

1327

PAPYROLOGICA FLORENTINA

a cura di Rosario Pintaudi

————— Volume XXXIV —————

Gedenkschrift Ulrike Horak

(P. Horak)

ESTRATTO

EDIZIONI GONNELLI
Firenze 2004

11. Order to send a person*

ROGER S. BAGNALL, FRITZ MITTHOF

P.Vindob. G 23106 + 28712
Provenance unknown

15.8 × 11.5 cm

early 4th century
Tafel VIII

Two fragments have been joined to form the piece. Original margins are preserved at top (2 cm above line 1) and left (2.5 cm to line 2, which stands in ecthesis; 3.5 cm to the rest of the text). The papyrus is broken at right and below. See note to line 3 for indications that about half the original width has been lost. The main text is written across the fibers; on the back the two lines of writing run with the fibers. The hand is a professional cursive of the end of the third or beginning of the fourth century (cf. Schubart, *Palaeographie* 85).

↑ 1 π(αρά) [
2 ἀρχεφόδῳ καὶ νομιανῶ κώμης Ἄ [- - - - ? κατὰ πρόσ-]
3 ταξιν τοῦ κυρίου μου τοῦ διασημοτά[του - - - -]
4 ἀντὶ Παητ Εὐδαίμωνος τε. . . . [- - - - - αὐτῆς]
5 ὥρας κομισάμενοί μου τὰ γ[ράμματα - - - - -]
6 ἅμα τοῖς κ[
7 καὶ ἐπι[

Verso:

→ καὶ ἀποχὴ ἀργυρισμ(οῦ) τραπεδίτου
ἐν Ἀλεξανδρίᾳ τῆς πριουάτης

1 π/ραρ. 4 Παητ' ραρ. Verso 2 l. τραπεζίτου

From the - - -. To the archepodos and nomianos (?) of the village of A---. In accordance with the order of my lord the most perfect [magister privatae?], in place of Paet son of Eudaimon send ... at the same hour at which you receive my letter ... together with the ...

Verso: And a receipt for argyrismos of the banker of the privata in Alexandria.

The text on the front side of this papyrus is evidently a member of that numerous class, what in English has usually been called an „order to arrest“ but is in fact more generally speaking an order to send a person to a higher official (Überstellungsbefehle), not necessarily under arrest in the modern sense of that term. The majority of these orders do seem to concern an appearance of the individual sought as a defendant in a complaint brought by another person, but in other cases some sort of official need is at stake. The latter seems to be the case here, although the loss of part of the text at right makes it difficult to describe the situation precisely. This class of documents has been discussed many times, particularly in a study of the formulary by U. Hagedorn¹. A comprehensive list of attestations has been given most recently by Adam Bülow-Jacobsen, *ZPE* 66 (1986) 93–98. Further remarks and bibliography are given by Traianos Gagos in the introduction to *P.Oxy.* LXI 4114–4116, amplified in an article by Gagos with P. J. Sijpesteijn in *BASP* 33 (1996) 77–97, with a list of addenda to Bülow-Jacobsen's list given on 95–96 (add now *P.Oxy.* LXV 4485–4486 and *AnalPap* 10–11 [1998–1999] 65ff., no. 1; *P.Cair.Preis.* 6a–b as reedited are now SB XX 15095).

* We are indebted to Klaas Worp for several suggestions.

¹ *BASP* 16 (1979) 61–74; cf. also H. Drexhage, *Migratio und Commutatio. Studien zur Alten Geschichte und deren Nachleben*, St. Katharinen 1989, 102–118.

The diplomatic characteristics of the present order are in line with the norms observed elsewhere: writing across the fibers, apparent centering of the title of the sender in line 1, writing of the title of the recipient in ecthesis in line 2. The normal width of such orders is 15 to 25 cm, but there is a tendency in the later Roman period toward wider formats. We argue below (n. to line 3) that the present papyrus fragment probably represents only about half of the original, which was therefore about 30–32 cm, or the full height of a papyrus sheet (here turned 90 degrees for use). See most recently on this point Gagos and Sijpesteijn 84–85, arguing that mass production and the use of left-over papyrus accounts for this physical characteristic.

Very exceptional for this class of text is the presence of two lines on the back, written in the same hand as the order. It is clear that we have neither a continuation of the main text nor an address. It seems likely, however, that what is written on the back is concerned with the same matter as the order.

