

P.J. SIJPESTEIJN

MARRIAGE AGREEMENT WITH PROPERTY DIVISION TO TAKE EFFECT AFTER
DEATH AND OTHER DOCUMENTS

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P.Lond. II 294 *descr.*¹ consists of a collection of five different documents brought together for a purpose which escapes us (*cf.*, *e.g.*, *ZPE* 98, 1993, 283ff.). The whole text, marred with holes and badly abraded and/or faded in several places which makes decipherment of some passages impossible, was written by one and the same hand. It is, therefore, a copy. The script is small and written by a skilled scribe.

The following documents were collected²:

a) A marriage agreement³ between Epimachos, son of N.N., and Kronia⁴, daughter of Isidoros and Thermutharion, dated to July 24, A.D. 109;

b) A division of property by the parents, Isidoros and Thermutharion, of the bride to take effect after their death⁵, dated to July 24, A.D. 109;

c) A registration of four slaves born to three slaves owned by Thermutharion, the mother of the bride, by herself assisted by her husband as guardian⁶, dated to August 28, A.D. 105;

d) An extract from a census register incorporating descriptions of the second regnal year (A.D. 117/18) of the emperor Hadrian⁷;

¹ A not totally correct description of the papyrus is given on page xxviii of *P.Lond.* II. The text published here runs along the fibers. It is regularly cut off at the top, right, and partially so at the bottom; it is regularly broken off on a fold at the left where approximately 80 letters are missing (it will, therefore, be obvious that the supplements are only *exempli gratia*). Seven vertical folds are still visible. 32.7 x 20.7 cm. There is an upper margin of 2.4 - 3.6 cm. and a right margin of 2.7 - 2.2 cm. Underneath column I over 2 cm. are left free, approximately 1.5 cm. underneath column II, and approximately 2 cm. underneath column III. On the other side, written across the fibers, three columns of descriptions of persons arranged by village. This text, rather abraded in places and very cursively written, is obviously of a later date than the text(s) published in the present article. The papyrus was cut to receive this (fiscal ?) text.

I wish to thank Mr. T.S. Pattie for his kind permission to publish this text here. I also wish to thank D. Hagedorn who saw an earlier version of this article and gave sound advices.

² Since the papyrus is incomplete at the left, it cannot be excluded that (an)other document(s) preceded the first one, the marriage contract, of which the identity can be established.

³ For literature on marriages, see L. Sabini, *Omaggio al XX Congresso Internazionale di Papirologia*, Firenze 1992, 48, footnote 3. *Cf.* also *New Documents Illustrating Early Christianity* 6, Macquarie University 1992, pp. 1-47 (also for *donationes mortis causa* [*cf.* footnote 5] and Jewish marriages contracts). A detailed discussion of a marriage contract with many parallels is given in *P.Hamb.* III 220. To the updated list of marriage contracts given there on pp. 137f. may now be added: *P.Münch.* III 62 (II B.C.); *P.Oxy.* XLIX 3491 (A.D. 157/59); 3500 (III A.D.); *SB* XIV 12334 (II A.D.); XVIII 13886 (489/90 A.D.); *P.Yadin* 18 (A.D. 128); 37 = *ZPE* 105, 1995, 204ff. (A.D. 131). *Cf.* also *PLBat.* XXV 74.

⁴ Actually the agreement is made between the groom and the parents of the bride (a usual procedure). The mother of the bride is in this case not assisted by her husband as guardian (*cf.* ll. 67ff.) but by a certain Akusilaos alias Mysthes (*cf.* ll. 4-5).

⁵ For *donationes mortis causa*, *cf.* *ZPE* 98, 1993, 292ff. (add *P.Col.* inv. 518, "Manumission in the Form of a *Donatio Mortis Causa*", *BASP* 30, 1993, 93ff. *P.Mich.* inv. 2899 and 2987 are two copies of one and the same *donatio mortis causa*. I shall publish these two texts elsewhere.). *Cf.* also J.A. Ankum, *Index* 22, 1994, 635ff. for *donationes mortis causa* in Classical Roman law and H.M. Cotton, *ZPE* 105, 1995, 183ff. (for Jewish situations). A combination of a marriage contract and a property division by the mother or the parents of one or both spouses (a *donatio nuptialis/donatio propter nuptias*. [For early Byzantine *donationes propter nuptias*, *cf.* *ZPE* 97, 1993, 103, footnote 1]) is known from only five other documents, all originating from the Arsinoite nome: *BGU* I 251 (A.D. 81) with III 719, a copy; I 252 (A.D. 91); *M. Chrest.* 312 (A.D. 110); 313 (A.D. 85); *SB* XVI 12334 (dated by its editor on palaeographical grounds to the late 2nd cent. A.D. but which in my opinion could well be earlier. It may be coincidence but a Gaius Julius Isidoros occurs also in *P.Mich.* IV 224, 4295 of A.D. 172/73.).

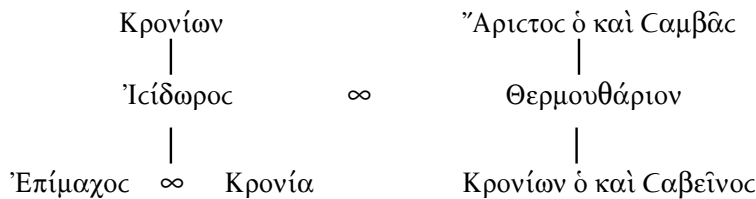
⁶ For ἀπογραφαί of slaves, see I. Biežuńska-Małowist, *L'esclavage dans l'Égypte gréco-romaine*. Seconde partie: *Période romaine*, Wrocław-Warszawa-Kraków-Gdańsk 1977, 43ff. On August 28, A.D. 105 (*cf.* lines 81ff.) Thermutharion registers four slave-children born to three slaves she owns.

