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From the Archive of Flavius Eulogius and His Descendants

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FROM THE ARCHIVE OF FLAVIUS EULOGIUS AND HIS
DESCENDANTS (see pl.IX)¹⁾

The trends in Byzantine papyrological documentation and the archival origin of much of the papyrus evidence for Byzantine Egypt were at the XIth International Congress of Papyrology subjects of an instructive discussion by Professor R. Rémondon.²⁾ Evidence for late Byzantine Egypt to no small degree consists of extensive archives of private origin, chief among these being the archives of Dioscorus of Aphrodito and of the Apiones of Oxyrhynchus.³⁾ Study of these archives, the identifying of individual pieces as belonging to archives, and the reconstructing of smaller archives from scattered pieces are necessary and profitable fields of scholarly endeavor in Byzantine papyrology as in documentary studies in general.

One of the lesser Byzantine private archives is the late 5th-6th century archive of Flavius Eulogius and his descendants, first and most fully reconstructed by E.R. Hardy in *The Large Estates of Byzantine Egypt* (New York 1931), 39-40.⁴⁾ Documents identified as belonging to the archive are: P. Oxy. I 140; XVI 1876, 1891, 1958-60, 1962-63, 1994; PSI V 466; and P. Iand. 43 (Montevecchi, *La papirologia*, 259). A possible, but far from certain, addition is P. Lond. V 1876 desc.⁵⁾ The large majority of the Eulogius papyri, therefore,

1) The publication of P. Oxy. XVI 1962 undertaken below and permission to reproduce its photograph are by courtesy of the Egypt Exploration Society through its secretary, Miss Mary Crawford. Photographs of this and other Eulogius papyri were made for me some years ago by Revel Coles. More recently, John Rea has been so kind as to test my readings and questions against the original papyrus.

2) *Atti dell' XI Congresso Internazionale di Papirologia*, Milan 1966, 135-48.

3) For the Byzantine Egyptian papyrus archives, cf. the summary lists and bibliography in O. Montevecchi, *La papirologia*, Torino 1973, 257-61. For the Dioscorus archive, see now also P. Mich. XIII.

4) Cf. P. Oxy. XVI 1876 intro., and, recently, Keenan, *ZPE* 13, 1974, 297-98; I.F. Fikhman, *Oxyrhynchus: City of the Papyri* (in Russian), Moscow 1976, 80-82.

5) Hardy, *Large Estates*, 40 n. 2. With the aid of a photograph sent to me through kind arrangement by T.S. Pattie, I find it possible to read the first two lines of P. Lond. 1876 desc. as:

are to be found in P. Oxy. XVI; most of them appear as *descripta* at the back of that volume. Of these papyri, the one whose description is least full in proportion to its size and state of preservation, to such an extent that its full publication seems a worthwhile task, is P. Oxy. 1962.

Like the majority of the Eulogius papyri, P. Oxy. 1962 is a lease of house property.⁶⁾ By its terms Eulogius's sons, Martyrius and Apphous, lease to Aurelius Apa Nakios a small house in the Pammenes' Garden district of Oxyrhynchus. The text, written with the fibers, is virtually complete; but the papyrus is abraded and worn in spots, notably toward its left-hand edge from top to bottom. Most minor deviations in the transcript offered below, with its more extensive use of dots and brackets, from the transcript given in the P. Oxy. description are related to this fact. These minor changes are not reported in the critical apparatus or in the commentary below, but may be controlled by the reader against the plate that accompanies the present edition. In both hands, final *υ* is raised, except for the correction in line 14.

P. Oxy. 1962 desc. 15.5 x 31.2 cm. A.D. 500

↔ [P] Ὑπα[τείας] Φλαούων Πατρικίου καὶ Ὑπατίου τῶν [λαμ-
[προτά]των, Ἐὐθὺν ἐν Ἰνδικτίονος θ, ἐν Ὁξυρύγχ(ων) πόλε(ι).
Φλ[α]ουίους Μαρτυρίω καὶ Ἀφούτι τοῖς λαμπ[ρο]τάτοις

Φλ(αουίω) Ἀφ[ούτι
παλατίνω γε[ο]υχοῦντι ἐν[ταῦθα

1 Φλ(αύιος) Ἀπ[P. Lond. desc. 2 παλατίνου, "perhaps miswritten for παλα-
τίου" P. Lond. desc.

