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[recenzja]

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mon to his family. It seems to refer to an athlete, a coachman or so who is on a foreign tour and sends money to his family.

No. 4 (III cent. A.D.) is a letter of Sarapias to Brasidas. The text is unintelligible.

No. 5 (V—VI cent. A.D.). It is a private letter in spite of mentioning several official titles such as φροντιστής, ἄρχων and διοικητής. The reason for writing this letter was the addressee's invitation which the author was unable to follow.

*The Oxyrhynchus Papyri, Part XXII, edited with translation and notes by E. Lobel and C. H. Roberts, London (Egypt Exploration Society) 1954 (under supervision of E. G. Turner).*

This edition brings No. 2338—2348 public, and No. 2349—2353 — private documents.

No. 2338 (late III cent. A.D.) a list of poets, trumpeters and heralds, was — as the editors point out — drawn up for taxation purposes, as it records those whose victories in any given year entitled them to tax exemption. The competitions in question cannot have been the international festivities, success in which, as has long been known, entitled the victor to solid financial rewards; not only are the names too numerous but the absence of any mention of the location of the festival can only mean in an Oxyrhynchite text that it was held at Oxyrhynchus. I should like to remark that the Col. 1 v. 1 γραφήν ἀτελ(είας) ἀγ(ώνων) ἀστι[χῶν] would rather indicate that the ἀγῶνες took place in an autonomous city like Alexandria (cf. Oxy. 706); on the meaning of ἀστικός cf. Preisigke, *WB* s.v. νόμος; my *Law*<sup>2</sup> 18, 19. Victors in the athletic contests at Antinoopolis, the Antinoiea were given privileges similar to those enjoyed by the ἱερονικάι (cf. Lond. 1164 (1) see A. C. Johnson, *Roman Egypt* 297) and from Oxy. 705 we learn that Aurelius Horion in establishing his benefaction for the ephebic contests at Oxyrhynchus laid down that the conditions of the competition were to be similar to those prevailing in Antinoopolis.

But hitherto there has been no evidence for such local generosity and as A. H. N. Jones points out (*The Greek City* 355 n. 42) there is no evidence for the grants of pensions (to which a grant of ἀτέλεια is comparable) except to athletic victors.

The list covers the years 261—2 till 288—9 but it is not arranged in strict chronological or alphabetical order. The name and patronymic are followed by the event in which the competitor was successful, occasionally his age, his mother's name and father's trade or profession are added. On heralds cf. my art. *AHDO* V, 189 ff.

Oxy. 2339 (I cent. A.D.): the subject is clearly a trial before some Roman authority; there are probably four defendants, one of them a woman. There are no ordinary proceedings, as the references to war and crucifixion show; nor does the form of the report suggest the familiar *précis* of legal proceedings. This considerations as well as the Alexandrian background to the proceedings might suggest that in 2339 we have a private copy of part of the *Acta Alexandrinorum*; against this should be set the documentary appearance of the text which has all the appearance of a copy of contemporary proceedings, and (for what it is worth in so small a fragment) the absence of any allusion to an emperor. In the absence of further evidence the question is best left open. But whatever the character of the document, the disturbances which were the background to the proceedings may have been the riots between Jews and Greeks in Alexandria immediately preceding and during the Jewish revolt in Palestine (cf. Josephus, *BJ* II 18,7). On φλαγέλλας μαστιγωθήναι cf. my *Law*<sup>2</sup> 555<sub>17</sub>. The meaning of the judge's remark in v. 7 ἵνα εἰδῆς ὅτι ἐὰν δαρῆς οὐ μέλλει ὁ νόμος ἐρηγμοῦσαι, is obscure. The interpretation could be that the defendant is claiming to be a prisoner of war (or possibly claiming exemption from the court jurisdiction as a Roman citizen) and threatens that if he is not treated as such the reactions of his compatriots would be such that the Roman authorities would have a war on their hands. A less plausible interpretation in view of the subsequent reference to πόλεμος would be to refer δαρῆς and ἐπιπληχθήσῃ to the "Alexandrian" privilege of being beaten by special officers with special instruments (see Cumont, *L'Egypte des Astrologues* 195 n. 2). In v. 17 the reference might be to forced (ὄλμους as in BGU 251, 17) labour in the quarries or some analogous punishment cf. *Law*<sup>2</sup> 557<sub>32</sub>. The remark of the editors that my reference to BGU 1024<sub>5</sub> is not borne out by the text is not correct, because my reference concerns BGU 1024 p. 5 (cf. *Law*<sup>2</sup> 558<sub>34</sub>) and is absolutely in order.

