



TYCHE

Beiträge zur Alten Geschichte Papyrologie und Epigraphik

Herausgegeben von

Gerhard Dobesch, Hermann Harrauer
Peter Siewert und Ekkehard Weber

Band 11, 1996

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BOHNERBROCK



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Papyrologie und Epigraphik**

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H O L Z H A U S E N

Herausgegeben von:

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Tafeln 1–10

CARROLL A. NELSON

Two Papyri Recording Loan Repayments*

Tafel 4

I. Loan Repayment from Oxyrhynchos

P.Berol. inv. 25567

8 × 3.5 cm

123/143 A.D.

The writing of this medium brown papyrus runs parallel with the fibers; there is no writing on the back. Line length cannot precisely be determined, but reconstructions based on formulaic parts of the extant text indicate that we have from 1/4 to 1/3 of each line. There is a top margin of 2 cm, and the text has been broken off at both sides and at the bottom.

Terminology and phrases in the extant text suggest that the document is the record of a loan repayment made „in the street“ for []ty-two silver drachmas to Papontos, son of Lykomedes, by [NN], son of Dionysios, of Persian descent, both parties being from Oxyrhynchos. The borrower's name has been lost, and only part of the date appears in the text (the 7th year of a Roman emperor, either Hadrian or Antoninus Pius; see note 1–2 below). Not enough text remains to say much more about the details of the transaction. The typical form of loan repayments from Oxyrhynchos can be seen in *P.Oxy.* III 510 and X 1282. *P.Yale* I 63 (introduction) has a good discussion of the documents attesting repayment of a loan, both for the Oxyrhynchite Nome and the Arsinoite Nome. Our document, like most of those listed in *P.Yale* I 63, seems to be cast in the form of an objective homologia (ὁμολογεῖ ἀπέχειν).

The editors of the Yale document conclude from their study of other loan repayments (p. 198) „that written repayments of loans were not given for repayment itself, but to cover special circumstances“. Among special circumstances were the death of the original lender or borrower, complicated legal situations involved with the loan, or pre-payment before the due date of the original loan. Ordinarily, the Yale editors point out (p. 198), „the original loan would be returned crossed out and this would suffice to show it had been repaid, if indeed for small loans written contracts were even made. But in special cases written repayments would indeed be necessary ...“.

The loss of the bottom part of our document prevents us from finding out what special circumstance, if any, produced this written repayment of a loan. There is a hint, perhaps, in the phrase „of his own“ in line 6, in the use of the nominative form Λυκομήδης in line 9 (see note below), and in the unexpected terminology of line 10, „this man's son“. Was there, as was the case often in the documents studied by the Yale editors, the death of either the lender or borrower which made it necessary for an-

*I wish to thank the Staatliche Museen Preußischer Kulturbesitz, Ägyptisches Museum for permission to publish these texts, and I am grateful to William Brashear for the assistance he has provided.

other relative to fulfill the obligation or receive the repayment of the loan? Perhaps Lykomedes, Papontos' father and the original lender, has died, and Papontos now is collecting the debt owed to his father Lykomedes and is issuing a statement to the debtor NN, son of Dionysios, acknowledging this repayment.

1	[ἔτους ἐβδόμου Ἀύτοκράτορος Καί[σαρος]
2	[Μεσορῆ] ἐπαγομ(ένων) ζ̄ ἐν Ὁξ[υρύγχων πόλ(ει) τῆς Θηβαίδος]	
3	[ὁμολογεῖ Παπ]οντῶς Λυκομήδ[ου]
4	[]νει Διονυσίου το[ῦ]
5	[Πέρση τῆς ἐπιγον]ῆς, ἀμφοτέροι τῶ[ν ἀπὸ Ὁξυρύγχων πόλεως,]	
6	[ἀπέχειν ἐν ἀ]γυῖᾱ τὰς τοῦ ἑαυτο[ῦ]
7	[] ἀργυρίου Σεβαστ[οῦ καὶ Πτολεμαϊκοῦ νομίσματος]	
8	[δραχμὰς]κοντα δύο κεφαλ[αίου]
9	[ἃς ἐδάνεισεν (?) Λ]υκομήδης []
10	[] τὸν τούτου υἱ[ὸν]
11	[] ἐ]βδόμου ἔτο[υς NN τοῦ κυρίου]
12	[][]

