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"Rhetoric and the Law", C. B. Welles,
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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**, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

In this article the author tries to reconstruct the different forms of acts applied in executorial proceedings, such as διαστολικόν, ἀντίρρησις against διαστολικόν, χρηματισμὸς ἐνεχυρασίας and ἐμβαδείας, finally the forms of judicial decisions, such as χρηματισμὸς ἐνεχυρασίας and ἐμβαδείας.

H. Kupiszewski, *Bedingte Urteile in den griechischen Papyri* (JJP 9—10 [1956] 329—338).

C. Kunderewicz, *The Problem of Anefang in Certain Ancient and Medieval Laws* (JJP 9—10 [1956] 401—430).

N. Lewis, *On Legal Proceedings under the Idios Logos: κατήγοροι and συκοφάνται* (JJP 9—10 [1956] 117—125).

E. Seidl, *Die juristische Bildung der Richter in Ägypten in römischer und byzantinischer Zeit* (*Akten des VIII. Kongresses f. Papyrologie = Mitteil. aus der Papyrussammlung der öst. Nationalbibliothek* [P.E.R.] V. Folge [1956] 127).

See JJP 9—10 (1956) 583.

E. Seidl, *Die juristische Bildung der Richter in Ägypten (Symbolae R. Taubenschlag dedicatae = Eos 48, 1 [1956] 251—260).*

In this essay the author examines the juristic education of the judges in Egypt in the epoch of the principate. He demonstrates that the prefects possessed, as their sentences show an education based on the knowledge of the classical literature, the minor judges, however, seem to know only the imperial constitutions and the local law, and their sentences are based on them.

C. B. Welles, *Rhetoric and the Law* (*Seminar* vol. XIII, 1955/1956 1—16).

In this brilliant dissertation the author makes also use of the papyrological literature (p. 13), especially of H. Schmidt's study (JJP IV [1950] 165—177) on the influence of Greek rhetoric on legal decisions of the courts of Roman Egypt. The author also points out, that the discovery, made during the war, at a place

called Dumayr in Syria, of an inscription containing the minutes of a hearing before the Emperor Caracalla serves only as the latest reminder that our sources for the rhetorical influence on Roman law are not all to be found in the Digest.

M. Mantica, *Arbitration in Ancient Egypt (The Arbitration Journal, A Quarterly of the American Arbitration Association XII, No. 3 [1957] 155—163)*.

In this article the author shows that the Egyptians frequently practised arbitration. Pages 160 ff. are dedicated to the arbitration in the Hellenistic, Roman and Byzantine periods, giving some examples of such proceedings in Oxy. XVI 1880 (427 A.D.) and Mon. 7 (583 A.D.). Other examples concern Coptic papyri from the second half of the VIII century A.D. (cf. W. E. Crum and G. Steindorf, *Koptische Rechtsurkunden aus Djeme* 835 ff.; A. A. Schiller, *Legal Transactions of the Family of Georgios and Abessa of Djeme in Upper Egypt in the Eighth Century A.D.*, a typed J.D. dissertation, University of California 1926 and idem, *A Family Archive from Djeme, Studi Arangio-Ruiz IV* [1952] 327 ff.). The author makes also use of the papyrological literature cf. my *Law*² 402 ff. and the excellent dissertation by J. Modrzewski, *JJP* 6 (1952) 239 ff.

J. M. Kelly, *Princeps iudex, Eine Untersuchung zur Entwicklung und zu den Grundlagen der kaiserlichen Gerichtsbarkeit (Forschungen zum römischen Recht, 9 Abh., 1957)*.

In this dissertation the author examines the evolution of the civil and penal jurisdiction of the Emperor. It is a pity that the author makes, on principle, no use of the papyri: see on *cognitio Caesariana* in the papyri — my *Law*² 550 ff., where also the law-suit before Caracalla in Syria (215 A.D.), the only law-suit mentioned by the author (p. 99), is quoted.

P E N A L L A W

E. Berneker, *Hochverrat und Landesverrat im griechischen Recht (Symbolae R. Taubenschlag dedicatae = Eos 48, 1 [1956] 105-137)*.

In this study, devoted to the delict of high treason in the Greek law, we find very interesting remarks on this delict in the Ptole-