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A DOCUMENT RELATING TO THE ESTATE OF CLAUDIA ISIDORA RECONSIDERED (BGU XI 2126)

BGU 2126 was edited by Dr. Herwig Maehler in Volume XI of the Berlin papyri.¹ A careful examination of the text has suggested a number of places in which the reading or interpretation might be improved, and I accordingly present a reconsideration of the document here. Most of my suggestions for revised readings have been discussed with Dr. Maehler by letter. He has not only supplied me with a photograph of the text, but has taken the trouble to re-examine the original at a number of points and to communicate to me his revised views. Certain of the new readings are due to Dr. Maehler, as I have indicated where appropriate. I am most grateful to him for his assistance.

The papyrus is formed of two distinct documents, which originally may have been part of a larger collection forming a τόμος συγκολλησίμος.² Each is a proposal for lease sent to Aurelius Lucius, who holds an official position in connection with the estate formerly belonging to Claudia Isidora also called Apia. It is from this last fact that the papyrus derives its special interest. Claudia Isidora has long been known as a large landowner, with property in the Oxyrhynchite nome. To the ten or so papyri which relate to her estate there have been no less than four additions in the last two to three years: BGU 2126, P. Yale 69, P. Oxy. XXXI 2566, and a document published by Miss E. Constantinides in *BASP* VI (2) (July 1969), 55—58.³ At least six more texts relating to the estate are awaiting publication.⁴ This is not the place to re-examine what is known about the lady and her estate. For this the reader may be referred to the editorial commentaries on each of the four texts men-

¹ *Ägyptische Urkunden aus den Staatlichen Museen Berlin: Griechische Urkunden*, XI. Band, 2. Hälfte (*Urkunden römischer Zeit*); edited H. Maehler, 1968.

² See further the introduction to the *editio princeps*.

³ In P. Yale 69.6, after Κλαυδίας 'Ισιδώ[ρας τῆς καὶ 'Απίας, I suggest καὶ ὡς χρηματίζει; cf. the editor's description of the reading and lines 4—5 of the text published by Miss Constantinides: Κλαυδίας 'Ισιδώρας τῆς καὶ 'Απίας καὶ ὡς χρηματίζει.

⁴ Five of these are papyri belonging to the Egypt Exploration Society, which I am editing for inclusion in volumes of the *Oxyrhynchus Papyri*. The sixth, to which Dr. Maehler kindly drew my attention, is a papyrus belonging to the University of Mississippi, referred to by Professor W. H. Willis in *Proc. IX Congress for Papyrology* (Oslo, 1958), 381 n. 1.

tioned above, in particular to the very full discussion by Miss Constantinides.

The papyrus has suffered a considerable loss at the foot, which has affected the first column particularly severely, so that nothing beyond the prescript remains. Apart from proposed changes which will arise in the second column also and so will be discussed below, I have only two minor points to comment on in the first column.

In line 4 the *ed. pr.* has ταλείου, a surprising, though of course possible, error for ταμείου. While this reading is undoubtedly easiest palaeographically, the photograph suggests to me that there is no real difficulty in reading as an alternative ταμίου; as the "error" then becomes a simple case of itacism, I believe this reading is to be preferred.

Secondly, the name of the proposer's mother is given as Παγ. . φ[. Παγ- is an unlikely start to a woman's name, nor do I think the first letter can be π; the second upright curves to the left, not to the right as would be expected, and I believe the name must begin with τ. What follows is more difficult. Dr. Maehler would now agree that the first letter is more like τ, and reports "if so, the second letter must be π (ν cannot be read). I think the traces might be interpreted as Τπαλλα.ι[(not Τπαμα) which suggests Τ(α)παλλα[δ]ι[ας, cf. Παλλαδία in Pape, and Παλλατία in Preisigke, *Namenbuch*".

