

THE MATERIAL ASPECTS, PALAEOGRAPHY, AND LAYOUT OF ROMAN WILLS FROM EGYPT*

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Roman wills from Egypt are preserved both on tablets (in Latin) and on papyrus (in Latin or in Greek). Unlike local deeds of last will, which were issued by non-Romans and did not follow Roman law,¹ Roman testaments had to be in conformity with the *ius civile*, because the testators (as well as heirs, legatees, and witnesses) were Roman citizens.² The only type of Roman will recognised in the period considered here (i.e., from the 1st century until the Severan age) was the *testamentum per aes et libram* (“will by bronze and scale”).³ Accordingly, these wills generally contained the *mancipatio familiae* clause, in which the so-called *familiae emptor* (property-purchaser) is said to have acquired by *mancipatio* the property of the testator at the symbolic

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¹ In particular the so-called Graeco-Egyptian testaments (διαθήκαι), on which see Arangio-Ruiz 1906, Kreller 1919 and Nowak 2015. For local deeds of last will of different types, see Yiftach-Firanko 2002.

² The label “Roman wills” follows Nowak 2015, 342–388; to this list one should add a Latin tablet that I have identified as a fragment of a Roman will (British Library Add MS 33999 f8) and at least three Latin papyri: P.Carlsberg inv. 671 + P.Berol. inv. 14470 b recto, ed. Halla-aho 2020; P.CtYBR inv. 4669, ed. Colella 2018; P.Vindob. L 74 = Ch.L.A. XLIV 1300 recto, ed. Iovine 2017, corrections in Iovine 2019 – to be identified as a Roman will; possibly also the unpublished P.Ryl. inv. 1048. See Colella 2024 nos. 20, 5, 13, 24 and Appendix 2 respectively. Testaments from the 4th century onwards (“Late Roman and Byzantine Wills” in Nowak 2015) are accordingly excluded, with the exception of P.NYU II 39 (335–345), as it still shows conformity to the older Roman pattern.

³ See particularly Gai. *Inst.* 2.104. The only exception was the *testamentum militis*: see Amelotti 1966, 81–110.

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price of one sesterce (*sestertio nummo uno*), in the presence of a scale-holder (*libripens*).⁴ One of the testamentary requirements according to the *ius civile* was the language: Roman wills had to be in Latin. This was true until a constitution by Severus Alexander (first attested in 235) allowed Roman citizens to write them in Greek.⁵

One did not need a public official to compose a Roman will (unlike local διαθήκαι, which were agoranomic deeds). However, as testators were often ignorant both of the Latin language and of Roman law, one can presume that they resorted to experts – the so-called νομικοί or *testamentarii* – who drafted valid testaments in Latin for them.⁶

After the testator's death, his will had to be opened in a formal ceremony according to the *lex Iulia de vicesima hereditatum*, in the presence of the majority of the witnesses who had sealed the testament.⁷ On this occasion, a record of the opening of the will was written, containing a copy of the testament itself followed by an indication of where and when the will was opened and which witnesses were present to recognise their seals (*agnitio sigillorum*). As these official records contained a copy of the will, one can posit, as Amelotti does, that they were written in Latin until the age of Severus Alexander.⁸

Not all the testaments of Roman citizens from Egypt before 235, however, are in Latin: half of the surviving evidence is in Greek. Moreover, one finds Roman wills written both on wax tablets (only in Latin) and on papyrus (in Latin or Greek). The use of different materials and languages finds an explanation in the difference between “original” wills and copies included in the records of their opening. As far as we know, until Severus Alexander the originals were written on wax tablets, although it is far from sure that this was required by law;⁹ Roman wills on papyrus

⁴ *Familiam pecuniamque testamenti faciendi causa emit ... sestertio nummo uno ... libripende ... antestatus est ...* See Nowak 2015, 19–23; on the so-called *antestatus*, see Terranova 2010.

⁵ The constitution issued by Severus Alexander has not survived, but it is quoted in the first known Roman will written in Greek, SPP XX 35 (Herakleopolites, 235): this document is said to be written γράμμασιν | Ἐλληνικοῖς ἀκο[λού]θως τῆ θείᾳ κ[ελε]ύσει τοῦ κυρίου ἡμῶν Αὐτοκράτορος Μάρκου Αὐρηλίου | Σεουήρου Ἀλεξάνδρου Εὐσεβοῦς Εὐ[τ]υχ[οῦς] Σεβαστοῦ (ll. 12–14). A similar declaration, without the reference to the imperial constitution, is to be found in other Roman wills: P.Oxy. VI 907, 1–2 (Oxyrhynchus, 276); 990, 2–3 (Oxyrhynchus, 331); cf. P.Lips. I 29 (Hermopolis, 295); P.Stras. IV 277 (Ptolemais Euergetis?, 2nd half of the 3rd century). It is unclear whether the constitution was valid only in Egypt or in other eastern provinces as well; see Amelotti 1966, 220–225; Rochette 2000.

⁶ On the drafting of Roman wills by *nomikoi*, see particularly Amelotti 1966, 111–190; cf. Urbanik 2023.

⁷ See Nisoli 1949; cf. Nowak 2015, 73–103, with previous bibliography.

⁸ Amelotti 1966, 188–189; cf. Nowak 2015, 98–99.

⁹ The disappearance of Roman wills on tablets from Egypt in the 3rd century has been connected to the aforementioned constitution by Severus Alexander, but there is no proof that the use of papyrus was previously forbidden, and that the emperor eventually allowed it; probably this was an indirect consequence of the permission to write Roman wills in Greek, after which a stronger influence of local *diathekai* is recognisable. See e.g. Dig. 37.11.1 (Ulp. 39 *ad ed.*) with Scotti 2012, 730–737.

are, therefore, generally understood to be copies made for the record of the formal opening of the wills. The official records (in Latin) could be translated into Greek for the benefit of the heirs, legatees, or other interested persons, who often did not master Latin, like the testators themselves. Therefore, one finds Roman wills on papyrus both in Latin and in Greek; according to the *communis opinio*, the Latin ones belong to the official records of the opening, whereas the Greek ones are translations of the records themselves.¹⁰

Strictly speaking, however, we can be sure that a will on papyrus is a copy for the records only if the end of the text is preserved, because a note recording its opening was generally added at the bottom of the document, immediately following the copy of the will itself. Although some exceptions shall be analysed below, this caveat must be kept in mind, as the dichotomy “original wills (on tablets) vs. records of opening of wills (on papyrus)” is not entirely satisfactory. Not every piece of evidence on papyrus can be identified as a protocol of opening: we also know a Latin template (P.Hamb. I 72)¹¹ and a bilingual draft (P.Oxy. XXXVIII 2857)¹², subscribed by the testator himself. As said above, in Roman Egypt testators as well as heirs and other beneficiaries were mostly Greek-speaking and therefore in need of a translation of Latin wills; for that reason, they resorted to other individuals – often the *νομικοί* – who wrote Roman wills in Latin with the help of templates and then provided them with a Greek translation. Traces of this process also remain in some subscriptions to the wills: in two cases the testator claims “to have collated” his will¹³ (i.e., probably to have compared the Latin and the Greek versions); in a further case, the testator subscribes both his Latin will and its Greek copy (τὸ Ἑλληνικὸν ἀντίγραφον).¹⁴ This means that a Roman will written in Greek before the constitution by Severus Alexander is not necessarily a translation of the protocol of opening, but might also be a translation (or a draft)¹⁵ of the “original will”, made at the request of the testator when he or she was still alive. Moreover, as for the records of opening of Roman wills, it is a matter of discussion whether all Latin protocols are originals and all Greek ones are copies (see below, § 2.2).

