implying a will, *secundum voluntatem suam* (CIL II 4144).

<sup>34</sup> In Roman civil law, suspensive conditions were possible only with testamentary manumissions, see Kaser, *RPR I* 295 and A. Watson, *Roman Slave Law*, Baltimore 1987, 25. Such conditions could involve the fulfillment of various services (see, e.g., Ulp. [5 disp.] Dig.

services included construction, maintenance, and protection of funerary monuments as well as periodic religious ceremonies performed at the grave.<sup>35</sup> No doubt, such obligations also often went hand-in-hand with heirship.<sup>36</sup> Compelling slaves by way of a promise of freedom and heirship to carry out these vital commemorative tasks would have been a particularly attractive option for soldiers who had no close family members nearby or did not want to rely on the kindness of their brothers-in-arms. Moreover, we are surely entitled to believe that many freedpersons would have been eager to have a public and

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40.4.13pr-1), the payment of sums of money to an heir (see, e.g., Pomp. [18 ad Q. Muc.] Dig. 40.7.29.1), or the rendering of accounts (see, e.g., Ulp. [5 disp.] Dig. 40.4.13.2). Legally, the slave was termed a *statuliber* until the condition was fulfilled. With manumissions *inter vivos* there was nevertheless an expectation that freedpersons would furnish the patron so-called *operae*, days of work (see Dig. 38.1: *De operis libertorum*), the number of which was agreed upon before manumission and solemnly pledged by oath or *stipulatio* after manumission, see Kaser, *RPR I* 299–300. These *operae* could also be the subject of a condition in a testamentary manumission, though here they were usually to the benefit of an heir. In this case, the slave would be a *statuliber* until he had acquitted himself of the specified number of days of work, see, e.g., Paul (5 ad Sab.) Dig. 40.7.4.4, and W. Waldstein, *Operae libertorum. Untersuchungen zur Dienstpflicht freigelassener Sklaven* (Forschungen zur antiken Sklaverei 19), Stuttgart 1986, 112–117. While patrons in their wills were thus not able to impose new stipulations on slaves freed previously, they might still appeal to the customary moral ties of *liberti* to their patrons (*obsequium, reverentia*) or hold out the carrot of remuneration to achieve certain post mortem services, see Papin. (17 quaest.) Dig. 35.1.71.2. In many documents from the eastern half of the Roman empire, especially in the Egyptian papyri, the influence of Greek legal instruments is palpable. Thus, the service requirements attached to conditional testamentary manumissions often resemble the Greek *paramone* clause more than the conditions imposed on a *statuliber* in Roman law, see M. Nowak, *Wills in the Roman Empire* (Journal of Juristic Papyrology Supplement XXIII), Warsaw 2015, 179–180 and at length Waldstein, *Operae* (this n.) 92–102.

<sup>35</sup> In wills surviving on papyrus, burials and construction of a funerary monument were most often entrusted to close relatives and friends, who typically at the same time were the heirs. Grave maintenance and cyclical commemoration ceremonies, on the other hand, more routinely involved freedpersons and slaves, see, in particular, BGU VII 1655 (col. 2, ll. 31–33: slave Cosmos to take care of the grave for the rest of his life), and on the whole topic L. Migliardi Zingale, *In tema di clausole funerarie. Osservazioni sui testamenti romani d'Egitto*, *Aegyptus* 85 (2005) 269–278, at 276. Somewhat different is the perception we get from funerary epigraphy where freedpersons more frequently appear involved in the construction of the monument, see M. Carroll, 'The mourning was very good.' *Liberation and Liberality in Roman Funerary Commemoration*, in: V. M. Hope, J. Huskinson (eds.), *Memory and Mourning. Studies on Roman Death*, Oxford 2011, 126–149, at 137 and B. Rawson, *Marriages, Families, Households*, in: P. Erdkamp (ed.), *The Cambridge Companion to Ancient Rome*, Cambridge, New York 2013, 93–109, at 98. For cyclical religious ceremonies see Modest. (10 resp.) Dig. 40.4.44 (three slaves manumitted by testament on the condition that every other month they perform rituals at *testatrix's* monument) and Scaev. (20 dig.) Dig. 34.1.17.5 (freedmen to reside by testator's tomb and hold annual celebrations), see N. Laubry, *La désignation de la postérité. Autour de la formule libertis libertabusque posterisque eorum dans les inscriptions funéraires romaines*, in: M. Dondin-Payre, N. Tran (eds.), *Esclaves et maîtres dans le monde romain : expressions épigraphiques de leurs relations*, Rome 2016, 65–79, at 77.

<sup>36</sup> Unless instituted heirs, *liberti* could not be in charge of the obsequies of their patron, see Ulp. (25 ad ed.) Dig. 11.7.6. See E. A. Meyer, *Explaining the Epigraphic Habit in the Roman Empire. The Evidence of Epitaphs*, *JRS* 80 (1990) 74–96, at 77–78.

permanent record of their freed status in the potentially precarious situation of their master's death.

One might object that such private arrangements were unnecessary given the evidence, on the one hand, for an institutional burial fund administered by the *signiferi* in the Roman army<sup>37</sup> and, on the other, for *collegia militaria*.<sup>38</sup> Either of these could have helped pay for burials of soldiers. Yet these are not well understood. In particular, we do not know what exactly they covered and whether they existed everywhere, in all the branches of the military, and throughout the imperial period.<sup>39</sup> Moreover, we do not know whether these structures guaranteed anything more than a burial ceremony and a very basic epitaph. In any case, where such a collective safety net did not exist, it seems safe to assume that conditionally manumitted slaves were sometimes compelled to provide commemorative services. And even if an institutional or collective fund was available to help with this task, a soldier might have wanted more conspicuous commemoration than was provided through those channels.