⁷ For the meaning of εἰκονιτιμός and other excerpts from εἰκονιτιμοί attested in the papyri, *cf.* *ZPE*, 107, 1995, 272-274.

e) A declaration concerning four slaves who in the 2nd regnal year of the emperor Hadrian (A.D. 117/18) are on the run⁸.

The present text has to be dated to (or possibly to a year after) A.D. 117/18, *i.e.* to (or after) the 2nd regnal year of the emperor Hadrian if the reading in line 88 is correct.

The free persons mentioned in the present text but not all playing an active role in it can be placed in the following genealogy:



Column I

cf. Tafel II

- [Ἀντίγραφον συγγραφοδιαθήκης. Ἔτους δωδεκάτου Αὐτοκράτορος Καίσαρος Νέρουα Τραιαν]οῦ Σεβαστοῦ [Γε]ρμ[ανικοῦ Δακικοῦ]
 [μηνός Γορπιαίου τριακάδι Ἐπειφ τριακάδι ἐν Πτολεμαίδι Εὐεργέτιδι τοῦ Ἄρσινοῖτου νο]μοῦ ἐπὶ Ἰουλίᾳς Σεβ[ακτης]
 [ὁμολογοῦσιν ἀλλήλοισ Ἐπίμαχος Ν.Ν. (ἐτῶν) (.) οὐλ(ῆ) καὶ Ἰκίδωρος] Κρονίῳνος (ἐτῶν) ξη οὐλ(ῆ) [μετώφω ἐκ δεξιῶν]
 4 [καὶ ἡ αὐτοῦ γυνὴ Θερμουθάριον Ἄριστου τοῦ καὶ Καμβᾶ μη(τρὸς) Ν.Ν. (ἐτῶν) νδ οὐλ(ῆ) μήλω δεξιῶ μετ]ὰ κ(υρίου) Μύκθου τοῦ καὶ Ἀκουσιλά[ου [Ν.Ν. (ἐτῶν) (.) οὐλ(ῆ) ὁ μὲν Ἐπίμαχος ἔχειν παρὰ μὲν Ἰκιδώρου ἐπὶ τῇ θ]υγατρὶ Κρονία παρθένω οὐς[η συ]ν[ερχομένη αὐτῶ]
 [πρὸς γάμον παραχρήμα διὰ χειρὸς ἐξ οἴκου χρυσοῦ δοκιμείου τετάρτας X ἐν αἷς εἰσιν]ομασιαλιῶν ζεῦγ[ος τεταρτῶν
 [± 80], τεταρτῶν ἕξ καὶ πε[ρονίδων ζεῦγος τεταρτῶν
 8 [± 80 τετ]αρτ(ῶν) γ καὶ περιδεξιῶ[ν ζεῦγος τεταρτῶν
 [± 15 καὶ ἱμάτια ἐν συντιμῆσει ἀργυρίου (δραχμῶν) ἑκατὸν ἐξήκοντα πέντε, παρὰ δὲ τῆς μητρὸς α]ὐτῆς Θερμουθαρίου ἅς δι.[
 [ἐκ τῆς ὠνητῆς δούλης Καράποῦτος προγεγονῆσας δούλας Ἰάριον καὶ Ἐπιτυχίαν σὺν τοῖς ἐ]ξ αὐτῶν ἀπὸ τοῦ νῦν [ἐ]σομέ[νοισ ἐγγόνοισ]
 [± 20 καὶ χορηγεῖν τὸν αὐτὸν Ἰκίδωρον καὶ τὴν αὐτὴν Θερμουθάριον εἰς τὸν κοινὸν τ]ῶν γαμούντων οἶκον [. .].ν[
 12 [± 80].πη. . .[.].επ[.].[
 [± 80], τοῦ ἰκιδόντος ἔτους [
 [± 80] τὸν μὲν πυρὸν ἕως .[
 [± 80] κώμη αὐτοῦ ἕως[
 16 [± 80]ν καθαρὰν ἀπὸ δημοσ[ίων][
 [± 30 συμβιούτωςαν οὖν ἀλλήλοισ ὁ τε Ἐπίμαχος καὶ ἡ Κρονία ἀμέμπτως τ]οῦ Ἐπιμάχου ἐπιχορηγοῦντος [α]ὐ[τῆ]
 [τὰ δέοντα πάντα καὶ τὸν ἱματικὸν καὶ τὰ ἄλλα ὅσα καθήκει γυναικὶ γαμετῆ κατὰ δύναμιν τοῦ βίου ἐνδημοῦ]ντος καὶ ἀπο[δ]ημ[οῦντος]

⁸ It is possible that documents d) and e) are in fact one document, *i.e.* that lines 84-91 are in their totality taken ἐξ εἰς(ονισμοῦ) β (ἔτους) Ἀδριανοῦ κτλ. (l. 84).

