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Marie-Pierre Chaufray

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MARIE-PIERRE CHAUFRAY

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## WITNESSES IN THE SURETY CONTRACTS OF THE JOUGUET COLLECTION<sup>1</sup>

The StG ERC-project GESHAEM, *The Graeco-Egyptian State: Hellenistic archives from Egyptian mummies*, studies the role of Egyptians in the Greek administration of the early Ptolemaic state.<sup>2</sup> The project is based on the Jouguet collection which consists of papyri extracted from mummy decorations, called “cartonnages”, which were discovered by Pierre Jouguet in 1901–1902 in the cemeteries of Ghoran and Magdola.<sup>3</sup> The papyri that were reused for cartonnages date mainly from the third century BCE and were part of administrative archives belonging to officials at various levels of the Fayum administration.<sup>4</sup>

About 200 fragments of Demotic and bilingual (Greek/Demotic) surety contracts were found in the cartonnages. They belonged to the archives of one or several officials in the district of Themistos, in the north-west of the Fayum oasis.<sup>5</sup> Five of them are obviously different from the others in their large format, their early date (247–236 BCE), and their contents – they are all surety contracts for prisoners.<sup>6</sup> The verso of those texts is blank. Since these five surety contracts do not contain the signature of witnesses, they are not studied here. The other surety contracts, which have been published by H. Sottas and Fr. de Cenival, date from 229 to 209 BCE.<sup>7</sup> Most of them are written for the guarantors of brewers, although there are also sureties for other tasks such as washing linen or oil production. New fragments of surety contracts have been found by W. Clarysse while working in the Sorbonne collection for over 20 years and by F. Jacques, “papyrothécaire” of the Sorbonne collection since 2012: 14 fragments could be joined to the contracts already published; 162 inventory numbers are either new documents or fragments that cannot yet be joined. In total 227 surety fragments have been gathered. Those new texts are again mostly sureties for brewers, but there are also two new contracts for guarantors of the washman Artemidoros son of Agathon, already known from five published surety contracts.<sup>8</sup> The new fragments date to year 25, like the five other contracts. Artemidoros had therefore at least eight guarantors.<sup>9</sup> The case of Artemidoros is common: for one person, several people acted as guarantors and for each of them a demotic contract was drawn up by an Egyptian scribe, probably the notary of the village where the debtors came from.

The surety contracts contain four parts:

1. the *scriptura interior*, which summarizes the contract: this part was probably rolled up with a cord and sealed (though no seal has been preserved), and the contracts were probably opened when reused as cartonnage. A hole is visible through which the cord was tied;
2. the *scriptura exterior*, with the complete contract, left visible;
3. the signatures of the witnesses at the bottom, often in different hands;
4. on the verso, in Greek, the archival note recorded by the administration.

<sup>1</sup> I thank W. Clarysse for his corrections and commentaries on this article, A. Monson for having corrected my English and K. Vandorpe for her suggestions.

<sup>2</sup> This project has received funding from the European Research Council (ERC) under the European Union’s Horizon 2020 research and innovation programme (grant agreement No 758907).

<sup>3</sup> Jouguet 1901, 1902; Jouguet / Lefebvre 1902.

<sup>4</sup> For an overview of official archives found by Jouguet, Petrie, Grenfell and Hunt in human mummies, see Vandorpe / Clarysse / Verreth 2015, p. 25–26.

<sup>5</sup> The cartonnages themselves were found in the district of Polemon, in the south, but they were probably made of documents which were first kept in Crocodilopolis, the metropolis of the Fayum, before being discarded.

<sup>6</sup> P.LilleDem. I 1–4 and II 65. P.LilleDem. II 65 was not identified as such by Fr. de Cenival but *nty dt̄h n-dr.t=k*, “who are your prisoners”, can be read in I. 4. On imprisonment and sureties, see Muhs 2018, p. 96–98.

<sup>7</sup> P.LilleDem. I/II 6–11, II 34–96, SB XX 14524. This makes 65 documents in total: Fr. de Cenival had published separately fragments which belong together, or together fragments which should have been separated: P.LilleDem. II 42+79, 43+70, 45+76b, 47+72, 48+67, 56+59, 76a, 87a, 87b.

