

TÁMOP-4.2.2/B-10/1-2010-0012 projekt

*Mark Depauw*

Sales in Demotic Documents: an  
Overview



MAGYARORSZÁG MEGÚJUL



SZÉCHENYI TERV



KATHOLIEKE UNIVERSITEIT  
**LEUVEN**



# Sale in Demotic Papyri

## An Overview

Mark Depauw

# Preliminaries

## Demotic

- stage Egyptian script (and language)
- between 7th cent. BC and 5th . AD
- ca. 15,000 Demotic texts published
- sale documents substantial minority



# Sale documents: typology

## Typology often problematic 'Contracts'

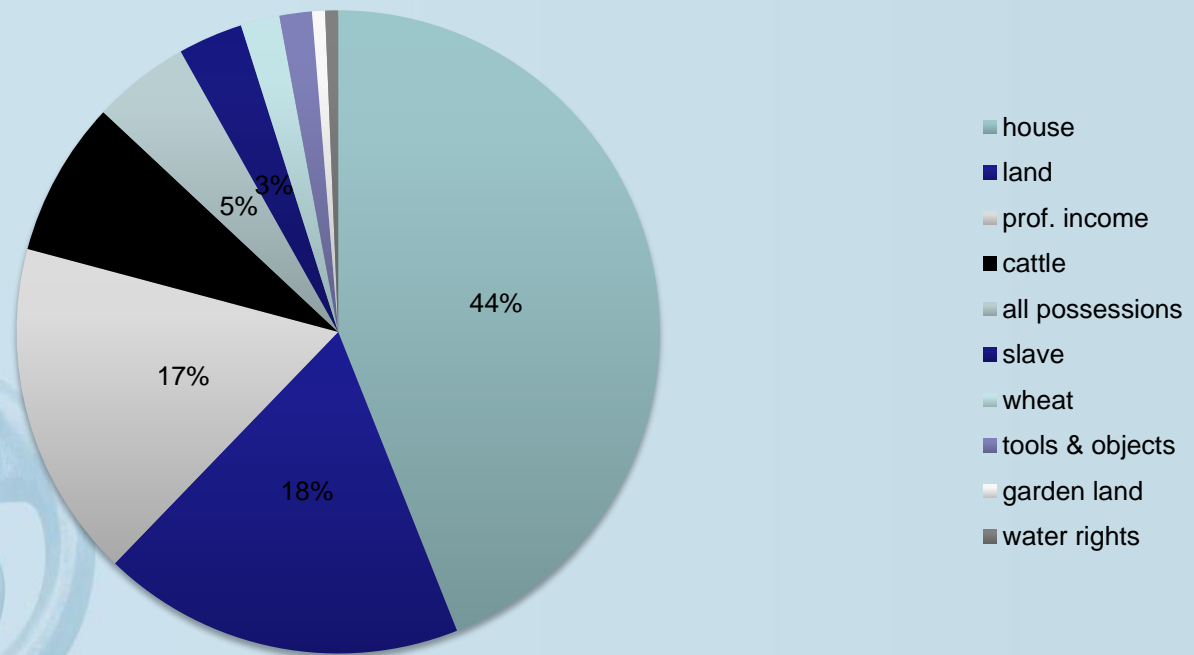
### – Sale 347

- + Cession 126
- + Division 54
- + Donation 40
- + Exchange 10

### – Marriage 150

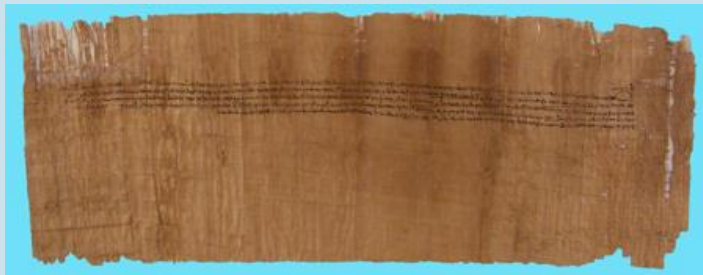
# Sale documents: typology

Typology often problematic  
'Sale objects'



# Sale and Cession

## Cession



Date + 'What A has said to B'

**'I am far from you concerning ...'**

'I have given it to you'

'I will intervene on your behalf'

'I will swear an oath in court'

