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# A Lease of Land from the Tebtunis Grapheion Archive

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STUDIA VARIA BRUXELLENSIA  
AD ORBEM GRAECO-LATINUM PERTINENTIA

V

Editores:

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PAPYRI IN HONOREM  
JOHANNIS BINGEN OCTOGENARII  
(P.BINGEN)

curavit

Henri MELAERTS



UITGEVERIJ PEETERS  
LEUVEN

2000

# 59. A LEASE OF LAND FROM THE TEBTUNIS GRAPHEION ARCHIVE

Fred W. JENKINS

The Tebtunis grapheion documents residing in the University of Michigan collection are well known to papyrologists. While the bulk of the archive appeared as *P.Mich.* II and V, approximately fifty papyri, many fragmentary or badly damaged, were omitted. The text presented here is one of those passed over by the original editors<sup>1</sup>. Other subsequently published texts from the grapheion archive include *P.Mich.* X 586-587; XI 621; XII 632-634; *SB* VI 9109-9110; XVI 12539; XX 14313-14315. Another eighteen papyri from the grapheion archive which did not find their way to Michigan appeared as *PSI* VIII 901-918.

*P.Mich.* inv. 672 was acquired for the University of Michigan in 1920 by F.W. Kelsey. The papyrus is in poor condition. Tears and abrasions occur throughout, rendering a number of lines of text largely unreadable. A piece, including a significant portion of the subscription, is missing along the lower right edge. The text itself is a lease of public land by one Polemon, son of Psenobastis, to Polemis, son of Petesouchos. *P.Mich.* V 311 (34) and 313 (37) are similar in structure and content. Noteworthy features of this text include a previously unattested place name (see lines 11 and 28-29) and another occurrence of Herodes, son of Herodes, as a scribe among the grapheion texts (see note to lines 23-24).

*P.Mich.* inv. 672  
11.8-12.8 x 28.5 cm.

Pl. 31

Tebtunis  
22? September 33

. [ ±3 ] ρ [ ±2 ]. θ (ἔτους)

ἔτους εἰκοστοῦ Τι[βε]ρί[ο]υ Καίσαρος Σεβαστοῦ  
 μηνός Σεβαστοῦ καὶ ἐν Τεβτῦνι τῆς Πολέ-  
 μωνος μερίδος τ[οῦ] Ἀρσινόειτου νομοῦ. ἐμίσ-  
 5 θωσεν Πολέμων Ψ[ε]νοβάστιος ὡς (ἐτῶν) με  
 οὐλή ὀφρυεῖ δεξιᾷ Πολήμι Πετεσοῦχου ὡς (ἐτῶν) καὶ  
 οὐλή μετόπῳ ἐκ δεξιῶν {μεμισθωκέναι  
 αὐτῷ Πολήμι} ἀφ' ὧν καὶ αὐτὸς ὁ Πολέμων  
 10 γεοργεῖ περὶ Ταλεῖ δημοσίων ἐδαφῶν γῆς ἀρουράς  
 δέκαδυο ἢ ὅσων ἐὰν ὦσιν ἐν δυσι σφραγῖσι ἐν τῷ  
 Βαραλιψι καὶ Παραμβολῆς λεγομένας εἰς τὰ ἐνε-  
 νήκοντα καὶ τρία ἔτη [ καὶ ] εἰς τὰ πάτρια ἀπὸ τοῦ ἐν-  
 εστῶτος εἰκοστοῦ ἔτους. ἀνθ' ὧν μετρή-  
 σει ὁ Πολῆμις καθ' ἕτος εἰς τὸ δημόσιον πυροῦ

<sup>1</sup> It is a pleasure to offer this edition as a small tribute to Jean Bingen. I am grateful to the University of Michigan for permission to publish the papyrus. Paul André Heilporn of the University of Michigan kindly provided digital images of the papyrus and also compared my transcript to the original, improving it in a number of places.