The provenance of this text cannot be established with certainty. Its acquisition goes back to the „First Fayyum Find“ acquisition of 1881–1883, and it is therefore likely that it comes from the area of the Arsinoite or Herakleopolite. The only other known attestation of a banker for the *privata* comes from the Herakleopolite (SB XIV 11345, AD 306). The claim of the Herakleopolite as provenance may be strengthened by its distinctive traits. Because the formulas of the orders are locally distinctive (as U. Hagedorn established) and our text does not conform to any particular known formula, provenance in a nome from which we do not have many orders may be attractive. We do not have any other texts of this kind from the Herakleopolite nome except for the sixth-century P.Mich. X 591. But this cannot be more than speculation, because the origin of the order in a request from the *privata* may be sufficient to explain its unusual character.

Although the title of the official responsible for issuing this order is lost, the choices are not numerous. It could originate at the level of the toparchy or (after 308) pagus, but the subject matter and the reference to an order from an official with Egypt-wide competence make it more likely that it comes from the nome level, in which case the strategos or exactor would be the probable author. A very close parallel to the situation is provided by P.Panop. Beatty 1. 338–341, a letter of the strategos to the *systatai* of the metropolis ordering them to provide four *hyperetai* to assist in connection with the request of the *magister privatae* concerning „persons being sought for by Ammonius also called Ampelius in accordance with the interests of the Treasury.“ In our order, the use of ἀντί may suggest that the person sought is intended to replace Paet in some duty connected with the interests of the *privata*, but it does not seem possible to be more specific than this.

The losses at right create a major difficulty in discerning the overall structure of the order. There are two evident possibilities. The first, which we have adopted in our text, is that the letters ταξι in line 3 form part of the stated reason for the giving of the order, which on this view occupies lines 1–4, the operative verb coming only later, in close proximity to the reference to immediate action. The other possibility is that the verb comes much earlier in the order, perhaps in line 2 already, and that we should read τὰξιν, with a preposition and article in the preceding line. In our view, the formulation of lines 4–5 make this less likely. For further discussion see the line notes.

1. The diagonal stroke after pi extends far to the right and above the line. There is no indication that any other word followed, but we cannot cite any other example of an order with π(αρά) but without the office of the sender. As Traianos Gagos has noted (P.Oxy. LXI, p. 90), although earlier orders often begin with an abrupt dative for the addressee's title, from the second half of the third century on the inclusion of the sender's title at the start, either in the nominative or in the genitive after π(αρά), is normal in Oxyrhynchite orders, and the same is true as far as we can see elsewhere. At first glance, the fact that the pi is so far indented from the left might suggest that it stood alone, because τοῦ followed by a title and a blank equal to that at the start would produce a very great width. It appears, however, that only half of the line-width has survived, to judge from the most likely restoration of line 3 (see note ad loc.). That would allow room for a title to be indented from the right margin sufficiently for the entire heading to be centered, as is normal.

2. Gagos (see preceding note) has remarked that no Oxyrhynchite order after ca. 250 is addressed to the archepodos. Given the absence of absolute dates in most such orders, however, this statement can at best be approximate. Three Arsinoite orders dated by their editors to III/IV are addressed to the archepodos, P.Mich. X 590, SB XII 11106 and 11107. Lewis, *Compulsory Public Services* 37 s. v. lists P.Mich. 590 and P.Oxy. XLIV 3190, both dated III/IV, as the latest attestations of the archepodos. The present order, which can hardly be much earlier than 298, indicates that the archepodos was still a possible addressee then.

The identity of the other addressee here is a puzzle. We have not been able to read any known office, even though the ink is fairly clear and well preserved. The published lists of orders allow us to enumerate the other offices joined with the archepodos in addresses: presbyteroi, demosioi, hegoumenos, euschemones, toparchos, nomophylax. None of these is a possible reading here. The beginning of the title can be read as νομ, but the ending -ανφ is completely clear, and there cannot be much doubt that an iota precedes it. This termination suggests a Latin word, or at least Latin formation, cf. L. R. Palmer, *Grammar of the Post-Ptolemaic Papyri* I, London 1946, 46, but we have not found any suitable Latin word. It is just conceivable that the title is a Latin formation but constructed on the same base as νομοφύλαξ, which is paired with the archepodos in P.Mich. X 590, one of the latest attestations of the archepodos. What that νομο- root is has been disputed; the editor of P.Oxy. XLIV 3190 hesitates between νόμος and νομός, while that of P.Mich. 590 derives the term from νομή without hesitation. This seems to us the most likely solution. (That the letters και cannot be the start of an adjective modifying ἀρχεφόδω instead of the conjunction is shown by the plural κομισάμενοι in line 5.)

