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P. Petra V 52. Draft of a Will

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Papyrus Petra Patricia M. Bikai
(donated by the Joukowsky Family Foundation)

52. DRAFT OF A WILL

Inv. 86 verso	18 x 280–90 cm	after mid-6th c.
Field No. XIIIk	top margin 1 cm	
Glass Plates 322–34	right margin 0–2 cm	
Plates XXII–XXXII	bottom margin 1 cm	

This document is the reverse (*verso*) side of **51**, obviously written when the latter had already served its purpose. The extant fragments of **52** form a mirror image of the inside (*recto*), as both documents were written *transversa charta* starting from the roll's core (for their physical description, cf. Introduction to **51**). However, unlike the *recto*, which had lost both its beginning and end when the new text was written on its back, we may assume that **52** preserves the original length of the text as it was composed, that is, 280–90 cm. This outer measure of course includes a vast number of bigger and smaller gaps.

The roll's original width must have been around 27–29 cm. The largest fragments preserve a width of some 17–17.5 cm, which come from the right side of the document. The right margin is usually 1–2 cm, but sometimes the scribe has written to the very edge of the papyrus. At best, 30–35 letters are extant, depending on the right margin. Assuming a left margin of around 2 cm, some 8–10 cm of text, or ca. 20 letters, are missing from the best-preserved lines. A full line thus had probably 50–55 letters in the early parts of the document. The handwriting gets smaller towards the end of the text, where a line may have contained 60–65 letters, with 40 letters extant and 20–25 missing. As explained in the Introduction to **51**, the alignment of the preserved fragments shifts some 4 cm between frs. K₁-31 and K₁-40 (ll. 80–130), and even more after that, that is, the fragments move gradually to the left in the roll's virtual reconstruction. Fr. K₁-41 may already come from very near the left margin, while as much as 8 cm may be missing from the right side.

As the text is only a draft, there are neither subscriptions nor date at the beginning. However, since it should postdate **51**, it must derive from after the middle of the sixth century. It was probably written in Petra, because it refers to “this city.” The writer may have been a professional, albeit not a very good one: he has problems with all the easily confused letters, especially ε/η, ο/ω and ι/ει. He writes in a fairly clear, sloping cursive, sometimes canceling words and replacing them with text written between the lines. These additions may be very difficult to decipher. The word καί is often abbreviated with the mark ς, but there are otherwise few abbreviations. Some raised final letters appear (ll. 11, 15, 25), and a trema is used for *iota* but not for *upsilon* (ll. 66, 72, 121).

The document does not seem to be connected in any way with the emphyteutic lease written on the *recto*. It is the draft of a will (διαθήκη) by someone who names as his heir a female or institution in the feminine (ll. 4–5). Many individual items and sums are left as legacies to various people and pious institutions, but their identity is lost in the gaps.¹ Among the main beneficiaries was evidently a hospice or hospital: the text mentions in this

1. For bequests in favor of religious institutions, see, e.g., Cod. Just. 1.3.45 (530); 1.3.48 (531); Kaser, *Privatrecht*, II, 158, 488–89.

connection both a *ξενοδοχεῖον* (l. 44) and a *ξενεών* (l. 58), but whether these refer to the same institution or to different ones is not clear.

The testator especially wanted to remember “needy travelers” (*παρερχόμενοι δεόμενοι ξένοι*), who are noted several times. We may assume that he was thinking first and foremost of pilgrims visiting some of the local shrines. This may form a link between the present document and a smaller roll found underneath, possibly bundled together with it (see Introduction to **53**). The smaller roll also had writing on both sides, edited here as separate documents (**53** and **54**). They contained one or more very fragmentary short drafts or notes, probably linked with donations, both offering several times the name of Aaron. This again connects all the documents with **55**, a gift after death in favor of two pious institutions, one of them being the “Holy house of the Saint high priest Aaron,” the pilgrimage site located on Mount Aaron (Jabal Harun), near Petra. However, the name of Aaron, with its long epithet, does not appear in the present text, so it seems less likely that this particular institution was meant to benefit from the will. All these drafts may have been kept together simply because of their common general topic.

Some of the persons mentioned in **52** may be attested elsewhere in the Petra papyri. Judging by their honorific title *καθωσιωμένοσ*, Valens and Obodianos (l. 136) would have belonged to the military. This Valens may have been one of the main parties in **50**, where he has the same title in l. 138, while a *καθωσιωμένοσ* Obodianos appears in **59** 23. Both Valens and Obodianos were common names in Petra, so their recurrence might be just accidental. Moreover, **50** is tentatively dated to 528/29, whereas **59** certainly derives from 569. Thus, if the two men were really the same as those in **52**, the time span of forty years between the texts would be relatively long, though not entirely impossible. It would in any case support a dating to the mid-sixth century.

Another possibly identical person is the son of Simiabion (l. 23), as we encounter in **55** a deacon by the name of Valens, son of Samiabion. In the present document, the son of Simiabion appears as the previous owner of a piece of property. A deceased Romanos, son of Demetrios, former *pronoetes*, is mentioned in the same function (l. 29): he had administered the property of an ecclesiastical institution, perhaps the main church of Petra. The last preserved line contains the name of one Theodora, preceded by a reference to her mother. The name of Theodoros (l. 113) is too common to be of any help.

The testator’s own name probably did not appear in this draft at all, but would have been added in the opening phrases and the subscription. The possessions bequeathed include a building in Petra (ll. 19–21), two pieces of landed property located in a smaller place (ll. 31–33), land in the nearby garrison town of Sadaqa (l. 62),² and a vineyard in a village (ll. 63–64). They do not help to identify the testator, as such items were often owned by the propertied people encountered in the Petra papyri.

In the sixth century, the formal requirements of a Roman will had already been relaxed. The testator could freely determine both the language and the exact wording, and there was a tendency to disregard many legal distinctions. The difference between inheritance according to civil law (*hereditas*) and that according to praetorian law (*bonorum possessio*) had disappeared in practice, if not also in theory. The institution of an heir (*heredis institutio*) remained a characteristic of a testament proper, but it was possible to bequeath individual items as legacies even without naming an heir. Gifts after death (*donationes mortis causa*) were increasingly used for the same purpose and were largely equated with legacies (cf. **55** below). The present text would certainly have matched the form of a valid will.³

2. Many documents of the Petra dossier mention Sadaqa, most of them published in P. Petra IV; see P. Petra IV, Foreword, p. ix, and Introduction to **37**, pp. 27–28.

3. For the development of late Roman testamentary law and practice, see Kaser, *Privatrecht*, II, 463–97, 549–67; a recent overview is provided by Nowak, *Wills*, with further literature.

There are a number of sixth-century wills from Egypt, though only a few of them are reasonably well preserved.⁴ Their beneficiaries include both private persons and pious institutions, and their contents have much in common with this text, though there is some variation in the phrasing. Moreover, our testament seems to be less verbose than the extant Egyptian ones. For example, the longest of them (P. Cair. Masp. II 67151), drafted by the stylistically ambitious Dioscoros of Aphrodito, was 300 lines long and used 75 lines for preliminaries before naming the heirs. The legacy of one viniferous plot for a monastery took 60 lines to describe. In contrast, the author of 52 went straight to the point. He reserved only a few lines each for religious justification and the institution of the main heir, using the remaining 130 lines for recording the many individual legacies in a practical manner. More general instructions, like the invocation of heavenly powers and a ban to contest the will, both of which were inserted between the list of legacies, needed just 10–15 lines. Of course, as the present text is only a draft, we cannot know how much rhetorical flourish the scribe might have added at the beginning of the ultimate text.

