

BGU I 174 + 189:

An Early Roman Contract from Soknopaiou Nesos

W. Graham Claytor*

Abstract: Edition of two fragments from the first volume of BGU, which together form a nearly complete loan drawn up through the writing office of Soknopaiou Nesos in 7 CE.

Keywords: loan, *grapheion*, notary, Soknopaiou Nesos

<https://doi.org/10.1515/apf-2017-0026>

“Dieser Augenblick bedeutete mir eine plötzliche Befruchtung, für die ich nicht dankbar genug sein kann: er wies mich in die Papyri ...”¹

What caught the young Adolf Deissmann’s eye was an intriguing epithet attached to Rome’s first emperor, θεοῦ υἱός, buried in a dating formula halfway through the imposing first volume of *BGU*. The great papyrologist and historian Ulrich Wilcken also found something of interest in this modest fragment: the phrase τῆς Καίσαρος κρατήσεως provided evidence of a hitherto unknown era date, which he connected to post mortem Augustan regnal years found on some Alexandrian coins.²

Despite this early attention, it has escaped notice that *BGU I 174* joins another well-known document published in the same volume: *BGU I 189* (= *M.Chr.* 226). Together they form a virtually perfect sheet, marred only by breaks along its folds, five running vertically, and one horizontally, where the papyrus broke in two.³ The top half, which piqued the interest of Deissmann and Wilcken, consists merely of the opening protocol of a

* **Kontakt:** W. Graham Claytor, Universität Basel, Departement Altertumswissenschaften, Alte Geschichte, Petersgraben 51, CH–4051 Basel <graham.claytor@unibas.ch>

¹ A. Gerber, *Deissmann the Philologist* (Berlin/New York 2010) 569.

² See note to ll. 1–2.

³ This edition was made from the high-quality images now available in the Berliner Papyrusdatenbank (<<http://ww2.smb.museum/berlpap>>, accessed Oct. 15, 2016). I thank Marius Gerhardt for providing me with images beforehand, checking readings on the original, and arranging for the physical join of the fragments.

contract written in Soknopaiou Nesos on Mesore 29 of Augustus' 36th year (= 22 August, 7 CE), followed by a large blank space. The bottom half of the document contains a subscription, below which one can again read Mesore 29 (against Mesore 24 of the *ed. pr.* and *M.Chr.* 226). The notary's registration docket, containing a third instance of the date, is in the middle, split between the upper and lower fragments. While the diplomatic peculiarities of the two halves have long been noted,⁴ their union now makes it clear that the document belongs to the group of incomplete, but registered *grapheion* contracts, which are found frequently during Augustus' reign, but not after 10 CE, as I have discussed elsewhere.⁵ In form, the Berlin papyrus matches the contemporary *P.Mich.* V 345 (Tebtunis, 7 CE) almost precisely: both contain only the opening dating and location formulas at the top of the document.⁶

The subscription records the acknowledgement of a loan of money and exhibits some of the linguistic deviations that are typical of the Greek of Soknopaiou Nesos.⁷ Of juristic interest is the 18 percent interest rate, as well as the bilingual docket on the verso, giving a brief description of the contract in both Demotic (previously unpublished; read by Wolfgang Wegner) and Greek. The Greek refers not only to the loan, but also to a sale of a donkey, which reveals that the loan was secured by a fictitious sale, a so-called ὀνή or πρᾶσις ἐν πίστει.⁸

⁴ U. Wilcken, *Archiv* 5 (1913) 206, n. 3. Cf. L. Mitteis, *Grundzüge*, 64, n. 2; E.M. Huselman, *P.Mich.* V, pp. 4–5; G.M. Browne, “Ad P. Oxy. XXXIV 2705”, in E. Kiessling und H.-A. Rupprecht (edd.), *Akten des XIII. Internationalen Papyrologenkongresses, Marburg/Lahn, 2.–6. August 1971* (München 1974) 55, n. 10.