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<sup>37</sup> The main piece of evidence for such a burial fund remains Veg. mil. 2.20 who speaks of an “eleventh sack,” *saccus undecimus*, being added for burials to the existing ten (one for each cohort in a legion): *Addebatur etiam saccus undecimus in quem tota legio particulam aliquam conferebat, sepulturae scilicet causa, ut, si quis ex contubernalibus defecisset, de illo undecimo sacco ad sepulturam ipsius promeretur expensa. Haec ratio apud signiferos, ut nunc dicunt, in cofino servabatur*. It remains unknown when this “eleventh sack” was introduced. We must also bear in mind that Vegetius has here in view only the legions. Some scholars have argued that additional evidentiary support comes from Ch.L.A. I.7 = Rom.Mil.Rec. 68 = C.Pap.Lat. 106, presumably a pay record of legionaries, on a papyrus dated to 81 CE where part of the soldiers’ pay is deposited *ad signa*, “to the standards” (col. ii, l. 19 and col. iii, l. 18). While those who claim that this represents a deposit to the burial fund mentioned by Vegetius have a plausible case, it is likewise possible that this pertains to a fund for the cult of the *signa*, the standards (see Veg. mil. 2.6.2: *haec imagines imperatorum, hoc est divina et praesentia signa, veneratur*). The discussion is summarized in G. R. Watson, *The Roman Soldier*, Ithaca, NY 1969, 103, with n. 274.

<sup>38</sup> The statutes of the *collegium cornicinum* at the camp of *legio III Augusta* in Lambaesis (203 CE) call for the payment of 500 *denarii* to the heir or *procurator* of a deceased member, no doubt with the expectation that the beneficiary would use it to cover burial expenses (CIL VIII 2557 = ILS 2354, l. 35): *Item si qui obitum naturae red(diderit), acc(ipiet) her(es) ips(ius) sive proc(urator) (denarios) D*. See M. Ginsburg, *Roman Military Clubs and Their Social Functions*, TAPhA 71 (1940) 149–156, at 154. The formation of *collegia militaria* seems to have been permitted only in the ranks above the ordinary soldier, that is, to specialists and officers, though see with some reservations C. Schmetterer, *Die rechtliche Stellung römischer Soldaten im Prinzipat*, Wiesbaden 2012, 53–55.

<sup>39</sup> Two inscriptions are particularly interesting in this connection. They attest soldiers who were *intestati*: an *eques singularis Augusti* (CIL VI 3180, 2<sup>nd</sup> c. CE, Rome) and a *speculator legionis VII Geminae Felicis* (CIL II<sup>2</sup>/14.1043 = ILS 2373, late 1<sup>st</sup> c. CE/early 2<sup>nd</sup> c. CE, Tarraco). In the former, the soldier’s fellow citizens from Siscia set up the gravestone. In the latter, it was seven of the soldier’s *collegae*, who financed the monument. Are we to conclude that the legionary burial fund did not yet exist? Or that it covered only the funeral, but not the monument?

The second inscription is a funerary stele (0.81 × 0.28 × 0.06 m) from Rome, datable to the year 87 CE.<sup>40</sup>

*Dis Manibus. / L(ucio) Vafrio Epaphrodito, / manumisso testament(o) / L(uci) Vafri Tironis, /<sup>8</sup> centurionis leg(ionis) XXII / Primig(eniae), XK(alendas) Apr(iles) / Imp(eratore) Domitiano Aug(usto) / Germanico XII co(n)s(ule), / annorum XXX, /<sup>10</sup> vix(it) ann(is) XXXI, d(iebus) X. / Helius, M(arci) Clodi / Valentis / evocati Aug(usti) ser(vus), / fratri bene meren(ti) /<sup>15</sup> fecit.*

“To the Spirits of the Departed. For L. Vafrius Epaphroditus, manumitted through the will of L. Vafrius Tiro, *centurio* of the *legio XXII Primigenia*, on the twenty-third of March during the twelfth consulship of the Emperor Domitian Augustus Germanicus (86 CE), at the age of thirty. He lived to be thirty-one years and ten days old. Helius, slave of M. Clodius Valens, *evocatus Augusti*, set it up for his well-deserving brother.”

In this stele, Helius, slave of M. Clodius Valens, *evocatus Augusti*, commemorates his brother L. Vafrius Epaphroditus, *libertus* of L. Vafrius Tiro, centurion of *legio XXII Primigenia*. Remarkably prominent is the assertion that Epaphroditus had become free through the will of his former master, the legionary centurion Tiro.<sup>41</sup> It occupies almost half of the inscription (ll. 3–9) and includes the exact day the manumission took place along with Epaphroditus’ age at the time.<sup>42</sup> Epaphroditus’ reasons for documenting all of this can only be surmised, if indeed it was his decision at all.<sup>43</sup> Perhaps he was proud of his newly gained freedom or coveted the social luster of being associated with a legionary officer. Or had someone voiced doubts about his freed status?

It is noteworthy that Epaphroditus’ commemorator, his brother Helius, was the slave of a soldier. We do not normally find slaves as commemorators. Close kinship in this case no doubt explains why we find the slave Helius setting up the epitaph. Yet the inscription offers a rare illustration of the principle I am highlighting in this paper, that is, that in many cases slaves of soldiers remained in bondage until freed by testamentary

<sup>40</sup> CIL VI 32881 = ILS 1985. The text follows EDR116631 (accessed 2020-03-12). Since Epaphroditus was manumitted on 23 March, 86 CE, at the age of thirty and died at the age of thirty-one and ten days, the inscription must have been set up in 87 CE.

<sup>41</sup> The wording implies a direct testamentary, not a fiduciary manumission.

