



Miscellanea Testamentaria

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MISCELLANEA TESTAMENTARIA

IV. In his *Commerce and Social Standing in Ancient Rome* (1981), J.H. D'Arms pointed out the single-minded involvement of the gens Faenia in the cosmetic trade, noting the presence of Faenii, most of them probably freedmen, all of them L.Faenii, at Puteoli (including a thurarius) and at Ischia (a thurarius), at Rome (two thurarii) and at Bovillae (two thurarii), and at Lugdunum.¹⁾ He also made the attractive suggestion that a commercial fortune lay behind the success of the only known Faenius of consequence, L.Faenius Rufus, praefectus annonae in 55, praefectus praetorio in 62, and executed for his part in the Pisonian conspiracy in 65.

Another member of the gens can be added. A great inscription from the Spartan port of Gytheion records the extensive philanthropy and concern for personal remembrance of a local lady - not a testament in fact, but much concerned with post-mortem events, and surely repeated in the will. The text at IG V.1.1208 records her name as Phaenia Bomation, and was formerly assigned to the joint reign of Marcus Aurelius and Lucius Verus (161/169). All of this was changed by the extensive emendations of A.Wilhelm, reproduced as SEG XIII 258.²⁾ Three points should be observed. First, the lady exhibited particular solicitude for slaves, specifying that they share with freemen in the oil distributions which she set up, and entrusting the welfare of her own slaves and freedmen to the city and its council, particularly after her death. Second, as Wilhelm demonstrated, the date of the inscription can be recovered from the letters O B in the last line: when recognized as referring to the Actian Era, they yield precisely the year A.D. 41/42. Third, he also convincingly read the name of the donor as Phaenia Aromation (not Bomation) - a cosmetic trade name if ever there were one. From the lady's nomen³⁾ and cognomen, from her care for slaves and freedmen, and from her residence in a major port town, we should conclude that she or her father or her patron was closely involved in the cosmetic interests of the (now) contemporary Faenii in Italy and Gaul. Her splendid gift to Gytheion, which assured the supply of oil to all comers, was based on wealth acquired in luxury trade.

1) 167-168.

2) Cf. his *Akademieschriften zur griechischen Inschriftenkunde* (1895-1951) 3, Leipzig 1974, 484-494, no.xxix.

3) Compare Phaenia [B]laste or [P]laste, mother of Flavius Faenianus (sic), on a second-century(?) inscription from Velitrae: *Supplementa Italica* n.s. 2, 1983, 71-72.

V.

Aithales servus, cui testamento Betiti Callinici per fideicommissum libertas et portio hereditatis relicta erat ab his, qui ex undecim portionibus heredes erant instituti, professus est indicium apud Maximillam filiam testatoris ex parte duodecima heredem scriptam: se posse probare falsum testamentum Betiti Callinici. Et apud magistratus interrogatus a Maximilla professus est probaturum, quemadmodum falsum sit factum testamentum. Et cum in crimen falsi subscripsisset Maximilla in scriptorem testamenti et Proculum coheredem, acta causa praefectus urbi falsum testamentum non esse pronuntiavit et Maximillae partem duodecimam a fisci cogi iussit. Quaesitum est, an Aithaleti libertas et fideicommissum post haec facta debeantur. Respondit secundum ea quae proponerentur deberi. (Dig. 48.10.24, Scaevola Dig. 22).

First, a slave is freed, not directly but by a fideicommissum charged to the heirs to 11/12 of the estate, who are also to turn over to him a portion of the inheritance. He approaches the testator's daughter, heir to the other 1/12, and professes to be able to prove that the very will which brought him freedom and property was forged. Second, he tells magistrates that he will be able to show how the will was forged. Therefore, third, the daughter charges the writer of the will and one (just one) of her coheirs with forgery, but the prefect of the city judges the will to be genuine, and the woman forfeits her 1/12 to the fisc.

