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"Note sur P. Strasb. 237: Une contribution au problème de l'αγραφος et έγγραφος γάμος", J. Modrzejewski, "Eos", 48, 1957, fasc. 3 : [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.

This dissertation, although romanistic, will also interest the papyrologists, because the *mercenarius* (in his narrower sense) = a person who in a house not of his own accomplishes all services ordered by the proprietor, shows a great affinity with the παραμυζήριος a figure whom we find now and again in the papyri (cf. my article *JJP* 7/8, 182 ff.).

THE LAW GOVERNING DOMESTIC RELATIONS

J. Klima, *Su un'analogia babilonese del Sc. Macedoniano: Contributo alla storia delle limitazioni della capacità giuridica* (*Studi in on. U. E. Paoli*, 433—441).

According to the author, CB § 14 attempted to lend money to a *mâr awilim la zi-zu*, to a slave (and respectively to a person who had a *potestas familiaris* over both of them). He proves that this idea appeared later in other systems of law, especially in Attic and in Egyptian laws, and that at last it found its precise formulation in the famous *Sc. Macedonianum*.

R. Yaron, *Aramaic Marriage Contracts from Elephantine* (*Journ. Sem. Stud.* 3 (1) [1958] 1—39).

In this dissertation the author examines in detail the Aramaic marriage contracts published by Cowley in *Aramaic Papyri of the 5th Century B.C.* (A.P.) and by Kraeling in *Brooklyn Museum Aramaic Papyri* (P. Brooklyn). He discusses the various clauses into which the contracts can be divided, and then turns to some characteristic phrases occurring in them. Finally he examines their historical background and the law reflected in them.

The dissertation will also interest the papyrologists as the early Greco-Egyptian marriage contracts show various affinities to the earlier Aramaic documents (cf. p. 23, 24, 25).

J. Modrzejewski, *Le droit de famille dans les lettres privées grecques d'Égypte* (*JJP* 9—10 [1956] 339—364).

J. Modrzejewski, *Note sur P. Strasb. 237: Une contribution au problème de l'ἄγραφος et ἔγγραφος γάμος* (*Eos* 48 fasc. 3 = *Symbolae R. Taubenschlag dedicatae* III [1957] 139—154).

In this interesting study the author asserts that ἄγραφος γάμος consisted in the cohabitation of the parties while ἔγγραφος γάμος designated this kind of marriage in which the cohabitation was followed by a written financial agreement.

U. E. Paoli, *Les limites juridiques de l'apheresis paternelle dans le droit attique* (*Recueil de l'Académie de législation de Toulouse* II [1953]).

This interesting article will be also of use for papyrologists.

E. P. Wegener, *Miscellanea Papyrologica: I. The Alexandrian Synchoreisis P. Vindob. Gr. Inv. 25817, II. Normal Family-Life in the Census-Declarations P. Brem. 32 and 33* (*JJP* 9—10 [1956] 97—116).

U. Brasiello, *SDHI* XXII (1956) 512.

In this report from the „11 Deutscher Rechtshistorikertag“ (Freiburg in Breisgau) a communication made by E. Kiessling on *Ein Damnationslegat auf Grund einer unveröffentlichten Papyrusurkunde* is mentioned.

H. J. Wolff, Πρὸξ (repr. from Pauly — Kroll — Ziegler, *RE* XXIII [1957] 134—170).

This excellent article deals with the πρὸξ in the ancient-Greek-city law. To the πρὸξ in the papyri is dedicated only p. 170. It is noteworthy that, as the author asserts, the term φερνή went out of use in Egypt in the IV cent. A.D. and was substituted by the word πρὸξ.

THE LAW OF PROPERTY

A. Biscardi, *Sul regimo della comproprietà in diritto attico* (*Studi in on. di U. E. Paoli*, 105—143).

In this monograph the author discusses the cases of joint ownership in the ancient and subsidiary sources, the rules governing the solidary and partial ownership and the evolution of the conception