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UNEDITED MERTON PAPYRI. II

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FOR earlier publications of papyri in the collection of the late Mr W. Merton see *JEA* 56 (1970), 172–8.¹ The five texts published here for the first time continue the numbering of the texts presented in the article in *JEA* 56; publication is by kind permission of the Chester Beatty Library, Dublin. It was my understanding that these texts would complete the publication of the collection. However, while this article was in course of preparation, Mr W. V. Davies brought it to my knowledge that there were some papyri in the National Library of Wales, Aberystwyth, which were said to be from the collection of Mr W. Merton and to have been deposited there for the use of the late Sir Harold Idris Bell. Mr Daniel Huws, Keeper of MSS and Records, was kind enough to supply me with some information about these papyri from which it is reasonably clear that they represent a more recent purchase by Mr Merton and that they are as yet unpublished. There appear to be about fifteen papyri in this group. I hope to be able to publish them, or such of them as merit publication, at a later date.

132. PETITION

Provenance unknown

Late first/early second century AD

Inv. no. 121

8.5 cm × 9.5 cm.

The papyrus contains part of a petition concerned with a routine type of complaint against assault and theft of clothing. The upper part is lost and with it the name of the addressee; no doubt he was either the *strategos* or the local police chief. It is noteworthy that the complaint seems to have been directed against a *δημόσιος*, a local village police official.

The text can be dated only on palaeographical grounds. From the letter forms and almost total absence of ligature I should prefer to assign it to the later first century AD, with the early second as a less likely possibility. Apart from rho, which is made like a figure 2, it is very similar to the hand of *P. Princ.* 147, reproduced in *BASP* 5 (1968), 11, dated in AD 87/8.

γασια ἐν μὲν τοι.	[± 6]
προσπίπτουσι η[[± 7]
δημό[ς]ιος προς.	[± 5]
μενος ὡς δὲ τοῦν[[± 5]

¹ In *BASP* 7 (1970), 102–4, J. W. Shumaker has published a text (*P. Oxy.* 811) which appears to be in the same hand as 129 (l. 5 read ποεῖ); *P. Oxy.* 811 is assigned to c. 2 BC. Correct the note to 131. 4–5 to read ‘wife or granddaughter’.

- 5 ἐπιχειρῶν πολλὰ..[± 4]
 χαρῶν πλεονε[...][...]
 β,ται τοῖς μισθ[...]
 ἀλλ[.]. ἐπὶ τοσοῦτον αὐ-
 θαδίᾳ χρησάμενο[ς] ἀπηνέκ-
 10 κατο ἱμάτια ἱκανὰ δοθέν-
 τα ἡμεῖν ὑπὲρ μισθον, οὐ
 μόνον ἀλλὰ καὶ συνλαβώ-
 ν μαι καὶ τὸν ἀδελφόν
 μου μόνους ὄντας ὕβρισε
 15 πληγαῖς καὶ τὰς περ[ὶ ἐ]μὲ
 ἐσθῆτας καταρήξα[ς..]

8-9 l. αὐθαδείᾳ
 commentary

9-10 l. ἀπηνέγκατο
 12-13 l. συλλαβών με

10 ἱματια, ἱκανα

16 ἐσθῆτας, ε corrected from αι

11 l. ἡμῖν, μισθῶν? See

Translation

'... acting impudently to such a degree, he carried off a substantial amount of clothing which had been given to us as pay. Not only that but he also seized me and my brother, who were alone, and insulted us with blows, and tearing the clothes I was wearing ...'

Commentary

1. γααία: no doubt ἐρ]γααία or a compound.

1-4. A possible way to take these lines is to supply τοῖς [ἡμεῖν] in l. 1 and in the next line ἦ[ν, a proper name, ὅ]; this would mean: 'Among those attacking us was NN, the village policeman.' While this fits the sequel very well, it is not certain that this is a possible meaning for προσπίπτουσι.

3. δημό[ς]ιος: on the δημόσιοι κώμης see F. Oertel, *Die Liturgie* (1917), 150-1, and P. Petaus, 66, introd. Here, however, the *demosios* is no doubt in some sense a police official: cf. P. Cair. Isid. 128. 3 and note.

4. Supply τοῦν[εκα?]

5-6. It would be possible to read and supply τυγ]χάνων πλεονέ[κτ]η[ς, which would presumably mean 'becoming greedy'.

