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More from the Archive of the Descendants of Eulogius

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MORE FROM THE ARCHIVE OF THE DESCENDANTS OF EULOGIUS

In *P. Oxy. XVI*, published in 1924, Grenfell and Hunt included a series of documents that seemed to derive from a small archive¹ preserved by the descendants of a palatine official (παλατῖνος) named Flavius Eulogius²: *P. Oxy. XVI* 1876, 1891, 1958-62, and 1994. Grenfell and Hunt reported that all these texts (except 1961) were found together³; the circumstances of the find were unfortunately not reported⁴. Seven years later, E.R. Hardy discussed the dos-

¹ We employ the terms "archive" and "dossier" in the manner suggested by A. MARTIN, "Archives privées et cachettes documentaires," *Proceedings of the 20th International Congress of Papyrologists*, 569-78, esp. 570: "J'ai plaidé...en faveur d'un usage assez large du mot *archives*. Quelques bornes doivent cependant être posées, pour éviter que le terme ne perde toute signification propre. Nous pourrions ainsi formuler une exigence minimale: les pièces constituant un ensemble archivistique ne peuvent en aucune manière être le fruit d'un conglomérat fortuit, fût-il ancien, ni d'une récolte menée de nos jours à travers des lots distincts; elles doivent, dès l'Antiquité, avoir fait l'objet d'une accumulation et d'un classement délibérés. Si cette double condition n'est pas remplie, on préférera *dossier* à *archives*".

² For a recent overview of the *palatini*, see R. DELMAIRE, *Les institutions du Bas-Empire romain, de Constantin à Justinien*, Paris 1995, 11-27.

For Eulogius, cf. *PLRE* II, Eulogius 10; A. GIARDINA, *Aspetti della burocrazia nel Basso Impero*, Rome 1977, #98, p. 139; and M. CLAUSS, *Der magister officiorum in der Spätantike (4.-6. Jahrhundert)*, Munich 1980, Eulogius 1, p. 203. [It should be noted that Clauss' statement about Eulogius 1 on p. 25, n. 44, in fact applies to his Eulogius 2, and that the statements in Giardina, Clauss, and *PLRE* II (s. Apphous and Martyrius 10) that Eulogius' sons were *tribuni et notarii* are much more definite than they should be, cf. J.G. KEENAN, "From the Archive of Flavius Eulogius and His Descendants," *ZPE* 34 (1979) 135-36, n. to l. 4. It may be relevant that, although the office in question was of *spectabilis* grade during this period, the sons only appear as λαμπρότατοι, and never as περιβλεπτοι; cf., however, DELMAIRE, *Les institutions*, 49-51].

³ 1876 introduction, pp. 70-71.

⁴ There are not any references, moreover, to the find in the six reports that Grenfell and Hunt prepared for the (then) Egypt Exploration Fund's *Archaeological Report* (1896-97, 1902-03, 1903-04, 1904-05, 1905-06, 1906-07).

sier, suggesting that, in addition to the papyri of *P. Oxy. XVI*, it also included *P. Oxy. I 140*, *PSI V 466*, *P. Iand. V 43*, and "probably" *P. Lond. V 1876 descr.*⁵. Except for *P. Oxy. XVI 1876* [a report of proceedings for debt that perhaps reveals the manner in which one of the houses in Oxyrhynchus that is leased by the family (cf. below) was acquired] and 1891 (a loan of money), the Eulogius papyri published by Grenfell and Hunt in *P. Oxy. XVI* appeared in partial description. The described texts were all leases. One of them, *P. Oxy. XVI 1962*, was given a full edition by J.G. Keenan in 1979⁶. In 1982, the late P.J. Sijpesteijn presented a new document from the dossier (and perhaps from the postulated archive) among the Michigan papyri published in *P. Mich. XV: P. Mich. XV 731*⁷. Our aim here, some fifteen years later, is modestly to advance scholarly appreciation of the archive by publishing in full two more of the *P. Oxy. descripta*, one of which surely belongs to the archive (*P. Oxy. XVI 1994*), and one of which is a likely member (*P. Oxy. XVI 1963*)⁸.

