

Taubenschlag, Rafał

"The Oxyrhynchus Papyri", XVIII, E. Lobel, C. H. Roberts, E. P. Wegener, London 1941 : [recenzja]

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care that the estate suffers no loss. Then a new delay induces Marinus to write a second petition. If we adopt this interpretation, then the *vir egregius* Satrianus is certainly not an idilogus. The fisc being interested, it is perhaps better to think of a *διοικήτης* or of a *δικαιοδότης*; both magistrates assisted at the *conventus*. But it is not known which of them was competent in matters of *πίστις*.

N° 6 (198/9 A.D.) is a contract of deposit (already published by Hunt, *Aegyptus* XIII, 243 = SB. 7535), N° 5 (154 A.D.) a receipt of a shipper (already published by Hunt, *Aegyptus* XIII, 241ff. = SB. 7534), N° 12 (179 A.D.) a receipt of rent, N° 9 (109 A.D.) an agreement for payment of arrears (already published by Hunt, *Mél. Masp.* II, 12ff. = SB. 7663), N° 10 (591 A.D.) a loan of money upon mortgage (already published by Hunt, *Studi in onore di S. Riccobono* I (1936), p. 523ff. and by David and van Groningen, in *Papyrologisch Leerboek* N° 51), N° 11 (98 A.D.) a lease of land, N° 2 (72 A.D.) a notice of birth, an *ὑπόμνημα ἐπιγεννήσεως* in the usual form and addressed to the amphodarch, N° 3 (350 A.D.) an application for transfer of taxation (already published by Hunt, *Studi in onore di S. Riccobono* I, 521ff.), N° 7 (4th cent. A.D.) tax receipts (already published by Hunt, *Aegyptus* XII, 245ff. = SB. 7536), N° 4 (139 A.D.) a testimonial concerning the *πενθήμερος* duty, in its usual form (cf. Wilcken, *Grundzüge* 334). N° 13-20 are letters. Among these, N° 14 (2nd cent. A.D.) which the editor interprets, correctly as I think, as follows: Osorapis, the stolistes, has borrowed from a certain Apollon, a capital probably amounting to no less than 12,000 drachmae. Apollon dies and Osorapis intends paying his debt to Apollon's widow. The interests for the month of Hathyr have been paid to the latter through Theon's sister, Arsous. For the repayment of the capital, Osorapis again wishes to act through a friend, in this case Theon himself. Consequently he has remitted the money to the account of Theon's brother-in-law Harthonios. As soon as Apollon's widow will give back the bonds signed by Osorapis, the money will be paid to her through Theon and perhaps, Arsous. The letter contributes from the legal point of view to our knowledge of *mandatum*, the extinction of obligation by *solutio*, and the importance of the instruments on occasion of the performance of the obligation (cf. Taubenschlag, *Law* 317).

E. LOBEL, C. H. ROBERTS and E. P. WEGENER, *The Oxyrhynchus Papyri*, XVIII, London, 1941.

Like the majority of the previous volumes the present volume is of composite character. Of theological fragments there are only two, but literary fragments are numerous. The documents are drawn from the

Roman and Byzantine periods alike. The new-literary works (except N° 2177, the *Acta Alexandrinorum*) have been edited by Mr. Lobel, for the remainder of the volume the final responsibility was entrusted to Mr. Roberts who selected the texts to be published and himself transcribed and annotated many of them. The official and legal deeds of the Roman period however (N° 2182-2189, 2198, 2199) were prepared for publication by Miss Wegener and merely revised by Mr. Roberts.

Among the literary texts N° 2177 (3 cent. A.D.) *Acta Alexandrinorum* deserves special attention as an addition to the literature of Alexandrian anti-Roman propaganda. A good general introduction to the subject with references to all the texts found to date is contained in C. Bradford Welles publication, *A Yale fragment of the Acts of Appian* in Trans. of the Amer. Philol. Ass. LXVII (1936), p. 7ff. As in the *Acta Appiani* so in N° 2177, the Jews are not mentioned and there is no reason to think that any anti-Semitic demonstration was the occasion of the trial recorded here. What is new that both the spokesmen before the Emperor are Athenians, not Alexandrians, and though foreign spokesmen such as Paul of Tyre or Athenodorus (whom we now know to have been Athenian) have appeared in the other fragments in a subordinate capacity, here they are principals. Emphasis is laid here on the sympathy, almost the common cause, of Athens and Alexandria. We have (l. 13) the explicit statement, placed apparently in the mouth of the Emperor, that the laws of Athens and Alexandria were the same, and though this general statement cannot be pressed too far, it provides interesting confirmation of the conclusions already reached (cf. Taubenschlag *Actes du V^e Congrès international de Papyrologie* 471-89).

From the documents of the Roman period N° 2182-2187, 2198, 2199 are official and N° 2188-2207 private documents, N° 2202-2203 are deeds of surety. N° 2182 (166 A.D.) a letter written by a strategos, illustrates very well how difficult it was, notwithstanding the threats of the prefect (cf. Reinmuth, *Prefect of Egypt* 39) to obtain a sufficient number of donkeys for the transportation of corn to the harbor. N° 2183 (181 A.D.) provides new evidence in support of the view (see J. G. Tait, *J.E.A.* VIII, 166-173) that strategi were not normally eligible for office in their own nomes.—N° 2186 (260 A.D.) contains the application by a father, whose name is lost, requesting that his son, whose name is also lost, now 14 years old, might be selected for admission to the gymnasium. The application is addressed to two ex-gymnasiarchs οἱ πρὸς τῇ ἐπικρίσει (cf. Oxy. 257, 1266, PSI. 457; see on examination for membership of the gymnasium, Wilcken, *Grundzüge* 142ff.).—N° 2187 (304 A.D.) is a petition addressed to the λογιστής of the Oxyrhynchite nome. It is the duplicate to be handed over to

