

# 1. Bridging the gap

## Linking commercial epigraphy and Roman law

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### **Description**

Studies on inscriptions on commercial items have focused almost exclusively on single objects but not relating it to other items nor with the legal context surrounding the trade operations. The poster I am going to present, shows a method to achieve a better understanding of the inscriptions through exploring their inter-relationships with the procedures reflected in legal sources, together with the possibility of giving readers from outside the specialised discipline both insights to the source material. To achieve these goals, inscriptions concerning trade in the Mediterranean (*scripta commercia*) and legal Roman sources (juridical) have been organised in two linked databases, connected to other databases developed inside the Portus Limen Project ([www.portuslimen.eu](http://www.portuslimen.eu)).

Within the databases, one inventory number is assigned to each inscription and each legal source. When a connection can be made between a legal text and an inscription, the inventory numbers are linked. These connections will show us how the different procedures can be appreciated in the material record and in the legal sources in force at that time. These connections will also show us the complexities of Roman commercial procedures and the possibility of a certain systematisation in the labelling of the commercial items. It should be noticed here how, being Roman law is composed of general principles, sometimes the text describes a principle of behaviour or the advice of

a jurist, reason why it can be related not to a specific activity, but to all the commercial operations surrounding the inscriptions.

An example of these connections can be found in the Legal source numbered 0092, which refers to a fragment of Ulpian's text from the 3<sup>rd</sup> cent AD describing the diverse steps of the procedure of sale of wine. This source can be connected to some inscriptions (1180/ 1181 /2979) on amphorae that record one of the steps of this kind of sale.

The poster presented will be supported by several images of both databases, showing the details of the fields of analysis for each database and illustrating how the data are edited and linked (figs. 1a- 2c). Other images will consist in charts containing the sources of information and the origins of the data (figs. 3-4), and part of a glossary that explains complicated terms (fig.5).

Thanks to these connections created in the system of databases, the inscriptions will be given a context within commercial operations. The potential of this tool is wide. : applied to the study of ports, for example, it will show the interaction between persons involved in commerce and within portuary authorities. It will also help to gain a better understanding of Roman commerce and trade, and of Roman law in its practical focus. It is also remarkable that the persons interested will have digital access to a wide catalogue of commercial inscriptions and juridical sources all together, as well as an updated edition of all these materials. The diversity of needs and interests of the users can be best accommodated in a format that profits from the interconnectedness of linked data.

## **Keywords**

*Tituli picti*; Roman law; exegesis; epigraphy; Roman commerce; Roman ports.

portus imen INSTITUTUM RESEARCH PORTUS		erc
	Sites	
	Interfaces	
	Harbour System	
	Instrumentum	
	Harbours	
	Inscriptions	
	Iconography	
	Structures	
	Occupational Phases	
	Books	
	Passages	
	Words	
	Sea levels	
	Juridical	
	Geofeatures	
	Geostrati Dating	
	Geostrati Unit	
	Geostrati Core	
	Geomorpho Unit	
	Digital Documents	

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## Juridical

[View](#) [Revisions](#)

ID

0092

Main source

D. 18, 6, 4, 1

Type of support

Legal compilation / Digest

External Link

<http://droitromain.upmf-grenoble.fr/Corpus/d-18.htm#6>

Author Name

Ulpian

Titulus Name

De periculo et commodo rei venditae.


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



















libro 28 ad Sabinum

Text

Si aversione vinum venit, custodia tantum praestanda est. Ex hoc apparet, si non ita vinum venit, ut degustaretur, neque acorem neque mucorem venditorem praestare debere, sed omne periculum ad emptorem pertinere: difficile autem est, ut quisquam sic emat, ut ne degustet. Quare si dies degustationi adiectus non erit, quandoque degustare emptor poterit et quoad degustaverit, periculum acoris et mucoris ad venditorem pertinebit: dies enim degustationi

Fig 1a. Record of part of the information that contains the juridical database.



