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NOTES ON OXYRHYNCHUS PAPYRI II

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POxy XIV 1689

In this land lease of 266 lines 37-42 run τῆς πράξειως οὔσης παρά τε τῶν [με]μικθωμένων ἀλληλεγγύων ὄντων | καθότι πρόκειται, περὶ ἧς ἐπερωτήσαντες ἀ[λλ]ήλους | ἑαυτοῖς ὁμολόγησαν. The scribe used a shortened version of the *praxis* clause, which is well attested, but s/he also inadvertently omitted the *kyria* clause; that is, we should understand: (κυρία ἢ μίθωσις,) περὶ ἧς κτλ. Cf. PKöln III 150.18f. (226/42), SB XII 11081.38 (261), POxy XVII 2109.50 (261), XIV 1694.32 (280), PMich XI 611.39f. (282), SB IV 7443.20f. (285), PErI 72.7 (IV).

POxy XVI 1965

Grenfell and Hunt offered an edition of the first 19 lines of this document, a lease of a third part of a house dated to 553, but gave no transcript of the fragmentary last 5 lines (their ‘6’ should be corrected to 5). This part of the text contains the details concerning the amount of the rent and its payment, said to be ‘1 solidus ἰδιωτικῶ ζυγῶ, payable half-yearly’. The phrase quoted is somewhat ambiguous, and the rent was taken to amount to ‘1 Solidus/6 Monate, d. h. 2 Solidi/Jahr’ (*Tyche* 3 (1988) 275). I present below an edition of lines 16-24, and append a translation and notes.

- 16 τῆς αὐτῆς [± 7 ἀκολουθῶς γαμικ[οῖς] συμβολαίοις μετὰ πάντων
τῶν ἐν αὐτῇ ± 15 ἐπιπέδων τε καὶ ἀναγαίων
καὶ κατα[γαίων καὶ αὐλῆς καὶ φρέατος καὶ] πάσης τῆς καθόλου
αὐτῆ[ς περιοχῆς σωματικῶ τε καὶ ἀσωμά]του, καὶ τελέσω τῇ ἡμῶν
20 [αἰδεσιμότητι ὑπὲρ ἐνοικίου τούτου ἐνια]υσίως χρυσοῦ νόμισμα ἐν
[ἰδιωτικῶ ζυγῶ νομιτευόμενον, γί(νεται)] χρ(υσοῦ) νόμισμα α ἰδ(ιωτικῶ) ζυγ(ῶ), ὅπερ
[ἐνοίκιον ἀποδώσω κατ’ ἔτος δι’ ἕξαμήνου] τὸ ἡμισυ, καὶ ὁπόταν
[βουληθεῖ ἡ ἡμῶν αἰδεσιμότης ὁμολογῶ] τὴν νομὴν τοῦ αὐτοῦ τρίτου
24 [μέρους ἄτρωτον ἀβλαβῆ ὡς καὶ παρέ]λαβον παραδοῦναι ἡμῖν

‘... in accordance with marriage contracts, along with all the ... in it ... on the surface and above the earth and under the earth, and the courtyard and well and whatever else it comprises in terms of corporal, as well as incorporeal law, and I shall pay to your worship as rent for this annually one gold solidus by the private standard in current coinage, total 1 gold solidus by the private standard, which rent I shall pay each year, one half every six months; and whenever your worship may wish I acknowledge to return to you the possession of the same third part without impairment (or) damage, in the condition in which I received it.’

- 16 γαμικ[οῖς] was hesitantly suggested by Grenfell and Hunt, but I think it probable; cf. POxy XVI 1887.8 (538), CPR I 30.fr2.49, 51, 53 (VI). G. & H. also report on ‘a blank space as in l. 8. presumably followed αὐτῆς’.
- 17 I do not see how to restore the lacuna convincingly. Ed. pr. has δικαίων παντοίων ? οἰκοπέδων. For what follows, PSI VI 709 (Oxy.; 566) offers a similar construction: μετὰ πάντων τῶν ἐν αὐτῇ τόπων | ἐπιπέδ(ων) ὄντων καὶ ἀναγαίων (ll. 16-17). For the terms ἐπίπεδα and ἀνάγια, see G. Husson, *OIKIA. Le vocabulaire de la maison privée en Égypte d’après les papyrus grecs* (1983) 81-2 and 40 respectively.
- 18-19 The restorations are after PSI VI 709.17-19.
- 18 κατάγια. See Husson, op. cit. 131-3.
- 19 περιοχῆς. For the term, see F. Preisigke, *WB* s.v. 2 ‘Besitzinhalt, Zubehör’; Husson, op. cit. 293. σωματικῶ τε καὶ ἀσωμά]του. For this phrase, equivalent to *ius corporalis sive incorporalis* (‘wo offenbar δικαίου hinzuzudenken ist’), see H. J. Wolff, *ZRG* 91 (1974) 79-80 and n. 91 (= BL VII 236).