Of the second column I give a revised transcript, together with commentary and translation:

Col. II

- Αὐρηλίῳ Λουκίῳ πραγ(ματευτῇ) μερί.[...]
 Κάτω τοπ(αρχίας) τῶν (πρότερον) Κλαυδίας Ἰσ[ιδώρας]
 τῆς καὶ Ἀπίας. *vacat*
 Παρὰ {α} Αὐρηλ(ίου) Ἀφύγχιος Πετρω[νίου]
 5 μητρὸς Πλουτιαίνης ἀπὸ Σεν[...].
 Ἐκουσίως ἐπιδέχομαι μισ(θώσ)ασθαι
 παρὰ σοῦ πρὸς μόνον) τὸ ἐνεστ(ός) ιβ (ἔτος)
 ἀπὸ τῶν ὑπαρχόντων τῇ οὐσίᾳ
 περὶ κώμην Ταλαῶ ἐκ τοῦ Δρόμω-
 10 νος καὶ Ποτάμωνος κλ(ήρου) βεβωλο[σ-]
 τροφημένας (ἀρούρας) β (ἥμισυ) ὥστε σπεῖραι
 πυρῶ, φόρου κατ' ἄρουραν ἀνά
 πυροῦ ἀρτάβας ἕξ ἐν θέματι δη-
 μοσίῳ, κ[α]ι[] ἐκ τ[οῦ] Δι[ο]...ουριδοῦ κλ(ήρου)
 15 ..[.].[.... ὥστε σπεῖρ[αι] πυρῶ,
 [φόρου κατ' ἄρουραν ἀνά π]υροῦ

2. α/pap.

1. Αὐρηλίῳ Λουκίῳ πραγ(ματευτῇ): for πραγ(ματευτῇ) the *ed. pr.* had προῶ(τάτη). The revised reading is due to Dr. Maehler. The precise functions of προστάται are uncertain,⁵ but they were undoubtedly concerned in some way with the administration of villages, not of imperial estates. Officials who administered the latter, at any rate by the middle of the third century, included προνοηταί.⁶ On re-examining the papyrus for me Dr. Maehler found προνο(ητῇ) to be impossible as a reading, but suggested as an alternative πραγ(ματευτῇ). In the first line of the second column Lucius' title is written so cursively that what follows initial π could be read in several ways. In the first column, however, πρ is clear, and αῖ is a plausible way to interpret what follows. If the reading cannot be said to be certain palaeographically, it is guaranteed by a parallel text among the unedited papyri referred to above: one of these, dating from A.D. 231/2, is a receipt given to a πραγματευτῆς οὐσίας πρότερον Κλαυδίας Ἰσιδώρας τῆς καὶ [Ἀπί]ας. Both reading and expansion of the abbreviation are therefore beyond doubt.

The nature of the office held by Lucius merits a brief examination. In the late Byzantine period πραγματευταί seem to have been private traders and the like;⁷ in contrast, in the first four centuries A.D. at least three distinct types of πραγματευταί can be distinguished. (a) Private employees usually, perhaps always, of large landowners.⁸ (b) Minor government officials who act as *Hilfsbeamte* of tax-collectors;⁹ in this sense πραγματευταί are also known outside Egypt from inscriptional evidence.¹⁰ (c) Direct subordinates of financial procurators: in P. Oxy. XX 2265 (A.D. 119) their superior is the procurator XX *libertatis*, and in P. Ross. Georg. II 26 (A.D. 160) the procurator XX *hereditatum* (probably). Elsewhere they are connected with the administration of imperial estates, where in the late third century they are under the control of the *magister rei privatae*, earlier perhaps of the *procurator usiacus*.¹¹ They make their clearest appearance in P. Beatty Panop. I. 210 (A.D. 298), instructions to τοῖς γραμματεῦσιν καὶ τοῖς χειρεστάσις ἦτοι πραγματευταῖς τῶν αὐτῶν [i.e. ταμιακῶν] οὐσίῶν. Their precise relationship to προνοηταί of these estates is not at all clear.¹² It is normally impossible to distin-

⁵ Cf., e.g., P. Oxy. X 1275.7n.

⁶ See N. Lewis, *Inventory of Compulsory Services (American Studies in Papyrology III)*, 1968, s.v. προνοητῆς οὐσίας ταμιακῆς; the earliest example given there is P. Flor. I 77 (A.D. 241/2).

⁷ Cf., e.g., P. Cair. Masp. II 67158.17 (A.D. 568) and P. Oxy XVI 1880.5 with note (A.D. 427).

⁸ I should be inclined to put in this category: P. Brem. 74, P. Oxy. III 512, X 1257, XVII 2130, XX 2271, XXIV 2421, XXXIII 2668, P. Michaelid. 23 (all late 2nd-early 4th cent. A.D.).