<sup>8</sup> P.LilleDem. II 45+76b, 76a, 77, 82, 84. The new fragment is inv. Sorb. 1258. On Artemidoros, see Clarysse 1992, p. 54.

<sup>9</sup> Two brothers stand as sureties in P.LilleDem. II 84.



Fig. 1. Witnesses' signatures in Kerkeneith

In those contracts, an individual (A) declares to two officials, the οἰκονόμος and either the royal scribe or the τοπογραμματοεὺς, that he stands surety for someone (B) who is responsible for an obligation in one village, probably the payment of taxes linked to a “monopoly”.<sup>10</sup> The surety involves a payment either if B fails to pay the Crown the money he owes for the monopoly (surety of payment: *šp-dr.t dl.t / ἔκτισις*), or if B leaves the place where he is engaged for a task (surety of presence: *šp-dr.t ḥ' / μονή*). For one person, like the washman Artemidoros, several people stood surety in the same year, which created a kind of collective village responsibility. The contracts are signed by witnesses, almost always four.

In the Sorbonne documentation the part with the witnesses' signatures is preserved, completely or partly, in 74 documents originating from 15 villages. In total we have identified about 120 different witnesses. This paper examines those witnesses, in order to see if links can be found between people or social networks in villages.

#### Identity of witnesses

In the surety contracts, only men are witnesses, and only Egyptians. It is quite similar to what is found in the demotic contracts coming from Thebes in the third century BCE: only a few Greek names appear in the lists of witnesses, and those Greeks often belonged to the Egyptian milieu.<sup>11</sup> The witnesses in the surety contracts are identified only by their name and patronymic, unlike the witnesses mentioned in the contracts found in Pathyris.<sup>12</sup> Only in the village of Athenas kome titles are preserved.<sup>13</sup> In two contracts, the first of the four witnesses is Nechtenibis son of Pasis who is the scribe of the village (*p3 sh dmy*).<sup>14</sup> His title is mentioned at the end of the contract in his declaration to the οἰκονόμος that he will act as the guarantor of the first guarantor of the contract. This is the only case where the title of a witness is given. His high position in the village probably explains why he is the first witness of the contracts, and maybe the order of the witnesses' signatures is linked to social hierarchy.

#### Order of signatures

The order of the witnesses' signatures can be studied in a few examples where the same witnesses sign for different guarantors in the same village. In the village of Kerkeneith (*Pr-grg-N.t*), which cannot be located and identified with a Greek village name,<sup>15</sup> an unpublished fragment of a contract preserves a list of four witnesses which gives a parallel to the other contract coming from this village published by Fr. de Cenival.<sup>16</sup> Two witnesses sign in the same position, which suggests that the two others were probably also identical though their names are not preserved in the published fragment (Fig. 1).<sup>17</sup> For the village of Apias,<sup>18</sup> several contracts are preserved for different guarantors over different years with almost identical witnesses lists (cf. Table 1).

<sup>10</sup> On monopolies, see Heichelheim 1933, p. 165–170; Préaux 1939, p. 65–93; Bingen 1978; Muhs 2005, p. 73–97; von Reden 2007, p. 94–95; Armoni 2012, p. 143–144 and 219–220.

<sup>11</sup> Cf. Clarysse 1995, p. 13–15.

<sup>12</sup> Cf. Kaplony-Heckel 1992, p. 323–334. In the Pathyris contracts, which are not surety contracts, there are often more than four witnesses.

<sup>13</sup> TM Geo 367.

<sup>14</sup> P.LilleDem. II 79+42, l. 4; P.LilleDem. II 53, l. 24.

<sup>15</sup> TM Geo 1695.

<sup>16</sup> The unpublished fragment is inv. Sorb. 1247; the other contract is P.LilleDem. II 78.

<sup>17</sup> The name of the first witness can thus be restituted in P.LilleDem. II 78, l. 10: Paues s. of Imouthes.

