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APPLICATION FOR A LEASE OF VINEYARD IRRIGATION

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APPLICATION FOR A LEASE OF VINEYARD IRRIGATION

<i>P.Col.</i> X 284 +	19.8cm w X 13.1cm	1 Jan-29 Aug
<i>P.Heid.</i> V 343	a = 19.5 cm X 7.5cm	311 C.E.
	b = 3.5 cm X 5cm	Oxyrhynchus
	c = 4.3 cm X 2.5 cm	

While preparing *P.Col.* X 284 for publication, I realized that it is a large portion of a copy of the fragmentary lease application recently published as *P.Heid.* V 344.¹ Dieter Hagedorn subsequently recognized that a smaller portion of the Columbia copy is published as *P.Heid.* V 343. Sufficient new information is supplied by *P.Col.* X 284 that a complete re-edition of *P.Heid.* V 344 is warranted. I will first give a general introduction, then the full text, translation and commentary of *P.Col.* X 284, and conclude with a reedition of *P.Heid.* V 344 followed by brief comments pointing out divergences from the *editio princeps*. Many lacunae in one can be restored on the basis of the extant parallel portion of the other, and in each edition portions of text restored in this fashion are placed in lower half brackets.

Documents were written in duplicate for various reasons, a discussion of which is not appropriate here. While we reserve comment on the practice for a future study, it is worth noting that double and/or multiple copies of contracts are often referred to and sometimes preserved together (even uncut),² and duplicates preserved separately are rarer.³

I. INTRODUCTION

In *P.Col.* X 284, which is a combination of *P.Col.* inv. 41 and *P.Heid.* V 343, there are five vertical folds, with the first fold virtually the left edge, which result in five panels of writing. The largest fragment of *P.Heid.* V 343 preserves lines 18-22, and the two smaller fragments fit lacunae in the beginnings of lines 10-13. The surface of the papyrus in both pieces has suffered badly throughout from abrasion and the folding. The hand of *P.Heid.* V 344, the second copy of the document, is much faster and less stylized than *P.Col.* X 284 (see notes to lines 3 and 16). The writing is along the fibers and the back is blank.

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

¹ I wish to thank especially Roger Bagnall, Dirk Obbink, Dieter Hagedorn and Andrea Jördens for their comments and suggestions. *P.Col.* X 284 is part of the Papyrology Collection of the Rare Book and Manuscript Library of Columbia University, and is published with its permission.

² Seven examples of duplicate copies of a single Oxyrhynchite document written on one sheet are cited in my publication of *P.Col.* inv. 166 in *BASP* 27 (1990) p. 95. There are many additional examples among the documentary papyri of duplicate copies of a single document either written on one sheet, somehow joined together in antiquity (see *P.Oxy.* L 3574 intr. [314-18]), or found rolled together.

³ There are many other examples of duplicates of a document from the Roman period, now preserved separately. For instance, in the Heidelberg collection, in addition to the duplicate discussed herein, see *P.Heid.* IV 324 (Hermopolis, 247) and *P.Amh.* II 81, or *P.Heid.* IV 342 (Hermopolis, 63) and *P.Ryl.* II 101a and c.

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 24-25 cm wide.

The papyrus contains in ll. 1-14 a lease of labor in a vineyard by three lessors, a μίσθωσις τῶν ἔργων, or *locatio conductio operarum*, "contract for labors," and in ll. 15-17 *locatio conductio rei*, a standard property lease. The one lessor previously known is Techosous, also called Eudaimonis, the daughter of Didymus who appears with alias and/or patronymic in two other documents, *P.Oxy.* XLV 3246 (296-298) and LIV 3741 other side (313). This category of contract, in which a μισθός "wage" is paid, is admirably elucidated by Jördens in *P.Heid.* V from which this study has greatly benefited and to which the reader is referred. As Jördens shows, the two labors most commonly specified in these contracts are irrigation or vineyard operations, and in fact *P.Col.* X 284 is a combination of those two in that it concerns irrigation in a vineyard.

There are only six other papyri of 311 C.E. with this consular formula; see Bagnall/Worp *Chronological Systems* (Zutphen, 1978) pp. 3 and 106. There is no extant evidence for post-consulate use of the formula; see *CLRE* (Atlanta, 1987) p. 626. Among these six documents, the latest month in which the consular formula with both names appears is July day unknown, SB VI 9214 (Oxyrhynchus). For other documents from this year which do not have the consular formula but a regnal date instead see Bagnall/Worp *Regnal Formulas* (Missoula, 1979) pp. 34-35. The date of the latest of these documents which may include Galerius is August 18, *P.Princ.Roll* [see Bagnall/Worp *Archiv* 30 (1984) 53-82] 1.5 (Philadelphia, August 18), 1.10 (Philadelphia, August 18). Thus Mesore is the last month in which Galerius appears in either a consular or regnal formula. There is a group of papyri which attest Maximinus as single consul for the year 311; see *RFBE* (Missoula, 1979) pp. 34-35, and cf. *CLRE* (Atlanta, 1987) p. 157. The earliest document which attests a single consul for 311 is *P.Corn.* 13, July 12.