- [αὐτῆς δὲ τῆς Κρονίας ἄμεμπτον καὶ ἀκατηγόρητον ἑαυτὴν παρεχομένης ἐν τῇ συμβιώσει ±
10]να καὶ α.α.σπ.[.]. . . . ο. .[.].αλλ.[. .].
- 20 [± 70 ἐὰν δὲ δι]αφορᾶς τοῖς γαμοῦσι γενομένης
[χωρίζονται οἱ γαμοῦντες ἀπ' ἀλλήλων ἤτοι τοῦ Ἐπιμάχου ἀποπέμποντος τὴν Κρονίαν ἢ
καὶ αὐτ]ῆς ἐκουσίως ἀπαλ[λασσομένης]
[ἀπ' αὐτοῦ ± 70 τῆ]ς Κρονίας τὰς θυγατέρας [. . .].
[± 50 ἀποδότω ὁ Ἐπίμαχος τῷ Ἰσιδώρῳ ἢ μὴ περιόντι ὁμοίως τῇ θυ[γατρὶ Κρονία]
24 [τὴν προκειμένην φέρην τὰς μὲν τοῦ χρυσοῦ τετάρτας Χ ἐν τοῖς αὐτοῖς κομμαρίοις καὶ τὰς
δὲ τοῦ ἱματ]ιμοῦ ἀργυρίου (δραχμὰς) ρξε π[.].υ[
[± 25 ἐπὶ μὲν τῆς ἀναπομπῆς παραχρήμα, ἐπὶ δὲ τῆς ἐκουσίως ἀπαλλαγῆς ἐν
ἡ]μέραις ἐξήκοντα ἀφ' ἧς ἐ[ὰν ἀπαιτηθῆ]
[τῆς πράξεως τῇ Κρονία γινομένης τῆς τε φερνῆς καὶ τῶν παραφέρων ἕκ τε τοῦ Ἐπιμάχου
καὶ ἐκ τῶν ὑπαρχόντων αὐτῷ πάντων]
[καθάπερ ἐκ δίκης ± 65], δεκαδύο καὶ ἄλλας . . . ντος μ[
28 [± 80] δὲ Ἰσίδωρον καὶ Θερμουθάριον [.]. τι.
[± 80]ος ἔτους ἀπολ.στο.ο.ρ.πτι[. . .]ου
[± 80],λλων ἀποδες .[ἢ 10]τες
[± 80]αντα μὴ μεταθες. . . . ς. .[.]. .
32 [± 80]ίου διαμ. . . μτο.αριτοτος[
[± 55 συγχωροῦσιν ἀμφοτέροι οἱ γο]νεῖς Ἰσίδωρος καὶ [Θερμουθάριον διὰ τοῦ]
13 εἰσιόντος

Column II

- κουράτορος μετὰ τὴν [ἐ]αυτῶν τελευτὴν εἶναι τῆς θυ-
γατρὸς Κρονείας ἢ μὴ περιούσης τῶν αὐτῆς τέκνων
36 [τὰ] ἐκ τῆς προγεγραμμένης δούλης Σαραποῦτος
προγεγονότα ἔγγονα δύο Ἰ[σ]άριον καὶ Ἐπιτυχία[ν σὺ]ν
τοῖς ἐξ αὐτῶν ἀπὸ τοῦ νῦν ἐσομένοις ἐγγόνο[ις καὶ τὰ]
ἐκ τούτων ἐκόμμενα ἔγγονα, τὸ δὲ λοιπὸν εἶναι τῷ ἐτέρ[ῳ]
40 [αὐ]τῶν υἱῷ Κρονείῳ τῷ καὶ Καβίνῳ τῶν ὑπὸ α[ὐ]τῶν κατα-
[λει]φθ[η]σομένων ὑπαρχόντων δενδρικῶν καὶ κλήρων
[κα]ὶ οἰκοπέδων, ἀπὸ δὲ τῶν ὑ[πὸ] αὐτῶν καταλειφθη[σ]ομένων
[ἐπιπλό]ων καὶ σκεύη καὶ ἐνδομενεῖαν εἶν[αι] αὐτῆς Κρο-
44 [νίας, ἔτι δ]ὲ ἀπὸ τοῦ προμεταλλάξαντος αὐτ[ῶν κατα]λειφθησ[ο]-
[με]να γυναικεῖα χαλκᾶ σκεύη καὶ ἱματ[ιμο]ν καὶ [τὸ]ν ἄλλ[λον]
[γυν]αικεῖον κόσμον· ἐφ' ὃν δὲ χ[ρό]νον περί[εισιν οἱ ὁμολογοῦν-]
τες [Ἰσί]δωρος καὶ Θερμουθάριον ἢ προτερ[α]
48 [ἔχειν τὴν] κα[τὰ] τῶν ἑαυτῶν ὀροσχερῆ ἐξου[σίαν]
[μεταδιατί]θεσθαι παραχωρεῖν ἐτέρ[ῳ] ἐπιτελεῖν [. . .].
[μ]εταμερε[ί]ζειν οἰκονομεῖν ὡς ἐὰν αἰρῶνται
[ἀνεμ]ποδίστως· ἢ δὲ Θερμουθάριον μετα[. . .].εἶναι [
52 [.]. . . οὐξεομοθου μὴ προσδεομένους τῆς μηδενὸς τῶ[ν]
[τ]έκνων παρουσίας· τὴν δὲ Θερμουθάριον ἄμ[α κα]τὰ τῶν
δουλικῶν ἐγγόνων δύο Ἰσαρίου καὶ Ἐπιτυχίας μετ[ὰ]
[π]άντων καὶ τῶν ἀπὸ τοῦ νῦν ἐξ αὐτῶν ἐσομένων ἐγγόνων
56 ἔχειν τὴν ἐξουσίαν οἰκ[ο]ν[ομ]εῖν ὡς ἐὰν αἰρῆται καθά-

π[ερ ἐ]κόντες συνεχωρήκασι. ἀντίγραφον χαράγ(ματος).
 Νείλος Φαρίωνος Προπ(απποσεβάστειος) ὁ καὶ Ἄλθαιεὺς κεχηρημ(άτικα) (ἔτους) ιβ
 Αὐτοκράτορ(ος)