This chapter aims to investigate to what extent the analysis of material features, *mise en page*, and palaeography can lead to a deeper understanding of the documents. In evidence dated before Severus Alexander, both language (Latin) and material (wax tablets) must be used to identify original wills. As I shall demonstrate, among

¹⁰ Amelotti 1966, 188–189; Nowak 2015, 98–99.

¹¹ Provenance unknown, 2nd–3rd century.

¹² Will of the freedman Ti. Claudius Alexander (Oxyrhynchus, 134).

¹³ Ch.L.A. X 412, II 8–11 and C.Pap.Lat. 221, 48–51.

¹⁴ P.Oxy. XXII 2348, II 47–51.

¹⁵ See the discussion on P.Oxy. XXXVIII 2857 below (§ 3).

Roman wills on papyrus, some clues for the identification of originals or copies are – in addition to the language(s) of the document – the presence of a heading, the number of hands in the document, the writing surface (recto or verso) and, in some cases, the presence of abbreviations and corrections. The use of layout strategies (such as *ekthesis*, *eisthesis*, and blank lines or spaces) has often been taken as a clue for recognising the official or private nature of the document, but this criterion seems more problematic.

1. WILLS ON WAX TABLETS

The main proof that Roman wills on tablets were originals is the autograph of the testator's subscription and of the witnesses' *adscriptiones*. They are extant only in two documents (C.Pap.Lat. 221 and BGU VII 1695¹⁶) and, though not required by law, were probably widespread in Roman wills from Egypt.¹⁷

Our evidence for original wills is poor: out of five documents, only one is entirely preserved, i.e., the well-known testament of the cavalryman Antonius Silvanus (C.Pap.Lat. 221).¹⁸ It is a polyptych of five wooden tablets, coated with wax and written with a stylus (*tab. I pag. ant.* – with no wax – and *tab. V pag. ant.* bear no writing). The testator's subscription (in Greek) is on *tab. IV pag. post.*; the witnesses' *adscriptiones* (in Greek or Latin) are put next to their seals on *tab. V pag. post.* Interestingly, binding holes are on the lower margin in *paginae anteriores* and on the upper one in *paginae posteriores*, contrary to the standard format known, for instance, from Campanian tablets. Due to its excellent state of conservation, this will has been often taken as reference for other Roman testaments, but, when making comparisons, we must be aware of the scarcity of direct evidence and of our incomplete knowledge of Roman testamentary practice, even as far as Egypt is concerned. Differently from some wills on papyrus, in the body of this document no particular paragraph separator is employed; we only find *paragraphoi* marking separation between different *adscriptiones* in *tab. V pag. post.*¹⁹ Moreover, its format is not wholly in conformity with the so-called *senatus consultum Neronianum* as reported by Suetonius,²⁰ as the identity of the testator is given in no separate tablet, but immediately before the tes-

¹⁶ According to the first edition and to the reconstruction provided by Guéraud and Jouguet 1940, here only the *adscriptiones* seem preserved (*tab. A pag. post.*).

¹⁷ Nowak 2015, 58–66.

¹⁸ Alexandria (origin), 142.

¹⁹ I have not been able to check this point, because no photograph of *tab. V pag. post.* was included in the first edition; I have requested a digital image from the Egyptian Museum in Cairo (June 8th, 2022), without success so far.

²⁰ Suet. Nero 17: *adversus falsarios tunc primum repertum, ne tabulae nisi pertusae ac ter lino per foramina trajecto obsignarentur; cautum ut testamentis primae duae cerae testatorum modo nomine inscripto vacuae signaturis ostenderentur ac ne qui alieni testamenti scriptor legatum sibi ascriberet.* On the dating see recently Camodeca 2022.

tamentary dispositions; Arangio-Ruiz claimed that other Roman wills from Egypt were drafted in a similar way,²¹ but this might not be the case, as will be argued below. As C.Pap.Lat. 221 demonstrates, although abbreviations were not allowed in Roman wills, they are nonetheless a recurrent feature in our evidence;²² the reason for this prohibition lies probably in the attempt to avoid misunderstandings, as the one attested in the *clausula doli* – *h(uic) t(estamento) d(olus) m(alus) {h}<a>(besto)*, *tab. IV pag. ant.*, l. 38 – wrongly written or possibly wrongly copied from a draft or a template, as we shall see below, § 3. Abbreviations for technical terms in Latin wills were sometimes wrongly resolved in Greek translations out of ignorance of the corresponding Roman formulae (see below, § 2.3).

Technical abbreviations are used in other wills on tablets: this is the case with the will of the fleet soldier Safinnius Herminos, BGU VII 1695²³ – *h(uic) t(estamento) · d(olus) m(alus) ab(esto)*, *tab. B² pag. ant.*, l. 3 – and in the extremely fragmentary will of an unknown testator, P.Mich. VII 437, *pag. ant. l. 5*:²⁴ *d(o) l(ego)*. As is well known, abbreviations often confuse not only ancient writers, but modern editors too, as becomes apparent from the transcription of BGU VII 1695, *tab. B² pag. ant.*, l. 3, printed in the *editio princeps*: *consumi d(enaria) Aug(usta) ducenta sh d(olus) m(alus) ab(esto)*. The first editors did not detect the *t* visible before *d(olus)* and therefore did not recognise the abbreviated *clausula doli*, thus printing the odd sequence *d(enaria) Aug(usta) ducenta sh*. Instead, I propose reading *d(achmas) Aug(ustas) ducentas. h(uic) t(estamento) · (...)*. Further Roman wills on tablets were issued by two unknown testators: BGU VII 1696²⁵ and the newly identified British Library Add MS 33999 f8.²⁶ In these documents, abbreviations of technical testamentary terms do not occur (see e.g., *do lego*, written in full both in BGU VII 1696, *tab. A*, l. 13²⁷ and in British Library Add MS 33999 f8 recto, l. 3).

