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Editor  
Ann Ellis Hanson

Columbia Papyri X

Roger S. Bagnall and Dirk D. Obbink

# Columbia Papyri X

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Roger S. Bagnall and Dirk D. Obbink

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## Preface

An overview of the history of the Columbia papyrus collection was given in the preface to volume 8. During recent years a number of Columbia papyri have continued to appear in articles. The present volume collects most of these and re edits them in the light of suggestions and comments which have appeared since the original publications. Where the original publication served as a springboard for a lengthy investigation of some subject, our commentaries are briefer; in other cases they are sometimes more extensive. To these texts we have added about thirty unpublished documents of diverse date, provenance and type. Most of the editing is the work of past and present graduate students; the general editors have taken responsibility for the overall presentation, including the revision of some of those previously published. Most of these papyri have at some point, some repeatedly, been discussed in the Columbia Papyrological Seminar, and the contributors listed on the title page have over the years contributed to much more than the establishment of their own texts.

The final form of the volume owes many improvements to the two readers for the Society, the late P. J. Sijpesteijn and K. A. Worp, and to the series editor, Ann Ellis Hanson. We are profoundly grateful for their suggestions, which cracked a number of recalcitrant phrases and words and removed many imperfections. It is sad to think that we will not again be able to call upon Piet Sijpesteijn's learning and energy. In the final stages we also benefited from the learning and acuteness of J. R. Rea and J. D. Thomas, who pointed the way to improving several of our most difficult texts.

Photography of the papyri was supported in part by grants from the Dunning Fund of the Department of History and from the Stanwood Cockey Lodge Foundation of Columbia University.

We thank the staff of the Rare Book and Manuscripts Library, Columbia University Libraries, for their assistance with our work. This volume was prepared camera-ready using *Nota Bene Lingua* 4.2.

June, 1996

and the present study can be related with the previous results. The present study also found a number of other species, which were not found in previous studies on the same species or elsewhere.

The results of the present study are in agreement with those of previous studies, which found that the most abundant species in the genus *Leucosoma* are *L. annulipes* and *L. annulipes* (Table 1).

It is interesting to note that the species *L. annulipes* and *L. annulipes* are the most abundant species in the genus *Leucosoma* in the present study, while in previous studies, the most abundant species were *L. annulipes* and *L. annulipes*.

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## Note on Editorial Procedure

Texts in this volume are presented according to the usual papyrological practices. The following signs have their usual senses:

- ( ) Resolution of abbreviation or symbol
- [ ] Lacuna in the papyrus
- < > Letters omitted by the scribe
- [ ] Letters written, then deleted, by the scribe
- { } Letters erroneously written by the scribe
- α β γ Letters, the reading of which is uncertain or would be uncertain outside of the context
- ... Letters of which part or all remain but which have not been read
- [ +5 ] Approximate number of letters lost in a lacuna and not restored
- ‘αβγ’ Letters inserted by the scribe above the line

In addition, the following numerical symbols may need explanation:

- d 1/4
- L, S 1/2
- β' 2/3
- ω 1/12 (= ιβ) or 1/16 (ις) (depending on context)
- λω 1/32 (= λβ)
- ξω 1/64 (= ξδ)

Where scribal orthography differs from the standard forms of Greek, the latter, except in cases of very obvious or common iotaisms, are given in the critical apparatus. The ‘corrected’ versions of proper names are given solely to indicate the editors’ view of the syntactic role of the names or to indicate the usual spelling of a name when it is considered that we are dealing with an actual error and not a legitimate variant. Errors of case are corrected in the apparatus. Names and words corrected in the apparatus are generally accented in the text as if the correct form had been written.

Papyri are cited according to the *Checklist of Editions of Greek Papyri, Ostraca and Tablets*,<sup>4</sup> ed. J. F. Oates, R. S. Bagnall, W. H. Willis and K. A. Worp (*BASP Suppl.* 7, 1992). Journals are cited according to the practice of *TAPA*. Books cited by short title may be found in the Bibliography. Bold-face type is used to indicate the numbers of papyri included in this volume.

## TEXTS

223377-1

## 249. Loan of Money

Inv. 7  
Plate 1

4.4 x 12.5 cm

9/10  
Theadelphia

This fragment is the left quarter (cf. notes to lines 17-18) of a loan dated to the thirty-ninth year of Augustus, written in a semi-ligatured hand of the early first century (cross-bar of nu does not reach the base-line; alpha in one movement). Initial letters of lines are noticeably enlarged, especially epsilon in 1 and 3, xi in 7. The papyrus is, even apart from the loss at right, not in good condition, being peppered with holes and stripped of several fibers. It has also been canceled with diagonal cross-hatching,<sup>1</sup> during which process the pen was ineptly or carelessly handled so that it left three large ink blots. Finally the leaf was folded and seems to have broken along one of the creases. The back is blank, although so much is lost that a docket could originally have stood on the lost part of the back.

All the same, with the exception of lines 10 and 11 it is remarkably legible. One of the stripped areas lies between these two lines, and the surrounding area is badly rubbed as if it had been on the outside of a fold. Line 10 is defaced but mostly legible, while line 11 is badly rubbed and most difficult. The largest of the ink blots descends diagonally from the beginning of line 14 to the latter part of line 17 along one of the cancellation lines. A smaller blot rises across the last visible portion of line 1, obscuring only a couple of letters.<sup>2</sup> Scattered rubbed areas obscure other small portions of the text.

This fragment comes from the purchase of 1923 through the British Museum consortium coordinated by H. I. Bell, and was acquired from M. Nahman. Like P. Col. inv. 8,<sup>3</sup> the census declaration of A.D. 12 acquired in the same lot, this loan comes from the archive of Harthotes son of Marres of Theadelphia, *δημόσιος γεωργός* and priest of Tothoes, who is the borrower. This archive is discussed in detail by G. Casanova, "Theadelphia," and the loan shares characteristics with others surviving from this archive; the picture of Harthotes, the illiterate public farmer of a family of modest means, is reflected in our fragment. The loan was, like the other notes in the Harthotes archive, repaid and cancelled.<sup>4</sup>

<sup>1</sup>Cf. Casanova, "Theadelphia" 122. See also J. A. Sheridan, *BASP* 23 (1986) 149.

<sup>2</sup>The third blot is in the bottom margin of the fragment.

<sup>3</sup>Published in R. S. Bagnall, "The Beginnings of the Roman Census in Egypt," *GRBS* 32 (1991) 255-65.

<sup>4</sup>Casanova, "Theadelphia," 130.

The main complication of this loan comes from fragments of words in lines 4 and 7. It might seem an obvious restoration in 3-4 to print *γεωργοῦ*, but we do not see a plausible phrase with *τοῦ ἐν Φιλ[αδελφεία]* after it. The only good alternative to our thinking is *θεα[γοῦ]*, for which see the note to line 3. If that is correct, *θυ[σίαν* in line 7 becomes attractive. Alternatively there *θυ[ίαν*, mortar, is possible, but it is hard to see its relevance to a loan of money (cf. note to line 7).

	Ἐτοὺς <u>λθ</u> Καίσαρος	
	Ἄρθωτης Μαρῆ[ους]	ομολογ—]
	ἔχιν παρὰ Θέω[νος]	? θεα—]
4	γοῦ τοῦ ἐν Φιλ[αδελφεία]	
	νικου . . . . υ[	κεφα—]
	λέου δραχμὰς [	παρέ—]
	ξομεν τὴν θυ[	
8	τῷ Θέωνι εφε[	
	τοῦ ἐνὸς τω[	
	παρεμβαλλού[	
	ἀλλὰ δὲ καὶ δια[	
12	μενα πάντα [	
	μερον ἀλλὰ καὶ (?)	
	κατὰ τὸν νόμον	
	ὑπὸ τοῦ Θέωνος	
16	γη . . . τίσω[	κα—]
	θὼς πρόκειται	N N      ἔγραψα ὑπὲρ αὐτοῦ
	ἀξιωθίς δι[ὰ τὸ φάσκειν αὐτὸν μὴ εἰδέναι γράμματα.]	

3 ἔχειν 5-6 κεφαλαίου 18 ἀξιωθεῖς

Year 39 of Caesar [ . . . ] Harthotes son of Marres [ . . . acknowledges] receiving from Theon [ . . . ? *thea]gos* of the [ . . . ] in Philadelphia [ . . . ] . . . [ . . . ] principal of (*number missing*) drachmas [ . . . ] . . . [ . . . ] to Theon . . . [ . . . ] according to the law [ . . . ] by Theon [ . . . ] . . . [ . . . ] as stated above: [NN wrote for him] upon request because [he says he does not know letters.]

1 Ἐτοὺς λθ Καίσαρος: The initial epsilon is a large, stylized uncial form approximating the frequent L-shaped symbol that stands for "year." This form is followed by an angular cursive scrawl without clearly formed letters, but with the number of angles corresponding to the number of

remaining letters in the word *ξτονς*. Although the following word is more than half missing or obscured, the letters *και* are legible. Only Augustus, in any case, reigned long enough to have a thirty-ninth year, which was 9/10. The month and day are missing at right.

2. *Ἄρθωτης Μαρῆσος*: Harthotes the son of Marres (more commonly spelled with two rhos) is a known figure in the prosopography of Theadelphia. He was a public farmer and priest of Tothoes in Theadelphia during the first decades of the first century. A large archive documents his activity and that of his family, indicating that he was a man of modest means who borrowed money more than once (Casanova, "Theadelphia," 122, 130). For Harthotes and the village of Theadelphia see also J. E. G. Whitehorne, "P. Mich. inv. 4343 and 4380: Petitions to the Strategus C. Julius Gratus," *Aegyptus* 69 (1989) 79-83; P. J. Sijpesteijn, *ZPE* 103 (1994) 94-95.

Because of the apparent plural verb in line 7, it is attractive to restore the acknowledgement (*όμολογος*) as a plural verb form. If, however, Harthotes' occupation and place of residence were specified here, as one would expect, there would be little room in this line to name another party to the loan.

3. *Θέωνος*: A Theon is also known from the documents of the Harthotes archive as one paying the *syntaximon* (Casanova, "Theadelphia," 142), but there is no evidence to identify the creditor here as the same man.

3-4. In the absence of a plausible construction with *γεωργοῦ*, the restoration of *θεαγοῦ* seems virtually inescapable, and it is likely that the following phrase refers to a temple of an Egyptian god located in Philadelphia. The *θεαγός* was literally a god-bearer (Eg. *t(3)j ntr.w*), i.e., a bearer of mummies of sacred animals to the necropolis. See J. Quaegebeur, *Mélanges Adolphe Gutbub* (Montpellier 1984) 161-76; R. Scholl, *Enchoria* 16 (1988) 135-36; H. Heinen, *Hellenistische Studien, Gedenkschrift für H. Bengtson* (Munich 1991) 41-52 at 44-45; W. Clarysse, *P. Lille dem. IV* 49; J. E. G. Whitehorne, *P. Oxy.* LIX 3974.6n. As Heinen notes, the office is associated in the Arsinoite above all with Thoeris; as the cult of Thoeris in Philadelphia is known (W. Rübsam, *Götter und Kulte in Fajum* [Bonn 1974] 144), it is very possible that our papyrus read *θεαγοῦ τοῦ ἐν Φιλαδελφείᾳ Θοηρείου*.

6. *κεφαλέον δραχμάς*: The presence of this phrase alone, enough of which survives that we may reconstruct it with assurance, suffices to indicate that the document involves a loan of money. It is used distinctively to designate the principal sum of a loan of money. The cross-hatching of cancellation also supports the identification as a loan. The sum itself was on the part of the papyrus that is missing.

7. *-ξομεν τὴν θυ-*: Note the first person plural ending. Although we lack sufficient context for reliable reconstruction of this phrase, it may

indicate that Harthotes is not the sole debtor. Casanova reports that Harthotes and his brother Marsisouchos were associated in some business dealings, so this would not be anomalous (Casanova, "Theadelphia," 122). The observation above about the lack of room in line 2 tells against this possibility, however.

The only verb attested in the papyri that seems to fit the remains and context is *παρέχω* (*παρέξομεν*), and there are only a limited number of nouns to complete *θν[τ]*. As it seems difficult, if not impossible, to construct a meaningful restoration here with *θυγάτηρ*, *θύρα*, or *θυρίς*, we have a choice of *θυ[σίαν* or *θυίαν*. The former would indicate that the borrowers' obligations to the lender included the provision of sacrifices; indeed, this may have been the original purpose of the transaction. The latter would also suggest that the transaction was more complex than a simple loan of money, involving perhaps some labor or agricultural component, with the borrowers providing a mortar or press (for oilmaking?).

8 εφε.: This could be the first part of *ἐφέτειον* or the like, but there are also other possibilities.

10 παρεμβαλλον[: The reading is clear, although *παρεμβάλλειν* is not common in the papyri. The only other citation we have been able to find in the documentary papyri is in a late divorce, *P. Oxy.* I 129, where it is used in the sense of to "give oneself over to" an undesirable manner of life.

11 ἀλλὰ δὲ καὶ: This phrase is attested in *P. Mich.* III 186.22, and occurs several times in the Greek literature of the hellenistic age. It generally occurs in a *μὲν . . . δέ* contrast. See Rufus Ephesius, *Quaestiones Medicinales*, 63.2, Galen, *In Hippocratus prorrheticum I commentarium iii*, 16.522.10, Aristides, Πρὸς Πλάτωνα περὶ ρητορικῆς, 24.36, Alexander Aphrodisiensis, *Metaphysics*, 259.16, and Origen, *Psalms*, 112.p.6 (although the phrase is attested as early as Homer).

12 Perhaps part of a *οὐ μόνον . . . ἀλλὰ δὲ καὶ* construction.

14 κατὰ τὸν νόμον: See generally R. Taubenschlag, "Νόμος in the Papyri," *JurPap* 2 (1948) 67-73 = *Opera Minora* (Warsaw 1959) 2.107-14. No occurrence of the phrase we have seen there or elsewhere sheds obvious light on its appearance here, particularly given the lack of preserved context.

16 Perhaps *ἐ[κ]τίσω*, "I shall pay."

17 καθὼς πρόκειται: The illiteracy formula commonly follows immediately after this phrase. The words that we can reconstruct here with some assurance (*-ιται . . . ἔγραψα ὑπὲρ αὐτοῦ*) comprise nineteen letters. Postulating ten to fifteen letters for the names of the scribe, we have between twenty-nine and thirty-four letters missing from this line. Adding the eight extant letters to this sum yields a total possible line length of thirty-seven to forty-two letters.

18 ἀξιωθὶς διὰ τὸ φάσκειν αὐτὸν μὴ εἰδέναι γράμματα: This is the form that is commonly used for the illiteracy formula in the Harthotes archive (G. Casanova, "Osservazioni linguistichie e palografiche sull'archivio di Harthotes di Theadelphia," *Aegyptus* 56 [1976] 170). This line is thus at least forty letters long, which gives us a minimum line length of forty letters for the document. Although the last line may have been shorter than the others, when we combine this minimum with the estimated length of line 17 we may conclude that the average line length must have been forty letters, more or less. Since the average length of the extant remnant of the lines on this fragment is 10.5 letters, we conclude that about three-quarters of the sheet is missing.

[Paul J. Bodin]

## 250. Order for Payment to a Banker

Inv. 389  
Plate 2

11.3 x 22.7 cm.

5 April 43  
Philadelphia

The text is an order to the banker Akousilaos (not previously attested) to pay money to three parties, Herakleides and his two sisters Nikostrate and Aphrodisia, who are accompanied by their guardians. The handwriting is slow, wavering, and unprofessional (cf. below), indicating perhaps that this is a private copy of the original; the absence of payer's signature, of any indication of receipt by the recipients, and of any banker's notations may also point to the same conclusion. The back is blank.

The sum to be paid, 2,606 drachmas, consists of the money for a loan (*χρήσι*, line 13) on fifteen arouras of katoikic land owned by the three payees, which has been recorded in an *ἀσφάλεια* executed through the grapheion in Philadelphia (19-20). Such local grapheia, largely a phenomenon of the early principate, served functions similar or identical to those of the higher-level agoranomeia: see H. J. Wolff, *Das Recht* 18 ff. The land seems to be reasonable security for the sum, which may include interest (hence the lack of a round number): see Drexhage, *Preise* 129-30 for Arsinoite prices of land.

The hand is practiced but quavery (note alpha in line 2, rho in line 6 and *passim* with shaky stem), written with a sharp pen. The script shows some connection of letters, but these are to a considerable degree slowly made majuscules. The writer gradually becomes less hesitant and shaky as the document progresses; the date in the last three lines appears to have

been written most quickly and confidently. There are few ligatures; each letter is a separate effort. Idiosyncrasies are the broad mu and chi and the trailing stems of gamma, rho, and phi, sometimes extended to the stem of kappa, and the tendency to close omicrons with a heavy stroke on the right side. Phonetic spelling appears from time to time: ε is twice written for αι (lines 5 and 16), but in line 7 αι appears in the feminine dative plural, so the practice is not consistent. In 15 we have αὐτῆς for αὐτοῖς. On the other hand, the remarkable ἔτνος for ἔτονς in 23 and ἀκαολθος for ἀκολούθως in 18 cannot be explained phonetically and may well also be signs of copying from the original. At the beginnings of lines 13 and 15 ink marks may suggest that the writer was testing his pen.

The papyrus is complete at bottom, at top on the right, at the lower left, and at right. There are numerous small holes and dark patches and the surface is much abraded.

	[ ca 10	]γισαπειππ-
	[ ca 9	]αρις Ἀκουσιλάωι
	[ ca 8	τ]ραπεζίτη χαί-
4	[ρειν· χρημ]άτισον Ἡρακλεί-	
	[δη . . . . .] ο]ν καὶ τες τούτου	
	[όμοπατρίοι]ς καὶ όμομητρί-	
	[οις ἀδ]ελφαῖ[ς] Ἀ]φροδισί[οι] καὶ	
8	[Νικοσ]τράτη [μ]ετὰ κυ[ρίω]γ,	
	[τῆς] μὲν Ἀφροδισίας τ[οῦ] ἀν-	
	[δρός] Μαρκίονος τοῦ καὶ Δι-	
	ο[γέν]ους τοῦ Ἡρακλείδου, τῆς	
12	δὲ Νικοστράτης τοῦ συγγενοῦς	
	Διον[υ]σίου ο[ι] . . . λφίλου χρήσι	
	επιμ[ . . . ] τοῦ ὑπάρχοντος	
	αὐτῆς κλήρου κατοικικοῦ ἀρ-	
16	ουρῶν δεκαπέντε ἡ ὅσε ἐὰν ἡ	
	περὶ Φιλαδελφέαν τῆς Ἡρακλεί-	
	δου μερίδος ἀκαολθος τῇ γεγο-	
	νήοι εἴς με διὰ τοῦ ἐν Φιλαδελ-	
20	φέα γραφίου ἀσφαλίαι ἀργυρίου	
	δραχμὰς δισχίλια ἔξακ[όσ]ια ἔξ,	
	(γίνονται) (δρ.) Ἐχεις ἄλλον δν ὀφίλου-	
	σιν. ἔτνος γ Τιβερίου Κλαυδίου	
24	[Κ]αίσαρος Σεβαστοῦ Γερμανικοῦ	
	Αὐτοκράτορος, Φαρμοῦθι ι.	

4 Ἡρακλει-, η ex α 5 ταῖς 13 χρήσει 15 αὐτοῖς 16 ὅσαι,  
 ἥ, viz. ὥσι 18 ἀκολούθως 18-19 γεγονούια 21 δισχιλίας  
 ἐξακοσίας 22 χωρὶς ἄλλων ὥν 23 ἔτους

[Name] to Akousilaos (son of ?), banker, greetings. Pay to Herakleides [son of . . .] and his sisters by the same father and mother, Aphrodisia and Nikostrate, with their guardians, for Aphrodisia her husband Markion alias Diogenes, son of Herakleides, for Nikostrate her kinsman Dionysios son of [. . .]philos, as a loan . . . on the fifteen arouras of a katoikic kleros belonging to them, or however many arouras they may be, near Philadelphia, in the Herakleides division, in accordance with the security-agreement executed to me through the *grapheion* in Philadelphia, two thousand six hundred six drachmas of silver, that is, 2,606 dr., apart from other sums that they owe. Year three of Tiberius Claudius Caesar Augustus Germanicus Imperator, Pharmouthi 10.

1 We suppose that the beginning of the name of the payer must have stood in this line, but we have been unable to arrive at a satisfactory understanding of the surviving letters. One possibility is that *νις* ends a name, that one should read ἀπελ(εύθερος) following it, and that *ιππ* begins a name, the manumitter of -nis. The trace after *απε* could indeed be a raised lambda, but the writer does not abbreviate much elsewhere (cf. 4n.). Faulty syllabification cannot be excluded (cf. line 15). But the apparent nominative -*αρις* in line 2 is problematic, because line 19 seems clearly to exclude the possibility of two payers.

4 The length of the lacuna shows that *χαιρεῖν* must have been written out rather than abbreviated, in keeping with the writer's tendency to avoid abbreviation elsewhere.

6 The formula *όμοπατρίοις καὶ ομομητρίοις* probably indicates that the three children held the land in undivided common ownership in equal shares.

13-14 The motive for the payment begins with *χρήσι*. What follows in 14, however, is perplexing. We expect wording to indicate that the loan is secured by the property described in lines 14-18, but we have not found any suitable phrase beginning *ἐπὶ μ[* or *ἐπιμ[*, unless *ἐπὶ μ[έρος* is intended.

16 *ὅσε* (for *ὅσαι*) clearly refers to the arouras rather than the kleros; the verb *ἡ*, however, is singular (cf. *M. Chrest.* 18, 116-111 B.C.). For this clause see July, *Klauseln*. It is used only of land and protects the document's validity by making it reconcilable with any other documents containing descriptions of the same plot that do not correspond exactly; cf. the parallel phrases *ἡ οἱ ἄν ώσιν γείτονες* and *ἡ εἰ τινὶ ἐτέρῳ ὀνόματι καλεῖται*.

19 The interchange of  $\eta$  for  $\nu i$  and  $o i$  for  $\eta$  are individually unremarkable (Gignac, *Grammar* I 204 and 266), although the first of them is uncommon, but the combined result is unusual. It is conceivable that this is another transposition, with  $\gamma\epsilon\gamma\omega\nu\eta$  for  $\gamma\epsilon\gamma\omega\nu\eta$  and the last two syllables then reversed.

22 For  $\chi\omega\rho\iota\varsigma$   $\ddot{\alpha}\lambda\lambda\omega\nu$  see, e.g., *SB* VI 9569.22,29 and (restored) *PSI* VII 814.20. The clause preserves other existing obligations from the debtors to the creditor.

25 Pharmouthi 10 = 5 April.

[Jerise Fogel]

## 251. Declaration of Property

*P. Oxy.* II 358 descr.  
Plate 3

17.5 x 10 cm.

12 April 90  
Oxyrhynchos

Back blank

This lower portion of an  $\alpha\pi\omega\gamma\rho\alpha\phi\eta$  was described, though not transcribed, in *Oxyrhynchus Papyri* II (p. 311). The left, right, and bottom margins appear to be original, but the top half of the papyrus, with approximately two-thirds of the text, has been lost. A portion of the horizontal fibers in line 2 has been stripped away and the fibers in line 7 have been distorted. The top break appears to have been a fold line; though traces of letters are visible in line 1, none can be clearly identified. The writing runs along the horizontal fibers. The hand is a professional cursive, written with speed and some flourishes. Titulature and dating formula were penned with even greater speed and more ligatures than the body of the declaration. Note the amply spaced  $\Gamma\epsilon\rho\mu\alpha\eta\kappa\omega\eta$  in line 12.

Although the document lacks an address, a statement of purpose, and most of the description of the property being registered, the date of A.D. 90 leaves little doubt that this is one of six surviving property declarations from that year addressed to the  $\beta\iota\beta\lambda\iota\omega\phi\tilde{\nu}\lambda\alpha\kappa\epsilon\varsigma$  of the Oxyrhynchite nome.<sup>5</sup> The names of the  $\beta\iota\beta\lambda\iota\omega\phi\tilde{\nu}\lambda\alpha\kappa\epsilon\varsigma$ , Theon and Epimachos, are preserved in other extant papyri of that year and of A.D. 80 as well.<sup>6</sup>

<sup>5</sup>The other five are *P. Oxy.* I 72, II 247, 359, *P. Ryl.* IV 597, *PSI* VIII 942.

<sup>6</sup>A.D. 80: *P. Oxy.* II 248, 249. Although the names Theon and Epimachos are both very common in Oxyrhynchos in the first century, neither of the  $\beta\iota\beta\lambda\iota\omega\phi\tilde{\nu}\lambda\alpha\kappa\epsilon\varsigma$  can be identified in documents other than these general  $\alpha\pi\omega\gamma\rho\alpha\phi\eta$ . There are some banking Theons in *P. Oxy.* I 49 and 50 (100) and several Oxyrhynchite  $\beta\iota\beta\lambda\iota\omega\phi\tilde{\nu}\lambda\alpha\kappa\epsilon\varsigma$  were named Theon,

The majority of property returns, like this one, concern real estate,<sup>7</sup> and these can be divided into two types.<sup>8</sup> "Regular" or "ordinary" ἀπογραφαὶ were submitted on individual initiative and reported sales, mortgages, or other changes in land ownership.<sup>9</sup> "General" or "extraordinary" ἀπογραφαὶ were mandated periodically by governmental decree, presumably in an effort to revise and correct land records in order to facilitate tax collection. The present document is of this last type.

*P.Oxy.* II 358 and the other five surviving general returns from 90 were submitted in response to an edict from the prefect Mettius Rufus in 89, the text of which has been preserved in a later legal document.<sup>10</sup> The decree lamented that the abstract ledgers (*διαστρώματα*) in the Oxyrhynchite property office (*βιβλιοθήκη ἐγκτήσεων*) had fallen into a state of disarray. In order to correct this disorder, each owner of houses or land was required to make a declaration to the nome *βιβλιοφύλακες* reporting all property holdings and any mortgages, liens, or other claims upon them, as well as the claims or holdings of wives and children. The prefect expressed notable concern over the accuracy and continued maintenance of the nome land records, specifying their importance for both private citizens and village scribes or archivists.<sup>11</sup> He further stipulated that the *βιβλιοφύλακες*

see *P.Mich.* III 179 (64), *P.Oxy.* III 483, 588 (108), I 75, III 584 (129). An Epimachos acted as ἄγοραρόμος earlier in the first century, see *SB* V 8034 (52) and *P.Mich.* III 194 (61).

<sup>7</sup> A number of returns from the mid-first century also report holdings of livestock and other movable property to the *στρατηγός* and *βασιλικὸς γραμματεύς*: *P.Oxy.* II 224 (22), 350 (24-25), 245 (26), 353 (27-28), 351 (28), 252 (28), 246 (66), 357 (late 1st century); or to the *τοπογραμματεύς* and *καμογραμματεύς*: *P.Oxy.* II 356 (27), 354 (33-34), 355 (40-41). For census returns, which listed only house property, see 262 intro.

<sup>8</sup> There is an extensive literature on the subject of property returns. The key treatments are: *P.Oxy.* II, pp. 176-79; F. Kenyon, *P.Lond.* II, pp. 150-51; O. Eger, *Zum Ägyptischen Grundbuchwesen in römischer Zeit* (Leipzig 1909) 155-72; F. Preisigke, *Girowesen im griechischen Ägypten* (Strassburg 1910) 368-414; H. Lewald, *Beiträge zur Kenntnis des römisch-ägyptischen Grundbuchrechts* (Leipzig 1908) 1-9, 40-52; P. Meyer, *Jur.Pap.* 59 (pp. 195-203); F. Von Woess, *Untersuchungen über das Urkundenwesen und den Publizitätsschutz im römischen Ägypten* (Münch. Beitr. 6, 1924) 116-22; A. M. Harmon, "Egyptian Property Returns," *YCS* 4 (1934) 135-230; S. Avogadro, "Le ἀπογραφαὶ di proprietà nell'Egitto greco-romano," *Aegyptus* 15 (1935) 131-206; M. Hombert and C. Préaux, *Cd'É* 22 (1947) 123-32; Taubenschlag, *Law*<sup>2</sup> 222-30.

<sup>9</sup> Examples of "regular" ἀπογραφαὶ in Oxyrhynchus: *P.Harris* 74 (could be general return—A.D. 99), *P.Oxy.* III 636 (either general or regular—A.D. 109?), 638 (descr.—A.D. 112), I 75 (129). Grenfell and Hunt also identify another type of property return made to the *στρατηγός* and *βασιλικὸς γραμματεύς* in the mid to late second century. This involved the registration of "unwatered" (*ἄβροχος*) land. See *P.Oxy.* II, p. 177.

<sup>10</sup> *P.Oxy.* II 237 viii.27-43 = *M.Chrest.* 192 = *Sel.Pap.* II 219 (cf. *BL Konk.* 137-38).

<sup>11</sup> The *διαστρώματα* should be maintained lest those making contracts "be defrauded through ignorance" (*μὴ κατ' ἄγνοιαν ἐνεδρεύοντατ*), i.e., of claims on property they might be acquiring or lending money on (36); contract-recorders (*συναλλαγματογράφοις*) and archivists (*μηνήμοσι*) should consult the *βιβλιοφύλακες* before completing a transaction (37).

should revise their *διαστρώματα* every five years in order to prevent the necessity of yet another general registration.<sup>12</sup>

Examples of such *διαστρώματα* can be seen in *P.Oxy.* II 274 and 360 (ca 89-97), both of which are fragments from property ledgers in a number of hands with annotations, corrections, and additions as the archivists struggled to keep their records accurate. Mettius Rufus referred to the attempts of his predecessors to manage and maintain these records<sup>13</sup> and we have evidence for the same sort of general *ἀπογραφή* in Oxyrhynchus earlier in the first century.<sup>14</sup> Although the decree of 89 instructs the *βιβλιοφύλακες* to revise their records every five years in order to avoid another general registration, surviving papyri from subsequent years suggest that general *ἀπογραφαῖ* continued to be held at nine- or ten-year intervals:

<i>P.Oxy.</i> II 248	80
<i>P.Oxy.</i> II 249	80
<i>P.Oxy.</i> II 359	80/90 <sup>15</sup>
<i>P.Oxy.</i> I 72	90
<i>P.Oxy.</i> II 247	90
<b>251 = P.Oxy.</b> II 358	90
<i>P.Ryl.</i> IV 597	90
<i>PSI</i> VIII 942	90
<i>P.Oxy.</i> III 481	99
<i>P.Harris</i> 74	99
<i>P.Oxy.</i> III 482	109
<i>P.Oxy.</i> III 636?	109?
<i>P.Oxy.</i> III 637?	109? <sup>16</sup>
<i>P.Oxy.</i> III 584	129/131 <sup>17</sup>
<i>P.Oxy.</i> I 75	129 <sup>18</sup>

<sup>12</sup> Lines 41-42.

<sup>13</sup> Line 10.

<sup>14</sup> For Oxyrhynchus: *P.Oxy.* II 250 (61-63?), *P.Mich.* III 179 (64). There is also evidence for the Arsinoite, e.g. *BGU* I 112 (59-63).

<sup>15</sup> *P.Oxy.* II 354 (descr.) could be either A.D. 80 or 90; addressed to Epimachos and Theon.

<sup>16</sup> *P.Oxy.* III 636 and 637 (descr.) could be either general or regular; 636 is missing the end, 637 both beginning and end.

<sup>17</sup> *P.Oxy.* III 584 (descr.), dated by edd. "about" 129; Harmon (above, n. 8) 185, dates to 131; O. Reinmuth (cf. *BL* 3.131) to 131 or 132; R. Morris, "A Study in the Social and Economic History of Oxyrhynchus for the first two Centuries of Roman Rule" (Diss. Duke Univ. 1975) 31 to 129.

<sup>18</sup> Harmon (184) judges this to be a regular registration.

Documents from other nomes follow very different cycles for general registrations and, as Harmon has observed, "the general view that they were always country-wide is after all merely an assumption, very likely suggested by their apparent periodicity and by the analogy of census-returns."<sup>19</sup> Indeed, if the prefect's decrees were prompted by disorder in the office of the nome *βιβλιοθήκη ἐγκτήσεων*, there would have been no reason to carry out a property registration for all of Egypt.

Archival anarchy does not appear to have been limited to Oxyrhynchos, however. Van Groningen<sup>20</sup> has documented especially chaotic conditions during a forty-year period of the Arsinoite registry, replete with suits and counter-suits on the part of the *βιβλιοφύλακες* and their representatives, shirking liturgists, and evasive office holders. The affair and resulting lawsuits attracted the attention of Mettius Rufus and other prefects. As Van Groningen put it, "the whole administration produces an unpleasant impression of inefficacy."<sup>21</sup> This depiction contrasts with the clichéd portrait of Roman Egypt as a paragon of archival administration, "a nearly perfect example of a bureaucratic autocracy whose functioning was based on intensive use and remarkable care of the written record."<sup>22</sup>

The *βιβλιοθήκη ἐγκτήσεων* was a relatively new institution to have fallen into such a shambles by 89. The earliest reference we possess dates from 72. In a document of 67, the *δημοσία βιβλιοθήκη* seems to have been functioning as both a public archive and a property registry.<sup>23</sup> There is some disagreement over how separate the two *βιβλιοθήκαι* actually were and several scholars have proposed that the two *βιβλιοφύλακες* (in Oxyrhynchos sometimes three, in Arsinoe sometimes four) were in charge of the

<sup>19</sup> Harmon, 183-184. See also Preisigke, *Girowesen* (above, n. 8) 374; *M. Chrest.*, p. 374; Von Woess, 116-22, 372-73. Lewald (above, n. 8) believes that a general registration encompassing several nomes was held in 131, see chronological table on p. 92.

<sup>20</sup> *P. Fam. Tebt.* 14, 15, 17, 24 and commentary, pp. 97-108. See also H. I. Bell, *APF* 6 (1920) 100-14.

<sup>21</sup> *P. Fam. Tebt.*, p. 108.

<sup>22</sup> E. Posner, *Archives in the Ancient World* (Cambridge, MA, 1972) 136. See also J. E. G. Whitehorne's discussion of administrative efficiency and continuity, "The Role of the Strategia in Administrative Continuity in Roman Egypt," *Proc. XVI Congr.* 419-28.

<sup>23</sup> Earliest reference: *BGU* I 184 = *M. Chrest.* 202 (72); *βιβλιοθήκη δημοσία* functioning as both: *BGU* II 379 (67); see also *BGU* I 112 (56-60). Scholarship and speculation on the *βιβλιοθήκη ἐγκτήσεων* is voluminous. The essential treatments, in order of publication, are: Kenyon (above, n. 8) 150-51; Lewald (above, n. 8); Eger (above, n. 8); Preisigke, *Girowesen* 282-91; F. Preisigke, "Das Wesen der βιβλιοθήκη ἐγκτήσεων," *Klio* 12 (1912) 402-60; *M. Gdz.*, pp. 90-112; Meyer (above, n. 8) 195-221; Von Woess (above, n. 8) 34-35; G. Flore, *Aegyptus* 8 (1927) 43-88; H. J. Wolff, "Conveyance of Land in Graeco-Roman Egypt," *Juridical Review* 57 (1945) 166-69; Taubenschlag, *Law*<sup>2</sup> 222-29; N. Lewis, *Inventory of Compulsory Services* (New Haven 1968) s.v. *βιβλιοθήκη*; A. Stollwerck, "Untersuchungen zum Privatland im ptolemäischen und römischen Ägypten," (Diss. Köln 1971) 77-89; Morris (above, n. 17) 21-22, 195-221; H. J. Wolff, *Das Recht* 222-55; *P. Oxy.* XLVII 3332 intro.

public archives and land registry, respectively.<sup>24</sup> Whatever their exact relationship, the creation of a separate office devoted specifically to individual property holdings and claims seems to have been an effort to isolate those records from the administrative stream of papyri destined for Alexandria and to centralize that information in a location available to the entire nome.

Most modern reconstructions of that administrative stream agree on a general hierarchy of archival offices, although Oxyrhynchus does not always seem to comply with the paradigm.<sup>25</sup> At the local level, the village scribe (*καμογραμματεύς*) acted as notary and amanuensis for his fellow villagers.<sup>26</sup> Documents were forwarded to, or notarized and deposited directly in, the district *γραφεῖον*, an office held by a *νομογράφος* or a *τοπογραμματεύς*. The *γραφεῖον* was operated as a concession and its officer was required to submit accounts every four months to a central nome archive, along with three categories of records: (1) the *τόμοι συγκολλήσιμοι*, "pasted" or "composite" roll of original documents; (2) the *ειρόμενα*, abstracts of documents in the composite rolls, and (3) the *άναγραφαί*, chronological registers or indices of the documents. In some nomes, the metropolitan *γραφεῖον* may have been operated by an official termed *άγορανόμος*.<sup>27</sup>

Most of our evidence for *γραφεῖα* comes from Tebtunis. In Oxyrhynchus of the first and second centuries, there seems to have been a similarity of purpose between three central offices termed *γραφεῖον*, *άγορανομεῖον*, and *μημονεῖον* (which was especially concerned with Demotic contracts and wills). Several scholars have speculated that these names represent

<sup>24</sup> For 3 *βιβλιοφύλακες*, see *P. Oxy.* III 401. Each *βιβλιοφύλακ* in charge of a separate *βιβλιοθήκη*, see W. E. H. Cockle, "State Archives in Graeco-Roman Egypt from 30 BC to the Reign of Septimius Severus," *JEA* 70 (1984) 125. Posner 196 and Meyer 196 feel each of the two offices was in the charge of a different pair of *βιβλιοφύλακες*. Mitteis and Wilcken, *Grundzüge* II 1, p. 94, suggest the *βιβλιοθήκη ἐγκτήσεων* was just a small office within the *δημοσίᾳ*. N. Lewis, *Proc. IX Congr.* 242-45, discusses the length of term for *βιβλιοφύλακες* in the Arsinoite. For a list of officeholders see P. J. Sijpesteijn and K. A. Worp, "Ein Hausverkauf aus Soknopaiu Nesos," *Collatio Iuris Romani. Études dédiées à Hans Arkum* (Amsterdam 1995) 513-32 at 526-32.

<sup>25</sup> For organizational charts and outlines, see Cockle, 106-22; F. Burkhalter, "Archives locales et archives centrales en Égypte romaine," *Chiron* 20 (1990) 191-215; W. Schubart, "Die Bibliophylakes und ihr Grammateus," *APF* 8 (1927) 14-24; H. I. Bell, "The Custody of Records in Roman Egypt," *Indian Archives* 4 (1950) 116-23; Posner 136-55; *P. Oxy.* II 238 (intro. pp. 180-83).

<sup>26</sup> Posner 142-45; Cockle 110-17.

<sup>27</sup> Evidence for *γραφεῖα*: R. H. Pierce, "Grapheion, Catalogue, and Library in Roman Egypt," *SymbOsl* 43 (1968) 68-83; A. E. R. Boak, *P. Mich.* II, pp. 1-6; Boak, "The Anagraphai of the Grapheion of Tebtynis and Kerkeosuchon Oros: Pap. Michigan 622," *JEA* 9 (1923) 164-67; E. H. Sellman, "Procedures of the Record Office at Tebtunis in the First Century A.D.," *Akten XIII. Kongr.* 223-28; Posner 142-45; Cockle 112; H. J. Wolff, "Registration of Conveyances in Ptolemaic Egypt," *Aegyptus* 38 (1948) 40-41; A. Segre, *Aegyptus* 7 (1926) 97-107.

three branches of one large nome office.<sup>28</sup> In contrast to the single ἀγορανόμος attested in other nomes, Oxyrhynchus had anywhere from two to eight simultaneously.<sup>29</sup> Perhaps they were needed to handle the high volume of business: almost 100 papyri mentioning or addressed to the Oxyrhynchite ἀγορανόμοι survive from this period.<sup>30</sup> These documents attest an office which assumed both a notarial function (in which contracts, sales, or loans are drawn up "in the presence of" or "before" the ἀγορανόμοι) and an archival one (in which letters from private citizens and other officials request that the ἀγορανόμοι "register" a transaction, an agreement, or an emancipation).<sup>31</sup> Although most of these documents deal with the transfer of property, particularly in the form of slaves or land, there is no indication that the information is to be passed on to either of the nome βιβλιοθήκαι. Scholars have not been able to agree on the precise legal sense of "register" (ἀναγράφειν, καταγράφειν) in the documents handled by the ἀγορανόμοι; interpretations have ranged from a semi-official endorsement to a binding entry in the nome archives.<sup>32</sup>

Some, if not all, of these documents made their way to the central nome public record office, the βιβλιοθήκη δημοσία, which received census declarations and other materials from the office of the στρατηγός and βασιλικὸς γραμματεύς as well as the local γραφεῖα. The βιβλιοθήκη δημοσία maintained files within the nome and also acted as a conduit to the provincial archives in Alexandria.<sup>33</sup> In the capital, the βιβλιοθήκη ἐν Πατρικοῖς received public records from the nome βιβλιοθήκαι δημοσίαι. The Patrikon was probably under the office of the prefect and administered documents, such as census declarations, needed in the governing of the province. Private contracts and documents such as "deeds of hand" (χειρόγραφα) also made their way to Alexandria: these were sent to the central καταλογεῖον for "publication" in the event of litigation. The καταλογεῖον was administered by the chief justice (ἀρχιδικαστής) and acted as a clearinghouse for these private documents and forwarded originals and fair copies to the Hadrianeion (after 127) and the Nanaion (after ca 100) respectively.<sup>34</sup>

<sup>28</sup> Documentary evidence: *P. Oxy.* II 238 (78), XXII 2349, X 1282, *P. Mich.* III 194. See N. Lewis, *Inventory*, s.v. ἀγορανόμα; M. Raschke, "The Office of Agoranomus in Ptolemaic and Roman Egypt," *Akten XIII. Kongr.* 353-54; H. I. Bell, *APF* 6 (1920) 104-07; M. Raschke, "An Official Letter to an Agoranomus," *BASP* 13 (1976) 21-26; Cockle 112-13; Pierce 70-79; Wilcken, *APF* 6 (1920) 104-07.

<sup>29</sup> Raschke, *BASP* 13 (1976) 71.

<sup>30</sup> Morris 165-69 provides a chronological list.

<sup>31</sup> Notary example: *P. Oxy.* I 73 (94); registry example: *P. Oxy.* II 241 (98).

<sup>32</sup> *P. Oxy.* II, pp. 181-83; Raschke, *BASP* 13 (1976) 21; E. Rabel, "Katagraphe," *ZSS* 54 (1934) 189-288; Wolff, *Aegyptus* 28 (1948) 17-96; *M. Grundz.* 82 n. 2; Von Woess 140 ff.; Taubenschlag, *Law*<sup>2</sup> 321-31.

<sup>33</sup> Cockle 115-16; Burkhalter 199-212; Posner 152-53.

<sup>34</sup> Cockle 116-17; Burkhalter 212-16; Posner 152-53.

In contrast to this orderly hierarchy, the *βιβλιοθήκη ἐγκτήσεων* does not appear to have sent regular reports to the central archives in Alexandria or to have received documents from local *γραφεῖα* or *ἀγορανομεῖα*. The chief duty of the property office was clearly the compilation and maintenance of the abstracts (*διαστρώματα*) from the declarations (*ἀπογραφαῖ*) of private landholders. From surviving portions of these *διαστρώματα* we can establish their form and content.<sup>35</sup> The *ἀπογραφαῖ* were used to update and correct the information in the *διαστρώματα*, after which the declarations themselves may have been filed away in pigeonholes by declarant's name. Each roll of the *διαστρώματα* was devoted to a letter of the alphabet and divided into sheets (*κολλήματα*) with records for each individual property holder listed by name (*ὄνομα*). Under each name was listed all property held by location (even land outside the nome), including annotations concerning liens or mortgages against the property and how the property was acquired. Posner (148-49) has pointed out that a register arranged by personal name was bound to be much easier to refer back to than the strictly chronological composite rolls (*τόμοι συγκολλήσιμοι*) and their calendars (*ἀναγραφαῖ*). In fact, the other record offices and notaries appear to have consulted the *διαστρώματα* for just such a reason. In the only surviving communication between the *ἀγορανόμοι* and the *βιβλιοφύλακες* of Oxyrhynchus, the *βιβλιοφύλακες*, having satisfied themselves as to the ownership of a particular piece of property by consulting their records (*εχει . . . ἐν ἀπογραφῇ*), instruct the *ἀγορανόμοι* to register a mortgage.<sup>36</sup> This sort of "letter of authorization" (*ἐπίσταλμα*), was issued by the *βιβλιοφύλακες* on request; the proper maintenance of the *διαστρώματα* was essential to the ability of the land office to verify titles through the *ἐπιστάλματα*. One of Mettius Rufus' strictures in *P.Oxy.* II 237 warns local scribes and notaries not to execute contracts without an *ἐπίσταλμα* from the *βιβλιοφύλακες*.<sup>37</sup>

While local scribes were bound by prefectoral decree to consult the records in the *βιβλιοθήκη ἐγκτήσεων*, we do not have any evidence that office or individuals felt compelled to submit "regular" *ἀπογραφαῖ* whenever a particular piece of property changed hands. Even as recently as 1980, the editors of *Oxyrhynchus Papyri* XLVII 3332 admitted, "There is still not a hint of the means which the government used to elicit declarations." Examples of "regular" returns from first- and second-century Oxyrhynchus are very rare,<sup>38</sup> and, even given the vagaries of preservation, the

<sup>35</sup> Cockle 114; Posner 148-49; *M.Chrest.* 213-215; E. Kiessling, "Ein Beitrag zum Grundbuchrecht im hellenistischen Ägypten," *JJurPap* 15 (1965) 73-90. Examples: *P.Oxy.* II 274, 360 descr.; XIV 1648, 1724, 1725; *P.Mich.* V 121 verso.

<sup>36</sup> *P.Oxy.* III 483 (108).

<sup>37</sup> *P.Oxy.* II 237 viii.36-37.

<sup>38</sup> See above, n. 9.

number of surviving land transactions notarized by or addressed to the Oxyrhynchite ἀγορανόμοι during the same period are overwhelmingly disproportionate. Since regular registration with the βιβλιοθήκη ἐγκτήσεων does not appear to have been obligatory<sup>39</sup> but only a convenience to the landholder seeking to confirm a transaction, we should not be surprised that individuals did not routinely submit ἀπογραφαί,<sup>40</sup> nor that as a result the prefect should have had to call periodically for a general ἀπογραφή to update the land office records.

1 [ ] ον . . . [  
 [ ] πέμπτον [μέ-]  
 ρος κατοικηγ γῆς ἀρ[ο]ύρ[ης]  
 4 μιᾶς ἡμίσους ἄπερ ἄπαντα  
 κατήντησεν εἰς με ἀπὸ τοῦ  
 μετηλλαχότος μον πατρὸς  
 Ὄννώφριος τοῦ Ὄρου ἀπὸ  
 8 τῆς αὐτῆς κώμης ἀκολού-  
 θως οἵς ἔχω δικαίοις πᾶσι.  
 (ἔτους) ἐνάτου Αὐτοκράτορος  
 Καίσαρος Δομιτιανοῦ Σεβαστοῦ  
 12 Γερμανικοῦ Φαρμοῦθι ιξ—.

10 Filler stroke at end

...a fifth portion of 1 1/2 arouras of katoikic land, all of which came to me from my deceased father, Onnophris son of Horos from the same village in accordance with all the rights which I hold. In the ninth year of the Emperor Caesar Domitianus Augustus Germanicus, Pharmouthi 16.

2 μέρος: so at *P.Oxy.* II 248 line 25 (ἡμισυ μέρος) and at II 249 line 17 (τρίτον μέρος).

<sup>39</sup> For the legal status of ἀπογραφαί, see Pierce 71-74; Cockle 113-14; Taubenschlag, Law<sup>2</sup> 223-24; Preisigke, *Girowesen* 385-97.

<sup>40</sup> Harmon (177-80) posits that the formula πρώτως in some regular registrations may be an indication to the βιβλιοφύλακες to begin a new ὄνομα in the διαστρώματα. This would certainly be the case where registration is in the best interests of the property owner. In some cases, ἀπογραφαί appear to have been drawn up in duplicate in the land office with the second, cruder copy given to the landholder to act as a receipt for subsequent transactions. See *P.Oxy.* I 72, *P.Harr.* I 74.

3 ἀπερ ἀπαντα: indicating that this 1.5 arouras was not all the property declared in this document; we only have the last in a list of holdings. Why no total is provided is not obvious.

7 Ὄννόφριος τοῦ Ὄπου: both common names, but Onnophris son of Horos is not otherwise attested in the late first century. From the late first century B.C. or early first A.D. this filiation occurs in Demotic ostraka, cf. B. W. Jones-J. E. G. Whitehorne, *Register of Oxyrhynchites 30 B.C.-A.D. 96* (Am. Stud. Pap. 25, Chico 1983) nos. 2851 and 2896.

12 Pharmouthi 16 = 12 April 90. See *P.Oxy.* II 247, which was written almost exactly one month before. [Beth Juhl]

## 252. Private Letter

Inv. 316  
Plates 4-5

11.5 x 23.4 cm

Late I  
Alexandria (?)

Published: Jacqueline Long, *BASP* 24 (1987) 9-15, with plate p. 11

This urgent, secretive letter evidently refers to a planned financial coup. It is the first document to evidence a precautionary approach to the *idios logos*. The agitated writer's vocabulary, and a few rhetorical flourishes, also deserve notice.

The papyrus was written along the fibers on both sides, having been rotated 90 degrees for the address on the back. The front looks neat and professional, whereas the spindly (Latinum?) second hand on the back addressing the letter is evidently the writer's own. The hand is a rapid, angular cursive, bordering on the severe, with letters taller than they are wide. Ligatures are common, but many letters stand as independent elements—note upsilon and delta. Similar hands appear throughout the first century (e.g. *P.Lond.* 277 of A.D. 23 [Atlas II pl. 13], 140 of 69-79 [Atlas II pl. 21], 897 of 84 [Atlas III pl. 27], 142 of 95 [Atlas II pl. 43]). Otherwise, termini are furnished by the correspondents' Latin names and the reference to the *idios logos*, which ceased to function during the reign of Septimius Severus (193-211).

Λόνγος Ἰουλίῳ τῷ πατρὶ<sup>χαίρειν.</sup>

μὴ ἀμελήσῃς μοι δι' οὐδὲν εὔρης γρά-  
4 ψαι τί σοι δοκεῖ περὶ τῶν τριάκον-  
τα. ἐπεὶ μοι ἐξ οὐ κατέπλευ[σ]α  
πέμπτην ταύτην ὁ πατὴρ πε-  
ρὶ αὐτῶν ἐπιστολήν μοι γράψει καὶ  
8 ὀργιζόμενος, καὶ μέλλω αὐτὰ ἀγο-  
ράζειν, ἐπιγνώσῃ; εἰ[ι]πέ μοι  
δι' οὐ ἐὰν δύνη, μόνον μηδεὶς γει-  
νωσκέτω ὃ ποιεῖς, εἰ ἡ βυθλιοθή-  
12 κη συνχρηματίζει καὶ καθα-  
ρά ἔστι ἀπὸ ὑποθήκης καὶ ἀπὸ  
ιδίου λόγου· καὶ ταχέως μ[ο]ι γράψον.  
παρακαλῶ δέ σε περὶ πρ[άξε]ών μου ὃ  
16 σοι ἐντέταλμαι μὴ ἀμελ[εῖν]. καὶ τὰ κτή-  
τη μὴ ἀργείτω ἵνα ὑπὸ [ . . . ] ω αὐ[λι-]  
ζέσθω μὴ βαρυνόμενα [ . . . ] οσ[ . . . ].  
λειαν κοποῦσθαι κ[ . . . ] θι[ . . . ] ν πε[ . . . ].  
20 στρωμάτων ἵνα σ[ . . . ] υδ[ . . . ] [ . . . ] ἀσπ[ά-]  
ζου Διωγένην καὶ [ . . . ] λ[ . . . ] αι[ . . . ] ν  
λαρν καὶ Κύριν τὴν μεταί[ροα] καὶ τὴν  
σύμβιόν σου. καὶ [με]λέτω μοι πε[ρ]ι  
24 τῶν τριάκοντά μοι γράψ[ει]ν.  
[ . . . ] ν  
ἔρρωσο πολλοὶ[ι]ς χρ[όνοι]ς.  
Π[α]ῦ[νι] [ . . . ]

BACK 2nd h. Ἰουλίῳ Εἰρωνίῳ[ῳ]

3rd h. Λόνγον

εἰς Φιλαδελφίαν

traces

6 ε of πεμπτην corr. 9 Filler stroke at end 10 γι-

13 υποθηκης pap. 16 κ of κτη- ex corr. 21 Διογένην 22 μητέρα

24 μοι: read σοι ? 28 Ἡρωνεῖν-

Longus to Julius his father, greetings. Please do not neglect to write me, through anyone you may find, what you decide about the thirty items. Since, from when I sailed downriver, this is the fifth letter my father will be writing me about them, and he is growing angry, and I am going to buy them, will you make up your mind? Tell me through anyone you can—only don't let anyone find out what you're doing—if the registry is issuing the

deed and the items are clear of mortgage and of *idios logos*. And write me quickly. I beseech you, concerning my affairs don't neglect what I have instructed you. Also the animals: don't let them be idle, so that . . . let them be stabled lest they be worn out . . . Greet Diogenes and . . . and mother Kyris and your wife. And please be sure to write me about the thirty items . . . Keep well for a long time. Pauni . . . (Addressed) To Julius Heironinus, to Philadelphia, [from] Longus . . .

3  $\mu\eta$ : The initial downstroke of the  $\mu$  loops up into the following curve: a scribal flourish like the capitals of  $\Lambda\delta\eta\gamma\sigma$ ,  $\Lambda\delta\eta\gamma\sigma$ ,  $\chi\alpha\iota\rho\epsilon\iota\nu$ ,  $\xi\rho\rho\omega\sigma\sigma$ .

5  $\kappa\alpha\tau\epsilon\pi\lambda\epsilon\nu\sigma\alpha$ : If Longus "sailed downriver" with respect to Philadelphia (the destination of the letter indicated on the back), he could be in Alexandria.

6-9 It is likeliest that Longus addresses Julius as "father" only honorifically, and now refers to his real father, who evidently is angry at the delay in settling the business of the thirty items. A less populous solution would be to assume that Longus here addresses Julius in the third person as sarcasm, possibly echoing language of Julius' previous letter. "Kyris [in this case, *my*] mother and your wife" (lines 22-23) would then be a huffily elevated style for one woman who is both. The hyperbaton stressing  $\pi\epsilon\mu\pi\tau\eta\tau$   $\tau\alpha\tau\eta\tau$  breathes exasperation in any case.

$\delta\rho\gamma\iota\zeta\delta\mu\epsilon\nu\sigma\zeta$  must describe  $\delta\pi\alpha\tau\eta\rho$ , or the second  $\kappa\alpha\iota$  becomes meaningless.

$\mu\delta\lambda\omega$  might mean "I am delaying," as in Classical tragedy: Longus' vocabulary does embrace  $\alpha\delta\lambda\iota\zeta\epsilon\sigma\theta\omega$  and  $\kappa\pi\delta\mu\sigma\theta\omega$ , lines 17-19. But the sense is rare in the papyri, and is not found with a complementary infinitive (*P.Mich. XI* 624.9, *P.Stras. V* 305.7). The future sense conforms better with future  $\gamma\mu\alpha\psi\epsilon\iota$  and  $\epsilon\pi\iota\gamma\mu\omega\sigma\eta$ .

9  $\epsilon\pi\epsilon$ : The syntax of both sentences seems complete as read, but the remains of three apparently separate strokes are visible about the edge of a lacuna and under magnification, the join of the  $\epsilon$  shows faint traces of ligature. The traces do not suggest any compound of  $\epsilon\pi\epsilon\iota\nu$ .

10  $\epsilon\alpha\eta$ : Though he correctly uses  $\alpha\eta$  in the parallel clause of line 3, the scribe here makes a confusion common in the papyri; Gignac, *Grammar I* 305.

11-12  $\epsilon\iota\eta\beta\mu\beta\lambda\iota\theta\eta\kappa\eta\sigma\mu\mu\alpha\tau\iota\zeta\epsilon\iota$ : The verb is used in the sense "issue appropriate documentation," somewhat loosely of the registry itself rather than of its officials (Wilcken's definition [*APF 1 (1901) 558*] should be broadened slightly with reference to e.g. *P.Tebt. II* 397.26, where quittance of a debt is at issue, rather than authorization to sell or mortgage

property). Longus' reference suits the *βιβλιοθήκη ἐγκτήσεων*, which during the second half of the first century A.D. was split off from the *βιβλιοθήκη δημοσίων λόγων* to assume the oversight of private transactions in land and (perhaps only in exceptional cases) slaves: for a full account, see Wolff, *Das Recht* II 222-55, and cf. above, 251 introd.

13 *ὑποθήκης*: Since hypothec granted the creditor only the right to proceed *in rem* for the value of an unpaid debt, a debtor might in theory hypothecate the same piece of property repeatedly for different debts, up to its full value. A clause to prevent the exploitation of this capacity or the transfer of the hypothecated property is found in many mortgage-loans (e.g. *P.Oxy.* XXXIV 2722.34-38, *P.Flor.* 1.8f.; cf. discussion of *P.Oxy.* XIV 1634). Failing the registry's involvement, an unwary purchaser might find not just an obligation on his new property, but his entire purchase vitiated.

14 *ἰδίου λόγου*: For a full account, see Swarney, *Idios Logos*. The *βιβλιοθήκη*, hypothec and the *idios logos* provide clues to the nature of Longus' "thirty items." If he does mean precisely the *βιβλιοθήκη ἐγκτήσεων*, his letter would belong to the period when the *idios logos*' scope was expanding beyond land matters (Swarney 52 notes that *adespota* within the *idios logos*' authority were defined broadly; but that classification would seem to exclude the possibility of a hypothec). But the antecedents of the *βιβλιοθήκη ἐγκτήσεων* were *βιβλιοθήκαι* no less, so that the date cannot be restricted in this way. There is abundant evidence for the hypothecation of land, buildings and furniture, parts thereof or part-interests therein during the Roman period (e.g. *P.Oxy.* III 486, 510; XXII 2349; XXXIV 2722, *P.Mich.* VI 428). Universal hypothecations appear late (e.g. *P.Oxy.* XVI 1890 [508], 1891 [495], LI 3641 [544]). But a will of 156, *P.Oxy.* III 494.19-21, does grant broad rights to sell or hypothecate *αἱ ἔκαν αἱρῆται ἀφ' . . . ὑπαρχόντων καὶ σωμάτων*, i.e. possessions generally and specifically slaves (cf. *BGU* II 567 i.24, 2nd cent.): even in the Roman period hypothec could apply to a wider range of items than its use generally suggests. Curious as it seems to count separately rather than refer to them cumulatively by a number of arouras, parcels of land (Longus' neuter plurals standing for, e.g., *ἐδάφη*) would be the most broadly attested possibility for Longus' "thirty items." Slaves cannot be excluded, however, and it is less odd for them to be treated as items. It would be a large transaction in either case, making Longus' hope for secrecy desperately optimistic.

17-18 *αὐλιζέσθω*: A relatively rare word in the papyri, though common enough in literature; about half the *α* is visible, and part of a downstroke at a characteristic angle for the *v*.

18 Perhaps *βαρυνόμενα* [ἢ, as we have translated.]

19 *κοποῦσθαι*: A fairly rare word, but cf. *P.Oxy.* I 128.8 (6-7th cent.), an official who wishes to retire because of ill health.

21 One or two names or relationships have worn away from the typical roster of salutations.

22-23 *Κῦριν τὴν μεταίρα καὶ τὴν σύμβιόν σου*: Either Kyris is the mother of Diogenes and the rest ("Kyris their mother and your wife"), or *σου* applies to both nouns and she is Julius' mother ("Kyris your mother, and your wife"), or she is Longus' mother and Julius is literally his father, as alternatively suggested on lines 6-9 above ("Kyris, my mother and your wife"). The absence of a clarifying possessive is most unusual given the ambiguity. *μεταίρα* is remarkable against the general level of orthography in the letter, but we have not been able to read any other title of relationship. Gareth Morgan has proposed that it deliberately puns on *έταιρα*, which would also be remarkable but perhaps not beyond the scope of Longus' wit.

25-27 The last three lines of the letter begin part-way across the page, as if centered. No traces show to the right of the nu at the end of 25 or the sigma at the end of 26.

Back 1 *Εἰρωνίν[ῳ]*: Most likely Heironinus is a cognomen. But since no trace of the case-ending remains, it could also be a patronymic (and then to be restored in the genitive). Longus' and Julius' Latin names could, but need not, imply that they are Roman citizens (e.g. Agrippinus Isidorus, *P.Mich.* IV 224.6156; Gaius Julius Diodorus, *P.Mich.* IV 223.430, 1887; Gaius Julius Ptolemaeus, *P.Mich.* IV 223.431, 670, 2586; Heras Valerius also known as Aphrodisius, *P.Mich.* IV 223.972, 1448; Longinus also known as Gemellus, *P.Mich.* IV 223.21, 595, 1431, 224.444, 1117, 2990, 4505, 225.535, 1716, 1897; Luper Horus, *P.Mich.* IV 223.780, 881, 1300, 2162, 224.903, 1426, 2058, 3248, 4971, 225.1138, 1998, 2903, among others, registered as paying *laographia*, from which Roman citizens were exempt, at Karanis in 172-174; cf. O. Monteverchi, *Rend. Ist. Lomb.* 84 [1951] 279-88).

Back 1 The rather spindly second hand addressing the letter is presumably Longus' own.

Back 2 Traces of 6-10 letters: the characters of the second hand are much narrower than those of the third, which much resembles the first. It may indeed be the scribe's, more likely Julius' or his secretary's, docketing the letter on receipt.

[Jacqueline Long]

## 253. Private Letter

Inv. 415

12.5 x 9.3 cm

Early II

Plate 6

Published: L. Jones, *BASP* 24 (1987) 17-21, with plate p. 19

This letter was written across the fibers on the back of a small rectangle of papyrus cut from a roll originally used for some kind of account. The letter is almost entirely preserved except for a small hole (3 x 3 cm) near the upper right hand corner of the papyrus, which leaves a gap in the first three lines of the text.

The neat cursive hand of the fragmentary account on the front resembles *P.Lond.* I 131 (Atlas I, pl. 107-125: A.D. 78-79) and III 1177 (Atlas III, pl. 31: A.D. 113) and probably dates from the late first century. The hand of the letter on the back resembles *P.Oxy.* XLIX 3472 (149), *P.Lond.* II 191 (Atlas II, pl. 46: 103-149) and *P.Lond.* I 110 (Atlas I, pl. 75-76: 138). The letter, then, probably dates from the early to middle second century. The hand is slowly written, with many letters independently executed. Note mu in three movements, squarish eta. The line of writing (both upper and lower) tends to waver.

A certain Psimouras writes to his "brother" Chairemon. The letter is a brief note concerned exclusively with greetings and conveyance of goods. It resembles, for example, *P.Oxy.* II 300 (late first century) and *P.Oslo* III 156 (Fayum [ed.], second century), both concerned with sending goods by means of a camel-driver.

The fragment of the account on the front contains some names and numbers. A strip across the front has been erased, probably with a damp cloth, and reused to write the address for the letter. After it was written, the letter was folded five or six times (each fold is between 2 and 3 cm wide, perpendicular to the text). Some damage from the folds is discernible on the papyrus. The traces of names on the front do not provide any firm cues to the provenance.

Nikephoros, a donkey-driver mentioned in the letter, may have been a slave. The name is borne by slaves in *P.Mich.* 223, 224, 225, and 361A; *P.Meyer* 8 and 9; *P.Tebt.* II 407. H. Solin, *Personennamen* 120-23, lists over two hundred men of this name, none of known free birth (but many of indeterminate origin). A major curiosity is the apparent mention of his being branded in line 2 (see note *ad loc.*). As a donkey-driver Nikephoros was very mobile and, if he was a slave or freedman, he might have been

marked (probably with a tattoo) as the property of his owner. Mentions of branded (or tattooed) slaves, mostly captured runaways, appear often in contemporary literature. See Dio Chrysostom (14.19; 15.11), Martial (8.75.9), Juvenal (14.21-24), Philo (*De specialibus legibus* 1.58), and Lucian (*Timon* 17) for other references to tattooed slaves from the same period as this papyrus.

Mention of a tattooed slave appears in a warrant against two runaways from 156 B.C. (*UPZ I* 121), with one of them being "tattooed on the right wrist with two barbarian letters." For a recent discussion of the practice of marking slaves in the ancient world, see C. P. Jones, "Stigma: Tattooing and Branding in Graeco-Roman Antiquity," *JRS* 77 (1987) 139-55.

Ψιμουρᾶς Χαιρήμονι τῷ ἀδ[ελφῷ χαί]ρειν·  
κόμισαι διὰ Νικηφόρου ὄνη[λάτου σφρ]αγισ-  
τοῦ κίστην σταφυλῆς ἦν μόργη[ν ε]ἰσχυσαν  
4 βαστάξαι. δήλωσόν μοι εἰ ἐκομίσο ἢ ἐπεμ-  
ψά σοι διὰ τοῦ ὄνηλάτου μου καὶ ἡ διεπεμψά-  
μην σοι διὰ Ἀνουβᾶ καμηλείτου. ἀσπάζου  
Τετε . . ν τὴν ἀγαθωτάτην καὶ τὴν μη-  
8 τέραν αὐτῆς καὶ τοὺς σοὺς πάντας. περὶ ὧν  
χρήζεις δήλωσόν μοι. ἀσπάζαται σε τὰ παι-  
δία.  
ἔρρωσθαι `σ<ε>' εὐχομ(αι). Μεχ(εὶρ)  $\overline{\kappa\theta}$ .

Front: Χαιρήμον **X** παρὰ Ψιμουρᾶ

1 Χαιρήμων 3 εἰσχυσαν: ν ex corr.; read ἰσχυσαν 4 ἐκομίσω  
6 καμηλίτου 9 ἀσπάζεται 11 `σ' = σε 12 Χαιρήμων

Psimouras to Chairemon his brother, greetings. Receive through Nikephoros the branded (?) donkey-driver a basket of grapes which was the only one they were able to carry. Let me know if you received what I sent you through my donkey-driver and what I had sent to you through Anoubas the camel-driver. Greet the excellent Tete( . .)s and her mother and all your people. Let me know what you need. The children greet you. I pray for your health. Mecheir 29.

Front: To Chairemon from Psimouras.

1 Ψιμουρᾶς is not cited in Preisigke, *Namenbuch* or Foraboschi, *Onomasticon*, nor does it appear in a search of the DDBDP.

2 The first two letters and a recognizable portion of the third letter before the hole in the papyrus suggest the reconstruction of ὄνηλάτον (cf. line 5), which fits the context. The remaining gap is more difficult. The reconstruction of σφραγιστοῦ (from σφραγιστός, "branded, marked," not σφραγιστής, "sealer") is appealing; neither Ιατιστον nor Ιεγιστον appears to us a possible reading. The word, though fairly rare, appears to be the only word to fit the space and context, and we have not found any name with this ending, as the parallel cited in the note to line 3 might lead us to expect. The form σφραγιστούς is restored in *BGU* III 869.11-12 (155/6). (For this sense of σφραγίζω, "set a distinguishing mark of ownership upon, brand—of prisoners, convicts and soldiers," see Lampe, *Patristic Lexicon*, s.v. 11, with references.) If correctly restored, the reference there would be to branded camels. The word also appears in Christian literature from the third century on (Origen, *Frag. in Proverbia* 1.6, Migne 17.156B). Sometimes the word is used by Christian writers to refer to the marking of houses in Egypt to prevent the first-born from being killed, interpreted by the Fathers as a prototype of baptism, and sometimes it refers directly to baptism (see ἀσφράγιστος in Lampe, *Patristic Lexicon* 253).

Tattooing slaves either for punishment or simply for identification seems to have been fairly common in the second century. Under Roman law, slaves who had been branded or tattooed by their masters, if ever manumitted, attained only the status of *peregrini dediticii* (Gaius, *Institutes* 1.13). Criminals condemned to hard labor were also branded or tattooed on the face until Constantine's proclamation of 315/6 (*CTh* 9.40.2 = *CJ* 9.47.17) forbade disfiguring the face. Thereafter criminals were marked on their hands and legs. Soldiers were apparently marked with some sort of distinctive brand or tattoo, as were the devotees of some religious cults. Nikephoros' tattoo, given his name, seems most likely to be that of a slave. Earlier, for Ptolemaic times, cf. *P.Lille* I 29 ii.36; R. Scholl, *Corpus der ptolemäischen Sklaventexte* 325 (cf. 253).

3 For the phrasing here see *P.Oslo* III 136.7-10: κόμισαι διὰ Ἀχιλλέος καμηλίτον Ἀρπάλον κίστην σταφυλῆς, ἦν μόνην ἐβάσταξε.

7 As is clear from the context, Τετε. .ν is a female name. The closest attested names are Teteuris and Teteis. But the space here is too short for the first, too long for the second, and we have not been able to read a known name. Perhaps Τετερις, otherwise unattested.

8 For the addition of nu to μητέρα, see Gignac, *Grammar* II 45.

11 The date is 23-24 February, depending on whether this was a leap year. [Roger S. Bagnall and Dirk D. Obbink]

## 254. Deed of Sale of a Slave

Inv. 460b  
Plate 7

6.2 x 9.9 cm

30 December 129  
Oxyrhynchos?

The papyrus is the concluding portion of a slave sale contract. It is broken off at both the top and the bottom, but enough of the vendor's subscription in his own hand is preserved to prove this to be the original deed handed to the purchaser. The right hand edge is nearly intact, only missing the final letter of line 16. The left hand edge of the papyrus is lacking variously 8-10 or 13-15 characters. There are tears or holes in three lines (5, 8, 9) which make the reading difficult, and wrinkles or folds in three lines (9, 11, 13) which hinder reading. The writing is along the fibers and the back is blank.

The hand of lines 1 through 16 is perhaps a private secretary's hand, certainly not that of a professional scribe or official clerk. The scribe does use correct syllabic division between lines, but all other evidence points towards the unprofessional, unpracticed character of the document. First, there are many mechanical errors of handwriting: there are writing mistakes which were simply written over in lines 2, 8 and 12; the scribe failed to assimilate  $\kappa\alpha\tau'$  to  $\kappa\alpha\theta'$  in line 3; there is interlinear writing between lines 10 and 11, and 12 and 13; and the scribe failed to properly prepare the reed tip as evidenced by the excess ink in several letters in lines 3, 4, 7 and 10. Second, there is a syntactical error of a misplaced succession clause which raises the possibility of confusion about whose successors are meant. The succession clause (lines 4-6) should follow immediately after Herakleia's name in line 2 but instead was placed after reference to the slave. From line 16 on we have the hand of Petechon the seller himself, a slow writer.

The exact form of the document is difficult to follow because there is a shift from the third person objective (lines 1-10) to the second person subjective (lines 10-16) and then back to the third person subjective in the subscription (lines 16-19). One may compare unexplained shifts in leases, from the objective style of the *misthosis* to the subjective style of the *epidochē*, e.g. *P. Oxy.* XLV 3259 (319), 3260 (323), and from the subjective to the objective style, e.g. *P. Oxy.* LVII 3911 (199). Perhaps the writer was using multiple models.

The purchaser of the slave is a woman named Herakleia; her patronymic and origin are not preserved. The active role of women in

property transactions in Roman Egypt has been discussed by D. W. Hobson, "Women as Property Owners in Roman Egypt," *TAPA* 113 (1983) 311-21 and "The Role of Women in the Economic Life of Roman Egypt," *EMC* 28 (1984) 373-90, and by S. B. Pomeroy, "Women in Roman Egypt," in *Reflections of Women in Antiquity* ed. H. Foley (London 1981) 303-22. Hobson formulated the decisive question (p. 316) "whether the role of women is merely a mask for the economic activities of the men in their households, or whether women really did function in their own capacities and in their own financial interests." We accept her conclusion (p. 317) that "women really did own a significant amount of property, but not large enough to cause us to suspect any falsification of the identity of the real owner." Specifically with regard to slaves, in addition to the eleven documents attesting women slave *owners* at Soknopaiou Nesos noted by Hobson *op.cit.* p. 315 n. 23, there are instances of women as purchasers of slaves,<sup>41</sup> as vendors of slaves<sup>42</sup> and of a woman vendor and a woman purchaser of slaves.<sup>43</sup>

From the evidence in 254 we add two small but significant points concerning women's access to full participation in the economy of Roman Egypt. First, since it is clear that responsibility for publication of the sale lies with Herakleia, the relevant part of the administration must have been accessible to a woman. Second, since Herakleia is expected to pay the taxes on the sale, that administration also must have been accessible to a woman. Neither of these two actions would place Herakleia in an implausible position. It does not matter whether a woman presented herself at the appropriate offices, i.e., tax, grapheion, those of various officials, or whether her agent/guardian acted on her behalf. The fact that the action was taken in the name of a woman is sufficient to establish her economic activity. As Hobson correctly observes, the fact that this kind of mechanism, whereby a woman conducts business in her own interests albeit through the agency of a man, is not overwhelmingly common proves that it is not a mask for men avoiding higher tax rates or liturgical obligations. This is clearly a case of a woman acting independently of men in her own financial interests. But it need not be assumed that, even when a contract states she acts without a guardian or makes no mention of a guardian, a woman had to use a male agent to deliver her petitions or pay taxes on her

<sup>41</sup> *BGU* XI 2111 (Arsinoite, second century), *P. Col.* VIII 219 (140), *P. Oxy.* I 73 (94), I 96 (180), I 185 (181).

<sup>42</sup> E.g., *P. Oxy.* XXXVI 2777 (212), XXXVIII 2856 (91/2), XLIX 3477 (270), *PSI* XII 1228 (188).

<sup>43</sup> E.g., *BGU* IV 1059 (time of Augustus), *P. Oxy.* II 263 (77), IX 1209 (251/3; a woman purchaser becomes the vendor of the same slave), XII 1463 (215), XLII 3054 (265; a woman purchaser of a slave who had previously been sold by a woman), *P. Vind. Bos.* 7 (Herakleopolite, 225).

property.

For a general bibliography on the sale of slaves in Roman Egypt see VIII 219 introduction; add I.F. Fikhman, "Slaves in Byzantine Oxyrhynchus," *Akten XIII Kongr.* 117-24, and "Sklaven und Sklavenarbeit in spätromischen Oxyrhynchos," *Jahrbuch für Wirtschaftsgeschichte* 1973 II 149-207, and I. Biezunsko-Malowist "L'esclavage dans l'Égypte gréco-romaine," *BASP* 22 (1985) 7-14.

-----  
 . . . [ . ] [ . ] [ . . . ] [ . ] . . . [ . . . . . ]  
 [κυριεύειν] τὴν Ἡράκλειαν τοῦ κατ' ἐ-  
 [αυτὸν ἡμίσ]ιονς μέρους τῆς προγεγραμ-  
 4 [μένης καὶ π]επραμένης δούλης σὺν  
 [ἐκγόνοις καὶ τοῖς π]αρ' αὐτῆς μετα-  
 [λημψομένοις καὶ] οἰκονομεῖν πε-  
 [ρὶ αὐτῆς ὡς ἐὰν αἱρῆ]ται τρόπῳ. καὶ βε-  
 8 [βαιουμένης δημο]σιώσει ὀπηνίκα  
 [ἐὰν αἱρῆται κατὰ] δημοσίου χρημα-  
 [τισμοῦ καὶ βεβα]ιώ σοι τὸ προκεί-  
 [μενον ἡ]μισυν μέρος τῆς προγεγραμμέ-  
 12 [νης δούλ]ης Βερενείκης, τῶν γραμμα-  
 [τικῶν καὶ τ]ελῶν [δημο]σίων πρὸς σὲ τὴν Ἡράκλειαν.  
 [κυρία ἡ π]ρᾶσις. ἔτους τεσσαρεσκαιδεκάτου  
 [Αὐτοκράτορ]ος Καίσαρος Τραϊανοῦ Ἀδριανοῦ  
 16 [Σεβαστοῦ] Τῦβι δ. (2 h.) Πετεχῶν Πετεχῶντο(ς)  
 [ό προγεγ]ραμμένος πέτ[ρα] κα τῇ Ἡρα-  
 [κλ(ε)ί]α τὸ κατ' ἐμὲ ἡμισυν μέρος τῆς δού-  
 [λης Βερενείκης κ]λαὶ ἀπέ[σχον τὰ τ]ῆς [τιμῆς]  
 -----

2 τὴν: η ex ει; λ: ex corr. ?; ου: written over rubbed  
 out ους 8 οπ ex ην? 12 τ: ex corr. (η?)

[Petechon acknowledges that from now on] . . . Herakleia is to own and be master of her half share of the aforesaid sold female slave, with her descendants and her successors, and to dispose of her [the slave] in whatever way she chooses. The title of the slave being guaranteed, she shall publish it whenever she chooses in accordance with a public document, and I guarantee to you the indicated half share of the aforesaid female slave Berenike, the scribal fees and taxes being at the charge of you, Herakleia. The sale is normative. In the fourteenth year of Imperator

Caesar Trajanus Hadrianus Augustus, Tybi 4. (second hand) I, Petechon son of Petechon, have sold to Herakleia my half share of the female slave Berenike and I have received the . . .

1 We minimally expect the following, or similar wording, to precede immediately the first surviving line of the papyrus: ὁμολογεῖ Πετεχῶν Πετεχῶντος ἀπὸ . . . πεπρακέναι Ἡρακλείᾳ [plus patronymic] ἀπὸ . . . χωρὶς κυρίου χρηματιζούσῃ τέκνων διακαίω κατὰ τὰ Ῥωμαίων ἔθη . . . κατὰ τὴν ὁμολογίαν καὶ ἀπεσχηκέναι παρὰ τῆς Ἡρακλείας τὸ κατ' αὐτὸν ἡμισυ μέρος τῆς δούλης ὀνόματι Βερενείκη ὡς (έτῶν) [plus physical description of the slave] . . . τοῦτον τοιοῦτον ἀναπόριφον . . . τῆς δὲ συνπεφωνημένης ὑπὲρ τῆς αὐτῆς δούλης τιμῆς ἀργυρίου δραχμῶν.

There are traces of letters in line 1 but not sufficient to allow a secure reading. The following phrase in line 1, however, is clearly what would be expected to lead into the extant portion of line 2: πρὸς τὸ ἀπὸ τοῦ νῦν κρατεῖν καὶ κτλ.

3-4 For very similar phraseology in which reference to the slave intervenes between the purchaser's name and her succession clause, see *BGU* III 805.9-10 (Soknopaiou Nesos, ca 138), κρατεῖν οὖν καὶ κυριεύειν τὴν Τασῆθιν τῆς προγεγραμμένη[ς] καὶ πεπραμένης αὐ[τῆ] δ[ο]ύλης σὺν ἐγγόνοις καὶ τοῖς. For other examples with similar phraseology without the intervening clause, see *PSI* XII 1228.15-17 (188), πρὸς τὸ ἀπὸ τοῦ νῦν κρατεῖν αὐτὸν [καὶ] κυριεύειν τοῦ πεπραμένου αὐτῷ μέρους ἡμίσους τῆς [προγεγραμμένης δούλης καὶ ἔξουσίαν ἔχειν διοικεῖν [καὶ οἰκον]ομεῖν περὶ αὐτοῦ (l. αὐτῆς) ὡς ἐὰν αἱρῆται; *SB* X 10728.15 (Oxy., 318) διὸ ἀπὸ τοῦ νῦν κρατεῖν σε καὶ κυριεύειν σὺν ἐγγόνοις καὶ τοῖς παρὰ σοῦ μεταληψομένοις.

4-6 The phrase σὺν ἐγγόνοις καὶ τοῖς παρ' αὐτῆς μεταληψομένοις is a widely attested succession-clause found in many types of contracts, from a wide range of time periods, e.g. *P.Oxy.* II 273.24-26 (95), *SB* XVI 12333.14 (Oxy., 189). In every occurrence the phrase, with this or very similar wording, *ἐκγόνοι* refers to the progeny of the purchaser(s), or in the case of the distribution of property, to the inheritor(s).

There are no examples of this wording in the papyri used in reference to slaves. Due to the fact that slaves could not inherit, it is not surprising that reference to the progeny of slaves is only in terms of the property rights of the owner, and the wording is always καὶ τῶν ἐσομένων ἐξ αὐτῆς ἀπὸ τοῦ νῦν ἐγγόνων: *P.Oxy.* III 496.6, 9, 15 (127). See also from Oxyrhynchos *P.Oslo* II 40.1.12, 17, 19, 21 (150), *P.Oxy.* II 265.20 (81-95), III 489.8, 17 (117), 494.13 (156), 495.6 (181-189), *P.Rob.inv.* 44.21-22 in *BASP* 25 (1988) 100-02 (59), and from elsewhere *P.Coll.Youtie* II 75.7 (Hermopolite, third century), *P.Mich.* V 322.25 (Tebtunis, 46), 323/

324/325.14 dupl. *PSI* VIII 903.27 (Tebtunis, 47), V 326.1.28-29, 40, 45 (Tebtunis, 48), *SPP* XX 71.13 (Hermopolis, 268-270), or similarly *καὶ τῶν ἐξ αὐτῆς ἀπὸ τοῦ νῦν ἐσομένων ἐγγόνων* *PSI* X 1115.13-14 (Tebtunis, 153; see also *P. Vind. Bos.* 7, Herakleopolite, 225), *P. Turner* 26 (Ptolemais Euergetis, 193-198). Thus it is out of place here.