A peculiarity in this papyrus is the abruptness of its introduction. In an application for a lease such as *P.Col.* X 284 the common form of address is to place the lessor(s) in the dative followed by their patronymic, credentials and place of residence, and then the lessee's name in the genitive after παρὰ, followed by patronymic, place of residence, and sometimes with the occupation (especially if the lessee is a man, e.g., *P.Oxy.* L 3595-97, LI 3639) but very often without (e.g., *P.Oxy.* XXXIII 2676, XLIV 3203, XLV 3255-3258, XLVI 3263, 3270, XLVII 3354, 3368, XLVIII 3386, LV 3803). There are very few examples of applications for or leases of agricultural property or labors therein in which only the names of the parties are given, either man or woman, and nearly all the rest of their respective addresses are omitted, e.g. *P.Oxy.* XXXIII 2676 (151) and *P.Oxy.* L 3595 (243) which is especially relevant because it also has multiple women lessors.

Other Oxyrhynchite applications for vineyard leases or leases of labor in a vineyard, or leases thereof, include (arranged chronologically): *P.Oxy.* IV 729 (137), *P.Ross. Georg.* II 19 (141), *P.Oxy.* XIV 1692 (188), *P.Harris* I 137 (second century), *P.Oxy.* XLVII 3354 (257), *P.Col.* X 281 (269-277), *P.Oxy.* XIV 1631 (280), *P.Laur.* IV 166 (289/90), [perhaps *P.Stras.* VI 539 (290/1)], *PSI* XIII 1338 (299), *P.Rob.inv.* 7 (third century) [*BASP* 25 (1988) 114-118], *P.Oxy.* LV 3803 (411), L 3582 (442).

II. TEXT

cf. Tafel V

-
- 1 [ὑπατείας τῶ]ιν δεσποτῶν₁ ἡμῶν Γαλερίου Οὐαλερίου Μαξιμιανοῦ σεβαστοῦ τὸ η καὶ
Γαλερίου Οὐαλερίου Μαξι[μ]ί[νο]υ
1σεβαστοῦ τὸ β.₁ [Ἀύ]ρηλίαις Τεχωσ[οῦ]τι τῆ καὶ Εὐδαιμονίδ(ι) καὶ Εὐδαιμον[ί]δι τῆ
καὶ Ὀριγενίη καὶ ... [.....]

- 1π(αρά) Αύρηλίου Παρεί(ιος) Πιάυλου μη(τρὸς) Θαῖσοῦτος ἀπὸ ἐποικίου ὑμῶν περὶ
 τὸ Δωσιθέου Πετροκ καλουμέν[ο]υ
 ἐκουσίως ἐπιδέχομαι [μι]σθώσασθαι ἐπὶ χρ[ό]νον ἔτη δύο ἀπὸ νευμηνίας τοῦ Ἀτῆρ
 μη(νὸς) τοῦ ἰσιό[ν]τος κ (ἔτους) καὶ η (ἔτους) 1τ1ὰ
 5 ἰδροπαροχικ[ἄ ἔργ]α πάντα ἀπὸ το[ῦ] ὑπάρχοντος ὑμῖν ἀμπελικοῦ κτήματος Πετροκ
 καλουμένου τρίτου
 [μέρους ὅ] ἐστὶν ἄρ[ο]υρα Ἀποφύτ[ος ὄλ]οκ[λ]ήρ[ο]υ μερίδος ὅσου ἐστὶν ἀρουδηροῦ,
 οὔσπερ ποτισμοὺς ποιήσομαι
 [24c] [μη]χανικῶν ὀργάνων εὐκαίρως καὶ εὐαρέστως τῶν ὑμῶν
 [ἐπακ]ολουθῶν-
 [των ἅπασι καὶ ἐπά]ιναγκαν ποι[ή]σομαι τὰ 1κα1τὰ καιρὸν ἔργα πάντα τῶν ὑδρο-
 πιαροχικῶν καὶ ἰχωματισμῶν καὶ
 [19c] ὧν [12c] αὶ τὸ αἰροῦν μοι μέρος το[ῦ] οἴνου καθ' ὁμοιό-
 τητα τῶν συνμισ-
 10 ἰθιωτῶν ἔτι τε καὶ ἔχειν με τὸ ἐπιβάλλον μοι μέρος τῆς καρπωνίας [τῶν φοιν]ίκων καὶ
 φυτῶν 1καὶ ἐπι1
 [...]τελοῦντα πάντα τὰ προ[δ]η[λο]ύμενα καὶ τὰ ἔκτακτα ἐπὶ τε τῆς ὀγδ[ό]ης καὶ] εἰκά-
 δος τοῦ Φαρμο[ῦ]θι καὶ τῆς
 [τ]ρύγης καὶ ἔσχον ἰὲν προχρείας βόας1 νειοιτέ[ρο]υς δύο καὶ ἦς δ' ἂν μεταλάβω
 προχρείας ἐν ἐκτάκ[τω 7c]
 [7c] καὶ ποιή[σομαι τὰ κατὰ καιρὸν ἔργ]α πάντα καὶ τὰ ἄλλα τὰ συνήθη
 εἰσι[...] νεκα . α . αν . εν τ
 [20c] καὶ ἐπιδέχομαι] μισθώσασθαι ἐπὶ ταυτὰ ἔτη δύο ἀπὸ τοῦ αὐ[τοῦ]
 ἰσειόντος
 15 [κ (ἔτους) καὶ η (ἔτους) 26c] γεωργουμένων (ἐν) τῷ χωρίῳ καὶ
 τῶν ἐν τῷ ν
 [32c] ὀλόκληρον παρὰ τῷ προκειμένῳ Ἀποφύτ[ι] ὧν
 γεωργήσει
 [ἀκίνδυνα πάντα παντὸς κινδύνου. β]αίβαιωμένης δέ μοι τῆς ἐπιδοχῆς ἐπάναγκες
 ἐπιτελέσω
 [τὰ ἔργα πάντα τῷ δέοντι] καὶ τ[ὸ]ν πο[τις]μὸν καὶ τὰ ἄλλα εὐκαίρως καὶ ἐπὶ τέλει τοῦ
 [χρ]όνου[ν] πα[ρα]δώσω]
 [τὸ ἀμπελικὸν κτήμα ἐπι]μεμελημένην τοῖς ποτισμοῖς καὶ τὰ φυτὰ ζωγονοῦντα [καὶ]
 εὐθαλοῦντα.]
 20 [γινομένη]ς ὑμῖν τῆ[ς] πράξεως παρὰ τε ἡμῶν καὶ ἐκ τῶν ὑπαρχόντων μοι πάντων.
 [κυρία ἢ ἐπιδοχὴ καὶ ἐπ]ε[ρ]ω[τη]θεὶς ὡμολόγησα. ὑπατε[ί]ας τῆς προκειμένης μη(νὸς)
 Μεσορῆ ἐπαγ(ομένων) .
 [Αύ(ρηλία) ἔσχον τούτ]ου τὸ ἴσον. (2h.) Αὐρή(λιος) Σερῆνος καὶ ὡς χρ(ηματίζω)
 ἔγραψα ὑπὲρ αὐτῆς γρ(άμματα) μῆ εἰ[δυ]ίης.]

