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## Some recently published Leases of Land

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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. Hermann in *Studien zur Bodenpacht* (Münch. Beitr. zur Papyrusforschung XLI) published in 1958<sup>1</sup>. 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 threequarter *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 καὶ [...]ων ἐπ[ὶ τ]ὴν τετραετίαν κε[φαλαίου c. 16 letters πάν]των μ[έ]τρω ἐξ[α]χονίκα[ω] Κερκεοσίρεω[ς]. 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 κε[φαλαίου 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<sup>2</sup> and the photograph which accompanies the publication

<sup>1</sup> 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; 9295; 9313; 9380 (10 papyri); 9390; 9461; P. Strasb. 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).

<sup>2</sup> 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 (l.20) καὶ θαλλῶν ἐπὶ τὴν Εἰσειαν κατ' ἔτος it seems likely that Εἰσειαν (otherwise unknown) is a misreading of διετίαν or διετετίαν.

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 τ[ρι]ῶν and τ[εσσαρ]ῶν 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 καί; 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<sup>3</sup>: καὶ θ[αλλ]ῶν ἐπ[ὶ τ]ῇν τετραετίαν κα[τ'] ἔτος.<sup>4</sup> A good parallel is P. Mil. Vogliano II 83, 19—20: [τῶ]ν δὲ θαλλῶν ἐπὶ [τῇ]ν [ἐπτα]ετίαν καθ' ἕτος.

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

ἐστὶν δὲ παρ' ἐμοὶ τῇ 'Ηρᾷ ἡ [κατ'] ἀρού-  
ραν ἀρταβία καὶ ναύβιον τῶ]ν τριῶν ἀρουρῶν καὶ τῆς ὅλης  
ἐπιβολ[ῆς] ἀρ-  
..... καὶ σπέρματα τ[ῆς] τ[ο]ῦ ἰσιό[ντος] ἔτους κατα-  
σπορέας τῶν σιτοσ-  
φύρων ἀρουρῶν .... καὶ μετὰ τ[ὸν] χρόνον 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 ἀρ[γυρίου] and ἀρ[ταβῶν] 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 ἐπιβολ[ῆς] we should read ἀρ[ουρῶν] (or ἀρ[ούρης])<sup>5</sup>, followed by a numeral, and after this simply ἀπὸ τ[ῆς], thus making it unnecessary to supply σπέρματα<sup>6</sup>. Furthermore, as both χορτοσπορέω and πυροσπορέω exist, it is perhaps legitimate to assume the existence of σιτοσπορέω

<sup>3</sup> Before καὶ a numeral is required, perhaps [ὅκτ]ῶ, though it is not possible to be sure from the photograph.

<sup>4</sup> 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-*choenix* measure, e.g. wheat, as in P. Amh. II 90, 9—11: καὶ θα[λ]λοῦ κατ' ἕτος ὁμοίως πυροῦ ἀρτάβης μιᾶς πάντων μέτρῳ κ.τ.λ.

<sup>5</sup> P. Mil. Univ. inv. 278 II 9—10 (published in *Acme* XIII (1960) 257—259) is a lease of (ἀρού-  
ρας) γ (τέταρτον) καὶ ἐπιβολ(ῆς) (ἀρούρης) (ἡμισυ) (τέταρτον).

<sup>6</sup> 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]*<sup>7</sup>) 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 corn<sup>8</sup>".

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 *καὶ παρὰ[δῶς]ω τὰς ἀρο(ύ)ρας ἀπὸ ἀναπαύματος χόρτου, τὸ δὲ λ[ο]π(όν) ἀπὸ καλά[μου] τύρου (1. θρύου) πάσας καθαρὰς* 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 τὰς ἀρο(ύ)ρας is an error made by the scribe, who should have stated here only a part of the land<sup>9</sup>; secondly we must substitute ἀπὸ καλάμ[ι] [ῥις]<sup>10</sup> 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 scribe<sup>11</sup>. 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 *καὶ μετὰ τὸν χρόνον παραδῶσο*

<sup>7</sup> For the form cf. *χορτοσ[παρήσονται]* in P. Cair. Zen. IV 723, l. 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*.

<sup>8</sup> There is of course an implied contrast here with the time for sowing the *arourae* that were to be sown with *χόρτος*.

<sup>9</sup> Normally a half or a third. On the photograph there appears to be a curve before ἀπό (l.18); could this perhaps be a symbol for ἡμισυ rather than a way of writing *pi*?

<sup>10</sup> The meaning of *καλάμη* in this context was conclusively established by M. Schnebel, *Die Landwirtschaft in hell. Ägypten*, 116 f.

<sup>11</sup> 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 *ἐκφόριον* in l.8, but the editor is certainly right to restore [τὸν] κατ' ἕτος [φόρον] in l. 16.

(l. -σω) τὸ τρίτον μέρος ἀπὸ ἀναπαύσεως καὶ τὸ λοιπὸν διμοιρον μέρο[ς] ἀπὸ καλάμης 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.)<sup>12</sup>”.