⁵ *The Large Estates of Byzantine Egypt*, New York 1931, 39-40 and n. 2. Cf. R. RÉMONDON, "L'Égypte au 5e siècle de notre ère: Les sources papyrologiques et leur problèmes," *Atti dell'XI Congresso Internazionale di Papirologia*, 144, n. 3, and O. MONTEVECCHI, *La papirologia*², Milan 1988, 259 ("archive" #79). Rémondon includes XVI 1963 (II below) in the "archive," and states (n. 6) that XVI 1994 (I below) also belongs to the "archive" of the Church of Oxyrhynchus.

⁶ "From the Archive," 133-38; now see *SB XVI 12583*.

⁷ This papyrus originally belonged to the British Museum.

⁸ Grenfell and Hunt raise the possibility that *P. Oxy. XVI 1834* [a letter to a notary Apphous (cf. Apphous' title in *SB XVI 12583.4*) that mentions a *kyrios* Eulogius] belongs to the dossier, but we have our doubts: The letter would, it seems, indicate that the family held land in the Herakleopolite village Gessias, but Apphous is always attested simply as *geouchos* ἐνταῦθα τῇ λαμπρῇ καὶ λαμπροτάτῃ Ὀξυρυγχιτῶν πόλει (as opposed to καὶ ἐνταῦθα). [In the case of Martyrius, the only example of this phrase occurs in a lacuna (*SB XVI 12583.5-6*), but there does not appear to be room for a (καὶ).] Moreover, Apphous would still have been an Aurelius at this time (cf. below), a designation that seems unlikely for any notary, cf. *PLRE II*, Apphous, "...they had evidently not yet received the appointments".

It seems very improbable to us that the Apphous who appears in *P. Oxy. XVI 1972* is the Apphous known from the dossier - the date of this document (560) is simply too late - but he may be a member of the family (a grandson?) since this text was found with the others that form the archive.

We also have reservations about *P. Lond. V 1876 descr.*, which both HARDY, *Large Estates*, 40 n. 2, and KEENAN, "From the Archive," 134 n. 5, have suggested may be addressed to Apphous. We are editing this text for *Papyri in honorem Johannis Bingen octogenarii editae*, and will discuss it further there.

T.M. HICKEY, "*P. Oxy. X 1323 descr.*: A Receipt for the Rent of an *Orbiopôleion*," *ZPE* 113 (1996) 228, n. to l. 1, has raised the possibility that said text belongs to the dossier.

For permission to publish these Oxyrhynchus *descripta*, we are grateful to the General Editors of the Egypt Exploration Society's Graeco-Roman Memoirs, through the kind agency of Dr. Revel A. Coles. Although we have primarily worked from photographs of the papyri, Keenan was able to examine the originals in March 1997⁹. In January 1998, Dr. Coles kindly inspected the papyri for us in response to several questions that arose during the preparation of this article.

I

P. Oxy. XVI 1994 descr.

8.3 x 15.4 cm

17 (or 14) July 505

The papyrus preserves the heading of a lease from Flavius Apphous to an ecclesiastic named Anoup. The pattern of destruction at the bottom of the papyrus suggests that it had been rolled. The cut right edge of the papyrus is preserved intact through a point approximately halfway between lines two and three. There are red-brown areas on the papyrus (= the dark areas on the photograph); these become darker toward the bottom of the fragment.

The text breaks off shortly after the salutation. In this respect, as well as in general format, *P. Oxy. XVI 1994* closely resembles *P. Mich. XV 731* (cf. plate XXII in that volume), another lease heading, but addressed to Apphous six years earlier by Aurelius Anoup, a cumin-seller.

On two occasions in leases, Apphous acts as lessor in conjunction with his brother, Martyrius:

A.D. 487, Pharmouthi 19 = 14 April (*P. Oxy. XVI 1961*): Aurelii Martyrius and Apphous, sons of the former and deceased *palatinus* Eulogius, lease an "apartment" (τόπος) with a southern view, in a house in the Pammenês' Garden district of Oxyrhynchus (perhaps the same house as in 1958 and/or 1962), to Aurelia Martyria, a villager from Ibichis of the Herakleopolite nome.

⁹ Hickey completed his contribution to this paper during a Junior Fellowship in Byzantine Studies at Dumbarton Oaks (1997-98). He would like to express his gratitude for the generous support that he received during this period.

- 2) A.D. 500, Thôth 18 = 15 September (*P. Oxy. XVI 1962 = SB XVI 12583*): Flavii (note the "promotion") Martyrius and Apphous lease a house in the Pammenês' Garden district to Aurelius Apa Nakios (or Apanakios), from Oxyrhynchus; perhaps the same house as in 1958 and/or 1961.

