Code of Hammurabi

1. If any one ensnare another, putting a ban upon him, but he cannot prove it, then he that ensnared him shall be put to death.
2. If any one bring an accusation against a man, and the accused go to the river and leap into the river, if he sink in the river his accuser shall take possession of his house. But if the river prove that the accused is not guilty, and he escape unhurt, then he who had brought the accusation shall be put to death, while he who leaped into the river shall take possession of the house that had belonged to his accuser.
3. If any one bring an accusation of any crime before the elders, and does not prove what he has charged, he shall, if it be a capital offense charged, be put to death.
4. If he satisfy the elders to impose a fine of grain or money, he shall receive the fine that the action produces.
5. If a judge try a case, reach a decision, and present his judgment in writing; if later error shall appear in his decision, and it be through his own fault, then he shall pay twelve times the fine set by him in the case, and he shall be publicly removed from the judge’s bench, and never again shall he sit there to render judgement.
6. If any one steal the property of a temple or of the court, he shall be put to death, and also the one who receives the stolen thing from him shall be put to death.
7. If any one buy from the son or the slave of another man, without witnesses or a contract, silver or gold, a male or female slave, an ox or a sheep, an ass or anything, or if he take it in charge, he is considered a thief and shall be put to death.
8. If any one steal cattle or sheep, or an ass, or a pig or a goat if it belong to a god or to the court, the thief shall pay thirtyfold therefore; if they belonged to a freed man of the king he shall pay tenfold; if the thief has nothing with which to pay he shall be put to death.
9. If any one lose an article, and find it in the possession of another: if the person in whose possession the thing is found say “A merchant sold it to me, I paid for it before witnesses,” and if the owner of the thing say, “I will bring witnesses who know my property,” then shall the purchaser bring the merchant who sold it to him, and the witnesses before whom he bought it, and the owner shall bring witnesses who can identify his property. The judge shall examine their testimony — both of the witnesses before whom the price was paid, and of the witnesses who identify the lost article on oath. The merchant is then proved to be a thief and shall be put to death. The owner of the lost article receives his property, and he who bought it receives the money he paid from the estate of the merchant.
10. If the purchaser does not bring the merchant and the witnesses before whom he bought the article, but its owner bring witnesses who identify it, then the buyer is the thief and shall be put to death, and the owner receive the lost article.
11. If the owner do not bring witnesses to identify the lost article, he is an evil-doer, he has traduced, and shall be put to death.
12. If the witnesses be not at hand, then shall the judge set a limit, at the expiration of six months. If his witnesses have not appeared within the six months, he is an evil-doer, and shall bear the fine of the pending case.
13. (There is no 13th Law because, then as now, the number 13 was considered to be an unlucky and evil number. See LAW Museum Archives.)
14. If any one steal the minor son of another, he shall be put to death.
15. If any one take a male or female slave of the court, or a male or female slave of a freed man, outside the city gates, he shall be put to death.
16. If any one receive into his house a runaway male or female slave of the court, or of a freedman, and does not bring it out at the public proclamation of the major domus, the master of the house shall be put to death.
17. If any one find runaway male or female slaves in the open country and bring them to their masters, the master of the slaves shall pay him two shekels of silver.
18. If the slave will not give the name of the master, the finder shall bring him to the palace; a further investigation must follow, and the slave shall be returned to his master.
19. If he hold the slaves in his house, and they are caught there, he shall be put to death.
20. If the slave that he caught run away from him, then shall he swear to the owners of the slave, and he is free of all blame.
21. If any one break a hole into a house (break in to steal), he shall be put to death before that hole and be buried.
22. If any one is committing a robbery and is caught, then he shall be put to death.
23. If the robber is not caught, then shall he who was robbed claim under oath the amount of his loss; then shall the community, and . . . on whose ground and territory and in whose domain it was compensate him for the goods stolen.
24. If persons are stolen, then shall the community and . . . pay one mina of silver to their relatives.
25. If fire break out in a house, and some one who comes to put it out cast his eye upon the property of the owner of the house, and take the property of the master of the house, he shall be thrown into that self-same fire.
26. If a chieftain or a man (common soldier), who has been ordered to go upon the king's highway for war does not go, but hires a mercenary, if he withholds the compensation, then shall this officer or man be put to death, and he who represented him shall take possession of his house.

