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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 *Apopoírou* 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.*
[Ἐ]τοὺς ἐπτακαιδ[ε]κάτου Αὐτοκράτορά ξ Καίσαρος
Τραίανοῦ Ἀδριανοῦ Σεβαστοῦ Παύς κῆ
ἐν Τεβτύνι τῆς [Π]ολέμωνος μερίδος τοῦ Ἀρωνοῦτον
νομοῦ, ὁμολογοῦσαν Ταυνώφρυς(ε)

[Kρ]ονίωνος πρεσβυτέρου τοῦ Ἀμάειτος ἀ[π]ὸ Τεβτύνεως
ὡς ἔτοις τεσσάρικοντα ὁκτῶι οὐλή.

[χ]ερί ἀριστερά καὶ ὁ ταύτης οἰς Σαρ[α]πιῶν
'Ἡρακλῆος τοῦ Χρίστου ὡς ἔτοις εἰκοσι δῦο

[οὖ]λῆ πῆχει δεξιῶ [οἱ] δύο Πέροι, τῆς ἐπιγονῆς
ἡ Ταυνώφρυς μετὰ κυρίῳ καὶ ἐγγύῃ

[ε]κτιμών τοῦ νύῳ [Σα]ρπιῶνος Χρίστου τοῦ
καὶ Διογένει Διδύμου νεωτέρου τῶν

ὁκτῶι ἀσημίων ἔχων παρ' αὐτοῦ

[Διο]γένους παραχρήμα διὰ τῆς ἐν τῇ [μή]τροπλέω
Ἀπολλωνίῳ καὶ Σαβείου[ν] τραπέζης

[Τ]αμείων χρῆσαι ἀργυρίῳ κεφαλαίου [ὅρα]χμᾶς χειλίας
tριακοσίας εἰς ἕναυτόν ἔνα

μυρὰ κατὰ μήνα ἔκαστο[ν] καὶ ἐπ[άνα]γγος

[to]ῦς ὁμολογοῦντας [τὴν Τα]υνώφρων κ[αὶ τῶ]ν νύϊν
Σαρπιῶνα ἀποδόσων τῶι Διογένει εξ ἀλληλεγγοί-

[η]ς τᾶς τοῦ κεφαλαίου[ν] δραχμᾶς χειλίας τριακοσίας
καὶ τᾶς συναγομένας τοῦ ἐναυτοῦ δραχμι-

[α]υ[ν] τόκου δραχμ[α]ς ἐκατόν πεντήκοντα ἐξ τᾶς ἐπι-
τὸ αὐτὸ ἀργυρίῳ δραχμάς χειλίας τετρακο-

[σία]ς πεντήκοντα ἐξ τῆ ἐβδόμη καὶ εἰς[ἀ]δι τοῦ
Παῦς μηνος τοῦ ισιόντος ὀκτωκαιδέκατον

[ἐ]τοὺς Ἀδριανοῦ Καίσαρος τοῦ κυρίου[ν], ἁνευ
πάσης ὑπερθέεσως καὶ εὐρημολογίας πρὸς τοῦ

[το]ῦ προκεμένου καὶ τῶν τόκων ἐκουσίως
καὶ αἰσθαρέστως τὴν Ταυνώφρων ὑπηλ-

[αγμέναι τῶι Διογένει διὰ τῆς τῶν ἐνκτήσεων
βιβλιοθήκης τᾶς ἰπαρχούσας αὐτῇ περὶ Τεβτύνω

κατὰ μέρος ἐπὶ τὸ αὐτὸ κλῆρον ἀρούρας [ἐ]ννέα
τέταρτον ἐν δυοί σφραγεῖαι καὶ [ἐ]ν τῇ κώμῃ ψειλοῦς

τῆς ἠμισοῦ, μὴ ἑλατ[ομεν]ου τοῦ Ἡρώδου τοῦ
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20 [καὶ Διογένους ὑπὲρ ὧν ὄφειλον 
[αὐτῷ ὁ ὄμολος] λογον 
[kαθ'] ἔτεραν ὄμη[σ] [ογιαν ἐπὶ] 
[τῆς ἐνεστώτης 
[ἡμέρας ἁργυρίῳ] κεφαλαίων] δ[ραχμῶν χειλίων 

dιακοσίων καὶ τῶν τῶν] κεφά[λων κα[.] 
[± 14 ] 
[.]ν[..]φ.Space for one or two more letters?

3. Ἀμάειτος: written Ἀμάιτος in P. Teb. 472 descr. (see commentary below, note on 
lines 2-3); τεσσαράκοντα (cf. [7]). 7. ἔχεω. 8. Σαβίνου. 9. χυλίας (cf. 12, 13). 

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 Ταοννωφρεως της Κρονιωνος in the editors' partial transcription of col. 2 it is possible to read [π]μεσαθυρου Ἄμαυτ[ος]. As vendor of property in Tebtunis Taonnophris again acts under Herakles' guardianship. Herakles is described in col. 1.2 as being ως ἕτων τεσσεράκοντα. The month Choiak of Hadrian's fifth year (27 November / 26 December A.D. 120) is mentioned in col. 1.5.

5. Πέροσι τῆς επιγονής: 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 ἐγκτήσεων of the Arsinoite Nome in 130/1 A.D., see *Acme* 10, 1957, p. 153.
8. The metropolis = Arsinoe.
9. Τάμείον: 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.