1 pap: ης 2 pap: Εὐδαίμωνι^δ, read: Ὠριγενία 3 pap: μης 4 read: νεομηνίας, read: Ἀθῶρ, pap: μς, read: εἰσιόντος, pap: κς ης 6 read: ἀρουρηδοῦ 8 read: ἐπάναγκον 12 read: νεωτέρους 14 read: εἰσιόντος 17 read: βεβαίουμένης 20 ἡμῶν for ἐμοῦ 21 read: προκειμένης, pap. μς, επαγ' 22 pap: αὐρη', χρ'

Translation

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 Pareitis son of Paulos, mother Thaesous, 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 Hathur 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 irrigations I will 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 other 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 (12) at the 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 same 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; (17-22) everthing guaranteed against any risk. When this undertaking is secured to me I will of necessity accomplish all the operations at their proper time, and the irrigation and everything 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, and you have the right of execution against me and against all my property. The undertaking is valid and after having been formally questioned I have agreed. In the aforesaid consulship, Mesore epagomenal day __. I, Aurelius Serenus and however I am styled wrote on her behalf since she is illiterate.

Notes

- 1 For the reconstruction ὑπατείας τῶν δεσποτῶν see D. Hagedorn and K.A. Worp "Von κύριος zu δεσπότης. Eine Bemerkung zur Kaisertitulatur im 3./4. Jhdt.," *ZPE* 39 (1980) 165-177. They show that after 307/8 C.E. the consular titlature changed to the form used here.
- 2 In addition to those mentioned in the introduction, the only other occurrences of the name Techosous are: *P.Fouad.* 36.4, 20 (*Oxy.*, 167), *P.Oxy.* IV 809 descr. (98-117), X 1284.13 (250), XLIX 3503.4 (first century) and *SB VIII* 9869b.16 (Hermopolite nome, 160), XVI 12950.9, 23 (Arsinoite nome, 230/231).⁴
A woman Ὠριγένεια (gen. Ὠριγενίης) is attested in *SB X* 10537.10 (provenance unknown, 214-215) and *P.Oxy.* XII 1475.10 (267).
- 3 For the name Παρεΐτις see the comment in *P.Heid.* V 344 introduction.

⁴ Youtie's comment in *ZPE* 36 (1979) 71 that the name only occurs in the Oxyrhynchite and Hermopolite nomes has now been nullified by this last reference.

The scribe wrote the abbreviation of μητρός rapidly and with too many strokes. Further, the scribe used both a sinusoidal curve and a stylized eta to abbreviate μητρός; the standard abbreviation is simply the stylized eta. Cf. note on line 4, μη(νός).

The village of Dositheou was in the eighth pagus (see *P.Oxy.* LV 3795), the former lower toparchy, Pruneti *I centri abitati dell' Ossirinichite* (Firenze, 1981) pp. 43, 237.

