

SUPPLEMENTARY REMARKS UPON THE GREEK  
INSCRIPTION FROM BEERSHEBA.

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FRESH investigations which I should have liked to pursue further, but which may be advantageously resumed by other scholars more familiar than myself with the labyrinth of Roman and Byzantine law, have led to my meeting with a document which appears to me to cast some light upon the inscription of Beersheba. It is an imperial constitution or ordinance, dated at Constantinople, March 23rd, 409, and addressed to Anthemius, the prefect of the prætorium,<sup>2</sup> by Theodosius II. In view of the peculiar interest it has for us I think it advisable to reproduce it *in extenso* after Godefroy:—<sup>3</sup>

*Prætia per Palæstinas tres antea pro annonis statuta servari jubentur.*

XXX idem<sup>4</sup> A. A. Anthemio PP.<sup>5</sup>

Limitanei milites<sup>6</sup> et possessorum utilitate conspecta, per primam, secundam, ac tertiam Palæstinam huiuscemodi norma processit, ut prætoriorum certa taxatione depensa, specierum intermittatur exactio: Sed Ducianum Officium sub Versamini et Moenæni Castrî nomine, salutaria statuta conatur evertere. Ideoque lege repetita censemus, ut si quis interclusam specierum exactionem refricare temptaverit, vel adærationes statutas ausus fuerit inmutare, tam vir Spectabilis Dux centum librarum auri, quam etiam eius Officium pari condemnationis summa quatiatur, adjecta sacrilegii poena, quæ Divalium scitorum<sup>7</sup> violatores palam insequitur. Dat. X kal. April. Constantinop. Honorio A. VIII et Theodosio III. AA. cons.

As one sees, it deals with the removal of certain difficulties which had arisen between the inhabitants and the frontier-garrisons, by the

<sup>1</sup> Translated from the author's *Recueil d'Archéologie Orientale*, tome V, § 27, pp. 143 *et. seq.* See *Quarterly Statement*, July, pp. 269–282.

<sup>2</sup> The same person probably who had been Consul of the Orient in 405.

<sup>3</sup> Godefroy, *Codex Theodosianus*, tome II, p. 327 = ed. Ritter (Leipsic), tome II, p. 324.

<sup>4</sup> Honorius and Theodosius II.

<sup>5</sup> Prefect of the prætorium, *ἐπαρχὴ πραιτωρίων*.

<sup>6</sup> *Militis*? or *militum* (*limitaneorum*)?

<sup>7</sup> = *θεῖοι τύποι*.

application of a rule, substituting, in their mutual interest, in the three provinces of Palestine, for the payment in kind of rents due to the troops (*annonæ*), payment in cash at an officially fixed rate (*adærationes*). The case cited is particularly interesting to us. It appears that the officials of the *dux* acting at the camps of *Versaminum* and *Mœnænum* had refused to conform to the new rules. The emperor confirms the legislative provisions previously enacted, and forbids whomsoever it may concern to revert to the former method of collecting in kind, or to modify the taxes substituted, under a penalty for the *dux*, as well as for his officials, of a fine of a hundred pounds of gold, in addition to the punishment to which every sacrilegious violation of an imperial order is liable.

This official document, then, relates precisely to that question of the *annonæ* and *adærationes* to which I was brought, by general considerations of an entirely different nature, to connect our inscription. The agreement becomes singularly topical when one takes count of the two places in Palestine cited by the Imperial order: the camps of *Versaminum* and of *Mœnænum*. As one has long recognised, these places are no other than Beersheba and Menoïs. Now Beersheba is the very place whence the inscription came. The form *Versamini* is for *Versabini*, *Bersabini*. For the alteration which the transcription has undergone, cf. the reading Βηροσάμων of one of the manuscripts (D) of George of Cyprus,<sup>1</sup> and also the readings of the manuscripts of Ptolemy<sup>2</sup>: Βέρζαμα, Βέρζαμμα.<sup>3</sup> The name Menoïs has suffered less. The close association of the two places is sufficient to guarantee the identity of the former. In the *Notitia Dign. Imp. Rom.*, the places *Berosabe* and *Menoïda* are mentioned side by side as occupied by detachments of Illyrian cavalry. The mosaic map of Medeba marks not far from one another on a line from west to east: Μηνοίς (*Μαδεβινά ή νόν*),<sup>4</sup> and (not far from Gerar): Βηροσβεέ ή νόν Βηροσσαβά. They are to be found upon the

<sup>1</sup> Ed. Gelzer, p. 53.

