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More from the Archive of the Descendants of Eulogius

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MORE FROM THE ARCHIVE
OF THE DESCENDANTS OF EULOGIUS

In *P. Oxy. XVI*, published in 1924, Grenfell and Hunt included a series of documents that seemed to derive from a small archive preserved by the descendants of a palatine official (πολιτικὸς) named Flavius Eulogius: *P. Oxy. XVI* 1876, 1891, 1958-62, and 1994. Grenfell and Hunt reported that all these texts (except 1961) were found together; the circumstances of the find were unfortunately not reported. Seven years later, E.R. Hardy discussed the dos-

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1 We employ the terms "archive" and "dossier" in the manner suggested by A. Martin, *Archives privées et cachettes documentaires*, *Proceedings of the 20th International Congress of Papyrologists*, 569-78, esp. 570: "J'ai plaidé...en faveur d'un usage assez large du mot archive. Quelques bornes doivent cependant être posées, pour éviter que le terme ne perde toute signification propre. Nous pourrions ainsi formuler une exigence minimale: les pièces constituant un ensemble archivistique ne peuvent en aucune manière être le fruit d'un conglomérat fortuit, fût-il ancien, ni d'une récolte menée de nos jours à travers des lots distincts; elles doivent, dès l'Antiquité, avoir fait l'objet d'une accumulation et d'un classement délibéré. Si cette double condition n'est pas remplie, on préférera dossier à archives".


For Eulogius, cf. PLRE II, Eulogius 10; A. Giardina, *Aspetti della burocrazia nel Basso Impero*, Rome 1977, #98, p. 139; and M. Claus, *Der magister officiorum in der Spätantike 3-6. Jahrhundert*, Munich 1980, Eulogius 1, p. 203. (It should be noted that Claus' statement about Eulogius 1 on p. 25, n. 44, in fact applies to his Eulogius 2, and that the statements of Giardina, Claus, and PLRE II (s. Apphous and Martyrius 10) that Eulogius' sons were *sbuni et notarii* are much more definite than they should be, cf. J.G. Keenan, "From the Archive of Flavius Eulogius and His Descendants," *ZPE* 34 (1979) 135-36, n. to 1. 4. It may be relevant that, although the office in question was of *spectabilis* grade during this period, his sons only appear as *laureatus*, and never as *pariβλεπτος*; cf., however, Delmaire, *Les institutions*, 49-51).

3 1876 introduction, pp. 70-71.

4 There are not any references, moreover, to the find in the six reports that Grenfell and Hunt prepared for the (then) Egypt Exploration Fund's *Archaeological Report* (1896-7, 1902-03, 1903-04, 1904-05, 1905-06, 1906-07).
sier, suggesting that, in addition to the papyri of *P. Oxy. XVI*, it also included *P. Oxy. I 140, PSI V 466, P. Land. V 43*, and "probably" *P. Lond. V 1876 descript*. Except for *P. Oxy. XVI* 1876 [a report of proceedings for debt that perhaps reveals the manner in which one of the houses in Oxyrhynchus that is leased by the family (cf. below) was acquired] and 1891 (a loan of money), the Eulogius papyri published by Grenfell and Hunt in *P. Oxy. XVI* appeared in partial description. The described texts were all leases. One of them, *P. Oxy. XVI* 1962, was given a full edition by J.G. Keenan in 1979. In 1982, the late P.J. Sijpesteijn presented a new document from the dossier (and perhaps from the postulated archive) among the Michigan papyri published in *P. Mich. XV: P. Mich. XV 731*. Our aim here, some fifteen years later, is modestly to advance scholarly appreciation of the archive by publishing in full two more of the *P. Oxy. descripta*, one of which surely belongs to the archive (P. Oxy. XVI 1994), and one of which is a likely member (P. Oxy. XVI 1963).

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6 "From the Archive," 133-38; now see *SB* XVI 12583.

7 This papyrus originally belonged to the British Museum.

8 Grenfell and Hunt raise the possibility that *P. Oxy. XVI* 1834 [a letter to a notary Apphous (cf. Apphous' title in *SB* XVI 12583.4) that mentions a *kyrios Eulogius*] belongs to the dossier, but we have our doubts: The letter would, it seems, indicate that the family held land in the Herakleopolite village Gessias, but Apphous is always attested simply as *geouchos ευηθεία τη χαμιρία και λαμπροτάτη Ὀμφαγχείων πόλεσ* (as opposed to κυ ρισ ευηθεία). [In the case of Martyrius, the only example of this phrase occurs in a lacuna (SB XVI 12583.5-6), but there does not appear to be room for a (κυρι).] Moreover, Apphous would still have been an Aurelius at this time (cf. below), a designation that seems unlikely for any notary, cf. *PLRE II*, Apphous, "...they had evidently not yet received the appointments".