As for paragraph markers, they are rarely found in Roman wills on tablets, but the fragmentary state of preservation of most texts prevents firm conclusions. The presence of *ekthesis* in the first line of the will of Safinnius Herminos (BGU VII 1695) suggests that the layout strategies that one finds in testaments on papyrus

²¹ Arangio-Ruiz 1952.

²² On the use of *notae* in wills in Roman law see Amelotti 1966, 166 n. 2, on *Dig.* 29.1.40 pr. (Paul. 11 *resp.*) and 37.1.6.2 (Paul. 41 *ad ed.*).

²³ Philadelphia, 157.

²⁴ Provenance unknown, 2nd century.

²⁵ Philadelphia, 2nd century. On the identity of the testator, possibly a Numisius, see Migliardi Zingale 1990.

²⁶ Provenance unknown, 2nd century. The identity of the testator is unknown, but, as one legatee is a veteran, the testator himself might be a soldier or a veteran.

²⁷ This phrase was not recognised by the first editors, who printed the line as follows: *J . . loius era . au . . s.*

were employed on tablets more often than we can ascertain. The same holds true for the section of the witnesses' *adscriptiones*, which in the same will are separated by horizontal lines (cf. the *paraphroi* employed for the same purpose in the will of Antonius Silvanus, C.Pap.Lat. 221, mentioned above).

The position of the holes on the margins of the tablets is also telling. BGU VII 1696 survives in two fragmentary tablets; the editors report that each one is legible on one side only.²⁸ Traces of an earlier text under the will are recognisable.²⁹ The legible side of each tablet has a hole on the right, *tab. A* bearing it on the top, *tab. B* on the bottom. If we assume that this will had a format analogous to that of C.Pap. Lat. 221, we should conclude that the legible side of *tab. A* is the *pagina posterior*, whereas *tab. B* seems to be legible on the *pagina anterior*. Progress on deciphering the text was possible, and this confirms that they are two consecutive faces.³⁰ Indeed the last lines of *tab. A* contain the beginning of the legacy section, which continues in *tab. B*. Moreover, *tab. A* and *B* should be identified as the second and third tablets of the codex respectively, since *tab. A* preserves remains of the *heredis institutio*. If the *heredis institutio* was on *tab. II pag. 4*, the first two wax faces (*pag. 2* and *3*, which correspond to the *primae duae cerae* mentioned in Suet. *Nero* 17) probably contained only the name (and citizenship status, profession or other qualification?) of the testator; this might be in conformity with the *SC Neronianum*.³¹

Unfortunately, no image of BGU VII 1695 is available and therefore analysis of its material features can only be speculative.³² However, it is worth noting that, according to the first edition, *tab. I pag. post.*³³ contains only the identification of the testator, in larger letters. We have no proof that the *heredis institutio* was on *pag. 4* and not on *pag. 3*, but the use of the whole of *pag. 2* for just the name of the testator, written in larger letters, might be a clue that the document conformed to the *SC Neronianum*. The position of binding holes is the same as that in C.Pap.Lat. 221 and probably that in BGU VII 1696. The witnesses' *adscriptiones* are separated by horizontal lines, still visible in *tab. A pag. post.* after lines 4, 5, 6, and 8.³⁴

On the one hand, the possible adherence of BGU VII 1695 and 1696 to the *senatus consultum* is worth noting: in C.Pap.Lat. 221 there is no space between the introductory formula and the appointment of heirs, and on this basis, Arangio-Ruiz'

²⁸ The item is not accessible for autopsy. Images of the two *paginae* published in the first editions are printed in Migliardi Zingale 1990, table XLII, and Migliardi Zingale 1997, table IV.

²⁹ For palimpsest tablets in Campania cf. e.g., T.Sulpicii 5, 10, 71, 75, 83, 85; in Britain, Tomlin 2016, 15–19.

³⁰ Colella 2024 no. 18.

³¹ See above, n. 21.

³² This item is also not accessible for autopsy.

³³ That is *tab. C ed. pr.* See the reconstruction provided by Guéraud and Jouguet 1940.

³⁴ I am grateful to M. Gerhardt for this information.

arguments should be reconsidered.³⁵ On the other hand, the analysis of its material features shows that the format of C.Pap.Lat. 221 (with binding holes on the top margin of *paginae posteriores* and on the bottom margin of *paginae anteriores*) is not untypical, but is probably shared at least by two other Roman wills on tablets, namely BGU VII 1695 and 1696.

No margin is preserved in P.Mich. VII 437. But in British Library Add MS 33999 f8, of which only a small fragment survives, the extant margin bears the central hole for sealing and a smaller hole to its left.³⁶ Due to its state of preservation, it is not possible to establish which side was the *pagina anterior* and which the *pagina posterior*. The side inventoried as British Library Add MS 33999 f8 recto has the holes on the bottom margin, the one inventoried as British Library Add MS 33999 f8 verso has them on the top. British Library Add MS 33999 f8 recto shows several abbreviations,³⁷ but interestingly not for the formulary phrase *do lego*, which is generally abbreviated in the remaining evidence.

2. WILLS ON PAPYRUS

As stated above, although we generally assume that before 235 Roman wills on papyrus are copies quoted in the protocols of opening, they might also be templates or drafts; therefore, we can be sure about this only if the record of the opening ceremony itself is preserved. This is generally to be found at the very end of the document, following the copy of the will. Among evidence from this period, only four Latin³⁸ and six Greek texts³⁹ can be identified with certainty as opening protocols. In the remaining ones, the record of the opening does not survive; in these cases, however, the presence of a heading may be of help.

2.1 Headings, Layout Strategies, and Abbreviations

It might be stressed that, according to available editions, before 235 a heading is to be found in all the Roman wills in Greek whose beginnings are extant. The editors report that two texts are headed “translation of a will” (P.Select. 14 and BGU I 326)⁴⁰; another one bears a more elaborate title, “copy of a Roman will translated as far as possible” (P.Diog. 9)⁴¹.

³⁵ Arangio-Ruiz 1952.

³⁶ Cf. among Campanian tablets T.Sulpicii 91 and 92.

³⁷ Namely *veter(anum)*, *coh(orte)*, *Thrac(um)*, *dra(chmas)* *Aug(ustas)*.

³⁸ Ch.L.A. X 412; P.Carlsberg inv. 671 + P.Berol. inv. 14470 b recto (see Colella 2024 no. 5); P.CtYBR inv. 4669; P.Diog. 10.