7 The phrase *ὅτεν αἱρῆται τρόπῳ*, or one with minor variants, is a common construction, occurring more than twenty-five times in the DDBDP on the PHI CD ROM #6 (using the IBYCUS system disk dated August 14, 1991).

8 Of the more than fifty parallels in the DDBDP for an active verbal form of *δημοσιώ*, the only pre-third century example is *P. Oxy.* XXXIV 2726.14 (second century) and it is not a legal document but rather a business letter. Otherwise, for the period of our document, use of the verb *δημοσιώ* is nearly exclusively in participial form: *BGU* I 50 (Fayum, 115), II 455 (before 133), III 983.10 (Fayum, time of Antoninus), *P. Mil. Congr.* XIV p. 78.17 (Oxy., 71) [SB XIV 11283], *P. Oxy.* X 1266.19 (98), *P. Phil.* 11.2.27 (Philadelphia, 141), *PSI* XIII 1322.30 (Oxy., 118), *PSI Congr.* XI 9.15 (Oxy., 160/61). Otherwise see the infinitive in *P. Oxy.* XLIX 3466.19 (81-96) and the imperative in *P. Oxy.* III 533.5 (second/third century).

The *όπηνίκα* clause leaves unclear to whose advantage it might be to register or not register within a specified time frame. We expect a clause explaining what in later documents is dispensed with by the clause *οὐ προσδεομένη ἔτέρας μονού εὐδοκήσεως διὰ τὸ ἐντεῦθεν εὐδοκεῖν με τῇ ἐσομένῃ δημοσιώσει* [e.g. *P. Oxy.* XLIX 3498.38, 45 (274), SB X10728.20-21 (318)], “without the necessity of any further concurrence because I hereby give my consent to the future public registration.” There are more than a dozen examples of such a phrase from the second half of the third century in Oxyrhynchite documents. It is as though the vendor said to the purchaser “If you don’t register this sale, intending thereby to avoid paying the appropriate taxes, it becomes your problem if a failure to register raises questions as to title or taxes.” Thus the current abbreviated *όπηνίκα* clause adds further proof that the document was written from the vendor’s point of view.

9 Preceding the phrase *δημοσίου χρηματισμοῦ* we anticipate *ώς ἀπό* on the basis of many examples;<sup>44</sup> however (1) the earliest parallel dates from 170 and (2) in all of those documents it is always preceded by the phrase *μένονται ἡμῖν τὰ ἀπὸ αὐτῆς δίκαια* “the rights in virtue of it are assured to me as by a public deed” which clearly is not in our document. Finally, in the early second century the phrase *δημοσίου χρηματισμοῦ* is always preceded by *κατά*, e.g. *P. Mil.* II 36.7-8 (Alabastronopolis,

<sup>44</sup> E.g., *P. IFAO* III 12.8 (Oxy., 208-10), *SB* XII 12333.28 (Oxy.?, 188?), *P. Oxy.* XII 1473.42 (201), 1475.46 (267), XVII 2134.41 (170), *SB* XVI 12333.28 (Oxy., 189).

117/118), *P.Oxy.* III 509.2 (late second century), IV 712.12 (late second century), XLI 2973.30-31 (103), *PSI XIV* 1411.24 (second century).

10 The iota of *βεβαιώσω* descends through the sigma of *μέρος* in line 11.

12 The name Berenike is immensely popular in papyri of the Ptolemaic period but is relatively rare in papyri of the Roman period, e.g. *P.Oxy.* III 493.8, 16 (second century), XXII 2342.7 (102), XL 2935.2.21 (ca 270-275).

12-13 See the parallels, all from the first half of the third century, in *P.Oxy.* XII 1473.17-18 (210), XIV 1697.33-34 (242), and LI 3638.30 (220), *τῶν τελῶν καὶ γραμματικῶν ὄντων πρὸς σέ . . .*

14-15 The year is 130.

16 The Egyptian name Pe-te-chon means "gift of Chonsu" (E. Lüdeckens "Die ägyptischen Namen der griechisch-römischen Zeit und ihre Bedeutung," *Jahrbuch Akad. Wiss. Litt.* [1969] 261 n. 6; W. Brunsch "Untersuchungen zu den griechischen Wiedergabe ägyptischer Personen-namen," *Enchoria* 8.1 [1978] 117). The name *Πετεχῶν* is a very common Theban name (more than two hundred attestations in the DDBDP, and see Brunsch *op.cit.*). From *P.Hib.* II 218 it appears that perhaps some Theban families had moved north. A person with the name *Πετεχῶν Πετεχῶντος* occurs in *P.Hib.* II 218.2.15-16 (first or second century), coming from the village of *Περόν* in the Koite toparchy of the Herakleopolite nome, and in *O.Stras.* 529.2 (Thebaid, second century). The probability of transactions having taken place between residents of the Herakleopolite and Oxyrhynchite nomes is high due to a common border between them and poses no problem in our document. But there is not really any reason to identify them.

19-20 We reconstructed these lines with the aorist *ἀπέσχον τὰ τῆς τιμῆς* based on parallels from Oxyrhynchite documents, e.g., *P.Corn.* 13.29 (288), *P.Gen.* II 116.52 (247), *P.Oxy.* IX 1200 (291), XLI 2951 (267), and *PSI VIII* 897.89 (93), and several others. We suggest that this form represents a particular local or individual idiosyncratic practice. The present active of *ἀπέχω* appears almost exclusively in Arsinoite documents, e.g., *P.Mich.* V 264/5.22-23 (Tebtunis, 37), V 278/9.4 (Tebtunis, 30), V 281.5 (Tebtunis, 48), and more than twenty additional examples. Thus it seems that the preferred phraseology, perhaps reflecting a practice established by personal preference of a scribe or school of scribes, did not in this case cross geographical boundaries.

In the seller's subscription *ὁ δεῖνα τοῦ δεῖνος ὁ προγεγραμμένος πέπρακα τῇ δεῖνα τοῦ δεῖνος* we minimally expect the purchaser's name, acknowledgment of the receipt of the price of the slave, and (missing here) a recapitulation of the guarantee clause — *παρὰ τῆς Ἡρακλείας . . . τὴν τιμὴν . . . καὶ βεβαιῶ πάσῃ βεβαιώσει.*

[Bruce E. Nielsen]

## 255. Contract to Perform Work for a Vineyard

Inv. 16  
Plate 8

8 x 28 cm

10 May 131  
Theadelphia

Published: D. Delia, *BASP* 23 (1986) 61-64 (*SB* XVIII 13311); cf. D. Hagedorn, *ZPE* 86 (1991) 243-45.

The text is rapidly written in an unexceptional cursive, in which smallish elements (omicron, omega) contrast sharply with the height of vertical strokes, giving an ascending or uplifting effect. Epsilon is narrow and tall. Only delta is wide (cf. line 19).

This document represents an interesting addendum to the work contracts, discussed by Orsolina Monteverchi in *I contratti di lavoro e di servizio nell'Egitto greco-romano e bizantino* (Milan 1950) and Andrea Jördens in *P. Heid. V.* It records an agreement between Claudius Apion, a former agoranomos of Alexandria otherwise unattested, represented by his foreman, Philodespotos, with a local herdsman in Theadelphia named Heron. Heron agrees to convey dung and sebekh to the vineyard belonging to Apion's sons during the coming year (commencing at the end of August) for a term that is not stipulated.<sup>45</sup>

Leases of vineyards and vineyard operations as well as private letters outlining ἀμπελουργικὰ ἔργα preserve parallel terminology, the closest being *P. Oxy.* XIV 1631 (280) in which vineyard workers agree to supervise the asses conveying χοῦς. The identity of χοῦς, however, is uncertain; it may be synonymous with ἄμμος, the fine powdery soil covering ancient sites, that is also known as sebekh and highly valued as a fertilizer, or it may merely signify decomposed manure.<sup>46</sup>

This document was folded lengthwise in half, then in half once again; consequently the two inner quarters are slightly wider than the outer ones and lacunae regularly occur along the exposed middle fold. The back is blank.

<sup>45</sup> For autumn fertilization of crops, see Columella, *de agr.* 5.4 and 11.2.87. See also M. Schnebel, *Landwirtschaft* 239-92 and K. D. White, *Roman Farming* (Ithaca 1970) 125-45.

<sup>46</sup> On ἄμμος, see notes to *P. Soter.* 1-2.24 and *P. Berl. Leihg.* I 23.10. On the importance of a dung heap on an estate and its proper maintenance, see Columella, *de agr.* 1.6.21. For the use of *marga*, or rich soils, as fertilizers, see Pliny, *NH* 17.42-48. On viticulture in general, consult Pliny, *NH* 17.156-215 and C. Ricci, *La coltura delle vite e la fabbricazione del vino nell'Egitto greco-romano* (Milan 1924).

Κλαυδίωι Ἀπίωνι τῶν ἡγορανομηκότων Ἀλεξανδρείας διὰ Φιλοδεσπότου φροντιστοῦ Ἡρων Ἐρμᾶ  
 4 κτηνοτρόφος κώμης Θεαδελφείας·  
 ὁμολογῶι ἡργολαβηκέναι τὴν κοπρηγίαν καὶ ἀμμηγίαν τοῦ ὑπάρχοντος τοῖς νιοῖς σου περὶ τὴν κώμην ἀμπελῶνος Σπαρτιανοῦ λεγομένου  
 8 ἀπὸ τοῦ εἰσιόντο[ο]ς ἐκκεδεκάτου (ἔτους)  
 Ἀδριανοῦ Καίσαρος τοῦ κυρίου ἐπὶ τῷ λαμβάνιν μὲ παρὰ σοῦ εἰς λόγον  
 12 ναύλου ἐπὶ μὲν τῆς κ[ο]ιτρηγίας  
 ἐκάστου ὅνοι ὁβολοὺς ὀκτὼν φορῶν  
 {φορῶ(ν)} ἔξ, ἐπὶ δὲ τῆς ἀμμηγίας  
 ὁμοίως ἐκάστου ὅνου φορῶν ὀκτών  
 16 ὁβολοὺς ὀκτὼν. ἐὰν δὲ κολάσω-  
 μαι τὸ κοπτρη[γε]ῖ[ν], ἀποδώσω σοι τὰ ναῦλα διπλά· [έ]ὰν δὲ καὶ σοὶ με κολάσῃ,  
 ἀπολήμψυμαι τὰ ναῦλα διὰ τὸ  
 20 ἐπιε . . . σ[υ]μφώνους γεγονέναι.

vacat

Ἡρωι [ώς ἐτῶν] ν οὐλ(ῆ) μετώπω.  
 (ἔτους) οἱ Α[ύτ]ο[κράτο]ρος Καίσαρο[ς] Τραιανοῦ  
 Ἀδριαν[ο]ῦ Σεβαστοῦ, Παχ(ῶν) οἱ.

5 ὁμολογῶ 9 ἐκκαιδεκάτου 11 λαμβάνειν 12, 14 filler strokes  
 at end 13, 16 ὀκτώ 17 τα: α εχ ο 18 σύ 22 τραιανον pap.

To Claudius Apion, former agoranomos of Alexandria, through his overseer, Philodespotos, Heron son of Hermas, herdsman of the village of Theadelphia. I acknowledge that I have contracted to transport dung and sebekh (?) for the vineyard belonging to your sons (located) in the vicinity of the village, known as the property of Spartianus, commencing the coming 16th year of Hadrian Caesar the lord, on condition that I shall receive from you for freight charges the sum of 8 obols per donkey per 6 trips to convey dung and likewise the sum of 8 obols per donkey per 8 trips to convey sebekh (?). And if I should fail to provide the transportation of dung, I will pay you the freight charges twofold. But if you cause me to be without work, I shall receive the freight charges because we agreed on reasonable terms (?).

Heron, about 50 years of age, having a scar on his forehead.  
Year 15 of Emperor Caesar Trajan Hadrian Augustus, Pachon 15.

1-2 ἡγορανομηκότων: On this magistracy, see D. Delia, *Alexandrian Citizenship* 100.

2-3 Φιλοδεσπότου: H. Solin, *Die griechischen Personennamen in Rom* (Berlin 1982) II 750 cites 21 occurrences of this name, belonging, in eleven cases, to slaves or freedmen; the status of the balance is unknown.

3 Ἡρων Ἐρμᾶ: Two years earlier, a Hermas son of Heron, perhaps the father or son of our herdsman, appeared in Theadelphia as a borrower: *SB XIV* 12105 (Theadelphia, A.D. 129).

5-6 κοπρηγίαν καὶ ἀμμηγίαν: signifying transportation of κοπρός and ἀμμός, not the task of fertilizing the vines. For the pairing of these terms, see *P.Berl.Lehg.* I 23.10-11 (Theadelphia, 252) and *P.Flor.* II 143.5-6 (Fayum, 264); in *P.Flor.* II 241 (Fayum, 254) ἀμμηγία appears alone.

8 Σπαρτιανοῦ: More than a century later, reference would be made in the Heroninos archive to Spartianus' wine-producing parcel of land in Theadelphia: see *P.Flor.* II 254 (Arsinoite, 259) and Rathbone, *Economic Rationalism* 36.

10 It appears that the scribe wrote the kappa of κυρίου, then lifted his pen, perhaps sharpening it, and rewrote the right-hand stroke.

13-14 ἐκάστου ὅνοι ὀβολοὺς ὀκτὼι φορῶν ἔξ: Cf. ὅνοι ιβ φό(ραι) η: *P.Oxy.* VII 1049 (late II). See also H.C. Youtie, "O. Tait 1846," *ZPE* 21 (1976) 29-30 = *Script. Post.* I 299-300.

16-18 See Hagedorn's remarks cited above on this passage, deriving the verb forms ("verunglückte Formen") from κοιλαίνω. There is no doubt that the meanings he proposes suit the context well, and they have been incorporated into the translation above. On the other hand, (1) Hagedorn offers no parallel for the more difficult construction of κοιλαίνω with the employer; and (2) confusion between κολάζομαι and κωλύομαι (proposed in ed. pr. as the explanation) is attested (*P.Mich.* V 226.32). It is by no means clear that the scribe was certain what verb he was using here. On double indemnity, see A. Berger, *Die Strafklauseln in den Papyrusurkunden: Ein Beitrag zum gräko-ägyptischen Obligationenrecht* (Leipzig 1911) 34-45, cf. 128-33.

20 ἐπὶ τοῦτο ἡμ[ᾶς] ed.pr., but we do not think the room is sufficient or the traces congruent with that reading. One expects ἐπὶ τούτοις, the standard phrase, but that also does not seem possible; ἐπὶ ἐκείνοις also seems somewhat too large for the space available. Perhaps ἐπιεικῶς, which fits the space and provides a usable sense.

21-23 The description of Heron and the date appear to be written in the same hand as the body of the text, although somewhat smaller and more cramped.

[Diana Delia]

## 256. Dike Certificate

P.Col.inv. 526a

6.0 x 6.75 cm.

137

Plate 9

Tebtunis

Published: G. Thompson, *BASP* 28 (1991) 67-70

Many receipts for corvée labor done on the dike system have been published. The full-scale study of P. J. Sijpesteijn in 1964 was based on 273 receipts.<sup>47</sup> In a later work Sijpesteijn listed an additional 68 published examples of this genre,<sup>48</sup> and since that notice almost 50 more such receipts have been published.<sup>49</sup> The opening of the Columbia certificate (the first three and a half lines) was probably, according to normal practice, written at the office of the *κατασπορεύς*.<sup>50</sup> The receipt itself records work done in the month of Hathyr for the corvée of the previous year. This is not in itself unusual, but the formula in this certificate is not the expected one, the expression in line 4 presents problems, and the site of the labor as expressed in line 5 calls for comment.

Several dozen of the published certificates are for work to be credited to the previous year, and this was common for work done in Hathyr, the third month of the year.<sup>51</sup> The standard formula, however, is *εἰργασται ὑπὲρ χωματικῶν τοῦ διεληλυθότος* (X) ἔτους. Here, the scribe has written *ὑ(πὲρ) κ(αὶ) ἔτους ἀπὸ μη(νού) καὶ ἔτους*. There are only two other dike certificates in which *ἀπὸ μη(νού)* occurs, *P. Aberd.* 36.b (146) and *Stud. Pal.* XXII 162 (154). In the first case the editor reads *ἀπὸ μηνος Με[σορὴ (?)]* in line four, where our text reads a second *ἀπό* with the month Hathyr. In

<sup>47</sup> P. J. Sijpesteijn, *Penthemeros Certificates in Graeco-Roman Egypt* (Pap. Lugd. Bat. 12, Leiden 1964), hereafter referred to as *Penthemeros*.

<sup>48</sup> *P. Mich.* XV, pp. 141-53.

<sup>49</sup> Sijpesteijn gives an extensive list in "Πενθήμερος-Certificates on Behalf of Tebtunis," *ZPE* 64 (1986) 130. Since then he has published three more in *ZPE* 72 (1988) 75-78, 76 (1989) 93-94, and 103 (1994) 94-96.

<sup>50</sup> Sijpesteijn, *Penthemeros* 15-17.

<sup>51</sup> Among the exceptions, all from Tebtunis and from the first third of the second century, are *P. Tebt.* II 663, 674 and 642 (published by Sijpesteijn in *ZPE* 64 [1986] 131-33, where both documents no. 2 and 4 are labelled as *P. Tebt.* II 663; my reference is to no. 2 on

the second example, the  $\alpha\pi\delta\mu\eta(\ )$  occurs in the sixth line, between the name of the place where the labor was done and the name of the town credited. From the text in *Stud. Pal.* it appears that Wessely was unsure of the transcription; the phrase is followed by  $\iota\zeta(\varepsilon\tau\omega\varsigma)$ . Sijpesteijn conjectures that this was a "clerical error."<sup>52</sup>

In our text it appears that the prepared form ended with  $\alpha\pi\delta\mu\eta(\ )\kappa\alpha$  ( $\varepsilon\tau\omega\varsigma$ ) in line four. The field supervisor then added the month and days worked.<sup>53</sup> He also added the place of labor, the village to which the labor was credited, and the name of the worker.<sup>54</sup> It was probably the superintendent or foreman of the work crew (Sijpesteijn calls him the "surveyor") who filled in this section. The resolution of  $\mu\eta(\ )$  remains problematic. From the Vienna example it is evident that it is not connected to the month and days, as the order of the Columbia receipt might seem to suggest. Nor, despite the Aberdeen example, does the expansion  $\mu\eta(\nu\circ\varsigma)$  appear inevitable. The editor's dotting of everything after it in the Aberdeen papyrus shows the insecurity of the reading there. Indeed, it is difficult to see just what the sense of  $\mu\eta(\nu\circ\varsigma)$  would be in either the Columbia or the Vienna text. It is most likely, therefore, that it is to be taken as some form of  $\mu\eta\nu\alpha\delta\circ\varsigma$ , either a plural referring perhaps to an understood  $\varepsilon\rho\gamma\omega\nu$  or a singular referring to an understood  $\lambda\circ\gamma\omega\nu$ . In either case the idea would be that the work was credited from that year's monthly report of work carried out to the year for which it was performed. Why this indication was added only in these three out of nearly four hundred receipts is not obvious, nor just what was accomplished by doing so. But in the present state of the evidence we do not see how to go further.

The site of the actual labor, given in line 5, also requires comment. The Columbia certificate has the same listing as *P.Kron.* 62.5 where Foraboschi reads:  $\dot{\varepsilon}\nu\chi\omega(\mu\alpha\sigma\iota)$ ,  $\Delta\rho\nu\mu(o\bar{u})$ ,  $\kappa\epsilon\rho\kappa(\eta\sigma\epsilon\omega\varsigma)$ ,  $\tau\epsilon\beta\tau\eta\nu\epsilon\omega[\varsigma]$ ; he translates, "alle dighe di Drymös, Kerkesis, Tebtynis." Tebtunis is surely the town which is to be credited with the labor. But even then it is doubtful that one man would perform labor on two different dikes in a single five

p. 131).

<sup>52</sup>The problematic part of the text, lines 3-6, reads in an improved transcription (based on a photograph kindly provided by Hermann Harrauer):

$\varepsilon\rho\gamma(\alpha\sigma\tau\alpha)\iota(\pi\bar{e}\nu)\chi\omega(\mu\alpha\sigma\kappa\bar{u})\varepsilon\rho\gamma\omega(r)$   
 $\tau\bar{u}\bar{u}\iota\zeta(\varepsilon\tau\omega\varsigma)\dot{\epsilon}\kappa\epsilon\iota\bar{\delta}\iota\bar{\delta}\omega\iota\zeta$   
 $\dot{\varepsilon}\nu\tau\bar{\eta}\dot{\epsilon}\kappa\alpha\gamma\alpha\theta\iota\bar{\alpha}\eta\bar{\delta}\bar{\omega}(\rho\bar{u}\gamma\iota)$   
 $\alpha\pi\delta\mu\eta\iota\zeta(\varepsilon\tau\omega\varsigma)\Sigma\kappa\nu\pi(\alpha\iota\bar{\nu}\iota\bar{\nu})\kappa\tau\lambda$ .

See *BASP* 28 (1991), Plate 4. For Sijpesteijn's remark, cf. *Penthemeros* 47.

<sup>53</sup>One could envisage the local office of the  $\kappa\alpha\tau\alpha\sigma\kappa\bar{u}\rho\bar{e}\nu\varsigma$  preparing enough such forms at the end of the year to fulfill the uncompleted labor requirements. They could then be sent to the field supervisor who would use them up before issuing certificates credited towards the new year.

<sup>54</sup>This pattern has been described by Sijpesteijn (*Penthemeros* 16).

day period. The two remaining options are that there are two village names used to identify one dike ("the Drymos-Kerkesis dike") or that the first is not a village, but merely indicates a marshy area. In either case *χώματι* is preferable to the plural form.<sup>55</sup>

From *P.Tebt.* II 359.4-6 (126), we know that Kerkesis is to be located in the Polemon region of the Arsinoite nome. There we read of a fishing tax inspector (*ἐπιτηρητὴς ἰχθυηρᾶς*) who had oversight of the *δρυμοί* of Tebetnu and Kerkesis.<sup>56</sup> Another document mentions the *δρυμοί* near Kerkesis and Ptolemais Melissourgon which had overflowed and flooded the adjacent royal lands (*P.Tebt.* III 828.10 of *ca* 139 B.C.). Still earlier a drain (*ἐξαγωγός*) had been dug from Tebetnu and Samaria to Kerkesis (*P.Petr.* II 4.11 of 255/254 BC). Thus it is quite clear that *δρυμός* is not a place name but rather a marshy area, as in fact the editors of *P.Tebt.* II had suggested and has been shown by D. Bonneau.<sup>57</sup>

The papyrus is brownish, has a few small holes and only the recto has been used. The first hand is neat but continuously cursive and exhibits *Verschleifung* at the end of the first two lines. The second is a slower, more finely written hand. The back is blank.

Ἐτούς πρώτου καὶ εἰκοστοῦ Αὐτοκράτορος  
Καίσαρος Τραιανοῦ Ἀδριανοῦ Σεβαστοῦ.  
Εἴργ(ασται) εἰς χωμ(ατικὰ) ἔργ(α) ὑ(πὲρ) κ(ἔτους)  
4 ἀπὸ μη( ) καὶ (ἔτους) (2nd hand) ἀπὸ Ἀθύρ  $\zeta$   $\iota\alpha$   
ἐν χώματι δρυμ(οῦ) Κερκή(σεως) Τεβτ(ύνεως)  
Κρονίων Ὄννώ(φρεως) το(ῦ) Ἀπολλω(νίου)  
μη(τρὸς) Θεναπύγχ(εως).  
8 (3rd hand) Ἡρω(ν) σεση(μείωματι)

Year 21 of Imperator Caesar Trajanus Hadrianus Augustus. Work performed on the dike works for the 20th year, from the 7th day to the

<sup>55</sup> Sijpesteijn has also suggested these changes for *P.Kron.* 62. Cf. *Aegyptus* 52 (1972) 143 (no. 184a).

<sup>56</sup> See also *P.Tebt.* II 329.5-6 (AD 139) which has been restored *τέλονς ἰχθυηρᾶς δρυμῶν Τεβέτνεως* καὶ Κερκήσεως; also *BGU* II 485.8-9 (2nd c. AD) which may be restored as *ἰχθυηρᾶς δρυμῶν Τεβέτνεως καὶ Κερκήσεως*, and *P.IFAO* III 22.2-3 (1st c. AD) which mentions an *ἐγλήμα(πτωρ) δρυμῶν Τεβέτνου / καὶ Κερκήσιος*.

<sup>57</sup> "Le *drymos* (*δρυμός*), marais du Fayoum, d'après la documentation papyrologique," *L'Égyptologie en 1979. Axes prioritaires de recherches* (Coll. CNRS no. 595) I 181-84. Bonneau sees the *δρυμός* as a distinctive geographical feature of the Fayum and is able to name about a dozen (two identified by villages named Kerkesis) as well as locating nine on her map. The one in the Polemon division mentioned in our papyri is called "le *drymos* de Kerkesis du sud" by Bonneau, and she conjectures that it was located near the Bahr Nazla (p. 188 and map on p. 189). See also the note on *P.Tebt.* II 308.4 (p.103), Calderini, "Ricerche sul regime delle acque nell' Egitto greco-romano," *Aegyptus* 1 (1920) 56-57, and Rostovtzeff, *A Large Estate in Egypt in the Third Century B.C.* (Madison 1922) 64.

11th day of the month Hathyr in the 21st year, on the dike of the Kerkesis marsh, for the account of Tebtunis, by Kronion son of Onnophris and Thenapynchis, grandson of Apollonios.

[3rd hand] I, Heron, have signed this.

2 The first sigma in *Kaiσapoς* is very large, as if to start a new word, and one might be tempted to think that the preceding *αι*, written as if at the end of a word, was a sigma marking the end of the entire word, written with extreme *Verschleifung*. Such a view would be untenable; no other name is found in Hadrian's titulature at this point.

4 The Julian equivalent is 3-7 November 137.

7 The Kronion of this document is not Kronion son of Cheos and Taorsenouphis, the central figure in the Kronion archive.

8 *P.Kron.* 64.8 is signed by Heron, perhaps the same man. The original reading of Vandoni (*Acme* 8 [1955] 144 and *P.Mil.Vogl.* II 91) was Kronion, but both Foraboschi (*P.Kron.* 64) and Sijpesteijn (*Aegyptus* 52 [1972] 143, no. 186) correctly read Heron. [Glen L. Thompson]

## 257. Revised Bid for the Lease of Confiscated Property

Inv. 326  
Plate 10

11.3 x 20.5 cm.

23 May 142  
Bacchias

Published: Jennifer A. Sheridan, *BASP* 24 (1987) 103-08; cf. D. Hagedorn, "Bemerkungen zu Urkunden," *ZPE* 86 (1991) 245-46

Back blank.

Sequestration and eventual confiscation of property as a penalty for non-payment of taxes was a common practice in Roman Egypt. By describing the steps involved in leasing sequestered property, this text adds much to our knowledge. Here we see a competitive bidding process in which Chairemon is placing a second, higher bid (*έπιθεμα*). Other documents (see note to line 13) indicate that bids were posted to allow for better offers. The royal scribe accepts the bids and apparently chooses the successful one.

The bid (lines 9-23) is preceded by a cover letter addressed to the superintendents of sequestered property. This part of the text is frag-

mentary, but suggests that Chairemon's second bid was accepted, and that the superintendents should now turn over the property to him.

It is not entirely clear if this is a copy or an original document. Hagedorn (245) believes that different hands may have written the cover letter (1-8) and main document (9-23). The signature in line 8 is clearly in a different hand, but the writing of both cover letter and main document is similar enough to make a final decision on the number of scribes difficult. The formation of eta, for example, is characteristically similar in both sections, as is that of nu. The signature might be a 'forgery,' as Hagedorn suggests, or space may have been left for it by the scribe. That this is a copy is also supported by the fact that the original of the main document should have included a subscription. The original request for the lease may have included blank space above the text for comments by officials, as does *P. Köln III 143*. This might then be a copy, retained by Chairemon, of the original.

'Επιτηρηταῖς γενημα[τογρα(φουμένων) ὑπαρχ(όντων)]  
 Βακχιάδο[ς]. ἀσφα[λ]ισάμε[ν . . . . .]  
 τὸ λυσιτελές τῷ φίσκῳ, τοῦ λόγου καὶ]  
 4 κινδύνου πρὸς ὑμᾶς ἐσ[ομένου ἐὰν]  
 ἄνευ τοῦ δηλῶσαι μοι ἐτέρο[ο]ιγ [τὸ ἐπίθεμα]  
 δεξῆσθε ἡ μὴ δεόντως π[ράξητε.]  
 (ἔτους) ε 'Αντωνείνου Καίσαρ[ος τοῦ κυρίου]  
 8 Παχῶν κῆ. (2 H.) Σαραπίω[ν σεσημ(είωμαι).]  
 vacat  
 (1 H.) Σαραπίων βασι[λ]ικῷ γραμματεῖ Ἀ[ρσινο-]  
 είτον Ἡρακλείδον μερίδο[ο]ς  
 παρὰ Χαιρήμονος τοῦ Χαιρ[ή]μον[ος]  
 12 τοῦ Ἀπολλωνίου ἀπὸ ἀμφόδου Συρ[ιακῆς.]  
 βούλομαι ἐπίθεμα προσαγγαγεῖν ἡ ἐμι[σθω-]  
 σάμην τῷ ἐνεστῶτι ἔτει μηνὶ Φ[α]ρμ[οῦθι]  
 οἰκία καὶ αὐλὴ ἐν Βακχιάδι γενηματο[γρα(φουμένων)]  
 ὑπ(αρχόντων) (πρότερον)]  
 16 Ἀπύγχεως Πετεύρεως εἰς ἔτη πέντε φόρου  
 κατ' ἔτος σύνπαντι λόγῳ ἀντὶ τῶν ὑπ' ἐ[μο]ῦ  
 προυπεσχημένων ἐνιαυσιῶν δραχμῶ[ν]  
 δόκτῳ κατ' ἔτος ἔκαστον δραχμῶν εἰ[κο]σ[ι]  
 20 ἀς καὶ διαγράψω τα[ι]ς συνήθεσι προθε[σ-]  
 μίαις καὶ μετὰ τὸν πενταετῆν χρόνον  
 παραδώσω ως παρέλαβον ἐὰ[ν φα]ίνηται  
 μισθῶσε.

7 Ἀντωνίου 17 σύμπαντι 18 προυπεσχημένων, εξ -μενου  
23 μισθῶσαι

To the superintendents of sequestered property of Bacchias. Having secured . . . the profit to the fiscus, the responsibility and risk to be yours if you either receive the bid of another, without giving notice to me, or act improperly. In the fifth year of Antoninus Caesar the lord, Pachon 28. (2 H.) I, Sarapion, have signed.

To Sarapion, royal scribe of the Herakleides division of the Arsinoite Nome, from Chairemon son of Chairemon, grandson of Apollonios, from the Syrian ward. I wish to introduce a supplementary bid to the one by which I undertook to lease, in the present year in the month of Pharmouthi, the house and yard in Bacchias from the confiscated property formerly belonging to Apynchis son of Peteuris, for five years for an annual rent in total instead of the eight drachmas promised before by me per year, each year twenty drachmas, which I will pay on the customary appointed days, and after the period of five years I will return it as I received it, if you agree to give the lease.

1-2 The ἐπιτηρηταὶ γενηματογραφουμένων ὑπαρχόντων (also in *BGU I* 49.5, III 851.5-6, XIII 2287.8; *P. Corn.* 8.4-5 as reedited in J. M. S. Cowey *et al.*, "Bemerkungen zu Urkunden," *ZPE* 80 [1990] 289-293; *P. Fay.* 106.8-9; *P. Oslo* III 117.6-7; *PSI* XII 1243.8-9, XIV 1441.5; *SB* I 4416.4, VI 9427.4, XIV 11712.2, XIV 11980.19-20) were in charge of property confiscated by the state from those who owed money to the government. Although this text does not add much to what is known of this liturgy, it eliminates the possibility that the ἐπιτηρηταὶ were involved in the process of selecting bids for the lease of confiscated property. That responsibility seems to have belonged to the royal scribe. On the liturgy and the process of confiscation, see U. Wilcken, "Papyrus-Urkunden," *APF* 1 (1901) 48; R. Taubenschlag, "Γενηματογραφία in Greco-Roman Egypt," *Op. Min.* II 695-701 = *JJurPap* 4 (1950) 77-82; the introduction to *P. Heid.* IV 297.

2 Although Bacchias was an independent village, it shared officials, including these (see *P. Fay.* 106, dated *ca* 140) with Hephaistias. The second village is probably not mentioned here because the property in question was in Bacchias.

The line was probably completed with a finite verb or an imperative, which has *τὸ λυσιτελές* as its object. The sense seems to be "After taking sureties, do that which is profitable to the fiscus."

3-6 For the restoration of lines 3, 4, and 6, see Hagedorn, 246.

5 The restoration supplies the missing direct object (in meaning, if not in exact words) for δέξησθε. Ἐτέρ[o]ψ could alternately be ἔτερ[o]ψ, in which case the τό can be eliminated from the restoration, or ἔτερ[α]ψ, with [αἵρεσιν] following, cf. the note to line 13 below. The traces seem more in conformity with the reading we print, but they are admittedly indistinct.

8-9 Sarapion, the royal scribe who signs in line 8 and is addressed in line 9, is well attested. See Bastianini and Whitehorne, *Royal Scribes* 120.

12 For the amphodon see S. Daris, "Quartieri."

13 Ἐπίθεμα is not a common word. It occurs in *P. Amh.* II 85 and 86 (both AD 78), both applications for the lease of property belonging to orphans. In both texts the applications end with a clause stating that the lease will be published for a period of time to allow for ἐπιθέματα. Grenfell and Hunt translated this as "objections," but, in light of this text, Wenger ("Zu den Rechtsurkunden in der Sammlung des Lord Amherst," *APF* 2 [1903] 61) must have been correct in interpreting the word to mean "higher bid." Other texts which do not use ἐπίθεμα also illustrate the procedure. An applicant for a lease of domain land states that he "is desirous of making a gain to the treasury" by outbidding the present cultivators of the land in *P. Oxy.* II 279 (AD 44-5). *P. Oxy.* XVII 2109 (AD 261) shows a similar bidding process: Aurelius Horion wishes to lease a building belonging to the city of Oxyrhynchos. His application, addressed to the prytanis, is appended with a notice inviting other offers—οἱ βουλόμενοι ἀμείνους αἱρέσεις διδόναι προσέλθωσι. See also the entries mentioning ἐπίθεμα in *P. Pheret.* 132 etc.

[Jennifer A. Sheridan]

## 258. Release

Inv. 322<sup>58</sup>

7.2 x 14.9 cm

4 March 144

Plate 11

A medium brown papyrus in good condition with wear on the right and in line 7. Lines 7 and 8 also have many separated fibers. The document has three folds: (1) the blank bottom margin (4.5 cm) was folded up over the bottom half of the text; (2) the top half of the text and the top margin (5.6 cm) was then folded down from line 7, accounting for the heavy wear and the lack of fibers there; and (3) the top margin (0.9 cm) was folded over the other fold. Since the two middle sections are within the same two

<sup>58</sup> Originally read for Bagnall's papyrology class by Vaughn Greene.

margins folded over them, they must be of equal width. The left margin is 0.5 cm, the right margin is little, if any. Two kollemata have a vertical join in the document 2 cm from the left. The document is complete and written on the recto in broad, amply spaced letters somewhat higher than they are wide. There are many cursive features, but few ligatures. Note the flat-bottomed beta with tail to left (5). The verso is blank with a stray bit of ink (most likely a part of the name, Apion), showing over some loose fibers and a series of odd folds behind the end of line 3.

Valerius Longus acknowledges to Diodoros that he has from him an *ἀποχή* of Apion son of Horion (called also *τὰ γράμματα* in line 11) for three artabas. In return for this he undertakes to free Diodoros from liability. The expected sense of *ἀποχὴν Ἀπίονος Ὄριωνος πυροῦ* [*ἀ*]ρ[τ]*αβῶν τριῶν* is a document issued by Apion, acknowledging receipt of three artabas of wheat. The description of the document as *τοῦ Ἀπίωνος τὰ γράμματα* in 10-11 reinforces this view. If so, however, any liability must also be *from* Apion. It is then puzzling to find Longus undertaking to indemnify Diodoros for liability to Apion, which is the most natural understanding of the text on the grounds that Longus now possesses Apion's *γράμματα*.

An alternative interpretation would be that the original transaction was an obligation from Diodoros to Apion, and that Diodoros has either given Longus the grain to discharge it or holds a similar obligation from Longus to himself which he is swapping for the debt to Apion; in return, then, Longus accepts responsibility for paying Apion and indemnifies Diodoros against any subsequent claims for the same grain that Apion might bring against Diodoros. The difficulty with this interpretation is that a debt from Diodoros to Apion would be represented by *γράμματα* of Diodoros, not Apion, and would be in the hands of Apion, not Diodoros. Even if Diodoros had a copy, it would be of no value; it was the creditor's note from the debtor that constituted an asset.

The objections to the second interpretation appear to us decisive. We must therefore suppose that some preexisting relationship between Longus and Diodoros, which they did not need to describe here, provided a framework within which the oddity of the text would have made sense. More specifically, Longus and Diodoros must have been partners, or one the agent of the other, whether in making the loan to Apion or more generally, and the transfer of the loan note from Apion must have been a part of an ongoing settling of obligations internal to the partnership. The details of the two men's relationship, however, are irrecoverable.

Οὐαλέρις Λόνγος Διοδό-  
 ρω χαίρειν αἰπὲ ἔσχον  
 παρὰ σοῦ ἀποχὴν Ἀπίονος  
 4 Ωρίωνος πυροῦ [ά]ρ[τ]α-  
 βῶν τριῶν τοῦ (ἔτους) ζ  
 Ἀντωνίνου τοῦ κυρί[ο]ν  
 ..... ἀπαρηνόκλη-  
 8 τόν σε ποιήσωμεν ἀψ-  
 τοῦ διὰ τὸ ἐμὲ ἔσχη-  
 κέναι τοῦ Ἀπίωνος  
 τὰ γράμματα. (ἔτους) ζ  
 12 Ἀντωνίνου Καίσαρος  
 τοῦ κυρίου Φαμενῶθ  
 η.

1 Οὐαλέριος Διοδώρω 2 ἐπεὶ 3 Ἀπίωνος 4 Ωρίωνος, 2nd ω  
 smudged 5 ζ ex ζ 6 Ἀντωνίνου 7-8 ἀπαρενόχλητον  
 8 ποιήσωμεν, η ex ο; read ποιήσομεν (or ποιῶμεν intended?)  
 12 Ἀντωνίνου

Valerius Longus to Diodorus greetings. Since I have received from you a receipt of Apion son of Horion, for three artabas of wheat of the 6th year of Antoninus the lord, I will make you free of liability to him because of my possession of the writing of Apion. Year 7 of Antoninus Caesar the lord, Phamenoth 8.

1 Valerius Longus is a fairly common combination of names, with occurrences ranging from the late first century (*P.Gen.* II 97) to *ca* 264 (*P.Princ.* II 38), but none of the other occurrences can be securely identified with the man here. It is certainly possible that the Valerius Longus attested as *γραμματεὺς μητροπόλεως* (i.e., of Arsinoe) in *BGU* I 254 (= *CPGr.* II.1 49), of 160, is the same.

3 ἀποχὴν: The acknowledgment of payment, written by Apion, releasing Diodorus from obligation and which is given to Longus (= 11 τὰ γράμματα).

5-6 Three artabas are a standard donkey-load, cf. H. C. Youtie, *TAPA* 81 (1950) 101 (= *Scriptiunculae* II 215).

6 The writer first mistakenly wrote a zeta, making the wheat that of the current year, of which however the harvest was only just approaching. He then turned it into a sti.

7 There is room for, and slight traces of, five letters at the start of the line, but there is no obvious gap in the sense without them. Possibly they gave the month (and day?) of the receipt.

7-8 ἀπαρηνόκλητον: See generally *Wörterbuch* I 156 for the sense "undisturbed," i.e., free from legal liability. The term is discussed along with ἀνενόχλητος, which had the same sense, in *P. Heid.* VII 403.6n. For a more formal document than the present one involving a guarantee that the other party will be ἀπαρενόχλητος, see *P. Tebt.* II 392, in which a brother indemnifies his sister against liability for a debt of her deceased husband owed to a third party, since the brother has received the money to pay off the debt, thus making her "released from liability." For ε>η see Gignac, *Grammar* I 244, for χ>κ *ibid.* 86. The writer's lack of sense of quantity in o-vowels is shown by omega for omicron in ποιήσωμεν, compared to the reverse substitution in proper names in lines 1, 3, 6, and 12.

8-9 Αὐτοῦ probably refers to Apion rather than to πυροῦ (line 4).

14 Phamenoth 8 = 4 March.

[Roger S. Bagnall]

## 259. Loan through a Bank

Inv. 17

11 x 20.2 cm.

10 April 146

Plate 12

Arsinoe

Published: J. A. Sheridan, *BASP* 23 (1986) 149-53 (SB XVIII 13313)

Back blank.

This contains an agreement for a loan through a bank and is typical in form. The contract is crossed out, indicating that the loan was repaid. Three months later, on July 19 of the same year, the same parties entered into another loan agreement, *P. Oslo* II 39 (reedited by R. G. Warga, "A Note on *P. Oslo* II 39," *BASP* 24 [1987] 109-10). Hermas is also attested in the repayment of a loan thirteen years earlier, *P. Mich. inv.* 780 (ed. R. G. Warga, *ZPE* 100 [1994] 78-80).

The body of the contract is in a fine, very quickly written professional hand; note the enlarged initial letters (1-3, 10-12). For the subscription, see the note to line 15.

Ἐτους ἐνάτου Αύτοκράτορος  
 Καίσαρος Τίτου Αἰλίου Ἀδριανοῦ  
 Ἀντωνίνου Σεβαστοῦ Εύσεβοῦς  
 4 Φαρμοῦθι ἵε, διὰ τῆς Σαραπίωνος  
 τραπέζης στοᾶς Ἀθηνᾶς. Ἰσίδωρος  
 Μαρίωνος Ἐρμᾶ Ἡρωνος τοῦ  
 Ἐρμᾶ ἀπὸ ἀμφόδου Χηνοβοσκίων  
 8 ἐτέρων, ὡς (ἐτῶν) μ οὐλὴ μετόπω μέσω,  
 ἔχειν αὐτὸν παρὰ τοῦ Ἰσιδώρου  
 χρῆσιν ἔντοκον κεφαλαίου  
 ἀργυρίου δραχμὰς ἐκατὸν εἴκοσι,  
 12 ἀς καὶ ἀποδώσι ἐν μηνὶ Πα-  
 ὑ[νι τοῦ] ἐνεσ[τ]ῶτος ἔτους  
 ἀ[νυπερ]θέτως.  
 (2 H.) [Ἐρμᾶς δε]δάνισμαι τὰς δ-  
 16 ρ[αχ]μὰς ἐκατὸν [εἴ]κοσι,  
 ἀς ἀποδώσω μ[η]νὶ Πα-  
 ὑνι τοῦ αὐτοῦ ἐνάτου  
 ἔτους καθὼς πρόκιται.

3 Ἀντωνίνου 8 μετώπω 12 ἀποδώσει 18 πρόκειται

In the ninth year of the Emperor Caesar Titus Aelius Hadrianus Antoninus Augustus Pius, Pharmouthi 15, through the bank of Sarapion of the Stoa of Athena. Isidoros son of Marion, to Hermas son of Heron, grandson of Hermas, from the second Goose Pen ward, aged forty years with a scar in the middle of his forehead, (acknowledges) that he (Hermas) has received from Isidoros an interest-bearing loan of a principal of one hundred twenty silver drachmas, which he will pay back in the month of Pauni of the current year forthwith. (2 H.) I, Hermas, have borrowed the one hundred twenty drachmas, which I will pay back in the month of Pauni of the same ninth year, as set forth above.

1-3 The epsilon of *ἔτους* is so large that line 2 had to be indented, a pattern seen in many documents of the second and third centuries (e.g. *BGU* I 86 [155], *P.Hamb.* inv. 99 [250], and *P.Vindob.* G. 2331 [218]). The latter two are illustrated in Seider, *Paläographie*, nos. 44 and 43.

4-11 Note the lack of a finite verb like *όμολογῶ* in the main part of the agreement. This is common in loan agreements (see, e.g. *P.Tebt.* II 389).

5 The Stoa of Athena, mentioned in other papyri (e.g. *BGU* II 472 ii.4), was located in the town of Arsinoe. This bank of Sarapion is attested

in 143 (*P.Fay.* 96), on which see R. Bogaert, *Trapezitica Aegyptiaca* (*Pap. Flor.* 25, 1994) 403-04.

7 There were two Goose Pen wards in Arsinoe,  $\pi\rho\hat{\omega}\tau\omega$  (e.g., *P.Lond.* II 303-309, p. 218) and  $\hat{\epsilon}\tau\epsilon\rho\omega$  (e.g., *BGU* I 138.16). See also *P.Lond.* II 208a note 7, p. 67, and Daris, "Quartieri."

10 The word  $\hat{\epsilon}\nu\tau\omega\kappa\omega$  is commonly used in conjunction with the word  $\chi\rho\hat{\eta}\sigma\iota\omega$  in loans of money during the first three centuries. It has been proposed that  $\hat{\epsilon}\nu\tau\omega\kappa\omega$  could mean "including interest," but this cannot be the case here, since the loan is specifically designated as being "of a principal of 120 silver drachmas."  $\hat{\epsilon}\nu\tau\omega\kappa\omega$  then must carry the other proposed meaning, "bearing conventional interest." The set interest rate in the Roman period was 12%. See P.W. Pestman, "Loans bearing no Interest?" *JJurPap* 16 (1971) 7-29.

11  $\delta\rho\alpha\chi\mu\alpha\zeta$ , in the accusative plural, does not fit into the syntax of the sentence, unless it is to be taken in apposition to  $\chi\rho\hat{\eta}\sigma\iota\omega$  in line 10. It is possible that the accusative plural  $\delta\rho\alpha\chi\mu\alpha\zeta$  had by this time undergone fossilization of form, and became the standard form of the word to be used regardless of the syntax of the sentence. There are similar examples of this phenomenon in *P.Tebt.* II 389.9 (141), *P.Lond.* II 334.14, p. 211 (166), and *P.Oxy.* III 507.8 (169).

13-14 The letters of these two lines are spread much farther apart than the previous lines, apparently to fill up the space.

15-16 Note the unusual word division of  $\delta\rho\alpha\chi\mu\alpha\zeta$ ; when the writer, who also wrote the subscription in *P.Oslo* II 39, ran out of space at the end of the line, he simply continued the word on the next. Such faulty syllabication is common in subscriptions. The writing is typical of the "slow writing" discussed by Youtie, *Scriptiunculae* II 629-51. Keith Hopkins, in "Conquest by Book," M. Beard *et al.*, *Literacy in the Roman World* (Ann Arbor 1991) 140, argues that "slow writing" shows the Egyptians' interest in literacy as a safeguard against being cheated by Roman financial administrators.

[Jennifer A. Sheridan]

## 260. Application to Lease Katoikic Land

Inv. 15  
Plate 13

9.5 x 19.8 cm

A.D. 149/150?  
Arsinoite Nome

Published: H. Lapin, *BASP* 28 (1991) 153-61  
Back blank

This papyrus records, in *hypomnema* form, an application to lease seven arouras of katoikic land in two lots, one of five arouras and the other of two arouras. If the reconstruction of the last lines of the text is reliable, it would appear that the text was written in year 13 of the reign of Antoninus, i.e., A.D. 149/150. The landlord, Chaireas son of Isidoros, is a former *kosmetes* and *gymnasiarch*. The lessee, Ptolemaios son of Diodoros alias Dioskoros, is known from other papyri. A mid-second century resident of Theadelphia, Ptolemaios was presumably a man of some means: a landowner, a lessee on an imperial estate, and the holder of a position as *ἐπιτηρητὴς νομῶν καὶ δρυμῶν*.<sup>59</sup> Although conforming to the general formulaic pattern of this type of document, the present document shows certain idiosyncrasies, most notably the absence of a clause stating the duration and starting date of the lease.<sup>60</sup> The papyrus is poorly preserved in parts: there is a seam that runs down the papyrus towards the right side of the text, many spots are rubbed out, and the bottom portion (from line 16 and following) is extremely damaged. The dating formula in the final three lines, only partially legible, appears to be in a second hand, even less slowly and carefully penned than the rapid cursive of the main text: note u-shaped beta (4), pi with fully horizontal middle stroke, and virtually round delta (both in 13).

Χαιρέας Ἰσιδώρου τῶν κεκοσμητέων  
κότων καὶ γεγυμνασιαρχηκότων  
παρὰ Πτολεμαίου Διοδώ[ρο]ι γ τῷ καὶ Διοσ-  
4 κόρου. βούλομαι μισθώσασθαι παρὰ <σοῦ>  
τὰς ὑπαρχούσας σοὶ περὶ κώμ[ην] Ἀργιάδα  
κλήρου κατοικικοῦ ἀρούρας πέντε καὶ  
περὶ κώμην Ἀπιάδα κλήρου κατοικικοῦ  
8 ἀρούρας δύο πάσας οὐδας κοινὰς

<sup>59</sup> See *P. Wisc. I* 33 (pp. 120-21), with a list of papyri and a family stemma, and cf. *BASP* 28 (1991) 155-56. To Sijpesteijn's list of papyri may be added *P. Mich. XI* 617 (145/6), *SB VIII* 10206 = *P. Leit.* 14 (148), and *SB XIV* 12087 Fr. A (162).

<sup>60</sup> For a discussion of the formulaic and legal aspects of this type of lease see J. Herrmann, *Bodenpacht* 25 ff. and D. Hennig, *ZPE* 9 (1972) 111-31.

καὶ ἀδιαιρέτους ἀπὸ ἀρούρῶν δεκα-  
 τεσσάρων ἡ ὄσαι ἐὰν ὥσι, ἐκφορίου τοῦ  
 παντὸς τῶν ὄλων ἀρούρῶν ἀρτα-  
 12 βῶν δεκατεσσάρων καθαρῶν ἀπὸ  
 παντὸς εἰδους, τῆς ἀρταβ[ί]ας τῶν  
 ὄλων οὐσης πρὸς ἐμὲ τὸν Πτολε-  
 μαῖον, καὶ ἐπιτελείσω τὰ γεωρ[γ]ικὰ  
 16 ἔργα πάντ[α] ὄσαι καθήκει ἐκ τοῦ  
 [ι]δ[ίου] . . . . . λεντος . . . εντων καὶ-  
 [ρῶν - ca 12 -] καὶ τὸ ἐκφόριο[ν ἀποδώσ]ω  
 [ἐν μηνὶ Παῦνι . . . . .] ἐφ' ἄλω [μέτρο]ω[ν] τ[ε]τρα-  
 20 [χοινίκω . . . νέο]ν καθαρὸν ἄδολον  
 [ἐν κώμῃ . . . . .] καὶ μετὰ τὸν χρόνον  
 [παραδώσω τὸ] ἔδαφος <καθαρὸν> ἀπὸ θρύου καὶ  
 [καλάμου δείσ]ης πάσης κατα[ . . . . .]  
 24 [ - ca 12 ? - ] σοι . . . . .  
 [ - ca 14 - ] τουκαι . . . ορ . ω  
 [ . . . . .] (2 H.) (ἔτους) ιγ  
 [Αντ]ορείνουν [Καί]σαρος τ[ο]ῦ κυρίου  
 [ . . . . .]

To Chaireas son of Isidoros, one of the former *kosmetai* and former gymnasarchs, from Ptolemaios son of Diodoros also known as Dioskoros. I wish to lease from you the five arouras which belong to you near the village of Argias from a katoikic allotment and the two arouras which belong to you near the village of Apias from a katoikic allotment, all being (held) in common and undivided from the fourteen arouras or however many there may be, the rent as a whole for all the arouras being fourteen artabas free from every tax, the artaba tax for all the arouras being paid by me, Ptolemaios (as well). And I shall perform all the proper agricultural work [at my expense] . . . And [I shall pay] the rent [in the month of Pauni (?) . . .] on the threshing floor [in the village(?)] . . . [with a four-choinx measure, (the payment in kind being) new,] clean, and pure. And after the term, [I will return to you the] plot clean of rush and [reed and] every [filth] . . . (2 H.) Year 13 (?) of Antoninus Caesar the Lord [month, day].

1-2 Χαιρέα Ἰσιδώρου τῶν κεκοσμητευκότων καὶ γεγυμνασιαρ-  
 χηκότων: Neither Chaireas nor his father Isidoros can be positively identified. Sijpesteijn's *Nouvelle liste* offers only one uncertain candidate for Chaireas (no. 255 = *Anagennesis* 3 [1983] 29, lines 17-18 [Arsinoite nome (Tebtunis?), late II]).<sup>61</sup>

<sup>61</sup> It is less likely that Isidoros himself was a gymnasarch: see D. Hagedorn, "Zur Verwendung von *νιός* und *θυγάτηρ* vor dem Vatersnamen in Urkunden römischen Zeit,"

4-5 *βούλομαι κτλ.*: Ptolemaios states neither the duration of the lease nor the date of its beginning. Compare, e.g., *P.Tebt.* II 372.7ff.; 374.5ff.; 376.5ff. (ranging in date from 131 to 162); *P.Mil.Vogl.* II 63.9ff. (Tebtunis, 169/70); 64 (Tebtunis, late II); 104.5 (Tebtunis, AD 127/8) which all place this information after the clause stating intention to lease. In other (later) leases this information follows the list of properties to be leased (e.g. *P.Tebt.* II 377.1ff. [AD 210]; 378.8ff. [AD 265]; *P.Col.* VII 169.1ff. [Karanis, AD 300]).

4 *<σοῦ>*: The omission is certain, since the traces of *παρά* extend all the way to the margin of line 4. Since *παρά σοῦ* is left out in a number of leases (e.g. *P.Athen.* 16.4-5 [Ars., 138-61]; *P.Bad.* VI 170.11-12 [Theadelphia, 54]; *P.Mil.Vogl.* II 83.3 [= *P.Kron.* 34.3] [Tebtunis, 134]; *P.Mich.* IX 564 [Karanis, 150]; *P.Oxy.* L 3558.5 [Ars., 134]; *P.Stras.* IV 269.5 [Ars., 180]), it is possible that the scribe has conflated two versions of the standard formula.

5 ff. *Ἀργιάδα, Ἀπιάδα* (line 7): See Calderini-Daris, *Dizionario I s.vv.* Sambathion, the sister of Ptolemaios, owned property in Apias and was registered there (*P.Wisc.* I 36.5-8 [Theadelphia, 147]; on the sister's name see Youtie, *ZPE* 23 (1976) 135 = *Script. Post.* I, 379). For Apias, cf. also below, 268.13n.

8-9 *πάσας οὐσας κοινὰς καὶ ἀδιαιρέτους*: The expression *κοινὸν καὶ ἀδιαιρέτον* generally refers to property (such as a house, but also land) that is owned jointly by more than one person (see, e.g., *P.Tebt.* II 376; 377). In the present instance, however, the expression is somewhat difficult since no other owner is specified; similarly there is reference to only one lessee (cf. *P.Mich.* V 272 in which a man sells to his wife a portion of a 3.75 aroura field which he himself owns "in common and undivided"). It is possible that Ptolemaios, who in the present document is leasing only half of a total of fourteen arouras, leased the share of a second owner in a separate document.

10 *η̄ ὅσαι ἐὰν ὥσι*: The clause apparently refers to the seven arouras rented rather than the whole fourteen arouras. For a discussion of the clause see July, *Klauseln*.

11-12 *ἀρταβῶν δεκατεσσάρων*: The rent is extremely low: 2 artabas per aroura. According to D. Hennig, *Untersuchungen zur Bodenpacht* 26-28, rents in kind were approximately 4.5 artabas/aroura in the first half of the century and 7 in the second half (see also Herrmann, *Bodenpacht* 102; Drexhage, *Preise* 161 with higher figures, depending on the time-period

*ZPE* 80 (1990) 277-82 and K. A. Worp, "Γενόμενος βούλευτής," *ZPE* 30 (1978) 239-44. According to Sijpesteijn's *Nouvelle Liste*, there were several gymnasarchs named Isidoros in the Arsinoite nome who might fit the date of the present document.

chosen). Ptolemaios might be leaving half the land fallow, but there is no evidence for this and the language of 10-11, ἐκφορίου τοῦ παντὸς τῶν ὅλων ἀρούρῶν, implies that the rent in kind is paid on the produce of the whole leasehold.

12-13 *καθαρῶν ἀπὸ παντὸς εἰδους*: For the expression, cf. *P.Mil.Vogl.* I 23.16 (which is not, however, a lease).

15-17 *τὰ γεωρ[γι]κὰ ἔργα πάντ[α] σαφατίκει ἐκ τοῦ [i]δίου*: The reconstruction of line 16 is reasonably secure; [i]δίου is reconstructed on the basis of comparison with parallels (see Hennig [n. 60] 118 n.27).

17-18 The regular continuation of the clause in lines 15-17 is *τοῖς δέονσι καιροῖς βλάβος μηδὲν ποιῶν* (occasionally attested in the singular as well, e.g., *BGU* XV 2484.8-9), but this does not appear to match the preserved traces. *ἐντὸς τῶν δεόντων καὶ/ρῶν* (Worp) is probably the right sense, but the space seems insufficient and the letter before *ντων* is epsilon, certainly not omicron. The lacuna in line 18 is perhaps large enough to fit *βλάβος μηδὲν ποιῶν*, but without a secure reading in the preceding line such restoration is premature.

18 *τὸ ἐκφόριον*: The last letter in *τό* is almost certainly omicron (and this seems to be true of the last visible letter in *ἐκφόριον* as well, although in both cases alpha remains a possibility). The formulation of this clause in the singular is attested (e.g. *BGU* II 2124.3-4 [Ars., II]; *P.Fam.Tebt.* 47.16 [195]; *P.Mert.* III 107.19f. [Ars., II]), although the plural is much more common. See further below to line 20.

19 *[ἐν μηνὶ Παῦνι . . . . .]*: This specification follows regularly in other leases of this type. Payments were usually due in Pauni, hence the reconstruction here. See, however, Hennig, *Studien zur Bodenpacht* 114f. nn. 110-112: payments were also made in Epeiph, Pharmouthi, and Pachon. There is just enough room to complete the lacuna with *κατ' ἔτος* (as the text was printed in *BASP* 28 [1991] 154), although there is no indication in this papyrus of the duration of the lease, and hence whether rent was paid "yearly."

19-20 *τ[ε]τραχοινίκων* . . . . . *νέον*: The restoration of the opening lacuna of line 20 seems short 5-6 letters, but the writing of *καθαρόν* is manifestly larger than that of the preceding or following lines. Perhaps *ἰδίων* stood where we have printed dots (cf., e.g., *P.Tebt.* II 327.25 [210], *μέτρῳ τετραχοινίκῳ ιδίῳ ὑμῶν*).

20 *νέον* *καθαρὸν ἄδολον*: As in 18, we expect the plural here, but here too, the safer reading appears to be the singular (modifying *ἐκφόριον*): although the ending of *καθαρόν* may in fact be alpha (cf. the second alpha in *πάσας*, 8), the the last letter of *νέον* does not appear to be alpha, and the final traces of *ἄδολον* appear consistent with nu. In addition the

singular is attested in at least one second century Arsinoite lease.<sup>62</sup>

21 [ἐν κώμῃ . . . .]: The name of a village, e.g. ἐν κώμῃ Ἀργιάδῃ (Ἀπιάδῃ, Θεαδελφείᾳ?) (cf. *P.Soter.* 3.22) is expected here, or perhaps something along the lines of ἐν τῇ αὐτῇ κώμῃ (*P.Cair.Isid.* 101.4 [300]).

22 τὸ] ἔδαφος <καθαρόν>: The δ in ἔδαφος is visible, although the formulation τὰς ἀρούρας καθαράς ἀπὸ θρύνου κτλ. is far more common. According to this restoration, however, there is no room for a form of καθαρός, which is surely required. At least one other document of this type leaves out the word καθαράς (*P.Flor.* I 19.14-17 [Andromachis, 248]).

22-23 ἀπὸ θρύνου καὶ [καλάμου δεῖσις] πάσης: Restored on the basis of parallels with other leases (cf. Hennig [above, n. 60] 124-25, nn. 57-57). The usual string of terms in this clause is: θρύνου καλάμου ἀγρώστεως δεῖσης πάσης. πάσης in line 23 is readily visible on the papyrus in a position which will not allow for all the terms in the regular clause, nor for ἀγρώστεως alone.

23 κατα can be safely read in line 23; ἀπό is a possible but less likely reading (cf. *BASP* 28 [1991] 160). κατα suggests the expression (ἀπὸ) κατα[β]ρώματος [προβάτων], “after the grazing of the flocks” (see *P.Mil.Vogl.* II 83.31-33 [= *P.Kron.* 34.31-33]; *P.Mil.Vogl.* III 178.28 [= *P.Kron.* 41.28]), although the final trace of line 23 does not appear to be a sigma, and there is no room for ἀπό in line 23 (cf. *P.Mil.Vogl.* II 83 where the preposition ἀπό is also absent). If this restoration is correct, it might imply that the grain stubble itself was left for the flocks to eat, but also, perhaps, that part of the land was planted with χόρτος, as in both of the Milan papyri.<sup>63</sup> However, unlike the present papyrus (22), *P.Mil.Vogl.* II 83.33 also describes the state of the leasehold when returned as clean of everything πλὴν θρύνου καλάμου, “except for rushes and reeds,” which is conventional when the animals are allowed to graze on the leasehold (in addition to *P.Mil.Vogl.* II 83, in which the entire leasehold is planted with grass, cf. *P.Mil.Vogl.* IV 220; VI 286, in which the land is planted with grain; also cf. II 106; III 132; IV 240; VI 267 where πλὴν θρύνου καλάμου is not explicitly stated, but where θρύνου and καλάμου are left off the list).

<sup>62</sup> S. Omar, *ZPE* 50 (1983) 86-87, no. 6.29-32 = *SB* XVI 13010 (144), partially restored, but the ending of ἄκριθον, 32, is legible. *P.Ryl.* II 166.26 (cited in Hennig [above, n. 60] 124) is a first century example of formulation in the singular, in agreement with κλῆρος. In *P.Mil.Vogl.* III 178.8-12 (141), the list of adjectives occurs in the singular, but in a different formulaic context.

<sup>63</sup> If only part of the land were under cultivation with wheat, and the remainder planted with grass, at no rent (as in, e.g., *P.Mich.* XII 633 [Tebtynis, I]; *P.Mil.Vogl.* II 64 [III 138, 139] [169/70], 83 [134], VI 289 [II]; cf. also *P.Mil.Vogl.* VI 240 [117-138], in which part of the land planted with grass is left for the landlord’s animals), this might help explain the apparently low rent in lines 10-12.

24-26 Line 24 ends abruptly at the seam in the papyrus. From the line spacing and the absence of visible traces of ink on the extreme right of the line, while the fibers are continuous between lines 23 and 25, it would appear that line 24 is properly an interlinear insertion, written after line 25.

Between the end of line 23 and the end of line 26, the formula  $\epsilon\lambda\nu$   $\phi\alpha\iota\eta\tau\alpha\iota$   $\mu\alpha\theta\omega\sigma\alpha\iota$  and the subscription by either the owner, Chaireas (the more frequent alternative), or the lessee, Ptolemaios (e.g. *P.Mich.* IX 564.20f.; 565.20f. [Karanis, 150]) are expected. Although neither of these match the traces which follow,  $\sigma\alpha\iota$  in line 24 could conceivably be part of the expression [ $\epsilon\lambda\nu$   $\phi\alpha\iota\eta\tau\alpha\iota$ ]  $\sigma\alpha\iota$ .

25  $\tau\alpha\kappa\alpha\iota$ : These letters may most probably be read as  $\tau\alpha\iota$   $\kappa\alpha\iota$ , giving the alias of Ptolemaios' father in the subscription by Ptolemaios. It is also possible that Chaireas' father had an alias not given in line 1.

The final letter of 25 is written above the line and may indicate an abbreviation.

26 The second hand appears to begin at the  $\epsilon\tau\alpha\iota\eta\tau\alpha\iota$  sign.

[Hayim Lapin]

## 261. Appointment of Pastophoroi

Inv. 438

10.9 x 12.4 cm

20 December 156

Plate 14

Published: J.-J. Aubert, *BASP* 28 (1991) 101-20; cf. D. Hagedorn, *JJur Pap* 23 (1993) 49-53

Back blank.

The text, all written in the same hand, fills only approximately one third of the available space. The top margin is 1.4 cm, the left margin 1.5 cm, and the bottom blank space 6.8 cm. The beginning of the second line and the end of the fourth line are damaged, which makes their reading difficult and uncertain. The hand is highly ligatured (note  $\alpha\beta$ ,  $\nu\lambda$  in 3). The ink is faded.

In a letter addressed to the strategos of the Oxyrhynchite nome, the writer—probably an epistrategos—rules that additional pastophoroi appointed, on the basis of authorization from the prefect, to the body of those in charge of the security at an unidentified temple are entitled to share in the *phylaktron* on the same basis as the other pastophoroi. This short document provides the name of a hitherto unknown strategos of the Oxyrhynchite nome (Athenodoros) and sheds some light on the control exercised by various levels of provincial and local administration over the

appointment of temple personnel. It also gives some valuable information about the financial support of pastophoroi.

Even though palaeographical considerations might suggest a date earlier in the second century, the writer, (C.) Statilius Maximus, is to be identified with the well-known epistrategos of the Heptanomia, whose tenure lies in the second part of the 150s, probably from the summer of 156 until the spring or summer of 159 (cf. J. D. Thomas, *The Epistrategos in Roman Egypt* [Papyrologica Coloniensia 6, Cologne 1982] 188). Thus, the date of the papyrus is 20 December 156 (= 20th year of Antoninus Pius, Hadrianos/Choiak 24). The addressee, Athenodoros, appears here for the first time, at least in the function of strategos of the Oxyrhynchite nome, sometime between March 154 and Jan./Feb. 159 (cf. J. E. G. Whitehorne, *ZPE* 29 [1978] 167-89; and Bastianini and Whitehorne, *Strategi* 92-93). He is perhaps the same man as Valerius Athenodorus, the royal scribe (?) who wrote *P. Oxy.* IV 800 in late 154 (cf. A. Martin, *Cd'E* 54 [1979] 131-33 = *SB* XVI 12374). If this identification is correct, it may provide a very rare instance of a progression from royal scribe to strategos (cf. J. E. G. Whitehorne in *Proc. XVIth Int. Congr. of Papyr.* 419-28, esp. 421, n.6; and 427, nn. 18 and 19).

There is so far very little evidence for the involvement of the epistrategos in temple affairs. From the early second century A.D., the high-level civil administration of temples was the responsibility of the high priest of Alexandria and all Egypt (cf. M. Stead, in *Proc. XVIth Int. Congr. of Papyr.* 411-18) or of the idios logos (cf. Swarney, *Idios Logos* 83-96). By contrast, the role of the prefect in temple administration, at least during the first century A.D., and of the strategos is better attested (cf. *BASP* 28 [1991] 108-13, with references and full bibliography). In this document, the epistrategos is involved in settling a question referred by the strategos concerning the entitlement of pastophoroi to emoluments derived from a tax (cf. *BASP* 28, 118-19).

Στατίλιος Μάξιμος Ἀθηνοδώρῳ στρα(πηγῷ) Ὁξυρυγχ(είτον)  
χαιρειγ·

εἰ, ὡς γράφεις, ἐκ συγχωρήσεως τοῦ κρατίστου ἡγεμόνος  
τοῖς παραφυλάσσοντι τὸ ιερὸν ἄλλοι γ παστοφόροι προσκατε-  
4 στάθησαγ, δύνανται καὶ οὗτοι ὁμοίως τοῖς [σ]υγκοῦσι τὸ  
φύλακτρο[ν]  
λαμβάνειν. ἐρρῶσθαι σε εὔχομ(α)ι (ἔτους) κ // Ἀδριανοῦ κδ.

1 Στατίλιος 2 συγχωρήσεως

Statilius Maximus to Athenodoros, strategos of the Oxyrhynchite nome, greetings. If, as you write, on the basis of a ruling given by his

Excellency the prefect another three pastophoroi have been appointed in addition to those in charge of the security of the temple, then these also, like their colleagues, are entitled to receive (a share of) the police-tax. I pray for your good health. Year 20, Hadrianos 24.

1 About Statilius Maximus and Athenodoros and their respective functions, cf. introduction (above) and, for more details, the historical commentary in *BASP* 28, 104-08. The identification of Statilius Maximus with the early-second-century-A.D. *idios logos* attested in a Greek inscription from Thebes (*OGIS* 408 = *IGRR* I 1226) is unlikely, though not completely impossible. The date of the document would then be 138.

2 We have adopted a reading of D. Hagedorn for the beginning of this line instead of that given in the first edition (cf. lemma above). The epistrategos here effectively protects himself from liability in case the pastophoroi have not in fact been appointed by order of the prefect.

*συγχώρησις* is usually found in the expression *κατὰ τὴν συγχώρησιν*, and is rarely introduced by *ἐκ* in the papyri. The only parallel known to us is *P.Oxy.* L 3567 (252): *ἐκ συγχωρήσεως τῆς ἀρχιερωσύνης*. The verb *συγχωρέω* is used with the prefect as subject in *P.Giss.* 41 (ca 120).

The prefect in charge at the time was M. Sempronius Liberalis, attested from Aug. 29, 154 until Aug./Sept. 159 (cf. G. Bastianini, *ZPE* 17 [1975] 292-94 and *ZPE* 38 [1980] 82). His intervention here might have been exceptional (cf. *BASP* 28, 111-12).

3 About the men in charge of the *παραφυλακή* of the temple, cf. *BASP* 28, 113-18. The verb *παραφυλάσσω* is relatively rare in documents of the Roman period, cf. *P.Petaus* 53 (184/5); *BGU* II 388 (II/III); *P.Oxy.* XXII 2341 (208); and *P.Oxy.* XLVII 3354 (257). It becomes more common in the Byzantine period, cf. *P.Cair.Isid.* 1 (297) and *P.Lond.* IV and V, index. The temple referred to cannot be identified and may have been located in one of the villages of the nome rather than in the metropolis (cf. *BASP* 28, 120).

On the role of pastophoroi, cf. H.-B. Schönborn, *Die Pastophoren im Kult der ägyptischen Götter* (Beiträge zur klassischen Philologie 80, Meisenheim am Glan 1976); and *BASP* 28, 113-20 (with additional references and bibliography).

3-4 *προσκαθίσταμαι* is rare in documentary papyri (but common enough in prose history). The only other documentary instances known to us are *P.Petr.* II 4.2 (p. 7, 255-4 B.C.) and *P.Fam.Tebt.* 15 (114-115), quoting (lines 98-115) a letter from the prefect to a strategos of the Oxyrhynchite nome in A.D. 83 regarding the appointment of a *βιβλιοφύλακ* through a procedure very similar to that described in our document. On the

legal, social, and economic aspects of the appointment of administrative personnel in government-related services in the Roman empire, cf. J.-J. Aubert, *Business Managers in Ancient Rome. A Social and Economic Study of *Institores*, 200 B.C.-A.D. 250* (Columbia Studies in the Classical Tradition 21, Leiden 1994), chapter 5. The reading here is Hagedorn's.

4 We have adopted Hagedorn's reading of [σ]υνοῦσι; as he notes, the alternative suggested in a note to the first edition, [ν]ῦν οὐσι, is also possible. For οὐτοι one might also read αὐτοι, but space considerations favor omicron over alpha.

The police-tax (*φύλακτρον*) is attested only in the second century A.D. and was collected by associated *πράκτορες ἀργυρικῶν* (cf. *BASP* 28, 118-19, with references).

5 ἔρρωσθαι σε εὐχομαι: according to J. Hengstl et al., *Griechische Papyri aus Ägypten* (Munich 1978) 32, this form replaced the older form ἔρρωσο at the end of the first century A.D. (cf. H. Koskenniemi, *Studien zur Idee und Phraseologie des griechischen Briefes bis 400 n.Chr.* [Helsinki 1956] 151-54).

The numeral after the sign for *ἔτους* could be either  $\kappa$  (156/7) or, less likely,  $\beta$  (137/8); see above, note to line 1. The name of the emperor is omitted. The editors of *P.Oxy.* IV 712 comment that "the occurrence of two dashes after the number of the regnal year and the omission of the Emperor's name point to a date in Commodus' reign, when both these practices became common." They acknowledge, however, the difficulty of such a late date, since the document contains a reference to a debt contracted in 146/47. In fact, omission of the reigning ruler's name is attested sporadically in the first century and a half of the empire, cf. *P.Oxy.* II 296 (under Gaius, Claudius, or Nero?); *BGU* XV 2465 (108); *P.Oxy.* XXXVI 2754 (111); *BGU* XI 2094 (131). The practice seems to have been appropriate in tax receipts (*BGU* XI 2107; 2109; 2110; *BGU* XIII 2288, etc.; cf. R. Bogaert, *Cd'E* 55 [1980] 284-305) and in letters sent by higher officials to their subordinates (*BGU* XV 2465, 108: order from the prefect to a strategos of the Diospolite nome to pay the salary of a royal scribe; *P.Oxy.* XXXVI 2754 [111]: prefectoral edict concerning legal procedure; *P.Oxy.* VII 1032 [162]: endorsement of a petition by the epistrategos; *P.Oxy.* XVIII 2182 [166]: letter from a strategos to a royal scribe and acting strategos concerning requisitioned donkeys and drivers; *P.Oxy.* III 474 [184]: letter from a high official [epistrategos, idios logos, or dioiketes] to the strategoi and royal scribes of several nomes). By the last third of the second century, regnal formulas without the Emperor's name become common in all kinds of public and private documents (cf. *P.Oxy.* VI 905 [170]; *P.Oxy.* XLVII 3339 [191]; *P.Oxy.* VI 899 [200]; and *P.Oxy.* X 1302 [208]).

The reference to the honorific month named after the emperor Hadrian (= Choiak) was in use from the 130s (after Hadrian's visit to Egypt in 130) throughout the second century and even later. Cf. J. Day, in *P. Col. V*, pp. 74-75; J.D. Thomas, *Epistrategos* 194; and J. Bingen, "I.ThSy. 12 (SB I 1525), Antinoüs et l'épistratège Gallus Marianus," in R. De Smet et al. (eds.), *Studia Varia Bruxellensia II* (Leuven 1990) 5-12, esp. 9-10; against K. Scott, "Greek and Roman Honorific Months," *YCS* 2 (1932) 201-78, esp. 261-63, whose evidence about this specific point is weak, if not utterly mistaken.

[Jean-Jacques Aubert]

## 262. Census Declaration

Inv. 465

7.8 x 17.8 cm

28.x.160

Plates 15-16

Oxyrhynchos

It is remarkable that so few Oxyrhynchite declarations are known for the two censuses under Antoninus.<sup>64</sup> For that of 145 there are three, two of them unpublished British Library texts communicated by Skeat to Nachtergael;<sup>65</sup> the third is *P. Oxy.* I 171. For 159, there is one (the broken *P. Rein.* 93), with no information preserved about any people. Indeed, there are no declarations published for 173, and for the entire run of censuses for 131-187 there are hardly any complete examples with the full formula on the basis of which one might establish the text here more fully than we have done. For that reason alone this fragmentary declaration would be worthy of note, even if it did not preserve some information about the persons declared.<sup>66</sup> The remains of the reference to the emperor (lines 1-2), the oath (lines 14-15), and the date (lines 16-18) show together that the declaration dates to the reign of Antoninus, and the strategos (line 19) shows it must be the census of 159 (declaration 160/1). The month and day (28 October) show that the declaration was submitted relatively early in the regnal year following the census year.

The persons declared include Dionysios alias Komedo[ ], his son Dionysios, two other men (Pausiris and Didymos), and apparently one woman, the wife of Pausiris. It appears that this is the complete listing of the household. Despite the fragmentary state of the papyrus, it is clear that

<sup>64</sup> For the census process and the normal format of declarations, see Bagnall and Frier, *Demography*, chapter 1, with bibliography.

<sup>65</sup> One from Oxyrhynchos (inv. 2187), one from Talao (inv. 2194); cf. *P. Brux.* I, pp. 57-58. These are published by R. S. Bagnall in *Cd'E* 69 (1994) 109-26.

<sup>66</sup> It was read in 1989 with Leslie Barrett.

some were registered in different *amphoda* in the previous census. It seems likely that this is a household of renters, *ένοικοι*, who may have become a household only since the preceding census, and who are declared by their landlord. The use of the third person in line 6 certainly implies that the preceding Dionysios is not the declarant but someone reported by the declarant, and there then seems no place to include the declarant himself or herself. The declarant was probably Amois, apparently referred to on the back, who no doubt lived in a different house.

The papyrus is broken at the top and at right; writing is with the fibers. The first hand is more slowly and separately written and more bilinear (note its beta in 10 and 15). The annotations are in very much more cursive hands and often difficult to read.

- - - - -

[εἰς τὴν τοῦ διεληλ(υθότος) κγ (ἔτους) Ἀντωνείνου]  
 [Κ]α[ι]σαρος [τοῦ κυρίου κατ' οἰκ(ίαν) ἀπογρα(φὴν) τὴν  
 ὑπάρχ(ουσάν) μοι]  
 [οι]κ(ίαν) καὶ α[ὐλ(ὴν) - - - ἐπ' ἀμφόδ(ον) - - - εἰς ἥν  
 ἀπογρά(φονται)·]

4 Διονύσιος ὁ κ(αὶ) Κωμεδω[ αναγεγρα(μμένος)]  
 (2 H.) καὶ ἄλλ(ος) (1 H.) [έ]π' ἀμφόδ(ον) τοῦ [αὐτοῦ - - -]  
 Διονύσιο(ς) νιδὸς αὐτ(οῦ) μητ(ρὸς) [  
 νατ( ) ἐπ' ἀμφόδ(ον) Μυραβ[αλάνου]

8 Πανσήρ[ι]ς [ό] κ(αὶ) Πτολλᾶ[ αναγεγρα(μμένος)]  
 ἐπὶ Ποιμ(ενικῆς) [  
 Δίδυμ(ος) αβ.[ Ήρα-]  
 κλείδ(ον) ἐπ' [ἀμφόδ(ον)]

12 γ(υνή). Θαϊσοῦς Α[ - - - μητ(ρὸς) - - - γυνὴ Παν-]  
 σίριος τοῦ κ(αὶ) Πτολλᾶ [  
 καὶ ὄμινω Αὐτοκράτ[ορα Καίσαρα Τίτον Αἰλίον Ἀδριανὸν]  
 Ἀντωνείνου Σεβαστὸν Εὐσεβῆ ἀληθῆ εἶναι τὰ προγεγραμμένα]

16 καὶ μηδ(ὲν) διεψ[εῦσθαι] ἡ [ἔνοχος εἴην τῷ ὄρκῳ. (ἔτους) κδ  
 Αὐτοκράτορος]  
 Καίσαρος Τίτου Αἰλίον Ἀδ[ριανὸν Ἀντωνείνου Σεβαστοῦ]  
 Εὐσεβοῦς Ἀθὺρ ἄ. [  
 (3 H.) Φωκίω(ν) στρα(τηγῷ) Οξ(υργχίτον) [  
 Δομιτ(ιώ) Ἀπ[ο]λλω(νίω) βα[σιλικῷ] γρ(αμματεῖ)]]

Διογένη(ς) Π . . . ( ) [  
 (4 H.) κατεχ(ωρίσθη) λαογρά(φω) Τεμγ(ενούθεως) [  
 . . .  $\lambda\beta$

Back (upside down, across fibers)  
 ἀπογρ(αφή) Ὀξ(υργχων πόλεως) Ἀμόι(τος) καὶ τ(ῶν) τέκ(νων).

. . . for the house-by-house registration of the past 23rd year of Antoninus Caesar the lord, the house and courtyard belonging to me . . . in the amphodon . . . in which are registered:

Dionysios alias Komedo[, registered in the same amphodon.

And another Dionysios, his son by ---, in the amphodon of Myrobalanos.

Pausiris alias Ptollas . . . registered in Poimenike . . .

Didymos . . .