Since Martyrius is named first in these documents (and disappears from the documentation earlier), it seems that he was the older brother. On five other occasions, Apphous acts alone:

- 1) A.D. 495, Choiak 2 = 29 November (*P. Oxy. XVI 1891*): Flavius Apphous, *tribunus*, lends two *solidi* to a confectioner, Aurelius Theôn.
- 2) A.D. 499, Epeiph = June-July (*P. Mich. XV 731*): Flavius Apphous leases property (probably house property) to Aurelius Anoup, a cumin-seller.
- 3) A.D. 499, Thôth 1 = 30 August (*P. Oxy. XVI 1959*): Flavius Apphous, *tribunus* and *geouchos* in Oxyrhynchus, leases an *epaulis* and other house property (adjacent to a bakery) to Aurelius John, a villager of Senokômis in the Oxyrhynchite nome. The property is located in the village.
- 4) A.D. 505, Epeiph 23 (or 20) = 17 (or 14) July (*P. Oxy. XVI 1994*; below): Flavius Apphous, *tribunus* and *geouchos*, leases property to an Oxyrhynchite ecclesiastic named Anoup.
- 5) A.D. 511, Mesorê 24 = 17 August (*P. Oxy. XVI 1960*): Flavius Apphous, *tribunus*, son of Eulogius, former *magistrrianus* (*agens in rebus*), leases property to Aurelius NN.

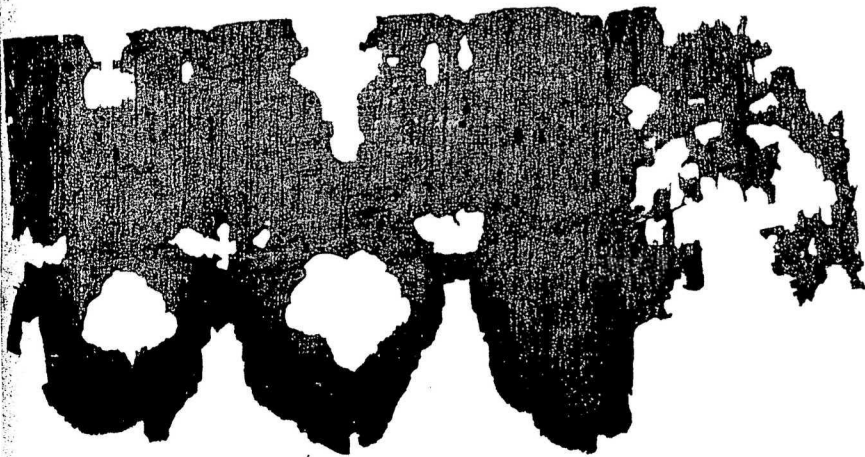
For the document type, the lease of a building or one or more of its parts, see H. Müller, *Untersuchungen zur ΜΙΣΘΩΣΙΣ von Gebäuden im Recht der gräko-ägyptischen Papyri*, Cologne 1985. Given the date and provenance of the text, as well as the format of other leases in the dossier, this lease was undoubtedly a *hypomnêma* (on which see Müller, *Untersuchungen*, 50-76).

- 1 [† Ὑπα]τεία Φλ(αουίων) Σαβινιανού καὶ [Θ]εοδώρου τῶν ἐνδοξ(οτάτων)
vacat Ἐπειφ κγ ἰνδ(ικτίονος) ἀρχ(ῆ) ἰδ *vacat*
 [Φλ]α[ουίω Ἄπφ]οῦτι τῶ λαμπροτάτῳ τριβούνῳ υἱῶ *vacat*
 4 [τοῦ τ]ῆς μα[κ]αρίας μνήμης Εὐ[λογ]ῆ[ο]υ γεουχοῦντι[ι] ἐ[ν]ταῦθα
 [τῆ] λ[α]μ[π]ρῶ καὶ λαμπροτάτῃ [Ὁξ]υρυγ[χι]τῶν πό[λ]ει Ἀνουῖπ
 [±10 τῆς] ἁγίας ἐκ[κ]λη[σ]ίας υἱὸς Φιλοξ[έ]νου ἀπὸ
 [τῆς αὐτῆς πόλε]ως χαίρειν. ἔκου]σίως [ἐπι]δέχομαι
 8 [μισθώ]σασθαι κτλ.



