

P.J. SIJPESTEIJN

A LABOUR CONTRACT TO BUILD A BOAT

aus: Zeitschrift für Papyrologie und Epigraphik 111 (1996) 159–162

© Dr. Rudolf Habelt GmbH, Bonn

πρόκ[ειται] καὶ ἔπερω[τηθ(εῖς) ὠμολόγησα.]
traces of 1 more line

19 συντελείω[σις 28 εἰς

Translation (lines 9ff.):

- - - and I shall give each shipbuilder monthly one artaba of wheat and - - - each one monthly x choinix(-kes) of - - - each one will be given monthly one kotyle of good olive oil and - - - period one keramion and I acknowledge that I have received as an arrha x drachmas which will be spent in part for daily wages. Starting from the present month Hathyr of the present 1st year I shall start to work for you until a discharge of obligations in full is reached and I shall hand over the boat in acceptable and good condition without any technical blame while you will have the right of execution upon me and upon all my possessions. The lease is normative and in answer to the formal question I gave my consent. Year 1 of Emperor Caesar Gaius Messius Quintus Decius Trajanus Pius Felix Augustus, Hathyr 19. I, Aurelius Heras, son of Diogas, have taken upon me to build the afore mentioned boat and I have received as an arrha x drachmas and I shall provide pay each month and I shall hand the boat over as written above and in answer to the formal question I gave my consent. - - -

This heavily mutilated document (it is only complete at the left side; at the right side approximately 15 through 20 letters are missing; it is impossible to say how much is lacking at the top³ and at the bottom) contains a labour contract in the form of an offer, an ἐπιδοχή, to build a boat (*cf.* J. Hengstl, *Private Arbeitsverhältnisse freier Personen in den hellenistischen Papyri bis Diokletian*, Bonn 1972; A. Jördens, *Vertragliche Regelungen von Arbeiten im späten griechischsprachigen Ägypten*, Heidelberg 1990). No change of hand is visible. Aurelius Heras, son of Diogas (not known from an other document published to date), has undertaken to build a boat for a person whose name has been lost. He has received as an arrha an unknown number of drachmas which amount will be partially spent for the monthly wages of the different labourers he employs. It is not stated for what purpose(s) the remainder will be used: for other expenses or is it part of Heras' remuneration? Heras is, therefore, not an independent entrepreneur but somebody hired to supervise the shipbuilding, since he has the know how. No parallel for the text published here is known to me. Shipbuilding activities are, as is only natural in Egypt where the Nile is the busiest road of transport and where canals are abundant, regularly attested in the papyri.

The provenance of this text is not mentioned in its preserved part but the use of the word ἐπιδοχή in line 23 (*cf.* the supplement in line 26) points to the Oxyrhynchite nome (*cf.* J. Herrmann, *Studien zur Bodenpacht im Recht der gräco-ägyptischen Papyri*, Munich 1958, 12. 20. 41; H.J. Wolff, *Das Recht der griechischen Papyri Ägyptens*, Handb. d. Altertumsw. X.5.2, Munich 1978, 118f.; *WB* s.vv. ἐπιδέχομαι and ἐπιδοχή).

The present text was written on a piece of papyrus cut out of a larger papyrus which bore already another text written along the fibers (*cf.* **Appendix**).

Notes:

- 1-2) In view of line 2 it seems likely that line 1 still deals with the provisions (σοῦ μὲν παρέ-]χοντ(ος) ?) to be made by the future owner of the boat. In these lines (may be even continued up till and including line 4) is stated what each of the contracting parties has to provide for the building of the boat.
- 3) πηγου: either the adjective πηγοῦ or a compound with -πηγός. One naturally thinks of ναυ-]πηγοῦ (*cf.* lines 8 and 9).

³ The names (and descriptions) and the places of origin of the contracting parties as well as the offer to build the ship the seize of which was probably described and the wages that will have been paid to Heras are certainly missing.