<sup>42</sup> Thirty years of course being the minimum age stipulated by the *lex Aelia Sentia* (4 CE) for manumission and grant of full Roman citizenship (Gai. inst. 1.17–18). Manumission of slaves below the age of thirty resulted in the inferior legal status of Junian Latin (Gai. inst. 1.17). As such, they were deprived of the right to make over their estate to whom they wished. Instead, it reverted to the manumitting party when they died (Gai. inst. 3.56), though there were some exceptions (Gai. inst. 1.19). Soldiers were not exempt from the stipulations of the *lex Aelia Sentia*, nor, in all likelihood, those of the *lex Fufia Caninia* (2 BCE, limitation of the number of slaves who could be freed by will, see Gai. inst. 1.42–46), as is clearly demonstrated by Marcell. (10 Dig.) Dig. 29.1.29.1: *Miles testamento suo manumittendo nihil efficit in eo, cuius libertas lege Aelia Sentia vel alia qua impeditur*. See also Pomp. (1 ad Sab.) Dig. 40.4.3: *Nec militi minori annis viginti permittitur posse testamento suo servum manumittere*. See Phang, *Intimate Conquests* (n. 3) 230 and Schmetterer, *Rechtliche Stellung* (n. 38) 78.

<sup>43</sup> That is, if we assume Epaphroditus had left instructions as to the desired wording. Helius could conceivably have drafted it as well.



manumission, but then surface as *liberti* in the inscriptions without it being possible to determine the circumstances of the manumission. Epaphroditus' case is extraordinary in that we are informed about these circumstances. There is at least some chance, I would argue, that Helius could also expect to be manumitted upon the death of his master Valens. We would then expect to encounter him as M. Clodius Marci *libertus* Helius in inscriptions, though we would not know about the testamentary manumission unless he or his commemorator decided to share this information.

For the most immediate evidence on testamentary manumission we must obviously look to the wills themselves. Among the perhaps roughly one hundred<sup>44</sup> (often fragmentary) wax tablets and papyri from Roman Egypt documenting wills in Latin and Greek, so far as I can see, merely six can confidently be attributed to active soldiers, another five to veterans.<sup>45</sup> Quite outstanding in terms of its importance for legal and social historians is the almost entirely preserved will of the auxiliary soldier Antonius Silvanus, *eques alae I Thracum Mauretanae*, written on five wax tablets in Alexandria in 142 CE.<sup>46</sup> This is the only extant soldier's will to contain a testamentary manumission,<sup>47</sup> though several of them are too damaged to firmly exclude that they contained a clause to this effect. On the verso of tablet three we read (ll. 31–37):<sup>48</sup>

*Cronionem / servom meum pos<t> mortem meam, / si omnia recte tractaverit et / trad<id>erit heredi meo s(upra) s(cripto) vel / procuratori, tunc liberum volo / esse vicesimamque pro eo ex / bonis meis dari volo.*

<sup>44</sup> Seventy-seven is the number given by R. P. Salomons, *Testamentaria*, ZPE 156 (2006) 217–241, at 234–235 (Appendix 1), though he focuses on actual wills, not the many other documents that indirectly attest wills and their contents (such as estate agreements, petitions, opening protocols, court proceedings, etc.).

<sup>45</sup> I include here only documents dated to the principate (27 BCE–284 CE). Some of the documents listed below attest wills only indirectly, see n. 44. Active: P.Wisc. I 14 = Pap.Choix 6; Migliardi Zingale, *Testamenti* (n. 26) no. 25 = FIRA III 47 = CPL 221; BGU VII 1695 = Migliardi Zingale, *Testamenti* (n. 26) no. 28 = CPL 223; P.Mich. VII 446 = CPL 226; P.Lond. II 171b = M.Chr. 309; CPR VI 76 = Migliardi Zingale, *Testamenti* (n. 26) no. 18 (perhaps a veteran); retired: P.Select 14 = Pap.Lugd.Bat. XIII 14 = Migliardi Zingale, *Testamenti* (n. 26) no. 27; Ch.L.A. X 412 = CPL 220 = Migliardi Zingale, *Testamenti* (n. 26) no. 23; BGU I 327 = M.Chr. 61 = FIRA III 65; BGU VII 1662; BGU I 326 = M.Chr. 316 = Migliardi Zingale, *Testamenti* (n. 26) no. 12 = FIRA III 50.

<sup>46</sup> Migliardi Zingale, *Testamenti* (n. 26) no. 25 = FIRA III 47 = CPL 221. For a translation, commentary, and ample discussion of the *status quaestionis* with further references see B. Strobel, *Römische Testamentsurkunden aus Ägypten vor und nach der Constitutio Antoniniana* (Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte 109), Munich 2014, 65–109.

<sup>47</sup> Rather surprisingly, Silvanus does not to any significant extent make use of the legal liberties his position as a soldier offered him in composing his will. As scholars have universally observed, Silvanus' will largely follows the strict rules of the traditional Roman *testamentum per aes et libram*, compare only J. Macqueron, *Le testament d'Antonius Silvanus (Tablettes Keimer)*, RD Sér. 4, vol. 23 (1945) 123–170, at 9: “du type romain le plus classique.” Strobel, *Römische Testamentsurkunden* (n. 46) 108 favors the hypothesis that Silvanus' will resembled a *testamentum per aes et libram* because templates of such documents were circulating among the soldiers.

<sup>48</sup> The text follows the edition in FIRA III 47.

“My slave Cronio, if he has managed everything correctly and handed it over to my aforementioned heir or *procurator*, I then wish to be free and I wish the five percent tax on his manumission to be paid from my estate.”