On the back of the papyrus, at its right edge, written from top to bottom, with the fibers:

ἡμισθ[ωσις



There possibly are traces of ink on the lefthand portion of the papyrus as well.

1 φιλ., σαβινιανῶ, θεοδωρῶ, ενδοξῆ, pap. 2 ινδ., αρ', pap. 3 αφῶτι, τριβῶνω, υἱῶ pap.
4 παυλογιῶ, γεῶχῶντι, εντᾶθα pap. 6 υἱῶς, φιλοξενῶ pap.

Fragment of a papyrus scroll with a grid pattern and the word 'rke' written vertically. The grid consists of horizontal and vertical lines forming squares. The word 'rke' is written in a cursive script, oriented vertically. The fragment is positioned on the right edge of the page.

1. For the consuls, see R.S. Bagnall, A. Cameron, et al., *Consuls of the Later Roman Empire*, Atlanta 1987, 545. *CPR* XIV 48.20 and *P. Heid.* V 357.1-2 (both of which refer to postconsulates) may be added to the attestations listed there.

2. For ἀρχῆ, see *CSBE*, 17-29 and 55-62. The reading Ἐπειφ κ <ι>γ ινδ(ικτίωνος), which would follow the "normal" Oxyrhynchite formula [month, day, xth indiction, ἀρχῆ x+1 (ind.)] has been suggested (*BL* VII 143); if correct, the text would then date to 14.vii.505 instead of 17.vii.505.

3. λαμπροτάτω: The stroke through the tail of the rho may have been deliberate; i.e., the scribe initially may have intended to abbreviate. Alternatively, this stroke may be part of an internal (to the word) *chrismon*.

τριβούτω: We suspect that the rank in this case indicates membership in the *militia officialis* (as opposed to the army), cf. Ramsay MacMullen, *Soldier and Civilian in the Later Roman Empire*, Cambridge 1963, 49-76, and A.H.M. Jones, *The Later Roman Empire* 2, Oxford 1964, 566. References to *tribuni* are collected in S. Daris, *Il lessico latino nel greco d'Egitto*², Barcelona 1990, 112. To these one may add: *BGU* I 316.7, 9; III 899.4 (+ *BL* I 80); *P. Cair. Masp.* I 67057.2/7; *P. Herm.* 7.7; *P. Iand.* IV 65.12; *P. Mil.* II 70.8; *P. Oxy.* LVIII 3960.37; LX 4087.21, 76, 174, 177, 186; 4088.33; XLIII 4370.13; 4394.13, 193, 216, 250; 4395.2, 95, 112, 132, 137, 152; *P. Rain. Cent.* 91.12; 162.6, 10; *P. Ross. Georg.* V 30 (= *SB* IV 7433) ro.7, vo.2, 5, 9; *P. Sorb.* II 69.45/E3, 80/20, 80/40; *P. Stras.* VII 680.7, 10; *O. Waqfa* 79.8; and *Ch.L.A.* XLI 1193.1/1 (= *P. Cair. Masp.* III 67280.1/1). (This list includes restorations.)

Although there is space after υῖω for a τοῦ, it is remarkable that there are no traces of ink (e.g., the horizontal stroke of the tau) visible on the extant papyrus. We believe instead that τοῦ belongs at the beginning of line 4. There probably would have been space for it because the *chrismon*, and, especially, the *upsilon* of ὑπατειφ were no doubt written largely; they likely would have taken space from the beginning of lines 2 and 3 (but not 4, 5, etc.). Similarly, we would place τῆ at the beginning of line 5; the horizontal stroke at the end of line 4 is the finishing stroke of the second alpha of ἐνταῦθα, not the crossbar of the tau of τῆ. [The stroke beneath this one is simply part of the crossbar of the pi of Ἄνοῦπ (l. 5).]

6. At the beginning of the line, restore some kind of ecclesiastical title, e.g., διάκονος, οἰκονόμος, or πρεσβύτερος.

"In the consulship of Flavii Sabinianus and Theodorus, Epeiph 23, at the beginning of the 14th indiction (or: 'Epeiph 20, the 13th indiction, at the beginning of the 14th'). To [Flavius Apph]ous, the most brilliant tribune, son of Eulogius of blessed memory, landlord here in the brilliant and most brilliant city of Oxyrhynchites, Anoup...of the Holy Church, son of Philoxenus, from [the same city], greetings. I willingly [undertake to lease...]"

