

# Taubenschlag, Rafał

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## "Precarium", A. Steinwenter, "RE" : [recenzja]

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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.

III and IV cent. A.D. conserved in the C.I.. He tries especially to throw a light on the form of the fiscal sales, on the cases of the dissolution the acquisitions from the fisc and the effects of the payment of the prices on the transfer of property.

E. Neufeld, *The rate of interest and the text of Nehemiah 5, 11* (repr. from *The Jewish Quart. Rev.* XLIV [1954] 194—204).

This dissertation consists of six chapters: I The rate of interest among the Semites; II The Biblical prohibitions against usury and the practice; III The text of Nehemiah 5, 11; IV *Me'ā* and centesima or Hekatostos; V The Elephantine papyri; VI Interest on money-loans and on loans in nature. The dissertation makes also use of the papyri (cf. p. 196<sub>19</sub>, 197<sub>20</sub>, 201, 202<sub>43</sub>).

A. Steinwenter, *Precarium* (S.A. aus *RE*, 1814—1827).

In this article the clause ἐφ' ὅσον χρόνον βούλει on p. 1824 is being investigated which since Mitteis had been linked with the Roman *precarius* while the author represents the opinion that this clause confirms rather Levy's view about the retrocession of the conductores-class than the continuation of the existence of the Roman *precarius*. His remarks about the παρακλητική ὁμολογία on p. 1825 are also very interesting. Only SB 6000 seems to refer to a right of passage granted *precario modo* (cf. my *Law*<sup>2</sup> 259); the other cases of παρακλητική ὁμολογία are based on transactions which have nothing at all in common with the holding of certain immovables *precario modo*.

H. Gerstinger, *Zur Klausel ἀποτάττομαι πάσῃ βοηθείᾳ νόμων in den byzantinischen Landpachtverträgen* (Ἐπετηρὶς Ἑταιρείας Βυζαντινῶν Σπουδῶν 23 [1953] p. 206—212).

not seen.

D. Daube, *Eisern Vieh* (*Sav. Z.* LXIX [1952] 388—392).

It has long been realized that the *Eisern Vieh* of medieval German law, and parallel notions of French, Danish and Czech law, may well derive from the *so'n barzel*, the "small cattle of iron" or "iron sheep" of Jewish law. His remarks intend to show that the Jewish