

**A Gold Necklace with Pendants and a Pair of Golden Earrings from the
site of the Dacian Fortress Căpâlna
(Săsciori township, Alba County)**

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In honorem Barbara Deppert-Lippitz

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On January 28th 2009, The National Museum of the Union from Alba Iulia was receiving embedded into its collections a lot of ancient artefacts, made up of 3 pieces, recovered 2 days before from Frankfurt am Main (Germany). *The travelling jewellerys*, as they were denominated during the judicial investigations, were returning, finally, home, after more than 7 years from their tearing from the primary context, the Dacia fortress of Căpâlna, after long pilgrimage through numerous European countries. The next step was, obviously, their inventory and classification, within the category *Thesaurus* of the Cultural National Patrimony². The scientific world wavered, from the beginning, between the sincere excitement of the recovery and submission into the collection of the museum of such remarkable pieces (pretty rare even for archaeologists!) and the scepticism related to the originating context, respectively cultural-chronologic dating, suggested by those assigned to perform the specialty expertise within the criminal investigation³.

Therefore, presently, when the criminal trial that aimed the tearing and trafficking of such pieces⁴ is finalized by a final ruling⁵, respectively when the

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² *Necklace* - inv. nr. D. 4709; *Earring nr. 1* (4 pearls) inv. nr. D. 4710; *Earring nr. 2* (3 pearls) Nr. inv. D. 4711. All three pieces were classified, by order of the Ministry of Culture: OMCCPN nr. 2222 from 02.06. 2009, in *Treasure* category. See also the web site: <http://clasate.cimec.ro/detalii.asp?k=0AF04AFFD7D34E22A2C887285BA05634>.

³ Until now, the artefacts were presented, only by description, in the exhibition catalogue *Aurul și argintul antic al României*, București, 2013 (Fântâneanu 2013, p. 307-308), in the catalogue *Milenia Opes*, under the authority of the Romanian Police Generale Inspectorate (București, 2015), and in a paper in the *Astra* magazine, Brașov (Ciută 2015, p. 65-71). During the penal investigations were disposed several expertise reports.

⁴ The criminal investigation was carried out within the criminal file no. 131 / P / 2006, filed in the file 300 / P / 2010, in the supervision of the Prosecutor's Office attached to the Court of Appeal Alba Iulia, being disunited from the one with no. 440 / P / 2008, respectively 151 / P / 2005, named, generically: *Dacian Gold Files*. Information from the indictment accompanying the file at the first instance (filed on 24 September 2012 with the Hunedoara Court), as well as data from the file itself, can be found in the

experts in the second age of iron have the possibility to finally, pay more attention to this archaeological finding, the obligation is to the author, who was part of the investigation team, to provide as many details as possible related to the circumstance of the discovery of artefacts, for a correct interpretation of their significance, role/functionality they played in the age they were manufactured, used, deposited and/or abandoned.

The National Cultural patrimony, as it is defined and treated within the Romania society at the beginning of the 3rd millennia, without a doubt, a destiny found under the sign of unhappiness, of incapacity and often times of the absurd. The following rows contain a story that from the beginning requires the observation that it represents an exception. One too isolated within a too general a rule: that of the irretrievable loss, of parts of the cultural patrimony, by the *poaching* of archaeological sites and illegal export of the products of the crime.

“The story” of the necklace and earrings begins sometimes around the year 2001, in the Dacian fortress of Căpâlna, located in the Sebeşului Mountains⁶. Upon years of feverish detections into the Dacian fortress from the Orăştiei Mountains⁷ - the headquarters of the Dacian civilization – one of the poacher’s group of the archaeological sites, led by B. D-L. and M. M. from Deva, most likely as a result of the competition war occurred after the discovery in the vicinity of *Sarmizegetusa Regia*, between 1998 and 2001, of the already famous multi-spiralled gold bracelets (armbands) and monetary thesaurus, decided to also “approach” the “secondary” fortresses of the defensive Dacia system, focused on the Şureanu mountains, in hopes of discovering other valuable thesaurus. One of them was the one from Căpâlna (Săsciori township, Alba county), previously recognized by the poachers, due to its somewhat *peripheral* position, but also due to the lack of criminal groups, at the time, specialized in this respect in the villages in the area⁸. In other words, there was no competition here!

present study. We will not use the full names of defendants and convicts for obvious reasons, but we will indicate the media sources from which this data can be accessed: https://adevarul.ro/locale/hunedoara/soarta-romanului-condamnat-furtul-30-kilograme-aur-dacic-comoara-nu-mai-fost-gasita-20-ani-1_5a77079ddf52022f752e6fbf/index.html (site visited at 05.07.2018).

⁵ By the sentence Court from December 2016, reconfirmed in December 2017, the two leaders of the group that had taken the pieces from the archaeological site were sentenced to prison sentences, and one of the defendants who illegally exported the pieces of the country was sentenced to imprisonment, with the suspension under the partial recovery of the injury.

⁶ The archaeological site was systematically researched in part in the second half of the 20th century: Glodariu, Moga 1989, p. 14-19; Glodariu, Moga 2006, p. 14-18, Borangic 2017, p. 132-134.

⁷ Lazăr 2008; Lazăr 2009; Ciută, Condruz 2013; Ciută 2015.

⁸ In recent studies, in which we try to distinguish the evolution of the detector's profile, we insist that on the Orăştie Valley (Hunedoara County) there were the premises that the locals, inspired by the legends of the place, would look for treasure. This is not common for the Sebeş Valley, where there can be no mention of the existence of groups of local treasure seekers. There is, however, a common denominator:

Sporadically researched, starting from the first half of the previous century and then systematically in the 50's – 60's and the 80's, the fortress reveals a part of its secrets, enough though to acknowledge the fact that it belonged to the aforementioned system of the Dacian Kingdom (1st century a.Chr – beginning of the 2nd century p.Chr), that it was built sometime to the end of the kinship of Burebista (or immediately afterwards), that its walls had been built by using the same technique as the one used for the contemporary fortress from Costești - *Cetățuie*, that it has been placed into a dominant position, strategic, hardly accessible, controlling the Valley of Sebeș and the communication towards the South, towards Polovragi⁹, building the connection with the fortress from Tilișca, towards East and the one from Cugir, towards West, that the entrance into the fortress was flanked by two quadrilateral towers (a lodging tower and a gate tower), in its centre being the acropolis, on a rock platform relatively rectangular, and on the south-east terrace was a temple (fig. 4). It was considered that the fortress was conquered during the Dacian-Romanic war by the cavalry of Lussius Quietus¹⁰ - who presumably had conquered the fortress of Tilișca and Cugir – being afterwards partially dismantled, and at the beginning of the second war was hastily rebuilt, ending up by being burnt¹¹. Ultimately, the fortress (or the rest of it), was reused, during the middle Ages, probably as a fortified observation point.

Included in 1999 on the UNESCO list, together with the other 5 similar fortifications from the Orăștiei mountains¹², the Dacian fortress from Căpâlna is relatively easy to approach nowadays, being located closely (cca. 2 km) to DN 67C (Transalpina), on a road accessible only to jeeps (on the Gărgălăului valley, up North) or an accessible trail, south of (Râpii stream) (fig. 1). Starting 2001-2002, in

the "omerta" of the locals from of the Sebeș Valley who, although not directly involved in the illegal detection, were not willing to provide direct data to the judicial investigators.

⁹ Glodariu, Moga 1989, p. 126-130; Glodariu, Moga 2006, p. 142-146; Pescaru, Pescaru 2009, p. 47-51.