II

P. Oxy. XVI 1963 descr.

16.0 x 22.6 cm

first quarter VI

According to Grenfell and Hunt's description, this papyrus was found

with *P. Oxy.* XVI 1876 and other documents (see above) related to the family of Martyrius and Apphous. It is the lease of a house to one Aurelia Sophia. It may have been addressed to Martyrius and Apphous, or more likely still (despite a plural verb, cf. note to line 10 below), to Apphous alone, for the same notary appears in *P. Mich.* inv. 3780 (cf. note to line 20 below), which dates to March 517. Martyrius is last attested on 15 September 500 (*P. Oxy.* XVI 1962 = *SB* XVI 12583), and certainly had died by September-October 518 (*PSI* V 466); Apphous is last attested on 17 August 511. In any case, since only the lower half of the document survives [contrary to some other texts from the dossier, in which prescripts are preserved - e.g., *P. Oxy.* XVI 1958, *P. Oxy.* XVI 1994 (I above), *P. Mich.* XV 731], absolute certainty about the identity of the lessor or lessors is impossible. The father of the lessee may be the lessee in *P. Oxy.* XVI 1958, and the house property in question there may in fact be the object of the lease here.

For women as lessees, see Müller, *Untersuchungen*, 108-09, and J. Beaucamp, *Le statut de la femme à Byzance (4e-7e siècle) 2: Les pratiques sociales*, Paris 1992, 238.

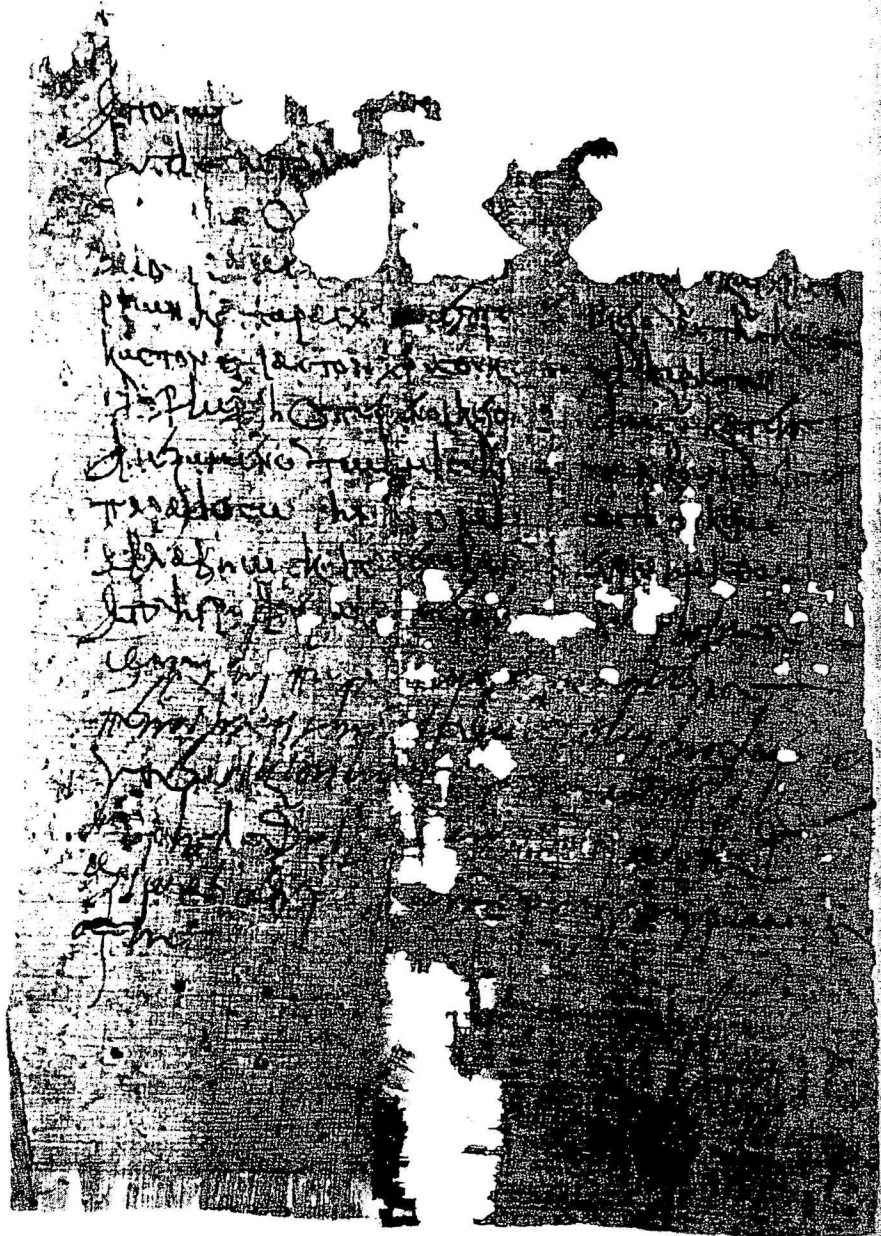
The writing, front and back, runs with the fibers. There is a vertical *kollesis* approximately 7 cm from the left edge of the papyrus.

