

# Metepigraphê: Ptolemaic and Roman Policies on the Alienation of Allotment Land\*

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In a recent contribution, I argued that in the Ptolemaic period there existed a clear distinction between types of legal acts recorded by different scribes. Leases and labor contracts were generally drawn up in the format of the double document, while hereditary dispositions and documents recording land and slave sales were drafted by the *agoranomos*, who also registered the act of conveyance in his files, thus allowing the state to gain cognizance of the ownership of these assets and ensure that the conveyance tax was collected.<sup>1</sup> In the Roman period, the state continued to take an interest in monitoring land conveyances, but the way in which it achieved this end was different: by the first century CE property rights were recorded in the *bibliothêkê enktêseôn*, and the right to landed property could be undisputedly conveyed only upon verification by the *bibliophylakes* that there were no conflicting

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<sup>1</sup> YIFTACH, Regionalism (forthcoming).

rights to the same object.<sup>2</sup> The act of sale was then recorded in the *bibliothêkê*, thus securing, in theory at least, a complete picture of property rights over the most valuable assets in the province. Yet unlike the *agoranomoi*, the *bibliophylakes* did not themselves compose deeds of sale. They only certified and recorded acts of conveyance drafted by others, including the scribes of the *grapheion*. In the Roman period, therefore, anyone who wanted to convey landed property did not have to turn for that purpose to the *agoranomos*, but could have the necessary documents drawn up at the *grapheion* as well. Although this is by no means a rule without exceptions, the *agoranomoi* were primarily active in the nome capitals,<sup>3</sup> while *grapheia* were located, in the Arsinoitês at least, in all major villages. As a consequence, the office entrusted with the documentation of land sales was more easily accessible than before and the costs (at least the indirect costs of the production of the document) went down. We cannot be sure that this, i.e., increasing access and lowering costs, were the conscious aims of the Roman administration or the incentive for the founding of the *bibliothêkê enktêseôn*, but we may assume that promoting economic activity in general was, in particular because this is stated to be the case in the edict of governor of Egypt M. Mettius Rufus (89 CE), the only contemporary source that discusses the incentives for the maintenance of the “acquisitions archive”.<sup>4</sup>

This brings us to the topic of the present discussion. Even if we accept the view that the Romans founded the archive in order to promote economic activity, it remains to be asked whether this was the sole, or even a key incentive, that guided Roman policies on land acquisition in the province of Egypt (or

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<sup>2</sup> As most directly expressed by the formula applied for the temporary registration of the conveyance, if the title of the vendor cannot be established through the archive’s files. Cf., e.g., *P.Hamb.* I 16.18-23 = *Sel.Pap.* II 325 = *Jur.Pap.* 65 (209 CE, Ptolemais Euergetis) [BL XII 82]: διὸ ἐπιδίδωμι εἰς τὸ τὴν παράθεσιν γενέσθαι<sup>19</sup> ἀκολούθως ὃ παρεθέμεν ἀντιγράφῳ τοῦ χρηματισμοῦ.<sup>20</sup> ὁπότεν γὰρ τὴν ἀπογραφήν αὐτοῦ ποιῶμαι, ἀποδείξω ὡς ὑπάρχει καὶ ἔστι καθαρὸν μηδενὶ κρατούμενον εἰ δὲ φανείη ἐτέρῳ<sup>22</sup> προσήκον ἢ προκατεσχημένον διὰ τοῦ βιβλιοφυλακείου, μὴ<sup>23</sup> ἔσεσθαι ἐμπόδιον ἐκ τήσδε τῆς παραθέσεως. WOLFF 1978, 240-241; YIFTACH-FIRANKO 2010, 298.

<sup>3</sup> WOLFF 1978, 13, 15. But the *agoranomoi* frequently outsourced some of their traditional tasks to the benefit of other functionaries, located in major villages [*P.Köln* V 219, 209 or 192 BCE, Theadelphia], established branches in other locations, [as was commonly the case with Herakleopolite documentation of *CPR* I. E.g. *CPR* I 61.3-4, 219/20/21], or discharged their tasks through periodical visits in other villages: cf. *P.Harr.* I 138 (92 CE, Oxyrhynchos) [BL VIII 148; IX 101/102]. Cf. MESSERI SAVORELLI 1980, 206-242.

<sup>4</sup> *P.Oxy.* II 237.8.27-36 = *Sel.Pap.* II 219 = *Jur.Pap.* 59 (after 27.6.186 CE, Oxyrhynchos) [BL VIII 233/234; in particular, ἵνα οἱ συναλλάσσοντες μὴ κατ’ ἄγνοιαν ἐνεδρεῦνται (read ἐνεδρεῦονται).

elsewhere) more generally.<sup>5</sup> After all, literary and documentary sources provide an abundance of data on the land policies of different ancient states, and not always, it seems, is facilitating conveyance a key goal. Sometimes quite the opposite is the case, and it should be asked to what extent Roman Egypt was really different.<sup>6</sup>

Land conveyances from Roman Egypt frequently report the administrative status of the land, e.g., temple land, public land, *polis* land and others. Among the administrative statuses mentioned in these documents, by far most common is that of the catoecic land (κλήρος κατοικικός or κατοικική γῆ). This is the case in 123 of the 181 documents recording the sale of land in the first three centuries of Roman rule in which the administrative status of the land can be established with certainty.<sup>7</sup> For this reason, we cannot study the Roman policy on land conveyances without taking into account special rules and regulations relating to this particular category of land.

In the Ptolemaic period, a κλήρος κατοικικός was a plot of land allotted to a κάτοικος, a term conceived in the late third century BCE to designate military settlers.<sup>8</sup> The land allotted to these settlers was meant to secure their livelihood while dispersing them across the kingdom as a strategically located military force, permanently available to the king. In the earliest stage, represented by the documentation of the third and early second centuries BCE, the holders of catoecic land were essentially allowed a usufruct, e.g., they could assign the land to others by lease,<sup>9</sup> and to bequeath it to their sons, whose title to the plot was already registered in their father's lifetime.<sup>10</sup> On the other hand, the right to alienate the land did not evolve before the (late?) second century BCE.<sup>11</sup> It was only in the century of Ptolemaic rule, that catoecic land had become fully conveyable.

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<sup>5</sup> Quite a few papers have been dedicated in recent years to the *bibliothêkê enkteseôn*. Cf., e.g., JÖRDENS 2010; LE ROUXEL (forthcoming), respectively, the private-legal context of the creation of the institution and the economic of its foundation.

<sup>6</sup> Note, in particular, in the case of the Greek and Roman city-state, the restrictions on the purchase of land by non-citizens. Cf., e.g., BUSOLT 1920, 152-153; KASER 1971, 402.

<sup>7</sup> Data according to *Synallagma, Greek Contract in Context*.

<sup>8</sup> COHEN 1991, 42; OERTEL 1921, 16. In the administrative language of the late Ptolemaic period, as borne out by the documentation of the Menches archive, part of the wider category of the holders of κληρουχική γῆ. Cf., e.g., *P.Tebt.* I 60 col. 2 (117 BCE, Kerkeosiris) [BL XI 271]. CRAWFORD 1971, 58-77; REGGIANI (forthcoming); VERHOOGT 1997, 110-111.

<sup>9</sup> Cf. a short but useful account by BINGEN 1978.

<sup>10</sup> Cf., in particular, SCHEUBLE-REITER 2012, 143-158.

<sup>11</sup> KIESSLING 1938; KUNKEL 1928, 292-294, 300; OERTEL 1921, 19-20; RUPPRECHT 1984, 384-385.