Woman: Thaisous daughter of . . . and . . ., wife of Pausiris alias Ptollas.

And I swear by Imperator Caesar Titus Aelius Hadrianus Antoninus Augustus Pius that the foregoing are true and that I have not lied, or may I be liable for the oath.

Year 24 of Imperator Caesar Titus Aelius Hadrianus Antoninus Augustus Pius, Hathyr 1.

(3 H.) To Phokion, strategos of the Oxyrhynchite.

To Domitius Apollonios, royal secretary.

Diogenes . . .

(4 H.) . . . Entered in the records by the laographos of Temgenouthis.

(Back) Declaration for Oxyrhynchos of Amois and his children.

5 καὶ ἄλλ(ος) seems to refer to the second Dionysios, the son in line 6, and not to form part of the text of the line on which it is written.

7 Murobalanos (with an omicron for the fourth letter) is a well-known Oxyrhynchite *amphodon*. νατ( ) may be the end of a name (e.g., Ἀμμωνάτος), perhaps that of the owner of the house in which he had been registered in the previous census.

8 Pausiris is a very typically Oxyrhynchite name, uncommon elsewhere.

9 Poimenike is a well-attested *amphodon*.

10 It is not clear if αβ begins a patronymic (few common Oxyrhynchite names begin in this fashion) or some other descriptor.

12 It appears that Thaisous is the only woman listed in the household. Thaisous is also a typically Oxyrhynchite name, with no known attestations elsewhere.

14 All known examples of the oath formula beginning *καὶ ὅμνω* Αὐτοκράτορα κτλ. are Oxyrhynchite (or of unknown provenance), despite E. Seidl, *Der Eid im römisch-ägyptischen Provinzialrecht* I (Münch. Beitr. 17, Munich 1933) 24, who rejects a geographical character for this pure form of *Kaisereid*.

18 'Αθύρ: alpha corrected from phi, i.e. the scribe forgot momentarily he was not still in Phaophi.

19-20 Phokion was strategos in 159 (Bastianini-Whitehorne, *Strategi* 93); no successor is attested until 165. A Domitius Apollinaris is attested as strategos of the Athribite at an unknown date (Bastianini-Whitehorne 58); it does not seem possible to read that here.

22 The only example of *κατεχ(ωρίσθη) λαογρ(άφω)* in the DDBDP is *P. Oxy.* IV 786 (119); cf. *BL* 4.60 for resolution of *λαογρ( )* as a singular.

Back: This is obviously a docket. Such notations are not very common on the surviving copies of declarations, perhaps because the surviving texts are either copies retained by the declarants, or copies glued together in a *τόμος συγκολλήσιμος*, or later copies of the originals.

[Roger S. Bagnall]

## 263-264. Sales of Donkeys

263 records the purchase, on 26 August 178, of a female donkey by Epimachos son of Ploution, from Askas son of Askas, for 172 drachmas. The buyer is from Philadelphia in the Arsinoite nome, and the seller from Memphis. 264 records that three weeks later, on 14 September, the same Epimachos purchased another female donkey, for around 230 drachmas from Horus son of Saras, in the village of Pitos in the Memphite nome.

The majority of first and second-century papyri recording the sales of donkeys come from the Arsinoite nome and this area of the Fayum was the largest market for these animals in Egypt,<sup>67</sup> with the most important center

<sup>67</sup> A comprehensive study of the trade in animals in Roman Egypt can be found in Andrea Jördens, "Sozialstrukturen im Arbeitstierhandel des kaiserzeitlichen Ägypten," *Tyche* 10 (1995) 37-100. The most recent of the older lists of donkey sales are J. F. Oates, *BASP* 25 (1988) 129-30 and Drexhage, *Preise* 280-86.

for buying and selling donkeys in Kerkesoucha. This is not surprising as most of the rest of Egypt relied on the Nile for major transport. Jördens has argued that cross-nome donkey trade is largely a feature of the Nile Valley, not the Fayum, where there is no "systematischer Handel über die Gaugrenzen." She also argues that purchasers are virtually uniformly buying for their own use, and in the Arsinoite virtually all are small farmers.<sup>68</sup> The two documents published here violate many, perhaps all, of these generalizations. The donkeys are purchased by an Arsinoite resident in the Memphite nome. While there was a lively trade connection between Philadelphia and the Memphite nome over the 10 km stretch of desert which separated Philadelphia from the Nile, purchases of donkeys in the latter region are rare.<sup>69</sup>

Moreover, the purchase of two donkeys in such a short period in another nome raises the possibility that Epimachos is buying the animals for resale. If he were a "retail" buyer—a farmer, merchant or *onelates*—purchasing the donkeys for his own purposes, Epimachos probably would have bought the donkeys near Philadelphia, where he lived and, presumably, worked. Montevercchi noted that most of the buyers of donkeys have Egyptian names, and the sellers Greek names,<sup>70</sup> which suggests that Epimachos was normally a seller, and was buying these donkeys in Memphis for resale in the Arsinoite nome. An Epimachos son of Plouton is mentioned in a second-century personal letter (*P. Oxy.* XLI 2981) as the part-owner of a camel stall (*καμηλών*). The letter originated in Oxyrhynchus but indicates that Epimachos lived elsewhere. It is conceivable that this Epimachos son of Plouton is the same individual as mentioned in 263 and 264, and that he was a dealer in animals.

One difficulty with this hypothesis is that the prices which Epimachos paid for these animals are more than the average retail price for these animals before the inflation of the third century. According to the figures gathered by Drexhage, the average price of a female donkey between the end of the first century A.D. and the 190s was little more than 146 drachmas,<sup>71</sup> 84 percent and less than 63 percent respectively of the prices Epimachos paid.<sup>72</sup> Those closest in date to Epimachos' transactions show a range of 140-160 dr., close to the mean. But these averages are based on only nine contracts over a hundred year period, and there is an apparent

<sup>68</sup> Jördens (n. 67) 58-59 (on the Arsinoite) and 60-61 (summary).

<sup>69</sup> W. Clarysse, "Philadelphia and the Memphites in the Zenon Archive," in Crawford, Quaegebeur and Clarysse, *Studies on Ptolemaic Memphis* (Leuven 1980) 95-96.

<sup>70</sup> *Aegyptus* 19 (1939), 37

<sup>71</sup> Drexhage, *Preise* 282.

<sup>72</sup> The variable results from two lacunae in 263; the price could be anywhere from 231-239 dr. (but most likely 232 or 236, multiples of four).

increase in prices at the end of the second century before the general inflation begins in Egypt.<sup>73</sup> In addition, the price for a donkey was subject to a great number of variable factors: in addition to gender (male donkeys being more valuable), age and physical condition were deciding factors in valuation. Nothing is noted about these latter factors in the present documents, so it may be that the relatively high price was still under the retail value of these particular animals.<sup>74</sup>

## 263

Inv. 20  
Plate 17

15.9 x 6.3 cm

26 August 178  
Memphite Nome

This papyrus<sup>75</sup> is a long, narrow strip and is light tan in color. It is fairly intact except for some tears located along the ancient fold. The margins on both sides of the papyrus are lost, but the tears are relatively even from top to bottom. Approximately one-half of a centimeter is missing on either edge of the text. The text is on the recto; the verso is blank.

[Ο]μολογεῖ Ἀσκλᾶς Ἀσκλᾶτος ἀπ[ὸ]  
[Μ]έμφεως Ἐπιμάχω Πλοντίων[ος]  
[ἀ]πὸ κώμης Φιλαδελφί[δ]ας τοῦ  
4 [Αρσ]ινοείτου πεπρακέναι αὐτὸν  
[Ασ]κλᾶν τῷ Ἐπιμάχῳ ὄνον  
[θή]λια δστρακιόχρωμον ἔχου-  
[σαν] ὄμφαλιν ἐπὶ τῇ κυλίᾳ μέση  
8 [καὶ α]ὐτόθεν [ἀπεσχη]κέναι  
[τὸν Ἀσκλᾶν παρὰ τοῦ Ἐπιμάχον]  
[συ]νεσταμένην τιμὴν ἀργυ[ρί-]  
[ο]ψ δραχμὰς ἐκατὸν ἐβδομ[ή-]  
12 [κο]ντα δύο, καὶ βεβαιώσιν  
[αὐ]τὸν Ἀσκλᾶν τήνδε τὴν  
[πρ]ᾶσιν ἀπὸ παντὸς τοῦ ἐπελευ-  
[σο]μένου.  
16 [(ἔτοις) ι]η Αὐτοκρατόρων Καισάρων  
[Μά]ρκου Αὐρηλίω{ν} Ἀντωνίου

<sup>73</sup> Drexhage, *Preise* 283-86.

<sup>74</sup> In 155, a female donkey was sold in Kerkessouha for 224 dr. (SB XVI 12559 = Oates, *op. cit.* 230 no. 6).

<sup>75</sup> Originally read for Bagnall's papyrology class by William Kraus; the present edition draws upon his work.

[καὶ] Κομόδου Ἀρμενιακῶν  
 [Μη]δικῶν Παρθικῶν Γερμανικῶν  
 20 [Σαρ]ματικῶν μεγίστων,  
 [έ]παγομένων γ. Ἀσκλᾶς  
 [ώς] (έτῶν) ξε οὐλή(ή) χειρὸς ἀριστ(ερᾶς).  
 (2 H.) [Ἀσκ]λᾶς Ἀσκλάτος ὁμολογῶ πεπρα-  
 24 [κέ]γε τὴν δόνον καὶ ἀπέχω τὴν τιμὴν  
 [άργ]υρίου δραχμᾶς ἐκατὸν ἑβδομή-  
 [κον]τα δύο, καὶ βεβεώσω σοι πάσῃ <βεβαιώσει>.  
 [Ἀπο]λώνις Πτολλάτος ἔγραψα ὑ(πὲρ)  
 28 [αὐτοῦ ἀγραμμάτου.]

3 Φιλαδελφίας 6 θήλειαν 7 ὄμφαλιον, κοιλία; *v* apparently  
 ex corr. 17 Μάρκου, κ ex corr.; Αὐρηλίου 18 Κομόδου  
 23-24 πεπρακέναι 25 ἑβδομήκοντα 26 βεβαιώσει 27 Ἀπολλώνιος

Asklas son of Askas, from Memphis, acknowledges to Epimachos son of Ploution, from the village of Philadelphia of the Arsinoite (nome), that he, Askas, has sold to Epimachos an ostrakon-colored female donkey which has a small bump on the middle of its belly and that herewith Askas has received from Epimachos a mutually agreed-upon price of 172 drachmas of silver and Askas will guarantee this sale in every way from any complainant.

18th year of the Emperors Caesars Marcus Aurelius Antoninus and Commodus Armeniaci Medici Parthici Germanici Sarmatici Maximi, epagomenai 3. Askas, about 65 years old, with a scar on his left hand.

(Second Hand) I, Askas son of Askas, agree that I have sold the donkey and that I have received the price of 172 drachmas of silver and will guarantee this to you with every guarantee. I, Apollonios son of Ptollas, wrote this on his behalf [because he is illiterate.]

3 It appears that the scribe had written a delta instead of an alpha in Φιλαδελφίας, but instead of correcting the delta, he simply wrote an alpha and a sigma after the delta.

6 This is the first attestation of "ostrakon-colored", which distinctively describes a reddish-brown color.

6-7 While ὄμφαλιν may be a mistake for ὄμφαλὸν, it more likely represents the diminutive ὄμφαλιον, probably referring to a small bump or knob. There are no other parallels to this particular physical description of a donkey, but in such sales it is common to remark on distinguishing marks or characteristics.

16-20 The dating formula is irregular. For the period A.D. 177-180, about a hundred examples of a short dating formula are attested: Αὔρηλίων Ἀντωνίνου καὶ Κομμόδου τῶν κυρίων Σεβαστῶν or Καισάρων τῶν κυρίων. A longer formula occurs in only a handful of cases: Αὐτοκρατόρων Καισάρων Μάρκου Αὔρηλίου Ἀντωνίνου καὶ Λουκίου Κομμόδου Σεβαστῶν Ἀρμενιακῶν Μηδικῶν Παρθικῶν Γερμανικῶν Σαρματικῶν μεγίστων (BGU XI 2113, P. Köln V 229, P. Oxy. III 485, 505, PSI VIII 961, P. Stras. IV 284, SB IV 7379, XIV 11642, C. Pap. Gr. II/1 App. 1.23). One does find anomalous cases, both in the short form (P. Mich. VI 364: Αὔρηλίου Ἀντωνίνου καὶ Κομμόδου; O. Bodl. II 1067: Αὔρηλίου Ἀντωνίνου καὶ Λουκίου Κομμόδου; O. Leid. 240: Αὔρηλίου Ἀντωνίνου καὶ Αὔρηλίου Κομμόδου) and in the long (SB XVI 13003: Αὐτοκρατόρων Καισάρων Μάρκου Αὔρηλίου Ἀντωνίνου καὶ Λουκίου Κομμόδου τῶν κυρίων Σεβαστῶν). A combination of both formulas occurs in this papyrus. This is probably an error rather than an anomaly. It seems most likely that the scribe, having mistakenly written Αὔρηλίων, continued with the short formula, catching himself only after writing Κομμόδου; he then continued with the emperors' honorific titles, inadvertently leaving out Σεβαστῶν. Cf. Bureth, *Titulatures* 85-87; D. Kienast, *Römische Kaisertabelle* (Darmstadt 1990) 138-38, 147-48.

## 264

Inv. 19

20 x 6.5 cm

14 September 178

Plate 18

Memphite Nome

The papyrus is in good condition, though approximately 4 cm are missing from the right edge. It has neat margins of 1 cm along the left and 2 cm along the top and bottom. There is a badly damaged area 2 x 3 cm, located 3 cm up from the bottom, along the right hand side, which destroyed most of the lines 25-27. The text is on the recto; the verso is blank. The hand is a smaller, more severe and less rounded variety of the one which penned 263, with enlarged initial letters. Although ligatures occur, the hand tends toward separation of letters.

Ἐν κώμῃ Πειτοῦ τοῦ Με[μφίτου νομοῦ]  
ὅμολογεῖ Ὄρου Σαρᾶ τοῦ [ - 8 - ]  
ἀπὸ κώμης Πειτοῦ ὡς [(έτῶν) .. οὐλὴ]  
4 ποδὶ δεξιῷ Ἐπιμάχῳ Πλ[ουτίωνος]  
ἀπὸ Φιλαδελφοῦ τοῦ Αρσι[νοίτου νομοῦ]  
πεπρακέναι αὐτὸν Ὄρου [τῷ Ἐπιμάχῳ]

8      ὅνον θῆλιαν λευκώχρο[ουν . . . . .]  
 χων εἰς τὸ ἔνπρωσθεν [ . . . . . καὶ]  
 αὐτόθεν ἔσχεν ὁ Ὄρο[ς παρὰ τοῦ]  
 Ἐπιμάχω τὴν συνεστα[μένην]  
 καὶ συνπεφωνημ(ένην) τιμὴν [ἀργυρίου]  
 12     δραχμὰς διακοσίας τριά[κοντα . . .]  
 καὶ βεβεώσι ταύτην ὁ Ὄρο[ς πάσῃ βεβε-]  
 ώσι ὑπὲρ παντὸς καὶ διὰ π[αντὸς τοῦ]  
 ἐπελευσομένουν.  
 16     (ἔτους) ιθ Αὐτοκρατόρων Καισά[ρων Μάρκου]  
 Αύρηλίου Ἀντωνίνου καὶ Λ[ουκίου Αύρη-]  
 λίω Κομόδου Σεβαστ[ῶν Ἀρμε-]  
 νιακῶν Μηδικῶν Παρτ[ικῶν Γερμα-]  
 20     νικῶν Σαρματικῶν μ[εγίστων]  
 Θώθ ιξ. (2 Η.) Ὄρος Σαρᾶ [μητρὸς]  
 Θαήσιος ὄμολογῷ πεπ[ρακέναι τὸν]  
 προκίμ(ενον) ὅνων καὶ αὐτόθ[εν ἔσχον]  
 24     τὴν ἐσταμένην καὶ συν[πε-]  
 φωνημένηγ τι[μῆ]ν [ἀργυρίου]  
 δραχμ[άς] δι[ακοσίας τριάκοντα . . .]  
 καὶ βεβ[αιώσω πάσῃ βεβαιώσει.]  
 28     Λοκρήτις Ἀρπεχύσιο[ς ἔγρ(αψα) ὑ(πὲρ) αὐτοῦ]  
 μὴ εἰδ(ότος) γρά(μματα)

1, 3 Πιτοῦ 2 Ὄρος 5 Φιλαδελφίας 6 Ὄρον 7 θῆλειαν  
 λευκόχρουν 8 ἔμπροσθεν 10 Ἐπιμάχου 13-14 βεβαιώσει  
 17-18 Αύρηλίου 18 Κομόδου 19 Παρθικῶν 20 Σαρματικῶν  
 23 ὅνον 28 Λουκρήτιος

In the village of Pitos in the Memphite nome. Horos son of Saras, grandson of ..., from the village of Pitos, being around ... years of age, with a scar on his right foot, acknowledges to Epimachos, from Philadephia in the Arsinoite nome, that he, Horos, has sold to Epimachos a female white donkey, belonging to Horos up to this time, and simultaneously Horos received from Epimachos the arranged and agreed upon price of two hundred thirty ... silver drachmas, and Horos guarantees this with every guarantee for all time against every claimant. Year 19 of the Emperors Caesars Marcus Aurelius Antoninus and Lucius Aurelius Commodus Augusti, Armeniaci, Medici, Parthici, Germanici, Sarmatici Maximi, Thoth 17.

I, Horos son of Saras and Thaesis, agree that I have sold the aforementioned donkey and simultaneously I received the arranged and

agreed upon price of two hundred thirty ... drachmas, and I will guarantee this with every guarantee.

Lucretius son of Harpechusis wrote this for him as he is illiterate.

1 Pitos has not been located exactly, but was in the southern Memphite nome.<sup>76</sup>

2 Both *Σαρᾶ* and *Σαρᾶτος* are attested as genitives of *Σαρᾶς*, the latter being more common. *Σαρᾶτος*: *P. Oxy.* XII 1446, 1550, XIV 1648; *P. Lond.* 131, 259, 453; *BGU* 867; *Σαρᾶ*: *P. Oxy.* XII 1432, XIV 1634; *BGU* III 731.

7-8 The restoration of [ὑπάρ]χων is compelling, although one expects ὑπάρχονσαν. The masculine is commonly used for the feminine (Gignac, *A Grammar of the Greek Papyri* II 230). The use of the nominative for the accusative is not surprising considering the proportionally large number of wrong case endings in this papyrus: line 5 Φιλαδελφοῦ, line 6 Ὡροῦ, line 10 Ἐπιμάχω, line 17 Αὐρηλίω. If this is right, then perhaps αὐτῷ is preferable to Ὡρῷ preceding it (compare *ZPE* 37 [1980] 205, line 6 for a similar phrase), but the latter fits better into the limited space available on the right hand margin.

[Jonathan P. Roth]

## 265. Letter to a Tax-Farmer of the *xenike praktoria*

Inv. 440  
Plate 19

8 x 11.2 cm

174-192  
Oxyrhynchos

Back blank

The papyrus contains the first part of a letter from Hermias son of Sotas, an Alexandrian citizen currently kosmetes-designate and bouleutes of Oxyrhynchos, to Harpalos, a tax-farmer of the *xenike praktoria*. This office was involved in the collection of debts in transactions outside the Greek cities of Egypt. As such, Harpalus had effected the distraint (seizure of property to put pressure on a debtor) of a house with atrium, courtyard and furniture in Iseion Panga pledged by Alkimos son of Hermias, grandson of Apollonios, now a Roman citizen, to Lolliane also known as Kyrilla,

<sup>76</sup>Clarysse, *op. cit.* 99.

daughter of Dorion, of Oxyrhynchos. It is the first instance known of a letter to an official of the *xenike prakтория* following an executed distraint. The evidence for the *xenike prakтория* and its officials' role in executing distraints are discussed by C. Préaux, *Cd'E* 30 (1955) 107-11 and Taubenschlag, *Law*<sup>2</sup> 285-86, 521-37, where earlier bibliography may be found.

The extant portion of the letter does not detail the transactions that led to this property's being distrained. Nor does it suggest how Hermias came to be concerned. The *kosmeteia* is not ordinarily involved in distraints, so it seems likely that he was personally interested in the property, or connected with one of the parties: it might be relevant that both he and Alkimos belong to the (admittedly, very populous) Althaean deme of Alexandria. This letter adds to our evidence for Alexandrian citizens holding offices in Oxyrhynchos and of Alexandrian and Roman citizens involved in financial transactions there (cf. E. G. Turner, *JEA* 38 [1952] 78-93). Because the beginning of the letter alone survives, we have only Alkimos' description of what had happened, not the request (whatever it is) he is now making of Harpalos and his colleagues.

The formula by which Hermias identifies himself indicates that membership in an Alexandrian deme could, in some cases at least, be acquired through the maternal line. The formula is also used in *BGU* XI 2060 (Alexandria, 180), but this letter enables us to recognize its significance for the first time. A man's father need not always have been an Alexandrian citizen for him to inherit Alexandrian citizenship. Parallelism with the apparent requirement for Alexandrian citizenship that a son of an Alexandrian citizen father have a mother with citizenship status in some Greek city suggests that Hermias' father must have had citizenship elsewhere. This evidence generally strengthens Delia's contention that Alexandria's status, for purposes of citizenship, was not privileged over that of the other Greek cities in Roman Egypt (Delia, *Alexandrian Citizenship* 39-45; on qualifications for Alexandrian citizenship, 53-56, cf. G. Busolt, *Griechische Staatskunde*<sup>3</sup> I [Munich 1920] 221-22). The fact that this letter and *BGU* XI 2060 both date to the same period may suggest that this flexibility in extending Alexandrian citizenship obtained only temporarily.

Alkimos explicitly exemplifies the custom of adopting the emperor's name on being granted Roman citizenship. O. Monteverchi, *Rend. Inst. Lomb.* 84 (1951) 279-88 discusses the social profile of Roman citizens in Egypt; cf. I. Biezsnska-Małowist, *Proc. IX Congr. Pap.* (Oslo 1961) 277-85, and for Roman citizens in Philadelphia, J. F. Oates, *Atti XI Congr. Pap.* (Milan 1966) 451-74.

The hand is a minute, rounded cursive, with a grafitti-like fluidity, obviously practiced, and marked by slashing horizontals. The letter-forms

are generally similar to those of P. Mich. Inv. 2922 = SB V 7558 of (probably) 173 (a photograph appears with the edition of H. C. Youtie, *ZPE* 13 [1974] 241-48, Taf. XV.a; on the date, see A. E. R. Boak, *JEA* 19 [1932] 69-76), and of *P. Hamb.* I 12 of 209/10 (Taf. V). Note especially the upsilon leaning too far forward at the top, resting on its connecting stroke at the baseline, as though epsilon. Both forms of beta appear (2, 6); downward-pointing alpha when *και* is written.

After writing, the document was pasted together with others to form a roll. A 0.4 cm strip, containing traces of single letters at line-ends from the document that was glued before it in the roll, remains at the left margin. A similar strip is broken off from its own right. Breakage indicates that a vertical fold fell 3.5 cm in from the left edge. Although the document is otherwise in excellent condition, its lowest one-fourth is badly worn, especially on the left, before it breaks off entirely.

'Αρπάλω τῷ σὺν ἄλ(λοις) δημ(οσιώνη) ξενικ(ῆς) πρ[ακτ(ορείας)]  
(Ἐπτα)νομ(ίας) καὶ Θηβαΐδος  
παρὰ Ἐρμίου Σάτου δῆμου τοῦ κατ[ὰ]  
4 μητέρα πάππου Ἐρμίου Σωσικοσμείο[ν]  
τοῦ καὶ Ἀλθαιέως ἀποδεδειγμένου κοσ-  
[μ]ητοῦ βουλευτοῦ τῆς Ὁξυρυγχιτῶν πό[λεως.]  
ἡνεχύρασεν διὰ σοῦ τῷ Φαμενώθ [μηνί]  
8 τοῦ ιδ (ἔτους) Λολλιανή καὶ Κύριλλα Δωρί[ω-]  
νος ἀπ' Ὁξυρύγχων πόλεως διὰ τῆς μητρ[ὸς]  
Σαραπιάδος τῆς καὶ Θαϊσοῦντος Σαραπίώ-  
νος τοῦ καὶ Θεογένοις ἀπὸ τῆς αὐτῆς πόλ[εως]  
12 τοῦ ὑποχρέου αὐτῆς Ἀλκίμου Ἐρμίου [τοῦ]  
'Απολλωνίου Φυλαξιθαλ(ασσείου) τοῦ καὶ Ἀλθαιέω[ς]  
ύστερον τυχόντος τῆς Ρωμαίων πολ[ι-]  
τείας καὶ χρηματίσαντ(ος) Μάρκου Αὐρηλίο[ν]  
16 'Αλκίμου τοῦ καὶ Ἐρμίου ἐν τῷ Ἰσίῳ Πα[γγᾶ]  
φ σ( ) ἐν τοῖς ἀπὸ λιβδὸς μέρεσι τῆς κώ[μης]  
οἰκ[ία]ν [κ]αὶ οἰ[θ]ριον καὶ αὐλὴν καὶ τ[ὰ]  
ταύτης χρηστ(ήρια) πάντα ἡς ἡ πλαγί(α) φέρε[ι]  
20 εἰς ρύμην πρὸς τῷ και(νῷ) βαλανείω  
[ - 11 - ] [ ] ψειλοὺς τόπου[ς]  
[ - 12 - ] [ἀπ]ηλιώτου Δημητρ[ο]  
[ - 23 - ] ...

1 2nd α of αρπαλω perh. ex corr. (from λ?) 3 η of δημου ex corr.  
16 Ἰσείω 21 ψιλούς

To Harpalos, tax-farmer with others of the *xenike praktoria* of the Heptanomia and the Thebaid, from Hermias son of Sotas, of the deme, on the side of his maternal grandfather Hermias, of the Sosikosmian tribe and the Althaean deme, kosmetes-designate and councilor of Oxyrhynchos. In the month of Phamenoth of the fourteenth year, Lolliane also known as Kyrrilla, daughter of Dorion, from Oxyrhynchos, through her mother Sarapias also known as Thaisous, daughter of Sarapion also known as Theogenes, from the same city, distrained through you, from her debtor Alkimos son of Hermias, grandson of Apollonios, belonging to the Phylaxithalassian tribe and the Althaean deme, who later obtained Roman citizenship and was known as Marcus Aurelius Alkimos also known as Hermias, in Iseion Panga, . . . in the western parts of the village, a house and an atrium and a courtyard and all its appurtenances, of which the entrance leads to the street by the new bath . . . vacant lots . . . to the east

...

1 'Αρπάλω: Initial *αρ* very large, with an extra flourish atop the *α*. We have not been able to identify this Harpalos certainly in other documents.

τῷ σὺν ἄλλοις δημοσιώνῃ: By the second century, the *xenike praktoria* was let to a group, who were designated *δημοσιῶναι* or *μισθωταί*: P.Lond.inv. 1897.8-9 (H. I. Bell, *APF* 6 [1920] 104-7) = *SB* IV 7379, *P.Oxy.* V 825 (*P.Berl.Leihg.* 10.18 is restored on the basis of P.Lond.inv. 1897). It is presumably because of his previous involvement in the transaction that Harpalos alone is addressed.

3 παρά: π written large, with serifs.

3-5 παρὰ Ἐρμίου Σώτου δήμου τοῦ κατὰ μητέρα πάππου Ἐρμίου Σωσικοσμείου τοῦ καὶ Ἀλθαιέως: The same formula identifies a son as belonging to his maternal grandfather's deme also at *BGU* XI 2060.10-11, παρὰ Ἀντωνίου Γαίου δήμου τοῦ κατὰ μητέρα πάππου Ἀμμωνίου Σωσικοσμίου τοῦ καὶ Ἀλθαιέως. Maehler interpreted δήμου as the name of Antonius' paternal grandfather and remained puzzled as to why his maternal grandfather should also be named; the coincidence of the formula here suggests that we have not two paternal grandfathers both with the same name, but a previously unrecognized formula for identifying men whose deme affiliation derives from the maternal rather than the paternal line. The formula of identification that included the paternal grandfather's name would put the article before it: name - ὁ καὶ alias - father [genitive] - τοῦ grandfather [genitive] - tribe - ὁ καὶ deme, e.g., *P.Oxy.* III 513.1-2, 47-48, 52-53, 61-63. Hermias is not otherwise known.

Since at least the third century B.C., Alexandrian citizens were required to identify themselves by name, patronymic and deme in property transactions (*P.Hamb.* II 168, *BGU XIV* 2367, *P.Hal.* 1.xi.245ff.; compare the formulae of e.g. *P.Köln* V 229.24-25, 30-31; *P.Oxy.* III 513.1-2, 47-48, 52-53, 61-63; *P.Oxy.* XII 1463.19-20; *P.Oxy.* XLIX 3474.33-35). Designation by tribe as well as deme became common in the mid-first century A.D. (so Delia, *Alexandrian Citizenship* 22, against M. A. H. El-Abadi, *JEA* 48 [1962] 117; cf. F. G. Kenyon, *APP* 2 [1903] 70-78).

6 ἡ Ὀξυρύγχιτῶν πόλις, as opposed to Ὀξυρύγχων (as in 9 below) began to be used in official titulature by 155 (*P.Oxy.* IV 724.1): D. Hagedorn, *ZPE* 12 (1973) 277-92. This letter should be added to Hagedorn's lists both of second-century examples of ἡ Ὀξυρύγχιτῶν πόλις, p. 279 n. 10 and of documents using ἡ Ὀξυρύγχιτῶν πόλις and Ὀξυρύγχων πόλις together, p. 280 n. 14.

7 διὰ σοῦ: In his official capacity. Agents of the *xenike praktoria* enforced the actual taking possession of distrained property after the creditor filed all necessary documentation (see A. B. Schwarz, *Aegyptus* 17 [1937] 241-82). The personal agency of Lolliane's mother is specified separately in 9ff.

8 Lolliane a.k.a. Kyrilla and her mother Sarapias a.k.a. Thaisous daughter of Sarapion a.k.a. Theogenes may be related to Aurelia Thaisous a.k.a. Lolliane daughter of Sarapion a.k.a. Agathos Daimon in *P.Oxy.* XII 1467 (263) and 1475 (267).

This letter's date in the second century A.D. places it in the period that most abundantly documents double names; they tend most to predominate in the higher social strata: see R. Calderini, *Aegyptus* 21 (1941) 221-60; 22 (1942) 3-45.

12 [τοῦ]: Enough space is missing to have accommodated the article, which belongs to the standard formula of identification (see above on 3-5).

13ff. Plin. *Epp.* 10.6, 7, 10 imply that an Egyptian had to be a citizen of Alexandria to be qualified to receive Roman citizenship from the emperor, but Delia now argues that citizenship in any Greek city sufficed (*Alexandrian Citizenship* 39-45). New citizens commemorated the emperor's grant by adopting his name (cf. *P.Oxy.* XXVII 2471.3, XLIX 3463.1)

The explicit notice that Alkimos is a Roman citizen, whereas the others apparently are not (contrast e.g. *P.Oxy.* XII 1458 of 216/7), implies that he was made a citizen before Caracalla's universal grant in 212; the other terminus is implied by the titulature of Oxyrhynchos (see ad 6). The fact that the emperor is not named, in whose "fourteenth year" the property was distrained, implies that his regnal count is still current. The emperor must be Marcus or Commodus, who continued Marcus' count; their four-

teenth year was 174/5, which is therefore the earliest date possible for this letter, and the latest is Commodus' death in 192.

16 Πο[γγά]: Only the slightest trace of the  $\alpha$  remains, but Πεκύσιος is too long a name to have fit unless it was abbreviated. Iseion Panga appears much more often among the papyri than does Iseion Pekysios (cf. P. Pruneti, *I centri abitati* 71-72).

17 φ . σ( ): perhaps φέρουσ(αν). If so, Hermias appears to have used φέρω intransitively (Preisigke, *Worterbuch*, s.v. 6) so as to indicate general location rather than orientation. But the construction lacks an article (otherwise one would expect φέρουσαν to follow rather than precede οἰκίαν).

21 Some formula like  $\hat{\omega}\nu\gamma\epsilon\iota\tau\omega\nu\epsilon\zeta$  (cf. *P.Oxy.* IV 719.16, XIV 1699.7) must have stood here or in the next line. [Jacqueline Long]

## 266. Draft of a Petition to the Epistrategos

Inv. 531a  
Plate 20

16 x 18 cm

A.D. 179-181  
Arsinoite?

Back blank.

The hand of this draft is clear and round, slowly enough written (except toward line-ends), but so small and cramped when written interlinear as to be difficult to make out (e.g., 5). It combines a fair amount of ligature with separation of letters; cf. δι consistently ligatured. Note the shapes of beta with a flat bottom (8); alpha pointing downward when written in και. The beginnings of 5-11 are badly abraded and faded. Liberal margins are preserved at top and left. At right lines are written to the very edge of the papyrus (or, less likely, it has been broken off vertically at line ends). The scribe never writes iota adscript (except τῶι, 1), divides words at line end (3, 4, 6, 11, 13, 24), and abbreviates in the original text only the title ἐπιστράτηγος in 1 (but abbreviates twice in the interlinear additions, 5 and 25).

This is a petition to the office of the ἐπιστράτηγος from a woman desperate to get justice but whose opponent keeps dodging a trial. Although a fair amount of the preserved portion of the text remains undeciphered (in particular the beginnings of lines 5-11), the document is important for the reason that it corroborates the name of the *epistrategos* for 176-179, (Flavius) Valens, who until recently was unknown (see below on line 12).

That we have here a first draft, rather than a revised fair copy, can be seen from the interlinear revisions in 5, 12, 20, 23, and 25. The upper portion of the document survives, while the text continued (perhaps not far) into the lower part, now lost.

The petitioner Herakleia alleges before the current *epistrategos*, Ti. Claudius Xenophon, that she has suffered injustice (6 *κακουργούντ-;* 27 ἀβοήθητος) at the hands of a defendant who has escaped justice more than once (4-6 ἐκ τοῦ πολλάκις . . . π[ρ]οβάλλεσθαι καὶ φυγοδι[κ]εῖν). Possibly this involved the illicit removal of property or persons (10 διαρπασθεῖσα). At least one other member of her family is involved (11 ἀδελφῆς μον). Having sought redress through court action in the past (5 δικαστήρια; 8 ἀπὸ τῶν βημάτων; 23 ἀντιδίκου), she succeeded by petition in having the matter accepted for trial (more than once, it appears) by the former *epistrategos* Valens (12, 13), whom she expected to render judgment. But the defendant could not be located (16 μὴ εύρισκομένον δὲ ἔκειγ[ο]ν), and Valens never got to hear the case; in the meantime (18 ἐν τῷ μετοξύ) something has happened to cause her to renew her complaint before Valens' successor Claudius Xenophon. The text breaks off as she is pleading exigency (27 ἀβοήθητος), suggesting that the facts and request of the petition have been related in the main. We may not be missing much (5-10 lines?) before the concluding formulas and signatures. Herakleia is an Antinoite, as lines 2-3 show clearly; whether the text is of Antinoite or Arsinoite provenance is unknown.

Κλαυδίω Ξενοφῶντι τῷ [κ]ρατίστῳ ἐπιστρα(τήγω)  
 παρὰ Ἡρακλείας τῇ[ς κ]αὶ Ῥουφείνας Ἀγτ[ι]νόιδος θυγατρὸς  
 Διδύμου Διδύμου τοῦ καὶ Λουρίου Ματιδείου τοῦ καὶ Καλλι-  
 4 τεκνέου. ἐκ τοῦ πολλάκεις, κύριε, π[ρ]οβάλλεσθαι καὶ φυγοδι-  
 sscr . . . δικαστήρια . . . μετὰ πολλῶν εὐ[τυχ]ο χρονοτριβ[.] . . . ἀνακαλ[.]  
 δικαστήρια  
 κε[ῦ]ν . . . τὰ πράγματα κακουργούν-  
 τ[.] . . . ἐστιν [τ]εκμήριον . . . ο καὶ αὐτοῦ πονηρῷ  
 8 [.] . . . θαι ο καὶ ὑφορᾶσθαι τὴν ἀπὸ τῶν βημάτων  
 [.] . . . [.] νοοδ[.] σω[.] ἔξειρ[γ]άσαντο. καὶ αὐτὴ  
 [τοῖ]ννυ ἐγ πλειστοῖς ἀδίκοις οὖσα καὶ διαρπασθεῖσα ὑπὸ<sup>19</sup>  
 [.] π ν καὶ δ[.] . . . αι ἀδελφῆς μον,  
 ἐνέτυχον δι-  
 12 [ὰ β]ιβλειδίων π[ο]λλαγῇ λείστων<sup>20</sup> Οὐάλεντι τῷ ἐπιστρατηγήσαντι  
 [ὰ]ξιοῦσα ἀκουσθῆγαν· καὶ Οὐάλη[ν]ς δέ, μαθὼν τὴν ἀξίω-  
 σίν μον διαφέρουσαν τῇ ἐπιστρατηγίᾳ, ἀνεδέξατο,  
 διὰ πασῶν τῶν ὑπογραφῶν ἐκθεὶς τὴν διάγνωσιν.

16	μὴ εύρισκομένου δὲ ἐκείν[ο]ν, ἀλλὰ καὶ περιφεύ-
	[γο]ντος . . . τ[ὸ π]ρᾶγμα παρ[ει]λκύσθαι . . .
	φε ασαι . . . θῆναι ἐπεὶ οὐν ἐν τῷ μετοξὺ
sscr	] vacat καὶ αὐτὸν vacat
20	] ντ . . .
	] . . . [ . . . [ . . .
	] . . . ννν
	] ὑπὸ τῆς βίας τοῦ ἀντιδίκου
24	[ ισο . . . συν χο . . . κατὰ τὸ ἀναγ-
sscr	[ κεφαλικοῦ . . . ἡμῶν ἡρτημ(εν-) ωσδε . . .
[καῖον	] δεόμενογ . . . δικαιοδοσία
	] . . . ἀβοήθητος
28	] . . .

1 επιστρ<sup>α</sup>σ 2 Ρουφίνας; αντιν` τ` οῖδος pap. 4 πολλάκις  
10 ὑπο pap. 12 βιβλιδίων, Οὐάληνς 18 μεταξύ

To Claudius Xenophon, the most excellent *epistrategos*, from Herakleia alias Rufina, Antinoite, daughter of Didymos son of Didymos alias Lourios, from the tribe of Matideios and deme of Kallitekneios. As a result of (my opponent's) frequently putting forward excuses and avoiding a trial, (NN) . . . after many . . . courts . . . doing dreadful things . . . is proof of . . . for/to a scoundrel . . . and to overlook the . . . from the office of the court . . . committed. And accordingly she, being subject to a great many injustices, and having been snatched (or: torn) by . . . my sister, I petitioned the former *epistrategos* Valens through an abundance of petitions, asking to be heard. Moreover Valens, finding that my request belonged to the office of the *epistrategos*, accepted it, rendering judgment through all his subscriptions. And when my opponent was not found, but rather escaping . . . to put off the matter . . . Since therefore in the intervening time . . . and him . . . subject to the violence of my opponent . . . according to necessity . . . capital punishment . . . depending . . . in need . . . jurisdiction . . . helpless (nom.) . . .

1 For T. Claudius Xenophon, a well-known figure (*PIR*<sup>2</sup> II 1054; H.-G. Pflaum, *Les carrières procuratoriennes équestres sous le Haut-Empire romain* II [1960] 590-92), see *P.Oxy.* IV 718.1; *P.Corn.* 14.2, where he is ὁ κράτιστος ἐπιστράτηγος early in his career, in 180/1. *P.Mich.inv.* 5262a, an unpublished petition, shows him in office on 27 July 179. His successor Vettius Turbo is in by 26 December 181:

*P.Fam.Tebt.* 43.51, cf. 15-18. On Xenophon as epistrategos (and more generally on that office in the Roman period), see Thomas, *Epistrategos* II, esp. 189.

1-2 There are traces over both lines, perhaps stray ink over 1. 1, but tau over second nu of Ἀντινόδος.

3-4 On the tribe Matideios and its demes, see 269 introd. A Didymos son of Didymos, Ματιδείου τοῦ καὶ Καλλιτεκνείου also appears as guarantor in the enrollment of a minor as citizen in *P.Fam.Tebt.* 34.7, dating from A.D. 151. He could be the father of our Rufina.

4 κύριε: as often in petitions.

4-6 φυγοδικέ[ι]γ: Cf. *P.Petr.* III 20.A2,13 (III B.C.); *P.Ryl.* II 65.14 (I B.C.); *P.Sak.* 31.19.

12 Flavius Valens (his name is miswritten, then corrected, in 13) was identified as the *epistrategos* preceding Claudius Xenophon (line 1) by J. D. Thomas, *Epistrategos* II 189, 201, on the basis of a yet unpublished Oxyrhynchite petition. Apart from the present text, he is attested thus far in Greek papyri only in a fragment reunited with a previously known portion of the same document by S. Daris (*P.Stras.* IV 179 + *P.Daris* inv. 38, A.D. 176-179: see *Aegyptus* 63 [1983] 122 ff., esp. 126; text reprinted *SB* XVI 12749), and in the unpublished petition mentioned above, but has also been sighted in an unpublished Demotic ostraca, OMM inv. 464: see R. Pintaudi and P. J. Sijpesteijn, *Ostraka Greci da Narmuthis (OGN I)* (Pisa 1993) 11 with n. 6 and further literature, which records him as *epistrategos* in year 17. Valens was preceded in office by an Aemilius (*P.Fam.Tebt.* 41, A.D. 176, when he was still in office). Valens himself was still in office on 11 March 179 according to the unpublished Oxyrhynchite petition.

13-14 μαθὼν τὴν ἀξίωσίν μου κτλ.: Cf. *P.Fam.Tebt.* 43.52-53, ἔντυχε τῷ νομάρχῃ, ὃς τὴν ἀξίωσίν σου δοκιμάσει.

15 διὰ πασῶν τῶν ὑπογραφῶν: i.e., he accepted my petition, publishing his judgment (as can be seen) "through all his subscriptions."

16 μὴ εὐρισκομένου δὲ ἐκείνοις: Here εὐρισκόμενος is presumably passive, and ἐκεῖνος is the ἀντίδικος (line 23), who decamps (cf. 4-6, φυγοδικέ[ι]γ).

26 δεόμενογ . . . . δικαιοδοσία: δικαιοδοσία can refer to administration of justice generally, or its range of application, i.e., jurisdiction. Cf. the petition of Dionysia, *P.Oxy.* II 237.5.37: τῇ συνή[θ]ει σου δικαιοδοσία χρώμενος ὑπέγραψας μοι (l. μον) τῷ [βιβ]λειδίῳ.

[Dirk D. Obbink]

## 267. Fragment of a Will

Inv. 443  
Plate 21

8 x 7 cm

180-192  
Oxyrhynchos

Back blank.

The text is written across the fibers, as is not uncommon in wills (see E. G. Turner, *The Terms Recto and Verso in Actes du XV<sup>e</sup> congr.*, I 43-44). Only the top margin is intact and the bottom two lines on the right side of the text are heavily soiled. A horizontal tear cuts through most of the letters of line 7. The first line begins roughly 1 cm from the top edge; the amount lost from the bottom cannot be estimated. A small detached piece mounted with this text contains three letters (ξιτ.) with traces of lines above and below, but it cannot be placed. The hand is fairly slowly written and tends toward separation of letters, although epsilon and sigma almost always ligature (note also δι in 1 and 3). Notable are theta with mid-stroke exceeding the edges of the oval; final vertical of nu regularly exceeding the top-line; near-horizontal cross-stroke of chi (9).

The provenance is almost certainly the Oxyrhynchite nome, based upon the reading Tuchinakitoou in line 9 and the close parallels with other known Oxyrhynchite wills.

The extant text is only 8 cm wide,  $\pm \frac{1}{2}$  cm, and contains 4-5 letters per cm (usually 4½ letters per cm or less). Ligatures are few and there are no abbreviation strokes (though see note on line 9). The exact length of the lines can only be estimated since the titular formulas for Commodus vary in length, but the total width must be roughly 30 cm. Wills generally have rather long lines, and this figure can be compared with the widths of other Oxyrhynchite wills such as *P. Oxy.* III 491 (39 cm), 492 (38.5 cm), 495 (34 cm), etc.

Based upon the titulature found in our text ( Ἰκοῦ Μηδικοῦ Παρθικοῦ Σαρματικοῦ Γερμανικ[ ], four variant restorations of the emperor's name are possible for what precedes the left edge of our first line. These are canvassed in the note to line 1. The following are the totals for the most probable restorations to the left margin based upon the formulaic nature of wills. The printed text follows the first alternative.

- 1: 74 letters (or, deleting Εὐσεβοῦς, 66) + ca 20 for the year
- 2: 82 letters (or, deleting Βρεταννικοῦ, 71) + month and day
- 3: 82 letters + mother's name

4: 97 letters (or, following a variant noted below, 88)

For a list of Oxyrhynchite wills, see O. Monteverchi, *Aegyptus* 15 (1935) 70-71 plus addenda in *La papirologia*<sup>2</sup> 208, 568. Many of those texts have only been described and not edited. Add to her list *P. Wisc.* I 13 (II) and *P. Köln* II 100 (133). Note also two wills from Tebtunis, *P. Stras.* 284 (176-180) and *P. Lund.* VI 6 (190-191). *P. Oxy.* III 495, though apparently our only other Oxyrhynchite will from the reign of Commodus, is quite mutilated and does not in most cases offer the closest parallel to our text.

1 [Ἐτους (number) Αὐτοκράτορος Καίσαρος Μάρκου Αὐρηλίου  
Κομμόδου Σεβαστοῦ Εὐσεβοῦς Ἀρμενια]κοῦ Μηδικοῦ  
Παρθικοῦ Σαρματικοῦ Γερμανικοῦ]

2 [Μεγίστου Βρεταννικοῦ (month & day) ἐν Ὁξυρύγχων πόλει τῆς  
Θηβαΐδος, ἀγαθῇ τύχῃ. τάδε διεθέμην νοῶν καὶ φρονῶν]  
Νιλίων Σαραπίωνος τοῦ Σαραπίωνος μητρ[ὸς]

3 [(name) ἀπ' Ὁξυρύγχων πόλεως ἐν ἀγυιᾷ. ἐφ' ὃν μὲν περίειμι  
χρόνον ἔχειν με τὴν κατὰ τῶν ιδίων ἔξοσίαν ὃ ἐὰν  
βούλ]ωμαι ἐπιτελεῖν καὶ μεταδιατίθεσθαι κ[αὶ]

4 [πρὸς ἀκύρωσιν ἄγειν τὴνδε τὴν διαθήκην ὃ δ' ἀν ἐπιτελέσω κύριον  
ὑπάρχειν. ἐὰν δὲ ἐπὶ ταύτῃ τῇ διαθήκῃ τελευτήσω μηδὲ]ν  
ἐπιτελέσας ἐλευθέρων ἀφίημι ύπὸ [Δία]

5 [Γῆν Ἡλιον slave(s) κατ' εὐνοιαν καὶ φιλοστοργίαν τὴν  
δούλην (female slave) καὶ τὰ ἐσόμενα ἐξ αὐτῆς ἔκγονα,  
τῶν τῆς ἐλευθερώσεως [

6 ]τὸν τε αὐτὸν νιόν μου Σαραπίωνα

7 ]Παρπίωνος ἐπικεκλημένον

8 τ]ὰ ἐσόμενα αὐτῷ τέκνα τὸν με[

9 ἀρουρῶν ] δυοτριακοστοῦ περιμ(έτρων) Τυχινακ[ιτών  
οικίας] καὶ αἰθρίο[ν] καὶ αὐλ[ῆς] καὶ χρηστ[ηρίων  
ἡμίσηλους μέρου[ς] γῆς τῆς [π]ροκειμένη[ς

11 ἐνδ]ομενείας [καὶ ὀ]φ[ει]λημάτων εν[  
12 [ἀδε]λφο[ ] Ἀρσιη[σι ca 5 ]. κυρι.....  
13 traces

10 χ in χρηστηρίων ex α

1 [In the year ( ) of the Emperor Caesar Marcus Aurelius Commodus  
Augustus Pius Armenia]cus Medicus Parthicus

Sarmaticus Germanicus

2 [Maximus Britanicus on (month & day) at Oxyrhynchos in the  
Thebaid, for good fortune. This is the will made by]  
Nilion son of Sarapion, grandson of Sarapion, whose  
mother is

3 [(name), from Oxyrhynchos, in the street, being sane and in my  
right mind. So long as I survive I am to have power over  
my own property,] to make any further provisions or new  
dispositions I choose and

4 [to revoke this will, and any such provisions shall be valid. But if I  
die with this will unchanged and] having made no further  
provision, I grant freedom, by [Zeus,

5 Gaia, and Helios, to ... on account of her/their goodwill and affec-  
tion] ... her descendants, with those of the manumission

6 ] both my said son Sarapion [

7 ] of Papion, nicknamed [

8 ] his future children. The [

9 [of arouras ...and] one thirty-second near the village of  
Tuchina[kitoou]

10 [of the house,] court, yard, and fixtures [

11 ] of a half share of the land and of the  
aforementioned [

12 ] of the furniture and what is owed [

13 ] brother Harsiesis ... valid [

1-2 The four possibilities for restoration of the titulature are the following:

(1) Αὐτοκράτορος Καίσαρος Μάρκου Αὐρηλίου Κομμόδου Ἀντωνίνου Σεβαστοῦ Ἀρμενια], found in 7-8 examples dated 181 to 183 (one unknown date 181-189), 66 letters.

(2) Αὐτοκράτορος Καίσαρος Μάρκου Αὐρηλίου Κομμόδου Ἀντωνίνου Σεβαστοῦ Εὐσεβοῦς Ἀρμενια], found in 3 examples dated 181 to 186, 74 letters.

(3) Αὐτοκράτορος Καίσαρος Μάρκου Αὐρηλίου Κομμόδου Ἀντωνίνου Εὐσεβοῦς Εὐτυχοῦς Σεβαστοῦ Ἀρμενια], found in 6 examples dated 186 to 190, 82 letters.

(4) Αὐτοκράτορος Καίσαρος Λουκίου Αἰλίου Αὐρηλίου Κομμόδου Εὐσεβοῦς Σεβαστοῦ Ἀρμενια], found only in *PSI* IX 1036 of 192. Possibly these *praenomina* also occur in *P. Oxy.* XXXI 2611 (192/3), but a lacuna leaves only Αὐτοκρά[...] Εὐτυχοῦς Σεβασ[...]. Total, 45 letters. These two papyri both contain additional titles, however, and this form is not likely here.

To these figures we must add *ca* 20 letters for *ἔτους* [ ] *καὶ εἰκοστοῦ* (16 letters) or *ἔτους* [ ] *καὶ τριακοστοῦ* (18).

After *Γερμανικοῦ*, the formulae read *Μεγίστου*, *Μεγίστου Βρεταννικοῦ*, or *Βρεταννικοῦ Μεγίστου*. If *Βρεταννικοῦ* is omitted, so too must be *Εὐσεβοῦς* and *Εὐτυχοῦς*. It should be kept in mind, however, that omission or inversion of elements in these titulatures is not uncommon. As to the right margin of the text, the 2 letters *ov* of *Γερμανικοῦ* were almost certainly in the first line. Possibly *Μεγίστου* (8 letters) or *Μεγίστου Βρεταννικοῦ* (19 letters) were also in the first line, but we believe they fit better in the second.

2 *διεθέμην*: or perhaps *διέθετο*. The third person *διέθετο* is the more common form; of the eight occurrences of *διεθέμην* which we have found, two are from Oxyrhynchite wills (*P. Oxy.* III 494.2 and XXII 2348.48). We restore the first person on the analogy of the less common first person *ἀφίημι* in 4.

Nilion: the edge is frayed and the strokes uncertain. *Ἄιλιων* is also possible, but the nu in Papion (7), among others, offers a strong parallel for the leftward curve of the vertical which no alpha can match. The relative rarity of Nilion is of some concern: *BGU* IV 1087.3.6 (Arsin., date unknown); *PSI* VII 940 (Oxy., 266, nu and iota underdotted); *P. Cair. Isid.* 11.3.40; 49.1 (Karanis, fourth century); and *P. Mert.* II 88.6.8 (Karanis, fourth century and Aillion accepted as possible).

4 *πρὸς ἀκύρωσιν ἄγειν τὴν διαθήκην*: an alternative is *ἀκυροῦν τὴν διαθήκην ταύτην* (9 fewer letters).

For the freeing of slaves in wills, see in particular *P. Oxy.* III 494 (156), as well as three wills of Roman citizens: *BGU* I 326 (Karanis, 189); *P. Select* 14 (Arsin., II); *PSI* XII 1263 (Oxy., II); see also J. Farr, *BASP* 30 (1993) 93-104 for a detailed discussion of the use of the *donatio mortis causa* for manumissions. The phrase *ἐλευθέραν ἀφίημι* does not appear elsewhere, but *ἐλεύθερα ἀφίημι* appears in *P. Oxy.* III 494.5, which provides for the freeing of five slaves. The feminine *ἐλευθέραν* indicates that the slave must be female.

5 *εὗνοια καὶ φιλοστοργία*: cf. *P. Oxy.* III 494.6; *P. Mich.* 5.341.9 (Tebt., 47); *P. Rain. Cent.* 64.9-10 (Herakleop., 212).

1ης ἔκγονα: We have restored *τὰ ἐσόμενα ἐξ αὐτῆς ἔκγονα* based upon *P. Oxy.* II 265.21, III 496.9, 15, and *P. Oslo* II 40.1.A18.

*τῶν τῆς ἐλευθερώσεως*: the syntax appears to be a genitive absolute. Probably this clause refers to taxes: "with the charges of the manumission being paid by x"; cf. *P. Stras.* II 122.12: *καὶ τῶν τελῶν καὶ δαπανῶν πάντων τῆς ἐλευθερώσεως ὄντων πρὸς NN*, and *P. Tebt.* II 407.25.

7 Papion: *P. Mil. Vogl.* IV 246.1.7 (Tebt. 129); *SB* XIV 11930.v 2.40 (Philadelphia, 60); *P. Petaus* 59.3.70, 64.14, 65.2.30 (Ptol. Hormou,

185); *P.Berl. Leihg.* II 37.3.47 (Herakleop., 142-3; reading not certain). The surface is rubbed. A careless dittography (*Σαραπαπιωνος*) is unlikely and not to be invoked on the edge of a lacuna.

9 *Τυχινακιτών*: a village in the Oxyrhynchite nome which is mentioned in *P.Oxy.* III 501.7-8, also from the reign of Commodus (186). There is still some reason for caution, as Grenfell and Hunt read *Τισκιγακιτών*. However, R. A. Coles, based upon a photograph, reported to Pruneti that “*Τυχινακιτών* might be better”; see Pruneti, *Centri abitati* 210. The papyrus has a vertical tear through the character(s) preceding the tau, and has shifted somewhat in mounting; however, there is not enough room for the definite article. There are several villages in the Oxyrhynchite nome which begin with *τυχιν*, but none which begin *.τυχιν*. The character before the tau is most likely an abbreviation. Mu, for *περιμ(έτρων)*, is more convincing palaeographically than kappa, for *κ(ώμην)*, but reading *κώμην* would be more comfortable as one would prefer *ἐν περιμέτρῳ τῆς κώμης*. A *πτύξ* (reading *περὶ πτύχιν ακ!*) is a fold or glen in hilly country, not a likely scenario in this nome.

10 For the phrase, see *P.Oxy.* III 492.7.

12 *ἐνδομενείας καὶ ὀφειλημάτων*: see *P.Oxy.* III 495.6. See also *P.Mich.* V 350.9,25; 352.6 (Tebtunis) for *ἐνδομενείας καὶ ἐνοφειλομένων*. More of this line might be restored to read *καὶ ὡν ἐὰν ἀπολίπω ἐπίπλων καὶ σκευῶν καὶ ἐνδομενείας* (“of what I leave of household goods, utensils, furniture...”) following *P.Oxy.* III 495.6 (cf. also *P.Ups.Frid.* 1.14,15, [Dionysias, 48]).

13 [*ἀδει*]λφο[ ] Ἀρσιη[σι]. The papyrus is frayed and the fibers have moved, making the omicron a bit square (though cf. [*Ἀρμενιος*]κοῦ Μηδικοῦ in 1 and *μον* in 7) and the existence of the second lacuna debatable. There is no context to determine a case ending, but the space between the two words is rather small, certainly too small for his nu and probably for his sigma, but possibly large enough for an epsilon. Alternatively, we may read [*ἀδει*]λφὴ Ἀρσιή[σιος], that is, the sister of Harsiesis, a reading which could eliminate a lacuna between the eta and alpha. A reading [*ἀδει*]λφὴ Ἀρσιν[όη] is far less probable, for the nu is a difficult, perhaps impossible, reading and at this date the name Harsiesis is a common enough while Arsinoe is not.

*κυρι*: the next letter could be an alpha or an epsilon. There is not enough space for the formulaic *ἡ διαθήκη κυρία*, nor can the ink before the kappa be construed as an eta. A form of *κυριεύειν* is inviting, but no reading is paleographically conclusive and there is no context to offer help (the *κυρι* need not be taken with the names which precede).

The detached piece reading *ξιτ* suggests a dative ending in *ξι*. The most likely restorations are *γυναι]ξι* or *ἀφῆλι]ξι* (legal minors; cf. *P.Oxy.* III 487.5). [George Fredric Franko]

## 268. Transfer of Tax Money

Inv. 192  
Plate 22

13.9 x 11.2 cm

194/195 (?)  
Theadelphia

Published: J.-J. Aubert, *BASP* 24 (1987) 125-36; cf. D. Hagedorn, *ZPE* 86 (1991) 246-47; N. Lewis, *BASP* 27 (1990) 40-41

Back blank.

The top margin of the papyrus is 2.0 cm high and the left margin 2.5 wide. The handwriting is fairly legible in spite of a few worm holes that make the reading of the beginning of line 12 uncertain. The right side of the papyrus is more damaged than the left. Traces of ink from line 17 appear at the bottom, near the right hand corner. Continuation strokes are visible at the end of lines 2, 3, and 8. The hand is shaky but not quickly written; in places (15) it is cramped and compressed in ligature. Note the different shapes of beta (9, cf. 15) and enlarged thetas characteristic of the period.

This document is a receipt in the form of a letter addressed by one Horigenes, secretary for the collectivity of cultivators (*γραμματεὺς γεωργῶν*) from Theadelphia, to one Eudaimon, a liturgic tax-collector (*ἐπιτηρητής*) for the same village. It acknowledges the constructive receipt by Horigenes of a sum of money (2500 dr. 13 ob.) collected from the farmers (*δημόσιοι καὶ οὐσιακοὶ γεωργοὶ*) of Theadelphia and paid over to the epiteretes of Apias and the sitologoi (presumably also of Apias) for the value of lentils. Interestingly, this papyrus suggests that Apias, where a state granary was presumably located, was more important as a regional center for the collection of taxes than its neighbor Theadelphia, despite the fact that the former is less documented than the latter (cf. D. W. Hobson, *Aegyptus* 62 [1982] 80-123; and E. Battaglia, *ibidem*, 124-47).

In the chain of events leading up to this document, Eudaimon apparently collected the cash as *adaeratio* for rents in lentils owed on public and imperial land, and then it was paid over to Isidoros and the sitologoi at Apias, presumably as part of its passage up the chain of imperial revenue collection. The transaction was witnessed by a police officer (*μαχαιροφόρος*). One would expect Isidoros to issue a receipt to Eudaimon, indicating that the latter had properly conveyed the proceeds of his collection efforts. But why would a receipt also be issued by the secre-

tary of the taxpayers in question, who had presumably been given receipts for their individual payments by Eudaimon or his agent and were thus no longer parties to the transaction? Against what eventuality was Eudaimon protecting himself by getting such a receipt? Why did Eudaimon evidently not deliver the money directly to Isidoros?

The absence of any document similar to this one suggests that the transaction recorded here may have been exceptional. The use of *έχώρησαν* (rather than a second-person verb with Eudaimon as the subject) may indicate that Eudaimon had been unable to make the transfer in person. One may imagine that there were at least two possible threats for Eudaimon to worry about. One could be a claim by Horigenes and the cultivators that Eudaimon had made his payment of cash not on behalf of what they owed but for some other purpose, and that Eudaimon still owed 2500 dr. Another could be a claim by the officials at Apia against the cultivators, leading in turn to a (good faith) claim by the latter against Eudaimon. The receipt may more generally have been meant to protect the epiteretes against any possible charge of embezzlement on the part of the secretary or of some higher official.

As a result of the loss of lines 17ff, it is not possible to date the papyrus precisely. The last sentence breaks off after the reference to the third year of an emperor whose name is no longer preserved. The handwriting, however, points toward a second- or third-century date. In addition, the names appearing in this document were common at Theadelphia and in the surrounding area in the second and third centuries (see *BGU* IX, *P.Berl.Leihg.* I and II, and *P.Col.* V, indices); some possible identifications (*infra*, ad locc.) make a late-second-century (194/195 = third year of Septimius Severus and Caracalla) more likely than a mid-second-century date (162/163 = third year of Marcus Aurelius and Verus). A restoration of *τρίτου* | [καὶ εἰκοστοῦ, however, or 182/3, is also possible.

1      Ὄμιγένης [Γ]ησχυ[ρ]ίωνος γραμ-  
ματεὺς γεωργῶν κώμης Θεαδελφεῖ(ας)  
Εὐδαίμωνι Θεογύτ[ο]νος ἐπειτηρ(ητῆ)  
4      τῆς αὐτῆς κόμης χαίρειν. ἀπέσ-  
χον παρὰ σοῦ ἀς παρεῖληφες  
παρὰ δημοσίων καὶ οὐσιακῶν  
γεωργῶν τῆς κ[ώ]μης ἀργυρίου  
8      δραχμὰς δεισχειλείας φευτακο-  
σίας ὀβολοὶ δεκατρεῖς (γίνονται) (δραχμαὶ) Ἐφ (ὸβολοὶ) ιγ  
αἴπερ ἔχώρησαν παρόντ[ο]ς  
Σωκράτους τοῦ [κ]αὶ Θέων[ς] Ἡρων[ος τοῦ]

12 καὶ Λον[ρίο]ν μαχαιροφόρου Ἰσιδώρῳ  
 Ὄριω[ν]ος ἐπειτηρητῇ Ἀπ[ι]άδος καὶ  
 σιτολ[όγιο]ις[ς] ὡς ἐις τιμὴν φακοῦ·  
 αἱ προκ(είμεναι) (δραχμαὶ) Ἐφ(ὸβολοὶ) ιγ. Ὄριγένης ὁ προ-  
 γεγραμμένος ἔγραψα. (ἔτους) τρίτου

---

2 Θεαδελφίας 3 Θεογείτονος ἐπιτηρ(ητῇ) 4 κώμης  
 5 παρείληφας 8 δισχιλίας πεντακοσίας 9 ὀβολοὺς  
 13 ἐπιτηρητῇ 14 the plural *σιτολόγοις* is more likely than the  
 singular *σιτολόγῳ*

Horigenes, son of Ischyron, secretary of the cultivators of the village of Theadelphia, to Eudaimon, son of Theogiton, epiteretes in the same village, greetings. I have received from you, in silver, the sum of two thousand five hundred drachmas and thirteen obols, total 2500 dr. 13 ob., that you had received from the cultivators of the public and imperial land of the village, and which sum, in the presence of the sword-bearer Socrates, also called Theon, son of Heron, also called Lourios, went to Isidoros, son of Horion, epiteretes at Apias and to the sitologoi as for the price of lentils; total of the above-mentioned, 2500 dr. 13 ob. I, the aforesaid Horigenes, have written (this document). Year three . . .

1 The name Ischyron appears in a papyrus from Theadelphia dated to the early third century, next to one Isidoros, son of Horion (*P. Amst.* I 72; cf. also *SB* XVI 12497).

1-2 The secretary of the cultivators is not necessarily a liturgic functionary, nor even a public servant. More likely he was privately hired by a consortium of cultivators (*σύνοδος*). See for this point M. San Nicolò, *Aegyptisches Vereinswesen zur Zeit der Ptolemäer und Römer* I<sup>2</sup> (Munich 1972) 169-71.

3 One Eudaimon, son of Theogiton, grandson of Eudaimon, appears in the middle of the second century A.D. at Theadelphia (*P. Berl. Leihg.* II 38.32). Another Eudaimon from Theadelphia, perhaps to be identified with the above-mentioned, had a brother named Chairemon, son of Theogiton (*SB* VI 9205), who may have been the father of Theogiton and the grandfather of Heron in *BGU* IX 1896.287 (166). *BGU* IX 1897.95 records one Theogiton, son of Eudaimon, at Theadelphia in 166, who was perhaps the son of the man mentioned in *P. Berl. Leihg.* II 38. Finally, *BGU* IX 1900.5

and 6 refers to one Eudaimon, son of Theogiton, in 196, representing yet another generation and possibly to be identified with the person named Eudaimon in the present papyrus.

The *ἐπιτηρητής* supervised the collection of taxes and rents and managed the leasing of government property and monopolies (cf. Wallace, *Taxation* 308-09). This function is attested from the first century A.D. to the late third and became liturgical in the second century (see N. Lewis, *Compulsory Public Services* 29-31). In *BASP* 27 (1990) 40-41, Lewis remarks that Eudaimon was perhaps an *ἐπιτηρητής δημοσίων καὶ οὐσιακῶν*, which would make him the first attested holder of this combined function.

5 The perfect is used in preference to the pluperfect (cf. *P.Oxy.* IV 742 [2]; *P.Oxy.* I 91 [187]; and Mandilaras, *The Verb* 100 and 211).

6-7 The tenants of public and imperial land are first attested together in 101/103 (*P.Fay.* 251). Public land was previously the property of the Ptolemies and was taken over by Augustus and leased to tenants. Imperial land had become part of the patrimony of the emperor mainly through inheritance and confiscation. It is not clear whether these two categories of land were exploited and managed separately and in different ways, but from the middle of the first century A.D., the cultivation by private land-owners of the part of the imperial land that had not been leased out was made compulsory (*BGU* II 650; cf. A. Tomsin, "Le recrutement de la main d'œuvre dans les domaines privés de l'Egypte romaine," in H. Braunert [ed.], *Studien zur Papyrologie und antiken Wirtschaftsgeschichte Fr. Oertel zum 80. Geburtstag gewidmet* [Bonn 1964] 81-100).

7-9 The rent was paid in billion tetradrachmas and bronze obols (1 tetradrachm = 24 to 29 obols; cf. L.C. West - A.C. Johnson, *Currency in Roman and Byzantine Egypt* [Princeton 1944] 1-12; and A. Gara, *Prosdia graphomena e circolazione monetaria* [Testi e documenti per lo studio dell'antichità 56, Milan 1976] 23 and 57-96).

10 Ed. pr. *αἱ παρεχώρησαν* was corrected by D. Hagedorn in *ZPE* 86 (1991) 247 n. 10. The verb *παραχωρεῖν* used in an intransitive sense is not attested in the papyri.

*Παρόντος* is certainly read. Similar expressions are attested in *P.Tebt.* I 39 (114 B.C.): *Ινεῖλοτος μαχαιροφόρου παρόντος* and *P.Stras.* I 41 (ca A.D. 250): *παρόντων τῶν μαρτύρων*.

11 Various possible ancestors or relatives of the *machairophoros* are Theon, also called Socrates, son of Heron, attested in 82 (*P.Ath.* 23); another Theon, son of Heron (*P.Stras.* IV 217 [Theadelphia, reign of Trajan]); cf. also from Theadelphia *BGU* IX 1897.147 (166) and *BGU* IX 1898.104 (172).

12 Ed. pr. *κωμ[ά]ρ[χο]ν μαχαιροφόρου* was corrected by D. Hagedorn in *ZPE* 86 (1991) 246-47. The evidence concerning *μαχαιροφόροι* is collected and discussed in *BASP* 24 (1987) 127-31.

13 The village of Apias was located in the division of Themistos, in the vicinity of Herakleia, Pelusion and Senthis, or near the west end of Lake Moeris. Apias was at first distinct from Philopator (*P. Petr.* III 94a, 221 B.C.), then later merged with it (*BGU* II 644 [A.D. 69] and III 973 [194/96]). The site, which was occupied permanently from the Ptolemaic (245 B.C.) to the Byzantine period (A.D. 386), has never been excavated nor precisely located. Continued occupation of the site may account for the scarcity of the finds of papyri by comparison with neighbouring villages (cf. D.W. Hobson, "The Village of Apias in the Arsinoite Nome," *Aegyptus* 62 [1982] 80-123; and E. Battaglia, "Philopator Kome," *ibidem*, 124-47).

14 As administrators of public granaries, the *σιτολόγοι*, assisted by lower officials called *πράκτορες σιτικῶν*, were responsible for the collection and transport of taxes in kind. The function is attested from the Ptolemaic to the Byzantine period, but was temporarily abolished in the third century A.D. from 242/246 to 302 (cf. Z. Aly, "Sitologia in Roman Egypt," *JJurPap* 4 [1950] 289-307; eundem, "Upon Sitologia in Roman Egypt and the Role of Sitologoi in its Financial Administration," *Akten des VIII. Internationalen Kongresses für Papyrologie* 17-22; J. D. Thomas, *ZPE* 19 (1975) 111-19; and N. Lewis, *Compulsory Public Services* 47).

Lentils were produced at Theadelphia on a regular basis. *P.Berl. Leihg.* II 32 records that in 164/65, out of 5023 13/64 arouras, 1985 were sown with wheat, 1125 1/8 with lentils, 816 with different kinds of grass for fodder, and the rest with barley and two unidentifiable crops. That lentils were second in importance at Theadelphia is shown by the respective quantities measured by the sitologoi in August 168 (2-6): 857 1/4 artabae of wheat, 83 7/24 art. of lentils, and 24 1/8 art. of barley (*P.Berl. Leihg.* I 11). A lease of katoikic land at Oxyrhynchos (*P.Oxy.* XIV 1628, 73 B.C.) indicates that, out of 15 arourae, 3 were sown with wheat, 6 with lentils, and 6 with barley. The lessee received from the lessor 7 1/2 art. of lentils and the same quantity of barley for the seed and the other expenses. We have also some information about the price of lentils, but we must keep in mind that such prices are subject to seasonal and regional fluctuations (cf. *P.Oxy.* LIV 3773, ca 340) and can be artificially set by the state higher or lower than market prices. In *P. Col.* I 6 (Theadelphia, 138 or 161), lentils have the same value as wheat when used to pay taxes; they were exchanged at a ratio of 15:19. In 160, the price of lentils at Theadelphia is 4 drachmas 1 obol per art. on Phaophi 8 and 4 dr. 3 ob. the next day, according to a private account (*P.Berl. Leihg.* II 39). Comparatively, beans cost 2 dr. 5 ob. per art., barley 2 dr. 7 ob. per art., and wheat 6 dr. 8 ob. per art. (*ibidem*), although *P.Fay.* 333 (Theadelphia, 138/161) provides the figure of 5 dr. for barley. Rents fluctuate as well. To give an example of the quantity of lentils to be delivered in payment of rent on

agricultural land, five arouras of land at Mermbertha in the Oxyrhynchite nome were leased in 266 for two years at the rent of 10 art. of wheat and 10 art. of lentils (*P. Oxy.* XIV 1689). The figures used here have been collected for the sake of comparison. They all reflect, however, the value of lentils at specific moments and therefore cannot be used to reach meaningful conclusions for the present papyrus. On lentils in Graeco-Roman Egypt, cf. M. Schnebel, *Landwirtschaft* 191-93; Johnson, *Roman Egypt* 313; and L. Bandi, "I conti privati nei papiri dell'Egitto greco-romano," *Aegyptus* 17 (1937) 349-451, esp. 392. [Jean-Jacques Aubert]

## 269. Census declaration

Inv. 420b

7.0 x 4.1 cm

II-III

Plate 23

Antinoopolis

Only three other census declarations<sup>77</sup> from Antinoopolis are known, two from the census of 187/8 and one from that of 215/6. They are *P. Oxy.* VIII 1110 and *PSI* XII 1227 from 188 and *W. Chr.* 207 from 216. All three are addressed to a group of three men *τρὸς τῇ κατ' οἰκίαν ἀπογραφῇ*;<sup>78</sup> in each case all three come from the same tribe (unknown, Osirantinois, and Matidios, respectively), just as is the case here. In *P. Oxy.* 1110, they are in charge of the census for the 3rd *gramma* of Antinoopolis, in *W. Chr.* 207 for the second. We cannot tell if *τοῦ β' γράμματος* followed in line 7 here.

The nomarch is addressed before the board of three only in *PSI* XII 1227. It is likely that nomarchs had to come from another nome, as was the case in the Roman period for strategoi (cf. A. Bülow-Jacobsen, *P. Oxy.* XLIX 3477, introd.). It does not seem possible to identify this one, whose name is entirely lost, with any already known holder of the office. The restoration of line 6 shows that about 13 letters are needed at left, of which one goes for the nu of *νομάρχη*. We may limit ourselves to those active in or near a census year. That leaves only Dionysios, in 158/9, at 9 letters, too short, and Nikostratos alias Demalion, in 188 (*PSI* XII 1227), at 24 letters, too long. Nor is Aurelius Ammonios (215, *P. Oxy.* XII 1463, the right length if *Αὐρηλίω* was abbreviated) or any post-214 nomarch likely (there are no Aurelii in the papyrus). But that still leaves 131, 145, 173, and 201 as possibilities for the census, and no nomarch is attested from any of those

<sup>77</sup> See Bagnall and Frier, *Demography*, chapter 1, for the form and contents of census declarations, with bibliography.

<sup>78</sup> Always *τρὸς*, not *ἐπί* as here.

years. And it is not even certain that 159 is excluded, given our limited knowledge of the term of Dionysios.

Kenyon and Bell list in *P.Lond.* III, p.155<sup>79</sup> the demes known in association with the tribe Matidios: Demetrieus, Thesmophorios, Kalliteknios, Markianios, and Plotinios, citing Kenyon's brief remarks in *Archiv* 2 (1903) 70-78 on the whole system. Five was the largest number of deme names associated with any tribe there, and no other had that many known. The situation was still unchanged in P. Pistorius, *Indices Antinoopolitani* (Leiden 1939) 42-44, and no new ones have come to light in the intervening years.<sup>80</sup> The three mentioned here are Thesmophorios, Markianios, and Kalliteknios (cf. now also 266.3-4). Of these only Markianios is uncommon.<sup>81</sup>

The left third of the declaration has been lost. The top and right original edges are preserved, but the bulk of the declaration, with all information about the persons registered, is lost at the bottom. The writing (a cursive of the late second or first half of the third century AD: note *τρ* and *γρ* ligatures and the form of *φη* in 1) is with the fibers. The back is blank.

[ vac. ἀντίγραφον] κατ' οικ(ίαν) ἀπογραφῆς vacat  
 [NN ν]ομάρχη τῆς Ἀντινόου πόλ(εως) καὶ Κάστορι  
 [NN Ματιδείω τῷ καὶ Θεσμοφορίῳ καὶ  
 4 [NN Διον]υσίου Ματιδείω τῷ καὶ Μαρκιανείω  
 [καὶ - - -] ων Νεμεσίωνος Ματιδείω τῷ καὶ Καλ-  
 [λιτεκνείω τοῖς] τρισὶ αἱρεθεῖσι ἐπὶ τῇ κατ' οικ(ίαν) ἀπογραφῇ

Copy of a house-by-house registration. To . . . nomarch of Antinoopolis, and Kastor son of NN, Matidian (tribe) and Thesmophorian (deme), and NN son of Dionysios, Matidian (tribe) and Marcianian (deme), and NN son of Nemeson, Matidian (tribe) and Kalliteknian (deme), the three chosen to be in charge of the house-by-house registration.

[Roger S. Bagnall]

<sup>79</sup> Discarding their erroneous no.1, 'Απεμφόρειος, misread for Thesmophoreios in one place.

<sup>80</sup> For a general discussion of tribe and deme names see now M. Zahrnt, "Antinoopolis in Ägypten," *ANRW* II 10.1 (Berlin 1988) 669-706 at 688 with n. 74.

<sup>81</sup> It is not in *WB* III, despite its appearance in *P.Lond.* III 1164b.19. More recent examples: *P.Warr.* 1.3.18 (164/5); *P.Turner* 29.8 (195).

## 270. Petition

Inv. 53a  
Plate 24

8.4 x 11 cm

III  
Oxyrhynchos?

Addressed to the ἄχραντον δικαστήριον, the "immaculate court" of the prefect, this petition rehearses earlier appeals directed to the dioiketes and his decisions about them. Some previous action has been taken on the case, apparently resulting in an order by the court (3, 10: ἐκέλευσεν, perhaps by the person whose name ends in -odoros, mentioned in 10 and 16), which was subjoined in the form of an enclosure (cf. ὑπογραφή: 9, 15). Lines 1-5 preserve the actual beginning of the present appeal, which takes the form of a covering petition to the prefect. Then at line 7 begins the address of the earlier petition, which had been addressed to the dioiketes. One of the parties involved (presumably not the petitioner) has fled the jurisdiction of the δικαστήριον (13). This event perhaps initiated the original action (3). We might think, for example, of a runaway slave. Very likely the cover letter asks for the enforcement of the original order, or for rectification of circumstances due to the absence of the party named in 13.

It is not certain that the document extended to a second column: our fragment preserves the end of the covering letter (6) followed by eleven lines of the appended, earlier petition. But the fragment preserves an ample lower margin, indicating that the appended ὑπογραφή, unless it ended very abruptly, continued into a second column, which related further details of the case. A good part (probably more than half) of the width of the preserved column is lost. It is difficult to tell whether we are close to the left or right margin (we suspect the latter). A vertical strip of missing fibers slightly right of center in the lower half caused the scribe to skip a letter space in lines 12-17 (cf. the plate), although the continuously written line 13 shows that there are no letters missing in this strip in the other lines.

The stylization of the δικαστήριον as ἄχραντον (line 1a) is significant. In hitherto published documents the use of ἄχραντος with δικαστήριον is restricted to a period from 292 to 326 (with a few examples not precisely datable). The presence of the διοικητής, however, whose office does not survive the early part of Diocletian's reign, shows that our papyrus must be earlier than that period. The text thus expands the known range of this terminology. The hand suggests a date in the early-mid third century; useful parallels are *P.Dura* 22 (Seider I 40; early III) and *P.Berol.inv.* 9780 (Seider II 38, early III, a *hypomnema* hand).

Both the present appeal and the subjoined previous petition are written in the same medium-sized hand, slowly written with a thick pen. The thinner strokes in lines 6 and 8 seem still to be by the same hand. The scribe avoided writing over damaged surface in lines 14 ff. There are virtually no ligatures (except, e.g.,  $\alpha$ ,  $\iota$ ,  $\delta$ , and  $\gamma$ : 12  $\delta\varepsilon\delta\sigma\theta\alpha\iota$ , 15  $-\gamma\rho\alpha\phi\hat{\eta}\zeta$ ); the scribe never writes iota adscript. Cancellation (in 2 and 14) and suspended rewriting (1a) of a major part of a line in the cover appeal (in line 3) point to a revised first draft.

1		] αι το[ 6-7 ] . [ . [
1a		τ] ω ἀχράντω δικαστηρίω ἀκολ[ο(ύθως)
		] [ - διεστ]άλη (?) διὰ Πρίσκον] καὶ Ἡρ
	ύπερ το]ν φόβου τούτου ἐκέλε[υσεν	
4		] κρατίστω διοικητῇ Αὐρ[
		] στα τῷ σῷ μεγέθει τ[
	τῷ κρατίστω] διοικητῇ vacat	
		vacat 1.5 cm
	τῷ κ]ρατίστω διοικητῇ .[	
8	]. [ . [ . [ Φαμέ]ν] ἀθ ἵξ τῷ κρατίστ[ῳ	
	κ]ατὰ ταύτην τὴν ὑπογραφὴν προσ[	
	] οδώρω δς ἐκέλευσεν αὐτὸν ἐκ[	
	] ξον οὐν αὐτὸν ἐτοίμως ἀποκρέ]νει	
12	γιγ]νώσκοντα ἐκεῖνον δεδόσθαι δικ[	
	] ξ εφευγε`ν τὸ δικαστήριον καὶ ἀνήν[εγκεν	
	] [ . [ μνήμην μὴ ποιησάμ[ενος	
	] πογραφῆς ἀναπεμπούσης τὸ πρ[	
16	πρὸς -] ὄδω[ρ]ον ἦν δημοσίᾳ προτεθέ[	
	] κα[τ]ὰ τὸ εἰκὸς ἀντιγραφῆς τ[	

... to the immaculate court accordingly ... on account of fear of this (or: him) he ordered ... to the most excellent *dioiketes* ... most of all to his highness ... to the *dioiketes*. (*The appended document:*) ... to the *dioiketes* ... on the fifteenth of Phamenoth to the *dioiketes* ... this attached document ... to [ ?] Jodoros who ordered him from ... therefore readily he answered him ... knowing him to have given up ... he fled the court and took away ... not making record ... the subscription ... which ... publicly posted ... to [ ?] Jodoros ... (? See to it that) you write back according to what is fitting ...

