

# Taubenschlag, Rafał

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"La genèse du Digeste, du Code et des Institutes de Justinien", Paul Collinet, "Etudes historiques sur le droit de Justinien", T. 3, 1952 : [recenzja]

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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](http://bazhum.muzhp.pl), gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

P. Cairo 57049 (*Journal of Juristic Papyrology*, I, p. 7—12) published in 1946 by E. R. B o a k, has been re-edited by M i s s P r é a u x who has rectified various readings and interpretations of her predecessors. This article brings some new corrections.

P a o l o F r é z z a, *Istituti Ellenistici nei testi del Corpus iuris civilis* (Studi in onore di V. Arangio-Ruiz IV, 209—224).

In this study the author gives some passages of the *Corpus Iuris* dealing with the Hellenistic institutions which till now were not taken into consideration and which concern the problem of the co-existence of the Roman law with the provincial laws. The author asserts that the term *transscribere* used in the two texts of Proculus and Scaevola (D 19, 5, 12, Proc.; D 32, 41, 9 Scaev.) does not substitute *mancipare* but *καταγράφειν* and that C 2, 19, 8 (293 A.D.) refers to *πρᾶσις ἐπὶ λύσει*.

P a u l C o l l i n e t, *La genèse du Digeste, du Code et des Institutes de Justinien* 1952 (Études historiques sur le droit de Justinien, tome troisième).

Although this work of Collinet, being the third volume of his brilliant *Études*, has no direct bearing on the papyri, it deserves the attention of papyrologists if only with regard to the conclusions contained in the *Appendix*; the latter concerns the explanation of Latin legal terms by means of their Greek equivalents.

H. H e n n e, *Les documents à „scriptura interior” et „exterior” dans les papyrus, en particulier dans les archives de Zenon: Problème diplomatique et juridique* (in RHD 29, [1951] 455—464). not seen.

G e o r g L o t t e r, *Die Stellung des Συγγραφοβλάξ im ptolemäischen Recht* (Jura III, 217—222).

The author establishes that some categories of six witness-deeds have the syngraphophylax. The prevailing majority of these contracts are lease- loan- marriage- and inheritance contracts. The function of the syngraphophylax was very similar to the functions of a trustee: in so far he resembles the Demotic *rbt* (cf. N i m s, *Journ. Eg. Arch.* 23, (1937), 23). The syngraphophylax is not a ne-