- λεμβ[: undoubtedly a form of λέμβος which to date has in the papyri only occurred in *P.Cair.Zen.* I 59015, 14.19.28 and in *P.Petrie* II 20, 4.14 (for this text, cf. L. Casson, *BASP* 30, 1993, 87ff.). In the present case we are probably dealing with a cock-boat not with a fishing boat and certainly not with a fast-sailing galley.
- 4) This whole line is heavily mutilated! α. α.[: palaeographically the readings αερα. / αεια. / αυρα. are defensible. Lacking any context I am unable to choose.
Between *στηνη* in this line; *δώδεκα* in line 5; and *δὲ* in line 6 and the following words *spatia* have been left. Also elsewhere the scribe of the present papyrus leaves sometimes a space between words (cf. line 16: between *κατὰ* and *μέρος*; line 20: between *πλοῖον* and *εὐάρεσ(τον)*).
- 5) A reading and supplement *δῶ[ω κατὰ μήνα ἕκα-]* is not to be excluded.
- 5-6) *ἕκα-]ετω δὲ τῶν ε[*: may be we are dealing here with an other category of personel (*ἐ[ργατῶν* ?) than the *ναυπηγοῖ*. *δέ* supposes that *μέν* preceded.
- 7-8) For a combination of *μισθοὶ καὶ ἔκτακτα*, cf., e.g., *P.Oxy.* XXXIV 2721, 30-31; L 2595, 49.
- 9) The alpha at the beginning of this line could be the number 1 or the ending of a numeral (e.g., *ἑννέ-]α*).
- 10) In the lacuna another produce (e.g., *κριθῆς καθαράς*) was mentioned. It is noteworthy that other words were written between the produce and its measure. Cf. lines 13-14.
- 11-12) In the lacuna at the end of line 11 a number followed by, e.g., *καὶ ὁμοί]ωσ*.
- 12-13) Although not mentioned by A. Wittenburg (*ZPE* 38, 1980, 185ff.) nor by D. Brant Sandy, *The Production and Use of Vegetable Oils in Ptolemaic Egypt*, *BASP Supplement* 6, Atlanta 1989, *χρηστός* often qualifies olive-oil. Although this adjective also qualifies other produces (cf., e.g., for *γάρος*, H.J. Drexhage, *Münstersche Beiträge z. antiken Handelsgeschichte* XII, 1993, 40) it seems most likely that the labourers received also *ἔλαιον*.
- 13-14) Since one *ξέκτης* contains two *κοτύλαι*, it is unlikely that with *ξ* starts a form of *ξέκτης* and that we are dealing with a continuation of the preceding *κοτύλ(η) μία*. With *ξ* a new produce, depending on *κεράμιον ἔν* in line 14, probably starts. One could, e.g., think of: *ξ[(= produce) ὑπὲρ τοῦ ὄλου] χρόνου κεράμιον ἔν*.
- 15) For *arrha* (also in line 28), see R. Taubenschlag, *The Law of Greco-Roman Egypt in the Light of the Papyri*², Warszawa 1955, 408ff.; K. Erlemann, *Zeitschr. nt. Wiss.* 83, 1992, 202ff. "Arra was used as a preliminary not only to contracts of sale, but to other contracts also - -" F. Pringsheim, *The Greek Law of Sale*, Weimar 1950, 373.
- 16-17) *ἡ-]μερησίων μισθ(ῶν)*: we may assume that Heras made each day a survey of the number of labourers actually employed (cf. *P. Flor.* I 69, republished by L. Casson in *BASP* 27, 1990, 15ff.). Once a month he paid the cumulated wages out.
- 19) *μέχρις οὗ*: cf. F.Th. Gignac, *A Grammar* I, Milano 1976, 127f.
I found the word *συντελείωσις* in the papyri only in *P.Flor.* I 6, 17. May-be we should supplement a form of the verb *συντελείω* (which, however, occurs only in *P.Oxy.* LVI 3856, 4-5). It should be noted that no term within which the boat has to be finished is mentioned.
- 22) The scribe seems to have left *ἐκ* out in front of *τῶν [ὑπαρχόντων*.
- 24-25) For the imperial titulature, cf. P. Bureth, *Les Titulatures impériales*, *Papyrologica Bruxellensia* 2, Bruxelles 1964, 115.
Like in *P.Oxy.* XIV 1636, 39-41 *Τραϊανοῦ* and *Δεκίου* have been inverted.
- 25-26) *ἔπεδεξάμην τὴν κα-]τασκευὴν τοῦ προκειμ[ένου πλοίου*: although we could translate these words as "I have undertaken the fitting-out of the above mentioned boat" I assume that the building of a boat is meant. *πλοιοποιεῖν* would have been an unequivocal expression but this verb is not (yet) attested (cf. *πλοιοποιός* [*P. Beatty Panop.* 2, 272] and *πλοιοποιία* [*P. Beatty Panop.* 2, 16. 176. 271]).
- 28) The supplement of the lacuna at the end of this line is rather long but, e.g., *μισθ(ῶν)* may have been abbreviated (cf. line 17).
- 30) The traces underneath this line contained in all probability the statement of the person who wrote the present papyrus for Heras, since the latter was *ἀγράμματος*.