⁵ W.G. Claytor, “Rogue Notaries? Two Unusual Double Documents from the Late Ptolemaic Fayum”, *JJP* 44 (2014) 85–106, with a list of such documents in the appendix (*BGU* I 174+189 is #10). Other contracts of this type are published in W.G. Claytor, N. Litinas, and E. Nabney, “Four Labor Contracts from the Harthotes Archive”, *BASP* 53 (2016) 79–119.

⁶ The only difference is the Berlin papyrus' extra date written out in full at the foot of the papyrus, while the Michigan example has the month and day jotted at the very top. Two other contracts contain the opening protocol along with personal descriptions of the contracting parties in the top margin: *P.Mich.* inv. 1324 (Theadelphia, 6 CE; Claytor, in preparation) and *P.Grenf.* II 40 (Soknopaiou Nesos, 9 CE), listed in Claytor 2014 (n. 5), Appendix, #9 and 14.

⁷ For a comprehensive analysis see S. Lippert and M. Schentuleit, *P.Dime* III, pp. 79–101.

⁸ J. Herrmann, “Zur ὀνή ἐν πίστει des hellenistischen Rechts”, in G. Thür (ed.), *Symposium 1985. Vorträge zur griechischen und hellenistischen Rechtsgeschichte (Ringberg, 24.–26. Juli 1985)* (Cologne/Vienna 1989), 317–324 at 320–321. *BGU* I 189 is listed under

P.Berol. 7006 + 7180

21 x 7.5 cm

Soknopaiou Nesos

Acquired in 1891

22 August, 7 CE

Publication: *BGU I 174* (with *BL I 23*) and *BGU I 189* = *M.Chr.* 226.

A narrow sheet of medium brown papyrus, complete on sides, with damage along the fold lines. It was folded five times along its height and once along its width, where the papyrus broke in two. Five sections of text can be distinguished: 1) the opening protocol of the body contract; 2) the notary's registration docket; 3) the subscription; 4) the date at the bottom; 5) the bilingual docket on the outside. The first to be written was probably the subscription, written on behalf of the contracting party in a practiced, though somewhat sloppy, cursive; a dot marks where it was to begin. A *grapheion* scribe then added the opening protocol of the body contract (but not the contract itself), as well as the registration docket above the subscription, and an additional date at the foot. The document was then labelled on the back with a title in both Demotic and Greek.

→

- (2nd Hd.) ἔτους ἔ[κ]του καὶ τριακοστοῦ τ[ῆς] Καίσαρος κρατήσεως
θεοῦ υἱόν, μηνὸς Ὑπερβελεταίου ἐνάτει καὶ εἰκάτει, Μεσορῇ
ἐνάτει καὶ εἰκάτει, ἐν τῇ Σοκνοπαίου Νήσου τῆς Ἡρα-
4 κλείδου μερίδος τοῦ Ἀρσι[νο]εῖτου νομοῦ

vacat

(ἔτους) [λ]ϛ Καίσαρ[ρ]ος [Μ]εσορ[ῇ] κῆ ἀναγέγγ[απται]
δι[.] ο. κα. [.] [.] [.] [.] [.] [.]
Νήσου

- 8 (1st Hd.) • Σαταβοῦς Τεσηῆος Πέρσ[η]ς τῆς ἐπ[ι]κονῆς
ὁμολοκῶ ἔχιν{ι} τὸ δάνηον παρὰ Μαρῆς
τοῦ Μεσοῦηρις διὰ χε[ιρ]ὸς ἐκξ οἴ[κ]ου ἀργυρίου
ἐπισήμου κεφαλαίου [ν]ομίσματος δρα-
12 χμὰς ἐβδομήκοντα δύο τόκου ὥς ἐκ
δραχμῇ μία τριοβούλ[ο]υ τῇ μνᾶ τὸν μῆ-
να ἕκαστον, ἂς καὶ ἀποδόσω ἐν μηνὶ
Μεχίρ τοῦ ἰσιόντος ἐβδόμου καὶ τρια-
16 κωστοῦ ἔτους Καίσαρος καὶ ποιήσω καθό-

πρᾶσις ἐν πίστει at O. Montevicchi, *La Papirologia*, 227, and under Kreditkauf at S. Lippert, *Einführung in die altägyptische Rechtsgeschichte* (Berlin 2008), 102.

