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Six papyri from Hamilton College

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SIX PAPYRI FROM HAMILTON COLLEGE

There are in the United States a number of small collections of papyri which have come to institutions from the Egypt Exploration Fund, and in some cases, private donors. These little collections have been largely ignored by papyrologists who, quite reasonably, have been working with the large American collections. Examination of the documents in these collections, however, can yield worthwhile results. It might be valuable to collect in one series the papyri in these smaller collections. I avail myself of the hospitality of the *Journal of Juristic Papyrology* to present just such a small collection, and hope it will stand as a first step toward a general edition.

The six papyri published here are in the library of Hamilton College, Clinton, New York. They came to that college in 1900 from The Egypt Exploration Society, and were made available to me for publication through the kindness of Mr. Walter Pilkington, the Librarian of Hamilton College.

Of the six, four were published only as descriptions in *Oxyrhynchus Papyri* and in *Fayoum Towns*. These four seemed to offer an opportunity for new studies of the affairs to which they pertain. These are published in full here, as numbers 1 through 4. The other two were published fully in *Oxyrhynchus Papyri* I, and for these, only corrections to the text are given here.

I am grateful for the constant guidance of Professor C.B. Welles of Yale. Were it not for him, these documents would not have reached publication. I also wish to express my thanks to Professor H.C. Youtie of Michigan and Mr. C.H. Roberts of Oxford for their help.

1. Repayment of an Antichretic Loan

P. Oxy. 369

8.9 × 11.7

after 81 A. D.

This document is preserved on three fragments of tan papyrus. The first, 3.7 × 11.7 cm. preserves most of the left margin, and

the other two, 4.9×9.4 cm. and 0.6×2.1 cm., preserve most of the right margin. The small fragment fits at the lower right. A strip down the center is missing. At the top the gap is about 1 cm. wide, in the middle only about 0.3 cm. wide, and the piece missing from the bottom half of the papyrus is about 2 cm. wide. This represents a fold line, as the sheet seems to have been folded vertically in four folds starting from the right. The fold represented by the gap is the third fold and would have been on the outside, and subject to wear. The other missing pieces are not along fold lines. The surface is in good condition. The hand is a neat cursive with few ligatures, and the ink is black and clear.

The document records the repayment of a loan with antichretic provision of right of inhabitation. The creditor, one Apollonius, acknowledges to Sarapion son of Castor the return of 430 drachms which Sarapion borrowed in the 2nd year of Titus, 80 A.D. The money was borrowed on condition of right of inhabitation. The document does not specifically describe the property, but refers to it as τῶν δι' ἀτυγῆς δηλωθέντων τόπων. The duration of the loan is also described vaguely, as ἐπὶ τὸν σημανθέντα χρόνον.

P. Warren 9, 109 A.D., records a similar transaction. In this document we find a woman named Thaisarion repaying a loan contracted by her deceased husband, and part of the loan was conditioned ἐπ' ἐνοικίῃσι of a small house and court.

The antichretic right of inhabitation was either a form of guarantee to the creditor or merely a method of getting interest. The editors of the Warren Papyri, joining Mitteis¹, believe that the right of inhabitation protected the creditor.

In terms of practical life it may well be just so. Legally, however, the lender has no additional rights to title to the property by virtue of his inhabitation. The ἐνοικισμός does not serve as hypothecation, nor does it grant to the creditor the right to take title if the loan is not paid. If this latter right is to be given, it appears in the loan apart from the right of inhabitation. Such is the case in P. Prin. 144, iii A.D., which grants the lender right of exaction if the loan is not paid back, restrains the debtor from alienating the property, and also gives the right of habitation in place of interest. Similarly P. Fouad III, 44,44 A.D., another loan granting the right of habi-

¹ L. Mitteis, and U. Wilcken, *Grundzüge und Chrestomathie der Papyruskunde*, Leipzig, 1912, v. II (1) p. 153.

tation, contains the provision that the lender may take the property without recourse to law if the loan is not repaid. P. Oxy. 1641, 68 A.D. contains similar provisions. That this right of praxis is not given in every case of loan with right of inhabitation is shown by P. Mich. III, 188, 120 A.D., and 189, 123 A.D. Neither of these loans contains the clauses granting praxis to the lender.

Thus, inhabitation may be granted with praxis, or without, and the rights of the lender to praxis are determined not by the ἐνοικισμός but by the insertion of a clause specifically granting praxis.

The right of inhabitation does not serve in place of hypallagma or hypothec as protection for the creditor. P. Prin. 144, as has been mentioned, contains the provision against alienation of the property, and since this provision is characteristic of the hypallagma type of mortgage, P. Prin. 144 may be a mortgage. In this case, it is clear that the right of inhabitation is independent of the mortgage. In P. Ryl. 120, 167 A.D., there is a clear hypallagma with right of habitation of the property. This document is a request for a guardian by a woman who wishes to mortgage a share in land and a fourth share in house and yard. The word ὑπαλλασσοῦσης is used, making the nature of the transaction clear. She also says that the right of usufruct and leasing is to be granted in place of interest. While this does not specifically grant ἐνοικισμός we see that the antichresis granted in a loan of this sort does not create a mortgage, but that this must be separately mentioned in the loan.

Finally, in the case of P. Oxy. 1105, 81—96 A.D., a registration of an antichretic loan with right of inhabitation, we have, as Grenfell and Hunt point out, a clear case of mortgage, since the registration specifically mentions hypothec and right of inhabitation.