→

- 1 [c. 20]τον δεσπότην τῶν ὄλων καὶ πανελεήμονα
 [c. 23] ἄφην ἀμαρτιῶν προτελευτεῶ μ . . . [0–4]
 [c. 22] λ . . . τιαῶν . . . ους[. . .] . . . τοι αὐτοῦ
 4 [c. 18] .αι τῆ αὐτοῦ φιλανθρωπία προσλαβεῖ[ν] καὶ τὴν [ἐμὴν] ` . . . γ . γ μου´
 [c. 20] . . . μει εἰς κληρονομίαν (καὶ) δεσποτίαν τῶν ὑπ´ ἐμοῦ
 [c. 31] κει [c. 18]
 [c. 24] ὦν ἀ[π]λῶς εἰπεῖν τῶν . [.] . δια [0–3]
 8 [c. 15] μέχρι ἀ]ρσαρίου ἐνδὸς πλὴν τῶν ὑπ´ ἐμοῦ . [c. 6] . . .
 [c. 23] τ]όποις χαριζομένων ἤτοι ἀφοριζομέν[ων] η[0–3]
 [c. 23] τ[ο]υ χάριν (καὶ) τῶν ὑπ´ ἐμ[οῦ] λ[. . .] . [7–10]
 [c. 20] ἐμοῦ τῆ διαθήκη εἰς λόγον τῶν παρερχομένων
 12 [c. 20] .ως ξένων εὐχῆς χάριν ἐπὶ τῷ ἀγί[ῳ] . . [. .] . . . α
 [c. 23] θεραπείαν ὀσάκεις ἂν συμβῆ αὐτοὺς ἐν τ[1–6]
 [c. 27] τως ἕφ[c. 6] . [6–10]
 [c. 19] .ητατου (καὶ) τῶν παρ´ ἐμοῦ ἐλευθηρουμένων
 16 [c. 20] ης δηλουμένοις ἤγουν `παρ´ ἐμοῦ´ βεβ[ο]υλευμέγ[οις 5–8]
 [c. 22] βούλομαι δεξ [. . .] [4–8]
 [c. 26] ορο . . φ . . . δια παντὸ[c . . .] . . . ζ .
 [c. 13] δεσποίν]ης ἡμῶν τῆς θεοτόκου τὸ διαφέρ[ον] μοι
 20 [c. 16] ἐν τῆ]δε τῆ πόλει ἐν τῆ γιτονία τοῦ εὐαγο[ῦς . .]
 [c. 24] μενον μετὰ τῆς ἔνπροσθεν αὐτοῦ´ μάνδρας
 [c. 24] ερει . τουτο[. .] . [. . .] . [3–8]
 [c. 22] Σιμαβιονος ὀρμμένου ἐκ τῆςδε τῆς
 24 [πόλεως c. 14] ἐγγράφω ὡνῆ παρ´ αὐτοῦ εἰς ἐμὴ προελθούση
 [c. 20] τῆς καθαροποιήσεως τοῦ πρώτου ὠνιακοῦ τὸ αὐτοῦ
 [c. 20] γ ἄλλα καὶ τὰ διαφέροντά μοι καὶ εἰς ἐμὴ
 [c. 10] κατὰ τὴν ἔγγρ]αφον ἀντίδοσις γεναμένην πρὸ φανερ[ῶν]
 28 [χρόνων c. 26] τερων του . . . [.] . [5–10]

4. A catalogue with texts and translations can be found in Nowak, *Wills*, 388–448; see above all P. Cair. Masp. II 67151 (570); III 67312 (567); P. Oxy. XVI 1901 (6th c.); P. Lond. I 77 (c. 610); and Stud. Pal. I 1 = FIRA III 52 (late 5th c.). The wills found in Nessana are too fragmentary to offer any help, P. Ness. III 115; 116 (6th c.).

- [c. 19 μακ]αριωτ(άτου) Ῥωμανοῦ Δημετρίου ἀπογενομέ(νου)
 [c. 19] καὶ προνοητοῦ τῆς κατὰ ταύτην τὴν
 [πόλιν c. 16] κτήσεως, τῷ αὐτῷ ἀγίῳ τόπῳ ἄλλα δύο
 32 [c. 20 δια]κ[ε]ιμένα ἐν τόπῳ λεγομένῳ . . . [2-6]
 [c. 23] ἐν αὐτῶν μεσαύλου (καὶ) παν[τὸ]ς αὐτῷ
 [c. 17 τ]οῦς παρερχομένους δεομένους ξένους
 [c. 17] . . . ἐνταῦθα παρ [. . .] . . . [0-6]
 36 [c. 19] . κτήμασιν καὶ τοῖς αὐτῶν [δικαίαις]
 [c. 25] τρεφομ[traces
 [c. 17 ταύ]τη μου τῇ διαθήκῃ (καὶ) ἐπὶ . . . [. . .] . . . []
 [c. 18] ης (καὶ) καρδιογνώστης θεὸς ὄλος μου
 40 [c. 22] . . πάσης σπουδῆς εἴτε ἐν ζωῇ μου
 [εἴτε c. 20] . προσήκοντά μοι κείνητα πρά[γματα]
 [c. 23] ησιν προσώδου ἤγουν κτήσεως
 [c. 19] οἱς μετὰ γεωργῶν ὀφιλούσης ἀγορασθῆν[α]ι
 44 [c. 25] παρ' ἐμοῦ κατασταθέν[τος] ξενοδοχίου
 [c. 23 τῆ]ς πόλεως βούλομαι πάντα τὰ . . . [0-5]
 [c. 28] . . . [την τα] ὑπ' ἐμοῦ [.] [.] [0-6]
 [c. 22] . των παρ . . . φ[. . .] . . μέγων λόγῳ
 48 [c. 18 ν]ομίμασιν (καὶ) χρυσοῖς κοσμίαις (καὶ) χαλκόμασιν
 [c. 19] . οἱς εἴδησιν ἤγουν οἰκοσκευῶν ὑποδοχ[1-5]
 [c. 27] αὐτην συναχθῆν[αι 8-12]
 [c. 30 ἀ]γίων κειμηλίων . . . [4-9]
 52 [c. 25 φ]υλαχθῆναι μετὰ πάσης εὐ[ν]οίας
 [c. 21] . ὑπὸ τούτῳ τηνικαῦτα ὑπο [8-12]
 [c. 21] ἐν παραθήκῃ θεοφιλες[τάτου 6-10]
 [c. 23] . . . ἐξομένων τῆς πα[ρ]αφυλακ[ῆς 0-4]
 56 [c. 32] . δικῶς ταῦτα προχωρή[σαντα]
 [c. 23] ὀφιλούσης ἀγορασθῆναι κ. λ. . . .
 [c. 18 το]ῦ κατασταθέντος παρ' ἐμοῦ ξενεῶνος
 [c. 18] . μένην ψυχοφελῆ θεραπείαν τ[. .] . . . [4-8]
 60 [c. 16 καταβαλ]λομένην καθ' ἕκαστον ἔτος [0-5]
 [c. 26] . [.] ε . τὰ δημόσια ξηρὰ πε[1-5]
 [c. 18 διαφε]ρούσης μοι πάσης κτήσεως ἐν Ζαδακαθα
 [c. 19] . αὐτῷ τοῦ διαφέροντός μοι ἀμπελικῶν
 64 [c. 15 ἐν τῇ] αὐτῇ κόμῃ λεγομένου τό(που) . . . Μα [8-12]
 [c. 18] ε περιποιεῖσθαι κτήσεως . . . [8-13]
 [c. 23] ε . εἰ εἰς ὑποδοχὴν ἀποτροφὴν ἤγο[υν 6-11]
 [c. 17 τῶν παρερχο]μένων δεομένων ξένων ἐπὶ τῷ
 68 [c. 20] . [.] εσθαι ἵπποσιν κατὰ πρόσωπον αρ . ο . [. .] .
 [c. 18] ξ ἵπποσιν τὸ ἡμῶν ἐπὶ τῷ μέντοι εκ[traces
 [c. 20] . . . παρέχεσθαι καθ' ἕ[τος 8-12]
 [c. 22 σ]τεριζομένων ἐν τα[c. 10]
 72 [c. 28] ης τῇ ὑστερ[c. 12]
 [c. 23] εἰς βίασεως τῆς θεοτιμῆτος ἕως τῆς
 [c. 18] κειν δὲ