The epoikion of Petrok() 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) Petrok() appears in a receipt for military clothing of the eighth pagus. The epoikion Petrok() or Petrob() appears in *P.Oxy.* XII 1448.11 (ca. 318). There is no visible abbreviation mark either here or in line 5, though the surface in both lines is badly damaged and thus could have originally had such a mark. The name may be a hellenized form of an Egyptian word or name. Perhaps originally the epoikion was the property of an Egyptian with the name of Petrok(), was subsequently sold, but retained the original identification; for this practice vis à vis κλήρος see Rowlandson, *Landholding in the Oxyrhynchite Nome*, 30 BC-c300 AD (diss., Oxford, 1983) pp. 42-46,⁵ and F. Zucker, "Beobachtungen zu den permanenten Klerosnamen," pp. 101-06 in *Festschrift Oertel: Studien zur Papyrologie und antiken Wirtschaftsgeschichte*, ed. H. Braunert (Bonn, 1964).

3-4 On the phrase ἐκουσίως ἐπιδέχομαι μισθώσασθαι see *P.Oxy.* XLIV 3203.8-9n. (400); add now to the bibliography there, H. Müller, *Untersuchungen zur ΜΙΣΘΩΣΙΣ von Gebäuden im Recht der gräko-ägyptischen Papyri*, Erlanger juristische Abhandlungen 33 (Köln, 1985) p. 54.

4 The scribe uses a double abbreviation of μη(νός); cf. note on line 3 μητρός.

See Gignac I pp. 300-301 on the interchange of υ for ο as in νεομηνίας; pp. 262-64 on the interchange of η for υ as in Ἀτήρ, both in accented and unaccented syllables; pp. 86-96 on the interchange of τ for θ as in Ἀτήρ; and pp. 189-190 on the interchange of ι for ει as in ἰσιόντος. The phrase ἀπὸ νεομηνίας τοῦ Ἀτῦρ μη(νός) is abbreviated in *P.Heid.* V 344.5 ἀπὸ ᾧ τοῦ ὄντος Ἀτῦρ μη(νός) which parallels the use of a numeral for "the first of ..." in two other Oxyrhynchite vineyard labor contracts *P.Oxy.* XIV 1631.9 (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 Bagnall/Worp, *Regnal Formulas* pp. 34-35). The first regnal year must be 20 (see introduction) 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 formulas with as few as two dates are post-consulate. We expect four or five numbers here because as indicated in the introduction 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 ζ or a δ and there is not room for a καὶ between the eta and the final character of the line. This is confirmed by *P.Heid.* V 344.6.

5 For a list of papyri which concern ὑδροπαροχισμός see *P.Heid.* V 344.6n.

The definitive study of ἀμπελικὸν κτῆμα is Rathbone *Economic Rationalism and Rural Society in third-century A.D. Egypt* (Cambridge, 1991), especially pp. 33-36. Even though his study concerns the Arsinoite nome, the wealth of information is applicable across geographical boundaries. In *P.Col.* X 284 the piece of property being leased, Πετροκ καλουμένου "called by the name Petrok," is referred to as both ἐποίκιον (l. 3) and κτῆμα (l. 5). As

⁵ Forthcoming in book form from Oxford University Press.

far as we have determined this is the earliest instance⁶ of a named property identified by two terms in the same lease.⁷

- 6 The Egyptian name Apphous is a not uncommon name in the Oxyrhynchite nome during the period of this papyrus, i.e. *P.Laur.* IV 162 (354) *P.Oxy.* I 43.v.1.11, 4.17 (295), VII 1048.15 (fourth or fifth century), XIV 1752.3 (379; *BL* 8.249), XXXIII 2675.18 (318), XLII 3079.3, 8 (fourth century), LIV 3727.5 (303), LVII 3914.24 (519), and LIX 3993.22, 49 (ca. 200). The name does occur in a few documents whose provenance is not secure, but it does not occur in any documents from other provenances. This Apphous, who is also mentioned in line 16, appears to be the lessee of the land which Pareitis is to irrigate. This raises an interesting question, the answer to which still eludes me: why is the contract drawn up between Pareitis and the lessors and not between Pareitis and Apphous?

The reading ὀλ]οκ[λ]ήρ[ο]υ was suggested by A. Jördens in a private communication.

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 *P.Col.* VIII 239.2, 3 (*Oxy.*, fourth century).⁸

Concerning the phrase ὅσου ἐστὶν ἀρουρηδοῦ see *P.Heid.* V 344.8n.

- 7 The reading of μηχανικῶν ὀργάνων is secure and thus represents its earliest attestation in the papyri. There are many occurrences of μηχανικὰ ὄργανα but they all originate from the period between 469 C.E. and the seventh century. Further, in each of those occurrences the papyrus refers to the replacement of an axle or other part of the machinery in order to return the irrigation equipment to satisfactory condition.

The phrase τῶν σῶν ἐπακολουθούτων ἅπανσι (τοῖς ἔργοις) is found in two of the other Oxyrhynchite vineyard leases, *P.Oxy.* XIV 1631.29-30 (280) and XLVII 3354.38 (257).