„[The seventh year] of Emperor Caesar [... Mesore] the 6th additional day, in the city of Oxyrhynchos [of the Thebaid]. Papontos, son of Lykomedes, [...] acknowledges to [NN], son of Dionysios, grandson of [NN..., of Persian] descent, both from [the city of Oxyrhynchos, that he has received] (the agreement being made in the street) the capital sum of his own [..., consisting of ...]ty-two silver [drachmas] of the Imperial and Ptolemaic coinage [which] Lykomedes [loaned(?) ...] this man's son [...] the seventh year [of NN the lord ...] ...“.

1–2. The year number is restored here from that of line 11. The earliest titulature which fits this line comes from the reign of Vespasian, but this emperor and several others with the title Emperor Caesar whose reign extended into a seventh year, can be excluded because the 6th additional day attached to Mesore (= August 29) is used only when the following year is a leap year. Only two emperors have a seventh year which is followed by a leap year, Hadrian and Antoninus Pius. If this document comes from Hadrian's 7th year, it can be dated to August 29, 123 A.D.; if from Antoninus Pius' 7th year, August 29, 143 A.D.

3. For the homologia form in repayment of loan documents, see *P.Yale* I 63 (introduction). I can find no Papontos with a father named Lykomedes in Oxyrhynchos. Papontos is attested often; Lykomedes' name appears in *P.Oxy.* LV 3778 (A.D. 21), a document published after Jones and Whitehorne had compiled *The Register of Oxyrhynchites* (1983). The end of this line further identified Papontos.

4–5. The debtor is identified in these lines. The letters following the break are probably part of his name (dative case, as usual, in the homologia form). Along with his grandfather's name, there may have been reference to physical features.

5. Persian of the epigone, a term used of debtors to weaken their legal position. See P. W. Pestman in *P.Lugd.Bat.* XXII, pp. 60–61.

6. ἐν ἀγυῖᾳ is a phrase often used in agreements in Oxyrhynchos, and it indicates that the parties to the agreement have acted „in the street“, not through an official in the bureaux. The genitive τοῦ ἑαυτοῦ is reflexive and likely refers to someone or something connected with Papontos, but „his own“ what? I suggest that the phrase refers to his father, who may have made the loan and now may be dead. Papontos, it appears, explains here and below why he is receiving the payment and issuing the repayment document.

7. ἀργυρίου Σεβαστ[οῦ καὶ Πτολεμαϊκοῦ νομίσματος δραχμᾶς]: A common monetary formula, on which the editor of *P.Oxy.* XLI 2951. 24–25 (note) says: „It seems likely ... that terms such as ‚Augustan‘, ‚Ptolemaic‘, ‚old Ptolemaic‘, ‚old‘ or ‚new‘ are all no more than conventional terms intended to express the hope that the coinage which they describe is good“.

8. The repayment amount ranged from 32 to 92 drachmas, unless the lacuna contained another number in the hundreds. If so, the monetary formula in line 7 should be shortened. This line may also have stated that the interest payment was also included in the transaction.

9. The nominative, I think, belongs to a relative clause in which Papontos explains why he has collected the money and issued the statement. As restoration in the text and translation above indicate, I believe that Lykomedes loaned the money to NN, and later was unable to receive the repayment (probably because he had died).

10. Understand, perhaps, something like „Papontos, acknowledges ... that he has received the money ... which Lykomedes loaned ... and that he, this man’s son, has acknowledged the payment on (month and day) of the seventh year of NN the lord“.

11. See note 1 above for the names of the emperors possible for dating the document. Restore here either [ἸΑδριανοῦ Καίσαρος τοῦ κυρίου] or [Ἀντωνίνου Καίσαρος τοῦ κυρίου].

