

On 4 August AD 119, a copy of a letter written by Hadrian and addressed to Quintus Rammius Martialis, the prefect of Egypt (AD 117-19), was published in Alexandria. In his letter, Hadrian granted illegitimate children of soldiers conceived during their fathers' military service the right to inherit.

The text was translated in Greek from Latin and written on papyrus ([BGU 140](#)) and is now part of the collection of the Egyptian Museum and Papyrus Collection in Berlin ([Link](#)).

Papyrus BGU 140 (Smallwood 333) Copy of a letter by Emperor Hadrian to Prefect Rammius.

Language: Greek

Provenance: Alexandria (?)

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Translation: (in Keenan, Law and Legal Practice (2014), 4.6.2b (S. 117f.), follows Joseph Méléze-Modrzejewski's edition)

Copy of a letter of the emperor, translated... which was publicly displayed in the third year of Trajan Hadrian Augustus, in the consulship of Publius Aelius for the third time and of Rusticus... in the winter camp of the III Cyrenaica legion and the XXII Deiotariana on the 4th of August which is the 11th of Mesore, at headquarters.

I know, my dear Rammius, that those whom their parents in their period of military service acknowledged as their children have been debarred from succeeding to their fathers' property, and this measure did not seem harsh since their action was contrary to military discipline. But I find it most pleasant to put forward precedents through which I may interpret more liberally the rather harsh rule established by the emperors before me. For although those acknowledged in the period of military service are not legitimate heirs of their fathers, nevertheless I decide that they also can claim possession of property from that clause of the edict which gives this right to cognate relatives. I will be your duty to make this grant of mine well known both to my soldiers and to the veterans, not to enable me to be exalted in their eyes, but so that they may profit by this, if they are unaware of it.

Hadrian's missive, presumably a response to an earlier inquiry from the Egyptian prefect, was an amendment of an earlier intestate inheritance law which excluded illegitimate children of soldiers and veterans. When a soldier died in service without having made a will, any child born before his discharge (*honesta missio*) was considered illegitimate and thus had no inheritance rights to his/her father's estate. Historically, Roman soldiers were not allowed to marry during their period of military

service, and children born during their fathers' military service were deemed illegitimate. In consequence, such children could not obtain the possession of the paternal estate unless they were named heirs in the will. With Hadrian's new measure, illegitimate sons of soldiers and veterans who did not make a will could become heirs and inherit, but only if their fathers had no legitimate children (children born before or after his discharge) or agnate relatives (paternal males) who took precedence.

The letter was posted in the headquarters of the Egyptian legions III *Cyrenaica* and XXII *Deiotariana* which shared the same base near Alexandria on the shore of the Mediterranean. These two legions were used by Augustus to suppress violence among the ethnic groups living in Alexandria (Greeks, Egyptians, and Jews). How long III *Cyrenaica* may have served with XXII *Deiotariana* as the garrison of Egypt is unclear, but the third legion was relocated from Egypt to Bostra in Arabia after AD 125 where it had been previously transferred by Trajan during his war against the Parthians. The last record of XXII *Deiotariana* dates from this letter.

Sources & references:

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 - Campbell, Brian. "The Marriage of Soldiers under the Empire." *The Journal of Roman Studies* 68 (1978): 153-66.
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