Yet even in the late Ptolemaic period, the conveyance of catoecic land was subject to various procedures that do not seem to have been required in the case of other types of land. Initially, at least, catoecic land could be conveyed only if the holder, or his representatives, could show that the holder was unable to discharge his duties, which in the first century BCE were primarily the payment of the state-revenues, the *basilika*. Such declarations of incapacity or insolvency had to be verified by an official called ὁ πρὸς τῇ συντάξει τῶν κατοίκων ἰπτέων.<sup>12</sup> In addition, the land had to be conveyed to a person who was himself a *katoikos*,<sup>13</sup> a fact which was verified at the *hippikon logistêrion*, an archive likely overseen by the ἐπιστάτης καὶ γραμματεὺς τῶν κατοίκων ἰπτέων.<sup>14</sup> The *agoranomos* was also involved in the legal act, but the document he composed, frequently taking the forma of an oath, was meant to introduce sanctions against the former holder, should he ever challenge the possession of the new one.<sup>15</sup> The agoranomic document thus reports the act of conveyance as a *fait accompli*, giving account of the procedure by which it was accomplished: the change of the name of the holder at the *hippikon logistêrion* on account of an appeal, addressed to “those in charge of the *katalochismos*”.<sup>16</sup>

<sup>12</sup> Cf., in particular, *BGU* VIII 1734.11-14 (80-83 BCE) [BL VIII 47; XII 20]: ὑπὲρ ὧν καὶ τυγγάνει Πτολεμαίᾳ ἐπιδεδωκνῦα Ἀρχιβίω τῷ πρὸς τῇ συντάξει τῶν κατοίκων ἰπτέων ὑπόμνημα. | δι' οὗ προενήνεκται ἕτερα ἑτέρα τε καὶ τὸν τοῦ ὄρφανοῦ πατέρα τετελευ[τ]ηκέναι μηδὲ [δεδυνῆσθαι τὴν γῆν εἰ μὴ ἔλασσόνων] | π[αν]τελῶς ἐκφορίων μισθοῦσθαι, ἃ μὴ διαπο[υ]εῖν εἰς τὰ τοῦ κλήρ[ο]υ β[ασι]λικῆ [- ca.35 -] | [- ca.11 -] μετεπιγραφῆ καὶ παραδείξις γέγονεν τῷ Φιλοξέν[ω] τ[ῶν] προγεγραμμένων ἀρουρῶν. On the position of ὁ πρὸς τῇ συντάξει cf., in particular, ARMONI 2012, 199-204; GERACI 1981. Cf. also KIESSLING 1938, 221; KUNKEL 1928, 289, 291; RUPPRECHT 1984, 379. SCHEUBLE-REITER 2012, 213-224.

<sup>13</sup> BINGEN 1983, 9-10; KIESSLING 1938, 223; KUNKEL 1928, 294; SCHEUBLE-REITER 2012, 163.

<sup>14</sup> Cf., in particular, *P.Tebt.* I 32.13-20 = *W.Chr.* 448 (after 26.6-25.7.145 BCE) [BL VIII 489; XI 270], a letter issued by the two elected heads of the *politeuma* of the Cretans, who is in charge of the *syntaxis*, of the admission of the new member into the status group of the *katoikoi*, and his assignment to their *politeuma* by Apollodōros, the *epistatês* and *grammateus* of the catoecic cavalrymen. [Σώσος] καὶ Α. [Ἰ]γ. υπιος Παγκρά τει χαίρειν. ἐπε[ι] προ[στέτα]κται δι' ἡμῶν | <sup>14</sup> [τοὺς] κατοίκους ἰπτεῖς ἐφο. [ . . . ] τ. ω. ν. [ . . . ] α. φ. [- ca.17 -] | <sup>15</sup> [ἐ]πέσταλκέ μοι Ἀπολλόδωρος [τῶν] πρώτ[ω]ν φίλων. [ὁ ἐ]πι[στ]άτης. | <sup>16</sup> [καὶ] γραμματεὺς τῶν κατοίκων ἰπτέων ἀπὸ τῶν ἐπικεχωρημένω[ν] | <sup>17</sup> τῷ πολιτεύματι τῶν Κρητῶν ἀνδρῶν φ' Ἀσκληπιάδην | <sup>18</sup> Πτολεμαίου Μακεδόνα τῶν κατὰ μερίδα ἐφόδων ἐφ' ᾧ ἔχει κλή[ρον] | <sup>19</sup> περὶ Κερκεοσίριν [τῆς] Πολέμωνος μερίδος (ἀρουρῶν) κδ. καλῶς οὖν πο[υ]ήσε[ις] | <sup>20</sup> καταχωρίας καὶ [λαβῶ]ν αὐτὸν ἐν τῇ πέμπτῃ ἰπ[παρχ]ίαι τῶν (ἐκατονταρούρων) καὶ τῶ[ι] | <sup>21</sup> Ἀπολλοδώρῳ προ[σανε]νέ[γ]κας. ὑποτετάχ. [α]μ. εν δὲ κα[ὶ] τὴν εἰκόνα αὐ[τοῦ] | <sup>22</sup> καὶ τοῦ υἱοῦ τὸ ὄνομα. That Apollodōros was in charge of admitting the new member into the catoecic class is not explicitly said, but seems probable.

<sup>15</sup> So also KUNKEL 1928, 299: “Im Hintergrund steht dabei die Befürchtung, der durch die Verfügung in seinem Recht Betroffene könne mangels eines ausdrücklichen Verzichts trotz der Verfügung noch Funktionen des berührenden Rechtes geltend machen”. Compare also RUPPRECHT 1984, 370 n. 48; SCHEUBLE-REITER 2012, 164-165.

<sup>16</sup> So in the formulary of the Oxyrhynchite *parachôrêseis*. Cf., e.g., *P.Oxy.* XLIX 3482.4-6 (74 BCE),

With the Roman occupation, both the restriction on the person of the assignee and on the causes of the conveyance, were lifted. A short prosopography of vendors and purchasers of catoecic lands shows that at the latest by the end of the first century CE everyone could acquire and possess it,<sup>17</sup> and nowhere do we ever hear again that the vendor had to account for the reasons that induced him to alienate it. Also, the sale document of catoecic land now merged with and became identical to that of regular land sale, with the exception that the act of sale is called *παραχώρησις* and not *πράσις*, and the consideration termed *παραχωρητικόν*.<sup>18</sup> At the same time, even though the mechanisms that called forth intricate control mechanism had ceased to exist under the Romans, the procedure connected with the conveyance of the catoecic land endured. Actually, in a sense the process had become even more complex.<sup>19</sup>

In the Roman period the conveyance of catoecic land *could* be set in motion by the composition of a preliminary document through a *grapheion* or an *agoranomeion*; this document recorded the present or future act of the conveyance (*parachôrêsis*).<sup>20</sup> The second stage, that of the *metepigraphê*, is still

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Oxyrhynchos) [BL VIII 271] :ἀκο<sup>5</sup>λούθως τοῖς δ[ι]ὰ τῶν τὰ ἱππικὰ χειριζόντων ὠκονομημένοις ἀφ' οὗ ὁ Θέων δέδωκεν ὑπομνήματος Εὐδαίμωνι <sup>6</sup> τῷ πρὸς καταλόχισμοις. No reference to the *katalochismoi* in the formulary of the *parachôrêseis* from the Herakleopolite nome. Cf., e.g., *BGU* VIII 1733.4-6 (80-30 BCE) [BL XI 28; XII 20 and 21]: [ὁμολογεῖ Φίλων] Λύκου [Μακεδ]ῶν τῶν κατοίκων ἱππέ[ω]ν Διον[υ]σίφ Διονυ[σ]ίου Μακεδόνι τῶν <sup>5</sup> [κ]ατο[ί]κων ἱππέων εἰῦδο[κ]εῖν τῆ ἡγεγονυῖα τῷ Διονυσίφ [δ]ιὰ τοῦ ἱππικοῦ λογιστηρίου μετεπ[ι]<sup>6</sup> [γ]ραφῆ, ὧν παρακεχ[ώρηκεν] αὐτῷ ἀπὸ τοῦ κ[λ]ήρου. KUNKEL 1928, 286-287, 297-299; RUPPRECHT 1984 375; SCHEUBLE-REITER 2012, 169.

