

Taubenschlag, Rafał

"La pseudo-stipulation ἐπερωτηθείς
ὡμολόγησα", F. de Visscher, "Eos", 48,
1957, fasc. 2 : [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.

In this dissertation the author tries to show that in public leases the lessors, βασιλικοὶ γεωργοί, received seed-corn by a special clause inserted in the contract of lease, or by an independent contract of loan (σπέρματα δάνεια) being the last phase of a special procedure which is thoroughly described by the author.

F. de Visscher, *La pseudo-stipulation ἐπερωτηθεὶς ὡμολόγησα* (*Symbolae R. Taubenschlag dedicatae* II = *Eos* 48, 2 [1957] 161—169).

In this masterful essay the author demonstrates that the Roman *stipulatio* and the clause ἐπερωτηθεὶς ὡμολόγησα are two different things. He shows that this clause aims to insure the authority of a written document by the recognition of the parties who ascertain by interrogation and answer the perfect conformity of the contents of the document with their real intention.

H. Kupiszewski, *Locatio conductio rei suae* (*Labeo* 3 (1957) 3, 344 ff.).

In this ingenious dissertation the author tries to prove that the P. Strasb. 248 deals with *locatio conductio rei suae* preceded by a *pactum antichreticum* in favour of the creditor. Remarkable is his statement, that the Basilica 20, 1, 55 considered in contrast with the classical and Justinian laws (cf. D. 50, 17, 45 pr., C. 4, 65, 20, C. 4, 65, 25 and Mayer-Maly, *Locatio* 114 ff.) as valid such contracts under the influence of the provincial practice.

P. Frezza, *Παρακαταθήκη* (*Symbolae R. Taubenschlag dedicatae* = *Eos* 48, 1 [1956] 139—172).

In this instructive dissertation the author investigates also the meaning of the term παρακαταθήκη in the papyri. Noteworthy are especially his remarks on παρακαταθήκη in M. Chr. 372 (Pap. Catt.), in SB 4370 and Ryl. 569 = SB 7652.

E. Kiessling, *Über den Rechtsbegriff der Paratheke* (*Akten des VIII. Intern. Kongresses f. Papyrologie* = *Mitteil. aus der Papyrussammlung der öst. Nationalbibliothek* [P.E.R.] V. Folge [1956] 69—77).

See *JJP* 9—10 (1956) 582—583.