- 8 In ἐπάναγκον, for the interchange of a for o see Gignac I p. 287, and *P.NYU* I 22.9 (Karanis, 329) ἐπάναγκαν.

- 8-9 The exiguous traces between τῶν and καὶ appear to be compatible with ὑδροπαροχικῶν. Due to the poor condition of the surface I can not suggest with any degree of certainty the rest of the phrase. In *P.Heid.* V 344 that phrase appears in line 11 preceded by χωματισμῶν and then the large lacuna at the end of line 10. The sense of it must be a list of the labors involved in the proper irrigation of the vineyard. Thus a possible restoration may be, ὑδροπαροχικῶν καὶ χωματισμῶν καὶ ποτισμῶν καὶ διωρύγων, suggested by two other labors of ποτισμῶν καὶ

⁶ There are several examples from the sixth century accounts from the Apion estates in which different kinds of property, κτήμα, ἐποίκιον bear identical names.

⁷ In *P.Oxy.* LVII 3914 (519), we read in lines 5-6 ἐποικ[ί]ων Νεοφύτο[υ] καὶ Ἀνουσίας "the hamlets of Neophytu and Anusias," and in line 8 τῶν εἰρημένων κτημάτων "the same holdings." The note to line 6 points out that "Νεοφύτου is attested as the name of either an ἐποίκιον, a κτήμα, or a χωρίον in several texts from the Oxyrhynchite nome ... see P. Pruneti, *I centri abitati* 116." We stress here that while the precise identification of Neophytu as one kind of agricultural property as opposed to another may be unclear, the multiple identifications are not in one lease.

⁸ Les grandes domaines, la cité et l'état en Égypte byzantine," *Travaux et Mémoires* 9 (1985) 1-90, pp. 41-44. See also Gascou, "La détention collégiale de l'autorité pagarchique dans l'Égypte," *Byzantion* 42 (1972) 60-72, p. 63, and I. Fikhman, "Quelques données sur la genèse de la grande propriété foncière à Oxyrhynchus," pp. 784-90 in *Le monde grec: Hommages à Claire Préaux* ed. J. Bingen et al. (Brussels, 1975).

διωρύγων found in parallels, e.g. *SB* VI 9269.17 (Arsinoite nome, 304; *BL* 8.342), *P.Cair. Isid.* 98.13 (Karanis, 291 or 292).

9-10 The phrase καὶ τῶν συνμισθωτῶν ἔτι τε καὶ ἔχειν με is extant in *P.Heid.* V 344.12. The sense of the phrase is that Pareitis should be awarded the same quantity of wine for the third part of the vineyard that he works (ll. 5-6) as the other laborers employed for the rest of the vineyard.

10 The phrase]ωτῶν ἔτι τε καὶ ε[is read in line 1 of the lower right fragment in *P.Heid.* V 343, and ἐπιβάλλον μοι μ[is read in line 1 of the upper right fragment in *P.Heid.* V 343.

Concerning the term καρπωνίας in the papyri see especially A. Jördens discussion in *P.Heid.* V 355-61; cf. D. Rathbone's discussion of the duties of the karponai on the large estates in the Fayum, *Economic Rationalism* (Cambridge, 1991) pp. 193-195, J. Keenan "On Village and Polis in Byzantine Egypt", *Proceedings of the XVIth International Congress* (Chico, 1981) pp. 479-85, and R.S. Bagnall "Sales on Delivery," *GRBS* 18 (1977) 85-96.

11 The phrase ἐπι[...]τελοῦντα πάντα τὰ προ[is extant 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 *P.Col.* X 284.11. The combination of a form of ἐκτελοῦντα and a form of δηλούμενα (or προγεγραμμένα) referring to carrying out previously mentioned instructions or duties occurs in *P.Mich.* II 121.4.vii (Tebtunis, 42) and *P.Oxy.* VI 972.16 (223); and the phrase without a form of δηλούμενα (or προγεγραμμένα) but similarly referring to instructions or duties, occurs in *P.Oxy.* XII 1426.15 (332), XXXI 2586.16 (264; *BL* 6.110), XXXVIII 2875.13 (third century), XLVII 3344.32 (207).

For τὰ ἔκτακτα "extra payments in kind" see the note to *P.Oxy.* XLVIII 3406.5-6 (fourth century).

The reference is to Pharmuthi 28 of the coming year, that is, 23 April 312.

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 προχρείας are compatible with a nu and less likely with a kappa and thus I read ἐν rather than ἐκ. The interchange of the genitive for the dative is not uncommon in the Roman period; e.g., προχρείας for προχρεία, in *P.Hamb.* I 39.4.5, 14 and passim (179), *P.Michael.* 43.19 (Aphrodito, 526).

νεοτέρους δ[is read in line three 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 are visible on the fragment.⁹ This is the earliest use of the term προχρεία with reference to βόες that I have uncovered; it is extant in later documents *P.Mich.* XIII 666.28 (Aphrodito, sixth century), *PSI* X 1122.21, 36 (provenance unknown, sixth century), and *SB* XVI 12481.16 (Arsinoite nome, 668).

