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Frank D a u b n e r, *Makedonien nach den Königen (168 v. Chr.–14 n. Chr.)* (Historia. Einzelschriften 251), Stuttgart: Steiner 2018 (K. Freitag: 251) — Luis Ángel H i d a l g o M a r t í n, Jonathan E d m o n d s e n, Juana M á r q u e z P é r e z, José Luis R a m í r e z S á d a b a, *Nueva epigrafía funeraria de Augusta Emerita. Tituli sepulcrales urbanos (ss. I–VII) y su contexto arqueológico (NEFAE)* (Memoria 1. Monografías arqueológicas de Mérida), Mérida 2019 (S. Tantimonaco: 253) — Stephen M i t c h e l l, David F r e n c h, *The Greek and Latin Inscriptions of Ankara (Ancyra). Vol. II: Late Roman, Byzantine and other Texts* (Vestigia 72), München 2019 (Ch. Wallner: 257).

Tafeln 1–32

DEDICATVM

FVNDATORIBVS

GERHARD DOBESCH

HERMANN HARRAUER

PETER SIEWERT

EKKEHARD WEBER

OCTOGENARIIS

URI YIFTACH

A Petition to the *Iuridicus* from the Archive of Ptolemaios,
Son of Diodoros (147 CE, Theadelphia)*

Plate 29–31

A draft of a petition of at least forty-two lines of text,¹ written along the fibres in a skilled cursive hand, which can be identified for reasons of contents and palaeography with that of Ptolemaios son of Diodoros, whose dossier (144–162 CE) stems from the village of Theadelphia.²

The left margin is some 1.5 cm wide and the beginnings of the lines are preserved, as is the 2 cm upper margin. No text appears in either margin. A space of ca. 0.7 cm was left blank between the name of the addressee in lines 1 and 2 and in the remainder of the text. The ends of the lines and the right-end margin, if there was any, have not been preserved but, following the reading below, it is assumed that no more than five letters in average are lost. The text down to line 32 includes the address, the *exordium*, and the *narratio*. Following the deciphered text, the papyrus features four additional lines that were followed (though not necessarily directly) by the text recorded on one of the seven small fragments (small frag. 1) that are currently detached from the main text. Drawing on parallel petitions to equestrian office holders from the second-century

* I would like to express my gratitude to colleagues — in particular, Roger S. Bagnall, Hélène Cuvigny and Dieter Hagedorn, who shared their comments and insights of this fascinating text. I also thank the past and present curators of the papyrus collection at the Rare Book and Manuscript Library at Columbia University in New York — Raffaella Criore, Rodney Ast, and David M. Ratzan — for their assistance and care. The present text is published by courtesy of the Rare Book and Manuscript Library at the Columbia University Libraries. I would also like to extend my gratitude to Anna Dolganov, for kindly placing to my disposal a draft of her forthcoming paper on P.Wisc. I 33, another petition from the same archival context. I am deeply grateful to the anonymous readers and editors of *Tyche* for their diligent work and penetrative reading of the present manuscript.

¹ The main fragment + small fragment no. 1, below.

² P. J. Sijpesteijn, *P.Wisc. I*, pp. 120–122. J. E. G. Whitehorne, *P.Mich. inv. 255: A petition to the epistrategus P. Marcius Crispus*, CdÉ 66 (1991) 250–256, at 250–251; R. Smolders, *Leuven Homepage of Papyrus Collections, ArchID 325. Version 2* (2013) 3, n. 11; now also A. Dolganov, *A strategos on trial before the provincial governor: a new look at a petition to the Roman prefect of Egypt (P.Wisc. I 33)*, APF (forthcoming).

CE Arsinoites, I assume a loss of no more than five lines in the main fragment.³ From the picture of the text, I assume one (vertical) *kollesis* some 5.5 cm from the right end margin, and just one horizontal fold following line 16. There are some heavy losses of text toward the beginning of lines 4–7, 9, and 12–13; then toward the end at lines 15–19, and increasingly so from line 25 to the end of the preserved text. I am currently not able to fathom the relation of the remaining seven small fragments to the main text (plate 30). The back is blank.

P.Col. inv. 28
Theadelphia

10.8 × 26.3
along the fibres

Sept.–Oct. 147
Plate 29

- 1 Πουπλίω Καλουσίω Πατροφίλω τῷ
 2 κρατίστῳ δικαιοδότη *vac.*
 3 παρὰ Παμφίλου τοῦ καὶ Σωκράτους καὶ Σω[τ]η-
 4 [ρ]ίχου [τοῦ καὶ Δ]ιοσκουρίδου καὶ Ἀνουβιαν<ί>ης τῆ[ς]
 5 καὶ Ἀχ[ιλλίδος τ]ῶν γ' Ἀσκληπιάδου τῷ Παμφίλου Σωσι-
 6 κοσμ[ίου] τ[ο]ῦ καὶ Ἀλθαιέως διὰ τοῦ διαπεμφ[θέν]-
 7 το[ς] Πτολεμ[αίου Διο]δώρου φίλου. διὰ [τ]ῶ ἡμ[ᾶς]
 8 νεωτέρ[ο]υς ε[ἶ]ναι καὶ τῆς σῆς ἐπ' ἄκρον μ[ισο]-
 9 πονηρίας δεόμενοι, κύριε, [δι]επεμψάμεθά [σοι]
 10 τὴν ἀξίωσιν αὐτὴν δηλοῦντες τὸ ἐξ ἀρχ[ῆς].
 11 ἡνί<κα> γὰρ [περι]ῆν ὁ πρ[ο]γεγρα(αμμένος) ἡμῶν πατήρ
 ἐδα[νεί]-
 12 σατο παρ[ὰ Καπ]ετωλείνου Διοδώρου ἀργυρ[ίου]
 13 δραχμὰς τρεισχειλείας φεντακοσίας ἕτι ἀ[πὸ τοῦ]
 14 τετάρτου ἔτους θ[ε]ο[ῦ] Ἀδρ[ιαν]οῦ, καὶ ὕστερο[ν] 119/120 CE
 15 τῷ θ (ἔτει) ὁ αὐτὸς πατήρ ἀ[πέδο]το ἀπὸ μὲν τοῦ κ[ε]- 124/125 CE
 16 φαλαίου ἀργ(υρίου) (δραχμὰς) Αψ καὶ τ[.]ς τοὺς
 πλήρη[ς]
 17 τόκους τοῦ ὄλου κεφαλαίου [ὡς ἐκ σ[τ] ἀπὸ] (δραχμῶν)
 [Γ]φ κεφαλαίου ὀφ[εί]λεσ-
 18 θαι αὐτῷ (δραχμὰς) Ἄω, καὶ μετὰ ταῦτα [. . . ἐφ'] ὅσον
 περιῆν μ[έν] ?
 19 ὁ πατήρ ἀπεδίδου ε[ί]ς τόκον κατὰ μέρος, τελευτή-

³ Among the petitions to equestrian office-holders surveyed here, two display a format particularly similar to that of the present text. In P.Lund IV 1, a petition from Bacchias addressed to the governor in 198 CE, the page is 12.5 cm wide with some forty letters per line and is 36 cm high. Its forty lines of text include the governor's subscription. P.Oxy. XXII 2342, a petition to the governor from 102 CE Oxyrhynchos, is 13.7 cm wide with ca. 35 letters per line. It is 46 lines long and 37 cm high. However, it is not certain that the same format was to be maintained in the final copy the text recorded in P.Col. inv. 28.

20 σαντος δ' αὐτοῦ τῷ κ (ἔτει) καὶ ἡμεῖς ἀπεδίδομ[εν] 135/136 CE
 21 μέχρι τού<του> καθὸ δύναμις ὑπῆ. ἐπὶ οὖν κα[ὶ] ὁ
 22 προγεγραμμένος Καπιτωλ[εῖ]νος ἐτε[λ]εῦτα
 23 ἐπὶ κληρονόμῳ ἀδελφῷ αὐτοῦ Ἰπτοῦ ἔτι πάλαι Πτο-
 24 λεμναίῳ, [κα]ὶ τούτῳ δὲ ὡσαύτω[ς] ἀ]πεδίδομεν
 25 ὡς συνάγεσθαι ἅς τε ὁ πατὴρ ἡμῶν ἀπέδετο
 26 εἰς τόκον τῶν προκειμέ[ν]ων (δραχμῶν) Ἄω καὶ
 27 ἅς ἡμεῖς ὑπὲρ τῶν αὐτῶ[ν], ἐπὶ τὸ αὐτὸ συν-
 28 ἀγεισθαι ὑπὲρ τόκου ἀργ[υρίου] (δραχμῶν) Ἄ γ καὶ πρό[ς].
 29 ὁ δὲ Πτολ[ε]μ[αῖ]ος παραλο[γ]ί[ζε]ται, τὴν δὲ [τῷ (θ) (ἔτει)] 124/125 CE
 30 θεοῦ Ἄδρ[ιαν]οῦ ε[] -- ca. 16 --]..[.....]
 31 ἐπαρχο...[.....]σιου[] -- ca. 11 --]..[.....]-
 32 μα στέρ[ε]σθ[αι]...φιλουανδ[] -- ca. 15 --]..[.....]
 33 κρα[] -- ca. 19 --]..[.....]
 34 πα[] --
 35 ἀθύ[ρ] ? --
 36 .[--

1 *l.* Πουβλίῳ 3 Σωκράτους κ corr. from ρ? 4 perhaps a faint vertical stroke before the χ 10 ἀρ^χ
 11 πρ[ο]γεγρ 13 *l.* τρεισχιλίας πεντακοσίας 14 τετάρτου: third τ corr. from ρ 16 ἀργ 18 αὐτῷ superlinear
 and then possibly some traces 21 *l.* ἐπεί 23 κληρονόμῳ: ω corr. from ο, ἀδελφῷ: δ corr. from υ 25 *l.*
 ἀπέδετο 26 *l.* προκειμέ[ν]ων 27–28 συνάγεσθαι or συνάγεινθαι, *l.* συνάγεσθαι 31 some characters above
 επαρ. Washed off? a character above the assumed second *omicron*. An *upsilon*?

First small fragment (plate 30):

Six lines. A margin on the left side indicates that it should be placed beneath the
 main text. δυγ[--] may be part of the formula, ἵνα] | δυγ[ηθῶμεν. Cf., e.g., P.Oxy. X
 1272.22–23 (144 CE, Oxyrhynchos): ἵνα δυνηθῶ τῇ σῇ βοηθείᾳ ἀνευρεῖν τὰ ἡμέτερα.
 Should it be the case, the first small fragment already reports the *petitum*.

..[--]
 . [--]
 μενωγ or μενωσ [--]
 ... [-- ἵνα]
 δυγ[ηθῶμεν --]
 ποιή[σεται] ? --
 . [--]

Second small fragment (plate 30):

Seven lines. Its exact location in the large fragment could not be established.

] . απο τ[- -]

] . παντ[- -]

] [

] ται[- -]

] . τσ[

] υπερ α[

] ποδ[- (?)

Five other small fragments bear only minimal traces of ink. (plate 30).