-  Sites
-  Interfaces
-  Harbour System
-  Instrumentum
-  Harbours
-  Inscriptions
-  Iconography
-  Structures
-  Occupational Phases
-  Books
-  Passages
-  Words
-  Sea levels
-  Juridical
-  **Geofeatures**
-  Geostrati Dating
-  Geostrati Unit
-  Geostrati Core
-  Geomorpho Unit
-  Digital Documents

Procedure

actio empti / formulary procedure / cognitio extra ordinem

Aims

ulpian advises the buyer of wine in bulk (aversione) to insist in a condition for tasting. Early classical jurists devised the doctrine at a time when buyer protection within sale itself was still poorly developed, they sought to protect the buyer against his own mistakes by attacking the validity of the sale's formation. But by the late classical period, the jurists had fully developed buyer's protection within sale, their theories ran outward from the seller's bona fide obligations to the buyer: the seller had to take responsibility for his express statements or promises, and

Affects in portuary/commercial relations

Commercial operations of the port / wine selling

Earliest date

AD 211

Latest date

AD 219

Chronological indicators

Life of the author

Consequences of non-compliance

ulpian advises the buyer of wine in bulk (aversione) to insist in a condition for tasting, because despite the fact that jurists try to protect buyers, as he says here, in case of not performing this act, all the fault will be of the buyer. In case of fault of the seller, an actio empti is possible.

Tituli picti related

1295 / 1571 / 1223 / 1262 / 3230

Other juridical sources related

0229 / 0230 / 0231 / 0232 / 0233 / 234

actio empti / formulary procedure / cognitio extra ordinem

actio empti / formulary procedure / cognitio extra ordinem

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Commercial operations of the port / wine selling

AD 211

AD 219

Life of the author

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1295 / 1571 / 1223 / 1262 / 3230

0229 / 0230 / 0231 / 0232 / 0233 / 234

Fig. 1b. Record of part of the information that contains the juridical database.























 	
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 Instrumentum	Site ID place of finding
 Harbours	<input type="text" value="005"/>
 Inscriptions	Harbour system place of finding
 Iconography	<input type="text" value="Arelate"/>
 Structures	Site ID origin
 Occupational Phases	<input type="text"/>
 Books	Harbour system origin
 Passages	<input type="text"/>
 Words	Number of tituli on support
 Sea levels	<input type="text" value="2"/>
 Juridical	Support
 Geofeatures	<input type="text" value="Flagon"/>
 Geostrati Dating	Support type
 Geostrati Unit	<input type="text" value="Flagon"/>
 Geostrati Core	Size and weight
 Geomorpho Unit	<input type="text"/>
 Digital Documents	Estimated date (early)
	<input type="text" value="AD 50"/>
	Estimated date (late)
	<input type="text"/>

Fig. 2a. Record of part of the information that contains the *Scripta commercii* database.



















 	
 Sites	Place of finding
 Interfaces	Arles
 Harbour System	Context of finding
 Instrumentum	disposal
 Harbours	ID tituli picti
 Inscriptions	Inscription F?
 Iconography	Lecture
 Structures	DOL. CXXX. SEXSAGENARIA
 Occupational Phases	Interpretation
 Books	Dolia centum quadraginta sexsagenaria
 Passages	Type of tituli picti
 Words	General inscription?
 Sea levels	Prosopography
 Juridical	Valerius Proculus
 Geofeatures	Notes
 Georati Dating	<p>The flagon constitutes a sample, this is why I can find this unusual inscription mentioning that the content of the jar belongs to a bigger cargo.</p> <p>The Roman urn is more or less 13l. So a dolium sexagenarium will correspond to a jar of 780l, while the capacity of the flagon is of 1100hl.</p>

Fig. 2b. Record of part of the information that contains the *Scripta commercii* database.

Interfaces

Harbour System

Instrumentum

Harbours

Inscriptions

Iconography

Structures

Occupational Phases

Books

Passages

Words

Sea levels

Juridical

Geofeatures

Geostrati Dating

Geostrati Unit

Geostrati Core

Notes

The flagon constitutes a sample, this is why I can find this unusual inscription mentioning that the content of the jar belongs to a bigger cargo.  
The Roman urn is more or less 13l. So a dolium sexagenarium will correspond to a jar of 780l, while the capacity of the flagon is of 1100hl.

Technique

Situation

Frequency

1

Main Source

Djaoui, Tran, 2014

Primary Sources

CIL, XV, 4543; CIL, VI, 1785=31931; Cat, de agr, 69, 2

Bibliography

Djaoui, 2011; Silvino, 2007; Djaoui, 2014; Geraci, 2012; Vera, 2006

Fig. 2c. Record of part of the information that contains the *Scripta commercii* database.

