

VESPASIAN'S *AQVAE DVCTVS* IN OSTIA AND OSTIA'S RELATIONSHIP WITH ROME*

1. A DOCUMENT LINKING VESPASIAN AND THE WATER SUPPLY OF OSTIA

In Ostia, Rome's harbour-town, several parts of an inscription which reveals that the Emperor Vespasian promoted the town's water supply were found in 1983.¹ Eventually references to the text began to circulate,² then one more fragment turned up and in 2006 the formal and official publication of the text took place, for which the scholarly world is grateful to Alfredo Marinucci.

The *editio princeps*, accompanied by an excellent photograph, shows the preserved inscription (Fig. 1), consisting of six fragments of what was once a large framed marble plaque, which reads as follows:³

IMP CAESA[R VESPA]SIANV[S]
VIII IMP XVI[–]
AQVAE DVCTVS IN COLONIA OS[

The right side of the plaque is completely lost, which introduces an element of uncertainty into the interpretation. It is, however, obvious that line 1 is occupied by Vespasian's titulature, and what can be read of line 2 is dedicated to the same topic, since the figure *VIII* refers to his *tribunicia potestas*, which is followed by the (incomplete) number of Vespasian's imperial acclamations. That line, which was indented, and surely indented in a symmetrical fashion on both sides, may have

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¹ A. Marinucci, 'L'iscrizione dell'acquedotto ostiense', *MEFRA* 118 (2006), 509–10 = *AE* 2006, 262. I am not aware of any other discussion of the inscription after the *editio princeps* appeared, although it has been referred to on several occasions, for example, in É. Bukowiecki, H. Déssales and J. Dubouloz, *Ostie, l'eau dans la ville. Châteaux d'eau et réseau d'adduction* (Coll. *ÉFR* 402) (Rome, 2008), 57; cf. note 3.

² An account in Marinucci (n. 1), 509 n. 122; in addition, for instance, see M. Horster, *Bauinschriften römischer Kaiser. Untersuchungen zu Inschriftenpraxis und Bautätigkeit in Städten des westlichen Imperium Romanum in der Zeit des Prinzipats* (Stuttgart, 2001), 270. For understandable reasons many of these early reports did not transmit the correct reading.

³ See Marinucci (n. 1), 509 n. 124 for the following description and measurements of the inscribed plaque, preserved in the Lapidario Ostiense at Ostia Antica (inv. 44139): plaque of white marble bordered by a frame, overall width and height 188.5 x 75 cm, thickness 9.2 / 10.9 cm. Width and height of the inscribed area inside the frame: 170.5+ x 57 cm. It needs to be stressed that, as is also clearly seen on the photo (Fig. 1), the right side of the plaque is lost, wherefore the original width of both plaque and inscription is unknown. The original presentation was repeated in A. Marinucci, *Disiecta membra. Iscrizioni latine da Ostia e Porto 1981–2009* (Ostia, 2012), 53. In the following, references are given only to the *ed. princeps*, unless Marinucci's later treatment brings novelties.



FIGURE 1: Inscribed plaque, preserved in the Lapidario Ostiense at Ostia Antica (inv. 44139).

Source: Archivio Fotografico del Parco Archeologico di Ostia Antica. Published with kind permission from Dr. Mariarosaria Barbera, Director of the Parco Archeologico di Ostia Antica.

contained only elements relating to the emperor's nomenclature. Finally, the actual deed for which Vespasian takes credit is mentioned on line 3, where undoubtedly a verb (possibly more than one) appeared in the part which is now lost.

Inscriptions referring to the improvement of urban water supply are very common in the Roman world, yet the new Ostian inscription contains a few features which deserve comment. In fact, it is because we have a fairly good context for the inscription, namely those formulations which one normally encounters in Roman epigraphy when water supply is the issue, that we can single out certain noteworthy aspects.

The first two lines contain no surprise. The Flavian emperor bears no *praenomen* or *gentilicium*, but that is the rule. An identical opening can be found, for instance, in *CIL* 6.40446 from Rome (in a section called 'tituli operis publici ab imperatore dedicati'): *Imp. Ca[esar] Vespasianu[] ...*; or in Vespasian's famous inscription on the Porta Maggiore in Rome (on which more below): *Imp. Caesar Vespasianus August. pontif. max. trib. pot. II Imp. VI cos. III desig. III p. p.*⁴ The question here is how much of the text to the right is missing in the Ostian inscription; we know that the *tribunicia potestas* (abbreviated or written out in full) must conclude line 1, but other elements have to be considered as well. Marinucci restored:

*Imp(erator) Caesa[r Vesp]asianu[s Aug(ustus) pontif(ex) max(imus) tribunic(ia) potestat(e)]
VIII imp(erator) XVI[II p(ater) p(atriciae) co(n)s(ul) VII design(atus) VIII]
aquae ductus in colonia Os[tiensi) ---]*

or, if written out as it originally would have looked on the stone,

IMP CAESAR VESPASIANVS AVG PONTIF MAX TRIBVNIC POTESTAT
VIII IMP XVIII P P COS VII DESIGN VIII
AQVAE DVCTVS IN COLONIA OST - - -

The length of line 1 is relevant to our attempt to deduce information about the wording on line 3. Then again, any restoration of line 1 must also consider how to continue line 2, as that indented line must end some 80 cm before the end of line 1.⁵ The above

⁴ *ILS* 218 = *CIL* 6.1257 = *CIL* 6 part 8.2 page 4365.