So the right of inhabitation is independent of any mortgage and of the right of praxis; it does not replace these creditor rights nor does it grant them. It is then likely that the primary purpose of the right of inhabitation was to obtain the interest on the sum loaned². The loans with right of inhabitation listed by Johnson³ grant the right in lieu of interest. Such is the case in each of the loans which have been discussed here. While P. Oxy. 1641 does not specifically state that the inhabitation is in lieu of interest,

² A. Manigk, *Gläubigerbefriedigung durch Nutzung*, Berlin, 1910. Also see the discussion by Meyer of P. Hamb. 9 for further bibliography.

³ A. C. Johnson, *Roman Egypt*, Baltimore 1936, p. 262.

such interest only starts if the contract is violated, and begins from the date of violation. Such is the case in P. Fouad III, 44, except that while the loan is to be repaid without interest, in case of violation the principal plus a stated interest is to be paid immediately. In both of these documents, however, as long as the contract is filled, there is no interest, so that ἐνοικισμός can be understood to be in place of interest.

Since the right of inhabitation does not grant the creditor praxis-rights or serve as a mortgage, it gives no additional legal protection. The fact that it is consistently used in lieu of interest shows that this was its essential purpose.

The procedures followed in the registration of these antichretic loans and repayments are known from other documents. From the edict of Mettius Rufus, (P. Oxy. 237, col. viii,) we learn that encumbrances on property were to be entered in the διασπρώματα in the bibliothekeseon. Registration in the agoranomeion (διὰ τοῦ ἀγορανομείου) was also required, as P. Oxy. 1105, a registration of such a mortgage, shows. There are a number of such registrations dealing with mortgages with no antichresis. At Tebtunis and Kerkesoucha Orous anagraphe lists from the grapheion of those villages contain many of these loans with right of habitation, where they are entered under the title of contract of habitation, ὁμολογία ἐνοικίσεως. P. Warren 9, containing the docket of the grapheion at Theadelphia, shows that the repayments also were registered. Since in our document the bottom of the sheet is lost, we can assume that the endorsement of registration has been carried away, but that it, like P. Warren 9, was registered. At Oxyrhynchus, the registration would have been effected at the agoranomeion, since the office in which documents were registered was called in that village the agoranomeion, while elsewhere the term grapheion was more favored⁴. The offices filled the same function in the dif-

⁴ For examples of registration in the agoranomeion see: P. Oxy. 241, ca. 98 A. D.; 243, 79 A. D.; 329, i A. D.; 1105, 81-96 A. D.; all from Oxyrhynchus. For examples of registration in the grapheion see: P. Amh. 111, 132 A. D.; Heraclea, (docket); P. Warren 9, 109 A. D., Theadelphia (docket). The papyri from Oxyrhynchus record that the loan was effected through the agoranomeion, the others through the grapheion. The term grapheion is used for the office making up the loan at Soknopaiou Nesos in P. Amh. 110, 75 A. D., P. Amh. 111, 132 A. D. P. Amh. 112,; 1 (128) A. D., P. Amh. 113, 157 A. D.; at Theognis in P. Fam. Teb 9, 107 A. D. This list, while far from complete shows that the offices performed the same

ferent villages, or at least were parts of one office filling the same duties, and the different names were accidents of terminology. In the discussion of the revocation of a will, P. Hamil. 2, a parallel to this is noted. At Oxyrhynchus the names agoranomeion and mnemoneion were applied to the same office.

Presumably, the repayment was also reported to the bibliotheke enkteseon to be entered in the diastromata. P. Oxy. 274, 89-97 A.D., part of a diastroma from Oxyrhynchus, shows that changes in the status of property were noted below and marginally. Mortgages and renewals of mortgages were recorded, and in ll. 24-25 we find the record of the repayment of the loan and dissolution of the mortgage. In P. Oxy. 808, 54-68 A.D., also part of a diastroma, there is again the entry of repayment of loan, and it is to be expected that the repayment recorded by our papyrus would be so entered.

The document published here follows the formulas of the repayments published among the Oxyrhynchus Papyri. It differs in minor details from those of the Amherst and London papyri, but the effect of all the repayments is the same. The return of the money is acknowledged, the office through which the loan was effected and the return of the loan documents is noted, and the creditor is restrained from future action by threat of a fine and compensation for each action and for the damage done by the actions.

Ἔ[τους
ισιω.] ὁμολογεῖ Ἀπολλώνιος]
τῶν ἀπ' Ὀξυρύν[υχων] πόλεως Σαραπίωνι
Κάστορος τοῦ [Πο]λυδεύκουσ μητρὸς Ἰσαροῦ-
5 τος τῆς Σαρ[απί]ωνος τῶν ἀπὸ τῆς αὐτῆς
πόλεως, ἐν ἀ[γυι]ᾷ, ἀπέχειν παρ' αὐτοῦ ἀργυ-
ρίου Σεβαστ[οῦ ν]ομίσματος δραχμὰς
τετρακοσί[α]ς τριάκοντα κεφαλαίου ἃς ἐδά-
νεισεν αὐτῷ [κα]τὰ συγγραφὴν γεγονυῖαν
10 διὰ τοῦ ἐν Ὀξ[υρύν]υχων πόλει μνημονεῖου
τῷ δευτέρῳ [ἔ]τει θεοῦ Τίτου μηνι Νέῳ
Σεβαστῷ ἐν ἐ[νοι]κισμῷ τῶν δι' αὐτῆς δη-
λεθέντων [ν]τόπων καὶ ἐπὶ τὸν σημαν-
θέντα χρόν[ον] καὶ αὐτόθεν ἀναδεδωκέ-

function, and that at Oxyrhynchus the term agoranomeion or mnemoneion was used, with grapheion usually found elsewhere.