³⁹ BGU VII 1655; PSI XIII 1325, 9-24; BGU XIII 2244; BGU I 326; P.Hamb. I 73; P.Oxy. XXII 2348.

⁴⁰ Will of the veteran C. Iulius Diogenes (Arsinoites, 127-148) and will of the veteran C. Longinus Kastor (origin: Ptolemais Euergetis, 194), respectively.

⁴¹ Will of the Antinoite M. Lucretius Minor (Philadelphia, 186-210?).

However, the title ἐρμηνεία has been almost completely restored in BGU I 326 and P.Select. 14. In BGU I 326, ἐρμηνεία διαθ(ήκης), the first traces after the lacuna seem more compatible with a final *kappa*, with its descender extended to mark an abbreviation, rather than with a final *alpha*, which would also be rather large: the alternative restorations ἐρμηνεία or ἀντίγραφον Ῥωμαί[κ(ή)ς] διαθ(ήκης) are possible. In P.Select. 14, the presumptive heading ἐρμην[ε]ία διαθ(ήκης) is even more problematic, since extant traces suggest reading a date (ΙΙ[α]ῶνι κθ̄).

The only Latin instance bearing a title is P.Diog. 10⁴² (*exempl(um) test(amenti)*, “copy of a will”). No heading is present in the only extant bilingual draft (P.Oxy. XXXVIII 2857; see below, § 3).

In the evidence dating after Severus Alexander, no proper heading survives, with the exception of the peculiar PSI IX 1040,⁴³ whose exact documentary type has been disputed.⁴⁴ Here, the word διαθήκη in l. 1 appears in *eisthesis* with respect to ll. 2–3, as if it were a title. However, ll. 2–3 (with name and patronymic of the testator in the genitive case) belong to the broader section of the identification of the testator, where ll. 4–5 (with metronymic, place of residence and information about literacy) are lined up with l. 1. The section of the appointment of the heir (ll. 6–11) is in *ekthesis* with respect to all previous lines. The following dispositions are partly (ll. 12–29) lined up with ll. 1 and ll. 4–5, and partly more indented (ll. 30–34). It is not clear whether *eisthesis* is consciously used here as a paragraph divider, since there is no actual textual pause and the latter section (ll. 30–34) refers to the same female slave Dameis as the previous one (ll. 12–29), but perhaps the writer wanted to mark the final disposition prohibiting the enslaved woman from leasing the part of the house that the heir shall give her.⁴⁵

With the exception of this text, evidence after 235 shows no great use of layout devices,⁴⁶ although we do not know whether this is due to the poor state of preservation of some papyri. Interestingly, greater uniformity can be observed in the layout of Roman wills on papyrus before 235, where *ekthesis* (often with the first letter enlarged) and vacats are frequently used to signal the beginning of new sections or clauses. These layout devices are found in some wills on tablets (see above, § 1) and, as we shall see below (§ 3), in a template and in a bilingual draft too. We might argue that they were present in (some of) the templates used by *nomikoi* for drafting wills and that often scribes chose to reproduce them from the original Latin will into the Latin record of the opening or in its Greek translation.

⁴² Will of the Antinoite L. Ignatius Rufinus (Philadelphia?, 211).

⁴³ Will of Psenamounis, son of Harpokras (Oxyrhynchus, 3rd century).

⁴⁴ Nowak 2015, 115–117.

⁴⁵ On this disposition see Nowak 2015, 163.

⁴⁶ *Ekthesis* and/or vacats: P.Oxy. VI 907; P.Oxy. XXVII 2474; PSI VI 696.

We note a recurrent pattern in the use of abbreviations too, even if in this case a difference between Latin and Greek documents is visible. In Latin texts, abbreviations are mostly used (with the exception of *praenomina*) for formulaic phrases and technical terms. These abbreviations, typical for Latin legal language, are generally absent from Greek translations, with the only exception of $\sigma\eta\sigma\tau\epsilon\rho\tau(\iota\omega) \nu(\acute{o}\upsilon\mu\mu\omega) \acute{\epsilon}\nu\acute{\iota} - \acute{\epsilon}\pi\acute{\epsilon}\gamma(\nu\omega)$ in P.Oxy. XXII 2348, II 42.⁴⁷ It is possible that they were usually resolved in Greek translations for the benefit of those who had requested the translations (often the beneficiaries of the will); these people, who did not know Latin, probably did not know the technicalities of Roman law either and may have needed to read formulaic phrases in full. Some mistakes in Greek *testimonia* can be explained by the practice of resolving technical abbreviations in Greek translations either by translating the Latin original directly or by copying from a Greek antigraph.⁴⁸ In wills after 235, when Roman wills in Greek are thought to be originals, some typical “Roman” clauses become rarer; when they are present, they occur generally unabbreviated.⁴⁹

2.2 Hand(s)

We mentioned Amelotti’s assumption that all Roman wills on papyrus preceding the constitution of Severus Alexander are not originals. We might ask whether this is confirmed by the number of hands intervening within one document. In all *testimonia* but one (the draft P.Oxy. XXXVIII 2857, see § 3) declarations by the testator and by the witnesses are not autographic. We may conclude that Amelotti’s theory is right, and that we do not have original wills on papyrus before 235.

However, a further problem arises from the evidence: in records of opening of local wills, the witnesses record the recognition of their seals by means of autographic subscriptions,⁵⁰ but no opening protocol of a Roman will bears autographic subscriptions by the witnesses. We do not know whether the absence of autographic declarations by witnesses was normal for Roman opening protocols or whether it indicates that all the known examples are copies of the original records. This issue has been discussed by scholars of Roman law who focused on the language of the documents. On the one hand, Amelotti believes *all* the Latin protocols of opening to be original, no matter by how many hands they were drafted or subscribed; on the other hand, Nowak emphasises the possibility that some Latin records are cop-

⁴⁷ Will of Aurelius Chairemon, son of Herakleides (Oxyrhynchus, 224). Cf. P.Oxy. XXXVIII 2857, II 28: $\sigma\eta\sigma\tau(\epsilon\rho\tau\iota\omega) \nu\acute{o}\upsilon\mu\mu(\omega) \acute{\alpha}$.

⁴⁸ BGU VII 1655, III 48; P.Hamb. I 73, 14; BGU I 326, II 18. See below, § 2.2 and § 2.3.

⁴⁹ See the *mancipatio familiae* in P.Laur. I 4 recto and P.NYU II 39. In P.Lips. I 29 the stipulatory clause $\acute{\epsilon}\pi\epsilon[\rho\omega\tau]\eta\theta(\acute{\epsilon}\acute{\iota}\sigma\alpha) \acute{\omega}\mu\omicron\lambda\acute{o}(\gamma\eta\sigma\alpha)$ – occurring in Roman wills after 235, although inappropriately – is abbreviated. The abbreviations $\delta\iota\alpha\theta(\acute{\eta}\kappa\eta\nu)$ (PSI IX 1040 and P.Princ. II 38) and $\kappa\lambda\eta\rho(\acute{o}\nu\omicron\mu\omicron\varsigma)$ (PSI VI 696) are typical of local wills too and are found both before and after 235.