⁵ This number is based on a study of the photo in Marinucci (n. 1), 510 fig. 49 and the measurements given at page 509 n. 124, cited above in n. 3. The smaller font size here used for line 3 attempts to replicate the realities of the inscription.

restoration does fulfil these requirements, although line 1 ought possibly to be shortened somewhat. This could easily be accomplished by, for instance, using the abbreviation *pont(ifex)* and/or by abbreviating the *tribunica potestas* in some other fashion.

2. TWO UNUSUAL EXPRESSIONS

Marinucci presented the view, based on previous scholarship, that, because of the use of the term *aquae ductus* instead of *aqua*, it must be a question of restoring or improving an existing structure, instead of building something *ex novo*.⁶ Others have preferred to see the inscription as documenting the construction of a new aqueduct.⁷

Here we enter the discussion concerning line 3, which, short though the preserved portion is, contains two notable expressions: *aquae ductus* and *in colonia*. Both should be taken at face value; it would be methodologically wrong to assume errors by the stonecutter here, i.e. *ductus* for *ductum* and *in colonia* for *in coloniam*, with the rationale that doing so would simplify the interpretation.⁸

Normally, when someone is responsible for providing a town with a proper water supply by means of an aqueduct, the expression used is *in coloniam perduxit* or something similar, as can be seen merely from the following examples from Dessau's collection of inscriptions celebrating public works: *ILS 5754* (Lepcis Magna): *aquam quaesitam et eleuatam in coloniam perduxit*; *ILS 5755* (Pola): *aquam Aug. in superiorem partem coloniae et in inferiorem ... perduxit*; *ILS 5767* (Forum Novum): *aquam ... in municipium Forum Novom ... adduxit*; *ILS 5771* (near Viterbo): *aquam suam Vegetianam ... duxi[t] ... in uillam suam Caluisianam*; *ILS 5775* (Aequiculum): *aquam in fanum ... perduxerunt*. To these one can add three Imperial texts from Dessau: *ILS 98* (Caracalla): *... aquam Marciam ... in sacram urbem suam perducendam curauit*; *ILS 218* (Claudius): *... aquas Claudiam ... item Anienem nouam ... sua impensa in urbem perducendam curauit*; and the text in which Trajan celebrates his new aqueduct for Rome: *aquam Traianam pecunia sua in urbem perduxit* (*ILS 290*). To be sure, in these cases we find that the term used for referring to an aqueduct is *aqua*, as Marinucci suggested. Moreover, these *aquae* normally bear a particular name.

The other feature is that the construction 'in + accusative' is used throughout in the examples above.⁹ Thus, when finding the expression *in colonia* in the Ostian text, an

⁶ Marinucci (n. 1), 510 n. 131, based on P. Zanovello, 'Le fonti epigrafiche', in I. Riera (ed.), *Utilitas necessaria. Sistemi idraulici nell'Italia romana* (Milan, 1994), 99–143, especially 115. Though that work is rather impressionistic and based on only a handful of examples, the conclusion seems by and large warranted.

⁷ Marinucci (n. 1), 510 n. 131, with reference to a previous view expressed by Fausto Zevi; but see now M. Cébeillac-Gervasoni, M.L. Caldelli, F. Zevi, *Epigrafia latina. Ostia: cento iscrizioni in contesto* (Rome, 2010), 147–8 no. 27, especially 148: 'costrui, o ricostrui'.

⁸ One such assumption would be that *ductus* is an error for the accusative *ductum*. *AE 1982*, 153a–b = *AE 1989*, 144–5, two identical Imperial inscriptions from Minturnae, of Severan date, contain an object error: *... uia ... sua peq(unia) strauer(unt)*. There are two intervening lines between object and verb, however. For the ablative, and the possibility that *in colonia* could be used to denote 'goal of motion', no such case is cited in C.S. Mackay, 'Expressions to indicate goal of motion in the colloquial Latin of the early Empire', *ZPE* 136 (1999), 229–39. In addition, we can expect the Vespasianic text to contain anything but colloquial Latin. Cf. n. 42 below.

⁹ Sometimes, though, the dative occurs. Thus we find *urbi restituit* and *urbi restitutas*, respectively, in the inscriptions on the Porta Maggiore commemorating the activities by Vespasian and Titus (*CIL* 6.1257–8 = *ILS* 218, quoted below in the text); *aquam ciuitati Sardoniorum ... [adduxit]* in *CIL* 3.409 = *CIG* 3454; *aqua uic[o] Augustor[um] Verecundens(ium) perducta est* in *CIL* 8.4205 = 18495.

‘ablative of the place where’ (*ablativus loci* or *localis*),¹⁰ it makes sense to suppose that a different situation was at hand.¹¹ Vespasian seems to have restricted his actions to something that concerned an existing hydraulic structure in Ostia or perhaps some aspect of the water management in the town.¹²

The archaeological evidence does not help us further in identifying possible interventions under Vespasian, though we do know, from the evidence provided by an inscribed water-pipe, that Ostia had an aqueduct dating back to the reign of the Emperor Gaius.¹³ A recent survey of the extramural remains of aqueducts supplying Ostia has not resulted in any findings that could be dated precisely to the reign of the first Flavian emperor.¹⁴

What, then, did Vespasian do? Marinucci tentatively advances two suggestions for restoring line 3 (and one has to be grateful for his opening up the discussion): *aquae ductus in colonia Ost. specum nouum sua impensa adiecit*, or *aquae ductus in colonia Ost. formam nouam sua impensa fecit*.¹⁵ As is evident, the Italian scholar here assumes that *aquae ductus* stands in the genitive, which from a linguistic point of view is possible, as the word belongs to the fourth declension and has the genitive ending in *-us*. That makes the object of Vespasian’s action the *specum nouum aquaeductus* or the *formam nouam aquaeductus*. On this interpretation, the message of the inscription would be that, although the emperor did not build a completely new aqueduct, he substantially repaired the old one, as he famously also claimed to have done in Rome in the inscription on the Porta Maggiore.