¹⁰ A hypothesis with which I. Glodariu disagreed, considering that this body of cavalry had another itinerary (Glodariu, Moga 1989, p. 130; Glodariu, Moga 2006, p. 146). We do not rely on military logic through which cavalry units can conquer a stone fortress...

¹¹ Glodariu, Moga 1989, p. 126-130; Glodariu, Moga 2006, p. 142-146; Borangic 2017, p. 137-149.

¹² *The List of World Heritage UNESCO*, with number 609-006 [1999]: village Căpâlna, Săsciori, Alba county. Code LMI - AB-I-s-A-00020 on the *National List of Historical Monuments*, coord. 23° 36' E, 45° 48' N.906. Fortresses are also protected by *Government Ordinance no. 47/30 January 2000 on the establishment of measures for the protection of historical monuments, which are part of the World Heritage List*, approved with amendments and completions by Law no. 564 of 19 October 2001. The GD is added. 1268/2010 regarding *the approval of the Program for the protection and management of historical monuments registered on the UNESCO World Heritage List*, published in OJ no. 11 of January 5, 2011, which provided for the establishment of **Organizing Committees**, to share clear responsibilities regarding management plans for the management of Monuments. For Dacian fortresses, these Committees were created by the County Councils (Alba and Hunedoara). Căpâlna Fortress is in the guard and administration of the Alba County Council, through the National Museum of Union of Alba Iulia.

its area was recorded the obvious increase of the number of signs of *poachers* of archaeological sites, endowed with metal detectors!



Fig. 1. Aerial view of the Dacian fortress of Căpâlna, indicating the site, the protection area and the protected area.



Fig. 2. Aerial view of Căpâlna fortress, northwest. The arrow indicates the large poachers pit (2001), still visible (Photo Zoltan Czajlik, MNIT).

In the spring of the year 2001, two archaeologists from Alba Iulia were signalling the first holes left by the detectors on the terraces within the fortress¹³. One with an archaeological section/boring aspect shaped as an L was drawing attention (6 X 2,5 X 1 m), on a terrace near the acropolis (fig. 2, 6). The hole was not sealed. According to its aspect and the excavated ground one could suspect that it had been dug recently. Within it, at a closer look, *there were bones and small metallic fragments, with the patina specific to ancient artefacts* (fig. 6). In the month of October, the returned archaeologists found the same situation: *the poaching hole of big sizes, and within and around the fortress (especially on the flanks and terraces from the Northern and Eastern extremity) there were new holes (12-15), smaller in*

¹³ From the investigations carried out, on the inside of the Citadel, on one of the inner terraces (located northwest of the acropolis), CIP and MS archaeologists reported the presence of a recently excavated pit of appreciable size (6 x 2.5 x 1 m), which they had initially suspected as being made by the "poachers" that had been heard in the world of archaeologists at the time, that they were acting in the Dacian fortresses. The pit was deep down to approx. 1 m, and in the vicinity they saw the hearth of a fire, as well as some archaeological pieces probably removed from the pit (fragment of stone pebbles and ceramic fragments), which were taught at the Museum of Sebeş. CIP has noticed in the pit profile the lack of the proper culture layer, which confirms that it is a terrace designed for a cultic space, probably a sanctuary. On the descent to the village, the archaeologists met with an elderly, cow-eared female, whom MS asked if she knew who had made the pits upstairs from the city. The old man told her that there were more people (3-4) "who walked several times in the city with digging tools and a stranger device" (perhaps a metal detector). After one of the actions in the fortress people "boasted in the village that they found golden wires" and other "old" objects and even made a "binge" at the village hut). The old woman also said she was also seeing the pit in the fortress, and that there was a human skeleton on her bottom on a stone slab (Extract from criminal file 131/P/2006).

size. They found traces of fire pits, household wastes, food packs traces and a newspaper from Deva (The market from A to Z) „Piața de la A la Z”¹⁴.



Fig. 3. Detail with the Peak of the Citadel (610 m) on which is the Dacian fortress Căpâlna. View from the West (photo M.-M. Ciută, 2007).



Fig. 4. The indicator panel at the entrance to the fortress, with the topographic plan of the fortification, the archaeological research units and the related explanations (photo M.-M. Ciută, 2007).

The circumstances wherein the poaching was done, are not exact, the fortress failing to benefit from security or exposure, let's say, touristic wise, and not even of a responsible person to periodically verify it – although we are talking about a UNESCO monument¹⁵. But, it is certain the fact that the poachers were feeling secure enough while *acting* on the archaeological site, as they made no visible effort to erase their traces. Thus, after 3-4 years, around 2006, at the moment of performing the first *investigations on site* within the judicial investigations, the fortress is still full of holes of various sizes, unfilled, associated with household waste (plastic bags inscribed with name of companies from Deva and Hunedoara, newspapers, etc.), that indicated the origin of those who prospected and dug illegally. The only ones “disturbing” the poachers, on occasion, were the locals, the owners of the lands who were with the animals on the pastures, as well as some of the employees of the city hall of the township, who called 112¹⁶, not being clear on the intentions of those climbing to the fortress by jeeps and camouflage equipment

¹⁴ Extract from criminal file 131/P/2006.

¹⁵ Only in 2006, following the opening of the first criminal case, under the supervision of the Prosecutor's Office attached to the Alba Tribunal (131/P/2006), respectively the repeated appeals of the judicial structures, the fortress benefited from a guard, a resident, the owner of the household closer to the city, being hired by the Alba County Council.

¹⁶ The investigations revealed, for example, that on 15.07. 2002, local councilor Mircea Bodea, finding out that there are people with metal detectors in the city, is ringing at 112, with gendarmes crews moving to the scene, who have legitimized two young people from Deva who descend from the city, identify then as part of the association led by BD-L. Bodea justified his attitude through a form of local patriotism, being disturbed by the activities of archaeological poachers (Extract from file 131/P/2006).

accompanied by metal detectors¹⁷. It is relevant in this respect an episode from 2002, when two youngsters abiding in Deva, G. C-D and C. M., were stopped and identified by a patrol of state police officers, subsequent research proving the direct connection between them and the leaders B. D.-L. and M. M¹⁸.



a.



b.



c.

Fig. 5a-c. Photos of the necklace and earrings on the floppy disk recovered by the investigators in April 2005 (source: Penal file 131/P/2006).

In April 2003, also following such a call, on site came the police officer within the Criminal Investigations Service of I.P.J. Alba – who was assigned as a duty with the national cultural heritage¹⁹ - together with the manager at the time of

¹⁷ We must point out that the first worker on the field of work aimed at protecting the national cultural heritage within the Police Inspectorate ao Alba county, was appointed only in 2003, being a judiciary officer with no cultural specialization. It was only in January 2006 that a specialist archaeologist was recruited to this institution.

¹⁸ The episode was later confirmed by other witnesses in Căpâlna: Lazar Ioana (daughter of the former 80-year-old Maier Vasile) and his daughter, Miriana Crăciun: on the occasion of several days of archeological poaching organized by a team of young people, at the point called "In Dos" (located in the forest on a northeast terrace inside the fortress), where they settled the base of tents, to Bodea Mircea's complaint in Căpâlna came gendarmes from Alba Iulia, but they did not catch the criminals because they abandoned the "plastics" (tents) and fled. Subsequent investigations, which remain in the records of the Gendarmerie Inspectorate Alba, proved that it was Grecu Constantin-Doru and Cristescu Marian of Deva, members of the group mentioned above.

¹⁹ Chief Inspector (at that time) Radu Tomuța. Extract from file 131/P/2006.

D.J.C.C.P.C.N. Alba and an archaeologist within the same institution²⁰, as well as an archaeologist from the museum in Sebeș.