<sup>17</sup> KUNKEL 1928, 290, 295; OERTEL 1921, 20-21; TOMSIN 1964, 81-85. Whether all restrictions were immediately lifted at the very beginning of the Roman period, as seems to be argued by KUNKEL 1928, 295, requires further investigation, in particular since as late as the mid first century CE, assignors of catoecic land still record their own status as *Μακεδόνες τῶν κατοίκων* (cf., e.g. *P.Mich.* V 273.1, 46 CE, Tebtynis). But as there is no reference in these documents to the status of the assignee, adding the said title may be socially rather than legally motivated. Another peculiarity of *parachôrêseis* of the Augustan period, the occurrence of women both as co-assignors [cf., e.g., *BGU* IV 1129 = *C.Pap.Jud.* II 145 (13 BCE, Alexandria) [BL VIII 41]] and as assignees [cf. in particular *P.Dubl.* 3 = *P.Oxy.* II 366 descr. (14/5 CE, Oxyrhynchos)], probably goes back to the Ptolemaic period. Cf. BINGEN 1983, 5-6, especially MÜLLER 1961, 186-192 and cautiously SCHEUBLE-REITER 2012, 171-178.

<sup>18</sup> ROWLANDSON 1996, 43-48; RUPPRECHT 1984, 370.

<sup>19</sup> KUNKEL 1928, 302-303.

<sup>20</sup> This seems to be the case where, in the clause recording the *metepigraphê*, its performance is formulated as a future action [*P.Mich.* II 121.2.9.2-3 = *SB* III 7260 = *C.P.Gr.* I 17 (42 CE, Tebtynis) [BL VIII 211; IX 158; X 122; XII 119]; 259.12-13 (33 CE, Tebtynis); 267/8.7-8 (41/2 CE); 273.5-6 and *PSI* VIII 906 (45-46 CE); *P.Narm.* 2006.6 (107-108?, Theadelphia or Narmouthis); *P.Oxy.* II 273.19-24 = *M.Chr.* 221 (95 CE, Oxyrhynchos). Perhaps also in *BGU* IV 1129.24-26 = *C.Pap.Jud.* II 145 (13 BCE-Alexandria) [BL VIII 41]], and, in particular, if the report of the administrators of the *katalochismoi* to the *agoranomoi* (infra n. 2) mentions the foregoing composition of the document by the *agoranomoi* themselves, as seems to be the case in five of the texts that came down to us [*P.Laur.*

said, in the formulary of Oxyrhynchite documents to be discharged at the *hip-pikon logistêrion* “on account of an appeal served to the administrators of the *katalochismoî*” (οἱ πρὸς τοῖς καταλοχισμοῖς). We should, however, take the reference to the *logistêrion* in early Roman documents as likely reflecting a now outdated formula, which went back to the Ptolemaic period. From other material related to such sales, we can see in the early Roman period that the *metepigraphê* was discharged, exclusively it seems, by “the administrators of the *katalochismoî*”,<sup>21</sup> who reported their undertaking, in the case of the Oxyrhynchitês, to the *agoranomos*.<sup>22</sup> The *agoranomos* then drew up an additional document upon this notification, finalizing the conveyance of title to the alienated land to the buyer.<sup>23</sup> In the case of the Arsinoitês, the report of the administrators of the *katalochismoî* was forwarded to a previously unrecorded official, termed συντακτικός,<sup>24</sup> who presumably took record of the act and

IV 153 (138-161 CE) [BL IX 121]; *P.Oxy.* I 45 (95 CE) [BL VIII 230]; II 342 = BENAÏSSA 2009, #5, p. 166 (both ca. 100 CE); 346 = BENAÏSSA 2009, #3, p. 163-165 (100 CE); 347 = BENAÏSSA 2009, #2, p. 161-163 (ca. 95-100 CE); L 3556 = *P.Oxy.* I 175 descr. (ca. 100 CE)]. Pace RUPPRECHT 1984, 377.

<sup>21</sup> Following KUNKEL 1928, 303, who saw in the καταλοχισμοί, “inhaberfolien, in denen die Katoeken einer jeder Truppe mit ihrem Landbesitz aufgeführt waren”, we assume that their activity focused on the change of the holders’ names in their files. Cf. also MÜLLER 1961, 190-192; OERTEL 1921, 5; SCHEUBLE-REITER 2012, 213-215.

<sup>22</sup> *P.Laur.* IV 153 (138-161 CE) [BL IX 121]; *P.Oxy.* I 45 (95 CE) [BL VIII 230]; 46 (100 CE) [BL VIII 231]; 47 = *P.Lond.* III 750 descr. (83-88 CE) [BL VIII 231; XI 141f.]; II 341 = BENAÏSSA 2009, #4, p. 164-165; 342 = BENAÏSSA 2009, #5, p. 166 (both ca. 100 CE); 344 = BENAÏSSA 2009, #6, p. 167-168 (Late I CE); 345 = BENAÏSSA 2009, #1, p. 160-161 (ca. 88 CE); 346 = BENAÏSSA 2009, #3, p. 163-165 (100 CE); 347 = BENAÏSSA 2009, #2, p. 161-163 (ca. 95-100 CE); 348 = BENAÏSSA 2009, #7, p. 169-170 (late I CE); L 3556 = *P.Oxy.* I 175 descr. (ca. 100 CE); *P.Oxy. Descr.* 3 = *P.Oxy.* I 165 descr. = SB XXII 15351 (81 CE); 6 = *P.Oxy.* I 174 descr. = SB XXII 15354 (88 CE) [BL XI 237; XII 231]. Cf., in general, BENAÏSSA 2009, 158-160.

<sup>23</sup> *PSI* X 1118.2-4 (25/6 CE) [BL VIII 406]; παρακεχωρη(γέναι) αὐτῶι ἀκολ(ούθως) τοῖς ὄκονομη(μένοι) [διὰ τ]ῶν ἐκ τοῦ ἱππικοῦ ἀφ’ οὗ ἐπιδέδωκεν ὁ Ἡρώδη(ς) ὑ[πο]μνήμα[το]ς Ζήνωνι τῶι πρὸς τοῖς καταλοχισμοῖς. *P.Mich.* XVIII 784 + *PSI* IV 320 (18 CE) [BL IX 313; XI 244]; *P.NYU* II 15 (68 CE); 16 (I<sup>st</sup> BCE-I<sup>st</sup> CE); *P.Oxy.* III 504 (II<sup>nd</sup> CE) [BL VIII 236; X 139]; *P.Ryl.* II 159 (31/2 CE) [BL VIII 294; IX 228; XII 168]; *PSI* VIII 897 (1) [BL VIII 403; IX 318; XII 253]; 897 (2) [BL XII 253] (both 93 CE); X 1118 (25/6 CE); *SB* XX 14336 = *P.Oxy.* III 633 descr. (91-2 or 107-8 CE).