Translation

“To Publius Calvisius Patrophilus, *vir egregious, iuridicus*, from Pamphilos alias Sokrates and Soterichos alias Dioskourides and Anoubiaine alias Achillis, all three children of Asklepiades, son of Pamphilos, of the Sosikosmian tribe and Althaeac deme, through their dispatched friend Ptolemaios, son of Diodoros. Since we are young and, standing in need of your exceeding hatred-of-evil, our lord, we have sent you this petition reporting the events from the beginning. For when he was still alive, our aforementioned father borrowed from Kapitolinos son of Diodoros three thousand and five hundred drachmas already in the fourth year of the deified Hadrian, and later, in the ninth year, the same father returned out of the principal 1,700 drachmas and the interest of the entire principal in full, so that out of the 3,500 drachmas he (Kapitolinos) was still owed 1,800 drachmas. And after that, as long as he was still alive, our said father continued making payments on account of the interest bit by bit. And after he had died, in the twentieth year, we too have regularly paid until now in as much as it was possible. Since, then, the aforesaid Kapitolinos was also long dead, leaving as heir his brother Ptolemaios, we continued to make payments to that person in the same manner as well, so that what our father has paid back on account of the interest of the aforementioned 1,800 drachmas, and what we have paid on the same debt, totals on account of interest 4,900 drachmas and more. But Ptolemaios reckons fraudulently, and [not acknowledging the payment that was discharged in the ninth year?] of the deified Hadrian ...”

Commentary

1–7 Address

1–2 Πουπλίω Καλουσίω Πατροφίλω: The same Calvisius Patrophilus is attested, according to H.-G., Pflaum, *Les procurateurs équestres sous le Haut-empire romain*, Paris 1950, III, 1088, Supplément, Paris 1982, 139; Elia, *I iuridici Alexandriae* (below, n. 4) 203, n° 21; Kruit-Worp, *P.Vindob. G 31701 verso* (below, n. 4) 94, n° 21 in two papyri only: P.Gen. II 103 + BGU XIII 2213 (147 Arsinoites), and P.Gen. II 104 = SB XVI 12715 (after 24 Sept. 147 CE, Arsinoites) recording him in office on the 27th and 29th of Thoth, year 11 of Antoninus Pius (23 and 25 Sept. 147). Earlier in Pharmouthi of the same year (April 147), we find another *iuridicus*, Calpurnianus (Worp-Kruit n° 20; Elia n° 20), allowing a *terminus post quem* for the present petition. Cf. also

W. Habermann, *Publius Marcius Crispus, Epistratego und Juridicus in Ägypten unter Antoninus Pius*, in: P.Paramone, 241–250, at 243, n. 8. The present papyrus also yields a new prosopographic detail: the praenomen of the Calvisius Patrophilus, Publius, or Puplius as it is written here. Gignac, *Gram.* I, 83.

5 και Ἀχιλλίδος: In P.Wisc. I 36.17 her name is spelled with one lambda. But derivations of the name of Achilles with just one lambda are quite rare in documentary papyri, and must be, in that case, a typo. Compare Ἀχιλλᾶς (3: TM Nam 1716); Ἀγχίλις (1: TM Nam 1719), Ἀχιλεύς (6: TM Nam 1719), Ἀχιλίων (2: TM Nam 1720).

Ἀσκληπιάδου τοῦ Παμφίλου: In the case of Alexandrians, the name of the grandfather is regularly introduced by an article. Cf., e.g., BGU II 427.26–27 (159 CE, Soknopaiou Nesos). Our scribe, being aware of this peculiarity, added the article *ex post*.

6 Σωσικοσμ[ίου] τ[ο]ῦ και Ἀλθαίως: The combination of the Sosikosmian tribe and the Althaeian deme is by far the best-attested in the papyri: cf. Delia, *Alexandrian Citizenship* (below n. 9) 136–141.

6–7 διαπεμφ[θέν]το[ς] and 9 [δι]επεμψάμεθα: The verb διαπέμπω is used here twice: to denote both the dispatching of the representative and the submission of the document. For the former, see, e.g., BGU III 807.3–4 (185 CE, Hermopolites). The latter is well attested in the formula διεπεμψάμην πρὸς ἐπίδοσιν: P. Oxy. XII 1467.27–29 (263 CE, Oxyrhynchos); 1469.23 (298 CE, Paimis, Oxyrhynchites); XXXIV 2713.27 (ca. 297 CE, Oxyrhynchos); P.Ryl. IV 617.15 (317 CE?, Leontopolis). The closest parallel to the passage in the Columbia papyrus is BGU II 378.26–27 = MChr 60 (147 CE, Arsinoites) [petition to the *praefectus Aegypti*]: διαπεμψά[μ]ενος ὁ Σατορ[νε]ϊνος | τὴν ἐπ[ι]σ[τολ]ήν διὰ δύο στρατιωτῶν [τοῦ κρατίσ]του δικα[ι]οδότου.

7 Πτολεμ[αίου] Διο[δ]ώρου φίλου: διὰ δέινος φίλου is recorded in different types of documentary contexts: legal documents [e.g., BGU IV 1091.7–8 (212 CE, Oxyrhynchos)], private letters reporting economic activity through agents [e.g., P.Heid. IV 332.5–6 (II/III CE, Herakleopolites?)], applications and returns [e.g., P.Oxy. VIII 1109.4 (160/161 CE, Oxyrhynchos): application for *epikrasis*] and money transfer orders through a bank [e.g., P.Oxy. III 620.10–12 *descriptum* = ZPE 160 (2007) 189 (147 CE, Oxyrhynchos)]. In petitions, while submission by agents is widespread [e.g., P.Berl.Leihg. I 10.2 (120 CE, Arsinoites)], the appellation ‘friend’ has not been recorded in any previously published text

The legal capacity by which the friend acts as a representative is reported in P.Oslo III 107.7–8 (early II, unknown provenance): δι(ὰ) Α . . . [. . .] φίλο(υ) συσταθ(έντος). Should we assume a formal *systasis* in the case of Ptolemaios as well? If so, was Ptolemaios authorized just to submit the petition, or also to represent the petitioners in court? Cf., most recently, H.-A. Rupprecht, *Die Systasis: eine besondere Gestaltung in der Praxis der Papyri*, in: Thür (ed.), *Symposion 2009* (below n. 24) 383–395, at 384, 385.

7–10 *Exordium*

8 νεωτέρ[ο]υς εἶ[ν]αι: For the topos of young age as the cause of weakness, and therefore a petition, see BGU I 168.3–5 (ca. 171 CE, Arsinoites); P.Oxy. XXXIV 2711.3–8 (271 CE, Oxyrhynchos); 2713 (ca. 297 CE, Oxyrhynchos) with A. Papatthomas, *Literarische und rhetorische Elemente in P.Oxy. XXXIV 2713*, APF 52 (2006) 244–255; P. Sakaon 37.9–10 = P.Thead. 18 (284 CE, Thraso, Arsinoites); 40.4–5 = P.Thead. 19 (318–321 CE, Theadelphia); P.Tebt. II 326.2–4 = MChr 325 (266/267 CE, Tebtynis) and Papatthomas, *Zur captatio benevolentiae* (below n. 61) 491, 492, 494.

8–9 μ[ισο]π[ο]νηρίας: The word μισοπληγία (‘hatred of evil’, LSJ s.v., pp. 1137–1138) is used in the *captatio benevolentiae* to describe the quality of the addressee of which the petitioner stands in need. In the Ptolemaic period, it is regularly recorded at the end of the contract. So in UPZ I 8.29–31 = P.Lond. I 44 (p. 33) (after 8 Nov. 161 BCE, Memphis): ὅπως περὶ | πάντων

τούτων τύχῳσι τῆς προσηκούσης μισοπόνηρίας and BGU VIII 1764.15 (64–44 BCE, Herakleopolites); 1855.3–4 (64–44 BCE, Herakleopolites); P.Heid. VI 382.23–26 (158/157 BCE, Samaria); P.Tarich. 3.38 (after 10 Oct.189 BCE, Tanis); 13.29–30 (after 188/187 BCE, Tanis); P.Tebt. I 28.19 (after 22 May 117 BCE, Ptolemais Euergetis) [μισοπόνηρος ἐπίστασις]. With one exception, P.Genov. V 187.10–11 (I CE, unknown provenance), in the Roman period, this quality is mentioned in the *exordium* in petitions addressed to Roman equestrians: the governor, the *epistrategos*, or the *iuridicus*. This location is already employed in two Ptolemaic texts: BGU VIII 1850.10–11 (48–46 BCE, Herakleopolites); SB XVIII 13097.8–9 = P.Mil.Congr. XVIII 33 (129 BCE, Arsinoites). For the Roman period, see BGU XI 2061.9 (210 CE, Alexandria) [*praef.Aeg.*: τὸ μισοπόνηρον]; CPR V 12.5 (351 CE, Arsinoites) [*comes* and *praeses*: μισοπόνηρος ἐμμέλεια]; P.Amh. II 83.16 = WChr 230 (301–307 CE, Arsinoites) [*praef.Aeg.*]; P.Cair. Isid. 73.6–7 (314 CE?, Karanis) [*praef.Aeg.*]; P.Leid.Inst. 34.16 (ca. 140 CE, unknown Provenance) [*praef.Aeg.*: μισοπόνηρος]; P.Ryl. II 113.31–33 (133 CE, Letopolis) [*praef.Aeg.*]; P.Sakaon 38.4 = P.Flor. I 36 = MChr 64 = ChLA XXV 778 [*praef.Aeg.*: μισοπόνηρος ἀνδρεία]; PSI X 1103.3–4 (192–194 CE, Ptolemais Euergetis) [*epistrategos*]; SB XII 10989.2.2–5 = P.Princ. III 119 (ca. 325 CE, unknown provenance) [*memorandum* for a speech in court]; XX 14335.10 (early III CE, unknown provenance) [*praef.Aeg.*]; PSI XIII 1323 (147/148 CE, Arsinoites) [*praef.Aeg.*]. In BGU I 226.9–10 = MChr 50 = FIRA III 167 (99 CE, Soknopaiou Nesos), a petition to the strategos, the μισοπονηρία is reported as a quality of the *praefectus Aegypti*. In P.Turner 34.12–13 (216 CE, Diospolis Parva) [acting *epistrategos*: μισοπόνηρος κηδεμονία], it is recorded in the *narratio*. See also PSI VI 667.7 (mid III BCE, Philadelphia) [μισοπόνηρος] and, briefly, Paphthomas, *Zur captatio benevolentiae* (below n. 61) 489, 495.

9 δεόμενοι: In strict grammatical terms, we would expect here, as in the preceding line, the accusative. But through this subtle change the scribe already anticipates the petitioners' position as the subjects of the following clause. Cf. Kühner, Gerth, *Ausführliche Grammatik* (below n. 38) II 2.106.

[δι]επεμψάμεθ' [σοι]: In the aorist indicative, middle voice is by far more common than the active. The relations according to trismegistos.org, [accessed: 15.10.2020] are 85:5. But the latter is not to be ruled out completely, if only for considerations of space.

11–21 *Narratio*

The text reports four events: (1) the act of lending, during the father's lifetime, in Hadrian's fourth year (119/120), with an account of the amount lent; (2) the repayment of some of the principal and payment of all the accrued interest in Hadrian's ninth year; (3) continued payment of interest following that date; (4) the death of the father and the continued payment of interest by the petitioners. The account in PSI XVII 1689 (plate 31), relating to the same stage, is somewhat different: (ad 1): reporting the act of lending using the same vocabulary and noting that the loan was given during the father's lifetime (ll. 2–3). The amount of the loan must have been reported at the end of line 3 and the beginning of line 4, followed by ἀρ]γ[υρ]ικὸν κεφάλαιον, a combination not used in the Columbia papyrus. (ad 2): the second stage, the payback of some of the principal + payment of interest in Hadrian's ninth year, is omitted entirely. (ad 3) The continued payment of the interest is expressed differently (ll. 4–5), οὗ τριπλάσιον | [τ]όκον ἐχορήγησεν περιῶν ('whose three-fold interest he provided when he was alive'). In P.Col. inv. 28, the interest remitted by the father is reported only in connection with (2), but not thereafter. (ad 4) The text from Florence, just like its Columbia counterpart, records the petitioners' continued payment on the loan. Accordingly, I offer a slight revision to Mascellari's restoration (ll. 5–7): [κ]ἀ μ[ε]τὰ τὸν ἐκείνου θάνατον διετε[λοῦμεν] | (or διετε[λέσαμεν]) (not διετέ[λεσε] χορηγοῦν-τ[ε]ς [not χορηγοῦντ[ο]ς] πλείονι χρόνω . . . [- ca.2 -]).