¹⁰ See B.L. Gildersleeve and G. Lodge, *Gildersleeve’s Latin Grammar* (New York, 1895³, repr. Wauconda IL, 2003), 246–8 §385; H. Menge, T. Burkard, M. Schauer, *Lehrbuch der lateinischen Syntax und Stilistik* (Darmstadt, 2000), 519 §389 4a; R. Kühner and C. Stegmann, *Ausführliche Grammatik der lateinischen Sprache. Satzlehre* (Darmstadt, 1962⁴), 1.348–54, cf. 559–60; J.B. Hofmann and A. Szantyr, *Lateinische Syntax und Stilistik (Handbuch d. Altertumswissenschaft II 2.2)* (Munich, 1965), 145–8.

¹¹ Gildersleeve and Lodge (n. 10), 247 point out that ‘Verbs of Placing and kindred significations take the Abl. with *in*, to designate the results of the motion’. Of the examples cited—*ponere, locare, collocare, statuere, constituere, considerare, defigere, demergere, imprimere, insculpere, inscribere, incidere, includere*—the verb *constituere* would in fact be a possibility for our Ostian inscription; similarly Menge et al. (n. 10), 527–9 §393.

¹² Compare the expression used in a *senatus consultum* from 11 B.C.E.: *de numero publicorum salientium qui in urbe essent* (Frontin. *Aq.* 104.1).

¹³ See *CIL* 14.5309.9 for a lead pipe naming the Emperor Gaius, which is the earliest datable source; cf. C. Bruun, *The Water Supply of Ancient Rome. A Study of Roman Imperial Administration* (Helsinki, 1991), 285; C. Bruun, ‘L’amministrazione imperiale di Ostia e Portus’, in C. Bruun and A. Gallina Zevi (edd.), *Ostia e Portus nelle loro relazioni con Roma (Acta IRF 27)* (Rome, 2002), 161–92, at 170–3 for the dated Imperial lead pipes; Cébeillac-Gervasoni et al. (n. 7), 147. The suggestion that the first aqueduct be dated to the reign of Augustus seems somewhat uncertain, for the only evidence adduced is a water pipe, apparently without text, in an allegedly Augustan archaeological stratum; see A. Schmölder, ‘Ravitaillement en eau’, in J.-P. Descoeudre (ed.), *Ostia port et porte de la Rome antique* (exhibition catalogue Musée Rath) (Geneva, 2001), 101–7, especially 101 n. 12; ead., *Brunnen in den Städten des westlichen römischen Reichs (Palilia 19)* (Wiesbaden, 2009), 89 n. 43. The date may be correct, but there is nothing to show that the *fistula* was conveying water from an aqueduct. In M. Bedello Tata and E. Bukowiecki et al., ‘Le acque e gli acquedotti nel territorio Ostiense e Portuense’, *MEFRA* 118 (2006), 463–526, at 485 there is a reference to aqueduct remains of Augustan date, but the evidence is ambiguous: cf. ‘comunque nei primi decenni del I secolo d.C.’. Bukowiecki et al. (n. 1), 56 date the first aqueduct to the period 30–50 C.E.

¹⁴ See the various reports in Bedello Tata et al. (n. 13), with page 465 for a convenient table of the dated remains. The first *castellum aquae* by the Porta Romana is dated to the reign of Domitian by Bukowiecki et al. (n. 1), 56.

¹⁵ Marinucci (n. 1), 510.

A comparison with the inscriptions on the Porta Maggiore raises some questions with regard to the above restorations. While in the earliest inscription (part of which was quoted above) Claudius takes credit for introducing the two *aquae* to Rome, in the two subsequent inscriptions first Vespasian and then Titus refer to repairs that they had ordered to be carried out. The expressions used are *aquas Curtiam et Caeruleam perductas a diuo Claudio et postea intermissas dilapsasque per annos nouem sua impensa urbi restituit* (Vespasian) and *aquas Curtiam et Caeruleam perductas a diuo Claudio et postea a diuo Vespasiano patre suo urbi restitutas, cum a capite aquarum a solo uetustate dilapsae essent, noua forma reducendas sua impensa curauit* (Titus) (CIL 6.1257–8 = ILS 218).

In comparison with these monumental texts, line 3 in the Ostian inscription, which was meant to be monumental as well, though on a slightly smaller scale,¹⁶ looks very contorted indeed in the tentatively restored form cited above. Marinucci has plausibly argued that the width of the plaque indicates that it was originally exhibited in a very public space, likely at the point where the aqueduct, passing on top of the Republican wall (no longer serving any defensive use), crossed one of the main thoroughfares.¹⁷

Also noteworthy is the fact that the aqueduct, if this is what *aquae ductus* in the text refers to, is not given any name, contrary to what was the case, for instance, in the inscriptions on Rome's Porta Maggiore. The omission of an aqueduct's name would be very unusual, and one cannot think of any political reason for keeping silent about it here. Many aqueducts sponsored by an emperor were named Aqua Augusta, and Vespasian could have had nothing against citing such a common name. Nor would he have objected to the name Aqua Claudia (if that is what the Ostian aqueduct was called at the time), as can be seen from his inscription on the Porta Maggiore. Then again, had the name been neutral, inspired by topography or by the name of the town itself, there would have been no reason for Vespasian to object. Furthermore, such a name would perhaps have been particularly easy to change, as we know Claudius did in Rome for what became the Aqua Claudia, a project begun by Gaius/Caligula (Plin. HN 36.122; Frontin. Aq. 13.1; Suet. Claud. 20.1), surely not under the name Claudia.¹⁸ The reason for the plain term *aquae ductus* in the monumental Ostian inscription likely lies elsewhere, as shall be argued next.