The alpha in the reading ἦς δ' ἄν resembles the first one in πάντα (l. 5) or the one in ὀργάνων (l. 7).

The characters restored in the small lacuna -αβω προ- are extant in *P.Heid.* V 344.15.

The sense of the end of line 12 must be, "All the things I receive in advance are to be charged to my account."

13 The traces of letters of the phrase καὶ ποιή[σομαι are read in line 4 of the lower right fragment in *P.Heid.* V 343.

⁹ I wish to thank John Rea and Revel Coles for the reading of this difficult line.

Perhaps we should look for some variation of one common third/fourth century use of the adjective συνήθης, namely in reference to accounts, receipts, monthly reports or summaries; e. g., *P.Cair.Preis.* 16.8 (provenance unknown, fourth century), 17.10 (provenance unknown, fourth century), *P.Oxy.* XXXVI 2769.15 (242), XLIII 3092.8 (217), *P.Panop.Beatty* 2.1.11, 2.42, 3.60, 11.297 (300).

- 14 The *locatio conductio* operarum ends and what follows is *locatio conductio rei*, that is, a standard lease of land.

The phrase ἐπὶ ταὐτὰ ἔτη δύο refers to "the same two years" as in line 4 above. See Gignac I pp. 189-190 for the interchange of ι for ει and pp. 190-191 for the interchange of ει for ι as in ἰσειόντος.

- 15 The occurrence of the dative following the genitive participle without a preposition is problematic. So ἐν was probably omitted by the scribe, and the construed as "cultivating in the lots and the ..." The exiguous traces after the second ἐν τῷ could be compatible with nu or less likely pi. The horizontal stroke of ink at the end of the line is surely from a final sigma, though what precedes it eludes me; without fully understanding the sentence or syntax I resist further restoration.

- 16 The last four characters of the name, Ἀφουτ, the same person mentioned in line 6, are very clear.

The phrase ending with ὀλόκληρον does not exhibit ideal word order (cf. *P.Oxy.* XLV 3255.16-17 (315)), but for ὀλόκληρος 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 (Hermopolis, 439), *P.Lond.* V 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.

- 17 From many parallels in leases and application for leases of either vineyards or other agricultural lands there are three clauses immediately preceding the βεβαίω-phrase. First, when crop land is included in the lease, and even sometimes when the produce is wine [*P.Laur.* IV 166 (289/90), *P.Oxy.* XLVII 3354.35 (257)], the phrase γεούχων ... ὃν καὶ κυριεύειν τῶν καρπῶν ἕως τὰ ὀφειλόμενα ἀπολάβης defines control over the produce. Second, the phrase τῶν δημοσίων ὄντων πρὸς ὑμᾶς τοὺς γεούχους defines responsibility for tax liability. Third, in all the leases for which we have this portion extant, there is always an ἀκίνδυνα-clause. The order of these phrases is ἀκίνδυνα ... δημοσίων ... κυριεύειν, though they do not all three occur in every lease. However, when more than one of them do occur in a lease, there are no intervening clauses. Each of the three phrases contain an appropriate number of characters needed to restore the lacuna at the beginning of line 17 but since the ἀκίνδυνα-clause is the only one which occurs in every lease we restore it here.

For the interchange of αι for the first ε in βεβαιουμένης see Gignac vol. I pp. 192-193. The phrase βεβαιουμένης ... ἐπιτελέσω with or without the word ἐπάναγκες has twenty parallels, all from Oxyrhynchus all except two from the period 257 to 411 C.E. The preferred active verb is ἀποδώσω, but both ἐπιτελέσω in *PSI* XIII 1338.14 (299) and ποιησόμεθα in *P.Oxy.* XLVI 3270.17-18 (309), XLVII 3354.36 (257), L 3596.28 (219-255), 3597.27-28 (260) are attested.

- 18-22 These lines are read in the largest fragment of *P.Heid.* V 343.

- 18 The reading in the end of the line improves ε[.....]σιτου[.]ν[---] found in *P.Heid.* V 343.1.

- 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).

- 21 The reading of the date at the end of the line was not offered in *P.Heid.* V 343.4.
- 22 The reading of the beginning of *P.Heid.* V 343.5,] υτοισαν, has been improved to]ου τὸ ἴσον. Leases that contain the clause N.N. ἔσχον τούτου τὸ ἴσον (*P.Oxy.* I 103.25-26, XIV 1690.21, XXXI 2585.24-25, XLV 3255.28, 3257.19) are addressed to the lessor(s) and not to the lessee(s); that is, this is a copy of the contract held by Pareitis and the subscription lacking in the beginning of line 22 is Aurelia Techosous or one of the other two women. Due to the limited space in the lacuna it can not contain the subscription of more than one of the women.
- Because of the proximity of dates, this Aurelius Serenus may be the same scribe as in *P.Oxy.* XIV 1708.25 (311) and XXXIII 2673.35 (304), and less likely the scribe in *P.Oxy.* VII 1036.46-47 (273) and XLIII 3146.24-25 (347).