II. Loan Repayment from Soknopaiou Nesos

P.Berol. *inv.* 25596

12 × 4.5 cm

138 A.D.

The writing of this light brown papyrus runs parallel with the fibers; there is no writing on the back. Although the papyrus has been broken on the left side and at the bottom and has several holes, much of the text missing at the left side can be restored from other documents.

NN, son of Stotoetis and NN, grandson of Panephremmis, acknowledges to the priestess Soeris, daughter of Stotoetis, granddaughter of Panephremmis, that he has received from her at Soknopaiou Nesos 660 drachmas in repayment of a loan. He also informs her that he has given the original loan agreement back to her for cancellation and that he will make no further claims regarding the transaction. Soeris is represented by her husband Stotoetis. Of interest are the names of the two parties’ parents and grandparents. Inasmuch as their fathers and grandfathers have the same names, it is possible that the loan and repayment involved a brother and sister, although that relationship is not spelled out in the extant parts of the document.

Documents having a similar format or content to that of our loan repayment include: *P.Fam.Tebt.* 9 (A.D. 107), *P.Kron.* 11 (A.D. 121) and 13 (A.D. 136/37); and *P.Soter.* 25 (A.D. 109). For loans, see P. W. Pestman, *Loans Bearing No Interest?* JJP 16–17 (1971) 2–29 (note 1 lists the literature on the subject).

- 1 [ἔτους πρώτου Αὐτοκράτορος] Καίσαρος Τίτου Αἰλίου
 2 [Ἄδριανοῦ Ἀντωνεῖνου Σεβαστο]ῦ Εὐσεβοῦς, [Ἐπει(?)]φ ἕ
 3 [ἐν Σοκνοπ(αίου) Νήσου τῆς Ἡρακλ(είδου)] μερίδος τοῦ Ἄρσινοεῖτ[ο]υ
 4 [νομοῦ ὁμολογεῖ NN, Στοτ]οτήτεως τοῦ Πανεφρέμμε-
 5 [ως μη(τρὸς) NN ἀπὸ Σοκνοπ(αίου)] Νήσου ὡς (ἐτῶν) λε οὐλή ὄφρῦει
 6 [(right or left) Σοήρει Στοτο]τήτεως τοῦ Παν]εφ[ρέ]μμεως ἱερε[ί]α] ὡς
 (ἐτῶν) κε
 7 [οὐλή καρπῶ δεξιῶ μετὰ κυρίου τοῦ] ἑαυτῆς ἀνδρὸς Στοτο]τήτεως
 8 [Στοτο]τήτεως τοῦ Στοτο]τήτεως ὡς (ἐτῶν) κ [] [ο]ὐλ(ή) ἀντικνημ[ί]φ]
 9 [(right or left) ἀπέχειν παρ' αὐτῆς τὸν ὁμο]λογοῦντα παραχρημα
 10 [διὰ χειρὸς ἀργυρίου δραχ]μὰς ἑξακοσίας ἐξήκοντα
 11 [ἄς ὄφειλεν Σοήρις αὐτῶ δι'] ὁμολογείας τελιωθί-
 12 [σης διὰ ἐν Σοκνοπ(αίῳ) Νήσῳ γραφείου τῶ α (ἔτει) Ἄ]ντωνεῖνου
 Καίσαρος
 13 [τοῦ κυρίου (month and day)] καὶ ἀναδεδωκέναί
 14 [τὴν ἀσφάλειαν αὐτῇ εἰς ἀθέ]τησιν καὶ ἀκύρωσ[ι]ν
 15 [καὶ μηδὲ ἐγκαλεῖν μηδὲ ἐγκαλέσ]ειν περὶ ὧν ἀπέχι καθότι
 16 [πρόκειται - - - - -]

6. ἱερε[ί]α Pap.; κε: κ ex corr. 11.–12. read τελιωθείσης 14. read ἀθέτησιν 15. read ἀπέχει

