Count Ammonios and Paying Taxes in the Name of Somebody Else
in the Cadastre from Aphrodito
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There is a long list of the people paying taxes in the sixth century Aphrodito known as the Cadastre of Aphrodito. Originally published in 1987 by Jean Gascou and Leslie McCoull, it represents probably the most important document from sixth century Egypt coming to us in the last twenty years.

The Cadastre of Aphrodito (about AD 524/5), at a first glimpse simply a long list enumerating the titles of the taxpayers for land in Aphrodito, represents a good starting point for considering not only the very complex question of taxation but also of the conveyance of land and taxes in Egypt in Later Roman times. A curious thing in this document is that there existed in sixth century Egypt people whose taxes were paid by someone else. The text of the Cadastre is not the only document attesting to the indirect payment of taxes. This also occurs in P.Sorb. II 69 and many other documents from sixth century Aphrodito, recently discussed by J.-L. Fournet. I shall focus my discussion on some of the cases attested in the Cadastre and try to discover why some rich landlords like Ammonios Theodosiou were registered as paying taxes in the name of somebody else.

Of the 18 people and the churches that paid taxes to the account (ὀνόματος) of someone else, Ammonios son of Theodosios is recorded eight times. The other ten people who paid taxes in the name of another person were individuals, as well as monasteries and churches.

The following list of entries concerning those paying taxes in the name of somebody else were extracted from the Cadastre:


II. 28–29: / Κύρις Ἀρώνος πρε[σβίου] ὀρτέρος (και) λοι(ποι) ὅν(ματος) ὁδώρου Ὁροῦ ἀπὸ ἐκβ(ολής) τῶν αὐτῶν ὑπὸ τὸν αὐτὸν [γεωργ(γόν) ?].


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II. 74–75: Ἀμιώνιος Θεοδωσίου όνό(ματος) Βησσαρίωνος προτοκ(ωμήτου) ὑπὸ Ἰακ[ὐ]β[ν] [Μα]ξίμου γεωρ(γόν).

I. 77: κωμητικ(όν) Ἀνάστασιος οὐνομασία ὁ(ματος) Ἰσακίου ἀπὸ Πούχ(εως) ὑπ(ό) τὸν (αὐτὸν).


I. 92: [κλ(ηρονόμοι) ] Ἰλήμώγως Πεκυσίου ὁ(ματος) κλ(ηρονόμων) Κύρας Σαραποδώφωρον.

II. 105–106: / μοναστ(ήριον) Τα[ρ]ουθεως κατὰ κο(ινωνίαν) Ἀπολύττων Διοσκόρου όνό(ματος) Ἀθανασίας ὑπ(ό) τὸ (αὐτὸ) μοναστ(ήριον).

II. 114–115: κλ(ηρονόμοι) ᘅηρακλείας δ(ιά) Ὑπατείας καὶ λοιπ(ῶν) ὁ(ματος) Τισίας Κωμασίου ἀπὸ ἐκβ(ολῆς) τῶν (αὐτῶν) ὑπὸ τὸν αὐτὸν γεωρ(γόν).

II. 126–127: / Μαρκελλίνος κόμ(ής) [ἀπὸ] Ἀυτ[αίοι ὁ]νό(ματος) κλ(ηρονόμων) Εὐστοχίου ἀπὸ ἐκβ(ολῆς) κλ(ηρονόμων) Δίου Τρυφιαδώρου ὑπ(ό) Παλῶν Παταίτος.


II. 136–138: ] μοναστ(ήριον) Ἀπα Σουρούτου ὁ(ματος) Ταχυμήνας κατὰ κο(ινωνίαν) κλ(ηρονόμων) Ἐρμίου Βίκτορος καὶ λοιπ[(ῶν)] ὑπ(ό) Παλῶν Παταίτος γεωρ(γόν) ἀπὸ (ἀρ.) ι' ις' (ὑπὲρ) μὲ[ρ] [ους] θ'.

II. 152–153: / μοναστ(ήριον) Σμήνος ὁ(ματος) Σοφία Χαρήμωνος ὑπὸ Παλῶν Παταίτος γεωρ(γοῦ).

II. 178–180: κωμητικ(όν) ἐκκλησίας κόμης Εὐφροσύνου δ(ιά) Ἰωάννου πρεσβ(υτέρου) ἐο. ἥ σὺν ὁ(ματι) κλ(ηρονόμων) Ταδώρας ὑπ(ό) Χαρίσιον Ψιμανωβέτ γεωρ(γοῦ).