⁹ Here would seem to belong: O. Mich. I 18, P. Tebt. II 307, 357 (= W. Chr. 372), 360, 580, 605, 607, P. Grenf. II 58, VBP IV 81, P. Oxy. IV 825, XXXI 2567, BGU II 383, P. Mert. I 15, P. Princ. III 131, P. Ross. Georg. V 61 (1st-4th cent. A.D.).

¹⁰ See Rostowzew, *Arch. Epigr. Mitt. österr.* xix (1896) 139, who identifies them with officials known from Latin sources as *actores*.

¹¹ For the later situation see P. Beatty Panop. 1.205-12, cf. 365-8 (A.D. 298); for the earlier cf. Rea's introduction to P. Oxy. 2566.

¹² Skeat, note *ad* P. Beatty Panop. 1.365-8, supposes the πραγματευταί to have been mere clerks, in contrast to the προνοηταί who were the actual managers of the estates. BGU 2126 suggests to me that the πραγματευταί were somewhat more important than this. As the passage quoted in the text shows, πραγματευταί could be used as an equivalent for χειρισταί, who are referred to again in this connection in P. Oxy. I 58 = W. Chr. 378 (A.D. 288), where, however, nothing is done to clarify their status.

guish with certainty this type of *πραγματευτής* from type (a) above. In late third-century Oxyrhynchite documents, however, a *πραγματευτής* appears as the agent of a *κράτιστος*, and he should perhaps be classed as type (c).¹³

It is not at all unlikely that Claudia Isidora possessed *πραγματευταί* of type (a), but as her property had by now come into the possession of the *fiscus*,¹⁴ the Lucius of our document must belong to type (c).

As pointed out in the *ed. pr.*, a Lucius also appears in P. Oxy. XIV 1659.100. He is there regarded as a *πράκτωρ*, but as his title is written *πρ^α*, the question naturally now arises as to whether it should not be expanded *πρα(γματευτής)*. Both date, A.D. 218—21, and place, *Κάτω τοπαρχία* of the Oxyrhynchite nome, are suitable; furthermore there is in the same document a reference, in a rather fragmentary context, to Claudia Isidora.¹⁵ There is therefore a strong temptation to suppose this to be the same Lucius, and to expand *πρ^α* into *πρα(γματευτής)* in lines 30, 86—7, and 118 as well. But it cannot be denied that in an account of crown-tax a *πράκτωρ* is the more obvious official to be referred to as *πρ^α*, and, more important, there is as yet no reason to suppose that Claudia Isidora's property had come into the treasury's possession as early as the reign of Elagabalus, so that the temptation should perhaps be resisted.

μερί. [...]: the *ed. pr.* had *μερίδ[ος]*. *μερίδες* of the Oxyrhynchite nome, however, seem always to have a geographical or personal description,¹⁶ and so I do not believe *πραγματευτής μερίδος Κάτω τοπαρχίας* by itself is an intelligible expression. There are only indecisive traces of the *delta* before the papyrus breaks off and it seems possible to me that the *iota* is raised. I should be inclined therefore to read *μερί(δος)*. [. Dr. Maehler is less inclined than I am to regard *iota* as raised, and suggests that, if *μερίς* needs defining, there may just be room to read, for example, *μερίδ[ος]* [ν], i. e. *μερίδ(ος)* [νο(τίνης)], cf. P. Oxy. 1546 quoted in n. 16.

2. *Ἰσ[ιδώρας]*: perhaps it was necessary to abbreviate this.

4. *Παρά {α} Αὔρηλ(ίου)*: there is certainly something the matter with what the scribe has written here, but the reading of the *ed. pr.*, *Παλλα Αὔρηλ(ίου)*, implies a truly remarkable error, nor is it wholly satisfactory palaeographically. I believe that the slight loop and oblique stroke from NW to SE which follows initial *πα* is a badly written *rho*, exactly like the one in

¹³ P. Oxy. XII 1544, XX 2285; cf. XII 1514, 1569, XX 2286, VBP II 26, SB IV 7345, P. Corn. 18.

¹⁴ We do not know when or why this happened, see Rea's introduction to P. Oxy. 2566. (The translation there "escheated to the treasury" is unfortunate; "escheat" is a technical term which should mean that the property reverted to the government in default of legitimate heirs, whereas this is precisely the point which is in doubt).

¹⁵ The document is a long account of crown-tax which has been paid by individuals and villages; at line 5 the editors read *παρά? Κλα[υ](δίας) Ἰσιδώρας τῆς κ(αὶ) Ἀπίας (δραχμὰς) σλς*.

