

Gonis, Nikolaos

P. Oxy. VI 988 : loan of wheat and barley

The Journal of Juristic Papyrology 28, 19-23

1998

Artykuł został zdigitalizowany i opracowany do udostępnienia w internecie przez **Muzeum Historii Polski** w ramach prac podejmowanych na rzecz zapewnienia otwartego, powszechnego i trwałego dostępu do polskiego dorobku naukowego i kulturalnego. Artykuł jest umieszczony w kolekcji cyfrowej bazhum.muzhp.pl, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

Nikolaos Gonis

P. OXY. VI 988:
LOAN OF WHEAT AND BARLEY

The lower part of a loan of wheat and barley written out in duplicate by the same hand. Grenfell and Hunt published a short description of the papyrus with a transcript of col. ii. 2-10 in volume VI of *The Oxyrhynchus Papyri* (p. 324). I am grateful to the authorities of the Cambridge University Library, where the papyrus is now kept, for their permission to publish this text here.

The document is drawn up in the form of a cheirograph, typical for this type of contract at the time.¹ To judge from the date of the repayment, after the harvest (Pauni), this is probably a loan for sowing. Loans of wheat are common in our documentation, but loans of barley, or involving barley, are relatively few.² This should occasion no surprise, given the dominance of grain in

¹ (Near-)contemporary Oxyrhynchite loans of wheat made through informal cheirographs include *P. Oxy.* XLIX 3493-3494 (175), XII 1474. 11ff. (216), *P. Mich.* XI 614. 15-33 (225), *P. Oxy.* XXII 2350 (223/4), LXI 4117 (240); *P. Oxy.* LXIV 4439 (258/9), a loan of barley, is also a cheirograph. The contracts *P. Oxy.* VII 1040 (225), *P. Col. X* 277 (225), *P. Oxy.* XIV 1640 (250) are styled as γράμματα.

² As far as I can see, barley is mentioned in the following loans of the Roman and Byzantine periods: Loans of barley: *P. Berl. Möller* (= *SB* IV 7341) (3), *P. Oxy.* LXIV 4439 (258/9), *P. Col. X* 283 (306), *P. NYU.* 23 (326/7), *BGU* XII 2197 (VI) (for *P. Vind. Sijp.* 11 [IV], cf. H. C. YOUTIE, *Scriptiunculae* [Amsterdam 1973] I 410 f.); of wheat and barley: *P. Kron.* 9 (111), *PSI* I 42 (IV); of money and barley: *P. Flor.* I 72 (128/9), *P. Stras.* IV 230 (143-44), *P. Mert.* III 110 (154), *P. Gen.* I 43 (226); of money, wheat and barley: *P. Stras.* III 143 (III). Cf. also *P. Ross. Georg.* II 18. 28. 120-4, an abstract of a loan of wheat and other commodities, *P. Oxy.* XII 1472 (136), which refers to a παραθήκη of wheat and barley made in 127-28. Of the 24 repayments of loans in kind collected in *P. Heid.* VII p. 104, only 3 relate to barley, as opposed to 22 involving wheat. Also in the so-called "sales in advance of delivery" dating up to 300 (for lists of these documents see H.-A. RUPPRECHT, *Kleine Einführung in die Papyruskunde* [Darmstadt 1994] 119; add *P. Leid. Inst.* 25 introd.), the ratio of wheat to barley is about 4 to 1. But in the Byzantine period we witness a very different picture: of the 145 such examples listed in *P. Heid.* V, pp. 296-301, (at least) 19 involve barley, but only (at least) 15 relate to

the crop schedules in Hellenistic and Roman Egypt.³ For a concise discussion of loans in the papyri and bibliography see H.-A. Rupprecht, *Kleine Einführung in die Papyruskunde* (Darmstadt 1994) 118 ff. For duplicate documents of this kind see *P. Ups. Frid.* 5, 27 n., *P. Col.* X 287 introd.

The back of the papyrus carries a memorandum concerning the sale of unproductive land; that text was fully transcribed in *P. Oxy.* VI.