If the fragment does belong to the Eulogius archive, then these lines might be restored on the basis of related texts as (e.g.):

Φλ(αουίω) Ἀφ[ούτι τῶν λαμπροτάτων τριβούνων υἱῶν τοῦ τῆς ἀρίστης μνήμης Εὐλο-
γίου γεναμένου]
παλατίνου γε[ο]υχοῦντι ἐν[ταῦθα τῆ λαμπρῆ καὶ λαμπροτάτῃ Ὁξυρυγχιτῶν πόλει.

In the end, one can suggest, but far from prove, the piece's connection with the archive. In passing it is perhaps worth noting that the fragment is a land lease and that the lessee's name, as in the present document, is Apa Nakios, though the two individuals are not necessarily identical.

6) For related documents and bibliography, cf. H. Braunert, *Studien zur Papyrologie und antiken Wirtschaftsgeschichte* (Festschr. Oertel), Bonn 1964, 34ff.

- 4 γοταρίων υιοῦς τοῦ τῆς ἀρίστ[τ]ης
 [μ]νήμης Εἰ[ύ]λο[γ]ίου γεναμένου παλατίνου γε[ου]χοῦσιν
 [ἐντα]ῦθα τῆ λαμπρᾶ καὶ λαμπροτάτη Ὁξυρυγχιτῶν
 8 [πόλ]ει Αἰ[ύ]ρήλιος Ἄπα Νάκιος υἱὸς Φιλοξένου ἀπὸ
 [τῆ]ς λ[α]μπρᾶς [καὶ] λαμπροτάτης Ὁξυρυγχιτῶν
 [πόλ]εως χ[α]ίρει[ν]. ἐκουσίως ἐπιδέχομαι μισθώ-
 [σασ]θα[ι ἀ]πὸ νεομηνίας τοῦ θῶθ μηνὸς τοῦ ἐνεσ-
 12 [τῶ]τος [ἐ]τ[ου]ς ροζ ρμξ τῆς παρούσης ἐνάτης Ἰνδι-
 [κτίο]νο[ς ἀ]πὸ τῶν ὑπαρχόντων τῆ ὑμῶν λαμ-
 [πρό]τητι διακειμένων ἐπὶ τῆσδε τῆς πόλεως
 [ἐπ' ἀμφο]δί[ου] Παμμένους Παραδίσου ὀλόκληρον
 [μικρᾶν] οἰκίαν νεουῖσαν ἐπὶ νότον μετὰ τῶν
 16 [(?) οἰκοπέδ]ων σὺν χρηστηρίοις καὶ δικαίοις πᾶσι καὶ
 [τελέσῳ] ὑπὲρ ἐνοικίου ἐνιαυσίως χρυσοῦ κερά-
 [τια ὀκτ]ῶ, ὅπερ ἐνοίκιον ἀποδώσω κατ' ἔτος
 [δι' ἑξα]μήνου τ[ὸ] ἥμισυ, καὶ ὀπόταν βουλειθεῖη
 20 [ἡ ὑμῶν] [λαμπρ]ότης παραδώσω τὴν αὐτὴν
 [μικρᾶν οἰκία]ν μετὰ καὶ τῆς ἀτρώτου αὐτῆς
 [νομῆς ἀν]υπερθέτως. κυρία ἡ μίσθωσις
 [(?) ἀπλή] γραφεῖσα καὶ ἐπερωτηθεῖς ὁμολόγησα.
 24 (m₂) [Αυρήλιος] Ἄπα Νάκιος υἱὸς Φιλοξένου [ὸ] προκείμενος πεποιή-
 [μαι τὴν μίσθ]ωσιν τῆς αὐτῆς μι[κ]ρᾶς οἰκείας μετὰ παντὸς
 [αὐτῆς δ]ικαίου καὶ ἀποδώσω τὸ ἐνοίκιον καὶ συμφω-
 [νεῖ μοι πάν]τα τὰ ἐνγεγραμμένα ὡς πρόκειται. Αὐρήλιος Ἰωάν-
 28 [νης] ρος ἀξιωθεὶς ἔγραψα ὑπὲρ αὐτοῦ παρόντος
 [γράμμα]τα [μ]ῆ εἰδός.
- 30 (m₃) ✕ *di emu Serenu .. etelesthe* (remainder illegible)

