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"Arabische Briefe aus der Papyrussammlung der Hamburger Staats- u. Universitäts-Bibliothek", A. Dietrich, [Hamburg] 1955 : [recenzja]

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Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

groom acting on her own behalf (!) and on behalf of her son, writing to the bride. Unfortunately the terms of the agreement are lost. On marriage contracts and divorce in the Coptic papyri cf. Steinwenter, *Das Recht der koptischen Urkunden* 20/1 ff.

J. O. Tjäder, *Die nichtliterarischen lateinischen Papyri Italiens aus der Zeit 455—700* (Acta Instituti Romani Regni Sueciae XIX, (1) Lund 1955).

This magnificent work contains a reedition of the s.c. Papyri from Ravenna or Papiri Marini No. 1—25 with an excellent commentary and notes. The texts refer to the administration of the domains (P. 1—3), to the last wills and testaments (P. 4—6), to the appointment of guardians (P. 7), to receipts (P. 8), to emancipation (P. 9), to gifts (P. 10—28). As far as the excavations of papyri from Egypt and the provinces from the East are concerned (p. 17 note 1) the author points out that these papyri are not taken in consideration; this does not mean however that there is no connection between these two groups of papyri; on the contrary, the author reminds of the affinity, between the Italian and Egyptian protocols of *gesta*. In addition the author makes use of the Greco-Egyptian parallels and the literature in many places; see e.g. in his presentation of the testaments p. 196; on appointments of guardians p. 224 ff.; on receipts p. 234 ff.; on emancipation p. 216 ff.; on *donationes* p. 250 ff.; on oath p. 264 ff. etc. etc. The edition is therefore very important for the papyrologists.

PAPYRI FROM THE ARAB PERIOD

A. Dietrich, *Arabische Briefe aus der Papyrussammlung der Hamburger Staats- u. Universitäts-Bibliothek* (1955).

This edition comprises papyri from IX—XI cent. A.D. referring to agriculture, taxes, business and other private affairs. We will deal with those of legal interest.

No. 2 (820—822 A.D.) mentions a finance director of a *Kūra* (νομός) who corresponds to the πάγαρχος of the Greek papyri. Whilst the στρατηγός (*wālī*) as a chief official of a νομός with no military competence was invested with the civil administration connected with a restricted jurisdiction and police-power, the πάγαρχος pos-

sessed the financial competence in the νομός. No. 3 (IX cent. A.D.) contains the rejection of a request of theft of *halfa* i.e. of material for strengthening dykes. The writer declares namely to his subordinate, probably the competent secretary of taxation, that he was unjustly charged with having taken *halfa* from strangers; as it happens without his knowledge, he demands to decide after investigation whether he has to return *halfa* or not. He demands also the addressee to send the plaintiff for discussion in order that a certain Abū Bakr (together with the plaintiff) and his representative be produced for taking proofs. No. 4 (IX cent. A.D.) is the answer of the letter in No. 3 and the summons of the parties. In No. 5 (IX cent. A.D.) a slave shepherd is mentioned corresponding to the παιδάριον ὑπάρων ἀγέλης (Lond. III 1171₅ p. 177). No. 6 (XI cent. A.D.) refers to payment of taxes from meadow; the sender is an administrator of one or more domains. Further, there is question of the salary of the "guards"; it is not evident whether they were day or night guards and whether they had to guard fruits or seeds. No. 11 (917 A.D.) is of importance for the tax farming and its practice. No. 13 (IX cent. A.D.) refers to different questions: 1. the flight of slaves (runaway slaves), 2. mandate and representation, 3. an allusion to untrue assertions of tax-farmers, 4. punishment of tax-farmers. No. 22 (IX cent. A.D.) is an order for payment. No. 26 (IX cent. A.D.) is a notification of making up an arrangement concerning purchased barley. The writer of the letter had evidently paid denars to people from whom he acquired barley but the vendors raised an additional claim for a denar. No. 28 (IX cent. A.D.) seems to refer to an auction of house-inventory, and a herald and an auctioneer are mentioned. No. 34 (IX—X A.D.) is a request for help a plaintiff. It seems that the writer intervenes on behalf of a certain Abū-Ġa'far to whom he is indebted. The addressee may protect Abū Ġa'far against his adversary or, at least, if he separates from him, he takes his sides; the proceedings seem to be abducted or settled by a compromise. No. 37 (820—822 A.D.) is a complaint on a corrupt official. Among others he is charged with διασεισμός. No. 38 (IX cent. A.D.) contains provisions concerning an runaway ass. The sender points out that a certain Abū-Ġa'far is searching a she-ass runaway during a pilgrimage, and was informed that she was with a certain Kyrikos s. of Johannes from Edfou. In the meanwhile the she-ass has brought forth young. The writer declares then,

the she-ass is with a young slave who had assigned to him his claims concerning the reward for returning things which were found and the feeding of the animal. As the editor points out the slave was obliged to return the ass as he is not allowed to take possession of a discovered thing. On the provisions concerning discovered things cf. Sachau, *Mahomedanisches Recht* p. 639—654 and the ed. p. 167. No. 39 (ca 1000 A.D.) contains the polite urging of a house-proprietor to a lessee, to come immediately to him, in any case on behalf of rents in arrears. No. 40 (IX cent. A.D.) contains the statement of the writer that he wishes to make up the damage which his flock of sheep under the guard of his shepherd, because of his negligence, had caused to the addressee invading in his garden. No. 41 (XI cent. A.D.) refers to a notification of the contractual emancipation of a slave. This kind of emancipation consists in it, that the slave receives from his master the permission to earn money for his redemption by his own labour. In consequence of such an agreement the slave is able to acquire property — what is not the rule — and his master has no more the right to sell or to pledge him. The slave is on the other part obliged to pay the price of his redemption in time, cf. Sachau, *loc. cit.* p. 126 ff. and the editor's note p. 176. No. 54 (X cent. A.D.) is a notification on the execution of a mandate.

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