- 15 ἀρτάβας εἴκοσι καὶ τὰ ἐπακ<ο>λουθοῦντα καθ' ἔτος  
 δαπανήματα κ[αί] κατὰ τὸ δίμυρον μέρος τῶν  
 [ ±5 ]ων κ[ ±15 ]αρασ...λημ  
 μηνὸς ἐνὸς ...[ ±5 ].γα.... ς ὁ Πολήμις  
 λήμψαιται τὰ καθ' ἔτος διδόμενα ἐκ δημοσί-  
 20 ου σπέρματα ἅ καὶ καθ' ἔτος εἰς τὴν γῆν καὶ  
 μὴ ἐκσέστω οὖν τοῖς μεμισθωμένοις  
 [ ±16 μ]ηδὲ λειτουργεῖν. ὑπο-  
 γραφεὶς τοῦ μὲν Πολέμωνος Ἡρώδης Ἡρώ-  
 δου ὡς (ἐτῶν) μ οὐλὴ τραχήλῳ ἐκς ἀριστερῶν καὶ τοῦ ἀλλ[ο]ῦ.  
 25 (m.2) Πολέμων Ψενοβάστιος ὁμολογῶ μεμισθωκέ  
 γαι Πολήμι Π[ετ]εσοῦχου ἀφ' ὧν καὶ αὐτὸς γεο ῥ' γῶ  
 περὶ Τάλει δημ[οσ]ίων ἐδαφῶν γῆς ἀρουράς δέ-  
 καδυο ἢ ὅσων ἐὰν ᾤσιγ ἐν δυσι σφραγίσσι ἐν τῷ Βα-  
 30 ραλιψι καὶ Παρεμβολῆς λεγόμενας εἰς τὰ ἐνενη-  
 κοντα τρία <ἔτη> ἀπὸ τ[οῦ] ἐν ἐστῶτος εἰκοστοῦ ἔτους  
 Τιβερίου Καίσαρος Σεβαστοῦ εἰς <σποράν> οἷς ἐὰν ἡρῇ-  
 ται ὁ μεμισθώμενος [κ]αθ' ἔτος γένεσι α....  
 [ ±23 ]ων πυροῦ ἀρτα-  
 [ ] ]  
 35 κατ[ ] ]  
 κλη πάση ....[ ] ]  
 [τὸ] διδόμενον [ ± 24 ] ]  
 καθὼς πρόκειτ[αι]. ἔγραψα Ἡρώδης ]  
 Ἡρώδου διὰ τὸ [μὴ εἰδέναι αὐτὸν γράμματα.]

verso

- 40 ἐν τῷ Βαρ[αλ]ιψιος  
 καὶ ἐν τῇ Παρεμβολῇ

11 Παρεμβολῆς || 16 δίμοιρον || 21 ἐξέστω || 22 λειτουργεῖν || 22-23 ὑπογραφεὺς  
 || 31 αἰρῆται || 41 τῇ Παρεμβολῇ

«Twentieth year of Tiberius Caesar Augustus, Sebastos 25, in Tebtunis of the Polemon district of the Arsinoite nome. Polemon, son of Psenobastis, about 55 years of age, with a scar on his right brow, has leased to Polemis, son of Petesouchos, about 20 years of age, with a scar on the right of his forehead {has leased to this Polemis} twelve arouras of public land from those which Polemon himself farms near Talei, or however many there are in two parcels around what are called Baralips (?) and Parembolē, for ninety-three years and hereditarily from the present twentieth year. In return for these, Polemon will measure out to Polemis yearly for taxes twenty artabs of wheat and the attendant yearly expenses and the half portion of... for one month... Polemis will receive the seed given yearly from the treasury which also is yearly for the land and it will not be permitted for the lessees to... nor the liturgy. Signatory for Polemon, Herodes, son of Herodes, about 40 years of age,

with a scar on the left side of his neck, and for the other. (m.2) I, Polemon, son of Psenobastis, agree to lease to Polemis, son of Petesouchos, from the public lands which I farm near Talei twelve arouras or however many there are in two plots in the areas called Baralips and Paremboule for ninety-three years from the present twentieth year of Tiberius Caesar Augustus for sowing with whatever crops the lessee chooses yearly ... artabs of wheat... all... which has been given... upon the aforementioned terms. [I Herodes], son of Herodes, [have written] for [he does not know letters]».

