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A NEW ROMAN CUSTOMS LIST.¹

By PROFESSOR R. CAGNAT.

The 'Service des Monuments historiques de l'Algérie,' in carrying out, during 1913, some excavations in the middle of the ruins of the Roman town of Lambaesis (not in the fortress of the Legio III Augusta) discovered, not very far from the Capitol and the probable site of the Forum, an inscribed fragment, which I wish here to discuss (fig. 14). It had been used up in building a wall of a late epoch, and, in consequence, was not in its original position; but it is not likely to have strayed very far. The text inscribed on it had obviously been arranged in several columns, probably in two. There remain now, in any case, parts of two columns; the right part of the left-hand column, and the left part of the right-hand column. The letters are 2·5 cm. high, and resemble in style the writing *au calame* which, especially in Africa, denotes the age of Hadrian and of Pius.²

- (1) . . . erent . . . a habeant quod reicere vo[luerit]
 [sig]niferorum aut beneficiarios . . . [pe]cuarios et con
 . . . quis intra
- (2) asinum . . . bouem . . . uitulum . . . suem . . . porcum ouem,
 capram . . . hedum agnum . . .
 Lex porto[ri]. Vini Ammine[i] . . . uini cibari . . . uini graeci . . .
 uini graeci uini

It is easy at the first glance to see that the right-hand column contains a scale of charges belonging to a 'portorium'; the very word figures in the text 'Lex portori,' with a mention first of animals and then of wine. This reminds us at once of the well-known Tariff of Zraia,³ the contents of which are almost identical. I may print here the opening of that document.

Lex portus post discessum coh(ortis) instituta.

Lex capitularis.

<i>Mancipia singula</i>	. .	<i>denario uno et semisse</i>
<i>Equum, equam</i>	. .	<i>id.</i>
<i>Mulum, mulam</i>	. .	<i>id.</i>
<i>Asinum, bouem</i>	. .	<i>semisse</i>
<i>Porcum</i>		<i>sestertio</i>
<i>Porcellu(m)</i>		<i>dupondio</i>
<i>Ouem, caprum</i>	. .	<i>sestertio</i>
<i>Edum, agnum</i>	. .	<i>dupondio</i>
<i>Pecora in nundinium immunia.</i>		

¹ I am indebted to an English friend for translating this article from the original French.

² Typical examples may be found in my *Cours d'épigraphie* (ed. 4), plate x, 2, 3. It will be

recollected that in this style of writing the letters I, T, L, E, are very similar, especially if the stone is a trifle worn.

³ C.I.L. viii, 4508.

FIG. 14. INSCRIBED FRAGMENT FROM LAMBAESIS,
NORTH AFRICA (p. 143).

One has only to compare this passage with the fragments of our right-hand column to see the resemblance. Indeed, the sole difference is that in the new-found document two words were added, *uitulum* and *suem*, which latter, being opposed to *porcum*, must denote a sow. On the other hand, there is no mention of a *porcellus*, and *caprum* is replaced by *capram*.

It is natural to consider the Tariff of Lambaesis as a document of the same character as that of Zraia, that is to say, a list of the customs levied on merchandise passing through Lambaesis, whether from the south on the way to Numidia, or from the north on the journey southwards. At Lambaesis many roads met. One ran down from Constantine and eastern Numidia; a second put the town in communication with Mauretania by way of Setif. A third connected it with Tebessa, following the north slope of the Aurès mountains; and by way of Tebessa with Carthage and the harbours of eastern Africa. Lastly, a fourth road skirted round the east of the Aurasian range and led to Biskra and the oases. Lambaesis was, in reality, the gateway of Numidia towards the desert. Its position marked it out as necessarily a customs post.

In the Tariff of Zraia the goods named are wholly African¹ produce, brought either from Mauretania to Numidia, or from Numidia to Mauretania. It is not quite certain that this was the case with the Tariff of Lambaesis. If we are to believe in the descriptions of the various wines, they would appear rather to be imports from Italy; in any case one can hardly suppose that they were made in the south. The word *Ammineum* is particularly noteworthy in this connexion. The wine thus named was one of the most famous of Italy.² The vine called *Aminea*, originally a Campanian growth, was always much cultivated in southern Italy, and in Sicily³; from it was made a wine which sold for a comparatively high price, mentioned in the Tariff of Diocletian among the costlier wines, by the side of Falernian and the vintage of Sorrento.⁴ In the Praetorian Camp at Rome there has been found a broken amphora with the stamp "Amineu(m) Campan(um)."⁵ It is true that this wine was also made outside of Italy, in Syria, Bithynia, and Lydia.⁶ It is possible, then, that it may have been imitated in Africa as well. The 'Greek wine' might have been made almost anywhere. It was a beverage produced by salting must, in which the salt played the part of the chief flavouring.⁷ So, too, the 'vinum cibarium,' a poor, thin drink.

