

# Rafał Taubenschlag

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"Bodem, pignus, υποθήκη", S.  
Condanari-Michler, "Festschrift  
Koschaker", III, 1939 : [recenzja]

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The Journal of Juristic Papyrology 1, 94

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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](http://bazhum.muzhp.pl), gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

- I. BIEZUNSKA, *Etudes sur la condition juridique et sociale de la femme grècque en Egypte gréco-romaine*. Hermaion fasc. 4, Leopoli 1939.

Not available.

- S. VON BOLLA, *Zum römischen Heimfallsrecht*. Sav. Z. LIX (1939), p. 546.

The right of diversion to a state or a community presupposes that the inheritance be without an heir. The author asserts that in the pre-Roman Hellenistic law, the Greek and the Oriental as well, precursors of the right of reversion are to be found. Such are the provisions in Dura-Europos and Gnomon Idiologu.

#### THE LAW OF PROPERTY

- S. CONDANARI-MICHLER, *Bodem, pignus, ὑποθήκη*. Festschrift Koschaker III (1939), p. 350ff.

This article contains some indications on maritime loan in antiquity (*foenus nauticum*). Remarkable is especially p. 357<sub>13</sub> where Pap. Rain. Inv. No. 19. 792 is mentioned which is not a ναυτικὴ σύγγραφη, mentions however a ὑποθήκη on ship and its appurtenances and freightage in connection with a maritime loan δ[ά]ν[ει]ον ναυτικόν.

- E. RABEL, *Real securities in Roman law. Reflections on a Recent Study by the late Dean Wigmore*. Repr. from Seminar, an annual extraordinary number of the Jurist vol. I, 1943.

This article, although mostly dealing with Roman law, contains some references to the papyri cf. the references to the multitude of freely devised types of real security, as we find disclosed in the Gr. Eg. papyri, including among other conveyances upon condition subsequent (p. 41), on the hypothec in Egypt (p. 47).

- F. WIEACKER, *Protopraxie und "jus pignoris" im klassischen Fiskalrecht*. Festschrift Koschaker I (1939), p. 218ff.

The author discusses the Ptolemaic precursors (U.P.Z. 112; Tebt. 5) of the Roman edict on πρωτοπραξία of Tiberius Julius Alexander, which establishes a κατοχή for all fiscal debts on the debtor's property, effective towards anyone. The fiscus-κατοχή does not prevent the debtor from disposing of his property ἐν κατοχῇ which, however, can be withdrawn. Later on the πρωτοπραξία was extended to Greek communities especially to those which were newly founded, and to women on the property of their husbands