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ν[
 ετ[±3].|
 ἀπο τῶν [ύπα]ρχ[ό]ντων[ν - - - - διακειμένων ἐπι]
 τῆσδε τῆς πόλεως [ἐπ' ἀμφο]δο[υ] .|
 ε.[±1]λησ[ο] [±10] ±5 [
 ἐπι βορρά μετὰ π[αν]τὸς αὐτῆ[ς] τοῦ δικαίου καὶ χρηστη-
 ρίων καὶ παρασχεῖν με λόγῳ ἐνοικείου αὐτῆς καθ' ἐ-
 καστον ἐνιαυτὸν χρυσοῦ κεράτια δεκαόκτω,
 γί(νεται) χρ(υσοῦ) κερ(άτια) ιη, ὅπερ ἐνοικεῖον ἀποδώσω κατ' ἔτος
 δι' ἐξαμένου τῶ ἡμισυ καὶ ὁπόταν βουλευθῆται
 παραδόσω τὴν νομή[ν] τῆς αὐτῆς οἰκείας
 ἀβλαβῆ ὡς καὶ παρελάβαμεν. κυρία ἢ μίσθωσις
 ἀπλῆ γραφεῖσα καὶ ἐπερωτηθέντες ὠμ[ο]λ(ογήσαμεν). (m. 2) Α[ύ]ρηλια
 Σοφία
 θυγάτηρ Παύλου ὁ προγεγραμμένος
 πεποίημαι τὴν μίσθωσιν καὶ ἀποδώσω
 τὸ ἐνοικεῖον καὶ ἐπερωτηθεῖσα ὠμολ(όγησα) ὡς πρόκ(είται).
 Αὐρήλι[ο]ς Φοιβάμμων υἱὸς Ἴωσήφ
 ἀξιωθείς ἔγραψα ὑπὲρ αὐτοῦ ἀγραμμάτου

οὐσης. *vacat*
20 *vacat*

illegible notarial signature



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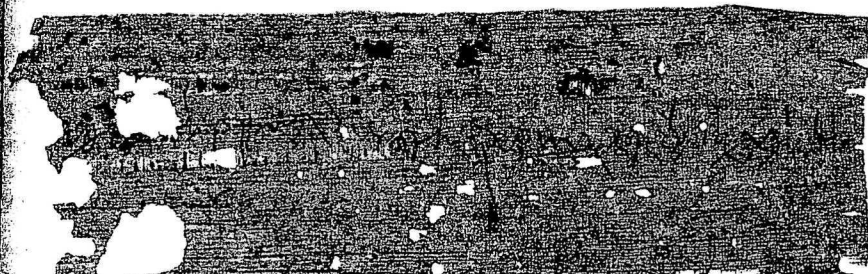
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Back:

(m. 3) Σοφία θυγάτηρ Παύλ(ου) ἀπὸ τῆς Ὁξυρυγ(ιτῶν πόλεως) λόγ(ω)
ἐνοικ(ίου) χρ(υσοῦ) κερ(άτια) ιη.



ἐνοικεῖο' pap. 8 ω of δεκαόκτω written thickly 9 γι, χρ/, κερ/ pap. 10 εξαμενο'
pap; ἐξαμήνου τό, βουλευθείτε 11 ο of παραδώσω overwritten; παραδώσω 13 επερρ/
αμολλ/ pap. 14 ἡ προγεγραμμένη 16 επερ/, ωμολ/, προκ/ pap. 17 ἴωσηφ pap. 18
αὐτο' αγραμματο' pap.; αὐτῆς 21 παυλ', οξυρυγ, λογ, ἐνοικ/, χρ/, κερ/ pap.

