Rafał Taubenschlag

"Παραμονή", E. Berneker, "R. E.", XVIII, 1949, 3 : [recenzja]

The Journal of Juristic Papyrology 4, 371

1950

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.



could not be annulled. The sentences of the Greek courts, of the Chrematists and of the ten judges were also of legal force. It seems however that the legal procedure admitted new proceedings and a new decision in two cases: a) a renewal of the law-suit by a third person, by the means of an intervention (Lille I 29 Col. I), b) a renewal of the law-suit after a judicial suspension (intermission) of the proceedings (Princ. III 6). In the Roman period the principle ne bis de eadem re sit actio prevails. The tendency appears in courts to take notice of the sentence ex officio whereas in Rome this was maintained by the means of an exception (BGU 613).

Ε. ΒΕΚΝΕΚΕΚ, Παραμονή (R. Ε. ΧVIII 3, 1949).

The expression known to common Greek Law has two different meanings: a) a contractually established legal power upon a person during of which the right of movement of the person subject to this power is suspended (in case of debts, in case of manumission); b) the duty not to leave a place. In connection with this are: a) the processual obligation to appear in court b) the surety for attendance of a liturgist.

E. BERNEKER, Πάρεδροι (Pauly-Wissowa R. E. XVIII 4, 1950).

The author deals in this article with the πάρεδροι in Greece, in the Ptolemaic kingdom, in Rome and in the Roman provinces especially in Egypt.

R. TAUBENSCHLAG, The legal profession in Greco-Roman Egypt (S. A. aus Festschrift Schultz).

It is quite certain that in the Ptolemaic period judges and assessors — no matter whether members of collegiate or single courts — possessed some knowledge of law. This knowledge may have been acquired in gymnasiums in connection with studies in rhetorics. The Ptolemaic period did not know πραγματικοί, jurisconsults who assisted the ἡήτορες in court as experts and suggested them the provisions to be quoted. It knew however advocates (συνήγοροι) who were evidently under state control. They probably acquired their knowledge like the judges also in gymnasiums. At the beginning of the Roman period, the prefect, the supreme judge was hardly a man with legal education. It is however probable that their assessors possessed a smattering of law. But at the end of the third century the situation seems to have changed and judges seem chiefly to be men equipped with legal knowledge. In the II cent.