CUL Add. Mss. 5888

15 x 18. 4 cm

26 November 224

col. i

traces

- τῆς δὲ κριθῆς ἀρτάβας τρεῖς. ἀπο-
 δώ]σω δέ σοι τὰ προκείμενα κεφάλαια
 4 σὺν τοῖς διαφόροις τῷ Παῦνι μηνί
 τοῦ ἐν]εστῶτος τετάρτου ἔτους ἐφ' ἄλλω
 Ἰαίου Π]αγγᾶ νέα καθαρὰ ἄδολα ἄβωλα
 κεκοκ]ινευμένα, τὸν μὲν πυρὸν (καὶ)
 8 ἄκρειθ]ον ὡς εἰς τὸ δημόσιον μετρούμε-
 νον, τὴν δὲ [κ]ριθ[ῆ]ν καλῶς πεπατημέ-
 νην χ]ωρὶς αἴρ[η]ς καὶ ἀθέρος, πάντα
 μέτρῳ] τῷ προκειμ[έν]ῳ, ᾧ καὶ ἀρείληφα,
 12 ἄνευ π]άσης ὑπερθέσε[ως] καὶ εὐρησιλογί-
 ας, γινο]μέν]ης σοι τῆς [π]ράξεως παρὰ
 τε ἐμοῦ] καὶ ἐκ τῶν ὑπαρ[χόν]των μοι πάν-
 16 των. κ]ύριον τὸ χειρόγραφον διςσὸν
 γραφέν] ὑπ' ἐμοῦ τοῦ Αὐρηλίου Cερήνου
 τοῦ καὶ] Ἀλεξάνδρου πανταχῆ] ἐπιφερό-
 μενον καὶ] παντὶ τῷ ὑπὲρ σοῦ ἐπιφέροντι.
 περὶ δὲ] τοῦ ταῦτα ὀρθῶς καλῶς γεγενῆς-

wheat (see *ibid.* p. 303 nn. 16, 17). This of course requires explanation, but that goes beyond the scope of this note.

³ See M. SCHNEBEL, *Die Landwirtschaft im hellenistischen Ägypten* (München 1925) 97 f.; D. CRAWFORD, *Kerkeosiris. An Egyptian Village in the Ptolemaic Period* (Cambridge 1971), tables XIII-XVII; H.-J. DREXHAGE, *Preise, Miete/Pachten, Kosten und Löhne* (St. Katharinen 1991) 11; R. S. BAGNALL, *Egypt in Late Antiquity* (Princeton 1993) 25. Another good example of the predominance of wheat is provided by *P. Berl. Leihg.* I 1 verso: this document of 164, which records the total amounts of seed disbursed for the various categories of public land at Theadelphia, shows that the seed-loans issued to cultivators of the ousiac land consisted of some 426 artabas of wheat, as opposed to only c. 29 artabas of barley (ii 16-20, iii 5-7). (For this text see M. L. SHARP, "The village of Theadelphia in the Fayum: Land and population in the second century AD" [in:] A. K. BOWMAN, E. ROGAN [eds.], *Agriculture in Egypt from Pharaonic to Modern Times*, Oxford 1998 [*Proceedings of the British Academy* 96] 161 n. 10.)

person who presents it in evidence on your behalf. On being asked whether this has been rightly and fairly done, I assented. The fourth year of Emperor Caesar Marcus Aurelius Severus Alexander Pius Felix Augustus, Hathyr 30."

COMMENTARY

- i 1 = ii 1. τῆς δὲ κριθῆς ἀρτάβας τρεῖς must have been preceded by τοῦ μὲν πυροῦ ἀρτάβας followed by a numeral.
- i 4 = ii 3. διαφόροις. For the term and its translation as 'yield' see *P. Col. X 277*, 11 n. It should be borne in mind, however, that "διάφορον basically, of course, means 'difference.' Hence it ... is used to denote interest (which is, after all, the difference between what the borrower receives and what he repays). . . διάφορον, like ἡμιολία, was used only of interest in kind on loans in kind." (N. LEWIS, *TAPA 76* [1945] 128 = *On Government and Law in Roman Egypt. Collected Papers of Naphtali Lewis*, ed. A. E. HANSON, Atlanta 1995 [= *American Studies in Papyrology*, 33] 19).
- ii 2-3. συναχθησομέν[ο]ις. This is the first instance of the word applying to διάφορον, but its use with τόκος is common. The participle does not appear in the first copy; this is the only point where the two copies differ.
τῶ Παῦνι μηνί. "[O]f loans of wheat, 42 out of 61 are to be repaid in Payni" (Z. M. PACKMAN, *JJP* 19 [1983] 21).
- i 6-10 = ii 5-9. For the conditions set here see J. HERMANN, *Studien zur Bodenpacht im Recht der graeco-ägyptischen Papyri* (München 1958) 105f.; D. HENNIG, *Untersuchungen zur Bodenpacht im ptolemäisch-römischen Ägypten* (München 1967) 11 f.
- i 7-8 = ii 6-7. πυρὸν {καὶ} ἄκριθον. I have bracketed {καὶ} bringing the text into line with *P. Berl. Leihg. I 20. 24* (149) and *P. Oxy. XLVII 3354. 41* (257). The same idiosyncratic sequence also occurs in *P. Harr. I 80. 32* (249), where the suggestion recorded in *BL III 79* should be abandoned.
- i 10 = ii 9. αἴρης: δίτης ed. pr. The correction was made in *P. Köln III 149. 33 n.* (= *BL VII 133*), and has now been confirmed on the original.
- i 10 = ii 8-9. καλῶς πεπατημένην χωρὶς αἴρης καὶ ἀθέρος. The phrase seems to be peculiar to Oxyrhynchite documents: besides this, cf. also *P. Fouad 43. 46ff.* (land lease; 190-1), *P. Köln III 149. 32f.* (*ditto*; III) *P. Oxy. XLVII 3354. 41f.* (agricultural agreement; 257). But note that the χωρὶς αἴρης καὶ ἀθέρος clause is absent from the loan of barley *P. Oxy. LXIV 4439* (258/9).
- i 13-15 = ii 11-13. For the *praxis* clause see D. SIMON, *Studien zur Praxis der Stipulationsklausel* (München 1964).
- i 15-17 = ii 13-15. For the formula cf. *P. Oxy. LXI 4117. 16-18* (240) κύριον τὸ χιρόγραφον ἢ ἀπλο[ῦ]ν γραφὴν ὑπ' ἐμοῦ τοῦ Αὐρηλίου ἢ Θέ[ω]νο[ς] with the editor's note (where the reference to *P. Vind. Tand. 32* is a misprint for *P. Vind. Tand. 23*); cf. also *P. IFAO 16. 9* (197).
- i 15 = ii 13. κύριον. For the clause see M. HÄSSLER, *Die Bedeutung der Kyria-Klausel in den Papyrusurkunden* (Berlin 1960) 19ff.; H. J. WOLFF, *Das Recht der griechischen Papyri Ägyptens* (München 1978) II 145 f., 155 ff.