II. 181–182: / Ἀμιὼνιος Θεοδωσίου ὁ(ματος) Βίκτωρος Μακαρίου τόπ(ου) [Ἀπα Ψυχου ὑπ(ό) Ἰσακοὶ Βίκτορος μονάζ(ουτα).

II. 230–231: / Ἀμιὼνιος Θεοδωσίου ὁ(ματι)τ(ος) Κύρας Προμαχώτος ὑπὸ Ἰωάννην Μουσαίου γεωρ(γοῦ).
I. 232: / ὁ (αὐτὸς) τὸπ(ου) Πιά Μελε ὄνο(ματος) Λουκάνος Χαιρήμωνος.  

II. 286–288: / Ἀμμώνιος Θεοδοσίου ὄνο(ματος) Ἰωάννου Μουσαίου Συρίκωνος κατὰ κο(νωνίαν) Εἰρήνης ἀδε(λφής) τὸπ(ου) Πιά Κάμ τῶν καὶ γεωρ(γῶν) ἀπὸ (ἀρ.) θ παρ(αθ.) (ἀρ.) θ (ὑπέρ) μέρ(ους) Ι.

Among the people who paid taxes as onomatom tou deinos, besides the large landowner Ammonios Theodosiou,4 is Apollo son of Dioskoros,5 the synostelestes and protokometes in Aphrodito. The rest of the names of those paying taxes in the name of somebody else are otherwise unknown.

Ammonios son of Theodosios, known as a kome and a wealthy landlord in sixth century Egypt, played a prominent role in tax paying in the village of Aphrodito. He is attested twice as paying taxes in his own name. When paying his own taxes he operated through his agents (P.Cair.Masp. II 67138, 67139), per actores propios, as the law prescribed for the great landowners. More often his name is connected with the indirect payment of taxes, in the name of someone else, onomatos tou deinos, as it is formulated in the Cadastre of Aphrodito. He is mentioned eight times in the records among the people who paid taxes into the account of someone else. His tax obligations are summarized again in SB XX 14670 = P.Cair.Masp. II 67140. What follows is an abridged version of the text listing only names of the contributors.

πρὸς κω(δικᾶ) Ἰωάννου ἔλλογοι(μωτάτου) σχολ[α(στικοῦ) κ(αί) κ]ποντιότορος
ὄνο(ματος) Ψα[λίου] Φήρ ἀπ[ὸ ἐ]κβολῆς κ(ήρυκον) Πα[πνοῦ]τε ἱστρο[ῦ ὑπ(οῦ) Ἀπολλῶν γεωρ(γόν)]
ὄνό(ματος) Βησαρίωνος πρ[ω]τοκομίτο[ῦ ὑπ(οῦ)] Ἰακόβην Μαζίου γεωρ(γόν)
ὄνό(ματος) Ερμαμωτός Ψευθασίου ἀπὸ ἐκ[β]ολῆς Ἡβσο[ῦρου] τοῦ Προμα[ῦ]τος γεωρ(γόν)
8 ἂ[πὸ] μεταπτ(ώσως) ἀδεσπότ(ου) Μουσε[χή] ὑπ(οῦ) Ανοῦθι[ν] Μουσαίου γεωρ(γόν)
ὑπ(οῦ) Πρωμα[ῶ] Ἰσακίου
τὸπ(ου) Νεκρής ὑπ(οῦ) Ἰωάννη[ν] Μουσαίου γεωρ(γόν)
ὄνό(ματος) Κύρας Πρωμα[ῶ]τος ὑπ(οῦ) Ἰω[άν]ν[ῆ] Μουσαίου γεωρ(γόν)


Ammonius son of Theodosios paid taxes in the name of (1) Psaios son of Fer (2) Kyra daughter of Promaos, (3) Besarion protokometes, (4) Ermauos son of Psenthaesios, (5) Victor son of Makarios, (6) Lucanus son of Chairemon and (7) Ioannes son of Mousaios for his share and that of his sister Eirene.

