

# Rafał Taubenschlag

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"Latin papyri in the University of Michigan Collection", H. A. Sanders, Ann Arbor 1947 : [recenzja]

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spot. This document is most probably their report. N° 2234 (31 A.D.) is a petition to a centurion on damage and assault caused to the petitioner by some fishermen and a soldier. The petitioner who paid taxes, had fishing rights (cf. my *Law* II 79 ff). N° 2235 (346 A.D.) is a petition to the *riparius*, entered by Aurelius Horus on behalf of his grandchildren. They have inherited from their father a piece of land in the territory of the village of Adaeus but now, illegally, the scribe of Terythis is trying to force them to pay the taxes on the land to his village. It will be noticed that the petitioner invokes the old motive — the threat of ἀναχώρησις — to strengthen his case, as well as a perhaps more novel appeal *ad misericordiam*, pity for the orphan children. N° 2236 (early III cent. A.D.) is a sale of a part of a house, N° 2237 (498 A.D.) a loan of money, N° 2238 (551 A.D.) a deed of surety, addressed to Menas, the overseer of the principal church of Oxyrhynchus, by Phoebammon, Elias and Pantaron. They guarantee the return by Onnophris of the gold stolen by him a few days before, and undertake to produce him when required. We read on Onnophris (v. 10) υἱὸν Παμουθίου γενομένου διακόνου μητρὸς Θέκλας ὀρμώμενον καὶ αὐτὸν [ἀπὸ τοῦ αὐ]τοῦ κτήματος καὶ πρὸ τούτου παραμένοντα αὐτῇ ἐν τάξει δουλελευθέρου. The editors translate the v. πρὸ τούτου — δουλελευθέρου *formerly serving you in the capacity of a freedman*, with reference to Vett. Val. 7, 8. In my judgement the v. δουλελεύθερος means *a free man who serves as slave (liber homo serviens)*, cf. Strassb. 40 (569 A.D.) (v. 24) φαμιλιάριος ἐδραῖος κατάδουλος παῖς (v. 30) ἐφ' ᾧ αὐτὸν παραρσεῖναι κτλ. (cf. my *Law* I 28315). In v. 17 we read again: παρσιλήψαμεν ἐν τῇ φυλακῇ τοῦ νοσοκομίου τῆς αὐτῆς ἀγίας ἐκκλησίας. As the editors remark, there is no improbability in the supposition that the hospital had its own prison (cf. on hospitals my *Law* II 57). N° 2239 (598 A.D.) is a contract made by Jeremias with Fl. Johannes, the owner of a large estate through Fl. Julius, his superintendent and representative (cf. my *Law* I 235). The document is closely parallel to Oxy. 136 and 1894. Jeremias styles himself ἐπιχειρήμενος adding that he had paid his entrance-fee. N° 2240—2244 are accounts.

H. A. SANDERS, *Latin papyri in the University of Michigan Collection* (Michigan Papyri vol. VII) Ann Arbor 1947.

This collection contains 37 Latin papyri, mostly of legal character. N° 167 (103 A.D.), N° 168 (145 A.D.) and 436 (138 A.D.)

are birth certificates. From these three documents, N° 167 and 168 are republished from Michigan Papyri III, N° 436, a wax tablet; was first published in *Aegyptus* XVII (1937), 233—240. — N° 462 (IV cent. A.D.) is a freedmans certificate; no similar document is known; in tablet i the ed. reads: *manumissus vindictis*; on *manumissio vindicta*, see my *Law* I 74. — N° 432 (late first cent.) is a witnessed copy of the honorable discharge of a legionary soldier. The parallel to this text is on the second tablet of a diptych, W. Chr. 463. Now it is known that legionary soldiers, being already Roman citizens, did not receive the regular military diplomas granting citizenship, but relied on imperial edicts to secure full rights as citizens and recognition of their marriages with non-citizens and of children born from such marriages (cf. the ed. p. 15 and my *Law* II 45). These imperial edicts granting an honorable discharge to legionary soldiers were published. The edicts were doubtless inscribed on bronze and set up somewhere in Rome, but copies were also sent to some or even to all provinces. Bronze copies were not given to the individual soldiers, but anyone needing it might secure a witnessed copy. — N° 433 (110 A.D.) is a certificate of the assumption of the *toga pura*. We know of no other example of a certificate of this kind. If, as seems likely in this case, the father was of the Pollian tribe, he had obtained citizenship when, as an illegitimate child from the village near a Roman camp, he enlisted in a legion. His child in turn, if born during the term of service, would not acquire Roman citizenship until the father obtained an honorable discharge from the army. Yet the birth of soldier's children was carefully authenticated by a witnessed certificate. We now see that the putting on of the *toga pura* by such a child was recorded because he had in the meantime obtained citizenship (cf. the ed. p. 19/20). — On the marriage contract N° 434 = Inv. 508 + 2217 (early sec. cent.) see above p. 162; N° 444 (late sec. cent.) is a fragment of a marriage contract or attestation. — N° 437 (sec. cent) is a fragment of a will; the same holds of N° 439 (147 A.D.); in l. 4 we find the v. *anegl.* = ἀνεκλόγηστος (cf. my *Law* I 127<sup>60</sup>): the designation of a guardian who is not required to render an account of property which he receives, (v. 12) refers probably to a guardian to whom the testator entrusts his heirs; in v. 16 the wish of the testator is expressed perhaps that his heirs perform some service, and if this has been delayed, *cessa[tum est]*, the request or promise (v. 17)

*f(acienda) c(urabit) t(ibi) f(ilia) s(upra) s(cripta) Tirem[ ]* follows (cf. my *Law* I 148); N° 446 (late sec. cent.) is a will or codicil. The text on the wax was preceded by the name of the soldier who is described as *mil(es) coh(ortis) (primae) Apamenorum (centuriae) Octavi*. What follows on the wax seems to show that through two messengers the soldier sends statements to be added to or incorporated in a will. — N° 453 (third cent.) is a fragment of a will; in v. 2 *ex ypologo [solo]* is from the Greek and designates land which because of its quality has lessened taxes.