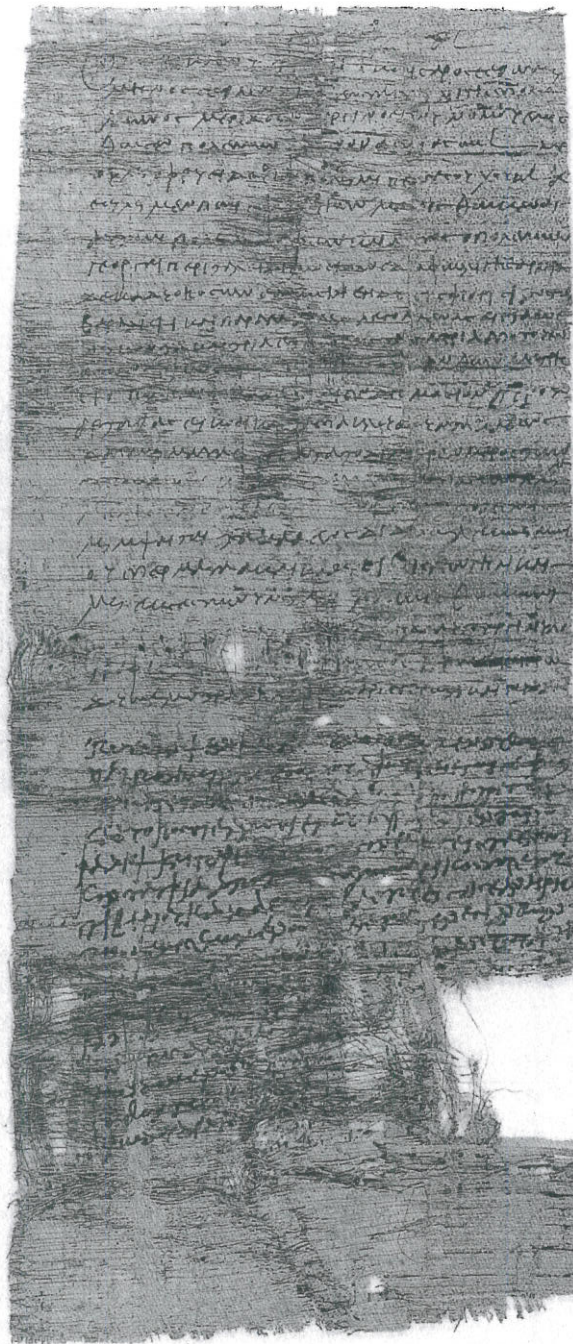
- 1 Traces of several letters remain on the right side of the papyrus, although only three are still legible. Since the lease proper begins in line 2, this is presumably a heading of some sort. The mark of abbreviation L for (ἐτους) is quite clear. We would expect κ (ἐτους), year 20, rather than θ (ἐτους), year 9. A possible explanation is that that scribe wrote ιθ, 19, by mistake, since the Egyptian year had begun only three weeks earlier. Some form of καταγραφεῖν may precede the year.
- 2-3 A tear in the papyrus has obscured the date, which clearly begins κ and is followed by an additional letter, probably ε. It would then be September 22, 33 in our calendar.
- 7 {μεμισθωκέναι αὐτῷ Πολήμι} Apparently the scribe became confused at this point and thought he had written ὁμολογεῖ rather than ἐμισθωσεν above (lines 3-4). A similar confusion occurs in other grapheion texts; cf. *P.Mich.* II 121, recto II, viii, 1; *P.Mich.* V 311, 8; 313, 11. See also *P.Mich.* XII 632, 3-4n.
- 9 δημοσίων ἐδαφῶν γῆς See ROWLANDSON, *Landowners*, pp. 38-40 for discussion of this term.
- 10-11 ἐν τῷ Βαραλιψι καὶ Παραμβολῆς λεγομένας Βαραλιψ is otherwise unattested. For Παραμβολῆς, see CALDERINI, *Diz.geogr.*, s.v. Παρεμβολή. A similar use of λέγειν occurs at *P.Mich.* V 311, 12 and 32. On the case, which agrees with ἀρούρας, see *P.Mich.* XII 631, 5n.
- 12 εἰς τὰ πάτρια A search of *DDBDP* (April 1999) turns up occurrences of this phrase in only two other papyri: *P.Harr.* I 138, col. III, 24 (Oxyrhynchus; 1<sup>st</sup> century and *P.Oxy.* XLII 3047, 32-33: μεμισθ(ωμεν) εἰς τὰ πάτρια (245), which is repeated in line 39 of the same text. For discussion, see Parsons' note on *P.Oxy.* XLII 3047, 32-33. Here the lease is obviously intended to extend to the heirs of Polemon and Polemis, which is not surprising in view of the extraordinarily long term of the lease.
- 20 A horizontal stroke follows καὶ at the end of the line, presumably to avoid a later insertion.
- 21-22 Cf. *P.Mich.* XII 633, 28: καὶ μὴ ἐκσέστω οὖν τοῖς μεμισθωμένοισι ἐντὸς τοῦ χρόνου ἐκκλιπεῖν τὴν μίσθωσιν. Something similar to ἐκκλιπεῖν τὴν μίσθωσιν may belong in the lacuna, in which case we should, perhaps, read λειτουργί<α>ν rather than λειτουργῆν.
- 23-24 Herodes, son of Herodes, is apparently a professional scribe who also functions as a ὑπογραφεύς in other documents in the grapheion archive; see the remarks of E.M. HUSSELMAN, *P.Mich.* V introduction, pp. 21-22. Husselman lists *P.Mich.* V 252 (25/26); redated to 26/27 by H.C. Youtie in an unpublished note cited in the metadata for this papyrus on the University of Michigan APIS site); 257 (30); 293 (undated) and 346a (13) as being by the same scribe. These other documents provide only the name and patronymic; here we have an approximate age and signalment. Of the four, 252, 257, and 293 appear to be in the same hand as our