As in the case of Iros/Eros, discussed above, Cronio’s manumission is contingent upon the fulfillment of a service to his former master, though here it does not relate to commemoration, but to accounting matters.<sup>49</sup> Antonius Silvanus stipulates that Cronio dutifully give an account of the master’s assets, all or a part of which had apparently been under his control, and hand them over to Silvanus’ heir or *procurator*. Such accounting clauses routinely appear in Roman wills, as the discussions of testamentary manumission by the Roman jurists in the Digest amply demonstrate.<sup>50</sup> The important point to note is that we have here yet another case of a soldier’s slave’s bondage lasting until the death of the master, weakening Wierschowski’s claim that they were freed “fairly soon” after being acquired.<sup>51</sup> Moreover, though he remained a slave until Silvanus’ death, Cronio was evidently involved in managing his master’s business interests, an activity that Wierschowski would no doubt have preferred to attribute to a freedman.<sup>52</sup>

#### 4. The Legal Sources

Though illuminating, these scant references to testamentary manumission by soldiers in the documentary sources do not allow us to draw any reliable conclusions as to the actual frequency of the practice in Rome’s military communities. The ancient documentary record is notoriously hard to gauge in terms of its representativity. The Roman legal texts allow us to shed light on the topic from a different vantage point. From them we learn that soldiers were in a particularly privileged position when it came to writing up wills, especially from the Flavian period onward. The soldier’s will, *testamentum militis*, was not subject to the same stringent rules which governed the standard civilian will, the *testamentum per aes et libram*. The ease with which soldiers could testate makes it much more likely that they did so. Moreover, the frequent mention of testamentary manumission in the jurists’ discussions of the soldier’s will lends support to the idea that testamentary manumission was in fact a common part of such documents, though the inscriptions testify to it only rarely.

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<sup>49</sup> Strobel, *Römische Testamentsurkunden* (n. 46) 102 prefers an interpretation as direct testamentary manumission, *manumissio testamento*, rather than as a *manumissio fideicommissaria* since Silvanus’ wish is expressed in a general way and not as a command directed at his heirs specifically.

<sup>50</sup> See, e.g., Pomp. (5 ad Sab.) Dig. 40.4.8: “*Stichus, si rationes diligenter tractasse videbitur, liber esto*,” “I wish Stichus to be free, if he seems to have diligently managed the books.” A host of further references is assembled in Strobel, *Römische Testamentsurkunden* (n. 46) 104. On the accounting clause more generally see E. Champlin, *Final Judgments. Duty and Emotion in Roman Wills, 200 B.C.–A.D. 250*, Berkeley 1991, 140.

<sup>51</sup> Wierschowski, *Heer und Wirtschaft* (n. 5) 67–68, see above n. 20 for full quote.

<sup>52</sup> See n. 20.

We know from the Digest and other legal texts that Roman soldiers enjoyed special legal privileges in many areas of life during the principate. Two closely connected privileges have particular bearing on our topic. The first is the *testamentum militis*, the soldier's will, treated in its own title of the Digest (29.1). Originally a temporary concession granted by Caesar to his soldiers,<sup>53</sup> the *testamentum militis* was formally established by Titus (r. 79–81 CE) and reached its mature form in the 2<sup>nd</sup> century CE.<sup>54</sup> It was available to all of Rome's armed forces, whether legionary or auxiliary.<sup>55</sup> The central privilege of the soldier's will consisted in the *libera testamenti factio*, the freedom from having to meet all the complicated formal requirements imposed on a civilian will.

The bar was deliberately set low for active soldiers to set up valid wills. The emperors were eager to show their benevolence to the body of men whose loyalty was so important to them.<sup>56</sup> The form of the document was completely up to them. It was not even necessary to compose a written document. They could simply state their wishes before witnesses.<sup>57</sup> This starkly contrasts with the normal civilian will, the

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<sup>53</sup> The Digest reads “*divus Iulius Caesar*” (see next n. for full quote), which J. Meyer-Hermann, *Testamentum militis – das römische Recht des Soldatentestaments. Entwicklung von den Anfängen bis zu Justinian*, Aachen 2012, 8, contrary to established opinion, interprets as Augustus; compare Schmetterer, *Rechtliche Stellung* (n. 38) 76: “Auffällig ist, dass Ulpian Augustus nicht erwähnt.”

<sup>54</sup> Thus Ulp. (45 ad ed.) Dig. 29.1.1pr: *Militibus liberam testamenti factionem primus quidem divus Iulius Caesar concessit: sed ea concessio temporalis erat. Postea vero primus divus Titus dedit: post hoc Domitianus: postea divus Nerva plenissimam indulgentiam in milites contulit: eamque Traianus secutus est et exinde mandatis inseri coepit caput tale. Caput ex mandatis: “Cum in notitiam meam prolatum sit subinde testamenta a commilitonibus relicta proferri, quae possint in controversiam deduci, si ad diligentiam legum revocentur et observantiam: secutus animi mei integritudinem erga optimos fidelissimosque commilitones simplicitati eorum consulendum existimavi, ut quoquomodo testati fuissent, rata esset eorum voluntas. faciant igitur testamenta quo modo volent, faciant quo modo poterint sufficiatque ad bonorum suorum divisionem faciendam nuda voluntas testatoris.”*

<sup>55</sup> Not entirely settled is the question whether the soldier had to be a Roman citizen. According to Meyer-Hermann, *Testamentum* (n. 53) 40 he did, while E. Sander, *Das Recht des römischen Soldaten*, RhM 101 (1958) 152–191, 193–234, at 170–171, Schmetterer, *Rechtliche Stellung* (n. 38) 77, and Strobel, *Römische Testamentsurkunden* (n. 46) 108 take the opposing view. It is worth noting that Ulpian (45 ad ed.) Dig. 37.13.1.1 expressly includes among the beneficiaries of the *testamentum militis* members of the navy and *vigiles* who were regarded as the least distinguished groups in the Roman army and counted in their ranks many peregrines and, among the *vigiles*, even freedmen.

<sup>56</sup> As the obvious reason for this lenience Trajan in his *mandata* cites the soldiers' *simplicitas* (Ulp. [45 ad ed.] Dig. 29.1.1pr), “simple-minded innocence,” as it is aptly rendered by B. Campbell, *The Emperor and the Roman Army, 31 BC–AD 235*, Oxford 1984, 216. Cod. Iust. 6.21.3 also invokes the soldiers' *simplicitas*, while Gai. inst. 2.109 and 114 speaks of their *nimia imperitia*, “great lack of experience.”

