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"Griechische Papyri der Hamburger Staats- und Universitäts-Bibliothek mit einigen Stücken aus der Sammlung Hugo Ibscher", eingeleitet von Bruno Snell, Hamburg 1954 : [recenzja]

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Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

ving attained some official opinion of an expert about the costs of the repair and after having the priests' assertions verified (as he did in No. 202).

C. Préaux, *Ostraca ptolémaïques du Musée du Caire (Chronique d'Égypte No. 56 [1953] 322—334).*

This series is the continuation of the one published in *Chronique d'Égypte XXVIII No. 55 (1953) 109—120*. Miss Préaux publishes here O. Cairo 9524 (138/137 B.C.), the receipts issued by the tax-farmers of the tax imposed on thick garments makers. This document represents a strict analogy with W.O. 1616, the receipts given by the same farmers, in the same year and in the month of Pharmouthi to a *κασσοπιός* called Aristide; as writers used to deform the names he could easily be Aristodemos mentioned in our document. We are not aware of the basis for the monthly taxation here discussed; whether it was, a kind of tax of the type of *τετάρτη* or a licence tax. O. Cairo 9644 (136—135 B.C.); O. Cairo 9505 (136—5 B.C.); O. Cairo 9501 = WO 1085 (136—5 B.C.); O. Cairo 9682 (June, 26th, 132 B.C.) are similar receipts. O. Cairo 9654 (144 B.C. ?) is a receipt of grain for Memnonia; O. Cairo 9657 (125 B.C.) — a receipt of grain for Pathyris.

T. Rönne and P. M. Fraser, *A Hadra-Vase in the Ashmolean Museum (Journ. Amer. Arch. 39 [1953] 84 ff.).*

Those vases of the Hadra-group which we are concerned in contain the ashes of persons designated simply by their name and ethnic, or by their name and ethnic in which is added a title: *πρεσβεύτης* or *θεωρός* (or twice) *ἀρχιθέωρος*. The urns contain the ashes of various envoys and theoroi who died while on visits to Alexandria. It appears that the state appointed the main Hadra-Necropolis to receive the remains of these distinguished foreigners. The majority of the vases should be assigned to the reign of Philopator.

Griechische Papyri der Hamburger Staats- und Universitäts-Bibliothek mit einigen Stücken aus der Sammlung Hugo Ibscher hg. vom Seminar für klassische Philologie der Universität Hamburg, eingeleitet von Bruno Snell (Hamburg 1954).

Besides the literary papyri Nos 118—168 this edition comprises legal papyri published by H. Vocke. No. 168 (III cent. B.C.) contains the regulations about the introduction of a lawsuit and particularly about the submitting of complaints. The forms of the introduction of a lawsuit were different for different Ptolemaic courts corresponding to the kind of the court and to its competence. In our text the regulations concerning Alexandrian courts of the *diatetai* and the *κριτήρια* are contrasted with those for the courts of the *χώρα* (v. 1—16). Strictly spoken in the preserved column it is the question only of a particular lawsuit-form before the *κριτήρια*, the lawsuits *ἀνευ ἐπιδεκάτου ἢ ἐπιπεντεκαϊδεκάτου* i.e. without law-costs amounting from one to five tenth of the claimed value. It is not clear in what cases such a cost-free lawsuit could take place. Our text reads: "Persons addressing the *diatetes* or submitting cost-free claims before the *κριτήρια* should present their bill of complaint to the official nominated by the *νομοφύλαξ* (v. 1—4)". Then follow the personal particulars which the plaintiff should give in a written form when submitting his *ἔγκλημα*; soldiers, citizens, citizens being soldiers and non-citizens are differentiated. The population of Alexandria is therefore concerned as it is also confirmed by the contrast of the regulations given in (v. 1—16) with the ones given in (v. 17—20) concerning the *κατὰ τὴν χώραν κρινόμενοι*.

Soldiers (*στρατιῶται*) were required to declare their personal particulars, which were also customary demanded in the clerachic contracts, such as the name, the *πατρίς*, the regiment and the *ἐπιφορά* (the feudal benefice of the king to the soldiers); citizens had to give (cf. on *πολιται* my *Law*² 582 ff.) the name, the father's name as well as the deme; in case they served in the army — also the regiment and the *ἐπιφορά*; non-citizens (*οἱ δὲ ἄλλοι*) were required to give the *πατρίς* and the *γένος* to which they belonged.

To these particulars all the plaintiffs had to add particulars concerning the *diatetai* or the *kritai* before whom they wanted to conduct a case, made out after the same scheme. The personal particulars of the judges were then entered into the register of claims by the official appointed by the *νομοφύλαξ*; on the copies of the summons the personal particulars of the plaintiffs and the judges were probably registered again (v. 14 ff.) *καὶ πρὸς τάντῃγραφα [τῶν ἀποδεδο]μένων κλήσεων προσγραφέτωσαν εἰκονο[γραφίας; on εἰκονογραφία* cf. J. Hasebroek, *Das Signalement in den Papyrusurkunden* 85 ff.; see also Ent. 17₅ (217 B.C.); Oxy 2349₂₃ (70 A.D.).