3. THE MEANING OF *AQVAE DVCTVS*

Before presenting alternative views on what might have stood in line 3, some thoughts must be devoted to the meaning of the expression *aquae ductus* . These two words are divided by interpunctuation on the Ostian stone, although they are often written together

¹⁶ Marinucci (n. 1), 509 n. 124 gives the following measurements of the letter size: 9.7 cm in line 1, 10.1–10.4 cm in line 2, and 7–7.2 cm in line 3. The preserved inscribed space measures 57 cm in height and 170 cm in width, and thus the original total width of the inscription must have been some 3 metres at least, to judge from how much is missing of line 1.

¹⁷ Marinucci (n. 3), 54.

¹⁸ Gaius' official name as emperor was C. Caesar Augustus Germanicus. His *gentilicium* was Iulius, a name which he inherited from his father Germanicus (adopted by Tiberius in 4 B.C.E.) and which he shared with his siblings; see D. Kienast, W. Eck and M. Heil, *Römische Kaisertabelle. Grundzüge einer römischen Kaiserchronologie* (Darmstadt, 2017⁶), 74–5, 78. Thus 'Claudia' was not a name that Gaius would ever have chosen for a public construction project that he promoted.

in Roman inscriptions and indeed can form a composite word.¹⁹ The most recent, albeit short, discussions of the word *aquaeductus* are by the two scholars, Robert H. Rodgers and Fanny Del Chicca, who independently of each other published editions of Frontinus' *De aquaeductu urbis Romae* in 2004. While Rodgers chose to include *aquaeductus* in the title of Frontinus' work, he pointed out that the word does not appear in the text itself. That the term, however, is used to mean (urban) 'water supply' in general in chapter headings both in the *Codex Theodosianus* (15.2, approved in 438 C.E.) and in the *Codex Justinianus* (11.43, published in 534 C.E.) represented one rationale for Rodgers's choice.²⁰ Del Chicca, who preferred to write *aquae ductus* separately in the title of the work, also held that the expression could have the general meaning of 'water supply' ('il senso di "adduzione, perduzione").²¹

The division of the material in the *TLL* can be said to support this general meaning, for the first of two sections under the heading *aquae ductus* carries the heading 'ipsa aqua ducta et constructio'.²² This also holds open the possibility that the expression can denote 'the water which is supplied' or 'water supply'.

The second section in the *TLL* brings up a particular context in which the expression *aquae ductus* (normally with the words separated) is encountered, namely the juridical sources. In particular, one finds references to passages in Justinian's *Digest* (a compilation of Classical, i.e. much earlier, Roman law) which concern the servitude called *servitus aquae ductus* (a right which could be found in the countryside, contrary to the above sections of the Imperial law codes which deal with urban water supply).²³ In these cases too the term *aquae ductus* does not so much refer to the physical construction necessary for conveying the water (pipes, canals, arches) as to the actual conveying of water, that is, the *servitus aquae ductus* denotes the right to establish and enjoy a supply of water. In the same way, the related *servitutes viae*, *itineris* and *actus* do not refer to the actual roads, passageways or drove roads but to the rights of passing through or driving cattle over someone else's land.²⁴

Finally, there is the epigraphic evidence to consider, amounting to almost forty instances of the term.²⁵ In nearly sixty percent of these cases the term is divided into

¹⁹ See below, nn. 26 and 27, for references.

²⁰ R.H. Rodgers, *Frontinus, De Aquaeductu Urbis Romae* (Cambridge, 2004), 121–2.

²¹ F. Del Chicca, *Frontino De Aquae Ductu Urbis Romae* (Rome, 2004), xxxiv–xxxv.

²² See *TLL* 2.364.53–365.7 s.v. *aquae ductus* I.

²³ The expression *aquae ductus* occurs frequently in the *Digest* in connection with servitudes; see *Dig.* 8.1.14.2, 8.1.17, 8.2.28, 8.3.1 *pr.*, etc. On the concept, L. Capogrossi Colognesi, *Ricerche sulla struttura delle servitù d'acqua in diritto romano* (Milan, 1966) is a classic treatment; cf. A. Berger, *Encyclopedic Dictionary of Roman Law* (*Transactions of the Amer. Philos. Soc.* n.s. 43.2) (Philadelphia, 1953, repr. 1991), 703.

²⁴ These four rights are specifically mentioned in *Dig.* 8.1.5 (Gaius); 8.3.1 *pr.* (Ulpian); cf. D. Johnston, *Roman Law in Context* (Cambridge, 1999), 69.

