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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 *ʼApouoíriv* 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.
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 Taon­
nophris 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 min a 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 Had­
rianus 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 Taonnophres, the name of Kronion in the editors’ partial transcription of col. 2 it is possible to read [πρεσβυτέρου Άμμάτου]. As vendor of property in Tebtunis Taonnophris again acts under Herakles’ guardianship. Herakles is described in col. 1.2 as being ως ἔτοιμω 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 Ἡρακλῆου, see E. Mayser, Grammatik der griechischen Papyri aus der Ptolemaerzeit I, Leipzig, 1906, p. 281.
5. Πέροσι τῆς ἐπιγονῆς: 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 ἕγκτήσεων of the Arsinoite Nome in 130/1 A.D., see Acme 10, 1957, p. 153.
8. The metropolis = Arsinoe.
9. [Σ]αμεῖων: 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.
10. τόκου δ[ραχ][μαίων, κτλ.]: = 12 per cent, the usual rate for money loans. See the list in Aegyptus 15, 1935, p. 247 n. 4. Cf., esp. for exceptions to the norm, A.C. Johnson, Roman Egypt to the Reign of Diocletian, Baltimore, 1936, pp. 450-51, esp. p. 450 n. 58.

16-17. ὑπηλὺρα: 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. ωπητας: cf. for this word P. Mich. 329.2; PSI 909.2.

18-19. ψειλούς [tóspous]: 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. βικος [ἐνέα πήχεις, κτλ.] cf. P. Teb. 472 descr. For the βικος as a square measure applied to psiloi topoi, see Rossi, op. cit., p. 55 n. 7. The πήχεις, 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).

21. ἐκέχικουτα: see below, Nr. 2.18.


21. ἐπειρονήσις, ἡ Ταούνώφρις μετὰ κυρίου καὶ ἐγγύου εἰς

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 ἑτεραι 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.

[Ἐτοὺς ἐπτακαίδεκατοῦ Ἀὐτοκράτορος Καίσαρος Τραϊανοῦ Ἀδριανοῦ Σεβαστοῦ Παῖνι κῆ ἐν Τεβ.

[τῶν τῆς Πολέμωνος μερίδος τοῦ Ἀραμοῦντον ν]ομοῦ ὁμολογοῦσιν Ταούνώφρις Κρούιωνος

[προεβιτέρον τοῦ Ἀμαίνετος ἀπὸ Τεβτύνεως ὡς ἑτῶν] τεσσεράκοντα ὄκτω ὑλὴ χειρὶ ἀριστερᾶ καὶ ὁ τοῦ.

[τῆς νῦς Ἱσαρᾶπίων Ἡρακλῆου τοῦ Ἡρακλῆου ὡς ἑτῶν εἶκοσι δύο ὑλὴ πήχεις δεξιῶτι οἱ δύο Πέρσαι τῆς

[ἐπιγονής, ἡ Ταούνώφρις μετὰ κυρίου καὶ ἐγγύου εἰς]
έκτισω τοῦ υἱοῦ Σαραπίωνος Ἡρώδη τῷ καὶ
[Διωγένει Διδύμου νεωτέρου τῶν γεγυμνασιαρχῶν] ἡκότων
ὡς ἐτῶν τεσσαράκοντα ὀκτώ πεντήμονει
[ἐξείς παρ᾽ αὐτῷ Διωγένους παραχρήμα διὰ τῆς ἐν τῇ
μητροπόλει Ἀπολλωνίου καὶ Σαβείνου] τραπέζης
[Ταμείων χρήσεων ἀργυρίων κεφαλαίων ὑγιείας χ’]ειλίας
[σῆς ἡμέρας τόκου δραχμαίοι τῇ μνᾶ κατὰ μήν] ἡ ἐκαστὸν
καὶ ἐπάναγκον τοὺς ὁμογενήτας
10 [τὴν Ταονύφρον καὶ τὸν υἱὸν Σαραπίωνα ἀποδώσιν τῷ
'Ἡρώδη τῷ καὶ Διωγένει] ἐὰν ἀλλήλας γνογάς τάς τε
[τοῦ κεφαλαίων δραχμῶν] χειλίας διακοσίως καὶ τὰς
συναγομένας [τοῦ] ἐναυτοῦ δραχμαίου τόκου
δραχμάς
[ἐκατόν τεσσαράκοντα τέσσαρας τὰς ἐπὶ τὸ αὐτὸ ἄργυριῶν
δραχμῶν χειλιῶν τριακοσίων [τεσσαράκοντα]
[τέσσαρας τῇ ἐνδόμῃ καὶ ἐκάθι τοῦ Παῦλου μηνός] τοῦ
ἰσιωτοῦ ὀκτῶ [κ]ιδεκάτου ἔτους Ἀδριανοῦ
Καίσαρος τοῦ
[kυρίου ἄνευ πάσης ὑπερθέσεως καὶ εὐρησιολογίας] μῆ
ἐλαττωμὶ [ἐν]όν τῷ ὑπὸ Ἡρώδου τοῦ καὶ Διωγένους
15 [ὑπὲρ διὸν φιλολογοῦν τοὺς ὁμολογοῦντες καὶ] ἀθὲ ἐτέραν
ομολογίαν ἐπὶ τῆς ἐνεστώσης ἡμέρας
[ἀργυρίων κεφαλαίων δραχμῶν] χειλίων τριάκοσίων καὶ τῶν
τόκων καὶ ἡς ἔχει τῆς [Τ]αονύφρεως
[± 18 τῶν ὑπαρχούσων αὐτῆς] κλήρου
ἀρουρῶν ἐννέα τετάρτου περί Τεβήνων καὶ
[ἐν τῇ κύριῃ ψευδών τῶν βίκων ἐννέα πη]χών ἐκατόν
ἐξηκοντα τεσσάρων ἡμίσιος καὶ μή
[± 33 ἐὰν] μή καὶ ταῦτας
ἀποδοί, γειμομένης τῶν ὑπὸ Ἡρώδη τῷ καὶ
[kαὶ ἐκ τῆς μᾶς καὶ ἐξ ὀ]δ[ι]ν ἐὰν αὐτῶν αἰρήται καὶ ἐκ
τῶν] π[ρ]οκεμένων ἐν ὑπαρχάματι ὑπαρχάματος τῶν
Traces of one more line

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. ἀντάσxed derives its gender from ἀραξμῶν in the lacuna of line 16. Its other antecedent is τὸκῶψ, also in line 16. Accordingly, ἀντάσxed refers to the principal and interest of Nr. 1 above.


21. The supplement, up to and including ἀιρήτων, is based on P. Fam. Teb. 2.18.
P. Teb. 531