<sup>57</sup> See Ulp. (45 ad ed.) Dig. 29.1.1pr, quoted above n. 54, and a rescript from Trajan to Statilius Severus (*cos. suff.* 115 CE) in Florent. (10 inst.) Dig. 29.1.24: *Divus Traianus Statilio Severo ita rescripsit: “Id privilegium, quod militantibus datum est, ut quoquo modo facta ab his testamenta rata sint, sic intellegi debet, ut utique prius constare debeat testamentum factum esse,*

*testamentum per aes et libram*, which involved a complicated mancipatory ceremony in which the main parties of the act (*testator, familiae emptor*) had to utter specific formulae before five witnesses. This was then usually recorded in a formal written document sealed by the five witnesses in addition to the *libripens* and the *familiae emptor*.<sup>58</sup> Simple procedural or clerical errors invalidated a civilian will, but were forgiven in a soldier's will.<sup>59</sup> The result of this legal lenience was that more soldiers set up wills than civilians, as Edward Champlin has shown from epigraphic evidence.<sup>60</sup>

The second privilege bestowed on soldiers is connected to the term *peculium castrense*, the property a soldier acquired during or because of military service.<sup>61</sup> Normally, a Roman citizen whose father was still living was under *patria potestas*, paternal power. This traditional paternal right of control extended to any property given to or acquired by members of the family. Thus, under Roman law a son under paternal power did not have the capacity to personally own property and thereby make a will. Augustus, however, made an exception for soldiers who were under paternal power whereby they could freely dispose of their *peculium castrense* in a will.<sup>62</sup> Hadrian later extended this

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*quod et sine scriptura et a non militantibus fieri potest. Si ergo miles, de cuius bonis apud te quaeritur, convocatis ad hoc hominibus, ut voluntatem suam testaretur, ita locutus est, ut declararet, quem vellet sibi esse heredem et cui libertatem tribuere: potest videri sine scripto hoc modo esse testatus et voluntas eius rata habenda est.*" Also Gai. inst. 2.109 (see below n. 59), 2.114, Ulp. (reg.) 23.10, Inst. Iust. 2.11pr and 2.11.1, Cod. Iust. 6.21.3pr.

<sup>58</sup> The act is described by Gai. inst. 2.104. The complicated stipulations of the civilian will, including the required qualifications for witnesses, are discussed Gai. inst. 2.105–108 and Dig. 28.1 (*Qui testamenta facere possunt et quemadmodum testamenta fiant*). See Kaser, *RPR I* 679–680.

<sup>59</sup> Gai. inst. 2.109: *Nam quamvis neque legitimum numerum testium adhibuerint neque vendiderint familiam neque nuncupaverint testamentum, recte nihilo minus testantur.* "Their wills are good despite defects in number of witnesses or absence of a sale to a property-purchaser or the declaration of their wills." (transl. Gordon and Robinson 1988). Praetorian law viewed fulfillment of formal and ceremonial procedures stipulated under civil law less stringently. Under praetorian law a will sealed with the seals of seven witnesses was sufficient for the praetor to give *bonorum possessio* to the person named as heir therein, yet until the reign of Antoninus Pius this did not protect such a beneficiary from challenges for inheritance on intestacy by *sui heredes* of the testator, compare Gai. inst. 2.119–120 with Kaser, *RPR I* 680.

<sup>60</sup> Champlin, *Final Judgments* (n. 50) 57 states that "[i]t is quite clear from both the inscriptions and the papyri that the rate of testation was much higher among the military (soldiers and veterans) than among the ordinary civilian population at large, of which it was a tiny fraction (less than 1%)." He bases this conclusion on the evidence he assembled for the praetorian soldiers at Rome and the soldiers and veterans in Egypt. As a control he uses the inscriptions of Lambaesis.

<sup>61</sup> See definition given by Macer (2 mil.) Dig. 49.17.11: *Castrense peculium est, quod a parentibus vel cognatis in militia agenti donatum est vel quod ipse filius familias in militia adquisiit, quod, nisi militaret, adquisiturus non fuisset. Nam quod erat et sine militia adquisiturus, id peculium eius castrense non est.*

<sup>62</sup> Ulp. (reg.) 20.10 and Inst. Iust. 2.12pr. The 2<sup>nd</sup>-century jurist Maecianus still viewed the father as the ultimate owner of the *peculium castrense*, while the Severan jurists for the first time consider the son to be the owner, see B. Lehmann, *Das Eigenvermögen der römischen Soldaten unter väterlicher Gewalt*, ANRW II.14 (1982) 183–284, at 270–274.

privilege to veterans and, moreover, expressly permitted soldiers still under paternal power to manumit slaves, including in their wills.<sup>63</sup>

The privileges attached to the *peculium castrense*, as we can see, further lowered the potential barriers for citizen soldiers to make a valid will. Even if under normal circumstances their property would have belonged to their fathers, as soldiers they were free to dispose of possessions acquired during military service in a will.

These legal texts highlight just how easy it was for Roman soldiers, whether Roman citizens or not, to make a valid will and manumit slaves in it, at least from the reign of Titus (79–81 CE) onwards. That they did so regularly appears evident from the numerous references to testamentary manumission that we find throughout the sections about the soldier's will in the Digest (29.1) and the Codex Iustiniani (6.21).<sup>64</sup>

### 5. Discussion of Funerary and Votive Inscriptions

The lens of genre reveals an interesting pattern in my dataset of 550 inscriptions mentioning soldiers' slaves and *liberti*. We are almost five times more likely to encounter slaves in votive than funerary inscriptions. This can be interpreted as supporting the proposition advanced here that, contrary to the established view that soldiers manumitted slaves soon after acquiring them, a substantial share of soldiers' slaves, in fact, remained enslaved until freed by their master's will.