On this occasion there have been identified new holes into the fortress, and one of them, in the area of the South-East terrace within the fortress, there were found several fragments coming from a copper or bronze object, being photographed *in situ*²¹ (Fig. 7). The lack of any other evidence made this file to be relegated, and the hole remained uncovered, silent witness of the *crimes* from the terraces of the fortress.

In the summer of 2004, at the restaurant *Izvorul Decebal* (located at the entrance of Arad in Deva municipality), B. D.-L., the leader of the group acting in the fortress of Căpâlna, had a meeting with various individuals, within the discussions also mentioning the sales bid for a thesaurus made up of a “*necklace with pendants and 2 earrings, from Căpâlna*”. The transaction was supervised by the specialized bodies of the judicial police²². On April 6th 2005, the judicial bodies were notified by D. E., about a *thesaurus made up of a pendant necklace and two gold earrings, stolen during 2002-2003 (?) from the archaeological site of the Dacian fortress of Căpâlna, Alba County, by the poaching team of B. D.-L.* The thesaurus was preserved in warranty by them, being put up for sale, together with Ancient coins²³. Thus, there was found between the years 2004-2005, in the city of Deva, “the turntable of the organized crime and artefacts traffic of archaeological origin”, among the generous gentfolk circulated a floppy 3,5” disk, containing 14 image files, with photos displaying a necklace with a diamond shape pendant (biconical), associated to a pair of earrings, shaped as the *Herakles North*, with a translucent brown stone centrepiece mesh.

A copy of the disk was obtained, from one of the “lieutenants” of C. I. (the one who meanwhile had purchased the jewellery set from B. D.-L.), Thus, in April 2005, the images of the thesaurus made up of the pendant necklace and earrings ended up on the hands of the judicial team who had just started the investigation regarding the recovery of the Dacian thesaurus. The photos of the pieces were exposed on the web page of the Romanian Police as “searched items”. It was clear that at the moment, there were 27 pendants attached to the necklace, wherefrom one,

²⁰ Dan Dorin Ovidiu and Gabriel Tiberiu Rustoiu.

²¹ A very important clue is the presence of a plastic bag coming from a commercial company in Deva (see Figure 7b). Also on this occasion it was found that important parts of the fortress wall were vandalized, the stone blocks being dislocated from their original position and rolled up to the ground (Fig. 7). On the descent from the fortress, they took with them an old man in the car, who told them that a locals from Căpâlna (following the investigations we found out that his name is M. Bodea), which has a 4x4 car, frequently goes to Cetate along with some foreign individuals, where they say that they are going to have fun at the barbecue, but that they also carry dredging tools (Extract from file 131/P/2006, of the Prosecutor's Office attached to the Alba Tribunal).

²² Indictment 2012, p. 47. Here are the transcripts of the discussions that have taken place.

²³ Indictment 2012, p. 47. Report of delivery of floppy-disk. Extract from file 131/P/2006.

located in the middle was broken, missing the distal half. Although the photographs were of poor quality – being taken probably by means of a mobile phone²⁴ or a poor-quality camera, on the leather seat of a jeep (fig 5/a-c) – the pieces stood out by the refinement of the craft and aesthetic quality, elements which pleaded, without a doubt, to their affiliation to the Ancient era.

Some photographs, with a greenish filter, were making difficult the exact distinction of the original colour of the metal, wherefrom they were made, respectively its identification. Only one seemed to expose the yellow colour of the necklace and earrings, suggesting the possibility that they might be made of gold. (fig. 5/a). The investigations revealed that B.D.L. managed to sell to C. I the necklace and earrings "from Capalna" in 2004-2005, for the price of 15,000 Euros. C. I., the leader of another group involved in the capitalization of the artefacts stolen from the sites in Bucharest, put them up for sale for 35,000 Euros, and witnesses D. B. and C. C. offered them in Deva²⁵, being purchased, ultimately, by H. R., a collector from Hunedoara.



Fig. 6. The poaching pit reported in 2001 (photo R. Totoianu, 2005).

In May 2005, when in Deva were performed several searches to the suspects in the file *The Gold of the Dacians*, in the personal agenda of C. I., appeared in 4 places - carefully referred to, from March 17, 2004, until May 2005, on successive pages - the following: "*necklace with 2 gold earrings - 20.000 Euro*", "*necklace with 2 gold earrings - 35.000 Euro*"²⁶. It was the first concrete hint to confirm the link between

²⁴ The investigation confirmed that the photos were taken on June 1, 2004 with a mobile phone, model Nokia 7650.

²⁵ Indictment 2012, p. 47-49, 55, 73. Transcripts of telephone calls from which the origin of the "treasure" originated in the Dacian fortress of Căpâlna.

²⁶ Indictment 2012 p. 49 and the file. Inside the penal file are the scanned agenda pages.

the artefacts offered for sale and their temporary holder, that is, the first confirmation of the material wherefrom they were manufactured. C. I., now condemned, said that the goods represented a *family inheritance*, respectively: *they are no longer in his possession*.

On June 5, 2005, at a symposium of the union museum, organized in collaboration with D.J.C.C.P.C.N. Alba and a historical association from Alba Iulia, a trip to the fortress of Căpâlna was organized, attended by the museum employees, directors, academics, students. On site there were taken photos of the *big pit* (captured since 2001), its clogging being noted (Fig. 6). There were other more recent pits, an occasion where the issue of the fortress guard arose.

A first step in the prosecution was to arrange a first *expert report* on the images of the three artefacts. The objectives set out in the *Ordinance* were as follows: what are the archaeological objects presented in digital photographs; whether the objects are archaeological items belonging to the national cultural heritage; to determine whether the objects in the photo images contain all the elements required for identification, in order to determine with certainty the quality of the archaeological items belonging to the national cultural heritage; to determine whether the objects are original or copies of the heritage items and used as reference material; to determine: the metal wherefrom the objects were made, their estimated weight, the age and the market value of the archaeological items in question. The expert was provided with the 14 photo images of the pieces, as well as the information resulting from the investigation materials, respectively that they had been stolen from the fortress of Căpâlna. The report concluded that: *"objects subjected to the present analysis may come from this fortification, partially systematically researched by specialists (...), seem to come from the same context, through morphology and modelling techniques, proving some artistic unity and complementarity, probably being part of the same ensemble. Due to the impossibility of direct analysis as well as the poor quality of digital photos, exposed results can be "influenced" in the sense of the possibility of errors. The three pieces seem to have been made of gold, most likely in silver alloy. This explains the gentle green, noble tentative that appears on some of the photos. As a working hypothesis, it is likely that they belong to the Transylvanian Dacian environment, as imports from the Greek (Hellenistic) world - especially the necklace - or scorch, or, less likely, Scythian (especially the earrings). The repertoire of such types of ornaments contains very few elements, the vast majority of them from silver, coming from different sites in Transylvania and Banat. The method of crafting a necklace by weaving wires from the fastening of many very thin wires creating the delicate, fragile, precious piece by the painstakingly technique of filigree fabrication. Following the places of origin of the analogous parts will be observed a possible circumscription around the area of Orăştie and Şureanu. The earrings also display the closest analogies to pieces made of silver. In conclusion, the earrings and necklace in question belong to a category of archaeological objects that fall within the national cultural heritage, very probably*

treasure class and it is imperative to recover the pieces in question. We can say that the pieces under examination do not appear to be copies, but rather original pieces. After examining the images and the evidence in the file, we can say that the pieces under examination seem to be made of gold, most likely in alloy with silver or other rare metals - which gives the hardness to this metal - according to the distinctive colours and shades, valued at approx. . \$ 30-35000. The pendant necklaces make up a rare morphological group in the Dacian silver work of the 1st centuries BC. - I. p.Chr., Characterized by unitary expressions on large spaces. The region where the origin of the model or the prototype of the spiral-shaped bracelets of the terminal plate can be assumed should be sought in southern Transylvania or in Banat, perhaps even in the Orăștie Mountains area, where a larger number of copies is concentrated, which excels through an ornamentation abundant and refined finishes. Based on the analysis and argumentation set out above, we appreciate that the gold pieces in dispute can very probably come from the Căpâlna (Alba County) archaeological site - a military fortification with a civilian settlement - which is closely related with the political and spiritual capital of pre-Roman Dacia: Sarmizegetusa Regia. These pieces illustrate the highest social structure of the Dacian society and spirituality as well as one of the most refined layers of the ancient technology of gold metallurgy. As a matter of curiosity, it is slightly striking that the gold pieces undergoing the present expertise find the closest analogies in the pieces made of silver and discovered in the archaeological sites of the Dacian age in the same manner whereby, in the case of the expertise of the National History Museum specialists on the spiral gold bracelet with zoomorphic heads, the closest analogies (the only ones) were also noted in the case of some pieces made of silver²⁷.

