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SOME RECENTLY PUBLISHED LEASES OF LAND

Among papyri published for the first time during the last few years are to be found many leases of cornland; over fifty have appeared since the list drawn up by J. Herrmann in Studien zur Bodenpacht (Münch. Beitr. zur Papyrusforschung XLI) published in 1958. Although these leases belong to a type of document already very well represented in the papyri, they not infrequently present us with problems both of reading and interpretation. The notes that follow are concerned with problems of this kind that occur in three leases that have been published recently.

P. Merton II 68

This lease, dated 137 A.D., concerns two parcels of land in the neighbourhood of Kerkeosiris, one of three and the other of four and three quarter arourae; it is for a period of four years, provision being made for rotation of crops and for payment to be partly in kind and partly in cash. The lease is made difficult to interpret not only by its complexity but also because over a third of each line is missing. The editors have resolved most of the difficulties, but there are two passages in which I believe that the correct solution has eluded them.

(i) lines 22—23 και [...]ων ἐπὶ τὴν τετραετίαν κεφαλαίου πάντων μέτρω ἐξάχοινίκω Κερκευσίρεως. This passage, which occurs immediately after the amount of ἐκφόριον and φόρος for each plot has been specified, is thought by the editors to contain a statement of the sum total for the four years of the lease. They therefore suggest κεφαλαίου in lines 22—23. It would, however, be most unusual to find the total rent stated in this way. On the other hand, a phrase that often follows τετραετίαν and related words is κατ' ἔτος and the photograph which accompanies the publication

1 See pages 247-288. Many of the later leases are to be found in P. Cair. Isidor. and P. Mil. Vogliano II; others, in addition to the three discussed here, are P. Antin. II 89; 105; SB VI 8976; 9085; 9110; 9130; 9269; 9292; 9293; 9313; 9380 (10 papyri); 9390; 9461; P. Strash. 258; 282; 291; P. Osl. inv. 1448 (published in Symb. Osl. XXXVII (1961) 118); P. Mil. Univ. published in Acme XI (1958), XII (1959) & XIII (1960).

2 One of the many parallels for this type of expression is P. Mil. Vogliano II 83, 20, quoted in the text. In PSI X 1124, where we read (1.20) κατ' ἔτος ἐπὶ τὴν Ἐισειαν κατ' ἔτος it seems likely that Ἐισειαν (otherwise unknown) is a misreading of διετίαν or διετείαν.
makes it reasonably certain that κα can be read instead of κε at the end of line 22. After καὶ in the same line the editors suspect a numeral and hesitate between τρίων and τεσσάρων while admitting that neither is entirely satisfactory. If what I have just suggested is correct, we no longer require a numeral here but a statement of a payment to be made in each of the four years of the lease, which at this point in the contract can hardly be other than an extra payment. The editors consider tau the most likely letter after καὶ; the papyrus is torn at this point and the photograph is not wholly clear, but I suggest that theta is not inconsistent with what can be seen and that the passage as a whole should be read as follows: καὶ θαλλῶν ἐπὶ τὴν τετραετίαν κατ' ἐτος. A good parallel is P. Mil. Vogliano II 83, 19–20: τῶν δὲ θαλλῶν ἐπί τὴν ἐπταετίαν καὶ θαλλόν ἐπί τῇ γ. ήπτατεταξίαν καὶ θαλόν ἐπικ. A good parallel is P. Mil. Vogliano II 83, 19–20: τῶν δὲ θαλλῶν ἐπί τὴν ἐπταετίαν καὶ θαλλόν ἐπί τῇ γ. 

(ii) lines 29–32, which I quote with the supplements proposed by the editors:

ἔστιν δὲ παρ' ἐμοὶ τῇ Ἡρᾶ ή [κατ'] ἀρού-

τοι τὴν ἀρούραν καὶ ναυβίον τῶν τριών ἀρούρων καὶ τῆς δηλής ἐπιβολής ἀρ-

......... καὶ σπέρματα τῆς τοῦ ἴσιοντος ετους κατα-

στοράξ τῶν σιτοσ-

φόρων δροφερῶν .... καὶ μετὰ τὰ τῶν χρόνων κ.τ.λ.

I believe the editors are correct to introduce a reference to the naubion and artabia in line 30, but I wish to suggest a different interpretation of the rest of the clause. The editors consider that this section of the contract, which is appended to the body of the lease and which concerns only one of the lessees, refers to the same two plots of land as the rest of the document, which means that they have to take the epibole mentioned in line 30 as being the plot of four and threequarter arourae and are undecided between ἄρυγριου and ἄρταβων as the word to be supplied in lines 30–31. I suggest that the whole of this section of the document is concerned only with the plot of three arourae to which has been added an epibole of the size specified in the lacuna at the beginning of line 31 — i.e. after ἐπιβολής we should read ἄρουρων (or ἄρουρων), followed by a numeral, and after this simply ἄπο τῆς, thus making it unnecessary to supply σπέρματα. Furthermore, as both χορτοσπορέω and πυροσπορέω exist, it is perhaps legitimate to assume the existence of σιτοσπορέω.

