

Rafał Taubenschlag

"Die Papyri der Universitätsbibliothek Erlangen", W. Schubart, Leipzig 1942 : [recenzja]

The Journal of Juristic Papyrology 3, 183-184

1949

Artykuł został zdigitalizowany i opracowany do udostępnienia w internecie przez Muzeum Historii Polski w ramach prac podejmowanych na rzecz zapewnienia otwartego, powszechnego i trwałego dostępu do polskiego dorobku naukowego i kulturalnego. Artykuł jest umieszczony w kolekcji cyfrowej bazhum.muzhp.pl, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

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) *syco*] *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.

86) (IV cent. A.D.); Erl. 64 (p. 87) (V/VI cent. A.D.); Erl. 74 (p. 87) (513 A.D.); leases of land, Erl. 123 (p. 77) (I cent. B.C.); Erl. 108 (p. 78) (III cent. A.D.); Erl. 118 (p. 84) (535 or 536 or 537 A.D.) hereditary lease, Erl. 128 (p. 78) (III cent. A.D.); leases of houses, Erl. 115 (p. 80) (IV cent. A.D.); Erl. 10 (p. 81) (604 A.D.); Erl. 73 (p. 83) (VI cent. A.D.?); transport-contracts, Erl. 135 (p. 90) (234 A.D.); receipts, Erl. 98 (p. 91) (VI cent. A.D.); renunciations, Erl. 68 (p. 88) (VI cent. A.D.). The other contracts, e. g. Erl. 130 (p. 95) (II cent. A.D.), Erl. 39 (VI cent. A.D.) are fragmentary.

E. BOSWINKEL, *Einige Wiener Papyri* (P. Vindob. Boswinkel) (*Papyrologica Lugduno-Batava* ed. Institutum papyrologicum Universitatis Lugduno-Batavae vol. II) 1942.

The edition contains 17 documents: 12 of them are of legal interest. N° 1 (87 A.D.) is a *δρόμνημα* of some priests; they complain that the fisc requires from them 276 drachmas, as a price for their prophet-office although their prophet office is hereditary and therefore there can be required only the *εἰσπρακτικόν*. Our document resembles *Stud. Pal.* XXII 184 (140 A.D.) and is of importance for the understanding of the distinction between hereditary and non hereditary priest-offices (*Tebt.* 294; *Gnom.* § 77. 78). N° 2 (248 A.D.) is a petition of a married couple, citizens of Antinoopolis; they apply to have their child brought up on the cost of the state. This was a privilege granted by the Emperor Hadrian to the citizens of Antinoopolis. In order to enjoy this privilege, the children had to be reported on the 30 day of their birth and the report must be attested by *γνωστῆρες*. It is interesting that in our document only the mother is in possession of the citizenship of Antinoopolis, the father being a member of the senate of Heracleopolis. It is known that marriages between citizens of Antinoopolis and non citizens were permitted (cf. *W. Chr.* 27). Our papyrus shows that children born in such unions became citizens (cf. my *Law I* 79/80). N° 3 (279 A.D.) contains a regular *ἀπογραφή* of an unnamed woman concerning an estate inherited from her mother (cf. *Kreller, Erbr. Unt.* 142). N° 4 (280 A.D.) is a petition to the prefect to give approval to a private *cessio bonorum*, caused by some financial difficulties (cf. my *Law I* 405). N° 5 (305 A.D.) is the beginning of a marriage contract in which the mother gives her daughter in marriage (cf. my *Law I* 114). Our document is particularly remarkable because it mentions *lex Pa-*