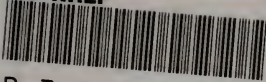


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THE CODE OF HAMMURABI

BY

PERCY HANDCOCK, M.A.

BARRISTER-AT-LAW

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THE CODE OF HAMMURABI

INTRODUCTION

HAMMURABI, who is probably to be identified with the Amraphel of Gen. xiv. 1, was the sixth king of the first known dynasty of Babylon, and he reigned for forty-three years—about 2130–2088 B.C., as far as can at present be determined. He was a successful ruler and an able administrator.

His Code of Laws is inscribed on a block of black diorite which was found on the acropolis of Susa by an expedition sent out by the French Government under M. de Morgan in 1901. At the top of the front side of the stele is a bas-relief representing Hammurabi receiving the code from Shamash, the Sun-god. About one-eighth of the code (five columns) has been erased; the remaining forty-four columns contain two hundred and forty-eight separate provisions. These provisions relate almost exclusively to civil and criminal law.

The code represents a system of law and custom which had grown up in the country, and the ultimate origin of which is to be sought in the far remoter past. It is the most ancient code of laws at present known, and its relation to other systems of law has been much discussed. We are, however, here only concerned with its relationship to Hebrew law.

There cannot be the slightest doubt that some relationship does exist, but the connection is probably *indirect* rather than *direct*.

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A close examination of the provisions in the Hebrew code which bear a similarity to provisions in the Babylonian code, leads to the conclusion that there was no *direct* borrowing on the part of the Hebrew legislators, but that the provisions which are similar in the two sets of laws represent independent codifications of ancient Semitic usage, their similarity being explained by the common ancestry of the two peoples. It is, of course, also possible that some knowledge of Hammurabi's laws reached the Hebrews through an indirect channel—*e.g.*, through the Canaanites, upon whom Babylonian culture exercised an influence for some centuries—and determined the general character and terms of some of the Hebrew enactments. The subjects dealt with in the code are many and various :

Sections 1–5. Penalties for false accusation, false evidence, and wrong legal decisions.

Sections 6–14. Penalties for theft.

Sections 15–20. Harboursing an escaped slave.

Sections 21–25. Housebreaking, highway robbery, and robbery at a fire.

Sections 26–41. Privileges and obligations of royal servants, judges, etc.

Sections 42–65. Laws relating to landlord and tenant.

Sections 66–99. Erased.

✓ Sections 100–126. Laws relating to trade and commerce.

✓ Sections 100–107. Laws relating to a merchant and his agent.

✓ Sections 108–111. Laws relating to wine-merchants.

Section 112. Liabilities in respect of loss in the transport of goods.

Sections 113–119. Laws relating to debt and distraint.

Sections 120–126. Law of bailment.

Sections 127-193. Family law.

Sections 194-233. Criminal law : penalties for assaults, etc.

Sections 234-240. Laws relating to navigation.

Sections 241-277. Rates of payment for hire of animals, for work done, etc.

Sections 278-282. The law as affecting slaves.

A comparison of the Biblical references given in the footnotes with the provisions in the code, will enable the student to form a clear and independent idea of their relationship to each other.

The translation of the code is (with a few minor alterations) taken from the late Professor R. F. Harper's *Code of Hammurabi*, by the courtesy of the University of Chicago Press and the Cambridge University Press. The latter work also contains an admirably produced autograph copy of the text, together with a transliteration and glossary.

P. H.

TRANSLATION

PROLOGUE

WHEN the lofty Anu, King of the Anunnaki, and Ellil, lord of heaven and earth, he who determines the destiny of the land, committed the rule of all mankind to Marduk, the chief son of Ea; when they made him great among the Igigi; when they pronounced the lofty name of Babylon; when they made it famous among the quarters of the world and in its midst established an everlasting kingdom whose foundations were firm as heaven and earth —at that time, Anu and Enlil called me, Hammurabi, the exalted prince, the worshipper of the gods, (to cause justice to prevail in the land, to destroy the wicked and the evil, to prevent the strong from oppressing the weak, to go forth like the Sun over the Black Head Race, (to enlighten the land, and to further the welfare of the people. Hammurabi, the Governor named by Enlil, am I, who brought about plenty and abundance; who made everything for Nippur and Durilu complete; the exalted supporter of E-kur; the wise King, who restored Eridu to its place; who purified the sanctuary (or "cult") of E-apsu; who stormed the four quarters of the world; who made the fame of Babylon great; who rejoiced the heart of Marduk, his lord; who daily served in Esagila; of the seed royal, which Sin begat; who filled the city of Ur with plenty; the pious and suppliant one, who brought abundance to E-gis-sir-gal; the diplomatic king, obedient to the mighty Shamash; who refounded Sippar; who clothed

with green the shrines of Malkat ; who decorated E-babbara, which is like a heavenly dwelling ; the warrior, the protector of Larsa ; who rebuilt E-babbara for Shamash, his helper ; the lord who gave life to the city of Uruk ; who supplied water in abundance to its inhabitants ; who raised the turrets of Eanna ; who brought riches to Anu and Ishtar ; the divine protector of the land ; who collected the scattered people of Nisin ; who supplied E-gal-mah with luxurious abundance ; the monarch, the city king, the brother of Za-ma-ma ; who laid the foundations of the settlement of Kish ; who surrounded E-te-me-ur-sag with splendour ; who constructed the great shrines of Nana ; the patron of the temple of Har-sag-kalama, the grave of the enemy ; whose help brings victory ; who extended the limits of Cutha ; who enlarged Shid-lam in every way ; the mighty bull, who gored the enemy ; the beloved of Tutu ; who made the city of Borsippa beautiful ; the exalted one who was untiring for the welfare of Ezida ; (the divine king, wise and intelligent, who extended the settlements of Dilbat ; who stored up grain for the mighty Urash ; the lord adorned with sceptre and crown, whom the wise god Ma-ma has clothed with complete power ; who defined the confines of Kish ; who made sumptuous the splendid banquets in honour of Nintu ; the wise and perfect one, who determined the pasture and watering-places for Shirpurla (Lagash) and Girsu ; who provided large sacrifices for the Temple of Fifty ; who seizes the enemy ; the favourite of Telitim ; who put into execution the laws of Aleppo ; who makes joyful the heart of Anunit ; the illustrious prince, the lifting up of whose hands Adad recognizes ; who pacifies the heart of Adad, the warrior, in Karkar ; who re-established the appointments in E-u-gal-gal ; the king who gave life to the city of Adab ; the benefactor of the temple E-mah ; the lordly city king ; the soldier

who has no equal; who presented life to the City of Mashkan-shabri; who poured out abundantly over Mishlam; the wise governor who (?), who provided a hiding-place for the people of Malgi in their misfortune; who founded dwelling-places for them in plenty; who determined for all time the splendid sacrifices for Ea and Dam-gal-nunna, who had extended his dominion; the city king first in rank; who subdued the settlements along the Euphrates (?); the warrior of Dagan, his creator; who protected the people of Mera and Tutul; the exalted prince, who makes the face of Ishtar to shine; who established splendid banquets for Nin-a-zu; who helps his people in time of need; who establishes insecurity their property in Babylon; the shepherd of his people, whose deeds are pleasing to Anunit; who installed Anunit in E-ul-mash in Agane Broadway; who made justice prevail and who ruled the race with right; who returned to Ashur its gracious protecting deity; who cast down the . . . the king who made the name of Nana glorious in E-mish-mish in Nineveh; the exalted one, who makes supplication to the great gods; the descendant of Sumulailu, the powerful son of Sinmu-ballit, the ancient seed of royalty, the powerful king, the Sun of Babylon, who caused light to go forth over the lands of Sumer and Akkad; the king, who caused the four quarters of the world to render obedience; the favourite of Ishtar, am I. (When Marduk sent me to rule the people and to bring help to the country, I established law and justice in the land and promoted the welfare of the people.)