<sup>18</sup> TM Geo 240.

	Witness 1	Witness 2	Witness 3	Witness 4
1. P.LilleDem. II 54 (year 21=22)	<b>Petosiris s. of Pamounis</b>	Paos sr s. of Marres	Phanesis s. of Haryothes	Harmais s. of Harmais
2. P.LilleDem. II 34+inv.Sorb. 567k (year 23=24)	Paos s. of Marres	<b>Petosiris s. of Pamounis</b>	Petosiris s. of Hetpeesis	Marres s. of Thotomous
3. P.LilleDem. II 38+inv.Sorb. 567a,i,j (year 23=24)				
4. P.LilleDem. II 55+inv. Sorb. 567e (year 23=24)				
5. P.LilleDem. II 36+inv.Sorb. 567d (year 23=24)	Petosiris s. of Hetpeesis		Hepmais s. of Hepmais	
6. P.LilleDem. II 37 (year 23=24)	<b>Petosiris s. of Pamounis</b>	Pasis s. of Pasis	Petamounis s. of Imouthes	
7. Inv. Sorb. 1322b (date lost)				
8. Inv. Sorb. 564b (date lost)		Petamounis s. of Imouthes	Marres s. of Thotomous	Panechates s. of Marres

Table 1. List of witnesses in Apias

Eight contracts in which the full list of witnesses is preserved record the names of ten persons. Six of them sign at least two contracts in the same year. In four contracts, Petosiris son of Pamounis signs in the first position (cf. Table 1: 1, 6, 7, 8) and in four others in the second position (2, 3, 4, 5). This position is probably an indication that he was an important person in the village.

#### Diversity of witnesses

For the same witnesses to sign different contracts in the same village is quite common. Only in three villages do the witnesses change almost completely from one contract to another (cf. Table 2, in bold).

Villages	Number of contracts (with complete lists: 4 per contract)	Number of different witnesses
<b>Alexandrou Nesos (TM Geo 105)</b>	<b>2</b>	<b>8</b>
Apias (TM Geo 240)	8	10
<b>Arsinoe<sup>19</sup></b>	<b>2</b>	<b>7</b>
Athenas kome (TM Geo 367)	2	5
Euhemeria (TM Geo 675)	4	7
Kerkeneith (TM Geo 1695)	2	4
Philagris (TM Geo 1766)	8	15
<b>Sethrempais (TM Geo 2122)</b>	<b>3</b>	<b>9</b>

Table 2. Diversity of witnesses

In Alexandrou Nesos, which is probably located in the same area as Apias and which has connections with Ptolemais Drymou,<sup>20</sup> two contracts for oil merchants are written in the same year by the same scribe.<sup>21</sup> One is intended for the oil merchant who had the monopoly on oil production in Alexandrou Nesos and its surroundings, and the other contract is for two of his subcontractors who work in Ptolemais Drymou. Maybe the diversity of the witnesses here is due to the fact that two villages are involved.<sup>22</sup>

<sup>19</sup> On the identification of this village, see *infra*, p. 156.

<sup>20</sup> TM Geo 2022.

<sup>21</sup> P.LilleDem. II 50 and 51. For the location of the village, see Römer 2019, p. 325–326.

<sup>22</sup> On the link between the two villages, cf. Clarysse 2004, p. 280.

In Sethrempais, two contracts written by the same scribe, Nechthyris son of Pinoub, have two witnesses in common. One of them is probably the notary's son, Pinoub son of Nechthyris who writes a third contract in which his father himself is a witness with three other witnesses.<sup>23</sup> In Arsinoe, the two contracts with complete witness lists are written by two different scribes: Teos son of Inaros and Teos son of Petesouchos.<sup>24</sup> Only one witness signs both contracts, but Teos son of Inaros signs as a witness in the contract written by Teos son of Petesouchos. In an incomplete contract written by Teos son of Inaros, Teos son of Petesouchos also signs as a witness.<sup>25</sup>

#### Witnesses, notaries and literacy level<sup>26</sup>

The examples in Sethrempais and Arsinoe show that scribes acting as notaries could act as witnesses in other contracts. The same phenomenon can be seen in other regions as, for example, in Djeme in the Thebaid.<sup>27</sup> Being able to write, even if it is only for a signature, was an important element. The signatures of the other witnesses are autographs, which implies also a minimum level of literacy.

