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"La loi de Solon sur les distances", Ugo Enrico Paoli, "Rev. hist. droit franc. et etr.", XXVII, 1949 : [recenzja]

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problems, especially on the C. A. „Confining oneself to the testamentary matters we must admit that our papyrus rather supports the theory of *Mitteis* than that of *Schönbauer*.” The testator is an Egyptian who — as his *prenomen* shows — received the Roman citizenship; he does not know Latin, nevertheless he writes his testament *per aes et libram*, entirely corresponding to the disposition of the Roman law with the exception of one single clause relating to a testamentary fine which is in conformity with the Greco-Egyptian law. It is clear that if Aurelius had had still the possibility to avail himself of a Greco-Egyptian διαθήκη he would have done it.

J. Dauvillier, *Note sur un testament romain récemment découvert en Égypte* (Recueil de l'Académie de Législation de Toulouse XVIII, 1947).

not seen.

THE LAW OF PROPERTY

Boaz Cohen, *Antichresis in Jewish and Roman Law* (New York 1950, reprint from Marx Jubilee Volume, The Jewish Theological Seminary of America).

The author who since many years works on the problem of the relationship of Jewish to Roman Law [cf. *The relationship of Jewish to Roman Law* 1943, (repr. from the Jewish Quarterly Review, New Series vol. XXXIV N^o 3—4); *The Testimonial Oath* (repr. from *Historia Judaica* 1945); *Civil Bondage in Jewish and Roman Law*, (repr. from Louis Ginzberg Jubilee Volume, American Academy for Jewish Researches, New York 1945); *Some remarks of the Law of Persons in Jewish and Roman Jurisprudence* (repr. from the Proceedings of the American Academy for Jewish Research vol. XVI 1947); *Contrectatio in Jewish and Roman Law* (repr. from *Mélanges F. de Visscher* vol. I 1949 p. 133—156); *Peculium in Jewish and Roman Law* (Repr. from Proceedings of the American Academy for Jewish Research vol. XX 1951)] — deals in this dissertation with questions which may also interest the papyrologists. The author availed himself of the papyrological literature.

Ugo Enrico Paoli, *La loi de Solon sur les distances* (Rev. hist. droit franc. et étr. XXVII 1949 p. 505 — 517).

The article may be mentioned here, because of its reference to the Pap. Hal. 1.

Maxime Lemosse, *Querela non numeratae pecuniae e (contradictio)* (Studi in onore Siro Solazzi p. 470 — 482, Napoli 1948).

The edict of Valerius Eudaemon — according to the author — furnishes valuable data for the explanation of the enigmatic institution of the *querela non numeratae pecuniae*. The author examines the import of the edict and the provisions referred thereby. Next he restores the provincial provisions to their proper place thus pointing out the disparity between the practice of the papyri and the Roman law. The author ascertains that the *querela* proceeds from the corresponding Hellenistic precedents which survive under the principate. Finally he explains how these two components, the Roman and the provincial developed to fuse finally in the Justinian legislation.

Erwin Seidl, *Zur Beurkundung des Konsensualvertrages* (Estr. di Studi in onore di Emilio Albertario) 1950.

The author deals in this interesting essay with Ostrakon Medinet Habu 4038 (III cent. A. D.) (cf. R. A. Parker, *Journal of Egyptian Archeology* 26 (1940) p. 84 ff.) which is in his view a historical curiosity. It reflects namely a *locatio-conductio operarum* in its pure form as a consensual contract. In addition it is so far the only evidence that the Roman consensual contract was adopted in Egypt (cf. my *Law* I 281 ff.).

Erwin Seidl, *Eine neue Urkunde aus Ägypten zum Prinzip der notwendigen Entgeltlichkeit* (Estr. dagli Studi in onore di Vincenzo Arangio-Ruiz vol. I 47—56) 1952.

One of the most interesting documents for the historians of law published in the last year is, according to the author, that by P. L. acan, *Une stèle juridique du Karnak*, Le Caire 1949. This document derives from the epoch of the 17 dynasty (about 1600 B. C.) and shows the application of the principle of the necessity of recompense in case of an acquisition of property, a principle which prevailed in cuneiform, Greek, Germanic and the ancient Roman law. As the author points out this principle can contribute to the understanding of the συγγραφή πράξεως and συγγραφή ἀποστασίου from the Ptolemaic epoch.