The coheirs Maximilla (daughter of a Betitius Callinicus) and Proculus inevitably recall a reasonably well-known Italian family, municipal and equestrian in the second century, senatorial and ever more distinguished in the third. The origo is amply attested as Samnite Aeclanum, where the earliest known member, C.Betitius C.f. Cor. Pietas, a praefectus cohortis, was magistrate.⁴⁾ His wife was a Neratia Procilla, presumed sister (or aunt) of a senator, L.Neratius Proculus (consul ?145), from the leading family of Saeppinum; and the offspring of that marriage were the proud C.Neratius C.fil. C.n. C.pron. C.abn. Cor. Proculus Betitius Pius Maximillianus, magistrate, priest and patron of Aeclanum, appointed curator operum publicorum at Venusia by Hadrian and curator kalendarii at Nola by Pius; and possibly Neratia Betitia Procilla, a flaminica of Faustina the Younger (after 176).⁵⁾ By the year 223 a senatorial C.Betitius Pius was among the patrons of Canusium, and several senators follow, with an eventual connection with the Anicii in the fourth century.⁶⁾ A steady ascent, apparently, but there is a gap between the early years of Antoninus Pius and those of Severus Alexander, occupied only by the

4) CIL IX 1132. On the family see most recently G.Camodeca, in *Epigrafia e Ordine Senatorio*, Roma 1982, II 131-132.

5) PIR² B 117 with references. Cf. A.Stein, *Der römische Ritterstand* (1927) 221-222.

6) PIR² B 118, 119, 122; PLRE I Perpetuus 2, 3, Proba 2.

flaminica of Faustina. Betitia Maximilla and (Betitius?) Proculus of the forgery suit fit somehow into that gap, for the Digest of Cervidius Scaevola in which they were originally recorded was concerned primarily with cases from the reign of Marcus Aurelius.⁷⁾ Just how they fit is a small problem.

What was the relationship between plaintiff and accused? First, Proculus is simply "coheredem". He is not identified as a son of the testator or brother of his accuser, and there is no need to see him as either, particularly in a case recorded by the jurist most prone to including biographical detail. Second, the Greek name of the testator, Callinicus, sits ill among the Betitii of Aeclanum, with their Central Italian connections in Canusium, Venusia, Saepinum and Nola, and there is no sign of ardent philhellenism in the family to explain it. Taken together, these two observations must suggest that the testator Callinicus was not a relative of the Betitii but their freedman. The lawsuit then becomes for us not a family quarrel, but an attack by a freedman's daughter on his patron.⁸⁾

Under the Lex Papia Poppaea, a freedman worth more than HS 100,000 was obliged to leave his patron 1/2 of his estate if he (the freedman) had one child, 1/3 if he had two, but nothing if he had three or more.⁹⁾ Callinicus was the freedman of a family equestrian, if not senatorial, in rank; a case could be made that his will was thought worthy of forging; and the case was heard by the praefectus urbi: let us assume then that he had accumulated the modest fortune of HS 100,000. To avoid the querela inofficiosi testamenti, he would be obliged to leave to his daughter at least 1/4 of what she should have received on intestacy¹⁰⁾ - hence her intestate share would be a maximum of 1/3 of the estate on any calculation. If she were an only child, the patron (here assumed to be Proculus) would receive 1/2 of the estate and she 1/2, yet the testator assigned her 1/4 of 1/3 (i.e. 1/12), not 1/4 of 1/2 (i.e. 1/8) - therefore she was not an only child. Beyond this one cannot go very far. At the least one might suspect that Maximilla had only two coheredes, Proculus the patron, and her own brother or sister; in which case Proculus received anywhere from 1/3 to 5/6 of the whole. Or there may have been three or more siblings, in which case he may have received less than 1/3, although that seems unlikely. Whatever he got, it was considerably more than the testator's daughter thought proper.

7) H.Fitting, *Alter und Folge der Schriften römischer Juristen von Hadrian bis Alexander*², 1908, 63-67; F.Schulz, "Überlieferungsgeschichte der Responsa des Cervidius Scaevola", *Symbolae Friburgenses in honorem Ottonis Lenel*, 1935, 143-244 on the complex history of the Digesta and Responsa.

8) (Betitia) Maximilla should probably be removed from PIR² (B 120).

9) Details in M.Kaser, *Das römische Privatrecht. Erster Abschnitt. Das alt-römische, das vorklassische und klassische Recht*², 1971, 708ff.

10) Kaser 711.

VI.

Pompeius Hermippus filium Hermippum ex dodrante, filiam Titianam ex quadrante heredes instituerat et praedia certa singulis praelegaverat: praeterea, si sine liberis Hermippus moreretur, aliam possessionem filiae dari iusserat: post testamentum factis codicillis filiae certa praedia dederat eamque his contentam esse voluit pro omni hereditate et his, quae in testamento reliquerat: Hermippi bona ad fiscum pervenerant: Titiana soror fideicommissum petebat. Quaerebatur, utrum pro hereditate tantum an et pro his, quae post mortem frater rogatus erat restituere, pater eam voluisset accipere ea quae codicillis reliquerat. Mihi ab omni voluntate recessum videbatur. Placuit <imperator> humanius interpretari ea sola, quae vivente fratre acceptura erat, adempta videri, non etiam quae post mortem eius reliquerat, si sine liberis decederet, et ita pronuntiavit. (Dig. 32.27.1, Paul Decret. 2).