- 15 ναι αὐτῷ τ[ὴν ἐπίφο]ρον τοῦ δανείου συν-
 γραφὴν κε[χριασμέ]νην εἰς ἀκύρωσιν
 καὶ μηδὲ[ν ἐνκαλ]εῖν μηδ' ἐνκαλέσειν
 μηδ' ἐπελε[ύσεισθαι] Ἀπολλώνιον μηδ' ἄλ-
 λον ὑπὲρ αὐτοῦ τῷ Σ[αραπίωνι] μηδὲ τ[οῖς]
- 20 παρ' αὐτοῦ [περὶ μηδ]ενὸς ἀπλῶς μέ[χρι τῆς]
 ἐνεστώ[σης ἡμέ]ρας, ἢ χωρὶς τοῦ τ[ῆς]
 ἐσομένη[ν ἔφοδο]ν ἄκυρον εἶναι ἔ[τι καὶ]
 ἐκτίνειν [Ἀπολλών]ιον ἢ τὸν ὑπὲρ [αὐ]τοῦ
 ἐπελευσόμ[ενον τῷ Σ]αραπίωνι ἢ τ[οῖς π]α-
- 25 ρ' αὐτοῦ κα[θ' ἐκ]άστην ἔφοδον τῷ [τε βλά-
 βος καὶ ἐπί]τειμον ἀργ[υρίου] (δραχμάς) ἑκατὸν καὶ εἰς τὸ
 δημόσιον[τὰς ἴσας, καὶ μηθὲν ἦσσον
 [κυρία ἢ συ]νγραφῆ.]

Translation: (Apollonius) of those of the city of Oxyrhynchus (acknowledges) to Sarapion son of Castor son of Polydeuces, mother Isarous daughter of Sarapion, of those of the same city, that in the street he received from him of silver imperial coinage four hundred thirty drachmas capital sum, which he had lent to him according to a contract executed through the agoranomeion in the city of Oxyrhynchus in the second year of divine Titus in the month Neos Sebastos, on condition of habitation of the places set forth in it and for the stipulated time, and that he has forthwith given to him the applicable contract of loan crossed out for invalidation, and that Apollonius or anyone on his behalf does not make any claim nor will make any claim nor will proceed against Sarapion or those about him for any reason at all up to the present day; otherwise, any claim that shall be made is invalid, and furthermore Apollonius or anyone proceeding in his behalf is to pay to Sarapion or those about him for each claim the damages and a penalty, of silver, one hundred drachmas, and to the treasury an equal amount, and this contract (shall be) no less valid.

Notes:

1. 12 On the basis of P. Oxy. 104, 96 A. D., and P. Oxy. 1641, 68 A. D., ἐνοικισμῶ is read. The term found more frequently is ἐνοικησις. The construction ἐν ἐνοικισμῶ is difficult; ἐπ' ἐνοικισμῶ would be better, but ἐν is clear on the papyrus. The terseness of the whole description of the original loan suggests that the phrase could be expanded to one similar to that of P. Warren 9, 11. 18-19: ἐν αἷς εἰσιν ἐπ' ἐνοικῆσι.
1. 13 Read-λωθέντων. The εν of λενθ is clear and must anticipate the εν to follow.

2. Revocation of a Will

P. Oxy. 178

9.3 × 9.4 cm

117 - 138 A.D.

This is a tan piece of papyrus, complete at the top and sides. The last line is missing, and there is a section last at the bottom left about 3 cm. in width and about 2 cm. up into the sheet. The surface is in good condition. The hand is cursive, but the letter forms are clear. The writing is on the recto with the fibers and the ink is black and clear.

Heras the son of Heras, from Oxyrhynchus, acknowledges to Horion, scribe of the agoranomeion of that village, that he has received back for cancellation the will which he made in the 19th year of Trajan, and that the seals on the will were intact. The receipt is in epistolary form: "Heras to Horion, greeting".

There are only three documents known which are analogous to this. They all come from Oxyrhynchus, and they all fall within the same 20 year period. The closest parallel is P. Oxy. 107, 123 A.D. It too is an epistolary receipt, and is addressed to the same Horion found in our receipt from Heras. Between the two receipts are only two variations in formula. Heras' letter acknowledges receipt of a *κόλλημα* of a *διαθήκη* while P. Oxy. 107 speaks only of a *διαθήκη*. The other difference is found in the mention of the seals. Heras' receipt states that the will was received *ἐπὶ σφραγίδων διαθήκης ἐπὶ τῶν αὐτῶν σφραγίδων*. P. Oxy. 107 has only *ἐπὶ σφραγίδων διαθήκης*.

The other two related documents are official statements in letter form to the agoranomoi that wills have been returned to their makers in accordance with directives. P. Oxy. 106, 135 A.D., is addressed to the agoranomoi by Apollonius, one of their assistants, and states that one Ptolema had been given back her will in accordance with instructions of the strategos. The document also contains an acknowledgement by Ptolema of receipt of the will. The last document, P. Oxy. 601, 116 A.D., republished as P. Preis. 32 is addressed to the agoranomoi by the bibliophylax enkteseon demosion. This letter is written by three hands. The first hand is the hand of almost the whole document. The address, the statement that the strategos has ordered that Harpokras be given back his will, and the date, are all in the first hand. Only the name of Harpokras is not in this hand, and it makes up the second hand. The third hand comes after the date, and it reads: *τὴν (προ)γεγραμμέ(νην)*

διαθήκην / ἀναπηνέγκατο ὁ Ἀρποκραῖς δι' ἐμοῦ / χρο(νος) ὁ αὐτ(ός).
I do not understand the last three words.