Appendix.

cf. Tafel Ib

traces

]ω εἰς λόγον ἐπιμε[λείας

] δι' Οὐλπίου Ἀπ[ολλωνίου

4 ἔσχον το[

] περὶ θυγ' ἰ() εἰς τὰς λοιπ[ὰς

] παιδίσκη εἰς τὰς τρ[

] ἐνεστῶτος ἔτους (δραχμαὶ) γ[

8]μανφ εἰς λόγον κηδεί[ας

ε]ἰς λόγον καλαρίων παιδαρ[ίων

] εἰς ἐπιμέλειαν ἀργ(υρίου) (δραχμαὶ) ιβ [

12]μαι Ἀπολ() Αὐρηλίωι [
]γ βϚ// (ἀρούραϑ) θ̄ ϑεσημ(είωμαι) (ἀρούραϑ) .[
 Ἄρ]ποκρατίωνι καὶ Ἄρτεμιδώ[ρω
 Νι]καστράτω [πα]ρὰ σοῦ ὑπ[έρ

3 Οὐλπίου: first ο *ex α* 14 ὑπ[έρ pap.

Of the text originally written on the papyrus and now incomplete at all sides, since it was cut up to receive the contract to build a boat on the other side, not enough has been preserved to make a full understanding possible. We seem to be dealing with an account.

Notes:

- 3) It is only an accident that in *P.Oxy.* XXIV 2415 (late IIIrd century), 83 an Οὐλπίος Ἀπολλώνιος under whom a vessel with a capacity of 1.150 artabas is sailing, occurs.
- 9) For *καλάριον*, cf. S. Daris, *Il lessico latino nel greco d'Egitto*², Barcelona 1991, 100. The fact that a salary is paid does not necessarily prove that the *παιδάρια* are free labourers (they could have been hired out). The *παιδίσκη* mentioned in line 6 can either be a slave girl or a free person (cf. J.A. Straus, *Scritti in onore di Orsolina Montevocchi*, Bologna 1981, 385ff.).
- 12) βϚ//: probably = “year 2” (cf. H.C. Youtie, *The Textual Criticism of Documentary Papyri. Prolegomena*², BICS Supplement 33, London 1974, 20, 20 note) = A.D. 244/45 or A.D. 238/39 (hardly earlier).

Fragment of a papyrus scroll with Greek text, showing approximately 25 lines of writing in a cursive hand. The text is partially obscured by a large tear in the center.

a)

Fragment of a papyrus scroll with Greek text, showing approximately 15 lines of writing in a cursive hand. The text is partially obscured by a large tear in the center.

b)