27. If a chieftain or man be caught in the misfortune of the king (captured in battle), and if his fields and garden be given to another and he take possession, if he return and reaches his place, his field and garden shall be returned to him, he shall take it over again.

28. If a chieftain or a man be caught in the misfortune of a king, if his son is able to enter into possession, then the field and garden shall be given to him, he shall take over the fee of his father.

29. If his son is still young, and can not take possession, a third of the field and garden shall be given to his mother, and she shall bring him up.

30. If a chieftain or a man leave his house, garden, and field and hires it out, and some one else takes possession of his house, garden, and field and uses it for three years: if the first owner return and claims his house, garden, and field, it shall not be given to him, but he who has taken possession of it and used it shall continue to use it.

31. If he hire it out for one year and then return, the house, garden, and field shall be given back to him, and he shall take it over again.

32. If a chieftain or a man is captured on the “Way of the King” (in war), and a merchant buy him free, and bring him back to his place; if he have the means in his house to buy his freedom, he shall buy himself free: if he have nothing in his house with which to buy himself free, he shall be bought free by the temple of his community; if there be nothing in the temple with which to buy him free, the court shall buy his freedom. His field, garden, and house shall not be given for the purchase of his freedom.

33. If a . . . or a . . . enter himself as withdrawn from the “Way of the King,” and send a mercenary as substitute, but withdraw him, then the . . . or . . . shall be put to death.

34. If a . . . or a . . . harm the property of a captain, injure the captain, or take away from the captain a gift presented to him by the king, then the . . . or . . . shall be put to death.

35. If any one buy the cattle or sheep which the king has given to chieftains from him, he loses his money.

36. The field, garden, and house of a chieftain, of a man, or of one subject to quit-rent, can not be sold.
37. If any one buy the field, garden, and house of a chieftain, man, or one subject to quit-rent, his contract tablet of sale shall be broken (declared invalid) and he loses his money. The field, garden, and house return to their owners.

38. A chieftain, man, or one subject to quit-rent can not assign his tenure of field, house, and garden to his wife or daughter, nor can he assign it for a debt.

39. He may, however, assign a field, garden, or house which he has bought, and holds as property, to his wife or daughter or give it for debt.

40. He may sell field, garden, and house to a merchant (royal agents) or to any other public official, the buyer holding field, house, and garden for its usufruct.

41. If any one fence in the field, garden, and house of a chieftain, man, or one subject to quit-rent, furnishing the palings therefor; if the chieftain, man, or one subject to quit-rent return to field, garden, and house, the palings which were given to him become his property.

42. If any one take over a field to till it, and obtain no harvest therefrom, it must be proved that he did no work on the field, and he must deliver grain, just as his neighbor raised, to the owner of the field.

43. If he do not till the field, but let it lie fallow, he shall give grain like his neighbor's to the owner of the field, and the field which he let lie fallow he must plow and sow and return to its owner.

44. If any one take over a waste-lying field to make it arable, but is lazy, and does not make it arable, he shall plow the fallow field in the fourth year, harrow it and till it, and give it back to its owner, and for each ten gan (a measure of area) ten gur of grain shall be paid.

45. If a man rent his field for tillage for a fixed rental, and receive the rent of his field, but bad weather come and destroy the harvest, the injury falls upon the tiller of the soil.

46. If he do not receive a fixed rental for his field, but lets it on half or third shares of the harvest, the grain on the field shall be divided proportionately between the tiller and the owner.

47. If the tiller, because he did not succeed in the first year, has had the soil tilled by others, the owner may raise no objection; the field has been cultivated and he receives the harvest according to agreement.

48. If any one owe a debt for a loan, and a storm prostrates the grain, or the harvest fail, or the grain does not grow for lack of water; in that year he need not give his creditor any grain, he washes his debt-tablet in water and pays no rent for this year.