Now the three other documents have two things in common. They all state that the will was originally made in the agoranomeion, and all record that the will was returned from the agoranomeion. P. Preis. 32 also states that the will was originally made in the agoranomeion, but Preisigke thinks that the will was returned by the bibliophylax, the ἐμοῦ of the third hand. More likely, the notation of return was made in the office of the agoranomoi, since a similar phrase is used in P. Oxy. 106¹. We are then able to state that wills were made in the agoranomeion, kept there, and returned upon order of the strategos.

While the revocations from Oxyrhynchus indicate that wills were made at the agoranomeion in that village, the wills themselves name the mnemoneion as well. P. Oxy. 105², 489, 491, and 634 (descr.) all contain the docket of the mnemoneion. These wills all are dated between 117 and 137 A.D. The agoranomeion is named in the registrations of inheritance from Oxyrhynchus, as for example P. Oxy. 75, 129 A.D. The apparent contradiction can be resolved easily. In Oxyrhynchus at least, the mnemoneion and the agoranomeion were the same office, and the terms merely reflect the two functions of that office³.

The document published here raises the question of the manner of keeping the wills in the agoranomeion. It has been mentioned that this letter differs from the closest parallel in that a κόλλημα is mentioned. In 11. 6—7 Heras states that he received the κόλλημα of the will which he made, and in 11. 11—12 states that he received this ἐπὶ τῶν αὐτῶν σφραγείδων. According to Grenfell and Hunt, publishing the wills from Oxyrhynchus, the seals were on the verso, and were used to seal the string tying up the will rolled and folded into a packet. Publishing P. Oxy. 489, Grenfell and Hunt state that the seals were attached to the outside of what they call a roll. As a parallel to the procedure followed in sealing the will, they

¹ Cf H. Kreller, *Erbrechtliche Untersuchungen auf Grund der graeco-aegyptischen Papyrusurkunden*, Leipzig 1919, p. 393.

² Grenfell and Hunt read, in 1. 22 μετήμ () Ὀξυρ(ύγγων) πόλ(εως). On the basis of texts published later, the correct reading must be μνημ(νείου) Ὀξυρ(ύγγων) πόλ(εως).

³ Kreller, *op. cit.*, p. 318 f.; H. I. Bell, *Notes from Papyri in the British Museum, Archiv für Papyrusforschung* VI, 1920, p. 104 ff.

cite P. Teb. 104, where it is stated that the seal was placed over the string tying up the "roll". Since Heras stated that he received back his will with seals intact, the will must have been kept in the agoranomeion in a sealed condition. This would lead us to expect that must there have been some identification of the packet, by which it could be found when needed.

There is evidence for identification of the sealed wills on the verso of some of the wills. P. Oxy. 489 (117 A.D.) contains a docket on the verso identifying the document. P. Oxy. 968 (descr.) ii A.D., has a three line endorsement on the verso, and P. Ryl. 153 138—61 A.D. has some writing, much abraded, on the verso, which may be the remains of an identification or docket. The fact that such identifications are not found often may be attributed to the condition of the papyri in general, and to the method of making up the sealed packet. The documents were closed by folding the sheet from the bottom or top until a narrow packet was obtained. The identification would be written on the outside of this, and by the nature of the folding, would be close to the edge of the sheet, the first part to break away. This identification, then, is lost from most of the wills, but P. Oxy. 489 proves that it was there originally.

The problem presented by the letter published here is the reference to a *κόλλημα*. The word *κόλλημα* in the papyri almost always is used in connection with *τόμος* to mean column or sheet in a roll. There are only two documents known to me which show a use of this word which may be parallel to its use here. B.G.U. 1677, ii A.D., speaks of *κολλήματα ἀπογραφῆς κώμης Ψεντρεπάει*. This, may mean only sections of a roll, or it may mean individual sheets containing apographai. P. Princ. III, 127, 159/60 A.D., a report of census takers, ends with the statement: *ἡ συντεθεῖσα ἀκολουθ(εῖ) τοῖς ἐπιδοθ(εῖσιν) ἡμεῖν κολλήμασι Ζώιλος...* This is translated by the editor as "The supplement follows the rolls handed in by us: Zoilus....." If Johnson is right in his translation, the use of *κόλλημα* to mean sheet can be extended to our papyrus, and we would understand Heras to say that he had received the packet of the will which he made. In any case, he certainly does not mean that the will was included in a *τόμος* since it is clear that the wills were kept in the agoranomeion individually sealed.

It is interesting that revocations of wills are found only from Oxyrhynchus and only in the short period A.D. 116—135. Wills containing clauses providing for revocation are found at Oxyrhynchus

as late as 181—9, P. Oxy. 495, but no evidence of revocation is found after the reign of Hadrian. Presumably wills could still be changed but the procedure attested by the four revocations was probably no longer in use. The four documents may indicate that there was a short period of time when the agoranomeion at Oxyrhynchus was exercising great care in the control of documents, but that this did not last very long.

Ἡρᾶς Ἡρᾶτος τοῦ Ἀπερῶτος
ἀπὸ Ὁξυρύνχων πόλεως Ὁρί-
ωνι Σαραπίονος γραμματεῖ
ἀγορανομίου τῆς αὐτῆς πόλε^ω(ς)

5 χαίρειν. ἀνέλαβον παρὰ σοῦ
εἰς ἀκύρωσιν τὸ παρὰ σοὶ κόλ-
λημα ἧς ἐθέμην διὰ τοῦ αὐ-
τοῦ ἀγορανομίου τῷ Ἐπειφ
μηνὶ τοῦ ἐννεακαιδεκά-

10 του ἔτους θεοῦ Τραιανοῦ ἐπὶ
σφραγείδων διαθήκης ἐπὶ
τῶν [αὐτῶ]ν σφραγείδων,
ἐμ[οῦ τοῦτο] ἀξιώσαντος.
|[Αὐτοκρά]τορος Καίσαρος

15 [Τραιανοῦ Ἀδριανοῦ Σ]εβαστοῦ,
[]

Translation: Heras son of Heras the son of Aperos of the city of Oxyrhynchus to Horion the son of Sarapion, scribe of the agoranomeion of the same city, greeting. I have received from you, for cancellation, the sheet that was in your possession of that will with seals, which we made through the same agoranomeion in the month of Epeiph of the 19th year of divine Trajan, with the seals intact, at my own request. Year...of the Emperor Caesar (Trajanus Hadrianus) Augustus.