Oxy. 2340 (192 AD.) a record of judicial proceedings, the point at issue being exemption from liturgies and the occasion being

the *conventus*. The main text is of some interest since the liturgy from which exemption was claimed was the post of "assistant strategus of the fourth region". Only in Alexandria and Antinoopolis were the city regions numbered by the letters of the alphabet and only in Alexandria was there a στρατηγός τῆς πόλεως. We may therefore be certain that the parties in the case are Alexandrians and that the case was heard there. The judgement is characteristic (v. 19) κατὰ τὰ ἐφ' ὁμο[ί]ων κριθέντα εἰ ἐστὶν ἐργαστηριάρχης λινοῦφ[ω]ν τῷ αὐτῷ παραδείγ[μα]τι χρῆσασθαι δύναται. "According to decisions given in similar cases if he is a foreman weaver he can use the same precedent and in turn nominate someone else instead of himself"; on παραδείγματα cf. *Law*<sup>2</sup> 42<sub>146</sub> cf also W. Chr. 28 (159 A.D) (v. 17/18) καθ' ἃ παρέθετ[ο] ἐφ' ὁμοίων κεκρίσθαι.

On the exemption of weavers from corvée and liturgy see the important P. Phil. 1 with the editor's introd. and notes, in particular pp. 21; *Law*<sup>2</sup> 603<sub>38</sub>.

Oxy. 2341 (208 A.D.) concerns judicial proceedings before the prefect Subatianus Aquila, who was no doubt on a tour of inspection subsequent to the *conventus*, the defendant is the strategos of the nome who is accused by the prytanis of Oxyrhynchus, appearing probably on behalf of both the city and the villages of the nome (cf. my art. *SDHI* XVIII, 121 ff.), being responsible for the late delivery of taxes in kind through failure to observe the traditional system of clearing the granaries. The prefect exculpates the strategus. This is an example of administrative proceedings (cf. *Law*<sup>2</sup> 686<sub>12</sub>). Interesting is Aquila's statement "If you were exposing some misdemeanour, I should have reprimanded him" (cf. *Law*<sup>2</sup> 137<sub>22</sub>, 396<sub>16</sub>).

Oxy. 2342 (102 A.D.) is a petition to the prefect. The petitioner a wineseller of Oxyrhynchus claims redress against his late partner's widow on the ground that, whereas his partner was in debt, his widow has not only not repaid but has sold the joint capital of the two partners and retained the money realized by the sale for herself. The case had been before the strategus but the petitioner had failed to get satisfaction (cf. *Law*<sup>2</sup> 396<sub>16</sub>). He added a note (v. 40) of the date on which he handed the first copy to the prefect. Possibly this (v. 34) was the second petition on the subject. Noteworthy is the hypothec ἐπ' οἴνῳ in (l. 18); l. 6 the ἀποκλήρυξις τῶν τέκνων ἐπὶ καταγνώσει διάδοχον ἔσχε τὴν γυναῖκα Βερενικὴν "he had disherited his children as a token of his disapproval and left as

his heir his wife Berenike" is remarkable (cf. my *Law*<sup>2</sup> 137<sub>22</sub>); v.21 ἐφημερίδα = ledger refers to the minutes in which the debts were recorded, based on written agreements, or concluded orally.

Oxy. 2343 (288 A.D.):—petition against nomination as *decaprotes*. At least one col. of this document is missing; in what survives we have the final lines of an agreement with a note of publication to which was attached a copy of a petition to the prefect Gaius Valerius Pompeianus with his *subscriptio* and a copy (incomplete and mutilated) of a letter addressed by a presumably earlier prefect to the authorities of Oxyrhynchus on the status of eirenarchs. The petitioner is an eirenarch of Oxyrhynchus who has, as he claims, been improperly nominated to the office of *decaprotes* (on the *decaprotai* see G. Turner, *JEA* XXII [1936] 71 ff.). In view of the attached letter it is most probable that he is claiming exemption as an eirenarch, but it is possible that he is doing so on the ground that he had held the office before; we know from 1410 that renomination was forbidden but it is also clear that this regulation was not observed. In the surviving petition he seems most concerned to point out how difficult he has found it to get a hearing from the prefect. 1. He lodged a complaint and the prefect in his reply instructed him to apply to him at his audience 2. he instructed the advocate but he met with no success 3. on the third he succeeded in entering the court to his presence and the prefect said he was busy with . . . and embassies 4. to-day for the fourth time the petitioner appealed to him at the laurel grove and when the petitioner wished that the prefect should certify the document he again told him to hand in a written petition to him. In fulfillment of these instructions — the petitioner hands in this petition and asks for an entry.