11 ἡνί<κα> γάρ: As rightly observed by one of the anonymous readers, the fourth letter may well be gamma, but not kappa. The scribe shows no inclination to vernacular spelling elsewhere in this text, so gamma for kappa seems unlikely. For the causal conjunctive γάρ, ‘introducing a detailed description or narration already alluded to’, see LSJ, s.v., I C p. 338. Such a use is also attested, in the context of the archive of Ptolemaios, in P.Wisc. I 33.13 (after October 147, Arsinoites), reedited by Dolganov, *A strategos on trial* (below n. 2).

11–12 ἐδᾶ[νεί]σατο: Compare also PSI XVII 1689.2–3. The petitioner uses the verb δαεῖζω to denote the act of lending. To what extent does this reflect the vocabulary used in the loan contract? The active voice of δαεῖζω is regularly used to denote the act of lending in the Ptolemaic period. While this is still occasionally the case in the Roman period, it is more normally replaced now by ἔχω χρῆσιν, ἔχω κεφαλαίου or just an account of the amount given, with no designation of the category of the loan (Tenger, *Die Verschuldung* [below n. 18] 95–99). This is also the case in contemporary Theadelphia, yielding three early second-century cash loan contracts, all composed at a *grapheion*. In two of them, P.Oslo II 39 (146 CE); III 131 (118 CE), the loan is labelled χρῆσις ἔντοκος, and in one, P.Oxf. 10 (98–117), the contract does not report the legal labelling of the loan. The terminological discrepancy between petitions and contracts is also evident in texts composed elsewhere in Arsinoite nome, in the village of Karanis: δαεῖζω in the petition BGU XI 2062.7, 10 (after 117 CE), *chresis* in the loan contract P.Corn. 7.6–7 (122 CE).

12 παρ[ὸ Καπ]ετωλείνου Διοδώρου: In the narration of the events in PSI XVII 1689 the name of the father was probably preceded by an article. There seems, however, to be little room for an article here.

13 φεντακοσία: This aspirated form seems unique to the second and early third-century CE Arsinoites. Cf., e.g., BGU I 350.22 (103–115 CE, Nilopolis) and Gignac, *Gram.* I, 91–92.

15 ἀ[πέδο]το: What documentary form did the repayment of some of the loan take? In some Ptolemaic texts, it is done in a new loan contract that refers to the preexistence of the debt: P.Dion. 26 = P.Rein. I 31 (116 BCE, Hermopolis); P.Dion. 27 = P.Rein. I 8 (113/ 112 BCE, Hermopolis); P.Grenf. II 21 = P.Lond. III 661 descriptum (103 BCE, Pathyris); P.Köln XVI 642 [with 643] (256 BCE, Herakleopolites?); PSI IV 389 (243 BCE, Philadelphia); UPZ II 190 = P.Par. 7 = MChr 225 (98 BCE, Thebes). In the Roman period: (a) in SPP XX 3 (111 CE, Arsinoites), following the Ptolemaic practice, the existence of the debt is acknowledged as well; (b) BGU I 149 = WChr 93 (138–161, Arsinoites), BGU IV 1149 (13 BCE, Alexandria) and P.Lond. II 178a (145 CE, unknown provenance; dowry) record the return of some of the loan and arrangements for the payment of the rest (Cf., H. Kühnert, *Zum Kreditgeschäft in den hellenistischen Papyri Ägyptens bis Diokletian*, Freiburg 1965, 46–50); (c) BGU III 813 (II CE, unknown provenance); XI 2122 (108 CE, Alexandria?) are orders to transfer money through a bank; or (d) P.Mich. IX 568 (wt. no 569; 92 CE, Ptolemais Euergetis) records an undertaking of future payment. Cf., in general, P.Köln XVI, pp. 1–5, with further literature.

16 καὶ τ[. . . .]σ[. . . .] : In and around the lacuna, perhaps τοῦς τόκου]ς which was meant to be replaced in the final copy by the text as formulated at the beginning of line 17.

τοὺς πλήρη[ς]: The reading πλήρης, while paleographically sound, is difficult syntactically, for the said adjective is rarely used in attributive position (examples in Mayser, *Gram.* I.2, 58). Another option, following the vocabulary of PSI XVII 1689.3–5, would be τοὺς καὶ τριπλασίους: the amount of the interest returned by the father was threefold that of the capital. But the *lacuna* at the end of line 16 is hardly sufficient for that adjective. In addition, for the period after the settlement of 124/125, the petitioners record a normal interest rate of a monthly one percent. It is hard to see why the father should be charged a usurious rate for the preceding period. Another reading, kindly proposed by one of the anonymous readers is τοὺς ἑκατοστ[αίους]: one per-cent monthly interest. Here too, a lacuna of six characters is beyond that evident elsewhere in the text.

The earliest papyrological attestation of ἑκατοστιαίος dates to the fourth century CE: P.Heid. VII 401.16–17 (334–337 or 338–340 CE, Oxyrhynchos).

17 τὸ κούς τοῦ ὄλου κεφαλαίου: Apparently, the author had first intended to place the qualifying substantive in attributive position. Both options were viable. Cf. P.Oxy. III 510.21–22 (101 CE, Oxyrhynchos) [attributive], P.Princ. III 144.26 (219–240 CE, Ptolemais Euergetis) [predicative], and Maysner, *Gram.* II.2, 143–144.

19 ἀπεδίδου εἰς τὸν τόκον and 25–26 ἀπέδετο | εἰς τόκον: Yet another lexical idiosyncrasy in the Ptolemaios archive. Cf. SB XX 14401.25 (147 CE, Arsinoites): ἀποδέδωκα εἰς τόκον.

22 Καπιτωλ[εῖ]νος here with iota. Compare I. 12.

ἐτε[λ]εῦτα. The imperfect of τελευτάω is extremely rare in petitions. The closest parallel is P.Vind.Tand. 3. 3–4 (beginning of III CE, Antinoopolis): [Αὐρήλιος] Ἀρποκρατίων φυλῆς Νεροῦιανῆς ἐτελεῦτα ὑπόγυον ἐπὶ κληρο[νο]νόμοις τοῖς τέκνοις αὐτοῦ ἀφήλιξι τρισί.

23–24 Ἰπτοῦ ἔτι πάλαι: Πτολεμαῖα ἔτι πάλαι is meant to qualify not Ptolemaios ('his long-standing heir'), but Kapitalino's death ('since he was long ago dead'). Inserting the beginning of Ptolemaios' name above the line before the adverb was meant to indicate the word order due in the final copy.

25 ὡς συνάγεσθαι: Ptolemaios uses the same construction in SB XX 14401.18 (147 CE, Arsinoites) and in lines 27–28 of the present document.

27 ἐπὶ τὸ αὐτό: The preposition ἐπὶ was kindly proposed by the anonymous readers. Note however, the iota, exhibiting a curve-ended ascender, is unattested elsewhere in the present text.

27–28 συνάγεισθαι (read συνάγεσθαι) was proposed by one of the anonymous readers. My main objection lies in the shape of the sigma at the beginning of line 28, which is unusual in this text, but would well qualify as a nu. Perhaps the author first intended to use the active infinitive (συνάγειν). He then decided on the middle voice, without modifying the original form accordingly: συνάγεινθαι?

28 One of the anonymous readers proposed the reading (δραχμᾶς) ἄ γ καὶ π: 4,980 drachmas. It is pivotally important for indicating the total amount of the interest paid on account of the debt: 4,980 drachmas, over one hundred forty-two per cent of the principal. Yet beyond the *pi* there are signs of one, and possibly two letters. The reading καὶ πρό[ς] has been kindly proposed to me by Héléne Cuvigny. The petitioners and their father have paid a total amount of 4,900 drachmas 'and more', cf. Preisigke, *WB* II, p. 383, s.v. πρός: "darüber noch hinaus".

29 παραλο[γ]ί[ζ]ετα: παραλογίζομαι implied not simply 'misreckoning', but 'reporting false figures with fraudulent intent'. Cf., e.g., Preisigke, *WB* II 251, s.v.: "Gebühren zu Unrecht in Rechnung stellen, jmd übervorteilen, schröpfen, betrügen", and, in a closely related context, SB IV 7367.6–8 (136 CE, Alexandria): Τερτ[ί]α Δρουσίλλα, γυνή κακοπράγμων, παραλο[γ]ί[ζ]ετα - σαμένη κατήγαγέν | με.

29–30 τὴν δὲ [τῶ (θ) (ἔτει)] θεοῦ Ἀδρ[ιαν]οῦ εἰ: A theme already developed in PSI XVII 1689 is that the creditor has brushed something off [. . .]ων ἀμνηστεῖαν ποιησάμενος [. . .] (l. 8), and (οὐκ) [έ]ξομολογησάμενος in line 12. The object is plausibly the partial settlement of the debt in Hadrian's ninth year. ἐ[ν]τεταγμένην ἀπόδοσιν *vel sim.*?

32 μα στέρ[ε]σθ[αι] is one of the prepositions made by one of the anonymous readers. I am inclined to adopt it because it is thematically akin to σ]υναρ[πά]σαι κτήματα, used, according to Mascellari's reading, in PSI XVII 1689.13: σ]υναρ[πά]σαι κτήματα. The creditor has deprived the petitioners of some of their properties. μα → [ά]μα? An alternative reading is μὴ γὰρ οἴ[-]φιλουανδ[. . .]. If it were not for the context, I would consider the restoration, στέρ[ε]σθ[αι] τοῦ φίλου ἀνδ[ρός] 'to be deprived of the/my dear man/husband'.

33–34 κρα[] πα[] - - : One of the readers proposed πα[ρ]θικ- which would be tempting, especially if we could restore αὐτοκρά[το]ρος in lines 32–33. But neither Hadrian nor Antoninus Pius held the title of Parthicus, and a reference to Trajan is hardly conceivable.

The Court

The *iuridicus* was one of the judges located in Alexandria. His position was unique inasmuch as he was appointed not by the governor but by the emperor himself, as had been the case since the days of Augustus.⁴ Also unique was his sphere of jurisdiction. Unlike other equestrian judges, the *iuridicus* seems to have had no unique juridical purview. In other words, any issue brought before the governor of the province by private litigants could also be brought before the *iuridicus*. Even so, a survey of the social and civil affiliation of litigants who addressed the *iuridicus* and the nature and value of the transactions involved show that his practical field of competence was rather narrow and also, in fact, quite well-defined.⁵ Twenty-one cases brought before the *iuridicus* (including that in the present papyrus) may cast light on the types of cases the *iuridicus* adjudicated and the profile of the parties that generally addressed him (see chart). In as many as ten of these documents, at least one of the litigants is a Roman citizen.⁶ In as many as six, some of them are soldiers or veterans.⁷ If they are not Romans, they are commonly metropolitans. In one case, one of the litigants is a former city magistrate.⁸ In P.Col. inv. 28, the petitioners are of Alexandrian origin, if not citizens of Alexandria themselves.^{9,10} In general, litigants in cases adjudicated by the

⁴ On the *iuridicus*, cf. A. Stein, *Die Juridici Alexandriae*, APF 1 (1901) 445–449; H. Kupiszewski, *The Iuridicus Alexandriae*, JJP 7/8 (1954) 187–204; R. Taubenschlag, *The Law of Greco-Roman Egypt in the Light of the Papyri*, Warsaw 1955, 488–489; G. Foti-Talamanca, *Ricerche sul processo nell'Egitto greco-romano*, 1.2, Naples 1979, 67–127; F. Elia, *I iuridici Alexandriae*, Quaderni Catanesi 2 [Atti delle giornate di studio in memoria di Santo Mazzarino, Catania. 21–24 aprile 1988] (1990) 185–216 (prosopography); B. Anagnostou-Cañas, *Juge et sentence dans l'Égypte romaine* (Études de philosophie et d'histoire du droit), Paris 1991, 55–63, 93–94, 107, 116, 178–183; N. Kruit, K. A. Worp, *P.Vindob. G 31701 verso: A Prefectural (?) Hypographe*, Tyche 16 (2001) 91–102; R. Haensch, *Im Schatten Alexandriae: Der Iuridicus Aegypti et Alexandriae*, in R. Haensch (ed.), *Recht haben und Recht bekommen im Imperium Romanum: das Gerichtswesen der römischen Kaiserzeit und seine dokumentarische Evidenz*: (JJP Suppl. 24), Warsaw 2016, 165–182. On the early history of this institutions see Strabo XVII, 797, 12 and Haensch, *op. cit.*, 170–172.