2-3. The presence of ταξιν in line 3 offers us the choice between restoring a phrase referring to movement or dispatch toward the physical office of the vir perfectissimus mentioned immediately following, along the lines of P.Panop. Beatty 1. 226 and 2. 215 (εἰς τὴν τάξιν τοῦ κυρίου μου Δόμνου τοῦ διασημοτάτου καθολικοῦ) or a phrase referring to an order of the vir perfectissimus as the grounds for the order being transmitted by the sender of the present text, restoring κατὰ πρόσ]ταξιν κτλ. There are similar phrases from this period in P.Oxy. XLV 3261. 9; L 3573. 3; and LIV 3758. 37. (One might also think of διά]ταξιν, but we have not found any examples from the Diocletianic and Constantinian period and it is most frequently used specifically with θεία, of imperial enactments.) Neither restoration provides a perfectly smooth text, for in either case there is a significant displacement of some element in the order. To our minds, however, the placement of αὐτῆς] ὥρας κομισάμενοι in lines 4-5 would be extremely awkward separated from a verb of sending in line 2 by so great a distance. An order giving first the motive of the request, next the verb, then the person to be replaced, then the immediacy phrase, then the name or characteristic of the person to be sent, followed by the accompanying necessities (ἅμα τοῖς, line 6), seems to us entirely reasonable.

3. If the high official referred to here is connected with the privata (referred to on the verso), as we think likely, one must restore either μαγίστρου or ἐπιτρόπου. (See Fergus Millar, *The Emperor in the Roman World* [Ithaca 1977] 625, 627-630, for the argument that „res privata“ is an anachronism in dealing with the fourth century; cited by J. Rea, P.Oxy. LI 3618. 6-7n.). In her discussion of the office of the privata, Lallemand, *L'administration civile* 90-92, remarks (p. 91) about these two titles, „Il semble donc que l'on doive, ici encore, distinguer deux fonctions différentes.“ Certainly the cumulative weight of the evidence shows that Wilcken's proposal to see the magister as the successor of the procurator is not viable. The list given by Millar (*Emperor in the Roman World* 629) shows both titles in P.Panop. Beatty 1, the procurator in 301/2-307, a procurator in 309, and the magister in 325. P.Oxy. XLIV 3192 adds a magister in 307, and P.Oxy. LI 3618 a magister (doubtfully) in 305-310. To complicate matters, the epithet διασημότητος is used of both (for the procurator, most recently P.Prag. I 10, undated). It seems most likely that the magister was responsible for the entire diocese of Egypt, with separate procurators for the subdivisions in existence at a given moment. See R. Delmaire, *CRIPEL* 10 (1988) 113-124 on the magister privatae in Egypt and *CRIPEL* 10 (1988) 125 and *Largesses sacrées* (Paris 1989) 209ff. for the procurators. If our papyrus referred to a procurator, it would presumably be that of Aegyptus, given the provenance; but the mention on the verso of the banker in Alexandria of the privata may point instead to the magister.

As the two possible restorations are the same length, the choice does not affect the length of the total restoration, which can hardly be less than about 30 letters: τοῦ διασημοτά[του μαγίστρου πριουάτης· ἀναπέμψατε]. It is, however, conceivable that something else filled the line and the verb came later.

4. Παητ has an apostrophe after the tau. The name Παης is common enough, with tau in the stem (gen. Παητος), but we have not found an example of the undeclined form Παητ elsewhere. The use of the mark after an undeclined Egyptian name ending in a consonant is attested elsewhere in the fourth century and later; see P.Kell. IV, p. 21. After the patronymic may have stood a term for a liturgy held by Paet, but we have not managed to identify a suitable candidate.

