

Taubenschlag, Rafał

"A papyrus from Constantinople. (Hamburg Inv. no 410)", Richard G. Salomon, "The Journal of Egyptian Archaeology", vol. 34, 1948 : [recenzja]

The Journal of Juristic Papyrology 3, 192-193

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.

concluded by the daughter of Philemon and Thekla with a certain Herakleides, which designates itself *προκιμαία ὁμολογία* and concerns a gift from the husband, a *donatio propter nuptias* (cf. my *Law I* 96). The second papyrus is a sale of a part of a house and resembles the sales in SB 5112—5114. We find here the formula (v. 19) [ιδ]ία ἡμῶν πίστει καὶ βεβαιώσει ἐκουσία γνώμη κ[α]ὶ ἀδαιρέτω προαιρέσει δίχα δόλο[υ] καὶ φόβ[ο]υ καὶ [βίας] καὶ ἀπάτης καὶ ἀνάγκης τινὸς πεπρακέναι ὑμῖν καὶ καταγεγραφήκηναι καὶ παρακεχωρηκέναι (cf. my *Law I* 247/8); (v. 32) the οἱ καλῶς κείμενοι νόμοι (cf. CPR 30, II, 24) and in v. 39 an oath (see Bell, *An Oath Formula of the Arab Period in Egypt. Byz. Z. XXII*, (1913), 392 ff, and the ed. p. 93). The third document calls itself *stipulatio Aquiliana* (cf. my *Law I* 307, 322) (v. 3) τὴν παροῦσαν Ἀκυλιανὴν καὶ περιεκτικὴν ἀμερμνεϊάν (cf. Lond. 1008, 4; Mon 7, 43).

H. ZILLIACUS, *Late Byzantine Land-Leases from Hermopolis (Societas Scientiarum Fennica. Commentationes Humanarum Litterarum XIV, 3)* (1947).

The edition contains three leases from Hermopolis Magna (P. Berl. Inv. Nos 16048, 16050 and 16055) written in the years 565, 579 and 589 respectively. In connection with the delivery of rent, the lessee in all of the three contracts engages to pay λόγῳ συντηθείας a certain quality of other things (milk, beans, etc.). Berl. Inv. N° 16050 contains the stipulation that the lessee is not allowed to leave the arable land untilled before the termination of the lease. In connection with these three texts, forming a group by themselves, Zilliacus publishes a text being a lease acknowledgment from Hermopolis, Berl. Inv. N° 16, 166 (643 A.D.?). The lease is for a time of two years. The common view, according to which the leases of the VII century were generally made ἐπὶ χρόνον ὅσον βούλει, not for a fixed time, needs to be modified.

RICHARD G. SALOMON, *A papyrus from Constantinople*. (Hamburg Inv. N° 410). (*The Journal of Egyptian Archaeology* vol. 34 (1948), 98 ff).

The Hamburg papyrus belongs to the Aphrodite documents of the sixth century. The writer presents himself as the chief of the θειοτάτῃ οἰκίᾳ, the *divina or dominica domus* as it is called in the Latin sources. The title of this official, the administrator of the imperial „household” is κουράτωρ τῆς θείας (θειοτάτης) οἰκίας or

τοῦ θεῖ(στατ)ου ὄζου. The recipient of the latter can hardly be anybody else than the *dux* of the Thebaid. The letter is solicited by the known poet and provincial lawyer, in the name of the sons of the late Apollos, originating from the village of Aphrodite in their troubles with Theodosius who had received the public taxes for the eleventh indiction but had deposited nothing on the account in the public treasury. In order that these matters be not also brought by them to the imperial hearing, he asks the *dux* to take quick action in the matter. The letter is in close connection with Gen. 210 and Cair. Masp. 67.032 and 67.126.

WILHELM SCHUBART, *Actio condicticia und longi temporis praescriptio* (Münch. Beitr. z. Papyrusforsch. u. antiken Rechtsgesch. XXXV (1945) pp 184—190).

This text (V cent. A.D.) belongs to a large codex. Vv 34—53 contain a scholion which deals with the *longi temporis possessio*. In v. 60 and 78 the term *condictitius* is mentioned. Probably was the *actio condicticia* [cf. C 4, 30, 14 (528 A.D.)] the subject of the work, to which our fragments belong.

A. CHRISTOPHILOPOULOS, *Neue vorjustinianische Scholien* (Z. d. Sav Stiftung LXIII (1943), 414—415).

The author devotes his article to a papyrus published by Hans Oellacher in *Mitteilungen aus der Papyrussammlung der Nationalbibliothek in Wien* (Pap. Erz. Rain.) N.S. III Folge: *Griechische literarische Papyri* II (1939) under N° 38. The papyrus contains probably *scholia* from a work on *condictiones* and derives from the V cent. A.D.

A. E. R. BOAK, *Tax Collecting in Byzantine Egypt* (*Journal of Roman Studies* 37 (1947) pp 24—33).

The pap. concern the requisition of corn and clothes for the use of the army.

A. E. R. BOAK, *Some Early Byzantine Tax Records from Egypt* (*Harvard Studies in Classical Philology* 51 (1940) pp 35—60).

Not seen.

MARCEL HOMBERT et CLAIRE PRÉAUX, *Les papyrus de la fondation égyptologique Reine Elisabeth*, XI. *Vente a terme de blé* (*Chronique d'Égypte* N° 41 (1946) pp 121—126).

This document from the VI cent. A.D. is a new example of a sale on delivery (cf. my *Law* I 254 ff). The editors give a list of such sales.