⁵⁰ See esp. P.Köln II 100, 35–40; P.Oxy. III 494, 32–43.

ies and some Greek ones are originals, and argues that in records of opening of Roman wills a list of the witnesses' names was probably sufficient, while in local ones autographic signatures by the witnesses were needed.⁵¹ In fact, there is no firm basis to assume that all extant Latin protocols of opening are originals, as we know both from juristic literature (*Pauli Sententiae* 4.6.1-2)⁵² and from documentary evidence that copies of the records were made for the interested parties. For example P.Diog. 10, although written in Latin, is indeed likely a private copy: the record of the opening of the will was drawn up in the nome metropolis, Ptolemais Euergetis, and most probably stored there; the papyrus, however, was acquired with other pieces from Philadelphia and belongs to the family archive of Marcus Lucretius Diogenes and Aurelius Sarapion.⁵³ Further clues indicating that this document is a private copy are the frequent mistakes in Latin and the omission of the *dolus* clause and of the *mancipatio familiae*. Schubert, following Migliardi Zingale, states that this document was written by just one hand, though former editors recognised several hands.⁵⁴

As no records of opening of Roman wills have autograph subscriptions, we have no conclusive evidence that the other two Latin records bearing the *agnitio sigillorum* at the bottom – P.CtYBR inv. 4669⁵⁵ and Ch.L.A. X 412⁵⁶ – are private copies.⁵⁷ If they were private copies, the fact that the witnesses' subscriptions were written by the first hand would need no explanation. If at least one of these documents were an original, we should agree with Nowak that in Roman practice autographic subscription by the witnesses recognising their seals was not necessary. In this respect, we might emphasise that in all known Latin records of opening of Roman wills the verb *adgnosco* is abbreviated (as *ADG*), whereas in Greek translations the equivalent ἐπιγνώσκω occurs in the third person singular or plural.⁵⁸ The Latin abbreviation has been customarily resolved by editors in the first person singular as pertaining to

⁵¹ Amelotti 1966, 188–189; Nowak 2015, 88, 98–99.

⁵² 1. *Tabulae testamenti aperiuntur hoc modo, ut testes vel maxima pars eorum adhibeatur, qui signaverint testamentum: ita ut agnitis signis rupto lino aperiatur et recitetur atque ita describendi exempli fiat potestas ac deinde signo publico obsignatum in archivum redigatur, ut, si quando exemplum eius interciderit, sit, unde peti possit.* 2. *Testamenta in municipiis coloniis oppidis praefectura vico castello conciliabulo facta in foro vel basilica praesentibus testibus vel honestis viris inter horam secundam et decimam diei aperiri recitarique debebunt, exemploque sublato ab isdem rursus magistratibus obsignari, quorum praesentia constat apertum.*

⁵³ TM ArchID 137.

⁵⁴ P. Schubert, P.Diog. 10, at p. 93.

⁵⁵ Provenance unknown, 191. The testator is unknown, as the fragment preserves only the witnesses' subscriptions.

⁵⁶ Will of the veteran M. Sempronius Priscus (origin: Ptolemais Euergetis, 131).

⁵⁷ P.CtYBR inv. 4669 is too fragmentary. In Ch.L.A. X 412 some elements of informality (as the corrections in the final record of the opening) might point to a private copy, but the comparative evidence is too poor to say it with certainty.

⁵⁸ BGU I 326, II 5, 6, 13, 19, 20; BGU VII 1655, III 60–62; P.Oxy. XXII 2348, II 53–64; probably to be restored in PSI XIII 1325, 22 as well.

a subscription, but one wonders whether it should be resolved in the third person singular, as pertaining to an entry in a list of witnesses.

The acknowledgment of the seals put by the witnesses on the original testament seems to have been certified, at least in some cases, not only through written declarations, but also through the sealing of the record of the opening. According to Gaius (*Dig.* 29.3.7 = *Gai.* 7 *ad. ed. prov.*)⁵⁹ the *tabulae testamenti*, once opened, should be resealed by the witnesses who were present at the opening ceremony. Here, the jurist takes into account the special case in which all the *signatores* of the will are absent at the opening, being replaced by men of the best repute. These *virī optimae opinionis* shall seal (*obsignentur*) the tablets, which shall be sent to the unavailable *signatores*, so that they can verify the authenticity of their seals. The sealing of the *tabulae* by the witnesses after their opening might have been current practice even when the *signatores* of the will were present at the opening: this is suggested by a fragmentary record of opening, P.CtYBR inv. 4669, where only the final part with the *agnitio sigillorum* is preserved. As in other two Latin records of opening (Ch.L.A. X 412 and P.Diog. 10), the witnesses' declarations are all by the same hand and contain the statement that they have recognised their seals (*adgnosco*), but in this document a new verb occurs, seemingly *adsigno*, "seal (again)". Parallels can be found both in a Greek translation of an opened Roman will (P.Oxy. XXII 2348), where the verb ἐπισφραγίζω is used, and in a record of the opening of a local will from the Roman period (P.Oxy. III 494)⁶⁰, where the witnesses declare that they recognised their seals and have sealed (σφραγίζω) the document again with the same seal. In the local protocol of opening the witnesses' subscriptions are autograph.

As for records of opening of Roman wills written in Greek, Amelotti's assertion that before 235 they were all translations is probably right. In fact, if the original testament had to be in Latin, it would be difficult to understand why, once opened, it was translated into Greek for the official record, to be stored in a public archive. Among Greek *testimonia*, BGU I 326 is noteworthy, as it bears an autographic note by the *nomikos*, validating the conformity of his translation to the original will, and a docket on the verso.⁶¹ A partial copy of the same protocol – a unique case among Roman wills – is preserved in P.Berol. 7047, containing the final subscription by the *nomikos*, written by the first hand. Some words that are abbreviated (σφρα(γισται),

⁵⁹ *Sed si quis ex signatoribus aberit, mitti debent tabulae testamenti ubi ipse sit, uti agnoscat: nam revocari eum adgnoscenti causa onerosum est. Quippe saepe cum magna captione a rebus nostris revocamur et sit iniquum damnosum cuique esse officium suum. Nec ad rem pertinet, unus absit an omnes. Et si forte omnibus absentibus causa aliqua aperire tabulas urgeat, debet proconsul curare, ut intervenientibus optimae opinionis viris aperiantur et post descriptum et recognitum factum ab isdem, quibus intervenientibus apertae sunt, obsignentur, tunc deinde eo mittantur, ubi ipsi signatores sint, ad inspicienda sigilla sua.*

⁶⁰ Will of Akousilaos (Oxyrhynchus, 165).