2 Before καὶ a numeral is required, perhaps [όκτ]φο, though it is not possible to be sure from the photograph.

The document must have continued at this point with a description of the extra payment. It must have been a commodity that could have been measured in the six-sicnonix measure, e.g. wheat, as in P. Ambh. II 90, 9–11: καὶ θηλημοῦ κατ' ἐτος δομοὶ πυροῦ ἀρτάξεις μίας χρόνου μέτρῳ κ.τ.λ.

5 P. Mil. Univ. inv. 278 II 9–10 (published in Acme XIII (1960) 257–259) is a lease of (ἀρού-

ρας) γ (τέταρτον) καὶ ἐπιβολῆς (καὶ ἀρούραν) (ἀρούρας) (τὸ τέταρτον). The difficulty of this supplement is fully admitted by the editors in the note ad loc.
(to my knowledge not elsewhere attested) and to read a participle formed from it (perhaps σιτοσ[παρησομένων] instead of σιτοσ[φόρων]. The whole passage I should translate "and I, Heras, will be responsible for the artabia and naubion for each of the three arourae and of the whole epibole of x arourae reckoning from next year's sowing of the arourae that are to be sown with corn8".

P. Freiburg inv. 79

This lease of eight arourae at Philadelphia for four years, which is dated in 214 A.D., was published by M. Hässler in Chronique d'Égypte 35 (1960) 199—205. It contains several obscure passages of which I wish to consider two.

(i) lines 17—18, where the editor reads καί παρα[δώσ]ω τάς ἀρο<υ>ρας ἀπὸ ἀναπάυματος χόρτου, τὸ δὲ λ[οί]π(ο)ν ἀπὸ καλά[μου] τύρου (1. θρύου) πάσας καθαρίζω and translates "und ich werde die Aruren als Brachland mit Gras zurückgeben, im übrigen frei von Stoppeln und Binsen". This interpretation is not entirely satisfactory, as what we expect here is a stipulation, frequent in leases, that part of the land is to be returned after a rest crop and the remainder after a corn crop; in particular we expect τὸ λοιπὸν to mean "the remainder". If we re-examine the clause on the basis of this assumption, we find that it can be made to conform to the usual pattern, with a few modifications. First we must assume that τάς ἀρο<υ>ρας is an error made by the scribe, who should have stated here only a part of the land9; secondly we must substitute ἀπὸ καλά[μης] for ἀπὸ καλά[μου], and thirdly we can dispense with τύρου which the editor had to assume was an error for θρύου, and read πυροῦ; the photograph shows this to be palaeographically possible, but as the land was sown not with wheat but with barley, we have to attribute yet one more careless error to the scribe10. Any doubts we might have about the correctness of this reading, however, are, I suggest, removed by the fact that a close parallel is to be found in lines 20—23 of BGU II 661, which read καί μετὰ τὸν χρόνον παραδόσω...

7 For the form cf. χόρτος[παρήσονται in P. Cair. Zen. IV 723, 1. Also in favour of this supplement (i) it exactly fills the lacuna — that proposed by the editors leaves an awkward gap of three to four letters; (ii) σιτοσ[φόρων], the editors' suggestion, has to be treated as a slip for σιτοφόρων.
8 There is of course an implied contrast here with the time for sowing the arourae that were to be sown with χόρτος, 9 Normally a half or a third. On the photograph there appears to be a curve before ἀπὸ (1.18); could this perhaps be a symbol for ήμισυ rather than a way of writing πι?
10 The meaning of καλάμη in this context was conclusively established by M. Schnebeler, Die Landwirtschaft in hell. Ägypten, 116 f.
11 Among the scribe's many errors the most noteworthy is the way in which he fluctuates throughout the document between first person singular and first plural. Cf. also that the rent is correctly called ἐξοφρόνος in 1.8, but the editor is certainly right to restore [τὸν κατ'] ἐξο[φόρον] in 1.16.
(l. -σω) τὸ τρίτον μέρος ἀπὸ ἀναπαύσεως καὶ τὸ λοιπὸν δίμουρον μέρος ἀπὸ χαλάμης πυροῦ. I should translate the whole passage „and I shall hand over (half of ?) the arourae after a rest crop consisting of grass and the remainder after a corn crop consisting of wheat, all the land being clean (i.e. free from weeds etc.)”.