<sup>24</sup> *BGU* I 328 col. 1 (after 138/9 CE); *BGU* VII 1565 (169 CE-Philadelphia); *P.Fam.Tebt.* 25 (129 CE); *P.Grenf.* II 42 = *P.Lond.* III 700 *descriptum* (86 CE) [BL VIII 142]; *P.IFAO* I 39 (early II CE); *P.Mich.* VI 364 (179 CE); *SPP* XXII 44 (124 CE) [BL VIII 482]. Perhaps issued by the same board is the γραφή καταλοχισμῶν of *BGU* III 866 (II CE). At a later stage, roughly from the last quarter of the second century onward, the report to the *syntaktikos* is replaced by a confirmation by the collector of the conveyance-tax (δημοσιῶνης τέλους καταλοχισμῶν) toward the purchaser of the payment of the tax. Cf. *P.Diog.* 37 = *P.Harr.* I 77 = *SB* XVI 12643 (after 3.10.202-203 CE) [BL X 64]; *P.Gen.* III 145 (206 CE); *P.Hamb.* I 84 (182-192 CE) [BL VIII 146]; *P.Tebt.* II 357 = *WChr* 372 (197 CE-Tebytnis); *SB* XVI 12641 (181 CE, Soknopaiou Nêsos) [by inheritance]; XXII 15387 (II CE); 15848 (ca. 212-215 CE-Karanis) [BL XI 241]; *SPP* XXII 50 (204 CE, Soknopaiou Nêsos) [BL VIII 482]. In the third century CE, the same confirmation is issued by a special board within the city council. Cf. *BGU* VII 1588 (222 CE-Philadelphia); *P.Gen.* IV 165 = *SB* XX 14978 (230 CE-Ptolemais Euergetis).

notified the local public scribes of the conveyance of title.<sup>25</sup> In the Arsinoïtês too, the procedure was sometimes followed by an additional deed, finalizing the conveyance.<sup>26</sup>

How can we explain, then, this continuity of the special treatment of catoecic land from the Ptolemaic to the Roman periods after its original *raison d'être*, the institution of the *katoikia*, had ceased to exist? The continued existence of the control mechanism revolving around the conveyance of catoecic land could be accounted for by administrative conservatism. Old institutions and mechanisms die hard. Yet I do not think that this is the case with the conveyance of catoecic land. In the Roman period, there were different offices in charge of the *katalochismoi* of different regions.<sup>27</sup> In the case of one of these, the office in charge of the *katalochismoi* of the Arsinoite nome, we are fortunate to possess a text of the tariff (γνώμων) of the office (*P.Jand.* VII 137, Theadelphia (?)), which contains a list of fees and taxes and surcharges to be paid by the purchasers of, or successors to, catoecic land. The text of the papyrus was composed after 118 CE, and is palaeographically dated to the early second century CE.<sup>28</sup> The rates the *gnômôn* reports may thus be taken as representative of the period down to the beginning of the inflation of the late 160s CE. The text is vertically intact, but horizontally a bit less than one third of the original text, i.e. some 10 letters of an average line length of ca. 35 characters, is missing. The text contains some abbreviations, whose resolution

<sup>25</sup> Cf. CANDUCCI, 1990, 221, generally assuming continuity with the Ptolemaic *syntaxis*. See also GERACI 1981, 276.

<sup>26</sup> This is certainly the case when the instruments (οἰκονομίαι) produced through the *καταλοχισμοί* are stated to be valid: *CPR* I 170.12 (103-117 CE) [BL XII 57]; *P.Fam.Tebt.* 23.11-12 = *P.Hamb.* I 62 (123 CE-Tebtynis); *P.Lond.* II 141.8-9 (88 CE-Ptolemais Euergetis); *SB XVIII* 13764.14-15 (148-161 CE) [BL X 305; X 222]. This is also probably the case where the verb denoting the *metepigraphê* is in the perfect tense: *BGU* III 906.17-18 (ca. 34-35); IV 1048.8 (100/1 or 110/1 CE); XI 2050.16 (106 CE); *P.Coll.Youtie* I 19.14-15 (44 CE-Ptolemais Euergetis, an agoranomic instrument); *P.Mich.* V 262.8-10 (34/5 or 35/6 CE) [BL XII 121]; *P.Ross.Georg.* II 14.7-8 (81-96 CE); *SPP* XX 50.13-14 (after 168/9 CE) [BL VIII; X 270]. *P.Mich.* V 338 (45 CE) and *P.Mich.* XI 621 (37 CE, both from Tebtynis) record the scribe's immunity from claims on account of a deed of conveyance, since the purchaser has already performed the *metepigraphê*. The formulation does not give an undisputable indication the deed of conveyance was itself composed before or after that act.

<sup>27</sup> The sphere of competence of those in charge of the *katalochismoi* vary: some are in charge of just one nome (*P.Flor.* I 92, 84 CE Hermopolis: [BL XI 79; XII 70]), or even one *meris* within the Arsinoite nome (*PIFA O* I 39, II<sup>c</sup> CE), while in other cases they are said to be in charge of one specified nome, and additional unspecified ones (*BGU* VII 1565, 169 CE, Philadelphia: Arsinoïtês and other nomes; *P.Laur.* IV 153, 138-161 CE, Oxyrhynchitês [BL IX 121]; Oxyrhynchitês and other nomes). Finally, in some cases there is just one board in charge of Egypt, meaning, in all probability the entire Egyptian chôra as opposed to Alexandria (*P.Grenf.* II 42 = *P.Lond.* III 700 descr., 86 CE [BL VIII 142]). As the present papyrus [II. 26-27] shows, their bureau was located in the city of Alexandria. Cf. OERTEL 1921, 24.

<sup>28</sup> *P.Jand.* VIII, p. 276-277.

as proposed by the editor and following readers seems generally safe, and is followed below.<sup>29</sup>

