

# Taubenschlag, Rafał

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"Un' ipotesi intorno all'originale greco del Libro Siro-Romano di diritto", E. Volterra, Roma 1953 : [recenzja]

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Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

The author gives some corrections of the inscriptions found on the Mons Porphyrites and Mons Claudianus published in *Chron. d'Eg.* 55 (1953) No. 1 p. 126—127 and 57 (1954) p. 117 ff.

F. Zucker, *Grabgedicht aus Herakleopolis* (*J.E.A.* 40 [1954] 118 — 123).

The author comments the inscription published by J. Schwartz, *Ann. Serv.* 50 (1950), 402 ff. and points out that ἀστὴν Ναυκράτεως means citizen of the autonomous city of Naukratis (cf. my *Law*<sup>2</sup> 19). The term ἀστὴ was therefore not restricted to Alexandria.

Alvaro d'Ors, *El más antiguo fragmento de jurisprudencia romana directamente conservado* (*A.D.H.E.* 21—22 [1951—1952] 1274 — 1276).

The author reports about his study published in *Emerita* 19 (1951) on P. Mich. 4562 and already published by Sanders in 1947. According to his interpretation the papyrus comprises the fragment of a legal book of the type of *quaestiones*. Since it derives from the I or from the beginning of the II cent. A.D. we may consider it to be the most ancient fragment of the Roman jurisprudence preserved until our times. The study reflects his efforts to reconstruct this fragment.

J. Altmann, *Die Wiedergabe römischen Rechts in griechischer Sprache bei Modestinus "De excusationibus"* (*SDHI* [1955] 1—73).

The author examines the legal Latin terms found in Modestinus' *De excusationibus* translated into Greek, making to a large extent use of the Greek papyri and the papyrological literature.

E. Volterra, *Un' ipotesi intorno all'originale greco del Libro Siro-Romano di diritto* (Accademia Nazionale dei Lincei, Rend. della Classe di Scienze Morali, Storiche e Filologiche, Roma 1953; Estr. dal fasc. 1—2, Serie VIII, vol. VIII, 1953).

According to the indications of Nallino the task of a romanist is to investigate the Greek original which used the Sirian clergy.

Having however demonstrated this as impossible the author restricts himself to determinate — on the base of the elements at our disposal the nature of the work from which the Greek original was taken and thinks that this was a scholastic manual composed of texts of classical jurists and of imperial constitutions.

H. Klos, *Die publizierten lateinischen Fragmente der Papyrusammlung der österreichischen Nationalbibliothek (Chronique d'Égypte No. 56 [1953] 263—384).*

In this publication-catalogue of the Latin papyri preceded by a catalogue of the published Greek papyri from the papyrus-collection of the Austrian National Library are for a jurist particularly valuable the indexes, especially pp. 379—80 where all the respective papyri are assembled under the catch-words such as Egypt, Jurisprudence, Documents, Guardianship etc.

#### GENERALITIES

J. Klíma, *Zakony Chammurapiho*, Praha 1954.

This excellent work comprises: Chapter I: General informations about Hammurabi's legislation, such as the place of the Codex origin, its genesis and character as well as its disposition; Chapt. II: the translation of the Hammurabi Codex: its Prologue, its provisions and its Epilogue; The discussion on the C.H.: A. The Old-Babylonian society in the Hammurabi era, general and terminological remarks. The classes and the structure of the Babylonian society. B. Marriage and family. 1. The relations between the spouses. Parents and children. Adoption. The immovables. The movables. The legal protection of the property relations. C. Trade and credit. Prices and salaries. The activities of the old-Babylonian merchant *tamkaru*. Loans. Security of a loan. General remarks about contracts in the Babylonian era. Sale and barter. Lease and hiring. *Locatio-conductio operarum* and *operis*. Partnership. Deposit. Responsibility for damages. Delicts and penalties, general remarks. Particulars: delicts against the public order. Delicts against life or health. Delicts against property. Injuries. Penalties: a. the death penalty, corporal punishment, fines. The old-Babylonian jurisdiction. The organization of the courts. The court proce-