49. If any one take money from a merchant, and give the merchant a field tillable for corn or sesame and order him to plant corn or sesame in the field, and to harvest the
crop; if the cultivator plant corn or sesame in the field, at the harvest the corn or sesame that is in the field shall belong to the owner of the field and he shall pay corn as rent, for the money he received from the merchant, and the livelihood of the cultivator shall he give to the merchant.

50. If he give a cultivated corn-field or a cultivated sesame-field, the corn or sesame in the field shall belong to the owner of the field, and he shall return the money to the merchant as rent.

The Code of Laws 51 – 100

51. If he have no money to repay, then he shall pay in corn or sesame in place of the money as rent for what he received from the merchant, according to the royal tariff.

52. If the cultivator do not plant corn or sesame in the field, the debtor’s contract is not weakened.

53. If any one be too lazy to keep his dam in proper condition, and does not so keep it; if then the dam break and all the fields be flooded, then shall he in whose dam the break occurred be sold for money, and the money shall replace the corn which he has caused to be ruined.

54. If he be not able to replace the corn, then he and his possessions shall be divided among the farmers whose corn he has flooded.

55. If any one open his ditches to water his crop, but is careless, and the water flood the field of his neighbor, then he shall pay his neighbor corn for his loss.

56. If a man let in the water, and the water overflow the plantation of his neighbor, he shall pay ten gur of corn for every ten gan of land.

57. If a shepherd, without the permission of the owner of the field, and without the knowledge of the owner of the sheep, lets the sheep into a field to graze, then the owner of the field shall harvest his crop, and the shepherd, who had pastured his flock there without permission of the owner of the field, shall pay to the owner twenty gur of corn for every ten gan.

58. If after the flocks have left the pasture and been shut up in the common fold at the city gate, any shepherd let them into a field and they graze there, this shepherd shall take possession of the field which he has allowed to be grazed on, and at the harvest he must pay sixty gur of corn for every ten gan.

59. If any man, without the knowledge of the owner of a garden, fell a tree in a garden he shall pay half a mina in money.
60. If any one give over a field to a gardener, for him to plant it as a garden, if he work at it, and care for it for four years, in the fifth year the owner and the gardener shall divide it, the owner taking his part in charge.
61. If the gardener has not completed the planting of the field, leaving one part unused, this shall be assigned to him as his.
62. If he do not plant the field that was given over to him as a garden, if it be arable land (for corn or sesame) the gardener shall pay the owner the produce of the field for the years that he let it lie fallow, according to the product of neighboring fields, put the field in arable condition and return it to its owner.
63. If he transform waste land into arable fields and return it to its owner, the latter shall pay him for one year ten gur for ten gan.
64. If any one hand over his garden to a gardener to work, the gardener shall pay to its owner two-thirds of the produce of the garden, for so long as he has it in possession, and the other third shall he keep.
65. If the gardener do not work in the garden and the product fall off, the gardener shall pay in proportion to other neighboring gardens.

[The text for laws 66 through 99 is missing]

100. . . . interest for the money, as much as he has received, he shall give a note therefor, and on the day, when they settle, pay to the merchant.

The Code of Laws 101 – ???