⁶¹ On these characteristics of BGU I 326, see Nowak 2015, 99.

II 12) or written in numerals (Δ , II 18) in BGU I 326 are, instead, written in full in P.Berol. 7047. In the latter case – a bequest of 4.000 sesterces – the numeral is rendered as τέσσαρες in P.Berol. 7047, 18. Mommsen thought that both Greek copies contained a wrong resolution of the Latin numeral for four thousand (*IIII*). However, due to its shape, the *delta* in BGU I 326 can be interpreted as 4.000, the numeral being erroneously rendered as τέσσαρες only in P.Berol. 7047: the letter is indeed larger than the others, in majuscule form, and its right-hand diagonal has a hook at the top; it is followed by a long horizontal raised on the line. This shows that not every Greek copy of a Roman will was directly translated from the Latin: indeed, in this case the subscription by the *nomikos* confirming the authenticity of its translation could not have been taken from a Latin antigraph. Therefore, in examining Roman wills in Greek we should try to understand whether they are direct translations from the Latin or copies of Greek translations; the same caveat is important for understanding BGU VII 1655 (see immediately below).

2.3 Writing Surface and Corrections

Most of the evidence is written on the recto along the fibres.⁶² Three Roman wills in Greek, however, are written on the back of other texts: two precede the constitution by Severus Alexander (BGU VII 1655 and P.Bagnall 5),⁶³ the other one (PSI IX 1040), dated to the late 3rd century on the basis of its palaeography and the text on the recto, probably postdates it. The first two texts are worth discussing because of interesting corrections to their texts made by the original scribe. BGU VII 1655 preserves on the recto a list of names, possibly from a census register. It was found by Friedrich Zucker in 1908/9 at Philadelphia, the same place in which the will was opened. P.Bagnall 5 was found at Oxyrhynchus and preserves on the recto a Latin list of cavalrymen, written upside down. The editor of the recto, Ornella Salati, argues that at least one column has been lost on the left.

The two Roman wills are very similar: not only are both written on the back of other texts, but they also are full of mistakes corrected by the writer himself. Moreover, in both documents the initial part is lost and therefore we do not know whether there was a heading identifying the textual type. However, BGU VII 1655 is surely a translation made after the will was opened, because it records the opening at the bottom, while P.Bagnall 5 is broken at the bottom. The different state of preservation has given rise to different interpretations. Migliardi Zingale interprets BGU VII 1655 as a translated copy of the original Latin protocol drawn up

⁶² The same holds true for P.Oxy. XXXVIII 2857, even though in Ch.L.A. XLVII 1413 the papyrus is erroneously described as written *transversa charta*.

⁶³ Will of an unknown testator (Philadelphia, 169) and will of an unknown testator (Oxyrhynchus, 213), respectively.

by someone who was not very familiar with Latin juristic terminology, while the editor of P.Bagnall 5, G. Bastianini, argues that it is a provisional draft, observing that the sheet has a manufacturing defect that impeded writing. Linguistic analysis may help. With regard to BGU VII 1655, I am inclined to interpret it as a carelessly made private copy taken from a Greek translation rather than directly translated from the Latin. The text is full of mistakes not attested elsewhere, in particular in the *mancipatio familiae* clause:

- III 48: σηστ[ε]ρ[τ]ων νούμμων χειλίων instead of σηστερτίου νούμμου ἑνός;⁶⁴
- III 49: ἐ[πρ]ίατο [Π]ούπλιος Μήο[υ]ις Ἡρακλιανός instead of ζυγοστατοῦντος Πουπλίου Μηουίου Ἡρακλιανοῦ, but in III 47 ἐπρίατο is correctly used as equivalent for *emit*.

Moreover, in the dating clause:

- III 53: the consuls' names are missing (ὀπάτοις τοῖς οὔσι), but they are included in the opening protocol (III 63–65);
- III 54–56: (ἔτους) θ' Αὐτοκρατορ[ι]σὶ Καίσαρ[ι]σὶ Ἀντωνίνῳ καὶ Οὐήρῳ Ἰβ[ε]ρ[ο]ύστοις Ἀρμενιακῶν Μηδικῶν Παρθικῶν Μεγίστων μηνὸς [Ἑλ]λήνων Μεχέρ κ'. Dating by regnal year requires the imperial titulature in the genitive case, but here there is a mix of genitive and dative, the latter being generally used for rendering the Latin ablative absolute in consular dates.

The surprising σηστ[ε]ρ[τ]ων νούμμων χειλίων might be the result of misinterpreted abbreviations in a Greek antigraph (e.g., σηστ(ερτίῳ) νούμμ(ῳ) ἄ'; cf. P.Oxy. XXXVIII 2857, II 28), as the first editors suggested.

The repetition of ἐπρίατο could be due to the copying process rather than to an incorrect translation of the Latin: the writer could have accidentally copied the verb from the preceding line and then added a subject in the nominative. In fact, he would have seen different terms in the Latin original: *emit* (ἐπρίατο) and *libripende* (ζυγοστατοῦντος).

As for the dating clause, the use of the dative is probably due to the preceding consular dating formula rather than to that of a Latin antigraph, where the writer would have found the genitive, not the dative case (in the formula *anno IX Imperatorum Caesarum* etc.).

With regard to P.Bagnall 5, we do not find apparent translation mistakes in the surviving text. The visible errors might be interpreted as reconsiderations or afterthoughts by the writer, as the editor proposes, or they might be due to the copying process. In particular, in l. 4 the writer may have realised that the sequence [ἐλεύθερον ἂν τε εἶναι] was in the following line in its antigraph, and this error

⁶⁴ Cf. P.Hamb. I 73, 14: [σ]ηστερτίων νούμμ[ι].

might have been caused by the repetitive structure of the codicillary clause (εἴ τι ... εἴ τινα; ἐλεύθερον ἐλευθέραν τε εἶναι ... ἐλεύθερος ἐλευθέρα). The superlinear correction δέδωκα in l. 2 might point to the same process: the verb is the equivalent of the Latin *dedi*, which we find in the codicillary clause of P.Hamb. I 72 before the phrase *liberum liberamve · esse*; this is equivalent to ἐλεύθ[θερο]γ ἐλευθέραν τε εἶναι (ll. 4-5), erroneously written at l. 4. The writer wrote υπο, but then corrected himself *in scribendo* by writing δέδωκα above the line. He might have begun to copy something that belonged to the previous line (e.g., ὑπογεγραμμένον, which occurs in the codicillary clause of P.Oxy. XXXVIII 2857). The loss of the initial and final parts of the text, however, prevents a conclusive identification of the textual type.