- [c. 19 ἐ]γ οἰωδήποτε καιρῶ ἢ ἐνιαυτ[ῶ c. 12]
- 76 [c. 27] . . . ια . . . ωρια[c. 13]
- [c. 24] . . . εσθαι τὴν περι[c. 13]
- [c. 24] υ μέλλοντος ἀποκίςθαι χρυσί[ο]υ . ε
- [c. 22] λ[. . .] προ . [. . .] . [. . .] . [ύπ]οδοχὴν τῶν [εἰρ]ημένων
- 80 [c. 24] πεντήκοντα εἰνῶν τοῦ ` . . ` οἴγου ε . [c. 12]
- [c. 27] προβαλομένου ξενοδόχου (καὶ) [c. 12]
- [c. 38] . μμ . [.] . . . εἰσ[c. 10]
- [c. 29] . ρ . [. . .] . . . βεβουλεμένων φροντί[δων]
- 84 [c. 28] μει ὑπὸ τὴν κρ . . εαν ρκη δυνατ . [0-2]
- [c. 22] λημψιν τῆς μεγαλότητος τη[c. 14]
- [c. 26] ἀειπαρθένου Μαρίας . [c. 13]
- [c. 32] δ]ιοίκησιν [το]ῦ δεσπό[τ]οῦ ἡμῶν [4-8]
- 88 traces
- [c. 25] γερας π τῶν θεοφιλεστάτων [0-4]
- [c. 21] ησιας, ἐφ' ᾧ αὐτοὺς προν[c. 15]
- [c. 21] σιν . [.] οντων τοῦ εἰρημέ[ου c. 12]
- 92 [c. 26] ε των παρερχομέ[ν]ων ξέγ[ων 0-6]
- [c. 32] ρ π[α]ρ' ἐμο[ῦ] . . [c. 13]
- [c. 24] κούφισθαι ἢ ρητηρίζεσθαι ἢ ερχειν [0-4]
- [c. 21] καθ' οἰονδήποτε τρόπον ἐκ τ[.] . [c. 12]
- 96 [c. 21] τὰς αὐτὰς καλὰς χρίας καὶ πρ[c. 13]
- [c. 23] γτα κατα[. . .] . ταῦτα διο . [.] . . [6-10]
- [c. 35] . . . τρέφεσθαι ἐνδύε[σθαι 0-4]
- traces
- 100 [c. 24] . ει κιμηλιοφυλακίῳ (καὶ) . . . καλω[. . .] . . ο . [0-4]
- [c. 21] ρ τῆς ἀγίας καὶ ὁμοουσίου ἰ (καὶ) προκ[υ]ν[η]τῆς' τριά[δος (καὶ) τῆς εὐλογημένης (καὶ)]
- [ἐνδοξοτάτης δεσποίνης ἡμῶ]ν τῆς παναγίας θεοτόκου [(καὶ) ἀειπαρθένου Μαρίας]
- [c. 31] . [.] .] ετιον ἐπίσκοπον εἰ . [.] [3-10]
- 104 [c. 32] πολ[. . .] . υς ἐμμίναί τοῖς περι[2-9]
- [c. 32] . αθ[traces
- [c. 19] . (καὶ) μηδὲν πρὸς ἐναντίοσιν τουτῶν [.] φ [0-5]
- [c. 13] καθ' οἰ]ονδήποτε τρόπον. ταύτην γὰρ μο[υ τὴν] ἐντολὴν φυλατ[.] [0-5]
- 108 [c. 38] . του . . . [c. 18]
- [c. 32] . . . υλ . [.] . [.] . ε [c. 18]
- [c. 34] . προπάαξ εἰς ἕκαστον [c. 12]
- traces
- 112 [c. 21] αν καὶ εἰς τὰ ἔξοθεν τῆς πόλεως . . . [.] ηρια του . . [0-6]
- [c. 18] υ Θεοδώρου, ὁμοίως ἀναελαι[.] . ν προπάαξ [0-6]
- [c. 27] . λογο[.] μη . . . [.] . [c. 19]
- [c. 27] τῶ]ν χρυσοῦ νομικμάτ . . [c. 15]
- 116 [c. 32] μ]νήμης μου χάριν. εἰ ἔλοιτο . [c. 9]
- missing line
- [c. 19] [εἰκοσιτέσσαρα] δεκατέσσαρα παρὰ κεράτ[ια 2-7]
- [c. 12] ἀπο]κατασταθῆναι αὐτῶ ὅπερ ἐδεξάμην ἐν παραθήκῃ χρ[3-8]

- 120 [c. 15 γ]ε[νομ]ένω ἰνβινταρίω `περί τῶν κατα[c. 6] ωγ . . [3–8]
traces
[c. 25] , c ὑποστάσεως . . . [c. 21]
[c. 28 ἔ]τι βούλομαι δοθῆναι [λ]ηγάτου λ[όγω c. 9]
124 [c. 25] . . . μένειν μετὰ πάσης εἰ [c. 11]
[c. 10 πάν]τα τὰ μεταξὺ μοῦ (καὶ) αὐτοῦ δόξαντα . [.] ε . . ηται ε [4–9]
traces
[c. 26] , ντιω ωλ[c. 25]
128 traces
traces
[c. 17] φ αὐτοῦ ἀδελφῶ ληγ[άτου λ]όγω (καὶ) μνήμ[ης μου χάριν]
[χρυσοῦ νομίσμ]ατα δύο παρὰ κερ(ά)τ(ια) τέσσαρα . ἔτι βο[ύλομαι c. 21]
132 [c. 9 ληγ]άτου λόγω (καὶ) μνήμης μο[υ] χάρι[ν c. 28]
traces
[c. 17] παρὰ κερ(ά)τ(ια) τέσσαρα [c. 30]
traces
136 [c. 23 κ]αθ(ωσιωμένοις) Οὐάλεντι (καὶ) Ὀβοδιανῶ τε . . . [c. 16]
[c. 10] , μο[.] γραμματίων νο(μισμάτων) α (ἤμις) (καὶ) ἰδιόχει[ρο]ν κερ(α)τ(ίων) ἑπτὰ [c. 16]
[μετὰ] τὴν ἐμὴν ἀποβίωσιν εἰς λόγο[.] c. 12] του εὐ . . . [c. 16]
traces
140 letters or missing
letters or missing
missing?
143 [c. 11] , Θεοδώραν τὴν αὐτῆς θυγατήραν . [c. 23]

2 ἄφρασιν 5 δεσποτεῖαν 13 θεραπείαν ὁράκις 15 ἐλευθερουμένων 20 γειτονία 21 ἔμπροσθεν 23 ὀρμωμένου 24 ἐμὲ 26 ἐμὲ
29 μακ]αριῶ Pap. Δημητρίου απογενομῆ Pap. 36 αὐτοῖς 38 ἐπειδὴ 41 κίνητα 42 προσόδου 43 ὀφειλούσης 44 ξενοδοχείου
48 χαλκώμασιν 49 εἶδεσιν 57 ὀφειλούσης 59 ψυχωφελῆ θεραπείαν 64 τ^ο Pap. 70 κατ' ἔτος 78 ἀποκεῖσθαι 85]ληψιν
94 σφετερίσασθαι 96 χρεῖας 100 κειμηλιοφυλακίω 104 ἐμμεῖναι 106 ἐναντίωσιν 112 ἔξωθεν 118 εἴκοσι 120 ἰνβενταρίω
131 κερ^τ Pap. 134 κερ^τ Pap. 136 κ]αθ(θ) Pap. 137 ὧ Pap. ῥ Pap. κερ^τ Pap. 143 θυγατέρα

TRANSLATION

(Lines 1–17) . . . the Lord of everything, and all-merciful . . . forgiveness of sins, before death add to His benevolence, and [assign?] my . . . into the inheritance and ownership of [the property], I [leave] to put it simply, of [all things belonging to me] . . . to the last coin, except for those that I donate or give separately [to the following holy] places . . . for the sake of . . . and those that I [leave] . . . through my testament for . . . [needy] travelers for the sake of prayer in the holy . . . care, as often as it would happen that they and the [slaves] that I have freed . . . declared or decided by me . . . I want . . .

