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Two Loans from Tebtunis

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TWO LOANS FROM TEBTUNIS

The papyri edited below are housed in the Bancroft Library on the University of California's Berkeley campus in the keeping of Rare Books and Special Collections.* Previously mentioned with brief descriptions as *P. Teb.* 531 and 532, they are presented here for the first time in full.

1. Loan of Money on Mortgage

*P. Teb.* 531 descr. 13 x 17.6 cm. A.D. 133

Taonnophris, daughter of Kronion, and her son Sarapion, Persians of the *epigone*, borrow 1300 drachmas for one year at 12 per cent interest from Herodes also called Diogenes, a former gymnasiarch. To secure the loan, Taonnophris places on mortgage nine and one-quarter arouras of a *kleros* owned by her in the vicinity of Tebtunis and certain lots in the village proper.

Owing to the loss of concluding provisions and subscriptions, the text is incomplete. What is preserved, however, is in fine condition; only the initial letter or letters of line 1-18 are missing or damaged while the right hand margin through line 20 (and possibly through 21) is wholly intact. The work of transcribing this document was facilitated by its close phraseological correspondences with No. 2 (see below). Two vertical rents in the papyrus, one toward the left side, the other toward the middle, posed no serious difficulties.

The hand is a small, professional cursive. The scribe used a diaeresis in the word *'Apoxo'r'ou* in line 2 (cf. pap.). The verso is blank.

*I wish to thank Mrs. Leslie Clarke and the staff of Rare Books for their constant help. I am also indebted to Dr. John Shelton for his valuable advice on some of the readings in these texts. The responsibility for errors which may persist is, of course, mine alone.


[α]υ]ν τόκου δραχμ[άς] ἐκατόν πεντῆκοντα ἐξ τάς ἑπτὲ τοῦ αὐτοῦ ἀργυρίου δραχμάς χειλίας τετράκο-
[sιάς] πεντῆκοντα ἐξ τῆς ἐβδόμη καὶ εἰκ[ά]δι τοῦ Παῦσι μνήμον τοῦ Ῥωντος ὅκτωκαίδεκάτου

[ἐ]τοὺς Ἀδριανοῦ Καῖσαρος τοῦ κυ[ρί]οῦ, ἀνευ πάσης ὑπερθέσεως καὶ εὐρησιολογίας· πρὸς τε ἀσφάλεια(αν)
[τῷ] ἐν προκεκμένου κ[ε]φαλαίου καὶ τῶν τόκων ἐκουσίως καὶ αἰθαρέτως τὴν Ταυνώφρον υπῆλλ[-
Seventeenth year of Imperator Caesar Traianus Hadrianus Augustus, Payni 28, at Tebtunis in the Polemon district of the Arsinoite Nome. Taonnophris, daughter of Kronion the elder, granddaughter of Amaeis, from Tebtunis, about forty-eight years old, with a scar on her right hand, and her son Sarapion, son of Herakles, grandson of Herakles, about twenty-two years old, with a scar on his right forearm, both of them Persians of the epigone, the said Taonnophris with her son Sarapion as guardian and surety for repayment, acknowledge to Herodes also called Diogenes, son of Didymus the younger, formerly gymnasiarch, about forty-eight years old, with no distinguishing mark, that they have received on loan from him, Diogenes, forthwith through the bank of Apollonius and Sabinus in the Treasuries' quarter at the metropolis, the capital sum of one thousand three hundred silver drachmas for one year from the present day at interest of a drachma per mina monthly; and the acknowledging parties, Taonnophris and her son Sarapion, on mutual surety, are bound to repay Diogenes the capital sum, one thousand three hundred drachmas, plus the accompanying one hundred fifty-six drachmas for the year's interest at the one drachma rate, in all, one thousand four hundred fifty-six silver drachmas on the twenty-seventh of the month Payni in the coming eighteenth year of Hadrianus Caesar the lord without any delay or subterfuge; and as security for the above mentioned capital plus interest Taonnophris has willingly and voluntarily mortgaged to Diogenes through the office of property registers, in all, nine and one-quarter arouras of an estate in two parcels belonging to her in the vicinity of Tebtunis, subject to purchase in part, and, in the village, lots measuring nine bikoi, one hundred sixty-four and one-half cubits, Herodes also called Diogenes suffering no diminution with respect to what the
acknowledging parties owe him according to the other contract of the present day, the capital sum of one thousand two hundred silver drachmas plus interest . . .