60 Καίσαρος Νέρουα Τραιανοῦ Σεβαστοῦ Γερμανικοῦ Δακικο[ῦ] Ἐπειφ λ·
 ἀντίγραφον δημοσ(ιώσεως)· (ἔτους) η Αὐτοκράτορος Καίσαρος Νέρουα
 Τραιανοῦ Σεβαστοῦ Γερμανικοῦ Δακικοῦ μηνὸς
 Καισαρείου ἐπα[γομένω]ν πέμπ[τ]η διὰ τοῦ ἐπὶ τοῦ Ἄρσι-
 [νοε]ίτου διαθηκ[ῶ]ν ἀγορανόμου [Νεμεσᾶ] τοῦ

35 Κρονίας 40 Κρονίῳ 43 σκευῶν; ἐνδομενίας 48 ὀλοσχερῆ 50 [μ]εταμερίζειν
 57 συνεχωρήκασι 62-63 Ἄρσινο[ί]του

Column III

64 Ἄκουσιλάου τοῦ καὶ Μύσθου. Θερμου-
 θάριον Ἀρύστου τοῦ καὶ Σαμβᾶ (ἐτῶν) ν μέση
 μελίχρος μακροπρόσωπος εὐθύρι(ν) οὐλ(ή) μήλ(ω)
 δεξιῶ μετὰ κυρίου τοῦ ἀνδρὸς Ἰσιδώρου τοῦ Κρο-
 68 νίωνος (ἐτῶν) ξβ μέσος μελίχρος μακροπρόσωπ(ου)
 εὐθύρι(νος) οὐλ(ή) μετώπῳ ἐγ δεξιῶ(ν) ἀπεγράψατο
 αὐτῇ γεγονέναι ἐκ τῶν ὑπαρχουσῶν αὐτῇ
 δουλικῶν σωμάτων τριῶν, ἐγ μὲν οἰκογεν[οῦς]
 72 δούλ(ης) Τασουχαρίου (ἐτῶν) κε μέση μελίχρος οὐλ(ή)
 μετώπῳ ἐξ ἀριστερῶν ἔγγονα Θερμουθάριον
 (ἐτῶν) ς μέση μελίχρος οὐλ(ή) ὄφρυι δεξιᾶ, Λήδαν
 (ἐτῶν) β μελιχρόου οὐλ(ή) μετώπῳ μέσῳ, ἐγ δὲ
 76 Εὐκαιρίας (ἐτῶν) κε μέση μελιχρόου οὐλ(ή) ὄφρυι
 ἀριστερᾶ ἔγγονον Ἐπιτυγχανόν (ἐτῶν) [] μελίχρους,
 ἐγ δὲ ὠνητῆς δούλης Σαραποῦτος (ἐτῶν) λ μέση
 μελίχρος οὐλ(ή) χειρὶ δεξιᾶ ἔγγονον Ἰσάριον
 80 (ἐτῶν) β μελίχρ{ο}ω{ς}. Νέμεσᾶς Ἄκουσιλάου τοῦ καὶ Μύσθου
 κεχηρημάτικα (ἔτους) η Αὐτοκράτορος Καίσαρος Νέρουα
 Τραιανοῦ Σεβαστοῦ Γερμανικοῦ Δακικοῦ μηνὸς
 Καισαρείου ἐπαγομένων πέμπτη.

84 ἐξ εἰς(ονισμοῦ) β (ἔτους) Ἀδριανοῦ Καίσαρος τοῦ κυρίου ἀμφόδ(ου)
 Λινυφείων οἰκί(ας) ιδ ἐπὶ Φρεμ(εῖ) δ κολλήματατος του. . . () καὶ ενιο()
 ἔν(οικοι) μεθ' ἔτ(ερα)· Κρονίαῖνα Ἰσιδώρου τοῦ Κρονίωνος
 μητρὸς(ς) Θερμουθαρίου(ν) ἀπὸ Σεκνεβ(τυνείου) (ἐτῶν) λζ καὶ μεθ' (ἕτερα)·
 88 Εὐπορος (δούλος) Κρονίας τῆς Ἰσιδώρου ἀπογεγρ(αμμένος) τῷ ἐνεστ(ῶτι) β
 ἔτει ἐν δρασμῶ (ἐτῶν) δ, Λευκαδίᾳ ἄλλ(η)
 δούλ(η) τῆς αὐτῆς (ἐτῶν) μγ, Ἰσάριον ἄλλη δούλ(η) τῆς αὐτῆς
 (ἐτῶν) ιγ, Εὐκαιρία ἄλλη δούλ(η) τῆς αὐτῆς (ἐτῶν) λθ.

65 Ἀρίστου 68 μέσου μελιχρόου 69 ἐκ, also 71, 75, and 78 70 ὑπαρχόντων 72 μέσης μελιχρόου
 74 μέσην μελίχρου 75 μελίχρου 76 Εὐκαιρίας; μέσης 77 Ἐπιτυγχανῶν; μελίχρου 78 μέσης
 79 μελιχρόου 91 Εὐκαιρία

Notes:

1) [Ἐπιγράφων συγγραφοδιαθήκης]: one of the texts which combines a marriage agreement and a property division, *BGU I 252*, is designated [ἐπιγράφων συγγραφοδιαθήκης] (*cf. CPR I 28 = M. Chrest. 312* where U. Wilcken proposed in *AFP 1*, 1901, 491, footnote 1 to restore the same words). The same term occurs in *P. Fuad 33, 23; P. Fam. Tebt. 7, 12-13; 10, 13-14; 11, 5.18-19; P. Oxy. VIII 1102, 14*. It appears to be only used in connection with property distributions within the context of marriage (*cf. BASP 19, 1982, 150, footnote 5*).

1-2) The date, July 24, A.D. 109, is taken from lines 58-59.