Notes:

1. 15 The year and name of the Emperor are lost, as well as the month and day. The document has been assigned to the reign of Hadrian since the will was made in the 19th year of Trajan, his last, and the revocation was made, presumably, in the following reign.

3. Customs House Receipt

P. Fay. 183

3.5 × 3.8 cm.

ii—iii A.D.

This is a light tan piece of papyrus, much abraded, with a worn seal adhering to the surface. There are two hands; the first is a square hand and easy to read, as the ink has remained dark, while the second is extremely cursive in places and the ink is much faded.

This receipt is for payment of the ρ'και ν' or 1/100 + 1/50, a three percent tax. This is one of the three taxes for which there are customs receipts from the Fayoum, the other two being the λιμένος Μέμφεως and the έρημοφυλακίας. From the receipts for these taxes there seems to be no difference between them in regard to the goods subject to the taxes. Almost all the receipts are for exports from the Fayoum, and almost all record both the animals carrying and the goods themselves.

The λιμένος Μέμφεως was a customs tax for imports and exports to and from the epistrategia of the Heptanomia and the Arsinoite Nome, and payable at Memphis. This is shown by the reference to this tax outside the Fayoum, as at Oxyrhynchus, as P. Oxy. 919, 182 ? A.D., shows, referring to τέλη Μέμφεως¹. Memphis was probably the toll station at the northern limit of the epistrategia of the Heptanomia and the Arsinoite Nome, as Hermopolis served at the south². The control of this tax was apparently allotted to the Fayoum toll houses for goods leaving and entering the Fayoum.

The second tax paid at the Fayoum toll houses was not a customs tax but a tax for the maintainance of the desert guards³. P. Aberd. 37, 198 A.D., and 38, 198 A.D. are receipts from agents of the τέλος έρημοφυλακίας and mention three nomes, the Meroitic, Propoite, and Letopolite. The documents seem to bear out Wallace's conclusion that the tax was centrally levied⁴, and was not limited to the epistrategia of the Heptanomia and Arsinoite Nome, since the receipts would serve to prove payment of the tax if it were demanded outside this area. The fact that nomes are specified

¹ References to the tax at Memphis from Oxyrhynchus are discussed by S. L. Wallace, *Taxation in Egypt from Augustus to Diocletian*, Princeton 1938, pp. 262 ff.

² Strabo, XVII, 1, 41, mentions the toll gate at Hermopolis. Wallace, *op. cit.* p. 267 f. proposed the analogy between Memphis and Hermopolis.

³ Wallace, *op. cit.* p. 272, and M. Rostovtzeff, *The Social and Economic History of the Hellenistic World*, Oxford, 1941, p. 669.

⁴ Wallace, *op. cit.* p. 273.

in these receipts, and the statement on other receipts of this type (P. Lond II, 317, p. 87, 156—7 A.D. and P. Lond. II, 330, p. 88, 164 A.D.) that *παρόδιον* is involved would indicate that the receipts are issued to persons traveling through the nomes mentioned, and that the tax is assessed on the basis of the area involved.

The *ρ' και ν'* which is designated in P. Grenf. II, 50 b, as a tax of the Arsinoite Nome, must be a tax of a different nature from the other two taxes. This tax has been considered a local customs tax for the Arsinoite Nome, but I would suggest that the purpose of the tax was the support of the toll houses which were situated along the borders of the Fayoum, and which collected the other two taxes.

The customs houses were located in a number of towns at the borders of the Fayoum. Along the northern border there were customs houses in Philadelphia, Bacchias, Karanis, Philopator-Theogenous, and Socnopaiou Nesos, and along the southern border in Dionysias at the western edge, Tebtunis, and Kaine. These are the towns named in the customs house receipts. A list of the Fayoum customs house receipts known to me follows. The receipts are grouped under the towns named, and are subdivided by the type of tax.

Philadelphia		<i>ἐρημοφυλακίας</i>	
<i>ρ' και ν'</i>		P. Aberd. 42 e	106
SB. 8984	157	42 f	161 or 193
P. Aberd. 41 i	ii or iii A.D.	42 g	161
41 j	ii or iii	B.G.U. 1593	ii or iii
B.G.U. 1593	ii or iii	P. Grenf. II, 50 c	147
1595	iii	P. Lond. II, 469 a p. 85	154
P. Fouad III, 65	113/4?	Name of tax missing	
P. Hamb. 76	176	P. Aberd. 43 b	ii or iii
P. Lond. III, 1265e p. 37	173		
P. Princ. 51	iii	Bacchias	
<i>λιμένος Μέμφεως</i>		<i>ρ' και ν'</i>	
P. Aberd. 40 f	195?	P. Fay. 71	ii or iii
B.G.U. 763	iii	73	ii or iii
1592	212	76	ii or iii
1594	iii	P. Merton 20	184?
P. Grenf. II, 50 1	ii or iii	P. Preis. 25	ii or iii
Griffith Stud. p. 215	iii	P. Yale inv. 7 (P. Fay. 180)	134
P. Hamb. 77	176		
78	iii	<i>λιμένος Μέμφεως</i>	
SB. 7566	iii	P. Aberd. 40 g	172 or 204
Stud. XXII, 11	135	P. Fay. 72	ii or iii

