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"Ein hellenistisches 'Lösungsrecht' nachgewiesen?", Ernst Schönbauer, "Aegyptus", XXX, 1950, fasc. 2 : [recenzja]

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term ἀθάνατα figures on the well-known inscription of Cyrene, which dates from 332 and 306 B. C. The author remarks that this term figures also in other juridical inscriptions, and that the latter furnished by themselves the most solide bases for the precise interpretation of the term in question. Whence it follows that the riches ἀθάνατα which are alone taken into consideration for the acquisition of Cyrenean citizenship are those that remain in a permanent and firm possession of the beneficiary.

F. Pringsheim, *The Greek Law of Sale*, 1950 (Weimar, Hermann Böhlhaus Nachf.).

As the author points out it was not his intention to write a systematic treatise on the whole Greek law of sale. His main task consisted in the intepretation of Greek texts and he presents what he has learned by reading them. The book consists of three parts. Part I Introduction with three chapters: Ch. I Greek private law, Ch. II Greek law of ownership, Ch. III Greek law of contract. In this chapter he examines the questions: a) did consensual contracts exist? b) contract of loan for consumption. Part II deals with the Greek law of sale, its history and theory. This part consists again of 10 chapters. Ch. I comparative law of sale. Ch. II the character of the Greek law of sale. Ch. III the history of the Greek law of sale, first period. Ch. IV History of Greek sale. Forms and names. Second period. Ch. V History of Greek sale Theory. Ch. VI Agreement to buy and sell creates only a duty without liability. Ch. VII Ὠνή as acquisition of ownership. Ch. VIII Payment of price. Ch. IX Παράδοσις. Ch. X Cooperation of the city and the state. Part III deals with with Greek Law of Sale Practice in six chapters Ch. I Sale on credit. Ch. II Contracts for cash payment with deferred delivery. Ch. III Contracts giving the purchaser a right of seizure. Ch. IV arrha. Ch. V Varrants against eviction and against secret defects. Ch. VI Void and voidable sale. In his presentation of the Greek law of sale the author frequently refers to the papyri cf. p. 115 on ὦνή in Ptolemaic Egypt; p. 123 on πράσις used in Roman Egypt; p. 142 on the law of Alexandria; p. 194 on Ptolemaic and later papyri on payment of price; p. 239 on cooperation of the state slaves. The most references to the papyri however are to be found in any chapter of the third part.

Ernst Schönbauer, *Ein hellenistisches „Lösungsrecht“ nachgewiesen?* (*Aegyptus* XXX fasc. 2 (1950) pp. 198-208).

This article contains polemics against W e n g e r's interpretation of the Pap. Baraize (cf. *Jour. Jur. Pap.* III pp. 9—20) who—as it is known—assumes in this case the „*ius redemptionis*”. Of a contrary opinion is S c h ö n b a u e r closing his polemics with these words: „even if we wanted to accept in full the interpretation of the text given by W e n g e r, it would not be a case of „*ius redemptionis*” but only a case of a motion put as to the revocation of the state-sale of abandoned land with an offer of indemnification for the actual holder”.

PENAL LAW

Slavomir Candanari-Michler, *Über Schuld und Schaden in der Antike* (*Scritti in onore di Contardo Ferrini* III (1948) pp. 28—108).

In this essay some pages (66—70) are devoted to the language of the papyri. The author deals specially with the notions of the ἀμάρτημα and ἀγνόημα in connexion with the known decree of the king Euergetes II of the year 118 B. C.

H. I. Bell, *The Acts of the Alexandrines* (*Journal of Jur. Pap.* IV pp. 19—42).

R. Taubenschlag, *L'imprisonnement dans le droit greco-égyptien* (*Omagiu Profesorului Constantini Stoicescu pentne 30 anni de invatament* Bucarest 1940, pp. 362—368)

The imprisonment i. e. the restriction of personal liberty appears in the papyri under two forms: as a preventive imprisonment or as an imprisonment for debts. The imprisonment is ordered by a magistrate on his own authority or on the request of the damaged person. The imprisonment for private debts and private delicts takes place in the δεσμοκτήριον and for fiscal debts and fiscal offences in the πρακτόρειον ἢ λογιστήριον. Both are state prisons. Besides private prisons are also mentioned. At last sometimes imprisonment in temples occurs. The duration of an imprisonment may vary, it can extend over months and years. The imprisonment may be suspended. It depends above all from the authority that had ordered it. The prisoner has always the right to ask to be set free on bail. To secure the personal liberty some measures have been already taken in the Ptolemaic epoch. The edict of Tiberius Alexander introduced the following innovation: it allows the imprisonment for debts subsist, it suppresses the imprisonment for private debts