⁵ Haensch, *Im Schatten Alexandriae* (n. 4) 169–170.

⁶ Chart, no. 1, 2, 3, 4, 7, 9, 10, 11, 14, 18.

⁷ Chart, no. 1, 2, 3, 4, 11, 18.

⁸ Chart, no. 8, 15, 17.

⁹ The tribe and deme are mentioned only for the father. Anoubiaie alias Achil(l)is was also an Alexandrian citizen (P.Wisc. I 36.17). The Alexandrian citizenship of her brother, Pamphilos alias Sokrates, is not registered in P.Wisc. I 31.11, 19–20 (149 CE, Theadelphia), an administrative correspondence following his petition as the lessee of marshland near Theadelphia. It is impossible to infer from this absence that the designation of citizenship was omitted in the petition as well. The unnamed mother of the three petitioners may well have been Alexandrian as well. Anoubiaie, in turn, married Ptolemaios, son of Diodoros, a non-Alexandrian. Their son would not be granted citizenship, cf. the *gnomon* of the *idios logos*, (BGU V 1210, §38: οἱ ἐξ ἀστῆς καὶ Αἰγυπτίου γενόμενοι μένουσι μὲν Αἰγύπτιοι, [ἀ]μφοτέρους δὲ κληρονομοῦσι τοὺς γονεῖς and D. Delia, *Alexandrian Citizenship during the Roman Principate* (ACS XXIII), Atlanta, GA 1991, 54.

¹⁰ Ptolemaios, son of Diodoros alias Dioskoros, was assumed to be a veteran on account of his restored designation in P.Wisc. I 33.2–3 (after 8.9.147 Arsinoites?): τῶν ἀπὸ τοῦ Ἄρσι-υ]οεῖτου οὐε[ρ]α[υ]||[νῶν, (so still F. Reiter, *Die Nomarchen des Arsinoites. Ein Beitrag zum*

iuridicus seem to belong to the higher strata of Egyptian society.

The sphere of the *iuridicus*' legal activity is also well defined: death-related issues, loans, and sometimes, as in our case, a combination of both. Among the death-related issues, two texts deal with wills¹¹ and four or five concern guardians of underage orphans, viz. the appointment of guardians or allegations of mismanagement of the estate by acting guardians and petitioning for their replacement.¹² Disputes concerning debts are heard by the *iuridicus* in seven texts.¹³ In four of them, including the case of P.Col. inv. 28, the text discusses the protraction of debt beyond the original parties' death.¹⁴ In at least six of these instances,¹⁵ the loan was secured by a mortgage, usually of extensive or multiple landed property, which regularly took the form of *hypotheke*.¹⁶ The value of the transaction was relatively high, ranging from 2,000 drachmas to 4 talents and 2,800 drachmas,¹⁷ a substantial sum of money if we consider that an average contemporary loan amounted to less than 200 drachmas.¹⁸ In the litigation involving Iulius Agrippinus and Tertia Drusilla, in the first half of the second century CE (henceforth: the Drusilla dossier), the debt evolved gradually, in a series of four loans given in the course of a decade.¹⁹

Steuerwesen im römischen Ägypten [Pap.Colon. 31], Paderborn, Munich, Vienna, Zurich 2004, 194), but the reading has since been contested. See already D. Hagedorn, *Bemerkungen zu einigen Wisconsin Papyri*, ZPE 1 (1967) 143–160, at 158–159, and P. Sängler, *KorrTyche 598*, Tyche 23 (2008) 230–231.

¹¹ Chart, no. 1, 14.

¹² The appointment of guardians: chart, no. 7, 9 and Anagnostou-Cañas, *Juge et sentence* (n. 4) 93–94. Cf. also Digest. 1.20.2 (Ulp. 39 ad Sab.): *Iuridico, qui Alexandriae agit, datio tutoris constitutione divi Marci concessa est*. Mismanagement: chart, no. 3, 11?, 17.

¹³ Chart, no. 2, 3, 4, 6, 15, 16, 17.

¹⁴ Chart, no. 2, 3, 4, 6.

¹⁵ Chart, no. 2, 3, 4, 6, 15, 16, perhaps also 19.

¹⁶ In no. 3 the size of property mortgaged is 10.25 arouras, in no. 4 it is five, and in no. 16 no less than 83 1/4 arouras.

¹⁷ In no. 1 a claim is made for 2,000 drachmas, which the litigant was supposed to receive as a *legatum* by will; in no. 2 for more than 10 talents on account of 8 gold *minae*; in no. 3 for 4 talents and 2,800 drachmas. In no. 6 (the present text) the value of the loan is 3,500, in no. 15 it is 3,600, and in no. 17 it amounts to 5,000 drachmas.

¹⁸ B. Tenger, *Die Verschuldung im römischen Ägypten (1.–2. Jh. n. Chr.)*, St. Katharinen 1993, proposes the following figures for the second century: for *daneion* 1,047 dr. in the first half of the century and 752 dr. in the second (p. 18). For a *chresis*, his figures are 540 dr. for the entire century (pp. 36–37). For unlabelled loans, he specifies 954 and 1,740 for the first and second half, respectively (pp. 54–55). For a *paratheke*, he proposes 1,068 dr. for the entire second century (p. 75). His figures, however, are somewhat misleading. If we weed out secured loans, the numbers are different. For example, among the twenty-six Arsinoite documents from the first half of the century that are labelled *chresis*, in only four does the value of the loan exceed 400 dr., and in eight 200 dr.

¹⁹ H.-A. Rupprecht, *Ein Verfahren ohne Ende: der Prozess der Drusilla*, in: Pap.Congr. XXII, vol. II, 1135–1144 [= *Kleine Schriften: Beiträge zur juristischen Papyrologie*, edited by A. Jördens, Stuttgart 2017, 297–306], at 1135–1136 n. 3. See further H. Maehler, *Neue Dokumente zum Drusilla-Prozess*, in: Pap.Congr. XII, 263–271; Foti-Talamanca, *Ricerche sul processo* (n. 4)

All these elements may shed light on another feature of our sources: the duration of the litigation. In the Drusilla dossier, twenty-eight to twenty-nine years passed from the creation of the first loan, and fourteen years from the first litigation to the date of the latest piece of evidence. In the case of P.Col. inv. 28, the petition was to be submitted twenty-seven to twenty-eight years after the loan was first made. In the Drusilla dossier, the lengthy duration also meant recurring visits to Alexandria by the litigants and their representatives, as well as repeated investigations of the current state of affairs by the strategos and other officials on site. This also seems to be the case in other disputes treated by the *iuridicus*.²⁰ The time- and money-consuming effort makes sense only if we consider the amount of money involved and the measures taken by the litigants in connection with the suit.²¹

All these elements combine to yield the following picture: the *iuridicus* was a special judge who served high-class litigants in cases involving voluminous transactions pertaining to hereditary disposition and circulating capital. Was his office created for that purpose? We do not know, primarily due to the complete lack of evidence on the judicial activity of the *iuridicus* in the first three generations after his introduction. The earliest piece of evidence, however — P.Ryl. II 119 (62–66 CE, Hermopolis), recording a case heard by the *iuridicus* more than a decade earlier (51/52 CE) — already exhibits the tenets of the court as became evident in later times. These tenets are still retained, at the earliest, in 175/176 CE, the date of the latest document that records the *iuridicus* as addressee of a plea intended to introduce litigation.²² Consequently, while we cannot rule out the possibility that the *iuridicus* administered justice in other spheres,²³ his sphere of activity in private law seems to be neatly circumscribed: his was a special court meant to allow high-class litigants to resolve their financial disputes. The assignment of such cases to a special court makes sense when considered in the broader context of Roman economic policy in the mid-first-century CE, a time when other measures intended to secure and promote economic activity were introduced in Egypt, most conspicuously the acquisition archive (*bibliotheke enkteseon*) in which titles to landed property and slaves,²⁴ the very objects that formed the object of litigation in the court

88–93 and K. Geens, (Gaius) *Iulius Agrippinus*, in: Leuven Homepage of Papyrus Collections, ArchID 91. Version 2 (2013).

²⁰ P.Ryl. II 119 (62–66 CE, Hermopolis): a decade since the first hearing; the date of the contract is not reported.

²¹ On the costs of attendance, cf. also Anagnostou-Cañas, *Juge et sentence* (n. 4) 181; Haensch, *Im Schatten Alexandrias* (n. 4) 176.

²² P.Lond. II 198 (p. 172) from ca. 175/176 CE Karanis.

²³ Viz. the administration of penal jurisdiction. See Haensch, *Im Schatten Alexandrias* (n. 4) 172–173.

²⁴ Among the plethora of publications on the topic, see H. J. Wolff, *Das Recht der griechischen Papyri Ägyptens in der Zeit der Ptolemaeer und des Prinzipats*, 2. Band: *Organisation und Kontrolle des privaten Rechtsverkehrs* (HdAW 5.2), Munich 1978, 253–254; L. Alonso, *The Bibliotheke Enkteseon and the Alienation of Real Securities in Roman Egypt*, JJP 40 (2010) 11–54, at 50–54; A. Jördens, *Nochmals zur Bibliotheke Enkteseon*, in: G. Thür (ed.), *Symposion 2009; Vorträge zur griechischen und hellenistischen Rechtsgeschichte (Seggau, 25–30. August*

of the *iridicus*, were recorded and protected. The specialization of the court of the *iridicus* in this particular sphere was meant to grant yet further security to legal acts involving the same types of activity so as to guard the economic interests of those elite groups whose welfare the provincial administration strove to promote.

The Case

The dispute that brought about the present petition can be traced back to a loan taken by Asklepiades son of Pamphilos, an Alexandrian citizen, from Kapitolinos son of Diodoros in the fourth year of the reign of Hadrian (119/120 CE; ll. 11–14).²⁵ The amount was 3,500 drachmas, given assumingly at an interest rate of a monthly one per cent. Five years later (124/125 CE), the petitioners claim, Asklepiades settled some of the debt (ll. 14–18). He repaid to Kapitolinos 1,700 drachmas and all the interest for the entire debt accumulated up to that point. The amount returned would be 1,700 drachmas for the principal, and 2,100 drachmas for the interest. The petitioners never claim that the ‘new’ principal, that is the 1,800 drachmas, has ever been returned. The debt is still pending. But the petitioners do state that the interest **for that amount** (l. 26: εἰς τόκον τῶν προκυμῆ[ν]ον (δραχμῶν) Ἄω), accumulated in the twenty-three years between the settlement of 124 and 147 — the intended date of the submission of the petition — has been paid in full, first by the father (ll. 18–19), and then by themselves, both to Kapitolinos (ll. 19–21), and then to Ptolemaios his brother and heir (ll. 21–24). By the normal interest rate of one monthly per cent, the amount the petitioners report (ll. 25–28), ‘4,900 drachmas and more’, matches almost precisely the interest due for the said twenty-three years: one per cent each month for twenty-three years = 276 months × 1,800 drachmas / 100 = 496,8 drachmas. Now, the petitioners argue, Ptolemaios reckons fraudulently (ὁ δὲ Πτολ[εμ]ῆιος παραλο[γ]ί[ζ]ετα[ι]; l. 29). What is the nature of Ptolemaios’ fraudulent reckoning? The argument enfolded in the lower, lost part of P.Col. inv. 28, can be elucidated by the aid of a document published three years ago as PSI XVII 1689.