„[The first year of Emperor] Caesar Titus Aelius [Hadrian Antoninus Augustus] Pius, [Epeiph (?)] 20 [in Soknopaiou Nesos] of the division [of Herakleides] of the Arsinoite [Nome. NN], son of Stotoetis [and NN], grandson of Panephremmis, from [Soknopaiou] Nesos, about 35 years old, with a scar on his [right or left] brow, [acknowledges to Soeris, daughter of Stotoetis], granddaughter of Panephremmis, priestess, about 25 years old, [with a scar on her right wrist, acting with her guardian] her own husband Stotoetis, [son of Stotoetis, grandson of Stotoetis], about 20+ years old, with a scar on his [right or left] shin, that he the acknowledging party [has received from her] immediately [in cash] 660 [silver] drachmas [which Soeris owed to him through] an agreement drawn up [through the record office in Soknopaiou Nesos in the 1st year] of Antoninus Caesar [the lord, (month and day)...] and that [he] has given back [the agreement to her] for canceling and invalidation [and that he neither makes a claim against her nor] will he make a claim concerning the things he has received, as [is stated above ...]“.

1. Restorations at the beginning of following lines are based on the approximate length of the imperial name. They may be somewhat longer or shorter than I have indicated, but all information comes from parallel texts or other evidence about the parties involved in the transaction.

πρώτου has been restored here (and in line 12) because later documents (see note 6–8 below) contain both the ages of Soeris and her husband and the year of Antoninus Pius’

reign. By comparing the ages of the two in our document with their ages in the later documents, we arrive at the first year of Antoninus as the most likely date for the repayment.

2. Antoninus' reign began on July 10 (or Epeiph 16) of 138 A.D. If my calculations and assumptions about the dating of this text are correct, the repayment has been dated only a few days after he took office. Epeiph 20 = July 14.

3. Place names are restored from line 5 and from other documents involving Soeris and Stotoetis (see 6–8 below).

4. One of the parties was named at the lost beginning of this line (and perhaps at the lost beginning of line 9). Curiously, his father and grandfather have the same names as those of Soeris' father and grandfather. Perhaps the loan was one between brother and sister, although the text gives no other indication of such a relationship between the two parties.

5–6. ὀφρῦει is normally followed by an adjective („right“ or „left“) locating the place on the brow where the scar is to be found.

6–8. Soeris and Stotoetis, her husband and legal representative, are attested in other documents from Soknopaiou Nesos. From *SPP XXII 36* (A.D. 145) and *CPR VI 6* (A.D. 159), we learn that Soeris' mother was named Taphiomis and that Stotoetis' surname was Paramon. Both husband and wife served in the priestly ranks, Stotoetis listed in *SPP XXII 36* as ἱερέως δευτέρως φυλῆς Σοκνοπαίου θεοῦ μεγάλου μεγάλου. This same document records a loan of 500 drachmas to Soeris by a weaver, who agrees to accept in lieu of interest on the loan the services of Soeris' female slave who is also a weaver. Stotoetis is attested also in *P.Münch. III 137* (A.D. 144–146), a list of payments by priests in Soknopaiou Nesos.

SPP XXII 36 informs us that in A.D. 145, both Soeris and Stotoetis were 33 years old. In our document, Soeris is only 25 years old. Therefore, the loan repayment must fall very early in Antoninus' reign, if she was seven to eight years younger than in A.D. 145.

8. Stotoetis' mark of identification in later years was a scar on the little finger of his left hand, and he was listed as equal in age with Soeris (*SPP XXII 36*). In our document, his scar is on one of his shins. The number missing after (ἐτῶν) may be κ[ε] or 25, since Soeris' age is 25 (line 6). Later in A.D. 159 (*CPR VI 3*), their ages differ, with Soeris about 50 years old and Stotoetis about 48 years old.

11. The missing phrase could just as well be [ἄς ἐδάνεισεν NN ἀπὸ τῆ δι'] or [which he loaned to her through] the agreement.

13ff. For the process referred to in these lines, see R. Taubenschlag, *The Law of Greco-Roman Egypt in the Light of the Papyri*, Warszawa ²1955, 419–20. The extinction of the obligation (*solutio*) comes through the return of the document to Soeris now that she has repaid the loan and through NN's promise not to make any further claims regarding the loan.

14. Instead of [τὴν ἀσφάλειαν], perhaps [τὴν ὁμολογίαν].

16ff. Signatures normally are provided at the end of records of this type.