τι προέγρα<π>ται. ἔγραψεν ὑπὲρ αὐτοῦ
 Πανέφρυμις Στοθήτιος διὰ τὸ μὴ εἰδέ-
 ναι αὐτὸν γράμματα.

20 (2nd Hd.) (ἔτους) λς Καί[σα]ρος [επαγομ] Μεσορή κθ

Verso

[p³ (?)] ῑsh-tʿnʿn (?) ʿ (n-)dr.t ῑHʿtb³ (s³) Tše

(2nd Hd.) [Δάνει]ον ἀργυρίου (δραχμῶν) οβ καὶ πρᾶσις ὄνου Χαταβούτος
 Τεσήους παρὰ Μαρή[ο]υς Μεσουήρις

2 l. υἱοῦ, Ὑπερβερεταίου ἐνάτη καὶ εἰκάδι, μεσορ^η pap. 3 l. ἐνάτη καὶ εἰκάδι, Νήσφ
 4 Ἀρσινοῖτου 7 l. Νήσφ 8 Τεῆος prev. ed., l. ἐπιγονῆς 9 l. ὁμολογῶ ἔχειν τὸ δάνειον
 παρὰ Μαρήους, ἔχιν: v corr. 10 l. Μεσουήρις, ἐξ 13 l. δραχμῆς μιᾶς τριωβόλου, τον
 corr. ex τω 14 ἔκαστον: α corr. ex ρ, ἀποδόσω: δ corr. ex ο (?), l. ἀποδόσω, μηνι corr.
 ex μηνα 15 Μεχείρ, l. εἰσιόντος 15-16 l. τριακοστοῦ 19 l. γράμματα 20 [επα-
 μη[να]] Μεσορή κθ prev. ed. 23 Μαρή[ο]ς prev. ed., l. Μεσουήρις

Body Contract: *Year thirty-six of the dominion of Caesar, son of a god, in the month of Hyperberetaios, the twenty-ninth, Mesore the twenty-ninth, in Soknopaiou Nesos of the Herakleides district of the Arsinoite nome.*

(blank)

Registration: *Year 36 of Caesar, Mesore 29. Registered through NN, ... of Soknopaiou Nesos.*

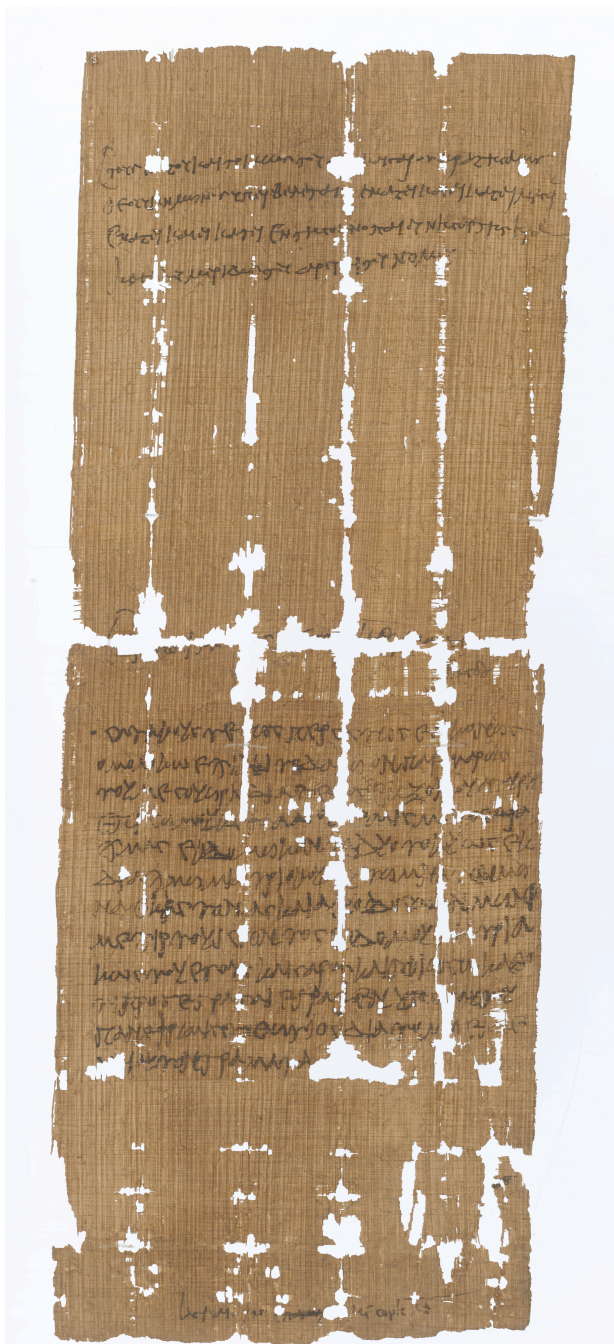
Subscription: *I, Satabous, son of Teses, Persian of the epigone, acknowledge that I have received the loan from Marres, son of Mesoueris, hand-to-hand, from the house, seventy-two drachmas of coined issue as the principal, at an interest of one drachma, three obols per mina each month, which I will repay in the month of Mecheir of the coming thirty-seventh year of Caesar, and I will do as has been written above. Panephrymis, son of Stothetis, wrote on his behalf because he does not know letters.*