1a  $\tau[\hat{\eta}]\hat{\omega}$  ἀχράντω δικαστηρίω (or perhaps  $\tau\hat{\omega}$   $\sigma[\hat{\eta}]\hat{\omega}$  ἀχράντω δικαστηρίω): For the prefect's "immaculate court" see *P.Oxy.* I 59.10 (292), *P.Amh.* II 82.3,19 (III/IV; early IV according to R. Bagnall, *Egypt*

in *Late Antiquity* [Princeton 1993] 246); *P. Amh.* II 142.18; *P. Flor.* I 36.29 (IV); *P. Grenf.* II 78.24 (307); *P. Lips.* 37.27 (389); *P. Oxy.* XVIII 2187.13 (cf. 24); LI 3620.23 (326). Why the court should be styled "immaculate" for this period in the third and fourth centuries is not obvious. Later, ἄχραντος describes the Trinity as sworn by in oaths: *P. Lond.* V 1675.2, *CPR* I 30 ii.27; *P. Monac.* 1.26; *SB* I 4669.1; *P. Apoll.* 61.9; *P. Oxy.* LVIII 3940-3943, 3945-3953. See R. S. Bagnall and K. A. Worp, *Cd'E* 56 (1981) 114 and 118; in connection with a formula referring to an imperial consular year by naming the emperor, J. R. Rea on *P. Oxy.* LVIII 3940.1-2.

4 *κρατίστω διοικητῆ*: This is the central administrator of procuratorial rank, on whom see D. Hagedorn, "Zum Amt des διοικητῆς im römischen Ägypten," *YCS* 28 (1985) 167-210. Hagedorn shows conclusively that the *dioiketes* does not survive the early part of Diocletian's reign; the last one known is attested in the 280s.<sup>82</sup> The text therefore cannot be later than that decade. The *dioiketes* was based in Alexandria and closely connected with the ἀρχιερεύς.<sup>83</sup>

5 *Ιστα τῷ σῷ μεγέθει*: So we have articulated. Also possible are *λαμπρο]οτάτῳ* or *διασημοτάτῳ*, but for that one expects the article with the possessive adjective. The prefecture is commonly styled *μέγεθος* in third-century documents; for phrasings like that here cf. *P. Oxy.* XII 1467.18; 1469.20; I 71 i.12; XVIII 2187.13. Preceding could be *μάλι]στα* as well as *πλει]στα*: many thanks to higher authority.

10 The Jodoros (cf. 16) who issued the order must have been a high official to judge from the verb *ἐκέλευσεν*. He could be identical with the *dioiketes* mentioned in line 4 (see note).

14 Perhaps *] [σχη] (δέο]γσαν?)*.

15 *ἀναπέμπω* in the active must (as always) refer to the authority referring a matter, and despite proximity it therefore cannot be construed with *ὑπογραφῆς*. In all likelihood it agreed with an abstract noun referring to the authority sending (a copy of?) a subscription, lost in the lacuna.

16 *]όδω[ρ]ον*: the trace is a horizontal stroke at mid-line, reaching to the top part of the following omicron, thus perhaps epsilon, yielding *Ἡρακλ]εόδωρος* or the like; another possibility is pi, e.g., *Σαρα]πόδωρος*. *ῆν* may refer back to *ὑπογραφῆς* (15). One wants some form of *προτίθημι*; the last letter seems unlikely to be eta, but *προτέθε[ι]κα* seems possible.

17 Perhaps *ἶνα* or *ὅπως* in the lacuna.

[Dirk D. Obbink]

<sup>82</sup> Aurelius Proteas (*PIR*<sup>2</sup> A 1589; *PLRE* I Proteas 1), cf. Hagedorn 206. *Αὐ-* at the end of line 4 may begin his gentilicium. Another Aurelius [ ] in this office appears in *BGU* III 925.2 (III ed. and Hagedorn 206); cf. *P. Ross. Georg.* V 25.6.

<sup>83</sup> M. Stead, *Proc. XVI Congr.* 411-18; G. M. Parássoglou, *ZPE* 13 (1974) 21-37; Hagedorn 169, 171, 196.

## 271. Tax Receipt

Inv. 87<sup>84</sup>

9.5 x 10.3 cm

8 April 201

Plate 25

Hephaistias

Back blank.

A light to medium brown papyrus in fair condition with worm holes and heavy wear on the left side. The document is complete and written on the front in a well-spaced hand with the lines running slightly upwards. The left and right margins are 0.7cm, the top 1 cm and the bottom 1.2 cm. There are two folds: (1) the right folded into the center and (2) the left then folded over this as shown by the wear. The rapid cursive is rather flamboyant for its size: note bowed cross stroke of phi; kappa and iota hooked at top; enlarged thetas, elongated deltas (11-12).

The form of this receipt is typical. The taxes are *γεωμετρία* and *εἰδη*, the latter a term used for an assortment of taxes on garden land (see lines 11-12, note). The receipt gives no indication of the type or amount of land on which the taxes paid here were assessed, but the combination of these two terms points to garden or vineyard.

(Ἐτους) θ Λουκίου Σεπτιμίου  
Σεονήρου Εύσεβοῦς Περτίνακος  
Εύσεβοῦς καὶ Μάρκου Αὐρηλίου  
4 [Γ' Α]ντωνείνου Σεβαστῶν καὶ Που-  
πλίου Σεπτιμίου Γέτα Καίσαρος  
[Ε]ύσεβοῦς Σεβαστῶν Φαρμοῦθι ιγ  
[δι]εγράφη Ω[ρίω]ν καὶ μετώχ(οις)  
8 πράκ(τοροι) ἀργυ(ρικῶν) Ἡφαιστιάδος  
διὰ Διοτ(ίμου) χιριστοῦ Αὐρη-  
λία Αμμωνάριον διὰ Νι-  
λάμω(νος) ὑπὲρ εἰδῶν καὶ  
12 γεω(μετρίας) η (ἐτους) δραχμμὰς τετερά-  
κοντα, (γίνονται) (δραχμαὶ) μ.

1, 5 Σεπτιμίου 4 Αντωνίνου 7 μετόχ(οις) 9 χειριστοῦ  
10-11 Νιλάμμω(νος) 11 εἰδῶν, ει ex corr. 12 δραχμὰς  
12-13 τεσσαράκοντα

<sup>84</sup> Originally read for Bagnall's papyrology class by Vaughn Greene.

In the ninth year of Lucius Septimius Severus Pius Pertinax Pius and Marcus Aurelius Antoninus Augusti and Publius Septimius Geta Caesar Pius Augusti Pharmouthi 13. Aurelia Ammonarion, through Nilamon, has paid to Horion and partners, collectors of money taxes through their agent Diotimos for *eide* and *geometria* for the 8th year, forty drachmas, that is, 40 dr.

1-6 This is the most common of the formulas for Severus, Caracalla and Geta (see Bureth, *Titulatures* 99), but with two variations: (1) Pius is used twice instead of once for Severus, not at all for Caracalla, and once instead of the more usual omission for Geta; (2) the final Augustus is plural instead of singular to modify all three, even though Severus and Caracalla have been (together) called *Σεβαστῶν* in line 4. These appear to be errors without significance for the titulature. For *Σεπτίμιος* with doubled mu, see Gignac, *Grammar* I 157 (the same doubling phenomenon occurs in lines 5 and 12).

1 There may be a raised stroke after theta, but equally the traces may not be connected with line 1 at all.

6 Pharmouthi 13 = April 8.

8 Hephaistias is located near Bacchias in the northeast part of the Arsinoite nome.

9-10 Another example of an Aurelia before the *Constitutio Antoniniana*; cf. below, 273.7n.

10-11 One could also read *Νιλαμμ* before the abbreviation mark, but omega appears a much better reading than mu for the last letter.

11-12 On *εἰδη*, see Wallace, *Taxation* 326-28, who cites *P.Ryl.* II p. 252. For *γεωμετρία*, see Wallace 47-55. [Roger S. Bagnall]

## 272. Declaration of Unindated Land

Inv. 478

6.5 x 20 cm

204

Plate 26

Oxyrhynchos

Back blank

Published: D. Delia, *BASP* 29 (1992) 25-29; cf. B. Kramer, *APF* 40 (1994) 210-11.

This document belongs to a well-attested category of ἀβροχία returns which register state-owned land unflooded by the Nile in order to obtain relief from liability to pay the full rental assessments.<sup>85</sup> The text, addressed to village officials, follows the usual pattern: it cites the appropriate administrative directive and lists the amount of land being declared as γῆ ἀβροχός (uninundated) or γῆ ἐπηντλημένη (artificially irrigated).

The condition of this document is fairly good, with most damage occurring at the bottom where the text is broken off so that the month and day of the declaration on oath have been lost. The hand is regular and cursive; note the form of beta (u-shaped). The most distinctive feature of the text is that the name of Geta, cancelled in line 26, nevertheless remains in line 34. In their edition of *P. Mich. VI* 397, H. C. Youtie and O. M. Pearl examined the evidence for the erasure of Geta's name and concluded that, contrary to the rigor presumably attending the execution of the Senate's *damnatio memoriae* decree, Geta's name has been crossed out no more than twenty percent of the times that it appears in documentary papyri.<sup>86</sup> In other words, after Geta's murder and the enactment of the senatorial decree at the end of A.D. 211 or early in 212, village authorities did not comb their archives with minute care to emend earlier documents in order to comply with senatorial guidelines. Instead, it would appear that cancellation proceeded in a somewhat careless fashion, as 272 indicates. All the same, some considerable effort must have been put to the task of finding this document from eight years earlier and even partially removing Geta's name from it.

Παρετέθ(η).

Πρεσβυτέροις κώ(μης) Πέλα  
διαδεχομ(ένοις) καὶ τὰ κατὰ τὴν  
4 κωμογρα(μματείαν)  
παρὰ Ὄριγενεί <ας> Μάρκου  
ἀστῆ(ς) μετά κυρίου Μενελάου  
τοῦ καὶ Ἡρακλείδου. ἀπογρά(φομαι)  
8 κατὰ τὰ κελ(ευσθέντα) ὑπὸ Κλαυδίου  
Διογνήτου τοῦ κρατίστου  
ἐπιτρόπ(ου) περὶ ἀβρόχο(υ) καὶ  
ἐπηντολ(ημένης) ἦν ἔχω περὶ Ἀν-

<sup>85</sup> See for this document type C. Préaux, *Cd'E* 38 (1963) 117-33; L. C. and H. C. Youtie, *ZPE* 33 (1979) 193-200; G. M. Parássoglou, *Cd'E* 62 (1987) 205-18.

<sup>86</sup> Greater care was taken with more monumental reminders of Geta. See the detailed study of H. Heinen, "Herrscherkult im römischen Ägypten und *Damnatio Memoriae* Getas," *Mitteilungen des Deutschen Archaeologischen Instituts, Römischen Abteilung* 98 (1991) 263-98.

12 τιπ(έρα) Πέλα ἐκ τοῦ Παιδίνου  
 κλήρου προτεταγμ(ένου) Δωροῦ-  
 τος καὶ Ταχόιτος ἀμφοτ(έρων) Δω-  
 ρίωνος βασιλ(ικῆς) ἀπὸ κοι(νωνικῶν)  
 16 (ἀρουρῶν) α Ld τὸ ἐπιβάλ(λον) μοι μέρος  
 ἀβρόχ(ον) (ἀρούρης) νασατ  
 καὶ περὶ Πέλα ἐκ τῆς Ἀντιό-  
 χου παριμένης προτεταγμ(ένης)  
 20 Δωροῦτος καὶ Ταχόιτ(ος) ἀμφοτ(έρων)  
 Δωρίω(νος) ιερᾶ(ς) ἐπηντλη(μένης) (ἀρούρης) α  
 καὶ ὁμινώ τὴν Λουκίου  
 Σεπτιμίου Σεονήρου Εὐσεβοῦς  
 24 Περτίνακος καὶ Μάρκου  
 Αὐρηλίου Ἀντωνίνου Εὐσεβοῦς  
 καὶ Πουβλίου Σεπτιμίου [Γέτα]  
 Καισάρων τῶν κυρίων τύχην  
 28 μὴ ἐψεῦσθαι. (ἔτους) ιβ Αὐτοκρατόρων  
 Καισάρων Λουκίου Σεπτιμίου  
 Σεονήρου Εὐσεβοῦς Περτίνακος  
 'Αραβικοῦ Ἀδιαβηνικοῦ Παρθικοῦ  
 32 μεγίστου καὶ Μάρκου Αὐρηλίου  
 Ἀντωνίνου Εὐσεβοῦς Σεβαστῶν  
 καὶ Πουβλίου Σε[πτ]ιμί[ο]υ Γέτα

-----

11 ἐπηντλ(ημένης) 19 παριμένης pap.; παρειμένης

Noted in the register.

To the elders of the village of Pela who are also performing the duties of village scribe, from Horigeneia, daughter of Marcus, citizeness, with the assistance of her guardian, Menelaos alias Herakleides. In accordance with the orders of his excellency, the procurator Claudius Diognetus, regarding uninundated and artificially irrigated land, I register my property situated near Antipera Pela, part of Paidinos' lot, formerly assigned to Dorous and Tachois, both daughters of Dorion, 1 3/4 arouras of royal uninundated land held in partnership, my share being - aroura, and near Pela, from the abandoned property of Antiochos, formerly assigned to Dorous and Tachois, both daughters of Dorion, 1 aroura of artificially irrigated temple land. And I swear by the fortune of the Lords Caesars Lucius Septimius Severus Pius Pertinax and Marcus Aurelius Antoninus Pius and Publius Septimius [Geta] that I have not lied. Year 12 of Emperors Caesars Lucius Septimius Severus Pius Pertinax Arabicus Adiabenicus Parthicus Maximus and Marcus Aurelius Antoninus Pius Augusti and Publius Septimius Geta . . .

1 As *παρετέθ(η)* was written by the same hand as the balance of the text, this papyrus is a copy of the original declaration filed.

2-4 *πρεσβυτέροις κώ(μης) Πέλα διαδεχομ(ένοις) καὶ τὰ κατὰ τὴν κωμογρα(μματείαν):* The *κωμογραμματεία* was a village liturgy that normally lasted three years. See N. Lewis, *Inventory of Compulsory Services* (New Haven/Toronto, rev. 1975) and *The Compulsory Public Services of Roman Egypt* (Pap. Flor. 11, Florence 1982) s.v. *κωμογραμματεία, κωμογραμματεύς*. *P. Aberd.* 81 (Philadelphia, 186) contains parallel phrasing. Other examples of elders conducting the affairs of the village scribe may be found in *P. Oxy.* XLIII 3089 (146); *P. Rain. Cent.* 65-67 (Lycopolite, 234); *P. Mich.* VI 423-24 (Karanis, 197); *SB* VIII 10207 (Oxyrhynchite, II-III); *SB* X 10614.57 (Fayum, 167/8); and *SB* XVI 12522 (Philadelphia?, by April 144). Avogadro notes that declarations of *ἀβροχία* in which the declarants' residence is not indicated were addressed to the *κωμογραμματεύς* of the village near which the land was situated: S. Avogadro, "Le *ἀπογραφαί* di proprietà nell'Egitto greco-romano," *Aegyptus* 15 (1935) 165-66.

On *πρεσβύτεροι* in general, see A. Tomsin, "Étude sur les *πρεσβύτεροι* des villages de la χώρα égyptienne," *BAB* 8 (1952) 95-130 and 467-532, and Lewis, s.v. *πρεσβύτερία, πρεσβύτερος*.

Πέλα: 'Αντιπέρα Πέλα was a village in the western toparchy of the Oxyrhynchite nome, often referred to in documentary sources merely as Πέλα; see A. Calderini, *Dizionario dei nomi geografici* I.2, 119 and 4.1, 88-89.

5-6 Ήριγενείας Μάρκου ἀστῆς: See D. Delia, *Alexandrian Citizenship* 13-21, for a demonstration that *ἀστής* was employed as a status designation by female citizens of all four Greek cities in Egypt. It is reasonable to suppose that *κύριοι* of female Alexandrian citizens possessed the same franchise as their wards, and as Horigeneia's guardian, Menelaos alias Herakleides, is not explicitly identified as an Alexandrian citizen, this papyrus does not establish of what city she was a citizen. *SB* XVI 12642 (Oxyrhynchite, 196) attests a Horigeneia, daughter of Marcus [NN] Niger and Demetria, also possessing *ἀστής* status, who paid tax on katoikic land situated in Pela some years earlier through an Alexandrian citizen representative. Against the doubts of the ed.pr., B. Kramer (*APF* 40 [1994] 211) has argued in favor of an identification and, consequently, Alexandrian status for Horigeneia. The representative in *SB* XVI 12642 is not, despite Kramer's reference to him as *κύριος*, so identified in the papyrus, and he could well have been only a business agent, in which case his status is less immediately relevant to the determination of Horigeneia's. Marcus NN Niger in *SB* XVI 12642 is identified by the tria nomina, Marcus of 272

only as Marcus—which would be odd in an official declaration if he really had the *tria nomina*. In sum, the identification, although attractive, remains both unproven and of uncertain consequence for Horigeneia's status.

8-10 Claudio Diognetas (*PIR* 2 II C852) appears in Egypt from 197 through 204; see *W.Chr.* 171 introd., Préaux (n. 85) 127-30, Parássoglou (n. 85) 212-13 and *Imperial Estates* 87-88, and *P.Harr.* II 198.6n. Which (equestrian) procuratorial position he held when he issued orders for declarations of uninundated land is uncertain; recent scholarship has generally rejected the view that he was *procurator usiacus*: See (in addition to the above) P. J. Parsons, *JRS* 57 (1967) 139 n. 53. Before 197, the prefect was responsible for the orders requiring such declarations; it is not yet clear who took over this responsibility after that date.

12-13, cf. 18-19 We may now add Paidinos and Antiochos and their property in the western toparchy at Antipera Pela to P. Pruneti's lists of owners and geographical distribution: "I ΚΛΗΡΟΙ del nomo Ossirinchite: ricerca topografica," *Aegyptus* 55 (1975) 159-244.

13-14 Dorous and Tachois, daughters of Dorion, are otherwise unattested. Ταχοῖς is a fairly common female name. F. Preisigke, *Namenbuch*, and D. Foraboschi, *Onomasticon*, do not record Δωροῦς nor does it emerge in searches employing the DDBDP. It appears to have been the female variation of Δωρᾶς on the pattern of Ἡρακλοῦς for Ἡρακλᾶς, Σαραποῦς for Σαραπᾶς and the like.

15 ἀπὸ κοινωνικῶν: meaning "held in common" or "jointly owned." See *P.Oxy.* II 248.21 and 24 (80); *P.Oxy.* XXXVI 2776.13 (119); *P.Wisc.* I 9.9 (Oxyrhynchus, 183); and *P.Gen.* II 116.17 and 34 (Oxyrhynchus, 247).

19 παριμένης: γῆ παρειμένη (from *παρίημι*) may mean "abandoned" land. For parallels, see *P.Oxy.* IV 713.27 (97) and XII 1549.14 and 35 (240), and *P.Köln* II 100.8 and 21 (Oxyrhynchite, 133). For discussion, see D. Klamp, *ZPE* 2 (1968) 115-16, and Rowlandson, *Landowners* 44 n.48. Pruneti, 161, emphasized that this type of land was distinct from katoikic *kleroi*. On the frequent interchange of ει and ι, see F. T. Gignac, *Grammar* I, 189-91.

22 For oaths by the (good) fortune of these emperors, see *P.Mert.* II 84 = *C.Pap.Gr.* II 1.20 (Oxyrhynchus, 201) and *P.Mil.Vogl.* IV 237. On oaths of this kind, see E. Seidl, *Der Eid im römisch-ägyptischen Provinzialrecht* I (Münch. Beitr. 17, Munich, 1933) 14.

28-34 For the formula, see P. Bureth, *Les titulatures* 100. Year 12 was 203/4. All known declarations of this kind date between January and July, cf. Préaux (n. 85) 123; the date is thus presumably 204.

On the death of Geta, see Dio (Xiph.) 77.2, Herod. 4.4.3 and *HA: Carac.* 2.4-5. Youtie and Pearl assembled a chronological list of papyri on which the name of Geta had been cancelled in *P.Mich.* VI 397, n. to lines 6-8. See now *P.Diog.* 3.3-4n. for an updated list. Cf. intro. above and see also S. Brassloff, "Damnatio memoriae," *RE* IV.2 (1901) cols. 2059-62; P. Mertens, "La damnatio memoriae de Géta dans les papyrus," in *Hommages à L. Herrmann (Coll. Latomus* 44, Brussels 1960) 541-52, and A. R. Birley, *The African Emperor: Septimius Severus*<sup>2</sup> (London 1988) 189.

34 The name of Geta remains here, despite its cancellation in 26. It is reasonable to assume that it escaped cancellation here because the expunger (who eight years later found this document intact and accessible in the archives) did not read any further than that line.

35 The text is broken off so that the month and day of the declaration on oath have been lost. These have, however, survived in similar declarations: *P.Oxy.* VIII 1113.2 (203) and *CPR* VIII 11 (Fayum?, 212).

[Diana Delia]

### 273. Lease of Part of an Estate

Inv. 477

20 x 10 cm

204

Plates 27-28

Oxyrhynchos

This lease is written in a very fine and regular, almost calligraphic hand, with many letters separated. Note looped phi (13), circlets on kappa and zeta (1, 15). There are no abbreviations and few ligatures. The papyrus is light brown; only its top and bottom margins are intact. A vertical fold (as evidenced by wear) of about  $\frac{1}{2}$  cm in width runs through the papyrus, slightly over 3 cm from our left edge (on the back, this fold marks the start of a second column). Another fold appears roughly 3 cm from the right edge, leaving a center section of roughly 3 cm. The edges of the surviving text mark two more folds; thus, what survives are three "panels" partitioned by four folds. Most panels contain 10-13 letters per line (but occasionally as few as 9).

The approximate width of the original text may be inferred from the dating formula. The number of letters between the initial alpha of Αὐτοκρατόρων and the κος in Περτίνακος totals 58. Although there is variation ranging from the 41 letters in line 6 (9 cms) to the 31 in line 17 and 18 (10 cms), the text averages about 4 letters per cm; from this we can propose that 14-15 cms of text have been lost (to which we must add something, perhaps 1 cm, for the two margins).

Since a fold occurs every 3 cms (10-13 letters), these 15 cms (58 letters) of text would be partitioned by five folds: the two which comprise the edges of what survives plus three others. Thus, five panels of text have been lost; three have survived. A papyrus folded into eight panels is the natural result of folding a papyrus in half edge to edge three times. The panels which survive are most likely the third, fourth, and fifth from the left margin (see note on the restoration of line 1).

This multi-year lease has several unusual features, as noted below. The large amounts of money and diversity in cultivation suggest a rather wealthy estate: we find provisions for peaches and pears (5), reeds (10), and roses (17), but no mention of grain, fodder, or arable land. Twenty donkeys are required for transport of chous (11). The wording of line 22 suggests that the rental included a building. The presence of reeds and fruits strongly suggests that the *κτήμα* contained a vineyard; indeed, texts concerning Oxyrhynchite vineyards—leases: *P.Oxy.* IV 729 (137); *P.Ross.Georg.* II 19 (141); *P.Harr.* I 137; contracts for labor: *P.Oxy.* XIV 1631 (280); 1692 (188); XLVII 3354 (257); *P.Laur.* IV 166 (289-90); *PSI* XIII 1338 (299)—offer the closest parallels in many respects. Only the contracts *P.Oxy.* 1631 and 3354 are complete. For Oxyrhynchite vineyard leases see now generally Rowlandson, *Landowners*.

[ Σίμι]λλις καὶ ὡς χρηματίζει, βουλευτής, γενόμενος  
 εὐ[θηνιάρχης,  
 [ ] ου Λεοντάτι Λεονίδου μητρὸς Ἰσαροῦτος,  
 ἀπ[ὸ  
 [ τῷ β]ωρινῷ αὐτοῦ κτήματι περὶ Σεντῷ σὺν τοῖς ἐγ[οῦσι  
 πᾶσι  
 4 [ φόρου ἀ]ποτάκτου κατ' ἔτος ἀργυρίου δραχμῶν χειλίων [  
 [ πε]ρσικῶν τριακοσίων, κρουστομίνων ἔξήκοντα [  
 [ τὰς ἡμερησίας χρείας τὸν τε τῷ[ν Σι]μίλλιδος καὶ  
 τῶν α. [  
 [ ] καὶ τῶν ἐν αὐτῷ ποτισμῶν διντων πρὸς τὸν  
 Αὐρ[ήλιον  
 8 [ ] καὶ τῶν ἄλλων ἔργων πάντων διντων πρὸς τὸν  
 μ[εμισθωμένον  
 [ τῷ Σίμι]λλιδι, βεβαιουμένης δὲ τῆς μισθώσεως, δώσει ὁ  
 μ[εμισθωμένος  
 [ ] α ὁ Σίμιλλις πρὸς τὴν  
 καλαμ[  
 [ ] ντος χοδὸς δινος εἴκοσι  
 σὺν ὀν[ηλάταις

12 [οὐ]σης πρὸς τὸν μεμισθωμένον πρὸς ὅν καὶ ἔσται [  
 ] τῶν καρπῶν ἔως τὰ ὀφειλόμενα κατ' ἔτος ἀπὸ[λάβῃ  
 ] μεν τῶν ἐκτάκτων τῷ δέοντι καιρῷ, τὸν δὲ  
 φόρον  
 ] διακοσίας καὶ ἐξενίαυτα Θῶθ δραχμὰς τριακοσίας  
 16 [ ] ας δραχμὰς διακοσίας, μεμισθωκέναι δὲ τῷ [  
 ] ατος ῥοδεῶνα φόρου κατ' ἔτος ἀποτάκτου [  
 ] ιν, τῶν δὲ ἔργων ὄντων πρὸς τὸν μεμισθω[μένον  
 κατ'] ἔτος μηνὶ Φαρμοῦθι, παρεῖληφεν δὲ ὁ  
 μεμισθωκὼς  
 20 [ ] ι κεχαρακωμένας πρὸς τὸ καὶ αὐτὸν παράδοσ[ιν  
 ] ἐ]πιμεμελημένον καὶ καθαρὸν ἀπὸ θρύου καὶ  
 β[οτάνης  
 [ἀποτεισάτω ο]ῦ ἐὰν μὴ παραδῷ τὴν ἀξίαν καὶ ὁ ἐὰν  
 προσο[φειλέσῃ  
 [ ] ἀ]ξίαν τιμὴν, μένοντος τῷ Σιμίλλιδι τοῦ λόγου  
 πε[ρὶ  
 24 [καὶ ἐκ τῶν ὑπαρχόντ]ων αὐτῷ πάντων, οὐκ ἔξόντος τῷ  
 μεμισθω[μένω  
 ] μενων ἀποδώσει, ἢ μὴ ποιῆτὰ ἔργα, ἐξέσται τῷ [  
 ] μέχρι το[ι] ε ὄφειλη. κυρία ἡ μίσθωσις.  
 (ἔτονς) ιγ Α[ντοκρατόρων Καισάρων Λουκίου  
 Σεπτιμίου Σεονήρου Εὐσεβοῦς  
 [Περτίνα]κος Ἀρρ[βικοῦ] Ἀδιαβηνικ[οῦ] Παρθικοῦ  
 [μεγίστου καὶ Μάρκου Ἀυρηλίου Ἀντωνίνου Εὐσεβοῦς  
 28 [Σεβαστῶν καὶ Πουβλίου Σεπτιμίου] Γέτα Καίσαρος Σεβαστοῦ  
 Φαῶ[φι  
 [ ] ω]ς πρόκειται

2 ἵσαρουτος παρ. 20 κεχαρακωμένας: χ εκ κ

] Simillis, and however he is styled, councillor, former eu[theniarch  
 has leased through] NN to Leontas son of Leonides and Isarous  
 from [  
 ] in his northern *ktema* near Sento, with [all the things] belonging to  
 it[  
 4 a rent] fixed annually at 1000 [+] drachmas of silver [  
 ] 300 peaches, 60 pears [  
 ] the daily needs of both Simillis and the [  
 ] and the irrigation work on it being the responsibility of Aur[elios] ?  
 8 and all the rest of the work being the responsibility of [the lessee

[to Simillis. When the lease is confirmed, [the lessee] will give [  
 ]Simillis for the reed [work or plantation  
 ]of soil, 20 donkeys with [drivers ?  
 12 ]being the responsibility of the lessee, who shall also be responsible  
 for [  
 ]the lessor shall] retain control of the produce until he has received  
 the amounts due each year [  
 ]of the special payments at the proper time, and the rent [  
 ]200, and in Thoth of the following year 300 drachmas [  
 16 ]200 drachmas; and (I agree that I) have leased to [  
 ]the rosegarden at a fixed yearly rent [  
 ]with the liability for the work being the less[ee's?  
 ]annually in the month of Pharmouthi, and the less[ee? or?] has  
 received [  
 20 ]fenced, for the sake of his delivery [  
 ]well maintained and free of rush and weed [  
 let him forfeit] the value of whatever he fails to deliver and for  
 arrears [  
 ]the equivalent value, with Simillis retaining the claim about [  
 24 the right of execution] of all the property being his (the lessor's), it  
 not being allowed to the [lessor ?  
 ]he will deliver, or if he does not perform the tasks, it will be  
 allowed to the [  
 ] while he owes (this?). The lease is normative. Year 13 of the  
 Imperatores [Caesares Lucius Septimius Severus Pius]  
 Pertinax Arabicus Adiabenicus Parthicus Maximus [and  
 Marcus Aurelius Antoninus Pius, Augusti, and Publius  
 Septimius] Geta Caesar Augustus, Phaophi [  
 29 (second hand)] as specified above.

1 The first word of the document was presumably *ἐμίσθωσεν*. The consistent use of the third person, the nominative *Σίμιλλις* in line 1, and the dative *Λεοντᾶτι* in line 2 make it certain that the lease was composed in the private protocol style so characteristic of the Oxyrhynchite nome (see J. Herrmann, *Bodenpacht*, 21-23; Wolff, *Das Recht* II 122-27). The infinitive *μεμισθωκέναι* (line 16) may appear to challenge this, but this challenge can be met, as discussed below. The restoration *ἐμίσθωσεν Σιμι]* totals 13 letters, which, with a small margin, would nicely fill the space lost by one section of text. However, line 11 of the verso reads *Ἰος Σίμιλλις*, which indicates that Simillis had at least a *nomen*. If the lease styled him more fully, as *καὶ ὡς χρηματίζει* suggests, we must conclude that more than one

section of text has been lost from the left edge, containing at least ἐμίσθωσεν *nomen Σιμίλι*]. Possibly he had a *praenomen*, and possibly he also used another name (ό καὶ N).

Simillis: not very common. *P.Genova* I 17.5, a list of names, includes a Simillis Seratos; *P.Oxy.* XLIV 3169 frA, 4.144 has a Simillis. Servius Sulpicius Similis was prefect of Egypt from A.D. 107-112.

βουλευτής, γενόμενος εὐθηνιάρχης: this is not the normal word order; there are no parallels for listing bouleutes before euthenarch, or indeed before the other high offices. Men who have held the euthenarchy have almost always held other offices, which invites us to believe that Simillis may also have styled himself as gymnasiarch, agoranomos, etc. Certainly the lacuna between lines 1 and 2 will have provided more information on the identity of Simillis; possibly he held these posts in Alexandria, which would allow us to restore the 34 letters of τῆς λαμπροτάτης πόλεως τῶν Ἀλεξανδρέων ("of the most illustrious city of the Alexandrians"), or possibly he identified himself as from Oxyrhynchos, ἀπὸ τῆς Ὁξυρυγχειτῶν πόλεως (24 letters; it is too early for the formulaic ἀπὸ τῆς λαμπρᾶς καὶ λαμπροτάτης Ὁξυρυγχειτῶν πόλεως, which emerges in the 270s; see further D. Hagedorn, 'Οξυρύγχων πόλις und ἡ Ὁξυρυγχειτῶν πόλις, *ZPE* 12 [1973] 277-92).

2 ].ον: probably this genitive ending belongs to the agent who transacted the affair on behalf of Simillis; cf. *P.Oxy.* III 501 (187), XVIII 2189 (220), and *SB* XII 11081 (261), leases transacted διὰ ἐπιτρόπου; *P.Oxy.* XIV 1686 (165) and *SB* XII 10780 (172/3), leases transacted διὰ φροντιστοῦ. The trace of the horizontal stroke emerging from the edge could belong to either a tau or a pi.

The lacuna between lines 2 and 3 must have given information about the origins of Leontas, e.g. τῆς Ὁξυρυγχειτῶν πόλεως (21 letters) or τῆς αὐτῆς πόλεως (14 letters). Furthermore, the lacuna must have provided a direct object or objects for what Simillis has leased. Apparently he has not leased an entire *ktema*; rather, he has leased something *in* his *ktema*, hence the dative *κτήματι*.

3 The only reasonable reading is βωρινῷ for βορινῷ; βορινός and βορεινός are variants of βόρειος (cf. *P.Laur.* IV 166 frB 4, *Stud.Pal.* XX 58 frA, 2.19 [Hermop. 265-6], etc.), and we note that the scribe spelled Leonidas with an omicron.

*κτήματι*: "a walled enclosure as opposed to the open fields," often a vineyard with a garden; see Rathbone, *Economic Rationalism* 33. The provisions in the present text are so similar to those found in the aforementioned leases of Oxyrhynchite vineyards that we may be led to conclude that Leontas rents a vineyard. But there is no mention of vines or ἀμπελών, and a *ktema* could also contain an orchard (*πωμάριον*), a reed

plantation (*καλαμεία*), and buildings (e.g. a heliasterion). The produce mentioned in lines 5 and 13 indicates that Leontas leased an orchard; the roses in line 17 suggest a garden; the provisions in line 22 suggest a building as well. Line 10 implies that either Simillis retained control of the reed-plantation or else provided material for the lessee to work that plantation.

Sento: middle toparchy. See Pruneti, *Centri abitati* 169-70 and Calderini-Daris, *Dizionario* IV 269. Sento also appears in *P.Oxy.* VIII 1113 (203, one year before our text).

ἐγ[οῦσι πᾶσι: cf. *P.Harr.* I 137.2,7, also *P.Oxy.* III 506.r frA 27 (143) and XLVII 3365.2.50 (241).

4 Between lines 3 and 4 the lease will have specified the length of contract, the date of commencement, and the rent. The amount of rent (at least 1,000 drachmas) is quite large, but should be compared with two aforementioned leases of vineyards, *P.Ross.Georg.* II 19 (2,100 or 2,500 dr.) and *PSI* XIII 1338 (1,200 dr.).

5 The fruits here are part of a list of payments-in-kind owed to the lessor; other fruits probably were specified in the lacunae.

Peach trees, not very common, usually appear in conjunction with other fruits. Note especially their presence in two of the agreements concerning vineyards, *P.Oxy.* XIV 1631.r23 and *P.Ross.Georg.* II.19.16. See *P.Coll.Youtie* II.89.20 (Hermop., 485), *SB* I 4483.14 and 4485.6 (Ars., VII) for peaches in leases; also *P.Oxy.* XIV 1764.v18 (III), *P.Ryl.* IV 616.rFrB4 (Herm., 312), *SB* III 7242 (III = G. Zereteli, "Brief des Ammonios an Apion über Pfirsiche," *Aegyptus* 7 [1926] 277-81). See further Schnebel, *Landwirtschaft* 312; Keimer, *Gartenpflanzen* II 25.

κρουστομίνων: the form of the kappa should be compared with that in οὐκ (24) and κυρία (26). This must be the *Crustumino* pear, of which variety we find mention in Celsus (2.24.2), Columella (5.10.18; 12.10.4), and Scribonius Largus (104). Pliny, who judges the variety *gratissima*, refers to it both as *Crustumino* and *Crustumius* (*NH* 23.115; 15.53); Vergil employs the latter form, *metris causa* (*Georg.* II 88). The word χρυστομίνος in *P.Lond.* III 964.17 (III) gives corroborating evidence that the species was known in Egypt (the variation in spelling is not significant; see Gignac, *Grammar* I 89-90 for confusion of kappa and chi, 211-215 for the interchange of omicron-upsilon and omicron). We may now also read κρυστομίνω[ν for ]κρυστομίνω[ in VIII 232.5, a lease of a date grove.

Pears must have been quite rare. Schnebel, *Landwirtschaft*, does not mention them; although Keimer concedes that remains of *pirus communis* were found at Hawara, and allows that pears may have been introduced in the Hellenistic era, he believes that they could never have been cultivated in the Nile valley because of the hot summer (*Gartenpflanzen* II 26; Keimer cites the wrong book for the report of pears at Hawara; the correct

reference is P. Newberry in Fl. Petrie, *Hawara, Biahmu and Arsinoe* [London, 1889] 53). The hot summers did not deter Zenon and Apollonios from trying to grow ῥιπιοι (*pirus communis*) in their orchards in the third century B.C.: in *P. Mich.* I 24 (257 B.C.), an agent sends to Apollonios the shoots of 200 pear trees from another orchard; in *P. Cair. Zen.* II 59156 (256 B.C.), Apollonios orders Zenon to transplant as many shoots and young plants as possible from Memphis to Philadelphia; in *P. Cair. Zen.* III 59486 (257? B.C.), an agent writes to Zenon about fruit trees, including 20 pear trees.

6 ἡμερησίας χρείας: a *hapax*. Probably this clause refers to special benefits for the lessor and perhaps his household (e.g. καὶ τῶν αὐτοῦ ιδίων). The first *τοῦ* in *τοῦ τε τοῦ* Σιμίλιος must refer to a noun now lost in the lacuna at right.

7 The reading Αὔρη is preferable to 'Αρη, though the latter is also possible. Although the ligatured upsilon-rho resembles a nu following an alpha (cf. ἀργυρίον in 4 and κυρία in 26 versus πάντων in 8 and 24, ἔστιν in 22, and ἀξίαν in 22 and 23), the letters in question clearly resemble an alpha-upsilon ligature more than an alpha-nu ligature (cf. forms of αὐτός in 3, 7, 20, 24 and ἔξενίαντα in 15). If the reading Αὔρη is correct, then Αὐρήλιος is a likely restoration.

Whether this person be named Aurelius or not (for convenience we shall assume he is), we want to know who he is and what his role in the phrase πρὸς τὸν Αὔρηλιον is. The article *tōv* indicates that he has already been mentioned; in what survives the only two parties mentioned are the lessor Simillis and the lessee Leontas. He cannot be the lessee: the genitive ending *ov* before the dative Λεοντᾶτι in line 2 rules out an Aurelius Leontas; furthermore, the occurrence of the singular μεμισθωμένον (12) rules out more than one lessee. He could be the lessor. Simillis appears four times in the body of the contract (6, 9, 10, 23) where one could expect the word for lessor (μεμισθωκώς). As noted, line 11 of the verso reads Ιος Σίμιλις, which indicates a *nomen* and does not rule out "Aurelius Simillis." If we are dealing with a lessor named Aurelius Simillis, then we must wonder why the text refers to him sometimes as "Simillis" and sometimes as "Aurelius Simillis." It is unlikely that he is a co-lessor: although the absence of μεμισθωκώς from our text leaves unspecified the number of lessor(s), the singulars αὐτοῦ (4) and παρεῖληφεν (19) suggest a single lessor of the estate.

The responsibility for the irrigation belongs to the lessee in all but two examples of the 23 leases and applications for leases with clauses concerning ποτισμός that we have seen. In the two exceptions, the lessee in *P. Oxy.* XVII 2137.26 (226) is allowed to utilize the machine for irrigation free of charge, while the lessor of public estates in *P. Mich.* V 311.r.18

(Tebt., 34) apparently retains responsibility for the watering. This suggests that a lessor bearing responsibility for irrigation is rare. Could Aurelius be a third party? Perhaps: (i) a sublessee; (ii) another lessee of Simillis on an adjacent part of the *ktema*; (iii) the lessor to Simillis, who in turn subleases to Leontas; (iv) an agent involved with the irrigation of the property. Again, we have no mention of a third party which would necessitate the article *tōv*. Furthermore, it would be unusual for a contract between two parties to delegate responsibility for something to a party outside of that contract. Since line 8 stipulates the responsibilities of the lessee, it seems natural that line 7 would enumerate those of the lessor, even though we are missing over 50 letters.

A clause in the aforementioned sublease of a vineyard *P. Oxy.* IV 729 may be relevant: the responsibility for irrigation is clearly that of the lessees in 24; however, in 13-16 the sublessor lends 3,000 drachmas to the sublessees for the purpose of irrigation and deducts 2,000 drachmas "paid to the persons who supplied the water for the current year in accordance with Sarapion's lease of the land from them." Could Aurelius be the source of water for this vineyard?

If the restored Aurelius is correct, we have another example of an Aurelius before the *Constitutio Antoniniana* (see also 271). On Aurelii before 212, see J. F. Oates, "Philadelphia in the Fayum in the Roman Period," *Atti dell'XI Congr.* 461-63, who considers the case of the nomarch Apion who became Aurelius Apion between March 210 and May 211 (but did not gain a *praenomen*) and a Marcus Aurelius Papirius. See also D. Hagedorn, "Marci Aurelii in Ägypten nach der *Constitutio Antoniniana*," *BASP* 16 (1979) 47-59; J. G. Keenan, "The Names Flavius and Aurelius as Status Designations," *ZPE* 11 (1973) 42 n.41.

8 καὶ τῶν ἄλλων ἔργων πάντων ὄντων πρὸς τὸν μ... is part of a formula which always refers to the responsibilities of the lessee.

9 Perhaps δώσει ὁ μεμισθωμένος τὰ ἐκφόρια καὶ τοὺς φόρους τῷ Σιμίλλιδι (or τῷ μεμισθωκότι) κατ' ἔτος ἐν μηνὶ (name of month), *vel sim.* We have specific provisions for the cash φόρος (4,17), and the fruits in line 5 represent part of the ἐκφόρια (rent in kind). δώσει is very odd in this context; ἀποδότω is usual.

10 The horizontal fibers are lost, but there appear to be traces of ink on the vertical fibers.

καλαμ[]: possibly καλαμουργίαν, possibly καλαμείαν. The relationship between reed-plantations and vineyards is not fully understood. The most relevant texts are the lease *P. Oxy.* IV 729 and the contracts for labor *P. Oxy.* XIV 1631, 1692, and XLVII 3354. See Schnebel, *Landwirtschaft* 255.

11 χοός: a special soil for gardening, mentioned also in connection with the vineyards of *P. Oxy.* IV 729.6, XIV 1631.15,28, XLVII 3354.11,

and *P.Laur.* IV 166.4. Its precise nature is unknown. D. Delia ("Carrying Dung in Ancient Egypt," *BASP* 23 [1986] 62) suggests the "decomposed manure from the dung heaps"; her other suggestion, "the fine powdery soil which covers ancient sites . . . also known as ἄμμος or *sebkh*" is less attractive; ἄμμος is silt, as from canals (see Rathbone, 242, 251).

12 οὐλης: comparison with the syntax of lines 7 and 8 suggests the restoration of the feminine participle of *εἰμί* in a genitive absolute. Could the feminine noun be *καλαμουργία* or *καλαμεία*, as in *P.Oxy.* XIV 1631.11 (*τῆς δὲ καλαμουργίας οὐσης πρὸς σὲ τὸν γεοῦχον*)?

The lacuna between lines 12 and 13 contained a shift from reference to the lessee's rights and obligations to reference to the lessor's control of the crops, a clause of which part survives in the next line. The usual formula is *τῶν τῆς γῆς κατ' ἔτος δημοσίων ὅντων πρὸς τὸν μεμισθωκότα* (or Σιμίλλιδα) *δὲν καὶ κυριεύειν*: "the annual state taxes on the land being the responsibility of the lessor (or Simillis), who also shall retain control." The total of 61 (or 59) letters makes a good fit, although something more is needed in line 12 to complete the clause beginning *πρὸς δὲν ἔσται*.

13 The order *τὰ ὄφειλόμενα κατ' ἔτος* is a hapax; the normal word order is *κατ' ἔτος τὰ ὄφειλόμενα* (over a dozen examples). Alternative restorations of the verbs are *κυριεύοντα(ς)* or *κυριεύετω* and *ἀπολάβηται*.

At some point the lease may have made allowance for the failure of irrigation, such as *ἐὰν δέ τις ἄβροχος γένηται, παραδεχθήσεται τῷ μεμισθωμένῳ*: "if any of the land remains unwatered, an allowance shall be made to the lessee" (49 letters).

14 *τὰ ἔκτακτα* are special payments in kind (hence given only in season) which supplement the regular payments of cash and in kind; see *P.Harr.* I 137.17; *P.Oxy.* XLVII 3354.r30, r44, and esp. XIV 1631.22,30,38.

15 *ἔξενίαντα*: literally "outside of the year." The regnal year and agricultural year are not identical; the harvest of produce grown during one regnal year may come in the next, hence payment "in the following year." See Youtie, *Scriptiunculae* I 357-58 (= *TAPA* 92 [1961] 551-52).

16 *μεμισθωκέναι*: the infinitive is an anacoluthon for which there exist parallels. A search in the DDBDP finds *μεμισθωκέναι* in 38 texts, 17 of which are from Tebtunis, and perhaps four from Oxyrhynchus. *P.Fouad* 43.19 (190), *P.Oxy.* XXXI 2584.r9 (211), and *PSI* X 1097.3 (54 B.C.) are leases of land; *P.Oslo* III 135.5 (286-293) is a lease of donkeys in which the editor tentatively restores *μεμισθω(κέναι)*. Since we almost always find *μεμισθωκέναι* as the complementary infinitive in a homology, be it objective (*όμολογεῖ*) or subjective (*όμολογῶ*), this invites us to restore the opening of our text as a homology. Indeed, *P.Oxy.* XXXI 2584 and *PSI* X 1097 are both subjective homologies (*όμολογῶ μεμισθωκέναι*). Since our text is

exclusively in the third person, we would want an objective homology (όμολογεῖ Σίμιλλις . . . μεμισθωκέναι). However, we know of no Oxyrhynchite lease of land written as an objective homology. How do we then explain the infinitive μεμισθωκέναι? *P. Fouad* 43 provides the answer. In that text, the author used the usual private protocol form (έμισθωσεν) but created an anacoluthon in line 18 by adding further provisions with εἴτι δὲ μεμισθωκέναι. We can find this same anacoluthon or inconcinnity in five leases from first century A.D. Tebtunis: *P. Mich.* V 311.8 (34), 313.11 (37), XII 632.11 (26), *SB* VI 9110.8 (26), X 10531.8 (36). Cf. also above, 254, intro.

17 Ιατος: almost certainly κτήματος.

Roses (ῥόδεών or ρόδών) are not common in the papyri, but note *P. Oxy.* XLVI 3313, the rose-garden in *P. Oxy.* IV 729.32, and *BGU* IV 1191 (5 B.C., also concerning a vineyard). *P. Oxy.* LII 3694 mentions the *rhodophoria*, on which festival see Youtie, *Scriptiunculae* I 529 (= *Stud. Rom. Ec. & Soc. Hist* 193); see also J. G. Griffiths, *Apuleius, the Isis-Book (Metamorphoses XI)*, 159-61.

19 The subject of παρείληφεν is uncertain; the lessee could receive advances of cash, materials, or seed while the lessor could receive returns.

20 κεχαρακωμένας: a participial form found only here and in *P. Oxy.* IV 729.23. In a note on a land-register from Oxyrhynchus (297-308), A. Swiderek speculates that: "χαρακών ἔμφυτος could be perhaps a plantation of reeds (?) out of which were made vine-props—χάρακες" ("The Land-Register of the Φερνουφίτου Toparchy in the Mendesian Nome," *JJurPap* 16 [1971], col. II.41 = *P. Oxy.* XLIV 3205.41)

21 ἐπιμεμελημένον: a participial form peculiar to leases of Oxyrhynchite vineyards; see *P. Oxy.* IV 729.22; XIV 1631.31; *P. Ross. Georg.* II 19.44; *PSI* XIII 1388.17 (cf. *P. Oxy.* XLVII 3354.46: μεμελημένην).

καθαρὸν ἀπὸ θρύνου καὶ βοτάνης: see the three *P. Oxy.* texts in previous note.

The provisions in lines 20-21 are strikingly similar to those in *P. Oxy.* IV 729.22-3, which reads: [καὶ μετὰ τὸν χρόνον παραδότωσαν οἱ μεμισθωμένοι τὸν κτῆμα καὶ τὴν καλαμείαν σύνφυτα καὶ ἐπιμεμελημένα καὶ καθαρὰ ἀπὸ θρύνου καὶ βοτάνης καὶ δείσης πάσης καὶ τὰ φυτὰ εὐθαλοῦντα καὶ [37 letters]τι κεχαρακωμένας. In that text there are 46 letters between παραδότωσαν and ἐπιμεμελημένα; our text would require over 50 between παραδό[ and ἐπιμεμελημένον. The sense of the lacuna must refer to handing over the estate, but the specific wording seems unrecoverable; see the next note.

22 The remains of this line have verbatim parallels in *P. Oxy.* III 502.38-9 (164) and *P. Yale* I 69.27-9 (Oxy., 214), while *P. Oxy.* VI 912.29-31 (235) and XLIV 3200.28-30 (II/III) differ only in reading ἀξίαν

*τιμὴν ὁ δ' ἔαν, and P.Mert. II 76.27 (Oxy., 181) and P.Oxy. VIII 1127.25-6 (183) offer only the slightest variations. These texts are all leases of buildings: a house, two rooms in a house, a cellar, half of a house, a workshop, and a pigeon-house, respectively. These linguistic parallels, found only in these Oxyrhynchite leases from within 40 years of our text, strongly suggest that a building was included in the contract. If so, then what follows *προσοφειλέση* should be: ἀπὸ τοῦ ἐνοικίου μεθ' ἡμιολίας ("arrears of rent increased by one half"), *vel sim.* Furthermore, in these examples, a *praxis*-clause follows: καὶ ἡ πρᾶξις ἔστω τῷ μεμισθωκότι ἐκ τοῦ μεμισθωμένου καὶ ἐκ τῶν ὑπαρχόντων αὐτῷ πάντων, *vel sim.* What precedes line 22 may have stated that the building was to be clean (i.e. of dung and other debris), in the same condition as at the inception of the lease, with the same doors and locks, and that the tenant was to hand over the keys. Line 21 appears to be such a provision, and the lacuna could be very plausibly filled, but "well maintained and free of rush and weed" befits a garden more than a building, as comparison with P.Oxy IV 729.22 shows. Again, while the general sense of the lacuna is clear, the specific vocabulary is uncertain.*

24 οὐκ ἔξοντος τῷ μεμισθωμένῳ: we have three parallels for this construction, and the evidence suggests that the prohibition applies to the lessor. In P.Oxy. I 101.48 (142), we find the clause of penalty for arrears, the *praxis*-clause, then οὐκ ἔξοντος τῇ μεμισθωκή ἐτέροις μεταμισθοῦν οὐδὲ αὐτουργεῖν ἐντὸς τοῦ χρόνου ("N is not permitted to re-let to others nor work the land herself during the term of contract"). Similarly, in *Homages Préaux* p.602.26-29 (127) we find the clause of penalty for arrears, the *praxis*-clause, then οὐκ ἔξοντος τῷ μεμισθωκότι ὑπερβόλιον [...] νειν οὐδὲ ἐτέροις μεταμισθοῦν οὐδὲ αὐτουργεῖν ἐντὸς τοῦ χρόνου. (The κυρία clause follows in both.) Although it is likely that the prohibition applies to the lessor, in P.Mert. II 76.39 (181), an appended clause prohibits the lessee from subletting to others (οὐκ ἔξοντος τῷ μεμισθωμένῳ ἐτέροις μεταμισθοῦν). Note also μεταμισθοῦν in P.Ross. *Georg.* II 19.50.

25 We have not found a parallel to the provision so fragmentarily preserved here.

26 The unread word might be *τόδε*. If *όφειλη* is subjunctive, *ἄν* is missing; but misspelling for *όφειλει* and an indicative construction are also possible.

Year 13 = 204/5; Phaophi = September/October 204.

29 The document apparently ends ὡς *πρόκειται*, for there is no trace of ink in the 4½ cm which follow nor the 1 cm below the line. This subscription probably, but by no means certainly, is that of Simillis. The content of the back apparently pertains to the affairs of Leontas and the author of the back may be Leontas himself. If Leontas or his secretary wrote the

back, that suggests that we have Leontas' copy of the lease, not Simillis', and therefore the subscription must be that of Simillis or his agent. In this event we will need to restore [Αὐρήλιος Σίμιλις . . . μεμίσθωκα.

There will have been ample space—roughly 18 cm—between the end of the dating formula (Φαῶ[φι ..] and ὡς πρόκειται. We cannot know how much space was left blank. Another reason to think that Simillis is the subscriber here is that subscriptions by the lessor are generally short: (lessor's name), with or without titles, μεμίσθωκα ὡς πρόκειται. Subscriptions by the lessee are longer and generally refer to the land, the length of contract, and the amount of rent.

*Back*

The back is written in a rapid, competent cursive, a different hand from that on the front. The most obvious link between front and back is the presence of Ιος Σίμιλις in line 11. The allusion to the "past twelfth year" in back 4 links the two more closely, for the date on the front is Phaophi of the thirteenth year of Septimius Severus. This suggests that the text of the back is relevant to the period covered by the lease on the front.

The author of the back has divided his text into three separate parts which suggests that each part deals with a separate matter. The first part (1-10) contains references to agricultural activity (line 8, perhaps also 2) and concerns more than one year (10). There is concern for the situation of the author's predecessor in 6, and some attention to money (payment in 4, taxes in 7). The second part mentions Similis and the calculations here may represent an extract of tax records. Little can be said of the second column. A stroke under the letters could be a final flourish or perhaps a sign for γίνεται.

The reference to Similis in line 11 proves that he cannot be the author of the back who writes in the first person in lines 5 and 6. The text of the back could be Leontas' calculations regarding the property he has leased from Simillis.

Column I

	Ινιον στρα( ) μεθ( ἔτερα)
	Ιθ ἀνηχθ( )
	ν]πὲρ ὡν τὰ
4	Ιδιελ(ηλυθότι ?) ιβ διέγραψα
	Ις ὑπ' ἐμοῦ ἀνελημφθ( )
	Ι καὶ ὑπὸ τοῦ πρὸ ἐμοῦ
	Ιν ὁμ( ) τελέσματα
8	Ιφυτείας χρόνον

]  
] ἐπὶ τῷ τομεγ  
] δὲ ἄλλων ἐτῶν

12      Ιος Σίμιλις καὶ ώς  
χρηματίζει      ] πρὸς ἄλλας (ἀρούρας) βδ/  
] (δραχμὰς) λε (πεντάβολον) χ<sup>ο</sup> ναυβείο(υ)  
] (δραχμὰς) ρξβ (τριωβέλιον) (ήμιωβέλιον) χ<sup>ο</sup>

## Column II

καὶ δι' ἀλλοῦ [

— — — — —

1] *ινον στρα( )*: no strategus with a name ending -nius is known for these years. Perhaps *στρ(ατιώτον)*?

2 The initial θ may belong to *ἐκκεκόφθ( )*, "clear of brush, etc."; cf. *P. Vars.* 11.15-16 (Ars., 138-61): *ἐκκεκόφθ(αι)* καὶ ἀναχθ(ῆναι), also *P. Oslo* II 17.7, 15, and *P. Mert.* I 27.10 (Ars., III, with note), all of which concern vineyards.

4 *διελ( )*: the word abbreviated is clear, the case is not.

9 *τομεγ*: it is awkward to take *το* as an article after *ἐπὶ τῷ*. The string *τομ* does not suggest anything other than the cognates of *τέμνω*; it is thus tempting to read *τὸ με( )*, i.e., to take this as an articular infinitive. "Cutting" makes sense in an agricultural context; cf. *ἀμπελικοὺς τόμον* in *P. Hamb.* II 191.4 (Oxy.?, III), *δικαία τομῆ* in *P. Ross. Georg.* II 19.32, *τομῆ* in viticultural texts from the Zenon archive. The author does abbreviate often, but there is no sign of abbreviation here.

11 *Αὐρήλιος* or *ὁ αὐτός*?

[George Fredric Franko]

## 274. Extract from Property Register

Inv. 30

21.5 x 21.8 cm

208/9

Plate 29

Back blank

The papyrus contains two hands. The first is a neat, calligraphic hand in black ink, with exceptional bilinearity (e.g., 3), the second a less legible cursive hand written in red ink. There is a border of x's above the first line, in the blank space at the end of the second line, and along the right margin. This border is written mostly in red ink, though the x's of line 2 appear darker than the rest of the x's. For the most part the papyrus is well-preserved, except for large portions which have suffered from insect damage. It appears that this papyrus was originally rolled up then flattened; six vertical folds are visible. The folded sections, from left to right, measure respectively 3.9, 3.7, 3.4, 3.0, 2.7, 2.5, and 2.3 cm., showing that the sheet was rolled from right to left. Since the left margin is missing on this papyrus, it is likely that the outermost folded section was lost. This section would have measured approximately 4.2 cm., or approximately 8 or 9 letters. This hypothesis conforms to the restorations in the lacunae at the beginning of each line of text.

This document is an officially validated extract copied from the property archives of the Arsinoite nome. Its most outstanding physical feature is the use of red ink for x's delimiting the text and for the subscription. Paul Schubert has counted 37 examples of writing in red ink in documentary papyri. Seventeen of these are, like 274, extracts from registries. Most date from the second and third centuries A.D.<sup>87</sup> The extracts concern a variety of subjects; issues of Roman citizenship are especially well-represented. Schubert suggests that these official extracts are a sign that their owners greatly valued the privileges or claims set forth in these documents.<sup>88</sup> A private individual would submit a copy of the document for validation and the official would touch up the copy in red ink. In the present papyrus, the two inks were used at the same location, as evidenced by the mixture of black and red in the x's most clearly seen in line 2. The individual's copy must have been written out in black by a scribe in the archives, and then authorized by a second scribe in red. The two scribes served as checks upon one another. This procedure helped prevent forged additions to documents from passing as authentic and at the same time offered a check against internal corruption.

<sup>87</sup> Paul Schubert, "L'encre rouge dans les papyrus," *P. Diogenes* pp. 34-39.

<sup>88</sup> *Ibid.*, p. 36.

This document helps to shed light on the nature of the *χάρις ἀναφαίρετος*, which translates roughly as “irrevocable gift.”<sup>89</sup> There are several instances of this expression in various types of documents over a five-century span,<sup>90</sup> but ten of the fourteen citations in the DDBDP fall in the period from 100 to 300. In eight, the gift in question takes place between relatives: mother to underage daughter (*P. Oxy.* II 273), mother to son (*BGU* VII 1589), mother to child’s foster father (*P. Oxy.* X 1284), grandmother to grandson (*SB* X 10571), sister to sister (*P. Rain. Cent.* 64), father to daughter (*P. Oxy.* LI 3638 and IX 1208), and father to sons (*P. Grenf.* II 70). In one case the gift takes place between two veterans (*SB* X 10526). The gift may be any type of property: land (*P. Oxy.* II 273, *SB* X 10526, *PSI* X 1126, *P. Kellis* 38a,b), a vineyard (*P. Oxy.* LI 3638), a house (*P. Oxy.* X 1284), slaves (*BGU* VII 1589), money (*SB* X 10571 and *P. Oxy.* IX 1208), and other movable items (*P. Rain. Cent.* 64). The gift referred to in the present document, a gift of land given by a father to his daughter, is typical for this group.

What exactly is a *χάρις ἀναφαίρετος*? The expression seems to refer to an action rather than to a type of document. This action could be effectuated through a written acknowledgement (*χειρόγραφον*), as in *P. Grenf.* II 70, an order for the enforcement of the notarization of a *cheirographon* concerning a gift (A.D. 244-248). This action was evidently taxable; *BGU* VII 1589 (A.D. 166/7) and *P. Oxy.* X 1284 (A.D. 250) are receipts for taxes paid on gifts.<sup>91</sup> Sometimes the gift could take place through a written contract of another type, and in a couple of instances in the larger context of a quasi-sale. For example, in *SB* X 10571 (A.D. 194), a mother and father sell a house to their underage son, with the son’s paternal grandmother acting as his guardian and providing the price of the house as an “irrevocable gift.” Similarly in *P. Oxy.* IX 1298 (A.D. 291), the sale of private land by a man to a minor woman is a two-step process: first, the girl’s father buys the land from the man and the father then in turn gives the land as an “irrevocable gift” to the girl. In both of these cases, the gift appears to be an inextricable part of the sale of property to a minor. It is unclear whether it was necessary to register the gift separately from the sale.

The first of the three sections of this document, lines 1-2, consists of a heading citing the source of the following abstract. The second section, lines 3-12, is the abstract itself, written in complete grammatical sentences.

<sup>89</sup> See generally Preisigke, *Fachwörter* 181; *WB* II 722-23 s.v. (4); Taubenschlag, *Law<sup>2</sup>* 208.

<sup>90</sup> See also now *P. Kellis* 38a,b.

<sup>91</sup> In *BGU* VII 1589.4, the tax is simply called a *τελος*; in *P. Oxy.* X 1284.7, it is specifically an *έγκυκλιον*. The rate of such a tax is unclear, but it is assumed that it would have been based on the declared worth of the property in question, as there is no sales price involved. See the commentaries to these two papyri.

The third section, lines 12-16, contains a dating formula and is written in a different hand. Most of the substance is in the second section, expressed in a single sentence, though there may be a sentence break somewhere in lines 11 or 12. The main clause of this long and complex sentence is: Πτολλαροῦς ἐπέδωκεν ὑπόμνημα, "Ptollarous submitted a memorandum." Everything else in the sentence is expressed in indirect discourse dependent on the participle δηλοῦσα (4), "notifying." The main dependent verb is ἐσχηκέναι (ἀρούρας), "(that) she has obtained x arourai." Prepositional phrases describe how Ptollarous has obtained this land (κατὰ χάριν ἀναφαίρετον, 4) and where, when and by whom this deed of gift was executed (4-5). Another participial construction in 8-9 describes some other action, and similarly governs a series of dependent prepositional phrases describing by whom, how, when and where this action was effectuated.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

1 (1 H.) [ἐκ βιβλιοθήκης [έ]νκ[τ]ήσεων Ἀρσινοίτου ἐκ παραθέσεων  
ἀγοραστῶν Ρωμαίων λοιπά  
[. . . . . το]ν τόμο[ν] κολ[λα]θήσεων πέντε  
XXXXXXXXXXXXXXXXXXXX

[Φλαονία Π]τολλαρ[ρο]ῦς ι[ς] (έτους) Φα[ρ]μοῦθι ε[ί] ἐπέδωκεν  
ὑπόμνημα διὰ φροντιστοῦ

4 [δώρου δηλ[ού]σα ἐσχηκέμ[α]ι κατὰ χάριν ἀναφαίρετον  
διὰ τοῦ καταλογείου  
[τῷ . . . .] τι εἴτε Φαμενώθ ὑπὸ τοῦ πατρὸς αὐτῆς Μάρκου  
Φλαονίου Διογένους  
[τὰς ὑπαρχ]ίούσας τῷ ψίφῳ αὐτοῦ Μάρκω Φλαονίω Στρατίππω  
οὐ[δέ]πω ὄντι τῶν ἐτῶ[ν]  
[περὶ κώμη]ν Φιλαδέλ[φ]είαν Ἡρακλείδου κλήρου κατοικ(ικοῦ)  
(ἀρούρας) [.] ἐν β[ασική] τόποις καὶ

8 [κλήρου] κατοικ(ικοῦ) (ἀρούρας) [.] γ καὶ [κλ]ήρου . . . ἀπὸ  
ἐκκοπ(ῆς) [έλαιων]ος (ἀρούρας) β[ασική] οὐσ(ιακῆς) ἀ[.]  
[. . . . πα]ρὰ τοῦ πατρὸς Φλαονίου Διογένους κ[ατὰ] δημόσιον  
χρημ[ατισμόν] [.] οὐτ[α] τῷ προδιε[λ-]  
[θόντι εἴτε] μη[ν]ι Και[σ]αρείω διὰ γραφείου Πτολεμαΐδο[ς]  
'Αράβων εἰς τὸ τῆ[ν]  
[παράθεσιν] γενέσθαι ἀκολ[ού]θως τῷ ἀναπε[μ]φθέντι [.]  
συνχ[ω]ρή[ματι.]

12 [.] ἀπογρα( ) τὰς διαστολάς. (2 H.) ξ[.] προα[ε]τ  
[.] ιψ[.] προκι[.]  
[. . . .] καταχω[ρ]ισμ[.]. έτους ἐπτακαιδεκάτου  
Ἀντοκ[ρατόρων Κα]ισάρων [Λουκίου]  
[Σεπτιμίου Σεον]ήρου Εύσεβοῦς [Π]ερτίγακ[ος] Ἀραβικοῦ  
'Αδιαβηγικο[ῦ Παρθ]ικοῦ μεγί[στου καὶ]

[Μάρκου Αύρηλίον Ἀντω[νίου]νον Εὐσεβοῦς Σεβαστῶ[ν] καὶ  
Πονβ[λή]ον Σεπ[τιμί]ον Γέτα Κ[αί]σαρ[ος] Σεβαστῶ[ν]  
16 [τοῦ . . . πεντεκαίδεκάτη. XXXXXXXXXXXXXXXXXX]

(Red X's)

From the property archives of the Arsinoite (nome), from the depositaries of the Roman purchasers ( . . . from the nth) volume, 200th column, for 5 (columns) (red x's).

[Flavia] Ptollarous, in year [1]7, on the 5th of Pharmouthi, submitted a memorandum through (her) guardian ---doros, notifying that she has obtained by an irrevocable deed of gift (made) through the record office in the --- year in the month of Phamenoth by her father Marcus Flavius Diogenes, (of property belonging?) to his son Marcus Flavius Stratippos, not yet being of age, around the village of Philadelphia, in the Herakleides Division: [numeral] arourai of katoikic land in two places and [ ]3 arourai of katoikic land and 2 1/2 arourai of . . . land from clearance of an olive orchard, domain land . . ., (having been presented as a gift?) by (her) father Flavius Diogenes through a public notarization (validated?) in the preceding year in the month of Kaisareion through the registry of Ptolemais Arabon, in order that a deposit may be made in accordance with the referred agreement . . . write(s) the statements.

(2nd hand) . . . year seventeen of Emperors Caesars Lucius Septimius Severus Pius Pertinax Arabicus Adiabenicus Parthicus Maximus and Marcus Aurelius Antoninus Pius Augusti and Publius Septimius Geta Caesar Augustus . . . fifteenth (red x's).

1 Two repositories are mentioned: the property archives of the Arsinoite nome (*βιβλιοθήκη ἐγκτήσεων Ἀρσινοείτου*) and the depositaries of Roman purchasers (*παραθέσεων ἀγοραστῶν Πωμαίων*). The latter is a division of the property archives. The presence of the document abstracted in lines 3-12 in the property archives is expected, because it is a notice of property holding. Only one copy of such documents was submitted; it was the responsibility of the landholder to keep a copy as proof of ownership. Through the deposit of an official copy of the document in the property archives, the state was able to guarantee the validity of the document.<sup>92</sup> On the usage of *ἀγοραστής*, a non-technical term for buyers, see H. Braunert, *ZPE* 8 (1971) 118-22.

2 This line gives the volume (*τόμος*) and page (*κόλλημα*) references. After the lacuna at the left, part of an epsilon remains from what was most

<sup>92</sup> Fabienne Burkhäler, "Archives locales et centrales en Egypte romaine," *Chiron* 20 (1990) 200.

likely the genitive of an ordinal numeral describing the number of the roll from which this extract was taken. The document began on "page" (*κόλλημα*) 200 and ran for five *κολλήματα*.

3 The date is the seventeenth year of a reign, identified in the dating formula in lines 12-16 as that of Septimius Severus. Year 17 = 208/9; Pharmouth 5 = 31 March 209.

The *ὑπόμνημα* was an official request for the registration of a document in the state archives. This would be signed by the author of the document.<sup>93</sup> Though the name of the submitter is poorly preserved, its reading and restoration as feminine (*Ptollarous*) is confirmed by the use of a feminine participle in line 4. Flavia is restored on the basis of the use of Flavius by her father and brother or son (5 and 6). The memorandum is submitted through a guardian, *φροντιστής*.

4 The last part of the guardian's name is given here as *-δωρον*. This may be the guardian's patronymic. We have not been able to identify him.

4-5 Three phrases specify the details of the *χάρις ἀναφαίρετος*. (1) *διὰ τοῦ καταλογείου*. F. Burkhalter argues that the *katalogeion* was the place where documents relating to private actions were collated and labelled, and then sent on to the *βιβλιοθήκη* for storage.<sup>94</sup> The *katalogeion* is on this view a filing office; registration of a private document at the *katalogeion* was a preliminary step in ensuring its validity. (2) *τῷ [ . . . ]τι ἔτει Φαμενώθ*. Since the lacuna at the left margin allows for 8 or 9 letters, both *[τῷ ἐνεστῷ]τι* and *[τῷ διελθόν]τι* are possible restorations. If the former is chosen, the *hypomnema* was submitted in the month after the deed of gift was executed. If the latter, the gift was made thirteen months before the submission of the memorandum. Lines 9-10 refer to a third step in the process, a public notarization which took place in the month of Kaisareios in the previous year. Restoring *ἐνεστῷ]τι* thus implies a sequence of notarization at the *grapheion* (July/August, 208), irrevocable gift at the *katalogeion* (February/March, 209), and submission of the memorandum (March/April, 209). Alternatively, restoring *διελθόν]τι*, the gift comes first (February/March, 208), then the notarization (July/August, 208), and finally the memorandum (March/April, 209). Further evidence on this process is needed to allow a secure conclusion. (3) *ὑπὸ τοῦ πατρὸς αὐτῆς*. The *χάρις* was filed by her father.

6 This line begins with *Ιούσας*. This feminine accusative plural participle can modify only *ἀρούρας*. A dative depends on this participle: *τῷ νιῷ αὐτ(οῦ) Μάρκω Φλαούιώ Στρατίππω*. The participle *ὑπαρχόσας* "belonging (to)" would fit the syntax. This presents an interesting problem: although the land belonged to Stratippos, it is Diogenes who appears

<sup>93</sup> Burkhalter (above, n. 92) 208.

<sup>94</sup> Burkhalter (above, n. 92) 206.

to have had the power to alienate it by giving it as a gift to his daughter. This inconsistency can be explained in light of the treatment of the peculium of a son-in-power in Roman law. In Digest 15.8, it is said that in order for property to be transferred into a (slave's) peculium, there must be a "naturalem dationem;" the property, however, ceases to be part of the peculium merely if the master so wishes it. The peculium of a son-in-power was treated the same as a slave's under Roman law. The simplest answer to the seeming inconsistency in these lines is that the land had once been in the minor son's peculium but had been taken back by the father. Since this did not require a formal legal action, it left no documentary trace to be included in later records of property transfer. Stratippos' possession of the land may have been mentioned merely as a way of distinguishing it from other property under Diogenes' control.

The identity of the parent of Stratippos is unclear because of the abbreviation of the genitive pronoun  $\alpha\bar{\nu}\tau$ ( ). Because of their shared praenomen and nomen, he is likely the son of Diogenes and at least the half-brother of Ptoliarous.

7-8 Three or four parcels of land are specified in this gift: (1) a katoikic allotment in two places, the number of arourai of which has been lost in the lacuna; (2) a second katoikic allotment of at least 3 arourai (a lacuna before the  $\gamma$  precludes certainty whether 3 or 13 arourai are specified; there is no visible indication that this is instead a fraction,  $\frac{1}{3}$ ); (3)  $2\frac{1}{2}$  arouras of land from which another planting has been cut down. This section is damaged and not entirely legible. The closest parallel is  $\gamma\hat{\eta}(\varsigma) \dot{\alpha}\pi\dot{\theta} \dot{\epsilon}\kappa\kappa\pi(\hat{\eta}\varsigma) \dot{\epsilon}\lambda\epsilon\hat{\omega}\nu(o\varsigma) (\dot{\alpha}\rho.) \beta^L$  in *P.Mich.* II 121 r iv.ii.1, and  $[\dot{\epsilon}\lambda\alpha\hat{\omega}\nu]\varsigma$  seems a highly likely restoration here. (4)  $\dot{\alpha}\nu\sigma(\iota\alpha\kappa\hat{\eta}\varsigma)$  probably begins another parcel rather than belonging to the olive orchard, but this is not clear.

8-9 The structure of the sentence is clear to this point. In line 9 and following, a new string of adverbial prepositional phrases appears: *παρὰ τοῦ πατρὸς Φλαονίου Διογένους*, “by” or “from her father Flavius Diogenes;” *κατὰ δημόσιον χρηματισμόν*, “by a public notarization;” *τῷ διελθόντι ἔτει μηνὶ Καισαρείω*, “in the preceding year in the month of Kaisareios;” *διὰ γραφείου Πτολεμαΐδος Ἀράβων*, “through the record office of Ptolemais Arabon.” (For the local grapheia, see Wolff, *Das Recht* 52-55, 84-86.) These phrases need a verb to describe an action other than the *χάρις*, since the mechanics of the *χάρις* were already specified in lines 4-5. The language of this document is succinct and official: prepositional phrases are strung together, all depending on a single verbal idea. The lacuna at the end of line 8 and at the beginning of line 9 is large enough to provide the missing participle. An alpha is visible at the end of line 8 and line 9 begins with *παρά* plus the genitive. If the alpha belongs to a fourth

parcel of land the start of the verb must come later in the line; if not, the missing verb or participle is most likely a verb of giving or receiving which begins with alpha.

The most likely verbs are *ἀποδέχομαι* "to accept, receive," *ἀποδίδωμι* "to render, yield," or *ἀποχαρίζομαι*, "to confer upon, present" in the middle voice or "to be conferred, presented" in the passive. The restoration *ἀ[ποκεχαρισμένας]*, agreeing with *ἀρούρας*, the object of the gift, is paralleled in *SB X 10571.23-24* (*τὰς δὲ τῆς τειμῆς ἀργυρίου δραχμὰς φεντακοσίας ἀποκεχαρίσθαι*), *P.Oxy. IX 1208.16* (*τάλαντον ἐν . . . ἀποχαρισθέν*), and *P.Oxy. LI 3638.15-17* (*δραχμὰς χειλίας . . . ἀς καὶ προφέρη ἐντεῦθεν ἀποχαρίζεσθαι*). *ἀποχαρίζομαι* or *χαρίζεσθαι* in the middle voice is used in *SB X 10526.23* and *P.Grenf. II 70*. If the verb is deponent (*ἀποδέχομαι* or *ἀποχαρίζομαι*), the participle will be active in meaning; therefore, the subject cannot be the arourai of land, the object of the gift. It may be in the dative singular masculine case, agreeing with Μάρκως Φλαονίως Στρατίππω (l. 6): "Marcus Flavius Stratippos, not yet being of age, having received (*ἀποδεξαμένω*) (the land?) from his father by a public notarization in the preceding year at the record office of Ptolemais Arabon." It could also be in the feminine singular nominative, agreeing with Ptollarous, the subject of the only discernible finite verb in the papyrus: "Ptollarous submitted a memorandum, showing that she held x arourai, having received (*ἀποδεξαμένη*) (them) from her father etc."

Perhaps the nature of the action contained in the missing verb may be better understood through an examination of the phrases which depend upon it. The first is *παρὰ τοῦ πατρὸς Φλαονίου Διογένους* "by" or "from the father Flavius Diogenes." The second phrase is *κατὰ δημόσιον χρηματισμόν*, "by a public notarization," i.e., through "a document drawn up by a competent official official."<sup>95</sup> Burkhalter argues that *δημόσιος* further specifies that the document is registered and thereby protected from falsification.<sup>96</sup>

This is followed by a badly damaged section. What is clear is a nu of the variety seen in *ὑπόμνημα* (l. 3) and *χάριν* (l. 4), but with more of an upward flourish after the down stroke of the second leg, followed by tau. The sense requires a participle, perhaps *τελειωθέντα*, "validated," although *γραφέντα*, "written," would fit the lacuna better; the traces are too badly shredded to allow certainty. The next phrase is *τῷ διελθόντι ἔτει μηνὶ Καισαρείω*, "in the preceding year in the month of Kaisareios." This validation of the *δημόσιος χρηματισμός* took place prior to the submission of the memorandum and possibly the registration of the *χάρις* if the lacuna in line 5 is restored as *[τῷ ἐνεστῷ]τι*. The validation took place *διὰ γραφείον*

<sup>95</sup> Wolff, *Das Recht* 139.

<sup>96</sup> Burkhalter (above, n. 92) 204.

Πτολεμαΐδος Ἀράβων "through the record office of Ptolemais Arabon." On the structure of record offices, see above, introduction to 251.

The participle must describe an action prior to the gift of the land to Ptollarous. There are two possibilities: (1) this action was part of a two-step process of the *χάρις*, or (2) this action has nothing to do with Ptollarous but instead describes the transaction between Diogenes and the minor Stratippos. The participle would in this case be describing a second and earlier property transfer, the mention of which is included in this memorandum in order to legitimize Diogenes' right to give the land to Ptollarous through the *χάρις*.

10-11 The end of line 10 begins a purpose clause: *εἰς* plus the articular infinitive. The subject of the infinitive (restored in line 11 as *γενέσθαι*) is feminine: *τη* is clearly visible at the end of line 10. The noun *παράθεσιν* fits the lacuna: "in order that a deposit be made," i.e., an official deposit of a document. It is unclear whether this phrase modifies the missing participle, or the main verb. Since the remainder of this line and much of the next is damaged, it is not inconceivable that there is a second finite verb upon which this phrase depends.

12 The first characters of this line are difficult to read: traces of an *o* followed by what appears to be a *γ* ligatured with a *ρ*, and descending into a hastily written *α* which trails off give the reading: *λογρα( )*. Since the direct object is *τὰς διαστολάς*, "the statements," it seems the verb can be restored as some form of *ἀπογράφομαι*. Since the form is abbreviated, it is difficult to tell who is registering the statements.

12-16 This section is in a different hand and different ink than the previous section. It is legible only with a great deal of effort: the hand is less neat, the color of the ink is very close to the color of the papyrus, and a third to half of it shows damage.

12-13 The following line and a half is not part of the imperial titulature. It may be a scribal formula certifying the registration of the document. The letters following initial zeta are difficult to read: perhaps *προαιρετος*, "appointed," possibly referring to the scribe. After the next lacuna, *προκι* may be read for an expression such as *ώς πρόκειται*.

The year is written out here, *έπτακαιδεκάτου*: this agrees with the reading *τζ* in line 3.

16 Traces of seven or eight x's follow the word "fifteenth." It does not appear that they extended the entire length of the line.

[Saundra C. Schwartz]

## 275. Proceedings Before a Strategos

Inv. 225

30.5 x 11.5 cm

Early III

Plate 30

Back blank.

The papyrus, of unknown provenance, preserves six and a half lines of text, clearly written in a liberally spaced yet moderately rapid hand on a single side of the papyrus and is complete at all margins. A margin of approximately 2.25 cm of blank papyrus has been left above the first and below the last line of text; about 1.25 cm below the last line of text a paragraphos divides this excerpt from whatever followed. The left margin is of approximately 2 cm and the right margin of approximately 3 cm. It seems likely that this piece has been cut from a larger original roll and once began in a column to the left. Thus the format of our excerpt is consistent with that of *M. Chr. 372 = APF 3 (1903) 57ff.*, six columns which preserve a collection of *hypomnemata* concerning soldiers' marriages; each begins with a date and summary of the facts of the case, followed by the decision. Each is separated from the following excerpt by a paragraphos.

The final letter of the shorter lines (1, 4, and 6) has been extended so as to provide a justified right margin; there are no diacritical marks or divisions between words, except for a diaeresis mark above the *i* of *iδιον* in line 3, a diaeresis above the *v* of *ιπ'* in line 7, and a space of approximately three letters' width indicating a change of speaker in line 4.