3. OTHER DOCUMENTS

As said above, in our evidence there are at least two documents on papyrus that are not records of the opening of Roman wills, namely P.Hamb. I 72 and P.Oxy. XXXVIII 2857.

P.Hamb. I 72 is a template for Roman wills. Interestingly, in this document new clauses begin on a new line, generally in *ekthesis* (II 5, 9, 17); moreover, at l. 9 the beginning of the codicillary clause is marked through a larger interlinear space (Fig. 37). The use of layout strategies analogous to those found in actual wills is worth noting: it can be argued that there was a tendency to reproduce the *mise en page* of the template in drafting the wills. In particular, it might be telling that the *dolus* clause is in *ekthesis*, whereas the *mancipatio familiae* starts a new line, but not in *ekthesis* (II 17-20; Fig. 38); the same holds true for Ch.L.A. IX 399, 6-7, the earliest extant Roman will from Egypt.⁶⁵ The *clausula doli* and the *mancipatio* are the so-called formal clauses, generally following each other in a fixed order;⁶⁶ possibly some writers of wills, perhaps following templates such as P.Hamb. I 72, used *ekthesis* to mark the end of patrimonial dispositions and the beginning of formal clauses and/or perceived the two clauses as strictly related to each other.

Previous editors of the text emphasised the presence of mistakes, which would have been odd in a template. Apart from the spellings *comprehensumve* (II 16) e *quicunque* (II 2), however, the purported mistakes can be explained with the use of interpuncts and apices. *Fufia{m}* in the phrase *in lege Fufia{m} Caninia ·* (II 6; Fig. 33) should be read as *Fufia* instead: *A* is written in three strokes and is followed by an interpunct placed high in the line, as the one following *Caninia* (Fig. 33). The peculiar wording of the *mancipatio familiae* is more significant, as this clause is standardised in the rest of our evidence: *Familiam pecuniamque testamenti faciendi causa*

⁶⁵ Will of a Tiberius Claudius (provenance unknown, 91).

⁶⁶ Except for P.Mich. VII 439, where the *mancipatio* clause might have been placed in the patrimonial dispositions.

emit NN (nominative) *sestertio nummo uno, libripende NN* (ablative), *antestatus est NN* (accusative). Here, instead, the participation of the scale-holder was previously read as *libripendis loco quis*⁶⁷ (II 19; Fig. 35). However, the alleged *quis* was mistakenly read for *quó*: what was mistaken for the second stroke of *S* is in fact an apex over long *o* (cf. *hóc*, II 15; Fig. 34). Therefore, here the mancipatory clause too occurs in its expected phrasing.

As for P.Oxy. XXXVIII 2857, it preserves the Latin (col. I, barely extant) and the Greek (col. II) versions of the same will on the same sheet. This is a draft, in which the names of the participants in the *mancipatio familiae* are not given (II 28–30), and it contains the testator’s autograph subscription under the Greek text, which reads as follows: Τυβέριος Κλαύδιος Ἰλέξανδρος ἀνέγων μου τὴν διαθήκην πρὸς ἰ[ῆν] ἠθέλησα τὴν Ῥωμαϊκὴν μου γ[ρ]αφῆναι. ἰ [συμ]φωνῶ μοι γ[ρ]ὰ πάντα ὡ[ς] π[ρ]όκ[ρι]ται (II 34–37). According to the first editors, the testator “must in practice have dictated his testamentary wishes in Greek, so that the Greek version was in practical terms the earlier version, and had them translated into Latin by a notary”.⁶⁸ J. Adams added a new step: “The testator must first have dictated his requirements in Greek. The Latin will would then have been drawn up, and a Greek translation done”.⁶⁹

Häusler argued that P.Oxy. XXII 2348 underwent a similar process to that posited by Adams for P.Oxy. XXXVIII 2857.⁷⁰ P.Oxy. XXII 2348 is a Greek translation of an opened Roman will. The writer records two subscriptions by the testator: one under the Latin will (II 47–48: ἀντίγραφον ὑπογραφῆς. Αὐρήλιος Ἰα[ρ]ήμων Ἡρακλείδου διεθέμην ἐπὶ {π} τοῖς προκειμένοις) and one under the Greek translation, probably equivalent to that under the Greek version in P.Oxy. XXXVIII 2857 (II 48–51: ὁμοίως ἑτέρα[ς] ὑπογραφῆς τῆς ἐν τῷ Ἑλληνικῷ ἀντιγράφῳ. Α[ῦ]ρήλιος Χαυρήμων Ἡρακλείδου ἰ ἀνέγων τὸ προκειμένον Ἑλληνικὸν ἀντίγραφον τῆς διαθήκης μου ἰ καὶ συμφωνεῖ μοι πάντα καθὼς ἐγὼ ὑπηγόρευσα).

It is worth noting that in P.Oxy. XXII 2348 the testator, Aurelius Chairemon, explicitly states that the Greek copy is an ἀντίγραφον. In P.Oxy. XXXVIII 2857, instead, the testator, Ti. Claudius Alexandros, defines the Greek version as μου τὴν διαθήκην and states that he has asked someone to write his “Roman will” in accordance with it. This, if taken literally, would lead us to identify the Greek text as the earlier version, which was thereafter translated into Latin. On this basis, Amelotti and Strobel argue that the will of Aurelius Chairemon (P.Oxy. XXII 2348) was firstly written in Greek and then translated into Latin.⁷¹ The whole process might be

⁶⁷ Cf. *librip(endis) lo(co) quis* Meyer (P.Hamb. I 72) and Amelotti 1966, 207 no. 10; *lib[rip(endis)] [[o(co) qui]s* Marichal (Ch.L.A. XI 496).

⁶⁸ A. H. M. Jones and J. Crook, P.Oxy. XXXVIII 2857, at p. 77.

⁶⁹ Adams 2003, 564.

⁷⁰ Häusler 2016, 423–424.