§1. [ἀντίγραφον] γνώμονος κα[τ]αλοχ[ι]σμών Ἄρσι(νοίτου) |<sup>2</sup> [κατοικική]ς καὶ τῆς ὀνομ[έ]νης (read ὄνουμένης) ἐκ δημοσίου (read δημοσίου), |<sup>3</sup> [ἄρρενος κα]τοίκου ὑπὲρ ἐκάστης ἀρούρης (ἡ) σιτικ(ῆς) (δραχμαὶ) δ, |<sup>4</sup> [δενδρικῆς] (δραχμαὶ) η, θηλείας κατοίκου ὑπὲρ |<sup>5</sup> [ἐκάστης ἀ]ρούρης (ἡ) σιτικ(ῆς) (δραχμαὶ) η, δενδρικῆς (δραχμαὶ) ις. | §2. <sup>6</sup> [κατοικική]ς πρώτ(ως) κτωμένου μέχρι πενταετ(ίας) |<sup>7</sup> [τῆς δευτέ]ρας ὑπὲρ ἐκάστ(ης) ἀρούρης (ἡ) σιτικ(ῆς) (δραχμαὶ) η, |<sup>8</sup> [δενδρικῆς] (δραχμαὶ) ις, θηλιῶν ὁμοίως σιτικῆς |<sup>9</sup> [ἐκάστ(ης) ἀρούρης] (δραχμαὶ) ις, δεκ[ν]δρικῆς (δραχμαὶ) λβ. | §3.1. |<sup>10</sup> [τῶν δὲ τ(?)]έκτων ἀπογεγραμμένων καὶ |<sup>11</sup> [ . . . . . ]νων<sup>30</sup> τοῖς πατρῶσι διὰ τῶν βιβλίω(ν) |<sup>12</sup> [τῶν (?) κατα]λοχισμῶν ἀρρένων μὲν |<sup>13</sup> [σιτικῶν ἐ]δαφῶν ἐκάστης ἀρούρης (δραχμαὶ) β, |<sup>14</sup> [δενδρικῆς] (δραχμαὶ) δ, θηλιῶν ὁμοίως τῶν |<sup>15</sup> [ . . . . . ] νων σιτικῶν ἐδαφῶν |<sup>16</sup> [ἐκάστης ἀ]ρούρης (δραχμαὶ) ς, δενδρικῆς ὁμ[οί]ως |<sup>17</sup> [(δραχμαὶ) ιβ. §3.2. ἀ]πογραφῶν τῶν μ[ε]ν<sup>31</sup> ἐν[γ]εγραμ[μ]ένων |<sup>18</sup> [ἀρρένων μ]ὲν σιτικῶν ἐδαφῶν ἐκάστ(ης) ἀρούρης |<sup>19</sup> [(δραχμαὶ) δ, δενδρικῆς] (δραχμαὶ) η, θηλιῶν ὁμοίως τῶν |<sup>20</sup> [μὴ ἐνγε]γραμ[μ]ένων σιτικ(ῶν) ἐδαφῶν ἐκάστ[η]ς |<sup>21</sup> [ἀρούρης] (δραχμαὶ) ιβ, δενδρικῆς (δραχμαὶ) κδ. | §4. <sup>22</sup> [ὑποθήκ]ης ὑπὲρ ἐκάστ(ης) ἀρούρης (ἡ) σιτικ(ῆς) (δραχμαὶ) α, |<sup>23</sup> [δενδρικῆς] (δραχμαὶ) β, §5. λύσεως ὑποθήκης |<sup>24</sup> [σιτικῆς] (δραχμαὶ) α, δενδρικῆς (δραχμαὶ) β. §6.1 ἀπογραφ(ῶν) |<sup>25</sup> [ἐκάστου ὀ]νόματ(ος) ἀρρένων (δραχμαὶ) β, θηλιῶ(ν) (δραχμαὶ) δ. |<sup>26</sup> §6.2 [παραχω]ρήσεων(?) χ[ρ]ηματισμ(ῶν) τοῦ ἀναπενπωμένου (read ἀναπεμπομένου) |<sup>27</sup> [ἐξ Ἀλεξ]ανδρίας ἐκάστου ὀνόματος |<sup>28</sup> [(δραχμαὶ) β, . . .]ιως θηλε[ί]ας τῆς παραχωρουμένης (read παραχωρουμένης) |<sup>29</sup> [ἐκάστου] ὀνόματος (δραχμαὶ) δ. §6.3. χρηματισμ(ῶν) ἐκάστ(ου) |<sup>30</sup> [ὀνόματος] (δραχμαὶ) ιβ, §6.4 ἀγράφου (τετρώβολον), §6.5 σφραγ[ι]δος (δραχμαὶ) α, |<sup>31</sup> §6.6 [ . . . . . ]νων τῶν ἀπὸ γῆς εἰς λόγον |<sup>32</sup> [ . . . . . ] ἐκάστου ὀνόματ(ος) (δραχμαὶ) δ.

§1. A copy of the tariff of the register of grants of catoecic land relating to the Arsinoite nome, regarding catoecic land and that purchased from the state. In the case of a male holder of catoecic land, for each aroura of grain land 4 dr. and for orchard land 8 dr.; in the case of a female holder of catoecic land, for each aroura of grain land 8 drachms, and for orchard land 16 dr.

§2. In the case of catoecic land, if someone purchases (a land of this category) for the first time and up to the second *quinquennium* (i.e., after he made the first purchase), for each aroura of grain land 8 dr., and for orchard land 16 dr., and in the case of females in the case of grain land for each aroura 16 dr. and for orchard land 32 dr.

§3.1. And for the children, after they have been registered and recorded (?) alongside their fathers in the reports of the register of holders of catoecic land, in the case of males and of grain land, for each aroura 2 dr., and for orchard land 4 dr. and in the same manner in the case of females who were recorded (*scil.* alongside their fathers), in the case of grain land for each aroura 6 dr., and for orchard land 12 dr.

<sup>29</sup> The text was discussed by D. CURSCHMANN in the *editio princeps* as well as by KIESSLING 1937, 98-101; KIESSLING 1938, 225-229.

<sup>30</sup> [παρακειμέ]νων ? *P.Land.* VII 283.

<sup>31</sup> *BL* 3.88



§3.2. For registration of those who have not been previously recorded, in the case of males and of grain land, for each aroura 4 dr., and for orchard land 8 dr., and for females who have not been registered and for grain land, for each aroura 12 dr., and for orchard land 24 dr.

§4. For (catoecic land placed as) mortgage, for each aroura of grain land 1 dr., and for that of orchard land 2 dr.,

§5 and for the release of the mortgage, in the case of grain land 1 dr., and in that of orchard land 2 dr.

§6.1 And for the registration, per person, in the case of males 2 dr., in that of females 4 dr.

§6.2 For each cession instrument that is sent out of Alexandria, 2 dr. per person, and in the same manner, if the assignee is a female, 4 dr. per person. §6.3. For the instruments 12 dr. per person,

§6.4 and if the cession is not recorded in writing, 4 obols,

§6.5 and for the seal 1 drachm.

§6.6 And for .... who are aboard, on account of [ - - ] 4 dr. per person.

So much is clear: the text relates to charges on the conveyance of allotment land, and in the first paragraph, if we follow the editors, the transformation of land held by the state into the status of catoecic land by virtue of its purchase by a *κάτοικος*.<sup>32</sup> The text deals at least down to line 25 with payments that are per aroura, i.e., proportional to the size of the alienated land. Within this part of the text, we identify four sections, differing from each other in the identity of the purchaser and the nature of the title acquired. The first clause deals with the purchase of catoecic land, or land in state possession, by a *κάτοικος*, both male and a female. The term *κάτοικος* has various usages in early Roman administrative language: it may denote, in the Arsinoite context, a member of the group of “6475 Greeks (residing) in the Arsinoite nome” (*κάτοικος τῶν ἐν τῷ Ἀρσινόεϊτῃ Ἑλλήνων vel sim.*),<sup>33</sup> as well as, at least in the terminology of tax reports from the meris, all those who are not *δημόσιοι γεωργοί*.<sup>34</sup> Here, however, we should follow the editor’s plausible supposition that the term simply denotes any owner of catoecic land.<sup>35</sup>

Under this interpretation, the text deals in the first regulation (§1) with a *κάτοικος*, i.e. present owner of catoecic land, who extends his holdings by purchasing an additional share (see chart 1 below). The second (§2) focuses

<sup>32</sup> So the editor, *P.Jand.* VII, p. 281; KIESSLING 1938, 225-226, and, ARMONI 2012, 192-195; TOMSIN 1964, 86-87. Cf., e.g., *BGU* VIII 1772 (61/0 or 57/6 BCE, Hérakleopolitês) [*BL* VIII 48; X 21]. This is, however, not the only possible interpretation, as the text could also relate to the sale of catoecic land that was confiscated by the state, as is the case in *BGU* II 422 (139/40 CE, Arsinoitês) [*BL* VIII 26; IX 20].

<sup>33</sup> Cf., in general, CANDUCCI 1990.

<sup>34</sup> Cf., e.g., *P.Petaus* 60 (185 CE, Syrôn Kômê) and OERTEL 1921, 22. The said usage is studied in YIFTACH-FIRANKO, Status Designations.