As such, at the start of the judicial investigation²⁸, it was known that between 2001-2003, *from a pit inside the Dacian fortress of Căpâlna*, there had been stolen a gold necklace with pendants and a pair of earrings by a team whose leader was BD-L, that in 2004 they were put up for sale, that in 2005 they were already at another character in Deva, CI, who had further tried to capitalize them in Bucharest. Images of the pieces had been obtained, but without any other date or element of identification. Only some unverified clues showed us that the three pieces had already left the country because they were betting on finding *more generous* buyers. During the judicial investigations in 2006, locals provided brief details of the identity of those who dug the dug in the fortress, or of the time of their occurrence. A witness from the locality, Cioroga Gheorghe, with his residence near the Feriga point, confirmed "intense activities" of the poachers in 2002-2003 when he twice surprised two young people with a metal detector on the north-western part of the fortress, at

²⁷ Moga 2006 (Penal file 131/P/2006 – 300/P/2010).

²⁸ Initially, theft of the three pieces was the subject of file 131/P/2006, supervised by the Prosecutor's Office attached to the Alba Iulia Tribunal, to be subsequently joined to the 300/P/2008 criminal file under the supervision of the Court of Appeal Prosecutor's Office Alba Iulia, being the same group that also discovered and stole the monetary treasure from *Șesul Căprăreței* (1998).

approx. 1 km away, at the "Feriga" point, located in the hinterland of the fortress, where several arrangements were made in the form of a terrace²⁹. They also mentioned that it was found a pit, wherein they identified the print of a vase, whereof it was found subsequently that *it was a copper cauldron filled with gold*. The woman was identified, who told the archaeologists in 2001 about the episode (see note 13) of the pit on the terrace of the fortress and the "gold wire"³⁰. In front of the investigators, the woman did not recognize these things when she gave the written statement, but she also confirmed that at the "Feriga" detectors discovered gold objects.

Specific investigations have been carried out, and information has been gathered on illegal detection activities in the area of the Fortress³¹. Frequent pits (of more than 100), spread over the whole area of the fortification, as well as in its immediate vicinity, on anthropic wise arranged terraces to the north-east and south-east (Fig. 7) were found. Some of them, being older, were clogged, others, more recent, were covered with leaves. Pits covered with land were also identified to hide illegal digging activities, betraying different *operating methods* and perhaps different individuals. There have been identified fireplaces, repeatedly used, household waste, etc. A series of flat stone blocks from the structure preserved in elevation of the walls of the fortress (*murus dacicus*), but also of the *Dwelling towers* were found dislocated and collapsed, abandoned in an inappropriate state, proving that in their structure there were metallic elements that attracted the attention of the poachers (Fig. 7). The archaeological site, heavily affected by vandalism, was in a deplorable

²⁹ From Zamora Ilie's statement, where (detectors NN) arrived with field machines and metal detectors, even a hillock (land-fitting) where they suspected they stayed overnight. He also confirmed that the site was visited by Romanian researchers (it is possible that he was the one who provided information to the team that was in the Field Leadership of 15. 08. 2003, see the previous note) and even by the students from Slovakia, who had a translator. He also identified the dwelling of the sister of the last guardian of the fortress (Maier Constantin, deceased in the 80s), at the house no. 289. Extract from file 131 / P / 2006.

³⁰ Identified as Jinariu Ana, from Căpâlna (Penal file 131/P/2006).

³¹ Lazar Vasile has confirmed that: *a number of people have been in Cetate in the past 3-4 years, with field cars (green, with Sibiu and other, blue metallic, number Alba)*. He also reported that *in the previous year, the same teams discovered a "golden cup" on the hill west of the fortress (Cornet Hill), in the place where a sheep is now. Devices that were identified were "tinkering" and even witnessed the discovery of a metallic object. M. Bodea, councilor at the Săsciori City Hall, said that in 2002 a team of young people, who came with a field car with Hunedoara number, wearing camouflage clothes, sunglasses, were solid, tall ("as members of a commando"), descended to the village and asked questions about the location of the fortress. The Sasciori station chief and the Alba County Gendarmerie announced, but they were not caught*. Subsequently, at the given statement, the witness showed a disguised behavior.

condition. All these states were photographed as a matter of fact and it was proceeded to the notification of the responsible institutions³².

A surprise witness proved to be C. S.M., from another poaching group (from Orăștioara de Sus), who, in a statement given in another criminal case (172 / P / 2005), in the context of the broad description of the activities group of B. D.L and M.M specified: ” *the boys from Deva have found a golden necklace with pendants on the Dacian fortress at Capalna ... which has aroused great interest among us*”.

In November 2007, on the occasion of an International Conference of Scientific Communications held in Alba Iulia, the necklace and earrings images on the Deva disk were presented as *the searched items (most wanted)* by the investigators. An expert in the ancient silver work, participant in the event, told the Romanian investigators that he had seen pictures of the pieces at a Serbian dealer / jeweller in Frankfurt am Main (Germany): Zlatko Pleșa. It was the second confirmation of the existence of the pieces, but also the confirmation of the less fortunate situation of their illegal removal from the country. The original files with the three digital photos of the pieces were made available to the investigators, directly from Frankfurt, in December 2007 (**Fig. 8**). The origin of the ornaments was specified by the Serbian collector, in the most direct and unequivocal way, the files with the relevant names: *rumunsko*, *rumunsko02* și *rumunsko03*. He also confirmed that ”*the earrings and necklace came from Transylvania, were pu up for sale in Serbia by two Romanians "and that" they travelled a lot, throughout the entire Europe*”³³. The investigations in the file later confirmed that the small treasure was removed from the country in August 2008 by C.C and H.R traffickers through the Iron Gate II border crossing for subsequent wanderings all in ... Danube Gorges³⁴.

Starting this point *the trace* of the artefacts *had been taken*. A surprising situation occurred, produced by one of the defendants in the file, who, in an attempt to prove *good faith*, promised to start an investigation in the occult world of artefact traffickers in an attempt to locate them and even to recover them, by one’s own resources. Guided by the information provided by the investigators and also by the contacts, the defendant traced the ornaments and bought them, paying the holder the amount of 20.000 Euro³⁵.

³² As a result of this effort, from the summer of 2006, the fortress had a guard, employee of Council of Alba County.

³³ Indictment 2012, p. 51-52.

³⁴ Indictment 2012, p. 50.

³⁵ The Criminal Code, both old and new, provides for certain impunity clauses, in other words, the defendant who contributes to finding the truth and recovering stolen goods, or acknowledges the acts committed, benefits from attenuating circumstances. Indictment 2012, pp. 52-53.