7-8. It is easiest to read τοῖς μισθωτ[αῖς] with ἀλλ[.].ς in the next line. However, it looks more promising to read as an alternative in l. 8 ἀλλ[ω]ν, preceded in l. 7 by τοῖς μισθῶν[ς] [τῶν]. A verb must have preceded but none with a suitable meaning suggests itself; the reading at the start of l. 7 looks most like beta or mu, followed by nu, but this cannot be right.

9-10. ἀπηνέγκατο: for the spelling cf. P. Gen. 74. 6 (third century), ἦνεκα for ἦνεκα.

11. ἡμεῖν: a doubtful reading.

ὑπὲρ μισθον: most probably the writer intended ὑπὲρ μισθῶν, but it is just possible he meant μισθόν, in the sense 'over and beyond our pay'.

14-15. For ὕβρις consisting of physical violence cf., e.g., P. Athens, 34. 8-9 (with the note ad loc.), where a councillor makes a complaint αἰτιωμένου ὕβριν διὰ πληγῶν [τ]οῦς ἑαυτοῦ ποιμένας πεπονθέναι.

133. LETTER FROM CHAEREMON (pl. XXVIII)

Provenance unknown

Third century AD

Inv. no. 122

7 cm × 12.5 cm

The papyrus, which is broken at left and foot, contains part of a letter from Chaeremon concerned with agricultural matters. It seems very likely that Chaeremon was a steward of an estate writing to a superior or to a fellow steward or stewards. It is not clear whether there was more than one addressee, and the reading at the end of l. 1 does not settle the matter: see the note ad loc. The plural verb in l. 10 and $\dot{\upsilon}\mu\dot{\iota}\nu$ in ll. 9 and 14 suggest at least two addressees, but the writer may mean 'you and your assistants' (*vel sim.*) or be using a plural of respect (but note that he speaks of the recipient as $\acute{\alpha}\delta\epsilon\lambda[\phi-$ in l. 3). If the restorations suggested are broadly correct, there is no room for the names of two addressees in l. 1. However, the restorations are no more than *exempli gratia* and much more may have been lost at the left.

The sole reason for publishing this text is its palaeographical interest. It is written in a rather fine, somewhat idiosyncratic hand, for which see pl. XXVIII. I should assign it to the third century AD, probably to the first half, but a date in the late second cannot wholly be excluded.

[± 8]. ν τ ω ν . τ .
 [± 4 παρὰ] Χαιρήμονος.
 [± 8] ἡρξάμην ἄδελ-
 [φε ± 6]. ης τῶν χωρί-
 5 [ων ...]. [.] οὖν οἱ ὄνοι οἱ σταφυ-
 [λργο]ῦντές μοι συνηθῶς
 [κατέ]σχέθησαν ὀνόματι
 [....] ἰθου εἰς τὸ βαλανεῖ-
 [ον ...] ἐὰν ὑμεῖν δοκῇ,
 10 [....χ]ωρήσατέ μοι αὐτοῦς
 [..... π]ροελήμφθη α..α
 [± 6]. [.] επ[....]. ια παραχαλ
 [± 14] ης ἰάμην
 [± 14]. ὑμεῖν

9, 14 l. $\dot{\upsilon}\mu\dot{\iota}\nu$

Translation

'... from Chaeremon.

Today (?), brother, I started on the fruit-picking on the plots. Now, since the donkeys which normally carry the grapes for me have been detained on the pretext of supplying stone (?) for the bath, if you think fit, get them released for me ...'

Commentary

1. *ντων* is almost certain, but it is not possible to read *ἄντωνι*[ω], since the first letter can hardly be alpha. The remains of this letter would best suit omega, possibly omicron; *Φρ*όντωνι is just possible. The next letter can be read as tau if the name ended at this point, but neither τῶ nor το[ίς] is very convincing as a reading for the rest of this line. There is no difficulty at the start of the next line in supplying ἀδελφῶ / ἀδελφοῖς.

3. At the start perhaps *σήμερον*, as in *P. Oxy.* xvi, 1859. 3-4, ἐπειδὴ σήμερον ἤρξαντο τρυγεῖν τὴν ἄμπελον αὐτῶν; possible also is a date: cf. *PSI* iv, 434 = *P. Cair. Zenon*, iii, 59300. 16-17, Παχῶνς γὰρ πέρυσι κη ἡρξάμεθα τρυγᾶν.