(ii) line 19: παρέξεσθο[...] ταύρικων ζεύγη οκτώ. In his note on this passage the editor says that the letter before the lacuna could be μυ and also quotes P. Cornell 11, 22, which reads παρέξεσθε δὲ ἡμῖν κατ' ἐτος ἔκαστον. These two points taken together lead, I believe, to the solution of the difficulty. After the lacuna the photograph suggests that τος can be read which points to the reading κατ' ἐτος. Accepting the editor's μυ before the lacuna we can read the whole passage as follows: παρέξεσθε (l. παρέξεσθε) δὲ ἠμὲνοι κατ' ἐτος ταύρικων ζεύγη οκτώ. It must be admitted that the supplement seems slightly too long, but it can be urged against this that the scribe tends to write smaller and smaller as the document progresses and it is in any case extremely difficult to gauge the exact number of letters lost in a lacuna when the script is as cursive as in the present papyrus.

P. Sorbonne inv. 2251

This document, published by Mlle H. C a d e ll in Recherches de Papyrologie I (1961) 21—27, is concerned with the lease for three years of twenty arourae near Theognis; its date is either 88/87 or 141/140 B. C. The rent is 170 artabae of wheat per annum to which is added an additional payment of one half artabae of amī-seed. At this point (line 7) the papyrus, as read by the editor, continues αναφυτεύσομεν δὲ αμίος το τρίτον μέρος κατ' ἐτος. The difficulty with this reading is the rather violent emendation needed to produce αναφυτεύσαμεν, a word not hitherto found in the papyri. The excellent photograph which accompanies the publication (Planche II) suggests that ανα-

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12 For καθαρός used without specification of the plants of which the land is to be clear cf. BGU VII 1644, 25–26: παραδώσω τὴν άρουραν καθαράν καὶ ἐκ[α]θὼς παρέλαβον.
13 The papyrus breaks off at this point.
14 Cf. the way the end of ἀναπαύσεως is written in 1.17. Also in favour of the revised reading is the fact that the editor's reading needs emendation and produces a definite article which seems rather out of place.
15 I have assumed that the epsilon has coalesced with the first stroke of the μυ (conversely I should prefer μηδὲν ἐν to μηδέν in 1.15), but if this is felt to be impossible we must read δίς [μυ].
16 On the document as a whole see Mlle P r é a u x in Chr. d'Ég. 36 (1961) 222–223, who suggests that it should not properly be described as a lease.
17 See the editor's notes to lines 2 and 3.
18 Lines 6–7: ἐξαιρέτων (l. -ων) κατ' ἐτος δμιοιζος σπέρματος μίαν ἡμισυ (sc. ἰφτέπη).
παύσομεν could be read as an alternative and in the context would appear to be preferable. What we have now is a statement of the rest crop to be grown on a third of the land; this indicates a three-yearly rotation of crops, a method of cultivation that is already well attested. A difficulty in the new reading is that the simple alteration of άμις into άμι<ο>ς is no longer right. We can of course brush this problem aside by suggesting that the scribe made a careless mistake, but it is more satisfactory, I think, to assume that the scribe was treating άμις, a by-form of άμι, as indeclinable, both here and earlier in the same line.

If this reading is accepted, we learn that ami was being used as a rest crop. This calls for some brief comment as ami is a very different plant from the rest crops usually met with in the papyri and in particular would certainly not have been used as a fodder crop. Ami is known to be a form of cummin, but neither it nor cummin itself is ever found as a rest crop in papyri hitherto published. Another form of cummin, however, μελάνθιον "black cummin" (nigella sativa) is found in contexts where it can only have been a rest crop. We need not hesitate, therefore, to accept the use of ami for this purpose, but we may still wonder why such an unlikely plant should have been used. The key to the answer is to be found in this statement by A n d e r l i n d, Die Landwirtschaft in Egypten, p. 68, (describing Egypt in the late 19th century) "da durch die Nilüberflutung für eine regelmässige jährliche Zufuhr der durch die Erde dem Boden entzogenen Stoffe ges. w r t ist, so bindet man nicht ängstlich an eine Fruchtfolge zwischen Halm- und Blattfrüchten sondern wählt die Früchte mehr im Hinblick auf dem Bedarf des Marktes aus". From this it is clear that a sufficient reason for the planting of ami was its high economic value. Naturally enough this is not a matter on which we have much corroborative evidence, though there is some reason to suspect that cummin was a valuable commodity.
in the early 4th century A.D.\textsuperscript{28}. We know, however, that \textit{ami}, like cummin and \textit{melanthion}, was valued for its medicinal properties and is found in medical papyri from Egypt\textsuperscript{29}. Despite the haphazard nature of our sources, there can be no doubt that the infrequent occurrence of \textit{ami} reflects the fact that it was a plant of only minor importance in the land economy, but it is nonetheless welcome to have the additional information which this papyrus provides about its use on Egyptian farms.

\footnotesize

\textsuperscript{28} See Kalleres, \textit{Επετ. Εταιρ. Βυζ. σπ.}, 23 (1953) 702. Five \textit{artabae} of cummin are priced at 4 talents 1000 drachmas in SB V 7667 (320 A.D.).

\textsuperscript{29} P. Oxy. VIII 1088 (1st cent. A.D.) and P. Ryl. I 29 (3rd cent. A.D.).