2. Taonnophris daughter of Kronion is also found in the following P. Teb. II descripta: 1) P. Teb. 527, a large, but much damaged property division of 101 A.D. Taonnophris acts under the guardianship of her husband, Herakles son of Herakles, who in the present text is mentioned as the father of Sarapion. Her share of the divided land amounts to 2 and 15/16 arouras of a nine aroura plot, 1 and 15/16 arouras of a four aroura plot. For additional comments on this papyrus, see E.M. Husselman, TAPA 88, 1952, p. 152 and n. 11. 2) P. Teb. 472: after Taonnophrēs tīs Kroniōn in the editors’ partial transcription of col. 2 it is possible to read [π]ρεσβυτέρου Ἄμαμ[ης]. As vendor of property in Tebtunis Taonnophris again acts under Herakles’ guardianship. Herakles is described in col. 1.2 as being ὡς ἑ[τῶν] τεσσεράκοντα. The month Choiak of Hadrian’s fifth year (27 November / 26 December A.D. 120) is mentioned in col. 1.5.

4. For the heteroclitic genitive Ἠρακλῆου, see E. Mayser, Grammatik der griechischen Papyri aus der Ptolemaerzeit I, Leipzig, 1906, p. 281.
5. Πέρομη τῆς ἐπῆγονής: in the Roman period, “... a legal fiction adopted by debtors in contracts, borrowers, lessees, etc., to signify their inferior position and that they are in some sense subject to execution without recourse if they default in their obligations . . . .” – J.F. Oates, Yale Class. Stud. 18, 1963, p. 112.
6. Herodes also called Diogenes is listed in Sijpesteijn, Liste des gymnasiarques, as no. 49. For a collection of references to Herodes, well known for his service as one of the βιβλιοφύλακες ἑγκτῆσεων of the Arsinoite Nome in 130/1 A.D., see Acte 10, 1957, p. 153.
8. The metropolis = Arsinoe.
9. Ἰαμείων: although cracks in the papyrus distort the middle letters of this word, the reading is virtually certain. The topographical reference, here to an amphodon in Arsinoe, is expected (see H.C. Youtie’s comments regarding P. Ryl. 174 in TAPA 91, 1960, pp. 258-60). P. Merton 67.4-5 provides fairly recent testimony for the location of Apollonius and Sabinus’s bank in the Treasuries’ quarter; older known references to this and other Treasuries’ quarter banks will be found in Aegyptus 18, 1938, p. 255.

16-17. ὑπηλλα [ἀγμ]ένα: for this kind of mortgage, see Taubenschlag,
Law, pp. 275 ff. There is a list of relevant documents in Johnson, Roman Egypt,
pp. 154-56.

17. ὤψητας: cf. for this word P. Mich. 329.2; PSI 909.2.

18-19. ψειλοὺς [τόπων]: translated simply as “lots” rather than as
“vacant lots” or “building lots” in view of the varied applications of the term

19. βικὸς ἐνεὰ πῖχεις, κτλ.: cf. P. Teb. 472 descr. For the βικὸς as a
square measure applied to psiloi topoi, see Rossi, op. cit., p. 55 n. 7. The πῖχεις,
in this context, is a square measure 100 cubits long and one cubit wide (P.

