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THREE NOTES ON BYZANTINE DOCUMENTS

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## THREE NOTES ON BYZANTINE DOCUMENTS

### 1. The Consular Date of P.Oxy. LIX 3987

This interesting nomination of a πρωτοδημότης by the guild of λευκανταί began with a consular date, unsurprisingly for a document of the late fifth or early sixth century, the period to which the editor, Herwig Maehler, assigns it. Only the ending of the date, ]μπροτάτων, actually survives, but the presence of a date to Phamenoth 25 (21 March) of a 10th indiction narrows the possibilities considerably. The editor argues as follows (note to line 1): "As the handwriting suggests a date in the later fifth or the earlier sixth century, Phamenoth 25 of a tenth indiction year could be 21 March 457, 472, 487, 502, 517, or 532. Of these years 532 is the only one where two *clarissimi* (λαμ-πρότατοι) appear as consuls at the right time of year; hence the restoration given in the text, which seems to fit the space. The consuls of 502, Probus and Avienus, appear in the papyri as a pair only towards the end of the year. Earlier Probus, the eastern consul, is mentioned alone, see R. S. Bagnall,<sup>1</sup> *APF* 29 (1983) 30, id. et al., *The Consuls of the Later Roman Empire* 539."

The reader might reasonably expect to find on the basis of this note a restoration of the post-consulate in use in early 532, p.c. Orestis et Lampadii (μετὰ τὴν ὑπατείαν Φλαουίων Ὁρέστου καὶ Λαμπαδίου τῶν λαμπροτάτων). In fact, however, the editor restores ὑπατείας Φλαουίων Ὁρέστου καὶ Ἀβιηνοῦ τῶν λα]μπροτάτων, a curious hybrid nowhere attested. From the line note it may be justified to infer that the editor underwent an internal debate about the date, resolved for 532 in the note but only partly resolved in the text, where the consulate (instead of postconsulate) and name of the second consul have survived from an earlier preference for 502. It may be useful to take another look at what the actual possibilities are. First, we can certainly exclude years in which there is a consular formula attested in the first part of the year which is incompatible with the remains of a dating by two *clarissimi*. These are 472 (p.c. of Leo Aug. IV and Probinianus v.c.), 487 (p.c. of Fl. Longinus), and 517 (p.c. of Fl. Petrus, followed by cos. of Fl. Anastasius). Of the years excluded by the editor, this leaves 457. It is probably "at the right time of year" in the note that cut out this possibility for him. The consuls of the year were Fl. Constantinus et Rufus vv.cc., but the only papyrological attestations so far are from September and November (see *CLRE* s. a.). The absence of any references in papyri dating to the spring to the p.c. of the previous consulate (itself not attested in the papyri) at least leaves open the possibility that Constantinus and Rufus were in fact known in Egypt by March, and the restoration of their names would provide about 40 letters if no abbreviation is assumed, about right for the lacuna. It may be objected, however, that after the early fifth century the consuls of the current year are generally *not* known in Egypt in the spring; cf. *CLRE* 359 ff. and 671 (s.a. 429). We cannot be certain that there were no exceptions to this observation, and there are plenty of gaps in the evidence for the fifth century. But the objection is still cogent. Even so, however, it would be possible to restore instead the p.c. of the previous year, [μετὰ τὴν ὑπατείαν Φλ(αουίων) Βαράνου καὶ Ἰωάννου τῶν λα]μπροτάτων, for 37 letters or so. It therefore seems to us impossible to exclude 457 as a possibility here.

For 502, the possibilities are also not entirely clear. As the editor notes, Probus appears alone in our earliest attestation for the consulate of the year. But this dates from the summer, and for March one will have to consider also the possibility of the p.c. of the consuls of 501, Pompeius and Avienus. The complicating factor here is that it "is not clear if Avienus was ultimately disseminated in the East" (*CLRE* s.a. 501). It is, however, certainly possible that he was (the chronicles and CJ suggest as much, though they may have been corrected later), and if so a postconsular date early in

<sup>1</sup> Actually Bagnall and Worp.

502 seems entirely possible: [μετὰ τὴν ὑπατείαν Φλ(αυίων) Πομπηίου καὶ Ἀβιηνοῦ τῶν λα]μπροτάτων, around 40 characters.

Finally, if 532 is correct one would certainly restore the standard formula for that year: [μετὰ τὴν ὑπατείαν Φλ(αυίων) Ὁρέστου καὶ Λαμπαδίου τῶν λα]μπροτάτων.

These reflections leave us with three choices still open. The persons appearing in the text have not, as far as we can see, appeared in other documents. Under the circumstances, it seems to us better to leave the passage unrestored until more evidence appears to support one of the three possibilities.<sup>2</sup>

## 2. An Unrecognized Oxyrhynchite Era Dating

Among the Yale papyri published by S. A. Stephens in *ZPE* 96 (1993) 221-26 is an order for payment, P.Yale inv. 499 (p. 223). The sender, Ptoleminos, is known from *PSI* IX 1074 (not 1075 as ed.), dated to 15.ix.400 by the Oxyrhynchite era years 77-46,<sup>3</sup> while the recipient is known from that text and also from *PSI* IX 1073, dated eleven years earlier by era years 65-34. The editor reads the date in line 4 as follows: ἰδ' ἰνδ(ικτίονος) Φαῶφι ια. As the two texts already mentioned exemplify, orders of this kind and of this period from the Oxyrhynchite are normally dated using the local era years, not the indiction.<sup>4</sup> Given the editor's dots, then, it is a natural suspicion that the printed reading should be corrected to an era year. Working backward from the last letter of the year, a delta, we conjectured mu for the ιν preceding, and thus Λ οε μδ for the whole.