THE CODE

1. If a man bring an accusation against a man, and charge him with a (capital) crime, but cannot prove it, he, the accuser, shall be put to death.

2. If a man charge a man with sorcery, and cannot prove it, he who is charged with sorcery shall go to the river, into the river he shall throw himself, and if the river overcome him his accuser shall take to himself his house (estate). If the river show that man to be innocent, and he come forth unharmed, he who charged him with sorcery shall be put to death. He who threw himself into the river shall take to himself the house of his accuser.¹

3. If a man, in a case (pending judgment), bear false witness, or do not establish the testimony that he has given, if that case be a case involving life, that man shall be put to death.²

4. If a man (in a case) bear witness for grain or money (as a bribe), he shall himself bear the penalty imposed in that case.²

5. If a judge pronounce a judgment, render a decision, deliver a verdict duly signed and sealed, and afterward alter his judgment, they shall call that judge to account for the alteration of the judgment which he had pronounced, and he shall pay twelvefold the penalty which was in said judgment; and, in the assembly, they shall expel him from his seat of judgment, and he shall not return, and with the judges in a case he shall not take his seat.

6. If a man steal the property of a god (temple) or palace, that man shall be put to death; and he who

¹ Cf. Exod. xxii. 18 ; Deut. xviii. 10 ; Jer. xxvii. 9.

² Cf. Deut. xix. 19 ; Exod. xxiii. 8.

receives from his hand the stolen (property) shall also be put to death.¹

7. If a man purchase silver or gold, man-servant or maid-servant, ox, sheep, or ass, or anything else from a man's son, or from a man's servant without witnesses or contracts, or if he receive (the same) in trust, that man shall be put to death as a thief.²

8. If a man steal ox or sheep, ass or pig, or boat—if it be from a god (temple) or a palace—he shall restore thirty-fold; if it be from a freeman, he shall render tenfold. If the thief have nothing wherewith to pay, he shall be put to death.³

9. If a man who has lost anything find that which was lost in the possession of (another) man, and the man in whose possession the lost property is found say: "It was sold to me; I purchased it in the presence of witnesses;" and the owner of the lost property say: "I will bring witnesses to identify my lost property;" if the purchaser produce the seller who has sold it to him and the witnesses in whose presence he purchased it, and the owner of the lost property produce witnesses to identify his lost property, the judges shall consider their evidence. The witnesses in whose presence the purchase was made, and the witnesses to identify the lost property shall give their testimony in the presence of the god. The seller shall be put to death as a thief; the owner of the lost property shall recover his loss; the purchaser shall recover from the estate of the seller the money which he paid out.⁴

10. If the purchaser do not produce the seller who sold it to him and the witnesses in whose presence he purchased it, (and) if the owner of the lost property produce witnesses

¹ Cf. Gen. xxxi. 32; Josh. vii. 1 *f.*

² Cf. Gen. xxiii. 10 *f.*; Ruth iv. 2 *f.*

³ Cf. Gen. xl. 9; Exod. xxi. 37, xxii. 1 *f.*, 9; 2 Sam. xii. 6.

⁴ Cf. Exod. xxii. 7-9; Lev. vi. 3.

to identify his lost property, the purchaser shall be put to death as a thief; the owner of the lost property shall recover his loss.¹

11. If the owner (claimant) of the lost property do not produce witnesses to identify his lost property, he has attempted fraud (has lied), he has stirred up strife (calumny), he shall be put to death.²

12. If the seller has gone to (his) fate (*i.e.*, have died), the purchaser shall recover damages in said case fivefold from the estate of the seller.

13. If the witnesses of that man be not at hand, the judges shall declare a postponement for six months; and if he do not bring in his witnesses within the six months, that man has attempted fraud, he shall himself bear the penalty imposed in that case.

14. If a man steal a man's son, who is a minor, he shall be put to death.³

15. If a man aid a male or female slave of the palace, or a male or female slave of a freeman, to escape from the city gate, he shall be put to death.

16. If a man harbour in his house a male or female slave who has fled from the palace or from a freeman, and do not bring him (the slave) forth at the call of the commandant, the owner of that house shall be put to death.⁴

17. If a man seize a male or female slave, a fugitive, in the field, and bring that (slave) back to his owner, the owner of the slave shall pay him two shekels of silver.⁵

18. If that slave will not name his owner, he shall bring him to the palace, and they shall inquire into his antecedents, and they shall return him to his owner.

¹ Cf. Exod. xxii. 7-9; Lev. vi. 3.

² Cf. Deut. xix. 16 f.

³ Cf. Exod. xxi. 16; Deut. xxiv. 7.

⁴ Cf. Deut. xxiii. 15 f.; 1 Sam. xxx. 15.

⁵ Cf. Gen. xvi. 7 f.; Deut. xxiii. 16; 1 Kings ii. 39.

19. If he detain that slave in his house, and later the slave be found in his possession, that man shall be put to death.

20. If the slave escape from the hand of his captor, that man shall so declare, in the name of the god, to the owner of the slave, and shall go free.

21. If a man make a breach in a house, they shall put him to death in front of that breach, and they shall thrust him therein.¹

22. If a man practise brigandage and be captured, that man shall be put to death.

23. If the brigand be not captured, the man who has been robbed shall, in the presence of the god, make an itemized statement of his loss, and the city and the governor, in whose province and jurisdiction the robbery was committed, shall compensate him for whatever was lost.²

24. If it be a life (that is lost), the city and governor shall pay one mana of silver to his people.³

25. If a fire break out in a man's house, and a man who goes to extinguish it cast his eye on the property of the owner of the house and take the property of the owner of the house, that man shall be thrown into that fire.

26. If either an officer or a constable, who is ordered to go on an errand of the king, do not go, but hire a substitute, and despatch him in his stead, that officer or constable shall be put to death; his hired substitute shall take to himself his (the officer's) house.

27. If an officer or a constable, who in a garrison of the king, be captured, and afterward they give his field and garden to another, and he conduct his business—if the former return and arrive in his city, they shall restore to

¹ Cf. Exod. xxii. 2, 3.

² Cf. Deut. xxi. i. f.

³ Cf. Deut. xxi. 1 f.

him his field and garden, and he himself shall conduct his business.

28. If an officer or a constable, who is in a fortress of the king, be captured, (and) his son be able to conduct the business, they shall give to him the field and garden, and he shall conduct the business of his father.

29. If his son be too young, and be not able to conduct the business of his father, they shall give one-third of the field and of the garden to his mother, and his mother shall rear him.

30. If an officer or a constable from the beginning of (or, on account of) (his) business neglect his field, his garden, and his house, and leave them uncared for, (and) another after him take his field, his garden, and his house, and conduct his business for three years—if the former return and desire (or, would manage) his field, his garden, and his house, they shall not give them to him; he who has taken (them) and conducted the business shall continue (to do so).

31. If he leave (them) uncared for but one year and return, they shall give him his field, his garden, and his house, and he himself shall continue his business.

32. If a merchant ransom either an officer or a constable who has been captured on an errand of the king, and enable him to reach his city, if there be sufficient ransom in his house, he shall ransom himself; if there be not sufficient ransom in his house, in the temple of his city he shall be ransomed; if there be not sufficient ransom in the temple of his city, the palace shall ransom him. In no case shall his field or his garden or his house be given for his ransom.

33. If a governor or a magistrate take possession of the men of levy (or pardon a deserter), or accept and send a

hired substitute on an errand of the king, that governor or magistrate shall be put to death.

34. If the governor or a magistrate take the property of an officer, plunder an officer, let an officer for hire, present an officer in a judgment to a man of influence, take the gift which the king has given to an officer, that governor or magistrate shall be put to death.

35. If a man buy from an officer the cattle or sheep which the king has given to that officer, he shall forfeit his money.