(Lines 19–36) . . . our [Lady], the mother of God . . . [the building] belonging to me [in this] city, in the neighborhood of the sacred . . . with the *mandra* located in front of it son of Simiabion, originating from this [city] . . . through a written deed of sale made for me by him . . . the clearance of the first sale . . . and those belonging to me and [coming] to me [through a written] deed of exchange, made a certain [time] ago the late Romanos, son of Demetrios, deceased . . . and administrator of the property . . . in the region of this [city]. To the same holy place, two other . . . [located] in a place called . . . their central courtyard and all its . . . the needy travelers . . . here . . . property and their [rights] . . . maintained . . .

(Lines 38–75) . . . by this will of mine and . . . God, who . . . and knows the hearts, my whole . . . all zeal, either during my life [or . . .] movable property belonging to me . . . revenue or property . . . with tenants, due to be bought . . . the hospice appointed by me . . . the city, I wish all . . . by me coins and golden and

bronze ornaments . . . kinds and household utensils . . . be brought together . . . holy treasures . . . preserved with all goodwill . . . under this at that time . . . on a deposit of the most God-pleasing . . . safeguarding . . . these were expended (?) . . . due to be bought . . . the hospice appointed by me . . . care profiting the soul . . . [paid] every year . . . the bare taxes . . . all property belonging to me in Sadaqa . . . the vineyard belonging to me . . . [in the] same village, called the plot . . . preserve, property . . . for hospitality / nourishment, or . . . of the needy travelers . . . once in person . . . the half . . . to be granted every year . . . deprived . . . subsequent . . . honored by God up to . . . at any time or in any year . . .

(Lines 78–107) . . . gold to be stored in reserve . . . reception of the said . . . fifty *hins* of wine . . . the proposed head of the hospice and . . . every . . . the cares that had been decided . . . of the greatness . . . ever virgin Mary . . . administration of our Lord [bishop] . . . the most God-pleasing (*plural*) . . . on condition that they . . . of the said . . . travelers . . . by me . . . be relieved or usurp or acquire . . . in any way . . . the same beneficial services and . . . these . . . be maintained, clothed . . . church treasury and . . . the Holy and consubstantial and venerable Trinity [and our blessed and most glorious Lady], the all-holy, God-bearing, [and ever virgin Mary] . . . bishop . . . to abide by the . . . and nothing to oppose these . . . [in] any way. For this my instruction [has to be] preserved . . .

(Lines 110–43) . . . once to every . . . and to the (places) outside the city . . . Theodoros, in like manner . . . once . . . gold coins . . . in my remembrance. If (someone?) prefers . . . [twenty-four] fourteen minus [x] carats . . . to be restored to him/it the items that I received on deposit . . . an inventory made of the . . . property . . . Further, I want . . . to be given as a legacy . . . preserve with all . . . [all] that were decided between me and him . . . to his brother as a legacy . . . and, [in my] remembrance, two [gold] coins minus four carats. Further, [I want] . . . as [a legacy] and in my remembrance . . . minus four carats . . . to the most devoted Valens and Obodianos . . . deed of 1½ (?) *solidi* and a private deed of seven carats . . . [after] my demise . . . to buy . . . Theodora, his daughter . . .

COMMENTARY

1 δεσπότην τῶν ὄλων καὶ πανελεήμονα: cf. P. Cair. Masp. II 67151.35–36 (570): τοῦ πανκρέιττονος δεσπότης τῶν ὄλων Θεοῦ παντοκράτορος.

2 ἄφαισιν ἁμαρτιῶν προτελευτέω.μ.[0–4]: the letters are extremely faint. There is either the preposition *πρὸ* followed by a form of the word *τελευτή* (“death”) or *τελευταῖος* (“last”) or, perhaps less likely, a form of the verb *προτελευτάω* (“die before”). The meaning would be “before my death” or “if I die before.” In any case, the word must have been misspelt. The forgiveness of sins (*ἄφεσις ἁμαρτιῶν*) was a stock Christian concept, and the testator may have wished to obtain it before his death.

4 [c. 18]αι τῇ αὐτοῦ φιλανθρωπία προσλαβεῖ[ν] καὶ τὴν [ἐμήν] ` . . . γ.γ μου: it is difficult to understand the verb *προσλαμβάνω* (“take or receive in addition”) here: the testator may have meant that, by his will, he adds something to (or perhaps rather imitates) God’s benevolence towards mankind. Another possibility is to connect the verb with the subsequent words (“to inherit also,” cf. Nov. Just. 18.3), but the syntax of the next line would then be odd.

If the feminine article and possessive pronoun, which were canceled and replaced with words written above the line, referred to the heir, as would seem natural, she may have been a relative (it is uncertain whether the article was crossed out, too, or only the pronoun). However, the letters written above do not seem to fit the most obvious words for daughter, wife, spouse, sister, or mother. The heir might of course have been a religious institution, like the church of Petra, though separate legacies were left to other sacred places.

7 τῶν [.]. δια.[: the letter before *δια* is not *iota*, so we cannot read τῶν ἐμοὶ διαφερόντων.

8 [μέχρι ἀ]ρσαρίου ἐνός: in Egyptian wills, too, this phrase underlines the idea that the heir will inherit the estate “to the last coin,” except for the items specially left for other beneficiaries; cf., e.g., P. Cair. Masp. II 67151.93 (570); III 67312.46–47 (567).

10 τῶν ὑπ’ ἐμ[οῦ] λ[. . .].[7–10]: the word in the gap might have been λ[ε]ιφ[θέντων] (“left by me”).

11–12 εἰς λόγον τῶν παρερχομένων [c. 20]ωε ξένων εὐχῆς χάριν: the “needy travelers” are here mentioned for the first time, but the expression must have been somewhat longer than in the later passages (*παρερχόμενοι δεόμενοι ξένοι*), II. 34, 67, and 92.

13 θεραπεία: cf.]_μένην ψυχοφελῆ θεραπείαν τ[in I. 59.

15 τῶν παρ' ἐμοῦ ἐλευθηρουμένων: the testator refers to slaves he had freed. In the image, this line appears to be canceled by a horizontal line running over the text, but it may rather be a place where the papyrus was folded. Certainly it is not a regular *kollesis*.

19–21 [δεσποίν]ης ἡμῶν τῆς θεοτόκου κτλ: for the title of Mary, cf. her other appearances in this document, ll. 86 and esp. 101–2 with comm. Evidently, an institution dedicated to Mary will receive some building in the city of Petra, together with a mandra located in front of that same building. For the meaning of mandra, see P. Petra IV, pp. 17–19, and the literature cited there, esp. Gagliano, *ἐν μάνδρα*. It can mean a monastery but must refer here to a “stable, shelter,” as in 39.

