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"Zum römischen Recht in Aegypten nach dem Ergehen der Constitutio Antoniniana", E. Weiss, "Sav. Z.", LXX, 1953 : [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, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

W. C. Till, *Erbrechtliche Untersuchungen auf Grund der koptischen Urkunden* (S.B. Oest. Akad. d. Wiss., phil.-hist. Klasse 229 Bd., 2 Abh. 1954).

The work is divided into two parts: the first part — "the study" deals with the object of the law of inheritance (p. 7—11), with the heirs (14—55) (plurality of heirs, *dialysis* formula, succession on intestacy), and with the hereditary provisions (57—78) (*divisio parentis inter liberos*, hereditary contracts, *donatio mortis causa*, testament). The second part contains translations of documents.

Out of the rich contents of the book particularly noteworthy are among others the author's remarks on the right of expectance granted to the children in respect of the father's property (p. 39 ff. cf. *Law*² 211 ff.); on the privileged position of the son (p. 30/31 ff. *Law*² 186 ff.); on the disinheritance of the sons (p. 43 ff. cf. *Law*² 137); on the *successio contra tabulas* (p. 43 ff. cf. *Law*² 21); on the responsibility of the heir (11 ff., cf. *Law*² 218 ff.); on burying of the testator (72 ff., cf. *Law*² 197 ff.); on the division of the inheritance (14 ff., cf. *Law*² 222 ff.); on joint wills of husbands and wives (cf. p. 62 ff., see *Law*² 201₂).

THE LAW OF PROPERTY

E. Schönbauer, *Eine wichtige Katagraphe-Urkunde P. Graec. Vindob. 19.853* (*Aegyptus* XXXIII (2) [1953] 253—274).

The author makes an analysis of P. Graec. Vindob. 19.853 published in 1951 by A. Gerstinger which attests the transcription in the registers of the βιβλιοθήκη ἐγκτήσεων of a contract of sale concluded on the 28th of October, 319. He finds there the confirmation of his doctrine on καταγραφή which remained unchanged since the beginning of the Ptolemaic era until the time of Constantine.

E. Weiss, *Zum römischen Recht in Aegypten nach dem Ergehen der Constitutio Antoniniana* (*Sav. Z.* LXX [1953] 390—398).

The author relates about the *apographe* of real estate property in the βιβλιοθήκη ἐγκτήσεων in Hermopolis Magna in 319 A.D. (P. Graec. Vindob. 19.598, edited by H. Gerstinger in the *Anzeiger d. phil.-hist. Kl. d. öst. Akad. d. Wiss.* 1950, No. 2.).

He indicates that the proceedings concerning the acquisition of property (the *apographe* of real estate) given there is quite particular from the point of view of the Roman law. Since the real estate sold here is *solum provinciale* namely *tributarium* (Gai II, 21) and a *res nec Mancipi*, the acquisition of property should take place *ipsa traditione* (Gai II, 19) what was still emphasized by Dioceltian in C I, II, 3, 20 (*Traditionibus [mancipationibus] et usucapionibus dominia rerum, non nudis pactis transferuntur* [293 A. D.]). In the second part of his study the author opposes the idea of the editor that v. 11 concerns a *κατοχή* on behalf of children under age and tries to explain the assertions in these lines from the point of view of the modified Roman law as it was in force in Egypt.

E. Schönbauer, *Attische Rechtseinrichtungen in sinnvoller Einheit* (Πραγματεῖαι τῆς Ἀκαδημίας Ἀθηνῶν 18 (1) [1953]).

In his showily written study the author investigates (p. 38—9) the s.c. *δίκη ἐξούλης* consisting in the assumption of a controlled land property in Attic law which had but gradually been appeased but never quite ceased to exist. A controlled land property appears also in the Ptolemaic period and particularly with reference to cleruchic and catoecic land. When these parcels changed hands, it was not only necessary the usual cooperation of the registry of real properties but also a special permission of the catoecic authorities. The authorities had first to accept a new holder. Characteristic is that in this case the term *παραχώρησις* for transfer of property is used. The holder is withdrawn and a new holder enters his place with the consent of authorities. We find here the same idea, which is to be found in the controlled land in Attica, namely that the single holder is not entitled to transfer his property to another private person but only to withdraw from the lot in order to make way to another person who according the principles governing the landed property, now as a new holder steps on his place.

J. Herrmann, *Zum Begriff der γῆ ἐν ἀφέσει* (*Chronique d'Égypte* XXX, No. 59 [1955] 95—106).

Having demonstrated the most important efforts of interpretation of this notion and having referred to the objections aga-