²⁵ Most of the material comes from Italy and N. Africa, which is unsurprising considering the richness of inscriptions in these regions. The precise writing has been controlled in the original publications throughout; no secondary source avoids errors in the issue of concern here. This includes the Epigraphic Database Clausus Slaby (www.manfredclausus.de), which is mistaken on whether to divide or not in a handful of cases. Besides the database, which contains almost all the instances listed above, one finds collections in E. De Ruggiero, 'Aqua – Aquae ductus', *DizEpi* 1 (1895), 537–65 (somewhat unreliable); *TLL* 2.364.32–6 s.v. *aquaeductum* and 2.364.53–65 s.v. *aquae ductus* I; A. Bel Faïda, 'Les aqueducs de l'Afrique romaine', in *Contrôle et distribution de l'eau dans le Maghreb antique et médiéval* (*Coll. ÉFR* 426) (Rome, 2009), 123–41 (the writing of the term is often erratic). Useful material is also collected in the doctoral dissertation by L. De Rosa, 'Da Acelum a Volsinii: gli acquedotti romani in Italia: committenza, finanziamento, gestione' (Diss., Naples, 2009). The word *aquaeductum* appearing on the Forma Urbis of Rome (*CIL*

two words,²⁶ while the other inscriptions spell *aquaeductus* as one word.²⁷ In the overwhelming majority of these cases *aquae ductus*, whether in one word or divided, refers to physical constructions, but one may argue that in some cases the meaning of the term is ambiguous, to say the least. A rather clear case is represented by a Latin inscription from Athens that announced the result of Hadrian's actions to further the city's water supply: *aquaeductum in nouis Athenis coeptum consummauit dedicauitque* (CIL 3.549 = ILS 337).²⁸ And then there is the Augustan edict regarding the aqueduct of Venafrum, CIL 10.4842 line 34 *eum aquae ductum corrumpere abducere auertere*, where the meaning must be 'supply' or 'flow of water' rather than 'channel', as it would be awkward to *abducere* or *auertere* a concrete structure.

There is also one particular and unique inscription, precisely from Ostia, containing the text *aquae ductus per / p(uteum) p(ublicum) / p() p()* (CIL 14.4147 = NSc 1921, 363). This is a travertine marker (*cippus*) found next to a water basin inside the large storage building known as the Grandi Horrea in the eastern part of town,²⁹ on which lines 2 and 3 only contain abbreviations, in part enigmatic. The reading *p(uteum) p(ublicum)* on line 2 is simply a conjecture, though generally accepted.³⁰ In any case, it makes better sense to take *aquae ductus* as marking the water supply as such and not the aqueduct itself. A full rendering of the abbreviated words might be along the lines of *aquae ductus per p(uteum) p(ublicum) p(ublice)/p(opulo) p(ermittitur)/p(ermisus)* or 'the public is allowed water supply/the drawing of water by means of the public receptacle'.³¹ Against interpreting *aquae ductus* as a physical construct is the fact that there is no name attached to it, as it is in a text from Rocca Priora (Latium): *Aqua Aug. put(eus) p(ublicus) cip(pus) XII* (CIL 14.2567a, one in a series of five).

These considerations of the meaning of *aquae ductus*, of the construction *in* + abl. in the Ostian inscription as well as of its composition lead to the conclusion that *aquae*

6.29844.28) may have a different meaning: see C. Bruun, 'Aquaeductum e statio aquarum. La sede della cura aquarum di Roma', in A. Leone, D. Palombi, S. Walker (edd.), 'Res bene gestae'. Ricerche di storia urbana su Roma antica in onore di Eva Margareta Steinby (Rome, 2007), 1–14.

²⁶ The words are separated in CIL 3.12, 3.568, 3.2909, 6.19012, 7.142 = RIB 430, 8.2658, 8.2660, 8.2728, 8.4766, 8.8809, 8.17520, 9.3308, 9.5681, 10.4842 (twice), 10.4860, 10.7227, X12.4388, 14.2797, 14.4147 (Ostia); IRT 143.

²⁷ *Aquaeductus* as one word in CIL 3.549, 3.709, 3.8088, 8.2572, 8.7029, 8.23888, 8.27818, 9.3922, 11.4582, X12.6, 12.4355, 13.11759; AE 1934, 133 (*aquiducti*), AE 1939, 151 (twice), AE 1942–1943, 93 = AE 1973, 646, AE 1975, 261. CIL 8.120, 8.8393, 8.15204 and 11.3922 are fragmentary and/or do not allow one to determine whether the term is spelled as one word or two. A number of even more fragmentary instances are not listed here.

²⁸ S. Leigh, 'A survey of the early Roman hydraulics in Athens', in A.O. Koloski-Ostrow (ed.), *Water Use and Hydraulics in the Roman City (Colloquium and Conference Papers of the Archaeological Institute of America 3)* (Dubuque, IO, 2001), 65–82, especially 78 interprets the passage as referring to 'the public water supply system'.

²⁹ On the site of the fountain and the inscription, see M.A. Ricciardi and V. Santa Maria Scrinari, *La civiltà dell'acqua in Ostia antica* (Rome, 1996), 2.84–5 no. 75. They do not present the inscription in full.

³⁰ See, for example, De Ruggiero (n. 25), 562; Marinucci (n. 1), 510 n. 126. *Puteus* in connection with an aqueduct also in CIL 9.3018 (Teate Marrucinorum): *adiecta structura specus et puteorum*.

³¹ Interestingly enough, a somewhat similar enigmatic marker from Rome was recently published, carrying the text *iter hortorum Pisonianorum p. p. p. p.* (AE 2010, 226); see R. Barbera in G. Filippi (ed.), *Il Chiostro di San Paolo fuori le mura. Architettura e raccolta archaeologica* (Vatican City, 2010), 156–7. Many suggestions for expanding the abbreviations were made, perhaps most promisingly as *p(er) p(raedium) p(riuatum) p(erduxit)*, although the passive voice *p(erductum)* would fit better, giving 'the route of the Horti Pisoniani was brought over private land'.

ductus cannot be a genitive coupled with a noun denoting a certain physical construction (such as *specus* or *forma*, suggested by Marinucci).