23 Σιμαβίωνος: cf. Valens, son of Samiabion, in **55**. The son of Simiabion had sold the building to the testator.

25 This and the previous line are very close to each other, the lower one probably being an addition made by the scribe. Here, πρότου may actually have been written πρότου, which would be an orthographic error. For καθαροποίησις, see **17** 219–22 comm., and **50** 91–92 comm.

26 ἢ ἄλλα καὶ: either ἄλλα καὶ (“other ones and”) or οὐ μὴν ἀλλὰ καὶ (“but also”). The *kappa* looks more like a *mu*.

29 [μακ]αριωτ(άτου) Ῥωμανοῦ Δημετρίου ἀπογενομέ(νου): at the end of the line, there is at least one letter (obviously *epsilon*) above the *mu*, but the ink is so faint that it is difficult to tell if all the missing letters are there or if the word was abbreviated. Romanos had probably been involved in the exchange of property mentioned in ll. 26–27, as there is hardly space in l. 28 for any other affair.

30–31 τῆς κατὰ ταύτην τὴν [πόλιν: perhaps to be followed by ἀγιωτάτης ἐκκλησίας (“the most holy church in the region of this city”), a common expression in Petra, cf. **57** 170–71 comm.; **64** 12–14.

37 τρεφομ[ι]: this may refer to anything maintained, possibly also to a foster child (τρεφόμενος), as in the will P. Cair. Masp. II 67151.294 (570).

39 καρδιογνώστης: this epithet of God (“who knows the hearts”) is not found in Egyptian papyri. In Patristic literature, it appears mostly alone but is sometimes preceded by προγνώστης.

42 προσώδου ἤγουν κτήσεως: for the word κτήσις (“property, land”), see **53** 7 comm.

43–44 μετὰ γεωργῶν ὀφιλούσης ἀγοραστῆν[α]ι [c. 25] παρ' ἐμοῦ κατασταθέν[τος] ξενοδοχίου: curiously, this clause seems to be repeated in ll. 57–58, where ξενοδοχεῖον is replaced by ξενεῶν. The two words may simply be synonyms, as they often were, but it is equally possible that the testator meant two different institutions. We have translated the verb καθίστημι “appoint,” referring to the institution of an heir or a legatee. However, it might also imply that the testator had earlier “founded” a hospice or hospital which he now wished to remember in his will. As far as we know, the verb has not been attested in either sense. Note that in l. 119 we have supplied ἀπο]κατασταθῆναι to indicate that a sum of money is restored to someone. For γεωργοί (*coloni*, “tenants”), cf. **51** 25 with comm.

45 [τῆ]ς πόλεως: this may refer to the location of the above-mentioned hospice either inside or perhaps more likely outside of the city of Petra.

48–49 [ν]ομίμασιν (καὶ) χρυσοῖς κομίοις (καὶ) χαλκόμασιν [c. 19],ιοις εἶδησιν ἤγουν οἰκοσκευῶν ὑποδοχ[ι]: here, the testator refers to his movable property, including money and household utensils, which may have gone to the hospice mentioned in l. 44. The traces fit οἰκοσκευῶν slightly better than οἰκοσκευοῖς; the word οἰκοσκευή is not particularly common in Egypt, see P. Cair. Masp. II 67153.20–21 (568); P. Lond. V 1708.44 (567/68); 1730.17 (585); SB VI 8988.100 (647).

49–51 In this area, the layers at the line-ends are often confused, so individual fragments have been moved up or down accordingly in the reconstructed text.

51 [ἁ]γίων κειμηλίων: the holy treasures, vessels, or relics are invoked for an oath in **39** 114–16, and in P. Münch. I 1.26, 31 (574); see Lampe, *PGL*, s.v.; and cf. Schmelz, *Kirchliche Amtsträger*, 89–125. From Egypt we have two lists of such items, P. Grenf. II 111 = W.Chr. 135; P. Prag. II 178; as well as a claim that such items had been stolen, P. Oxy. XVI 1832 (all 5/6th c.). See also κειμηλιοφυλακίῳ in l. 100.

57–58 ὀφιλούσης ἀγοραστῆναι κ. λ. . . . [c. 18] τοῦ κατασταθέντος παρ' ἐμοῦ ξενεῶνος: see note to ll. 43–44.

59 ψυχοφελή: the word ψυχοφελές (“profiting the soul”) is rather common in theological literature, but is found only in a few Egyptian papyri, all from the archive of Dioscorus and thus from the latter half of the sixth century: P. Cair. Masp. I 67020.3; II 67151.238; 67250; III 67295.4; P. Lond. V 1677.7; SB XX 14626.21.

60 [καταβαλλ]λομένην καθ’ ἕκαστον ἔτος: something is paid every year, as also in l. 70.

61 τὰ δημόσια ξηρά: the adjective ξηρός usually means “dry, withered, austere” but here must denote something like “bare,” perhaps implying ordinary taxes as opposed to extraordinary levies, as in the only parallel occurrence, P. Lond. V 1674.97 (c. 570): τὰ ξηρὰ δημόσια.

63–64 τοῦ διαφέροντός μοι ἀμπελικού [c. 15 ἐν τῇ] αὐτῇ κόμῃ λεγομένου τό(που) . . . Μᾶ. [: the uncertain letters between το and μα cannot be που, so τόπου must have been abbreviated; the letters may belong to the name of the vineyard. However, μα. [probably represents the Arabic Μαλ (“place”), which often appears in the toponyms of Petra (see Index VI B). For the use and meaning of the word τόπος, see P. Petra II, pp. 70–76.

66 εἰς ὑποδοχὴν ἀποτροφὴν ἤγουν: it is not certain if the words written above the line were meant to replace ἀποτροφὴν or just to accompany it; the subsequent ἤγουν may have been canceled but ἀποτροφὴν definitely was not.

68 κατὰ πρόσωπον: usually this would mean “personally, in person,” but sometimes rather “(divided) by person,” as in P. Ryl. II 76.12 and 269.4 (both 2nd c.).

73 εἰ ζ βάξεως τῆς θεοτιμῆτος ἕως τῆς: the first word is a mystery, and βαυσεως might also be possible. The title θεοτιμήτος (“honoured by God”) denotes here a feminine noun. Normally, the title refers to high-ranking ecclesiastical leaders, the feminine being attested mainly with abstract terms of address. The *recto* text shows that a part of the frs. K₁-30 and -31 had changed places. They form the ends of ll. 73 and 78, both with very faint and obscure inkmarks.

74 The ink is very faint in this line. It is not impossible that some words were canceled.

75 [ἐ]ν οἰωδήποτε καιρῷ ἢ ἐνιαυτῷ: this expression (“at any time or in any year”) does not appear in Egypt, where a related phrase, ἐν οἰωδήποτε καιρῷ ἢ χρόνῳ, was used, as in P. Münch. I 14.69, 74–75 (594).

80] πεντήκοντα εἰνῶν τοῦ . . . οἴνου ε. [: the Palestinian liquid measure *hin* (ἴν or εἴν) equates to a little over five liters. It does not appear in the Nessana papyri. Nor should it be confused with an old Egyptian measure of the same name, which contained only half a liter, see Viedebant, *Hin*.

The two letters above the line could be *mu* or *omega* below, with *epsilon* or *theta* placed above it. They could mean almost anything, especially if this is an abbreviation; e.g., μθ might produce the numeral forty-nine, correcting the number fifty in the text, but why the testator would have made such a change is not obvious. Moreover, the placement of this insertion between the article and οἴνου is odd.

81 προβαλομένου ξενοδόχου: the verb preceding “the head of the hospice” (ξενοδόχος) might mean that he was proposed as a candidate for the office, but we have no idea how that could fit the context. A ξενοδόχος is found also in 56 12.