Oxy. 2344 (336 A.D.). The text is of some interest as one of the earliest documents in which a Christian bishop figures. It is addressed to the strategus of the nome, the subject of the petition is apparently the management of an estate and the guardianship of some children, obligations which the petitioner wishes to avoid or which he claims a second party has evaded thus trusting the burden on him (cf. on the capacity of the bishop to be guardian Nov. 123 c. 5; C 1, 3 51 52 pr., see Rudorff, *Vormundschaft* II, 109—111; *Biondo Biondi, Il diritto romano cristiano* I, 374 ff.

Oxy. 2345 (224 A.D.): application for membership of the gymnasium (a close parallel in some respects is provided by Oxy. 2186).

No other application for *epikrisis* mentions the candidate's literacy as a qualification; it clearly cannot have been requisite.

Oxy. 2346 (II—III cent. A.D.) — a register of receipts and taxes in kind. Payers are divided into social and financial classes and at the end of each section the total received or due from that particular class was entered; so in v. 22 the total is given of the corn paid by the class "from cosmetes to councillors" and the text section begins with the heading ἀρχοντικῶν καὶ δημοστῶν.

Oxy. 2347 (362 A.D.) is a deed of surety. It contains an affidavit addressed to the curators, by which A guarantees that B will fulfill his duties as a shipper in transferring public grain to Alexandria for consignment to the *navicularii marini* (that shippers themselves had to supply similar undertakings was known from 1187; for receipts for the corn issued by the shippers cf. 1259 and 1260), while a sworn surety was commonly required in this period from liturgists (cf. Seidl, *Eid* 70). Noteworthy is the clause that the shipper will deliver up his vessel together with its equipment (v. 11) χωρὶς θεοῦ βίας (cf. *Law*<sup>2</sup> 383<sub>2</sub>; 681<sub>119</sub>).

Oxy. 2348 (224 A.D.) — Greek version of a Roman will (already published by Amelotti, *SDHI* XV, [1949] 34 ff., cf. my *Law*<sup>2</sup> 193<sub>18</sub>; 197<sub>30</sub>; 196<sub>24</sub>; 198<sub>30a</sub>; 203<sub>12</sub>; 214<sub>8</sub>). The document is not the will itself but a record of the opening of the will (which includes the text of the will), as is, for example, the text published by Jouguet — Guéraud in *Etud. de Pap.* VI (1940) 1 ff. (Arangio-Ruiz, *Fontes* III No. 47), BGU 1695, BGU 326 = M. Chr. 316 = Sel. Pap. 185. The original wills of Roman citizens were of course drawn up in Latin. Other considerations apart from the language of the will itself show that 2348 is a translation from Latin.

Oxy. 2349 (70 A.D.): receipt for settlement of rent through a representative with attached documents (cf. my art. in *Scritti in on. Calderini e Paribeni*). In this document Gaius Iulius Saturnilus an Alexandrian citizen who had acquired the Roman citizenship by enrolment in Legio XXII issues (v. 1—16) to Heracleides son of Apion of Oxyrhynchus a receipt for full settlements of rent the latter has farmed and now relinquished; as he was on active service, he acts through a *procurator*, his freedman, but has formally as a Roman citizen (see Mitteis, *Grdz.* 262) to appear formally as the contracting party. To this receipt he attaches a copy of the decision of the court of *chrematistae* (v. 18—26) vali-

dating his nomination of his freedman as his *procurator* together with the notification of this decision by the archidicastes to the agoranomus of Oxyrhynchus (v. 16—19). Finally, there was attached (v. 26—45) the copy of the petition addressed to the Prefect on the basis of which the decision of the court was made: here unfortunately the pap. is seriously damaged . . . but it would appear that the *procurator* who had previously served in the same capacity (v. 29) had been found to have been improperly appointed (v. 43).