2009), Vienna 2010, 277–290, at 288–289; U. Yiftach-Firanko, *Comments on Andrea Jördens ‘Nochmals zur Bibliothek Enkteseon’*, *ibid.*, 291–299; F. Le Rouxel, *Le marché du crédit privé, la bibliothèque des acquêts et les tâches publiques en Égypte romaine*, *Annales: Histoire, Sciences Sociales* 67 (2012) 943–976, at 963–967.

²⁵ The continued existence of the debt after the original parties’ death is a well-attested phenomenon that finds expression in petitions and court proceedings. See, e.g., BGU VI 1246 (III BCE, Elephantine); XIV 2374 (88–81 BCE, Herakleopolites); P.Col. VII 170 = SB VI 9188 (318 CE, Karanis); P.Flor. I 61 = MChr 80 (85 CE, unknown provenance); P.Gen. I² 6 = MChr 120 (146 CE, Soknopaiou Nesos); P.Giss. 34 = MChr 75 (266 CE, Oxyrhynchos); P.Lips. I 10 = MChr 189 (240 CE, Hermopolis; foreclosure); P.Oxy. II 286 = P.Lond. III 797 *descriptum* = MChr 232 (82 CE, Oxyrhynchos); SB XX 14635 (127 CE, Oxyrhynchos) and of course the papyri recording the litigation of Gaius Iulius Agrippinus and Tertia Drusilla. Cf. Rupprecht, *Verfahren ohne Ende* (n. 19) 1135–1136 and, in general, e.g., V. Arangio-Ruiz, *La successione testamentaria secondo i papiri greco-egizii*, Naples 1906, 97–98; H. Kreller, *Erbrechtliche Untersuchungen auf Grund der graeco-ägyptischen Papyrusurkunden*, Leipzig 1919, 14, 36–37; Taubenschlag, *Law of Greco-Roman Egypt* (n. 4) 218–219.

The papyrus from Florence, in its turn, may now be contextualized through the details provided in the papyrus from New York.

PSI XVII 1689 records an early draft of a petition, in all probability meant to be sent to the *praefectus Aegypti*.²⁶ The text as read in the *editio princeps* records a loan received by the petitioners' father from one Kapitolinos, the continued payment of interest by the father, and after his death by the petitioners. PSI XVII 1689 also records the fact that after Kapitolinos' death his estate, including the right to recover the debt, devolved upon his brother. The story is remarkably similar to that told in the Columbia papyrus. The name Kapitolinos is also extremely rare and Καπετωλείνος, with an *epsilon*, occurs in no documentary text other than PSI XVII 1689 and P.Col. inv. 28.²⁷ Basing myself on a digital image kindly made available to me by the editor, I propose the reading of his patronym as τ[ο]ῦ Διοδώ[ρου], a reading already taken into consideration by the editor in his commentary.²⁸ That PSI XVII 1689 is a draft of a petition reporting the same case as that unfolded in P.Col. inv. 28 is beyond any reasonable doubt.²⁹ The language and style of the text from Florence is also much more rudimentary than those exhibited by its Columbia counterpart. We can therefore assume that it was a still earlier draft.

PSI XVII 1689 first reports (albeit in different phrasing) the events documented in P.Col. inv. 28 (ll. 2–7, and Commentary).³⁰ But the following lines (ll. 8–14) contain new valuable information that sheds light on the nature of Ptolemaios' fraudulent conduct:

- 8 [- ca. 2 -]ων ἀμνηστείαν ποιησάμενος [- ca. 3 -]
 9 [- ca. 3 -] κληρονόμος ἀδελφὸς ὄν . . . το . . . [.]
 10 [- ca. 3 -] ησεν [- ca. 2 -]ηι νόμιμα οὔτε προ[- ca. 3 -]
 11 [- ca. 2 -] εις τὰς δόσεις οὔτε τὸ τοῦ κεφαλ[αίου]
 12 [- ca. 2 -] . . . [ἐ]ξομολογησάμενος ψ[.]π[.] [- ca. 3 -]
 13 [σ]υναρ[πά]σαι κτήματα ἡμῶν [- ca. 6 -]
 14 [- ca. 2 -]ημια[- ca. 3 - ψε]υδογραφία.

The subject of the sentence in line 9 is the heir of Kapitolinos, his brother Ptolemaios according to the Columbia papyrus. According to the editor's reading, the clause is composed of two parts: lines 8–10 and lines 10–14. In both, the sentence consists of a participle denoting the circumstances in which a verbal activity took place: ἀμνηστείαν ποιησάμενος ('failing to mention, passing over') in line 8 and [ἐ]ξομολογησάμενος ('acknowledging, admitting') in line 12. The object of ἀμνηστείαν ποιησάμενος is lost.

²⁶ I thank Roberto Mascellari, who edited the text, for placing a digital picture of the text at my disposal.

²⁷ TM Nam 9799.

²⁸ So also PSI XVII, p. 159.

²⁹ Cf. B. Kelly, *Petitions, Litigation, and Social Control in Roman Egypt* (Oxford Studies in Ancient Documents), Oxford 2011, 41–45.

³⁰ PSI XVII 1689.2–7 (before September 147, Theadelphia): [- ca. 3 -] ριωῶν ὁ πατὴρ ἡμῶν [ἐ]δαν[είσα] [το] παρὰ Καπετωλείνου τ[ο]ῦ Διοδώ[ρου] ἄρ[η] [γ]υρ[η]κὸν κεφάλαιον οὐ τριπλάσιον [τ]όκον ἐχορήγησεν περιῶν [κ]αὶ μ[ε]τὰ τὸν ἐκείνου θάνατον διετε[λέσαμεν] (?) [χορηγοῦν]τ[ε]ς πλείονι χρόνῳ . . . [- ca. 2 -].

Those of [ἐ]ξομολογησάμενος are not. They are recorded in the preceding two lines: οὔτε προ[- ca. 3 -] | [- ca. 2 -] .εις τὰς δόσεις οὔτε τὸ τοῦ κεφαλ[αίου] | [- ca. 2 -]. Ptolemaios denies the measures reported by the petitioners at length in P.Col. inv. 28.14–24: the payments of the interest, and the partial defrayment of the principal. One consequence of Ptolemaios' denial is reported in lines 13–14. [σ]υναρ[πά]σαι κτήματα ἡμῶν [- ca. 6 -] | [- ca. 2 -]ημα[- ca. 3 - ψε]υδογραφία. Ptolemaios attempts to seize some of the petitioners' property by employing ψευδογραφία ('con un documento falso', PSI XVII, p. 159). As far as we can gather from the phrasing of the damaged text of PSI XVII 1689, the petitioners claim that Ptolemaios has acted without merit. But things may be a bit more complicated than that.

In Roman Egypt, loans given in excess of 1,000 drachmas are generally secured by a mortgage.³¹ No security is mentioned in the surviving part of P.Col. inv. 28. Yet in view of the amount of the loan — 3,500 drachmas — it does not seem plausible that the present case was any different. In practical terms, in the case of P.Col. inv. 28 the loan was originally given in 119/120 — almost thirty years before the text of the present draft was about to be submitted. If we are to rely on parallels, it was probably given for a very short duration, no more than two years.³² When the term lapsed, the debtor was obliged to return the debt with interest for defaulted payment at a rate identical to that of the contractual interest.³³ The only difference was that the creditor could now collect the debt at any time, in the present case, by foreclosing the mortgage.³⁴ Five years after the original contract was executed more than half of the original principal and all the by then accumulated interest had been paid back. After this, the petitioners assert that the interest was regularly paid but do not claim that either they or their father had repaid the remaining principal.

Things changed only after the death of Kapitolinus, the lender. His brother, it seems, had finally decided to foreclose. Under normal circumstances, early Roman creditors were allowed simply to appropriate the mortgage, a right unaffected by the size of the

³¹ P.Bas. I 7 = P.Bas. II 29 = MChr 245 = SB I 4434 (117–138): 2,100 dr., *hypotheke*; P.Brem. 68 (99 CE, Hermopolis?): 1,300 dr., *hypotheke*; P.Col. inv. 497 [publication forthcoming] (131 CE, Isieion Panga?): 4,000 dr., *hypotheke*; P.Fam.Tebt. 11.1.3–11 (108 CE, Tebtynis); P.Horak 80.8–9 (154 CE, Soknopaiou Nesos): 2,500 dr., *hypallagma*; P.Kron. 16 = P.Mil.Vogl. IV 227 (138 CE, Tebtynis): 1,800 dr., *paramone*; P.Lips. I 10.1.5–2.11 = MChr 189 (178 CE, Hermopolis): 1 tal. 2,000 dr., *hypallagma*; P.Lond. II 311 (p. 219) = MChr 237 (149 CE, Herakleia): 1,200 dr., *hypallagma*; P.Oslo. II 40b (150 CE, Oxyrhynchus): 1,400 dr., *menein*; P.Oxy. II 270 = P.Lond. III 793 = MChr 236 (94 CE, Oxyrhynchus): 3,500 dr., *hypotheke*; P.Oxy. XVII 2134 (170 CE, Oxyrhynchus): 1,800 dr., *hypotheke*; P.Tebt. II 389 (141 CE, Tebtynis): 3,500 dr., *hypallagma*; P.Vars. 10 (155 CE, Ptolemais Drymou): 1,360 dr., *hypallagma*; SB XII 10786 = P.Tebt. II 531 *descriptum* (133 CE, Tebtynis): 1,300 dr., *hypallagma*.

³² Tenger, *Die Verschuldung* (n. 18) 23, 41–42, 58–59.

³³ H. A. Finckh, *Das Zinsrecht der gräko-ägyptischen Papyri*, Diss. Erlangen 1962, 69–73.

³⁴ For the continuation of a mortgage after partial payment, see M. Kaser, *Das römische Privatrecht I: Das altrömische, das vorklassische und das klassische Recht* (HdAW 10.3.3.1), Munich ²1971, 465, n. 25 and D. 20.1.19 (Ulp. 21 ad ed.): *Qui pignori plures res accepit, non cogitur unam liberare nisi accepto universo quantum debetur*.

outstanding debt. The question of the amount at issue, however, became pivotal as soon as creditors were allowed to apply the general execution right (*praxis*) against the debtor for the amount of debt that exceeded the value of the mortgage (ἐλλείπον).³⁵ A clause recording subsidiary execution never becomes the rule in Roman Egypt, but it is recorded in two early Roman Arsinoite documents. One of them, BGU III 741 = MChr 244 = FIRA III 119, dates to 143 CE, the same decade in which the petition recorded in P.Col. inv. 28 was to be submitted to the *iuridicus*.³⁶ Under these circumstances, the issue of the amount of the pending debt became critically important. If the petitioners could prove that the amount of the loan they currently owe does not exceed the value of the mortgaged property, they could limit the execution to that object alone. Otherwise, Ptolemaios would be able to move, using the *praxis*, against their entire estate. For this reason they strive to detail the history of the loan since 124 CE.