74	ii or iii	41 e	204 ?
164	ii	41 f	178/9or210/11
165	ii	B.G.U. 767	ii
		803	iii
ἐρημοφυλακίας		804	ii
P. Fay. 75	ii or iii	P. Fay. 70	ii or iii
76	ii or iii	P. Grenf. II, 50 a	142
Name of tax missing		50 b	145
P. Fay. 67	80	50 fl	ii
		50 f2	ii
Karanis		50 g	184 or 216
		50 h	190
ρ' και ν'		SB 9233	ii/iii
B.G.U. 724	ii	P. Lips 81	iii or iv
766	91	P. Lond. II, 307, p. 84	145 A. D.
λιμένος Μέμφεως		206 d, p. 86	169 ?
P. Amh. 116	178	III, 1265 c, p. 36	149
B.G.U. 764	160—167	1265 d, p. 37	149
765	166	1265 f, p. 37	177
P. Lond. II, 469 b		1266 a, p. 38	182 or 214
p. 86	ii	1266 b, p. 38	180 or 212
III, 1266 e		1266 c, p. 38	183 or 215
p. 39	169—176	P. Ryl. 197 a	162
? P. Lond. II, 206 c		P. Soc. Nes. (Boak, Socnopaiou Nesos 2	215 ?
p. 85	177	3	215 ?
Name of tax missing		7	iii
Stud. XXII, 140	156/7	10	206
ἐρημοφυλακίας		13	203 ?
SB 9237	211	P. Strass. 123	ii
Philopator-Theogenous		Stud. XXII, 104	142/3
		148	138—161
ρ' και ν'		150	145 ?
P. Aberd. 41 g	195	λιμένος Μέμφεως	
41 h	195	P. Aberd. 40 a	178/9
Stud. XXII, 151	144 ?	40 b	190
152	144 ?	40 c	192
? 9	ii	40 d	162 or 194
? 10	ii	40 e	ii or iii
Socnopaiou Nesos		B.G.U. 768	ii
ρ' και ν'		P. Fay. 69	ii or iii
P. Aberd. 41 a	187	P. Fouad I, Univ., 34	42
41 b	196, 221 or 225	P. Grenf. II, 50 d	176—180
41 c	167 or 199	50 e	179
41 d	199	50 k	ii or iii
		P. Lond. III, 1265 b, p. 36	83
		1266 d, p. 39	ii

P. Ryl. 197 c	ii	ἐρημοφυλακίας	
197 d	ii	P. Fay. 68	158
368	ii or iii		
369	ii or iii		
370	ii	Tebtunis	
P. Strass. 12	ii?	ρ' και ν'	
124	ii	P. Teb. 461	ii or iii
Stud. XXII, 13	149	557	ii or iii
149	150	P. Yale Inv. 297	155
153	188		
P. Soc. Nes. 1	215?	ἐρημοφυλακίας	
11	198/9	P. Teb. 461	ii or iii
12	iii	P. Yale Inv. 300	ii or iii
ἐρημοφυλακίας		Name of tax missing	
P. Aberd. 42 a	151	P. Teb. 565	113
42 b	167 or 199		
42 c	170 or 202		
42 d	ii or iii	Kaine	
P. Amh. 117	ii or iii	ρ' και ν'	
B.G.U. 1088	142	P. Teb. 362	ii or iii
P. Fouad I Univ. 34	42		
P. Grenf. II, 50 i	192	ἐρημοφυλακίας	
50 m	ii or iii	P. Aberd. 42 h	189
P. Lips. 82	iii or iv		
P. Lond. II, 316 b, p. 86	154	Name of customs house	
316 c, p. 84	145	unknown	
III, 922 a, p. 40	179 or 211		
1266 f, p. 39	ii or iii		
1266 g, p. 39	183 or 215	ρ' και ν'	
P. Ryl. 197 b	ii	P. Fay. 177—179; 181 185 a	
Stud. XXII, 12	149	P. Iand. 59	ii
62	163		
Name of tax missing		λιμένος Μέμφεως	
P. Aberd. 43 a	ii or iii	P. Aberd. 40 h	211?
B.G.U. 882	ii or iii	P. Fay. 166—176	?
P. Lond. III, 1265 a, p. 36	83		
P. Soc. Nes. 6	iii	ἐρημοφυλακίας	
8	206/7	B.G.U. 867	ii
9 (seal only)	iii	P. Fay. 186—189	?
Stud. XXII, 105	91/2		
		Name of tax missing	
Dionysias		P. Aberd. 44	161 or 193
		P. Soc. Nes. 4	?
λιμένος Μέμφεως		14	iii
P. Soc. Nes. 5	208	15	iii

On this list, a few receipts appear twice, under the headings of different taxes. These, B.G.U. 1593, P. Fay. 76, P. Fouad I Univ. 34, and P. Teb. 461, record the payment of both taxes under which they are listed.

