Taubenschlag, Rafał

"The Judicial System at Work in Ptolemaic Egypt", Zaki Aly, "Bull. de la Soc. Royale d'Archéologie d'Alexandrie", no 36, 1945 : [recenzja]

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owner. We meet in the new-Babylonian contracts with analogies with the provisions of the papyri stipulating a contractual fine and a fiscal mult in case of ἀποσπᾶν before the termination of the apprenticeship contract. The author deals *in fine* with the legal character of the new-Babylonian contracts.

E. SEIDL, *Das Erlöschen der Obligation im ptolemäischen Recht* (*Studi Solazzi* Naples 1949).

Not seen.

E. SCHLECHTER, *Le contrat de société en Babylonie, en Grèce et à Rome* (préface de M. Georges Boyer, professeur à la Faculté de Droit de l'Université de Toulouse, Libraire du Recueil Sirey, 1947).

In this work the author deals with the *societas* in Greece. The whole problems is treated in eight chapters and each of them makes use of the papyri and the papyrological literature cf. pp. 99, 115, 117, 118, 119, 120, 126, 127, 128, 129, 130, 135, 136, 137, 139, 145, 147.

T. REEKMANS, *Economic and Social Repercussions of the Ptolemaic Copper-Inflation* (*Chronique d'Egypte* No. 48 (1949) 324—342).

This article, although not of legal character, brings interesting remarks on loans, τόκοι and ἡμιολία (p. 327); on extortion (p. 331—2); on compulsory leases (p. 335). Interesting are also the statements on p. 341/2, on Ἕλληνες which during the 3rd cent. B.C. no longer mean *Greeks* but simply *rich*; there are now many Egyptians among the Hellenes; the λαοί are no longer the *poor* inland-population but the *poor working class* in which many Greeks are included now.

PROCEDURE AND EXECUTION

E. BERNEKER, *Die juristischen Berufe in Vergangenheit und Gegenwart* (1948) (Verlag Kirchheim u. Co, Mainz-Rhein).

This is a highly interesting collection of public lectures organized by Berneker. It deserves to be mentioned because it gives p. 106 details referring to Egypt, especially considerations about the role played by the lawyers in Hellenistic Law.

ZAKI ALY, *The Judicial System at Work in Ptolemaic Egypt* (Extrait du *Bull. de la Soc. Royale d'Archéologie d'Alexandrie* No. 36, Alexandrie 1945).

In this essay the author deals with the Laocritae. In order to investigate fully the origin of the Laocritae which was generally

supposed to be the court known in Pharaonic Egypt by the term *Knbt*, the autor makes an extensive survey of the various meanings of this rather obscure term, of the members who formed this court, and finally of its sphere of competence. It seems that one can distinguish three main kinds of *Knbt* forming three jurisdictions placed one above the other: 1) the local *Knbt* without epithet, 2) the *Knbt* of notables of Memphis, 3) the Great Council of *Knbt* held at Memphis or at Heliopolis, but which had jurisdiction over the whole nome or even over the larger region of Egypt. It is probable, that the Ptolemies invested the local *Knbt* either in the villages or in the towns with jurisdiction and in order to repeal or reform their judgments in case of need, they adopted a system which was equally applied to the Chrematistae by keeping the inquirers of the previous epoch as an itinerant court of appeal. Under the common name of the Laocritae these courts constituted a jurisdiction of two degrees. The author discusses the competence and procedure of the Laocritae (p. 19$_{27}$) and proceeds to a discussion about the foundation and competence of the itinerant court of Chrematistae (28—31).

E. BERNEKER, Παλινδικία (Extr. from Pauly-Wissowa *R. E.* XVIII 3, 1949).

Παλινδικία means in broader sense every repeated carrying of law-suits after a judgement pronounced (appeals are excepted). Παλινδικία in its narrower sense means the legally reopening of law-suits περὶ τῶν αὐτῶν i. e. a reopening proceeding in court on the basis of an objection against a judgement by default or on the basis of a retrial. The author follows the evolution of the παλινδικία in Greece (Attic and Doric Law) and Egypt (Ptolemaic and Roman period). Ἀναδικεῖν i. e. reopening of law-suits was admissible without any restriction. Sentences of single officers were not of juristic force. But there was a possibility to neutralize this inconvenience. This was done by two means: the litigant parties could make a declaration by which they submitted themselves to the decision of the judge. They could also stipulate a contractual fine in the case of reopening a new law-suit. The king could also intervene with a decree by which an ἀναδικεῖν was declared inadmissible. This happened in case of a false accusation or if a blackmail was intended. The verdicts of the king, or of a court representing the king were not subject to reexamination by an another judge and