Date: Year 36 of Caesar, ~~epagom~~ Mesore 29.

Docket on Verso:

(Demotic) *[the (?)] loan (?) document (?) from the hand of Satabous, (son) of Teses.*

(Greek) *Loan of 72 silver dr. and sale of a donkey of Chatabous, son of Teses, from Marres, son of Mesoueris.*



P.Berol. 7006 + 7180 Recto



1–2 τ[ῆς] Καίσαρος κρατήσεως | θεοῦ υἱόν (l. υἱοῦ). *BGU I 174* was the first attestation of the era of Augustus’ *kratesis* (cf. U. Wilcken, *Deutsche Literaturzeitung* 9 [March 4, 1893] 265 and “Miscellen,” *Hermes* 30 [1895], 151–153), which began on August 1 (= Mesore 8), 30 BCE, the day of the final defeat of Anthony and Cleopatra in Alexandria (*Dio* 51.19.6). Soon thereafter, however, the beginning of the new year reverted to Thoth 1 (= August 29): T.C. Skeat, “The Beginning and the End of the Καίσαρος κράτησις Era in Egypt”, *CdÉ* 69 (1994) 308–312.

3 ἐν τῇ Σοκνοπαίου Νήσου (l. Νήσῳ). See F. Mitthof, “ἐν τῇ Σοκνοπαίου Νήσῳ. Zur Bezeichnung des Errichtungs- bzw. Registrierungsortes in den Notariatsurkunden aus Soknopaiu Nesos”, *ZPE* 133 (2000) 193–196. Cf. the registration docket in l. 5.

5 ἔ[τους λ]ϛ Καίσα[ρ]ος Μεσορ[ῆ] κθ ἀναγέγρ[απτai]. In the ed. pr. of *BGU I 174*, Krebs printed (ἔτους) [λ]ς Καίσα[ρ]ος in l. 5, which was taken over in Wilcken 1895 (ll. 1–2 n.), with the addition of the month [Μ]εσορ[ῆ]. The testimony of these two scholars indicates that there was more on the papyrus than can be seen presently, and I have accordingly printed their reading of the lost letters between corner brackets. A vertical stroke can still be seen on the papyrus, preceded by a trace to the left, which is consistent with the horizontal of sigma running into the hasta of kappa. The first character of this line looks much more like a large epsilon than the L-shaped year sign, and there is indeed enough room for ἔ[τους λ]ς.

