

BGU 4.1108

P.Berol. 13119 recto

Other edition: *CPG* 1.9, the text translated here

Other translation: *CPG* 1, pp. 82-83

Scan: Berliner Papyrusdatenbank

Other texts on the same papyrus: an unpublished text below the text; two unpublished texts on the verso, the second dated to year 26

Wetnursing contract (*synchoresis*)

October 5, 5 BC

(a) *Addressee*

¹ To Artemidoros, the chief judge and (*official*) in charge of the circuit judges and the other tribunals,

(b1) *Party 1*

² from Marcus Sempronius, the son of Marcus, of the *tribus Aemilia*, a soldier from those of the ³ 22nd legion, of the ... cohort,

(b2) *Party 2*

and from ⁴ Erotarion, the daughter of ..., with as guardian and guarantor her kinsman Lucius ...omusius, ⁵ the son of Lucius.

(c) *Agreement to nurse a child for wages*

Erotarion agrees that for fifteen (*not corrected to*: sixteen) months from ⁶ Phaophi of the present 26th year of Caesar (*Augustus*) she will rear and suckle outside (*Marcus's house*) in her own house in the city ⁷ with her own milk, pure and unspoiled, the slave child whom Marcus has handed over to her already since Epeiph of the past year, ⁸ whose name is Primus, for a wage for her milk and the nursing each month of ten drachmas ⁹ and two *kotylai* (0.5 liter) of oil,

(d) *Receipt of nursing wages in advance*

and, as of right now, Erotarion agrees that she (*cancelled*: together with Lucius himself) has received from Marcus ¹⁰ for Epeiph, Mesore, and Thoth the nursing wages and the oil and also for the sixteen months (*corrected from*: fifteen) from Phaophi, ¹¹ for six months likewise the nursing wages and the oil,

(e) *Child mortality clause*

and she agrees that if – which God forbid! – it so happens that the child suffer a fatality ¹² within the six (*corrected from*: five) months, Erotarion, by taking up another child, agrees necessarily to nurse and suckle it for the six (*corrected from*: five) months, without ¹³ receiving more for the afore-mentioned months,

(f) *Nurse's obligations*

(and) Erotarion agrees, if paid regularly with the monthly nursing wages and oil for the ten months ... , to see to ^{|14} her own and the child's (*cancelled: proper*) care by not spoiling her milk or ^{|15} lying with a man or getting pregnant again or taking another child to suckle in addition for six (*corrected from: five*) months ^{|16} from Phaophi, and that if, after the six months, Erotarion wants to suckle (*corrected from: to nurse*) another child, ^{|17} it will be permitted to her; and whatsoever she receives ^{|16} or is entrusted with of the belongings of the child she will (*keep safe and*) give back whenever it is asked back, or else she ^{|17} (*cancelled: and Lucius*) agrees to pay the value of each thing, except in the case of obvious wear and tear, in which case, once it has been made clear, ^{|18} she (*corrected from: they*) should be released (*from liability*), and she agrees that she will not abandon the nursing within the time,

(g) *Penalty clause*

and she agrees that, if she transgresses any (*of these provisions*), ^{|19} she (*cancelled: and Lucius*) is to pay back the nursing wages that she has received and whatever she receives in addition along with half as much again ^{|20} and the damages and expenses and another 200 silver drachmas, while the right of execution (*of the claim*) belongs (*to Marcus*) ^{|21} from Erotarion and (*cancelled: from either and from each and from whomever of them Marcus chooses and*) ^{|22} from all her (*corrected from: their*) belongings just as if by virtue of a legal decision, and she agrees not to adduce safe-conducts or else they are ineffective,

(h) *Owner's obligation*

^{|23} and if Erotarion completes each (*of the tasks assigned to her*), then Marcus agrees to provide her with the rest of her monthly nursing wages ^{|24} as has been laid out above, and he agrees that he will not remove the child within the time or else he himself is liable ^{|25} to the same penalty,

(i) *Monthly inspection*

and Erotarion will visit Marcus with the ^{|26} child three times each month for the purpose of being inspected by him,

(j) *Memorandum about another contract*

and she agrees that Lucius is included ^{|27} in the legal action against Erotarion for what she owes him together with her ^{|28} mother Kleopatra in accordance with an agreement.

(k) *Joint request for registration*

We request (*registration*).

(l) *Greeting*

Farewell

(m) *Signature of party 1*

^{|29} (*Cancelled: I, Marcus, agree in accordance with the aforementioned.*)

(n) *Date*

^{|30} Year 26 of Caesar (*Augustus*), Phaophi 8.

(o) *Note*

^{|31} ...