36. In no case shall one sell the field or garden or house of an officer, constable, or tax-gatherer.

37. If a man purchase the field or garden or house of an officer, constable, or tax-gatherer, his deed-tablet shall be broken (cancelled), and he shall forfeit his money, and he shall return the field, garden, or house to its owner.

38. An officer, constable, or tax-gatherer shall not make over to his wife or daughter the field, garden, or house, which is his business (*i.e.*, which is his by virtue of his office), nor shall he assign them for debt.

39. He may make over to his wife or daughter the field, garden, or house which he has purchased and (hence) possesses, or he may assign them for debt.

40. A woman, merchant, or other property-holder may sell field, garden, or house. The purchaser shall conduct the business of the field, garden, or house which he has purchased.

41. If a man have bargained for the field, garden, or house of an officer, constable, or tax-gatherer, and given sureties, the officer, constable, or tax-gatherer shall return to his field, garden, or house, and he shall take to himself the sureties which were given to him.

42. If a man rent a field for cultivation and do not produce any grain in the field, they shall call him to

account because he has not performed the work required in the field, and he shall give to the owner of the field grain on the basis of the adjacent (fields).

43. If he do not cultivate the field and neglect it, he shall give to the owner of the field grain on the basis of the adjacent (fields); and the field which he has neglected he shall break up with hoes, he shall harrow, and he shall return it to the owner of the field.

44. If a man rent an unreclaimed field for three years to develop it, and neglect it and do not develop the field, in the fourth year he shall break up the field with hoes, he shall hoe and harrow it, and he shall return it to the owner of the field, and shall measure out 10 GUR of grain per GAN.

45. If a man has given his field to a tenant for crop-rent, and receive the crop-rent of his field, and later Adad (*i.e.*, the Storm God) inundate the field and carry away the produce, the loss (falls on) the tenant.

46. If he have not received the rent of his field, and he have rented the field for either one-half or one-third (of the crop), the tenant and the owner of the field shall divide the grain which is in the field according to agreement.¹

47. If the tenant give the cultivation of the field into the charge of another—because in a former year he has not gained a maintenance—the owner of the field shall not interfere. He would cultivate it, and his field has been cultivated, and at the time of harvest he shall take grain according to his contracts.

48. If a man owe a debt, and Adad inundate his field and carry away the produce, or, through lack of water, grain have not grown in the field, in that year he shall not make any return of grain to the creditor, he shall alter his

¹ *Cf.* Gen. xlvii. 24.

contract-tablet, and he shall not pay the interest for that year.

49. If a man obtain money from a merchant, and give (as security) to the merchant a field to be planted with grain and sesame, (and) say to him : " Cultivate the field, and harvest and take to thyself the grain and sesame which is produced ;" if the tenant raise grain and sesame in the field, at the time of harvest the owner of the field shall receive the grain and sesame which is in the field, and he shall give to the merchant grain for the loan which he had obtained from him and for the interest and for the maintenance of the tenant.

50. If he give (as security) a field planted with (grain) or a field planted with sesame, the owner of the field shall receive the grain or the sesame which is in the field, and he shall return the loan and its interest to the merchant.

51. If he have not the money to return, he shall give to the merchant (grain or) sesame, at their market value according to the scale fixed by the king, for the loan and its interest which he has obtained from the merchant.

52. If the tenant do not secure a crop of grain or sesame in his field, he shall not cancel his contract.

53. If a man neglect to strengthen his dyke and do not strengthen it, and a break be made in his dyke and the water carry away the farm-land, the man in whose dyke the break has been made shall restore the grain which he has caused to be lost.

54. If he be not able to restore the grain, they shall sell him and his goods, and the farmers whose grain the water has carried away shall share (the results of the sale).¹

55. If a man open his canal for irrigation and neglect it, and the water carry away an adjacent field, he shall measure out grain on the basis of the adjacent fields.

¹ Cf. Exod. xxii. 3 ; Lev. xxv. 39 f.

56. If a man opened up the water, and the water carry away the improvements of an adjacent field, he shall measure out 10 GUR of grain per GAN.

57. If a shepherd have not come to an agreement with the owner of a field to pasture his sheep on the grass; and if he pasture his sheep on the field without the consent of the owner, the owner of the field shall harvest his field, and the shepherd who has pastured his sheep on the field without the consent of the owner of the field shall give over and above 20 GUR of grain per GAN to the owner of the field.¹

58. If, after the sheep have gone up from the meadow and have crowded their way out (?) of the gate into the public common, the shepherd turn the sheep into the field and pasture the sheep on the field, the shepherd shall oversee the field on which he pastures, and at the time of harvest he shall measure out 60 GUR of grain per GAN to the owner of the field.

59. If a man cut down a tree in a man's orchard, without the consent of the owner of the orchard, he shall pay one-half mana of silver.

60. If a man give a field to a gardener to plant as an orchard, and the gardener plant the orchard and care for the orchard four years, in the fifth year the owner of the orchard and the gardener shall share equally; the owner of the orchard shall mark off his portion and take it.

61. If the gardener do not plant the whole field, but leave a space waste, they shall assign the waste space to his portion.

62. If he do not plant as an orchard the field which was given to him, if corn be the produce of the field, for the years during which it has been neglected the gardener shall measure out to the owner of the field (such produce)

¹ Cf. Exod. xxii. 4 f.

on the basis of the adjacent fields, and he shall perform the required work on the field, and he shall restore it to the owner of the field.

63. If the field be unreclaimed, he shall perform the required work on the field and he shall restore it to the owner of the field, and he shall measure out 10 GUR of grain per GAN for each year.

64. If a man give his orchard to a gardener to manage, the gardener shall give to the owner of the orchard two-thirds of the produce of the orchard as long as he is in possession of the orchard ; he himself shall take one-third.

65. If the gardener do not properly manage the orchard and he diminish the produce, the gardener shall measure out the produce of the orchard on the basis of the adjacent orchards.

Here five columns of the stele (representing about thirty-five clauses) have been cut off the stone.

100. . . . he shall write down the interest on the money, as much as he has obtained, and he shall reckon its days, and he shall make returns to his merchant.

101. If he do not meet with success where he goes, the agent shall double the amount of money obtained, and he shall pay it to the merchant.

102. If a merchant give money to an agent as a favour, and the latter meet with a reverse where he goes, he shall return the principal of the money to the merchant.

103. If, when he goes on a journey, an enemy rob him of whatever he was carrying, the agent shall take an oath in the name of the god and go free.

104. If a merchant give to an agent grain, wool, oil, or goods of any kind with which to trade, the agent shall write down the value and return (the money) to the

merchant. The agent shall take a sealed receipt for the money which he gives to the merchant.

105. If the agent be careless and do not take a receipt for the money which he has given to the merchant, the money not receipted for shall not be placed to his account.

106. If an agent obtain money from a merchant and have a dispute with the merchant (*i.e.*, deny the fact), that merchant shall call the agent to account in the presence of the god and witnesses for the money obtained, and the agent shall give to the merchant threefold the amount of money which he obtained.

107. If a merchant lend to an agent, and the agent return to the merchant whatever the merchant had given him ; and if the merchant deny (receiving) what the agent has given to him, that agent shall call the merchant to account in the presence of the god and witnesses, and the merchant, because he has had a dispute with his agent, shall give to him sixfold the amount which he obtained.

108. If a wine-seller do not receive grain as the price of drink, but if she receive money by the great stone, or make the measure for drink smaller than the measure for corn, they shall call that wine-seller to account, and they shall throw her into the water.

109. If outlaws collect in the house of a wine-seller, and she do not arrest these outlaws and bring them to the palace, that wine-seller shall be put to death.