2) Except for the short-lived name Δρουσιεύς (for which, see *P. Oxy. LV 3780*) no other Roman honorific name for Epeiph is known. In view of the length of the lacuna I supplemented the Macedonian month name for Epeiph (for which, see U. Hagedorn, *ZPE 23, 1976, 143ff.*).

I assume that the agreement was drawn up in the metropolis of the Arsinoite nome, since in lines 84ff. members of the involved family are mentioned in connection with three quarters of this metropolis.

ἐπὶ Ἰουλίᾳ Σεβ[αστῆς]: the same expression, to date restricted to the Arsinoite and Oxyrhynchite nomes, occurs in *BGU I 252, 2-3; CPR I 24 = 25 = SPP XX 5 = M. Chrest. 288, 1-2; VII 33, 1; P. Strasb. 237, 4; P. Oxy. III 496, 1; 604; P. Ups. Frid 2, 1-2*. This expression reflects an invocation of the empress Livia as Julia Augusta, regarded as protectress of marriage. We must assume that the marriage was concluded in front/presence of a statue, bust, portrait, or other representation of Livia (*cf. P. Oxy. LV 3791* introduction and notes to lines 2 and 3 for the possible forms portraits might take and the evidence of them. For the εἰκονίδια mentioned in *P. Oxy. XII 1449, cf. H. Heinen, MDAI(R) 98, 1991, 263ff.*)⁹. *Cf. U. Wilcken, Zeits. der Sav.-Stift., Rom. Abt., 30, 1909, 504ff.; W.F. Snyder, Aegyptus 18, 1938, 217. P. Ups. Frid 2* of A.D. 59/60 is of interest, since all the other instances are dated to the first half of the IInd century A.D.

3) On August 28, A.D. 105 (line 68) Isidoros is 62 years of age; on July 24, A.D. 109 (this line) he is already 68 years!

4) Since Thermutharion's husband Isidoros is together with Thermutharion herself a party to the marriage contract which involves their daughter Isidoros can in the present instance not act as Thermutharion's guardian as he does in 64ff. and as is normal. In the present instance Thermutharion had to ask another person to act as her guardian. For persons acting as guardians of women in the papyri, *cf. J.U. Krause, Verwitwung und Wiederverheiratung (HABES 16), Stuttgart 1994, 226ff.*

On August 28, A.D. 105 Thermutharion was 50 years of age (l. 65). On July 24, A.D. 109 she, therefore, was 54 or 53 years of age (but *cf. note to line 3*).

5) παρθένῳ οὐχ[η]: *cf., e.g., CPR I 24 = 25 = SPP XX 5 = M. Chrest. 288, 5*. This expression proves that we are not dealing with a conversion of an ἄγραφος γάμος into an ἔγγραφος γάμος.

5ff.) For the dowry, see G. Häge, *Ehegüterrechtliche Verhältnisse in den griechischen Papyri Ägyptens bis Diokletian, Köln-Graz 1968*.

6) ἰουμασιαλιῶν: obviously we are dealing with a piece of jewellery which comes in a pair. I have not found a word ending in these letters (the word may not be complete). Instead of λι α ν is a possible reading.

6-8) For τετάρτη, *cf. P. Graux II 10, 7-8 note* (also in line 24).

7-8) In the lacunae at the beginning of these lines more than only one other object of the dowry must have been mentioned.

11ff.) The parents of the bride seem to have provided their daughter also with parcels of land (*cf., e.g., P. Hamb. III 220; P. Ryl. II 154; SPP XX 5*). The remains of the lines 11 through 17 are so minimal that I am unable to reconstruct their contents.

19-20) We expect here a stipulation concerning the management by the husband during the marriage of the parcels of land which Kronia brought into the common household (*cf. P. Hamb. III 220, 13 note*). Alternatively, it may be stated in these lines what Kronia has to do to remain ἀμεπτos καὶ ἀκατηγόρητος during her marriage.

22) In this line (and the beginning of the next one ?) a stipulation concerning the children of the couple in case of a divorce seems to have been made. It seems that in that case the sons will remain with their father while the mother takes the daughters with her. *Cf. similar cases discussed by me in an article "Remarks on Two κατ' οἰκίαν ἀπογραφαί", BASP XXXI, 1994, 125ff.*

27-33) After the πρᾶξις-formula we read in *BGU I 251, 8; M. Chrest. 312, 7-8; 313, 9* the words μενούσης δὲ ἐπὶ χώρας τῆς συγγραφῆς ταύτης ἀπερίλυτον εἶναι (this formula could find a place in the lacuna at the beginning of l. 27). This is followed in *BGU I 251, 8-10* and *M. Chrest. 313, 10-12 (cf. BGU I 252, 10-13)* by an extensive description of the donor in the property division, since she has not yet been mentioned in the preceding part of the text. In *M. Chrest. 312, 9ff.*, in which the spouses contracting the marriage are also the donors in the property division, and in *SB XIV 12334, 8ff.*, in which the donor in the property division is in all probability one of the parties to the marriage agreement, the distribution of the property begins without preliminaries. In the present case both Isidoros (l.3) and his wife Thermutharion (ll.4-5) have already been described. Unfortunately, the remains of lines 27 through 33 are so minimal that I am unable to reconstruct what was stated in them. δεκαδύο (*cf. F.Th. Gignac, A Grammar II, Milano 1981, 194f.*) reminds one of the stipulation in some marriage agreements (*e.g., P. Ryl. II 154, 30ff.; CPR I 22 = SPP XX 7, 25ff.*) that in

⁹ J. Whitehorne, "The Pagan Cults of Roman Oxyrhynchus", *ANRW 18* (Berlin-New York 1995) 3067 assumes incorrectly that, because Chairemon and Theon, chosen to officiate at the opening of wills, were ex-high-priests of the most august temple of Hadrian (*P. Mert. II 75*), "the opening of the wills (took place) in the presence of the divine image."