¹⁶ *μερίδες* with personal descriptions: P. Oxy XIV 1735, XVII 2129, XX 2271, P. Harr. 99 [no doubt Oxyrhynchite] (all 3rd/4th cent.); these parallels suggest that the *μερίδων β' Σεργήνου* of P. Mert. II 74 is also a personal name (cf. esp. P. Oxy. 1735, where *Σεργήνου* is balanced by *Ἰωάννου*), although the editors take it as the name of a village. Geographical descriptions: SB VI 9223 (2 B.C.), *σιτολόγοι ἀπηλιώ(του) μερίδος Κάτω τοπαρχ(ίας)*, and P. Oxy. XII 1546 (late 3rd cent.), *χωμα(τεπιμεληται) τ[ῆ]ς νοτίνης μερίδος* cf. also P. Oxy. II 287, 383—4 (Tiberius). Despite the discussion in the notes to P. Oxy. 2129.1, P. Mert. 74, and Youtie, *TAPA* xcii (1961) 566—9 (where the Merton text is re-dated and improved), the precise nature of these Oxyrhynchite *μερίδες* remains obscure. They seem to have been geographical divisions of the toparchy, possibly always part of great estates. Their relationship to the *μερίδες* of the late Byzantine period, for which cf. E. R. Hardy, *The Large Estates* (1931), 47—9, and *Chr. d'Eg.* xxxiv (1959) 137, is not clear.

αυρηλ following (*rho* was always the letter to suffer most severely from distortion in the cursive hands of the third century). We need now suppose nothing more serious than that the writer put in one *alpha* too many.

5. Σεν[...]: the number of letters lost is quite uncertain, as the scribe sometimes crowds the end of his line and sometimes leaves blanks (cf. the notes to l. 1, end, and l. 2 above); also the name may well have been abbreviated. P. Oxy. X 1285 includes a number of Oxyrhynchite villages beginning Σεν-, but none is in the Lower toparchy. However, the πράκτωρ of Σεντωλενών was also responsible for Ταλαώ (P. Oxy. VI 981 with 917), and the latter was in the Lower toparchy (see also l. 9).

7. τὸ ἐνεστ(ός) ιβ (ἔτος): τὸ ἐνεστ(ός) β (ἔτος) *ed. pr.* The plate shows a very slightly raised *tau* after ἐνεσ, followed by a diagonal stroke which begins from the foot of the *tau*, and then a vertical stroke before β; the diagonal goes through the middle of the vertical. I suggest that the scribe intended the diagonal as a mark of abbreviation and then, in order to crowd ιβ into the remaining space in the line, wrote the *iota* over the diagonal. The alternative is to take both the diagonal and the vertical which cuts it as marks of abbreviation, reading β (ἔτος), as in the *ed. pr.* Dr. Maehler tells me that he would on balance regard my suggested reading as preferable.

The changed reading is of some value since it enables us to give the document a precise date, namely A.D. 232/3.¹⁷ The text is now of little value for deciding when Claudia Isidora's estate ceased to be her private property, as we know from the unedited text referred to in the note on l. 1 above that it was the property of the *fiscus* by at least A.D. 231/2.

8. οὐσία: Ἀπία *ed. pr.*; this arouses doubts on two counts — it would be odd to find Claudia Isidora referred to simply as Apia, and, more especially, it is scarcely credible that property which no longer belonged to her should be described as τὰ ὑπάρχοντα Ἀπία. The plate shows that palaeographically οὐσία, which gives adequate sense, is acceptable as a reading, and Dr. Maehler would now agree with this. οὐσία should be restored in ll. 11/12 of the first column.

10. Ποτάμωνος: Πολέμωνος *ed. pr.* The letter before μωνος looks to be a fairly certain *alpha*, and there is a trace of a vertical before it. Dr. Maehler has re-examined the original and the corrected reading is due to him.