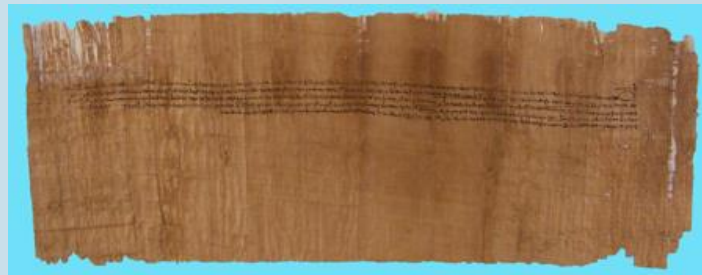
**Reference to the sale (and cession)**

Consent of interested parties

Signature of notary

Signatures of witnesses

## Sale



Date + 'What A has said to B'

**'You have satisfied me with the money'**

'I have given it to you'

**'I have received its price'**

'I will intervene on your behalf'

'I will swear an oath in court'

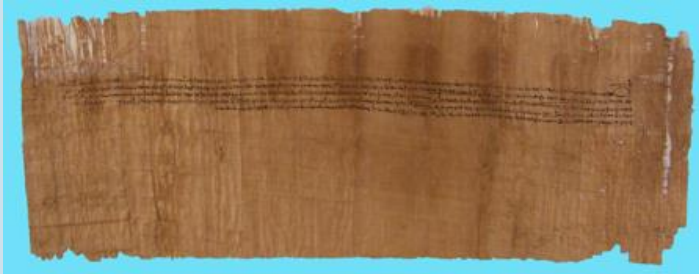
Consent of interested parties

Signature of notary

Signatures of witnesses

# Sale and Cession

## Cession



transfer of ownership

confirmation of existing situation

## Sale



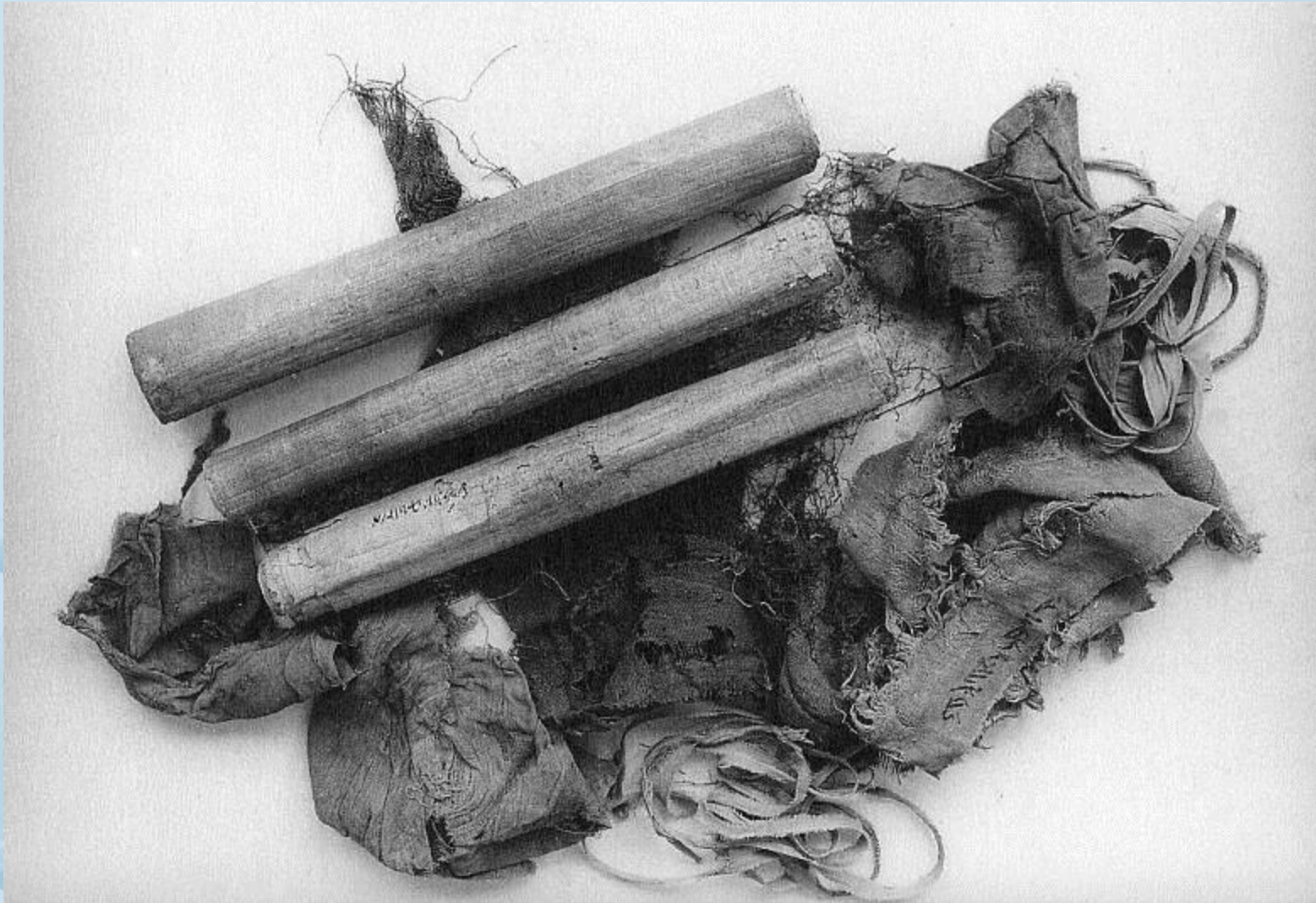
transfer of use

transfer of ownership and use





# Sale and Cession



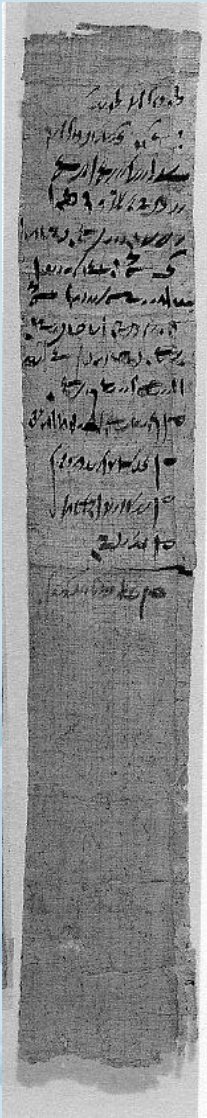


# Cession

after verdict in a trial