It should be admitted that we have no positive proof that the loan recorded in P.Col. inv. 28 was hypothesized. The petitioners do not mention mortgage in their *narratio*. Nor can the poorly preserved PSI XVII 1689 yield a conclusive evidence. Yet, inconclusive as it is, some of its terminology merits closer scrutiny: loan contracts recording the placement of an *hypothekē* incorporate a clause regulating the foreclosure of the object by the creditor in the event of defaulted payment. In that clause, the scribe can detail the different stages of the procedure, but he can also term it, summarily, τὰ νόμιμα ἐπιτελεῖν.³⁷ The word νόμιμα also appears in line 10 of the papyrus from Florence, presumably as the object of a verb whose suffix (-]ησεν) appears at the beginning of the same line. The adverbs οὔτε ... οὔτε that follow that sentence are commonly preceded by another negative clause.³⁸ Should this be the case here, the sentence in line 10 records Ptolemaios' failure to perform an act reported through the verb ending with [- ca. 3 -] ησεν whose object is the νόμιμα. The adjective νόμιμα, is treated by the editor as “riferimento a qualcosa che è stato fatto *contro* o *conforme* a ‘norme’, ‘regolamenti’” (PSI XVII, p. 161). Such ‘general’ rendering is certainly possible. But

³⁵ A. B. Schwarz, *Hypothek und Hypallagma: Beitrag zum Pfand- und Vollstreckungsrecht der griechischen Papyri*, Leipzig, Berlin 1911, 20–21; Taubenschlag, *Law of Greco-Roman Egypt* (n. 4) 279; Kaser, *Das römische Privatrecht* (n. 34) 460–462, 471; H.-A. Rupprecht, *Veräusserungsverbot und Gewährleistung in pfandrechtlichen Geschäften*, Pap.Congr. XXI, 870–880 (= *Kleine Schriften* [n. 19] 162–172), at 879.

³⁶ BGU III 741.27–31 = MChr 244 = FIRA III 119 (143 CE, Alexandria?): ἐὰν δὲ μὴ [ἀ]ποδοῖ (l. ἀποδοῖ), [ἐ]ξκεῖναι τῷ Λουκίῳ Οὐαλεῖ²⁸ρίῳ Ἀμμωνιανῶ ἐπι[τ]ελεῖν τὰ κατὰ τῆς ὑ²⁹ποθήκης νόμιμα πρ[ὸ]ς οὗ τι ἂν βαστάζ[η] καὶ |³⁰ τοῦ ἐνλείποντος γίνεσ[θ]αι αὐτῷ τὴν πρᾶξιν |³¹ ἐκ τῶν ἄλλων τοῦ ὑ[πο]χρέου ὑπαρχό[ν]των. See also SB XIV 11705.12–14 (213 CE, Arsinoites). In BGU VII 1651.4 (II CE, Philadelphia), the clause is restored by the editors.

³⁷ See, in particular, BGU III 741.27–29 = MChr 244 = FIRA III 119 (143 CE, Alexandria?) (n. 36); PSI XV 1527.15–28 = *PSI Omaggio* 9 (after March 161, Oxyrhynchos) and SB VI 9252.4–7 = *P.Fam.Tebt.* 19 (118 CE, Arsinoites) and Schwarz, *Hypothek* (n. 35) 114, n. 1; L. Raape, *Der Verfall des griechischen Pfandes besonders des Griechisch-Ägyptischen*, Halle 1912, 52, 56; Taubenschlag, *Law of Greco-Roman Egypt* (n. 4); Rupprecht, *Verfahren ohne Ende* (n. 19) 1138–1139.

³⁸ R. Kühner, B. Gerth, *Ausführliche Grammatik der griechischen Sprache*, II.2, Hannover, Leipzig 1904, 289–293; Mayser, *Gram.* II.3, 171–174.

in view of all the above, I wonder whether, in the context of a debt-related petition such as PSI XVII 1689, νόμιμα cannot have a much more specified meaning: the procedure undertaken by a creditor to foreclose collateral.³⁹ Should this be the case, the petitioners would be claiming in these lines that Ptolemaios, having ignored the settlement of part of the debt, went on to seize their property without invoking the procedure created for the foreclosure of mortgages.

In short, if we are to rely on our reconstruction of the text of PSI XVII 1689, the petitioners do not seem to have denied the existence of the debt, the security and the creditor's right to seize it for the satisfaction of his claims.⁴⁰ Their argument is different. (1) The creditor has taken possession of the mortgage without invoking the legally required foreclosure procedure. (2) The creditor has 'passed over' (ἀμνηστεῖαν ποιησάμενος, (οὐκ) ἐξομολογησάμενος) the repayment of the interest and in particular the payback of 1,700 drachmas of the original amount. The petitioners may well develop the same argument in lines 29–30 of P.Col. inv. 28 (see Commentary). Rather than asking the *iuridicus* to reject Ptolemaios' claims *tout court*, the petitioners aimed to negotiate the extent of the foreclosed property, averting the risk, in terms of BGU III 741, of further exaction from their remaining estate.⁴¹ The procedure they opted to initiate would then be similar to that enfolded in documents of the Drusilla dossier.⁴² On their own part, the petitioners shall provide evidence of past payments. They may already be doing so in the lowest, lost part of the text.

³⁹ Presumed is hypothecation. But νόμιμα equally be used in the case of *hypallagma* [BGU I 301 (157 CE, Arsinoites); P.Iand. VII 145 (224/225 CE, unknown provenance); P.Ryl. II 176 (200–210 CE, Hermopolis)] and fiduciary sale [PSI XV 1527 = PSI Omaggio 9 (150 CE, Oxyrhynchos)].

⁴⁰ Schwarz, *Hypothek und Hypallagma* (n. 35) 78, n. 1, 81–84, 105, 129–130, n. 4; P. Jörs, *Erzrichter und Chrematisten: Untersuchungen zum Mahn- und Vollstreckungsverfahren im griechisch-römischen Ägypten*, ZRG RA 39 (1918) 52–117, at 52–75. A formal *antirrhesis*, i.e., objection within the foreclosure procedure, is unlikely, since the *antirrhesis* was meant to be presented to the *archidikastes*. The present petition was first meant to be submitted to the governor, but then to the *iuridicus*. Cf. Jörs, *op. cit.*, 94–115.

⁴¹ There is, of course, yet another possibility: that the petitioners wished, if the unpaid balance of the loan was smaller than the value of the mortgage, to be reimbursed for the difference (*hyperocha*). Taubenschlag, *Law of Greco-Roman Egypt* (n. 4) 279, n. 38; Kaser, *Das römische Privatrecht* (n. 34) 460–462; Rupprecht, *Veräußerungsverbot* (n. 35) 879. The papyrological evidence about this provision, however, is extremely sparse, amounting to one damaged text, SB VI 9254.6–7 (2nd cent. Arsinoites): τὰ δ' ἄλλα ἐκ [τῶν ὑπε]ρόχων | ἀπεδότη. - ca.? -]. Schwarz, *Hypothek und Hypallagma* (n. 35) 46 n. 5 is also sceptical.

⁴² See, in particular, SB XVI 12555.10–16 = P.Alex. 5 (137–139 CE): [Μαξ]ιμιανὸς εἶπε τῷ Ἀγριππιαν[ῶ]· τὰ νόμμά σου τῆς ὑπο|¹¹θήκης ἐλύθη· ὁ στρατηγὸς ἐξετ[άσ]ει πόσον ὀφείλεται |¹² σοι· καλῆ πίστει θῆσει τὸν τόκο[ν] κα|ἰ τὸ κεφάλαιον |¹³ καὶ τὰς προσδόδους ὡς ἔκαρπισ[ω]· καὶ |¹⁴ [τ]ὰ ἀναλώματά |¹⁴ [σου] ποιήσω ἐξετάσαι· καὶ εἴ [τινα ἄλλο]ν πόρον ἔχει |¹⁵ [ὁ τε]λελευτηκῶς, καὶ συνάξει [-ca.? -] . . . φανερόν |¹⁶ [μοι] ποιῆσαι, cf. Maehler, *Neue Dokumente* (n. 19) 264.

The Litigants

Three of the persons recorded in the papyrus are already known from other papyri. One of the petitioners, Pamphilos alias Sokrates, petitioned in late summer 147 to the *procurator usiacus* against Apollonios the *aigalophylax*, claiming that the latter had failed to direct water to brushwood (*drymos*) that he had leased on ousiac land in the vicinity of Theadelphia. The documents reporting this (P.Wisc. I 31 col. I, II), date to 28 September–1 October 147.⁴³ His sister, Anoubiaine alias Achil(l)is, appears in a census return issued on 9 July 147 by Sambathion, daughter of Diodoros alias Dioskoros. Sambathion declares a house that she possesses in Apias, and reports as residents Ptolemaios her brother, aged twenty-five, or according to another and more likely suggestion, thirty-five, together with a three-year-old son by Anoubiaine alias Achil(l)is, Dioskoros alias Heron.⁴⁴ The young Dioskoros had been named then, in 145, after his grandfather, who was by then almost a decade deceased. In their *captatio benevolentiae*, the three petitioners describe themselves as *neoteroi*, the reason for which they decided to turn to the *juridicus* for help. This self-portrait should not be taken literally. As their father was by now twelve years dead, they all must have been teenagers at the very least. Anoubiaine, as we have just seen, has a three-year-old child. Assuming that she married at age 12–16, she should now be approaching her third decade of life.⁴⁵ Phamphilos' position in 147 as a lessee of the *drymos* probably indicates an even older age.⁴⁶ All must have been in their late teens and or early twenties.

We now focus on Ptolemaios son of Diodoros. In lines 6–7, Ptolemaios is recorded as a friend who has been dispatched to Alexandria to submit the petition. In both respects, his role is starkly underplayed: Ptolemaios had by now, for at least three years, been Anoubiaine's husband and the father of her child.⁴⁷ One can only speculate about why he was not identified as such in the petition. In P.Wisc. I 36, his sister's census

⁴³ According to the information provided by P.Wisc 36, in the census of 147 CE Ptolemaios was thirty-five years old. By that date, Ptolemaios alias Dioskoros had been economically active for almost a decade. Cf. *infra*.

⁴⁴ P.Wisc. I 36.9–18 (9-7-147 CE, Theadelphia): [ὁ]πάρχει μοι κ[α]ὶ ἐν τῇ προκ[ε]κλιμένη κώμῃ Θεαδελφείᾳ |¹⁰ ἀγοραστῆ οἰκίᾳ, ἐν ἣ ἀπογράφομαι εἰς τὴν τοῦ |¹¹ διεληλυθότος θ (ἔτους) Ἀντωνίνου Καίσαρος τοῦ κυρίου |¹² κατ' οἰκίαν ἀπογραφὴν ἐπὶ τῆς προκ[ε]κλιμένης |¹³ κώμης Θεαδελφείας τὸν προγεγραμμένον μου |¹⁴ ὁμοπάτριον καὶ ὁμομήτριον ἀδελφὸν Πτολεμαῖον |¹⁵ (ἑτῶν) λε κ[α]ὶ τὸν τοῦτου υἱὸν γενάμενον αὐτῷ |¹⁶ ἐκ τῆς συνουσίας \και προουσης/ αὐτῷ γυναικὸς Ἀνουβιαινῆς |¹⁷ τῆς καὶ Ἀχιλίδος (l. Ἀχιλλίδος) ἀστῆς Διόσκορον τὸν καὶ Ἡρωῖ¹⁸να (ἑτῶν) γ (or [ι]γ). Cf. H. C. Youtie, ZPE 23 (1976) 135, BL X, p. 114 and R. S. Bagnall, B. W. Frier, *The Demography of Roman Egypt* (Cambridge Studies in Population, Economy and Society in Past Time 23), Cambridge 1994, 228–229; H. Lapin, *Application to Lease Katoikic Land*, BASP 28 (1991) 156.