N° 435 (early sec. cent.) is a camp record of inheritance. It consists of three entries; the best preserved is the third entry. Here we find that Aprilis Petro[nius] [of the century of ...] to ... io, *optio* of the century of Maximus [acknowledges or reports that he] has received by the legacy of Petronius Bland[... assistant to the *benefici*]arius of Maximus, the dead centurion, drachmas [many, from which....] are deducted. The inheritance tax [took drachmas 30]5. The remaining drachmas [which are] 5095 are [placed on deposit for the heir] on the fourth day before the Nones of July. In the second entry the heir was probably no longer an active soldier. As the camp kept no account of moneys due to him, the inheritance would be paid to him directly and his acknowledgement in line 2 sufficed for a receipt, or indicated that there was a receipt on file. The first entry is apparently from the same type as entry third. N° 450 (sec. or third cent.) and 455 (third cent.) are camp documents. The verso of the latter document seems to give some kind of report on a revolt, which extended to legionary soldiers. On 438 (140 A.D.), 440 (162 A.D.), 445 (late sec. cent.) see Arangio-Ruiz, *Chirografi di soldati* (estr. da. *Studi in onore di Siro Solazzi*) pp 255 ff. N° 441 (157 — 161 A.D.), 447 (163 — 172 A.D.), 448 (late sec. cent.), 454 (III cent.) are military diplomas resp. military lists. On 442 (sec. cent.) see *Journal of Jur. Pap.* I 116. This document deals with a dowry, and was first published by Sanders, in *Proc. of the Amer. Philos. Soc.* LXXXI (1939), 581—590 and then reedited by R. O. Fink, in *T. A. P. A.* LXXII (1942), 109 ff. N° 443 (sec. cent.) and 460 (early fourth cent.) are petitions; the first seems to recount the entrance of a man into military service, the latter concerns a man who calls himself *ser[vus]* and is addressed to officials of equestrian rank. N° 456 (late first or early sec. cent.) is a record of court proceedings. The second of the two lines seems to record the opinion or

decision of a judge [*de ea*] *re iudex d[ixit]*; in line 5 the editor suggests *edicta pr[aetorum or edicta pr[ae]fecti Aegypti*] in line 11—14 *bona* and *acceperunt*, which, if connected, contain the acknowledgement of the receipt of property. N° 451 (206 A.D.) is a bill of sale, N° 452 (early third cent.) a fragment of a lease, N° 461 (IV cent. A.D.) a preliminary draft of a document. N° 431 (first cent.), 438 (third cent.) are fragments of legal works, N° 459 (third cent.) is a fragment of a placard or proclamation. N° 457 (late third cent.) and 463 (sixth cent.) are bilingual documents. It is probable that the first document is legal (cf. v. 2) *sycol[pantam detrimen[tum]*, and the latter contains decisions of a magistrate.

W. SCHUBART, *Die Papyri der Universitätsbibliothek Erlangen*, Leipzig 1942.

The collection contains 1—24 literary texts; 24—44 documents from and to offices; 44—68 acts concerning taxes, official accounts and other similar documents; 68—98 private contracts; 98—122 private accounts; 123—130 letters; 130—131 small fragments.

Among the documents submitted to the offices, Erl. 71 p. 25 (Hadrians era) (cf. also Erl. 24 p. 29) (III cent. A.D.) contains an extract from proceedings concerning some taxes questions; Erl. 23 p. 26 (248 A.D.) is a record of a meeting of the council in Oxyrhynchos. Erl. 24 p. 31 (195 A.D.) is an inventory of a temple; it was probably done because of some taxes which had to be paid by the temple; the things in the inventory had to be sold to cover the taxes. Nr 61 and 91 (p. 34/35) (160/1 A.D. resp. II cent. A.D.) are applications in ἐπίκρισις cases. Erl. 126 p. 36 (III cent. A.D.) is an imperial oath. Erl. 100 (p. 36) (Commodus' era) is a fragment of an application with an official subscription. The other documents of this group are only fragments.

From the following group Erl. 101 (p. 44) (II cent. A.D.) and Erl. 104 (p. 44) (155/6 A.D.) are census-declarations; Erl. 90 (p. 45) (II cent. A.D.) a report to the strategus concerning probably confiscated land.

The group of private contracts: promissory notes, Erl. 9 p. 74 (590 A.D.); loans, Erl. 18 (p. 76) (VII cent. A.D.); hypothecated loans, Erl. 42 (p. 68) (I cent. B.C.); Erl. 132 (p. 70) (II cent. A.D.); Erl. 36 (p. 70) (II cent. A.D.); Erl. 127 (p. 71) (II cent. A.D.); *datio in solutum*, Erl. 110 (p. 72) (III cent. A.D.); sales, Erl. 63 (p.