Finally, the artefacts took again Germany's long road to Frankfurt, their last stop, where they were checked by the German expert who notified the investigative team from Romania³⁶.

There followed an emergency trip to Frankfurt, where the pieces were lifted (fig. 9). On that occasion, a pendant was missing, kept probably as a souvenir by one of the temporal holders of the necklace.

At the first and last stop on the way home, in a second hand hotel in Szeged, the three artefacts were photographed (Fig. 10). The next day, January 28, the pieces were delivered to the National Museum of the Union of Alba Iulia.

The Thesaurus.

Necklace (inv. No. D4709): L. total = 34 cm, weight = 73,08 gr., L. connection link = 1,5 cm, L. gloving links (round) = 1,1 cm, Necklace thickness (*link in link*) = 0,4 cm;

Pendants: L. pendant (without the connection link to the necklace) = 1.4-1.5 cm, L. pendant (with neck clasp) = 1.8 - 1.9 cm, Pendant width (diameter) = 0.7 cm.

Earring 1 (4 pearls) (Inv. No D4710) Diam. Maxim = 3.61 cm; diam. min. = 3.1 cm, Gr = 14.07 g, Diam. min. link = 0.2 cm, Diam. max. link = 0.4 cm, L. medallion = 2.3 cm, maximum medallion width = 1.5 cm, minimum medallion width = 1.00 cm, Diam. stone = 1.0 - 0.8 cm;



Fig. 7. Photos taken in August 2003: a. The wall of the tower dwelling collapsed; b. plastic bag inscription of Deva locality; c-d. copper (bronze?) fragments (photo R. Totoianu 2003).

³⁶ The message was: *The eggs are in the nest!*



Fig. 8a-c. The photographs made available to the investigators by the jeweler in Frankfurt am Main. a- b. The necklace still had the 27 pendants; c. the earrings (source: Penal file 300/P/2010).



Fig. 9. The necklace and earrings at the time of takeover, January 27, 2009 (photo: M.-M. Ciută, 2009).



Fig. 10. The gold necklace with pendants and the pair of gold earrings (photo: M.-M. Ciută, 2009).
Missing a pendant.

Earring 2 (3 pearls) inv. D4711: Diam. max. = 3.07 cm; diam. min. = 2.9 cm, Gr = 13.43 g, Diam. min. link = 0.2 cm, Diam. max. link = 0.4 cm, Medallion Length = 2.3 cm, Maximum Medallion Width = 1.5 cm, Minimum Medallion Width = 1.00 cm, Diam. stone = 0.9 - 0.7 cm.*

Once recovered, it was required to resume the expertise, this time "with the pieces on the table". Three experiments were made: museum wise (comparative, typological-stylistic), metallographic (complex set of elementary analyses of the alloy from which they were made) and tracing³⁷.

The metallographic expertise was carried out concurrently with the museographic work by a team from IFIN - HH Bucharest together with an expert of the National History Museum of Romania³⁸:" for non-destructive determinations of elemental composition, the X-ray fluorescence method - XRF acronym (X-Ray Fluorescence) was used. This analytical, non-destructive method consists in qualitatively and quantitatively determining the chemical elements in a sample to be analysed. Three XRF spectrometers were used to obtain the experimental results: one

³⁷ The *Ordinance* were ordered in 04.02.2009, in the criminal file 440/P/2008.

³⁸ Constantinescu *et alii* 2009. The report was filed on 09.03.2009. We partially reproduce it, indicating some pictures from the Report, without preserving the original order of the illustration.

classical one, X-MET 3000TX Portable X-ray tube (X-MET 3000TX), and a SPECTRO MIDEX X-ray tube (Molybdenum Anode) spectrometer.

Inv. No. MNUAI D4709 - Gold-wire necklace with a circular cross-section, 340 mm long, eye-to-eye. The wire, with a diameter of 0.53 to 0.59 mm, was obtained by a rather rudimentary drawing process. The thread was slightly twisted to give the jewel an extra decorative effect. The body of the necklace is composed of five interlaced strings, also with gold thread (Fig. 16). The necklace decorated with a string of 27 pendants of bitronconic shape, finished with a pearl, also made of fine gold rolled and welded wire. The pendants are of two types: some simple (Fig. 12/c) and others with the equatorial area decorated with thread circles (Fig. 12/b). These are arranged alternately, except for the first two of the "head B" (the one with the closing mechanism), which are the same - decorated with circles on the median line (Fig. 12/a). The pendants are fixed to the necklace body by circular links, made of gold plate, mechanically attached to a string of threads by means of a wire link (Fig. 12). The examination of the piece indicates that the jeweller's craftsman left the places where the pendants were to be attached, from the stage of manufacturing (Fig. 15). The ends of the necklace were reinforced with a fused tube made of rolled and welded foil provided with a welded link (Fig. 13-14). The locking mechanism consists of a simple, thick metal wire closure, 15 mm long. The mechanism is deformed and probably broken after discovery (Fig. 14). The wire used to make it is produced by cold beating. Of the 27 pendants of the necklace, existing at a certain moment, after the necklace was discovered, one is currently only half preserved ("No. 14", from the "A" head, the one without the closure) (Fig. 11) half being lost in a long time ago (?), another (second from "head A") (Fig. 15) was roughly removed after discovery, and one (No. 12 from head A) is currently, missing, although this pendant appears in an older photograph of the object, filed in the file (Fig. 5a; 11). The best stylistic and technical analogies for Căpâlna necklace are offered by a series of silver pendants, part of a necklace from the late Celtic treasure in the Scordis area, discovered at Židovar near Vršeć in the Serbian Banat (Fig. 16). Here, too, one can see the existence of a silver-braided chain in the "eye-in-eye" technique, attached to silver "bulla", which offers very close technical analogies to the Căpâlna necklace. The expert necklace may be dated within a time span between the end of the 2nd century BC and the first half of the 1st century BC.

Inv. No. MNUAI D4710 (Fig. 17) Gold-plated temple earring, in the form of the "Heracles knot", made of three gold wires, partially cut, to give the impression of pearls, incompletely welded. The yarns used were drawn and then shaped by a special pliers. The ring of the earring, with the hook-shaped locking mechanism, is made of three twisted wire, welded and scribed at the end (Diagram 20). The string is demarcated by the rest of the earring body through a circular band made of three wires welded and decorated in the pseudo-watermark technique (Fig. 17). The earring body is decorated with two rosettes, arranged in front and behind a cabochon,

made in the pseudo-watermark technique (**Fig. 17-18**) and an artificial stone made of semi-transparent glass, brown ("bromide") mounted in cabochon (**Fig. 17, 19**). The surface of the glass pearl is matted due to mechanical wear and structural changes due to the long residence of the glass in the soil. There is another golden pearl at the bottom of the cabochon (**Fig. 17**). The closing mechanism consists of a fine gold wire link, U shaped turned, decorated with pseudo granules and four gold pearls. In addition to the drawing and rolling technique, by cold knocking, pseudo-granulation as well as welding (**Fig. 18**) were used to perform the artefact.

Inv. No MNUAI D4711³⁹ Gold-plated temple earring in the form of the "Heracles knot" made of three gold wires with a small square pattern stamped on the surface of the partial thread to give the impression of pearls, incompletely welded. The yarns used were drawn by pulling and then moulded by a special pliers and the pearls by pseudo-granulation technique. (...). Provincial workshop, late Hellenistic or Roman tradition, sec. II-I a.Chr. - sec. I p.Chr., Located in the Balkans.

All three pieces bear traces of long-term use (trails and specific deformations), as well as traces of landing (deposits and sediments).