4. Before ης the trace best suits tau or gamma; very suitable (cf. the preceding note) would be τῆς τρυγῆς.

5. ...[.]ουν: not ἐπ[ε]ῖ οὖν; possible is ἐπ[ι] (l. ἐπεὶ) οὖν.

5-6. *σταφυ*[ληγο]ῦντες: the word is found in *P. Tebt.* ii, 585 (published in description only) but not to my knowledge elsewhere. If this supplement is not correct, we must supply *σταφυ*[λάς] governed by a verb ending -οῦντες, with the same meaning. It is doubtful whether this sense could be conveyed by *φοροῦντες*.

7. A verb meaning 'detained' suits the sense very well; for this meaning of *κατέχεσθαι* cf. *PSI* v, 525. 8, ὅτι πλείω ἡμέρας ἐκεῖ κατασχεθεὶς δανεισάμενος χαλκοὺς ἀναπέπλευκα, and *P. Ryl.* iv, 712. 2-3, ἐπειδὴ μὴ [δ]ύνωμαι δι' ἑμαυτοῦ ἐλθεῖν σήμερον . . . κατεχόμενος διὰ τὰ [δ]ημόσια.

7-8. Although theta at the start of the line is oddly formed, it seems to be the letter intended; if it is right, either *λίθου* or a proper name looks inescapable. For stones used for a bath cf., e.g., *P. Cair. Zenon* iv, 59745. 54, λίθων γωνείων τῶν εἰς τὸ βαλανεῖον; and for donkeys used in connection with baths cf., e.g., *P. Cair. Zenon*, ii, 59292. 96-8. If such an interpretation is on the right lines, I would suggest supplying [τοῦ λ]ίθου in l. 8 and taking *ὀνόματι* in the sense 'on pretext of', for which cf. *LSJ* s.v., iv, 2.

8-9. If the restorations suggested are right, *βαλανεῖον* is not quite long enough to fill the lacuna. *βαλανεῖ[διον]* would fill it exactly, but this diminutive is of doubtful existence: see *P. Oxy.* xii, 1430. 13 with note. Perhaps a word such as *διό* filled the space.

10. *χ]ωρήσατε* would seem to be the only possible restoration and the verb was no doubt compounded. If the sense required is 'release them for me', the verb may have been *παρὰχωρήσατε*.

134. LOAN OF MONEY ON SECURITY

Oxyrhynchite Nome?

Inv. no. 132

AD 525 or 526

9 cm × 18.5 cm

The papyrus, of poor quality, is broken on all sides except the top. Ll. 6-7 might be restored νομι[σμάτια τέσσαρα παρὰ κεράτια δέκα ἐξ ιδιωτικῶ] ζύγω, but very probably more than this is missing, so that the length of line cannot be established. There is no way of deciding whether we should restore a consulate or a post-consular dating in the first line. There is no clear indication of provenance, but it is my impression that the phrase ἀκίνδυνα ὄντα ἀπὸ παντὸς κινδύνου (l. 12) occurs only in documents from the Oxyrhynchite Nome: see also the note to l. 11. The hand in which the text is written is very like that of *P. Brooklyn inv.* 2 published by C. Préaux in *CdE* 36 (1961), 356-7.

The document is a loan of money, secured on a half-share of some property. For a list of loans from this period see Préaux, op. cit. Very few loans of this late date are secured by a specific mortgage (among them are *P. Lond.* v, 1723; *P. Cair. Masp.* III, 67309; *P. Michael.* 42; *P. Warren.* 10; *PSI* XIII, 1340: cf. also *P. Lond.* III, 1007; v, 1719; *BGU* II, 363 (with *BL* II), *PSI* XIV, 1427; *P. Warren.* 10). This makes it the more regrettable that our text is so fragmentarily preserved. The individual clauses do not always fall into the recognized patterns: see the notes.