The list of customs houses shows that about half the receipts come from Socnopaïou Nesos. All but a few come from the northern part of the Fayoum. Evidently most of the commerce from the Fayoum moved through the toll stations along the northern part of the lake, even though most of the Fayoum itself is to the south. More of the commerce moved through Socnopaïou Nesos than any other customs port. Now while it may seem odd that Socnopaïou Nesos should receive so much traffic, located far to the west as it is, the explanation is found in the existence of a wall which ran from the east border of the Fayoum, about one half mile south of Philadelphia, across the desert to the cultivated area along the Nile. This wall, reported by Rowe, was thought by him to have protected caravans⁵. Actually, the purpose must have been to prevent smuggling of goods out of the southern part of the Fayoum, up along the narrow strip of desert and thence to the river, above Memphis, avoiding all duties. With the wall across the desert, it would not be possible to transport goods except by bringing them down to the Nile, and then the goods would be liable to tax at Memphis. The existence of the many receipts from Socnopaïou Nesos shows that the route out of the southern part of the Fayoum was along the shore of the lake. As the exporter came around the lake to the north, he was confronted by an escarpment and high terrain extending almost to the shore. This territory ends at Socnopaïou Nesos. He could not strike out across the desert to avoid tariff, but had to go as far as Socnopaïou Nesos. He could then go out across open country, but the payment of the tariff was assured.

The receipts from the other northern towns, Philadelphia, Bacchias, Karanis and Philopator were for goods exported from the part of the Fayoum near those towns. The few receipts from the southern towns, Tebtunis and Kaine, were for goods being exported to the south. The trade to the north went through Socnopaïou Nesos.

1st hand Τετελ(ώννηται) διὰ πύ[λ(ης) Βακχι(άδος) ρ] |—
καὶ ν |— 2nd hand Χαίρ[έα]ς

.....

⁵ A. Rowe, "A Contribution To The Archaeology of The Western Desert: III," *Bulletin of the John Rylands Library*, 38, 1955/6, pp. 162 ff.

τρῖς | ι = 'Επιφ
 ὀκτωκαίδεκά-
 τη

Translation: Paid through the gate of Bacchias, the three percent tax by Chaireas, (bringing in on three donkeys ...) three, year 10 Epeiph 18.

Notes:

1. 1 The name Βακχι(άδος) is restored because it fits the lacuna, and the receipt was found at Ûmm el 'Atl, Bacchias. The abbreviation of the three percent tax is most commonly ρ̄ και ν̄. The abbreviation found here is known from B.G.U. 803. Similar abbreviations and examples of each are: S P. Aberd. 41 h; f P. Soc. Nes. 10; S P. Aberd. 41 b. The sign must mean 'per cent'.
1. 3 For this line εἰσάγ(ων) ἐπ' ὄνοις γ' is suggested.. εἰσ- rather than ἐξ- is preferable as the traces look much like εἰσζ in the photograph of P. Soc. Nes. 3. The figure at the end of the line is broken away at the top. It looks like a ζ with a mark at the bottom and more ink at the top, and is probably the symbol indicating the produce carried.
1. 6 In the custom house receipt published in *Fayoum Towns*, a numeral follows the written out version of the date, and this is the most common practice in these receipts. There are examples of receipts which do not have the numeral; these are: B.G.U. 724; P. Grenf. II, 50 b, f(2), k; P. Lond. II, 206 d, 316 b, 469 b; III, 1266 b, f; P. Ryl. 191 (a); Stud. XXII, 9, 10, 153; P. Yale Inv. 300. The numeral was omitted in the writing of the papyrus published here.

4. Receipt For Payment of Poll Tax

P. Fay. 355

11.7 × 10.2 cm.

28 June 122 A.D.

This tan piece of papyrus is complete on all sides, but in places is much worm-eaten. The hand is very cursive, and typical of the 2nd century A.D. The ink is dark and clear where the papyrus is intact.

The document records the payment of 20 drachmae λαογραφία with προσδιαγραφόμενα of 10 obols chaldi by one Philoxenus, of the quarter of the sacred gate, and is dated in the 6th year of Hadrian, Epeiph 4. This receipt is of the more common type of poll tax receipt: acknowledging a payment of 20 drachmae with additional payment of 10 obols. This rate was applicable to the metropolitai in the Arsinoite Nome, who formed a privileged class in the tax structure¹. While most of the receipts of this type contain a desi-

¹ S. L. Wallace, *Taxation in Egypt from Augustus to Diocletian*, Princeton 1938, p. 121.

gnation of a place in the metropolis, Arsinoe, some of those preserved refer to villages outside the metropolis². This class must have included persons outside the metropolis itself, and it may be that citizens of Arsinoe retained the privileged rate of citizenship even though they resided in the villages³.

The papyrus published here designates the locale as 'Ιερᾶς Πύλης. There is an amphodon of this name in Arsinoe and in the villages of Euemeria and possibly Theadelphia as well. P.Gen. 78, iii-iv A.D., is addressed to the archiereus of the city of Arsinoe by a resident of an amphodon which is preserved on the papyrus as 'Ιερ-. The quarter must be 'Ιερᾶς Πύλης and presumably is in Arsinoe. In P.Grenf. II, 79, col. i, a declaration is addressed to the katalogistes of the Arsinoite Nome by a resident of an amphodon 'Ιερᾶς Πύλης. The oath concerns a person inhabiting the amphodon Moeris, an established quarter of Arsinoe, and this makes it probable that the amphodon is in Arsinoe. SB 4299, 245 A.D., a census return, mentions three amphoda. Two are known to be in Arsinoe, and the third, Hiera Pyle, may thus be assumed also to be in Arsinoe. P.Ath. 35, 153/4 A.D. mentions an amphodon named 'Ιερᾶς Πύλης and this may be in Theadelphia. The papyrus names three people: the first is said to be from Berenike Thesmophoros, the second from Hiera Pyle, the third is mentioned without a geographical reference. Following the names is the statement that two, corrected to three are fish dealers in Theadelphia. It may then be that the Hiera Pyle found after the name of the second man is in Theadelphia. The existence of a Hiera Pyle in Euemeria is virtually certain. P.Fay. 98, 123 A.D., is a receipt for house rent, and one Heracleides of the amphodon Hiera Pyle acknowledges receipt of rent for a house in Euemeria. The document is docketed in the γραφειον of Euemeria. Since the amphodon is not stated to be in another village, and since the transaction involves Euemeria, it must be believed that the amphodon is in Euemeria.