<sup>35</sup> *P.Jand.* VIII, p. 282 : “Wer aber Katökenland kauft, wird damit selbst Katöke; denn am Boden haften die Privilegien dieses Standes”; CANDUCCI 1990, 221. Pace OERTEL 1921, 24-25.

on the acquisition of allotment land by someone who has not owned catoecic land in the past. The third (§3) with the acquisition of catoecic land by inheritance, limiting itself, so it seems, to succession to a person's allotment land by his children.<sup>36</sup> It seems that children who were to succeed to their parent's allotment land had to be reported in advance, as the second sub-section (§3.2) deals with the payments due for this report (ἀπογραφή), if they have not been previously registered.<sup>37</sup> The first subsection (§3.1) deals with charges levied from the children, presumably when they acquired the land, but after they have already been reported (ἀπογεγραμμένων) and recorded in their father's file. The fourth section (§4 and §5) sets out the charges in the case that catoecic land is mortgaged (ὑποθήκη), and in the case that it is released from mortgage. The following section (§6.1) deals with a fixed price to be paid with the submission of a report (ἀπογραφή). Is this the same report as mentioned in lines §3.2? We do not know, but see below. Finally, lines 26-30 set out the fees to be paid for the paperwork of the office: lines 29-30 (§6.3) set out fees for the composition of the conveyance certificate (χορηματισμός) and the seal; lines 26-29 (§6.2) probably deal with the costs of sending the relevant paperwork from Alexandria, while two further regulations, §6.4 and §6.5 set out the costs of the office's activity if no certificate is produced and that relating to the sealing of the certificate.

All in all, the text records as many as 27 rates: the lowest is one drachm, the highest is 32. To study the impact of these charges on the motivation of a potential purchaser or conveyee to acquire an allotment land, we first need to have some idea of their proportion to the value of the land. We can gain some preliminary view by taking into consideration acts of conveyance of catoecic land which report both the consideration and the size of the land and the payment for that piece of land, where one is able to distinguish the precise cost of the land (i.e. apart from that of other objects sometimes recorded in the same sale document). The databank *synallagma* yields such documents, and the picture they convey is that – and this is not very surprising – there was no fixed rate for catoecic land: even in the same context, prices vary considerably.<sup>38</sup>

<sup>36</sup> Whether the purchase relates to intestate or testamentary succession or both, is difficult to say.

<sup>37</sup> For a possible early Ptolemais precedent, cf. SCHEUBLE-REITER 2012, 148-158.

<sup>38</sup> *BGU* II 543 (27 BCE, Aueris): 10 arourae : 800 drachms; *CPR* I 188 (106/7 CE, Arsinoitês) [*BL* VIII 99]: 3 : 1,000 dr.; *P.Amh.* II 95 (109 CE, Hermopolis): 10 : 2,500 dr.; *P.Amh.* II 96 (213 CE, Hermopolis): 4 : 4,000 dr.; *P.Fam.Tebt.* 23 = *P.Hamb.* I 62 (123 CE, Tebtynis): 10.8125 : 1,000 dr.; *P.Flor.* III 380 = *SB* I 4298 (203/4 CE, Hermopolis) [*BL* VIII 131]: 13.833 : 1,500 dr.; *P.Mil.Vogl.* I 26 (128 CE, Tebtynis) [*BL* VIII 220]: 38.75 ar. : 5 tal.; *P.Narm.* 2006 6 (107/8? CE, Theadelphia ? or Narmouthis); *P.Oxy.* III 504 (II<sup>e</sup>, Oxyrhynchos) [*BL* VIII 236; X 139]: 6.666 : 1,000 dr.; *P.Oxy.* IV 794 descr. = L.Capponi, *ZPE* 155 (2006) 235-238 (85 CE, Oxyrhynchitês) [*BL* VIII 238]: 10 1/48 : 500; *P.Ross.Georg.* II 38 (II CE, unknown provenance): 1.25 ar. : 500 dr.; *P.Ryl.* II 163 (140 CE,

This is borne out, for example, by *PSI VIII* 897 pag. 1 [BL VIII 403; IX 318; XII 253] and 2 [BL XII 253], both dating to 93 CE Oxyrhynchos. The first document records the sale of five arouras of catoecic land for 1,200 drachms (i.e. a rate of 240 drachms per aroura), while the second records just three arourae, purchased for as many as 2,400 drachms (that is 800 drachms per aroura). Surely the price of the land was influenced by multiple factors, which are now beyond our reach. The best we may do for now, then, is to make the following observation: the value of an aroura of catoecic land rarely drops in the first three centuries CE below 200 drachms, which may be taken as a baseline for our purposes.<sup>39</sup> What was the proportion between fees exacted by those in charge of the *katalochismos* and this notional minimum, and what effect would this rate have on potential buyers of catoecic land? That is to say, is there any way to determine if these rates were high enough to act as a break on the conveyance of catoecic land?

The fees requested by the office in charge of the conveyance consisted of several elements (cf. below, chart 1): there were some fixed rates that were presumably paid by everyone, e.g., 12 drachms for the conveyance certificate (*χρηματισμός*), 1 drachm for the seal. In addition, if a person wished to have the certificate sent out from Alexandria by the office (which must have been, in the case of land in the Arsinoite nome, commonly the case), he would be asked to pay 2 drachms in the case of a male, and 4 in the case of a female assignee. The total surcharge would amount, then, to 15 drachms for men and 17 drachms for women, regardless of the value of the land. On top of this, a complex rate system was set out, taking into consideration, in each of the sections above, the gender of the purchaser and the class of land. In all cases the author of the tariff applies two sets of dichotomies, men vs. women, grain land vs. orchard land.<sup>40</sup> This results, in each provision, in four different rates. In all cases women would pay considerable more than men: twice or three times as much; the rate for orchard land would be twice as high as that for grain land.

With the resulting system, a male purchaser who already owns a catoecic land will pay a per-aroura amount of 4 drachms for grain land, and 8 drachms for orchard land. If we take into account the surcharges for the office's pa-

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Hermopolitês) [BL VIII 294; XII 168]: 1.625 : 480 dr.; *PSI VIII* 897 pag. 1 (93 CE, Oxyrhynchos) [BL VIII 403; IX 318; XII 253]: 5 : 1,200 dr.; *PSI VIII* 897 pag. 2 (93 CE, Oxyrhynchos) [BL XII 253]: 3 : 2,400 dr.; SB VI 9618 (192 CE, Ptolemais Euergetis) [BL VIII 352]: 5.5 : 3,100 dr.; SB XII 11229 (161-168 or 177-179 CE, Oxyrhynchos): 5 : 1,500 dr.; *SPP XX* 1 = *CPR I* 1 (83/4 CE, Ptolemais Euergetis) [BL VIII 460/461; XII 274]: 3 : 900 dr.; *SPP XX* 50 (after 168/9 CE, Aphroditê Berenikê) [BL VIII 463; X 270]: 3.375 : 300 dr. Cf. also DREXHAGE 1991, 131.

<sup>39</sup> Cf. *P.Yale* III 137, 25.

<sup>40</sup> For the latter dichotomy see in particular *P.Yale* III 137 with introduction, p. 4, 20-30.

perwork (15 drachms), the amount he pays for one aroura would be 19 and 23 drachms respectively, which would put his expenses roughly at around 10 per cent of the notional minimum (cf. below, chart 2). A woman of the same status would pay 8 dr. per aroura for grain land, and 16 for orchard land. With surcharges (17 dr. in her case), the total would be 25 and 33 drachms, which amounts to 10-15 % of the notional minimum.