The end of the section shows the provision that the plaintiff must pay the copying or writing fees of one drachme (when presenting the ἐγκλήματα).

The last three lines of the column (v. 17—20) referring to the lawsuits in the χώρα are mutilated; remarkable is only the mention of the δαιτηταί in (v. 18); so far was the judicial activity of the diaitetes in the χώρα not yet mentioned.

Nos 169—181 (from the time of Euergetes) inform us about the commercial relations of the βασιλική τράπεζα in Oxyrhynchos (cf. my *Law*² 677). The documents contain: receipts for the money paid off by the bank (cf. *Law*² 394), orders for payment and commercial letters addressed to a certain Nicanor who in the first years of the reign of Euergetes was the trapezites of the bank in Oxyrhynchos. The trapezites Nicanor is subordinate to the district chief Ammonios and therefore his recommendations to Nicanor seemed to be like short orders.

No. 169 (241 B.C.) is an official letter of the tax-farmer Menodoros to Nicanor, trapezites of the βασιλική τράπεζα in Oxyrhynchos. No. 170 (241 B.C.) is a receipt for 15 talents in copper which were paid by the intermediary of the trapezites Nicanor to the consignee Diodoros according to the payment-order of a certain Pasiqrates of the βασιλική τράπεζα in Oxyrhynchos. No. 170 (246 B.C.) is a receipt of the monthly salary of a doctor (cf. on doctors *Law*² 633 ff.). No. 172 (246 B.C.) is an order for payment of an archiphylakites' salary. Just as the salaries of doctors were paid out of the ιατρικόν, the ones of the archiphylakitai were paid out of the income of a particular tax φυλακτικόν. In the document in question Apollodoros the ἐπιστάτης φυλακτικῶν of Oxyrhynchos advises the trapezite Nicanor to pay the three month salary due to archiphylakitai to Theophilos, the commissioner of Apollodotes with money which came in the bank the past year. In No. 173 (241 B.C.) Ammonios, the οἰκόνομος advises the trapezite Nicanor to pay 540 drachmae out of his account at the bank of Oxyrhynchos on behalf of a certain Appolonios. These 540 drachmas are the price for two white calves bought by Ammonios very likely for his farm. No. 174 (240 B.C.) is a fragment of a payment order. This fragment mentions a payment in advance paid by the state bank (Nicanor) on behalf of flax-cookers to enable them buying the raw flax. In No. 175 (241 B.C.) it seems to be the question of a payment order on behalf of the λιψοί in Oxyrhynchos. In No. 176 (241 B.C.) Ammonios orders

to the trapezites Nicanor to deliver papyrus for his office (i.e. the one of Ammonios) to his commissioner. No. 177 (241 B.C.) a letter of Ammonios to Nicanor, speaks also about the delivery of papyrus by the royal bank (cf. on papyrus production my *Law*² 673). No. 178 (241 B.C.) deals with the preparations for the collection of the dyke-tax (λογεῖα τοῦ χωματικοῦ) which should be arranged by Nicanor for the toparches of the south toparchy of the district. No. 179 (241 B.C.) is a fragment of a payment order. No. 181 (240 B.C.) and 182 (240 B.C.) are fragments of letters. The interpretation of the letter in No. 182 — probably of the οἰκονόμος to his subordinates — must take as a starting point Rev. L. col 48₃₋₄. According to the oil which had been required by oil merchants of the single villages for the certain month, it was distributed to the merchants under the supervision of the οἰκονόμος. The money for the oil should be delivered by the οἰκονόμος to the βασιλικὴ τράπεζα possibly on the same day or at least within five days. However we learn now that the ἐλαϊκὴ has been collected from the oil merchants and was not delivered immediately—but somewhat later to the οἰκονόμος; and then we learn that the amount of money received corresponded to the quantity of the oil. The ἐλαϊκὴ was then an indirect tax which — however separately — had been paid additionally to the oil price fixed by the state.

No. 183 (251 B.C.) is a loan of hay made by Polemon, a simple soldier of the Zoilos troop who confirms that he obtained a parcel of hay from Zenodoros, the οἰκονόμος of the lower toparchy of Oxyrhynchos. He engages himself to restore him one and a half of hay in nine months (i.e. after the new harvest). The form used in the document is yet not found in the papyri cf. the seed-receipts edited by Schubart BGU VI 1226—1230, see Gradenwitz 71 = SB III, 1, 6280 and Hib. I 85; on πρᾶξις ὡς πρὸς τὰ βασιλικὰ cf. my *Law*² 532 ff.