This text contains the last part of a protocol excerpted from an official account of proceedings before a strategos concerning the disposition of a will of a soldier's mother. Although the excerpt contains only the final portion of the account it seems clear that the issue at stake is whether the soldier had received or would rightfully receive a portion of his mother's estate. Apparently the will had either omitted the soldier, included him unnamed in a disinherited group, or disinherited him by name but without just cause. If he were not disinherited *nominatim*, then "according to *ius honorarium* the general rule that '*liberi aut instituendi sunt aut exhaerandi*' was observed, a disinheritance had to be *nominatim* in the case of male *liberi* . . . If the testator had failed to obey this rule, the praetor could grant *bonorum possessio contra tabulas* to the child who had been disinherited or passed over so that he received the share to which he was entitled as heir

upon intestacy."<sup>97</sup> And even if the soldier were disinherited *nominatim* he could still attempt to obtain his share: "Whenever someone had disinherited a close relative unjustifiably, that relative could dispute the will by means of the *querela inofficiosi testamenti* (this generally led to the invalidation of the will and to succession upon intestacy)."<sup>98</sup>

Whether the soldier had been disinherited *nominatim* and entered a *querela inofficiosi testamenti*, or had merely been disinherited in a group or passed over altogether, in either of which cases he was entitled to *bonorum possessio* without the *querela inofficiosi testamenti*, we cannot know; our excerpt preserves only an abridged version in *oratio obliqua* of the final speech of the defendant's rhetor, and the decision of the strategos in *oratio recta* and perhaps reported verbatim. The rhetor for the soldier argues that the "things read out," presumably the will itself and perhaps also laws or precedents adduced by any parties who were challenging the soldier's right to a share of this mother's estate, do not harm his client's case, and that the soldier should thus inherit, his mother's will notwithstanding. The strategos then decides in the soldier's favor.

The excerpt preserves neither the date of the proceedings nor the names of any of the participants save that of the rhetor for the soldier; the lost beginning of the text may have contained some of this information. This excerpt could have been copied from the official *hypomnemata* of the trial for any one of several purposes. These are discussed by Ranon Katzoff, "Precedents in the Courts of Roman Egypt," ZSS 89 (1972) 256-92:

- (1) for the personal records of the soldier concerned;
- (2) for use as an example of the application of a law in a later case, whether appended to a petition or presented in court (Katzoff 257-73);
- (3) for inclusion in a collection of decisions on a group of similar cases intended for presentation in court (Katzoff 282-83); or
- (4) for inclusion in a collection of decisions on a more various group of cases brought together for purposes of instruction (Katzoff 286).

Unfortunately, because our excerpt has been detached from its original context, we cannot know for what purpose it was intended.

The date is somewhat problematical. That the original text comes from the first half of the second century is suggested by several stylistic features of the proceedings (see notes to lines 1-4 and 4-7). The hand, however, seems to us more characteristic of the third century, probably of the earlier part; cf. *P. Graec. Berol.* 33 (ca 200), for example. Perhaps therefore the compilation is third-century, the material second-century.

<sup>97</sup> O. E. Tellegen-Couperus, *Testamentary Succession in the Constitutions of Diocletian* (Zutphen 1982) 155.

<sup>98</sup> Tellegen-Couperus (above, n. 97) 155.

1 Διδύμ[ο]ν [ν]εω[τ]έρους ρήτορος ἀποκρειναμένου μηδὲν  
 βλάπτεσθ[α]ι ἐκ τῶν ἀνεγνωσμένων μηδὲ γάρ ἀποκληρόνομον  
 γίγνεσθαι τὸν στρατιώτην, ἀλλὰ τὸ ἴδιον μέρος διατετάχθαι  
 4 κατὰ διαθήκην ἦν διέθετο ἡ μάρτηρ, ὁ στρατηγὸς· οὐδὲν  
 δύναται ἡ διαθήκη βλάπτειν τὸν στρατιώτην ἀλλὰ κληρο-  
 νομεῖν ὅφείλει ἀκολούθως τοῖς ἀνεγνωσμένοις καὶ ἐπε-  
 νεχθεῖσι ὑπ' αὐτοῦ προστάγμασι.

1 ἀποκριναμένου 3 ἴδιον pap. 6 ἀνεγνωσμένοις: first ν smudged  
 7 ὑπ pap.

After the advocate Didymos the younger had replied that the soldier was not harmed by that which had been read, and that he was not disinherited, but that his individual share had been disposed in accordance with a will which his mother had made, the strategos [said], "The will cannot at all harm the soldier, but he ought to inherit in accordance with the edicts read and introduced by him."

1-4 The reporting of participants' speech in *oratio obliqua* following a genitive absolute construction (the speaker's name modified by the participle of a verb of saying), with the speech and *κρίσις* of the presiding official given in *oratio recta* after his name and/or title in the nominative with no introductory verb of speaking, is the regular pattern in the first third of the second century. According to Coles, *Reports of Proceedings*, the earliest use of this pattern (which replaced the earlier use of *oratio recta* with no introductory verb for participants and presiding official alike) is *M.Chr.* 374.27 (A.D. 90). In about the 130's, a further modification took place, when the no-introductory-verb style for the presiding official was supplanted by the *εἰπεν* style. The no-introductory-verb style for the presiding official is, however, still occasionally found later than this, as in *P.Oslo* 17 (136), *P.Phil.* 3 (144?) and *P.Oxy.* VIII 1102 (ca 146): Coles 41 section b.

Thus the combination of rhetor's speech in *oratio obliqua* following the genitive absolute with presiding official's speech in *oratio recta* with no introductory verb of speaking suggests a date for the hearing in the early second century, not later than the 140's.

1 Διδύμ[ο]ν [ν]εω[τ]έρους ρήτορος: In protocols throughout the first century and for much of the second, "the parties on their first appearance often have descriptive or explanatory details attached to their names, which are subsequently omitted. . . . The addition of the client's name . . . to the description ρήτωρ is not regular but is by no means uncommon" (Coles

38f.). It is in *P.Oslo* 18, dated to 162, that "we find the first hint of the later elaboration, where the *ρήτωρ* who appears is described as such before *both* his utterances" (Coles 39). This is the rhetor's first and last appearance in this excerpt as it survives; while it is possible that he appeared in part of the text in a preceding column, the elaboration of the name, taken with the apparent origins of the text in the first half of the second century, suggests that it was his first appearance.

ἀποκρειναμένου: among the verbs of speaking in the genitive absolute attested by Coles (41 n. 1).

2-4 According to Roman *ius honorarium* and *ius civile* from the earliest principate onward, a testator who did not want a *filius familias* to inherit was required to disinherit him *nominatim* and with just cause (cf. Tellegen-Couperus [above, n. 97], esp. 155 ff.). The rhetor claims that the written evidence or other documents (ἀνεγνωσμένων), which have been adduced by his opponents, perhaps including, along with the mother's will itself, laws and/or precedents concerning sons who were deprived of their regular portion of a parent's estate after having been disinherited *nominatim* or evidence of behavior on the part of the soldier which might justify his disinheritance, do no harm to his client's case. Thus the soldier has not been disinherited (ἀποκληρόνομον) by the will which the mother had made.

4-7 ὁ στρατηγός: The omission of name and epithets for the presiding official is usual for *strategoi* (although not for other officials) in the protocols throughout the first century and for much of the second century (Coles 39).

For the use of *oratio recta* with the verb of saying omitted for the presiding official and the conclusions we may draw from it concerning the date of the text, see note to line 1 above; as Coles notes, "the nature of the ὑπομνηματισμόι as a record of the official's activities and not as a judicial record *per se* . . . is made particularly clear in those protocols where an *Oratio Recta* *κρίσις* . . . is the official's only statement and follows the speeches of the disputing parties expressed indirectly after a Genitive Absolute introduction," as in *BGU* 136, dated to 135 (Coles 49-50).

6-7 τοῖς ἀνεγνωσμένοις καὶ ἐπενεχθεῖσι ὑπ' αὐτοῦ προστάγμασι: Apparently the soldier's rhetor not only refuted the evidence read out by those who challenged the soldier's right to inherit, but had also adduced evidence of his own, consisting of edicts (*προστάγματα*). For the wording, cf. *W.Chr.* 361 = *P.Oxy.* VI 899. [Jennifer K. Lynn]

## 276. Petition to the Strategos

Inv. 473

13.5 x 13.5 cm

218-225

Plate 31

Oxyrhynchite Nome

Back blank.

In this petition, Claudia Isidora *alias* Apia complains, through her scribe (whose name is not preserved), about the unauthorized cutting down of trees on her property by one Aurelia Sarapous and her partner Eirenaios. The top, left and right margins of the text are preserved, but the bottom has been damaged and the subscription is lost. Nevertheless, it appears that nearly all of the main body of the petition has been preserved, since in the final lines the writer utilizes formulae that typically conclude a petition or application. The hand is fluid and quickly written. Note two shapes of epsilon (cf. 5 δον), sigma regularly falling forward on its face, alpha virtually swallowed up in και; flamboyant phi (5).

Claudia Isidora *alias* Apia has long been known as a large Oxyrhynchite landholder of considerable wealth (reflected in the present papyrus by the reference to her as ή εὐσχήμων, 5-6, 13).<sup>99</sup> The earliest papyri relating to Claudia Isidora date from Summer, 214.<sup>100</sup> The end of Claudia Isidora's life is a mystery. By the date of *P. Oxy.* XXXI 2566 (225),<sup>101</sup> her property (apparently all of it) was in the possession of the fiscus (τὰ ὑπάρχοντα Κλαυδίας Ἰσιδώρας τῆς καὶ Ἀπίας παρὰ τῷ ταμείῳ γεγονέναι, i.6-7; ii.8-10), but it is not certain whether she was dead by this time, nor do we know the cause for the seizure of her property. It is possible that Claudia Isidora had died intestate, and without heirs, but this is contradicted by *P. Oxy.* XII 1578: the ἐπίτροπος of the heirs of Claudia Isidora requests his

<sup>99</sup> See M. Rostovtzeff, *Social and Economic History of the Roman Empire*<sup>2</sup> (Oxford 1957) 674 n. 48, 747 n. 61; H. MacLennan, *Oxyrhynchus* (Princeton 1935) 39-42; J. D. Thomas, *JJurPap* 18 (1974) 239-44; Kehoe, *Management* 124-26, 137-39, and index s.v.; J. Schwartz, *P. Stras.* 773. For the εὐσχήμονες, see N. Lewis, *BASP* 30 (1993) 105-13.

<sup>100</sup> *P. Oxy.* VI 919 (year 22) was dated by the editors to the reign of Commodus (i.e., 182); but cf. *P. Oslo* III 111.126n., *P. Yale* I 69 intro.: the reign of Caracalla (i.e., 214) may be more appropriate. The editor of *P. Mich.* XV 707 (a sale), who read παρὰ μητρὸς αὐτῶν Κλαυδίας Ἰσιδώρας in line 10, suggests that the vendors have inherited the slaves being sold from Claudia Isidora alias Apia, but dates the document to before the Constitutio Antoniniana. Since Claudia Isidora was still active as late as 222 (*P. Oxy.* XIV 1634), either the Claudia Isidora of the Michigan papyrus is a different woman from "the" Claudia Isidora alias Apia, or the Michigan papyrus postdates the Constitutio.

<sup>101</sup> For the date see *P. Oxy.* XLIII 3102.8n.

salary from the *φροντιστής* of her estate.<sup>102</sup> However this may be, there are texts dating from 232/3 and possibly earlier that refer to an imperial estate formerly belonging to Claudia Isidora.<sup>103</sup>

Because of the terminus ante quem given by *P.Oxy.* XXXI 2566, the present document presumably antedates 19 Pauni (mid-June) 225. Even if she was still alive at this date, Claudia Isidora would not after this date have been filing petitions of this kind (damages to property her claim to which the state no longer recognized); nor are there documents postdating 225 in which Claudia Isidora is active. The earliest possible date is 212, the year of the *Constitutio Antoniniana*. If the name of the addressee in line 1 has been correctly read, the document belongs to the period between summer, 218, and spring, 225.

The circumstances behind this petition are not entirely clear. Aurelia Sarapous purchased "plants" (*φυτά*) and, together with a partner, cut down not only these but also sycamore trees<sup>104</sup> belonging to Claudia Isidora *alias* Apia. These plants may or may not have belonged to Claudia Isidora herself, but more likely were without owner or were owned by the government (the latter is the implication of the use of *κυρωθέντα*, see note to line 9). The term *φυτά* can refer to young trees, such as those being raised for replanting (see note to line 5), and the distinction drawn between the *φυτά* and the mature (*τέλειος*) trees in 9-11 may presuppose this. Unfortunately, we are not told why Sarapous would have contracted to cut down (rather than uproot for replanting) such young trees in an environment where the use of young trees for wood was wasteful. The simplest case would be that Aurelia Sarapous contracted to cut down mature (possibly aged or no longer productive) trees for wood, but (mistakenly or otherwise) cut down more trees than she had bought. In that case *φυτά* simply refers to trees of one or more species, which are not identified (perhaps because this did not affect the claim of the writer of the petition).

The laws regarding the cutting of trees in Roman Egypt are not well known.<sup>105</sup> Ptolemaic papyri reflect the royal control of cutting down trees

<sup>102</sup> L. F. Kaufman, *BASP* 3 (1965) 30-331. Cf. *P.Oxy.* XIV 1630.1n., referring to XII 1578, in which the editors do not read *κλ(ηρονόμων)*, "heirs," before *Κλ(ανδίας)* in either column. The documents in *P.Oxy.* XII 1578 are dated to "year 4." If *κλ(ηρονόμων)* is to be read in this papyrus, it can date no earlier than 224/5, i.e., year 4 of Severus Alexander (year 4 of Elagabalus, 220/1, would predate *P.Oxy.* XIV 1634). See also *P.Mich.* XV 707, referred to in note 99, above.

<sup>103</sup> *BGU* XI 2176 ii.7, as reedited by Thomas (above, n. 99) 241. Thomas refers to a still unpublished Oxyrhynchos papyrus that already characterized Claudia Isidora's former property as an imperial estate in 231/2.

<sup>104</sup> For *συκάμινος* as "sycamore" see B. Kramer, *ZPE* 95 (1993) 131 nn. 2-3.

<sup>105</sup> For trees in the fourth century see P. van Minnen, K. A. Worp, *ZPE* 78 (1989) 139-42.

even on private land.<sup>106</sup> The Digest records the statement of Ulpian concerning the punishment of those who damage dikes in Egypt, or who cut down sycamore trees (D 47.11.10). The two are probably connected, at least to the extent that trees are frequently attested on dikes, and the prohibition may have extended beyond sycamore trees alone.<sup>107</sup> If the law reflected by Ulpian was actually current in the early third century, it is interesting to note that in a sale of acacia trees growing on a dike, to be removed by the purchaser (*P. Oxy.* IV 909, 225), there is no indication that special permission was required, although both parties do undertake to share the costs of repairing the dike (another sale of trees, *P. Oslo* II 45 [135] is not sufficiently well preserved to offer evidence one way or another). It may not be accidental, however, that in *P. Oxy.* IV 909 the trees are nowhere said to be cut down, and it may be that they are being removed whole for replanting elsewhere. Beyond this, the best evidence for the control of the cutting of branches or trees in the Roman period relates to trees that are legally ownerless, or on government controlled property.<sup>108</sup> It is possible that in the Roman period, too, the cutting down of privately owned trees required government authorization, and that Claudia Isidora's characterization of her own trees as *οὐ δεόντως κοπεισῶν* (12) means that the cutting down of the trees was actually prohibited. If this is the case, however, it is not something which the writer makes explicit, and the point of the petition, as line 13 makes clear, remains the retention for Claudia Isidora of a right of action for a private offense, and not the reporting of a crime.

Αὐρηλίῳ Ἀρπ[οκρατίωνι στρ(ατηγῷ) Ὁξν]ρυνχίτ(ον)  
παρὰ Αὐρηλίῳ[ν . . .]α[ιωνος γραμματέως Κλαυδίας]  
Ίσιδώρας τῆς καὶ Ἀπίας καὶ ως χρηματίζει. Αὐρηλί[α]  
4 Σαραποῦς Διδύμου τοῦ Πετοσοράπτιος . . . . ει.

<sup>106</sup> *P. Tebt.* I 5.205-06 (II B.C.): amnesty for those who cut down trees παρὰ <τὰ> ἐ<κ>κέιμενα προστάγματα, "against the promulgated decrees;" *P. Ent.* 37.5-6, a complaint against Dorion, who has cut down trees παρὰ τὸ σὸν πρόσταγμα. Such a decree may be preserved in an inscription, *SB* I 4626 (II-I B.C.). Cf. P. M. Fraser, C. H. Roberts, *Cd'E* 24 (1949) 289 ff., in which the order to cut native trees by command of the king (προ[σέ]ταξεν) ὁ βασιλε[ύ]ς is referred to. See M. Rostovtzeff, *JEA* 6 (1920) 175; Taubenschlag, *Law* 661-63; D. Bonneau, *RHD* 4 ser. 47 (1969) 14-15; H. Cadell, *Cd'E* 51 (1976) 331-47.

<sup>107</sup> Cf. Bonneau (above, n. 106) 21, who sees this as an Egyptian Greek text ultimately taken up by Ulpian, and stemming from a locality in which sycamore trees were especially protected.

<sup>108</sup> P. Swarney, *Idios Logos* 49-52, 112-13; G. M. Parássoglou, *APF* 24/25 (1976) 91-99.

δοῦσα εἰς ὧνην φυτῶν 'δοντων' ἐν κλήρῳ τῆς εὐσχήμο-  
 νος Τμω λεγομένῳ περὶ Νεμέρων μετὰ τὰς περὶ<sup>1</sup>  
 τὸ κυκλευτήριον συκαμείνους καὶ τροσλαβόμε-  
 8 νη ἐαυτῇ κοινωνὸν Εἰρηναῖον . . . οἱ[ . ] οὐ  
 μόνα τὰ κυρωθέντα φυτὰ ἔξεκοψαν ἀλλὰ  
 καὶ αὐτὰς τὰς περὶ τὸ κυκλευτήριον συκαμείνους  
 τελείας ἀριθμῷ θ. ὅπως οὖν δηλωθῇ ἡ τῷν  
 12 οὐ δεόντως κοπεισῶν συκαμείνων εἰδέα  
 πρὸς τὸ μέ[ν]ειν [αὐ]τῇ [τῇ] εὐσχήμ[ον]ι τὸν λόγον  
 περὶ τῶν ο[. ]ων πρὸς αὐτοὺς ἀ[ναγκαῖ]ως τὴν  
 τῶν βιβλ[ιδ]ίων ἐπί[δο]σιν ποι[οῦμαι ἀ]ξιῶν  
 16 ἐπιστεῖλαι [ ca 9 ].[  
 ευρ[  
 τῇ[  
 -----

To Aurelius Har[pokration, strategos of the] Oxyrhynchite (nome).

From Aurelius [ ] Jion the secretary of Claudia Isidora *alias* Apia, and however she may be called. Aurelia Sarapous daughter of Didymos, granddaughter of Petosorapis . . . having given (money?) for the purchase of plants which are in the kleros called Tmo near Nemera, belonging to the lady, past the sycamore trees near the water wheel, and having taken Eirenaios to herself as a partner, . . . not only did they cut down the plants which had been assigned (to Sarapous), but also the very sycamore trees near the water wheel, mature trees, nine in number. So that the quality of the improperly cut down sycamore trees be made clear, so that the right against them with respect to . . . (?) remain with the lady, out of necessity, I am making submission of this petition asking that you send . . .

1 Αὐρηλίω Ἀρπ[οκρατίων]: The remains of two or three letters are visible after Αὐρηλίω. The possibilities are Ζηγ[οβίω] (strategos ca 216-218; Bastianini-Whitehorne, *Strategi* 97) and Ἀρπ[οκρατίων] (strategos 218-225, Bastianini-Whitehorne 97-98). The latter is about two letters too long for the space and would have to have been written in a somewhat compressed or abbreviated form, but Αρπ seems a better reading of the traces than Ζην, and Αρπ is—if correctly read—in fact written in a compressed fashion as required.

2 παρὰ Αὐρηλίο[ν . . ].[.].α.ίωνος γραμματέως: The documents relating to Claudia Isidora yield two people working for her estate with names ending in -ων, Aur. Sarapammon (*P.Oxy.* XII 1578), an epitropos (of her heirs? cf. n. 100 above), and Aur. Horion (*P.Oxy.* XLI 2997 = E.

Constantinides, *BASP* 6 [1969] 55-58), a phrontistes. Neither is a secretary of Claudia Isidora (although an Aur. Horion appears as a secretary of Aurelia Apollinarion who owed money to the estate of Claudia Isidora after her death, *P.Oxy.* XXI 2566). Horion is too short a name, and Sarapammon is too long and does not fit with the trace of an iota below the line. For other instances of (free) secretaries working as agents see, in addition to *P.Oxy.* XXXI 2566, cited above, *P.Oxy.* XII 1474; XVII 2137; XLII 3047; *P.Turner* 33.

2-3 Κλαυδίας Ἰσιδώρας τῆς καὶ Ἀπίας καὶ ως χρηματίζει: The following, in chronological order, are the published documents that pertain to Claudia Isidora *alias* Apia or her estate:

214 (182?)	<i>P.Oxy.</i> VI 919
214	<i>P.Oxy.</i> XLI 2997 (E. Constantinides, <i>BASP</i> 6 [1969], 55-58)
214	<i>P.Yale</i> I 69
215-6	<i>P.Oxy.</i> XII 1530.2,22 <sup>109</sup>
218-22	<i>P.Oxy.</i> XIV 1659.5
218/9	<i>P.Oxy.</i> VII 1046.7-9
222	<i>P.Oxy.</i> XIV 1634
225	<i>P.Oxy.</i> XXXI 2566
218-225	<i>P.Col.</i> X 276
232/3	<i>BGU</i> XI (J. D. Thomas, <i>JJurPap</i> 18 [1974] 239-44.)
235	<i>P.Oslo</i> III 111

The following cannot be dated: *P.Oxy.* XII 1578 (L. F. Kaufman, *BASP* 3 [1965-6], 30-1); *SB* XVI 12235 (L. Casarico, *Aegyptus* 60 [1980], 124-5); *P.Strass.* VIII 733 v. 10; *P.Rob.inv.* 4 (W. H. Willis, *BASP* 25 [1988] 118-21); *P.Fuad I Univ. App.* II 188 v. (II/III), corrected by D. Hagedorn, *JJurPap* 23 (1993) 54. In addition, the following may refer to Claudia Isidora *alias* Apia: *P.Mich.* XV 707; *P.Oxy.* XIV 1630 (222); XLIII 3118 (none of the preceding three papyri have the additional name Apia); XLIV 3169 Fr. B 5.184 (Κλαυδία Ἰσιδώρα ἡ λαμπροτάτη). The editors of *P.Oxy.* LVII 3911 suggest (note to line 1) that the Ἰδορα mentioned in line 1 is a relative of our Claudia Isidora.

4 Σαραποῦς κτλ.: Sarapous has not been identified elsewhere. (Cf. *P.Oxy.* XIV 1634.8 [222], in which property [an urban lot?] is sold to Claudia Isidora which is bordered on the west by one Herodiaine *alias* Sara[.]) After Πετοσοράπιος traces of letters are visible (see note to line 5).

5 δοῦσσα εἰς ὀνήν: Cf. expressions with εἰς συνωνήν in statements acknowledging receipt of payment (e.g. *P.Mich.* XII 653.6-7 [149]; *P.Oxy.* III 507.24-5 [169]; *P.Oxy.Hels.* 48.r. 14 [II/III]; *P.Oxy.* IV 705.77 [200-

<sup>109</sup> Reading Κλαυδία Ἰσιδώρα ἡ καὶ (καὶ), 22) Ἀπία for the editors' κληρονόμοι.

2]; VI 909.21 [225]; *P.Coll.Youtie* II 67. 24-5, 30 [260]; *P.Fouad* 52.9 [III]; *P.Cair.Isid.* 89.17 [308]; see also *P.Haun.* II 22.7 [II/III attrib.], instructions in a letter λήμψῃ παρὰ Ἀμμωνίου (δραχμὰς) μη̄ εἰς συνωνίν, “You will receive 48 drachmas from Ammonius for the purchase . . .” ) This suggests that in the lacuna following Πετοσοράπιος in line 4, an expression representing a price is expected. The obvious τιμή does not fit the preserved traces, and just how large a figure was involved is unclear since the number, kind, and quality of the φυτά are not specified, and trees could vary substantially in price (see e.g., *P.Oxy.* VI 909 [225], sale of acacia trees on the edge of a vineyard, at a price of 1,200 dr. for 14 [approx. 86 dr. per tree]; but cf. *P.Oxy.* XIII 1112 [188], in which three fallen acacias sell for 40 dr. [approx. 13 dr. per tree]).<sup>110</sup>

The traces transcribed ει at the end of line 4 are similar to the writing of συκαμείνους (5), τελείας (11), and there is ink for one more letter on the papyrus. It is possible that εισδοῦσα should be restored across line-end. As an alternative, if the first three letters after Πετοσοράπιος are υπο (the υ is somewhat difficult: the right side is consistent with υ but the left side suggests that if it is upsilon, it has been written with a loop at the bottom, unlike upsilon elsewhere in the papyrus), perhaps ύπόσχεσιν, a promise, here taken with δοῦσα, 5, in the sense of a “bid,” is to be restored here (see below on 9, κυρωθέματα). For the writing of σχ compare εὐσχήμων in lines 5 and 13. This restoration requires that the scribe wrote a rather compressed epsilon (cf. γραμματέως, 2; ἔαυτῆ, 8; περὶ, 14). For ύπόσχεσις with forms of δίδωμι see *P.Oxy.* I 91.11 (187); VIII 1117.6 (178), restored; XXXIV 2772 r.9-10; *P.Petaus* 13.4, 14.4, 15.3, 16.3, 17.9. 25 ii.23 (Ptol. Hormou, 180s); *PSI* XII 1259 r.8-9 (Oxyrhynchite, II/III); *P.Thmouis* I 1.83.2, 86.19, 89.19-20 (170-1).

**φυτῶν:** The use of the term here is unfortunately vague. On the one hand, φυτά may refer to young plants, perhaps being raised for replanting (M. Schnebel, *Landwirtschaft* 141, 146; *P.Iand.* VII 142.ii.6 n.: ἐλαῖνα φυτά in 6 distinguished from ἐλ(αῖαι) in preceding lines). See, e.g., *P.Ryl.* II 138.8-12 (34) flocks get into τὰ νεώφυτα τῶν ἐλαιῶν and destroy 200 φυτά. (Cf. *P.Ryl.* II 152 [42]: as an afterthought to a complaint about damage done by flocks in a pasture in an olive grove, the writer complains καὶ ἐκρανοκόπησαν πλίστα φυτ(ά). Whether the shepherds or flocks are responsible for this particular piece of damage is not clear [a compound of κόπτω favors humans]; since it is the tops of the plants that have been damaged, these may be young olive trees.) This meaning of φυτά may perhaps be presupposed by *P.Oxy.* XXXIV 2723 (III), the sale of an ἀμπελικὸν κτῆμα κ[α]ὶ καλαμεία. After specification of the size of the plot the expression σὺν τοῖς ἐν αὐτ[ο]ῖς καὶ περὶ αὐτὴν φοίνιξι καὶ φυτοῖς καὶ

<sup>110</sup> See further Kramer, *ZPE* 97 (1993) 144.

ἀκροδρύ[οι]ς πᾶσι (12) follows. These “palms, plants and fruit-bearing trees in them and around it” appear to be plants other than the main grape-bearing vines in the vineyard, although precisely what the φυτά are remains unspecified (for similar expressions see *P.Oxy.* LI 3683.7 [220] and *P.Harr.* I 137.11-12 [II] in which, again, the flora mentioned seem distinct from the vines themselves). In *P.Oxy.* IV 729.22 (137), cf. 20; and *P.Oxy.* XLVII 3354.36, 47, 49 (257) (where the editor translated simply “vines”) φυτά are mentioned in clauses dealing with their fertilization or maintenance, which may refer to the grape-bearing vines (cf. *P.Soter.* 3.36f.: the lessee has the fruits (?) of ἀκροδρύων καὶ φυτῶν; cf. 6, κικινῶν [φυτῶν]); but the special emphasis on care may arguably mean that the φυτά are young vines. In both of these cases the lessee undertakes to leave the property with the “plants” thriving (τὰ φυτὰ εὐθαλοῦντα), which, again, may refer to young plants, but need not (cf. K. A. Worp, “*P.Vindob.Boswinkel* 8+9,” *BASP* 14 [1977] 95-7, corresponding to *P.Vind.Bosw.* 8.21 [332], where there is no explicit mention of planting or caring for young plants).

However, φυτά can also refer to the main plants of a plot of land.<sup>111</sup> See for instance *P.Oxy.* XLVII 3366.64: (*P.Coll.Youtie* II 66; 253-60) Lolianus is supposed to receive public maintenance through the assignment to him of an orchard σὸν τοῖς [ἄλλοις] ὁὖσι φυτοῖς; *P.Oxy.* XLVII 3365 (*P.Coll.Youtie* I 65; after 22 May 241) an allotment σὸν τοῖς ἐνοῦσι φυτοῖς (line 50) (cf. ἐνοῦσι φυτοῖς πᾶσι, 43); one σὸν τοῖς τούτων ὑδρεύμασι κτλ. καὶ φυτοῖς πᾶσι, and all the appurtenances, including wine vat and cask for the production of wine (45-6); another in which there are τροχὸς καὶ περὶ αὐτὸν φυτά (51), i.e. whatever “plants” happen to grow there. On balance, this seems to be the simplest sense in which to take φυτά in the present document as well. The trees themselves are not specified either because they were of various types, or because this was of little interest to the writer.

6 μετὰ τὰς περὶ: The traces of περὶ are visible under magnification. The three letters before this are unclear, but τὰς can be construed. Cf. τὰς περὶ τὸ κυκλευτήριον συκαμείρης in line 10. For trees planted near water installations cf. *P.Oxy.* XLVII 3365.45-51 (*P.Coll.Youtie* I 65), cited in the comment to the previous line, and Bonneau, 12-13. For Nemera (middle toparchy), see Pruneti, *Centri abitati* 114-15.

<sup>111</sup> In addition to the following, see the passages cited in Cadell (above, n. 106), 340 n.1. In Theophrastus, e.g., *HP* 2.5.4; *CP* 2.4.8; 2.15.1; 3.5.3, φυτά seem to be planted stripplings. See also the series δένδρα καὶ φυτά καὶ σπέρματα (e.g., *CP* 2.13.1; 3.2.5). In Theophrastus too, however, the noun φυτά can refer more generically to plants or trees in mature form, as opposed to φυτευτήριον, which has the more specific meaning of strippling. See e.g. *CP* 3.3.1: Spring is the appropriate season to plant both trees and φυτά; φυτά themselves flourish during that season; and this is the time when rooting takes place according to the drive of φυτευτήρια (cf. *HP* 2.5.3).

7-8 *προσλαβομένη ἐαυτῇ κοινωνὸν Εἰρηναῖον*: After Εἰρηναῖον Eirenaios' patronymic is expected, but cannot be read. The reading *προσλαβομένη* is somewhat problematic: the lambda is not as clear as one might hope, the only other betas in the document are written differently (line 15), and only traces of the last three letters are visible. For the expression, cf. *PSI* IV 306.2-3 (II-III attrib.) *όμοιον μεν*— ] *προσειληφέναι Τ[. . .]οην κοινωνόν*, “we agree ... that we have taken to ourselves Τ[ ] as a partner;” *P.Oxy.* XLIII 3092.3-4 *δι' οὐ προσέγραψαν προσλαμβάνεσθαι αὐτοὺς κοινωνούς*, “Through which (petition) they wrote in addition to be taken as partners . . .” See also *P.Oxy.* I 71. ii.9 *προσελαβόμην ἐμαυτῇ εἰς βοηθείαν κτλ. Σεκοῦνδον κτλ Τύραννον*, “I took to myself as assistant ... (first) Secundus, ... (then later) Tyrannos.”

9 *τὰ κυρωθέντα φυτά*: The verb *κυρώω* has an official ring (see *P.Ryl.* II 97 introduction and n. 11). It is used in documents in which property in the possession of the government is sold at auction, or at any rate, when an offer to acquire property or a priesthood from the government or to undertake a service is ratified. See for example *SB* I 5673.11, 15 (147): even if a formal “auction” is not referred to here, the document involves a bid on public land, a previous bid for which had apparently been accepted and paid (ἀντὶ [τῶ]γ *προσεσχημένην* [έν]ωψ [ύ]πὸ Ισιδώρον). (See further, e.g., *P.Lund.* III 9 [Arsinoite, 123]; *P.Mich.* VI 364.11 [Karanis, 179]; *PSI* VIII 928 r.8 [Ankyron, 183]; *P.Köln* I 52 i.39, ii.85 [Antinoopolite, 263]; *P.Coll.Youtie* II 70.11 [Oxyrhynchos, 273/4 or 278/9]; *P.Wisc.* I 6 [with J. R. Rea, *ZPE* 12 (1973) 262f.] [Oxyrhynchos, 210/11]). More importantly, for our purposes, the term refers to the assignment by the *idios logos* of trees on unowned or public land: *P.Oxy.* VIII 1112 (188); XII 1633 (275) *P.Iand.* VII 139 (148); *SB* XIV 11656 (Parássoglou, avoe, n. 108, 97f.). By contrast, *P.Oxy.* IV 909 and *P.Oslo* II 45, both private contracts, use the language of sale.

11 *τελείας ἀριθμῷ θ*: For the expression, cf. *P.Stras.* I 39 (276, Arsinoite); *P.Oxy.* VI 909 (225); *Stud.Pal.* XX 37 (238, Herakleopolite).

12 *εἰδέα*: For *εἰδέα* as “quality” (and therefore value), we have followed *P.Oxy.* X 1277.10 (255) (cf. fourth century tax lists *P.Oxy.* LI 3626.17-30; LIV 3765.12-15; 3776; 17-31; *SB* XVI 12628 iii.53 = R. A. Coles, “P.Harr. 73 and 160 Revised,” *ZPE* 37 (1980), 235 n.). *P.Panop.* 2.212 (300), referring to a list of *persea* and *acacia* trees specifying *πόσα ἐκάστης εἰδέας τῶν ξύλων*, “how much of each type of wood,” suggests that *εἰδέα* may mean simply “species.” In either case, this information needs to be certified so that the amount of damage owed to Claudia Isidora may be determined. *P.Petaus* 19.5 (with a close parallel in *P.Petaus.* 21, both A.D. 185), uses *εἰδέα* for land falling under a specific legal category: *οὐ[κ] ἀπ' ἄλλης εἰδέας μὴ <ἐ>φει <μέ>νης ὠνεῖσθαι*, “(land) . . .

not of another category which it is not permitted to purchase" (see also *Stud. Pal.* XVII, lines 216, 272, 335, 430 [III]; *SB* XIV 11614.14 [S. Daris, *Aegyptus* 56 (1976) 57, with corrections by D. Hagedorn, *ZPE* 28 (1977) 283]). In that case, perhaps the point of the entire expression of 11-12, ἡ τῷν οὐ δεόντως κοπεισῶν συκαμείγνων εἰδέα, is that the cutting of the sycamore trees themselves was prohibited.<sup>112</sup>

13 πρὸς τὸ μένειν ... τὸν λόγον At this point the petition begins to invoke standard formulae of petitions and applications. In the present instance, the scribe states that he formally deposits a petition (line 15), in order that a right of action remain with Claudia Isidora against Sarapous and Eirenaios (*πρὸς αὐτούς*, 14). Cf., e.g., *P.Cair.Isid.* 69.31 (Karanis, 310); *P.Fouad* 29.14-5 (Soknopaiou Nesos, 224); *P.Harr.* II 200.15-6; *P.Mich.* VI 423.24-5 (cf. 424) (Karanis, 197); *P.Oslo* II 23.13-5 (Karanis, 214).

At the right of the first erasure traces of upsilon are visible, suggesting [αὐ]τῆ or [ταύ]τη. The scribe probably originally wrote something like [αὐ]τῆ [τῆ] εὐσχήμ[ον].

14 περὶ τῶν ο[λ]ων: The usual formula follows the pattern πρὸς τὸ μένειν τὸν λόγον πρὸς αὐτούς (or the name of the defendant), although some documents add a περὶ clause here (cf. *P.Mich.* VI 423.25 [repeated 424] περὶ τῶν ὑπ[ο]ληπτῶν αὐτῶν τετολμημένων καὶ τῶν ὑπὲρ τῶν ἔδαφῶν δημοσίων ἐκφορίων τῷ κυριακῷ λόγῳ, "(a right) . . . concerning the outrages done by them, and (concerning) the public rents for the lots due to the imperial account;" *BGU* XI 2069.15-6 περὶ τε τοῦ βλάβους τοῦ κλήρου καὶ ὧν ἐτόλμησαν, "concerning the damage to the kleros and which they committed"). It might be possible to read δημοσίων here, but the nu before the lacuna would have to begin with a very diagonal stroke rather unlike what that letter looks like elsewhere in the text, and the word seems to vague to suit here.

ἀναγκαῖος: Cf., e.g., *P.Cair.Isid.* 69.28, 75.9; *P.Oxy.* I 898.36 (123); VIII 1121.23 (295); XL 2906. i. 15-6; 2907. ii. 2-3 (both 270); *SB* IV 7464.16-17 (H. Henne, "Papyrus Graux," *BIFAO* 21 [1923] 4-5) (Philadelphia, 248); XII 11263.9 (*P.Stras.* VI 536, corrected by D. Hagedorn, *ZPE* 14 [1974] 300) (Oxyrhynchite, III); *P.Panop.* 27.21 (323); *P.Sakaon* 39.15 (318, Theadelphia); *PSI* VII 21.2 (Oxyrhynchite, 280); VIII 941.3 (II). Compare the formula, κατὰ τὸν ἀναγκαῖον, *P.Harr.* II 200.8-9 (Philadelphia, 236); *P.Mich.* VI 423.23 (Karanis, 197); *P.Oslo* II 23.11-2 (Karanis, 214); *P.Oxy.* I 69.11 (190).

<sup>112</sup> Cf. *P.Erl.* 71 Fr. A.8 (Oxyrhynchite, III), a fragmentary document referring to land ἐφ' αἷς ἔχοντι κατ' ἄγρον γειτνίαις καὶ το]ποθεσίαις καὶ εἰδέας, in which εἰδέα presumably refers to a standard "description" of land, perhaps in terms of its use or natural characteristics (e.g., γῆ σπορίμη, γῆ ἄβροχος) or its legal classification (e.g., γῆ οὐσιακῆ).

15 τῶν βιβλ[α]ρων ἐπί[δο]σιν ποι[οῦμαι] ἀ]ξιῶν: For examples of this formula using the periphrastic construction with *ποιοῦμαι* in petitions and applications, see *P. Cair Isid.* 62.25 (Karanis, 296); *P. Oxy.* XL 2906. i. 15-6; 2907. ii.2-3 (both 270; cf. the similar 2898 r ii.14-7); XLIII 3116.18-9 (275/6); LI 3620.16-7 (326); *PSI* VIII 893.22-3 (Arsinoite, 315); *SB* IV 7464.16-17 (Philadelphia, 248); XII 1123. 10-11 (*P. Stras.* VI 536) (Oxyrhynchite, III). For ἀ]ξιῶν, see, in addition to the preceding, the following examples (all Oxyrhynchite) *P. Oxy.* I 79. 10-1 (182-92); IV 716.18-9 (186); XXVII 2474.29-31 (229); XXXVIII 2853 (245/6); XLI 2997.15-6 (E. Constantides, *BASP* 6 [1969] 55-8) (214); *P. Wisc.* II 56.9-10 (209); *PSI* VII 807 r. 21-2 (280); I. A. Sparks, "A Report of Accidental Death," *BASP* 8 (1971) 7-8, lines 17-19.

15-16 ἐπιστεῖλαι: The sender asks the strategos to intervene by sending instruction to the proper official on the local level. Cf., e.g., *BGU XIII* 2243 (II-III); *P. Mich. XIV* 675 (241); *P. Oxy. I* 55.15 (283); VI 899.48 (200); XVII 2473 (229); XXXIV 2709.16-7 (202-7); XLIV 3173.12 (222), 3176.16 (222-35); XLVII 3365.83 (241) (*P. Coll. Youtie I* 65), L 3566.5-6 (246) (all Oxyrhynchite). Alternatively, the request may be that the strategos send a copy of the petition to Sarapous and Eirenaios as part of the official proceedings see, e.g., *P. Oxy. XLIII* 3105.23 (229-35); *P. Sakaon* 37.4 (Theadelphia, 284); cf. *P. Stras. IV* 511.10 (Theadelphia, 169).

[Hayim Lapin]

### 277. Loan of Wheat

Inv. 170  
Plate 32

9.6 x 5.8 cm

29 November 225  
Oxyrhynchos?

Back blank

This fragment comes from a loan of two artabas of wheat, which are to be repaid with the addition of one further artaba, that is, with a yield, *διάφορον*, of fifty percent. The contract is in the form of a cheirographon. Only part of the conclusion to this transaction remains: the statement that the contract is valid, the date (29 November 225), and the final summary of the loan in what appears to be a second hand. Presumably, in the lines that preceded this fragment, the standard contractual formula was followed, and both the date upon which the grain was to be repaid and the penalty, if it

existed here, for late payment were established. The final portion of the contract, though missing, appears to have included an illiteracy clause. The complete document, moreover, would have supplied the provenance of the contract; from the evidence of analogous loans (cf. the line notes) it can only be surmised that the origin was Oxyrhynchos. Similar loans of wheat from this period are *P.Oxy.* VII 1040 (225), XXII 2350 (223/224), and *P.Mich.* XI 614, which includes a copy of a loan from 225 within a larger document.

The first hand begins the preserved portion slowly written, with some letters separated, but becomes increasingly cursive and compressed as it moves through highly formulaic territory. Note the odd shape of kappa with arm connected to the bottom of the vertical (e.g., init. 4), apparently the scribe's usual cursive form of the letter only more slowly written. Similarly nu (as in 4 παντί) has a horizontal middle stroke; note too epsilon of ὑπέρ in 4 after τῷ, marked with trema.

- - - - -

[ + 16 ] [ + 8 ]

[ . . . . κύρια τ]ὰ γράμματα δ[ισσὰ]

[γρα]φ[έν]τα πανταχῇ ἐπιφερόμενα

4 καὶ παντὶ τῷ ὑπέρ ὑμῶν ἐπιφέρον-

τι. περὶ δὲ τοῦ τοῦτο ὄρθως καλῶς γεί-

νεσθαι ἐπηρωτηθεὶς ὑφ' ὑμῶν ὀμολό-

γησα. (ἔτους) ε' Αὐτοκράτορος Καίσαρος Μάρκου

8 Αὐρηλίου Σεονήρου Ἀλεξάνδρου Εὐσεβοῦς

Εὐ[τυχοῦς Σε]β[αστοῦ, Χο]ιάκ[η]. (2 H.) Αὐρήλιος

Ἄρειος Σαραπίωνος παραμεμέτρημαι τὰς τοῦ πυροῦ

ἀρτάβας δύο καὶ διάφορον τάξομαι ἀρτάβην

12 μίαν καὶ τὰς ἐπὶ τὸ αὐτὸ τοῦ πυροῦ ἀρτάβας τρεῖς

[ἀ]πόδωσω ως πρόκειται καὶ ἐπερωτηθεὶς ὀμο-

[λόγησα + 21] [ + 3 ]

- - - - -

4 ὑπέρ pap., ὑμῶν ex ἡμῶν 5 γίνεσθαι;  
space filler at end of line 11 καὶ ex ως

... the agreement set down in duplicate . . . [is normative] wherever it is brought forward and for whoever presents it on your behalf. Having been asked by you whether these things are well and correctly done, I have consented. Year 5 of Imperator Caesar Marcus Aurelius Severus Alexander

Pius Felix Augustus, Choiak 3. I, Aurelius Areios son of Sarapion, have had measured out to me two artabas of wheat, and I shall pay as yield one artaba, and I shall repay the total three artabas of wheat as aforesaid, and, having been asked the formal question, I have agreed . . . .

2 The contract is *τὰ γράμματα*, and in this respect the loan is similar to *P.Oxy.* VII 1040 (lines 30-31); other loans of grain were often made through informal cheirographa, as, for example in *P.Mich.* XI 614 and *P.Oxy.* XXII 2350. The contract presented here functions in the same manner as a cheirographon, and it thus is a simple, non-notarial agreement between any two people. *P.Oxy.* XIV 1640, likewise a conclusion to a loan of wheat, also contains the recapitulatory words (line 10) *κύρια τὰ γράμματα δισσὰ γραφέντα*.

3 The two stock phrases *πανταχὴν . . . ἐπιφέροντι* and *περὶ . . . γείνεσθαι*, which occur in lines 3 through 6, appear together also, for example, in *P.Oxy.* XXII 2350.27-30, which contains a loan of wheat from almost the same year (223/4).

5 The phrase is characteristically Oxyrhynchite; cf. note to line 11 below.

9 The date is 29 November 225. In addition to a bar over the number of the day, there is a small apostrophe after the gamma. The month Choiak, which runs from late November to late December, is a common one in which to arrange for a loan of wheat or seed. See, for example, *P.Mich.* XI 614 and *P.Oxy.* XII 1474 (loans of wheat), or *P.Oxy.Hels.* 24 (a state loan of seed). Loans of grain also regularly occurred in the late autumn months of Hathyr (*P.Oxy.* VII 1040 and XXII 2350) and Phaophi (*P.Oxy.* XIV 1640).

A second hand seems to begin with *Αὐρήλιος*. This hand may be that of Aurelius Areios himself or, more likely, that of his representative. Second hands normally initiate the recapitulation of the contract's terms in the subscription.

10 *παραμεμέτρημα* is frequently used when grain must be measured for a procedure such as a loan. See, for example, *P.Oxy.* VII 1040.7-8, 18-19, and 40; *P.Oxy.* XIV 1640.19; *P.Oxy.Hels.* 24.6 and 19 for loans of wheat; and *P.Köln* II 94.13 and 37 for a loan of barley.

11 *διάφορον* is here taken to mean "yield" and not "interest" (as it is translated by the editors of *P.Oxy.* VII 1040, XII 1474, XIX 2240, XXXI 2566, and XXXVI 2775) since the transaction does not involve the computation of a rate percentage per unit of time as a modern loan would: see

for this point E. E. Cohen, *Athenian Economy and Society* (Princeton 1992) 44ff. The majority of papyri that employ the word διάφορον for "yield" come from Oxyrhynchos (see N. Lewis in *TAPA* 76 [1945] 128 and note 11; notable exceptions are *P. Würz.* 6 from Theadelphia, *P. Gen.* I 9 from the Herakleopolite nome, and *BGU* XI 2024 from the Arsinoite nome). Accordingly, one may conjecture that 277 also comes from Oxyrhynchos. The yield specified in this transaction, at fifty percent, is standard.

τάξομαι is used as a synonym for the frequently employed ἀποδώσω. The word ἀποδώσω then appears in line 13. *P. Oxy.* XXII 2350.23 and 37 exhibit both words, respectively, as well.

12 The amount of grain in this transaction is small but not unparalleled: see, for example, *P. Oxy.* VII 1040 from the same year, in which four artabas of wheat are loaned with a yield of fifty percent.

14 The traces of ink on this line likely are the remnants of an illiteracy formula written by the representative of Aurelius Areios, a friend, relative, or possibly even a scribe: [I, the representative,] ἔγραψα ὑπὲρ αὐτοῦ μὴ εἰδότος γράμματα. The phrase itself may not have exceeded this line. The illiteracy clause proposed above completes the transactions of, for example, *P. Oxy.* XXII 2350, *P. Mich.* XI 614, and, in a somewhat different form, *P. Oxy.* VII 1040. [Andrew J. Carriker]

## 278-279. Two Personal Letters

These two papyri preserve two private letters which were written by the same hand. They are both undated, but the large, upright hand seems to belong to the middle of the third century, since a resemblance can be noticed to the hands of *P. Mert.* II 85 and, particularly, to that of *P. Flor.* II 245, from the Heroninos archive. The writer is rather experienced and confident, but a certain impression of unevenness, especially in 278, derives from the various size and shape of some letters and from a few erasures. What is peculiar to both letters is the fact that the body of the epistle is written in clear, large characters, which are traced relatively slowly, while the pace of the writing becomes faster and faster in the concluding greetings. Here the characters are much smaller, they are sloping to the right and often exhibit a completely different shape. The change in shape happens almost insensibly as the writer picks up speed. It is reasonable to suppose that the sender, Tourbon (his name appears only in 278, since the first part of 279 is missing) wrote both letters personally, without having

recourse to the services of a scribe. In 278 the final three lines, and in 279 the final two, are squeezed into the final line's space.

## 278

Inv. 250  
Plates 33-34

20 x 19 cm

mid III  
Alexandria (?)

Published: R. Cribiore, *BASP* 27 (1990) 21-27

The papyrus consists of two pieces horizontally divided, the second of which lacks a portion on the left. It is difficult to determine how many lines, if any, are missing in the central part. We cannot tell if the trace above *v* of  $\beta\alpha\lambda\rho\nu\gamma\alpha\acute{\delta}\eta\nu$  in line 11 is a descender from 10 or from some lost intervening line.

The letter probably was sent by Tourbon from Alexandria (see note to lines 3-4) to his brother Dioskoros, who lived in the  $\chi\omega\rho\alpha$ . After the customary formulaic introduction Tourbon declares that this is the second letter that he has sent his brother. He reproaches Dioskoros for his negligence and exhorts him to do better in the future. His expressions of concern are fairly typical in letters. He then asks his brother to send him something, probably a cloak, and to raise for him a certain pig until it is ready. In the usual epistolary style Tourbon usually tries to avoid the harshness of the pure imperative by using various expressions and many final clauses (see H.A. Stein, "Les clichés épistolaires dans les lettres sur papyrus grecs," *Class. et Mediev.* 1 [1938] 119-76). He shows various cases of iotaism and confusion of consonants due to phonetic spelling, but he usually observes grammar and syntax correctly, especially in the first part of the letter. Later he becomes slightly more confused and repetitive. The lengthy concluding greetings are somewhat unusual. They can be paralleled by the elaborate salutations at the end of *P. Abinn.* 25.

Τούρβων Διοσκόρῳ τῷ ἀδελφῷ πολλὰ χαίρειν.  
 π[ρ]ὸδ μὲν πάντῳ εὔχομαι σε ὑγιαίνιν, ὑγειαίνω δὲ καὶ αὐτός.  
 [καθ'] ἐκάστην ἡμέραν τὸ προσκύνημά σου ποιοῦμαι πα-  
 4 [ρὰ τ]ῷ κυρίῳ Σάραπει. γεινώσκιν σε θέλω, ἀδελφε, ὅτει  
 εύρων ἀφορμὴν ἀνάνκην είχον ἐπιστολήν σοι γράψαι  
 δὴ ταύτην δευτέραν. σὺ δὲ αὐτὸς οὐδεμίαν μοι ἀντέγρα-  
 ψας. καλῶς ποιήσεις, ἀδελφε, καθώς σοι ἐνετειλάμην ἐ-  
 8 ξερχόμενος ἀπὸ σοῦ, ὅπως φροντίσης μὴ ἀμελήσῃς,  
 εἰδὼς ὅτει, ἀν μικροῦ ἐξουδενήσῃς, ἀπολλόμεν αὐτὰ

εἰς τη[.] [- 9 -] βας μεταδώσεις [- 13 -]  
 [βα]ρυγαύδην καὶ ἄλλα i . . . καὶ σὺ ἐπέστηκε ὅπως σπουδάσῃς  
 12 [καὶ τα]χύτερόν μοι αὐτὰ διαπέμψῃ ἐὰν μὲν αὐτοῦ  
 [τὰ δι]απέμψηται. εἰ δὲ μή γε, σὺ σπουδαιότερον ποίησον  
 [σον τ]ὸ χο[ι]ρίδιν σοι δὲ εἴρηχα θρέψον μοι ἔως ὅτου  
 [ . . . ]κη [α]ὐτὸ ἦ, ὅτε ἐὰν γένηται τοῦ χρόνου, σύ μοι  
 16 [ἀντι]γράψεις. ἀσπάζομαι τὴν γυναικά σου καὶ τὰ  
 [τέκνα]α ὑμῶν, ἀσπάζομαι Ἡρακλῆν, ἀσπάζομαι  
 [ . . . ] Πεταιῆσ[ιν] καὶ Θερμουθᾶν καὶ τὰ τέκνα αὐτῆς,  
 ἀσπάζομαι(αι)  
 [Σαρ]απιά[δ]αν καὶ Κειᾶν καὶ τὰ τέκνα, ἀσπάζομαι(αι) τὸν Πτ( )  
 καὶ τὴν γυναικ(α).  
 20 vacat      ἀσπάζομαι πάντες τοὺς φιλοῦντες ἡμᾶς.

Reverse: ἀπόδος Διοσκόρωι [

2 ὑγιαίνειν 4 Σάραπι, γιγνώσκειν, ὅτι 5 ἀνάγκην 9 ὅτι, ἐάν  
 ἀπολλοῦμεν 11 ἐφέστηκε 12 ἐάν 14 χοιρίδιον, εἴρηκα  
 19 Σαραπιάδα 20 πάντας, φιλοῦντας

Tourbon to his brother Dioskoros many greetings. Before all else I pray that you are in good health. I am well myself. Every day I make obeisance for you in the presence of our lord Sarapis. I want you to know, brother, that having found an opportunity I deemed it necessary to write you this letter, indeed my second one. You yourself did not write back to me even a single letter. You should take thought, brother, as I enjoined you when I was leaving you, not to be careless, knowing that, if you neglect it a little, we will lose them and . . . you will communicate . . . (send me) a cloak and other things. Try to get busy and send me these things very quickly, if he (?) sends them to you. If not, then be more zealous: raise for me the pig of which I have talked to you until it . . . or when it happens, you will write to me. I greet your wife and your children. I greet Herakles, I greet . . . Petaiesis and Thermouthas and her children. I greet also Sarapias and Keias and her children, I greet Pt(olemaios?) and his wife, I greet all the people who love us.

1 Διοσκόρω, without the iota adscript, not always present, but see the verso.

3 The formula of the *προσκύνημα* to Sarapis allows us to posit the likely provenance of this letter as Alexandria. After Wilcken in 1912 enunciated this theory, Schubart first and later other scholars expressed their doubts (see G. Geraci, "Ricerche sul *προσκύνημα*," *Aegyptus* 51 [1971] 3-211). They claimed that shrines to Sarapis existed also in other parts of the country and Wilcken had gone beyond the evidence. H. C. Youtie ("Grenfell's Gift to Lumbroso," *ICS* 3 [1978] 90-99, reprinted in *Script. Post.* 36-45), however, defended Wilcken's hypothesis. He considered that the evidence that we have for most letters where this formula appears points to Alexandria as place of origin, and so far not one letter has appeared which can definitely be assigned to a different place. Caution is therefore needed. The evidence presented by F. Farid ("Sarapis-proskynema in the Light of *SB* III 6263," *Actes XV Congr.* IV 141-47) in favor of letters with this formula as being written in other places than Alexandria and even outside Egypt is not entirely convincing.

4 The dative *Σάραπει* is rare at this date. The name *Σάραπις*, whose dative *Σάραπι* was common in the classic period, maintains the *i*-stem declension often in the Ptolemaic papyri. This identical form with the final iotaism appears only in *SB* VI 9299.2 and 9301.4, both of the third century B.C. Later the name forms the oblique cases in *-iδ-* (*Σαράπιδι* in dative) and only rarely is the *i*-stem form retained (Gignac, *Grammar* II 56-57). Perhaps the form here is the product of an Alexandrian education?

6 The same expression *οὐδεμίαν μοι ἀντέγραψας* appears in a letter of the second century (*P. Oxy.* XIV 1757.6) where a brother reproaches his brother for not writing.

8, 9, 10 In the left margin, alongside these lines, there are faint traces of some letters, *πυξαδ* perhaps.

9 The verb *ἐξουδενέω*, which means "to consider worthless," appears only two times in the papyri, in *P. Laur.* II 39.5 and *P. Mich.* VIII 477.23, both letters of the second century. In the same century the verb appears in a private letter in the form *ἐξουδενώω*, *SB* V 7524.11. Again a different form, *ἐξουδενίζω*, is found in a list of verbs in a school tablet of the third century (Brit. Mus. Add. Ms. 37533) published by F.G. Kenyon in *JHS* 29 (1909) 32. In the school exercise *ἐξουδενίζω* appears with its accusative construction together with other verbs with similar meaning. Cf. also *παρεξουδενώω* in *ZPE* 90 (1992) 232, note to lines 47-48. In the same line the form *ἀπόλλομεν* is not attested. Unlike some other *-μι* verbs, *ἀπόλλυμι* remained athematic in the present (B. Mandilaras *The Verb in the Greek Non-Literary Papyri* [Athens 1973] 137). It is much more likely that this is a thematic future with omicron in place of *ον* and with lambda wrongly doubled, both well-attested phenomena: cf. Gignac, *Grammar* I 155-56 and 212.

11 The fairly common word *παρογαύδης* indicated a garment with purple border. The connection with purple is very clear in *P.Oxy.* LIV 3758.20, where the garment is supposed to be bought in Tyre and is clearly equated with *στιχάρια*. *Βαρυγαύδης* therefore should probably indicate some kind of cloak. The variant spelling *βαρυγαύτη* appears intact only in *P.Mich.* XV 752.42. In *P.Lond.* II 191.6 (p. 264) the editors read *βαρυγ..της κόκκινος* and, according to P. J. Sijpesteijn, the editor of the Michigan papyrus, the reading *βαρυγαύτης* is possible. Above the line here, perhaps ἄλλα *ιμ[άτ]ια*, but the mu is difficult.

In the same line we take *ἐπέστηκε* as the perfect imperative of the verb *ἐφίστημι* used absolutely, with the meaning "give attention to, set your mind upon something."

12 Traces of a correction covered by *ἄν*.

13 A correction also in this line where now we have *σ* or *σν*.

14 *σοι* perhaps for *σου*, although it could be construed with *εἰρηχα* following.

15-16 At the beginning of line 15 a verb in the subjunctive is probably needed. After that perhaps a more appropriate and meaningful translation for this part could be: "or if it comes of age, you will write to me." Jannaris (*Historical Greek Grammar* [London 1987] 1288) attests the existence in modern Greek of a construction of *εἰναι* with the genitive to denote that a person or thing is about to suffer the action implied by the substantive. This, however, is not an exact parallel for the expression used here.

18-19 At the beginning of line 18 the reading *ταιη* seems the most probable. Only two proper names show this vowel combination: *Ταιῆς* and *Πεταιῆσις* (= *Πετεῆσις*). We have preferred the second, which is slightly more common. In front of it perhaps there is just enough space for the article. The name *Θερμουθᾶς* appears several times in papyri (for instance in *P.Athen.* 67.5, approximately of the same period) and the same can be said for *Κειᾶς* in the following line. It is more problematic to fill the lacuna at the beginning of line 19. The name Sarapias was certainly common enough, but this is just a suggestion. Another possibility could be *Απιάδαν* (for *Απιάδα*), preceded by an article.

19 *Πτ* should represent the abbreviation of a proper noun. Many names with these initial letters occur in papyri, but none is abbreviated in this way. As a rule, moreover, the papyri seem to respect classical patterns of usage of the article in front of proper nouns. Such names do not have the article when they are first mentioned, but receive it when they are mentioned for the second time. But the rule is not always observed. Already A. Deissmann ("Der Artikel vor Personennamen in der spät-griechischen Umgangssprache," *BpW* 22 [1902] 1467-68) noticed that occasionally proper nouns without any apparent reason receive the article, and the same

was observed by Frank Eakin ("The Greek Article in First and Second Century Papyri," *AJP* 37 [1916] 336). Thus for instance at the end of the letter mentioned above (*P. Abinn.* 25) proper nouns are mentioned indiscriminately with or without the article.

20 Πάντες for πάντας is very common. Here also the participle is put into the nominative. This was the case used most often instead of the corresponding oblique cases (Mandilaras, *Verb*, 879). Τοὺς φιλοῦντες appears also in *P. Fay.* 118.26 and 119.26. [Raffaella Cribiore]

## 279

Inv. 256  
Plates 35-36

15.7 x 12.6 cm

mid III  
Alexandria?

The papyrus, which has the lateral and bottom margins intact, is broken at the top. It preserves the second part of a letter where, after the customary introductory formulas, the requests are usually stated.

The letter is written along the fibers on both sides, since the papyrus was turned 90 degrees to add the address. A few letters are lost on the right hand side because of some abrasion of the surface.

The letter was written presumably also from Alexandria by Tourbon (his name though is lost) to Nemesianos, whose name appears on the back. Unfortunately the nature of their relationship remains a mystery. This is a "family" letter (see J. L. White, *Light from Ancient Letters* [Philadelphia 1986] 196-97) like 278 and it addresses some specific needs. The sender asks for some clothes that he needs because of the arrival of winter. He promises in return to send the recipient things he might need. He makes allusions to a person who owes him some money, but omits his name because of some polite (or cautious) epistolary conventions. On the other hand, Tourbon asks Nemesianos to take care of the matter as best he can. The letter closes with brief greetings and the usual wish for health.

As in the other letter the writer commits several spelling mistakes which reflect the current pronunciation. It is curious, however, that here he shows several instances of assimilation of *τ* after *σ* and gemination of *σ*. The explanation is probably simply that these instances appear here in the word *εστι* (which appears with -σσ- three times), which does not appear in 278.

1 [τὸ ἀλίκλιν ταχύτερον τέμψαι μοι.  
 οἵδες ὅτει χιμών ἐσσι καὶ χρία ἐσσὶν  
 4 αὐτῶν μὴ οὐν ἀμελήσῃς· καὶ ἄγ [οὐ]ν  
 σοι χρία ἦν τῶν ἐνθάδε, δῆλωσό[ν μοι]  
 διὰ ἐπιστολῆς ὅπως ἀποπέμπω  
 σοι, εἰδὼς ὅτει ἡδέως ποιῶ· η ἀγ-  
 8 τὰ δώσεις τῷ ἀδελφῷ μου. τούτου  
 αὐτῷ ἐντέταλμαι μὴ ἀμελεῖν. οἵδες καὶ  
 σὺ τὸν ἄνθρωπον τὸν ὀφείλοντά μοι, ἐ-  
 πὶ οὐκ ἦν δίκαιον ὄνομάζειν αὐτὸν  
 12 διὰ ἐπιστολῆς, καὶ σὺ αὐτὸς τοσ[ο]ι[ο]ῦτ[ο]  
 ποίησον, οἵδα γάρ πῶς με φιλεῖς, τοῦ ὄχλη-  
 σαι αὐτὸν ἐπὶ ἐκίνος ἀμελής ἐσσιν. ἐὰν  
 τει πράξῃ ἀντιγράψεις μοι. ἀσπάζομαι  
 16 τὴν θυγατέρα καὶ ήμόν. ἀσπάζεται σε Ὄριγένης καὶ Πάσις  
 καὶ Πρωτοῦς. ἔρρωσώ μοι.

Reverse: ἀπόδος Νεμεσιανῷ

2 ἀλίκλιον 3 οἵδας ὅτι, χειμών, ἐστι, χρεία ἐστὶ 5 χρεία 7 ὅτι  
 9 οἵδας 10-11 ἐπεί 11 ὄνομάζειν 14 ἐπεί, ἐκεῖνος, ἐστίν 15 τι,  
 ἀντιγράψεις 17 ἔρρωσθε

(I pray you) to send me very quickly the coat. You know that it is winter and they are needed. Do not neglect this and, if you have any need of things from here let me know by letter so that I may send them to you, knowing that it is a pleasure for me to do this; or you will give the things (I need) to my brother. I have enjoined him not to neglect this matter. You too know the man who owes me (money), since it would not be right to name him by letter, and please also do as much (as you can), for I know that you love me, in order to bother him, since he is careless. If you obtain anything, you will write back to me. I greet your daughter and your son. Horigenes, Pasis, and Protous greet you. Be well.

Reverse: Deliver it to Nemesianos.

1 The bottom of the first letter of the line is visible. It could be a beta.

2 The word ἀλίκλιον is not found anywhere else in papyri, nor in LSJ or the lexicographers. The closest term is ἀλίκλαν λευκήν, in P.Mich.inv. 3163, line 10 (SB VIII 9834). The text of that papyrus consists of a list of clothing and household goods and was tentatively dated to the early fourth century. It contained a few terms which were rare or at least unknown from literary sources. The editor referred ἀλίκλα to the Latin *alicula*, a light upper garment. The Latin term is in turn a diminutive of the rare Greek term ἄλλιξ, which appears in a fragment (149) of Callimachus, and whose meaning was "man's upper garment, cloak". Ἀλίκλιον is clearly a diminutive of ἄλλιξ. It is difficult to say if it derived directly from ἄλλιξ or via the Latin term, but as the spelling *alicla* has now turned up in a Vindolanda tablet (93.1528d, unpublished; we are indebted to Alan Bowman and David Thomas for this information), it seems most likely that Greek borrowed the word back in this form and then derived ἀλίκλιον from it. It is interesting that 278 also contained in line 11 a rare word of philological interest, which referred to some kind of cloak. A request to send some clothing is not unusual in letters, which were often dictated by pressing needs. Already Mnesiergus, an Athenian who wrote a letter to his housemates on a leaden tablet in the fourth century B.C., made a similar request: "Send me some covering, either sheepskin or goatskin, as plain as you have." (A. Wilhelm, *Jahreshefte des Österreichischen Archäologischen Instituts in Wien* 7 [1904] 94 ff.) Mnesiergus was in the country and had been surprised by a sudden frost.

3 For the phenomenon of gemination, which occurred occasionally, see Gignac, *Grammar* I 66, with a few examples of II-III and IV of the same form ἔσσι which occurs here. Gemination of σ before the stop τ also occurs in ἔσσται. Gemination of consonants occurs frequently in the koiné and is due to the loss of distinction in speech between single and double consonants. Gemination of σ is particularly frequent. There are, however, only two occurrences of gemination of σ in ἔσσται: *P.Cair.Zen.* II 59243.3 (252 B.C.) and *P.Oxy.* XXXI 2597.11 (III-IV). In the same line there are two occurrences of assimilation of τ after σ (a third occurrence in line 14).

7 Itacism easily explains ὅτει for ὅτι, but there are not many occurrences of it in this particular word. The same form, preceded by the same verb, is found in 278.9.

8 Was this brother Dioskoros, the recipient of 278?

9 Two kinds of analogical levelling produce the form οἶδες. The second person singular appears often as οἶδας, with the ending of regular perfect tenses (Gignac, *Grammar* II 409). Then -ες replaces -ας, the ending being that of the second person singular of the second aorist and of the imperfect. The phenomenon, rare in the Ptolemaic papyri, but more common in the Roman and Byzantine period, clearly reflects the attempt to form all the past endings in the same way (see Mandilaras, *Verb* 210-11).

11-12 Here the writer expresses his reluctance to call by name a person who owed him money and who was well known to the recipient. Letters of course allude to situations which are familiar only to the writer and the recipient (see J. G. Winter, *Life and Letters in the Papyri* [Ann Arbor 1933] 86-87). It is not uncommon to find that the actual names of people spoken of are omitted (see, e.g., *P. Oxy.* IV 744.4-5 and especially *P. Oxy.* III 531.4-5, where Cornelius clearly avoids on purpose naming someone who is alluded to as "the man about whom you write to me so often.") In this case, Tourbon explicitly refers to the well-attested convention of omitting the name of a person for sake of privacy and security. Of such self-conscious reference to this practice we have found no other examples.

13-14 The articular infinitive *τοῦ ὄχλησαι* without a governing preposition expresses purpose. This construction occurs often in private letters. Here it depends from *τοσοῦτο ποίησον*, thus from an expression meaning "seek, be able" (see Mandilaras, *Verb* 334-37, especially sections 823 and 824. See also E. Mayser, *Grammatik II*<sup>1</sup>, pp. 322-23).

15 Of course *πράξῃ* could be the second person of the aorist subjunctive middle or the third person of the aorist subjunctive active (in this case it would refer to the debtor doing something to repay his debt). It is difficult to choose between the two alternatives.

17 In the form *ἐρρῶσσθαι* there is another instance of gemination of *σ* before a stop. The form occurs often (see examples from this time period in Gignac, *Grammar I* 159). [Raffaella Cribiore]

## 280. Lease of a Vineyard?

Inv. 513

Plate 37

19 x 25 cm

269-277

Oxyrhynchos?

This papyrus is the end of a lease of or labor contract for a vineyard. (Cf. also 255.) The beginning of the lease is lost as well as a considerable amount from the left edge. The right edge does preserve the end of the lines, and the papyrus suffers from several holes, tears and wrinkles. While the papyrus is 25 cm in height, there is no writing on the lower 11.3 cm. There are six vertical folds, the left edge being originally a seventh, giving seven extant panels of writing with an average of seventy to eighty characters per line, that is, ten or eleven characters per panel.<sup>113</sup> The writing is along the fibers and the back is blank.

<sup>113</sup> The whereabouts of three fragments originally preserved from the upper right corner of the papyrus are unknown. These fragments are each the width of one panel of writing.

There are no extant abbreviations in the first hand. The hand is continuously cursive: the scribe used ligatures throughout, including between two words, and though he sometimes separates words, there is no tendency to form letters separately. Note the enlarged omicron at the beginning of words (3-4), and the swashbuckling beta (12-13); some stylized features are reminiscent of the chancery: nu with hooks and finials, iota, sweeping diagonals crossing the top and baselines at consistent angles.

The provenance, length of line and date of the papyrus present a set of interrelated problems. Although there are no toponyms in the papyrus, this surely is an Oxyrhynchite document on the basis of two facts. First, there are eleven phrases or combination of words (not including those wholly restored) which appear elsewhere only in Oxyrhynchite papyri (some in vineyard leases, and some in several types of documents), and there are no phrases which appear exclusively in non-Oxyrhynchite papyri. Second, 280 is consistent with the unusually extended original width, relative to height, of Oxyrhynchite vineyard and special agricultural leases, e.g., 284 (311) 25.5-27 cm (estimate, see introduction), 273 (204) approximately 25.3 cm (see introduction), *P.Oxy.* IV 729 (137) approximately 39 cm (add approximately 9 cm for portion lacking on the left side), XIV 1631 (280) 23.8 cm, XLVII 3354 (257) 22 cm, *PSI XIII* 1338 (299) 22 cm, *P.Ross.Georg.* II 19 (141) 22+ cm, *P.Rob.inv.* 7 (third century) (*BASP* 25 [1988] 114-118) up to approximately 31 cm. In general the vineyard leases from other nomes, before the end of the fifth century, are not unusually wide, e.g., *BGU* II 591 (Fayum, 56/57) 9 cm, *CPR* I 244 (Arsin., second/third century) 7 cm, *P.Berl.Leihg.* I 19 (Theadelphia, 252) 17 cm, *P.Vind.Sal.* 8/9 (Hermopolis, 325) 19 cm, *P.Flor.* I 84 = *SB* XIV 12186 (Hermop. nome, 366) 8 cm, III 315 (Hermopolis, 435) 18 cm, 369 (Hermopolite nome, 139/149) 9.1 cm.<sup>114</sup> On Oxyrhynchite vineyard leases see now Rowlandson, *Landowners*.

The length of a line is determined by that of lines 20 and 21 whose beginnings can be securely supplied from known formulae. The more common construction for this right of execution is in the second person subjective, but the third person objective is also found (see the note below on lines 20-21). We have restored these lines in the third person objective

ing. Plate 37, which includes these fragments, is produced from a negative made around 1960 in the possession of Sarah B. Pomeroy that predates their misplacement. We thank Professor Pomeroy for making this negative available, and for her comments on the papyrus in general.

<sup>114</sup> Later vineyard leases from other nomes are as wide as the earlier Oxyrhynchite documents, e.g., *P.Berl.Frisk.* 4 (Hermopolis, 512) 31 cm = *SB* IV 7369, *P.Coll.Youtie* II 89 (Hermopolis, 485) 24.5 cm, *P.Hamb.* I 23 (Antinoopolis, 569) 32 cm, *SPP* XX 218 (Hermopolis, seventh century) 31 cm.

because the document as a whole is written in this manner, and there is no apparent motive for a shift from the third person objective to a second person subjective at this point in the lease. There are parallels for each of the five *καὶ ἐξ* (*ἐκ*) clauses in lines 20-21, but no one parallel that includes all five. We suggest all five together in order to fill the lacuna in line 21 and at the same time give a plausible restoration for the lacuna at the beginning of line 20. Our restoration is the shorter of the two principal options, and the option that appears only in Oxyrhynchite documents. The longer version of the phrase in the beginning of line 20 is *γεινομένης τῆς πράξεως παρὰ αὐτῶν*. If we were to choose the longer version instead, the beginning of line 21 is problematical because we cannot suggest a plausible restoration. If lines 20-21 are correct, then lines 7-9 and 11-19 as reconstructed by recourse to Oxyrhynchite parallels fit very neatly in the lacunae.

We can now suggest that there were three more folds in the full document, holding ten panels of writing, bringing the original line length up to approximately one hundred to one hundred and ten characters. Thus the original document must have been approximately 27 cm wide not including the margin. Having determined the line length, we can suggest the restoration of the titulature in lines 21-22. There are only three emperors with the names Marcus Aurelius whose full titulature will fit the lacuna at the beginning of line 22: Elagabalus (218-19), Claudius II (269-70), and Probus (276-77). Since the hand is of the late third century (comparable to *P. Giss.* 34 (265/66), *PSI* V 456 (276-82), XIII 164 (287), *P. Laur.* IV 157 (290), 166 (289-90)), only the last two emperors are realistic possibilities, and thus, 280 can be confidently dated 269-277.<sup>115</sup> Since the titulature is identical except for their respective cognomina, both Probus and Claudius II are possible.

Unfortunately, the financial arrangements found in lines 3-10 are not sufficiently preserved to allow complete understanding. While lines 11 and following are formulaic and allow restoration on the basis of parallels (indicated in the notes), the same is not possible in lines 3-10. There are three basic problems which we cannot solve without the information once contained in these first lines. First, the nature of the eighty drachmas in lines 3-4 is not clear, except insofar as they were mentioned in the lost portion of the lease which stipulated conditions or arrangements agreed to between the lessor and lessees (*συμπεφωνημένων*, line 5). What is clear is that when these conditions are met, something, presumably a monetary payment, was to be handed over to the lessees. Perhaps the eighty drachmas represent the payment to the lessees for the transport of *χοῦς* to

<sup>115</sup> For an extended discussion of the attestations of Claudius II in the papyri, see J. R. Rea, *P. Oxy.* XL, pp. 15-26.

the vineyard; cf. D. Delia, *BASP* 23 (1986) 62 (text now = 255). Second, in leases similar in nature to ours the lessor(s) also made an advance payment on account to the lessee(s) which was counted as partial wages for future labor. The remainder of the wage agreement was to be paid out over the course of the year, and this also compares to the procedure described in *P.Oxy.* IV 729 and XLVII 3354. As in *P.Oxy.* IV 729, some of the advance loan was intended to cover material costs for irrigation machinery and draft animals to supply power for that machinery. Third, we have been unable to determine if the advance loan in line 8 is the same as, or part of, the twelve hundred drachmas on account in line 6. It seems difficult to avoid the conclusion that the deposit of the six hundred drachmas in each of the current and incoming years was in consequence of the twelve hundred drachmas on account. See the full discussion of financial arrangements in labor contracts by A. Jördens in *P.Heid.* V. 280 is a mixture of two contract types noted by Jördens, consisting primarily of elements common in the *μισθώσεις τῶν ἔργων* contracts characterized by specification of ἀμπελουργικὴ ἔργασία and a wage received for the work, but also having some of the language of contracts characterized by a work obligation in return for a *προχρεία* loan.

Other Oxyrhynchite vineyard leases, or leases of labor in a vineyard, arranged chronologically, include: *P.Oxy.* IV 729 (137), *P.Ross.Georg.* II 19 (141), *P.Oxy.* XIV 1692 (188), *P.Harr.* I 137 (second century), *P.Oxy.* XLVII 3354 (257), *PSI* XII 1249 (265), 1250 (265), *P.Oxy.* XIV 1631 (280), *P.Laur.* IV 166 (289-90), *P.Stras.* VI 539 (290/1), *PSI* XIII 1338 (299), *P.Rob.inv.* 7 (third century) (*BASP* 25 [1988] 114-118), X 284 dupl. *P.Heid.* V 344 (311), *P.Oxy.* LV 3803 (411), L 3582 (442).

[οἱ . . .]τα. ἐὰ[ν] δὲ χρείαγ . . . [  
 [εξέστω τοῖς μ]εμισθωμένοις ποτίζειν ἐκ τῶν αὐτῶν  
 μηχανῶν εἰς φυτ. . . [- 24 -]  
 [δραχμάς ὀγδοήκοντα ὄνπερ χοῦν ὁμοίως εἰσ-  
 οίσονται οἱ μεμισθωμένοι ιδίαις δαπάναις ἐν το[ις . . .]  
 4 [τῶν αὐτῶν δραχμῶν ὀγδοήκοντα ἡ ἀποδώσονται  
 τὰς δραχμὰς ὀγδοήκοντα τῷ μεμισθωκότι  
 πα]ραμενόντων σὺν ταῖς τροφαῖς, ἀπὸ δὲ τῶν  
 συμπεφωνημένων δοθῆναι τοῖς μεμισθωμένοις  
 [καὶ οἱ μεμισθωμένοι ὁμολογοῦσι ἔχειν παρὰ [το]ῦ  
 μεμισθωκότος ἐπὶ λόγῳ δραχμὰς χιλίας διακοσίας [καὶ  
 τὰς] λοιπὰς  
 [δώσειν αὐτοῖς κατὰ μῆνα Θῶθ δραχμὰ]ς ἑκατὸν, Μεχ[εὶ]ρ  
 Φαμενῶθ [κατὰ] μῆνα δραχμὰς διακοσίας, καὶ ἀπὸ  
 Φαρμοῦθι ἔως Μεσορὴ καὶ αὐτοῦ

8 [Μεσορὴ κατὰ μῆνα δραχμὰς (?) . . . . .] ἀπὸ τῆς προχρείας πρὸς ὑπηρ[εσία]γ τῶν τοῦ κτήματος ποτ[ισμῶ]γ, τὴν δὲ τῶν βοικῷ[ν] ζεύγων

[τὴν συντείμησιν ἀποδότωσαν ἀπὸ μὲν γεν[ή]ματος τοῦ ἐνεστῶτος ἔτους δ[ρ]αχμὰς ἔξακοσίας, ἀπὸ δὲ γενήματος τοῦ ισιόντος ἔτο[ν]ς δραχμὰς ἔ]ξα-

[κοσίας] τὴν δὲ τρύγην ποιήσονται [οἱ] μεμισθωμένοι ἀρξάμενοι ἀπὸ πεντεκαιδεκάτης τ[οῦ Μεσορῆ] ἥγα τε-

[λειώσονται τὰ ἄλλα τὰ καὶ] τὰ καιρὸν τῆς ἀμπελου ἔργα πάντα τῷ δέοντι καιρῷ ἀνεγκλήτως ἐν οὐδενὶ ἀμελοῦντες

12 [τῶν μεμισθωμένων χορηγούντων παρ'] ἔαυτοῖς πάντα τὰ ἐνχρήζοντα καὶ τὸν βοτανισμὸν διηνεκῆ καὶ τὸν ἀπωργισμὸν τῶν ἐν

[τόπῳ δεομένων καὶ ἀπορύγων ὅσον ἔὰ]γ ἀπ' αὐτῶν βούλωνται πρὸς τὸ εὐαρέστως ταῦτα γείνεσθαι, καὶ ἀποδότωσαν τῷ μεμισθωκότι τὸν μὲν

[οἶνον ἀπὸ γλεύκους νέον ἄδολον παρ]ὰ ληνὸν εἰς δν [π]αρέξει ὁ μεμισθωκῶς κενώματα μέτρῳ οἰνικῷ κοτυλῶν δεκαεννέα

[ἄπερ λαβόντα τὸν οἶνον συνθήσοντι] μετακεινή[σουσι] καὶ παραφύλαξοντι ἄχρι ἐγκλεισμοῦ. καὶ μετὰ τὸν χρόνον παραδότωσαν τὸν

16 [ἀμπελῶνα καθαρὸν ἀπὸ θρύνου καὶ βοτάνης] δείσης πάσης κ[αὶ ἀπὸ] κρ[υ]μ[ο]ν ἐπὶ κορμὸν καὶ τὰ φυτὰ ζωγονοῦντα καὶ εὐθαλοῦντα καὶ τὰς μηχανὰς

[ύγιείας πλὴν τρίψεως καὶ ἐπικειμέ]γας θύρας καὶ κ[λείδας ἢ ἀποτε]σάτωσαν τῶν μὲν ἄλλων ὡν ἔὰν μὴ παραδῶσι τὴν ἀξίαν

[τιμὴν ἢ τοῦ δι' ἀμέλειαν ἔξηραμμένο]γ φυτοῦ τὸ βλ[άβος διπλοῦν οὐκ] ἔξεσται ἐνκαταλι[πεῖν τὴ]γ μίσθωσίν εντὸς τοῦ χρόνου

[τοῖς μεμισθωμένοις ἄλλα καὶ ὅμοιῶς παραδότῳ[σαν ἐν τῷ ἐσχάτῳ]ῳ ἐνιαυτῷ τὰ χώ[ματα πάντα]ᾳ ἐστεγνωμέγα ἐν τῇ τριακάδι τοῦ Φαώφι.