As a result of X-ray fluorescence measurements, the following compositions were obtained⁴⁰:

1. D4709 Gold necklace Căpâlna: Au = 84,4%, Ag = 13,5%, Cu = 2%.
2. D4710 Gold earring Căpâlna: Au = 76,3%, Ag = 20,2%, Cu = 2,8%).
3. D4711 Gold earring Căpâlna: Au = 75,6%, Ag = 20,8%, Cu = 3,3%.

It cannot be said precisely if most of the gold used to produce the necklace comes from refining native metal or from retrieving older objects or coins. As for the two earrings, they do not contain measurable tin traces, their alloy being metallurgical, with a relatively large amount of copper added to enhance their mechanical strength. Judging by the technique and style, it is very likely that the workshops in which the necklace and earrings were made were placed in different locations. In the case of the shop where the necklace was made because a significant alloy percentage is alluvial gold, it should not be excluded that it was located near a region that had alluvial gold sources in North-East Serbia, Banat, or even in Transylvania. The titles (gold content) of the three objects are as follows: The necklace has the title 20.3 carats, the earring D4710 has the title 18.3 carats, the earring D4711 has the title 18.2 carats. The earrings are practically identical from the compositional point of view, so they were probably executed from the same ingot and the same batch (...). In conclusion, undoubtedly, the pieces subject to expertise are ancient authentic jewellery⁴¹.

³⁹ We specify that the two earrings are identical, as shape and technology of making, Differentiation is made only after the absence of a pearl to the second earring (D4711).

⁴⁰ Constantinescu *et alii* 2009 (Extract from penal file 300/P/2010).

⁴¹ Constantinescu *et alii* 2009 (Extract from penal file 300/P/2010).

The routing expert report, submitted in the case, performed at INEC–Cluj Branch and the Archaeology Institute and Art History in Cluj-Napoca⁴², has highlighted that all three pieces exhibit specific traces of long-term wear and tear, specific wear and tear due to exposure, and the use of more than one person (transmitted over several generations) by inheritance and/or sale. Long-term micro-traces (friction/polishing, impact/scarification, scratching) are complemented by *signs* specific to soil storage (deformation by compaction), plus excellent soil deposition in hard-to-reach parts, which confirms the specificity of artefacts kept in archaeological contexts.



Fig. 11. The pendant necklace during the traceological expertise (photo by B. Constantinescu 2009).



Fig. 12a-c. The necklace pendants. Type a (a-b) and type b (c).

⁴² Alămoreanu, Găzdac 2009.



Fig. 13. The fastening system of the necklace (photo by B. Constantinescu 2009).



Fig. 14. Fastening clamp of the necklace (photo by B. Constantinescu 2009).



Fig. 15. Body of the necklace, with the move of a pendant.



Fig. 16. Silver necklace with pendants from Zidovar (Serbia).



Fig. 17. Earring no. 1 (the one with 4 pearls) (photo by B. Constantinescu 2009).



Fig. 18. Detail of the earring ornament (the rosette and the weld).

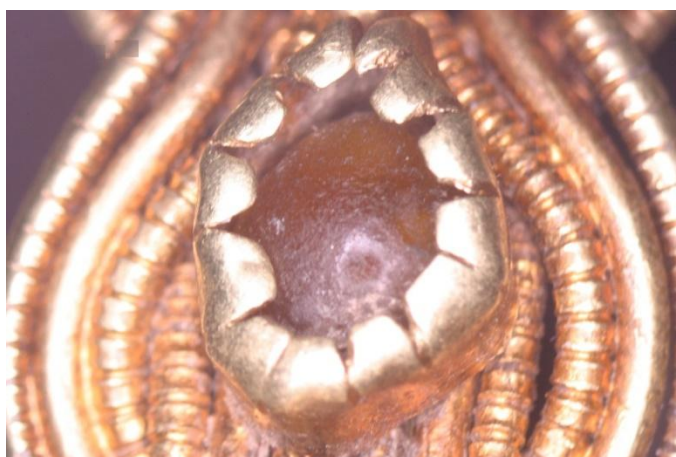


Fig. 19. Capture detail of the “pearl” glass in *cabauchon* technique.



Fig. 20. Detail of the twist technique at the earrings.

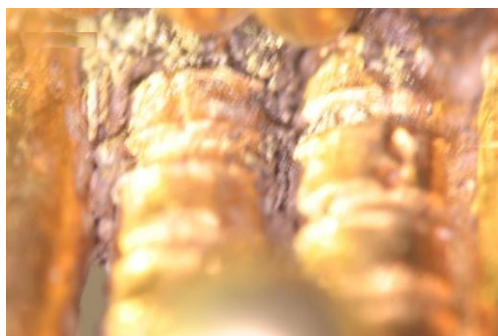


Fig. 21. Macrophotography with details of soil deposits on the earrings.



Fig. 22. Pair of “Thracian earrings with Herakles knot” for sale by a London firm.

A supplement of museographic expertise was ordered by the *Ordinance* of 01.04.2010, requesting the estimation of the circulation value on the antiquities market of the treasury consisting of a pendant necklace and gold earrings. This

expertise supplement was made by the expert of the National History Museum of Romania, filed at the file on 21. 04. 2010⁴³. ” *The golden necklace with bitronconical pendants and earrings decorated with the "Herakles knot" motif and cabochon-mounted brown glass applications represent an exceptionally rare ensemble of national and European cultural heritage, and are also pieces of a remarkable artistic, technical and documentary-historical quality. The gold necklace with pendants is, so far, a ONE OF A KIND within the archaeological discoveries of the classical Dacian period (2nd century BC) on the territory of Romania and the neighbouring regions inhabited by these ancient ethnics. The earrings decorated with the motif of the "Herakles knot" and cabochon-mounted dark glass applications from Capalna (Alba County) are some of the most elaborate copies of this series known to date in the Nordic regions of the Balkans. Considering the unique quality, the artistic quality, the technical execution and the historical-historical significance of the gold necklace with bitronconical pendants in Capalna (Alba County), I evaluate the circulatory value of the piece weighing 75,000 €, and for the earrings gold is valued for the circulation value of each piece, valued at € 12,500 or a total of 25.000 €*”⁴⁴.

Finally, a few short considerations related to the figurative motives of the jewellery. The type of necklace made from twisted ”neck-in-neck” type wires (*neck-in-neck*, or *foxtail*) is frequently encountered in the area of Dacian civilization. Such silver necklaces have been discovered in many sites that gravitate around the fortresses and settlements of Transylvania and Banat, and the style of twist-stud earrings appears in the same contexts⁴⁵. Hercules' knot, was a favourite theme in Hellenistic jewels, both on tiers and earrings, but which kept its popularity during the time of the Romans⁴⁶. The origin of this motive may be somewhere in Egypt, where it was used for apotropaic purposes (like amulets). It was considered particularly effective in assisting wound healing, but it also appears as a symbol of marriage, associated with the expression ”knot binding”. Recently, we signalled the tendering for sale at an auction house in London of a pair of similar earrings presented as ”Thracian earrings with the knot of Heracles”⁴⁷.

⁴³ Oberländer-Târnoveanu 2010.

⁴⁴ Oberländer-Târnoveanu 2010.

⁴⁵ Rustoiu 1996, fig. 51.

⁴⁶ Higgins 1961, p. 159, pl. 45A, 46.

⁴⁷ https://antiquities.co.uk/index.php?option=com_eshop&view=product&id=4591&catid=35&Itemid=276



Fig. 23a-b. Imagini cu componentele prospectării metalografice (foto B. Constantinescu).

The execution method of the earrings, by twisting the wires or the gripping system, is another characteristic of the Hellenistic jewellery, originating in the Tyrrhene era⁴⁸.