The Hiera Pyle named in the papyrus published here can not be placed with certainty. The document comes from Harit, according to the editors of *Fayoum Towns*. This is the town of Theadelphia, and if there was a Hiera Pyle in that town, as P.Ath. 35 might

² *Ibid.*, pp. 413 ff.

³ *Ibid.*, p. 121.

indicate, then the Hiera Pyle mentioned in our text probably refers to that Hiera Pyle.

The receipt mentions a payment of 10 obols προσδιαγραφόμενα. A recent study by Verne B. Schuman of Indiana University has offered a meaning for this term⁴. Schuman showed that taxes were payable with 29-obol tetradrachms, but calculated on the basis of 6-obol drachmae. When the taxes were paid in coin other than tetradrachms the προσδιαγραφόμενα brought the value of the payment up to the required amount, and indicated a difference between nominal value and the amount credited. Schuman's figures are very convincing, but one problem remains in connection with the poll-tax. If the προσδιαγραφόμενα reflect the difference between nominal value and the amount credited, we should expect that there would be different amounts προσδιαγραφόμενα in different receipts. That is, the different coins used to pay the tax would not always have been the same number of the same denominations to produce προσδιαγραφόμενα of 10 obols. Since, on the receipts for 20 drachmas, the additional payment is always 10 obols, it is suggested that extra payment was essentially as Schuman says, but that in the case of the poll-tax, 10 obols was a constant; instead of figuring out the required extrapayment whenever the tax was paid in other than tetradrachms, a sum of 10 obols was routinely charged.

About 3 cm. below the last line, near the right margin, appears ἀλλ followed by some ink marks. This may be an abbreviation; I do not understand the meaning of this word or abbreviation, and I know of no parallels. Also unique, so far as I know, is the existence of the name of the amphodon on the verso.

Ἔτους ς' Αὐτοκρα[άτ(ορος)] Καί[σ(αρος)] Τρα[ι]α[νο]ῦ
 Ἀδριαν[οῦ] Σε[β]α[στοῦ] Ἐπ[ει]φ δ' ἀρι(θμησεως) Πα[ύ]νι. δι(έγρα-
 ψε)
 Φιλόξενος(ς) Μηναῖτος(ς) Φιλόξενος
 Ζωιδο(ῦτος) (ὑπέρ) λαο(γραφίας) ἕκτο[υ] |
 5 Ἴερ(ᾶς) Πύλ(ης) (δραχμάς) εἴκοσι (γίγνεται) κ προσ(διαγραφόμενα)
 χ(αλκοῦ) ὀ(βολοῦς) δέξα.

vacat 3 cm.

2nd hand ἀλλ

⁴ V. S c h u m a n, *Three Accounting Terms of Roman Egypt, Classical Philology* XLIV (1949) pp. 236 ff.

Verso

Ἴερ(ᾶς) Πύλ(ης)

Translation: Year six of Emperor Caesar Trajanus Hadrianus Augustus, Epeiph 4, account of Payni. Paid by Philoxenus [son] of Menas [son] of Philoxenus [mother being] Zoidous, as poll tax for the sixth year, in the quarter of the Sacred Gate, twenty drachmae, that is, 20, additional payment of bronze obols, ten.

Notes:

1. 3 For the name of the grandfather read Φιλόξένου. It is not uncommon that the article be left out between the names. It is surprising that μη(τρος) does not appear before the name of the mother.
1. 4 This abbreviation for ὑπέρ is remarked in the notes to P. Fay. 50. The symbol can be seen in the reproduction of P. Bas. 8, Plate II of that publication.

5. Registration of Sheep and Goats

P. Oxy. 74

5.0 × 20.4 cm.

116 A.D.

This papyrus was published completely in P. Oxy. I. I shall give here only subsequent corrections and additions. Documents of this type are discussed fully in connection with the publication of P. Cor. 15, 128/9 A.D., a declaration of sheep and goats.

- 1.6 Ἐξ- not Ἐξο-; *Berichtigungsliste* I, p. 314.
- 1.7 Ὀξυρύγχων not [Ο]ξυρύγχων.
- 1.16 -λίποντ(αι) not -λίποντ(α); *Berichtigungsliste* I, p. 314
- 1.18 There is a καί at the end of the line.
- 1.21 ἀνεμήσοντ(αι) not ἀνενή(νοχα) ὄντ(α); *Berichtigungsliste* I, p. 314.
- 1.23—24 These lines are much abraded, probably because of erasure. Based on parallel documents such as P. Prin. 24 and P. Ross. Georg. II, 13, they can be restored to read: νομοῦ [διὰ νομέως] τοῦ δεῖνος ... but no certain reading can be made.
- 1.32—33 The titles are not written out, as given in the original publication, but are abbreviated, as: Σεβαστ(οῦ) Γερμανικ(οῦ) Δακικ(οῦ).

6. Correction of the Official Taxing Lists

P. Oxy. 78

6.7 × 23.3 cm.

ca. 246 A.D.

This papyrus also has been published fully in P. Oxy. I. The document is dated more closely by P. Lond. III, 1157 verso, 246 A.D., which contains the names of the same officials as are found in this papyrus. (Wilcken, *Archiv* IV, p. 539). The only corrections are those found in *Berichtigungsliste* I, p. 314, which I have verified. The corrections are: 1.8 Τσενδηματ(ι) not Τσενδηματ(); 1.16 Σαλουταριου not Σαλοσταριου.

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