20 [ἢ πρᾶξις ἔστω αὐτῷ ἐκ τε αὐτῶν ἀλληλεγ]γύων ὅντων [εἰ]ς ἔκτεισιγ κ[αὶ] ἐξ ἐνὸς καὶ ἐξ οὐ ἔὰν αὐ[τῶν αἱ]ρῆται καὶ ἐξ ὡν ἔχουσι πρὸς ὑπηρεσίαν

[καὶ ἐκ τῶν αὐτῶν ἐγγυητῶν καὶ ἐκ τῶν ὑπαρ]χόντων αὐτ[οῖς] πάντων καθάπερ ἐκ δίκης. κυρία ἡ μίσθῳ[σι]ς. (ἔτους) β Αὐτοκράτορος Καίσαρος Μάρκου Αύρηλ(ίου)

[. . . . .] Εὐσεβοῦς Εὐτυχοῦς Σεβαστοῦ (month/day) (2 h.)]

[ ca 29-31 ].νίου ἐπίτρ[οπο]ς τοῦ προγεγρα(μμένου) Ἡρακλᾶ  
μεμίσθωκα καὶ δέδωκα ἀπὸ τετρακισχιλί(ας)

9 εἰσιόντι: first  $\alpha$  in ἑξακοσίας written over (?) & 10 ἀρξάμενοι,  
2nd  $\alpha$  ex o 11 δέοντι: original final  $\iota$  has been written over by  
καὶ ἡ 12  $\iota$  over γ 13 γίγνεσθαι or γενέσθαι 15, 16 space fillers  
at ends of lines 17 τῶν, τ ex corr. 18 ἐντός 21 περ written  
over (?) 22 first  $\mu$  of μεμίσθωκα written over (?)

... whatever is necessary . . . it shall be the responsibility of the lessees to irrigate . . . from the same machines for . . . (3) . . . eighty drachmas, which chous the lessees will bring in at their own expense for the . . . (4) the same eighty drachmas, or they will pay eighty drachmas to the lessor . . . (5) . . . of those together with their maintenance according to the things [purchased? which were] agreed upon to be given to the lessees . . . (6) . . . and the lessees agree they have from the lessor one thousand two hundred drachmas on account and the rest (7) of which they will receive one hundred drachmas in Thoth, two hundred drachmas in Mecheir and Phamenoth and from Pharmouthi until (8) Mesore including Mesore (?) drachmas per month; . . . from the advance loan for (our) service of the irrigating of the farm and for the valuation of the pairs of oxen they shall deliver (9) from the produce of the present year six hundred drachmas, from the produce of the coming year six hundred drachmas, (10) . . . The lessees shall carry out the vintage beginning from the 15th of Mesore so that they may complete (11) the other work for the vines in due season, in exemplary fashion, being negligent in nothing and (12) the lessees providing everything necessary for themselves, and the constant weeding and the planting of as many shoots as are necessary (13) in the parts (of the garden) needing it, and let them plant however many as they may wish at their own expense (as long as) satisfactorily carried out and they shall give to the lessor (14) the wine from unfermented, new and unadulterated [vintage] at the vat, for which the lessor will furnish empty wine jars measuring nine cotylas (15) and when they are filled with wine they (the lessees) shall place them [in the sunning area] and they shall move and guard them until they are locked up. And at the end of the period they shall deliver (16) the vineland free of dirt of every kind and filth from post to post and the plants living and flourishing and the machines (17) in working order except for wear and tear and the doors and keys attached or shall forfeit the proper value of whatever is not returned, (18) or for any plant which withers through carelessness twice the amount of damage. And it shall not be in the power of the lessees to give up the lease before the end of the period (19)

but they shall also similarly return all the embankments watertight in the last year on the 30th day of Phaophi. (20) He (the lessor) shall have the right of execution against them (the lessees), who are mutual sureties for the payment, and singly, and against whichever of them he chooses, and against all that they have acquired in consequence of their service, (21) and against their sureties, and against all their property as one does when bringing a *dike*. The lease is normative. Year 2 of Emperor Caesar Marcus Aurelius [ . . . Pius Felix Augustus . . . ] (2 H.) I [ . . . ] son of [ . . . ]nios, steward for the aforesigned Heraklas have leased and have given of four thousand . . . [as written above.]

1 The phrase *έὰν δὲ χρείαν* is paralleled in *P. Oxy.* IV 729.17 (137), and *P. Ross. Georg.* II 19.19 and 33 (Oxy., 141).

2 For an irrigation machine powered by oxen (line 8) see the bibliography given in *P. Oxy.* LIV 3771.7 (336).

3 The phrase *όνπερ χοῦν όμοίως εἰσοίσονται* is not exemplified but compare *P. Oxy.* IV 729.6 (137). For *εἰσοίσονται*, see also *P. Oxy.* II 370.1 (first century) and *P. Stras.* IV 218.15 (prov. unkn., 150).

For the term *χοῦς* see above the comment on 273.11, and D. Delia, *BASP* 23 (1986) 62.

5-6 *P. Oxy.* L 3589.14 (second century). The phrase *έχειν παρὰ τοῦ* has twenty matches in the DDBDP: two from the first century B.C. (*P. Oxy.* XIV 1629.14 [44 B.C.] and *SB* XII 10942.12 [4 B.C.], both Oxyrhynchite) and thirteen from between A.D. 27-173, nine from the Arsinoite nome and only four from the Oxyrhynchite. This is the latest attestation of the phrase. For other examples of advances of money included in Oxyrhynchite leases see *P. Oxy.* L 3589.13-17n., *PSI* IX 1078.22-23 (356), *SB* X 10274.11-12 (99).

7 The beginning of the line is restored on basis of *P. Oxy.* L 3589.15 (second century) and the month is restored *exempli gratia* on the basis of the number of characters.

7-8 The months referred to are as follows: Mecheir = January 26-February 24, Phamenoth = February 25-March 26, Pharmouthi = March 27-April 25, Mesore = July 25-August 23. The detailed specification of inclusive dates, *ἀπὸ...έως...καὶ αὐτοῦ*, was used in other documents of the same period, e.g., *P. Coll. Youtie* II 68.29 (Oxy., 266), *P. Oxy.* L 3597.18-21 (260), *P. Panop.* I 3.74-5 (Panopolis, 298). Yet the older simpler, yet less precise language was still used a few years earlier; see *P. Oxy.* L 3566.18 (246) *ἀπὸ Παχῶν έως Θάθ*, 3595.24 (243) *ἀπὸ Θάθ έως Παχών*.

9 For an explanation of *συντείμησιν* see *BGU* XV 2485 (Arsinoite, 210), note on line 17. It is uncertain if the space is adequate for the needed *μέν* in the lacuna.

11 τὰ ἄλλα τὰ κατὰ καιρὸν τῆς ἀμπελον ἔργα πάντα, "as well as all the other work for the vines in due season": See *P.Oxy.* XLVII 3354.14 (257), and cf. XIV 1631.27 (200). Another wording for this phrase is τὰ καθήκοντα ...ἔργα πάντα but it is attested in sixteen Arsinoite documents (except for *P.Oxy.* XLI 2973.24 [103] and XLIX 3508.17-18 [70]).

11-13 The proper care and maintenance of a vineyard included well defined and time-specific labors in order to insure the continued health and productivity of the vines. Three of the most often mentioned and presumably most important were the planting new shoots (which entailed a series of steps in propagation which are not often mentioned in the papyri<sup>116</sup>), irrigating, and weeding or cultivating. For an extended discussion of the terminology of these tasks see S. B. Pomeroy, *TAPA* 92 (1961) 469-80, with the comments of N. Lewis, *TAPA* 93 (1962) 164-65.

12 The beginning of the line, specifically dealing with draft animals, is restored on the basis of *P.Oxy.* XLI 2973.23-24 (103), but compare also the practice of ship captains' providing supplies for their voyages in freight contracts: *P.Mich.* V 312.19-20 (Tebtunis, 34) and *P.Oxy.* XLV 3250.20 (63) and XLIX 3484.28-29 (27-33).

The phrase ἀπωργισμὸν . . . ἀπωρύγων is exclusively Oxyrhynchite: *P.Oxy.* XIV 1631.10 (200), 1692.14 (188), XLVII 3354.10 (257).

The phrase καὶ τὰ ἄλλα τὰ ἐνχρήσοντα πάντα is exclusively Oxyrhynchite: *P.Michael.* 19.7 (third century), *P.Oxy.* L 3597.11 (260), *P.Oxy.Hels.* 41.23 (223/24), and is used with other labors in two vineyard leases, *P.Oxy.* XIV 1631.13 (200) and XLVII 3354.13 and 15 (257), φυλλολογίαι ἐ (read αι) ἐνχρήσουσαι.

The phrase βοτανισμὸς διηνεκῆς is exclusively Oxyrhynchite: *P.Laur.* IV 166 (289/90) [restored on the basis of *P.Oxy.* XIV 1631 and XLVII 3354], *P.Oxy.* XIV 1631 (200) and 1692 (188), XLVII 3354 (257). Except for these occurrences, the word διηνεκῆς is not attested in documents until the fifth and sixth centuries, and then in other nomes.

13 The sense of line 13 is that if the lessees are particularly motivated and entrepreneurial they have permission to expand the operation at their own expense, and thus increase their share of the profits.

14 The beginning of the line, οἶνον ἀπὸ γλεύκους νέον ἀδολον, is restored on the basis of *P.Köln.* IV 192.5 (Antinoopolis?, sixth or seventh century), *P.Mich.* XI 608.10 (prov. unkn., sixth century), *P.Oxy.* IV 729.19 (137) and XLIX 3512.13-14 (492), *PSI XII* 1250.4-5 (Oxy., 265), *SB* V 8264.14 (Oxy., 523). The word γλεῦκος is the Latin *mustum*, "new wine."

<sup>116</sup> For a text which does discuss propagation (*pace* Schnebel, *Landwirtschaft* 247-251) see *P.Flor.* II 148 recto (266) with the treatment of Rathbone, *Economic Rationalism* 250-51.

The description of the wine that the lessees must deliver to the lessor as *οἶνον ἀπὸ γλεύκους νέον ἄδολον* is illuminated by the discussion of Rathbone, *Economic Rationalism* 255-60.<sup>117</sup> The description of wine as "young and sweet" indicated one closer to the time and source of production, and as "free of impurity" indicated not yet spoiled by bacteria which could enter improperly sealed jars. He concludes that it meant the wine was not aged because of the added risk of spoilage due especially to the summer heat or improperly sealed jars, as he writes (p. 259) concerning the Appianus estate, "the estate was apparently more interested in achieving a quick turnover in young wine than trying to produce, at greater risk, a more expensive vintage wine." We further accept Rathbone's understanding (pp. 253-254) of the word *ληνός* to "have been the area with a raised border in which the grapes were trodden or pressed." For further elucidation of the types of wine in antiquity, see Schnebel 285 and the literature cited in footnote 117.

15 The beginning of the line is restored on the basis of only three exclusively Oxyrhynchite parallels attesting the combination of the words *κεινήσουσι καὶ παραφυλάξουσι*: *P.Oxy.* XIV 1631.16-17 (280), XLVII 3354.18 (257), *P.Laur.* IV 166.A.5-6 (*Oxy.*, 289-90). On the basis of these parallels we suspect that the clause *ἐν τῷ ἡλιαστηρίῳ καὶ ἐπαλίψουσι* "in the sunning area and oil them" may have inadvertently been dropped from the contract and should have stood in the lacuna at the start of this line.

16 The beginning of the line is restored on the basis of common phrases, e.g. *P.Laur.* IV 165.13 (305), *P.Oxy.* IV 729.22 (137) and XLVII 3354.46 (257). In *P.Flor.* I 50.2 (Hermopolite, 268), a division of property, the word *κορμός* is used in describing the extent of a vineyard, meaning perhaps "from block to block," or "from sluice to sluice;" cf. Preisigke, *WB* s.v. *κορμός*. The phrase *τὰ φυτὰ ἡωγονοῦντα καὶ εὐθαλοῦντα* is exclusively Oxyrhynchite: *P.Oxy.* XLVII 3354.47 (257) and *PSI* XIII 1338.18 (299). Further, the combination of the words *ἡωγονοῦντα καὶ εὐθαλοῦντα* is exclusively Oxyrhynchite: *P.Oxy.* VI 902.15 (465), XXXVI 2767.18 (323), XLI 2969.14 (323), 2994.11 (fourth century).

17 The beginning of the line is restored on the basis of *P.Oxy.* IV 729.21-23 (137), *P.Laur.* IV 163.7 (prov.unkn., 279), *P.Oxy.Hels.* 41.43 (223/4) about which see the note on line 44.

The extant portion of the line has several second and third century Oxyrhynchite parallels which refer to machines, "with the apparatus belonging to it, or attached to it:" *P.Oxy.* VIII 1127.24 (183), XII 1475.17

<sup>117</sup> See also A. Tchernia, *Le vin de l'Italie romaine* (1986) and P. T. H. Unwin, *Wine and the Vine: an Historical Geography of Viticulture and the Wine Trade* (New York 1991).

(267), XXXIV 2723.10 (third century), LI 3638.8 (220), *P.Ross. Georg.* II 19.7 and 42 (Oxy., 141), *SB* XVI 12333.11 (Oxy., 189?).

17-18 The phrase *έὰν μὴ παραδῶ . . . τὴν ἀξίαν τιμῆν* is exclusively Oxyrhynchite: *P.Erl.* 72.7 (fourth century), *P.Gen.* I 22.23-25 (345), *P.Harr.* I 82.30-31 (345), *P.Köln.* III 150.14-16 (226/42), *P.Laur.* IV 163.7-9 (279), *P.Mil.* II 55.20 (307), *P.Oxy.* III 502.38 (164), VI 912.28-30 (235), XIV 1694.27-29 (280), XVII 2109.46-47 (261), XLIV 3200.29 (second/third century), XLVIII 3386.25 (338), *P.Oxy.Hels.* 41.43-45 (223/24), *P.Yale* I 69.26-28 (214), and *SB* IV 7444.14 (third/fourth century). None of these parallels has a phrase intervening between *ἀποτεισάτω* and *έὰν μὴ*.

18 The beginning of the line is restored on the basis of *P.Oxy.* XLVII 3354.48-49 (257). For *ἀπεξηρ-* see *P.Col.* V 1.5.1.3 (Theadelphia, 175/176), *P.Mich.* VI 423.10 (Karanis, 197), *P.Prag.* I 46.10 (Antinopolis, 522); for *έξηρη-* see *P.Oxy.* IX 1188.19, 21, 23 (13), and *SB* XIV 11655.10 (prov.unkn., 148/149).

The phrase *φυτοῦ τὸ βλάβος . . . διπλοῦν* is exclusively Oxyrhynchite: *P.Oxy.* IV 729.20 (137) and XLVII 3354.49 (257).

The exclusionary clause as written is scrambled. Such a phrase, or one with similar wording, is found in *P.Berl.Leihg.* I 19.23 (223/24), *P.Cair.* *Isid.* 99.15 (Karanis, 296), 102.17 (Kerkesoucha, 303/04), *P.Col.* VII 179.5 (Karanis, 300), *P.Ross. Georg.* II 19.44-45 (Oxy., 141). The verb demands an indirect object which normally follows it without an intervening phrase, which is clearly not the case here; we suggest that here the indirect object *τοῖς μεμισθωμένοις* fills most of the lacuna at the beginning of line 19.

19 The phrase *καὶ τῷ ἐσχάτῳ ἐνιαυτῷ* is exclusively Oxyrhynchite: *P.Oxy.* I 101.13 and 16 (142), II 280.14 (88/89), VI 910.40 (197), XXXVIII 2874.48 (108), *P.Ross. Georg.* II 19.25 and 31 (141), *PSI* IV 315.26 (137).

The phrase *τὰ χώματα ἐστεγνω-* is exclusively Oxyrhynchite: *P.Oxy.* IV 729.23 (BL 1.327) and *PSI* IV 315.25 (Oxy., second century), *P.Oxy.* XLIX 3508.14-15 (70). However the inclusion of dike and irrigation channel maintenance as one of several labors in agricultural leases is common, e.g. especially 284 (310/11) dupl. *P.Heid.* V 344, *P.Oxy.* XLIX 3488.27-35 (70), *SB* XVIII 13850.21-22 (Arsinoite nome, 141).

20 For a study of *ἀλληλεγγύη* see E. Cantarella, *La fideiussione reciproca* (Studi di diritto romano, Serie II, 5, Milan 1965).

20-21 The phrase is more commonly subjective but there are parallels for the objective: *BGU* IV 1056.21-24 (13 B.C.), 1106.40-43 (13), *P.Fouad.* 43.52 (Oxy., 190/91), *P.Diog.* 30.19 (Philadelphia, 222-235), and *P.Mert.* I 17.36 (Oxy., 158).

22 The name lacking in the lacuna could be either Πρόβον or Κλαυδίον; see our comments above in the introduction.

23 The presence of a patronymic for the steward proves that he was free born and not a slave. [Bruce E. Nielsen]

## 281. Agreement Concerning Succession to a Komarchy

Inv. 31  
Plate 38

15 x 22.5 cm.

July-August 287  
Philadelphia

Published: D. Delia and E. Haley, *BASP* 20 (1983) 39-47 (*SB* XVI 12829)

The papyrus has been folded in half from top to bottom, then folded five times from left to right, resulting in an average width between folds of 2 to 2.5 cm. It is broken off at the bottom with the right of the fifth fold beginning at line 15, and the right margin has frayed. The main hand, a standard cursive penneed fairly slowly and deliberately, wrote the text of the agreement (lines 1-22) and the date (lines 25-26); a second hand, written more rapidly with a finer pen, was responsible for the physical description appearing at lines 23-24. Several corrections, noted below, were made to the document by the scribe of the first hand.

This document is concerned with arrangements for the appointment of komarchs of Philadelphia for three successive years. The incumbent komarch, Aurelius Hol, agrees to nominate Aurelius Cornelius as his successor on condition that Cornelius nominate Hol's brother to the post at the expiration of his term. The text breaks off just at the point where it would appear that Hol pledges himself as surety for his brother's adherence to the terms of the agreement.<sup>118</sup> Dated to regnal years 3 of Diocletian and 2 of Maximianus (286/7), the agreement is likely to have been drawn up in the months immediately preceding the start of the next civil year, i.e., in July or August of 287.<sup>119</sup>

<sup>118</sup> The crucial lines, 13-15, which formed the outside of the document when folded, are badly damaged. Hol's assumption of responsibility for his brother's default or misconduct is necessary inasmuch as Dioskoros does not sign. This parallels the guarantees of incumbent magistrates in documents nominating their successors to office: see *P. Flor.* I 2.ii.58, iv.104, v.127, vii.187, ix.249 and x.274.

<sup>119</sup> In the Arsinoite and Panopolite nomes, nominations to the komarchy were made before Thoth 1 (29 or 30 August), the beginning of the new civil year: *P. Cair. Isid.* 125

The office of komarch did not exist continuously from Ptolemaic through Roman times; its earliest attestation in the Roman period occurs in the middle of the third century, when it apparently was reintroduced coincidentally with the abolition of village secretaries throughout Egypt.<sup>120</sup>

The komarchy was compulsory at this time, imposing the difficulty of finding two candidates willing and able to undertake the expense of the office each year.<sup>121</sup> Although the *poros* required of a Philadelphian komarch is not explicitly attested, it is likely to have amounted to the 2,000 drachma indemnity stipulated in this agreement.<sup>122</sup> Iteration of office by village magistrates was not illegal and nomination of successors by incumbent komarchs was a standard practice. *P. Col.* 282 is unique in that it represents a stage preceding the formal announcement of nomination and establishes a three-year chain of succession to the village office, suggesting that the komarchy was being closely held by Hol, the members of his family and their associates. This magistracy would have enabled a cautious komarch to protect his family interests and an unscrupulous komarch to enrich himself at the villagers' expense.

Αύρήλιοι Ὄλ Κοπρί μη(τρὸς) Ἀπιλλᾶς ἀπὸ κώμης  
 Φ[ι]λαδελφίας κωμάρχης τοῦ ἐνεστότος γ (ἔτους) καὶ β (ἔτους)  
 καὶ Κορνῆλις Πόσι μη(τρὸς) Εἰονλιανῆς ἀπὸ τῆς αὐτῆς  
 4 κώμης ἀλλήλοις χαίρειν. ἐπὶ τυγχάνω κώμα[ρ-]  
 χο[ς] τῆς αὐτῆς κώμης ἐντεῦθεν συ<ν> εθέμεθα  
 πρὸς ἀλήλους ὥστ' αἰματὶ τὸν Ὄλ ἀγγίλε σὲ τὸν Κορ-

(6.viii.308), *P.Got.* 5 (12.viii.318), *SB* VI 9544 (24.viii.321) and *P.Stras.* IV 177 (19.viii.326). This also appears to have been the custom in the Oxyrhynchite and Hermopolite nomes until the fourth century, when the terms of this as well as other offices were adjusted to coincide with the induction and nominations were made in the spring; see *CPR* VII 16, Exkurs 1 and 2, and R. S. Bagnall and K. A. Worp, *BASP* 18 (1981) 38-44. N. Lewis, *TAPA* 100 (1969) 255-60, demonstrated that the starting dates of liturgies varied.

<sup>120</sup> The earliest attestation of this official in the Roman period dates to 247/8: *P.Oxy.* XVII 2123; cf. *P.Oxy.* XLIV 3178. See Z. Borkowski and D. Hagedorn, "Αμφοδοκωμογραμματεύς: Zur Verwaltung der Dörfer Ägyptens im 3 Jh. n. Chr.," *Le monde grec: Hommages à Cl. Préaux*, ed. J. Bingen et al. (Brussels 1975) 781-82, and P. Parsons, note to *P.Oxy.* XLII 3064.10. See J. D. Thomas, *ZPE* 19 (1975) 111-19, who plausibly refuted the widely-held view that the komarchy had been a continuous office (N. Lewis, *Inventory and Compulsory Public Services* s.v. κωμάρχης, and H. E. L. Missler, *Der Komarch: Ein Beitrag zur Dorfverwaltung im ptolemäischen, römischen und byzantinischen Ägypten* [Diss. Marburg 1970] 17-18).

<sup>121</sup> It was liturgical in 248: Lewis, *Inventory* s.v. κωμάρχης, based on *P.Oxy.* XLIV 3178. Note that Thomas' revised reading of *P.Lond.* III 1220 eliminates this document and its date (202-207) from consideration; a photograph appears in *ZPE* 19 (1975) pl. Ia.

<sup>122</sup> The same sum was required of nominees to the komarchy at Hermopolis: *P.Flor.* I 2 vii.189 and 191 and x.276 and 278. Cf., however, *P.Flor.* I 2 ix for a 1,000-drachma *poros*.

νῆλιν εἰς κωμαρχίαν τῆς αὐτῆς κώμας τῷ [ει-]  
 8 σιόντι ἔτι ἐκτελοῦντα σαὶ τὸν σταχθέντα ἐνη-  
 αούσιον χρόνον<sup>1</sup> κάμου τοῦ Κορνηλίου ἀπ[ο-]  
 πληρώσαντος καθ' ὅμοιότητα κάγω ἀγγιλῶ  
 τὸν ὁμογνήσιον σ[ο]ῦ ἀδ[ε]λφὸν Διόσκορον τῷ [έ-]  
 12 ξῆς ἔτι ἐκτελοῦντα καὶ αὐτὸν τὸν αὐτὸν [ν]  
 ἐνηαούσιογ [χ]ρόνον<sup>2</sup> ὁ[μο]ίως τ' α[ι]μαὶ τὸν Ὁλ ἡ[γγυ-]  
 ἡσθαὶ υ[ . . . . . ] υ[ . . . . . ]  
 τὸν ἀδελφὸν [Διό]σκορο[ν] εἰ[ζ] τὸν αὐτὸν χρόνον (?)  
 16 καθὼ καὶ οὐ[κ] ἐξέστε ήμηγ ὅποτ[έρω τὰ ἐν]  
 ταῖς ἐνγεγραμμέναις συνθήκαι[ς παραβῆναι]  
 βιαστή· ἀν δὲ ὁπότερος τὸ[ν] ἔτεροι [ἀδικῆ πε-]  
 ρὶ τούτου ἐκ[τ]ίσι ὁ παραβὰς τῷ ἐμμεῖ[νοντι ὑπὲρ]  
 20 ἐπιτίμου καὶ ἐπιτρίας λόγῳ ἀργυρίῳ[ν δραχμὰς]  
 δισχειλίας διὰ τὸ ἐπὶ τούτοις αὐτοὺ[ς πρὸς]  
 ἀλλήλους συντεθίσθαι καὶ ἐπερωτηθέντες) [ώμολ(ογήσαμεν)].  
 (2 H.) Αὐρή(λιος) Ὁλ ώς (ἐτῶν) λ' οὐ(λὴ)  
 24 ἐπάνω ὁφρύο(ς) δεξιᾶς  
 (1 H.) (ἔτους) γ' τοῦ κυρίου ἡμῶν Δ[ι]οκλη[τιανοῦ καὶ (ἔτους) β]  
 τοῦ κυρίου ἡ[μ]ῶν [Μα]ξ[ι]μιανὸν Σεβ[αστῶν . . . . . ]

1 Κοπρῆ 2 ἐνεστῶτος 3 Κορνήλιος, also 6-7; Εῖουλ- pap.

4 ἐπεὶ; τυγχάνω <ῶν> 5 συνεθέμεθα; ἐντεῦθεν, τε perhaps ex corr.

6 ἀλλήλους; ἐμὲ, also 13; ἀγγεῖλαι, αγ' γιλε pap.

7 κώμης 8 ἔτει, also 12; σὲ 8-9 ἐνιαύσιον, also 13 9 τε 10 ἀγγελῶ

11 ἀδελφὸν: ο ex ω. 12 καὶ αὐτόν: ο ex ω. 13 τὸν Ὁλ: ν ex ο.

16 ἐξέσται 17 ἐγγεγραμμέναις 19 ἐκ[τ]είσει 20 ἐπηρείας

21 δισχειλίας 22 συντεθεῖσθαι 24 ὁφρύο(ς), 2nd ο overwritten by

δ of δεξιᾶς

The Aurelii Hol son of Kopres, whose mother is Apilla, from the village of Philadelphia, komarch of the current (year) 3 and 2, and Cornelius son of Posis, whose mother is Juliana, from the same village, greetings to one another. Whereas I am komarch of the same village, therefore we have mutually agreed that I, Hol, will nominate you, Cornelius, to the komarchy of the same village for the coming year, you completing the designated one year term; and when I, Cornelius, have discharged my duties in like manner, I too will nominate your brother, Dioskoros, for the next year, he completing the same one year period; and likewise I, Hol, stand as surety . . . brother, [Dio]skoros, for [the same period (?)], just as neither of us

will be permitted [to breach] the terms of the written agreement forcibly; but if either party should [wrong] the other concerning this matter, the transgressor will pay to the abiding party 2,000 silver drachmas as a penalty and on account of the injury because it was on these terms that they mutually agreed; and in reply to the formal question, we agreed.

(2nd hand) Aurelius Hol, about thirty years of age, with a scar above his right brow.

(1st hand) (Year) 3 of our Lord D[i]ocle[tianus] and (year) 2 of our Lord [Ma]x[i]mianus Aug[usti] . . .

1-2 κώμης Φ[ι]λαδελφίας: Rather than κώμης Φιλαδελφίας καὶ μέρους Τάνεως. Cf. *P. Grenf.* I 50.8, *SB* V 7621 and *BGU* II 519.6-7.

2 ἐνεστότος: As the apparatus shows, this document is rich in orthographic errors of this sort; see Gignac, *Grammar* I 330 (summary) and *passim*.

6 ἀγγῖλε: For the standard *εἰσαγγέλλομεν* or *προσαγγέλλομεν*.

8 σταχθέντα: Conflation of *σταθέντα* with *ταχθέντα*.

9 κάμοῦ ταὶ: Perhaps with the sense of "and also;" see J. D. Denniston, *The Greek Particles*<sup>2</sup> (Oxford 1954) 535.

13 Or perhaps *ταὶ μαὶ* (= *τε μὲ*)?

16 καθώ: For *καθώς*, meaning "accordingly" or "in accordance with the terms of this agreement."

ἡμῖν ὁποτ[έρω]: One would expect *ἡμῶν ὁποτ[έρω]*.

16-22 Restoration of the sanctions clause is based on parallel passages in *P. Oxy.* IV 725.53-56, *P. Tebt.* II 383.38-42, *P. Gen.* I 11-13 and *P. Flor.* I 51.23; cf. also the documents cited in 21-22n., below. In general, see A. Berger, *Die Strafklauseln in den Papyrusurkunden: Ein Beitrag zum gräko-ägyptischen Obligationenrecht* (Leipzig 1911) 3.

18 βιαστή here seems most likely an itacism for *βιαστί*, an otherwise unattested but regularly formed adverb derived from *βιαστός*, "violent," for which see Lampe, *Patristic Lexicon*, s.v. For *βία* in third and fourth century documents, see *PSI* XIII 1337.19; XIV 1421.10; *P. Ryl.* IV 617, 9-10, 654.14 and 659, and more generally W. Dahlmann, 'H *βία im Recht der Papyri* (Diss. Köln 1968).

21-22 For the phrasing, see, e.g., *P. Harr.* II 227.17 and *P. Flor.* I 47.15-16 (= *M. Chr.* 146).

26 A subscription by a professional scribe probably followed. Illiteracy among komarchs is not unknown: *P. Oxy.* XLIV 3178; *P. Cair. Isid.* 81, 82 and 125; *SB* VI 9544; *P. Got.* 5 and *P. Amh.* II 139. Cf. Missler 105. The ink traces visible below this line belong to a papyrus strip glued to the verso and revealed as a result of the disintegration of the document's own fibers.

[Diana Delia]

## 282. Business Letter<sup>123</sup>

Inv. 172  
Plate 39

11.5 x 10.5 cm

III-IV  
Provenance unknown

This business letter from Cornelius to his associate Theon concerns advance payments made by the author for vineyard work and demands reimbursement from Theon. We therefore have in effect an invoice or collection notice. The letter is written on the front, with the fibers, in a narrow column. Right and left margins survive intact, as does the top. The text continued beyond the bottom edge of the papyrus, but perhaps not far. The scribe pens a swift and confident cursive script with a high degree of chaining (cf. line 4), and few ligatures (10 ης in εἰδῆς; 11 ποιήσεις). There are no abbreviations. On the back are the remains of line beginnings, also with the fibers, in a different hand. The left-hand margin of this very fragmentary text (probably accounts, judging from the lavish use of space, compared with clearly defined, full use of space on the front) is on a line with the front's line 10, so that room for at least another six lines, and possibly more (see above) was originally present on the back. On the other hand, the letter on the front need not have exceeded about 14 lines, so that we are probably not missing much before its closing. It seems fair to conclude that the account was in fact the earlier text, and the letter was written on a piece cut from recycled accounts.

There is no obvious clue to the date except the handwriting. Schubart, *P. Graec. Berol.* 34b (P. Berol. inv. 6850 recto) of A.D. 216 closely parallels the hand of our letter, which is, however, rather later: note form of nu with looped initial vertical, middle stroke slanting upward, and flourish when final (line 2 fin., cf. 1). Cf. (especially for the similarity of beta and kappa to our scribe's), Schubart, *Palaeographie* 82 Abb. 51 (BGU IV 1093) of ca A.D. 260 with palaeographical discussion.

Κορνήλιος Θέωνι τῷ φιλτά-  
τῷ χαίρειν.  
ἐπιδί ὡν ἐπέδωκα λόγων Τῦβι  
4 καὶ Μεχεὶρ ὁ γραμματεὺς οὐ μόνον,  
ἀλλὰ καὶ [πᾶς] ἀλλος ἐπέστ[ελλεν]

<sup>123</sup> Originally read in Bagnall's papyrology class by James Davidson.

τὰς ἐξωδιᾳ[σθ]είσας ὑπ' ἐμοῦ  
 δόσεις τοῖς [ἀ]μπελουργοῖς, ὡς ὁφει-  
 8 λούσας ὑπ[ὸ σο]ῦ δίδοσθαι μι οὐχι-  
 ρίζεις οἴν[ο]ν, ἀναγκαίως ἐπιστέλ-  
 λω σοί, φίλτατε, ἵν' εἰδης καὶ πρόνοι-  
 αν τούτου ποιήσης πρὸς τὸ μηδ[εμί-]  
 12 [αν] ξη[μίαν λαβεῖν ± 14 ]

3 ἐπειδὴ 6 ἐξοδιᾳ[σθ]είσας 8 μοι

BACK  
 αρ[  
 απο[  
 δεκατ[  
 4 αποχει[  
 τρω[  
 ηοσ[  
 δων[  
 8 εβδομ[  
 αμπελ[  
 δευτ[  
 μοι[

(Front) Cornelius to Theon, his dear friend, greeting. Since not only the secretary but also everyone else has given instructions for the distributions of the wine which you manage, of which I submitted accounts for Tybi and Mecheir, and which were distributed by me to the vinedressers, to be given to me, on the grounds that they are owed by you—I instruct you as a matter of urgency, my friend, in order that you may know and be forewarned, in order to avoid incurring any penalty . . .

The rather complex structure of this sentence may be illustrated as follows:

Main clause:

- (A) ἐπιστέλλω σοί ἀναγκαίως
- (B) ἐπειδὴ ὁ γραμματεὺς ἐπέστελλεν δίδοσθαι  
μοι τὰς δόσεις οὐχιρίζεις οἴνου
- (1) ὡν ἐπέδωκα λόγων (Τύβι καὶ Μεχείρ)
- (2) ἐξοδιασθείσας ὑπ' ἐμοῦ
- (3) ὡς ὁφειλούσας ὑπὸ σοῦ
- (C) ἵνα εἰδης καὶ πρόνοιαν ποιήσῃ . . .

The main clause (A)—to which is appended an object clause (C) possibly warning of a penalty for non-performance—stated the author's specific request or instruction to Theon. This instruction is now missing where the text breaks off at the bottom, but there can be little doubt that it was a demand for Theon's repayment of the value of the δόσεις, “grants” of wine (mentioned in line 8) which he allegedly owes to Cornelius. The grounds for the request are stated first in the letter in the form of a causal clause (B): there are existing orders, the addressee will have to comply. In this clause, the grants are further defined by the clauses numbered 1-4 above—two causal participles stipulating (no. 2) the loan by the author, and (no. 4) the addressee's obligation of repayment (the latter introduced by ὡς), as well as by two relative clauses whose pronouns have assimilated, specifying (no. 1) measures and time of accounting, and (no. 3) the content and nature of the grants (namely, wine produced under the management of the addressee Theon). In the first of these two defining relative clauses (no. 1), the pronoun's antecedent δόσεις is anticipated by a bewildering distance. This may be accounted for by the fact that the exact amount of the δόσεις, and the corresponding debt (which may already be well-known to the participants, or set out in previous directions to the addressee) is never specifically stated. The total amount or value demanded is therefore declared in the opening clause as having already been recorded in accounts submitted for the fiscal period in question.

Front 3 ὡν ἐπέδωκα λόγων: The relative pronoun anticipates its antecedent. We may rephrase (ἐπειδὴ ἐπέστελλεν δίδοσθαι μοι τὰς δόσεις) ὡν ἐπέδωκα τοὺς λόγους. The causal clause thus states initially that Cornelius has already “submitted accounts for the grants which the secretary ordered to be given” to him (ἐπέδωκα τοὺς λόγους τῶν δόσεων ἀς ἐπέστελλεν δίδοσθαι). It can be assumed that the γραμματεύς so ordered on the basis of accounts submitted by Cornelius.

3-4 Tybi and Mecheir are the winter season. For work in the vineyards during this time see M. Schnebel, *Landwirtschaft* 262 ff. on, e.g., *P.Oxy.* XIV 1631, an outline of various labor activities of a vineyard for the entire year: gathering of the reeds, arrangements and dispositions of the plants, pruning of the vines, cleaning up, propagation and grafting of new vines, digging of various kinds (cf. Grenfell and Hunt's introduction). *P.Oxy.* XIV 1673, dated Tybi 1, includes the instruction (line 29) τῶν ἀμπελουργῶν τὰς μισθώσις πέμψον [ί]να τῆς ξυλοτομίας ἀρξωνται. Cf. *P.Flor.* II 148.

4 ὁ γραμματεύς: Not here named, but presumably a private functionary of the family or enterprise engaged in viticulture, rather than a public

scribe or official. Like the *ἀμπελουργοί*, he is identifiable simply by the job he performs. Private secretaries are mentioned far less often than official, public ones, but an example of just such an order from a *γραμματεύς* directing someone to pay out in kind to someone else (lentils to collectors of annona) is *P. Oxy.* IX 1192 (A.D. 280).

οὐ μόνον: For the postponement of *μόνον* (one would have expected it to precede *οὐ γραμματεύς*) see J. D. Denniston, *The Greek Particles*, 2nd ed. (Oxford 1954) 3, citing Plato, *Phaedr.* 233E οὐδὲ τοῖς προσαιτοῦσι *μόνον*, ἀλλὰ τοῖς τοῦ πράγματος ἀξίοις; Demosth. 19.276; 36.29; Aeschin. 1.163 προσοφλῶν οὐ τὴν ἐπωβελίαν *μόνον* ἀλλὰ καὶ ἄλλην (codd., πολλῆν schol. Patm., Blass) ὕβριν; cf. id. 2.62. Stranger still is the postponement of the negative, a hyperbaton which we should have otherwise thought surely poetic; cf. Soph. *Philoct.* 555-6 βουλεύματ' ἔστι, κοὺ *μόνον* βουλεύματα, / ἀλλ' ἔργα δρώμεν'.

5 ἀλλὰ καὶ [πᾶς] ἄλλος: As Denniston notes (ad loc. on 4), the *καὶ* is legitimately omitted after *ἀλλά*. But the bottom of iota is clearly visible above the epsilon of *ἐξωδιασθείσας* in line 6. With *πᾶς ἄλλος* may be compared *τις ἄλλος* "any other" (LSJ s.v. *ἄλλος* II.1) and *πᾶς τις* "every single one" (LSJ s.v. *πᾶς* III). It is difficult to say what other restorations could supply a collateral subject, as implied by 4 *οὐ μόνον*, and still fit the small amount of space allowed.

6 ἐξωδια[σθ]είσας: "Distributed" (i.e., to the *ἀμπελουργοί*) or rather "paid for" by Cornelius? For the latter sense see, e.g., *P. Oxy.* VIII 1104.21 (IV); VIII 1117.7-11 (II).

7 The grants to the workers were presumably wages paid as grants in kind, in this case of wine (cf. 8-9 *οὐ χειρίζεις οἴνου*) or possibly in some other form like unprocessed grapes. For the winter work involved here, see on 3-34. Grants of wine, sometimes in combination with grants of wheat and small money payments, are common (see Rathbone, *Economic Rationalism* and S. A. Stephens, *ZPE* 31 [1978] 145-60), and such a *δόσις* was very likely only a small part of a worker's wages. It is not clear whether Cornelius expects similarly to receive repayment in kind or whether the unspecified total was recorded in accounts (3) in other, probably monetary, units (as in the case of the Heroninos estate, cf. Rathbone).

8 ὑπ[ὸ σο]ῦ: Better for space than *ὑπ'* [αὐτο]ῦ, although the latter is not entirely ruled out. Yet there is no trace of a third, singular party, unless the *δόσεις* managed by Theon (8-9) are owed to Cornelius by the *γραμματεύς* (4) himself, which seems unlikely.

8-9 *χειρίζεις*: For the verb see *P.Tebt.* I 76.3; the sense is to perform the functions of an *οινοχειρίστης* of the vineyard. Cf. *P.Oxy.* XLIX 3513-3521 (with Stephens, cited ad line 7): Sarapiades the *cheiristes* of the estate instructs Severus to make payments of wheat and wine to various workers. In this case Severus, like Theon in the present text, acts as *οινοχειρίστης*, whereas our man Cornelius is the more general manager of the estate (or a larger unit of it). In *P.Oxy.* XLIX 3521 Severus sells wine as well as providing grants to the estate-workers. Cf. line 6 in the present text, which shows Cornelius to be buying or at least distributing purchased wine.

9-10 *άναγκαιώς ἐπιστέλλω*: The adverb expresses urgency and the compulsion of obligation, perhaps under the insistent threat of penalty (10-12).

10 *φίλτατε*: So already in the address (1-2); probably also in the lost closing (e.g., *ἐρρῶσθαι σε εὕχομαι, φίλτατε*).

10-11 *πρόνοιαν τούτου*: Sc. 9 *οἴνο]ν*, "forethought for the wine," i.e., for the repayment of the grants of wine? Or rather the whole matter?

Back 9 *αμπελ*[: i.e., *ἀμπελουργοί* (cf. front, 7), which suggests that on the back there was additional material deriving from a vineyard. In 10 *μοι*, if the personal pronoun, would suggest instead another business letter.

[Dirk D. Obbink]

## 283. Loan of Barley

Inv. 40a

6.6 x 4.8 cm

Fall, 306

Plate 40

Oxyrhynchos

Back blank.

The hand of this piece is a tiny cursive, deliberately penned, with some separation of letters. Note the form, distinctive for the later period, of epsilon in 6; eta with two loops written without lifting the pen, but nu in three independent strokes.

This loan is broken off before most of the legal provisions but after delivering much of the essential information: date, parties, and object of the agreement. The borrower comes from an Oxyrhynchite village, of the name of which too little survives to be made out; the lender is a veteran, probably resident in Oxyrhynchos; the object is five artabas of barley, presumably to be repaid increased by 50 percent.

The main interest of the text is the consular date, given by the consulate of the emperor Maximianus Augustus for the 6th time and of Constantius *τοῦ ἐν θεοῖς*. The Maximianus in question can only be Galerius, and the year 306. The standard formula for that year is Constantius Aug. VI and Maximianus Aug. VI; that is, Constantius was the senior emperor and listed first. All of the published papyri for the year show this order; they range in date from 6 March to 13 October.<sup>124</sup> Constantius in fact died on 25 July 306, or about two and a half months before the last consular date in the papyri mentioning him.<sup>125</sup> In the case of regnal years, the numbering alone does not show whether Constantius' death was known, because he and Galerius had the same count. The last instance of regnal titulature mentioning Constantius is the same document (*P. Oxy.* I 102) as the latest instance of the standard consular formula. The earliest occurrence of the new regnal formula without Constantius comes from 25 December.<sup>126</sup> We may safely conclude that 283 comes from a date in 306 later than 13 October. If, as is likely, this is a loan for sowing, a date in the fall would be normal.

It was not at all uncommon for political change to be reflected in altered consular formulas during a year, particularly where the deceased emperor was the enemy of the one issuing the revised formula. The dissemination of this particular version of the consulate reflecting Constantius' death, however, is most unusual. In the following year, the latest papyri of the year (from late December) give a consulate by Maximinus Caesar alone, after the death of Severus, who was the senior consul, on 16 September. There, however, Severus is not even mentioned in the posthumous formulas.<sup>127</sup> Similarly, in 311 Galerius is dropped from the papyri after his death (late April or early May), but an inscription from Noricum gives *Divus Maximianus VIII et Maximinus II Augg.*<sup>128</sup> that is, like our papyrus the deified emperor is included, but unlike our papyrus he is listed in his original senior position (this is in fact the common practice of Latin inscriptions). In 313, the papyri first show Maximinus dropped after his defeat by Licinius, with Constantine listed alone; then Licinius adds his own name as junior consul.<sup>129</sup>

In short, we would expect either a consular formula including Constantius (deified) in the original order (cf. note to line 3 for an example), or one omitting him entirely. Instead, he has been deified but relegated to second place.

124 See Bagnall et al., *CLRE* 147 s.a.

125 See Barnes, *New Empire* 4 with n.10.

126 See Bagnall and Worp, *RFBE* 31.

127 See Bagnall et al., *CLRE* 149 s.a. 307.

128 Cf. Barnes, *New Empire* 6; Bagnall et al., *CLRE* 157 s.a. 311.

129 Bagnall et al., *CLRE* 161 s.a. 313.

4 [ύπ]ατίας τοῦ κυρίου ἡμῶν αὐτοκράτορος  
 [Μαξι]μιανοῦ Σεβαστοῦ τὸ ζ" καὶ Κωνσταντίο[ν]  
 [ ] vacat τοῦ ἐν θεοῖς vacat  
 [Αὐρή]λιος Αρ. ενς [Α]μμωνίου ἀπὸ κά-  
 [μης] λεως τοῦ Ὁξυρυγχίτου νο-  
 [μοῦ] Ια... ω Ἀμμωνι οὐτερανῷ  
 [καὶ] ὡς χρηματίζεις χαίρειν ὁμο-  
 8 λογω ἐσχηκαίναι παρὰ σοῦ  
 [ἐν χρ]ήσι κριθῆς ἀρτάβας πέντε  
 [ ] [ ] [ ] [ ] [ ] [ ]

8 ἐσυνκένται 9 χρήσει

In the consulate of our lord emperor Maximianus Augustus for the 6th time and Constantius who is among the gods. Aurelius Ar... son of Ammonios from the village of — of the Oxyrhynchite nome, to [ . . . ] Ammon, veteran, and however you style yourself, greeting. I acknowledge that I have received from you as a loan five artabas of barley . . .

3 The phrase *ἐν θεοῖς* for deceased emperors occurs in a consular formula in *P.Münch.* III 102, of A.D. 455, referring to Valentinian as senior consul along with the surviving Fl. Anthemius. For a use in a (retrospective) regnal formula, see already *P.Oxy.* LI 3613, referring in A.D. 279 to the deified Aurelian (ob. 275). [Roger S. Bagnall]

[Roger S. Bagnall]

#### 284. Application for a Lease of Vineyard Irrigation

Inv. 41 + *P. Heid.* V 343 19.8 x 13.1 cm (inv. 41) 24-29 August 311  
a = 19.5 cm X 7.5 cm, b = 3.5 cm X 5 cm  
c = 4.3 cm X 2.5 cm (*P. Heid.* 343)

Plate 41

## Oxyrhynchus

Published: B. E. Nielsen, *ZPE* 106 (1995) 179-88 and Tafel V

In P.Col. inv. 41, the largest piece of this document, there are five vertical folds, with the first fold virtually the left edge, which results in

five panels of writing. The surface of the papyrus has suffered badly throughout from abrasion and the folding. The writing is along the fibers and the back is blank. The largest fragment of *P.Heid. V 343* preserves lines 18-22. The two smaller fragments fit lacunae in the beginnings of lines 10-13.

The line length is determined by the consular formula in line 1, achieved by restoring nineteen characters lacking to the left, or the equivalent of one additional panel of writing. Thus the average length of line is eighty-four characters, or approximately seventeen characters per panel. Allowing 1.5 cm for the left margin the original document was approximately 25.5-27 cm wide. Because only one-sixth of the line is lost in lines 1 to 6 it is reasonable to restore the beginning of those lines, but for lines 7 to 17 two panels of writing or approximately one-third of the text is lost and it is not advisable to restore the text.

This papyrus is a duplicate of *P.Heid. V 344*, an application for the lease of the irrigation operations in a vineyard. Many lacunae in 284 can be restored on the basis of the extant parallel portion of *P.Heid. V 344*, and are placed in lower half brackets.

There are several other lease agreements, or applications for a lease, that survive in duplicate,<sup>130</sup> mostly from the Arsinoite nome: e.g., *P.Amh. II 86* (Hermopolis, 78), *P.Mich. XII 633* (Tebtunis, ca 30), *P.Mil. Vogl. II 87/88* (Tebtunis, 150/1), *II 130/131* (Tebtunis, 165, cf. *BL 7.119*), *II 132/133* (Tebtunis, 165, cf. *BL 7.119*), *II 138/139* (Tebtunis, 169), *VI 267/II 104* (Tebtunis, 127, cf. *BL 7.119*), *P.Phil. 12/PSI I 33* (Philadelphia, 150-173), *P.Ryl. II 167* (Euhemeria, 39), *P.Stras. V 336* (Arsinoite nome, 212/3), *SB XVI 13006/13007* (Arsinoite nome, 144), *XVI 13008/13009* (Arsinoite nome, 144). Each of these is preserved in two complete copies except in *P.Mich. XII 633* (top lacking in both), *P.Mil. Vogl. II 131* (top lacking), and *PSI I 33* (bottom damaged). None of these papyri has the phrase  $\delta\iota\pi\lambda\eta\gamma\tau\alpha\phi\epsilon\iota\sigma\alpha$  or one similar to it, nor does 284. If more than one copy had not survived, we would have no idea that a duplicate existed. The only evidence for copies is the language in line 22, or language similar to it (among the examples given, found only in *P.Mil. Vogl. VI 267/II 104*); see the note to line 22.

For a list of other Oxyrhynchite applications for vineyard leases or leases of labor in a vineyard, or leases thereof, see 280 introduction.

<sup>130</sup> On this phenomenon see now B. E. Nielsen, "Catalog of Duplicate Papyri," *ZPE*, forthcoming.

[ύπατείας τῶ] ν δεσποτῶν ημῶν Γαλερίου Οὐαλερίου  
 Μαξιμιανοῦ Σεβαστοῦ τὸ η καὶ Γαλερίου Οὐαλερίου  
 Μαξιμιανοῦ [μ]ι[νο]ψ  
Σεβαστοῦ τὸ β. [Αὐ]ρηλίας Τεχωσ[οῦ]τι τῇ καὶ Εὐδαιμονίδ(i)  
 καὶ Εὐδαιμονίδι τῇ καὶ Όριγενή καὶ . . .  
π(αρὰ) Αὐρηλίου Παρείτ(ιος) Π αύλου μη(τρὸς) Θαὶ σο ντος  
 ἀπὸ ἐποικίου ὑμῶν περὶ τὸ Δωσιθέου Πετροκ( )  
 καλουμέν[οι]ψ  
 4 λέκουσίως ἐπιδέχομαι [μι]σθώσασθαι ἐπὶ χρ[ό]ιγον ἔτη δύο ἀπὸ<sup>τ</sup>  
 νευμηνίας τοῦ Ἀτήρ μη(νὸς) τοῦ ισιό[ν]τος κ (έτους) καὶ  
 η (έτους) τ α  
λύδροπαροχικ [ὰ ἔργα πάντα ἀπὸ το[ῦ] ὑπάρχοντος ὑμῖν  
 ἀμπελικοῦ κτήματος Πετροκ( ) καλουμένου τρίτου  
 [μέρους ὅ] λ εστιν ἄρο [ο]ψρα Απφοῦτ[ος ὀλ[ο]ικ[λ]ήρ[ο]ιν μερίδος  
 ὅσου ἐστὶν ἀρουδηροῦ, οὔσπερ ποτισμοὺς ποιήσομαι  
 [ - 24 - ]. [μη]χανικῶν ὁργάνων εὐκαίρως καὶ  
 εὐαρέστως τῶν ὑμῶν [έπακ]ολογυθούν-  
 8 [των] ἄπασι [καὶ ἐπά] ναγκον ποι [ήσομαι τὰ] κα τὰ καιρὸν  
 ἔργα πάντα τῶν ὑδ τρο [π] τα ρο τχι κ τῶν καὶ  
χωματισμῶν καὶ  
 [ - 19 - ]. ὡν [ - 12 - ]αι τὸ αἴρονυ μοι μέρος το[ῦ] οἴνου  
 καθ['] ὁμοιότητα τῶν σ υνμι σ-  
θ ωτῶν ἔτι τε καὶ ἔχειν με τὸ ἐπιβάλλον μοι μέρος τῆς  
καρπωνίας [τῶν φοιν]ίκων καὶ φυτῶν καὶ ἐπι -  
 [ . . . ] τε λοῦντα πάντα τὰ π τρο [δη]λούμενα καὶ τὰ ἔκτακτα  
 ἐπὶ τῆς ὸγδ[όης καὶ] εἰκάδος τοῦ Φαρμο[ύθι καὶ τῆς]  
 12 [τ]ρύγης καὶ ἔσχον ἐν προχρείᾳ βόας γε το τέ[ρο]ι[γ]ις δύο καὶ  
 ἥσ δ ἀν μεταλάβι ω προ χρείας ἐν ἔκτάκ[τω - 7 -]  
 [ - 7 - ] καὶ ποιή[σομαι τὰ κατὰ καιρὸν ἔρ] γα πάντα καὶ τὰ ἄλλα  
τὰ συνήθη εἰς [ . . . ] ν εκ α α αν εν τ . . .  
 [ - 20 - καὶ ἐπιδέχομαι] μισθώσασθαι ἐπὶ ταῦτα ἔτη δύο ἀπὸ  
τοῦ αὐ[τοῦ] ισειόντος  
 [κ (έτους) καὶ η (έτους) - 26 - ] γεωργονμένων τῷ χωρίῳ καὶ  
τῶν ἐν <όν> των φοινίκων . . .  
 16 [ - 32 - όλοκληρον παρὰ τῷ προκειμένῳ Απφοῦτ[ι]  
 ὅς γεωργήσει  
 [ἀκίνδυνα πάντα παντὸς κινδύνου. β] αἰβαιωμένης δέ μοι τῆς  
 ἐπιδοχῆς ἐπάναγκες ἐπιτελέσω  
 [τὰ ἔργα πάντα τῷ δέοντι καιρῷ] καὶ τ[δ] ν πο[τισ]μὸν καὶ τὰ ἄλλα  
εὐκαίρως καὶ ἐπὶ τέλει τοῦ [χρ]όν[ο]ψ [πα]ραδ[ώσω]

[τὴν ἄμπελον ἐπι]μεμελημένην τοῖς ποτισμοῖς καὶ τὰ φυτὰ  
ζωγονοῦντα [καὶ] ἐύθαλο[ῦντα]

20 [διὰ παντός, γεινομένης ὑμὶν τῇ[ς] πράξεως παρά τε ἡμῶν καὶ ἐκ  
τῶν ὑπαρχόντων μοι πάντωγ].

[κυρία ἡ ἐπιδοχὴ καὶ ἐπ]ε[ρ]φ[η]θεῖς ὡμολόγησα. ὑπατε[ί]ας τῆς  
προκυμένης μη[νὸς] Μεσορὴ ἐπαγ[ομένων] -.

[Αὐρ(ηλία) . . . . . ἔσχον τούτου τὸ ἵσον. (2 H.) Αὐρή(λιος)  
Σερῆνος καὶ ως χρ(ματίζω) ἔγραψα ὑπὲρ αὐτῆ[ς]  
γρ(άμματα) μ]ὴ εἰ[δυίας.] .

-----

2 Ωριγενείᾳ 4 νεομηνίας, Ἀθύρ, εἰσιόντος 6 ἀρουρηδοῦ  
12 νεωτέρους 14 εἰσιόντος 15 τῶν χωρίων 17 βεβαιουμένης  
20 ἡμῶν for ἐμοῦ 21 προκειμένης

In the consulship of our masters Galerius Valerius Maximianus Augustus for the eighth time and Galerius Valerius Maximinus Augustus for the second time. To Aurelia Techosous also called Eudaimonis and Aurelia Eudaimonis also called Horigenia and Aurelia . . . , from Aurelius Pareitis son of Paulos and Thaisous, from your epoikion called Petrok near the village of Dositheou. I willingly undertake to lease for a period of two years from the first day of the month of Hathyr of the incoming 20th and 8th year, all the irrigating operations of the third share from the enclosed vineyard belonging to you called Petrok, which is the aroura of Apphous, whatever the area of the whole portion in arouras may be, which irrigation I shall perform . . . (7) irrigation machines at the proper times and to your satisfaction, with the concurrence of your agents (8) in everything . . . and I shall necessarily perform all the labors at the proper times, the labors of maintaining the dikes and the irrigations . . . (9) . . . the share of the wine pertaining to me on the same terms as the other lessees (10) and further, to possess the share of the vineyard and the share of the sale of fruits of the date-palms and fruit-trees that falls to me and (11) having finished completely all the aforementioned and the extra payments on the twenty-eighth day of Pharmouthi and at the (12) vintage and having on loan two young oxen and which advance payment I shall receive . . . (13) and I shall perform all the labors and the other customary . . . (14) . . . and I undertake to lease for these two years from the incoming 20th and 8th year . . . (15) . . . cultivating the lots and the . . . (16) . . . in the presence of the aforesaid Apphous which he shall cultivate, (17) everything guaranteed against any risk. When this undertaking is secured to me I will of necessity accomplish all the operations at their proper time, without delay and every-

thing done at the proper time, and at the end of the period I shall return the vineyard cared for with the irrigations and the plants living and flourishing always, and you have the right of execution against me and against all my property. The undertaking is normative and after having been formally questioned I have agreed. In the aforesaid consulship, Mesore epagomenal day -. I, Aurelia --, have received the copy of this document. (2 H.) I, Aurelius Serenus and however I am styled wrote on her behalf since she is illiterate.

3 The village of Dositheou was in the eighth pagus (see *P. Oxy.* LV 3795), the former lower toparchy: Pruneti, *Centri abitati* 43, 237.

The epoikion of Πετροκ( ) is one of four entities listed in the territory of the village of Dositheou in *P. Oxy.* XLVI 3307.16 (fourth century), and in both *P. Oslo* III 119.2, 9 (Oxy., 319) and *SB* XVI 12646.11 (326/327) Πετροκ( ) appears in a receipt for military clothing of the eighth pagus. The epoikion Πετροκ( ) also appears in *P. Oxy.* XII 1448.11 (ca 318); the alternative reading Πετροβ( ) in the editor's note can be excluded (based on autopsy of the papyrus, now at Johns Hopkins University).

4 The phrase ἀπὸ νευμηνίας τοῦ Ἀτύρ μη(νός) is abbreviated in *P. Heid.* V 344.5 as ἀπὸ α- [Αθύρ] τοῦ εισιόντος, parallel to the use of a numeral for "the first of . . ." in two other Oxyrhynchite vineyard labor contracts *P. Oxy.* XIV 1631.5 (280) and XLVII 3354.5 (257).

The year is 311, not later than Mesore/August, that is, 19-7-5-3 at writing and the incoming year is 20-8-6-4, 311/12 (see *CSBE* 2-4). The first regnal year must be 20 and thus the scribe has an extra stroke between the kappa and the sinusoidal curve (cf. the extra stroke in μητρός, line 3). In the year of writing, the only regnal dates with as few as two numbers are post-consulate. We expect four or five numbers here because there is no extant evidence for post-consulate use of the consular formula, but whatever the final character of line 4 is, it is not a  $\varsigma$  or a  $\delta$  and there is not room for a  $\kappa\alpha\iota$  between the eta and the final character of the line. This is confirmed by *P. Heid.* V 344.

5 The best study of ἀμπελικοῦ κτήματος is Rathbone, *Economic Rationalism* 33-36. Even though the focus of his study is on the Arsinoite nome, the wealth of information is applicable across geographical boundaries.

6 The reading ὄλ]οξ[λ]ῆρ[ο]ν was suggested by A. Jördens by letter.

There is one exact parallel in Oxyrhynchite documents to the use of the term μερίς here, *PSI* IV 306.6 (second or third century). We accept the explanation of the term given by J. Gascou for the later period: it refers to part of a system of exactions collected by a landowner for the state, with

*μερίς* being the proportion assigned a particular place; cf. note to VIII 239.2, 3 (Oxy., fourth century).<sup>131</sup>

10 The term *καρπωνίας* is not common in the papyri (it is not attested at all in the prose literature), but the concept of advance sale of fruits is found; see especially Rathbone's discussion of the duties of the *karponai* on the large estates in the Fayum, *Economic Rationalism* 193-95. Cf. A. Jördens in *P. Heid.* V 355-61, J. G. Keenan, "On Village and Polis in Byzantine Egypt," *Proc. XVI Congr.* 479-85, and R. S. Bagnall, "Sales on Delivery," *GRBS* 18 (1977) 85-96.

11 The phrase ἐπι[...] τελοῦντα πάντα τὰ προ[ is read in *P. Heid.* V 344.13 and ]λοῦντα πάντα τὰ π[ is read in line 2 of the lower right fragment in *P. Heid.* V 343. The continuation of the line ]λούμενα καὶ τὰ ἔκτακτα is extant in 284.11.

12 The beginning of the line, *τρύγης καὶ ἔσχον*, is read in line 3 of the lower right fragment in *P. Heid.* V 343. The phrase ἐν προχρείας βόας is extant in *P. Heid.* V 344.14. The exiguous traces before *νεοτέρους* are read in line 3 of the upper right fragment in *P. Heid.* V 343 (confirmed by *P. Heid.* V 344.14) with both omicrons lacking, the rho in *νεοτέρους* is ligatured to the horizontal stroke of the epsilon as in line 6, and the tops of all the characters visible on the fragment.<sup>132</sup> This is the earliest use of the term *προχρείας* with reference to *βόας* that we have found; it is extant in later documents *P. Mich.* XIII 666.28 (Aphrodito, sixth century), *PSI* X 1122.21, 36 (prov. unkn., sixth century), and *SB* XVI 12481.16 (Arsinoite nome, 668).

The alpha in the reading *ἡς δ' ἄν* resembles the first one in *πάντα* (l. 5) or the one in *όργανων* (l. 7). The articulation of the words *καὶ ἡς δ' ἄν* is not found in documents of the Roman period in the DDBDP on PHI CD ROM #6 (using the IBYCUS system disk dated August 14, 1991), but is an unavoidable reading, though too little of the context is preserved to allow for understanding.

13 The traces of letters of the phrase *καὶ ποιήσομαι* are read in line 4 of the lower right fragment in *P. Heid.* V 343.

16 The phrase ending with *όλόκληρον* does not exhibit ideal word order (cf. *P. Oxy.* XLV 3255.16-17 (315)), but for *όλόκληρος* in the last position as here see *P. Oxy.* XLV 3256.18 (317/18) and several fifth through seventh century mostly non-Oxyrhynchite occurrences; e.g., *BGU* XII 2162.10 (Hermopolis, 491), 2202.10 (Hermopolis, 565), *CPR* VI 6.23

<sup>131</sup> Gascou, "Les grands domaines" 41-44, and Gascou/Sijpesteijn, *ZPE* 97 (1992) 119-21. See also Gascou, "La détention collégiale de l'autorité Pagarchique dans l'Égypte," *Byzantion* 42 (1972) 60-72 at 63, and I. F. Fikhman, "Quelques données sur la genèse de la grande propriété foncière à Oxyrhynchus," *Hommages Préaux* 789-90.

<sup>132</sup> We wish to thank John Rea and Revel Coles for the reading of this difficult line.

(Hermopolis, 439), *P.Lond.* 5.1715.7 (Antinopolis, sixth century), *P.Oxy.* XVI 1966.13 (505), *SB* I 5285.27 and 5286.18 (both Panopolite nome, 607). Using *P.Oxy.* XLV 3256.18 as a model the ἀκίνδυνα clause would fill the lacuna at the beginning of line 17.

18-22 These lines are read in the largest fragment of *P.Heid.* V 343.

19 In addition to the instances of ἐπιμεμελημένην cited in *P.Heid.* V 343.2 see also *P.Ross.Georg.* II 19.44 (Oxy., 141).

22 This Aurelius Serenus may be the same scribe as in *P.Oxy.* XIV 1708.25 (311) and XXXIII 2673.35 (304), and less likely (due to the early date) in *P.Oxy.* VII 1036.46-47 (273). [Bruce E. Nielsen]

## 285. Request to the βιβλιοφύλακες with Report of Proceedings

Inv.168

25.5 x 23.5 cm

6 August 315

Plate 42

Arsinoite

This papyrus contains two documents which belong to the same dossier. The first, a request to the keepers of the archives in which Eulogios and his mother, the daughter of Φοιβάμμων, ask to have a certain property written under their names and recognized as theirs, is supported by the second. This comes from the *commentarii* of the strategos and it is the copy of a report of proceedings before this official regarding the sale of the same property. Since the petitioners had never seen any money for it, the strategos had ruled that they could keep the land. The ruling was produced by Eulogios and his mother as proof of the truth of their claim.

The papyrus is written along the fibers in a chancery hand which is similar to the hand of *P. Vindob.* G. 19799/19800 of A.D. 325 (G. Cavallo, "La scrittura del *P. Berol.* 11532: contributo allo studio dello stile di cancelleria nei papiri greci di età romana", *Aegyptus* 45 [1965] 217-49, *Tavola* 13), although less formal: cf. the form of beta in 24, 31, 48. The hand of the two documents of the papyrus seems to be the same even if in the right column the writing looks more vertical, rigid, and stylized. Since this preserves the copy of the report of the proceedings in front of the strategos, the scribe was probably imitating the more formal style of the original. The last two lines of the left column, however, are written by a different hand, perhaps one of the petitioners. On the back across the fibers there is an accounting of some sort. Here the kollesis is clearly visible in the middle.

The interpretation is uncertain in places because of extensive losses and the faintness of some lines. The papyrus seems to preserve approximately half of each column. About 30 letters are missing on the left of the first column (2 folds and a half) from the first letters visible on the top. Even more, however, is missing on the left from line 10 downwards. The sheet of papyrus has been torn away and the underlying sheet is exposed with considerable loss of horizontal fibers. On the right of the second column about 45 letters are missing (more than three folds). The protocol, moreover, continued in another column. The *κρίσις* of the presiding official, which probably is briefly summarized in the first document, is in fact absent, together with the subscriptions of the various witnesses.

It is not always possible to recover the exact circumstances of this case. The basic issue of the two documents on the front seems to be the ownership of vineland, where probably also some grain was planted. In the request to the keepers of the records Eulogios and his mother, from the village of Σέσφθα in the Oxyrhynchite nome, mention a controversy with some opponents from Τυχινφάγων in the same nome, to whom they seem to have sold their property. To solve their problems they had turned to different officials. First of all they had appealed to the praeses and had obtained from him a subscription, the substance of which seems to be reported (col. i, lines 10-13 perhaps). The praeses had delegated the matter to the strategos, who had recognized the two petitioners' right to keep their property.

A copy of the proceedings before this official is produced by the petitioners and follows in the second column. Although much is lost at right, it is possible to recognize the different parts of this kind of document. After the introductory formula with the mention of the place where the hearing took place, and the names of the petitioners and the defendant(s), there are the speeches of the different speakers and the question of the sale is exposed in brief. Then the petition and the subscription of the praeses are read. This is followed by more speeches, in particular the long narrative speech of the main advocate (approximately lines 14-20). From here we understand that the adversaries were guilty of some violence against the father of Eulogios in his youth and later. With the father's death they were able to prevail over the mother. Apparently a sale of all or part of the property had taken place, but mother and son had never seen the money due to them. Because of this, they were asking the βιβλιοφύλακες to register again the property under their names.

The strategos and the praeses appearing here are known from other documents. As a matter of fact the papyrus seems to move back to 6 August 315 the date of the first appearance in papyri of the praeses of Herculia Aurelius Antonius. The praeses is designated already as

"perfectissimus," although the name of the new province is not specified. As late as 15 January 314 (*P. Cair. Isid.* 73) the prefect of Egypt was still the governor and Egypt was undivided. The division of Aegyptus Herculia was perhaps created at the beginning of 315.

i

1a (3 H) *ι'' πάγου ἀμπ( )*.  
 1 [(1 H) ὑπατείας τῶν δεσποτῶν ἡμῶν Κωνσταντί]νου καὶ Λικιννίου  
 [Σεβαστῶν τὸ δ'] vacat  
 [NN καὶ NN ἐξ]ηγ(ητεύσαντι) ἀμφοτ(έροις) βουλευταῖς τῆς  
 λαμ(πρᾶς)  
 4 [καὶ λαμ(προτάτης) Ὁξυρυγχειτῶν πόλεως] βιβλιοφύλαξι  
 [έγκτήσεων παρὰ NN ἀπὸ κώ]μης Σέσφθα ι πάγου καὶ τοῦ  
 [[ο]]νιοῦ  
 ]ης ἀπάτης καὶ παιδιᾶς ὑπὸ<sup>1</sup>  
 ]ἀπὸ κώμης Τυχεινφάγων  
 8 τ]οῦ διασημοτάτου ἡγουμένου  
 ],ο καὶ ἐτύχομεν ὑπογραφῆς οὕτως  
 [έχούσης· --- ], φανερᾶς οὕσης οὐκ ἀγνοεῖ  
 ]εις τὸ ἀκόλουθον προνοήσει  
 12 ], τοὺς ἀντιδίκους τοὺς προκι-  
 [μένους τοῦ Ινομοῦ στρατηγοῦ Αύρηλίου]  
 [Απολλωνίου τοῦ καὶ Εὐδαίμονος ὁ στρατηγὸς ἀκροατὴς  
 ἀπ]έφηνατο παραδίδων ἐμοὶ<sup>2</sup>  
 16 ]ως κλήρου σιτικὰς ἀρούρας  
 ]ια ἐπὶ τὸν ἀεὶ χρόνον αἰων-  
 ] ἀδικοὶ ἔχειν παρ' ἑαυτοῖς  
 ]εν ἐπὶ τὰ ἡμέτερα γῆδια  
 20 ] διὰ τῶν παρ' ὑμῖν διαστρω-  
 [μάτων ]ως καὶ παρανόμως γεγονη-  
 αν]αγκαῖον τοῖς ὄντων ὑπομνήμα-  
 [σι ]ησαν εἰ αἴτησιν καὶ μετάθεσιν γενε-  
 24 ]ν διὰ τῶν παρ' ὑμῖν βιβλίων  
 [ένάτον] καὶ ζ (ἔτους) τῶν κυρίων ἡμῶν  
 [Κωνσταντίνου καὶ Λικιννίου Σεβαστῶν] (2 H.) Φοι]βάμμωνος  
 καὶ Εὐλόγιος  
 ὁμ]ώμωκεν τὸ τίον ὄρκον ὡς πρόκειται  
 28 [NN ἔγραψα ὑπὲρ αὐτῆς μὴ εἰδύιας γρά]μματα.

(1 H.) ἔστι δὲ τοῦ [ὑ]πομνήματος τὸ ἀ(ντίγραφον).  
 ἐξ [ὑ]πομνηματισμῶν Α[ὐρ]ηλίου Ἀπολλωνίου τοῦ καὶ Εὐδαιμ[ονος  
 στρα(τηγοῦ) Ὁξ(υργχίτου). ὑπατείας τῶν δεσποτῶν  
 ἡμῶν Κωνσταντίνου]  
 καὶ Λικινίου Σεβαστῶν τὸ δὲ Μεσορὴ γ. ἐν τῷ λογιστ[ηρίῳ  
 32 ἀπὸ κώμης Σέσφιθα τοῦ αὐτοῦ γομοῦ ἐγτυγχάνει κατὰ Παπινού[θιον  
 ὁ στρατηγ(ὸς) εἰπ(εν). κατὰ τίνος προστάγματα {τα} λαμβάνεται  
 τὴν π` ρ` ᾧ[σιν ca - 30 - τοῦ κυρίου]  
 μον Ἀντωνίου τοῦ διασημοτάτου παρέπεμψεν. τουτὶ τότε[  
 ραν καὶ αὐτὴν τὴν ὑποσημίωσιν τῆς ἡγεμονίας παρὰ Ἀν[τωνίου  
 36 τὴν [πρ]ᾶσιν τὴν ἀρμόττουσαν τοῖς νόμοις καὶ τασ [.] π[  
 [ἀναγν]ωσθείσης ἀναφορᾶς καὶ ὑποσημιώσεως ουπ[  
 [- 4 -]γης ὑπὲρ τοῦ σου πεδὸς τὸ ἀκόλθιον π]ρονοήσ[  
 [- 4 -]εικίαν τὴν ὑπόθεσιν τοῦ πράγματος. ἐκτεθησ[  
 40 πράγματος ὑπόθεσιν. ὁ τοίνυν ὑγιὸς τῆς βοηθούμεν[ης  
 ἐθέλειν παρὰ τοῦ πατρὸς αὐτοῦ εἰπω[ν ca - 55 - Τυχιν-]  
 φάγων. ἀλλ' οἱ ἀντίδικοι εἰς ἐπιθυμείας ἐνπεσόντες [  
 ται τὰ τῷ παιδὶ διαφέροντα γῆδια, προσέρχοντε γὰρ τὸ .  
 44 τῷ πατρὶ οὐ μόνον δι' αὐτῆς ἰλεικίας ἀπλές ἀλλὰ καὶ σ[  
 οὐδεὶν ἐφίεται περιόντων τῶν πατέρων εἰς πα[  
 μετὰ τῆς μητρὸς ἐπὶ τῆς ἀγρυκίας καὶ ἐξείσχυσαν [  
 λέγων γραμμάτια πράσεως συστήσασθαι εἰς στομ[  
 48 βοηθούμενου καὶ παρὰ τῆς μητρὸς αὐτοῦ καὶ ἀργύριον  
 ἐπει το οὐδὲν ὑπεδεξ[ξ]άμεθα εἰς λόγον τιμῆμα[τος  
 ἡμῶν παρ' αὐτὸ μὲν μὴ μελλήσαντες. ε[  
 θεοὺς οὐδὲ τῆς νομῆς οὐδὲ τῆς δεσποτείας ὑπα[  
 52 καὶ νεμόμεθα μὴ ὑποχωρήσαντες. τις παρανομεί[α  
 ἡγεμόνος Αὐρηλίου Ἀντωνίου μέλλον δὲ [

i 5 νιον pap. 7 Τυχινφάγων 12 προκειμένους 21 γέγονε  
 27 ὀμώμοκεν, θείον 32 ἐντυγχάνει, αρμοτ' τουσαν pap. 38 παιδός  
 40 νιός 42 ἐπιθυμίας 43 προσέρχονται 44 ἡλικίας, ἀπλῆς  
 46 ἀγροικίας, ἐξείσχυσαν 52 παρανομία

of the illustrious and most illustrious city of Oxyrhynchos and keepers of the archives of landed property, from NN of the village of Sesphtha in the tenth pagus and from her son . . . because of deceit and scheming from . . . NN of the village of Tuchinphagon . . . of the most distinguished governor . . . and thus we obtained his subscription . . . being evident he does not fail to recognize . . . he will provide the following . . . The defendants the appointed . . . the district's strategos Aurelius Apollonios alias Eudaimon. The strategos listened to the case . . . he declared transferring to me . . . a holding of grain land . . . forever . . . unjust men kept by themselves . . . on our fields . . . through the registers in your keeping . . . it was unlawful . . . it is necessary to the memorandum of the events . . . the request and transfer to be . . . through the books in your keeping. The year ninth and seventh of our masters Constantinus and Licinius Augusti . . . daughter of Phoibammon, and Eulogios. . . . He swore the sacred oath, as aforesaid . . . (wrote for her) because she does not know letters.

(1 H.) Copy of the record of the proceedings. From the minutes of Aurelius Apollonios alias Eudaimon, strategos of the Oxyrhynchite nome, during the 4th consulate of our masters Constantinus and Licinius Augusti, Mesore 13. In the office . . . from the village of Sesphtha of the same nome pleads against Papnouthios . . . The strategus said, "According to whose ordinance does she make the sale? . . . she brought in addition (the subscription) of my lord Aurelius Antonius *perfectissimus*." "This indeed then . . . and even the attestation of the authority from (the praeses) Antonius . . . the sale which was in accordance with the laws and . . . having read the petition and the attestation . . . about your son will provide the following . . . the suit of the case. It will be set up . . . the suit of the affair. The son of the petitioner therefore . . . want that from the father, saying . . . Tuchinphagon. But our opponents yielding to desire . . . falling upon the fields belonging to the son, for they enter . . . to the father not only just in his youth but also . . . he allows no one when the fathers were still alive . . . with the mother in their boorishness and prevailed . . . saying to put together the documents for the sale at the mouth (of the canal) . . . from the petitioner and from his mother and the money . . . And when we didn't receive anything on account of the payment . . . without delay in this . . . (I swear) by the gods that neither of the possession nor of the ownership . . . and we possess without yielding. Some lawlessness . . . of the praeses Aurelius Antonius . . .

Col. i 1a After  $\alpha\mu\pi$ ( ) it is likely that there was the  $\alpha\rho\nu\rho\alpha\iota$  sign and a number. We would have to suppose that the top part of the symbol for  $\alpha\rho\nu\rho\alpha\iota$  is obliterated.  $\alpha\mu\pi$ ( ) could be resolved in several ways. The term  $\alpha\mu\pi\epsilon\lambda\kappa\eta$  ( $\gamma\hat{\eta}$ ) does not occur in the fourth century. Its latest occurrence is in the second century A.D. The same is true for  $\alpha\mu\pi\epsilon\lambda\pi\iota\varsigma$  ( $\gamma\hat{\eta}$ ), which occurs very frequently, but earlier than the third century. The word  $\alpha\mu\pi\epsilon\lambda\omega\nu$  seems to be the only term which occurs frequently in an abbreviated form also after the third century. It is also unclear if the selected term should be in the nominative or in the genitive. In the rest of the document and in the record of the proceedings vineland never appears. In line 16 of the first column there is mention of a holding of grain land and in lines 19 and 43 the property is designated simply as  $\gamma\hat{\eta}\delta\iota\alpha$ . Due to the extensive losses on the left and on the right of the papyrus, it is not unreasonable to suppose that the vineland was mentioned in a part now missing. The line seems to be written in a hand different from the one which wrote the body of the document. It was probably written in a hurry later on by another scribe.

2-3 The date corresponds to 6 August 315. For the consuls see Bag-nall and Worp, *CSBE*.

3 The participle of  $\dot{\epsilon}\xi\eta\gamma\eta\tau\epsilon\omega$  certainly refers to only one of the  $\beta\iota\beta\lambda\iota\phi\bar{u}\lambda\alpha\kappa\epsilon\varsigma$ . Only in *P. Harr.* I 75.4 is the abbreviated participle which is followed by the word  $\alpha\mu\phi\tau\epsilon\rois$  resolved (probably wrongly) as  $\dot{\epsilon}\xi\eta\gamma\eta\tau\epsilon\nu\alpha\sigma\iota$ . If both officials had filled that position the word  $\alpha\mu\phi\tau\epsilon\rois$  would have come before the participle (see e.g., *P. Sakaon.* 11.4, 12.8, 86.10 and *SB* X 10537.28).

3-4 The simple title  $\lambda\alpha\mu\pi\rho\alpha$  is first attested for Oxyrhynchos in A.D. 269; it was then replaced by  $\lambda\alpha\mu\pi\rho\alpha\ kai\ \lambda\alpha\mu\pi\tau\alpha\tau\eta$  in 272 (D. Hagedorn, "H 'Οξυρύγχων πόλις und ή 'Οξυρυγχιτῶν πόλις," *ZPE* 12 [1973] 277-92). The last mention of this title is in 511 (*P. Oxy.* XVI 1960.5). It was then again replaced by the simple  $\lambda\alpha\mu\pi\rho\alpha$ .

4 The  $\beta\iota\beta\lambda\iota\phi\bar{u}\lambda\alpha\kappa\epsilon\varsigma$  were the natural officials to refer to in a case of disputed title to property because the  $\alpha\pi\gamma\eta\rho\alpha\phi\iota\varsigma$  of such properties were sent to them.

5 The word  $\dot{\epsilon}\gamma\kappa\tau\eta\sigma\epsilon\omega\nu$  to qualify  $\beta\iota\beta\lambda\iota\phi\bar{u}\lambda\alpha\kappa\epsilon\varsigma$  very likely stood at the beginning of this line, since this is the formula usually employed,  $\beta\iota\beta\lambda\iota\phi\bar{u}\lambda\alpha\kappa\epsilon\varsigma\ \dot{\epsilon}\gamma\kappa\tau\eta\sigma\epsilon\omega\nu$  ( $\tau\omega\ \dot{\epsilon}\gamma\kappa\tau\eta\sigma\epsilon\omega\nu$  only in *SB* XVI 12345.2). There is a possibility, however, that the formula  $\tau\omega\ \dot{\epsilon}\gamma\kappa\tau\eta\sigma\epsilon\omega\nu$   $\beta\iota\beta\lambda\iota\phi\bar{u}\lambda\alpha\kappa\epsilon\varsigma\iota$  (or  $\tau\omega\ \dot{\epsilon}\gamma\kappa\tau\eta\sigma\epsilon\omega\nu\ \beta\iota\beta\lambda\iota\phi\bar{u}\lambda\alpha\kappa\epsilon\varsigma\iota$ ) was used here, which would fill the space before  $\beta\iota\beta\lambda\iota\phi\bar{u}\lambda\alpha\kappa\epsilon\varsigma\iota$  in line 4. This formula was only used occasionally (cf. *P. Oxy.* II 237.4.17, *BGU* VII 1537.6, *P. Wisc.* I 2.27, *SB* I 425.4, *SB* XVI 12345.5, where also the other formula appears in line 2) up to the late third century. On record offices see 251 intro.

The village of the two petitioners appears in papyri as Σέσφθα, Σέσφα or Σέφθα. It belonged to the κάτω τοπαρχία of the Oxyrhynchite nome like the village of Τυχινφάγων in line 7. It was located in the tenth pagus and it is the only village known so far to have belonged to that pagus. The village was first mentioned in 257 BC. There is evidence of its existence at least until 618 AD, see Pruneti, *Centri abitati* 174-75.