It seems very improbable to us that the Apphous who appears in *P. Oxy. XVI* 1972 is the Apphous known from the dossier - the date of this document (560) is simply too late - but he may be a member of the family (a grandson?) since this text was found with the others that form the archive.

We also have reservations about *P. Lond. V 1876 descript*, which both Hardy, *Large Estates*, 40 n. 2, and Keenan, "From the Archive," 134 n. 5, have suggested may be addressed to Apphous. We are editing this text for *Papyri in honorem Johannis Bingen octogenarii editi* and will discuss it further there.

T.M. Hickey, "*P. Oxy. X 1323 descript.*: A Receipt for the Rent of an *Orbiopoleion*," *ZPE* 113 (1996) 228, n. to 1. 1, has raised the possibility that said text belongs to the dossier.
For permission to publish these Oxyrhynchus descripita, we are grateful to the General Editors of the Egypt Exploration Society's Graeco-Roman Memoirs, through the kind agency of Dr. Revel A. Coles. Although we have primarily worked from photographs of the papyri, Keenan was able to examine the originals in March 1997. In January 1998, Dr. Coles kindly inspected the papyri for us in response to several questions that arose during the preparation of this article.

The papyrus preserves the heading of a lease from Flavius Apphous to an ecclesiastic named Anoup. The pattern of destruction at the bottom of the papyrus suggests that it had been rolled. The cut right edge of the papyrus is preserved intact through a point approximately halfway between lines two and three. There are red-brown areas on the papyrus (= the dark areas on the photograph); these become darker toward the bottom of the fragment.

The text breaks off shortly after the salutation. In this respect, as well as in general format, P. Oxy. XVI 1994 closely resembles P. Mich. XV 731 (cf. late XXII in that volume), another lease heading, but addressed to Apphous six years earlier by Aurelius Anoup, a cumin-seller.

On two occasions in leases, Apphous acts as lessor in conjunction with his brother, Martyrius:

A.D. 487, Pharmouthi 19 = 14 April (P. Oxy. XVI 1961): Aurelii Martyrius and Apphous, sons of the former and deceased palatinus Eulogius, lease an “apartment” (τόπος) with a southern view, in a house in the Pammenes’ Garden district of Oxyrhynchus (perhaps the same house as in 1958 and/or 1962), to Aurelia Martyria, a villager from Ibichis of the Herakleopolite nome.

* Hickey completed his contribution to this paper during a Junior Fellowship in Byzantine Studies at Dumbarton Oaks (1997-98). He would like to express his gratitude for the generous support that he received during this period.
2) A.D. 500, Thoth 18 = 15 September (P. Oxy. XVI 1962 = SB XVI 12583): Flavius (note the “promotion”) Martyrius and Apphous lease a house in the Pammenēs’ Garden district to Aurelius Apa Nakios (or Apanakios) from Oxyrhynchus; perhaps the same house as in 1958 and/or 1961.

Since Martyrius is named first in these documents (and disappears from the documentation earlier), it seems that he was the older brother. On five other occasions, Apphous acts alone:

1) A.D. 495, Choiak 2 = 29 November (P. Oxy. XVI 1891): Flavius Apphous, tribunus, lends two solidi to a confectioner, Aurelius Theon.

2) A.D. 499, Epeiph = June-July (P. Mich. XV 731): Flavius Apphous leases property (probably house property) to Aurelius Anoup, a cumin-seller.

3) A.D. 499, Thoth 1 = 30 August (P. Oxy. XVI 1959): Flavius Apphous, tribunus and geouchos in Oxyrhynchus, leases an epaulis and other house property (adjacent to a bakery) to Aurelius John, a villager of Senokêmis in the Oxyrhynchite nome. The property is located in the village.

4) A.D. 505, Epeiph 23 (or 20) = 17 (or 14) July (P. Oxy. XVI 1994; below): Flavius Apphous, tribunus and geouchos, leases property to an Oxyrhynchite ecclesiastic named Anoup.

5) A.D. 511, Mesore 24 = 17 August (P. Oxy. XVI 1960): Flavius Apphous, tribunus, son of Eulogius, former magistrianus (agens in rebus), leases property to Aurelius NN.

