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"Zehn byzantinische Urkunden und Briefe aus der Sammlung 'Papyrus Erzherzog Rainer' in Wien", J. Gerstinger, "Eos", 48, 1956, 1 : [recenzja]

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Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

P. Graec. Vindob. 25674 (VI cent. A.D.) is a lease in which the rent is measured out in parts in crops; moreover, the lessor is to give different additional gifts.

J. Gerstinger, *Zehn byzantinische Urkunden und Briefe aus der Sammlung "Papyrus Erzherzog Rainer" in Wien (Symbolae R. Taubenschlag dedicatae = Eos 48, 1 [1956] 197—216).*

The author publishes ten documents and letters from the "Papyrus Erzherzog Rainer" collection. P. Graec. Vindob. 25673 (VI—VII cent. A.D.) is the end of a promissory note or sale on delivery with ἀλληλεγγύη- and πράξις-clause.

P. Graec. Vindob. 25664 (VI cent. A.D.) is a sale on delivery; P. Graec. Vindob. 25663 (2nd half of the VI cent. A.D.) is also a sale on delivery made by a lessee who holds in partnership with another person (ἐκ γεωργικοῦ μου μέρους; cf. my *Law*² 389 ff.). P. Graec. Vindob. 25204 (2nd half of the VI cent. A.D.) belongs to the same category. P. Vindob. 31497 (A.D. 542) is a loan εἰς ἰδίαν καὶ ἀναγκαίαν χρεῖαν (cf. my *Law*² 349): the debtor acts with a surety μετ' ἐγγυητοῦ καὶ ἀναδόχου; see on these terms my *Law*² 412₁; 415¹⁷). P. Graec. Vindob. 26252 (553 A.D.) is a receipt on προχρεῖα in a *loc.-cond. operis* (cf. my *Law*² 380₂₂; partial payment in advance); the employer is the church, acting by its οἰκονόμος (on agency cf. my *Law*² 307, 310—11, 312); noteworthy is that the worker agrees to repay the προχρεῖα in case of his failure to perform his duties (cf. my *Law*² 379). The repayment should take place ἀτοκεῖ; the editor explains this by the Christian φιλανθρωπία of the employer. P. Graec. Vindob. 26265 (2nd half of the VI cent. A.D.) is a letter of a landowner (pagarch ?) in town to his officials to deliver, with the most possible speed, the revenue-corn to the state-granaries that the writer avoid penalties for delay. The last lines of the letter deal with the unlawful behaviour of the zygostate (the money-weighting official) at the acceptance of money-taxes and allude — as the editor presumes — to C.I. XIII (559 A.D.) where unlawful practices of these officials are reprimanded. P. Graec. Vindob. 31496 (VII cent. A.D.) is a letter without legal importance. P. Graec. Vindob. 28875 (VII cent. A.D.) is a letter of a higher clergyman to a bishop who came to Arsinoë for a cure of his illness. P. Graec. Vindob. 28921 (VII cent. A.D.) is a *receptum nautarum*

(cf. my *Law*² 382) combined with the *loc.-cond. operis* (transport of goods by land) with beasts of burden (donkeys).

A. E. R. Boak and H. C. Youtie, *Flight and Oppression in Fourth-Century Egypt (Studi in onore di A. Calderini e R. Paribeni, II [1957] 825—337)*.

The two papyri published here are from the archive of Isidoros, a landholder of Karanis in the Fayûm in the late third and early fourth centuries of the Christian era. No. 1, letter of a *praepositus pagi* (A.D. 308/309) is addressed by Herakleides, *praepositus* of the 5th *pagus* of the Arsinoite nome, in which the village of Karanis was situated, to the *praepositus* of another *pagus*, doubtless in the same nome. Herakleides reminds his colleague of an imperial constitution which requires all strangers found to be residing in the villages, presumably without official permission, to be handed over to the *fiscus*, and establishes a reward of five *folles* for each person so surrendered. Since the village of Karanis has complained to Herakleides that some of its villagers are now in the *pagus* administered by his colleague, he requests the latter to compel the villages subject to his authority to give up any fugitives who are shown to belong to Karanis. In conclusion, Herakleides offers to cooperate in carrying out the terms of the law by returning any fugitives from his colleague's *pagus* who may be found in his own.

Herakleides begins his letter by recalling the content of a constitution issued by "the Augusti, our lords and kings". The constitution must be assigned to the early part of the year 308/309. It is not preserved in the Codes of Theodosius or Justinian, but the principle which guided the Emperors in the formulation of this constitution was not new. A novel feature is the reward of five *folles* which was to be paid for each fugitive restored to the jurisdiction of the *fiscus*. No. 2, petition (A.D. 309/310), is addressed to a *praepositus* of the 5th *pagus* of the Arsinoite nome, Isidoros complains that Achilles, the secretary of Karanis, and his three associates Heron, Paësios, and Horion nominated him to the post of *sitologos* and thereby burdened him with responsibility for the unproductive lands of the village (τὰ ἀν' ἀπόρῳ τυγχάνοντα ὀνόματα). And they are now trying to substitute him as chaff collector in place of Paësios, who had been properly nominated to that post. What makes their concerted effort to ruin him the more