(ii) line 19: παρεξισδῶ[...] τὰ«ς» ταυρικῶν ζεύγῃ ὀκτώ. In his note on this passage the editor says that the letter before the lacuna could be *mu* and also quotes P. Cornell 11, 22, which reads παρέξεις δὲ ἡμῖν κατ’ ἔτος ἕκαστον<sup>13</sup>. 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<sup>14</sup>, which points to the reading [κατ’ ἔ]τος. Accepting the editor’s *mu* before the lacuna we can read the whole passage as follows: παρέξεις (l. παρέξεις) δέ<sup>15</sup>μ[οι κατ’ ἔ]τος ταυρικῶν ζεύγῃ ὀκτώ. 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. Cadell in *Recherches de Papyrologie I* (1961) 21—27, is concerned with the lease for three years of twenty *arourae* near Theognis<sup>16</sup>; its date is either 88/87 or 141/140 B. C.<sup>17</sup>. The rent is 170 *artabae* of wheat *per annum* to which is added an additional payment of one and a half *artabae* of *ami*-seed<sup>18</sup>. At this point (line 7) the papyrus, as read by the editor, continues ἀνα<φ>τεύσομεν δὲ ἡμι<ο>ς τὸ τρίτον μέρος κατ’ ἔτος. The difficulty with this reading is the rather violent emendation needed to produce ἀναφντεύσομεν, a word not hitherto found in the papyri. The excellent photograph which accompanies the publication (Planche II) suggests that ἀνα-

<sup>12</sup> For καθαρός used without specification of the plants of which the land is to be clear cf. BGU VII 1644, 25—26: παραδῶ[σ]ω τὴν ἄρου[ραν] καθαρὰν καὶ κ[α]θὼς παρέλαβο[ν].

<sup>13</sup> The papyrus breaks off at this point.

<sup>14</sup> Cf. the way the end of ἀναπαύματος is written in l. 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.

<sup>15</sup> I have assumed that the *epsilon* has coalesced with the first stroke of the *mu* (conversely I should prefer μηδὲ ἐν to μηδὲν in l.15), but if this is felt to be impossible we must read δ<έ>μ[οι].

<sup>16</sup> On the document as a whole see Mlle Préaux in *Chr. d’Ég.* 36 (1961) 222—223, who suggests that it should not properly be described as a lease.

<sup>17</sup> See the editor’s notes to lines 2 and 3.

<sup>18</sup> Lines 6—7: ἐξαιρέτον (l. -ων) κατ’ ἔτος ἡμι<ο>ς σπέρματος μίαν ἡμισυ (sc. ἀρτάβην).



παύσομεν could be read as an alternative<sup>19</sup> 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<sup>20</sup>. A difficulty in the new reading is that the simple alteration of ἄμις into ἄμι<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 ἄμις, a by-form of ἄμι<sup>21</sup>, as indeclinable, both here and earlier in the same line<sup>22</sup>.

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<sup>23</sup> and in particular would certainly not have been used as a fodder crop. *Ami* is known to be a form of cummin<sup>24</sup>, but neither it nor cummin itself is ever found as a rest crop in papyri hitherto published<sup>25</sup>. Another form of cummin, however; μελάνθιον „black cummin” (*nigella sativa*) is found in contexts where it can only have been a rest crop<sup>26</sup>. 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 Anderlind, *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 gesorgt 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<sup>27</sup>. 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

<sup>19</sup> πζ is written in very much the same way as it is in παντός 1.5.

<sup>20</sup> See Schnebel, 230 ff. Similar in wording to the present document (and of about the same date) is P. Teb. I 106, 22 (101 B.C.) [καὶ ἀναπ]αυσάτωι κατ' ἔτος τὸ τρίτον μέρος τῆς γῆς χόρτωι ἢ ἀράκωι ἢ τήλει; cf. also P. Teb. I 105, 38 (103 B.C.).

<sup>21</sup> Foreign words in -ι usually have an alternative form ending in -ις, cf. σίναπι and σίναπις.

<sup>22</sup> In the passage quoted in n. 18.

<sup>23</sup> See the table drawn up in Schnebel, 220 ff. Rest crops are normally grasses, clover or leguminous plants.

<sup>24</sup> To the references cited by the editor in her note *ad loc.* may be added Andr , *Lexique des Termes de Botanique en Latin*, s.v.

<sup>25</sup> *Ami* is only mentioned in two other documentary papyri, P. Teb. I 55 and 190, so far as I have been able to discover (but cf. n. 29). κύμινον is found as an extra payment in the lease P. Mil. Vogliano II 83 (134 A.D.) but there is no mention of its being a rest crop.

<sup>26</sup> P. Teb. I 66, 68 & 69, discussed by Grenfell and Hunt in P. Teb. I Appendix pp. 560 ff. and in Schnebel, 236. Cf. P. Teb. I 62 and 87.

<sup>27</sup> Mlle Pr aux (*loc. cit.*) says that the *ami* „a vraisemblablement plus de valeur que le bl ” and connects this with the fact that the rent on the plot is exceptionally high.

in the early 4th century A.D.<sup>28</sup>. We know, however, that *ami*, like cummin and *melanthion*, was valued for its medicinal properties and is found in medical papyri from Egypt<sup>29</sup>. Despite the haphazard nature of our sources, there can be no doubt that the infrequent occurrence of *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.

[Aberystwyth]

J. D. Thomas

<sup>28</sup> See Kalleres, *Επετ. Εταιρ. Βοζ. σπ. έτ.* 23 (1953) 702. Five *artabae* of cummin are priced at 4 talents 1000 drachmas in SB V 7667 (320 A.D.).  
<sup>29</sup> P. Oxy. VIII 1088 (1st cent. A.D.) and P. Ryl. I 29 (3rd cent. A.D.).