85]λημψιν τῆς μεγαλότητος τη[: there are several possible ways to restore the first word, such as παράλημψις (“receiving”), ἀνάλημψις (“receiving back”), ὑπόλημψις (“assumption, subsidy, advance payment, etc.”), ἀντίλημψις (“receiving in turn, support, claim, etc.”), or ἔκλημψις (“lease”), used in Petra esp. for vineyards, see P. Petra II, pp. 6–7, and Introduction to 59. The phrase seems to refer to an institution dedicated to Mary, mentioned in the next line.

86 ἀειπαρθέγου Μαρίας: for the appearance of Mary in this document, cf. ll. 19 and esp. 101–2 with comm.

87 [δ]ιούκησιγ [το]ῦ δεσπό[τ]ου ἡμῶν: the masculine δεσπότης (“lord”) fits the gap and traces better than the feminine δεσποίνης, which might be expected in view of Mary’s name in the preceding line, cf. l. 19 with comm. The title may refer to the bishop of Petra, mentioned in l. 103, cf. 64 20–21 (τοῦ δεσπότης ἡμῶν [παναγιωτάτου c. 6]εγ[ο]ῦ ἐ[πι]σκόπου τῆςδε τῆς [μητροπόλεως]). Thus, he would have been responsible for the administration of either an institution or a specific legacy; cf. Cod. Just. 1.3.45 (530).

94 κούφιςθαι ἢ φητηρίζαθαι ἢ εσχεν: the second verb is probably a garbled form of σφετερίζομαι (“appropriate, usurp”), but it does not seem to have been used in a similar context in Egypt, so the exact meaning of the phrase in a last will escapes us.

95 At the end of this line may be placed a small fragment]αυτα[, which derives from fr. K₁-35 but probably does not belong there in l. 101.

96 τὰς αὐτὰς καλὰς χρείας: for καλὴ χρεία (“good use, beneficial service”), cf. the only two attestations in papyri, P. Wisc. II 64.2–3 (480); Stud. Pal. III 351.4 (6/7th c.). The phrase does not appear to have been common in Patristic literature either. The Latin *piae causae* is rendered as εὐσεβεῖς αἰτίαι in Cod. Just. 1.3.45.1a (530); cf. 1.2.19 (528); see Kaser, *Privatrecht*, II, 158. Cf. also εἰς εὐσεβεῖς διαδόσεις in P. Cair. Masp. III 67312.62–63, 70, 77, 98–99 (567).

100–8 These lines seem to have contained more general clauses, like instructions for storing the document, invocation of the Holy Trinity and Mary, and the dismissal of any attempts to contest the will. After that, the testator returned to specific legacies. At least some of them may have concerned loans and deposits which were included in his estate. A somewhat comparable structure, though with much more verbosity, can be found in P. Cair. Masp. II 67151 (570).

100 κειμηλιοφυλακίῳ: the word κειμηλιοφυλάκιον is not attested in papyri but is used in Nov. Just. 74.4.2 as a synonym for the archives (ἀρχεῖα) of a church; cf. also Nov. Just. 59.6. For κειμήλια, see above l. 51 with comm., and cf. κειμηλιοφύλαξ (“sacristan, keeper of sacred vessels,” Lampe, *PGL*, s.v.). The testator evidently wished for the final version of his will to be stored in the church archives.

101–2 [πρὸς τῆς ἁγίας καὶ ὁμοουσίου (καὶ) προκ[υνη]τῆς] τριά[δος (καὶ) τῆς εὐλογημένης (καὶ)][ἐνδοξοτάτης δεσποίνης ἡμῶν] τῆς παναγίας θεοτόκου [(καὶ) ἀειπαρθένου Μαρίας]: προκυνητή (“venerable”) appears as an epithet of the Holy Trinity in Patristic literature, but so far not in papyri. It was not a fixed part of the phrase, and the scribe added it above the line. For the titles of Mary, see 55, esp. ll. 14–15 comm.; P. Ness. III 46.1 (605).

103][...]ετιον ἐπίσκοπον: see above note to l. 87; the fragmentary word may be the bishop’s name. From this period, only Theodoros and Athenogenes are attested as bishops of Petra, see Fedalto, *Hierarchia ecclesiastica*, 2, 1040.

106 μηδὲν πρὸς ἐναντίοισιν τουτῶν: for the noun ἐναντίως, cf. P. Sakaon 43.23 (327); P. Cair. Masp. II 67151.200 (570); and for the related verb, P. Lond. I 77.50 (c. 610); etc.

119 [ἀπο]κατασταθῆναι αὐτῷ ὅπερ ἐδεξάμην ἐν παραθήκῃ: see note to ll. 43–44.

120 [γ]ε[νομ]έγῳ ἰβνιταρίῳ ἕπερ ἰβνιταρίῳ : cf. ἰμβεντάριον in 2 138, 202, 215, and ἰμβεντον in 55 22, 42, 78, 95, 110. Outside of Justinian’s Novellae, these loan-words from Latin do not appear elsewhere in Greek in the sixth century, but they are attested in two eighth-century Coptic documents, and in later Byzantine sources; see P. Petra IV, pp. 3–4.

123 [ἔ]τι βούλομαι δοθῆναι [ληγάτου λόγῳ: the expression ληγάτου λόγῳ (“as a legacy”), which recurs at least in ll. 130 and 132, is found in Egypt in P. Cair. Masp. II 67151.295 (570).

127 The placement of the smaller fragments after this line is rather hypothetical.

130 αὐτοῦ ἀδελφῷ ληγάτου λόγῳ (καὶ) μνήμῃς μου χάριν]: the individual legacies left in this section were to be made in the testator’s remembrance (ll. 116, 130, 132). It is difficult to say if this wish reflected real significance or was merely for rhetorical effect.

136 [κ]αθ(ωσιωμένοις) Οὐάλεντι (καὶ) Ὀβοδιανῶ: for the honorific title, see Introduction, and for the abbreviation, cf. 43 25 (Plate LVII).

137 []μο[.] γραμμάτιον γο(μικμάτων) α (ἥμις) (καὶ) ἰδιόχει[ρο]ν κερ(α)τ(ίον) ἔπτα [] : for the difference between notarial and private deeds, see P. Petra III, pp. 3–4, and 29 93–96 comm. The first visible letter is probably either *eta* or *nu*. The letter after *mu* is much more likely an *omikron* than *omega*, so it is difficult to read ἡμῶν. The numeral could be either *alpha* (1) or *mu* (40), but the former is much more likely, as forty *solidi* would be a very large sum of money. The subsequent squiggle probably stands for one half. Another alternative would be *zeta*, standing for “seven,” if we believe that the debt could be as high as 47 *solidi*. Since there is a gap between the fragments, it might be possible to read ἰδιόχει[ρον] π(αρά) κερ(ά)τ(α) ἔπτα. In that case, ἰδιόχει[ρον] would refer to γραμμάτιον, and the numeral seven would indicate the total subtraction from the previous sum. Note that the subtraction in ll. 131 and 134 is four carats. It would tally with this line if the sum were 1¾, but the squiggle after the probable ½ does not seem to give ¼. Thus, we prefer the text given in the transcript.



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Fragmentary Greek text on papyrus strips, arranged in 13 numbered lines. The text is written in a cursive hand and is significantly damaged and fragmented. Some legible characters include:
Line 1: ... ονομα ...
Line 2: ... ονομα ...
Line 3: ... ονομα ...
Line 4: ... ονομα ...
Line 5: ... ονομα ...
Line 6: ... ονομα ...
Line 7: ... ονομα ...
Line 8: ... ονομα ...
Line 9: ... ονομα ...
Line 10: ... ονομα ...
Line 11: ... ονομα ...
Line 12: ... ονομα ...
Line 13: ... ονομα ...