110. If a votary, who is not living in a convent, open a wine-shop or enter a wine-shop for a drink, they shall burn that woman.¹

111. If a wine-seller give 60 KA of drink . . . on credit, at the time of harvest, she shall receive 50 KA of grain.

112. If a man be on a journey and he give silver, gold, stones, or portable property to a man with a commission

¹ *Cf.* Gen. xxxviii. 24 ; Lev. xxi. 9.

for transportation, and if that man do not deliver that which was to be transported where it was to be transported, but take it to himself, the owner of the transported goods shall call that man to account for the goods to be transported which he did not deliver, and that man shall deliver to the owner of the transported goods fivefold the amount which was given to him.¹

113. If a man hold a (debt of) grain or money against a man, and if he take grain without the consent of the owner from the heap or the granary, they shall call that man to account for taking grain without the consent of the owner from the heap or the granary, and he shall return as much grain as he took, and he shall forfeit all that he has lent, whatever it be.

114. If a man do not hold a (debt of) grain or money against a man, and if he seize him for debt, for each seizure he shall pay one-third mana of silver.

115. If a man hold a (debt of) grain or money against a man, and he seize him for debt, and the one seized die in the house of him who seized him, that case has no penalty.

116. If the one seized die of abuse or neglect in the house of him who seized him, the owner of the one seized shall call the merchant to account; and if it be a man's son (that he seized) they shall put his son to death; if it be a man's servant (that he seized), he shall pay one-third mana of silver and he shall forfeit whatever amount he had lent.

117. If a man be in debt and sell his wife, son, or daughter, or bind them over to service, for three years they shall work in the house of their purchaser or master; in the fourth year they shall be given their freedom.²

¹ Cf. Exod. xxii. 7 *f.*; Lev. vi. 2 *f.*

² Cf. Gen. xxxi. 41, xlvii. 19; Exod. xxi. 2, 7; Lev. xxv. 39 *f.*; Deut. xv. 12, 14, 18; 2 Kings iv. 1; Neh. v. 5 *f.*; Isa. xvi. 14, xxi. 16, l. 1; Jer. xxxiv. 8; Amos ii. 6, 8.

118. If he bind over to service a male or female slave, and if the merchant transfer or sell such slave, there is no cause for complaint.

119. If a man be in debt and he sell his maid-servant who has borne him children, the owner of the maid-servant (*i.e.*, the man in debt) shall repay the money which the merchant paid (him), and he shall ransom his maid-servant.

120. If a man store his grain in bins in the house of another and an accident happen to the granary, or the owner of the house open a bin and take grain, or he raise a dispute about (or deny) the amount of grain which was stored in his house, the owner of the grain shall declare his grain in the presence of the god, and the owner of the house shall double the amount of the grain which he took and restore it to the owner of the grain.¹

121. If a man store grain in the house of another, he shall pay storage at the rate of 5 KA of grain per GUR each year.

122. If a man give to another silver, gold, or anything else on deposit, whatever he gives he shall show to witnesses, and he shall arrange the contracts (and) then he shall make the deposit.²

123. If a man give on deposit without witnesses or contracts, and at the place of deposit they dispute with him (*i.e.*, deny the deposit), that case has no penalty.

124. If a man give to another silver, gold, or anything else on deposit in the presence of witnesses, and the latter dispute with him (or deny it), they shall call that man to account, and he shall double whatever he has disputed and repay it.

125. If a man give anything of his on deposit, and at the place of deposit either by burglary or pillage he suffer

¹ Cf. Exod. xxii. 6 *f.*

² Cf. Exod. xxii. 7.

loss in common with the owner of the house, the owner of the house who has been negligent and has lost what was given to him on deposit shall make good (the loss) and restore (it) to the owner of the goods; the owner of the house shall institute a search for what has been lost and take it from the thief.¹

126. If a man have not lost anything, but say that he has lost something, or if he file a claim for loss when nothing has been lost, he shall declare his (alleged) loss in the presence of the god, and he shall double and pay for the (alleged) loss the amount for which he made claim.²

127. If a man point the finger at a votary or the wife of another and cannot justify it, they shall drag that man before the judges and they shall brand his forehead.

128. If a man take a wife and do not arrange with her the (proper) contracts, that woman is not a (legal) wife.

129. If the wife of a man be taken in lying with another man, they shall bind them and throw them into the water. If the husband of the woman would save his wife, or if the king would save his male servant (he may).³

130. If a man force the (betrothed) wife of another who has not known a male and is living in her father's house, and he lie in her bosom and they take him, that man shall be put to death and that woman shall go free.⁴

131. If a man accuse his wife and she has not been taken in lying with another man, she shall take an oath in the name of the god and she shall return to her house.

132. If the finger have been pointed at the wife of a man because of another man, and she have not been taken in lying with another man, for her husband's sake she shall throw herself into the river.⁵

¹ Cf. Exod. xxii. 7.

² Cf. Exod. xxii. 9.

³ Cf. Gen. xxxviii. 24; Lev. xx. 10; Deut. xxii. 22 f.

⁴ Cf. Exod. xxii. 16; Deut. xxii. 23 f.

⁵ Cf. Num. v. 12 f.

133. If a man be captured and there be maintenance in his house and his wife go out of her house, she shall protect her body (?) and she shall not enter into another house.

133A. (If) that woman do not protect her body and enter into another house, they shall call that woman to account and they shall throw her into the water.

134. If a man be captured and there be no maintenance in his house, and his wife enter into another house, that woman has no blame.

135. If a man be captured and there be no maintenance in his house, and his wife openly enter into another house and bear children; if later her husband return and arrive in his city, that woman shall return to her husband (and) the children shall go to their father.

136. If a man desert his city and flee, and afterwards his wife enter into another house; if that man return and would take his wife, the wife of the fugitive shall not return to her husband, because he hated his city and fled.

137. If a man set his face to put away a concubine who has borne him children, or a wife who has presented him with children, he shall return to that woman her dowry and shall give to her the income of field, garden, and goods, and she shall bring up her children; from the time that her children are grown up, from whatever is given to her children, they shall give to her a portion corresponding to that of a son, and the man of her choice may marry her.

138. If a man would put away his wife who has not borne him children, he shall give her money to the amount of her marriage settlement, and he shall make good to her the dowry which she brought from her father's house and then he may put her away.¹

139. If there were no marriage settlement, he shall give to her 1 mana of silver for a divorce.

¹ Cf. Deut. xxiv. 1.

140. If he be a freeman, he shall give her one-third mana of silver.

141. If the wife of a man who is living in his house set her face to go out and play the part of a fool, neglect her house, belittle her husband, they shall call her to account; if her husband say: "I have put her away," he shall let her go. On her departure nothing shall be given to her for her divorce. If her husband say: "I have not put her away," her husband may take another woman. The first woman shall dwell in the house of her husband as a maid-servant.

142. If a woman hate her husband, and say: "Thou shalt not have me," they shall inquire into her antecedents for her defects, and if she have been a careful mistress and be without reproach, and her husband have been going about and greatly belittling her, that woman has no blame. She shall receive her dowry and shall go to her father's house.

143. If she have not been a careful mistress, have gadded about, have neglected her house, and have belittled her husband, they shall throw that woman into the water.

144. If a man take a wife and that wife give a maid-servant to her husband and she bear children; if that man set his face to take a concubine, they shall not countenance him. He may not take a concubine.¹

145. If a man take a wife and she do not present him with children and he set his face to take a concubine, that man may take a concubine and take her into his house. That concubine shall not rank with his wife.

146. If a man take a wife and she give a maid-servant to her husband, and that maid-servant bear children and afterwards would take rank with her mistress, because she has borne children, her mistress may not sell her for

¹ Cf. Gen. xvi. 1 f., xxi. 10 f., xxx. 3 f., 9 f.

money, but she may reduce her to bondage and count her among the maid-servants.¹

147. If she have not borne children, her mistress may sell her for money.

148. If a man take a wife and she become afflicted with disease, and if he set his face to take another, he may. His wife, who is afflicted with disease, he shall not put away. She shall remain in the house which he has built and he shall maintain her as long as she lives.