Conclusions.

Recently, in the literature, opinions have been launched that challenge the localization of the origin of the artefacts as being on the terrace near the Acropolis of the Dacian Fortress from Căpâlna⁴⁹ or, moreover contest the site of the fortress itself, its hinterland and all, as the *area* of their origin⁵⁰. We are facing a specific situation

⁴⁸ Higgins 1961, p. 160-168, pl. 47.

⁴⁹ More precisely, it is contested the belonging of the pieces to a funerary context situated inside the fortress, seen as a unique case in the funerary landscape of pre-Roman Dacia (Borangic 2017, p. 147-148, nota 811). The author considers, however, that it is possible to belong to the jewelry set of an important nobiliary family woman living here (Borangic 2017, p. 147).

⁵⁰ "Another example of the uncertainties surrounding the information provided by the defendants in the case of the Dacian bracelets is a set of Greek gold jewelry (two earrings and a necklace chain with pendants, both of which are worked in watermark), recovered by the police and which, according to the judicial investigation, is said to have come from a tomb in the Dacian fortress of Căpâlna, Alba County (?): see Fântâneanu 2013. First of all, it should be emphasized that the discovery of a tomb inside a fortress Dacians with stone walls would be a premiere not only in the Dacian kingdom but also for the entire Dacian space. This is due to the fact that the funerary manifestations of the Kingdom, if carried out elsewhere, outside the settlements (for example at Cugir, the tomb graves from the 1st century BC belonging to the elite are outside the settlement, near the fortification (...)). That's why the localization and the context of the discovery are dubious, and I am surprised that none of the archaeologists who had the opportunity to study or observe the pieces has drawn attention to this inconsistency. Secondly,

when the *judicial truth* is confronted by the *historic truth*, or, rather, of the historic deduction⁵¹. It is not an isolated case, and as artefacts recovered in the judicial path have been, are and will see the light of print, such situations will exist, inherently we could say.

The archaeologists have been, are and will be constantly concerned with the description, classification, sequence and ordering of entities discovered in archaeological contexts, *sine qua non* conditions of a scientific approach. Any archaeological theory built on such *ordered* entities (logically and rationally) is tributary to the state of knowledge accumulated up to the moment of its issuance (and to the intellectual detente of the researcher issuing it). Any new realities that appear later in the landscape given by *theory* may be capable of infringing or, at the very least, requiring it to be remodelled, hence a certain resistance in accepting the new situation by those who elaborated the theory.

Very rarely (or rather never!), archaeologists accept the possibility of accidents and / or hazard in their theories. Usually they are excluded from the start, though, history teaches us that they are happening! Somewhat in this manner, reputed Romanian archaeologists and experts have challenged, for example, the authenticity of the Dacian multicastrated bracelets in gold (*brassards*)⁵², because they

such sets of gold ornaments, made up of pairs of earrings and necklaces, with or without pendants, are common in late Hellenistic necropole (2nd-3rd century BC), Greek cities on the western and northwest coast of the Black Sea. That is why it can be assumed that the Greek ornaments of "Căpâlna" have come into possession of Romanian traffickers rather because of the criminal links existing with similar groups from another country (maybe Bulgaria, where such groups are very active and the influence reaching them to an economically and politically high level), probably being harvested from an archaeological site on the Black Sea. Moreover, the links between the Romanian and Bulgarian interlopes in Bulgaria and Serbia, as well as the clandestine trafficking of patrimony goods on the basis of these connections, were also documented by the judicial investigation" (Rustoiu 2016, p. 75, note 7).

⁵¹ A study on the subject and a similar title is underway. The happy cases where the context of the origin of the recovered artifacts remains a certain one, accepted by both judiciary and archaeologists, are obvious, but obviously insist on situations in which the conclusions of the two parties do not converge, and there are doubts about the origin of the artifacts. The use of relatively similar methods and means does not guarantee similar working hypotheses.

⁵² The points of views expressed publicly (!) by C-tin Preda and Al. Vulpe, during the prosecution, are already well known, about the falsified authenticity of the Dacian multicastrated bracelets, tacitly backed up by many Romanian archaeologists, who could not accept the idea that such artifacts could have been "missed" by the systematic researches carried out for decades in the cities of The Orăștie Mountains. This reticence, inherent in human nature, becomes inexplicable in the context of the fact that first-class specialists have "anticipated" in their studies the existence of these pieces (Medeleț 1994). The illegal "discoveries" made by treasure hunters in the vicinity of the Dacian fortresses are likely to give a new perspective on the particular way in which the issue of the presence of precious metals artefacts (especially of gold!) and the deposition of goods from precious metals (hidden or offered votive / apotropaic) in the Dacian world (Ciuta, Condruz 2013). Moreover, recent researches, which mainly addressed the hinterland of the cities, prove that civilian settlements, *extra muros*, were much more complex than was believed.

were out of theoretical patterns, previously built, as long as the very existence of such artefacts in the Dacian environment was seen, with few exceptions, as an idea that: *cannot be supported*⁵³. Such reactions tend to act like a *Procust' bed*: "What is not found in what was previously known cannot be accepted." Let us not forget, however, that there were cases when the most vehemently challenged, in the face of evidence, presented *mea culpa*.

Archaeologists are, by excellence, scientists, operating with accurate, quantifiable and verifiable data. Rejection or *a priori* questioning of any information from judicial sources such as criminal files is natural and may even be necessary from this point of view. We must accept at this time that the information of the origin of the three golden ornaments in the pit *located on the city's terrace* of Căpâlna can be disputed, being indirect and as such only a working hypothesis, used at some point (!), by the investigators. It cannot be overlooked, however, that throughout the judicial investigation (2006-2012), all the evidence obtained (statements, on-the-spot investigations, conversations of conversations, information, verifications, expertise, etc.) lead to the idea that they *originate from the fortress of Căpâlna*, in this respect the hinterland of the city is included. There was no clue or hint that placed the location of the jewellery set elsewhere (site, region, country). The defendants / convicts in the file have never denied that they come from this site! Despite the fact that accepting this could not be of any help in proving "innocence". In other words, linking the artefacts to Căpâlna site was not likely to bring mitigating circumstances, or even to the contrary. The defence of the defendants has never been tempted to deny the origin (context) of the artefacts on the fortress of Căpâlna. Moreover, all the witnesses who have been heard, who have seen or just heard about them, have associated the gold necklace and earrings in the most natural way with the fortress of Căpâlna, the information being based on the accounts of those who actually saw them in Deva when they were put up for sale! Going through the 12 volumes of the file can confirm the above. Of all the investigations, in all criminal cases dealing with the stealing and trafficking of archaeological artefacts, there were no documented links of Deva group of *goldsmiths* with their *counterparts* in Bulgaria. The archaeologists of the Bulgarian archaeological sites have their own channels of capitalizing on stolen artefacts, and the treasure in our attention could not, due to the uniqueness and exceptional quality of the pieces, arrive from Bulgaria to Romania, where the purchasing power was small and were already on-going judicial inquiries! The idea of the Dobrogean context has no judicial arguments. Finally, if it were from Bulgaria, why did the collector in Frankfurt call them "rumunsko"? they could, as well, call them "bulgarsko"! It is impossible at present to localize / identify exactly what is the context wherefrom the three pieces that are the subject of the present study, were stolen. A necessary approach would be to identify and inventory all the

⁵³ Exposing skeptical positions and their arguments will be the subject of a future study.

still visible pits in the area of Căpâlna, soil sampling, in order to compare them with deposits still on the three tracks. From the surveyed pit near the acropolis, still open, all the soil could be sown, and other artefacts could be recovered. Finally, the resumption of systematic research in the city of Căpâlna could bring many elements of clarification, including what the period 2001-2006 represented, when the site was frequently "visited" by detectors. In other words: the truth is still on the archaeological site!