In Nos 184—186 (III cent. B.C.) the receiver quits his purchase of a certain number of arurae of Arakos Olyra out of the royal land and engages himself to pay the price to the βασιλικὴ τράπεζα. This is a sale on credit (cf. *Law*² 338 ff.). The object of the sale was the land revenue of the arurae. No. 187 (265—4 B.C.) is a bond of surety. The shoemakers Pais and Petroseiris were sued as it seems for debts. Theodoros guaranteed that they will not leave their village during the coming year being always at the disposal to their creditor. In the event they should run away, Theodoros undertakes

to pay within five days the sum which the defendants were sued for (cf. *Law*² 498).

No. 188 (218 B.C.) is a contract of lease in which the cleruch Theophilos acts as a lessor and Aristochos, Stratios son — as a lessee. No. 189 (215 B.C.) is a receipt for a rent paid in advance (cf. *Law*² 358₁₅, 361₂₆). It refers to a lease contract already concluded in which the term of the lease, the amount of the rent as well as other particulars were established. As payment of the rent takes place for many years in advance, the lessees try to secure themselves by special clauses against neglecting the payment by the lessor. This security clause says: "If the lessor disregards the payments in advance or if a βασιλικὸν κώλυμα takes place (cf. *Law*² 361₂₆) he shall pay a fixed sum for every artaba of wheat of the ἐκφόρια already delivered, and the lessees shall have the right to execute immediately this sum from the lessor".

No. 190 (from the period of Philopator) has been already published by F. Ziebarth, *Aegyptus* XIII (1933) 358—9 and again in SB V, 1, 7560 cf. Wilcken, *Arch. f. Pap.* XI (1935) 295. Whilst — according to Ziebarth — this papyrus refers to a *syngraphe* over an *enoikion* concluded between Diodoros as proprietor and Daimachos as the lessee or the tenant and — according to Wilcken to an antichretic loan, the new editor admits that the question is of a contract of μίσθωσις of a land-lease, or a lease of a house. In this contract only the βεβαίωσις-clause is preserved. In this βεβαίωσις Daimachos warrants Diodoros his rights for the period of the μίσθωσις, the term of which must have been fixed in the beginning of the document which was lost. Should Daimachos „expel” Diodoros within this term or should he “force him out” before Daimachos would receive 500 drachmae as the rent (ἐνοίκιον) and the reimbursement of expenses then the legal claim of Daimachos was void and he was obliged to pay 500 drachmae of rent the ἀναλώματα and the contractual penalty of 500 drachmae. Daimachos is then undoubtedly the lessor and Diodoros the lessee. The designation ἐνοίκιον and the mention of the compensation agreed upon the expenses makes us believe that the lease of a house was at stake. According to the editor’s supposition in the lost part of the document there was the question of the sub-lease of the house by Diodoros and Daimachos had to guarantee Diodoros that the sub-lessee would pay him the rent as well as the compensation of his expenses. Until getting this money Diodoros was entitled to retain the

rights resulting from the lease contract even beyond the term agreed upon the lease.

In No. 191, a draft of a letter (III cent. B.C.) is referred to the execution of a mandate. The same holds good for a private letter No. 192 (III cent. B.C.) which is designated as an ἐντόλιον (ἐντολή). Noteworthy is that in these papyri the term πρόστιμον has the meaning of an "additional amount".

E. Kiessling, *Sammelbuch griechischer Urkunden aus Aegypten* (vol. V, part IV, 1955).

Vol. V of the *Sammelbuch* comprises four parts; the first two appeared in the years 1934 and 1938 and the third one in the year 1950. Part IV published now contains the index to the whole volume V. To the last part of this volume is annexed an additional special volume containing a new edition of the Papyrus Revenue Law by J. Bingen. Besides the word-indices and general list of words, particularly valuable is the section III (p. 400) with the contents of the documents. It comprises: A. Government activities, State and municipal legislation, Jurisdiction, Administration, Taxation, Public dedications, B. Law of Associations, C. Civil Law (Law of Persons, Law of Property, Law of Obligations, Circulation).

M. T. Lenger, *Le fragment de loi ptolémaïque P. Petrie III 26* (Bodl. Ms. Gr. Class. D 27 [P]) (estr. dagli *Studi in on. di U.E. Paoli* [1955] 460—467).

The article contains a re-edition of Petr. III 26 with a commentary. The papyrus refers as we know to the responsibility of the proprietor of a beast for damage done by the latter.

M. Th. Lenger, *Une nouvelle édition de P. Petrie III 20, Recto coll. 1—3* (*Chronique d'Égypte* 57 [1954] 124—136).

The columns 1,2 and 3 of the recto of P. Petrie III, 20 bring respectively, an *enteuxis* to the king concerning the usurpation of a *stathmos*, a *hypomnema* to the chrematists submitted by the same plaintiff and a record referring to the continuation of the proceedings and to the sentence passed in the case. The text of these three