The link between the taxpayer and a landowner who paid their taxes merits explanation. The relationship between Ammonios and these people mentioned in the Cadastre as those in whose name he collected tax dues is not always easy to define. In some cases, his relationship with them, the nature of which we have been unable to establish, was double or multiple:

1. The land for which Ammonios paid taxes to the account of Psaios son of Fer was designated as the contribution of the Papnoute heirs, under Apollos as a colonus. It is possible to reconstruct the chain as follows: the heirs of Papnoute were apparently under some kind of (unknown to us) obligation to Psaios, who for his part was obliged to Ammonios, who agreed to pay taxes in his name. We can assume that Ammonios was his creditor. Apollos georgos was responsible for the cultivation of land and the contribution of rent and dues (phoros). The latter was probably engaged by Psaios. That does not mean that he cultivated the land himself; he could sub-lease it.

2. Kyra daughter of Promaos appears twice in P.Cair.Masp. II 67140 (republ. Gascou and MacCoull, op.cit. [above, n. 1] App. I): ὄνόματος ᾿Ω[φά]ς Πρωμ[α]̅ωτος ὑπ’(ἄ) ῶρο[ν] α[π]ὰρας γε[ωρ(γόν)] (l. 4) σπο(ρ.) (άρ.) η παραδ(είσου) (άρ.) Λ. η ′ and ὄνόματος ᾿Κύρας Πρωμαώτος ὑπ’(ἄ) ῾Ιω[άνν] ῇν Μοῦσαίου γεωρ(γόν) (l. 11). Promaos appears again as the patronymic of the georgos Bessourous: ὄνόματος ᾿Ερμαώτος Ψευθασίου ἀπὸ ἐ[β] σα(ν) Βησού[ο]ς [π]ρομ[α]ωτος γεωρ(γόν) (l. 6) and as the georgos responsible together with Anouphis son of Mousaios for the cultivation of ownerless land on which Ammonios had to pay taxes: ἀ[π]ὸ μεταπ(τ) ῶσεως ἀ[δε]σπότ(ο)υ Μοῦεχθή ὑπ(ἄ) Ἦνθυφ[ν] ῇν Μοῦσαίου γεωρ(γόν) (l. 9). The latter may have been the father of both Kyra and Bessourous.

3. The most interesting example is the case of Ioannes son of Mousaios. He played apparently a double role in the system in which Ammonios was responsible for taxes: he was the lessee of the land belonging to Ammonios (l. 10: τόπ(ου) Νεημφέως ὑπ(ἄ) ῾Ιωάννη[ν] Μοῦσαίου γεωρ(γόν)), but in line 13, he appears again as the person in whose name the taxes were paid by Ammonios, which means as the landowner who shared the landownership with his sister Eirene (l. 12: ὄνόματος ῾Ιω[άν] νυ[ν] Μοῦουσαίου κατά κο(ν) Ἐπηνή[ς] ἀδελφή[ν]). Ioannes son of Mousaios is known also from two other documents: P.Flor. III 297 and P.Cair.Masp. II 67138, a document concerning the expenses of the komes Ammonios. Fol. II Verso of the latter, entitled λόγ(ος) δημ(οσίου) τοῦ κόμ(οσ Αμμωνίου) (ὑπέρ) η′

\* ἔκβολη could have a different meaning. The editor of P.Cairo Mas. II 67243 translates it as "contribution." Gascou and MacCoull, op.cit. (above, n. 1) 110 suggest the meaning of "expulsion": "une entree comme ο δείνα ἀπὸ ἔκβολής του δείνος ἄρουραι n se traduitra : « un tel (posède) par suite de l’expulsion de un tel, n aroures ». Nous pensons, à propos de P.Cairo Mas. I 6717 et II 67243. que le mot ekbolê a pu en venir à designer la piece de terre ainsi acquise."
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The land on which Ammonios paid taxes in his own name was not very large. It was leased to Promaos son of Isakios, as attested in both documents, *SB* XX 14670 = *P.Cair.Masp.* II 140 and the Cadastre l. 224. It encompassed five arourae of arable land and one of vineyard, managed by Promaos son of Isakios (*ὑπό*), and eight arourae of arable land and half an aroura of a vineyard leased to Ioannes son of Mousaios; Cadastre, l. 228: Ἀμμώνιος Θεοδοσίου τόπ(ου) Νεκύφεως ὑπ(ο) Ἰωάννης Μουσαιοῦ. In *SB* XX 14670 Promaos son of Isakios is attested again as the lessee of ownerless (ἀδέσποτος) land, but managed by Ammonios, as mentioned above. That could mean that Ammonios paid taxes on ownerless land but he leased it to Promaos son of Isakios.8