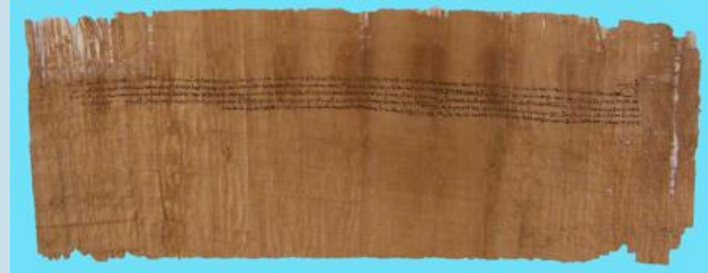
after fulfillment of an obligation

after division of an inheritance



# Sale as security

## 'Mortgage'



Date + 'What A has said to B'

'You have a claim on me for X by Y'

'If I do not pay you back by Y, then'

'You have satisfied me with the money'

'I have given it to you'

'I have received its price'

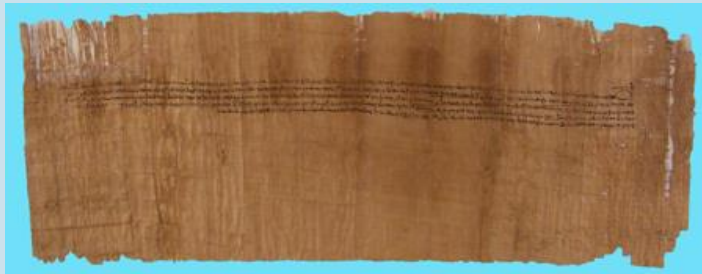
'I will intervene on your behalf'

'I will swear an oath in court'

etc.

# Sale as security

## Sale of all possessions

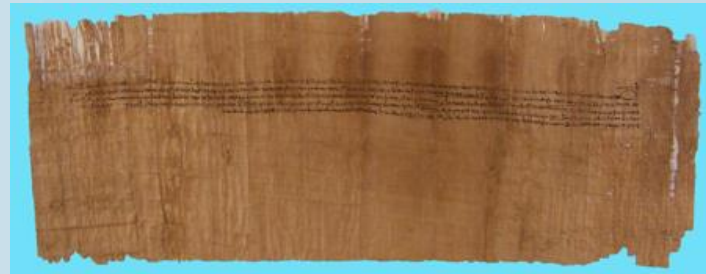


Date + 'What A has said to B'  
'You have satisfied me with the money'  
'I have given it to you'  
'I have received its price'  
'I will intervene on your behalf'  
'I will swear an oath in court'