However, if we take *aquae ductus* in a more abstract meaning, as denoting ‘water supply’ or even ‘water rights’, there may be a possibility for accommodating the genitive. If one is thinking of water rights, one might suggest as the last word on line 2 a term such as *ius* (or *iura*, as the rights would have been enjoyed by many residents), *copiam*, or perhaps *modum*, followed by a suitable verb at the end of line 3. Some justification can be found for all these concepts. Frontinus mentions the *ius ducendae aquae* in Rome when he refers to the right for private individuals to draw water from the public water supply of the capital (Frontin. *Aq.* 103.2; see also 94.1, *ius ducendae tuendaeque aquae*; 106.1, *aquae ducendae ius*, a quotation from a *senatus consultum*; 107.1, *ius impetratae aquae*). In *CIL* 12.2493–4 from Albinnum in Gaul one likewise finds a similar expression involving *ius*: *aquas iusque earum aquarum tubo ducendarum ... uicanis Albinbensibus d(e) s(uo) d(edit)*. It is of course clear that the term *ius* in these instances merely means ‘the right’ of privileged individuals to benefit from a public resource thanks to a private water concession. Conceptually, it is a different matter when Roman jurists, while discussing servitudes, declare that *aquae ductus est ius aquam ducendi per fundum alienum* (Ulp. *Dig.* 8.3.1 *pr.*). If Vespasian used the term *ius* (or possibly *iura*) in the Ostian inscription, he could not have been referring to servitudes but only to private water grants. This would result in a restoration of the text in the fashion shown below, where the crucial detail is the addition of *ius* in line 2. The two variants for line 3 are merely *exempli gratia*, to show that it is possible to accommodate this message in different ways. In each case 29 letters are added on line 3, while Marinucci estimated that some 30 were missing (his restorations contain 29 and 27, respectively):³²

IMP CAESAR VESPASIANVS AVG PONTIF MAX TRIBVNIC POTESTAT
VIII IMP XVIII P P COS VII DES VIII IVS
AQVAE DVCTVS IN COLONIA OS[T COLONIS BENEFICIO SVO CONCESSIT] 29
AQVAE DVCTVS IN COLONIA OS[T NOVA FONTE ADDITA COLONIS RESTIT] 29

Setting out from the same interpretation of *aquae ductus*, one might also suggest *copiam* at the end of line 2, as a way of indicating the volume of the water which benefited all inhabitants of Ostia. The term appears repeatedly in Frontinus to indicate the amount delivered by the various aqueducts (*quanta sit copia quae publicis priuatisque non solum usibus et auxiliis uerum etiam uoluptatibus sufficit*, *Aq.* 23.1).³³ The meaning, then, would be different and perhaps better suited to such a monumental inscription: the *copia* was something which the whole town could enjoy, while the *iura aquae ductus* mainly benefitted the privileged few and their households. Although it has to be said that *copia* is mostly used in connection with food provisions, it can also appear in connection with *aqua*. Vitruvius uses the expression *ad copiam aquae* (Vit. *De arch.* 8.6.1), and in an inscription from Cirta in Numidia, dating to the late fourth century, an ablative-absolute construction states *prouisa aquae copia* (*CIL* 8.7034 = *ILAlg* 2.619).³⁴

³² Marinucci (n. 1), 510. The verb *concedere* is common in connection with water rights; see, for example, S. Solazzi, ‘Un editto del pretore sulla servitù di acquedotto?’, *Festschrift Fritz Schultz* (Weimar, 1951), 2.380–7, especially 381–2; see also Frontin. *Aq.* 107.2.

³³ Frontin. *Aq.* 23.1, 64.3, 74.1, 74.3, 87.1, 89.1, 93.1, 93.4, 98.2.

³⁴ See also A. Saastamoinen, *The Phraseology of Latin Building Inscriptions in Roman North Africa* (Helsinki, 2010), 183 and 516; cf. Bel Faïda (n. 25), 133.

Copia thus seems to be an acceptable word and short enough to fit in the space at the end of line 2. Another possibility could be *modus*, which is also used in connection with the amount and nature of water delivery, though normally in connection with servitudes.³⁵ Frontinus, however, uses *modus* repeatedly and with almost the same meaning as *copia*.³⁶ Yet, *modus* is not known to me from any monumental inscription such as our Ostian example. Two terms which Frontinus uses to describe the water distribution in Rome, *erogatio* and *distributio*,³⁷ seem too long for the available space in line 2.

There is also another way of restoring the text. If we assume that the first two lines only accommodated Vespasian's name and epithets, we have to find an accusative object in line 3 to go with the verb that undoubtedly was placed at the end of the inscription. The best candidate for that object then would seem to be *aquae ductus* (in the plural), meaning 'the water supply in general' and intended for many purposes, hence the plural. This again would lead to a restoration of the following kind, when keeping in mind the tentative limit of some 30 letters:

IMP CAESAR VESPASIANVS AVG PONTIF MAX TRIBVNIC POTESTAT
VIII IMP XVIII P P COS VII DESIGN VIII
AQVAE DVCTVS IN COLONIA OS[T VETVSTATE DILAPSOS COLONIS REST] (29)
AQVAE DVCTVS IN COLONIA OS[T LONGE INTERMISSOS COLONIS RESTIT] (30)

If *aquae ductus* is an accusative plural, it can only mean 'water supply' in general. As was already argued above, it is extremely unlikely that it would be an accusative plural standing for 'aqueducts'. If that meaning were intended, *aquas* would surely have been used. It has to be admitted, though, that *aquae ductus* is not known to appear in the plural when employed with this general meaning.³⁸ This may be because of the context in which the term is normally found.

4. DISCUSSION AND CONCLUSION: OSTIA'S SPECIAL RELATIONSHIP TO ROME

Earlier attempts at interpretation have clarified some features of Vespasian's monumental inscription from Ostia, and it is my belief that the fragmentary text can be made to yield further information. All the proposals above suffer from some uncertainties, but I am convinced that the overall picture is clear enough and that it is worth summarizing the results in order to arrive at a conclusion that will reveal something general and valuable about Ostia's relationship with the capital.