Three parties which are attested in the above quoted list of tax payments in the name of someone else fit into the scheme: 1. A person paying his own taxes and the taxes due in the name of someone else. He need not have been the landowner, but the *syntelestes*, as line 105 shows; 2. The landowner in whose name taxes were paid, probably a middle level possessor who was connected to the former by different kinds of obligations; 3. The *georgos*, a lessee, who was not necessarily a *colonus*, working on the land belonging to somebody else. The quoted cases from the Cadastre do not exhaust all the possibilities of managing indirect tax paying. There are other documents which could better illustrate this widespread practice.

The direct fiscal responsibility of the landlord encountered in the Later Roman period existed earlier. The tax obligation of the landowner in the Roman Empire was defined by the law of 366, *CJ* XI 48, 4: Anyone who possessed land was obliged to pay taxes due in his own name; landlords also had to pay for the *coloni* who were registered on their land (*coloni originales*). The law was promulgated in order to protect the interests of the state revenue. However, this simple legal regulation had different solutions in reality. The conveyance of taxes in Roman and Byzantine Egypt was not restricted only to direct sales and wills. The transfer of tax liability by the landowner to another party was widespread and there could have been different reasons for it. As papyri show, land ownership and tax conveyance could be treated as separate instances in Late Antiquity, just as the case had been before, during the Early Empire. The transfer of taxes in the case of selling land by delivery or gifts was regulated by many laws. For instance Constantine issued one such rescript, among others, and later, again, Justinian.9 Those who assumed the obligation to pay taxes on land not belonging to them may have had different business connections with the landlord. Taxes could be conveyed to another person by means of a contract or in exchange for different transactions. Among different cases we may quote here a few illustrative examples:10

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7 He could be Mousaios named in *P.Lond.* V 1695.4–5 and *P.Cair.Masp.* III 67300 (Gascou).
8 Col. V, l. 183.
10 The activity of the monasteries and churches as landowners, lessors and lessees must be left out of our considerations because these institutions were involved in various transactions, and therefore merit special treatment. For the church as a landowner in sixth century Aphrodito see Keenan, *op.cit.* (above, n. 4) 159 ff.
1. The conveyance of tax liability was the consequence of different business transactions and agreements within the family: dowry, lease of land etc. The responsibility for paying taxes on inherited land was apparently shared among the heirs.\(^{11}\) There are some difficulties in explaining all cases, for instance the tax payment by heirs, if this occurred during the lifetime of the father; further, it is not always possible to distinguish between real and fictitious ownership. It was not always a simple transfer of responsibility, but the consequence of various intermediary business transactions. Taxes could be paid instead of paying rent. The lessee in \textit{SB XXVI 16529} = \textit{P.Lond. V 1696}, in lieu of rent had to pay taxes both in corn and money, to which the \textit{ktima} was liable, presumably for each of the five years during which the lease lasted. A similar transaction is attested in one family, as recorded in \textit{W.Chr. 180} = \textit{P.Oxy. I 126}: The woman Stephanous received as dowry from her father parcels of land along with the obligation to pay the \textit{demosion} to which the arourae were liable.

Good examples of business transactions within the family can be seen in \textit{P.Michael. 42} A and B. In the first document Aurelius Jakob son of Phoibammon, his wife Eirene and their son Besarion acknowledge a debt of 30 \textit{nomismata} to Aurelia Rachel daughter of the said Phoibammon, who is betrothed to Besarion, and mortgage 10 arourae of land to her as security. In the second document, the same 10 arourae are leased by Jakob and his family from Rachel without rent but on condition that Jakob and his family pay the taxes thereon.