10/11. βεβωλο[σ]τροφημένας: the reading of the *ed. pr.*, βεβωλο[σ]τροφημένου, would presumably have to be taken as an error for βεβωλοστροφημένας. The cursive scrawl at the end of the word can, I believe, more easily be reconciled with ας than with ου. The word is new to the papyri, but the noun βωλοστροφία is found in P. Hib. II 282.21f., where we have a reference to δειοβολοῦν(α) τὴν βωλοστροφίαν in early March. As B. R. Rees suggested, *Class. Rev.* vi (1956) 234, this must relate to breaking up the clods of earth after they have been turned over. Similarly here we are concerned with an agricultural process which preceded the sowing. On such *Bodenbearbeitung* see the detailed examination by M. Schnebel, *Die Landwirtschaft* (1925), 101—9, and Miss Świderek's remarks, *La propriété foncière privée.... d'après P. Lond. 131 recto* (1960), 86—9.

It is most unusual to find the agricultural condition of the land described in papyrological leases; I have not noticed any exact parallel to the expression we have here, although the leasing of τὰς σπιρομένας ἀρούρας in P. Mil. Vogl. II 83.8—9, and of τὰς λιμνασθείσας ἀρούρας in P. Princ. III 147.11 may perhaps be compared. The strangeness of such an expression cannot be mere accident: obviously the land in the present papyrus is not being leased right at the beginning of the agricultural year, as was normal, but after certain of the necessary tasks, which

¹⁷ The regnal year must refer to Severus Alexander. The latest date at which we hear of Claudia Isidora's estate is A.D. 235 (P. Osl. III 111), so that the twelfth year of Gallienus may safely be ruled out.

would benefit the lessee, had been done. One might speculate that the land had only recently come into the possession of the *fiscus*, or conjecture that the government had found it in such a neglected state that it had been necessary to do some preliminary work on it before offers for lease could be expected; but this is all entirely hypothetical.

12. φόρου: it is most unusual to find φόρος used of rent in kind before the Byzantine period. D. Hennig, *Untersuchungen zur Bodenpacht* (1967) 102 n. 1, quotes only P. Ryl. II 97, P. Oxy. XIV 1686 and P. Harr. 80 from the first three centuries A.D. (but the latter two examples both have ἐκφορίου καὶ φόρου); cf. P. Rein. II 100?

13/14. ἐν θέματι δημοσίῳ: "auf das Staatskonto" *ed.pr.* I am not convinced by this, but have no alternative to offer.

14. κ[α] [ἐκ τ]οῦ Δι . . . οὐριδου κλ(ήρου): at the end of the line the *ed.pr.* had ἀκρολ(ούθως), but the supposed *omicron* is no doubt just a stray mark, as κλ is made exactly as in line 10, where it is expanded κλ(ήρου). Before κλ(ήρου) here we need καὶ ἐκ τοῦ and a proper name. The reading Δι . . . οὐριδου is due to Dr. Maehler, who would accept the suggested emendation of the line. As he remarks, Δι . . . οὐριδου seems to point inevitably to Διοσκουρίδου, but he adds that "after the first *delta* ιω or ηο seem more likely than ιο".

15. The revised text of line 14 means that we need here a word to balance βεβωλοστροφημένας (in lines 10/11), followed by a symbol for *arourae*, a numeral, and ὥστε σπεῖραι πυρῶ. At the end of the line we can, I feel sure, confidently read σπεῖραι πυρῶ for the κ[α]ι πυροῦ of the *ed.pr.* The curve at the end has a vertical through it, which has to be ignored if we read πυρῶ, but it does not in any case look like *upsilon*. At the beginning I had thought of ἐσ[χ]ι[σμένως] "with the clods of earth split open", which could be justified on logical grounds (cf. SB VI 9123, where it refers to an agricultural process which preceded sowing); but Dr. Maehler points out that the first letter looks more like *omicron* and himself suggests ὀμ[ο]ι[ω]ς. This suits the space available much better and I have no doubt that this is to be preferred.

16. If the interpretation suggested of lines 14—15 is correct, this line may confidently be restored as in the text.

Translation

To Aurelius Lucius, agent for the [] section of the Lower toparchy of the former property of Claudia Isidora also called Apia. From Aurelius Aphynchis, son of Petronius, mother Plutiaena, of Sen[]. I voluntarily offer to lease from you for the current 12th year only from the property belonging to the estate near the village Talao, of the plot of Dromon and Potamon 2½ *arourae* with the earth turned over, so as to sow with wheat, at a rent of six *artabae* of wheat per *aroura*, to the public account (?), and of the plot of Dioscurides (?) *x arourae* in a similar condition, so as to sow with wheat, at a rent of *y artabae* of wheat per *aroura*...

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