#### Witnesses and guarantors or guaranteees

Examples of witnesses in one contract being guarantors or objects of surety in other contracts are rare. In Apias, the guarantor Pasis son of Pasis, who is a royal farmer, may be identified with a homonymous witness found in two contracts.<sup>28</sup> However, as the name Pasis is common in the Fayum, the identification is doubtful. In the village of Philagris, Petosiris son of Teses, a farmer and servant of Thoth, acts as guarantor of the brewer Keltous son of Petosiris (maybe his own son); in the same year, he signs as a witness for another guarantor of this same Keltous, and his name appears in the lists of witnesses in two fragmentary contracts.<sup>29</sup> Also in Philagris, another Petosiris, the son of Pasis, Perses of the epigone, gives surety to Keltous and acts as a witness in another contract.<sup>30</sup> Thotmosis son of Pachnoumis, a donkey driver in Greek but a servant of Thoth in Egyptian, is also a guarantor of Keltous in year 22 and a witness in three contracts.<sup>31</sup> In Sethrempais, an *isionomos* and singer of Isis, Horos son of Petetymis is guarantor in one contract, receives surety as a brewer in two other contracts, and is a witness in a fourth undated one.<sup>32</sup> This person and his father are also known from Greek papyri and they were responsible for the farming of the beer tax in the village for at least two years.<sup>33</sup> In total, in the Sorbonne surety contracts, only five guarantors (on a total of 71 guarantors) appear as witnesses, and only in one case a guarantee signs as a witness.

In Apias, the brewer Heregebthis son of Ragomis is mentioned in a Greek papyrus with the names of all his guarantors for a year that is not preserved.<sup>34</sup> No identification can be made between the guarantors mentioned in this list and the witnesses in the Sorbonne surety contracts. This diversity shows that the pro-

<sup>23</sup> P.LilleDem. II 7 and 48+67 are written by Nechthyris son of Pinoub (the name of the father is not sure); inv. Sorb. 2835 is written by his son or his father.

<sup>24</sup> P.LilleDem. II 81 and inv. Sorb. 1382c.

<sup>25</sup> P.LilleDem. II 96+inv. Sorb. 812a,b.

<sup>26</sup> I call notaries the scribes who wrote the contracts: they were not official notaries, working for the government or the temple.

<sup>27</sup> Cf. Uggetti 2020.

<sup>28</sup> Pasis son of Pasis is witness in P.LilleDem. II 37 and inv. Sorb. 1322b; he's guarantor in inv. Sorb. 1200+1238+567h.

<sup>29</sup> P.LilleDem. II 47+72; witness in P.LilleDem. II 35+44+inv. Sorb. 809a, inv. Sorb. 795 and 2733k,l.

<sup>30</sup> P.LilleDem. II 35+44+inv. Sorb. 809a and inv. Sorb. 2733k,l.

<sup>31</sup> P.LilleDem. II 69 (partim)+1241; witness in P.LilleDem. II 35+44+inv. Sorb. 809a (year 21), 89 and inv. Sorb. 1242.

<sup>32</sup> P.LilleDem. 83+inv. Sorb. 1383; guarantee in P.LilleDem. II 58 and 93 (reading of Fr. de Cenival must be corrected); witness in inv. Sorb. 2835.

<sup>33</sup> P.Petrie III 58e, col. i, l. 23–24 et III 87, col. ii, l. 19, cf. Clarysse 2004, p. 279, 281.

<sup>34</sup> P.Petrie III 58e, col. ii, l. 21.



cess of taking surety involved a lot of people in villages and there seems to have been a deliberate choice of distinguishing guarantors from witnesses, who could sign several contracts.