6 The word παιδιά appears in *P. Thead.* 19.16 = *P. Sakaon* 40.16 and in *P. Amh.* 83.3, both petitions belonging to the fourth century. It is translated as "manoeuvres" in the first papyrus, and it is understood as "irregularities" in the second. The regular meaning in prose is "games," "play." Here the sense is confirmed by its collocation with ἀπάτης, a zeugma for "deceitful maneuvers." (In *P. Sakaon* 40 it is erroneously accented as παιδίαν, as though = παιδεία, cf. index.)

7 The village of Τυχινφάγων is first mentioned in A.D. 92 and last in 350 (Pruneti [1981] 211). For another assault perpetrated by certain inhabitants of the village in 350 against people of another village see *P. Oxy.* XIX 2233, where the chief eirenarch and two eirenarchs from the village of Σέσφθα were ordered to investigate.

13 This strategos, Aurelios Apollonios alias Eudaimon, whose complete name is displayed in the right column, also appears in *P. Oxy.* XVII 2113.1 and 2114.1, both of 316. See Bastianini and Whitehorne, *Strategi* 104.

15 The verb ἀπεφήνατο in the protocols often introduces the κρίσις of the presiding official, that here is reported, perhaps in an abbreviated manner.

17 Αιών at the end of the line is perhaps the proper name, which is used very often in the fourth century. Αιών could also be the abbreviated form of the adjective αἰώνιος, which appears often after ἐπὶ τὸν ἀεὶ χρόνον and refers to words like κατοχή (e.g., *SB* VI 9193.6) or δεσποτεία (e.g., *P. Michael.* 41.29): i.e., the strategos would bid the two petitioners to maintain "an eternal ownership" of their property. After the letter nu there seems to be an abbreviation, since the last stroke is prolonged—as a space-filler, one would suppose, if it were not that the writing already extends beyond the normal margin. The only difficulty is that the word αἰώνιος appears abbreviated only in conjunction with Αἰγανότος (e.g., *CPR* X 126.3). In any case, the only way to admit the adjective in this place would be if the word was abbreviated, since the rules of syllabic division are against the word being divided like that at the end of the line.

26-28 Here the hand is different and much less proficient. Perhaps the son wrote for his mother who did not know how to write.

29 The upsilon of ὑπομνήματος has disappeared for an overlap of the papyrus which continues till line 5, either hiding whole letters or just making the reading more difficult.

32 In *ἐγγυγχάνει* appears a peculiar mistake, the exchange of gamma for nu before tau. The same orthography is found once in *P.Bon.* 17.2 (121-22 AD?). Usually *εν* becomes *εγ* only before a velar stop (Gignac, *Grammar I* 167). Probably gamma was written because the scribe was anticipating the following group *γχ*. With the names of the parties in the case the introductory part of the protocol is over.

33 The question of the presiding official opens the series of speeches of the different speakers. The problem, the sale of the property, is exposed briefly.

34 Aurelius Antonius was praeses of Aegyptus Herculia in which Oxyrhynchos was included. He resided in its capital, Arsinoe, and there he kept his tribunal. The view generally accepted is that Herculia corresponded roughly to the Heptanomia and in fact the two names Herculia and Heptanomia at the beginning were used interchangeably (see especially *P.Oxy.* XVII 2114 and Lallemand, *L'administration civile* 52). The editors of *P.Oxy.* L 3574, however, incline with some hesitations to the view that Aegyptus Herculia covered the area later called Augustamnica, including also the cities of the Eastern Delta. Up to now the activity of the praeses Aurelius Antonius was documented from 27 December 315 to 1 April 316. The papyri which refer to him are *P.Mert.* II.91 (30 January 316), *P.Cair.Isid.* 74 (27 December 315), *P.Oxy.* XVII 2113 (1-26 January 316), *P.Oxy.* VI 896 (1 April 316), *P.Oxy.* L 3574 (undated; the editors place it between 314 and 318), and *P.Oxy.* XLIII 3121 (undated; Aurelius Antonius is described as an ex-praeses, *τοῦ ἡγεμονεύσαντος*). This praeses' successor, Valerius Ziper, is first attested on 16 July 318, but probably was already in office on April 13 of that year. Our papyrus is the earliest witness of the office of Aurelius Antonius. His activities therefore are first attested in 6 August 315 and he must have entered the new office some time before. Aurelius Antonius appears here with the title *ἡγεμών perfectissimus*, but his sphere of command is not specified: the name of Aegyptus Herculia does not appear. Was it because of the too recent introduction of this province? The Verona List already testifies to the existence of this province. The view that the document belongs to the later months of 314 can still be maintained (see Barnes, *New Empire* 204). Unfortunately we are not sufficiently informed either about the duration of the office of the praesides or about their entrance into office. Toward the end of the line we could read the demonstrative *τοντί* with the iota *δεικτικόν* for emphasis. This form is not attested in documentary papyri, but the language used in our papyrus is highly rhetorical and the form would be appropriate here. It is possible, however, that we would have to read *τοῦ τι*, either an articular infinitive or perhaps a genitive absolute construction which is used in this kind of document to introduce the speech of someone other than the presiding official (see Coles, *Reports of Proceedings* 42).

37 The "reading phrase" introduces the reading of the petition and of the subscription of the *praeeses*, which is common in the protocols. After that there are different speeches, but it is difficult to tell exactly who is speaking. Besides the speech of the main *ρήτωρ* (roughly lines 14-20), it seems that at line 21 one of the petitioners speaks.

39 A form of the future passive of *ἐκτίθημι* is needed (e.g. *ἐκτεθήσεται*, is to be set, fixed). The verb appears in the future passive in *UPZ I* 20 col.II.33 (163 B.C.), *UPZ II* 208.2 (130 B.C.), *P.Oxy. L* 3588.15 (A.D. 157), and *SB VIII* 10205.11 (III). It cannot be ruled out, however, that we are in the presence of three words, *ἐκ τε θησ[*.

40 In *ιγιός* (for *νιός*) gamma is inserted before a front vowel, as happens occasionally (see Gignac, *Grammar I* 71-72). The phenomenon in the same word can be observed in *SB V* 7600.13 (16) and *XVI* 12594.24 (III).

43 The word *γῆδιον* was used almost exclusively in papyri of the Byzantine period, starting in the fourth century, but especially in later centuries. There are only two earlier references, *P.Mil.Vogl. IV* 214 col.I.9 (154) and *P.Oxy. XIX* 2242.14 (III).

47 The infinitive aorist of *συνίστημι* is written with gemination of sigma before the stop tau, a not infrequent phenomenon (Gignac, *Grammar I* 159). Cf. *συστήσας* in *P.Lond. VII* 1979.16. *Στομ[* was probably *στόμα* or *στόμιον*, the mouth of a canal.

53 Perhaps approximately at this line the *κρίσις* of the strategos started. *Μελλον* could be a mistake for *μέλλων*. [Raffaella Cribiore]

## 286. Receipt for Payment for the Value of Barley

Inv. 173  
Plate 43

10.6 x 9.3 cm

24 April 317  
Pela (Oxyrhynchite Nome)

The text is written on the front in a rapid, irregular cursive, with a *kollesis* running almost directly down the center of the sheet. It is mostly complete on the right edge, but a strip of varying size is lost from the left, and an undetermined number of lines is missing from the top. The shredding of the surface of the papyrus at the right end of lines 4-6 appears to have been there at the time of the writing of the text: some letters in lines five and six were written on the back of the vertical fibers of the back. The back contains an eighteen line letter (unpublished).

This receipt acknowledges payment of a sum to the *praepositus* of the *patrimonium* for the value of barley owed by the village of Pela in the

Oxyrhynchite nome. The sum to be paid is reached after a series of calculations at the opening of the text. This accounting appears to be connected to a reimbursement from the government for a requisition, although the reason for the reimbursement is lost. The reimbursement payment due the village is transferred to settle another of its accounts (i.e. the value of barley).

It is possible that the item being reimbursed in the opening calculations is clothing or raw materials. Deductions of 6.5% from the totals are made twice (ll. 3, 5). This deduction is seen in many texts from the first quarter of the fourth century,<sup>133</sup> and it has been noted by Bagnall that this deduction happens only in connection with reimbursement payments made by the government for clothing and raw materials supplied by individuals for the needs of the army.<sup>134</sup> According to Rémondon, the 6.5% deduction was originally a tax on manufacturing during the second and third centuries—a period when clothing weavers functioned as both manufacturer and supplier for government requisitions.<sup>135</sup> The surcharge continued to be imposed on suppliers during the early fourth century, although clothing was no longer supplied directly by weavers. Instead, compulsory purchases of clothing were imposed on landholders, who applied to the strategos for reimbursement.<sup>136</sup> The taxpayer received 93.5% of the payment, and the 6.5% which was deducted went to the fiscus. The original function of the 6.5% deduction had clearly changed, since it could now also be charged on requisitions of raw materials.<sup>137</sup> The reduction of the amounts at the beginning of the text by 6.5% therefore implies that a clothing or raw material reimbursement is somehow involved here.

The final sum in this receipt is paid to the praepositus of the *patrimonium*. The *πατριμωνάλια* (the fourth century term for the *οὐσιακά*) were a part of the *res privata*.<sup>138</sup> No other papyri link barley payments to the *patrimonium*. One text, however, provides a possible link to clothing requisitions. In *BGU* III 927 (= Wilcken *Chrest.* 178) (late third-early

<sup>133</sup>In chronological order: *P. Oxy.* XIV 1718 (298-302), *BGU* II 620 (ca 302), *SB* I 4421 (ca 302), *CPR* V 6 (306), *P. Cair. Isid.* 54 (314), *P. Oxy.* XLIV 3194 (323), *P. Ant.* I 39 (323), *P. Oxy.* XII 1430 (324), *CPR* VIII 27 (324), *PSI* IV 309 (327). The standard work on the subject of the 6.5% deduction is R. Rémondon, "Notes de papyrologie: la retenue de 6,50 %," *RevPhil* 32 (1956) 244-60.

<sup>134</sup>R. S. Bagnall, "The Object of Reimbursement in *P. Oxy.* XIV 1718," *Cd'E* 63 (1988) 157-64. Also useful is H. C. Youtie, "Brief Notes on Papyrus Texts," *TAPA* 87 (1956) 60-83 (= *Scriptiunculae* I 256-82).

<sup>135</sup>See for example *P. Ryl.* II 189 (128) and *BGU* VII 1564 (138), where clothing is requisitioned directly from weavers.

<sup>136</sup>*P. Oxy.* XLIV 3194 (323) is an example of such a request. For clothing requisitions in the fourth century, see J. A. Sheridan, *Columbia Papyri IX* (forthcoming).

<sup>137</sup>E.g., *P. Oxy.* XII 1430 (324).

<sup>138</sup>Wilcken, *Gdz.*, 163; see also *P. Oxy.* VI 900.5n., *P. Charite*, pp. 14, 47.

fourth century)<sup>139</sup> the *magister rei privatae* requisitions wool from a village.

Two transactions, therefore, occur in this text. The first is a reimbursement for items, perhaps clothing or raw material, supplied to the government. The total amount of the reimbursement is then credited toward the value of barley. Reimbursement payments were regularly made through public banks;<sup>140</sup> thus we can identify Aurelius Horion as a banker who is transferring funds to the *praepositus* on behalf of the taxpayers.

traces

[...] [...] επι [...] [  
 [...] (δραχμαὶ) Ὂν (ἐκατοσταὶ) (ἔξ) (ῆμισυ) (δραχμαὶ)  
 ρμ ἔξ (αργυρισμοῦ) κγ (ἔτονς)  
 4 [(δραχμαὶ) ρα, τ]ὰ λοιπὰ (δραχμὰς) 'Βθ [...] ζ'' [...] (δραχμαὶ) τλξ  
 [ῶν (ἐκατοσταὶ) (ἔξ)] (ῆμισυ) (δραχμαὶ) κβ, τὸ λοιπ(ὸν)  
 (δραχμὰς) τιε [...]  
 [(γίνονται) ὁμοῦ] (τάλαντα) ε (δραχμαὶ) 'Γρμβ ἄπερ  
 διαστέλλε[τ]αὶ  
 [...] Κ]λαυδίω πραιπ(οσίτω) πατριμωναλίων  
 8 [ὑπὲ]ρ τιμῆς κριθῆς Πέλα δ ἵνδικτίον(ος)  
 [π]λήρη. κυρία ἡ ἀποχὴ καὶ ἐπερω(τη)θ(εὶς)  
 ὡμολόγησα. ὑπατείας Ὁονιγ[ίου]  
 Γαλλικανοῦ καὶ Καισωνίου Βάσσου  
 12 τῶν λαμ(π)ρ(οτέτων). Φαρμοῦθι κθ.  
 [Αύρ]ήλιος Ὄριων Ἐρμίνου διέστιλα  
 [τὸ ἀργύ]ριον ως πρόκιται.

18 Καισωνιο`ν' Βασσο`ν' παρ.

... 2250 drachmas less 6½ percent (140 drachmas) less *adaeratio* for the 23rd year (101 drachmas) equals a remainder of 2009 drachmas; ...6...337 drachmas less 6½ percent (22 drachmas) equals a remainder of 315 drachmas; total 5 talents, 3142 drachmas which he pays to Claudius, *praepositus* of the *patrimonium*, for the price of barley for Pela for the fourth induction, in full. The receipt is normative and in answer to the formal question I gave my assent. In the consulship of Ovinus Gallicanus and Caesonius Bassus the most illustrious, Pharmouthi 29. I, Aurelius Horion son of Herminius, paid the money as aforesaid.

<sup>139</sup>Dated to the third century by Wilcken, but see Sheridan, *P. Col.* IX, for a date no earlier than the reforms of Diocletian.

<sup>140</sup>As in *SB* I 4421.

3 Here 6½% has been calculated by dividing by 16 and rounding off. The 23rd year = 314/5.

4 The sti is preceded by a symbol; we have not been able to identify the symbol, although the sign either for talents or drachmas can be ruled out. We have likewise not been able to decipher the abbreviated word that follows the sti; thus the function of this passage within the context of the other calculations is unclear.

5 Here 6½% has been calculated more precisely than in line 3.

7 Only one other text, *P.Oxy.* VI 900 (322), refers to the office of the praepositus of the *patrimonium*, although *P.Ryl.* IV 658 (early fourth century) may have. The editor of that text restored *πάγον* after *πραιπόσιτος* (l. 3), but the occurrence of *πατριμονιον-* later in the text (line 6) suggests that this text may concern the same official as that of the Columbia papyrus.

12 This pair of consuls had not previously been attested in Egypt before July (CLRE 168). This papyrus was mentioned by J. F. Gilliam, *Historia* 16 (1967) 252-54 in connection with a study of the consulate.

[Jennifer A. Sheridan]

## 287. An Acknowledgement of a Loan of Wheat

Inv. 166

15.3 X 17.8 cm

19 September 326

Plate 44

Oxyrhynchos

Published: Bruce E. Nielsen, "An Acknowledgement of a Loan of Wheat," *BASP* 27 (1990) 95-101

The document is written in duplicate in the format of an acknowledgement on a single sheet of papyrus which has been folded six times vertically from right to left with what is now the left edge the result of a tear along a seventh fold. The fifth fold is in the space between the two columns, indicating (since there was originally an equal number of folds on each column) that the original was folded nine times. If the folds are reliable evidence, it would seem that this was an executed loan and not just a "form-contract." The surface of the right column is badly rubbed. The papyrus is intact at the top and the right hand side but nearly the entire left half of the left hand column has been lost. The foot of the papyrus may

also be lost, with the consequent loss of the endorsements which one would expect in a document of this sort. The hand is a rapid, regular cursive with few flourishes; cf. xi in 22 and 24, but less extravagantly in 23. The scribe writes two rising diagonal lines in parallel marking abbreviation (6, 23), cf. 3.

The two texts are identical, with the exceptions noted in the apparatus and apart from the fact that the line divisions do not correspond exactly. The writing is along the fibers. The back of the papyrus is blank. Other examples of this type of contract from the same period are: *P. Wash. Univ.* I 22 (early fourth century), *P. Col.* VII 176 (325) and 178 (327), and *P. Oxy.* XLV 3266 (337). (See also two examples from the century preceding that in which this document was written, *P. Oxy.* XIV 1640 [250] and 1711 [late third century].)

Duplicate documents which are most similar to this papyrus are *P. Oxy.* VI 988 (AD 224), VII 1040 (225), XXXVI 2775 (after 285), XLIX 3493 (175) and 3494 (175), XLV 3266 [*P. Coll. Youtie* 82] (337), and *P. Select.* 7 (Oxy., 314). All of these are contracts, the first five for the loan of wheat and the last two for money, written in duplicate and with both copies remaining attached to each other. It is clear that no other copies existed, for in all these documents, except *P. Oxy.* XXXVI 2775, some form of δισσὸν γραφέν is written (cf. line 35 in the present papyrus).<sup>141</sup>

## Column 1

[ὑπατείας τῶν δεσπο]τῶν ἡμῶν Κωνσταντίνου  
 ['Αγούστου τὸ ζ καὶ Κωνσταντίου τοῦ ἐπιφανεστάτ[ου]  
 [vacat] Καίσαρος τ]ὸ αS''  
 4 [Φλανίω Διονυσίω ἀπὸ] (έκατονταρχῶν) τάξεως καθολικότητος  
 [Αὐρήλιος Στέφανος Εὐπ]άρου ἄρξ(ας) βου(λευτής) τῆς  
 λαμ(πρᾶς) καὶ λαμ(προτάτης)  
 [Οξυρυγχειῶν πόλεω]ς χαίρειν ὄμολογῷ ἐσχηκέναι καὶ  
 [παραμεμετρῆσθαι π]αρὰ σοῦ ἐν χρήσι ἐξ οἴκου σου πυροῦ  
 8 [μέτρῳ δεκάτῳ κεφαλαίῳ] ς σὺν ἡμιολείας ἀρτάβας ἐγενήκο(ντα),  
 [(ἀρτάβαι) Υ', δηπερ πυρὸ]ν νέον κα[θ]αρὸν ἄδολον ἄκριθον  
 [κεκοσκινευμένον μέτρῳ ω̄ καὶ παρίληφα ἐφ' οὐ τόπου  
 [τὴν παραμέτρησιν π]εποίημαι ἐπάναγκ[ες ἀποδ]ώσω σοι  
 12 [τῷ Ἐπείφ μηνὶ τοῦ ἐν]εστῶτος ἔτους καS'' [ιαS γS]'' ἄνευ  
 [πάσης ὑπερθέσεως καὶ εὐ]ρησιλογείας, εἰ δὲ μ[ή, ἐκτί]σιν  
 [σοι τοῦ ὑπερπεσόντος χρό]νιον ἐκάστης ἀρτ[άβης διά]φορον  
 [ἐκ ἡμιολείας, γεινομένης σοι τῆς πράξεως παρά τ]ε αἰ-

<sup>141</sup> See now B. E. Nielsen, "Catalog of Duplicate Papyri," *ZPE*, forthcoming.

16 [μοῦ καὶ ἐκ τῶν ὑπαρχόντων μοι πάντων. κύριον τὸ] χ[ει-]  
 [ρόγραφον δισσὸν γραφὲν πανταχοῦ ἐπιφερόμενον κ]αὶ πα(ντὶ)  
 [τῷ ὑπὲρ σοῦ ἐπιφέροντι καὶ ἐπερωτηθεὶς ὡμολ]ό[γη]σα.  
 [ὑπατείας τῆς προκειμένης, Θώθ] κβ.

## Column 2

20 [ὑ]πατείας τῶν δεσπο[τ]ῶν ἡμῶν Κωνσταντίνου Ἀγούστο(ν)  
 τὸ ζ καὶ Κωνσταντίου τῷ ἐπιφανεστάτου Καίσαρος τὸ αS''  
 Φλανίώ Διο[ν]υσίω ἀπὸ (έκατονταρχῶν) τάξεως καθολικότητος  
 Αὐρήλιος Στέφανος Εὐπόρου ἄρξ(ας) βου(λευτῆς) τῆς λαμ(πρᾶς)  
 καὶ λαμ(προτάτης)

24 'Οξυρυγχιτῶν πόλεως χαίρειν· ὄμολογῷ ἐσχηκέναι καὶ  
 παραμε[μ]αιτρῆσθαι τ[α]ρά σοῦ ἐν χρήσι ἐξ <οἴκ>ου σου πυροῦ  
 μέτρῳ δεκάτῳ κεφαλέον σὺν ἡμιολείας ἀρτάβαις ἐνενή-  
 κοντα, (ἀρτάβαι) Ψ', ὅντερ πυρὸν γ[έ]ρογ καθαρὸν ἄδολον ἄ-  
 28 κριθον κεκο[σ]κινευμένον μέτρῳ [ῳ κ]αὶ παρί[λ]ηφα ἐφ' οὐ  
 τόπου τὴν παραμέτρησιν πεποίημαι ἐπαιγάγ[κε]ς ἀπο-  
 δώσω σοι τῷ Ἐπείφ μη(ν)ι τοῦ ἐνεστ[ῳ]τος ἔτου[ς] καS'' ιαS γS''  
 ἀνευ πάσης ὑπερθέσεως καὶ εὐρησιλογείας, εἰ δὲ [μῆ], ἐκ[τ]ίσι(ν)  
 32 σοι τοῦ ὑπερπαισ[ό]ντος χρόνου ἐκάστης ἀρτάβῃ[ς δ]ιάφορο(ν)  
 ἐ[κ] ήμιο[λείας, γ]ει[ν]ημένης σοι τῆς πράξεως παρά τε αἰμοῦ  
 κ[αὶ ἐ]κ τῶν ὑπαρχόντων μοι πάντων. κύριον τὸ χιρό-  
 γραφον δισσὸν γραφὲν πανταχοῦ ἐπιφερόμενον καὶ παντὶ<sup>τῷ</sup>  
 36 τῷ ὑπὲρ σοῦ ἐπιφέροντι καὶ ἐπερωτηθεὶς ὡμολόγησα.  
 ὑπατε[ί]ας τῆς προκειμένης, Θώθ κβ.

4 ρρ̄ pap. 8 ἐνενηκό̄ pap. 8, 26 ἡμιολίᾳ 10 παρεῖληφα  
 15 ἐμοῦ 17 πᾶ pap. 20 Ἀγούστο̄ pap. 22 ρρ̄ pap.  
 25 μεμετρῆσθαι 26 κεφαλαίου 27 ρ̄ pap. 28 παρεῖληφα  
 31 ἐκτιστ̄ pap.; ἐκτείσειν 32 ὑπερπεσόντος; χρόνου, διαφορο̄  
 pap. 33 ἐμοῦ 34 μοι-πάντων pap., χειρόγραφον

In the consulate of our masters Constantinus Augustus for the seventh time and Constantius the most illustrious Caesar for the first time, to Flavius Dionysios, former centurion of the staff of the *rationalis*, from Aurelius Stephanos son of Euporos, former archon, councillor of the glorious and most glorious city of the Oxyrhynchites, greeting. I acknowledge that I have received and have had measured out from you, on loan, from your house, ninety (90) artabas of wheat, the principal including the additional half, (measured) by the tenth measure, which wheat new, clean,

without dirt or barley, sifted, using the measure with which I received it, at the place where I had it measured out to me, I shall perforce repay you without delay or excuse in the month of Epeiph of the present year 21 and 11 and 3. If not, I shall pay you a penalty at the rate of fifty percent on each artaba for the excess time, and you retain the right of execution on me and all of my possessions of whatever kind. This contract, written in duplicate, is normative wherever it may be produced and for whoever produces it on your behalf. After having been questioned, I consented. During the aforesaid consulate, Thoth 22.

1 = 20 The consulship of Constantine Augustus VII and Constantius Caesar I fell in 326, cf. Bagnall and Worp, *CSBE* 73.

4 = 22 Flavius Dionysios does not appear elsewhere, nor does Stephanos son of Euporos.

Only two other instances of the double tachygram for *ἐκατονταρχῶν* are found, *P.Cair.Isid.* 91.3-4 (Karanis, 309), previously published in *JurPap* 4 (1950) 103-06 and *SB* VI 9222.3-4; and *P.Oxy.* XII 1424.2 (318); the former is preceded by *ἀπό* as here, the latter is not.

8 = 26 The usual yield on loans of this kind was 50 percent, see N. Lewis, "Σὺν ἡμιολίᾳ in Loan Contracts," *TAPA* 76 (1945) 126-39.

12 = 30 The month Epeiph is June-July; here, July of the year following that in which the document was written.

The space will permit three year numbers with no conjunctions. Since the consulship is that of 326 (see 1=20) and the regnal year is 326-27, the date of the papyrus falls between Thoth and Tybi of 326. From line 37 we get an exact date.

19 = 37 The date is 19 September.

[Bruce E. Nielsen]

## 288. Declaration of Camels

Inv. 37a  
Plate 45

9 x 16.5 cm

31 December 330

Back blank.

This is the first declaration of camels from the fourth century known to us. For bibliography on declarations of animals, see Rupprecht, *Kleine Einführung* 82; most recently, C. Balconi, *Aegyptus* 70 (1990) 113-22. The remains of the first preserved lines give the information that an order of the prefect Flavius Hyginus is the origin of the registration and, more precisely, that the order concerned a requirement that camel-owners furnish one fifth of their camels to the treasury. This remarkable order is otherwise unknown to us, nor are its precise contents obvious from this declaration. A confiscation of such a large number of camels seems most unlikely, but a compulsory purchase or temporary impressment is by no means unthinkable. The verb *παρασχεῖν* favors compulsory purchase. Even so, the number so produced would presumably have been very large, and one must probably suppose an imperial campaign of some scale as the occasion.

No such campaign is attested for 331, although the following year Constantine was fighting the Goths (cf. Barnes, *New Empire* 78-79). On the other hand, almost nothing is known of Constantius' movements in this period. It is conceivable that he conducted at this time a campaign on the eastern frontier. Julian, in his panegyric on Constantius (*Or. 1.11d-13d*; cf. Barnes, *New Empire* 85 n. 162), recounts that the future emperor was first trained as a boy (he was born in 317) by his father in campaigns in the west, presumably Constantine's campaign of 328/9 on the Rhine from which he took the titles Gothicus maximus and Germanicus maximus (for the fourth time). Then, according to Julian, "you crossed to the other continent and were given sole command against the Parthians and Medes. There were already signs that a war was smouldering and would soon burst into flame" (13B). Julian at this point digresses into Spartan and Carthaginian methods of rearing kings, passing in silence over the actual campaign Constantius is supposed to have conducted. As it is otherwise unknown, it is probably fair to imagine that it did not lead to much. But it might have been the occasion for a massive levy of camels.

The other main points of interest here are the appearance of Fl. Hyginus, for which see the note to lines 4-5, and the nomenclature of Symmachus in the consular date (line 19, note). There are two hands, both

roughly similar, irregular cursives, the second in a finer pen and with more separation of letters than the faster main hand.

- - - - -

[ ] .μι τῶν δεσποτῶν  
 [ ] ουμ ν ἀλλὰ καὶ των . . .  
 . . . [ ] κελευσθέντα ὑπὸ τοῦ  
 4 διασημοτάτου ἐπάρχου τῆς Αἰγύπ(του)  
 Φλ(αονίου) ὖγείνου περὶ τοῦ τοὺς κεκτη-  
 μένους καμήλους τὸ πέμπτον  
 μέρος τῷ [i]ερωτάτῳ ταμίῳ  
 8 παρασχεῖν, κέκτηται ὁ αὐτὸς  
 γεοῦχός μου Ῥοῦφος καμήλους  
 ὁκτώ, ὧν ἀρρένας τέσσαρες  
 οὗτως τέλειον ἔνα, πώλους τρίς,  
 12 θηλίας ὁμοίως τέσσαρα, ὧν  
 τελίας τρίς, πωλάδαν μίαν,  
 . . . εστιν ἐκ τεσσάρων ἀρρένων  
 σαριον ἐν ἀπογράψασθαι  
 16 . . . βεβαι . . . αὐτὴν  
 . . . ἔχει ὁ αὐτὸς γεοῦχος καὶ μὴ  
 διεψεῦσθαι ἢ ἔνοχος εἴην τῷ θείῳ ὄρκῳ.  
 [ὑπα]τίας Φλ(αονίου) Γαλλ(ικανοῦ) καὶ Οὐαλ(ερίου)  
 Συμ(μάχου) τῶν  
 20 [λαμ]π(ροτάτων) Τῦβι ε̄.  
 (2 H.) [Αὐρήλιο]ς Ῥοφος δῑ ἐμοῦ Διδύμοι  
 [όμωμοκα τ]ὸν θεῖον ὄρκον ως π[ρόκειται].

8 ὁ ex corr. 21 Ῥοῦφος

. . . ordered by the most excellent prefect of Egypt Fl. Hyginus, concerning the owners of camels furnishing the fifth part to the most sacred fiscus, my same landlord Rufus possesses eight camels, of which four are male, to wit: one adult, three foals; likewise, four females, of which three are adult, one foal, that is, from four males one . . . to register . . . the same landlord has, and that I have not lied in any respect or may I be liable to the imperial oath.

In the consulate of Fl. Gallicanus and Valerius Symmachus the most illustrious, Tybi 5.

(2 H.) I, Aurelius Rufus, through me, Didymos, have sworn the imperial oath as aforesaid.

1-2 We cannot make out enough of these lines to be certain what they contained. The traces of 1 may suggest an imperial oath formula, referred to in lines 21-22, but neither what precedes nor what follows favors that hypothesis. In 2 one might read either *οὐ μῆν* or *ὑμῖν* (*ι* ex corr.). It is also possible that *τῶν δεσποτῶν* refers to the owners of camels.

3 *κατὰ τά* is all but inevitable, but the traces cannot be assigned to letters.

4-5 The prefects of this period are not well documented by the papyri. Septimius Zenius is attested on 19 Aug. 328 and appears in the heading of Athanasius' *Festal Letter 1* (for Easter, 329 = 6 April). His successor was Fl. Magnilianus, attested in office from *P. Oxy. LIV* 3767, dated 30 Dec. 329 or 330. It can now be seen that it is likely that this is 329. Magnilianus is otherwise last attested in office at Easter 330 (19.iv) in *Festal Letter 2* heading. Until now, Hyginus was first known on 7-8.xi.331 (*PSI VII* 767). The present papyrus pushes his term of office back to the end of 330, leaving much of 330 still to be apportioned between Magnilianus and Hyginus.

This leaves one major problem, however, the supposed prefect Florentius. He is attested only in *Festal Letter 3* subscription, referring to Easter 331 (= 11 April). This would insert him into the middle of Hyginus' dates. The hypothesis of *PLRE I* 446 no. 3, that Hyginus probably replaced Florentius during the course of 331, is no longer tenable. Now the heading for 331 gives Hyginus, not Florentius. Lallemand (*L'administration civile* 241 no. 12) argued that "le témoignage des suscriptions est plus sûr que celui des *kephalaia*," citing E. Schwartz. All of this material, however, is editorial addition after Athanasius' death (see now Barnes, *Athanasius* 183-91 for a good summary), and in the light of the present papyrus the subscription seems insufficient support for a prefect otherwise unknown.

13 For *πωλάδαν* = *πωλάδα* see *P. Cair. Isid.* 86.11n., where it is equivalent to *θήλειαν πωλον*.

15 Everything before *ἀπογράψασθαι* is very uncertainly read.

19 For the consuls see *CLRE* 195. As noted there, various forms of Symmachus' name appear in the papyri. Valerius Symmachus, the most likely reading of the very cursive traces here, is previously attested in *PSI* III 224 and *P. Oxy. LX* 4082, both Oxyrhynchite, which might suggest that nome as the provenance here. *Τυλ(λιανοῦ) Συμ(μάχου)* is palaeographically equally attractive but otherwise unattested. [Roger S. Bagnall]

## 289. Report of Work on Dikes

Inv. 459

9 x 16.5 cm

331

Plate 46

Oxyrhynchite

Published: M. Peachin, "Dike Work in the Oxyrhynchite Nome," *BASP* 19 (1982) 159-66 (*SB* XVI 12235); cf. R. Müller-Wollermann, "Ein Deich im Oxyrhynchites," *ZPE* 96 (1993) 123-24.

Back blank.

The hand is cursive and irregular, with something of the severe style. Note the regular form of beta; omega written often with an extra stroke (11, 12 fin.), but cf. 7 fin.

Aurelius Horos, *χωματεπιστάτης* of an Oxyrhynchite village, here submits to Aurelius Ptolemaios, the strategos, a λόγος *πενθημέρων τῶν ... ἀπεργασθέντων ναυβίων*. This account records work obligations fulfilled by absentee landowners and local residents on a specified dike and indicates that the completed work was reported in five-day periods (see lines 6-7 and 19). A similar report appears as *P. Oxy.* XLIX 3475 (220): λόγος [τῶ]γ *εἰργασμένω[ν] . . . ν(ανβίων)* for a five day period in Phamenoth. These two papyri show clearly that the word *πενθήμερος*, particularly in the expression λόγος *πενθημέρου*, need not refer to the penthemeros corvée. The phrase λόγος *πενθημέρου*, in fact, occurs in context unconnected with dike work and cannot be securely identified in any text dealing with the penthemeros corvée.<sup>140</sup>

Disconnecting the term *πενθήμερος* from the corvée provides the key to explaining its use in other papyri sometimes used to argue for the existence of this corvée outside the Arsinoite Nome, *P. Giss.* I 64 and *SB* VI 9626. Both can now be seen to refer not to the penthemeros corvée but to penthemeral reporting periods.

The present papyrus, along with *P. Oxy.* 3475, also helps to clarify the relationship long supposed between the penthemeros and naubion corvées. J. G. Milne suggested long ago that the penthemeros corvée corresponded to five naubia of work at the rate of one naubion performed daily.<sup>141</sup> This

<sup>140</sup> The only possible corvée-related instance is *P. Bour.* 39, but even there the phrase probably refers only to the reporting period. For the use of the phrase in contexts not connected with dike work see *P. Oxy.* XXVII 2472 and XVII 2116. Penthemeral reports by officials are in fact common; cf. *BASP* 19 (1982) 160 for a discussion with references.

<sup>141</sup> *O. Theb.* pp. 146-47 and *Archiv* 6 (1920) 133; cf. also H. C. Youtie, *TAPA* 73 (1942) 80 n. 64 = *Scriptiunculae* I 145.

theory was rejected by P. J. Sijpesteijn (*Penthemeros Certificates* 18). Two more recently published papyri have again indicated a relationship between a factor of five and the naubion duties. *P.Oxy.* XXXVIII 2847 says that ἔκαστος τῶν ἐπιχωρίων ἀνασκάπτι πέντε ναύβια ... κατὰ τὴν ἐπιβολὴν τῶν χωμάτων. *P.Coll.Youtie* I 21 contains a complaint from the people of Peenno about their chomatepimeletes, who was taking bribes in lieu of requiring the πενταναυβίαν. It is possible that naubion work was assigned in the first instance to be completed during five-day periods.

289 points also to a significant difference in the administration of the penthemeros and naubion corvées. When penthemeros work was completed, the chomatepimeletes or katasporeus issued an individual certificate to the man in question; he then made up a list of those to whom certificates had been given, and this list was kept by village officials.<sup>142</sup> For naubion labor, local officials sent a report of the completed labor to the strategos.<sup>143</sup>

Τπατείας Ἰουνίου Βάσσου καὶ Φλα[ουίου]  
 Ἀβλαβίου τῶν λαμπροτάτων [ἐπάρχων]  
 Αύρηλιώ Πτολεμέω στρατηγῷ [Ο]ξ[υρυγχίτου]  
 4 παρὰ Αύρηλιον Ὄρου Ἀπολλωνίου [ . . . ]  
 χωματεπιστάτου κώμης Κερκέυ[ρων (numeral)]  
 πάγου. λόγος πενθημέρων τῶν δι' ἐ[μοῦ]  
 ἀπεργασθέντων ναυβίων [numeral?] 8  
 ἐπὶ τοῦδε τοῦ μηνὸς Φαρμοῦθι ε[ἰς τὸ]  
 ἐξῆς δηλούμενογ χῶμα. ἐ[πὶ τοῦ]  
 χώματος ἐκ βορρᾶ Ἀπι[απ] ν(αύβια) [numeral]  
 τὰ κὲ ἀναβληθέντα ὑπὸ τῶν [κάτω?] 12  
 ἐνγεγραμμένων οὔτως [ὑπὸ τῶν]  
 πολιτῶν Τιμόθεος Ἰουλιαν[οῦ ν(αύβια) numeral]  
 Ἀχιλλε[ὺς] διαισημότατος ν(αύβια) vacat [numeral]  
 καὶ ὑ[πὸ τῶν] ἀπὸ τῆς αὐτῆς κώμης 16  
 [ὑπὲρ ιδιω]τικῆς κτήσεως ν(αύβια) [numeral]  
 [ ] γίνεται τὰ προκίμενα [ν(αύβια)]  
 [τὰ καὶ] ἀπεργασθέντα οὔτω[ς]  
 ἀπὸ α ἔως ε ν(αύβια) ιδ[η].

4 -λιου ex -λιω 11 καὶ 13 ιουλιαν[ου] pap.

<sup>142</sup> For a supplement to Sijpesteijn, *Penthemeros Certificates* 6-9 and 15-17, see *P.Mich.* XV, App. I (pp. 141-57).

<sup>143</sup> *P.Oxy.* XII 1546 may be such a receipt, covering five penthemeral periods.

In the consulship of Junius Bassus and Flavius Ablabius, the most illustrious prefects. To Aurelius Ptolemaios the strategos of the Oxyrhynchite nome from Aurelius Horos, son of Apollonios . . . chomatepistates of the village Kerkeuris in the [nth] pagus. Account of the five-day periods of the . . . naubia completed through me in the current month of Pharmouthi on the following dike. On the dike which is situated north of Apiap, ? naubia, which were built up by those listed below, as follows. By the citizens: Timotheos, son of Julianus, ? naubia; Achilleus, *vir perfectissimus*, ? naubia; and by those from the same village on behalf of their private property, ? naubia. The naubia total as aforesaid and were carried out as follows: from the first through the fifth, 14 naubia . . .

1-2 For the consuls, see *CSBE* 109-10.

3 This papyrus extends Ptolemaios' known term of office back to 331, cf. Bastianini-Whitehorne, *Strategi* 105. Ptolemaios' predecessor, Aur. Veronicianus, is attested only on 11 February 327.

4 The lacuna may have contained a grandfather's name.

5 The office of *χωματεπιστάτης* is otherwise attested only in *P. Princ.* II 72.14 (third cent.). Johnson there suggests that it was equivalent to the *χωματεπείκτης*. Sijpesteijn (*Aegyptus* 44 [1964] 19) suggests that *χωματεπιστάτης* was used in that papyrus in the period when the transformation from *χωματεπιμελητάι* to *χωματεπείκται* was taking place. But the present papyrus shows that the *χωματεπιστάτης* operated at the village level, while the other two officials were toparchy-level appointees. In the first and second centuries the village official was the *χωματεκβολένς*, but intervening evidence is too scanty to allow us to say when the *χωματεπιστάτης* replaced him.

The identification of the canal by Renate Müller-Wollermann (*ZPE* 96 [1993] 123-24, with a map) as running between Taampeti and the Bahr Yousef makes it certain that *Κερκεῦρα* was the village mentioned here. It belonged to the Middle Toparchy, and the pagus number to be restored here is thus probably either 6 or 7; cf. P. Pruneti, *Aegyptus* 69 (1989) 115.

9 The expression *ἐπὶ χώματος* is typical in the naubion certificates; cf. Sijpesteijn, *Penthemeros Certificates* 39.

10 For the identification of 'Απιαπ see Müller-Wollermann (cited in note to line 5), who proposes that it is the 'b'b which appears in a New Kingdom text. There is, however, a trace following iota which seems unlikely to belong to the alpha on the other side of the small lacuna. Some doubt therefore remains about the exact reading. The number of naubia given in this line was probably the total number completed on this dike during the month of Pharmouthi; the breakdown by five-day periods then follows.

13 The presence of *πολίται*, the work for whom was probably carried out by local tenants, is in line with the distribution of naubion assignments on the basis of landholdings rather than personal residence. Timotheos son of Julianus is otherwise unknown.

14 In *P.Oxy.* XLVIII 3386 (338), a lease application addressed to several persons, one of the recipients is addressed as 'Ασυγκριθίω θυγ(ατρι) Ἀχιλλέως γενομένου διασημοτάτω (read διασημοτάτου). This is presumably the daughter of the now-deceased *πολίτης* of our papyrus. For the sense of *γενόμενος*, see K. A. Worp, *ZPE* 30 (1978) 239-44.

19 The number of naubia listed here is a total for the first penthemeral period.  
[Roger S. Bagnall]

## 290. Letter

Inv. 48

13.5 x 15 cm

V/VI

Plates 47-48

This papyrus preserves part of a letter from a woman to several persons, at least some of whom are members of her family and who uniformly have typically Christian names. The provenance is unknown. Front (where the fibers run horizontally) and back each preserve several lines of this letter (or letters), written in an insouciant, uneven hand (cf. *P.Rain.Cent.* 74, dated to the fifth century). The front concentrates upon the relationship between the author and another woman, and the back upon economic matters, as the author requests that her brothers intervene with a landholder concerning the delivery of wine, and complains of other difficulties. Both right and left margins of each side are nearly complete where the papyrus is widest, although a few letters are lost on the last few extant lines of the left margin front and right margin back, and an indeterminate number of lines, but at least most of one, from the bottom of each side, so that the end of each text is lacking. The papyrus appears to be the work of a single hand, excepting perhaps the intralinear addition between lines 2 and 3 of the front, in which the pen also seems to be somewhat broader; the pen of the main hand seems to have run out of ink rather quickly, so that the writing is sometimes illegibly faint. The main hand is a fairly rounded cursive hand (note *ο*, *θ*, *μ*), stylized for a letter. Note the broadly elongated final *nu* in the hand of the interlinear corrector (line 3).

All initial cases of iota and epsilon (for eta) are marked, whether or not the previous word ends in a vowel, and there is a single abbreviation

stroke in line 13; these are the only diacritical marks in the text. There are many vocalic interchanges throughout:

Final -ε is several times replaced by -αι on the back; and initial ε- is once replaced by αι- in line 14 (Gignac I 193).

Medial -ει- is once replaced by -ι- in the supralinear addition to line 3 (Gignac I 189 ff.).

Initial η- is twice replaced by ν-, in lines 7 and 13 (Gignac I 262); medial -η- is once replaced by -ν- in line 1.

Final -η is once replaced by -ι in line 13 (Gignac I 235 ff.).

Medial -ν- is once replaced by -ε- in line 3 (Gignac I 273 ff.).

αὐτῆς is replaced by ἀτῆς in line 8 (Gignac I 227).

Medial -ον- is once replaced by -ω- in line 12 (Gignac I 209).

### Front

1 τῷ δεσπότῳ μου ὡς ἀλιθῶς θαυμασιωτάτῳ  
τῷ ἀδελφελφοὶ Πέτρος καὶ Ἡλίας, Παλαδία  
καὶ Τεγραπε γενὴ καὶ Ἡλίας καὶ Μαρίας χαίριν·  
πρὸ μὲν πάντων

4 εὐχαριστῷ τοῦ θεοῦ περὶ τῆς ὑμῶν τεκ[ . . . ]  
καὶ τὸν κύριόν μου νιὸν Πέτρος. καθὼς  
ἔξηλθες ἀπ' ἐμοῦ εἰρηνεύω μετὰ τῆς σοῦ  
ητης ταῦτα καὶ ἔως σήμερον ὑμέρας ἔ[μει-]  
8 [να] μετ' ἀτῆς, καὶ οὐ κ[α]ταλιμπάνω αὐτῆ[ν].  
traces of ca 2 letters

### Back

10 καὶ ἐγὼ Τεγραπ' ἔγραψα τοῖς ἐμῆς ἀδελφοῖς  
Ἡλίας καὶ Πέτρος καὶ Μαρίας. εὐχαριστῷ τοῖς . . [  
12 ἀδελφοῖς Πέτρος καὶ Ἡλίας. τοῦ χάριν ἀξιῶται  
τὸν γεοῦχ(ον) ἵνα παρέχῃ ὑμᾶς τὸν οἶνον  
ἀπόφ' ὡς ἐξήλθαται ὡδαι ἐμὶ αἰνιαντὸν μόνοι,  
οὐδὲν ἐλάβαμεν. ἐργάτας δύο σφαι[ρί-]  
16 ον α ἔπενψας. ἔδωκα αὐτὰ εἰς τομ[2-5]  
ἔνεικαι καὶ ἐν ὡδαι καὶ τὰ ἐκεῖ αταβ[  
traces of several letters

— . . . —

1 ἀληθῶς 2 ἀδελφοῖς 3 Μαρία, χαίρειν 3 γυνή 4 τῷ θεῷ;  
ὑμῶν παρ. 5 νιὸν παρ. 6 αὐτῆς 7 ἔως, ε ex αι; ἡμέρας, ὑμέρας

pap. 8 αὐτῆς; η ex corr. 10 γράψω or ἔγραψα 11 Μαρία  
 12 οὐ?, ἀξιοῦτε 13 ἵνα pap.; παρέχῃ; ὅμας pap., read ἡμᾶς (for  
 ἡμῖν) 14 ἀφ', ἐξήλθατε, ὥδε, εἰμί, ἐνιαυτόν, μόνη 16 ἔπειμψας  
 17 2nd ε of ἔνεικαι remade or corrected (from ο?), read ἔνεγκε, ὥδε

(Front) To my truly most admirable brothers my master Petros and Elias, Paladia and wife Tegrape and Elias and Maria, greetings. Above all I thank God concerning your . . . my lord son Petros. Since you left me, I am getting along with your (?) . . . and up till today I stayed with her, and I do not leave her. (traces)

(Back) And I Tegrape have written to my brothers Elias and Petros and Maria. I thank brothers Petros and Elias. Therefore (?) ask the landlord to deliver the wine to us . . . Since you left here, I am alone for a year, we have received nothing. You sent two cog-wheels and one *sphairion*; I gave them for . . .; bring another one here and the things there . . .

1 δεσπότω: For δεσπότη; for the rare metaphor of first-declension α-stems displaying second declension ο-stem byforms, see Gignac, *Grammar* II 94 (δεσπότω is not attested).

2 ἀδελφελφοί: It is difficult to decide between emendation to ἀδελφῷ (in agreement with the singular τῷ δεσπότῳ . . . θαυμασιωτάτῳ which precedes) and ἀδελφοῖς (in agreement with Πέτρος καὶ Ἡλίας): Emendation to ἀδελφῷ assumes that only Petros is being called "brother," and that she has interchanged -ο for -ω and written iota adscript. Emendation to ἀδελφοῖς assumes that both Petros and Elias are being called "brothers," though the writer mistakenly began with the singular of the opening formula τῷ δεσπότῳ . . . θαυμασιωτάτῳ, and has omitted the final -ς of ἀδελφοῖς. Either the interchange of -ο for -ω or the omission of final -ς would be unique in this text, but neither is difficult to ascribe to this author. We have chosen the emendation to ἀδελφοῖς because of the formulaic nature of the opening and because of the plurals ἀδελφοῖς in lines 10 and 12. It seems as if the writer has, without thinking, begun with the standard opening formula in its singular form, and only here, when she begins to specify her addressees, does she switch to the plural; her realization that she is in fact writing to more than one person may account for her evident distraction while writing the word (the certain dittography, and, if our emendation is correct, the omission of the final -ς). More radically still, one might envisage a major haplography, along the lines of ἀδελφῷ οι ἀδελφοί, a suggestion we owe to Worp.

2 Παλλαδία: Παλλαδία appears in *P. Got.* 14 (VII); for the single instead of double lambda, see Gignac, *Grammar* I 155.

2-3 It is not certain whether the author has forgotten to include Maria among the addressees or among the senders (i.e., whether this intralinear addition is intended as a sublinear addition to line 2 or a supralinear addition to line 3); the reappearance of the name among the addressees in line 11 suggests the former, and we have so interpreted it. The verb *χαίρειν*, however, is more naturally placed after the names of the senders, and its omission is more difficult to explain.

3 *Τεγραπε*: Apparently a variation of the Coptic name *Τεγραμπε* or *Τεκραμπε*, a feminine name (with definite article) from the masculine *γραμπε/γρομπε*, "dove" (see Crum, *Coptic Dictionary*, 828b-829a). There are several attestations of the feminine used as a personal name (none exactly parallel to our own form). Preisgke lists one occurrence of *Τεκραμπε* (*PSI* III 246.7 [sixth century]). Foraboschi lists 4 occurrences of *Τεκραμπε* (*P.Oxy.* XVI 1983 [535], 1995 [542], XX 2258 [551], and XXVII 2480 [565-6]); a single occurrence of *Τεκραμπε* (*P.Erl.* 37 [sixth century]); a single occurrence of *Τεγραμπε* (*P.Erl.* 127 [Byz.]); and a single occurrence of *Τεγρ[ο]μπε* (*P.Ross.Georg.* III 40.5 [589]; the editors give no reason for having chosen this supplement). For the loss of  $\mu$  before  $\pi$  see Paul E. Kahle, *Bala'izah* (Oxford 1954) I, p. 102 ¶75; for the exchange of the voiced and voiceless velar stops  $\gamma$  and  $\kappa$  as a result of bilingual interference, see Gignac, *Grammar* I 63 and 77-80. We are indebted to Terry Wilfong for help with this name.

*γενή*: For the interchange of  $\varepsilon$  and  $\nu$ , mainly in unaccented syllables, see Gignac, *Grammar* I 273 ff. In *P.Oxy.* XVI 1835 [late fifth/early sixth century], we have *γενεκας* for *γυναικας* in line 2, followed by 4 more instances of  $\varepsilon$  for  $\nu$  in forms of this noun (all, as here, in unaccented syllables).

4 *τοῦ θεοῦ περὶ τῆς ὑμῶν τεκ*: After *εὐχαριστῶ*, one expects a dative; the genitive instead is a banality, but cf. *εὐχαριστῶ τοῖς ἀδελφοῖς* in lines 11-12, where the dative is used. *Θεοῦ* seems to be written in correction over *τεοῦ*.

5 *τὸν κύριόν μου νιόν*: For *κύριος* as a mark of respect in letters, used of persons of many sorts, cf., e.g., reference to the writer's son in *P.Oxy.* I 123 (third-fourth century).

*καθώς*: Cf. the use of *καθώς* in *SB* XIV 11588.16 and 18.

8 *καταλιμπάνω*: Gignac, *Grammar* II 278.

10 *ἔγραψα*: There are three possibilities for the writer's intentions: *γράψω*, "I shall write" meaning "Now I am starting to write," requiring alpha in place of omega (Gignac, *Grammar* I 288 ff.), which seems to us unlikely; *ἔγραψα*, with omission of the temporal augment in aphaeresis (Gignac, *Grammar* II 224-25), or *ἔγραψα* but supposing elision of the last letter of *Τεγραπε*. We have adopted the last in the text.

11 *Ἡλίας*: There are faint traces of a phi and perhaps an iota at the beginning of the line, seemingly the remains of an error; though it is pos-

sible that Φιλίας could be read, the appearance of Ἡλίας among the addressees in lines 2 and 3 makes that a far more likely reading.

12 τοῦ χάριν: For τούτου χάριν. Cf. Gignac II 174, citing *P.Mert.* II 82.8.

13 γεοῦχ(ον): The diagonal abbreviation stroke is the only one we have found in the text. For the polite ὕνα imperatival followed by the subjunctive and depending on a governing verb signifying a request or order (here ἀξιώ), see Mandilaras, *Verb* ¶ 586.

15 ἐργάτας: ἐργάτης is among the words used to designate the great cog-wheels of the *saqiya* gear-drive which was frequently used throughout Egypt in this period to power irrigation devices of several types: compartmented wheels (of both the tympana and compartmented rim varieties), pot-garlands, and bucket-chains. See J. P. Oleson, *Greek and Roman Mechanical Water-Lifting Devices: The History of a Technology* (Toronto 1984); he lists 11 apparent instances in the papyri of this use of ἐργάτης: 2 from the second and third centuries, one from the fifth, and the remaining 8 from the sixth and seventh centuries. Oleson describes the *saqiya* gear-drive as “a drive system . . . consisting essentially of a pair of cog-wheels oriented at right angles to one another, designed to transform the rotation of a horizontal shaft” (p. 370). Although the principle of the *saqiya* gear-drive was applied to devices other than irrigation systems in antiquity, and especially to the water-powered grain mill, Oleson notes that, in Egypt, such mills “remained almost totally unknown . . . throughout antiquity” (p. 376). Oleson, 379 ff., following Bonneau’s “L’administration de l’irrigation dans les grands domaines en Egypt au VI<sup>e</sup> siècle de n.è.,” *Proc. XII Congr. Pap.* 46 n. 5, attributes a rapid spread of such gear-driven irrigation devices in Egypt to the tax reforms of Diocletian, which taxed marginal, unirrigated land at a higher rate than that which required artificial irrigation.

σφατ[]: None of the evidence in the papyri for words with this beginning seems of much use in explaining its appearance here, with the possible exception of *P.Oxy.* XIV 1727.15, dated to the late second-early third century, “a list of receipts (?) from various persons for drugs, pitch, sauce, purple, papyrus, cedar oil, boxes, a pole, &c”: Μώρον σφαίρον (δρ.) α (τριώβ.). Both meaning and supplement to our instance must remain uncertain.

16 At line end there was very likely an articular infinitive (*εἰς τὸ μῆ*) expressing purpose, though the infinitive alone would suffice with διδωμι; perhaps instead *εἰς* plus a noun in *τομ*[2-5].

[Jennifer K. Lynn]

## 291. Business Letter

Inv. 49  
Plate 49

13.4 x 10.8 cm

V/VI  
provenance unknown

Written on one side only, this papyrus contains what seems to be the end of a business letter; names of sender and addressee are gone, as is most of the first line of text, probably more. Both side edges seem to be original. A horizontal fold obscures much of line 8. Three vertical folds have left traces, at about 2 cm, 4 cm and 6 cm from the left edge. A fourth vertical fold about 5 mm from the right edge may have existed as well. The first and third vertical folds contain gaps which obscure writing. There is a vertical join 6 cm from the left edge of the papyrus. Along this join, an irregular series of tears occurs. The four largest of these obscure parts of lines 6, 8, 9 and 10. The fibers of the side with writing run horizontally.

The letter is undated. The fluid Byzantine cursive hand and vocabulary, however, suggest the limits of fifth and seventh centuries. The hand is similar to that of Montevercchi, *La papirologia* pl. 99, a labor contract dated to fifth-sixth century; cf. especially *παρά* in line 8 of the labor contract with *παρα-* in line 2 of this letter, and the flying upsilon of *σοῦ* in the labor contract's line 8 is somewhat similar to the upsilons here: *έμοῦ*, line 2; *αὐτοῦ*, line 6; and *τούτοι*, line 7.

The writer uses titulature for both addressee and the named third person Count Horigenes, but signs off abruptly with *ταχέως*, perhaps suggesting that he is of similar if not the same rank as the addressee. (But cf. SB V 7635, dated fifth-sixth century, where the writer twice uses an imperative plus *ταχέως*, in lines 7 and 17, but also calls the addressee *δέσποτα* in line 7.) The writer is certainly not of the lowest rank, since he claims to have written already on his own account to the Count. The rank of *σχολαστικός* would in fact suit the addressee of the letter especially well, as he is called *τὴν ὑμετέραν παιδευσιν*, "your erudition," in line 8. This term is found almost exclusively in address to scholastici, except for some instances of application to *έκδικοι* (*defensores civitatis*); since most of these were also scholastici, however, this may be an insignificant distinction. H. Ziliacus, *Untersuchungen* 73 and 90, describes the usage in vaguer terms. The known range of usage referring to defensores is only 497 to 525, but some of the undated examples may fall outside that range.<sup>144</sup> The only instance

<sup>144</sup> See B. Kramer, "Syndikoi, Ekdikoi und Defensores," *Misc. Pap. Borg.* (Pap. Flor. 19, 1990) I 305-29 at 317-19.

not obviously a scholasticus or defensor is *PSI* IV 297, where the editor suggests that the recipient is a doctor.

The *καὶ* in line 2 suggests that the writer has already written or spoken to a person other than the Count about the affair. If *δέ* in that line is taken as a simple connective "and," then *καὶ* must mean "also," and be construed with *τὸν μεγαλοπρεπέστατον κώμιτα*. (*δέ* should be taken closely with *παρακαλέσαι*, and seems to indicate that there was a previous command, which is of course lost. For placement of *δέ*, cf. E. Mayser, *Grammatik* II.3, p. 125 (§164, #6).) The use of *καὶ* in line 6 also suggests this.

The problem, worrisome enough for the writer to have written to at least two officials about it, is described in lines 4 through 6 as having to do with 500 *λίτραι* of pitch (*πίσση*) and two ladders or gangways (*σκαλῶν*); it is not clear whether the writer is hoping to receive these items, or to be paid for them, or to be excused from having to provide them, or to be pardoned for having lost them. That the pitch is measured in *λίτραι* suggests that it is dry pitch, perhaps for use in conjunction with the gangways mentioned.<sup>145</sup>

The writer is practiced, if not professional, and fills out the ends of lines with flourishes (lines 2, 3, 4, 6, 8, 9). Particularly characteristic is the combination *α + i*, in which the alpha is reduced to a small curl opening upward, and the iota is brought straight down without ligature (lines 2, 6, 9). The curlicue paragraphos after *ταχέως* at the end of the letter may be characteristic of the sender; cf. the similar stroke in *CPR* XI 2. It is certainly not otherwise common in letters.

[  
 περὶ αὐτῶν  
 παρακαλέσαι δὲ ἐξ ἐμοῦ καὶ τὸν  
 μεγαλοπρεπέστατον κώμιτα  
 4 οριγένην περὶ τῆς πίσσης τῶν  
 πεντακοσίων λιτ[ρ]ῶν καὶ τῶν  
 δύο σκαλῶν ἔγραψα γὰρ καὶ τῇ αὐτῷ  
 μεγαλοπρε(πεία) περὶ τούτου, ἀλλὰ χρὴ  
 8 καὶ τὴν ὑμετέραν [πα]ϊδε[ν]σιν  
 ὑπομνήσαι καὶ τὴν περὶ τούτου  
 ἀπόκρισιν δηλώσαι μοι  
 ταχέως (flourish)  
 9 τούτων

<sup>145</sup> For naval requisitions see T. Mommsen, "Das römische Militärwesen seit Diokletian," *Hermes* 24 (1889) 195 ff. = *Hist. Schrift.* III 206 ff.; on pitch, dry and wet, see K. A. Worp, *Cd'E* 66 (1991) 264, note to line 5.

. . . about them, and ask the most magnificent Count Horigenes, too, on my behalf, about the 500 pounds of pitch and the two gangways; for I wrote to His Illustriousness too about this, but it is necessary for Your Erudition also to remind (him) and give me the answer about these things quickly.

2 *παρακαλέσαι*: a standard term for petitioning.

3 *μεγαλοπρεπέστατον*: honorific, "most magnificent," used of "laymen of high station" (Lucilla Dinneen, *Titles of Address in Christian Greek Epistolography to 527 A.D.* [Washington, D.C., 1929] 46) from the early part of the 5th century in Christian letters and often applied to *κόμιτες*. No sixth-century comes named Horigenes active in Egypt appears in *PLRE* II or III.

8 *παιδευσις* (see introductory remarks) occurs also in Christian letters preserved in literary works from the 5th century on: cf. Gregory of Nyssa XIII 2, XI 2; Isidorus V 349, 1537 D, V 115, 1392 D, V 185, 1437 B, V 192, 1448 B, V 198, 1452 A; Theodoret X 1184 B. [Jerise Fogel]

## 292. Letter

Inv. 50

3.5 x 11.3 cm

V/VI

Plate 50

Oxyrhynchos?

This sheet contains private correspondence from an unknown letter-writer to Charisios, on behalf of (his employers? the overseers?) Sokoris *τέταρτος* and Alypios *δεύτερος*. The letter refers to an incident in which Theodoros (?) caused the departure of a young woman, Theodora, who was in some way under the protection of the letter-writer. At that time the author claims that the girl took money from him, at the same time as he put up surety for her to the *apostasarios*, both in specified amounts. In addition, according to the letter-writer, the girl took several articles of clothing (whether her own or another's); the girl's surety is now being demanded of the letter-writer.

The text is written across the fibers in a Byzantine cursive script on a long rectangular strip of papyrus of the sort favored for letters in the third century B.C. and then not until the fifth century A.D. and after. There is an ample left margin, somewhat less at top, but with the writing closely crowded at right and bottom, although all four edges are preserved and the text is virtually complete. The main hand resembles that of *BGU* II 609 (Seider I 51, AD 441). Lines 8-10 and probably the last word (*πρός*) of line 7 appear to have been written in a different hand, or perhaps at a sub-

sequent point in time, since it is clearly written more slowly and with fewer cursive features. If it is the same hand, the writer has abandoned his characteristic looped tau for an earlier form in two strokes, usually with hooks at foot and left (this form of tau does, however, appear in line 6: *στιχ-*; cf. later in the same line *ταῦτα*).

(1 H.?) *πρὸ μὲν πάντων εὐχόμενος ὑπὲρ τῆς φῆ[ς]*  
 ὑ]γία[ς] traces + 21  
*καὶ καλῶς διάγιν. ἐπιδὺ ἔρθην ἐνταῦθα Θε[...]ρως ὁ ἀδελφῶς*  
*χάριτα`ν'*

4 *δῶς καὶ ἀνεστάτωσεν τὴν κόριν Θεοδώραν τῷ ὀνόματι, καὶ*  
*ἔλαβέν μον κεράτια λιτὰ δεκατέσερα. ὅμήως ἐνεγυοισάμη`ν'*  
*αὐτὴν πρὼς τῶν ἀποστασάριν λιτὰ κεράτια ὀκτὼ. ἔλαβεν*  
*(καὶ) στιχαρωμαφώριν (καὶ) ὀθώνιν, (καὶ) ταῦτα ἀπετοῦμε ὡς*  
*έγυοι-*

8 *τῆς αὐτῆς. ταῦτα σου ἔγραψα, ἐτέρε γνήσιε (καὶ) ἐπιστάτα, πρὸς*  
*Σώκορις τέταρτως (καὶ) Ἀλίπιως δεύτερως. φρόντισων ὃς ὠπόσων*  
*διαπ[ο-]*

*νῆ. οἶδα γὰρ ὅτι φρ[ό-]*  
*ημὸς εἰ.*

Back

† *τῷ ἐμοῦ δεσπότ(η) ἀδελφ(ῷ) Χαρισίῳ πρὸς Σώκορ(ιν)*  
*τέταρ(τον) (καὶ) Ἀλίπ(ιον) δευτέρου*

2 *διάγειν, ἐπειδὴ ἥλθεν, ἀδελφὸς χάριν 3 δούς, κόρην*  
 4 *δεκατέσσαρα, ὅμοίως ἐνεγυησάμην 5 πρὸς τὸν ἀποστασάριον*  
 6 *στιχαρωμαφόριον, ὀθώνιον, ἀπαιτοῦμαι, ἐγγυήτης*  
 7 *σοι, ἐταῦρε 8 Σώκοριν τέταρτον, Ἀλύπιον δεύτερον, φρόντισον*  
*ώς ὅποσσον Back δεύτερον*

Praying above all for your health, [e.g., I hope that you are flourishing] and faring well. When our brother Th[...]ros was so kind as to come here, he led astray the girl named Theodora, and she took from me fourteen keratia *lita*. Likewise I went surety for her to the cellarkeeper for eight keratia *lita*. She took also a stichomaphorion and an othonion, and I am having these demanded from me as her surety. I wrote these things to you, true companion and overseer, for Sokoris IV and Alypios II. Take care how much you exert yourself. For I know that you are careful.

(Back) To my lord brother Charisios for Sokoris IV and Alypios II.

1 In the margin before the line-beginning is a staurogram in the form of a stylized chi-rho monogram, followed by a flourish downward from the right end of the cross-bar of chi.

We have not found a good parallel in Christian letterwriting for the formula we imagine must have stood here, but it may have been of similar construction to earlier pagan examples like *P. Petr.* II 2.3.2 (III B.C.) *τοῖς θεοῖς εὐχόμενος διατελῶ*; *P. Oxy.* 31.b.2-4 *τὸ προσκύνημά σου ποιῶ παρὰ τῷ κυρίῳ Σούχῳ εὐχόμανός σοι πάντοτε τὴν ὁλοκληρίαν* (same formula in *P. Tebt.* II 413.3).

2 Presumably Theodoros, perhaps spelled Θε[ύδο]ρως; the space is very tight.

3 ἀνεστάτωσεν: Apparently causative and transitive as in the use of ἀναστατέω to mean "carry off," "seduce" in *P. Oxy.* XVI 1836 (VI). An intransitive ("run away") appears in *P. Oxy.* XXVII 8-9.

4 The middle aorist form of ἐγγυάω is normally ἡγγυησάμην. Our writer has treated the ἐγ- as if it were a compounding ἐν- (the preposition was in fact part of the stem before the formation of the verb). On this phenomenon (fairly common with this verb) see Gignac II 252. For κεράτια λιτά see K. Maresch, *Nomisma und Nomismatia* (Pap. Colon. 21, Opladen 1994) 47: the term refers to a unit one-fifth the value of a carat.

5 ἀποστασάριος is otherwise attested in *P. Wash. Univ.* II 99.1 (see note ad loc.) and *SB* I 4640-4642, XII 10990 II 16-26 (all from Abu Mina); all of these are texts of the fifth and sixth centuries. The editors have all taken it to be derived from ἀπόστασις and to mean cellarkeeper, but none of the texts actually gives us any information about the position.

6 The μαφόριον was a short cape: see *P. Oxy.* 4004.15n. (though it is also used of a priest's headdress), and the στιχαρομαφόριον a tunic, perhaps here a long cape? For στιχαρομαφόριον interpreted as a striped veil, see P. J. Sijpesteijn, *ZPE* 39 (1980) 62-63 (with references). ὀθώνιον is a generic term, on which see S. Bartina, *StudPap* 4 (1965) 27-38.

7 The vocative in alpha remains normal in Roman and Byzantine papyri, cf. Gignac II 14.

8 The sense of "fourth" and "second" here is by no means clear. P. J. Sijpesteijn, *ZPE* 68 (1987) 138, argues that δεύτερος in the papyri means (as is often thought) νεώτερος only in the specific sense of reference to a second child of a name who subsequently had a third sibling with the name. He explains the phenomenon of continued use of the same name within a family as driven by a desire to have a surviving child with a particular name, in the face of high infant and child mortality. One might wonder, however, why the term is not then much more common, and τέταρτος seems a high number in any event. [Dirk D. Obbink and Mark J. Petruini]

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We use the following abbreviations: br. = brother of; d. = daughter of; f. = father of; gf. = grandfather of; gs. = grandson of; h. = husband of; hbr. = halfbrother of; m. = mother of; s. = son of; si. = sister of; w. = wife of.

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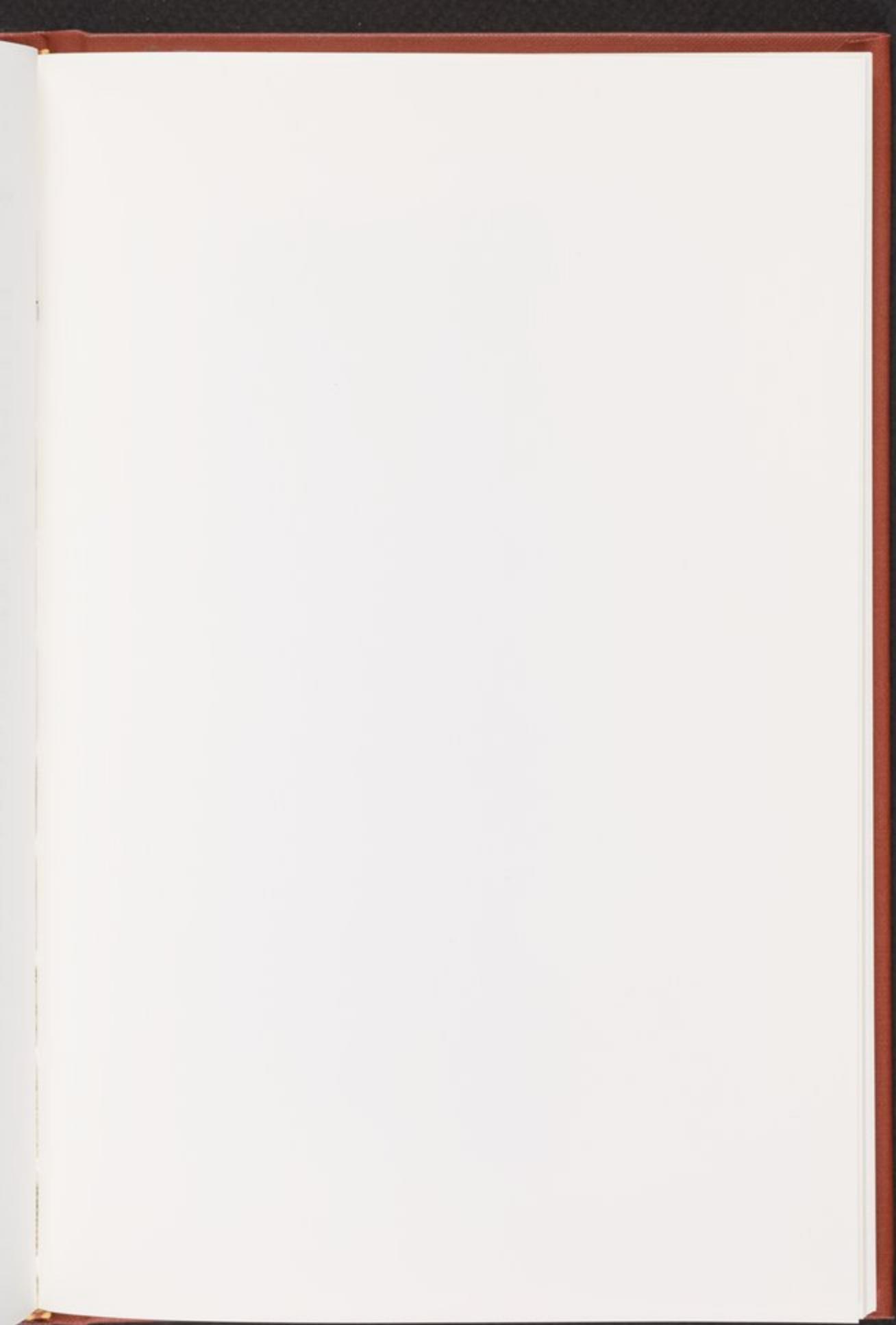
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*BGU* IX 1896.287 79  
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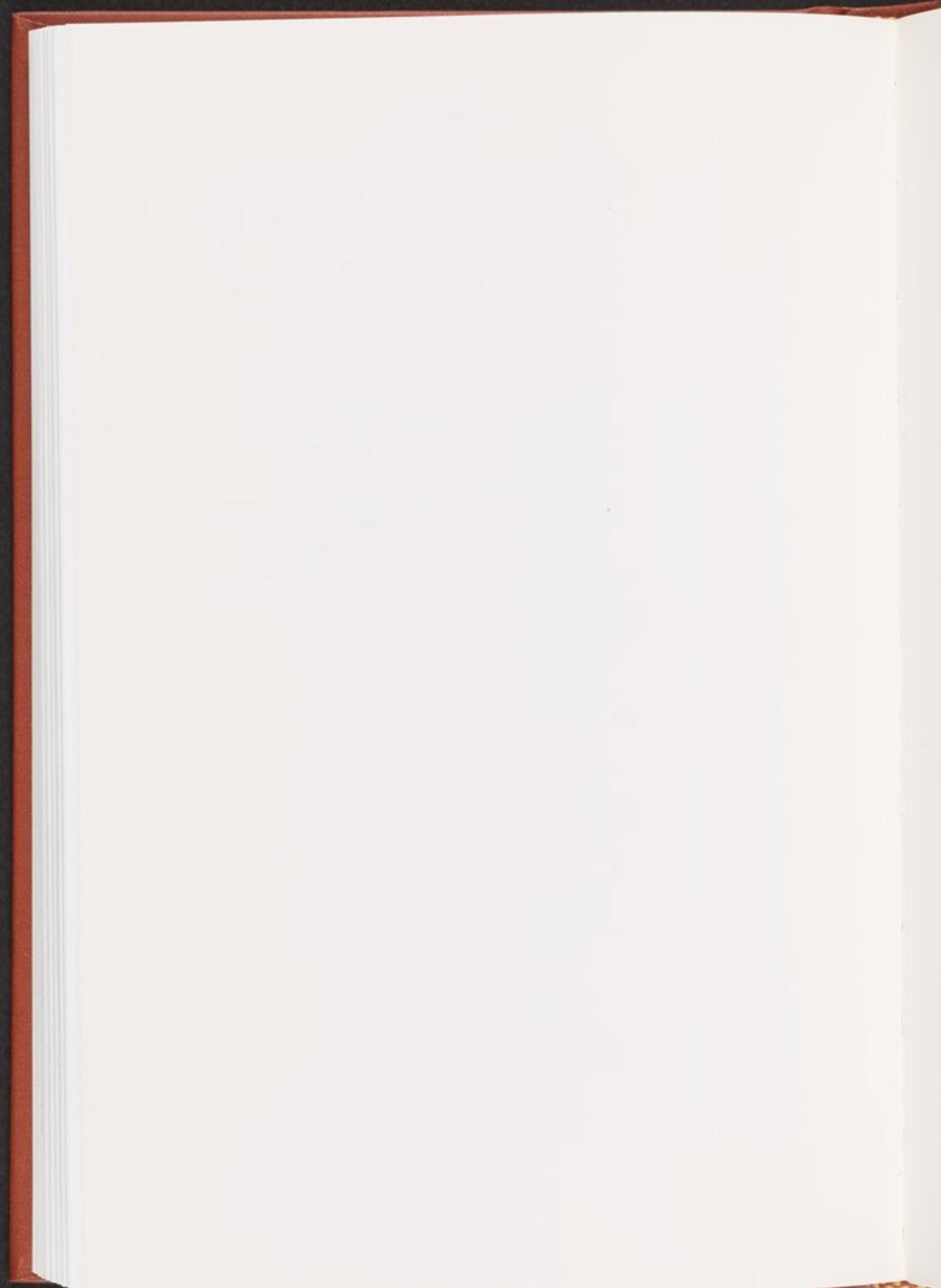
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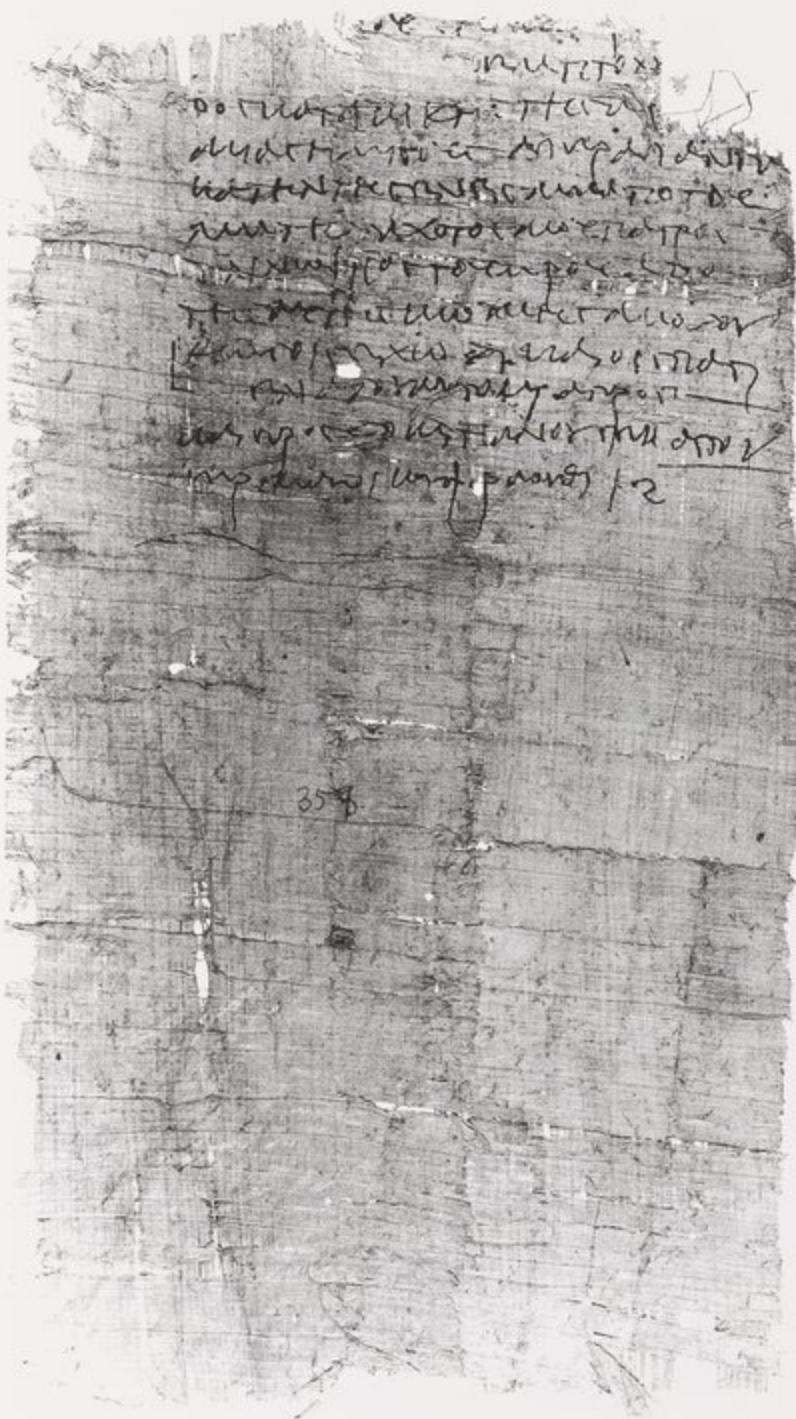
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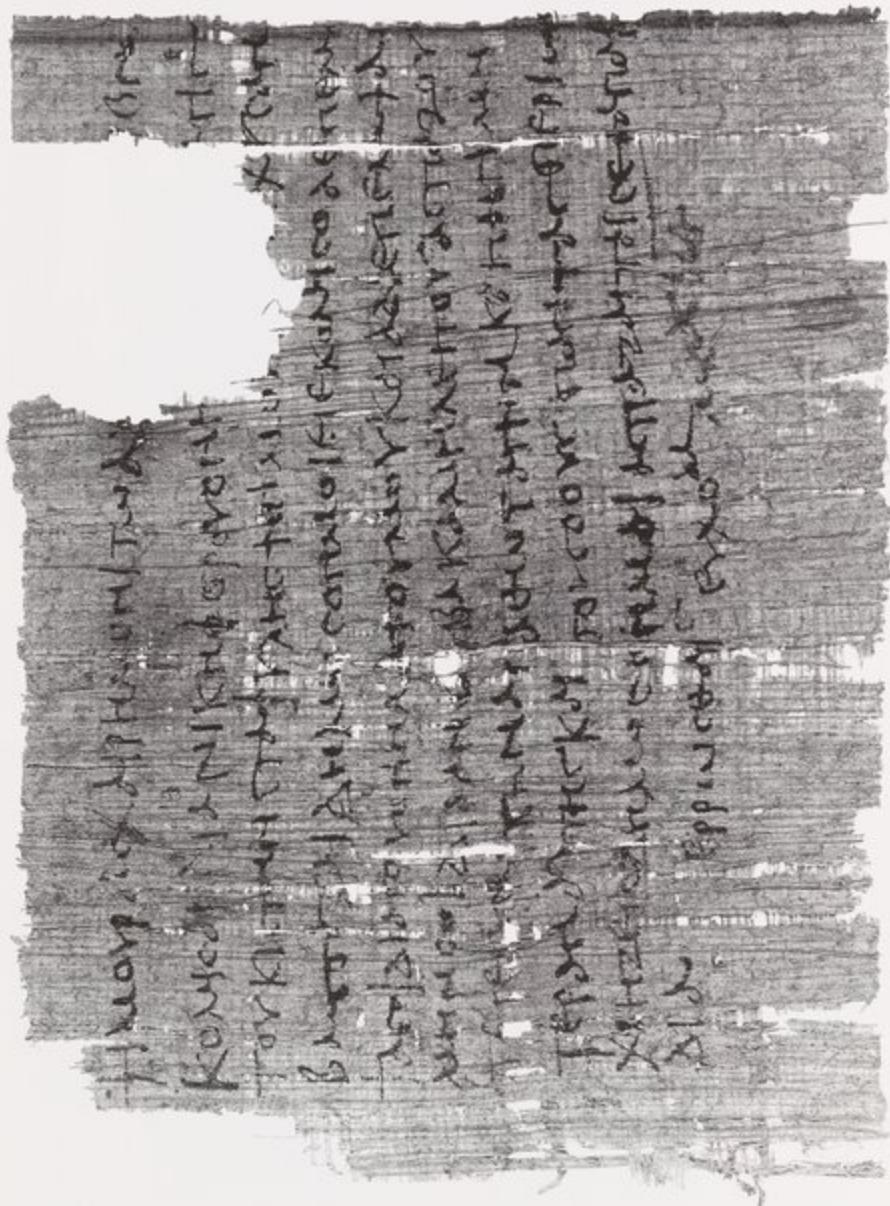


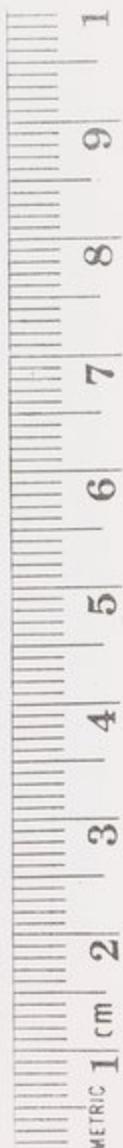
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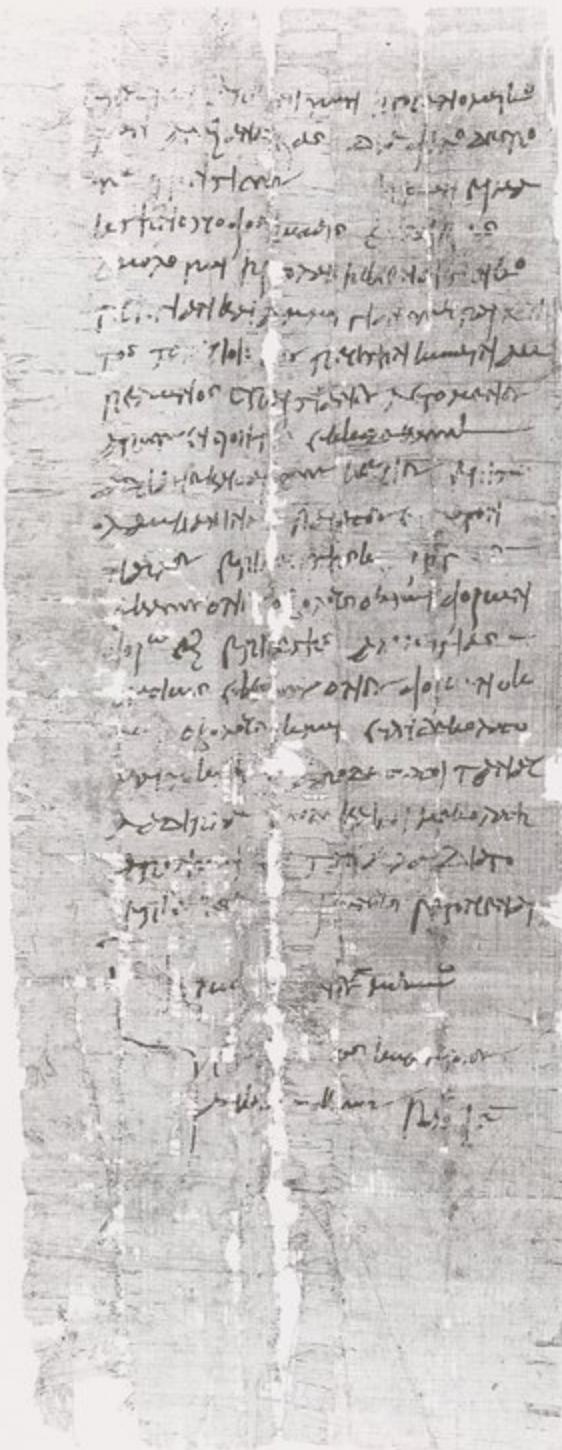


252 front

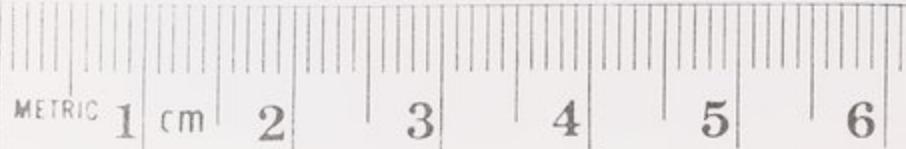
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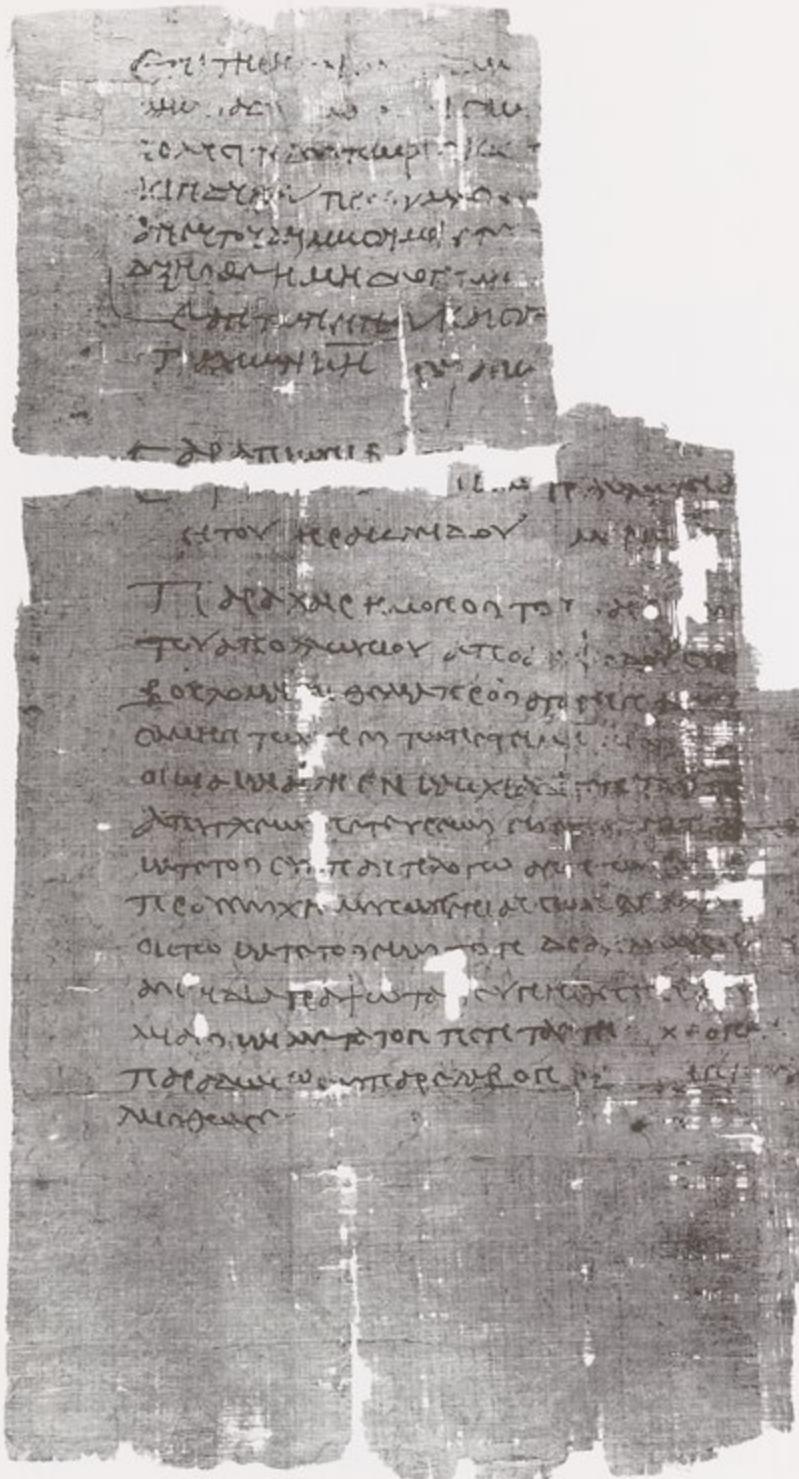






From Remond, with thanks  
Chrysanthemum, 25 mm  
Very strong & tall  
the petals more or  
less wrinkled  
but strong  
bark on all, coarse  
7 mm  
H. C. M.