Pompeius Hermippus left his son (Pompeius) Hermippus and his daughter (Pompeia) Titiana(!) heirs to 3/4 and 1/4 of his property, respectively; each was also to receive certain estates as praelegata. Were the son to die first and without children, the daughter was also to receive another property (aliam possessionem). Sometime later the testator added codicils to the will, giving the daughter as legacies certain other estates and bidding her be content with these and with those already left her in the will, in place of her share of the inheritance. After the death of the testator his son's goods were for some reason confiscated and he himself died, for his sister sought performance of the fideicommissum assigning to her a certain property in the event of his death without children. The question then arose, in effect, whether the fideicommissum had been nullified by the codicil, that is whether the daughter was meant to be content with the estates assigned there in lieu of what she would have inherited only, or in lieu of what she would have inherited plus what she was to receive from her brother by fideicommissum. The "more humane" interpretation was, for the emperor, to allow her the estate per fideicommissum, thus saving something from the wreckage of the brother's fortune.

Decretorum libri tres, the source for this case in the Digest, is a later abridgement of Paul's Libri VI imperialium sententiarum in cognitionibus prolatis, which was "no mere collection of decisions but a selection of cases in the imperial court at which Paul had assisted", and the imperial court was that of Severus alone, or of Severus and Caracalla.¹¹⁾ Hence a close dating for the case, between 193 and 211.

11) F.Schulz, History of Roman Legal Science, Oxford 1946,154. H.Fitting, Alter und Folge der Schriften römischer Juristen², 1908,93 for the internal evidence for dating. The 34 fragments of this historically important work are collected by Lenel at Palingenesia 959-965 and (with commentary) by C.Sanfilippo, Pauli Decretorum Libri Tres (R. Università di Catania, Pubblicazioni della Facoltà di Giurisprudenza 2), Milan 1938.

The actors in this small drama were all members of a senatorial family of Ephesus, one which has become much better known through the publication in 1980 of I.Ephesos 3 (IK 13). Some 13 inscriptions in that collection mention members of the family, by far the most important of them being 710b, a statue base with the remains of a massive pedigree which, even in its exiguous state, shows that the honorand must have been related to some very distinguished Romans in Asia, including Severus' general Virius Lupus and the historian Cassius Dio.¹²⁾ Its date should lie in the latter half of the third century.¹³⁾ A reconstruction of "Die Familie des Cn.Pompeius Hermippus" is offered in I.Ephesos (III pp.105-106, no.710); neither it nor any other account notices the case related in Paul's Decreta.

The identification of the people in Paul is not sure but can be reduced to two possibilities. The patriarch of the family, insofar as we know it, was Cn.Pompeius Hermippus, high priest of Asia, neokoros of the emperors, gymnasiarch and grammateus, and tribune of a cohors Hispana (I.Ephesos 2069, 710): his military tribunate falls within the period from Hadrian to Septimius Severus.¹⁴⁾ Given this man's rank and achievements, it is not surprising that his presumed son, Cn.Pompeius Hermippus Aelianus entered the Roman senate (3036, 1120, 3219, 709): a *cursus honorum* survives, taking him up to the proconsulship of Lycia-Pamphylia at some date between c.165 and 213.¹⁵⁾ And his son in turn has been presumed to have been a Cn.Pompeius Hermippus Aelianus the Younger, apparently attested as senator and as alutarch of the Ephesian Olympics, who may have died young (4113, 3219). Finally, a statue was dedicated at Ephesus to an unknown person by his sister Pompe[ia] Titinniana(!) and another relative (710a).¹⁶⁾ Barring the existence of unknown Pompeii Hermippi, the testator in Paul must be either the asiarch or the proconsul of Lycia-Pamphylia.

The stemma at I.Ephesos 710 assigns to the proconsul some four sons, one of them without doubt, three as "vermutlich". There are great difficulties involved with the identities of all four, which are not strictly relevant here. Let it be said that on balance it is far more likely that the testator Pompeius Hermippus was the asiarch, that the testator's son Hermippus was the proconsul of Lycia-Pamphylia (who will have had no, or no surviving, children), and that the testator's daughter Titiana is possibly the Titinniana on 710a.