In the case of man who has not previously owned catoecic land the per aroura rate would stand at 8 drachms for grain land and 16 for orchard land. With the 15 drachms surcharges his expenses will amount to 23 and 31 drachms, respectively. For a woman of the same status the per-aroura costs would amount to 16 dr. for grain land and 32 for orchard land: with the 17 drachms surcharge we would now stand at 33 and 49 drachms, respectively. In the last case, that of a female new owner who buys orchard land, the conveyance costs would make more than a quarter of the value of the land. This case, of course, is hardly representative: most purchasers of catoecic land buy more than just one aroura, and rarely is the per-aroura cost just 200 drachms.<sup>41</sup>

For instance, in the case of *PSI VIII 987* pag. 1, where five arouras are purchased for 1,200 drachms, a male purchaser who never owned allotment land in the past would pay a total of 55 drachms, or less than 5% of the value of the land if it were grain land, and 95 drachms, or less than 8 % if it were orchard land. A woman of the same status would pay 97 drachms for grain land (roughly 8%), and 177 for orchard land (less than 15%) (compare below, chart 3). In the case of *PSI VIII 987* pag. 2, where three arouras of catoecic land are purchased for 2,400 drachms, a man of the same status would pay 39 drachms for grain land, and 63 for orchard; this would make just 1.6% and 2.6% respectively of the value of the land. A woman would pay in the same case 65 drachms (5.3%) and 113 (9.4%), respectively. The price structure in the tariff thus makes the purchase of larger pieces of land marginally more attractive; since the fee is not connected with the price, it decreases proportionally as the price of the total sale (or the value of the land) increases.

Let us now move to the children. The text of *P.land. VII 137* mentions two *apographai*. One, relating specifically to the children, specifies a fee per aroura and draws the now familiar distinction first between males and females, and then between grain and orchard land (§3.2, ll. 17-21). For a male child, the payment is 4 and 8 drachms, for grain and orchard land respectively, and

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<sup>41</sup> According to the *synallagma* data, among the 32 of the 64 conveyances of catoecic land from the first three centuries CE, for which the size of the land is certain, in just 5 it is one aroura or less and in 18 two or less. Conveyances of three or more arourae make 35 cases, while those five or more as many as 26. The data listed in n. 39 is representative. Cf. further DREXHAGE 1991, 128-129, without reference to the land categories.

12 or 24 drachms, respectively, for a female child. According to our earlier hypothesis, the purpose of this *apographê* was to register a child's right to a piece of allotment land, as a necessary prerequisite for its bequest after the parent's death, as recorded in lines 10-17 (§3.1).<sup>42</sup> If this hypothesis is correct, the above regulation imposes a heavy burden for the succession of daughters to land held by their fathers, 24 drachms making more than 10% of the above-mentioned notional minimum value of 200 drachms. On top of this we have to take into consideration the fee recorded in lines 24-25, a fixed fee of 2 drachms for men and for women, for their *apographê*, regardless of the amount of land registered. If the two *apographai* were performed simultaneously, for each person (which is by no means certain), the amount necessary for the *apographê* of a daughter's right to 1 aroura of grain land would rise to as much as 16, and of orchard land to 28 drachms. If we assume that the surcharges connected with the office's operation were applied in this case as well – 12 drachms for the certificate, 1 for the seal and 4 drachms in the case of women for sending the report out of Alexandria –, the fee for registering the daughter's rights in her father's lifetime would amount to as much as 33 drachms for grain land, and 45 drachms in the case of orchard land. To this reckoning we should add the charges the children are made subject to upon entering the property, i.e., 2 drachms per aroura for men for grain land, and 4 drachms for orchard land; 6 drachms for grain land and 12 for orchard land in the case of women. With the above-mentioned surcharges for the office's activity (15 for men and 17 for women), the total payment for a women succeeding to an aroura of orchard land would stand at 29 drachms. Adding to this amount the 45 drachms charged for the *apographê*, we would get to the fantastic amount of 74 drachms, making 37 % of the notional minimal value of 200 drachms.

Of course, we are not certain of the tenability of the above assumptions. We are especially not sure that the *apographai* recorded in lines 17-21 (§3.1) and in lines 24-25 (§5) were both necessary and not alternative, i.e., one had to get one or the other. In fact, we could assume that the *apographê* in lines 17-21 (§3.1) took place *only* if the children wished to enter upon the estate were not registered by their father following the procedure anticipated in lines 24-25 (§5). The qualifying participle *μη ἐγγεγραμμένων* (ll. 17 and 20) certainly may be taken to suggest this alternative hypothesis. This, in turn, would mean a considerably lower rate, but still a surprisingly heavy tax on conveyance. Let us assume the registration of children in their parent's lifetime

<sup>42</sup> This supposition is supported by the participle *ἀπογεγραμμένων* in line 11, especially if it takes a conditional rendering. Pace KIESSLING 1938, 227-228.

would entail no surcharges besides the costs of the *apographê* of lines 24-25 (§5) itself: i.e., 2 drachms for men and 4 drachms for women regardless of the size of the parcel and the class of the land. In this case, a daughter who wishes to inherit 1 aroura of orchard land from her father would have to pay 4 drachms for the *apographê*, and then, upon succession, 12 drachms per aroura and 17 for the surcharges, relating to the composition of the certificate by those in charge of the *katalochismos*, its sealing and sending out of Alexandria. This would make a considerably smaller amount than that reached in following the foregoing hypothesis: just 35 drachms, or 17% of the notional minimum.

The point I wish to make in this discussion is the following: catoecic land was the most significant type of private land in early Roman Egypt, but the mechanism relating to its conveyance, and in particular the implications of costs its conveyance has never, as far as I know, been taken into consideration by the students of the land tenure and policy in the early Roman period. As we just saw, under certain circumstances the charges on its conveyance were potentially quite heavy. It can be assumed that a charge of, say, 20% or more would have played a crucial role in the decision of a potential purchaser to buy the land, and in some cases, as that of women purchasing catoecic land used for planting orchards, the fee likely exceeded that rate (cf. below, chart 2). To this we should add the fees collected for the composition of the document at the local scribal office (roughly, in the case of land conveyances, 10 dr.) and the fees relating to registration of the new right at the *bibliothêkê enktêseôn*.<sup>43</sup> The resulting figure, even on the lowest estimate, would reach the 50 drachm mark: 25% of the notional minimum value of one aroura.

The regulations of *P.Jand.* VII 137 also illuminate certain policies: higher fees were always collected for the conveyance of orchard land, that is orchards of every kind, as opposed to grain land: this was a clear disincentive against alienating the former. On top of this, men always paid less than women, and current owners of catoecic land less than those who have not held this type of land in the past. The aim was, in other words, to keep the allotment land in the hands of a limited circle of persons, preferably men, who have already held such land, and to create disincentives for those who are not members of this group, i.e. women, who have not been holders of catoecic land to purchase that type of land. At the same time, there was no attempt to create a caste. Once a person purchased catoecic land, he would be considered, within five or ten years,<sup>44</sup>

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<sup>43</sup> WOLFF 1978, 229 n. 30; YIFTACH-FIRANKO, *Grammatikon* (forthcoming).

<sup>44</sup> The latter seems more likely, E. MAYSER, *Grammatik der griechischen Papyri aus der Ptolemäerzeit*, II.2 (Berlin-Leipzig 1934) 526.5ff, but pace CURSCHMANN, *P.land.* VII 138, 282.

as a legal κάτοικος him or herself, and could purchase further pieces of land as any other “κάτοικος.”