Type of info	Data details
ID	Number assigned to a whole item (ex.345)
ID Support	Number assigned to each inscription, including the initial of the item referred. (ex: A=amphora; B=barrel; I=ingot; O=Other; S=seal)
Site ID place of finding	number assigned in the places database
Harbour system place of finding	Number assigned in the harbour system database
Site ID origin	number assigned in the places database
Harbour system origin	Number assigned in the harbour system database
Number of tituli on support	number of the inscriptions on the item
Support	Name of the item (ex. Amphora)
Support type	Detailed name of the item (ex: Dressel 20)
Size and weight	Data furnished in the publication
Estimated date (early)	Data furnished in the publication
Estimated date (late)	Data furnished in the publication
Chronological indicator	Data furnished in the publication
Origin	Data furnished in the publication
Place of finding	Data furnished in the publication
Context of finding	Data furnished in the publication
ID tituli picti	Data furnished in the publication
Lecture	Data furnished in the publication
Interpretation	Data furnished in the publication / self interpretation
Type of tituli picti	Name given according to the Dressel (αβγδεθ) or Laubenheimer tipology (A, B1, B2, C, D, E, F)
Prosopography	Bibliography available
Notes	Self notes
Technique	If smashed, painted, marked with fire, or if the ink is of an special kind (rubrum, atramentum)
Situation	Place where the inscription is located in the item
Frequency	Times that the inscription appears in the item
Main Source	Main source where the item can be found
Primary Sources	Other sources related (epigraphic, literary)
Bibliography	Other publishings related

Fig. 3. Data details and info recorded in the *scripta commercii* database



Type of info	Data details
ID	Number assigned to a whole item (ex.345)
ID Support	Number assigned to each inscription, including the initial of the item referred. (ex: A=amphora; B=barrel; I=ingot; O=Other; S=seal)
Site ID place of finding	number assigned in the places database
Harbour system place of finding	Number assigned in the harbour system database
Site ID origin	number assigned in the places database
Harbour system origin	Number assigned in the harbour system database
Number of tituli on support	number of the inscriptions on the item
Support	Name of the item (ex. Amphora)
Support type	Detailed name of the item (ex: Dressel 20)
Size and weight	Data furnished in the publication
Estimated date (early)	Data furnished in the publication
Estimated date (late)	Data furnished in the publication
Chronological indicator	Data furnished in the publication
Origin	Data furnished in the publication
Place of finding	Data furnished in the publication
Context of finding	Data furnished in the publication
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Prosopography	Bibliography available
Notes	Self notes
Technique	If smashed, painted, marked with fire, or if the ink is of an special kind (rubrum, atramentum)
Situation	Place where the inscription is located in the item
Frequency	Times that the inscription appears in the item
Main Source	Main source where the item can be found
Primary Sources	Other sources related (epigraphic, literary)
Bibliography	Other publishings related

Fig. 4. Data details and info recorded in the Juridical database.

WORD	DEFINITION	PRIMARY SOURCE(S)
Keyword	text	text
Actio	verb <i>agere</i> , which for our purposes is best translated broadly: 'to urge'. Generally, to have an action means that a person is entitled to pursue a remedy for some injustice done to him. <i>ctio</i> . In the definition of the jurist Celsus,	D. 45.1.551 ; Inst. 4.6 pr.; Inst. 4.6; D. 44.7; C.4.10.
Aminneum	Kind of wine grown in Italy in a generalised way.	Col. III, 2, 7-13; III, 9; Plin. HN
Consuetudo	law which had not been created by enactment but was simply recognized as being the law. So it needs to be recognised in a social context of Law	custom as source of argumentation: D. 23, 2, 39, 1; 23, 2, 8; 24, 1, 1; 29, 2, 8 pr.; 28, 6, 2pr. Apart, definitions in D. 1, 3, 32pr. ;
Diffusor	of negotiator or mercator. Representatives of the big firms (Rougé); intermediaries between mercator and negotiator	II, 1481; CIL, VI, 20742; 1625b); CIL, II, 1481; CIL, II, 1180; CIL, VI, 1885; AE, 1994, 193; CIL, VI, 29722;

Fig 5. Example of some words of the glossary.