³⁵ M.F. Corsi, 'Modus seruitutis'. *Il ruolo dell'autonomia privata nella costruzione del sistema tipico delle servitù prediali* (Naples, 1999), 1–27; see, for example, *Dig.* 8.1.4.7 (Papinian) *intervalla dierum et horarum non ad temporis causam, sed ad modum pertinent iure constitutae servitutis*.

³⁶ The instances are too numerous to list here; see, for example, Frontin. *Aq.* 64.4: *sed longe, id est circiter quinariis decem milibus, ampliorem quam in commentariis modum inueni*; 65.1: *Appiae in commentariis adscriptus est modus quinariarum octingentarum quadraginta unius*.

³⁷ Rodgers (n. 20), 134.

³⁸ In a late antique inscription from Thignica in Africa Proconsularis, *CIL* 8.15204, one finds the phrase *[aquae]ductos taetra ac deformi caligine mersos et nullo felici aspect[u] gaudentes ?...]*; cf. Saastamoinen (n. 34), 518. It seems that the term (one word or two?) is employed in the more common meaning of 'physical construction'. One may note that in *CIL* 2.4509=6145=ILS 1029 (also in the Epigraphic Database ClausSlaby) the accusative object is restored as *du[ctus aquae]*, which is accusative plural, though quite conjectural.

First, one should be fully aware of the unusual features present in the inscription. Any proposal for restoration will have to find explanations for these features, explanations which fit our knowledge of the language of monumental Latin epigraphy, as well as of the subject matter, Roman water supply.

From everything we know, it is clear that the inscription does not commemorate the introduction of a new aqueduct to Ostia, nor the repair of an existing extramural construction. The expression *in colonia* makes it clear that Vespasian was concerned with a feature or a phenomenon within the town itself.

The next issue is to determine the meaning of *aquae ductus* in this particular inscription. While there are frequent literary cases where the term refers to the physical structures of an aqueduct, in many instances the best translation is in fact 'water supply'. In the juridical sources, in the context of the *servitus aquae ductus*, the meaning is likewise 'water supply'. The epigraphic sources are much more focussed on physical constructions, which is only natural considering that the relevant inscription may often have been attached to the structure itself, but even here one finds examples of the general meaning 'water supply'.

Since we are dealing with a noun of the fourth declension, it is not clear whether *aquae ductus* is genitive singular or accusative plural (the nominative case can be excluded). It seems warranted to explore both possibilities. The genitive is possible if we assume that a noun defined by *aquae ductus* stood last on line 2, though this arrangement would slightly mar the symmetry and logic of the monumental inscription, since a word extraneous to the imperial names and titles would intrude on line 2. Parallels for such an *ordinatio* can however be found in Flavian monumental epigraphy.³⁹

If the interpretation of *aquae ductus* as a genitive is accepted, the text can only refer to an improvement of or an innovation in the water supply in Ostia, which is why terms such as *ius (iura)*, *copiam*, or *modum* were suggested for line 2. Significantly, Vespasian took credit for such improvements. In this scenario, it is impossible to say more with any kind of certainty. The two different restorations in line 3 suggested above are only to be taken *exempli gratia*, with the purpose of showing that it is possible to construe a plausible epigraphic text in which *aquae ductus* is in the genitive.

The other possibility is that *aquae ductus* is the accusative object of the lost verb in line 3. In this scenario, Vespasian is taking credit either for improving or for establishing the *aquae ductus* in Ostia, and the explanation for the plural must be that the water distribution was catering to the needs of many and took many forms (such as fountains, private conduits, etc.). This explanation, even though attractive, is weakened by the absence of any parallel cases of the term *aquae ductus* in the plural with this meaning (cf. n. 38 above).

Regardless of where one's preferences lie when it comes to restoring this inscription of Vespasian's (*aquae ductus* as genitive singular or as accusative plural?), it is clear that the emperor is taking public credit for having improved the actual water distribution in the town of Ostia. It needs to be pointed out that this is again a highly unusual feature.

³⁹ A survey of the examples from Italy presented by Horster (n. 2), 253–341 showed that in about twenty-five cases there was a clean division between imperial names + titles and the deed + verb. Included were only inscriptions taking up at least three lines, which contained not just a verb (such as *fecit*) but also named an object. Conjectural fragmentary cases were not considered. However, in eight cases (some twenty-five per cent of the total) the *ordinatio* did not adhere to this strict scheme, and thus the actual deed was introduced on the last line containing the titles: *CIL* 14.3485 (Vespasian), *AE* 1994, 404 (Domitian), *CIL* 10.1640 (Pius), *AE* 1902, 40 (Titus), *AE* 1968, 157 (Caracalla), *CIL* 9.5294 (Hadrian), *CIL* 5.854 (Trajan).

We have no other evidence, epigraphic or otherwise, for such imperial micromanagement, and there are grounds for believing that in this case 'absence of evidence is evidence of absence'. As stated above, there is much evidence for emperors financing municipal aqueducts, but nowhere do we hear about the emperor or the imperial administration getting involved in the actual local distribution. The fullest account is given in Augustus' edict on the Aqueduct of Venafrum in the *Regio I* (on the border of Samnium and Campania) (*CIL* 10.4842 = *ILS* 5743),⁴⁰ though even here decisions regarding the actual distribution are left to the local authorities (lines 37–43).