- whatever year the separation of the parties takes place the proceeds of the holding brought into the marriage for the 12 months of the year of the separation will be divided among the parties.
- 33-34) The *curator* (cf. S. Daris, *Il lessico latino nel greco d'Egitto*², Barcelona 1991, 62) is in this case naturally not a guardian of a minor but rather a property administrator (cf., e.g., *P.Münch.* III 102, 11). If my reading is correct we have to assume that Isidoros and Thermutharion employed someone to administer their possessions (because of their age?). One naturally thinks of a reading ἀπάτορος but nobody of the persons involved seems to be an ἀπάτωρ unless we have to supplement a personal name in the lacuna at the end of line 33.
- 39-42) Since the parents had also given parcels of land to their daughter on the occasion of her marriage (cf. note on lines 11ff.), they can speak in line 39 of τὸ δὲ λοιπὸν = the remainder of their landed property and building sites which will go to their son.
- 39-40) The couple Isidoros and Thermutharion had only one son and only one daughter. τῶι ἐτέρῳ[ωι] | [αὐ]τῶν υἱῶι is an understandable contamination of τῶ ἐτέρῳ αὐτῶν τέκνῳ and τῶ αὐτῶν υἱῶ.
- 42-44) In these lines there seems to be a contamination: “The furniture - - - which we shall leave behind will belong to the same Kronia” and “Of the furniture - - - which we shall leave behind that and that will belong to the same Kronia”. Perhaps a <πάντα> should be inserted before εἶν[α] in line 43.
- 44-46) The verb προμεταλλάττω occurs here seemingly for the first time. *LSJ*⁹ cites one example of the substantive προμεταλλαγή only. Although the participle, τοῦ προμεταλλάξαντος, is masculine it seems to follow from the goods that are mentioned that Isidoros and Thermutharion expected that the wife would die before the husband.
- 47) The lacuna at the end of this line is not large enough to supplement, e.g., ἡ πρότερ[ον ἐνὸς αὐτῶν τελευτηθέντος τὸν περίοντα] (cf. *P.Münch.* III 80, 20). Perhaps the scribe intended ἡ (ὁ)π[ρ]ότερ[ος αὐτῶν περιέετι] *vel simile*. Cf. H.A. Rupprecht, “Zum Ehegattenerbrecht nach den Papyri”, *BASP* 22, 1985, 291ff.
- 48) ὄροσχερῆ: read ὄλοσχερῆ. The interchange λ)ρ is one of the commonest in the papyri (cf. F.Th. Gignac, *A Grammar I*, Milano 1976, 103ff. Cf. the spelling ὄροσχελῆ in *P.Münch.* III 80, 26). For the expression (ἔχειν) τὴν ὄλοσχερῆ ἔξουσίαν, see *P.Münch.* III 80, 26 note.
- 50) [μ]εταμερε[ί]ζειν: the verb μεταμερίζειν appears here seemingly for the first time.
- 51-53) When a change of ownership occurs the person who cedes the property sometimes permits the person who acquires the property to do something with this property without the presence of the person who ceded being required (cf., e.g., *BGU* VII 1643, 17; *PLBat.* XIX 10, 29; *P.Mich.* V 322a, 31.43; VI 427, 31; *P.Oxy.* XVII 2134, 25; *SB* I 4370, 35; *SPP* XX 29, 33). In the present case it is clear that Thermutharion undertakes something with the result that a plurality of persons may do something without the presence of any of the children. In the present case the plurality of persons who may do something without the presence of either the daughter Kronia or the son Kronion alias Sabinus can hardly be other persons than the father Isidoros and the mother Thermutharion. Unfortunately, these lines are too mutilated to be made sense of! The change of the accusative to the nominative should be noted.
- 57) An ἀντίγραφον χαράγματος/χαραγμοῦ is also mentioned in *P.Ashm.* vol. I 22 Fr. B 11 (= *SB* XIV 11410); *P.Coll. Youtie* I 19, 30; *P.Mich.* V 251, 1; *SB* I 5231, 11 (cf. 5275); 5247, 34.
- 58) For Προπαπποσεβάστειος (an Alexandrian tribe) combined with Ἀλθαιεύς (an Alexandrian deme), see D. Delia, *Alexandrian Citizenship During the Roman Principate* (American Classical Studies 23), Atlanta 1991, 138. Neilos, son of Pharion, is not known from another document published to date.
- 60-64) These lines were read with the help of D. Hagedorn. In view of its date the δημοσίωσις of which there is a question in l. 60 obviously refers to the following (ll. 64-80) ἀπογραφή of Thermutharion. This seems to imply, since a διαθηκῶν ἀγορανόμος is involved, that this ἀπογραφή was made in connection with a will. Other examples of ἀντίγραφον δημοσίωσις are *CPR* VII 7, 14; *P.Mich.* XI 614, 4; *P.Oxy.* IX 1200, 8; XII 1474, 4-5; 1475, 5; *PSI* XIII 1328, 55. For δημοσίωσις, cf. H.J. Wolf, *Das Recht der griechischen Papyri Ägyptens II*, Handb. d. Alterumsw. X.5.2, München 1978, 129ff.; O. Primavesi, *ZPE* 64, 1986, 99ff. Cf. also *New Documents Illustrating Early Christianity* 7, Macquarie University 1994, § 9.
- 62-64) The role of the ἀγορανομεῖον in making (, registering, and opening) of wills is well known (cf. H. Kreller, *Erbrechtliche Untersuchungen auf Grund der gräko-ägyptischen Papyrusurkunden*, Leipzig 1919, 313ff.). The ἀγορανόμος Nemasas, son of Akusilaos alias Mysthes (also in l. 80) is not known from another document published to date.
- 65) Perhaps Ἀούστου τοῦ καὶ Σαμβᾶ is a better reading. The proper name Ἀούστος is not yet listed in the usual papyrological onomastica, but in *SB* III 7244, 30 the proper name Ἀούστα occurs.
- 66) For the inflection of compounds in -χροος designating color, see F. Th. Gignac, *A Grammar II*, Milano 1981, 121ff. In line 80 it might be better to print μελίχροος and to correct this in the *adn. crit.* to μελίχρου/μελίχρω.
- 70-71) ἐκ τῶν ὑπαρχουσῶν αὐτῇ δουλικῶν σωμάτων τριῶν: a *constructio ad sententiam*.
- 71) The family possessed at least ten slaves of whom at least six were home-born and one bought. Eight out of ten slaves are women. The slave-names Εὔπορος (l.88), Θερμοουθάριον (l.73), and Σαραποῦς (ll. [10], 36, 78) are relatively often attested (cf. I. Biežuńska-Małowist, *op. cit.*, [footnote 6] 171ff.). In *P.Hamb.* I 10, 12 a slave-girl called Ἰσάρτιον occurs (wrongly listed as Ἰκάριος by I. Biežuńska-Małowist, *op. cit.*, 174. Here ll. [10], 37, 54, 79, 90). The slave-names Ἐπιτυχία (ll. [10], 37, 54), Τακουχάρτιον (l. 72), Λήδα (l. 74), Εὐκαίρια (ll. 76, 91), Ἐπιτυγγάνων (l. 77) and Λευκαδία (l. 89) are not yet listed by I. Biežuńska-Małowist, *op. cit.*, 171ff. In the 2nd regnal year of the emperor Hadrian (A.D. 117/18) the slaves Euporos, Leukadia, Isarion, and Eukairia have run away (ll. 88ff.). Since Euporos was