The first column of the stone clearly contains rules belonging

¹ See Héron de Villefosse, *Comptes rendus de la Société de numismatique*, vi (1875), p. 203 ff.

² R. Billiard, *La vigne dans l'antiquité*, p. 311 foll.

³ Plin. *Hist. nat.* xiv, 21; Columella, iii, 9, 3; Macrob. *Sat.* iii, 20, 7.

⁴ Waddington, *Édit de Dioclétien*, p. 9.

⁵ *Bull. Comun.* 1879, p. 56; *C.I.L.* xv, 4932.

⁶ For Syria see Plin. xiv, 41; for Bithynia, Galen, vi, 337; for Lydia, Probus ad Virg. *Georg.* ii.

⁷ Billiard, *op. cit.* p. 500 ff.

to different paragraphs. We can recognise verbs in the subjunctive mood, . . . *erent* in line 1, *habeant* in line 2, and a phrase of command or prohibition, *si quis* or *ne quis*; the break in the letters before *quis* makes this uncertain. In the third line, one ought perhaps to read *quod re(j)icere uo[luerit]*, and this phrase will indicate the possibility of preventing something, e.g. the passage of certain goods. There follow references to certain officers [*sig*]niferi, beneficiarii, [*pe*]cuarii.

We cannot reconstruct the sentences to which these words belong, or grasp the exact gist of the document. But we can perhaps guess the reason why these officers appear in it. For the *signiferi* the explanation is to be found, I think, in another inscription of Lambaesis, in which two 'signiferi' carry the title of 'agentes curam macelli'.¹ The import of food supplies, whether into the municipal or into the legionary territory of Lambaesis, must have been connected in some manner with the market which was held there for the convenience both of the military and of the civilians living round. It is quite intelligible that 'signiferi,' who have control of this market, should have been selected to permit or refuse the importation of provisions partly intended for the troops. Nor need we be surprised to meet in this connexion the 'beneficiarii.' This class of officers was, as is well-known, entrusted by their superiors with all kinds of duties, but in particular with duties connected with the police and public safety.² The 'pecuarii,' too, if they were the veterinary officers of the army, as is now thought,³ would be required to supervise the quality of the animals introduced into the district.

To sum up. So far as we can pronounce on a text as mutilated as that now before us, we have here the regulations of a 'portorium,' including the mention of military supervision ordered in the interest of the troops quartered at Lambaesis.

This conclusion will perhaps help us to explain the phrase which forms the heading of the Tariff of Zraia, *lex portus post discessum coh(ortis) instituta*. It has puzzled many commentators, whose opinions are summarised in the *Corpus*. Renier thought that the reason why this 'lex' was framed after the departure of the cohort was because provisions for the army were duty free⁴; there was, therefore, no reason for levying duties at Zraia while the country was under military occupation.⁵ Various objections had already been raised to this theory, and the new text from Lambaesis, found in the middle of the legionary district but expressly mentioning a 'portorium,' is further and final refutation. Wilmanns believed that there was at Zraia a municipal octroi; from the day when the

¹ C.I.L. viii, 18224: *Sabinus Ingenius et Aurelius Sedatus sig. leg. III Aug. agentes cura(m) macelli*.

² De Ruggiero, *Dizion. epigr.* s.v. (p. 993, col. 1).

³ See my *Armée d'Afrique* (ed. 2), p. 191.

⁴ *Dig.* xxxix, 4, 9, 7.

⁵ *Moniteur*, 6th Dec. 1858.

cohort left the country, he thinks, a municipality was established here, and would then have raised for the first time its 'vectigalia.'¹ Mommsen, on the other hand, thought that, before the cohort was moved from Zraia, its prefect performed the functions of a procurator; when he had gone, it became necessary to restore the ordinary law.

The true explanation seems to be quite different. So long as the cohort was quartered near Zraia, its officers and non-commissioned officers were concerned in some way with the administration of the 'portorium.' They were less, perhaps, the financial agents of the emperor than officials responsible for the police of the military markets and the health of the soldiers. After the cohort had left, this supervision became useless; and new regulations were framed in which were preserved, with or without alterations, only the paragraphs which still had any meaning after the departure of the military.²

¹ *Étude sur le camp et la ville de Lambèse* (trad. Thédénat), p. 37, note 1.

² See also Rostowtzev, *Geschichte der Staatspacht* (*Philologus*, Ergänzungsband, ix), p. 403.