↔ (Verso): † μίσθ(ωσις) Ἄπα Ν[α]κίου (traces)

2 | ✕ οξυρυγχι ποϛ 4 υἱοις 7 υἱος 11 Ἰνδ- 12 ὑμων 14 Παρα-
 δίσου, ου corr. from ω 24 Ἄπα Νάκιος, κ in corr. 27 πρόκειται

1-2: The date is September 15, A.D. 500.

2 Ὁξυρύγγ(ων): Ὁξυρυγχι(τῶν), P. Oxy. edd., but cf. now D. Hagedorn, *ZPE* 12, 1973, 291 and n. 50 for the resolution.

4: Exceedingly abraded traces toward the beginning of this line. The restora-

tion τριβούνοις, suggested in *ZPE* 13, 1974, 298 and n. 187, on analogy with P. Lond. V 1679.3-4 and P. Cairo Masp. III 67320.1, is possibly too short for the available space, and certainly palaeographically unsatisfactory (John Rea). The latter criticism also applies to the reading proposed in the P. Oxy. description: [? ἀπὸ τῶν καθ'ορίσ[μίν]ων (?).

5 παλατίνου: since he is referred to as a former and deceased μαγιστριανός in P. Oxy. 1960, it is clear that Eulogius in his career as a palatine official was in the service of the Master of Offices (cf. A.H.M. Jones, *The Later Roman Empire*, Oxford 1964, 578) and not in that of the Count of the Sacred Largesses. Hardy, *Large Estates*, 39 (followed in *ZPE* 11, 1973, 58), should be corrected accordingly.

6-7: For the epithets applied to Oxyrhynchus (cf. lines 8-9), current in combined use from the A.D. 270s till the early sixth century, see D. Hagedorn *ZPE* 12, 1973, 285ff.

7 Ἄπα Νάκιος: Νάκιος appears to be derived from the Coptic **NAK**, a dialectical form of the adjective meaning great, large or old, but also sometimes used substantively as a title for elder or notable (Crum, *Coptic Dictionary*, 250, s.v. **NOG**). It is one of a series of Coptic names that appears consistently with the title **ΑΠΑ** (Crum, 13; see Preisigke, *Namenbuch*, col. 224; Foraboschi, *Onomasticon*, 202). That title, however, once having been attached to certain names, need not have indicated that persons so named were ecclesiastics of any kind. That seems to be true in the present instance and it may therefore be preferable here to print Ἀπανάκιος and to follow this practice in other cases where Ἄπα seems not to be used as a title but as part of a personal name.

10: House lease terms are commonly set to begin on Thoth 1 even in cases where the pertinent documents are, as in the present case (above, line 2), drafted after that date: Braunert, *Festschrift Oertel*, 43; O. Montevicchi, *La papirologia*, 218; P. Soterichos (Papyr. Colon. 8, forthcoming) 26, 9ff. n.; P. Mich. 678 (forthcoming), 8n.

11: For the years of the Oxyrhynchite eras, see now Roger S. Bagnall and K.A. Worp, *The Chronological Systems of Byzantine Egypt*, Zutphen 1978, chapt. VI.

14: For the Pammenes' Garden district, see H. Rink, *Straßen- und Viertelnamen von Oxyrhynchos*, diss. Gießen, 1924, 37-38.

16 [(?) οἰκοπέδ]ων: aut sim.