Undoubtedly, the problem of identifying the context of the pieces arises many other questions: were the three parts of a unitary set ?; were they actually carried by someone who lived, even temporarily, in the city ?; when did the pieces get here ?; could they have been lost or deposited ?; Could the pieces be war spoils ?; could they have come here with the craftsman who made them ?; are they the works of the same craftsman? and so on.

The large number of pits in the outer area, identified on the anthropogenic terraces situated to the south and east of the fortress - some beyond the Gârgălaș brook (the *Feriga* point, etc.) - but also on the west end of it, make us think that maybe, somehow the necklace and earrings have been deposited in its proximity, in the area of civil settlements, more precisely at their limits, with the same possible votive / apotropaic meanings as those of similar deposits in the vicinity of the fortification and the Sacred Zone from *Sarmizegetusa Regia*⁵⁴. And the presence of a sanctuary on the south-eastern terrace of the fortress could argue the belonging of the treasure to its inventory, the deposition of such temple offerings being a hypothesis considered by the specialists⁵⁵.

Although during the archaeological researches at Capalna were discovered tools specific to a workshop of silver work⁵⁶, as well as other metal pieces that betrayed a developed technology, as well as an art of metalworking, it is hard to accept (even if not all of a priori!) the fact that the jewels were made, even by an itinerant craftsman, within the fortress from Căpâlna⁵⁷.

For the moment, as a working hypothesis, we cannot totally exclude the idea of a character belonging to the elite, not necessarily of Dacian origin (!), who could have worn them and would have gotten unexpectedly in the city. The damaging of

⁵⁴ Ciută, Condruz 2013.

⁵⁵ Mateescu 2012, p. 112-117.

⁵⁶ It's about an anvil, two hammers and a pliers (Glodariu, Moga 1989, p. 98-99, fig. 80; Glodariu, Moga 2006, p. 112, fig. 80). Perhaps other objects are part of the same set.

⁵⁷ Although the natural tendency is to negate this fact (see Rustoiu 1996), let us not forget that at Sarmizegetusa Regia, the older and more recent research on the discovery of the bronze matrix has relevance to the presence of jewelry kits and the processing of glass polychrome for jewelry, suggesting the possibility of producing such pieces (Florea et al. 2015, p. 120). This is accompanied by the presence, in the immediate vicinity of the fortress of Căpâlna, of the rich alluvial deposits of gold on the Pian Valley, Cioara, Vinerea and Răchita valley, the exploitation of the golden resource being presumed previously (Borangic 2017, p. 146-147).

the fortress walls at the end of the first Dacian-Roman war can also be associated with the presence of some Imperial observers within the perimeter who reported on the evolution of the works, as well as such elites could have been present at its final arson. It is not excluded that the last person who wore them belonged to the final period of the fortress, perhaps even to its end (archaeologically documented in the Second Dacian-Roman War). The Dacian world of the 1st century BC-II BC, especially that of the aristocratic elites, was an extremely cosmopolitan, permeable and dynamic⁵⁸, so that luxury products, especially jewellery (for more than obvious reasons!), enjoyed a special, atypical circulation at times. More recent researches in the hinterland of the Dacian fortresses have brought to light frequent artefacts considered to be imports from the cultural spaces adjacent to the Dacian world (Celtic, Greek, Roman, etc.), proving that inside and around them, so called *civilian area*, the pulse of a highly dynamic commercial activity. In 1987, in the systematic researches, a Roman fibula was discovered at Căpâlna, the significance of its presence cannot be explained by the author of the dedicated study to it⁵⁹, but contributing to supporting such an idea.

Ultimately, even accepting a strictly allochthonous origin (Scordisc, or the western and north-eastern areas of the Euxin Pont of the late Hellenistic period), we must remember that there is nothing to do with jewels, as valuable objects and obvious signs of prestige, so strongly exposed to exposure and circulation. In the ancient world, jewellery can go through as distant, unpredictable, "versatile" itineraries. The pendant necklace and the pair of gold earrings could, along with other spectacular pieces discovered in the Dacian fortresses, suggest the glamour and richness of a cosmopolitan aristocracy, an elite eager to see its dominant status.

Epilogue.

In 2014 the local *mass-media* was announcing the debut of profound preservation and restoration operations of the fortress from Căpâlna, by *extremely generous funds*⁶⁰. They have advanced bold proposals for 3D reconstruction of the fortification. Nothing has changed in the city until now. Just a lot of vegetation that grew up on the terraces and slopes of the fortress.

⁵⁸ There is a rich recent bibliography on the imports inside the Dacian world: Florea et alii 2015, p. 9, 117, 141-145; Rustoiu 2005; Ferencz, 2012, p. 79-84; Ferencz et alii 2017; Mustață, Ferencz 2016; Plantos 2016; Spănu 2012, p. 162-166; Borangic 2017, p. 132-133.

⁵⁹ *The discovery is interesting because it is the first archaeological trace of the Roman period, later than the conquest of Dacia, being dated in the 2nd century - the first half of the century. III d. Chr, such fibulae being discovered in military environments in the province of Dacia* (Rustoiu 1993, p. 157). The author considers that: *the fibula can not be considered as proof of continuing to live in the city but was probably lost by a resident of the Roman province without being able to determine the near reality of the event* (Rustoiu 1993, p. 157).

⁶⁰ https://adevarul.ro/locale/alba-iulia/foto-video-cetatea-dacica-capalna-restaurata-printr-un-proiect-5-milioane-euro-1_53294ad60d133766a8084e14/index.html; accesat la 07.07.2018.

In August 2015, *two poachers*, from Cluj-Napoca, looking for treasures and *strong thrills*, were caught in the act in the fortress of Căpâlna. This time luck has smiled on the goddess Clio, and the fortress' guardian - who fully deserve the title⁶¹ – has timely alerted the authorities. Poachers of the archaeological site have been caught up in the act and bear the rigors of the law, being sent to trial and convicted⁶². But what can one man (guardian) do for a protected area of more than 42 hectares on a rugged, forested, hostile land, but also in front of individuals with an *Indiana Jones syndrome*, who are haunted by modern logistics, looking for the priceless treasures of the Dacians, but also the celebrity of the supposed *sine qua non* of their discovery?

We would have expected that after 15 years of investigations, criminal trials and heavy sentences in prison, Romanian citizens had learned something from the experiences of the first *poachers of the archaeological sites*⁶³. It appears they did not. The mirage of hidden treasures has set its mark on a generation without a scale of values, and the *sin* tends to be inherited. Those poachers, some in prison where they are serving their punishment, others fleeing through different countries, have remained as poor, materially and spiritually, but prematurely aged. Others have taken the *Styx road*, an incontestable proof of Divine Justice, all-powerful and alluring. Perhaps those who are left alive will write, even for once, "*forgetting that they have forgotten*" about such events, and ask themselves whether they deserve this cursed effort, to erase - by decontextualizing the artefacts - the so little archaeological evidence which we have left *from* and *about* the Dacians...

⁶¹ Gheorghe Aloman from Căpâlna.

⁶² Penal file nr. 1254/P/2015, under the surveillance of the Prosecutors Office near Court of Appeal Alba Iulia.

⁶³ The files designated generically under the name of *The Dacian Gold*, through which they have recovered over the last 10 years - through specific procedures of international judicial assistance - thousands of artifacts with significance for the ancient history, were coordinated by the Prosecutor's Office attached to the Alba Court of Appeal Iulia and, since 2016, the Prosecutor's Office attached to the High Court of Cassation and Justice, Bucharest.

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