⁴⁵ If Dioskoros was thirteen years old, a possibility taken into consideration by Bagnall and Frier, *Demography of Roman Egypt* (n. 44), his mother would be considerably older.

⁴⁶ F. Oertel, *Die Liturgie. Studien zur ptolemäischen und kaiserlichen Verwaltung Ägyptens*, Leipzig 1917, 244–245; N. Lewis, *The Compulsory Public Services of Roman Egypt*, Florence 21997, 28.

⁴⁷ See n. 44.

return (July 147), Ptolemaios is reported to be thirty-five years old, meaning that he was born in 112 CE. By 138 CE, aged twenty-six, he has already acted as *epiteretes* of the brushwood of Theadelphia and neighboring Polydeukia, a position that he would assume again a decade later, in 148 and early 149. By 144, Ptolemaios had become a *misthotes* of brushwood on ousiac land. During that period, he was denied the due water supply, a situation that elicited three petitions against the *nautokolymbetes* (P.Mich. III 174, 144–147 CE) and against the *aigialophylax* (P.Mich. XI 617, 145/146 CE, and P.Wisc. I 34, 144 CE).⁴⁸ Later, in late 148 and early 149, Ptolemaios again became a member of a collegium of *epiteretai*, in charge *inter alia* of managing brushwood in the vicinity of Theadelphia and neighboring Polydeukia,⁴⁹ one of whose members, as we just saw, was now, or had been shortly before, his brother-in-law, Pamphilos. As is frequently the case, family and economic ties went hand in hand, and both together consolidated the bond between Ptolemaios and the three petitioners.⁵⁰

We now turn to the question of dating the present draft. Kruit and Worp, in their 2001 list of attested *iuridici*, place Calvisius Patrophilus, whose *praenomen* we now know was Publius, after April 147, at which time his predecessor, Calpurnianus (Worp-Kruit n^o 20), was still in office. The only documentation that records Patrophilus in office, however — P.Gen. II, 103 and 104 CE — dates to late September of the same year. As the end of the present document is heavily damaged, we do not know exactly when it was drawn up. The archive of Ptolemaios son of Diodoros, however, may yield a possible answer. In the summer and autumn of 147, Ptolemaios submitted two petitions. One of them, to the *praefectus Aegypti* M. Petronius Honoratus, was directed against a certain *ex-komogrammateus* named Sarapammon, who had acted offensively toward a certain strategos and toward Ptolemaios himself (P.Wisc. I 33);⁵¹ it dates to 8 September 147. Another petition, SB XX 14401, directed to the *epistrategos* P. Marcus Crispus, dates to 19 October 147. As the first petition was submitted in the months during which the governor of Egypt stayed in Alexandria, a submission in the capital seems likely.⁵² An Alexandrian residence is also possible, if by no means certain, with regard to the *epistrategos*.⁵³ It seems a plausible hypothesis that it was on this visit that Ptolemaios

⁴⁸ See also Dolganov, *A strategos on trial* (n. 2) text around footnotes 18–19, 39–44.

⁴⁹ Reiter, *Nomarchen* (n. 10) 194–198.

⁵⁰ Ptolemaios' term as *epiteretes* may have ended later that year: in *P.Col. X 260 = SB XX 14311* (149–150 CE?, Arsinoites) Ptolemaios addresses an *hypomnema* to the former *kosmetes* and gymnasiarch Chaires, proposing to lease two parcels of *katoikic* land, measuring five and two arouras that the latter owned near Argias and Apias, respectively. Ptolemaios is also recorded in some papyri from the 50s and 60s, but their number is relatively small in comparison to the evidence from the five-year period, 144–149 CE. Cf. Smolders, *Leuven Homepage* (n. 2).

⁵¹ See, however, the new interpretation of that document by Dolganov, *A strategos on trial* (n. 2).

⁵² R. Haensch, *Zur Konventsordnung in Aegyptus und den übrigen Provinzen des römischen Reiches*, Pap.Congr. XXI, 320–391, at 330.

⁵³ J. D. Thomas, *The Epistrategos in Ptolemaic and Roman Egypt. Part 2: The Roman Epistrategos* (Papyrologica Coloniensia 6.2), Opladen 1982, 62, 64. Thomas tentatively suggests that the *epistrategos* stayed in Alexandria in the months September through January.

also intended to submit the petition on behalf of his wife and brothers-in-law in the matter of the debt of their father.⁵⁴

Should this be the case, we may make an interesting observation: Ptolemaios may have been an avid writer of petitions, ‘a difficult person, quick to feel slighted’,⁵⁵ but he managed to conceal his litigiousness by submitting each petition to a different official: within the month or so that he spent in Alexandria, he directed one petition to the *epistrategos* and another to the *praefectus Aegypti*.⁵⁶ As shown by the text of PSI XVII 1689, Ptolemaios initially considered pleading on behalf of his wife and brothers-in-law before the court of the governor as well. He later changed his mind, now aiming at serving the same petition to a third official, the *iuridicus Alexandriae*.⁵⁷ At the same time, the present document is just a draft, with multiple supralinear additions meant to improve the text before the composition of the final text of the petition that was meant to be submitted to the *iuridicus Alexandriae*. Whether the petition was eventually submitted, is a question that remains at this stage unanswered.

Ptolemaios also influenced the contents of the petition. In his own petitions, he strikes a ‘ponderous quasi-literary tone, with frequent use of unusual vocabulary, and a characteristic fondness of asyndeton’.⁵⁸ His style is flowery, full of pathos, and repetitious with lengthy recourse to the addressee’s sense of justice and benevolence.⁵⁹ This is shown primarily but not only in his relatively long *captationes benevolentiae*. The petitions are also well structured, opening, after the address clause, with a *captatio benevolentiae*, a transitory sentence (e.g., SB 12087.10: τὸ δὲ πρᾶγμα τοιοῦτον), and then the narration of the events and the *petitum*.⁶⁰ The fact that this structure is also evident in P.Col. inv. 28 does not prove anything, of course, since these elements were regularly used by the authors of any petition, especially to judges of the equestrian rank.⁶¹ The present petition, however, also contains what may be regarded as vocabulary idiosyncrasies of Ptolemaios alone. One is the use of the term ‘hatred of evil’ (μισοπονηρία). It is attested several times in the late Ptolemaic period and in the fourth century CE, but just three times in the early second century.⁶² Two of the documents that use the term,

⁵⁴ See also Dolganov, *A strategos on trial* (n. 2) text around fotonotes 26–29.

⁵⁵ Sijpesteijn, *P.Wisc. I* (n. 2) 121; Whitehorne, *P.Mich. inv.* 255 (n. 2) 251.

⁵⁶ P.Wisc. I 33 (8 Sept. 147) [*praef.Aeg.*]; SB XX 14401 (19 Oct. 147) [*epistrategos*].

⁵⁷ On the lack of a thematic distinction between cases heard by the governor and those audited by the *iuridicus*, see Foti-Talamanca, *Ricerche sul processo* (n. 4) 126–127, who also claims identical introduction procedure.

⁵⁸ Whitehorne, *P.Mich. inv.* 255 (n. 2) 251.

⁵⁹ Smolders, *Leuven Homepage* (n. 2) 3.

⁶⁰ On Ptolemaios’ intellectual upbringing see also Dolganov, *A strategos on trial* (n. 2) text around fotonotes 10–13.

⁶¹ A. Papatomas, *Zur captatio benevolentiae in den griechischen Papyri als Zeugnis für die Mentalitätsgeschichte der Römerzeit. Die Verherrlichung des Adressaten und die Selbstherabsetzung des Ausstellers in den Petitionen an Herrscher und Behörden*, in: E. Karamalengou, E. D. Makrygianni (eds.), *Ἀντιφύλησις. Studies on Classical, Byzantine and Modern Greek Literature and Culture in Honour of John-Theophanes A. Papademetriou*, Stuttgart 2009, 486–496.

⁶² P.Ryl. II 113.31–33 (133 CE, Letopolis) [*praef.Aeg.*]; PSI XIII 1323 (147/148 CE, Arsinoites) [*praef.Aeg.*] and commentary.

PSI XIII 1323a and P.Col. inv. 28, were issued by Ptolemaios. An even clearer giveaway is the use of the construction ἐπ' ἄκρον in an attributive position. Ptolemaios is the only petitioner of the early Roman period who ever uses it. It is certainly attested in P.Wisc. I 33.23 (τῆς ἐπ' ἄκρον ἐγδικίας) and is likely in PSI XIII 1323a.3 in connection with the term μισοπονηρία (τῆς σῆς ἐπ' ἀρχ[ου (?) δ]ικαίου μισοπονηρίας).