First, it will be useful to sketch the general contours of the data presented here. Of the 550 inscriptions collected, 458 (83%) record *liberti*, 57 (10 %) record slaves, and 35 (6%) contain various overlapping mixtures of *liberti*, slaves, and alumni (see Table 1).<sup>65</sup> Epitaphs make up the lion's share of all these inscriptions (509 texts = 93%), while votive inscriptions form a smaller group (27 texts = 5%) and all other genres represent only a negligible share (14 texts = 2%).

A striking pattern becomes visible when we compare the proportion of freedman to slave inscriptions by genre.<sup>66</sup> While 85% of all epitaphs involve freedpersons and only 8% involve slaves, among votive inscriptions these percentages are 56 and 37. In both groups, the cases of overlap between *liberti*, slaves, and alumni remain steady, at around 6 and 7% respectively (see Table 2). Though caution is clearly necessary when drawing any inferences from the votive inscriptions due to the small sample size (n=27), the

<sup>63</sup> Extension of privileges under Hadrian: Inst. Iust. 2.12pr. Manumission: Tryph. (18 disp.) Dig. 49.17.19.3.

<sup>64</sup> Digest: Ulp. (45 ad ed.) Dig. 29.1.13.3–4, Ulp. (4 disp.) Dig. 29.1.19.1, Flor. (10 inst.) Dig. 29.1.24 (= Inst. Iust. 2.11.9), Marcell. (10 dig.) Dig. 29.1.29.1, Paul. (11 resp.) Dig. 29.1.40.1–2. See also the section on testamentary manumission in the Digest (40.4): Pomp. (1 ad Sab.) Dig. 40.4.3 (quoted above n. 42). Codex Iustiniani: Cod. Iust. 6.21.4 (222 CE), Cod. Iust. 6.21.7 (229 CE). See also under the title *peculium castrense* in the Digest (49.17): Tryph. (18 disp.) Dig. 49.17.19.3–4. This is not to say that we find no cases where soldiers manumitted slaves *inter vivos*, see, e.g., Ulp. (32 ad Sab.) Dig. 49.17.6.

<sup>65</sup> *Alumni* were kept separate in this study due to the uncertainty of their status.

<sup>66</sup> This is not a count of the total number of *liberti* or slaves mentioned. Rather, an inscription mentioning one or more *liberti* or *libertae* alongside a soldier is recorded as one "freedman inscription." This includes inscriptions using the collective designation *libertis libertabusque*.

percentages as they stand at present suggest that we are almost five times more likely to encounter slaves in votive inscriptions than epitaphs.

A fundamental difference between these genres of inscriptions resides in the fact that votive inscriptions were typically set up at the behest of a living master or patron, while epitaphs were set up in the context or at least the expectation of the demise of the master or patron. As the data show, we are more likely to encounter slaves in inscriptions where the master was still living, that is, especially in votive inscriptions. This idea receives corroboration from the epitaph of the *libertus* Epaphroditus, discussed above. He was commemorated by his enslaved brother Helius whose master, an *evocatus Augusti*, evidently was still alive.

Turning our attention to epitaphs, where the master usually is deceased when the stone is set up, we see that the share of slaves is much smaller (8%), while that of the *liberti* looms all the larger (85%). Unlike with votive inscriptions, there is no instance of a slave setting up a stone for the master by himself or herself.<sup>67</sup> The slaves who do appear in the epitaphs are all either being commemorated by their master (31) or by fellow slaves (3).

The higher ratio of *liberti* to slaves in soldiers' epitaphs compared to votive inscriptions aligns well with my argument that soldiers' slaves were often manumitted upon the death of their master in accordance with a will, especially in light of the documentary and legal evidence presented above. Yet at the same time, we have to be cautious not to overstate our case. The goal here is not to offer any firm quantification of the phenomenon, but simply to point to it as a factor significantly contributing to the appearance of so many *liberti* in soldiers' inscriptions. While testamentary manumission obviously cannot be at play in the roughly one hundred inscriptions in which *milites patroni* commemorate deceased freedpersons, there is at least a fair likelihood that it underlies some of the inscriptions that employ the vague (*ex testamento*) formula. By the same token, texts which speak of *liberti heredes* might be concealing a testamentary manumission, though it is usually impossible to determine when such individuals had been freed, whether before or upon the death of their master. One's own slave could not be instituted heir in a will unless simultaneously manumitted, as we know from Gaius and Ulpian.<sup>68</sup> No exception for soldiers was made in this point.<sup>69</sup>

## 6. Conclusion

In sum, the evidence discussed here emphasizes the importance of testamentary manumission in explaining the presence of numerous freedmen and -women in inscriptions of Roman imperial soldiers. This idea receives more compelling evidentiary support than the established economic interpretation of the phenomenon, which holds that soldiers quickly freed their slaves and set them up in a commercial activity in order to claim a

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<sup>67</sup> I do, however, count three inscriptions in which slaves are named along with freeborn individuals as co-sponsors of epitaphs: AE 2014, 1416; AE 1986, 619 = IMS 3.2.61 = ILJug 3.1314; AE 1979, 684 (?).

<sup>68</sup> Gai. inst. 185–188 and Ulp. (reg.) 22.7–13.

<sup>69</sup> Ulp. (45 ad ed.) Dig. 29.1.13.3.

share of their profits. Even so, we must keep in mind that neither explanation can do justice to the full range of mechanisms and motivations at play. The terseness of epigraphic diction and the haphazard survival of inscriptions prevent us from accessing the full picture. Yet the breadth of legal privilege afforded Roman imperial soldiers with regard to their wills, starting under Augustus in connection with the *peculium castrense* and vastly expanded by the *testamentum militis* under Titus and subsequent emperors, makes it likely that the testamentary manumissions of Iros/Eros, Epaphroditus, and Cronio, so saliently captured by our documentary record, were no isolated cases. We are thus justified in contemplating a similar turn of fortune for such individuals as Hermas, the *libertus* discussed at the beginning of section 2. As the words *ex testamento* (sic! l. 5) reveal, his former master Capito, an auxiliary soldier, had evidently left behind a will containing a stipulation for the epitaph to be set up. A testamentary manumission may very well have been included in his final dispositions as well, though not recorded epigraphically.