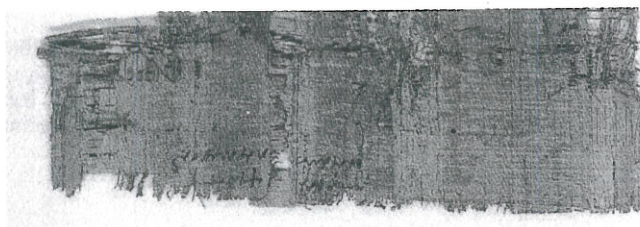
Herodes. 346a is less certain. In fact, 346a was probably written by a different Herodes (45 years old in 26) who was a party and signatory in *PMich.* V 348 (26; for the date see *BL* VII, p. 111); I am grateful to Paul André Heilporn for pointing out the similarity of hands in these two documents. Also, the final surviving subscription of *PMich.* V 269 (42), an incomplete duplicate of *PSI* VIII 907, appears to be by our Herodes. *PSI* X 1130 (Tebtunis; 25) may be the same person as well.

Thus, Herodes' activity as a ὑπογραφεύς spans the years 26 to 42. Three of the texts, the present text and *PMich.* V 252 and 257 all involve property near Talei. *PMich.* V 269 concerns property in Tebtunis and 293 property in Theogonis. On the role of the ὑπογραφεύς, see H.C. YOUTIE, ὑπογραφεύς: «The Social Impact of Illiteracy in Graeco-Roman Egypt», *ZPE* 17 (1975), pp. 201-221 = *Scriptiunculae Posteriores*, I, pp. 179-199.

- 24 καὶ τοῦ ἁλλ[ο]ῦ This should be followed by the name of the signatory of the second party (Polemis), as in *PMich.* II 121, recto i, 4 (42) and *PMich.* V 259, 20 (33), but here the text ends and the lessor's subscription appears in the following line. The lessee's subscription is absent, although there is blank space remaining at the bottom of the papyrus. This may have been written on a separate piece of papyrus, as independent subscriptions are not uncommon in the grapheion archive (see *PMich.* V introduction, pp. 3-11).
- 31 Cf. *PMich.* II 121, recto 2, i, 2 (42) εἰς <σ>πορὰν καὶ ἐπισπορὰν ὥς ἐὰν αἰρήται γένεσι and *PMich.* V 315, 9-11 (44/45) εἰς σπορὰν ὧν αἰρῶντε οἱ μεμισθωμένοι καθ' ἔτος γένεσι.
- 32-33 Mention of rent should follow soon after γένεσι. The lost beginning of 33 may be something on the order of [ἐκφορίων καθ' ἔτος τῶν ὅλων].
- 36 While the poor condition of this line renders any interpretation speculative, the presence of πάση and its location in the text suggests a formulation including πάση βεβαιώσει; cf. *PMich.* V 311, 38-39.



59 recto



59 verso