2. The obligation of paying taxes could be inherited even in the case of land which was not owned but had been in possession for a long period of time. The long "story" preserved in \textit{SB XVI 12692} = \textit{P.Col. VII 175 [AD 339]} carries a colorful description of such a case: Herois and Taësis inherited from their father Atisios an estate consisting of a house in the city of Arsinoe and farm land in the vicinity of Karanis. The farmland had been in Atisios' undisputed possession for forty-five years at the time of his death and was therefore inalienably his by virtue of Constantine's law on \textit{longi temporis praescriptio}\(^{12}\) despite the fact that the origin of his possession could not be ascertained. What is significant in this document is the fact that the daughters had to pay taxes in the name (\textit{ονόματος}) of their father Atisios even after his death. The father owned fields in the vicinity of the village of Karanis, which had been made over or ceded to him. He had cultivated these fields, appropriated their produce to his private purse and likewise paid the imperial treasury the public taxes levied upon them. In accordance with the law of the \textit{longi temporis possessio}, which provides that if anyone is in possession of a property for a period of forty years, his possession is in no way to be removed from him; he left it to his daughters, together with the obligation to pay taxes assessed upon it. After his death the heirs, finding themselves unable to pay the taxes assessed on this land, had recourse to the remedy usual in such situations: they took flight. Since they had been in flight for five years and since the taxes on the fields devolved upon the villagers, the latter cultivated the land. Then, when the daughters returned to their native village, the villagers handed over to them the fields. But they handed over also the property from the estate of Atisios (l. 53: \textit{ατό \textit{ονόματος 'Ατισίου}) when the actual owners of that property appeared. The field was registered under the name of the father and the heirs had to pay taxes in his name. The \textit{defensor} renders his decision, confirming that

\(^{11}\) Fournet, \textit{op.cit.} (above, n. 2).

\(^{12}\) About this law see C.J. Kraemer Jr. and N. Lewis, "A Referee's Hearing on Ownership," \textit{TAPhA} 68 (1937) 357–387 (\textit{P.Col. inv. no 181} = \textit{SB XVI 12692}; reedited as \textit{P.Col. VII 175 [AD 339]}).
Heroids and Taesis are to be held to be the owners of the said plots (ll. 69–70: κατέθετο ώς τῶν περὶ Ἡροειδᾶ καὶ Ταῆσιν ἐν νομῇ οὐσῶν τοῦ ὀνόματος Ἀτιοίου) and are to pay the imperial taxes on them as in the past since they possess also the house and the entire estate registered in the same name. It is to be noted that the tax payment on the father's land by his sons was designated by the words ὀνόματος because it was registered under his name in the fiscal list. Heirs were obliged to pay imperial taxes under the registered name. That was the usual practice in Later Roman Egypt.13

3. Taxes for one ktema could be paid instead of the price for sold land, as is well illustrated in P.Lond. V 1686. This is a document about the sale by Dioskoros of three arourae of waterless land to the monastery of Zminos in the Panopolite nome. They were sold not for the price paid directly to Dioskoros but in consideration of the payment by the monastery on his behalf of the astike and the synteleia on fourteen arourae of arable land in the village of Phthla. The synteleia is ὀνόματος Ἀπολλώτου Διοσκόρου τοῦ ἐμοῦ πατρὸς, i.e. the land was inherited from Apollos and it was still in his name, probably under the heading κληρονομοῖοι Ἀπολλώτου.14

4. The conveyance of taxes could be performed on syntelestai before the δημόσιος λόγος. The cases quoted may contribute to the better understanding of the function of the syntelestai. From the above list quoted from the Cadastre from Aphrodito of those paying taxes on one another's behalf, on line 105 Apollos son of Dioskoros is otherwise known as the syntelestes. Together with the monastery of Tarouthis he paid taxes on behalf of Athanasia for the land which was managed (ὑπό) by the monastery. That could mean that the land was owned by Athanasia who leased it to the monastery and to Apollos, but it was he who paid taxes on the leased land (see P.Cair.Masp. I 67118). Apollos is never attested as the κτήτωρ, but only as syntelestes and protokometes. He leased land situated in Phthla and paid the "village dues" (κωμητικά). Seven different landlords or their heirs appear in the receipts filled out for Apollos in the names of different Pthila landowners.15

Two documents seem to be significant for the role of syntelestai in paying taxes: P.Cair.Masp. I 67117 and 67118. They do not relate to the change of ownership (Maspero, ad 67117), but only to the tax conveyance. The first concerns the change of syntelestes:

P.Cair.Masp. 67117: Three parties, Aurelius Paulus son of Psaios, syntelestes of the village, Aurelius Theodoros, presbyteros of the holy place Apa Dios, and Aurelius Charisios son of Hermaos, syntelestes in the same village in the name of Antaopolis, all petition the demosios logos and the protokometai of Aphrodito through the intermediary Phoibammon, the boethos of the same village. The document demonstrates the conveyance of the tax obligation from one syntelestes to another: (ll. 9–12) ΣΩ[ματίσατε] καὶ μετενέγκατε εἰ[ς] ἐμὸν δῆ[μον, ἀπὸ ὀνόματος] τοῦ ἀγίου εὐκτηρίου τόπου Ἀπα Διο[ν] (?) τοῦ ἐν τῇ κώμῃ (?) κεκτημένου, σπορὶ(μην) ἀρουραν μίαν [τέτ]αρ[τον (?)]...

P.Cairo. 67118 concerns the transfer of tax payment from the name of the priest Ieremias son of Iakobios to the syntelestes Flavius Dioskoros son of Apollos for one half of the land located in the place

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13 In the case of Apollos son of Dioskoros, the property left by Apollos to his heirs remained undivided almost twenty years after his death, see Keenan, "Aurelius Apollos and the Aphrodite Village Elite," in Atti del XVII Congresso Internazionale di Papirologia (Naples 1984) 958.

14 For further explanation of the kind of taxes see the commentary of the editor of P.Lond. V 1686.

15 P.Cairo.Masp. 67327.
Pisraelios: (ll. 11–16) Σωμα[τί]σατε καὶ μετενέγκατε εἰς ἐμὸν ὄνομα, ἀπὸ ὀνόματος ἱερεμίου ἵνα καθιστηθῆναι τοῦ ἱμίσους μ[έ]ρους κτήματος τούτος Πισραήλιου. He states his readiness to pay the yearly contribution to the tax office through the boethos.

The transfer of tax liability to the syntelestes could presumably have been a part of the rent contract. Syntelestai could have been those who made tax contributions on land they did not own. Usually, they leased land under the obligation to organize production and pay the ekphorion to the owner and the taxes to the state. Syntelestes Aurelius Phoibammon son of Triadelphos appears as a lessee in the misthosis document P.Michael. 43. The farm in Aphrodito was leased to him under the customary conditions by Flavius Samuel son of Kollouthos. The crucial question of tax payment was regulated simply at the end: (ll. 18–19) "if any public requisition is made from you on my account, I shall allow you out of the rent in the same manner as do the other landlords (or "as to the other tenants") of the same village" (εἰ δὲ ἀπαιτήθησιν σε ύπερ ἐμοῦ λόγῳ δημοσίου, ἀποκομφίσω σοι αὐτὰ ἐκ τοῦ φόρου καθ’ ὀμοιότητα τῶν ἄλλων μισθωτῶν [τῆς αὐτῆς κω]μης).

5. Indirect tax payment could be also a consequence of the system of autopragia, patronage, and other forms of dependency. One could explain autopragia as the right of the rich and powerful to pay taxes directly and in advance to the state, probably not only in their own name, but also in the name of somebody else, such as small and middle level landowners who were not able to pay it on time. For these smaller landowners, this could lead to dependency on the large landowner.16 There are documents proving the existence of autopragia in the sixth century village of Aphrodito; however it seems that it was never generally applied to all the inhabitants of Aphrodito, but to those who were able to pay the due sum directly and in advance.17 Ammonios may have fallen into this category as a big landowner and komes. This position gave him the ability and the authority to possibly be a patron and to pay taxes in the name of other people.

Whatever reason lay behind the transfer of tax payment to someone, it opened the path that led the middle-level landowner to dependency. In the process of the decline of agrarian production, the middle level possessor, unable to pay tax dues, disappears from this social structure. If he was in debt, he would sell his land to a big landowner and become a colonus. The relationship between count Ammonios and Ioannes son of Mousaios is significant and may illustrate the process described by Salvian, De gubernatione dei, in which the poor tributarii and egestuli put themselves under the protection of powerful persons, making themselves dediticii and passing under their control as if they would be their slaves.18


17 Mirković, op.cit. (above, n. 5) 346 ff.

18 De gub. dei V 38–39: ...tributarii pauperes et egestuli ... tradunt se ad tuendum protegendum maioribus, dediticios se divitum faciunt et quasi in ius corum diciomenque transcendent.

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