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"Eigentum und Besitz im älteren
römischen Recht", M. Kaser,
"Forschungen zum röm. Recht", 1956 :
[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.

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dozwolonego użytku.

of the joint ownership in the Greek law. The author makes also use of the papyri and of the papyrological literature (p. 112, 117, 139, 140, 142).

M. Kaser, *Eigentum und Besitz im älteren römischen Recht*. 2te Aufl. mit Nachträgen (*Forschungen zum röm. Recht* hg. von M. Kaser, H. Kreller u. W. Kunkel, 1 Abh.) (1956) 397 pp.

This fundamental work is also very interesting for a papyrologist although it lies beyond the sphere of papyrology (the papyri are quoted only on p. 205₉). Noteworthy are especially the statements concerning the development of private land-property (p. 224—230), the right of assent (p. 99₅₂, 166, 168₇), the right of possession (p. 87 ff.), the provincial land (p. 222 ff., 322₆). They can contribute to our understanding of analogous institutions in the law of the papyri.

Z. V. Oudaltsova, *K voprosu o melkom svobodnom zemlevladyeni v Italii nakanune vizantyskogo zavoevanya* (*Vizantyskiy Vremennik* XI [1956] 29—54) (in Russian).

This article is a contribution to the problem of small landed property in Italy in the epoch before the Byzantine Conquest and can be also of use for historians of law and papyrologists as well.

H. Petschow, *Neubabylonisches Pfandrecht* (Abhandl. der Sächsischen Akademie der Wiss., phil.-hist. Kl. Bd. 48, H. 1; Berlin, Akademie-Verlag 1956) 186 pp.

This excellent monograph gives a detailed presentation of the New-Babylonian lien and brings interesting parallels with the law of the papyri, as regards the dead pledge, the general hypothec, the antichretic pledge, the forfeiture pledge etc. The question is, whether it is due or not to speak about the influence of the Oriental Law on the law of Greco-Roman Egypt (p. 5, 6). As far the special and general pledges are concerned (p. 146), right is to be considered as the right endowed with real effect. Probably, however, it is not identical with the *ius in re aliena*, but signifies rather a form of property in the sense of property held by functionally limited shares. On the other side it was still no more a compen-