149. If that woman do not elect to remain in her husband's house, he shall make good to her the dowry which she brought from her father's house, and she may go.

150. If a man give to his wife field, garden, house, or goods, and he deliver to her a sealed deed, after (the death of) her husband, her children cannot make claim against her. The mother after her (death) may will to her child whom she loves, but to a brother she may not.

151. If a woman, who dwells in the house of a man, make a contract with her husband that a creditor of his may not hold her (for his debts) and compel him to deliver a written agreement; if that man were in debt before he took that woman, his creditor may not hold his wife, and if that woman were in debt before she entered into the house of the man, her creditor may not hold her husband.

152. If they contract a debt after the woman has entered into the house of the man, both of them shall be answerable to the merchant.

153. If a woman bring about the death of her husband for the sake of another man, they shall impale her.

154. If a man have known his daughter, they shall expel that man from the city.

155. If a man have betrothed a bride to his son and his son have known her, and if he (the father) afterward lie

¹ Cf. Gen. xvi. 4 *f.*, xxi. 10; Deut. xxi. 14; 1 Sam. i. 1 *f.*

in her bosom and they take him, they shall bind that man and throw him into the water.¹

156. If a man have betrothed a bride to his son and his son have not known her, but he himself lie in her bosom, he shall pay her one-half mana of silver and he shall make good to her whatever she brought from the house of her father, and the man of her choice may take her.²

157. If a man lie in the bosom of his mother after (the death of) his father, they shall burn both of them.³

158. If a man, after (the death of) his father, be taken in the bosom of the chief wife (of his father) who has borne children, that man shall be cut off from his father's house.⁴

159. If a man, who has brought a present to the house of his father-in-law and has given the marriage settlement, look with longing upon another woman and say to his father-in-law, "I will not take thy daughter"; the father of the daughter shall take to himself whatever was brought to him.⁵

160. If a man bring a present to the house of his father-in-law and give a marriage settlement, and the father of the daughter say, "I will not give thee my daughter"; he (*i.e.*, the father-in-law) shall double the amount which was brought to him and return it.

161. If a man bring a present to the house of his father-in-law and give a marriage settlement, and his friend slander him; and if his father-in-law say to the claimant of the wife, "My daughter thou shalt not have," he (the father-in-law) shall double the amount which was brought to him and return it, but his friend may not have his wife.

162. If a man take a wife and she bear him children,

¹ *Cf.* Gen. xxiv. 4 *f.*

² *Cf.* Exod. xxii. 16; Lev. xx. 12; Deut. xxii. 28.

³ *Cf.* Lev. xx. 14.

⁴ *Cf.* Lev. xx. 11; Deut. xxii. 30.

⁵ *Cf.* Gen. xxiv. 53 *f.*, xxxi. 15.

and that woman die, her father may not lay claim to her dowry. Her dowry belongs to her children.¹

163. If a man take a wife and she do not present him with children, and that woman die; if his father-in-law return to him the marriage settlement which that man brought to the house of his father-in-law, her husband may not lay claim to the dowry of that woman. Her dowry belongs to the house of her father.

164. If his father-in-law do not return to him the marriage settlement, he may deduct from her dowry the amount of the marriage settlement and return (the rest) of her dowry to the house of her father.

165. If a man present field, garden, or house to his favourite son, and write for him a sealed deed; after the father dies, when the brothers divide, he shall take the present which the father gave him, and over and above they shall divide the goods of the father's house equally.²

166. If a man take wives for his sons, and do not take a wife for his youngest son, after the father dies, when the brothers divide, they shall give from the goods of the father's house to their youngest brother, who has not taken a wife, money for a marriage settlement in addition to his portion, and they shall enable him to take a wife.

167. If a man take a wife and she bear him children, and that woman die, and after her (death) he take another wife and she bear him children, and later the father die, the children of the mothers shall not divide (the estate). They shall receive the dowries of their respective mothers and they shall divide equally the goods of the house of the father.

168. If a man set his face to disinherit his son, and say

¹ Cf. Gen. xxxi. 16.

² Cf. Gen. xxiv. 36, xxv. 5, xxvii. 29, 37, xlviii. 22; Luke xv. 31.

to the judges: "I will disinherit my son," the judges shall inquire into his antecedents, and if the son have not committed a crime sufficiently grave to cut him off from sonship, the father may not cut off his son from sonship.¹

169. If he have committed a crime against his father sufficiently grave to cut him off from sonship, they shall condone his first (offence). If he commit a grave crime a second time, the father may cut off his son from sonship.²

170. If a man's wife bear him children and his maid-servant bear him children, and the father during his lifetime say to the children which the maid-servant bore him: "My children," and reckon them with the children of his wife, after the father dies the children of the wife and the children of the maid-servant shall divide the goods of the father's house equally. The child of the wife shall have the right of choice at the division.³

171. But if the father during his lifetime have not said to the children which the maid-servant bore him: "My children," after the father dies, the children of the maid-servant shall not share in the goods of the father's house with the children of the wife. The maid-servant and her children shall be given their freedom. The children of the wife may not lay claim to the children of the maid-servant for service. The wife shall receive her dowry and the gift which her husband gave and deeded to her on a tablet, and she may dwell in the house of her husband and enjoy (the property) as long as she lives. She cannot sell it, however, for after her (death) it belongs to her children.⁴

172. If her husband have not given her a gift, they shall make good her dowry and she shall receive from the

¹ Cf. Deut. xxi. 18 *f.*

² Cf. Deut. xxi. 21.

³ Cf. Gen. xvi. 15, xxi. 10, xxv. 6.

⁴ Cf. Gen. xxvii. 37, xxxi. 16; Exod. xxi. 10 *f.*; Deut. xxi. 16 *f.*

goods of her husband's house a portion corresponding to that of her son. If her children scheme to drive her out of the house, the judges shall inquire into her antecedents and if the children be in the wrong, she shall not go from her husband's house. If the woman set her face to go out, she shall leave to her children the gift which her husband gave her; she shall receive the dowry of her father's house, and the husband of her choice may take her.¹

173. If that woman bear children to her later husband into whose house she has entered and later on that woman die, the former and the later children shall divide her dowry.

174. If she do not bear children to her later husband, the children of her first husband shall receive her dowry.

175. If either a slave of the palace or a slave of a freeman take the daughter of a man (gentleman) and she bear children, the owner of the slave may not lay claim to the children of the daughter of the man for service.

176. And if a slave of the palace or a slave of a freeman take the daughter of a man (gentleman); and if, when he takes her, she enter into the house of the slave of the palace or the slave of the freeman with the dowry of her father's house; if from the time that they join hands, they build a house and acquire property; and if later on the slave of the palace or the slave of the freeman die, the daughter of the man shall receive her dowry, and they shall divide into two parts whatever her husband and she had acquired from the time they had joined hands; the owner of the slave shall receive one-half and the daughter of the man shall receive one-half for her children.

176A. If the daughter of the man had no dowry they shall divide into two parts whatever her husband and she had acquired from the time they joined hands. The

¹ Cf. Exod. xxi. 9.

owner of the slave shall receive one-half and the daughter of the man shall receive one-half for her children.

177. If a widow, whose children are minors, set her face to enter another house, she cannot do so without the consent of the judges. When she enters another house, the judges shall inquire into the estate of her former husband, and they shall intrust the estate of her former husband to the later husband and that woman, and they shall deliver to them a tablet (to sign). They shall administer the estate and rear the minors. They may not sell the household goods. He who purchases household goods belonging to the sons of a widow shall forfeit his money. The goods shall revert to their owner.