* Cf. *ZPE* 126 (1999) 211-12. Digitised images of most of the items discussed here will be available shortly on the homepage of *The Oxyrhynchus Papyri* at <http://www.csad.ox.ac.uk/POxy>.

- 20 It is not certain whether the restored *τούτου* actually stood in the text.
- 24 For the restoration, cf. PSI VI 709.24-5. The text would have continued with the last clause of the contract proper (*kyria* clause), the subscription of the lessee, and the notarial signature. *παρέ]λαβον*. Several other texts have *παρείληφα* at this point. *παρέλαβον* is an example of the ‘perfective aorist’, see B. G. Mandilaras, *The Verb in the Greek Non-Literary Papyri* (1973) §§ 335-40.

POxy LVI 3864 & PHaun II 25

The two papyri contain private letters. PHaun II 25 was assigned to the fourth/fifth century, POxy LVI 3864 was placed in the fifth. It seems to have been unnoticed that the two letters have the same senders and recipients: Apammon writes to Dorotheos. The hand, the choice of certain conventional epistolary phrases, the idiosyncratic use of the double oblique dash, and the erratic grammar are likewise the same. It is likely that the two letters lay close to each other in the same rubbish dump of Bahnasa until the beginning of the present century. It is possible that the Copenhagen papyrus was left behind following Grenfell and Hunt’s third excavation season, and was picked up later, in one of the several, mostly clandestine, digs that were to follow.¹ But it may also be that one (or more) of the workers employed by the British retained some of the findings; such examples are well known.²

A comparison of the contents of the two letters allows some textual gains to be made:

In POxy 3864.4 the name of the sender appears in the edition as *απα[...]*νι. On the basis of PHaun 25.4 we may restore *Ἀπ[μμω]ν{ι}*.

PHaun 25.19f. *run ἀπάζομαι πάντα* ἐν τῇ οἰκίᾳ// *κατ’ ὄνομα*. Comparison with POxy 3864.35f. *πολλά σου προκαγορεύω* | *ἡμᾶ[ς κατ’ ὄνομα ἐν τῇ οἰκίᾳ σου]* indicates that in PHaun 25.19 we should restore [*προκαγορεύω ἡμᾶς*].

The address of PHaun 25 (line 21) was read as () *Δωροθέου παρὰ//* | *Ἀπάμμωνος †* (‘the symbol before *Δωροθέου* must stand for *ἀπόδος*’). This raises the suspicion that there survives more of the address on the back of POxy 3864 than the *ἀπόδος* printed in the edition. Examination of the original reveals that there are several scattered ink traces after *ἀπόδος*, but abrasion is severe, and no text can be confirmed.

POxy LVIII 3934 & PLaur IV 170

Both documents are addressed to a certain Anastasius, who is given the title *θαυμασιώτατος*. POxy 3934 is a lease, probably of city property, dated to 588. PLaur 170 has been assigned to 591-602, cf. POxy LVIII p. 60; its docket describes it as *γρ(αμματεῖον)*. These two papyri may also have once lain close to each other in the same rubbish dump of Oxyrhynchus.

POxy LXIII 4397

In this document of 545 there appears one *Φλάουῖος Φιλόξενος λαμπρ(ότατος)* [*υῖος τοῦ τῆς μακα]-*
ρ[ία]ς μνήμης Ἰσίωνος γενομένο[υ] | *πρεσβυτέρου τοῦ εὐαγοῦς κλήρου ταύτης τῆς Ὀξυρ[υχ]ιτῶν*
(lines 234-5). The expression *μακαρίας μνήμης* is mainly used with deceased laypeople. With a priest we would expect *εὐλαβοῦς μνήμης*, and in effect it is this collocation that is used in two other texts featuring Philoxenus and his deceased father Ision, viz. PBad VI 172.4 (547), and PSI I 77.4 (551, cf. BL VII 232); the latter text offers a formulation very close to POxy 4397, where we should read *εὐ-λα]β[οῦ]ς*. Examination of the original shows that this is a possible reading.

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¹ The ‘Papyri Haunienses’ were acquired on the antiquities market. The main bulk was bought in Egypt in 1922 ‘a papyropolis indigenis’, see PHaun I p. 7.

² Cf. POxy XV p. 27; W. Brashear, A. Jones, *ZPE* 125 (1999) 206.