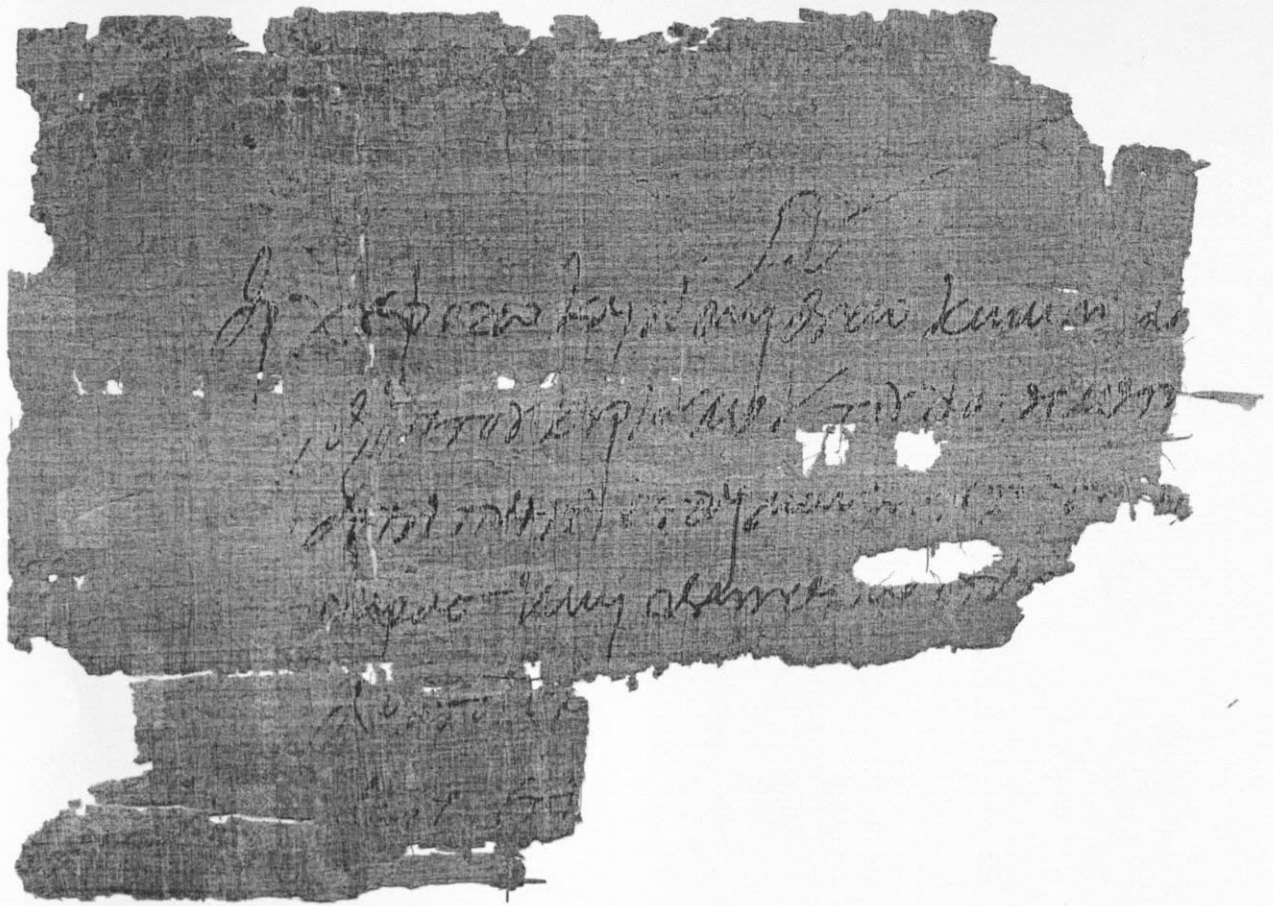
4-5. For the idiom used here, see (e.g.) P.Cair. Isid. 131: [αὐτῆς] ὥρ[α]ς δεξάμενοί μου τὰ γράμματα ἦκατε or P.Oxy. IX 1193: [αὐτῆς] ὥρας δεξάμενός μου τὰ γράμματα ὄνον ἕνα πα[ράσχου]. The phrase occurs unexpectedly late in the order here.

6. Perhaps restore κ[ωμάρχαις, the order requiring the komarchs to be sent up together with the individual specified earlier.

Verso 1. The precise sense of the rare word ἀργυρισμός here is not obvious. It may simply mean „income“ or „revenue.“ It is also conceivable that it has the force of ἐξαργυρισμός, *adaeratio*.

Examples of replacement of zeta with delta in forms of τραπεζίτης are listed by Gignac, *Grammar* I 76. The banker referred to here is presumably the director of a division of the state bank; this office has not previously been attested. On bankers in Alexandria see R. Bogaert, *Les banques à Alexandrie aux époques gréco-romaine et byzantine*, *AncSoc* 23 (1992) 31–42, who cites only two banks attested in the capital after the third century and notes the existence only of private banks in Roman Alexandria (see also the list he gives in ZPE 109 [1995] 136–137). In ZPE 116 (1997) 89 and 96–97 Bogaert deals briefly with the scanty evidence for the existence of state banks in the period after 284; additional evidence has now come to light in P.Oxy. LXVII 4605, where a councillor of Pelusium is serving as [c. 7] | [τραπ]εζίτης Ἀλεξανδρείας; cf. R. A. Coles' note to line 3 on the possible restorations of the lacuna to refer to public banking.

Verso 2. See Millar (above, n. to line 3) 627–630 for the point that the phrase *res privata* is late, with *ratio privata* found earlier. In the Greek papyri we generally have, as he notes, neither noun, *privata* occurring by itself. The hyperbaton in the word order here is curious, and it is possible that τῆς προιονάτης was added as an afterthought.



Fragment of a papyrus scroll with Greek text, showing significant damage and holes. The text is written in a cursive hand and is partially obscured by the damage.

11 r.



Fragment of a papyrus scroll with Greek text, showing significant damage and holes. The text is written in a cursive hand and is partially obscured by the damage.

11 v.