For the document type, the lease of a building or one or more of its parts, see H. Müller, Untersuchungen zur ΜΙΣΘΩΣΙΣ von Gebäuden im Recht der gräko-ägyptischen Papyri, Cologne 1985. Given the date and provenance of the text, as well as the format of other leases in the dossier, this lease was undoubtedly a hypomnēma (on which see Müller, Untersuchungen, 50-76).
On the back of the papyrus, at its right edge, written from top to bottom, with the fibers:

\[ \text{ιμισθωσις} \]

There possibly are traces of ink on the lefthand portion of the papyrus.
1. For the consuls, see R.S. Bagnall, A. Cameron, et al., Consuls of the Later Roman Empire, Atlanta 1987, 545. CPR XIV 48.20 and P. Heid. V 357.1-2 (both of which refer to postconsulates) may be added to the attestations listed there.

2. For ἁρκῇ, see CSBE, 17-29 and 55-62. The reading 'Επειφ X (<ι>Ἰωάννου), which would follow the "normal" Oxyrhynchite formula [month, day, xth indication, ἁρκῇ x+1 (ind.)] has been suggested (BL VII 143); if correct, the text would then date to 14.vii.505 instead of 17.vii.505.

3. λαυτοράτατο: The stroke through the tail of the rho may have been deliberate; i.e., the scribe initially may have intended to abbreviate. Alternatively, this stroke may be part of an internal (to the word) chrismon.

τιφτιβόιος: We suspect that the rank in this case indicates membership in the militia officialis (as opposed to the army), cf. Ramsay MacMullen, Soldier and Civilian in the Later Roman Empire, Cambridge 1963, 49-76, and A.H.M. Jones, The Later Roman Empire 2, Oxford 1964, 566. References to tribunis are collected in S. Daris, Il lessico latino nel greco d'Égitto, Barcelona 1990, 112. To these one may add: BGU I 316.7, 9; III 899.4 (+ BL I 80); P. Cair. Masp. I 67057.27; P. Herm. 7.7; P. Land. IV 65.12; P. Mil. II 70.8; P. Oxy. LVIII 3960.37; LX 4087.21, 76, 174, 177, 186; 4088.33; XLIII 4370.13; 4394.13, 193, 216, 250; 4395.2, 95, 112, 132, 137, 152; P. Rain. Cent. 91.12; 162.6, 10; P. Ross. Georg. V 30 (= SB IV 7433) vo.2, 5, 9; P. Sorb. II 69.45/E3, 80/20, 80/40; P. Strat. VII 680.7, 10; O. Waqf 79.8; and Ch. LA. XLI 1193.1/1 (= P. Cair. Masp. III 67280.1/1). (This list includes restorations.)

Although there is space after υς for a τοῖς, it is remarkable that there are no traces of ink (e.g., the horizontal stroke of the tau) visible on the extant papyrus. We believe instead that τοῖς belongs at the beginning of line 4. There probably would have been space for it because the chrismon, and, especially, the upsilon of υςτεία were no doubt written largely; they likely would have taken space from the beginning of lines 2 and 3 (but not 4, 5, etc.). Similarly, we would place τῇ at the beginning of line 5; the horizontal stroke at the end of line 4 is the finishing stroke of the second alpha of ἐντεία, not the crossbar of the tau of τῇ. [The stroke beneath this one is simply part of the crossbar of the pi of Ἀνουπ (l. 5).]

6. At the beginning of the line, restore some kind of ecclesiastical title, e.g., ἅγιονος, οἰκονόμος, or προσφυγέρος.

"In the consulship of Flavius Sabinianus and Theodorus, Epeiph 23, at the beginning of the 14th indiction (or: 'Επειφ 20, the 13th indiction, at the beginning of the 14th'). To Flavius Appius, the most brilliant tribune, son of Eulogius of blessed memory, landlord here in the brilliant and most brilliant city of Oxyrhynchites, Anoup...of the Holy Church, son of Philoxenus, from [the same city], greetings. I willingly [undertake to lease..."

II

P. Oxy. XVI 1963 descr. 16.0 x 22.6 cm first quarter VI

According to Grenfell and Hunt's description, this papyrus was found
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with P. Oxy. XVI 1876 and other documents (see above) related to the family of Martyrius and Apphous. It is the lease of a house to one Aurelia Sophia. It may have been addressed to Martyrius and Apphous, or more likely still despite a plural verb, cf. note to line 10 below), to Apphous alone, for the same notary appears in P. Mich. inv. 3780 (cf. note to line 20 below), which dates to March 517. Martyrius is last attested on 15 September 500 (P. Oxy. XVI 1962 = SB XVI 12583), and certainly had died by September-October 518 (PSI V 466); Apphous is last attested on 17 August 511. In any case, since only the lower half of the document survives [contrary to some other texts from the dossier, in which prescripts are preserved - e.g., P. Oxy. XVI 1958, P. Oxy. XVI 1994 (I above), P. Mich. XV 731], absolute certainty about the identity of the lessor or lessors is impossible. The father of the lessee may be the lessee in P. Oxy. XVI 1958, and the house property in question there may in fact be the object of the lease here.