the defendant. At the top of the text, after the date, the logistes has written an order to one of his assistants to hand over the petition, and on the verso we find the interesting endorsement that the petition has been handed over, but that the defendant has refused to accept the summons. The document is to be divided into three parts: (1) the petition to the λογιστής (ll. 5-14), (2) a copy of an earlier petition to the prefect, (3) included in (2) the extracts from the ὑπομνήματα of the first trial in the case before the prefect and his ὑπογραφή. In regard to the ὑπομνήματα, they were partly written in Latin as usual at this period (cf. Wilcken, *Atti Firenze* 121), but in making his copy the petitioner has neither transcribed the Latin words nor translated them into Greek, but merely indicates with the word Ῥωμαικά that there were Latin words in the original ὑπομνήματα. To this practice we have found no parallel. The case seems to concern an inheritance.

Among private documents, N° 2188 (107 A.D.), 2189 (220 A.D.) are leases of land. In the latter the lessor leased land to the lessee through his manager ll. 4-5: διὰ-ἐπιτρόπον. As usual, the clause is to be found l. 22: "if in any of the years there should be a failure of water, an allowance should be made to the lessee" (cf. Taubenschlag, *Law* 272).

N° 2190-2192 (late first cent.) are letters. N° 2190 is of more than usual interest. The writer, together perhaps with a younger brother, is studying in Alexandria but is not finding it easy to find good lectures; he seems to be supported partly by the earnings of a slave, Heraclas, and partly by extensive supplies from home, the receipt of which he acknowledges. It appears that a tutor (καθηγητής) is also required at home; the best the writer can find is a certain Didymus, of whom he has the lowest opinion. N° 2191 is a letter from Puteoli in Italy by which Antonius informs Dionysius that he and his family have arrived safely there. N° 2192 is a letter about books. The interest of the letter lies in the picture it suggests of a circle of friends at Oxyrhynchus, all interested in the acquisition of books and getting their friends to have copies made of works not in their possession. Side by side with this system of private borrowing and copying we have (l. 37) an allusion to the book-trade.

N° 2193-2197 contain Byzantine documents. N° 2193 and 2194 written partly in Latin, partly in Greek, are unique of their kind. The quotations from the Old Testament and the general tone of the letters suggest that the author Theon was a priest; that the recipient, Pascentius, is addressed as *servus dei*, need mean no more than he was a pious layman. Both are requests to help a third party and Pascentius was probably a man of some influence and standing; we may compare the letter of the priest Kaor of Hermopolis to Abinnaeus pleading for a deserter (Lond. II 417, p. 299). What is most remarkable is the form of the letters: first comes a

general sentence, probably a Biblical quotation, in Latin, then the greeting followed by another Biblical quotation urging the duty and the benefits of charity, then in each case the theme of the letter is introduced with *διώ*. With the address the writer returns to Latin.

N° 2198-2207 are minor documents of the Roman and Byzantine periods.

Oxy. 2198 (2nd cent. A.D.) is a fragment of official correspondence; probably a letter of a strategos to a higher official. He announces that a debtor to whom he had to hand over a *διαστολικόν* is not to be found. N° 2199 (2nd cent. A.D.) is a petition the subject of which is a dispute concerning the inheritance of a Roman citizen, perhaps a soldier. N° 2200 (early second cent. A.D.) alludes to a visit of the prefect to Coptos at the date of the letter; the prefect may be Petronius Mamertinus, who is known to have held a *conventus* at Coptos in 134 A.D. N° 2202 (592 A.D.) is probably an agreement to make supplies to the "divine house" of the same type as N° 1896. It is the earliest document in which Flavius Apion III appears as sole-owner. It is remarkable that the Emperor Maurice is called *νέος Τιβέριος*: there is no parallel to this in the papyri. N° 2203 is a concluding portion of a deed of surety (cf. Oxy. 135, 996, 1979 and PSI. 61).

PAPYRI OF THE ROMAN PERIOD

G. ROSENBERGER, *Griechische Verwaltungsurkunden von Tebtynis aus dem dritten Jahrhundert n. Chr.* Mitteilungen aus der Papyrussammlung der Giessener Universitätsbibliothek VI, Giessen, 1939.

The seven texts published in this edition come from Tebtunis and refer to the fiscal administration. N° 47 and 48 are receipts on taxes paid to *μισθωταὶ ἱερατικῶν ὠνῶν Τεβτύνεως καὶ τῶν συγκυρουσῶν κομῶν*. N° 49 and 51 are two copies of an inventory of corn in the magazine of the sitologoi at the end of the month *Παυσι* in 221 A.D. N° 50 is a report of the sitologos concerning the receipts of one day. N° 52 refers to not inundated land. N° 53 is an oath taken by *πεδιοφύλακες* from Tebtynis and their partners.

A. V. PREMIERSTEIN, *Alexandrinische Geronten vor Kaiser Gaius.* Ein neues Bruchstück der sogenannten Alexandrinischen Märtyrerakten. P. Bibl. Univ. Giss. 46. Mitteilungen aus der Papyrussammlung der Giessener Universitätsbibliothek V, Giessen 1939.

The papyrus comes from the 2/3rd cent. A.D. and is important due to new light it throws on the constitution of Alexandria and its population. For jurists the trial before the Emperor is interesting. The Alexandrians