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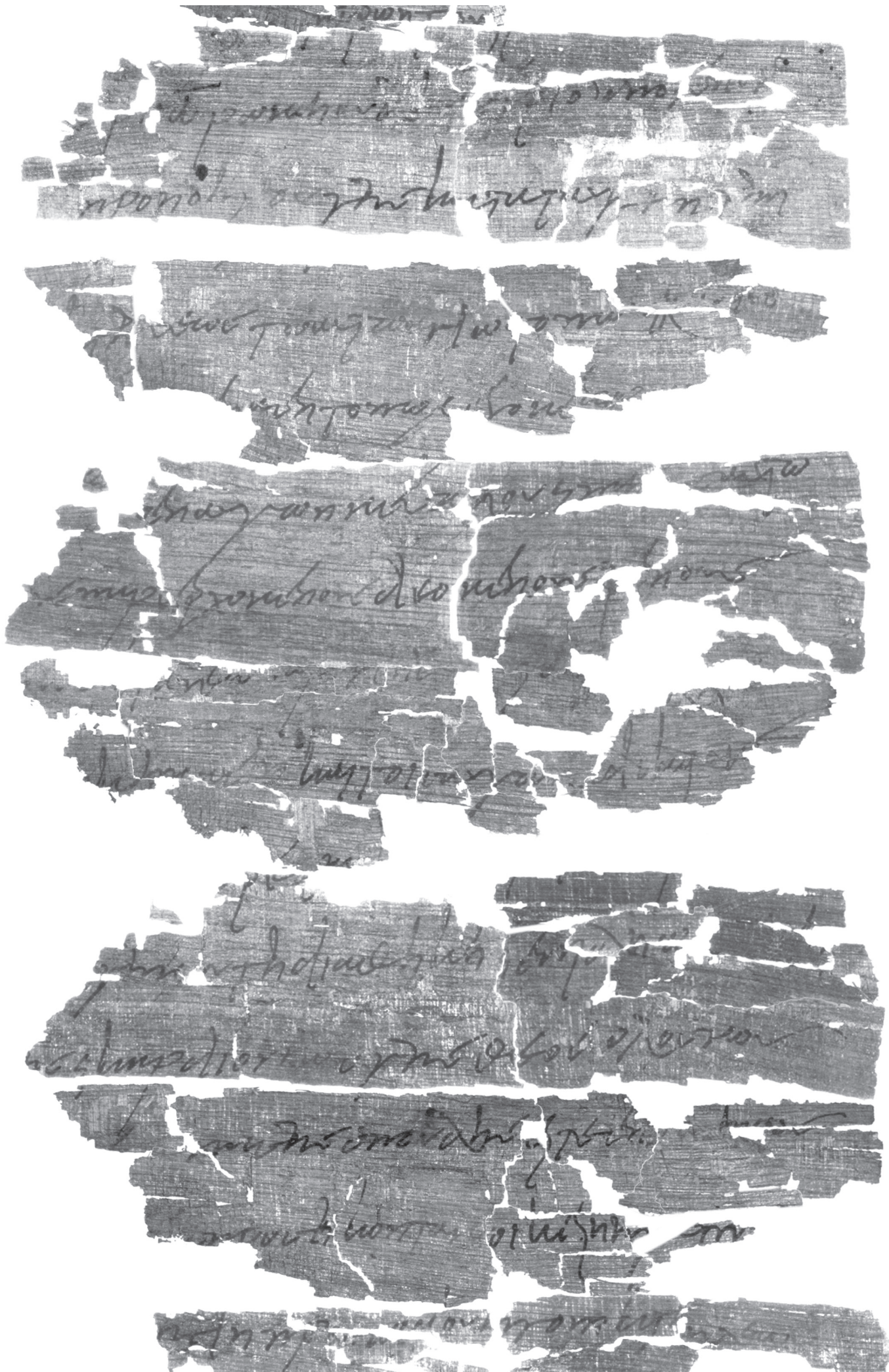
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Fragmentary Greek text on papyrus strips, lines 55-69. The text is written in a cursive hand and is significantly damaged and fragmented. Legible fragments include:

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60: ...
61: ...
62: ...
63: ...
64: ...
65: ...
66: ...
67: ...
68: ...
69: ...



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Fragment of papyrus with cursive script, line 69.

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Fragment of papyrus with cursive script, line 70.

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Fragment of papyrus with cursive script, line 71.

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Fragment of papyrus with cursive script, line 72.

73

Fragment of papyrus with cursive script, line 73.

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Fragment of papyrus with cursive script, line 74.

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Fragment of papyrus with cursive script, line 75.

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Fragment of papyrus with cursive script, line 76.

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Fragment of papyrus with cursive script, line 77.

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Fragment of papyrus with cursive script, line 78.

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Fragment of papyrus with cursive script, line 79.

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Fragment of papyrus with cursive script, line 80.

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Fragment of papyrus with cursive script, line 81.

82

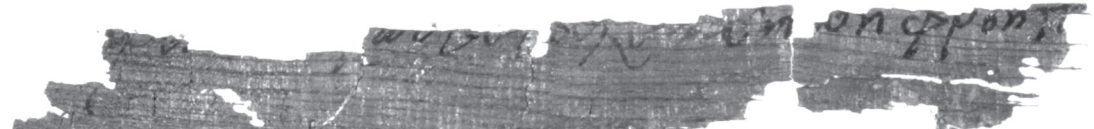
Fragment of papyrus with cursive script, line 82. A small fragment is highlighted in a box.