Consent of interested parties  
Signature of notary

Signatures of witnesses

## 'Annuity contract'



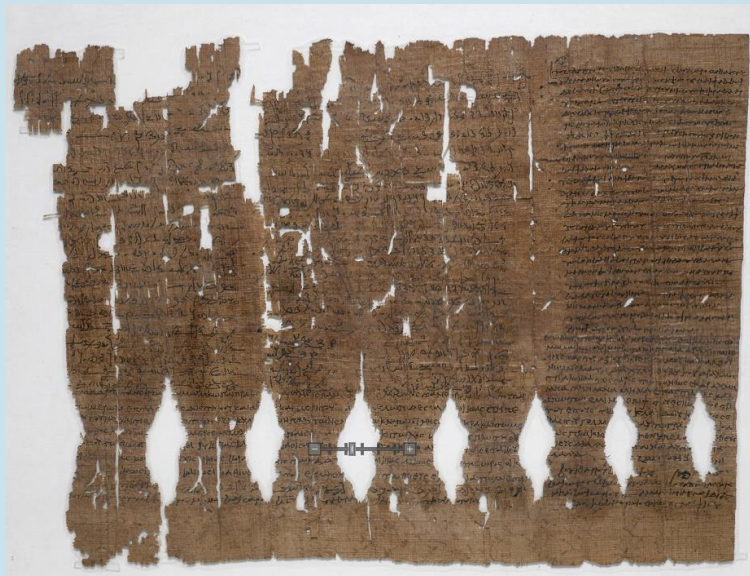
Date + 'What A has said to B'  
'I have received X from you as s'nh'  
'I will give you Y each year'  
'If I do not, then everything I own and will own is yours'

Consent of interested parties  
Signature of notary

Signatures of witnesses

# Sale AND cession as security

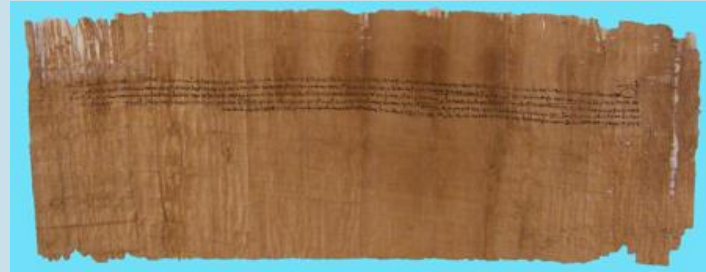
## Roman 'Mortgage'



Demotic  
Separate sale AND cession  
(with elaborate Greek subscription)