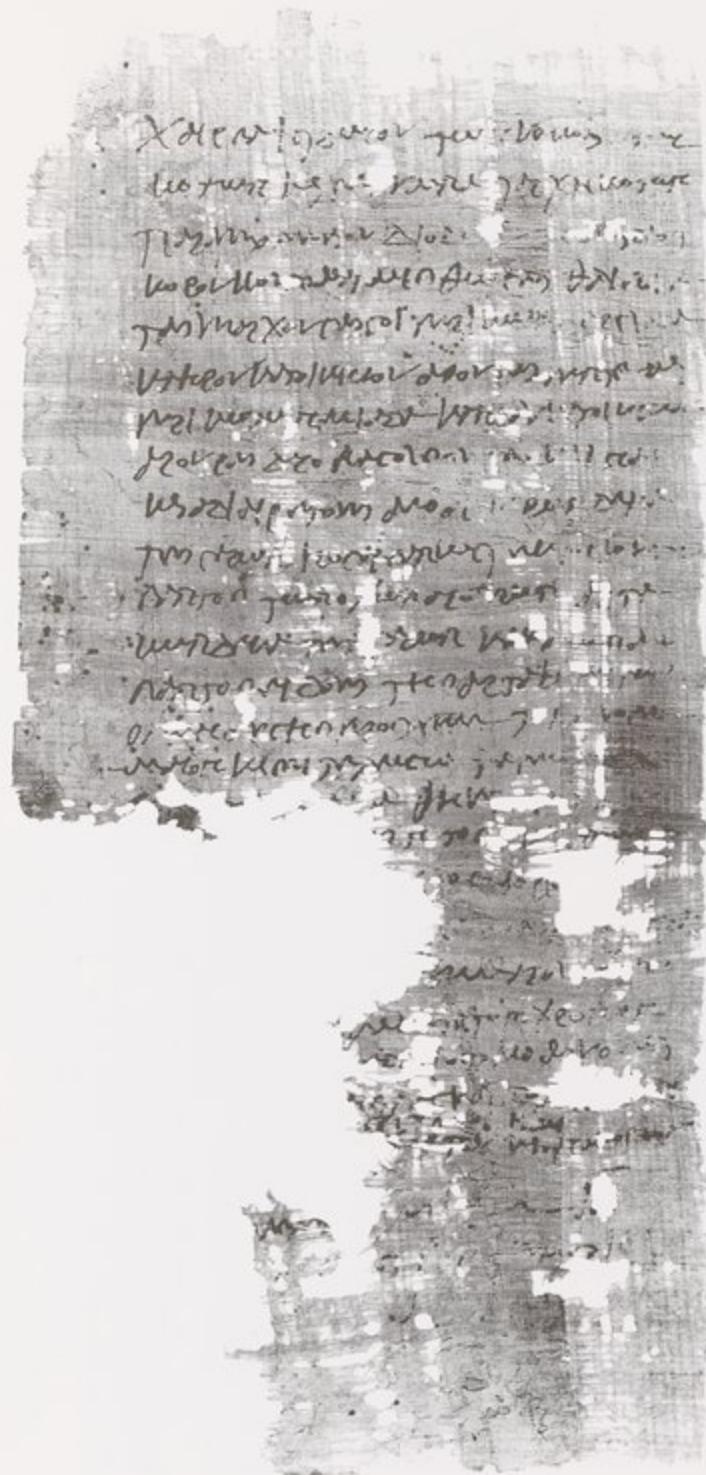




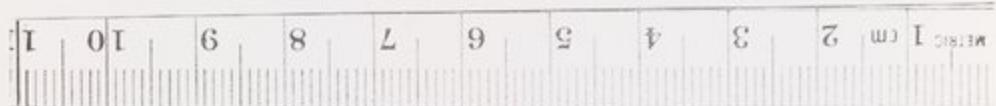
Metabolic rate (m/min) 2 3 4 5 6 7 8 9 10 11 12 13 14 15

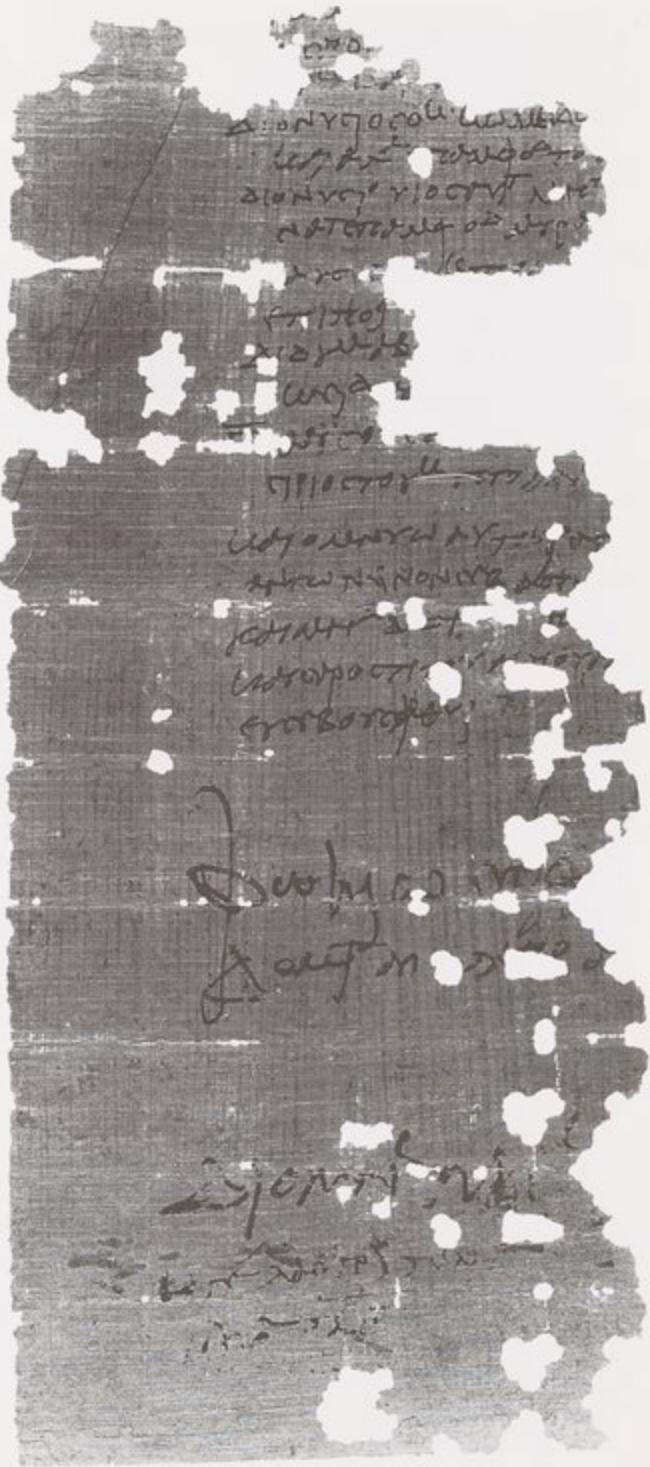






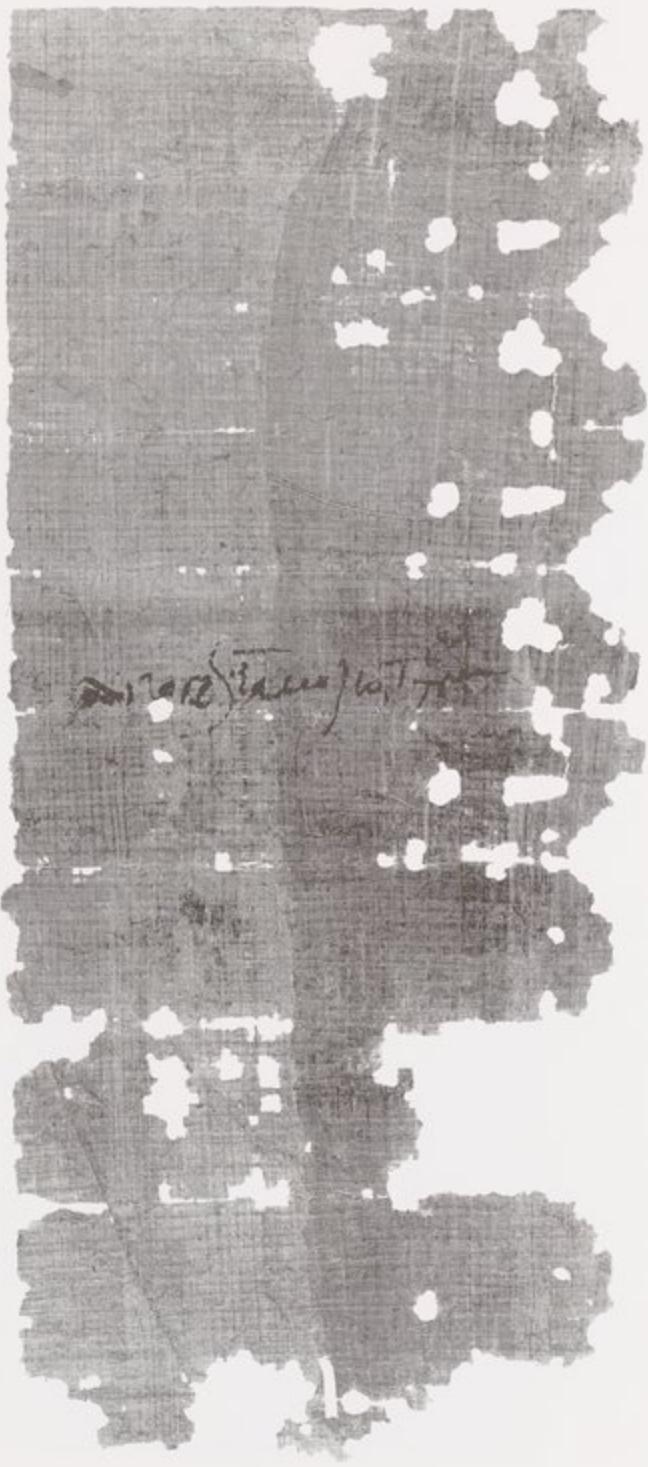
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15  
mm cm





262 front

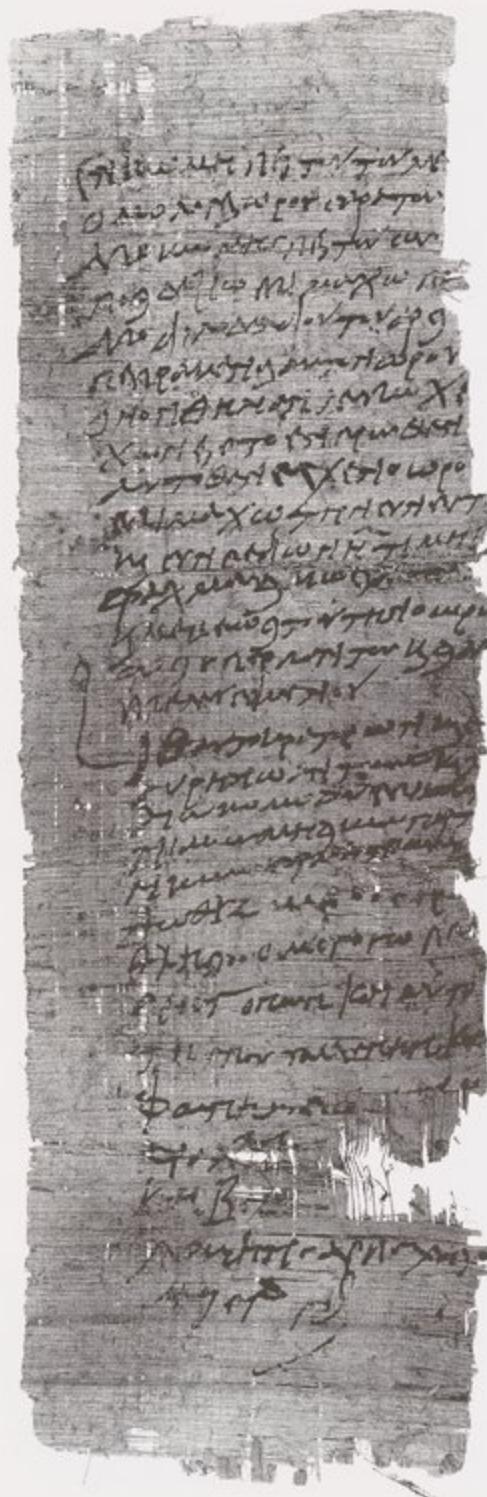
Plate 15



262 back

Plate 16







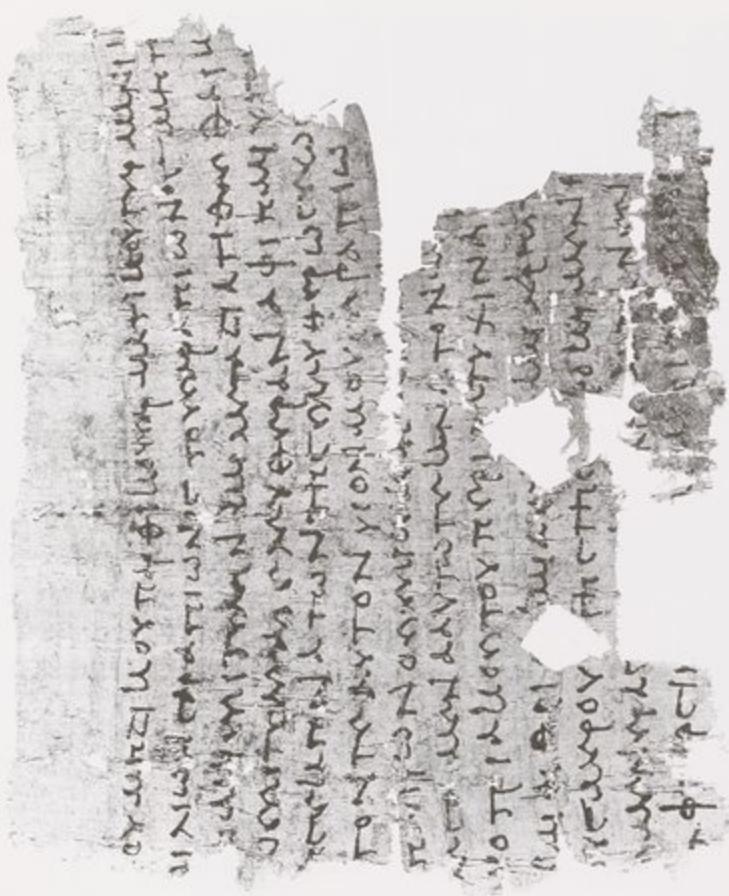


531a

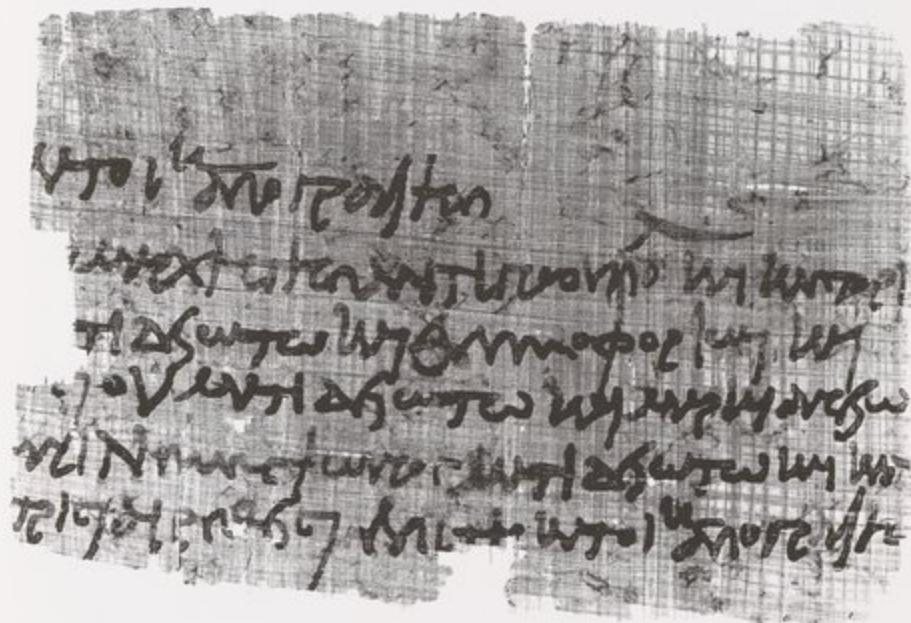
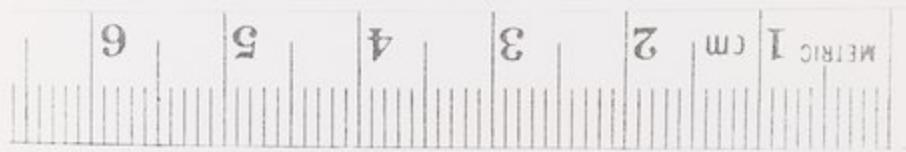
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----

9

6

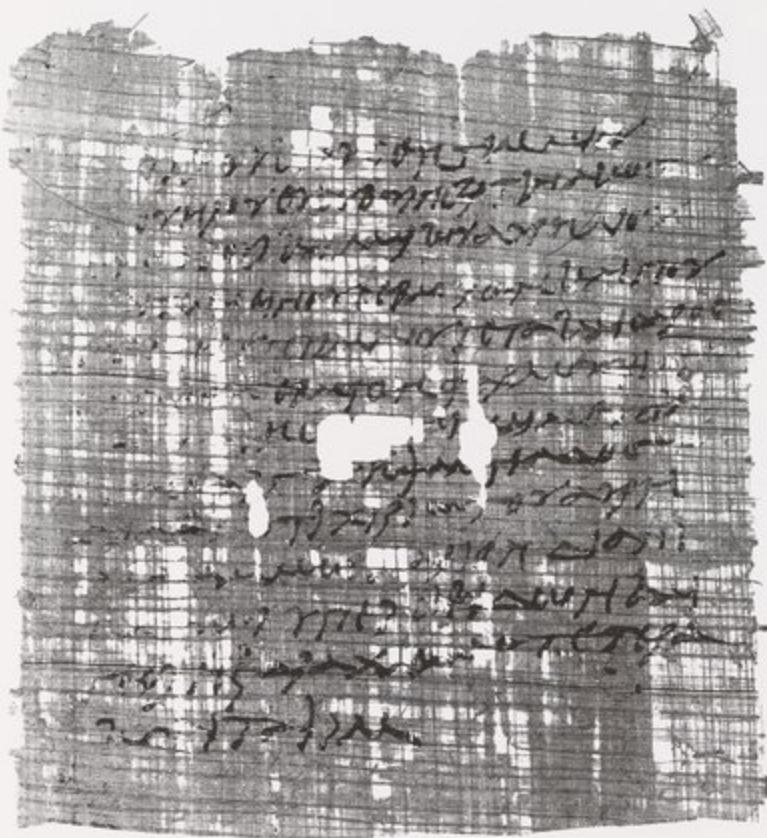






150. *Επίστολη Καταρχής της Ελλάς*  
από την Αρχόντιδα της Ελλάς  
την Αρχόντιδα της Ελλάς  
την Αρχόντιδα της Ελλάς

A ruler marked from 1 to 9 cm, with a scale line above it.



width 1 cm 2 3 4 5 6 7 8 9 10 11 12 13 14 15

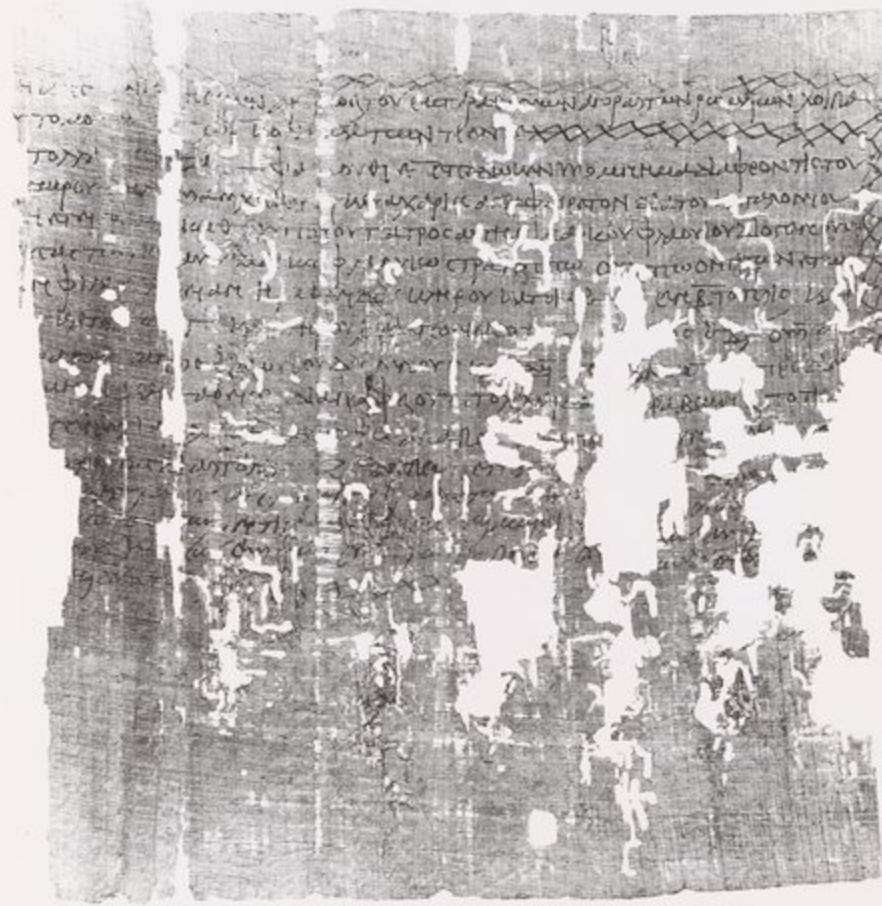
A vertical metric ruler is shown, starting at 1 cm and ending at 15 cm. Each centimeter is marked with a larger tick and labeled with its value. Between each centimeter, there are 10 smaller millimeter ticks, indicated by shorter lines. The ruler is labeled "metric 1 cm" at the top.

WING 1 cm  
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

alvarezi - longilobus  
+ exalt -  
supra -  
infl. alata -  
infl. exserta -  
eg. foliolum  
- trichomes  
dryas xanthina  
mitulae  
- leaves

oc. gland. heterophylla  
w. (s. sp.) blad  
s. sp. - subsp.  
- sp. sp.

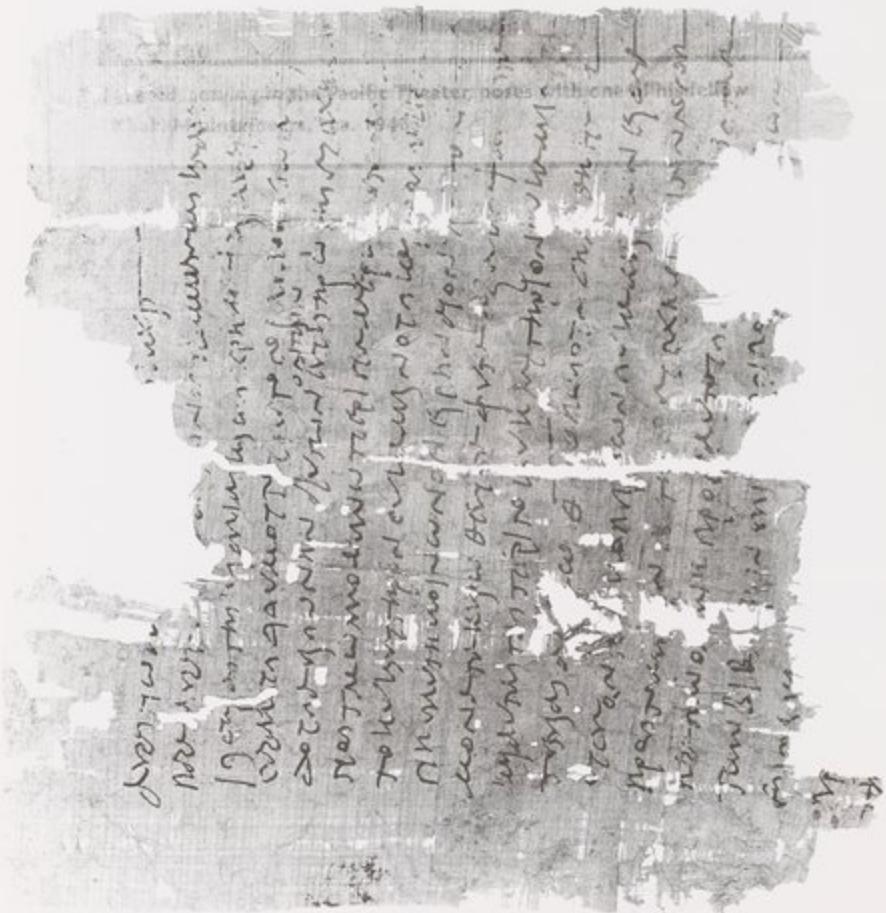
1 2 3 4 5 6

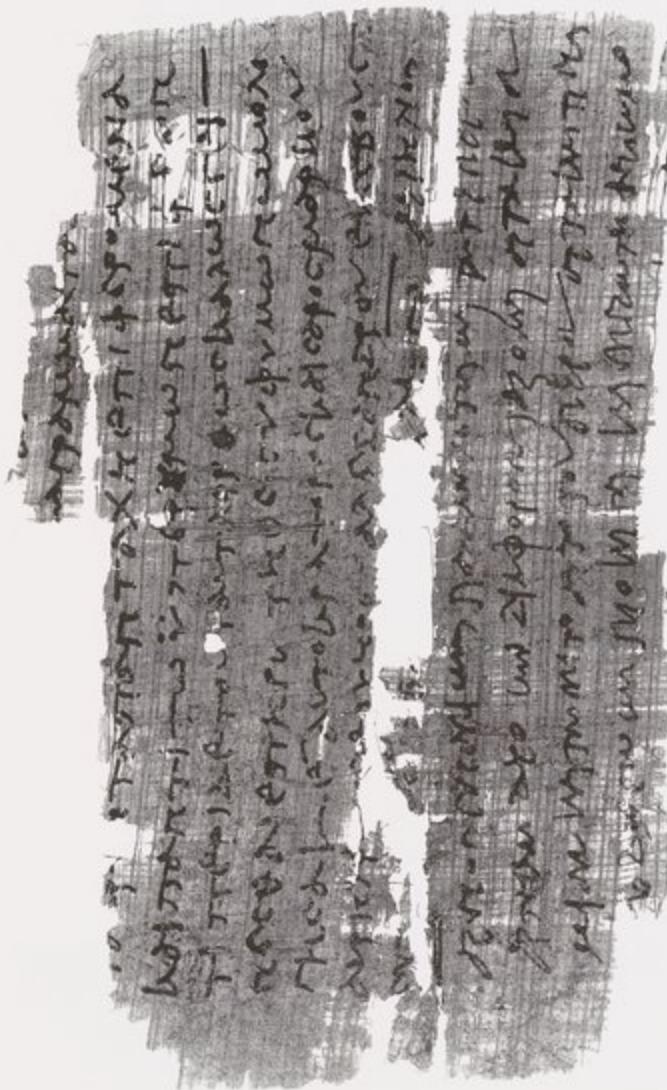


275. *Strophurus intermedius* (M. & G.)  
A small, slender, elongated lizard, with a prominent  
dorsal crest, which extends from the posterior  
margin of the head to the middle of the body.  
The dorsal crest is composed of a series of  
small, irregular, and somewhat irregular, tubercles  
which are arranged in two rows, one on each side  
of the dorsal line. The body is elongated and  
slender, with a deep dorsal line, and a shallow  
ventral line. The tail is long and slender, and  
is covered with a series of small, irregular, and  
somewhat irregular, tubercles.

Scale 1 cm. 2 3 4 5 6 7 8 9 10 11 12 13 14 15

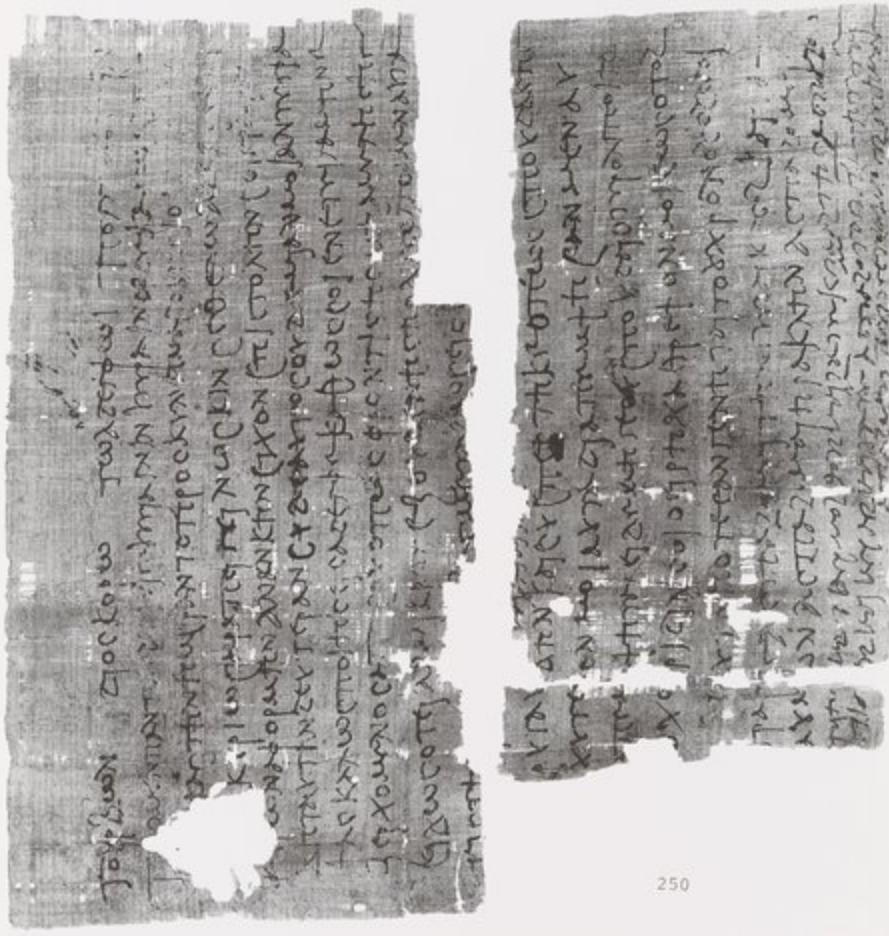
12 11 10 9 8 7 6 5 4 3 2 1 cm 1





170





278 front

Plate 33

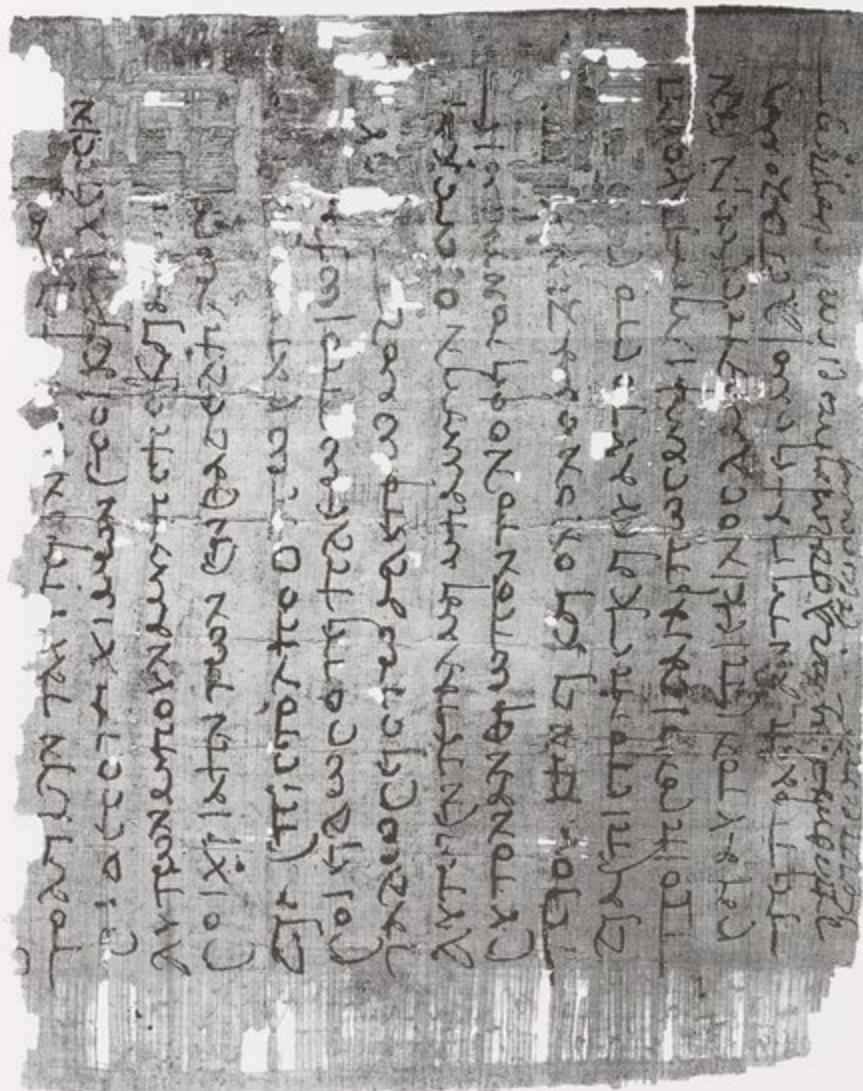
250



cm 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

278 back

Plate 34



279 front

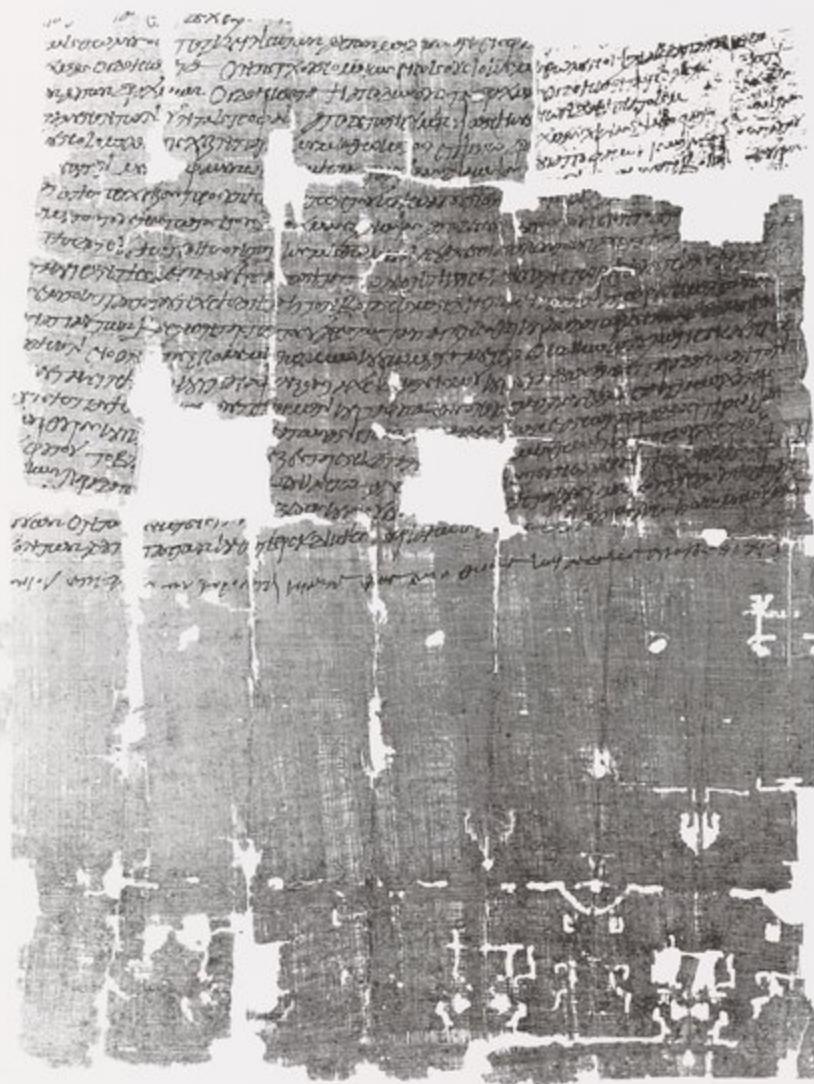
Plate 35

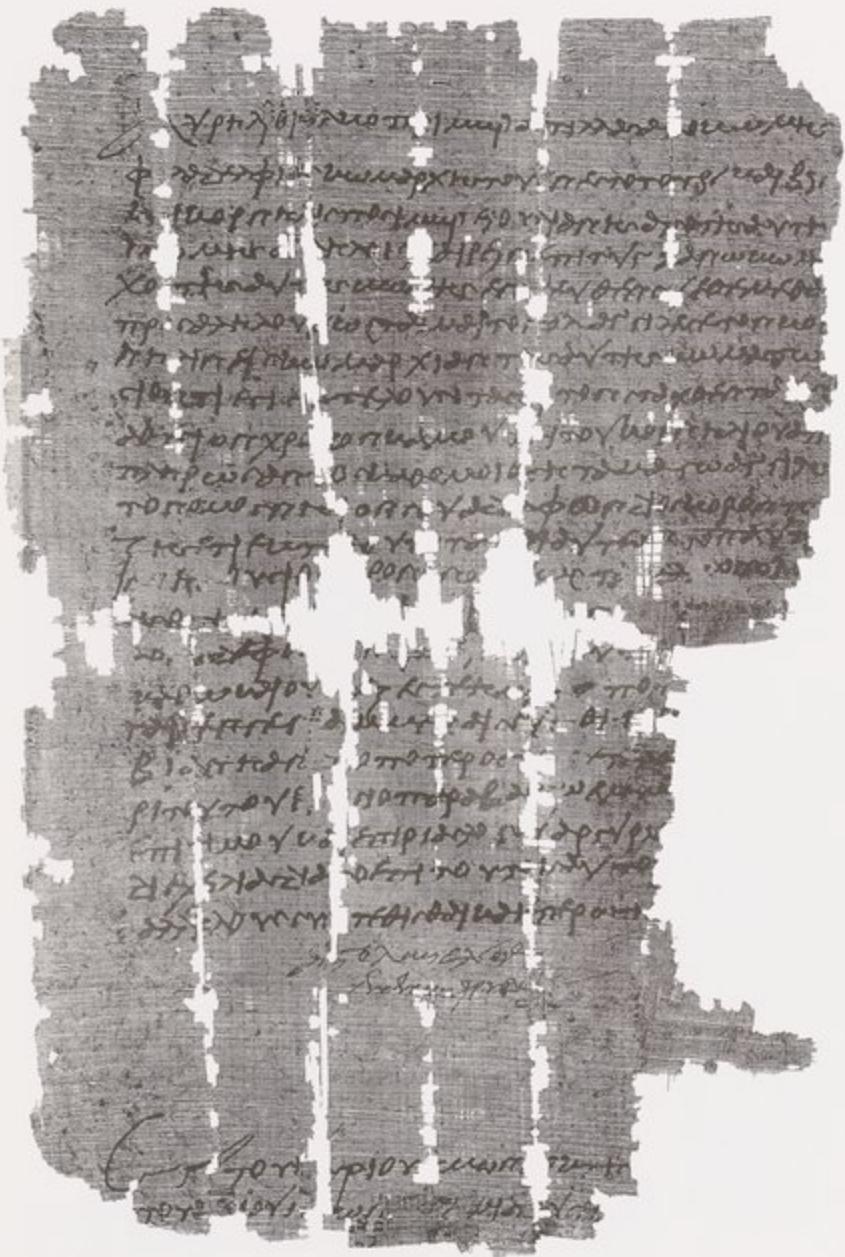


TRIC 1 cm 2 3 4 5 6 7 8 9 10 11 12 13

279 back

Plate 36



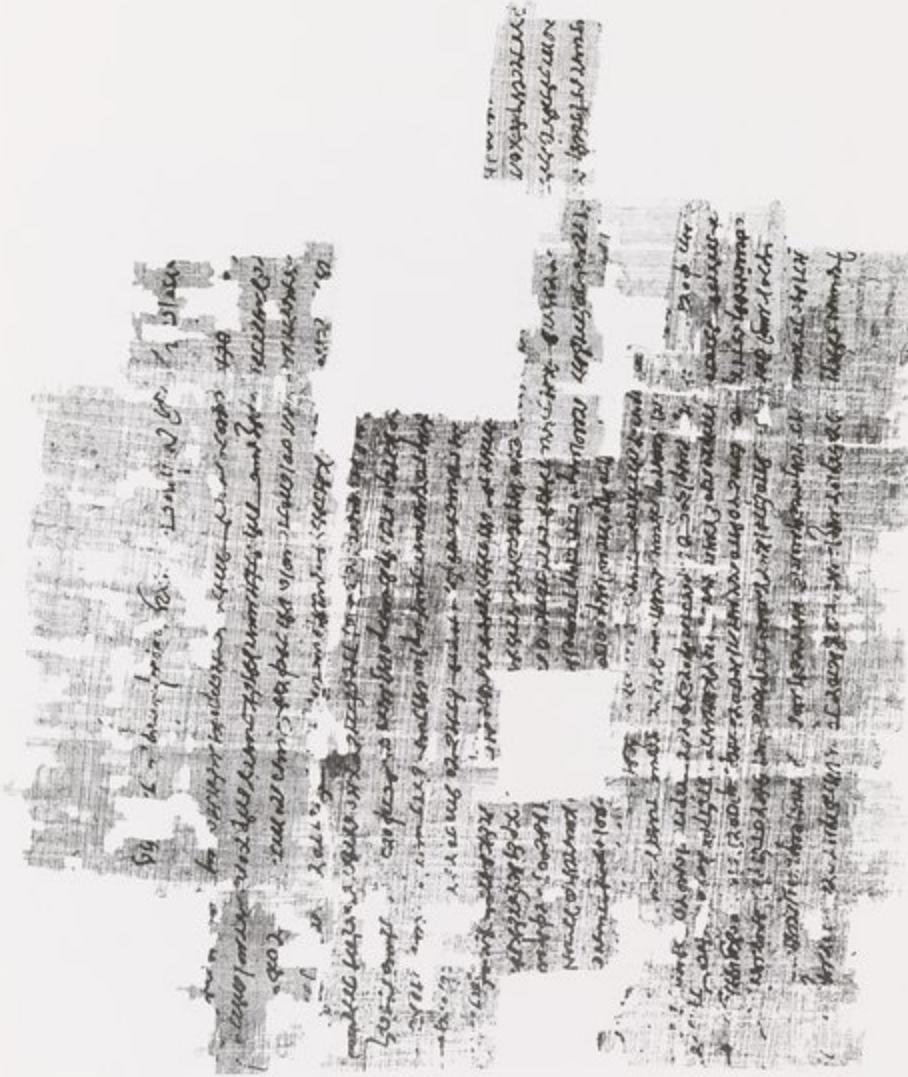




METRIC 1 cm 2 3 4 5 6

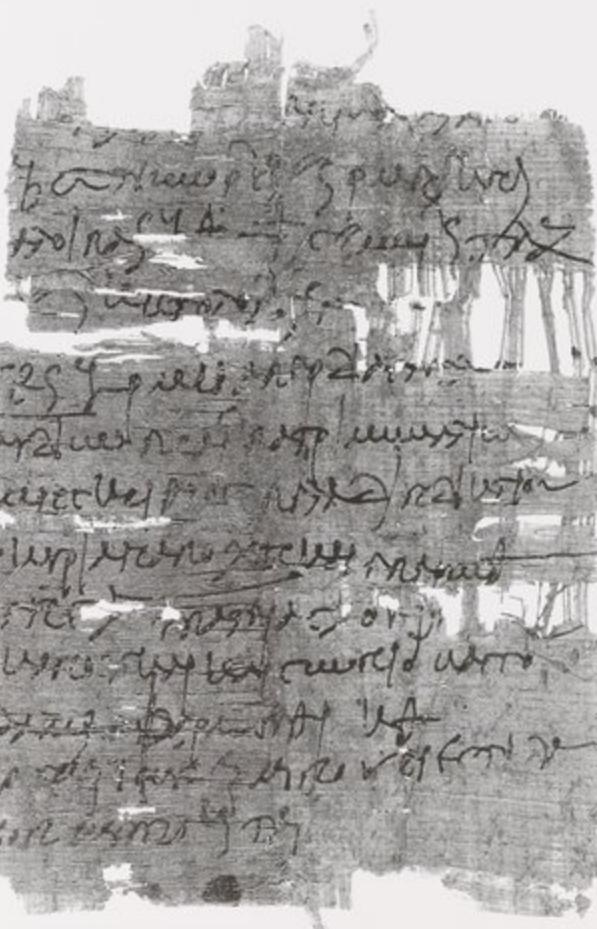


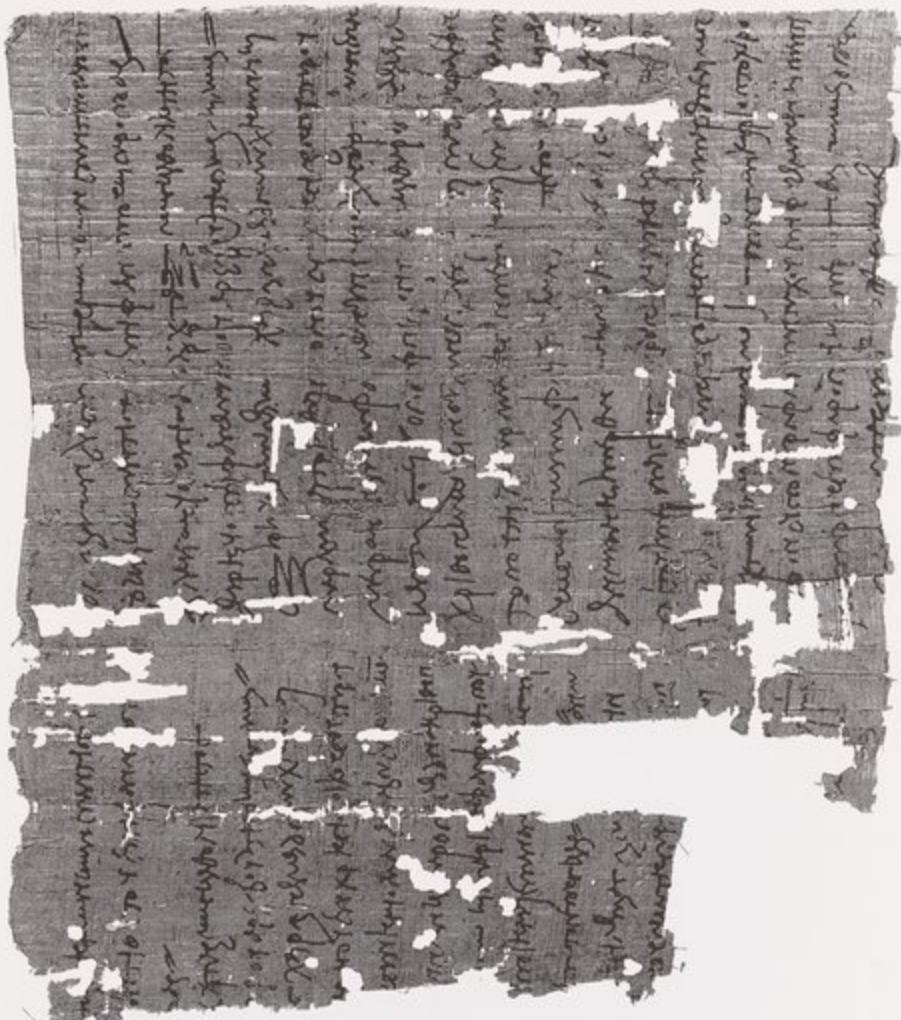
Fotomontage Roland Zschmann



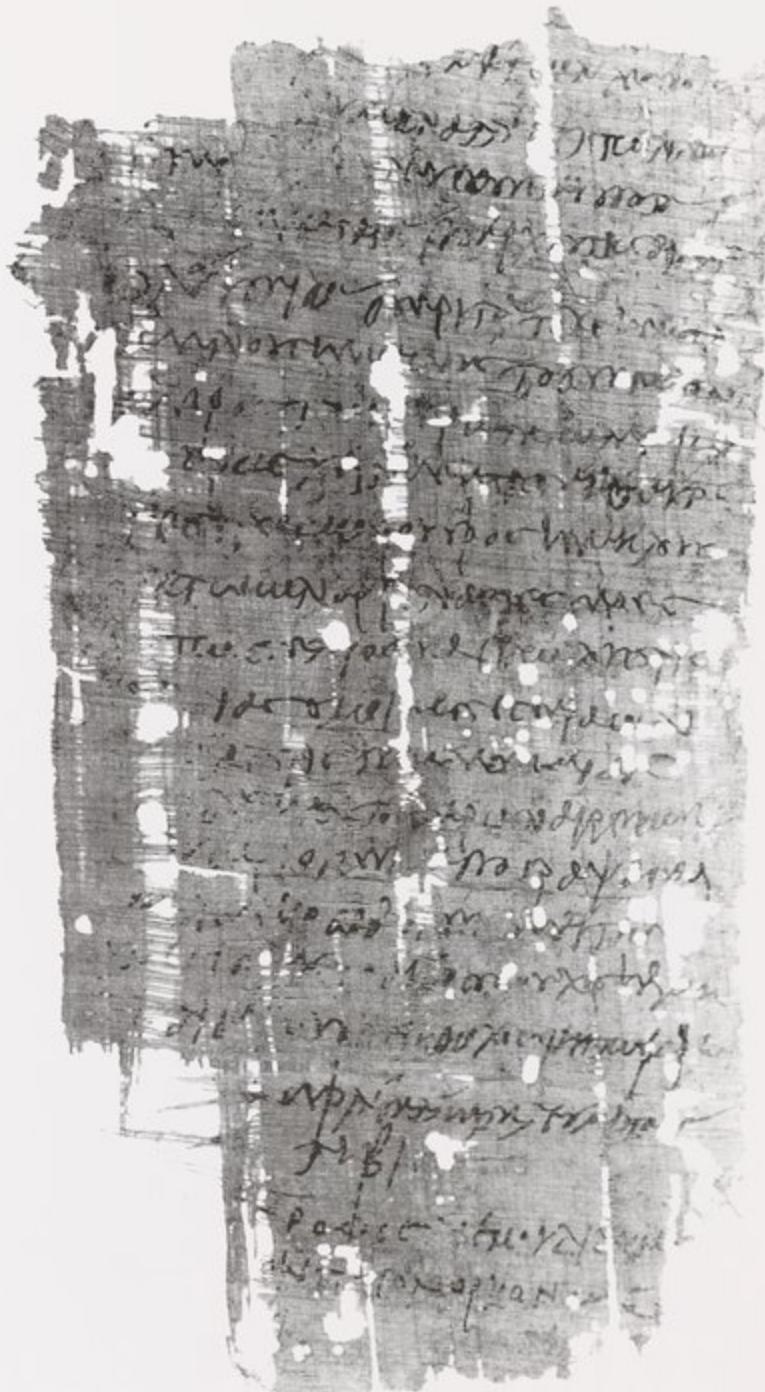


173

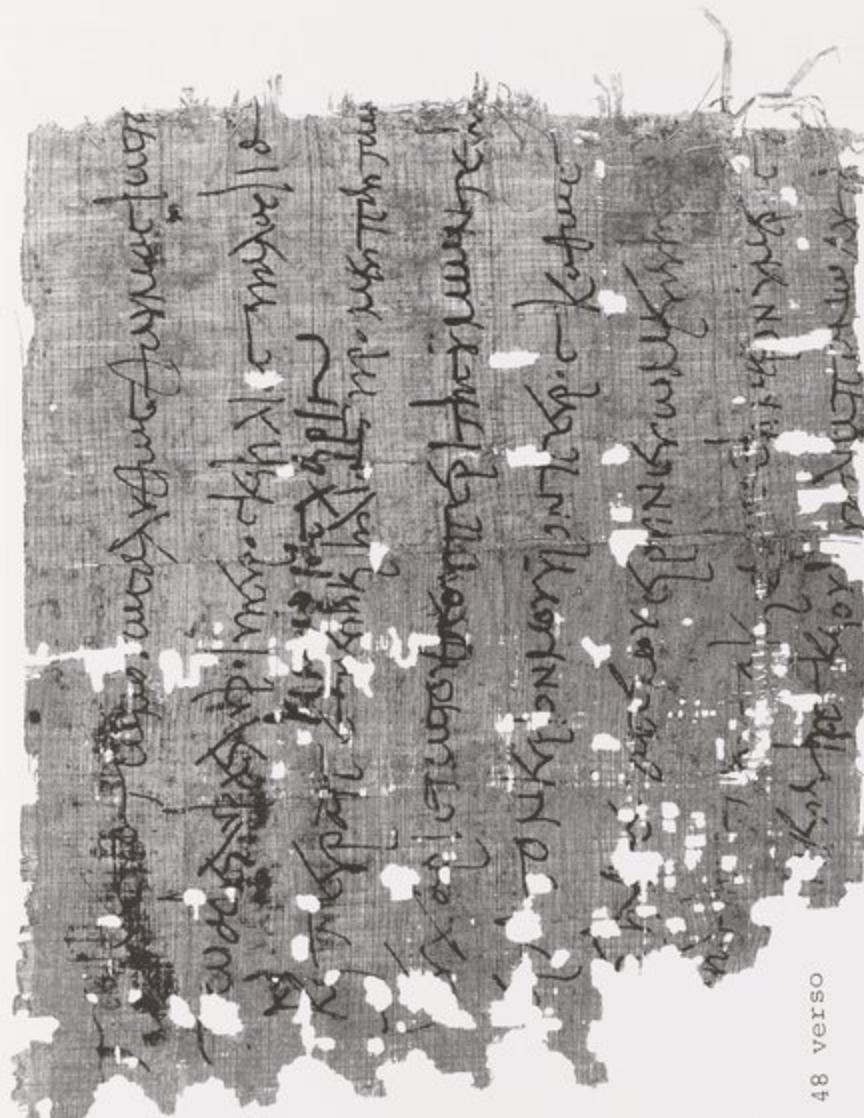




0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100





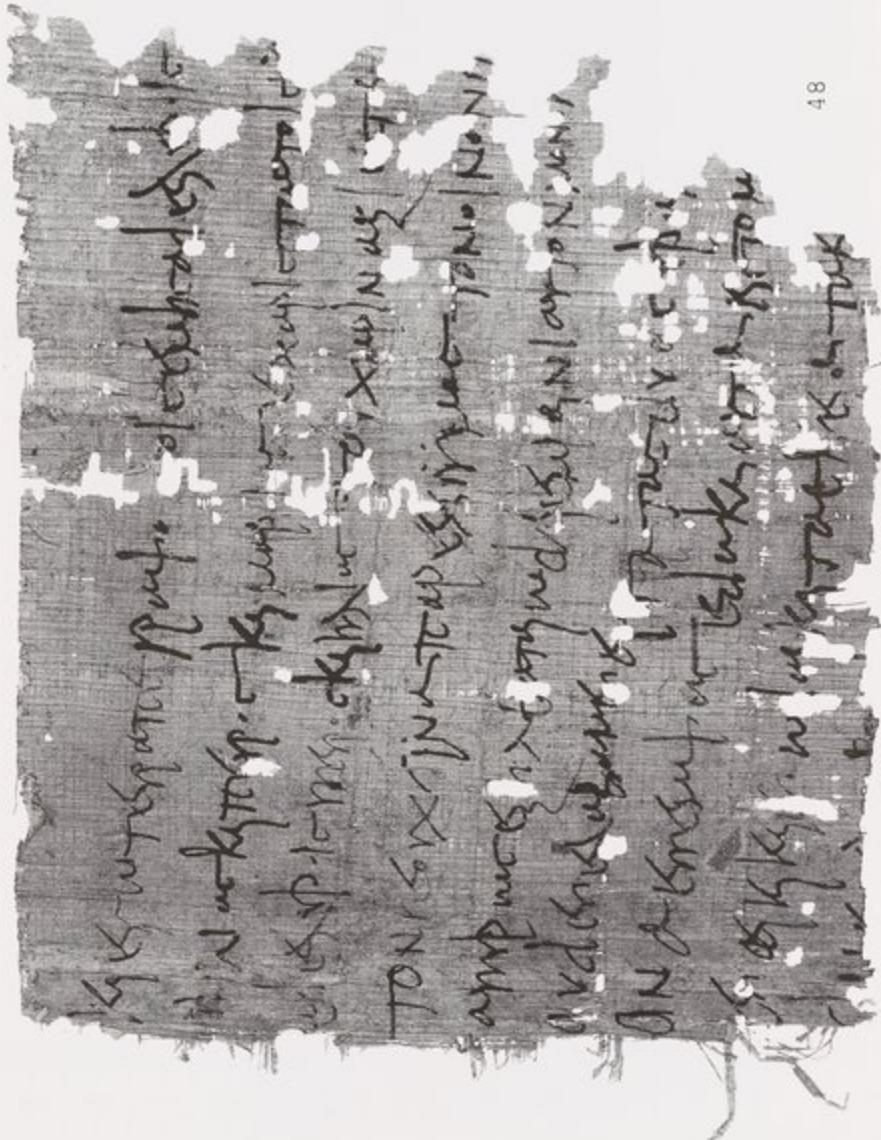


48 verso



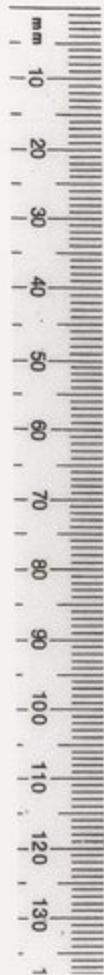
290 front

## Plate 47



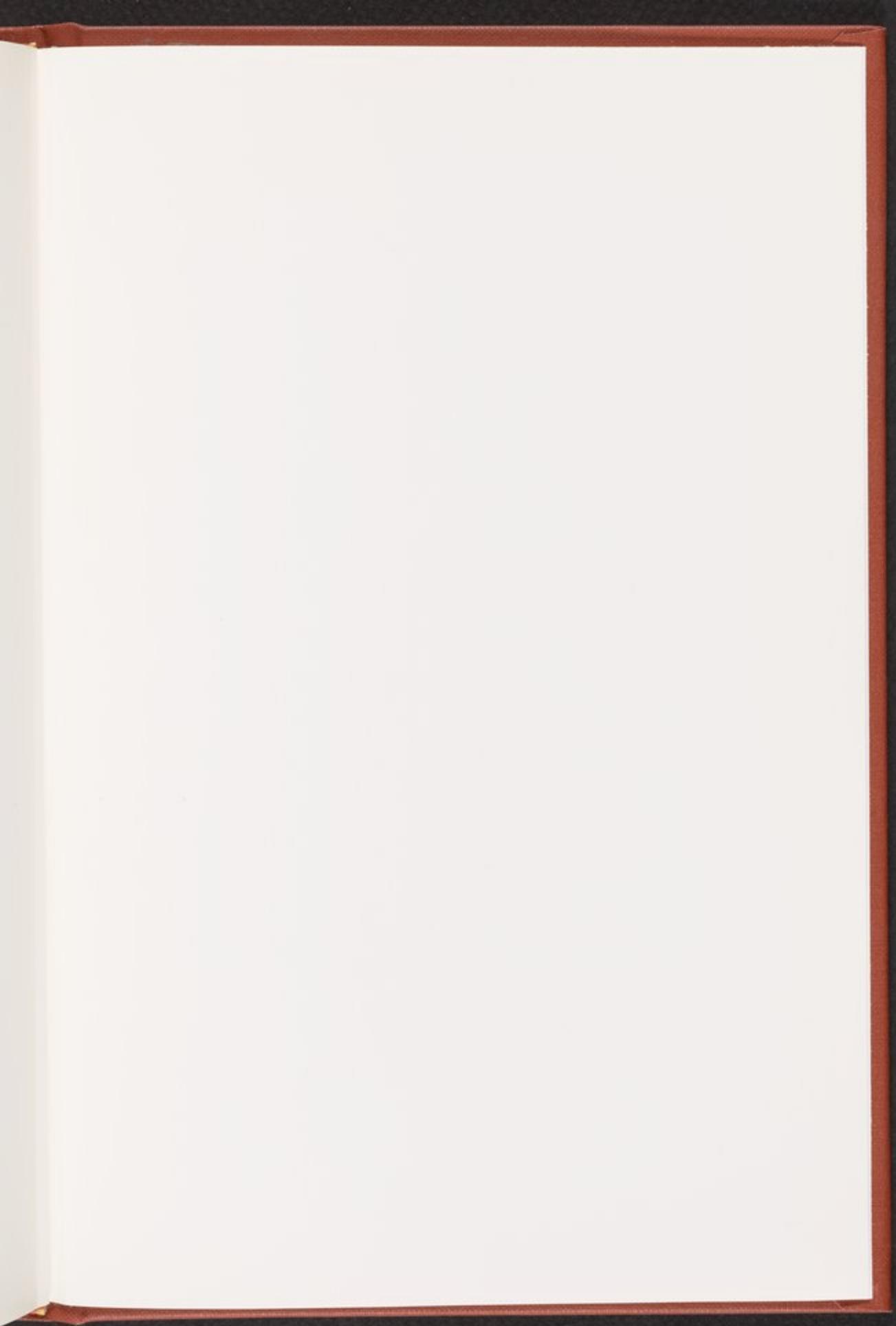
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Plate 48

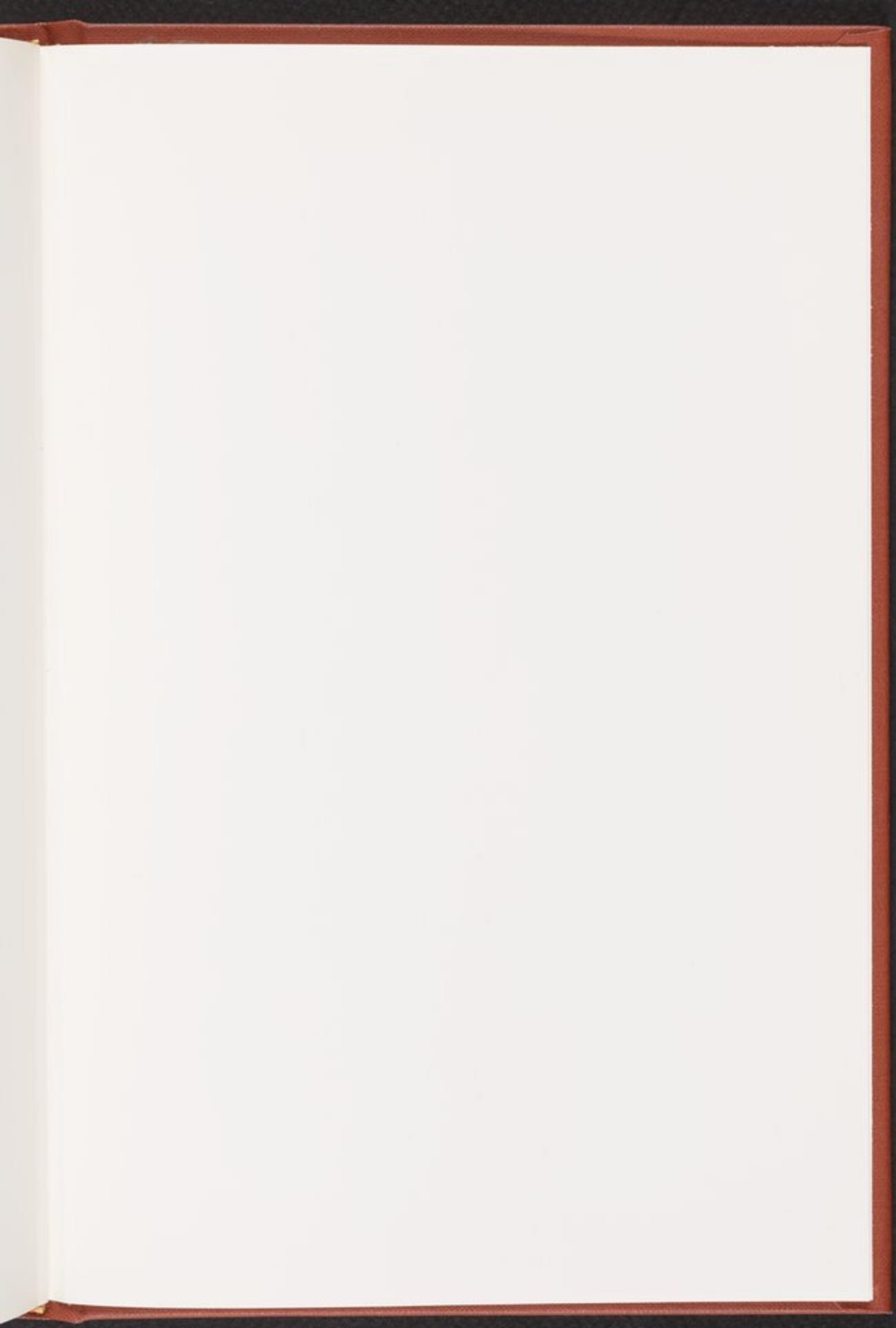


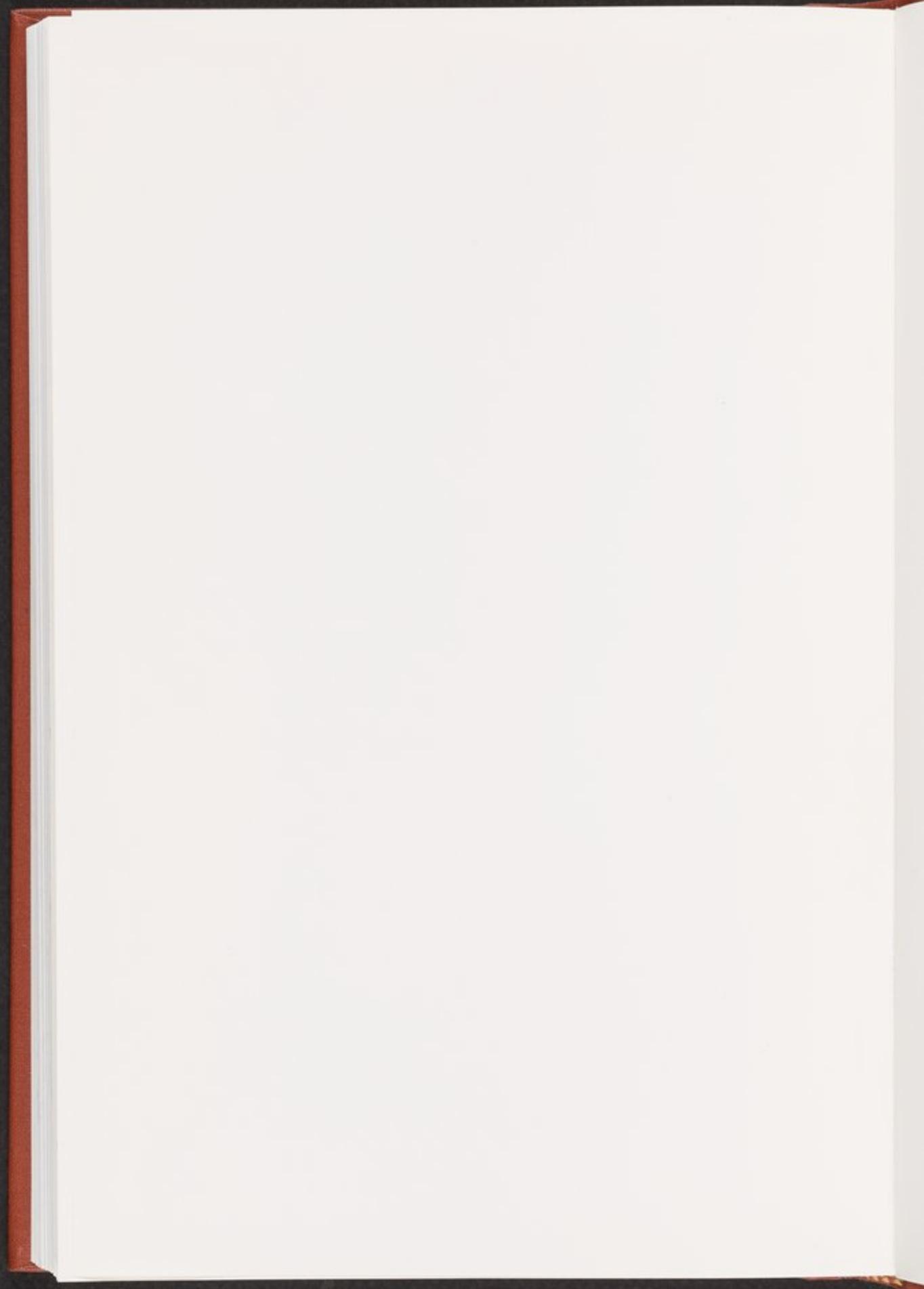
περάτης Λευκός οὐδὲ, γύρω  
μονοπρόστυχον Καταστά<sup>τη</sup>  
μητην κατεπιπλωταλγασ  
γόνον Κοτασιληνηκατασ  
αντοφυσηγραφησετηνηγο  
λεπτοπεπτηπραγματηνηγο  
κυττανησετηνηγο  
τηνηνηγονηνηγονηνηγο  
διαβοληνηνηγονηνηγο  
τηνηνηγονηνηγο

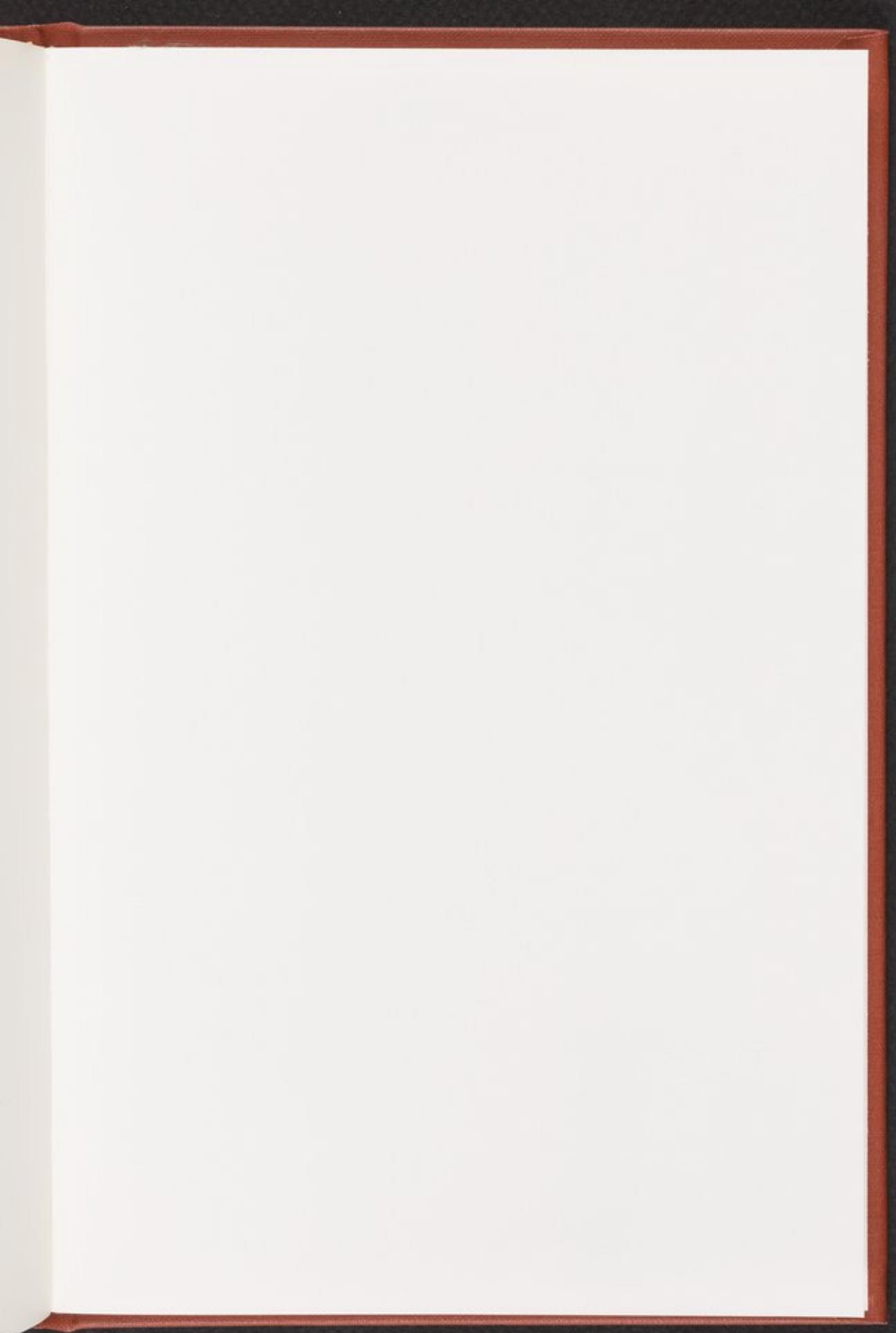














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