101. If there are no mercantile arrangements in the place whither he went, he shall leave the entire amount of money which he received with the broker to give to the merchant.
102. If a merchant entrust money to an agent (broker) for some investment, and the broker suffer a loss in the place to which he goes, he shall make good the capital to the merchant.
103. If, while on the journey, an enemy take away from him anything that he had, the broker shall swear by God and be free of obligation.
104. If a merchant give an agent corn, wool, oil, or any other goods to transport, the agent shall give a receipt for the amount, and compensate the merchant therefor. Then he shall obtain a receipt from the merchant for the money that he gives the merchant.
105. If the agent is careless, and does not take a receipt for the money which he gave the merchant, he can not consider the unreceipted money as his own.
106. If the agent accept money from the merchant, but have a quarrel with the merchant (denying the receipt), then shall the merchant swear before God and
witnesses that he has given this money to the agent, and the agent shall pay him three
times the sum.
107. If the merchant cheat the agent, in that as the latter has returned to him all that
had been given him, but the merchant denies the receipt of what had been returned to
him, then shall this agent convict the merchant before God and the judges, and if he still
deny receiving what the agent had given him shall pay six times the sum to the agent.
108. If a tavern-keeper (feminine) does not accept corn according to gross weight in
payment of drink, but takes money, and the price of the drink is less than that of the
corn, she shall be convicted and thrown into the water.
109. If conspirators meet in the house of a tavern-keeper, and these conspirators are
not captured and delivered to the court, the tavern-keeper shall be put to death.
110. If a “sister of a god” open a tavern, or enter a tavern to drink, then shall this
woman be burned to death.
111. If an inn-keeper furnish sixty ka of usakani-drink to . . . she shall receive fifty ka of
corn at the harvest.
112. If any one be on a journey and entrust silver, gold, precious stones, or any
movable property to another, and wish to recover it from him; if the latter do not bring all
of the property to the appointed place, but appropriate it to his own use, then shall this
man, who did not bring the property to hand it over, be convicted, and he shall pay
fivefold for all that had been entrusted to him.
113. If any one have consignment of corn or money, and he take from the granary or
box without the knowledge of the owner, then shall he who took corn without the
knowledge of the owner out of the granary or money out of the box be legally convicted,
and repay the corn he has taken. And he shall lose whatever commission was paid to
him, or due him.
114. If a man have no claim on another for corn and money, and try to demand it by
force, he shall pay one-third of a mina of silver in every case.
115. If any one have a claim for corn or money upon another and imprison him; if the
prisoner die in prison a natural death, the case shall go no further.
116. If the prisoner die in prison from blows or maltreatment, the master of the prisoner
shall convict the merchant before the judge. If he was a free-born man, the son of the
merchant shall be put to death; if it was a slave, he shall pay one-third of a mina of gold,
and all that the master of the prisoner gave he shall forfeit.
117. If any one fail to meet a claim for debt, and sell himself, his wife, his son, and
daughter for money or give them away to forced labor: they shall work for three years in
the house of the man who bought them, or the proprietor, and in the fourth year they shall be set free.
118. If he give a male or female slave away for forced labor, and the merchant sublease them, or sell them for money, no objection can be raised.
119. If any one fail to meet a claim for debt, and he sell the maid servant who has borne him children, for money, the money which the merchant has paid shall be repaid to him by the owner of the slave and she shall be freed.
120. If any one store corn for safe keeping in another person’s house, and any harm happen to the corn in storage, or if the owner of the house open the granary and take some of the corn, or if especially he deny that the corn was stored in his house: then the owner of the corn shall claim his corn before God (on oath), and the owner of the house shall pay its owner for all of the corn that he took.
121. If any one store corn in another man’s house he shall pay him storage at the rate of one gur for every five ka of corn per year.
122. If any one give another silver, gold, or anything else to keep, he shall show everything to some witness, draw up a contract, and then hand it over for safe keeping.
123. If he turn it over for safe keeping without witness or contract, and if he to whom it was given deny it, then he has no legitimate claim.
124. If any one deliver silver, gold, or anything else to another for safe keeping, before a witness, but he deny it, he shall be brought before a judge, and all that he has denied he shall pay in full.
125. If any one place his property with another for safe keeping, and there, either through thieves or robbers, his property and the property of the other man be lost, the owner of the house, through whose neglect the loss took place, shall compensate the owner for all that was given to him in charge. But the owner of the house shall try to follow up and recover his property, and take it away from the thief.
126. If any one who has not lost his goods state that they have been lost, and make false claims: if he claim his goods and amount of injury before God, even though he has not lost them, he shall be fully compensated for all his loss claimed. (I.e., the oath is all that is needed.)
127. If any one “point the finger” (slander) at a sister of a god or the wife of any one, and can not prove it, this man shall be taken before the judges and his brow shall be marked (by cutting the skin, or perhaps hair.)