Oxy. 2350 (223—4 A.D.) — a *novatio* of a debt resulting from a tenure of land (rent) in a deed of loan (cf. *Law*<sup>2</sup> 122 ff.). The rent is a little below the average for the period (cf. Johnson, *Roman Egypt* 81); there is no obvious reason why the interest is not charged on what is in fact a loan since the repayment is spread over three years. On the question of interest-free loans in the papyri and in particular on the alleged Jewish influence see V. Tcherikover, *Harvard Theol. Rev.* XXXV (1942) 28; my *Law*<sup>2</sup> 343<sub>7</sub>. The form: ὁμολογῶ [ῥοφεί]λειν σοι ἀπο λόγ[ου ἐκφορ]ίτων cf. *Law*<sup>2</sup> 339<sub>6</sub>; on the ἡμιόλιον clause cf. *Law*<sup>2</sup> 45 and passim; on the clause χειρόγραφ[ο]ν . . . πανταχῆ ἐπιφερόμενον καὶ παντὶ τῷ ὑπὲρ σοῦ ἐπιφέροντι cf. *Law*<sup>2</sup> 344; on διάφορον—interest, cf. Lewis, *The Meaning of σὺν ἡμισολίᾳ*, *T.A.P.A.* LXXVI (1945) 126 ff. who observes that it is used only for interest in kind on loans in kind.

Oxy. 2351 (112 A.D.): lease of private land which includes an agreement for the payment by the lessees of arrears of rent due under a previous lease, the lessor to remit one third of the arrears provided the lessees do not default on their obligations. As other clause of interest is that whereby the lessees have to choice of paying rent for the area planted with chickling either in wheat or in money. On v. 21, consideration being paid to slaves cf. my *Law*<sup>2</sup> 401; on ἀδιαφόρους free of interest cf. Oxy. 1688<sub>16</sub>; on ἀκίνδυνον παντὸς κινδύνου cf. *Law*<sup>2</sup> 354 ff. 359; on καρπῶν κυριεύτω clause according to which the crops are to be the property of the lessor until he has recovered the amount due to him each year cf. *Law*<sup>2</sup> 359. Noteworthy is the clause according to which the lessor has the right to relet the land to others and to exact from them the *entire* amount owing to him, in case if the lessees fail to give satisfaction in payment of the amounts set forth by the parties.

Oxy. 2352 (V cent. A.D.): a bilingual document. It is an agreement in which one of the parties appears to use Latin, another

Greek and falls within the wide class of documents covered by the term *διάλυσις* cf. my *Law*<sup>2</sup> 403 ff.; it probably constitutes less a renunciation of claims e.g. a debt, than a settlement after court proceedings have begun. It is uncertain whether it is an agreement between the parties or, as is Oxy. 1880, a statement addressed to a magistrate, but is more likely to be the former. The same hand wrote both the Greek and the Latin.

Oxy. 2353 (32 A.D.): a private letter which contains such a passage: "Make Harpochras himself grow his hair long with you for ten years so that he doesn't run off, for his son Eros brought me the money, two hundred drachmas, and he has got a note for a hundred drachmas from the man from Memphis which he means to spend on the festival" (*χομᾶν*: presumably in a colloquial sense which might develop out of the habit of letting the hair grow for a vow). Is the sense of the letter that the son brings money as representative of his father who was let for ten years and made grow his hair in order not to run away?

A. Traversa, *Dai papiri inediti della raccolta milanese (Aegyptus XXXIII (1) [1953] 66—79)*.

In this article the editor continues the publication of the papyri *Aegyptus XXXII* (1952) 33—44. No. 28 (V cent. A.D.) is a fragment of a report about the damage of a house. It is evident that the authorities could order the demolition of ruined houses (cf. my *Law*<sup>2</sup> 630).

No. 30 (IV cent. A.D.) is a fragment of a testimony. It seems to be the question of a dispute among relatives because of an inheritance (cf. on testimony my *Law*<sup>2</sup> 515 ff.). Five persons are interested in the case.

No. 31 (V—VI cent. A.D.) seems to be a request of a certain person who having received his education, became a worker and now is claiming the return of his money given to the master as a deposit in order to start his apprenticeship.

No. 32 (II cent. A.D.) is a fragment of a petition submitted by Castor to the archidicastes in his own name and in the name of his wife and the others (cf. on representation *Law*<sup>2</sup> 307 ff.). No. 33 (I—II cent. A.D.) is a fragment of a petition; No. 34 (II—III cent. A.D.) — a fragment of an act confirmed by oath.