#### Family connections

Family connections between witnesses, or between witnesses and contractors can be identified only in the case of rare names. With common names such as Pasis, Petosiris or Petesouchos identifications remain doubtful. In Philagris the brewer Keltous, who could be the son of Petosiris son of Teses, witness and guarantor, is certainly the father of the witness Aphynchis son of Keltous, since the name Keltous is extremely rare.<sup>35</sup> In Sethrempais, the name of Pinoub is uncommon, so this witness, who is also notary, is undoubtedly the son (or the father) of the notary Nechthyris who also acts as witness. Some witnesses could be brothers: for instance, in Philagris, Onnophris and Thoteus are both sons of Phibis.<sup>36</sup> In the same contract, the witness Hareus son of Harmais could be the brother of Pasis who signs another contract from the same village.<sup>37</sup>

#### Village connections

In year 18, Payni, Petesouchos son of Marres son of Chayris is the notary scribe of a surety for a brewer working in Philagris and Apollonias.<sup>38</sup> Four years later, a man also named Petesouchos son of Marres son of Chayris is the first witness of a contract in which three women stand as surety for a brewer in the village of Arsinoe.<sup>39</sup> Exceptionally, three generations are mentioned, so Petesouchos is certainly one and the same person. A witness called Horos son of Chaiophis signs in both contracts, which supports the prosopographical identification. The name “Arsinoe” was given to several villages but it seems Arsinoe-on-the-dyke is involved here, one of the largest villages in the meris of Themistos.<sup>40</sup> According to C. Römer’s recent localisation, the village lay in the south of the Fayum near Abou el-Nour, which is not close to Philagris.<sup>41</sup> Petesouchos and Horos could have been living first in Philagris and then, four years later, in Arsinoe, or, if, every year, all the contracts were signed at the same moment in the nome metropolis, these two inhabitants of Philagris were exceptionally asked, in year 22, to sign as witnesses in a contract for inhabitants of Arsinoe. Other homonyms found between witnesses are:

- Pasis son of Pasis in Apias and Berenikis;<sup>42</sup>
- Teos son of Petesouchos in Kerkeneith and Arsinoe.<sup>43</sup>

Because these names are very common, however, the identifications must remain uncertain.

#### Conclusion

Except for a few possible connections between villages, the witnesses are often the same in contracts from the same village. No doubt only a small group of literate people was involved in acting as witnesses. There is generally no information on them since titles are lacking, except for the *κομογραμματεύς* of Athenas kome, who is both witness and second guarantor in two contracts. In his witness’ signature, he does not add his title but he signs in the first position. The order of signatures could thus be significant and linked to the fact that village officials were acting as witnesses.

<sup>35</sup> Inv. Sorb. 1396b: the guarantor’s name is preserved but not the name of the guarantee.

<sup>36</sup> P.LilleDem. II 89.

<sup>37</sup> Inv. Sorb. 2733a.

<sup>38</sup> P.LilleDem. II 41.

<sup>39</sup> P.LilleDem. II 81.

<sup>40</sup> TM Geo 325.

<sup>41</sup> On the localisation of Philagris (TM Geo 1766) in the meris of Themistos, see Clarysse / Van Beek 2002, p. 195–197.

<sup>42</sup> P.LilleDem. II 37 and 48+67.

<sup>43</sup> P.LilleDem. II 78 and 96+inv. Sorb. 812a,b.

Information on witnesses can also be obtained by means of the rather rare prosopographical identifications of guarantors or notary scribes. As regards family connections, there is no clear tendency of having fathers and sons or brothers among witnesses but some examples show that families of brewers or notaries could be involved. Lastly, there may have been some village connections through notaries and witnesses but the identifications up to now are far from certain. When we add up guarantors, witnesses and notary-scribes, the process of obtaining sureties in villages involved a lot of people: those people probably belonged to the village elite who had a kind of collective responsibility for the payment of taxes in their village.