19-21. μὴ ἐλαττ[ουμέν]ου, κτλ.: cf. Nr. 2.14-16. This clause has been
reexamined by G. Hage, “Die μὴ ἐλαττουμενου-Klausel in den griechischen
Papyri Aegyptens,” to appear in the Proceedings of the Twelfth International
Congress of Papyrology (abstract in BASP 5, 1968, p. 65).

21. [.][.][.][.]: perhaps Τ[γ[ο][νω][φ[.]

2. Loan of Money

P. Teb. 532 descr. 13.3 x 10.2 cm. A.D. 133

Written on the same day, for the same one year term, and in the
same hand as No. 1. This is the ἔτερα ὄμολογια mentioned in line 20
of that text. In the present document Taonnophris and Sarapion
borrow 1200 drachmas from Herodes also called Diogenes. No addi-
tional property is pledged as security. Herodes is to have the right of
execution on Taonnophris and Sarapion as well as on the property
mortgaged in No. 1. Although nearly the entire left half of the
papyrus is missing, it is possible to restore most of the lacunae from
No. 1. The verso is blank.

[Ἐτοὺς ἐπτακαίδεκάτων Αὐτοκράτορος Καίσαρος Τραϊανοῦ
 Ἀδριανοῦ Σεβαστοῦ Παῦλον κῆ ἐν Τεβ.
[τῶν τῆς Πολέμωνος μερίδος τοῦ Ἀραωνίου ν]ομοῦ
 ὄμολογοὺς Ταονόω[φρος Κρονίώνος
[προσβυτέρου τοῦ Ἀμάειτος ἀπὸ Τεβτύνεως ως ἐτῶ[ν
 τεσσεράκοντα ὀκτὼ ὁμή χειρί ἄριστερα καὶ το ταύ.
[τῆς ντός Σαραπίων Ἡρακλῆος τοῦ Ἡρακλῆου ως ἐ]τῶν
 εἴκοσι δύο ὀμή πῆχει δεξιῶν ὃι δύο Πέρσης τῆς
5 [ἐπιγονῆς, η Ταονόω[φρος μετα κυρίου καὶ ἐγγύου εἰς]
ekteisw tou uioi Sarapiiwnos 'Hrwdhj toj kai
[Δωγένει Διδύμου νεώτερου των γεγυμνασιαρχ|ηκότων
ws etōn teseorákonta oktωi asήmωi
[έχω par' autou Δωγένους parakephimia dia tis ei]ν tη
μητροπόλει 'Α[π[ολ]λ]ωνιου kai Saβε[υ]on trapežh
[Tameioon chrōs órgurion kēfaliaion drachmaí χ]eiliás
diakosiaí [eis] enwntov ev[a a]πo tis enestw-
[sis] hmeras tokou drachmaiou tη miva katan mηn)a ekastοn
kai etanagkou touc dμ[ol]ougountas
[την Taovnéerwpw kai tou uioi Sarapiiwna apodōseivn tωi
'Hrwdhj toj kai Δωγένει ex álly[le]gnoi̇s tαs te
[tou kefaliaion drachmàs χeiliás diakosiaí kai tαs ]
synagogménav[s tou] enwntov drachmiainou tokoun
drachm(αs)
[ekatov teseorákonta téssarhs tαs épι to autov órg]urion
drachmi[as χeι]liás traiakosiaí [tess]erákonta
[téssarhs tη εbdómē kai eikάdi tou Paινυ μηνός] tou
iōntos oktω[k]aidiakátou étous 'Aδ[ρiaνου]
Káiaipou tou
[kouriou onev pashs uperchésews kai euphorsoloygias] μη
elattouμ[ένου τ]οι [Δ]ωρων tou kai Δωγ(λένο]νυς
[úper ουn ψφελousw autw' oι ωmolouγontes k]αθ' éteran
ωmoloygian épι tης ēneastoshηs hmeras
[órgurion kēfalaioi drachmων χειληων tria]kosiwn kai tωn
tókow kai hē exhe tηs [T]aovnéerwpwes
[± 18 tωn uparχουσων autη] klyrōn
árourwv envneá teταρτου περi Tεβτων kai
[έν tη kωμη ψειλων τόpων bikwv enneá pη]xων ekatov
ēξhkonta teseorwv hμiwsou kai mη
[± 33