The question remains, to what extent was the said policy effective, and it is the good fortune of us papyrologists to be able to put the matter to the test by looking at figures provided by the very documents recording the acts of conveyance: i.e., deeds of land sale recording the sale of catoecic land. By studying the identity of the purchaser we may examine to what extent the group that was encouraged to buy catoecic land also did so in practice. We are not able to study all the distinctions made in the tariff: land sales do not mention if the purchaser held in the past another piece of catoecic land, nor do they commonly indicate if the object of the deed is grain or orchard land. But these deeds do naturally report the gender of the purchaser, and should the provisions be effective, we would expect the number of male purchasers to exceed by far that of women. The data is also large enough to make such a quantification possible.

The results are a bit surprising. Among ninety-nine deeds of sale of catoecic land from the first three centuries CE, in 57 cases the vendor is a man, and in 38 it is a woman. Among the purchasers the relation is 46:38. Women are in the minority, but their number certainly does not fall beneath what would be expected in view of the social position of women in general.<sup>45</sup> Moreover, in some time-frames the relation tilts in the women’s favor: in nineteen second-century deeds of sale the purchaser is a woman and in only seventeen it is a man. Among the vendors, the relation is 21 women to 17 men. It seems, then, that in the case of the only testable factor, the regulations of *P.Jand.* VII 137 did not manage to influence the practice, either because the said tariff was never enforced,<sup>46</sup> or because the disincentive was not strong enough to influence the market.

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<sup>45</sup> I study the data in a paper called “Greek Law in Roman Times and Entrepreneurial Women in Egypt” held at the 40<sup>th</sup> Conference of the Israel Society for the Promotion of Classical Studies, Bar-Ilan, 15-16 June 2011.

<sup>46</sup> Some indication of this is provided by receipts, issued by the farmers of the τέλος καταλογισμών, all dating to the late second and early third century CE. Cf. list supra n. 25. In both *P.Diog.* 37 and *P.Gen.* III 145 the rate of the τέλος μετεπιγραφής seems to be 10 drachms per aroura, which is not surprising due to the late date of the document, but the fact that in the former document the purchaser is a man, and in the latter a woman, seem to be conflicting with the regulations of *P.Jand.* VII 137.

Chart 1, a Synopsis of the Charges by the Office of the Katalochismoï

STATUS OF PURCHASER	GENDER	GRAIN LAND	ORCHARD LAND
§1 Current <i>katoikos</i> [ll. 2-5].	Male	4 dr. per ar.	8 dr. per ar.
	Female	8 dr. per ar.	16 dr. per ar.
§2 New purchaser, or someone who made his first purchase within the last ten (?) years [ll. 5-9].	Male	8 dr. per ar.	16 dr. per ar.
	Female	16 dr. per ar.	32 dr. per ar.
§3.1 Bequeathal: registered children [ll. 10-17]	Male	2 dr. per ar.	4 dr. per ar.
	Female	6 dr. per ar.	12 dr. per ar.
§3.2 Bequeathal: <i>apographê</i> of non-registered children [ll. 17-21]	Male	4 dr. per ar.	8 dr. per ar.
	Female	12 dr. per ar.	24 dr. per ar.
§4 <i>Hypothêkê</i> [ll. 22-23].	Both genders	1 dr. per ar.	2 dr. per ar.
§5 Discharge of <i>hypothêkê</i> [ll. 23-24]	Both genders	1 dr. per ar.	2 dr. per ar.
ADDITIONAL CHARGES	GENDER	FIXED AMOUNT	
§6.1 <i>Apographê</i> per person [ll. 24-25]	Male	2 dr.	
	Female	4 dr.	
§6.2 Sending the certificate out of Alexandria, per person [ll. 26-30]	Male	2 dr.	
	Female	4 dr.	
§6.3 Composing the certificate [l. 30]	Both genders	12 dr.	
§6.4 Approval with no certificate (?) [l. 30]	Both genders	4 obols	
§6.5 For the seal [l. 30]	Both genders	1 dr.	
§6.6 Not clear [ll. 31-32].	Both genders	4 dr.	

Chart 2. Charges per 1 aroura (1 aroura = 200 dr.)

STATUS OF PURCHASER	GENDER	GRAIN LAND	ORCHARD LAND
Current <i>katoikos</i> §1 + §6.2,3,5	Male	19 dr. (9.5%)	23 dr. (11.5%)
	Female	25 dr. (12.5%)	33 dr. (16.5%)
New purchaser, or someone who made his first purchase within the last ten (?) years. §2 + §6.2,3,5	Male	23 dr. (11.5%)	31 dr. (15.5%)
	Female	33 dr. (16.5%)	49 dr. (24.5%)



Bequeathal: option 1 (both <i>apographai</i> , twice surcharged) §3.1,2 + §6.1,2bis,3bis,5bis	Male	38 dr. (19%)	44 dr. (22%)
	Female	56 dr. (28%)	74 dr. (37%)
Bequeathal: option 2 (second <i>apographê</i> , one surcharge) §3,1,2 + §6.2,3,5	Male	21 dr. (10.5%)	27 dr. (13.5%)
	Female	35 dr. (17.5%)	53 dr. (26.5%)
Bequeathal: option 3 (first <i>apographê</i> , twice surcharged) §3.1 + §6.1,2bis,3bis,5bis	Male	34 dr. (17%)	36 dr. (18%)
	Female	44 dr. (22%)	50 dr. (25%)
<i>Hypothêkê</i> §4 + §6.2,3,5	Male	16 dr. (8%)	17 dr. (8.5%)
	Female	18. dr. (9%)	19 dr. (9.5%)
Discharge of <i>hypothêkê</i> §4 + §6.2,3,5	Male	16 dr. (8%)	17 dr. (8.5%)
	Female	18. dr. (9%)	19 dr. (9.5%)

Chart 3. Charges per five *arouras* (1 *aroura* = 200 dr.)

STATUS OF PURCHASER	GENDER	GRAIN LAND	ORCHARD LAND
Current <i>katoikos</i> §1*5 + §6.2,3,5	Male	35 dr. (3.5%)	55 dr. (5.5%)
	Female	47 dr. (4.7%)	97 dr. (9.7%)
New purchaser, or someone who made his first purchase within the last ten (?) years. §2* 5+ §6.2,3,5	Male	45 dr. (4.5%)	95 dr. (9.5%)
	Female	97 dr. (9.7%)	177 dr. (17.7%)
Bequeathal: option 1 (both <i>apographai</i> , twice surcharged) §3.1,2 *5 + §6.1,2bis,3bis,5bis	Male	62 dr. (6.2%)	92 dr. (9.2%)
	Female	124 dr. (12.4%)	218 dr. (21.8%)
Bequeathal: option 2 (second <i>apographê</i> , one surcharge) §3.1,2*5 + §6.2,3,5	Male	45 dr. (4.5%)	75 dr. (7.5 %)
	Female	107 dr. (10.7%)	(197 dr. 19.7%)
Bequeathal: option 3 (first <i>apographê</i> , twice surcharged) §3.1*5 + §6.1,2bis,3bis,5bis	Male	42 dr. (4.2%)	52 dr. (5.2 %)
	Female	68 dr. (6.8 %)	98 dr. (9.8%)
<i>Hypothêkê</i> §4*5 + §6.2,3,5	Male	20 dr. (2%)	25 dr. (2.5%)
	Female	22. dr. (2.2. %)	27 dr. (2.7%)
Discharge of <i>hypothêkê</i> §4*5 + §6.2,3,5	Male	20 dr. (2%)	25 dr. (2.5%)
	Female	22. dr. (2.2. %)	27 dr. (2.7%)

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