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Herrmann, München 1958 : [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.

U. Brasiello, *Aspetti innovativi delle costituzioni imperiali I (Studi in on. P. Francisci IV [1956] 471—503).*

The author of this interesting study makes also use of the papyri (p. 487) concerning the *δικη παρακαθήκης* and *ὁ τῶν παραθηκῶν νόμος*.

J. Herrmann, *Bemerkungen zu den μίσθωσις — Urkunden der Papyri Michaelidae (Chron. d'Egypte XXXII, No. 63 [1956] 121-29).*

The author gives in this article a juristic commentary to the *μίσθωσις*-contracts: P. Michael. 13, 14, 19, 22, 23, 24, 34, 42b, 43, 46, 47, 48, 54, 59, 60.

H. Henne, *Χρόνος ἐπίγυος (P. Ent. 15, 5) (Symbolae R. Taubenschlag dedicatae II = Eos 48, 2 [1957] 95—99).*

The author shows that the term *χρόνος ἐπίγυος* is to be interpreted as *χρόνος ἐπίγυος = ὑπόγυος* = the imminent term of payment.

D. Medicus, *Zur Geschichte des Senatus Consultum Velleianum (Forschungen zum röm. Recht 8 Abh. [1957] pp. 143).*

This dissertation takes into account (p. 119) the only papyrus referring to the *S.-C. Velleianum*, namely P. Col. 123, 18—20 (*Apokrimata*) in which Septimius Severus rejects the application of this *s.-c.* in a special case, in conformity of the principle of the classical Roman law.

J. Herrmann, *Studien zur Bodenpacht im Recht der graeco-ägyptischen Papyri. Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte 41 Heft (München 1958) 300 pp.*

The last presentation of the lease in the papyri, that by Stefan Waszynski, appeared in 1905. Since new material has been discovered and with its discovery the time had come for a new presentation of the subject. This task is now accomplished by the very careful and exhaustive monograph by Herrmann.

Herrmann's book is divided into four parts. Part A. deals with the form, style and the construction of the lease; B. — with

the description of the contracts; C. — with the legal form of the lease; D. — with special kinds and arrangements of the lease. Very valuable are the new lists of the contracts, receipts and bonds on p. 247—288.

PROCEDURE AND EXECUTION

W. Müller, *Zum Edikt des Tiberius Julius Alexander (Festschrift f. Friedrich Zucker*, Berlin — Akademie Verlag 1954, 291—297)

In this essay the author deals with § 2 of the edict of Tiberius Julius Alexander. According to his interpretation the governor orders that in the future the Treasury officials when meeting a *debitor fisci*, whose solvency may seem to them suspected, either ought to keep his name in the book of *debitores fisci* or to make it public in order to warn everyone against the business connections with such an uncertain party. In the case of a particularly insolvent debtor, the seizure of a part of his property, for fiscal security, should be registered in the land-register, which must be offered for examination to everyone. By this disposition every *debitor fisci* might be censured according to the grade of his insolvency. Those who had entered in business relations with the proscribed party had done so at their own risk and ought to reckon with an eventual interference, reported by the prefect in the introduction. The *protopraxia* should then be properly applied. All other transactions, however, concluded with persons against whom none of the above mentioned measures was ordered, are subject to no restriction.

S. Solazzi, *P. Ryl. II 75 e la revoca degli atti fraudolenti (SDHI XXII [1956] 333—336)*.

The author asserts that the rule pronounced in the papyrus by the Prefect on the invalidity of fraudulent acts (cf. my *Law*² 530) does not contradict the revocatory remedies recognized by the classical law.

H. Kupiszewski, *Les formulaires dans la procédure d'exécution (Eos 48 fasc. 3 = Symbolae R. Taubenschlag dedicatae III [1957] 89—103)*.