- at that moment only 4 years of age, he could not have been included in the present declaration which is dated to August 28, A.D. 105. He was acquired or born to one of the female slaves after August 28, A.D. 105. Leukadia (ll. 87f.) who was at that moment 43 years of age but who is not included in the present declaration was acquired after August 28, A.D. 105. Epitychia, daughter of the slave Sarapus, does not appear in the present declaration either. Since she is mentioned in lines 37 and 54, in a document dated to July 24, A.D. 109, she must have been born between August 8, A.D. 105 and July 24, A.D. 109.
- 76) The female proper name Εὐκαίρια (also in line 91) occurs with the spelling Εὐκερία in *SB V 7635*, 4 (A.D. VI).
- 77) In the lacuna the number of the years of the slave Epitynchanon and probably μέσον. It is to be noted that only Epitynchanon and the slave-child Isarion (ll. 79f.) do not have a scar. They probably were ἄσκητος which will have been the result of their young ages (but cf. the slave-child Leda listed in lines 74f. who although only 2 years of age has already a scar [perhaps incurred at birth ?]).
- 80) `Νε'μεῶν: the scribe might originally have thought that also the slave-child Isarion was of middle height: μέση.
- 85) For the ἄμφοδον Λιτυφείων, a quarter in the metropolis Arsinoë, see S. Daris, *Aegyptus* 61, 1981, 147 and for the ἄμφοδον Φρεμεῖ, a quarter of the same metropolis, *ibidem*, 150f. and *ZPE* 98, 1993, 289, note on lines 42-43. In that note I explained the expression ἀμφοδ(ου) | Λιτυφείων - - - ἐπὶ Φρεμ(εῖ) by assuming that the ἄμφοδον Λιτυφείων was near the ἄμφοδον Φρεμεῖ. Cf. also L. Casarico, *Aevum* 69, 1995, 69ff.
- οἰκί(α) ἰδ: I believe that οἰκί(α) ἰδ (μέρος) is meant, *i. e.* a fourteenth part of a house, not 14 houses.
- 85-86) ἐνιο() | ἐν(οικου): ἐνιο(ι) ἐν(οικου)? Or should perhaps ἐνο(ικου) | {εν} be printed?
- 86) Elsewhere in this document the daughter of Isidoros and Thermutharion is called Κρονία. Only in this line she is called Κρονίανα. Such minor variations in the forms of names are, however, not exceptional. Cf. *P. Mich. inv.* 5806 (published in *ZPE* 98, 1993, 283ff.) in which the same person is also once called Κρονία and once Κρονίανα.
- 87) For the ἄμφοδον Κενεβρυθείου, also a quarter of Arsinoë, see S. Daris, *loc. cit.*, 149.
- 88ff.) Runaway slaves are no exception in the papyri and several wanted notices for runaway slaves have come down to us (cf. *P. Oxy.* LV 3616/17. Cf. in general D. Daube, *Juridical Review* 64, 1952, 12ff.). The expression ἐν δραχμῶ occurs also in *P. Berl. Leihg.* I 15, 21; *P. Oxy.* XXXVIII 2838, 5; *SB XVI* 12755, 6.8; *P. Thmouis* I 142, 20; 145, 18-19. It is possible that only the slave Euporos is on the run and the other three female slaves are listed here for an unknown purpose (cf. footnote 8).
- 89) The female proper name Λευκαδία is not yet listed in the usual papyrological onomastica. The male proper name Λευκάδιος is common.