178. If (there be) a votary or a devotee to whom her father has given a dowry and written a deed of gift; if in the deed which he has written for her, he have not written "after her (death) she may give to whomsoever she may please," and if he have not granted her full discretion; after her father dies her brothers shall take her field and garden and they shall give her grain, oil, and wool according to the value of her share, and they shall make her content. If her brothers do not give her grain, oil, and wool according to the value of her share and they do not make her content, she may give her field and garden to any tenant she may please and her tenant shall maintain her. She shall enjoy the field, garden, or anything else which her father gave her as long as she lives. She may not sell it, nor transfer it. Her heritage belongs to her brothers.

179. If (there be) a votary or a devotee to whom her father has given a dowry and written a deed of gift; if in the deed which he has written for her, he have written "after her (death) she may give to whomsoever she may please," and he have granted her full discretion; after her

father dies she may give it to whomsoever she may please after her (death). Her brothers may not lay claim against her.

180. If a father do not give a dowry to his daughter, a bride or devotee, after her father dies she shall receive as her share in the goods of her father's house the portion of a son, and she shall enjoy it as long as she lives. After her (death) it belongs to her brothers.

181. If a father devote a votary or hierodule or virgin to a god and do not give her a dowry, after her father dies she shall receive as her share in the goods of her father's house one-third of the portion of a son, and she shall enjoy it as long as she lives. After her (death), it belongs to her brothers.

182. If a father do not give a dowry to his daughter, a votary of Marduk of Babylon, and do not write for her a deed of gift; after her father dies she shall receive as her share with her brothers one-third the portion of a son in the goods of her father's house, but she shall not conduct the business thereof. A votary of Marduk, after her (death), may give to whomsoever she may please.

183. If a father present a dowry to his daughter, who is a concubine, and give her to a husband and write a deed of gift; after the father dies she shall not share in the goods of her father's house.¹

184. If a man do not present a dowry to his daughter, who is a concubine, and do not give her to a husband; after her father dies her brothers shall present her a dowry proportionate to the fortune of her father's house and they shall give her to a husband.²

185. If a man take in his name a young child as a son,

¹ Cf. Gen. xxv. 6; Judg. xi. 2.

² Cf. Gen. xxv. 6; Deut. xxi. 15 f.

and rear him, one may not bring claim for that adopted son.¹

186. If a man take a young child as a son, and when he takes him he is rebellious towards his father and mother (who have adopted him), that adopted son shall return to the house of his father.

187. One may not bring a claim for the son of a NER. SE. GA, who is a palace guard, or the son of a devotee.

188. If an artisan take a son for adoption and teach him his handicraft, one may not bring claim for him.

189. If he do not teach him his handicraft, that adopted son may return to his father's house.

190. If a man do not reckon among his sons the young child whom he has taken for a son and reared, that adopted son may return to his father's house.

191. If a man who has taken a young child as a son and reared him, establish his own house and acquire children, and set his face to cut off the adopted son, that son shall not go his way. The father who reared him shall give to him of his goods one-third the portion of a son and he shall go. He shall not give to him of field, garden, or house.

192. If the son of a NER. SE. GA, or the son of a devotee, say to his father who has reared him, or his mother who has reared him: "My father thou art not," "My mother thou art not," they shall cut out his tongue.

193. If the son of a NER. SE. GA, or the son of a devotee, identify his own father's house and hate the father who has reared him and the mother who has reared him and go back to his father's house, they shall pluck out his eye.²

194. If a man give his son to a nurse and that son die in the hands of the nurse, and the nurse substitute another son without the consent of his father or mother,

¹ Cf. Gen. xlviii. 5.

² Cf. Prov. xxx. 17.

they shall call her to account, and because she has substituted another son without the consent of his father or mother, they shall cut off her breasts.

195. If a son strike his father, they shall cut off his fingers.¹

196. If a man destroy the eye of a man (gentleman), they shall destroy his eye.²

197. If one break a man's bone, they shall break his bone.

198. If one destroy the eye of a freeman or break the bone of a freeman, he shall pay 1 mana of silver.

199. If one destroy the eye of a man's slave, or break a bone of a man's slave, he shall pay one-half his price.³

200. If a man knock out a tooth of a man of his own rank, they shall knock out his tooth.⁴

201. If one knock out the tooth of a freeman, he shall pay one-third mana of silver.

202. If a man strike the person of a man—*i.e.*, commit an assault—who is his superior, he shall receive 60 strokes with an ox-tail whip in public.

203. If a man strike another man of his own rank, he shall pay 1 mana of silver.

204. If a freeman strike a freeman, he shall pay 10 shekels of silver.

205. If a man's slave strike a man's son, they shall cut off his ear.

206. If a man strike another man in a quarrel and wound him, he shall swear: "I struck him without intent," and he shall be responsible for the physician.⁵

207. If (he) die as the result of the stroke, he shall

¹ Cf. Exod. xxi. 15, 17.

² Cf. Exod. xxi. 23-25; Lev. xxiv. 20; Deut. xix. 21; Matt. v. 38.

³ Cf. Exod. xxi. 26 f.

⁴ Cf. Exod. xxi. 24.

⁵ Cf. Exod. xxi. 18 f.; Num. xxxv. 16 f.; Deut. xix. 4 f.

swear (as above), and if he be a man, he shall pay one-half mana of silver.¹

208. If (he) be a freeman, he shall pay one-third mana of silver.

209. If a man strike a man's daughter and bring about a miscarriage, he shall pay 10 shekels of silver for her miscarriage.²

210. If that woman die, they shall put his daughter to death.³

211. If, through a stroke, he bring about a miscarriage to the daughter of a freeman, he shall pay 5 shekels of silver.

212. If that woman die, he shall pay one-half mana of silver.

213. If he strike the female slave of a man and bring about a miscarriage, he shall pay 2 shekels of silver.⁴

214. If that female slave die, he shall pay one-third mana of silver.⁵

215. If a physician operate on a man for a severe wound (or make a severe wound upon a man) with a bronze lancet and save the man's life; or if he open an abscess (in the eye) of a man with a bronze lancet and save that man's eye, he shall receive 10 shekels of silver (as his fee).

216. If he be a freeman, he shall receive 5 shekels.

217. If it be a man's slave, the owner of the slave shall give 2 shekels of silver to the physician.

218. If a physician operate on a man for a severe wound with a bronze lancet and cause the man's death; or open an abscess (in the eye) of a man with a bronze lancet and destroy the man's eye, they shall cut off his fingers.

219. If a physician operate on a slave of a freeman for a

¹ Cf. Exod. xxi. 18 f.; Num. xxxv. 16 f.; Deut. xix. 4 f.

² Cf. Exod. xxi. 22.

³ Cf. Exod. xxi. 23; Deut. xxiv. 16.

⁴ Cf. Exod. xxi. 20.

⁵ Cf. Exod. xxi. 22.

severe wound with a bronze lancet and cause his death, he shall restore a slave of equal value.

220. If he open an abscess (in his eye) with a bronze lancet, and destroy his eye, he shall pay silver to the extent of one-half of his price.

221. If a physician set a broken bone for a man or cure his diseased bowels, the patient shall give 5 shekels of silver to the physician.

222. If he be a freeman, he shall give 3 shekels of silver.

223. If it be a man's slave, the owner of the slave shall give 2 shekels of silver to the physician.

224. If a veterinary surgeon operate on an ox or an ass for a severe wound and save its life, the owner of the ox or ass shall give to the physician, as his fee, one-sixth of a shekel of silver.

225. If he operate on an ox or an ass for a severe wound and cause its death, he shall give to the owner of the ox or ass one-fourth its value.

226. If a brander, without the consent of the owner of the slave, brand a slave with the sign that he cannot be sold, they shall cut off the fingers of that brander.

227. If a man deceive a brander, and he brand a slave with the sign that he cannot be sold, they shall put that man to death, and they shall cast him into his house. The brander shall swear: "I did not brand him knowingly," and he shall go free.