18 [ὄκτ]ῶ: omega is reasonably secure, thus making the restoration unavoidable. Eight karats here "probably represents the triens" or 1/3 solidus piece.-- L.C. West and A.C. Johnson, *Currency in Roman and Byzantine Egypt*, Princeton Studies in Papyrology 5, 1944, 129.

18-19: For the common half-yearly installments, see P. Oxy. XVI 1889.11 n. They were normally paid at the end of the payment period; cf. A. Berger, *Zeitschr. f. vergl. Rechtsw.* 29, 1913, 387f.; B.W. Frier, *JRS* 67, 1977, 29, n.17; P. Soterichos (Papyr. Colon. 8, forthcoming) 26, 9ff. and 14ff. nn.; P. Mich. 678 (forthcoming), 8 n.

19 βουλειθεΐη: for the persistence of the optative in stereotypical expressions, cf. B.G. Mandilaras, *The Verb in the Greek Non-Literary Papyri*, Athens 1973, p. 283.

23 [(?) ἀπλῆ]: single copies seem to be the norm in the drafting of late Byzantine Oxyrhynchite leases of building property, e.g. P. Oxy. VIII 1038; XVI 1889, 1890.

30: The P. Oxy. description gives, after *etelesthe*, @ (ᾷθ) (?) xviii (ινδϛ)-χ(τ.) <v>iiii. Though occasional details of this continuation may be correct (cf. also L. Koenen, *ZPE* 11, 1973, 215f.), it is exceedingly difficult to justify the total end result against the scribbles that stand on the papyrus; I print here therefore only what seems to me to be reasonably secure. The illegibility of these transliterated notarial subscriptions is well-known (e.g. P. Oxy. XXXIV 2718.22 n.). They were restricted in use to late Byzantine Oxyrhynchus (Irmscher, *Actes du Xe Congrès International de Papyrologues*, Wrocław-Warsaw-Cracow 1964, 131 n. 88; P. Michael., p. 61), and apparently their very illegibility was an ingredient in their being "a form of code writing to prove the authenticity of the document."-- H. van Oyen, P. Lugd.-Bat. XVII, p. 80 at bottom.

Verso: perhaps by a fourth hand if not by one of the three hands represented on the recto; the remains are too scanty to allow judgement on this point. The writing is with the fibers on the back of the upper left-hand corner of the recto; read "[w]ith the eye of faith," but nonetheless I think rightly, by John Rea.

TRANSLATION

In the consulship of the most brilliant Flavii Patricius and Hypatius, Thoth 18 of indiction 9, in the city of Oxyrhynchus.