Greek  
Separate loan

## Ptolemaic 'Mortgage'

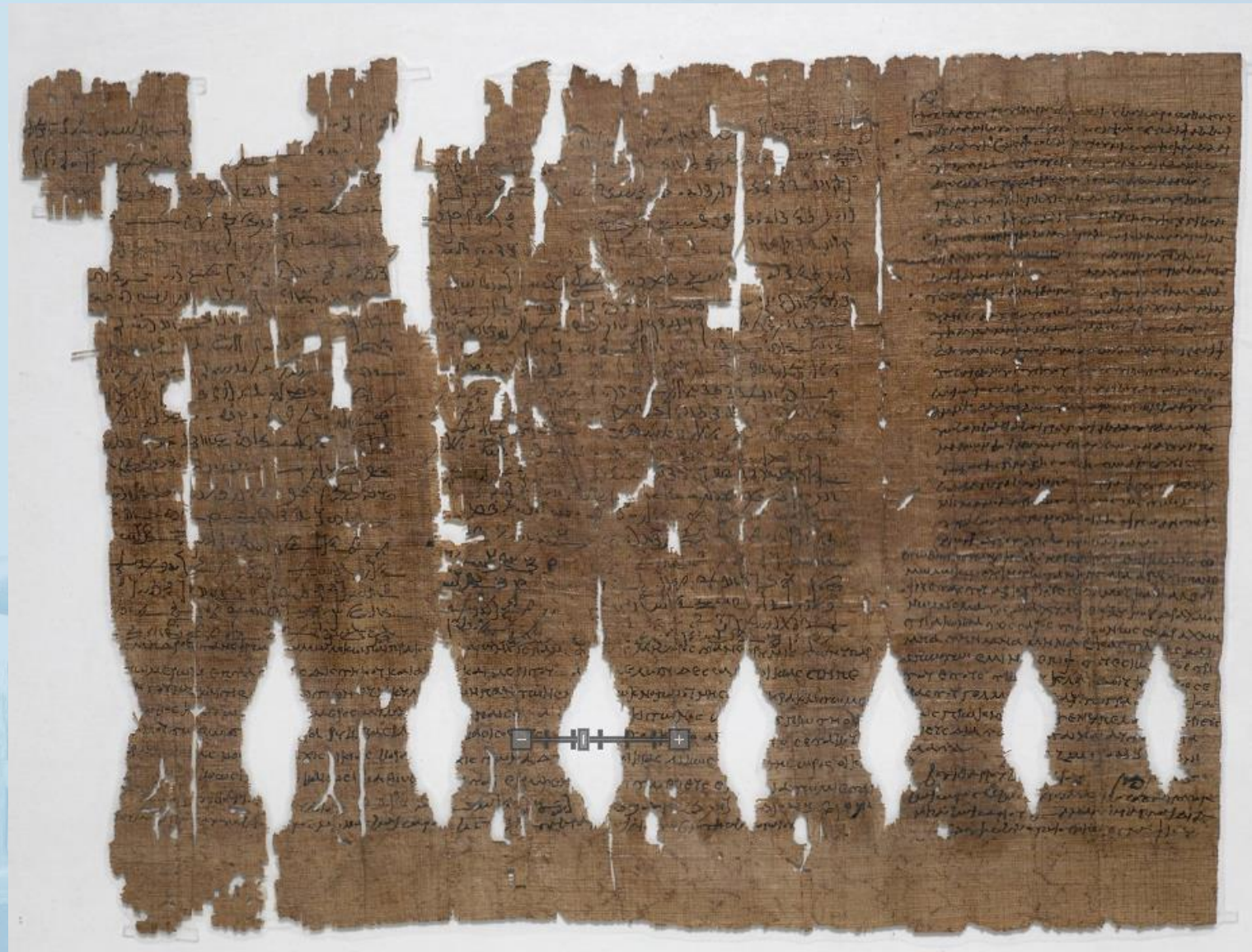


Date + 'What A has said to B'  
'You have a claim on me for X on Y'  
'If I do not pay you back on Y, then'  
'You have satisfied me with the money'  
'I have given it to you'  
'I have received its price'  
'I will intervene on your behalf'  
'I will swear an oath in court'

etc.

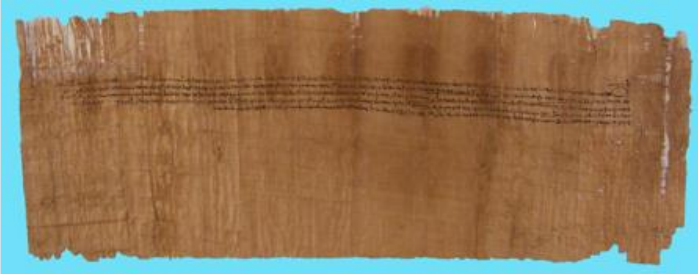


# Roman 'Mortgage'



# Sale as security

## Sale of all possessions

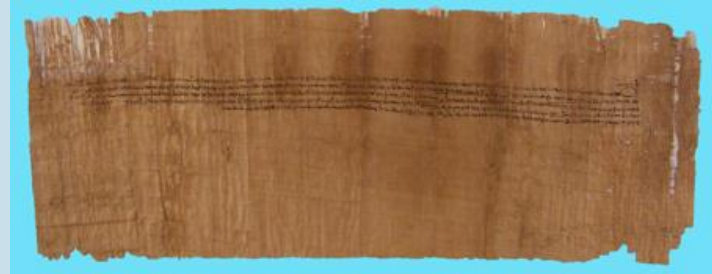


Date + 'What A has said to B'  
'You have satisfied me with the money'  
'I have given it to you'  
'I have received its price'  
'I will intervene on your behalf'  
'I will swear an oath in court'

Consent of interested parties  
Signature of notary

Signatures of witnesses

## 'Annuity contract'



Date + 'What A has said to B'  
'I have received X from you as s'nh'  
'I will give you Y each year'  
'If I do not, then everything I own and will  
own is yours'

Consent of interested parties  
Signature of notary

Signatures of witnesses



# Sale AND cession as security



# Annuity wives and divorce

P. Louvre N 2428 (277 BC)

only cession relating to annuity

Divorce?