### Bibliography

- Armoni 2012: C. Armoni, *Studien zur Verwaltung des Ptolemäischen Ägypten: Das Amt des Basilikos Grammateus*, Papyrologica Coloniensia 36, Paderborn, 2012.
- Bingen 1978: J. Bingen, *Le Papyrus Revenue Laws: Tradition grecque et adaptation hellénistique*, Rheinisch-Westfälische Akademie der Wissenschaften, Vorträge G 231, Opladen, 1978.
- Clarysse 1992: W. Clarysse, Some Greeks in Egypt, in: J. Johnson (ed.), *Life in a Multi-Cultural Society: Egypt from Cambyses to Constantine and Beyond*, Studies in Ancient Oriental Civilization 51, Chicago, 1992, p. 51–56.
- 1995: W. Clarysse, Greeks in Ptolemaic Thebes, in: S. P. Vleeming (ed.), *Hundred-Gated Thebes. Acts of a colloquium on Thebes and the Theban area in the Graeco-Roman Period, P.L.Bat. 27*, Leyde, New York, Cologne, 1995, p. 1–19.
- 2004: W. Clarysse, Sureties in Fayum Villages, in: H. Harrauer / R. Pintaudi (eds.), *Gedenkschrift Ulrike Horak*, Papyrologica Florentina 34, Florence, 2004, p. 279–281.
- Clarysse / Van Beek 2002: W. Clarysse / B. Van Beek, Philagris, Perkethaut and Hermoupolis: Three Villages or One?, in: *ZPE* 140, 2002, p. 195–200.
- Heichelheim 1933: F. Heichelheim, Monopole, in: *Paulys Realencyclopädie der classischen Altertumswissenschaft* 16.1, Stuttgart, 1933, p. 165–170.
- Jouguet 1901: P. Jouguet, Fouilles du Fayoum: Rapport sur les fouilles de Médi-net-Mâ'di et Médi-net-Ghôran, in: *Bulletin de correspondance hellénique* 25, 1901, p. 380–411.
- 1902: P. Jouguet, Rapport sur deux missions au Fayôum, in: *Comptes-rendus des séances de l'Académie des Inscriptions et Belles-Lettres*, 46e année, N. 3, 1902, p. 346–359.
- Jouguet / Lefebvre 1902: P. Jouguet / G. Lefebvre, Papyrus de Magdôla, in: *Bulletin de correspondance hellénique* 26, p. 95–128.
- Kaplony-Heckel 1992: U. Kaplony-Heckel, Woher kommen die Zeugen? Zu demotischen Aktenkopien von Urkunden aus Gebelein in Cairo, Heidelberg und London, in: U. Luft (ed.), *The Intellectual Heritage of Egypt. Studies presented to László Kákósy by friends and colleagues on the occasion of his 60th birthday*, Budapest, 1992, p. 323–334.
- Muhs 2005: B. Muhs, *Tax Receipts, Taxpayers and Taxes in Early Ptolemaic Thebes*, Oriental Institute Publications vol. 126, Chicago, 2005.
- 2018: B. Muhs, Imprisonment, Guarantors, and Release on Bail in the Ptolemaic Fayum, in: M.-P. Chaufray, I. Guermeur, S. Lippert, V. Rondot (eds.), *Le Fayoum: Archéologie – Histoire – Religion. Actes du sixième colloque international. Montpellier, 26–28 octobre 2016*, Wiesbaden, 2018, p. 89–99.
- Préaux 1939: C. Préaux, *L'économie royale des Lagides*, Bruxelles, 1939.
- von Reden 2007: S. von Reden, *Money in Ptolemaic Egypt*, Cambridge, 2007.
- Römer 2019: C. Römer, *The Fayoum Survey Project: the Themistou Meris*. Volume A, *The archaeological and papyrological survey*, Leuven, Paris, Bristol, 2019.
- Uggetti 2020: L. Uggetti, Scribes in Ptolemaic Djême: the Family of Harsiêsis and Chestephnachthis, in: *Chronique d'Égypte* 189, vol. 95, 2020, 42–67.
- Vandorpe / Clarysse / Verreth 2015: K. Vandorpe / W. Clarysse / H. Verreth, *Graeco-Roman Archives from the Fayum*, Leuven, Paris, Bristol, 2015.