This reading has kindly been confirmed on the original by Dr. Robert Babcock of the Beinecke Rare Book and Manuscript Library, who also provided us with a photocopy of the papyrus on which the correct reading is very clear.<sup>5</sup> Era year 75-44 is 398/9, and the date of the papyrus is thus 8.x.398.

## 3. *P.Harris I* 131

Among the summaries of documents in *P.Harris I* is one described as no. 131, "signature of a return (?), and official endorsement referring it to the archives for registration." The editor's text is puzzling in more than one respect and as printed provides no connected meaning. On reexamination, however, it turns out to be essentially formulaic and capable of reconstruction. We are indebted to R. A. Coles for a photostat of the papyrus in aid of this attempt. We read and restore the text as follows:

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 Κεφάλων ἐπιδέδω[κα  
 (2. Hd.) εἰ // Ἡρακλᾶ βιβλιοφύλακι δη[μοσίων λόγων·]  
 τῶν δοθ(έντων) μοι βιβλίων ὑπὸ το[ῦ ἐγγεγραμμένου τὸ]

<sup>2</sup> Cf. R. S. Bagnall, "Restoring the Text of Documents," *TEXT* 4 (1988) 109-19; on dates, K. A. Worp, *Tyche* 6 (1991) 227.

<sup>3</sup> *P.Oxy.* VII 1056, cited by the editor as another possible appearance of this Ptoleminos, dates to forty years earlier, and there is no reason to suppose a connection.

<sup>4</sup> See R. S. Bagnall and K. A. Worp, *Chronological Systems of Byzantine Egypt* (Zutphen 1978) 36-42 for a general discussion.

<sup>5</sup> We take this opportunity to note that although the *ed. pr.* does not show it, the papyrus is broken at right. In line 2, ὑπ(ἐρ) is not completely preserved. In line 3, read χρ(υσοῦ) [νο(μισμάτια) κε], and in line 4 read εἰκο[σιπέντε] (the remaining letters are not doubtful and do not need dots). The size of the loss suggests that in line 2 τι(μῆς) may well have stood in the lacuna, as in *PSI* IX 1073.

ἵσον ἐπ[ιστ]έλλεταιί σοι, ὅπως [τὸν περὶ τούτων]  
καταχωρισμὸν ποιήσῃ[ς. v a c a t ]  
(ἔτους) ιη' ις' η' . Μεσ[ορῆ] .

“ . . . I, Kephalon, have submitted [- - -]. 5th. To Heraklas, bibliophylax of public records. An exemplar of the petition submitted to me by the herein named person is forwarded to you, so that you may carry out the registration in this matter. Year 18-16-8, Mesore .”

- 1 Written in a moderately clumsy, slow hand. Given the description of the larger document as a petition in line 3, this clearly must be the signature of the person who submitted the petition.
- 2 Heraklas is probably the bibliophylax known from *P.Oxy.* LIV 3758.139, from A.D. 325, a year after the Harris papyrus. In that appearance, however, the qualification δημοσίων λόγων is not appended to his title.
- 3 It is possible that ἐγγεγραμμένου was abbreviated.
- 4 ἵσον pap.
- 5 For καταχωρισμός by a bibliophylax, cf. *P.Coll. Youtie* II 73.24.
- 6 The date is July-August, 324. It is possible that σεσημείωμαι also stood in the lacuna.

The presence of two hands shows clearly that this is an original document. The formula of a brief letter of instructions from an official in lines 2-6 is similar to a number of other such surviving texts; among good parallels to the phraseology are *P.Oxy.* XVIII 2187, XXXVIII 2849, and LIV 3741 recto (intro., pp. 108-9); *SB* XVIII 13260 (= *Archiv* 33 [1987] 57); and *Misc.Pap.* II 512 (P.Lond.inv. 2226). The Harris papyrus lacks the name or title of the official whose instructions these are, but this information would have been obvious to the recipient. The unusual features of the text are first the presence of the notation “5th” in line 2, and secondly the placement of these instructions, which can only have stood at the bottom of the petition, not, as is typical, at the top.

A good parallel to the second feature can be found in *P.Erl.* 25, as reedited by J. D. Thomas in *ZPE* 80 (1990) 216-18. There the strategos' instructions to an assistant also stand at the foot of a petition and had a similar syntactical structure and vocabulary (τοῦ ἐπιδοθέντος μοι βιβλιδίου . . . τὸ ἵσον ἐπιστέλλεταιί σοι ἵνα . . . ποιήσῃς). Thomas notes this apparently unique feature of the Erlangen papyrus, but after considering the diplomatic features of examples with the instructions at the top concludes that “it may then be that the petition preserved in P.Erlangen 25 was written in such a way that insufficient blank papyrus remained at the top for the strategos to give his instruction to his subordinate and so had no choice but to append it at the foot.” The discovery that *P.Harr.* 131 is similar may now lead one to imagine that local practice in the matter simply varied.<sup>6</sup>

What does the epsilon stand for? The editor expanded it as ε (ἔτους), but this can hardly be right, given the date to year 18-16-6 below. One possibility is that it is the day of the month. A second is that it is an item number, referring to a log of the day's correspondence.<sup>7</sup> Or it may be neither of these. For the moment, a day number seems to us the most probable.

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<sup>6</sup> Thomas gives a general discussion of *subscriptions* to petitions to officials in *Egypt and the Hellenistic World* (Stud. Hell. 27, Louvain 1983) 369-82. In this sense, however, subscriptions are brief responses to the petitioner, not instructions to another official of the kind preserved here.

<sup>7</sup> In *P.Oxy.* LIV 3741.29 the apparatus signals a similar epsilon followed by sinusoidal curve in an official daybook, but the context is so unclear that this only adds obscurity.