*propter mortem?*

s-ḥm.t n s'nh 'annuity woman'



# Annuity wives and divorce

♀ 1  Petetum ♥ ♀ 2



Chratianch ♥ **2/3**



**1/3**

## Two laws

1

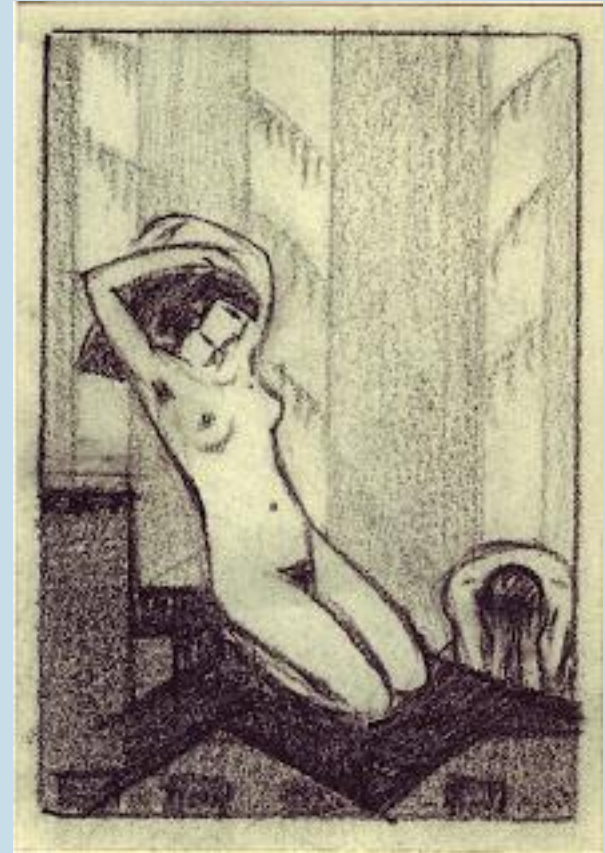
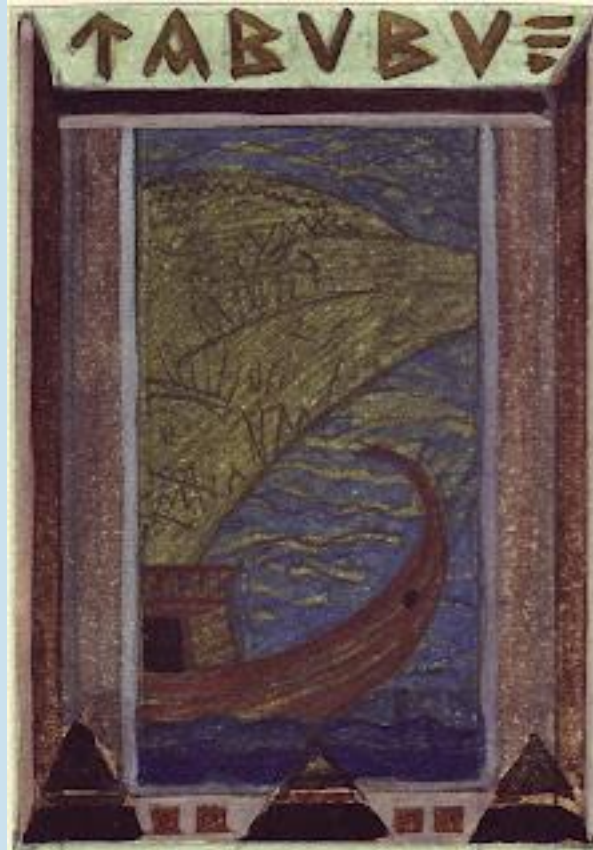
a man who marries and draws up an annuity contract, then divorces and marries again and draws up another annuity contract for his second wife, when such a man dies his possessions will go to his first wife and their common offspring

2

a man who has written an annuity contract cannot sell any of his possessions with the consent of his wife or her oldest son; if he does, the transaction will be invalid



# Tabubu



# Other aspects

## Immediate cash sale

- although no price mentioned
- three year challenging period
- previous documents also handed over



# Other aspects

## Enforcing obligations

- written evidence of oral transactions
  - papyrus, notary
- handwritten agreement of parties
- witnesses
- institutional confirmation
  - tax receipts or registrations
- role trustee?



# Creating Identities in Graeco-Roman Egypt

Az előadás a TÁMOP-4.2.2/B-10/1-2010-0012 azonosító számú, „Kutatóegyetemi Kiválósági Központ tudásbázisának kiszélesítése és hosszú távú szakmai fenntarthatóságának megalapozása a kiváló tudományos utánpótlás biztosításával” című projekt az Európai Unió támogatásával, az Európai Szociális Alap társfinanszírozásával valósult meg.



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