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Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.
SURVEY OF THE PAPYRI AND OTHER PUBLICATIONS CHIEFLY FROM 1951 TILL 1952

BABYLONIAN LEGAL DOCUMENTS


When I comment upon this collection of Babylonian legal documents in this magazine, it happens so on account of many analogies with the Greco-Egyptian papyri which these documents show.

№ 1 (707—6 B. C.) is a deed of adoption where the adoptive father assumes not only the duty to bring up the child but also of bequeathing to him his estate. The contract reminds of P. Meyer, Jur. Pap. № 10 (335 A. D.) = Oxy 1206 and Lips. 28 = M. Chr. 363 (IV cent. A. D.) cf. my art. Sav. Z. 49, 119. — № 2 (610—9 B. C.) is a deed of partition between the sons cf. on similar contracts in the papyri my Law I, 165. — № 3 (721/20 — 711/10 B. C.) is a sale of a building lot cf. about ψιλοί τόποι in the papyri Rossi, Aeg. 30 (1951) p. 49 ff and the ed. p. 7 note 1. — № 4 (677—76 B. C.), in a sale of a building-site is mentioned a müsû, literary an „outlet“ (exit) farther „a passage, a corridor“ — those narrow lanes and roads of private property which serve not only to help the communication between the neighbourly lots, not surrounded with walls — but furnish also an access to a public high-road (cf. as for the pap. my art. Arch. f Pap. VIII, p. 25). — № 7 (600 B. C.) deals with a sale of a share of a site of 50 hinds. As the editor remarks this reminds of the 50 hinds lots of land in the papyri. — № 10 (660—59 B. C.) is a purchase from heirs or from another community. In spite of the plurality of the sellers, there appears only one person as the acting party. This reminds entirely of a heirs-community in the Egyptian national law (cf. S e t h e - P a r t s c h, Äg. Bürgschaftsrecht p. 687 ff.) — In № 21 (648 B. C.) there is a case where the purchaser bought a lot of land on behalf of a third person but paid out the price of his own revenues; hence the property of
the lot of land devolves on the mandator not only till then the mandator gives back the price to the buyer (cf. for the sale by proxy in Greco-Egyptian law my Law I 233, 245). — In № 26 (VII cent. B. C.) we have a case in which appears beside the parties in the sale a third person for whom the price has to be covered (cf. about contractus in favorem tertii in the papyri, my Law I 303). In v. 4 the „enlightenment of the face“ is mentioned. Perhaps it is connected as San-Nicolò supposes with an act of establishing the attachment to a social class probably in connection with the first employment of a certain style of hair-dress to mark the close of childhood (cf. on the first-hair-cutting in the papyri μελλοκουρία my Law I 111). — № 31 (611—10 B. C.) contains perhaps a datio in solutum in form of a sale (cf. for the Greco-Egyptian law my Law I, 321). — The sale upon oath in № 32 (605—604 B. C.) reminds of similar sales in the Greco-Egyptian law (cf. Seidl, Eid 90). — The promise of return the price in the case of eviction in № 35 (666—65 B. C.) finds its analogy in Greco-Egyptian law (cf. Berger, Strafklauseln 127, 137, 158). — For the giving in pledge of the son in № 53 (651 — 50 B. C.) see my Law I 104. — For the mutua fideiussio in № 55 (652—51 B. C.) and № 60 (628—27 B. C.) see my Law I, 231—2. For the obligatio omnium bonorum in № 64 (625—24 B. C.) and № 71 (619—18 B. C.) cf. my Law I 212. For the promissory note with an antichresis on appartments in № 80 (628—27 B. C.) cf. my Law I, 218. — For the bail surety for attendance in court in № 82 (616—15 B. C.) cf. my Law I 385. — On the locatio-conductio operis with regard to the temple guard duty in № 83 (618—17 B. C.) cf. my Law 284—5. — Finally the reader may be referred to the ordeals in № 84 (654—53 B. C.) and № 85 (652—51 B. C.).

GREEK PAPYRI FROM THE PTOLEMAIC PERIOD


The documents of this archive date from 163 B. C. and deal with the river transport of grain to the thesauros at Syene, πρὸς τὰ μετρήματα τῶν ἐπὶ τῶν τόπων στρατιωτῶν. The archive brings new data on the state transport of grain by water. It can be summarized in four points: The sitologos who dispatches the wheat sent a certificate of shipment to the consignee of the cargo, the sitologos of