Analogously, we might of course wonder whether testamentary manumission underlies the presence of a substantial number of freedpersons in civilian epitaphs.<sup>70</sup> Yet given the much tighter legal strictures governing civilian wills it only seems reasonable to assume that testamentary manumission would have happened less often outside the military community. This appears to be only partly true. The evidence suggests that affluent, well-educated sectors of the Roman population easily surmounted the legal barriers and made wills at a high rate, as Champlin has pointed out.<sup>71</sup> Citizens belonging to the lower echelons of society, however, would have struggled to master the technicalities involved in composing such a document, resulting in a lower rate of testation, and thus, indirectly, in a lower rate of testamentary manumission.<sup>72</sup>

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<sup>70</sup> Compare C. Bruun, *Slaves and Freed Slaves*, in: Bruun, Edmondson (eds.), *Oxford Handbook of Roman Epigraphy* (n. 14) 605–626, at 606; also the tables on “Civilian Populations” (I–IV) in Saller, Shaw, *Tombstones* (n. 18) 147–150: 91% *liberti*, 9% slaves (my calculations based on the numbers given there; about Saller and Shaw’s slightly different method of counting see above n. 18).

<sup>71</sup> Champlin, *Final Judgments* (n. 50) 55–59, esp. 56: “In Rome, (...) there is little evidence for testation below a fairly high line, that of relatively prosperous businesspeople, civil servants, professional persons, and landowners.” The testators in the famous *Testamentum Dasumii* (FIRA III 48 = CIL VI 10229) and the *Testamentum Lingonis* (FIRA III 49 = CIL XIII 5708 = ILS 8379) and most other civilian testaments with testamentary manumission were clearly above this line.

<sup>72</sup> Lower rate of testation in the civilian community: Champlin, *Final Judgments* (n. 50) 57, n. 52.

Tables<sup>73</sup>Table 1: Latin and Greek inscriptions recording slaves and freedpersons in the company of Roman imperial soldiers (late 1<sup>st</sup> c. BCE to late 3<sup>rd</sup> c. CE)

	n	percentage (%)
Soldiers' <i>liberti</i>	458	83%
Soldiers' slaves	57	11%
Overlap <i>liberti</i> /slaves; <i>alumni</i>	35	6%
Total	550	100%
Funerary	509	93%
Votive	27	5%
Other	14	2%

Table 2: By genre and status

	Funerary	Votive	Other genres
Soldiers' <i>liberti</i>	433 (85%)	15 (56%)	10 (71%)
Soldiers' slaves	43 (8%)	10 (37%)	4 (29%)
Overlap <i>liberti</i> /slaves; <i>alumni</i>	33 (7%)	2 (7%)	0 (0%)
Total	509 (100%)	27 (100%)	14 (100%)

Table 3: Soldiers' freedpersons only, by genre

	n	percentage (%)
Funerary	433	95%
Votive	15	3%
Other	10	2%
Total	458	100%

Table 4: Soldiers' slaves only, by genre

	n	percentage (%)
Funerary	43	75%
Votive	10	18%
Other	4	7%
Total	57	100%

<sup>73</sup> See nn. 15–16 above for remarks on methodology.



## Appendix of Inscriptions

This appendix gives a list of the 550 Latin, Greek, and Latin-Greek bilingual inscriptions used in the present study, which record slaves and freedpersons in the company of Roman imperial soldiers (late 1<sup>st</sup> c. BCE to late 3<sup>rd</sup> c. CE).<sup>74</sup> The abbreviations follow those used in F. Bérard, D. Feissel, N. Laubry, P. Petitmengin, D. Rousset, M. Sève, *Guide de l'épigraphiste. Bibliographie choisie des épigraphies antiques et médiévales*, Paris 2010, 19–20.<sup>75</sup> With a question mark I indicate inscriptions whose inclusion is in doubt (n=78), with an asterisk those whose authenticity has been disputed (only CIL XI 448\*).

<sup>74</sup> For remarks on previous efforts to collect this material see n. 15. Not included are veterans (320 texts) and senior officers (41 texts), see n. 15.