- i 15 = ii 13-14. χειρόγραφον. For the term see WOLFF, *op. cit.* 106 ff.
- i 16-17 = ii 14-15. An Aurelius Serenos alias Alexandros is not known from elsewhere.
- i 17-18 = ii 15-16. πανταχῆ ἐπιφερόμενον. For the formulation and its changes across the centuries see B. E. NIELSEN, *BASP* 27 (1990) 100.
- i 17-19 = ii 15-18. The formulas also in *P. Oxy.* XXII 2350. i. 27-30 (223), *P. Col.* X 277 (29. xi. 225); cf. also *P. Mich.* XVIII 792. 27-29 n.
- i 19 = ii 18. ἐπερωτηθεὶς ὁμολόγησα. Cf. SIMON, *op. cit.* 44 ff., with the remarks of C. PRÉAUX, *CE* 42 (1967) 140 ff.
- i 23. Ἄθῦρ λ is awkwardly shaped, as if it was written by a second hand and with a different pen. But the second copy has nothing similar at this point.

Nikolaos Gonis

Wolfson College
Oxford OX2 GUD
ENGLAND

GRIECHISCHE UND KOPTISCHE
INSCHRIFTEN IM KOPTISCHEN MUSEUM
EINE FORTSETZUNG*

In *Égypte et Vicine Orient* 18, 1995, S. 5-117 hat Wolfgang Brunsch unter dem Titel „Koptische und griechische Inschriften in Kairo“ den bereits vorhin, diesmal 94 Stücke zählenden Teil der christlichen Inschriften aus Ägypten in ägyptischen Sammlungen der gelehrten Welt zugänglich gemacht.¹ Er ist das in einer für ihn üblichen, aus der Sicht der Epigraphik jedoch seltsamen Weise, die nach dem Erscheinen der drei ersten Teile zahlreiche Kritiken hervorgerufen hat.² Diesmal hat Georges Nachtergael umgehend reagiert und in *CE* 72, 1997, S. 145-159 eine Besprechung des Brunschischen Aufsatzes nebst einer vollständigen Edition von neuen griechischen Inschriften und Korrekturen zu einigen weiteren Stücken gegeben. Ich stimme völlig mit dem kritischen Teil der Besprechung von Nachtergael überein und füge im folgenden weitere Bemerkungen zu den von Brunsch zugänglich gemachten Inschriften bei.

* Für Hilfe bei der sprachlichen Gestaltung des Aufsatzes danke ich Herrn Dr. Siegfried Köhne, Münster.

¹ Die früheren Veröffentlichungen sind: „Bemerkungen zu koptischen und griechischen Inschriften aus Kairo“, *Orientalia* 60, 1991, S. 92-108, Taf. 1-48Vf; „Koptische und griechische Inschriften in Kairo“, *Aegyptus* 73, 1993, S. 127-196; „Koptische und griechische Inschriften aus Alexandria“, *WZKM* 91, 1994, S. 9-34, Tafeln. Dazu kommt noch: „Verzeichnisse der 1982 aufgenommenen koptischen und griechischen Inschriften aus dem Koptischen Museum in Al-Kaire“, *AP* 38, 1992, S. 87-96.

² A. LAFAR, *ZPE* 97, 1993, S. 127-138; id., *JJP* 25, 1995, S. 67-97; id., *JJP* 26, 1996, S. 53-66; S. SCHULTEN, *Göt. Mus.* 144, 1995, S. 101-107; K. A. WORT, *ZPE* 128, 1995, S. 160; L. MACCOWIE, *ZPE* 112, 1996, S. 284 f.