

BGU 4.1113

P.Berol. 13114 recto (not lost)

Other editions; Mitteis, *Chrest.* 169; Solazzi, *Scritti di diritto romano*, pp. 95-96 [1915]; *FIRA* 3.31

Other translations: Arangio-Ruiz, *FIRA* 3, pp. 85-87

Other texts on the verso: unpublished text

Contract for the cancellation of a guardianship (*synchoresis*)

January 11 or 21, 14 BC

(a) *Date*

¹ Year 16 of Caesar (*Augustus*), Tybi 16 (*or* 26).

(b) *Addressee*

² To Protarchos,

(c1) *Party 1*

³ from Lucius Pomponius Rufus, the son of Lucius, belonging to the *tribus Pollia*,

(c2) *Party 2*

and from ⁴ Marcus Cottius Atticus.

(d) *Considerans*

Since the father of Lucius Pomponius, ⁵ Lucius Pomponius, in the Roman will that he made when he was dying, ⁶ left Marcus Cottius Atticus as well as Canuleius as ⁷ guardians of his son Lucius Pomponius, who is mentioned above, ⁸ and in the meantime, since Canuleius has refused the guardianship, ⁹ in accordance with the document that is included (*here*), Marcus Cottius Atticus (*alone*) assumed the guardianship ¹⁰ over Lucius,

(e) *Agreement proper*

Lucius Pomponius agrees as of now ¹¹ that neither he himself nor anyone else on his behalf will proceed ¹² against Marcus Cottius Atticus or Canuleius ..., ¹³ neither concerning the guardianship nor concerning any of the things left by his father, Lucius Pomponius, ¹⁴ in any way whatsoever, nor ¹⁵ concerning any other debt or claim or bank payments ¹⁶ or accounts at all, written or unwritten, from the past ¹⁷ until the present day, on any pretext, since ¹⁸ Lucius Pomponius himself has received from Marcus Cottius ¹⁹ Atticus all that his father once had in his house,

(f) *Penalty clause*

or else, apart from the fact that ²⁰ the things agreed upon are effective and that the legal action ²¹ or accusation that may come up in contradiction to these things is ineffective and altogether inadmissible, Lucius Pomponius also agrees to pay, in addition ²² to what he accuses Marcus himself of, the damages and expenses ²³ and 1,000 silver drachmas as a private debt, and he agrees to be liable to the damages ²⁴ and the statutory penalty (*to the state*) for contracts.

(g) *Request for registration*
We request (*registration*).

(h) *Greeting*
Farewell.

(i1) *Signature of party 1*
|²⁵ I, Lucius Pomponius Rufus, the son of Lucius |²⁶ belonging to the *tribus Pollia*, agree in accordance with what is |²⁶ written above.

(i2) *Signature of party 2*
|²⁸ I, Marcus Cottius Atticus, agree in accordance with what is written above.