12) The pedigree could be to some extent reconstructed, with the valuable hints provided by W.Eck ad loc.

13) This assumes that the restoration of the inscription is correct which suggests that the honorand's mother was the sister of [V]irius Lup[us] and niece of the [V]irii Agric[ola] and Lupus] who were [consuls], praetors, etc., in lines 1-8: these should be the consuls of, respectively, 278, 230 and 232.

14) H.Devijver, *Prosopographia militiarum equestrium*, P 59.

15) B.E.Thomasson, *Laterculi Praesidium I*, 1984, 285.

16) Cf. for her name the gymnasiarch (and her close relative), Cn. Pompeius Titianus Amoenus Quartinus (1150).

If that is so, there is a plausible historical context. "Hermippi bona ad fiscum pervenerant": Paul gives no hint as to the man's crime, but crime there must have been if the property came to the imperial fisc.¹⁷⁾ The possible offenses are many, but since the offense must have occurred either under Commodus or under Severus, and since the criminal was a senator and a leading citizen of Ephesus, there must be a strong suspicion that the affair had political implications. Whatever happened, it is interesting that Severus had no intention of reversing an earlier decision. On the other hand his willingness to moderate it might suggest that the earlier decision was not his own or approved by him: he was after all notorious for confiscating the goods of noble opponents en masse, and for leaving more to his sons from a single proscription than any other emperor.¹⁸⁾ The more likely candidate is Commodus. As it happens, the daughter of one of the consular victims of Commodus, Pactumeius Magnus, supposedly killed cum suis, survived, and Commodus' successor was likewise to take the more humane view of her petition in another unusual testamentary case recorded in Paul's Decreta.¹⁹⁾

A wave of executions followed the fall of the emperor's favourite Cleander in the year 190, in the last two and a half years of the reign. The *Historia Augusta* provides a chillingly accurate survey of the distinguished victims, including no fewer than six consulares killed at one time (7.1-8).²⁰⁾ At least one of the victims, Antius Lupus, came from Asia Minor, and the list concludes: *atque in Asia Sulpicium Crassum pro consule et Iulium Proculum cum suis Claudiumque Lucanum consularem et consobrinam patris sui Faustinae Anniam in Achaia et alios infinitos.*²¹⁾ Granted the existence or perception of a conspiracy in the East, Pompeius Hermippus of Ephesus may well have been one of the *alii infiniti*.²²⁾ Septimius Severus had a delicate task before him in the early years of his reign.

17) For the development of imperial acquisition of bona damnatorum, see F.Millar, *The Emperor in the Roman World*, 1977, 163-174.

18) HA Severus 12.1, 3.

19) Dig. 28.5.93.

20) Analysis by H.-G.Pflaum, BHAC 1970, 212-224.

21) 7.7, adding in 7.8 that he had intended to slay another fourteen, since the resources of the empire could not meet his expenses - thus clearly imputing to him a financial motive.

22) Hermippus' relative, the honorand of I.Ephesos 710b, included among his ancestors a Lupus Antonius, apparently a senator of praetorian rank (710b. 33), and a Valerius Maximus, husband of a Marciana, consularis femina (710b12.) This should establish a connection with at least two of Commodus' victims, viz. M.Antonius Antius Lupus, likewise an ex-praetor (ILS 1127), and Sex. Quintilius Condianus (cos. ord. 180), son of Sex.Quintilius Valerius Maximus (cos. ord. 151). On the other hand at least two supporters of Septimius Severus are likewise echoed in the pedigree, viz. the general Virius Lupus and the historian Cassius Dio. If we could read the pedigree as a martyrology, or as a meeting of like-minded families, the likely persecutor of Pompeius Hermippus would emerge as Commodus.

VII. CIL XII 4036 (Nemausus) = CLE 1112:

[.....]atroni famam barba|.....] / cuius Roma libris adserit [ipsa fidem.] / amissos ornat titulis, en aspice, iunctos: / quos habet incolumen, fovit amore pari. / 5 supremas error ne posset rumpere ceras, / arte sua cavit, clausit operta fide. / excipiet Manes, sua qui sine lite reliquit: / laudabit studium, cui sua cura cavet.

"...to whose books Rome [herself] accords [belief]. His dead loved ones, joined here, behold he honours with inscriptions: those still alive he has cherished with equal love. That no mistake might upset his last will, he took care with his professional skill, and sealed its secrets with faith. He will await <his reception by> the ghosts <confidently> [or, reading "excipient": the ghosts will receive him <kindly>], who has left his property immune from lawsuit: he for whom his concern takes care will praise his devotion."