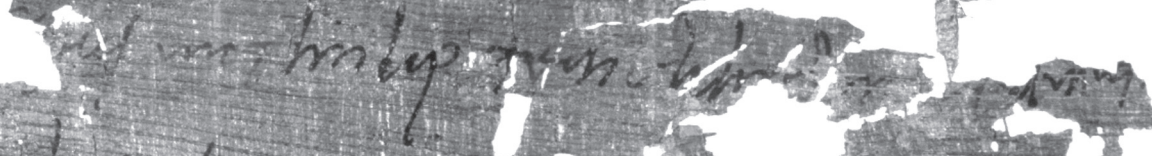
82



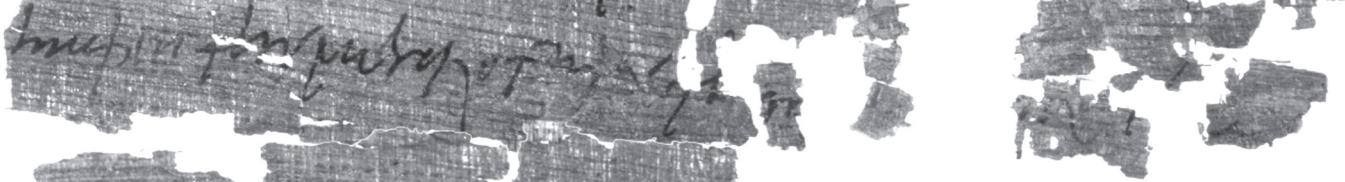
83



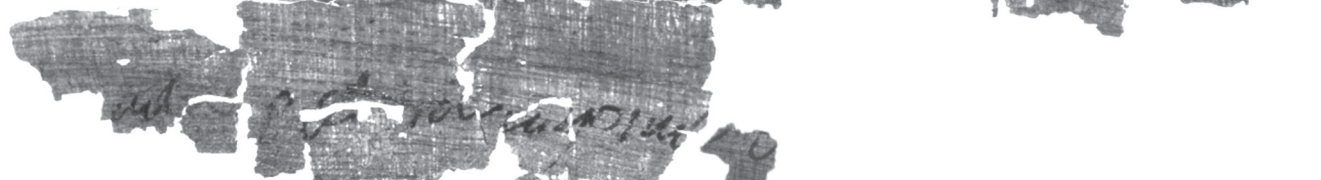
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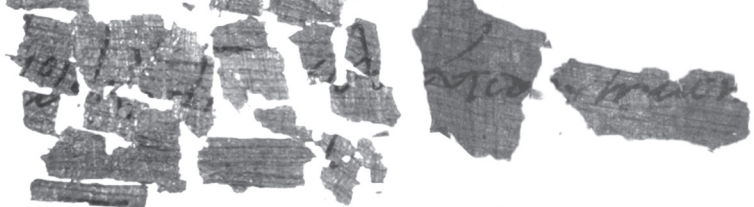
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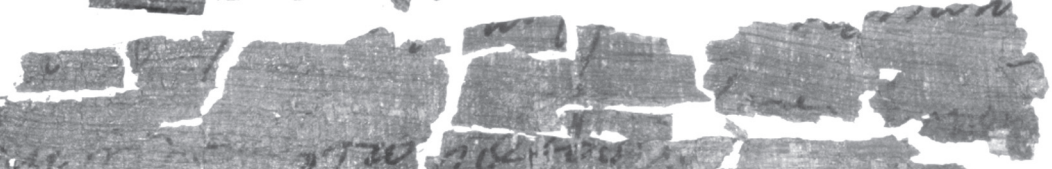
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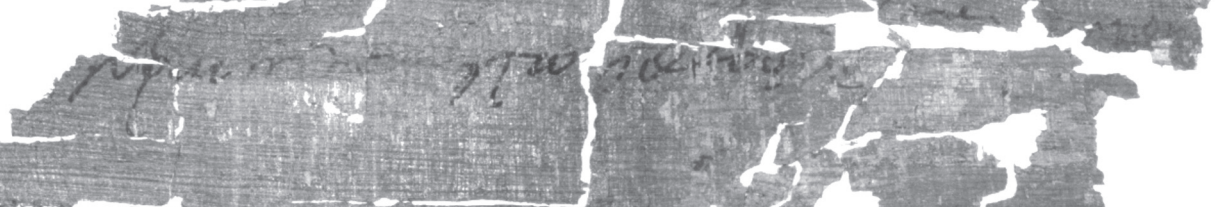
87



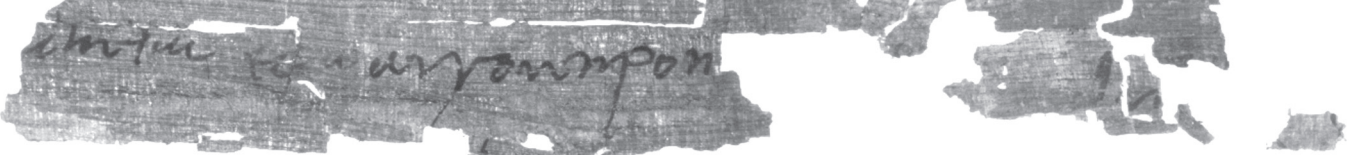
88



89



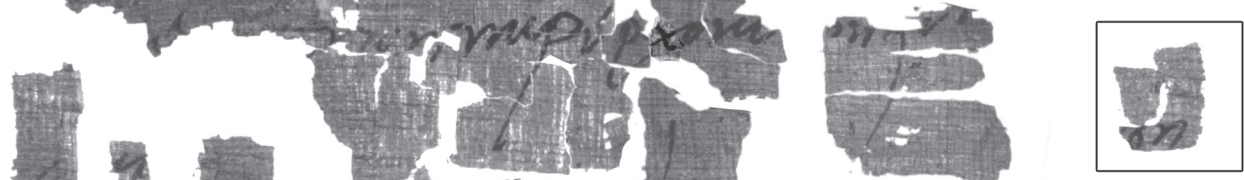
90



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94





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107

Fragmentary Greek text from P. Petra V 52, lines 94-107. The text is written in a cursive hand and is heavily damaged and fragmented. Legible fragments include:

94: ...
95: ...
96: ...
97: ...
98: ...
99: ...
100: ...
101: ...
102: ...
103: ...
104: ...
105: ...
106: ...
107: ...



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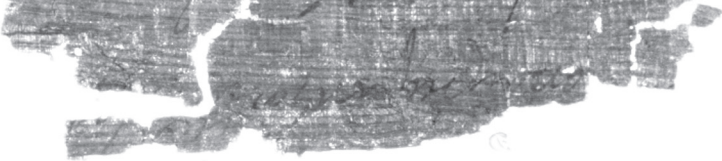
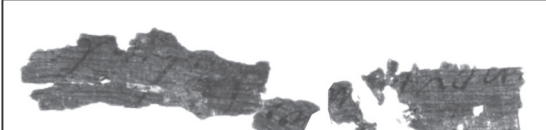
121
122
123

124
125
126

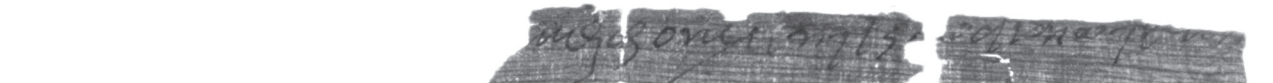
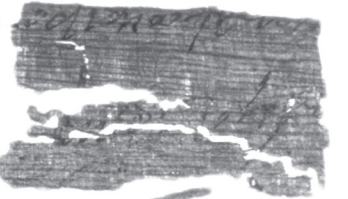
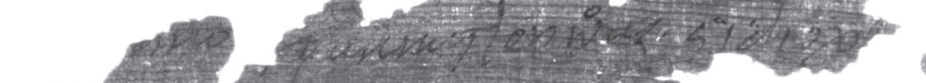

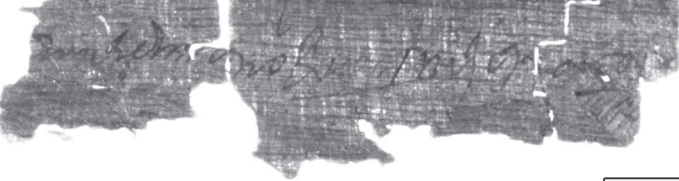

127
128
129

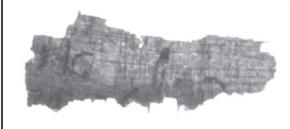
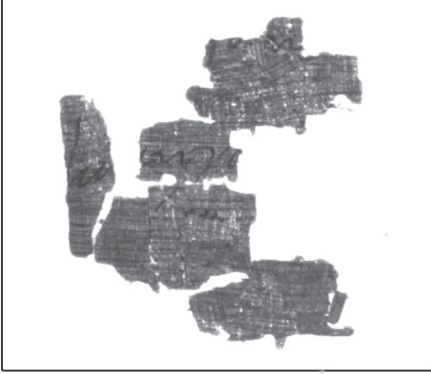
130
131
132



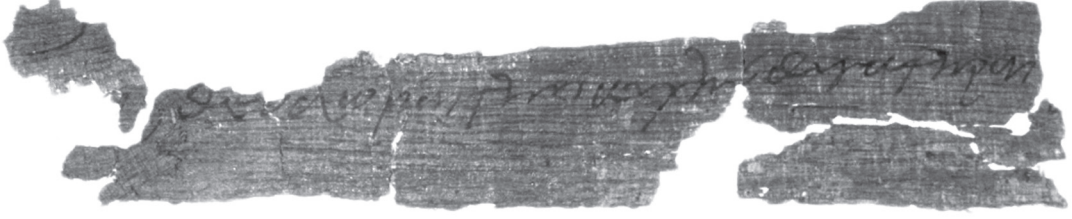
132  

133  

136  
137  
138  

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141 

142 

143 