It seems worth asking to what extent the situation in Ostia may have been different. It so happens that another unique piece of epigraphic evidence, an inscribed lead pipe with the text (or stamp) on two lines [*I*]mperatoris Domitiani Caesaris Aug. / [– c.11 –] quae ducunt in castris, is known from the town.⁴¹ The 'wordiness' of the text is unique, for it is the only lead pipe stamp that contains a pronoun as the subject.⁴² The *castra* referred to must be the one belonging to the *uigiles* in Ostia. It is no surprise that the barracks should have been provided with water, for inscribed *fistulae* from Rome show that the *castra praetoria* in the capital had its own water supply, and in two cases the same lead pipe carries the names of both an emperor and the *castra praetoria*.⁴³ Yet, it is noteworthy that at Ostia Domitian's name appears in a similar context, undoubtedly with the function of showing that the water grant had been made possible through his *beneficium*.

This Domitianic lead pipe stamp is an indication that the emperors, in any event those of the Flavian dynasty, could exercise an unusual influence over the water distribution in Ostia, and it is not the only evidence which points in this direction. A similar, and general, conclusion has been drawn using the collective evidence from the town's inscribed lead pipes (*fistulae*). When it comes to inscribed lead pipes, Ostia ranks second after Rome in numbers, by far surpassing any other towns in Roman Italy.⁴⁴ In particular, it is noteworthy how common *fistulae* naming various Roman emperors are in Ostia. The explanation for this pattern cannot be that the Roman emperors owned a large number of residences for their personal use in Ostia. Instead, it must be the case that the emperors' names were applied to conduits which were supplying structures and buildings that were important for the imperial government and imperial policy (perhaps administrative buildings and storage facilities but also public baths, temples, fountains, etc.). These inscriptions point to imperial investment in

⁴⁰ The text is quoted, with some discussion, in A.D. Bianco, *Aqua ducta, aqua distributa. La gestione delle risorse idriche in età romana* (Turin, 2007), 121–4, 143–4, 146–8.

⁴¹ *NSc* 1953, 153 no. 4 = *AE* 1954, 170. For a discussion and a photo, see G. Barbieri, 'Ostia. Fistole acquarie inedite o completate', *NSc* 1953, 151–89, especially 153–4 with fig. 2 no. 4 = id., *Scritti minori* (*Vetera* 3) (Rome, 1988), 285–323, especially 287–8; mentioned in R. Meiggs, *Roman Ostia* (Oxford, 1973²), 75; Cébeillac-Gervasoni et al. (n. 7), 241.

⁴² It is also one of the relatively few examples of a stamp containing a grammatical error, *in castris* instead of *in castra*. I cannot see how this would have bearing on the present discussion, even though the expression *in colonia* in Vespasian's monumental inscription is an important element in my argument. Surely no one could entertain the idea that Ostians regularly used *in* + abl. when the meaning required *in* + acc.

⁴³ See Bruun (n. 13 [1991]), 245–6 for all the relevant lead pipe stamps. The two stamps with an emperor's name in the genitive (Caracalla and Macrinus respectively) and the text *Castris praetoris* are *CIL* 15.7237–8.

⁴⁴ For the inscribed *fistulae* from Ostia, see Bruun (n. 13 [1991]), 285–303, 324–8. A number of more recent discoveries, immaterial in the present context, merely underline Ostia's special character in this regard.

the infrastructure of Ostia but not only that. In many cases, the name of the emperor is accompanied by that of an imperial procurator.⁴⁵ This pattern is very rare, for in Italy it is known only in Rome itself, in Ostia and at the sites of a number of imperial *uillae* in central Italy.⁴⁶ It shows that these imperial officials were at the very least supervising the public works which included the laying out of the conduits in question. These stamps may in fact be evidence for even more active imperial involvement in Ostia's water supply and distribution. We have only very scattered evidence for local Ostian officials involved in the town's *cura aquarum*, and what is known agrees with a scenario in which imperial officials play a considerable role on a regular basis.⁴⁷

How prominent or decisive the role of imperial supervision over Ostia's *cura aquarum* was has not been discussed previously. The monumental inscription commemorating Vespasian's activity in Ostia now brings new evidence. It is not a surprise that Ostia, a town of substantial size since the Julio-Claudian period and one crucially important for supplying Rome, was of particular interest to the imperial government. The new inscription referring to Vespasian's *aquae ductus in colonia Ost(iensium)* can be taken as additional evidence for the particular role played by Ostia. The town's importance led to an imperial involvement that also included organizing or at least influencing the actual water distribution in the urban centre.

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⁴⁵ An example is provided by *CIL* 15.7738α (= *CIL* 14.5309.1): *Imp(eratoris) Caes(aris) Traian(i) Hadriani Aug(usti) / sub cur(a) Hylae Aug. lib. proc.*

⁴⁶ For the lead pipes naming emperors, whether accompanied by imperial officials or not, see Bruun (n. 13 [2002]), 169–73; cf. Bruun (n. 13 [1991]), 26–30, 210–13. For an overall survey of emperors in lead pipe stamps in Italy, see C. Bruun, 'Imperial water pipes in Roman cities', in A.O. Koloski-Ostrow (ed.), *Water Use and Hydraulics in the Roman City (Colloquium and Conference papers of the Archaeological Institute of America 3)* (Dubuque, IO, 2001), 51–63.

⁴⁷ See Bruun (n. 13 [2002]), 176–9. The only person known to have been involved in the town's *cura aquarum* is the prominent C. Nasennius Marcellus, of local origin, who was *duovir* for the third time in 111 C.E. and *patronus coloniae*, as well as *curator operum publicorum et aquarum perpetuus*, sometime in the Trajanic-Hadrianic period.