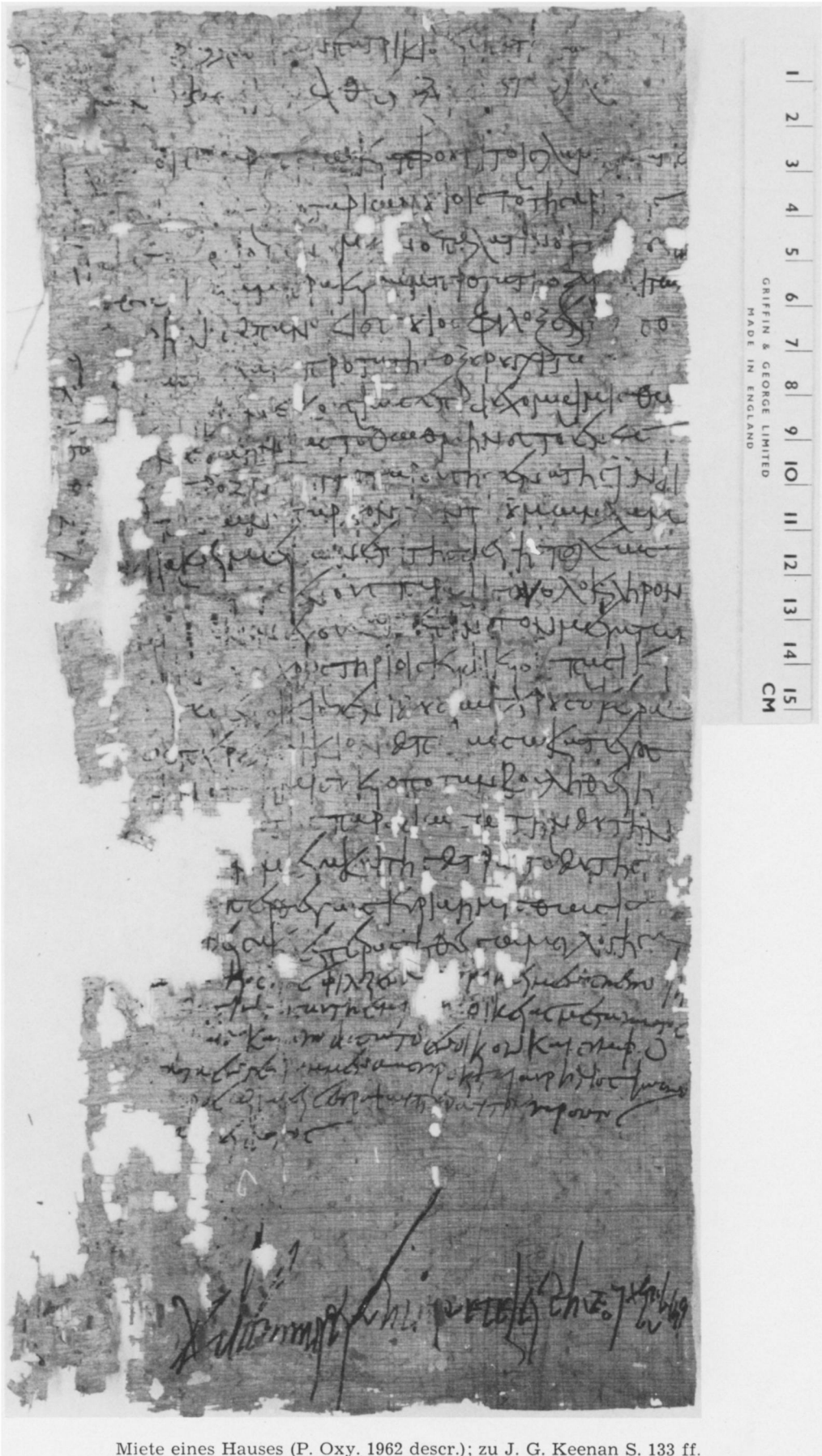
To the most brilliant Flavii Martyrius and Apphous, - - - of notaries, sons of Eulogius of most excellent memory, former palatine official, landowners here in the brilliant and most brilliant city of Oxyrhynchites, from Aurelius Apa Nakios, son of Philoxenus, from the brilliant and most brilliant city of Oxyrhynchites, greetings.

I voluntarily undertake to lease from the first day of the month of Thoth of the current 177th = 146th year of the present ninth indiction from the property belonging to Your Brilliancy, situated in this city in the district of Pammenes' Garden, an entire [small] house, facing south, with its [building-site], with appurtenances and all rights, and [I shall pay] an annual rent of eight gold karats, which rent I shall pay each year, one half every [six] months; and whenever Your Brilliancy should wish, I shall hand over the aforesaid [small house], with [possession] of it unharmed, without delay. This lease, of which there is a [single (?) copy], is valid, and in answer to the formal question, I gave my consent.

(2nd hand) I, Aurelius Apa Nakios, son of Philoxenus, have taken in lease the aforesaid small house, with every right pertaining to it, and I shall pay the rent, and I agree to all the provisions as stated above. I, Aurelius John, [- - -], having been asked, wrote in his behalf in his presence because he is illiterate.

(3rd hand) Executed by me, Serenus - - -.

(Verso): Lease of Apa Nakios - - -.



Miete eines Hauses (P. Oxy. 1962 descr.); zu J. G. Keenan S. 133 ff.