15-17. ῦηλλὰ | [αγμ]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. ὠητᾶς: cf. for this word P. Mich. 329.2; PSI 909.2.

18-19. ψειλοῦς | [τόπους]: translated simply as “lots” rather than as “vacant lots” or “building lots” in view of the varied applications of the term given by R. Rossi, Aegyptus 30, 1950, pp. 42-56.

19. βίκος ἐννέα πίχες, κτλ.: cf. P. Teb. 472 descr. For the βίκος as a square measure applied to ψιλοί τοποί, see Rossi, op. cit., p. 55 n. 7. The πίχες, in this context, is a square measure 100 cubits long and one cubit wide (P. Grenf. I 25.3 n.; WO I, pp. 779-80).

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 ἐτερα ὁμολογία mentioned in line 20 of that text. In the present document Taonnophris and Sarapion borrow 1200 drachmas from Herodes also called Diogenes. No additional 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.
'Εκτίσω τοῦ υἱοῦ Σαραπίωνος Ἡρώδη τῷ καὶ
[Διωγένει Διδύμου νεωτέρου τῶν γεγυμνασιαρχ'[ηκότων
ὡς ἐτῶν τεσσαράκοντα ὀκτὼι ἀσῆμωι
[ἐξὼν παρ' αὐτῷ Διωγένους παραχρήμα διὰ τῆς ἐν τῇ
μητροπόλει Ἀπ[ολλ]νίου καὶ Σαβέ[ιν]ου τραπέζης
[Ταμείων χρήσεων ἀργυρίου κεφαλαίων δραχμάς χ[ειλίας
dιακοσίας [εἰς] ἐνιαυτῶν ἐν[a ἀ]πὸ τῆς ἐνεστῶ-
[ς] ἡμέρας τόκου δραχμαίου τῇ μνᾶ κατὰ μῆνα ἕκαστον
καὶ ἔπαναγκόν τοὺς ὁμ[ο]λογοῦντας

10 [τὴν Ταούνωφρω καὶ τῶν υἱῶν Σαραπίωνα ἀποδώσων τῷ
'Ἡρώδη τῷ καὶ Διωγένει ἐξ ἀλλη[λε]γούσις τάς τε
[τῶν κεφαλαίων δραχμάς χειλίας διακοσίας καὶ τὰς
συναγομένας[ς τοῦ] ἐνιαυτοῦ δραχμ[αι]ον τόκου
dραχμάς]
[ἐκατόν τεσσαράκοντα τέσσαρας τὰς ἐπὶ τοῦ αὐτῷ ἀργ]υρίου
dραχμ[άς χει]λίας τριακοσίας [τεσσ]εράκοντα
[τέσσαρας τῇ ἐβδόμῃ καὶ εἰκάδι τοῦ Παῦλου μηνὸς] τοῦ
ἰωνιτοῦ ὀκτὼ[κ]αὶ δεκατέτοιο έτοὺς Ἄδ[ρια]νοὺ
Καισαρίας τοῦ
[kυρίῳ ἀνευ πάσης ὑπερθέσεως καὶ εὐρησιολογίας] μὴ
ἐλαττουμ[ένου τ]οῦ Ἡρώδου τοῦ καὶ Διωγ[έρ]νους

15 [ὑπὲρ ὅν φειλουσών αὐτῷ] οἱ ὁμολογοῦντες κ[αθ'] ἐτέραν
ομολογιὰν ἐπὶ τῆς ἐνεστῶσης ἡμέρας
[ἀργυρίου κεφαλαίων δραχμῶν χειλίων τριακοσίων καὶ τῶν
tόκων καὶ τῆς ἐχεὶ τῆς [Τ]αούνωφρεως
[ ± 18 τῶν ὑπαρχουσῶν αὐτ[ῆ]] κλήρου
ἀρουρῶν ἐννέα τετάρτου περὶ Τεβτών καὶ
[ἐν τῇ κρύμη ψευλῶν τόπων βίκων ἐννέα πηχ]ὸ[ν ἐκατό]
exηκόντα τεσσάρων ημίσους καὶ μῆν
[ ± 33 ἐὰν] μὴ καὶ ταῦτας
ἀποδοί, γευσομένης τῳ Ἡρώδη τῷ καὶ

[καὶ] ἐκ τῆς μιᾶς καὶ ἐξ οὗ ἐὰν αὐτῶν αἰρήται καὶ ἐκ
Traces of one more line

1. Ἀρασώνου (cf., for the diaeresis, No. 1.2). 3. τεσσαράκοντα (cf. 6,[12]).
6. A filler stroke after ἀσήμωι. 7. [ἐξω] (cf. No. 1.7). 8. χειλίας (cf. [11], [12],
[16]). 10. Ἀποδώσω (cf. No. 1.11); ἀλληλεγγυής. 13. ἐλισσωτος. 17. περι, π
corrected from κ. 18. [ψιλῶν] (cf. No. 1.18); μή. 19. ἀποδώ.
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. ταύτας derives its gender from δραχμῶν in the lacuna of line 16. Its other antecedent is τόκως, also in line 16. Accordingly, ταύτας refers to the principal and interest of Nr. 1 above.


21. The supplement, up to and including αἰρήσας, is based on P. Fam. Teb. 2.18.

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