This amateurish attempt at verse derives from an inscription at Nemausus, now lost. The text in CIL is an amalgam of versions from four early modern manuscripts which differ somewhat among themselves. According to the editor (O.Hirschfeld) the four versions are agreed at least as to the line divisions, and there is no indication that the stone was broken off at the top. Hence, what we have may be nearly the entire text: the names of the lost relatives were to be sought on the other tituli, and there also the name of the subject of these verses presumably appeared as dedicator.

The curious element of these lines, and one not immediately apparent, is that their subject is still alive: contrary to the opinions of editors, this is not his epitaph. The tenses of the verbs are quite precise. Not only does Rome accord faith to his books, he honours his relatives with tituli, others he (still) holds safe. He has indeed written his will with great care, but this is no sign that he is dead: he will die with confidence (excipiet Manes) and his heir will praise his zeal, because he has left a will beyond legal cavil. The point may be simple but it is worth emphasis. It is one thing for a satisfied heir to praise the care taken over his will by a deceased benefactor. It is quite another to proclaim the document's legal perfection before it has ever been opened.

The man is clearly a juriconsult.²³⁾ Ars sua and his books seem to guarantee that, the art which ensures that no error will break his last will and testament, the books in some way acclaimed at Rome itself. Moreover, if the word "fidem" is correctly restored, and if it can be granted the specific meaning of "authority", we have the claim that the man was a juriconsult of some standing in the Roman world.

23) So Buecheler, CLE, ad loc.

It is equally clear that he was not an orator or lawyer: the art of the *causidicus* did not lie in avoiding technical error in legal documents, nor were books its obvious vehicle. Nevertheless, Reinesius long ago suggested that the man was *Cn. Domitius Afer* himself, the famed orator from Nemausus, and Hirschfeld, while rightly rejecting the identification, continued to believe that the man was a *causidicus*. The basis for this, beyond the generally legal tone of the verses, is surely the [p]atroni in the first line, for which there is as yet no certain restoration.²⁴⁾ Yet here *patronus* probably has the simple meaning of patron, and the restoration closest to making sense is that of Hirschfeld, who offered the following text in CIL: [?extollit p]atroni famam barba[ra tellus], / cuius Roma libris adserit [ipsa fidem]. *Tellus* offers a nice balance to *Roma*, *fidem* to *famam*, and if correctly restored we win from them valuable indication that the man was patron if not of *Narbonensis* at least of *Nemausus*.

As it happens, *Narbonensis*, indeed all of Gaul, can produce only two men proclaimed as learned in the law, both of them from *Nemausus* precisely and both of them pretty small fry.²⁵⁾ Nevertheless, there is one major juriconsult whose books held great authority at Rome and who had some connection with *Nemausus*, *Cervidius Scaevola*. Some time ago *W. Kunkel* made a tentative case for seeing *Nemausus* as *Scaevola's* homeland.²⁶⁾ We now know that it was not, yet the case can be reformulated.

Q. Cervidius Scaevola is amply attested as a member of the *consilium* of *Marcus Aurelius* and as his close adviser.²⁷⁾ Moreover, an inscription shows him to have reached the heights of an equestrian career as *praefectus vigilum* in 175,²⁸⁾ and since he was active far into the reign of *Severus* he may well have achieved senatorial rank. The *Tabula Banasitana*, recording the *consilium principis* in July 177, now shows his full name to have been *Q. Cervidius Q. f. Arn. Scaevola*, and the tribe *Arnensis* points strongly to an African origin, most likely to *Carthage*.²⁹⁾ Otherwise he might have been a native Italian. In any event, there is no indication that he was Gallic by birth.

24) Hirschfeld: extollit p]atroni famam barba[ra tellus. Hartel: auxit p]atroni famam barba[rica tellus. Buecheler: auxit p]atroni famam barbat[us alumnus.

25) *L. Baebius Eucles*, *iur(is) studiosus* (a freedman), and *Q. Valerius Virillio*, *iuris studiosus*: CIL XII.5900, 3339).

26) *Herkunft und soziale Stellung der römischen Juristen*², 1967, 217-219.

27) Dig. 36.1.23 pr. (*Ulpian*, *Disput.* 5), AE 1971.534, HA *Marcus* 11.10: *Habuit secum praefectos, quorum et auctoritate et periculo semper iura dictavit. Usus autem est Scaevola praecipue iuris perito.*

28) CIL XIV 4502, cf. HA *Marcus* 11.10.