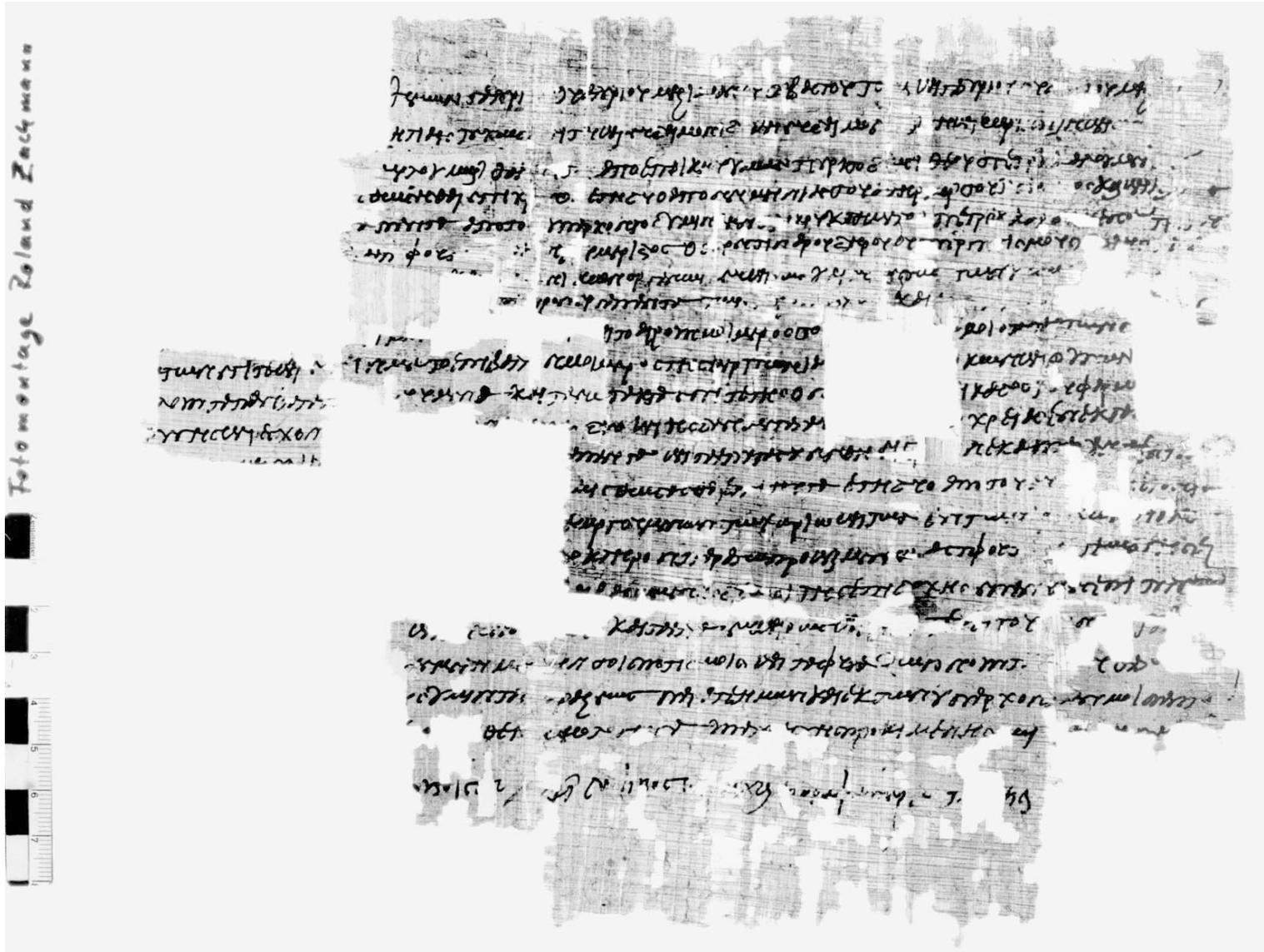
III. REEDITION OF *P. HEID.* V 344

- 1 [ὑπατείας τ]ῶν δεσποτῶν ἡμῶν Γαλερίου Οὐαλερίου Μαξιμιανοῦ σεβαστοῦ τὸ η καὶ
Γαλερίου Οὐαλερίου
1 Μαξιμίνο]υ σεβαστοῦ τὸ β.
1 Αὐρηλίας] Τεχωσοῦτι τῆ 1 καὶ Ε]ὐδαϊμονίδι καὶ Εὐδαϊμονίδι τῆ καὶ Ὀριγενίη κα]ῖ
[.....]
π(αρὰ) Αὐρηλίου Παρείτ(ιος) Παύλου μη(τρὸς) Θαισοῦτο[ς] ἀπὸ ἐ]ποικίου ὑμῶν] περὶ
τοῦ Δ]ωσιθέου Πετροκ]1
5 καλουμένου ἐκουσίως ἐπιδέχομαι μισθώσασθαι ἐπὶ χρόνον] ἔτη δύο ἀπὸ α [τοῦ ὄντος]
1 Ἀθὺρ μη(νὸς)]
τοῦ εἰσιόντος κ (ἔτους) καὶ η (ἔτους) τὰ ὑδροπαροχικ[ᾶ ἔργ]1α πάντα ἀπὸ τ]οῦ ὑπάρ-
χον]1τος ὑμῖν ἀμπε-
λικιοῦ κτήμ]ατιο]ς Πέτροκ καλουμένου τρίτο[υ μέρους ὅ] ἔσταιν ἄρ(ουρα) Ἀφιοῦτ]1ος
ὄλ]1οκ]1[λ]1[ήρ]1[ο]1[υ]
1 μερίδος ὅσου ἐσ]1τεῖν ἀρουδηροῦ, οὗσπερ ποτ]1τισμοὺς ποιήσομαι] [9-11c]
[.....] μ]ηχανικῶν ὀργάνων εὐκέρως καὶ εὐαρέστως τῶν ὑμῶν] [ἐπα]1κολουθούν]1[των
ἀπασι]
10 [καὶ ἐπ]1ἀναγκαν ποι[ήσομαι τὰ] κατὰ κα]1ι]ρὸν ἔργα πάντα τῶν] [19c]
[καὶ] χωματισμῶν [καὶ ὑδροπα]ροχικῶν ἔργων [.....]1αὶ τὸ αἰροῦν μοι μέρος το]1[ῦ
οἴνου καθ'] 1 ὁμοιό-]
1 τ]1ητα τῶν συνμισθω]1τῶν ἔ]1τι τε καὶ ἔχειν με τὸ ἐπ]1βάλλον μοι μέρος τῆς καρπωνίας]
[τῶν]
[φοιν]1ίκων καὶ φυτῶν καὶ ἐπ]1[συν]τελοῦντα πάντα τὰ προ[δη]1λούμενα καὶ τὰ ἔκτακτα]
1 ἐπὶ τε τῆς ὀγδ]1[όης καὶ] 1 εἰκάδος τοῦ Φαρμο]1[ῦθι καὶ τῆς] τρύγης καὶ ἔσχον ἐν προ-
χρείας βόας νεο]1[έ]1[ρο]1[υς] δύο καὶ ἦς]
15 1 δ' ἂν μεταλ]1άβω προχρείας ἐν ἐκτάκ]1[τῳ 40c]

4 pap: π, παρειτ', μη] 5 pap: μ] 6 pap: κ' καὶ η'' 7 read: ὅ ἐστιν 8 read: ἐστίν, read:
ἀρουρηδοῦ 10 read: ἐπάνανγκον 14 read: νεωτέρους

Notes

- 1 A small trace of the iota in Maximianus is extant.
- 3 The *editio princeps* has Αὐρηλίους which is now corrected on the basis of *P.Col.* X 284.2. This correction makes clear that the named individuals are not brother and sister, but rather two women with an unknown relationship. For the woman Techosous, for whom there is a growing body of evidence, see the note to *P.Col.* X 284.2.
