

Book V.
Title LVI.

Concerning interest due to minors.
(De usuries pupillaribus.)

Bas. 38.17.

5.56.1. Emperor Antoninus to Praesentinus.

It was long ago provided that a guardian or curator must pay legal interest on the money which they convert to their own use.

Promulgated June 5 (213).

5.56.2. Emperor Alexander to Ampliatus.

There is no doubt that interest must be paid on what is owing by reason of a guardianship, although the necessity to pay it may be imposed on one guardian because of association in duty with another, which does not happen except when he is chargeable with neglect in accusing a co-guardian as suspected (of misconduct).

Promulgated June 19 (224).

5.56.3. The same Emperor to Vitalius.

If you were unable to lend a minor's money to solvent persons and could not use it in the purchase of land, the judge will not overlook the fact that you are not chargeable with interest thereon.

Promulgated April 13 (228).

5.56.4. Emperors Diocletian and Maximian and the Caesars to Aurelius.

A minor cannot be compelled to sue you in an action on the guardianship. But to guard against any vexation suit in the future, and to stop the running of interest if you owe him anything, call him to court by frequent calls, and if he delays the matter through dissimulation, have a declaration of your desire placed upon the records of the president of the province. By doing this, you protect yourself as well as your children. This shall apply also to curators.

Promulgated at Sirmium February 11 (294).

Note.

The calling to court here mentioned doubtless refers to the citations or edicts to appear. See C. 2.2.4 note; C. 7.43.1 note.