<sup>75</sup> Additional abbreviations used here: BCAR = *Bullettino della Commissione archeologica comunale di Roma*, 1872–; Breccia 1911 = E. Breccia, *Catalogue général des antiquités égyptiennes du musée d'Alexandrie. Inscriptions Grecque et Latine*, Leipzig 1911; Buresch 1898 = K. Buresch, O. Ribbeck, H. Kiepert, *Aus Lydien. Epigraphisch-geographische Reise Früchte*, Leipzig 1898; Cesarik & Glavičić 2018 = N. Cesarik, M. Glavičić, *Centurioni XI. legije u rimskoj provinciji Dalmaciji*, in: M. Milićević Bradač, D. Demicheli (eds.), *The Century of the Brave/Stoljeće hrabrih. Proceedings of the International Conference*, Zagreb (22–26 Sept. 2014), Zagreb 2018, 125–135; EDCS = Epigraphik Datenbank Clauss/Slaby, <http://db.edcs.eu/>; Franzoni 1987 = C. Franzoni, *Habitus atque habitudo militis. Monumenti funerari di militari nella Cisalpina Romana* (*Studia archaeologica* 45), Rome 1987; I.Aquileiae = G. Brusin, *Inscriptiones Aquileiae*, Udine 1991–1993; I.Leukopetra = P. M. Petsas, M. B. Hatzopoulos, L. Gounaropoulou, P. Paschidis, *Inscriptions du sanctuaire de la mère des dieux autochtone de Leukopetra (Macédoine)* (*Meletēmata* 28), Athens 2000; Kušan Špalj 2015 = D. Kušan Špalj (ed.), *Aquae Iasae. Nova otkrića iz rimskog razdoblja na području Varaždinskih Toplica* (= *Recent discoveries of Roman remains in the region of Varaždinske Toplice*), Zagreb 2015; Malone 2006 = S. J. Malone, *Legio XX Valeria Victrix. Prosopography, Archaeology and History*, Oxford 2006; NSA = *Notizie degli scavi di antichità*; Pais 1884 = E. Pais, *Corporis inscriptionum Latinarum supplementa Italica. I. Additamenta ad vol. V Galliae Cisalpinae*, Rome 1884; Seletti, Suppl. ms. = E. Seletti, *Marmi iscritti del Museo Archeologico*. Suppl. ms. Milan 1902; Sinn 1987 = F. Sinn, *Stadtrömische Marmorurnen*, Mainz am Rhein 1987; Solin 1975 = H. Solin, *Epigraphische Untersuchungen in Rom und Umgebung*, Helsinki 1975; Speidel 1994 = M. P. Speidel, *Die Denkmäler der Kaiserreiter*, Cologne 1994; Stud. Pontica 3 = J. G. C. Anderson, F. Cumont, H. Grégoire, *Studia Pontica III. Recueil des inscriptions grecques et latines du Pont et de l'Arménie*, Brussels 1910; TitAq = *Tituli Aquincenses*, Budapest 2009–2011; Zorzetto 2003–2004 = R. Zorzetto, *Strategie associative nell'epigrafia funeraria di area opitergina*, Diss., Università Ca'Foscari di Venezia 2003–2004.

## Freedpersons (n=458)

- AE 1903, 200 = Stud. Pontica 3.269  
 AE 1904, 88  
 AE 1912, 7 (?)  
 AE 1912, 184 = AE 1992, 101  
 AE 1915, 111 = AE 1917/18, 64  
 AE 1927, 51 = AE 1951, 240  
 AE 1929, 37 (?)  
 AE 1929, 205  
 AE 1930, 3  
 AE 1931, 91  
 AE 1937, 216  
 AE 1939, 157 = AE 1984, 912  
 AE 1945, 9  
 AE 1951, 265 (?)  
 AE 1952, 143  
 AE 1954, 264  
 AE 1955, 132  
 AE 1959, 188 = AE 1967, 339  
 AE 1961, 16 = SEG 19.783  
 AE 1965, 161  
 AE 1967, 369  
 AE 1968, 127 = AE 1984, 260  
 AE 1973, 81  
 AE 1974, 480 (?)  
 AE 1975, 101  
 AE 1977, 182 = AE 2011, 51  
 AE 1978, 342 = AE 1999, 699 (?)  
 AE 1978, 620  
 AE 1978, 630  
 AE 1978, 635 = AE 1988, 938  
 AE 1979, 89  
 AE 1979, 160  
 AE 1979, 447 = AE 1989, 607  
 AE 1983, 127  
 AE 1983, 369 = AE 1999, 602  
 AE 1983, 940  
 AE 1988, 396  
 AE 1988, 587  
 AE 1988, 1044  
 AE 1990, 810  
 AE 1990, 896 = AE 2003, 671  
 AE 1991, 1290  
 AE 1991, 1552 = IK 56.1, 65  
 AE 1991, 1554 = IK 56.1, 67  
 AE 1992, 1870 = AntAfr 1992, 151  
 AE 1993, 337 = AE 1996, 110  
 AE 1993, 1577  
 AE 1993, 1583  
 AE 1995, 1517  
 AE 1995, 1729  
 AE 1997, 156  
 AE 1997, 1511  
 AE 1999, 1416 = IG X 2.2.91  
 AE 2000, 287  
 AE 2001, 1650  
 AE 2001, 1654 = AE 2016, 1262  
 AE 2003, 949  
 AE 2004, 206  
 AE 2004, 207  
 AE 2004, 1234  
 AE 2006, 1220  
 AE 2009, 1096  
 AE 2009, 1760  
 AE 2010, 1647 = SEG 60.1547  
 AE 2012, 1585  
 AE 2013, 513  
 AE 2015, 657  
 AE 2015, 1072  
 BCAR 1917, 229 = EDCS-52602948  
 Breccia 1911, no. 486 = EDCS-12500254  
 Buresch 1898, no. 60 = EDCS-11400039 (?)  
 Cesarik, Glavičić 2018, 130–132 = EDCS-63400228  
 Cesarik, Glavičić 2018, 132–133 = EDCS-63400227  
 CIL II 1037 = AE 1930, 151  
 CIL II 2215 = CIL II<sup>2</sup>/7.287 = ILS 8477  
 CIL II 4144 = AE 1957, 41  
 CIL II 4151 = CIL II<sup>2</sup>/14.1032  
 CIL II 4154 = ILS 2369  
 CIL II 4158 = CIL II<sup>2</sup>/14.1034  
 CIL II 4165 = CIL II<sup>2</sup>/14.1036  
 CIL II 4463 = EDCS-11700958  
 CIL II 5682 = AE 1963, 23  
 CIL II 5684 =  
 CIL III 101 = IGLS 13.1.9172  
 CIL III 266  
 CIL III 454 = CIL III 13648 = ILS 2663  
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- CIL III 3478 = TitAq 1.82  
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- CIL X 3392 = ILS 2872  
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- ILS 2595 = AE 1892, 137  
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<sup>76</sup> The doubt surrounding the status of many *alumni* accounts for the many question marks in this category, see n. 15. The italicized entries in this category indicate inscriptions that contain either both a freedperson and an *alumnus* or an *alumnus* who is simultaneously designated a *libertus*. To avoid duplicates they are not included in the list of freedpersons above.