Φλαουί]ν Φιλοξένου τοῦ λ[αμπροτάτου
]...ιον γενομένου . . [
 π]όλεως Αὐρηλίω Φ[
 ἀπὸ τῇ]ς αὐτῆς πόλεως π. . [
 5 Ὁμολογῶ ἐσχηκέναι] καὶ δεδανίσθαι παρὰ . . [
 εἰς ἰδίας μου καὶ ἀναγκαῖα]ς χρείας χρυσοῦ νομ[ισμάτια τέσσερα παρὰ κεράτια δέκα ἐξ
 ἰδιωτικῶ] ζύγω γί[νεται] χρ[υσοῦ] νο[μισμάτια] δ π[αρὰ] κερ[άτια]
 ις ἰ[δ(ιωτικῶ)] ζ(ύγω)
 τὸν ὑπὲρ αὐ]τῶν νόμιμον ἑκατοστ[ιαῖον τόκον
 εἰ]πὶ ὀκτωκαιδεκάτῃ τοῦ Φ[
 10]ἰνδικτίονος ἀκοιλάντ[ως
 νομισμάτια τέσ]σερα παρὰ τὰ αὐτὰ κερ[άτια
 ἀκίνδυνα ὄν]τα ἀπὸ παντὸς κινδύνου
]ς ἀνυπερθέτως καὶ ἀνε[ν πάσης ἀντιλογίας
 τῆς τοῦ] χρέους ἀποδόσεως κ[αὶ συμπληρώσεως
 15]... ὑπεθέμεν σοι ἰδικῶς καὶ ζω[
] ἐνεχύρου τὸ ἡμῖν μέρ[ος
 ἐπ' ἀ]πηλιώτην γονικῆς οἰκίας
]σης περὶ τὴν ρύμην . . [
] . ιωνα σοι ἀσφάλειαν . . [
 20 παν]τός τοῦ ἀνήκοντος δικ[αίου
]φορον ἦνικα [.] . . [

2 γενομένου, γ a correction 5 l. δεδανίσθαι 7 ἰ[δ(ιωτικῶ)] 13 ἀνυπερθέτως
 14 l. ἀποδόσεως 15 l. ὑπεθέμην?: see note; ἰδικῶς

Commentary

1. On the evidence for the consulate of Flavius Philoxenus see R. S. Bagnall and K. A. Worp, *The Chronological Systems of Byzantine Egypt* (1978), 122.
2. At the end the traces would permit πρ[εβυτέρου].
4. π. . . : here one expects simply χαίρειν, which cannot be read. The first letter might be tau or upsilon but pi is most probable, perhaps with alpha to follow. Possibly we should look for a trade, mentioned in an unusual place; *P. Oxy.* xvi, 1891. 4 suggests πασιλλᾶς.
5. It is not usual to have δεδανίσθαι here in sixth-century loans, but the word is to be found in a

few texts of different provenances: e.g. *P. Cair. Masp.* II, 67162-3; III, 67309 (all Antinoopolis); *BGU XII*, 2188 and 2206 (Hermopolis); *P. Warren*, 10 (Oxyrhynchus).

After *παρά* we should probably read *τ[ῆς]* with an honorific title rather than *ε[οῦ]*.

6. *ἀναγκαία*]: doubtful but more probable than *μ[ου]*.

7. The number of solidi has been read in conjunction with l. 11, and is very probable though not certain. For this proportion of solidi to carats cf., e.g., *P. Amh.* II, 148 (487; Fayyûm), 8 solidi less 32 carats.

8-13. Cf. in general *P. Oxy.* XVI, 1891. 7-14 which reads *ἐπὶ τῷ με χορηγεῖν καὶ δίδοναι . . . ὑπὲρ διαφόρου τούτων ἄχρι τῆς ἐξῆς δηλουμένης προθεσμίας τὸν ὑπὲρ αὐτῶν νόμιμον ἑκατοστιαῖον τόκον ἀκ[ο]ιλάντως, ὅπερ διάφορον . . . ἐπάναγκες ἀποδώσω* date *ἀνυπερθέτως καὶ ἄνευ πάσης ἀντιλογίας* κτλ. This still leaves unexplained why our text should record a date in ll. 9-10. Perhaps we should understand the text to mean 'on condition that I pay you the legal interest of one per cent (per month) in annual/monthly instalments starting from the eighteenth of . . .'. For the repetition of the sum owed and the *ἀκίνδυνα*-clause in ll. 11-12 cf. *P. Oxy.* XVI, 1969. 8 ff., where, after *ἐπὶ [τ]ῷ ἡμᾶς . . . [χορηγεῖν σοι ὑπὲρ δια]φόρου τ[ούτων] καθ' ἑκαστον ἐνιαυτὸν ἀπὸ τοῦ [ὄντος μηνὸς . . . ἰνδικτι-ονος τὸν ὑπὲρ τούτων νό]μιμον [ε]ῖκατοστιαῖον τόκον* (cf. *P. Oxy.* 1891), we have [*ἀκοιλάντως, τὰ δὲ τοῦ προκειμένου κεφαλ]αίου χρυσοῦ νομισμάτια δύο [ἀκίνδυνα ὄντα ἀπὸ παντὸς κινδύνου] ἐπάναγκες ἀποδώσομεν* κτλ.