228. If a builder build a house for a man and complete it, (that man) shall give him 2 shekels of silver per SAR of house as his wage.

229. If a builder build a house for a man and do not make its construction firm, and the house which he has built collapse and cause the death of the owner of the house, that builder shall be put to death.

230. If it cause the death of a son of the owner of the house, they shall put to death a son of that builder.¹

231. If it cause the death of a slave of the owner of the house, he shall give to the owner of the house a slave of equal value.

232. If it destroy property, he shall restore whatever is destroyed, and because he did not make the house which he built firm and it collapsed, he shall rebuild the house which collapsed from his own property (*i.e.*, at his own expense).

233. If a builder build a house for a man and do not make its construction meet the requirements and a wall fall in, that builder shall strengthen that wall at his own expense.

234. If a boatman build a boat of 60 GUR for a man, he shall give to him 2 shekels of silver as his wage.

235. If a boatman build a boat for a man and he do not make its construction seaworthy and that boat meet with a disaster in the same year in which it was put into commission, the boatman shall reconstruct that boat and he shall strengthen it at his own expense, and he shall give the boat when strengthened to the owner of the boat.

236. If a man hire his boat to a boatman and the boatman be careless and he sink or wreck the boat, the boatman shall replace the boat to the owner of the boat.

237. If a man hire a boatman and a boat, and freight it with grain, wool, oil, dates, or any other kind of freight, and that boatman be careless and he sink the boat or wreck its cargo, the boatman shall replace the boat which he sank and whatever portion of the cargo he wrecked.

238. If a boatman sink a man's boat and refloat it, he shall give silver to the extent of one-half its value.

¹ Cf. Deut. xxiv. 16.

239. If a man hire a boatman he shall give him 6 GUR of grain per year.

240. If a boat under way strike a ferryboat (or boat at anchor) and sink it, the owner of the boat whose boat was sunk shall make declaration in the presence of the god of everything that was lost in his boat and (the owner) of (the vessel) under way which sank the ferryboat shall replace his boat and whatever was lost.

241. If a man seize an ox for debt, he shall pay one-third mana of silver.¹

242, 243. If a man hire (an ox) for a year, he shall give to its owner 4 GUR of grain as the hire of a draught ox (and) 3 GUR of grain as the hire of a milch cow.

244. If a man hire an ox or an ass and a lion kill it in the field, it is the owner's affair.

245. If a man hire an ox and cause its death through neglect or abuse, he shall restore an ox of equal value to the owner of the ox.²

246. If a man hire an ox and he break its foot or cut its hamstring (?), he shall restore an ox of equal value to the owner of the ox.³

247. If a man hire an ox and destroy its eye, he shall pay silver to the owner of the ox to the extent of one-half its value.³

248. If a man hire an ox and break its horn or cut off its tail or injure the flesh (through which) the ring (passes), he shall pay silver to the extent of one-fourth (?) of its value.³

249. If a man hire an ox and the god strike and it die, the man who hired the ox shall take an oath before the god and go free.³

¹ Cf. Exod. xxii. 25, 26 ; Deut. xxiv. 6, 17 ; Job xxiv. 2.

² Cf. Exod. xxii. 10 f. ; Lev. xxiv. 21.

³ Cf. Exod. xxii. 10 f.

250. If a savage bull, in his charge, gore a man and bring about his death, this case has no penalty.¹

251. If a man's bull have been wont to gore, and they have made known to him his habit of goring and he have not protected his horns or have not tied him up, and the bull gore the son of a man and bring about his death, he shall pay one-half mana of silver.²

252. If it be the servant of a man, he shall pay one-third mana of silver.³

253. If a man hire a man to oversee his farm and furnish him with seed-grain and entrust him with oxen and contract with him to cultivate the field, and that man steal either the seed or the crop and it be found in his possession, they shall cut off his fingers.

254. If he take the seed-grain and overwork the oxen, he shall restore the quantity of grain which he has hoed.

255. If he let the oxen of the man on hire, or steal the seed-grain and there be no crop in the field, they shall call that man to account, and he shall measure out 60 GUR of grain per GAN.

256. If he be not able to meet his obligation, they shall leave him in that field with the cattle.

257. If a man hire a field-labourer, he shall pay him 8 GUR of grain per year.

258. If a man hire a herdsman, he shall pay him 6 GUR of grain per year.

259. If a man steal a watering-machine in a field, he shall pay 5 shekels of silver to the owner of the watering-machine.

260. If a man steal a watering-bucket or a harrow, he shall pay 3 shekels of silver.

¹ Cf. Exod. xxi. 28.

² Cf. Exod. xxi. 29 f.

³ Cf. Exod. xxi. 32.

261. If a man hire a herdsman to pasture oxen or sheep, he shall pay him 8 GUR of grain per year.

262. If a man, an ox, or a sheep to . . .

263. If he lose an ox or sheep which is given to him, he shall restore to their owner ox for ox, sheep for sheep.¹

264. If a shepherd, to whom oxen or sheep have been given to pasture, receive as his hire whatever was agreed upon (?) and be satisfied, and he let the cattle or sheep decrease in number, or lessen the birth-rate, according to his contracts he shall make good the birth-rate and the produce.

265. If a shepherd, to whom oxen or sheep have been given to pasture, have been dishonest or have altered the price, or sold them, they shall call him to account, and he shall restore to their owner oxen and sheep tenfold what he has stolen.

266. If a visitation of god happen to a fold, or a lion kill, the shepherd shall declare himself innocent before the god, and the owner of the fold shall suffer the damage.²

267. If a shepherd be careless and he bring about an accident in the fold, the shepherd shall make good in cattle and sheep the loss through the accident which he brought about in the fold, and give them to their owner.³

268. If a man hire an ox to thresh, 20 KA of grain is its hire.

269. If he hire an ass to thresh, 10 KA of grain is its hire:

270. If he hire a young animal (goat) to thresh, 1 KA of grain is its hire.

271. If a man hire oxen, a wagon, and a driver, he shall pay 180 KA of grain per day.

272. If a man hire a wagon only, he shall pay 40 KA of grain per day.

¹ Cf. Lev. xxiv. 18.

² Cf. Exod. xxii. 10 f. ; John x. 12.

³ Cf. Exod. xxii. 12.

273. If a man hire a labourer, from the beginning of the year until the fifth month, he shall pay 6 SE of silver per day; from the sixth month until the end of the year he shall pay 5 SE of silver per day.

274. If a man hire an artisan, the wage of a . . . is 5 SE of silver; the wage of a brickmaker (?) is 5 SE of silver; the wage of a tailor is 5 SE of silver; the wage of a stone-cutter is . . . SE of silver; the wage of a . . . is . . . SE of silver; the wage of a . . . is . . . SE of silver; the wage of a carpenter is 4 SE of silver; the wage of a (?) is . . . SE of silver; the wage of a . . . is . . . SE of silver; the wage of a mason is . . . SE of silver; so much per day shall he pay.

275. If a man hire a . . . its hire is 3 SE of silver per day.

276. If he hire a sail-boat (?), he shall pay $2\frac{1}{2}$ SE of silver per day as its hire.

277. If a man hire a boat of 60 GUR (tonnage), he shall pay one-sixth of a shekel of silver as its hire per day.

278. If a man sell a male or female slave, and the slave have not completed his month, and the *bennu* fever fall upon him, he (the purchaser) shall return him to the seller, and he shall receive the money which he paid.

279. If a man sell a male or female slave and there be a claim upon him, the seller shall be responsible for the claim.

280. If a man purchase a male or female slave of a man in a foreign country, and if, when he comes back to his own land, the (former) owner of the male or female slave recognize his male or female slave—if the male or female slave be a native of the land, he shall grant them their freedom without money.¹

281. If they be natives of another land, the purchaser

¹ Cf. Exod. xxi. 8.

shall declare before the god the money which he paid (for them), and the owner of the male or female slave shall give to the merchant the money which he paid out, and he (the owner) shall receive into his care his male or female slave.