Translation:

Copy of a contract with marriage settlement. Year twelve of Emperor Caesar Nerva Trajanus Augustus Germanicus Dacicus on the thirtieth of the month Gorpaios, the thirtieth of Epeiph, in Ptolemais Euergetis of the Arsinoite nome, before Julia Augusta. Epimachos, son of N.N., x years of age, with a scar on - - - and Isidoros, son of Kronion, 68 years of age, with a scar on the right side of his forehead and his wife, Thermutharion, daughter of Aristos alias Sambas, her mother being N.N., 54 years of age, with a scar on her right cheek, with as guardian Mysthes alias Akusilaos, son of N.N., x years of age, with a scar on - - -, acknowledge to each other, on the one hand, Epimachos that he has received from, on the one hand, Isidoros for his daughter Kronia, still being a virgin, who enters into a marriage with him, immediately from hand to hand out of his house x quarters of acceptable gold among which are a pair of - - - weighing x quarters and - - - weighing six quarters and a pair of rings weighing x quarters and - - - weighing 3 quarters and a pair of armlets weighing x quarters and - - - and cloths estimated to be worth one hundred sixty five drachmas and, on the other hand, from her mother Thermutharion - - - the slaves Isarion and Epitychia born to her slave Sarapus whom she has bought together with the off-spring who from this moment on will be born to them - - - and that the same Isidoros and the same Thermutharion contribute to the common household of the married couple - - -. Epimachos and Kronia must live blamelessly together while Epimachos will supply her with all necessaries and cloths and all other things which befit a married woman in proportion to his means whether he is at home or abroad and Kronia must be without reproach and blameless during the marriage - - - but if trouble should develop between the married couple and they should separate, either Epimachos divorcing Kronia or Kronia leaving on her own accord - - - Epimachos must return to Isidoros or, if he does not survive, likewise to his daughter Kronia the above mentioned dowry, *i. e.*, on the one hand, the x quarters of gold consisting of the same ornaments and, on the other hand, the 165 drachmas of the cloths - - - immediately in case of divorce, but in case of voluntary separation within sixty days after they have been demanded while Kronia has regarding her dowry and her parapherna the right of execution against Epimachos and against all his possessions as if in accordance with a judgement - - -

Both parents, Isidoros and Thermutharion, through their administrator (?) agree that after their death the two (slave-)children, Isarion and Epitychia, born to the above mentioned slave Sarapus together with the the off-spring who from this moment on will be born to them and the off-spring that will (again) be born to those will belong to their daughter Kronia or, if she does not survive, to her children. The remainder of the possessions consisting of wooded lands and (arable) lands and building sites which they will leave behind will belong to their other child, Kronion alias Sabinus. The furniture and the utensils and the household goods which they will leave behind will belong to the same Kronia and she will also have the bronze woman's house-gear and the cloths and the remaining woman's ornaments left behind by the one who dies first. As long as the acknowledging party, Isidoros and Thermutharion, stays alive - or whoever of them stays alive - they will have complete power over their possessions, to alter the will, to leave them to others, to make additions, to - - -, to alter the division, to manage in any manner they may desire without hindrance. Thermutharion - - - not requiring the presence of any of the children. Thermutharion will at the same time have the power to manage the two (slave-)children, Isarion and Epitychia, together with all the off-spring who from this moment on will be born to them in any manner she may desire exactly as they voluntarily have agreed upon.

Copy of the docket. I, Neilos, son of Pharion, of the Propapposebastian tribe and Althean deme have registered it in year 12 of Emperor Caesar Nerva Trajanus Augustus Germanicus Dacicus, Epeiph 30.

Copy of the publication. Year 8 of Emperor Caesar Nerva Trajanus Augustus Germanicus Dacicus, on the fifth of the intercalary days of the month Kaisareios through the agoranomos (in charge) of wills in the Arsinoite nome, Nemesas, son of Akusilaos alias Mysthes.

Thermutharion, daughter of Aristos alias Sambas, 50 years of age, of middle height, honey-coloured, long-faced, straight-nosed, with a scar on her right cheek with as guardian her husband Isidoros, son of Kronion, 62 years of age, of middle height, honey-coloured, long-faced, straight-nosed, with a scar on the right side of his forehead has declared that have been born for her to the three slaves who belong to her, on the one hand, to her house-born slave Tasucharion, 25 years of age, of middle height, honey-coloured, with a scar on the left side of her forehead the off-spring Thermutharion, 6 years of age, of middle height, honey-coloured, with a scar on her right eyebrow (and) Leda, 2 years of age, honey-coloured, with a scar on the middle of her forehead, on the other hand, to Eukairia, 25 years of age, of middle height, honey-coloured, with a scar on her left eyebrow, the off-spring Epitynchanon, x years of age, [of middle height], honey-coloured, on the other hand, to her slave Sarapus whom she has bought, 30 years of age, of middle height, honey-coloured, with a scar on her left hand, the off-spring Isarion, 2 years of age, honey-coloured. I, Nemesas, son of Akusilaos alias Mysthes, have registered it in year 8 of Emperor Caesar Nerva Trajanus Augustus Germanicus Dacicus on the fifth of the intercalary days of the month Kaisareios.

From the census register incorporating descriptions of the 2nd year of Hadrianus Caesar the lord, quarter Linypheia, a 1/14th (part) of a house, near (the quarter) Phremei, kollema 4 - - - and several inhabitants. After other things. Kroniaina, daughter of Isidoros, granddaughter of Kronion, her mother being Thermutharion, of (the quarter) Seknebytion, 37 years of age and after other things. Euporos, slave of Kronia, daughter of Isidoros, being registered in the present 2nd year as runaway, 4 years of age; Leukadia, another slave of the same, 43 years of age; Isarion, another slave of the same, 13 years of age; Eukairia, another slave of the same, 39 years of age.



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