[εαν] μη kai taútw kai
apodōi, xemynēnhs tωi 'Hrwdhj tωj kai
[Δωγένει tηs prάxeωs ex te tηs Ta]onv[ω]φ[ρε]ws
[kai ex tηs mēs kai ex o]v εαν autωn airothtai kai ex
Traces of one more line

1. 'Arapoiou (cf., for the diaeresis, No. 1.2). 3. teseorákonta (cf. 6,[12]).
6. A filler stroke after asήmωi. 7. [έχευ] (cf. No. 1.7).
8. χιλιάς (cf. 11,[12], [16]). 10. [apodōsow] (cf. No. 1.11); ἀλληλεγγύης.
13. eloistonc. 17. περι, π corrected from k. 18. [ψιλων] (cf. No. 1.18); μη. 19. ἀποδόθω.
Seventeenth year of Imperator Caesar Traianus Hadrianus Augustus, Payni 28, at Tebtunis in the Polemon district of the Arsinoite Nome. Taonnophris, daughter of Kronion the elder, granddaughter of Amaeis, from Tebtunis, about forty-eight years old, with a scar on her right hand, and her son Sarapion, son of Herakles, grandson of Herakles, about twenty-two years old, with a scar on his right forearm, both of them Persians of the epigone, the said Taonnophris with her son Sarapion as guardian and surety for repayment, acknowledge to Herodes also called Diogenes, son of Didymus the younger, formerly gymnasiarch, about forty-eight years old, with no distinguishing mark, that they have received on loan from him, Diogenes, forthwith through the bank of Apollonius and Sabinus in the Treasuries' quarter at the metropolis, the capital sum of one thousand two hundred silver drachmas for one year from the present day at interest of a drachma per mina monthly; and the acknowledging parties, Taonnophris and her son Sarapion, on mutual surety, are bound to repay Herodes also called Diogenes the capital sum, one thousand two hundred drachmas, plus the accompanying one hundred forty-four drachmas for the year's interest at the one drachma rate, in all, one thousand three hundred forty-four silver drachmas on the twenty-seventh of the month Payni in the coming eighteenth year of Hadrianus Caesar the lord without any delay or subterfuge, Herodes also called Diogenes suffering no diminution with respect to what the acknowledging parties owe him according to the other contract of the present day, the capital sum of one thousand three hundred silver drachmas plus interest plus what...he has from Taonnophris...the nine and one-quarter arouras of an estate belonging to her in the vicinity of Tebtunis and, in the village, lots measuring nine bikoi, one hundred sixty-four and one-half cubits; and she may not...unless she also repays these (sc. drachmas), Herodes also called Diogenes having the right of execution on Taonnophris and her son Sarapion and on each of them, man or woman, whomsoever he chooses and on the above mentioned property on mortgage....

14. Restored from No. 1.15
19. The lacuna seems to require a phrase forbidding the alienation of the property mentioned in lines 17-18. This, of course, is the property mortgaged
according to the terms of No. 1.16 ff. \( \tau_{\alpha\nu\tau\alpha\varsigma} \): derives its gender from \( \delta\rho\alpha\chi\mu\dot{\omega}\nu \) in the lacuna of line 16. Its other antecedent is \( \tau\dot{o}\kappa\omega\nu \), also in line 16. Accordingly, \( \tau_{\alpha\nu\tau\alpha\varsigma} \) refers to the principal and interest of Nr. 1 above.


21. The supplement, up to and including \( a\iota\rho\acute{\eta}\tau\alpha\varsigma \), is based on P. Fam. Teb. 2.18.

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P. Teb. 531
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