5–7 The upper and lower fragments do not seem to join perfectly because, as Fabian Reiter has pointed out to me, the letters at the top of *BGU I 189* do not match the expected ἔτους λς Καίσαρος, part of which, in any case, was originally read on *BGU I 174*. The first line of 189 must therefore be the second line of the notary’s registration docket. Following this line of thinking, one can read the first two letters as δι, that is, the beginning of διά. This would then be followed by the notary’s name, which I have not had luck deciphering, and his title, ending [Σοκνοπαίου] | Νήσου. Cf. *CPR XV* 1.23 (3 BCE): [ἔτους κη Καίσαρος Θωθ . . . ἀναγέγραπται διὰ . . . νομο]γράφου καὶ συναλλ[α]γματογ[ρ]ά[φ]ου Σοκνοπαίου Νήσου. No *grapheion* officials in Soknopaiou Nesos are known by name between 2 and 37 CE: see S. Lippert and M. Schentuleit, *P.Dime* III, p. 105.

8 Σαταβοῦς Τεσηός (prev. ed. Τεῆος). Slight traces before and after the lacuna suggest a sigma, which is supported by the verso's Τῆε and Τεσήους. On the origin of the name Satabous (rendered *Ḥtbʿ* and Χαταβοῦς on the verso), see M. Schentuleit, "Satabus aus Soknopaiou Nesos: Aus dem Leben eines Priesters am Beginn der römischen Kaiserzeit," *CdÉ* 82 (2007) 101–125 at 102–103.

Πέρσ[η]ς. From the photo, it is hard to see how the writer's typically large eta could be fit in the small gap between the sigmas. The two strips of papyrus on either side of the lacuna can perhaps be separated a bit more, or else Πέρσ[ι]ς was written.

ἐπ[ι]κωνῆς. One might also read ἐπ[ι]κωνῆς, as the writer clearly has problems with ο/ω, but it seems better to see this sequence as kappa ligaturing into an open-top omikron (cf., on the other hand, the ω of ὁμολοκῶ, l. 8).

12–14 18% interest "seems to have been a kind of transitional rate" between the Ptolemaic maximum of 24% and the Roman standard of 12%: P. Van Minnen, "An Antichretic Loan from Early Roman Alexandria Revisited (*BGU* IV 1053)," *ZPE* 199 (2016), 144–154 at 146 with n. 12. Cf. H.J. Wolff, *Das Recht der griechischen Papyri Ägyptens in der Zeit der Ptolemäer und des Prinzipats*, I (Munich 2002), 190.

18 Πανέφρυμις Στοθήτιος. Both names are typical of Soknopaiou Nesos. The spelling Πανέφρυμις as opposed to the more common Πανέφρεμ(μ)ις is rare and limited to Soknopaiou Nesos and related villages (Neilopolis and Herakleia). A Stotoes, son of Panephrymis subscribes *P.Ryl.* II 160c (Soknopaiou Nesos, 32 CE); the names are too common to suggest a family link, but perhaps the spelling -φρυμις is a point in favor.

20 [επαγομ.] Μεσορή κθ. The scribe started writing ἐπαγομένων before crossing it out and supplying the date of the contract. This suggests that the notation was written in the epagomenal period, which began two days after Mesore 29. The purpose of the notation is unclear.

21 This line of Demotic was omitted from the *editio princeps* and *M.Chr.* 226. It has been transcribed and translated by Wolfgang Wegner, who comments as follows: "On the partial loanword *sh-tnn* as the equivalent of Greek δάνειον, see *CDD* t, 248; K.-Th. Zauzich, 'Korrekturvorschläge zur Publikation des demotischen Archivs von Deir el-Medineh

(Schluß),’ *Enchoria* 3 (1973) 68 (on ‘Urkunde 42,’ l. 3); W. Cheshire, ‘A New Demotic Loan from Gebelen,’ *Enchoria* 7 (1977) 54 n. j; W. Clarysse, ‘Greek Loan-Words in Demotic,’ in S.P. Vleeming (ed.), *Aspects of Demotic Lexicography. Acts of the Second International Conference for Demotic Studies, Leiden, 19–21 September 1984. Stud. Dem.* 1 (Leuven 1987), 22 no. 18 (on the presumed *tnn* in P.Boston 38.2063b, 19, cf., however, *CDD* t, 247). Apart from the first *n*, the present writing is rather damaged, but the reading seems acceptable in view of the contents of the contract and the Greek part of the docket.”