282. If a male slave say to his master : "Thou art not my master," his master shall prove him to be his slave, and shall cut off his ear.

EPILOGUE.

The righteous laws, which Hammurabi, the wise king, established and (by which) he gave the land stable support and pure government. Hammurabi, the perfect king, am I. I was not careless, nor was I neglectful of the Black Head people, whose rule Enlil presented and Marduk delivered to me. I provided them with a peaceful country. I opened up difficult barriers and lent them support. With the powerful weapon which Za-mámá and Nana entrusted to me, with the breadth of vision which Ea allotted to me, with the might which Marduk gave me, I expelled the enemy to the north and south ; I made an end of their raids ; I brought health to the land ; I made the populace to rest in security ; I permitted no one to molest them.

The great gods proclaimed me, and I am the guardian governor, whose sceptre is righteous and whose beneficent protection is spread over my city. In my bosom I carried the people of the land of Sumer and Akkad ; under my protection I brought their brethren into security ; in my wisdom I restrained (hid) them ; that the strong might not oppose the weak, and that they should give justice to the orphan and the widow, in Babylon, the city whose turrets Anu and Enlil raised ; in Esagila, the temple whose foundations are firm as heaven and earth, for the pro-

nouncing of judgments in the land, for the rendering of decisions for the land, and for the righting of wrong, my weighty words I have written upon my monument, and in the presence of my image as king of righteousness have I established.

The king, who is pre-eminent among city kings, am I. My words are precious, my wisdom is unrivalled. By the command of Shamash, the great judge of heaven and earth, may I make righteousness to shine forth in the land. By the order of Marduk, my lord, may no one efface my statues, may my name be remembered with favour in Esagila for ever.

(Col. 41.) Let any oppressed man, who has a cause, come before my image as king of righteousness! Let him read the inscriptions on my monument! Let him give heed to my weighty words! And may my monument enlighten him as to his cause, and may he understand his case! May he set his heart at ease! (and he will exclaim): "Hammurabi indeed is a ruler, who is like a real father to his people; he has given reverence to the words of Marduk, his lord; he has obtained victory for Marduk in north and south; he has made glad the heart of Marduk, his lord; he has established prosperity for the people for all time and given a pure government to the land." Let him read the code and pray with full heart before Marduk, my lord, and Zarpanit, my lady, and may the protecting deities, the gods who enter Esagila, daily in the midst of Esagila look with favour on his wishes (plans) in the presence of Marduk, my lord, and Zarpanit, my lady!

In the days that are yet to come, for all future time, may the king who is in the land observe the words of righteousness which I have written upon my monument! May he not alter the judgments of the land which I have

pronounced, or the decisions of the country which I have rendered! May he not efface my statues! If that man have wisdom, if he wish to give his land good government, let him give attention to the words which I have written upon my monument! And may this monument enlighten him as to procedure and administration, the judgments which I have pronounced, and the decisions which I have rendered for the land! And let him rightly rule his Black Head people; let him pronounce judgments for them and render for them decisions! Let him root out the wicked and evildoer from his land! Let him promote the welfare of his people!

Hammurabi, the king of righteousness, whom Shamash has endowed with justice, am I. My words are weighty; my deeds are unrivalled. . . .

(Col. 42.) and the bringing to honour.

If that man pay attention to my words which I have written upon my monument, do not efface my judgments, do not overrule my words, and do not alter my statues, then will Shamash prolong that man's reign, as he has mine, who am king of righteousness, that he may rule his people in righteousness.

If that man do not pay attention to my words which I have written upon my monument; if he forget my curse and do not fear the curse of god; if he abolish the judgments which I have formulated, overrule my words, alter my statues, efface my name written thereon and write his own name; on account of these curses, commission another to do so—as for that man, be he king or lord, or priest-king or commoner, whoever he may be, may the great god, the father of the gods, who has ordained my reign, take from him the glory of his sovereignty, may he break his sceptre and curse his fate!

May Enlil, the lord, who determines destinies, whose

command cannot be altered, who has enlarged my dominion, drive him out from his dwelling through a revolt which his hand cannot control and a curse destructive to him! May he determine as his fate a reign of sighs, days few in number, years of famine, darkness without light, death staring him in the face! The destruction of his city, the dispersion of his people, the wresting away of his dominion, the blotting out of his name and memory from the land, may Enlil order with his potent command!

· May Belit, the august mother, whose command is potent in E-kur, who looks with gracious favour upon my plans, in the place of judgment and decisions pervert his words in the presence of Enlil! May she put into the mouth of Enlil, the king, the ruin of his land, the destruction of his people, and the pouring out of his life like water!

May Ea, the great prince, whose decrees take precedence, the leader of the gods, who knows everything; who prolongs (Col. 43) the days of my life, deprive him of knowledge and wisdom! May he bring him to oblivion, and dam up his rivers at their sources! May he not permit corn, which is the life of the people, to grow in his land!

May Shamash, the great judge of heaven and earth, who rules all living creatures, the lord (inspiring) confidence, overthrow his dominion; may he not grant him his rights! May he make him to err in his path, may he destroy the mass (foundation) of his troops! May he bring to his view an evil omen of the uprooting of the foundation of his sovereignty, and the ruin of his land!

May the blighting curse of Shamash come upon him quickly! May he cut off his life above (upon the earth)! Below, within the earth, may he deprive his spirit of water!

May Sin, the lord of heaven, my divine creator, whose scimitar shines among the gods, take away from him the

crown and throne of sovereignty ! May he lay upon him heavy guilt and great sin, which will not depart from him ! May he bring to an end the days, months, and years of his reign with sighing and tears ! May he multiply the burdens of his sovereignty ! May he determine as his fate a life like unto death !

May Adad, the lord of abundance, the agent of heaven and earth, my helper, deprive him of the rain from heaven and the water-floods from the springs ! May he bring his land to destruction through want and hunger ! May he break loose furiously over his city and turn his land into a heap left by a whirlwind !

May Za-má-má, the great warrior, the chief son of E-kur, who goes at my right hand, shatter his weapons on the field of battle ! May he turn day into night for him, and place his enemy over him !

May Ishtar, goddess of battle and conflict, who makes ready my weapons, the gracious protecting deity, who loves my reign, curse his dominion with great fury in her wrathful heart, and turn good into evil for him (Col. 44) ! May she shatter his weapons on the field of battle and conflict ! May she create confusion and revolt for him ! May she strike down his warriors, may their blood water the earth ! May she cast the bodies of his warriors upon the field in heaps ! May she not grant his warriors [burial (?)] ! May she deliver him into the hands of his enemies, and may they carry him away bound into a hostile land !

May Nergal, the mighty among the gods, the warrior without an equal, who grants me victory, in his great power, burn his people like a raging fire of swamp-reed ! With his powerful weapon, may he cut him off and may he break his members like an earthen image !

May Nin-tu, the exalted mistress of the lands, the mother

who bore me, deny him a son ! May she not let him hold a name among his people, nor beget an heir !

May Nin-kar-ra-ša, the daughter of Anu, who commands favours for me in E-kur, cause to come upon his members until it overcomes his life a grievous malady, an evil disease, a dangerous sore, which cannot be cured, which the physician cannot diagnose, which he cannot allay with bandages, and which, like the bite of death, cannot be removed ! May he lament the loss of his vigour !

May the great gods of heaven and earth, the Anunnaki in their assembly, curse with blighting curses the wall of the temple, the construction of the E-babbarra, his seed, his land, his army, his people, and his troops !

May Enlil with his command, which cannot be altered, curse him with a powerful curse, and may it come upon him speedily !

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