3. A phrase containing a (possibly abbreviated) title (e.g., λαμπρότης, εὐγένεια, ἀρετή), in the dative case and dependent on ὑπαρχόντων, would have occupied the lacuna.

4. One might expect that the lacuna at the end of the line contained Π[αμμένους Παρα]δοῦ, which not only occurs frequently in the archive, but also fits the space. On the *amphodon* of Oxyrhynchus, see J. Krüger, *Oxyrhynchos in der Kaiserzeit*, Frankfurt 1990, 77-88, 85 on the *amphodon Pammenous Paradeisou*. (*P. Oxy.* LIII 3700 b.13; LIV 3754.11; and, perhaps, XXII 2338.65 + *BL* VII 147, are additional attestations of said quarter.)

5. This line contains further description of the house. Perhaps the eta near the beginning of the line belongs to a form of the word πύλη (cf. *P. Oxy.* XVI 1958.12, where the phrase πρὸς τῇ πύλῃ occurs following the name of the *amphodon*), or possibly to a form of αὐλή. The omission writ large likely began a word, perhaps οἰκίαν (cf. l.11 for the orthography) or ὀλόκληρον. A form of the present active participle of νεύω undoubtedly occurred at line's end.

5-6. For τὸ δίκαιον and τὰ χρηστήρια, cf. Müller, *Untersuchungen*, 160-67, and G. Husson, *Oikia: Le vocabulaire de la maison privée en Égypte d'après les papyrus grecs*, Paris 1983, 291-93.

7-10. Cf. Müller, *Untersuchungen*, 224-25, on terms of payment.

10. βουλευθείται (-ητε) would seem to suggest more than one lessor, but if the text does, in fact, come from the archive, its date might preclude the presence of Martyrius (cf. introduction). It may simply be an instance of the *pluralis maiestatis*.

Cf. Müller, *Untersuchungen*, 186-95 and 271-80, on the duration of leases and the return of property.

For the persistence of the optative in stereotypical expressions, see Mandilaras, *Verb*, 283.

12. παρελάβαμεν: the lessee was Aurelia Sophia alone; the plural is just a slip, one carried over to the abbreviations marked as plural in line 13.

13-18. Phoibammôn's subscription for Sophia is of interest for the prevalence of masculine forms where feminine are needed (οὔσης in line 19 being the exception). Perhaps this was caused by Phoibammôn's copying from a formula, or his inability to produce consistently the feminine forms required by Sophia's gender.

20. The notarial signature is illegible, but it is clear that it was written by the same notary that signs *P. Mich. inv. 3780* [P.]. Sijpesteijn, "*P. Mich. inv. 3780: A reconsideration*," *ZPE* 71 (1988) 123-26], cf. signature 25.8.1, pl. 52, in *Byz. Not.* Concerning the signature in the Michigan text, Sijpesteijn writes, "The notary did his utmost to make his signature inimitable and so also makes it illegible" ["Five Byzantine Papyri from the Michigan Collection," *ZPE* 62 (1984) 137, n. to l. 23]; he nonetheless is able to read, *P. di emu NAME eteli(othe)*. Sijpesteijn attributes the signature to a third hand, but we would expect it to be in the same hand as the body of the document, or possibly in that of the subscription, cf. J.R. Rea's comments, *P. Oxy. LXIII 4390*, n. to l. 30.

"...from the possessions [situated in] this city, [in the quarter of]...[facing] north, with every right pertaining to it and (its) appurtenances, and I will pay on account of its rent each year eighteen carats of gold, total 18 g(old) car(ats), which rent I will pay each year, one-half for each six-month period; and whenever you wish I will turn over possession of said house, undamaged, just as we received it. The lease is valid, written in one copy, and having been asked the formal question, we have assented.

(second hand) I, Aurelia Sophia, daughter of Paul, the aforesaid, have made the lease and will pay the rent, and having been asked the formal question, I have assented as stated above. I, Aurelius Phoibammôn, son of Joseph, having been asked, wrote for her since she is illiterate. (notarial signature)

(reverse)...Sophi]a, daughter of Paul, from (the city) of Oxyrhynch(ites), on account of rent, 18 g(old) car(ats).

Chicago

Todd M. Hickey
James G. Keenan

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