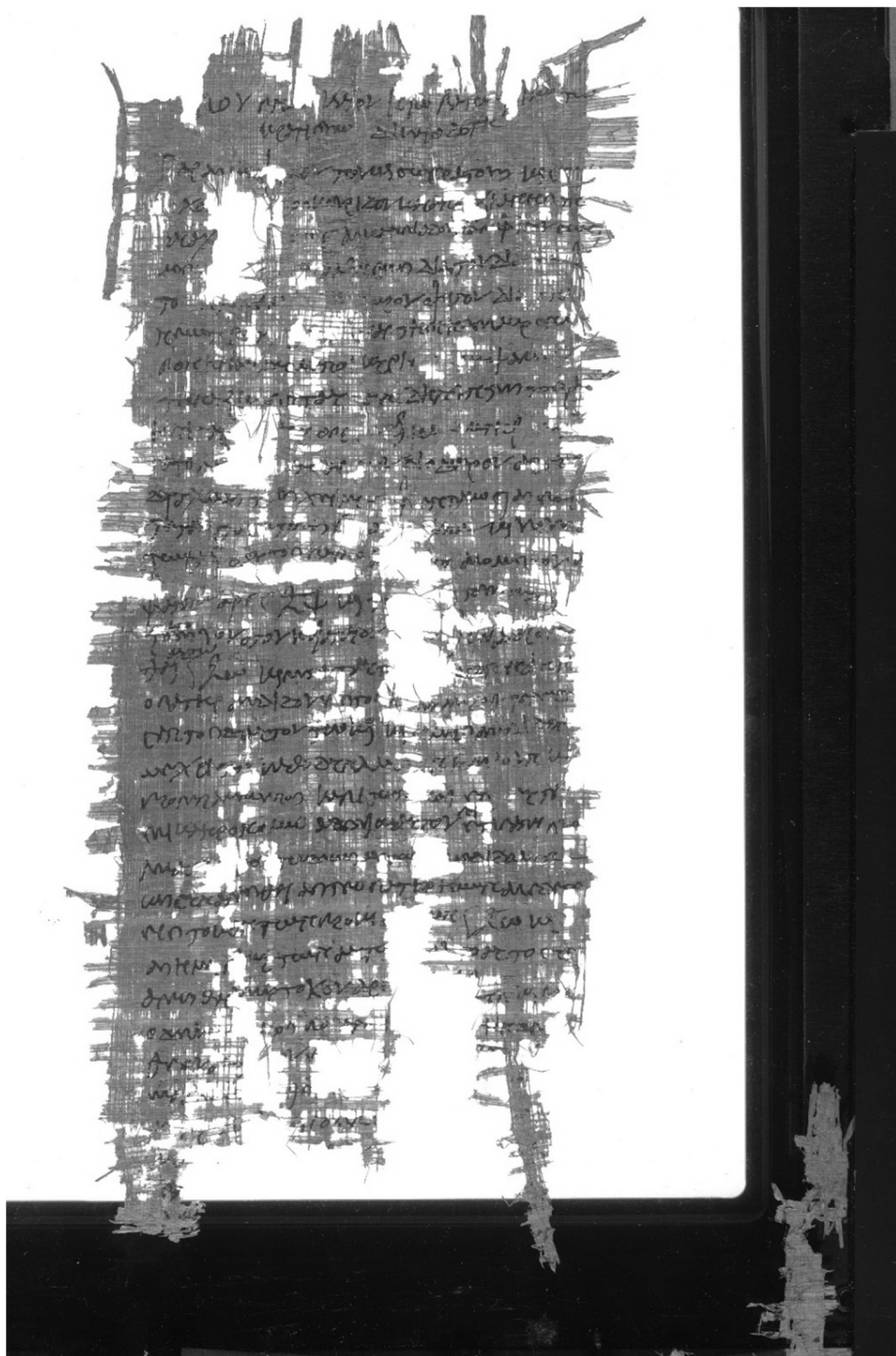
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	Docume	Hereditary	Guardians	Credit	Security	Strategos	Logotheteia	Romans	Veterans	Metropolitai	Politai	Amount	Notes
1.	BGU I 327 = MChr 61 = FIRA III 65 (176 CE, Arsinoites)	Y	N	N	N	N	N	Y	Y	N	N	2,000 dr.	[<i>Iuridicus</i> fills in for the governor]. Petition, <i>legatum</i> .
2.	BGU II 378 = MChr 60 (after 15–24.4.147 CE, Arsinoites)	Y	N	Y (<i>paratheke</i>)	Y	Y	N	Y	Y	N	N	More than 10 talents “on account of 8 gold minae” 4 talents + 2,800 dr.	A petition to the governor. An earlier decision of the <i>iuridicus</i> . Deposit.
3.	BGU IV 1019; XI 2012; 2013; 2014 (?); 2070 + MChr 87; 88; SB IV 7367; XVI 12555; SB XVI 12556 (136–148 CE, Arsinoites)	Y	Y	Y	Y	Y	Y	Y	Y	N	N		The Drusilla dossier. Loan, security, guardianship, dowry.
4.	BGU VII 1574.8–24 (after 176 CE, Philadelphia)	Y		Y	Y	Y	N	Y	Y	N	N	L(ost)	Petition to the <i>archidikastes</i> . Foreclosure. General reference to the decisions of the <i>iuridici</i> and the governors.
5.	P.Cair.Preis. ² 1 = P.Fay. 203 <i>descriptum</i> (ca. 148–150 CE, Bacchias)	N	N	N	N	N	N	N	N	N	N		Court proceedings. <i>Servus fugitivus</i> . Reference to a decision by two <i>iuridici</i> . Compensation to the buyer.
6.	P.Col. inv. 28 (147 CE, Theadelphia)	Y	N	Y	Y	L	L	N	N?	N	Y	3,500 dr.	Petition. Loan contract. Foreclosure (?). <i>Passiva</i> .
7.	P.Diog. 18 with P.Harr. 68 (225 CE, Philadelphia)	Y	Y	N	N	N	N	Y	N	N	Y	N	Appointment of a guardian. Reference to the <i>patria potestas</i> .
8.	P.Gen. I ² 4 (87 CE, Ptolemais Euergētis)	N	N	N	N	N	N	N	N	Y	N	N	Petition. Unjust registration of a metropolitan as a villager.
9.	P.Gen. II 103 (147/148 CE, Arsinoites)	Y	Y	N	N	Y	N	Y	N	N	N	N	Petition. Appointment of guardians.

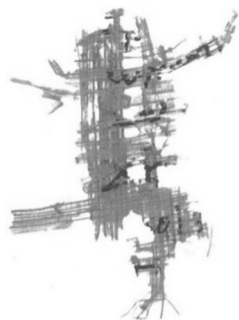
	Document	Hereditary	Guardians	Credit	Security	Strategos	Logotheteia	Romans	Veterans	Metropolitai	Politai	Amount	Notes
10.	P.Gen. II 104 = SB XVI 12715 (147/148 CE, Arsinoites)	Y	N	N	N	N	N	Y	N	N	N		Assignment of inheritance <i>ab intestato</i> . Reference to a petition to the <i>iuridicus</i> .
11.	P.Lond. II 198 (p. 172) (ca. 175/176 CE, Karanis)	Y	Y?	L	L	L	L	Y	Y	N	N	Slaves, Gold	Petition. Inheritance.
12.	P.Oxy. II 237.7.39–8.2 (87 CE, unknown provenance)	N	N	N	N	N	N	N	N	N	N	N	Extract of proceedings before the <i>iuridicus</i> . Dissolution of a daughter's marriage by her father.
13.	P.Oxy. VIII 1102 (ca. 146 CE, Oxyrhynchos)	Y	N	N	N	Y	Y ?	N	N	N	N	Chattel, Slaves	Proceedings of a <i>hypommatographos</i> . Dispute between the daughter and the city. The <i>iuridicus</i> has appraised chattels and the slaves.
14.	P.Oxy. XLIII 3117.1–26 (235 CE, Oxyrhynchos)	Y	N	N	N	N	N	Y?	N	N	N	N	Court proceeding. Reference to the <i>iuridicus</i> who fills in for the governor. The opening of a will.
15.	P.Oxy. XLIX 3466 (81–96 CE, Oxyrhynchos)	N ?	N	Y	Y (20 gold minae)	N	N	N	N	Y	N	3,600 dr.	Petition to the <i>archidikastes</i> . Loan within the family. Deed of surety. Reference to an earlier hearing by the <i>iuridicus</i> .
16.	P.Ryl. II 119 (62–66 CE, Hermopolis)	N?	N	Y	Y	N	Y	N	N	Y	N	5,000 dr.	Petition to the Alexandrian <i>exeges</i> . <i>Hypothek</i> . Reference to an earlier hearing by the <i>iuridicus</i> .
17.	PSI IV 281.27–38 (II CE, Oxyrhynchos)	N	Y	N	N	Y	Y	N	N	Y	N	N	Petition. Guardianship.

	Document	Hereditary	Guardians	Credit	Security	Strategos	Logotheteia	Romans	Veterans	Metropolitai	Politai	Amount	Notes
18.	PSI IV 293 (late II–early III CE, Oxyrhynchos)	L	L	L	L	L	L	Y	Y	N	N	L	Minutes of hearing before the <i>iuridicus</i> . Procedural matters.
19.	P.Stras. VIII 709 (II CE, unknown provenance)	Y	L	L	Y?	L	L	L	L	N	N	L	Petition. Inheritance.
20.	SB XIV 12087 (162 CE, Theadelphia)	N	N	N	N	N	N	N	N	N	N	N	Petition. Unwarranted fiscal claims. Served to the <i>iuridicus</i> because the <i>epistrategos</i> is not available.

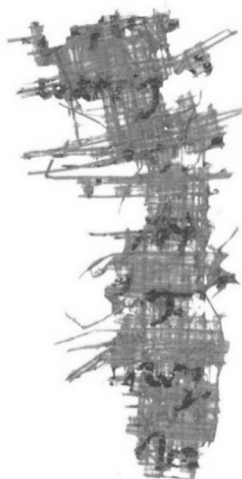


P.Col. inv. 28

zu U. Yiftach, S. 196



Fragment 1



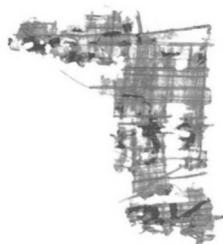
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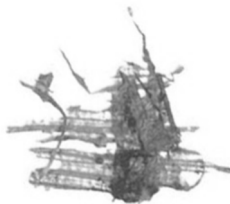
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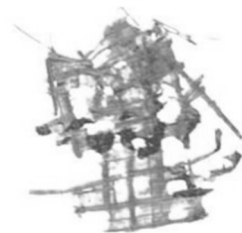
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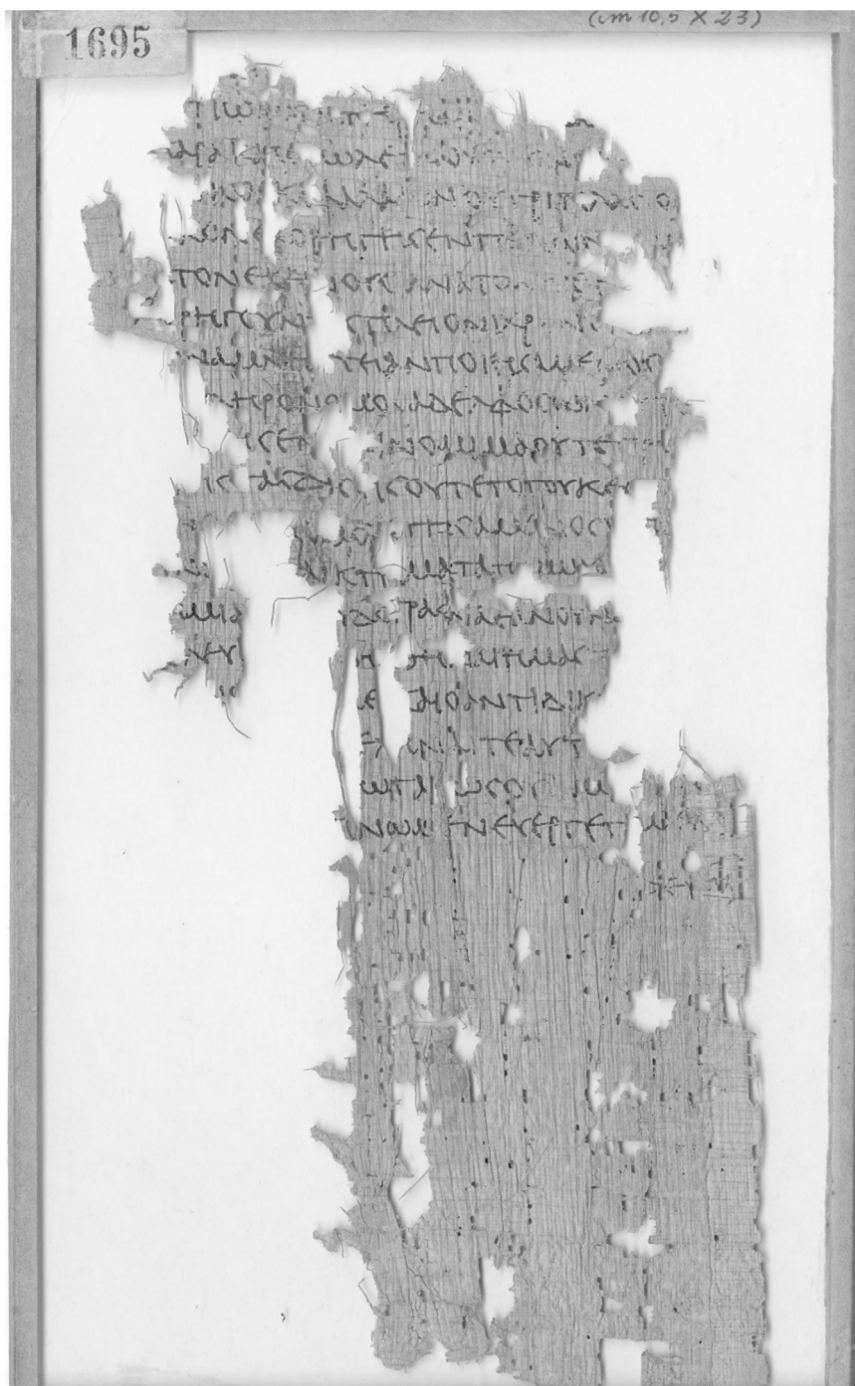
Fragment 5



Fragment 6



Fragment 7



PSI XVII 1689 (PSI inv. 1695)
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