8. On *ἑκατοστιαῖος τόκος* see H. E. Finckh, *Das Zinsrecht der gräko-ägyptischen Papyri* (Diss. Erlangen, 1962), 38-42.

10. *ἀκοιλάντ[ως]*: *P. Oxy.* 1891 and 1969 (restored), quoted above, are the only loans of money in which I have noted this word.

12. See the Introduction.

14. Perhaps simply *ἄχρι τῆς τοῦ] χρέους ἀποδόσεως*, but more probably some such phrase as in *PSI* 1427. 16-17, *πρὸς δὲ ἀ[ε]φάλειαν τῆς τούτων ἀποδόσεως*, or *P. Warren*, 10. 19-20, *πρὸς δὲ [τὴν ἀεφάλειαν τῆς] ἀποδόσεως ἐντεῦθεν ἤδη ὑπεθέ[μεθα]*.

15. At the start *ἤδη* as in *P. Warren*, 10 just quoted, would suit the traces.

ὑπεθεμεν: since the verb seems always to be in the middle in this sense, we should no doubt correct to *ὑπεθέμεν* (it would in any case be difficult to find room for the names of two debtors in ll. 2-3).

εω[]: there is little doubt about the reading and the expected *γενικῶς* cannot be read. I do not know what to make of this; should we supply *εω[ματικῶς]* and compare *P. Warren*, 3. 19 *εωματικὴ ὑποθήκη*?

15-16. Clearly we must restore a phrase analogous to that in *P. Cair. Masp.* 67309. 21 (cf. 46): *ὑπεθέμεν ἐν τάξει ἐνεχύρου καὶ λόγῳ ὑποθήκης δικαίῳ*: see also *P. Warren*, 10. 21-2, with note ad loc.

19. *P. Lond.* V, 1719. 13 reads *εἰς] μείζονά σου ἀεφάλειαν ὑποτιθέμεθα* κτλ., and perhaps something similar stood here, but one would have expected such a phrase in ll. 14-15.

Two further texts complete the selection, neither of which merits publication in full.

135. Inv. no. 117. Second century AD. Provenance unknown. On the recto the remains of six lines of a tax account in drachmas with *προ(διαγραφόμενα)* at 20 per cent; the tax is not stated. On the verso fourteen lines of a private account written in a very

careful hand approaching a bookhand; similar to *P. Merton*, II, 71, assigned to AD 160-3, but even more elegant. The months Payni, Epeiph, and Mesore are mentioned, and the names *Τούρβων*, *Φομνᾶσις*, and *Κρονίων* (which perhaps suggest the Arsinoite Nome). The phrase *αἴπερ* (sc. *δραχμαί*) *ἐχώ(ρησαν)* *εἰς* occurs three times; for *χωρεῖν εἰς* cf. *P. Hamb.* I, 14. 30 n. Twice here the phrase is followed by *διανομ(ήν)* (cf. *SPP* xx, 14. 9 ff.; *P. Oxy.* XII, 1490, introd.; *BGU* IX, 1894. 121; *P. Col.* v, 1 verso 1a. 38), and once by *τιμ(ήν) χα[ρ]τ(ῶν)*.

136. Inv. no. 128. Late fourth/fifth century AD. Provenance unknown. The remains of a letter from Thekla to *τῇ κυρίᾳ μου τιμιω[τάτῃ ἀδελφῇ] Μαρίᾳ*. It begins *ἐπιδε* (l. *ἐπειδὴ*) *οὐ κατεξίω[σεν]* (l. *κατηξίωσεν*) *ἢ σὲ εὐγε]νία γράψαι μοι μίαν ἐπ[ι]στολήν* [I have sent NN to you ??] *ἵνα μαθῇ πρῶτον τὴν ἐτίαν* (l. *αἰτίαν*) *τοῦ μὴ γράψαι μοι τὴν σὲν εὐγενίαν*. No connected sense can be obtained from the remainder. Ten lines are preserved, with part of a line written vertically in the left margin, and another three lines of continuation on the verso, plus an address. Written in a small, cramped, and rather ugly hand.