- 5 On the basis of *P.Col.* X 284.4, the phrase παρ' ὑμῶν εἰς is corrected to ἐπὶ χρόνον.
- 7 The phrase λιβὸς ἐποικίου at the beginning of the line can now be corrected to ἀμπελικοῦ κτήματος on the basis of *P.Col.* X 284.5. The correct reading at the end of the line is ἐστειν ἄρ(ουρα) ἄποφύτ[ος, confirmed by *P.Col.* X 284.6.
- 8 The correct reading is ἀρουδηροῦ, confirmed by *P.Col.* X 284.6.
- 10 The reading in the *editio princeps*, εαν ποι, is corrected to]γαγκαν ποι[.
- 11 In *P.Col.* X 284.8 traces of the phrase ὑδροπαροχικῶν καὶ are extant. But it appears in line 11 here and is preceded by the large lacuna at the end of line 10; apparently there is a different word order in each copy.
- 12 The reading in the *editio princeps*,]τιτεων ἔχειν με, is corrected on the basis of the combination of line 1 of the upper right fragment in *P.Heid.* V 343 and *P.Col.* X 284.10 to ἔτι τε καὶ ἔχειν με.
- 13 On the basis of *P.Col.* X 284.10 the word καρπῶν at the beginning of the line is corrected to φοινίκων. The reading in the lacuna at the end of the line is supplied by line 2 of the upper right fragment in *P.Heid.* V 343 and *P.Col.* X 284.10, correcting προγεγραμμένα to προδηλούμενα and adding καὶ τὰ ἔκτακτα.
- 14 The phrase in the *editio princeps*, τρύγης καὶ ε[ίς] λό[γ]ον προχρείας α . . . ας νεο[, is corrected on the basis of line 3 of the lower right fragment in *P.Heid.* V 343 to τρύγης καὶ ἔσχον ἐν προχρείας βόας νεοτιέρους. The reading in the lacuna at the end of the line is supplied by line 3 of the upper right fragment in *P.Heid.* V 343 and *P.Col.* X 284.12.



P.Col. X 284 + P.Heid. V 343