⁷¹ Amelotti 1949, 50–51; Strobel 2014, 173.

more complicated, as pointed out by Adams in the case of the will of Ti. Claudius Alexandros (P.Oxy. XXXVIII 2857) and by Häusler in that of the will of Aurelius Chairemon (P.Oxy. XXII 2348): it is not probable that a Greek-speaking testator dictated his will in Greek but in conformity with the technicalities required by the *ius civile*; therefore he argues that the testator dictated his wishes in his own words, the *testamentarius* drafted the Latin will with the help of a template and then translated it into Greek.⁷² This would explain why the Latin version precedes the Greek one in P.Oxy. XXXVIII 2857: since this is a draft and not the official version of the will (in which the Latin might have come first as official language), it is easier to conclude that the Latin version comes first because it was drafted first. Further evidence in this direction – although not conclusive – might be seen in one of the corrections by the first hand visible in the Greek text; we do not know whether corrections were also present in the Latin text, very poorly preserved, but one peculiarity deserves attention. In the Greek equivalent for the Latin formula *sestertio nummo uno* the writer first writes the Latin numeral and then corrects it with the Greek numeral (σηστ(ερτίω) νούμμ(ω) [[I]]α', II 28). This might be due to the fact that he had the Latin formula in mind, whether he was copying directly from a Latin template or not.⁷³

Moreover, although P.Oxy. XXXVIII 2857 is a preliminary version, we notice the two main layout devices used in actual Roman wills, namely the *vacat* and the *ekthesis*; they can be better observed in the Greek column, but, judging from what remains of the Latin version, they were also used there. Considering the beginning of both versions, it might be argued that the writer tried to reproduce the layout of the Latin text, albeit not entirely successfully;⁷⁴ this would be consistent with the hypothesis that the Greek is a translation from the Latin.

The translation of the formula *NN testamentum fecit* is marked through the *ekthesis* of the first line and the *eisthesis* of the second one, with blank spaces between the words διαθήκη and ἔθετο as well as at the end of the line; the first letter, *tau*, is evidently enlarged: Τῖ[βέ]ριος Κλαύδιος Τιβε[ρί]ου [ἀπ]ελεύθερος Ἀλέξανδρος διαθήκη ἔθ[ε]τ[ο] (col. II, ll. 1-2; Fig. 40). In the Latin version, the formula is written higher on the sheet with respect to the Greek one (Fig. 36); here one can observe the same arrangement as in the will of C. Iulius Diogenes preserved in P.Oxy. LII 3692,⁷⁵ with the name of the testator (now lost in a lacuna) on the left and the formula *testamentum fecit* projected toward the right, and a blank space in between: C(*aius*) Iul[i]us

⁷² Häusler 2016, 423-424.

⁷³ Cf. Adams 2003, 75 for the alphabet-switching with Roman numerals.

⁷⁴ I 1: [Ti· Claudius Ti· I· Alexander - -] . . vac. *t(estamentum) f(ecit)*; II 1-2: Τῖ[βέ]ριος Κλαύδιος Τιβε[ρί]ου [ἀπ]ελεύθερος Ἀλέξανδρος διαθή-| vac. κην vac. ἔθ[ε]τ[ο].

⁷⁵ Oxyrhynchus, 2nd century.

Diogenes [. .] vac. [. .] *testam[entum fecit]* (Fig. 39). *Ekthesis* is used throughout the Greek text to separate different sections, as one sees in ll. 3 and 31, where the *heredis institutio* and the dating formula begin respectively. Moreover, in ll. 28–30 the two standard verbs of the *mancipatio*, [ζ]υγιστατοῦντος and [ἀ]γτεμαπτύρατο, appear slightly in *eisthesis*, probably to signal that they belong to the mancipatory clause, as the names of the participants (possibly not known yet) are not given; for this reason, these verbs are followed by large blank spaces, considerably longer than the vacats used to mark the end of a section (cf. ll. 15, 27). In l. 3 the first letter is enlarged.

The Greek cursive is quite regular and slowly written, slightly sloping to the right, as is the old Roman cursive. The lower margin is huge, whereas the upper one is narrower, in particular in the Latin column; the intercolumnium is also quite wide. On the other hand, the interlinear spaces are uniform, but quite narrow in the Greek text, where they amount to ca. 3 mm; in the Latin translation they are ca. 5 mm. The small interlinear spaces suit a draft well, as do corrections *in scribendo* (see II 15 and 28) and the frequent abbreviations for common terms in the Greek text, often with the last letter raised above the line. The loss of most of the Latin text does not allow us to state with certainty how widespread abbreviations were, but in the surviving portion they are seemingly used for *praenomina* (*Ti(berius)*) and formulaic phrases (*s(ine) d(olo) m(alo)*), unlike in the Greek version; abbreviations in Latin appear to be marked by middle dots. The different use of abbreviations between the Latin and the Greek versions is consistent with the rest of our evidence.

4. CONCLUSIONS

Original Roman wills were customarily written in Latin on tablets before 235; in some cases, the testator's subscription (C.Pap.Lat. 221) and the witnesses' *adscriptiones* (C.Pap.Lat. 221, BGU VII 1695) are preserved, all of which were autographs. As for the position of the binding holes, C.Pap.Lat. 221 is not exceptional, as the same format is also recognisable in BGU VII 1695 and 1696; nothing certain can be said about the newly identified London tablet. On the basis of their physical characteristics it can be argued that BGU VII 1695 and 1696 were drafted in conformity with the *senatus consultum Neronianum*.

The assumption that in this period the original records of opening were in Latin is likely to be correct, but there is no firm evidence that proves that no surviving example is a copy, as *testimonia* do not bear autographic subscriptions; in particular, one could argue that P.Diog. 10 is probably a private copy. Similarly, we do not know whether the originals had just a list of witnesses' names or proper subscriptions by the witnesses who recognised their seals. On the other hand, Greek *testimonia* on papyrus seem to be either translations of the records of opening or drafts of Roman wills, but not every document seems to have been directly translated from the Latin, as the cases of BGU I 326 and of BGU VII 1655 show. If the final record of opening is not preserved, the presence of a heading may help us identify the textual type.

Paying attention to the use of lectional signs could lead to a better understanding of the text itself, as in the case of P.Hamb. I 72. Analysis of layout devices shows that they were often reproduced in the processes of drafting, copying, and translating wills, and that they were possibly copied from the templates themselves; however, technical abbreviations appear to be more widespread in Latin than in Greek *testimonia*, where they were probably resolved (sometimes erroneously) since, though typical of Latin legal language, they were not easily understood by Greek speakers.

After the constitution by Severus Alexander, Roman wills were written directly in Greek and on papyrus. Therefore, drafting testaments became simpler and the analysis of formal aspects can shed no light on translation processes. In this period, no significant change is recognisable as far as the use of technical abbreviations in Greek wills (now originals) is concerned, as typical “Roman” clauses, which had by then become rarer and probably even less comprehensible, occurred generally unabbreviated. On the other hand, with the exception of PSI IX 1040, evidence after 235 shows no extensive use of layout devices: this might give us the impression that, when the Latin language became optional for Roman testaments and the use of templates ceased, the layout of deeds of last will became less standardised and/or less meaningful. However, Roman wills on papyrus postdating the Severan age are often too poorly preserved to provide a firm basis for judgement.

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