29) AE 1971,534, with *R. Syme*, ZSS 97,1980,96 = *Roman Papers* III,1984,1407. Cf. *A. Cervidius A. f. Iul. Repostus* (sic) from *Uthina* in *Africa Proconsularis*, a soldier in the *vigiles* in 203, a generation after *Scaevola's* command: CIL VI 220 = ILS 2163, discussed at *Kunkel* 219.

However there is strong indication of a tie with Gaul, as Kunkel set out. First, an Attia Cervidia Q.f. Vestina c.f. was honoured at Lugdunum by decree of the decurions, along with her husband L.Fulvius Gavius Numisius Petronius Aemilianus, a patrician senator who had reached the office of praetor tutelarius and who was curator and patron of Lugdunum.³⁰⁾ The husband's praetorship is to be dated to the 160s, probably to 169.³¹⁾ The date and Attia Cervidia Vestina's filiation make it virtually certain that she was the jurist's daughter. The reason for the link with Lugdunum is unknown.

Second, excepting the jurist and his daughter, attestation of the name Cervidius is extremely rare. Kunkel could find only four occurrences, and no more have turned up since. One in Rome is an African soldier in the vigiles who may have had some connection with the jurist's family.³²⁾ A second also from Rome, a Cervidius Vistinus of low standing, Kunkel wanted naturally to bring into some connection with Attia Cervidia Vestina, and rightly, for the inscription of Cervidius Vestinus comes from the suburban estate of Cervidia's husband, the senator Fulvius Aemilianus.³³⁾ The other two Cervidii appear at, of all places, Nemausus. One is no more than a name on a dedication: Cn. Cerv<i>dio M.f. Tacito (CIL XII 3515). The other is a considerable problem. A fragmentary inscription (XII 3171a) bears on two different lines the words "Ce]rvidio[" and "quae]stor"; a second fragment bears a very lacunose senatorial cursus up to a possible proconsulate and a consulate, dedicated by the people of Nemausus (3171b): whether the two fragments come from the same inscription is unsure.³⁴⁾ At the least, if the restorations in the first are correct, we have an important Cervidius at Nemausus, be he decurion or senator. The appearance there of the exceptionally rare nomen Cervidius together with the also rather rare title of "iuris studiosus" should suggest that the jurist Cervidius Scaevola had some tie with the city.

The nature of that tie is obvious: he himself had no original connection with Nemausus, but his wife or her family did. Her name, easily deduced from

30) CIL XIII.1806, 1801 = ILS 1172, 1172a. CIL VI.1422 = ILS 1171 (Rome) is a dedication by the same lady to her husband.

31) PIR² F 541 and RE 7,248ff. Kunkel 218 mistakenly assigns him to the reign of Severus Alexander, confusing him with an apparent grandson who inherited the patronage of Lugdunum: ILS 1173.

32) Note 29 above.

33) CIL VI 12451 (cf. 29056 for another Vistinus), with M.Buonocore, "Tor Marancia: analisi storico-topographica", Ottava Miscellanea Greca e Romana, Roma 1982,354-358. Ownership is shown by the water-pipe bearing the names of Numisia Q.f. Procula and Fulvius Petronius Aemilianus, who are probably to be identified with Cervidia's mother-in-law and husband: CIL XV 7459.

34) Y.Burnand, Epigrafia e Ordine Senatorio, Roma 1982,II 419, with reference to MEFRA 87,1975,686,689-691. Not in H.-G.Pflaum, Les fastes de la province de Narbonnaise, Gallia suppl. 30,1978.

that of her daughter, was Attia Vestina, a name with instant Narbonensian connotations: both parts in fact recall two powerful consular families from Vienna of a slightly earlier generation.³⁵⁾ The relationship with Vienna need not be close, for some 30 inscriptions attest the presence of the gens Attia at Nemausus.

That Cervidius Scaevola had a family connection with Narbonensis and Nemausus must be regarded as close to certain. If we are looking to name the canny testator who was subject of a verse inscription at Nemausus, who was learned in the law, whose books were held in respect at Rome, some of whose relatives were buried at Nemausus, and who was himself apparently patron of that city, Scaevola is by far the most plausible candidate.

Princeton

E.J.Champlin *)

35) R.Syme, *JRS* 70,1980,79, briefly; and in detail. R.E.A.Palmer, *Rendiconti della Pontificia Accademia Romana di Archeologia* 51-52,1978-1980,119-126, with a hypothetical stemma at 120. A Viennese connection might account for her son-in-law's patronage of neighbouring Lugdunum.

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