For women as lessees, see Müller, Untersuchungen, 108-09, and J. Beaumamp, Le statut de la femme à Byzance (4e-7e siècle) 2: Les pratiques sociales, Paris 1992, 238.

The writing, front and back, runs with the fibers. There is a vertical kolēsis approximately 7 cm from the left edge of the papyrus.
vacat

Illegible notarial signature
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Back:

(m. 3) Σοφία Θυγάτερ Παύλου ἀπὸ τῆς Ὀξυρυγίς ιτῶν πόλεως λόγῳ ἔνοικίου χρὸνοῦ κεράττων

3. A phrase containing a (possibly abbreviated) title (e.g., λαμπρότης, εὐγένεια, ἀρετή), in the dative case and dependent on ὑπαρχόντων, would have occupied the lacuna.

4. One might expect that the lacuna at the end of the line contained Παραδόσου, which not only occurs frequently in the archive, but also fits the space. On the *ambodia* of Oxyrhynchus, see J. Krüger, *Oxyrhynchus in der Kaiserzeit*, Frankfurt 1990, 77-88, and on the *ambodion* Pammenous Paradisos. (P. Oxy. LIII 3706 b.13; LIV 3754.11; and, perhaps, XXII 2338.63 + BL VII 147, are additional attestations of said quarter.)

5. This line contains further description of the house. Perhaps the eta near the beginning of the line belongs to a form of the word πόλις (cf. P. Oxy. XVI 1958.12, where the phrase πρὸς πόλις occurs following the name of the *ambodion*), or possibly to a form of οὐλή. The omission writ large likely began a word, perhaps oikeíon (cf. 1.11 for the orthography) or οἰκίαν. A form of the present active participle of νῶν undoubtedly occurred at line’s end.


10. Βουλεύθαιτ' (πτέ) would seem to suggest more than one lessor, but if the text is, in fact, come from the archive, its date might preclude the presence of Martyrius (cf. introduction). It may simply be an instance of the pluralis maiestatis.

Cf. Müller, *Untersuchungen*, 186-95 and 271-80, on the duration of leases and the return property.

For the persistence of the optative in stereotypical expressions, see Mandilaras, *Verb*, 33.

12. Παραδόσαμεν: the lessee was Aurelia Sophia alone; the plural is just a slip, one carried over to the abbreviations marked as plural in line 13.
13-18. Phoibammon’s subscription for Sophia is of interest for the prevalence of masculine forms where feminine are needed (οἶκος in line 19 being the exception). Perhaps this was caused by Phoibammon’s copying from a formula, or his inability to produce consistently the feminine forms required by Sophia’s gender.

20. The notarial signature is illegible, but it is clear that it was written by the same notary that signs P. Mich. inv. 3780 [P. J. Sijpesteijn, “P. Mich. inv. 3780: A reconsideration,” ZPE 71 (1988) 123-26], cf. signature 25.8.1, pl. 52, in Byz. Not. Concerning the signature in the Michigan text, Sijpesteijn writes, “The notary did his utmost to make his signature imitable and so also makes it illegible” [“Five Byzantine Papyri from the Michigan Collection,” ZPE 62 (1984) 137, n. to 1.23]; he nonetheless is able to read, ἐν ἡμίν NAME ἐτελεῖ(νθε). Sijpesteijn attributes the signature to a third hand, but we would expect it to be in the same hand as the body of the document, or possibly in that of the subscription, cf. J. R. Rea’s comments, P. Oxy. LXIII 4390, n. to l. 30.

“...from the possessions [situated in] this city, [in the quarter of]...[facing] north, with every right pertaining to it and (its) appurtenances, and I will pay on account of its rent each year eighteen carats of gold, total 18 (old) car(ats), which rent I will pay each year, one-half for each six-month period; and whenever you wish I will turn over possession of said house, undamaged, just as we received it. The lease is valid, written in one copy, and having been asked the formal question, we have assented.

(second hand) I, Aurelia Sophia, daughter of Paul, the aforesaid, have made the lease and will pay the rent, and having been asked the formal question, I have assented as stated above. I, Aurelius Phoibammon, son of Joseph, having been asked, wrote for her since she is illiterate. (notarial signature)

(reverse)...Sophi[a], daughter of Paul, from (the city) of Oxyrhynch(ites), on account of rent, 18 (old) car(ats).