<sup>2</sup> Ed. C. Müller, p. 492.

<sup>3</sup> Not to mention also the wholly distorted form Μεζάρμαι.

<sup>4</sup> According to the statements of the *Onomasticon*, s.v. Μηδεβινά. The situation of Menoïs has not yet been exactly determined. It is generally identified with *Minyáy*, which Robinson marks upon his map to the south of Gaza (perhaps *El-Mentyeh*, on the map of Van de Velde?), but seems to have known only by hearsay. (Robinson, *Biblical Researches*, vol. I, p. 563, last station of an itinerary from Sinai to Gaza.)

southern frontier of Judæa and belong to *Palæstina Tertia*, that is to say, as St. Jerome tells us,<sup>1</sup> to *Palæstina Salutaris*, in consequence of a somewhat recent organisation. Elsewhere,<sup>2</sup> he adds with Eusebius, that Beersheba was the residence of a Roman garrison (*φρούριον, præsidium*).

One cannot avoid being struck with the convergence of all these facts. If the palæography is not an obstacle, one might, perhaps, without being too rash, take the inscription of Beersheba to be a reproduction of the actual text of the Imperial edict regulating the *alteratio* of the *annonæ* for the three provinces of Palestine. Since local difficulties had arisen on this occasion at Beersheba, it would evidently be to the interest of the municipal authority of the town to publish under this official form the law which safeguarded the people against the abuses of the military power. These abuses, further, could have recurred at various times, so that the date of our inscription is not necessarily that of the ordinance of 409, although it is very tempting to associate the inscription with the conflict which arose at Beersheba, and to which the ordinance expressly refers. Who knows if, some day, there shall not be discovered at Menoïs, which suffered at the same time from the same abuse of power, a fresh and better preserved copy of our inscription, written for the same purpose?

It is possible that the lost preamble of the inscription explained the circumstances which led to the engraving of it, and said that, to cut short all strife, it reproduced the law which laid down the new state of affairs for the three divisions of Palestine, the particular case of Beersheba being found thus defined in its proper place with much more authority. The fragment would then belong to this general law which seems to be referred to by the ordinance of 409 (*lege repetita censemus*), and which, unfortunately, has not been preserved in the collection of Imperial acts. This law is referred to still more precisely in another enactment of Theodosius II, some months (November 30th, 409) after the preceding. In order to make this important point clear it seems worth while to quote it<sup>3</sup> :—

<sup>1</sup> *Quæst. ad Genes*, xvii, 30: "ubi et Bersabee usque hodie oppidum est; quæ provincia ante grande non tempus ex divisione præsidium Palæstinæ Salutaris est."

<sup>2</sup> *Onomasticon*, s.v. Βηρσαβεί.

<sup>3</sup> *Cod. Theodos.* ed. Ritter, tome II, p. 325.

## XXXI, idem, A. A. ad Anthemium PP.

Militaribus commodis prospicientes, aedaratarum annonarum, quae Familiis, apud Orientem vel Aegyptum præberi consuerunt, certa ac distincta locis et numero pretia statuimus. Verum quia in hoc et provincialium nobis habenda est cura præcipua, ne nimia festinatione poscendi conlatorum vires adteri videantur, certum constitui tempus placet, quo eadem pretia debeant præberi poscentibus. Quapropter, uniuscuiusque indictionis annonariam in pretiis rationem, transacta ea, sequentis indictionis mense Novembri completo præberi precipimus. Dat. Prid. Kal. Decemb. Constantinop. Honorio VIII et Theodosio III, A. A. Conss.

By this additional order the emperor allows a certain amount of delay, in order to facilitate to the tax-payers of the provinces of the Orient and of Egypt the payment of the *aderatio*, representing the old taxes in kind due to the soldiers and to their families. The sum total of this contribution, extending from the commencement of the indictional year (September) is to be exacted only at the close of the November of the following indictional year, that is, a period of 15 months. Above all, the expression, *certa ac distincta locis et numero pretia statuimus*, is remarkable. There was, therefore, a rule which fixed the various proportions according to the places and according to the number of the troops residing there. It must be admitted that this has a close resemblance to that which I believed I recognised in our fragmentary inscription, where the names of places alternate with the mention of various officials, and are inscribed opposite a series of totals more or less high.

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