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"Parerga, note papirologiche ed epigrafiche", V. Arangio Ruiz, Napoli 1945 : [recenzja]

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Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

A. P. CHRISTOPHILOPOULOS, Οὐδέπω ὢν τῶν ἐτῶν ('Ανατύπωσις ἐκ τοῦ ἀπιερώματος εἰς Κονσταντῖνον ᾿Ακαντον, Athens 1940).

In this article the author combats my opinion in *Sav. Z.* 37,195 that οὐδέπω ὢν τῶν ἐτῶν determines *infantes* under seven years and asserts that this phrase means the same as ὢν ἐν ἡλικίᾳ = *minor* (cf. my *Law I* 11166).

H. FR. JOLOWICZ, *The wicked guardian* (Repr. from the *Journal of Roman Studies* vol. XXXVII (1947), 82—90).

Uncles are the commonest guardians in all ages and their perfidy is a typical example of human wickedness. Among them who suspected them most were, according to our traditions, the ancient law givers of Greece; for guardianship and the connected subject of second marriages occupy quite a noticeable place in the scanty records of both legislators Solon (Diogenes Laertius I 56) and Charondas (Diodorus XII 15). After having examined the traditional sources and the papyri, the author comes to the conclusion that the evil reputation of guardians was not justified by the facts known to us as far as any menace to the life of the ward is concerned. We find in Athens as well in the papyri that — though guardians are often accused of dishonesty and rapacity — charges of personal illtreatment hardly occur. The alleged principles of Charondas find little support in the law and legal practice of Greece and Egypt. We have no real evidence that either step-mothers or guardians were practically evil and especially there is non evidence that guardians were in the habit of attempting to murder their wards, whenever this appeared to be in their own interest. But only on such an assumption is the rule attributed to Charondas really justified and the assumption belongs to literature not to life.

F. DE VISSCHER, *Un nouveau document sur la «donatio ante nuptias»* P. Mich. 508—2217. (*Chronique d'Egypte* N° 37 (1944) pp 101—107).

The most ancient known instance of a Roman *donatio ante nuptias* was until recently a rescript of Antoninus Pius in D 6, 2, 12 pr. Our document proves the existence of this Roman custom nearly half a century earlier (about 100 A.D.).

V. ARANGIO RUIZ, *Parerga, note papirologiche ed epigrafiche* (Napoli 1945).

In Parergon I p. 1—7 under the title *Sul P. Lips. Inv. N° 136* the author gives a new lecture of this papyrus. In Parergon II p. 7—10 *Sul P. Oxy. VIII, 1114*²³ the author gives a new lecture of v. 9 ff: *prof[iteor obvenisse]* (instead of *adnuisse*) *filiabus meis... h[er]editatem seu bonorum possessionem... matris earum*. In Parergon IV p. 18 ff *Il p. Oxy X 1264 e l' εδπαιδεία* the author asserts that the lecture: τὰ ὀπόντα (?) τῆς εὐναίδειας (?) ὀίκαια (instead of that, corrected by the editors: εὐπαιδείας) is right; in order not to repeat the term ἀσυλία the writer had to take refuge to another synonym ἀτέλεια or ἀλειτουργία (?) or ἄδεια. If therefore he made use of a strange term εὐναίδεια, it means that this term sounded in his years, rightly or wrongly as a synonym of ἀσυλία. Parergon V p. 24 ff *Sul P. Michigan inv. 4703* where rejecting the hypotheses of Sanders and Wenger, he affirms that the papyrus deals with the restitution of the *dos* giving the title of the document as *Conventio de dote post solutum matrimonium*. He supposes that the divorce was a fictitious one and p. 38 *that we can consider the document in question as a fiction intended to regulate for the time being in a friendly way the economic situation of the parties and to avoid in the future the rejection of the pretensions of the widow and the orphans, a rejection the severity of which we noticed in the P. Cattavi*. Parergon VI *A proposito del P. Hamb. 70* (p. 39—55): Rejecting the interpretation given to the document by Solazzi that the legacy could not be disposed of otherwise than *per damnationem* the author asserts, that there is no hindrance to adopt the form *per vindicationem*. He rejects also Solazzi's interpretation that in case of a legacy *per damnationem* the παραχώρησις could not be performed with the *auctoritas* of the *contutor* Sarapion only (p. 40, 48).

L. WENGER, *Zwei lateinische Papyri zum römischen Eherechte* (*Ak. d. Wiss. Wien phil. hist. Kl.* 219 Bd. 1 Abh. 1941).

L. WENGER, *Nachträgliche Bemerkungen zu „Zwei lateinische Papyri zum römischen Eherechte“* (S. A. aus dem *Anzeiger der phil. hist. Kl. d. Akad. Wiss. Wien.* von 12 Dez. Jhg. 1945 N° VI—XI).

The first essay deals with P. Mich. Inv. N° 508 + 2217. The parties are Romans and there is no doubt, that the document concerns the attestation of a *justum matrimonium*. The father gives her daughter, under his *patria potestas*, in marriage *secundum*