

Name _____

The Code of Hammurabi

1. If a man has accused another of laying a *nêrtu* [death spell?] upon him, but has not proved it, he shall be put to death. . . .

3. If a man has borne false witness in a trial, or has not established the statement that he has made, if that case be a capital trial, that man shall be put to death. . . .

6. If a man has stolen goods from a temple, or house, he shall be put to death; and he that has received the stolen property from him shall be put to death. . . .

14. If a man has stolen a child, he shall be put to death. . . .

21. If a man has broken into a house he shall be killed before the breach and buried there.

22. If a man has committed highway robbery and has been caught, that man shall be put to death.

23. If the highwayman has not been caught, the man that has been robbed shall state on oath what he has lost and the city or district governor in whose territory or district the robbery took place shall restore to him what he has lost.

24. If a life [has been lost], the city or district governor shall pay one mina of silver to the deceased's relatives. . . .

42. If a man has hired a field to cultivate and has caused no grain to grow on the field, he shall be held responsible for not doing the work on the field and shall pay an average rent. . . .

53. If a man has neglected to strengthen his dike and has not kept his dike strong, and a breach has broken out in his dike, and the waters have flooded the meadow, the man in whose dike the breach has broken out shall restore the grain he has caused to be lost. . . .

55. If a man has opened his runnel for watering and has left it open, and the water has flooded his neighbor's field, he shall pay him an average crop. . . .

117. If a man owes a debt, and he has given his wife, his son, or his daughter [as hostage] for the money, or has handed someone over to work it off, the hostage shall do the work of the creditor's house; but in the fourth year he shall set them free. . . .

128. If a man has taken a wife and has not executed a marriage-contract, that woman is not a wife. . . .

138. If a man has divorced his wife, who has not borne him children, he shall pay over to her as much money as was given for her bride-price and the marriage-portion which she brought from her father's house, and so shall divorce her. . . .

143. If [a woman] has not been discreet, has gone out, ruined her house, belittled her husband, she shall be drowned. . . .

168. If a man has determined to disinherit his son and has declared before the judge, "I cut off my son," the judge shall inquire into the son's past, and, if the son has not committed a grave misdemeanor such as should cut him off from sonship, the father shall [not] disinherit his son. . . .

195. If a son has struck his father, his hands shall be cut off.

196. If a man has knocked out the eye of a patrician, his eye shall be knocked out. [For a similar law of the Hebrews, see Deuteronomy XIX:21.]

197. If he has broken the limb of a patrician, his limb shall be broken.

198. If he has knocked out the eye of a plebeian or has broken the limb of a plebeian, he shall pay one mina of silver.

199. If he has knocked out the eye of a patrician's servant, or broken the limb of a patrician's servant, he shall pay half his value. . . .

215. If a surgeon has operated with the bronze lancet on a patrician for a serious injury, and has cured him, or has removed with a bronze lancet a cataract for a patrician, and has cured his eye, he shall take ten shekels of silver. . . .

218. If a surgeon has operated with the bronze lancet on a patrician for a serious injury, and has caused his death, or has removed a cataract for a patrician, with the bronze lancet, and has made him lose his eye, his hands shall be cut off. . . .

229. If a builder has built a house for a man, and has not made his work sound, and the house he built has fallen, and caused the death of its owner, that builder shall be put to death.

230. If it is the owner's son that is killed, the builder's son shall be put to death. . . .

237. If a man has hired a boat and boatman, and loaded it with corn, wool, oil, or dates, or whatever it be, and the boatman has been careless, and sunk the boat, or lost what is in it, the boatman shall restore the boat which he sank, and whatever he lost that was in it. . . .

245. If a man has hired an ox and has caused its death, by carelessness, or blows, he shall restore ox for ox, to the owner of the ox. . . .

251. If a man's ox be a gorer, and has revealed its evil propensity as a gorer, and he has not blunted its horn, or shut up the ox, and then that ox has gored a free man, and caused his death, the owner shall pay half a mina of silver. . . .

282. If a slave has said to his master, "You are not my master," he shall be brought to account as his slave, and his master shall cut off his ear. . . ."

*Babylonian and Assyrian Laws, Contracts and Letters, edited by C. H. W. Johns (New York: Charles Scribner's Sons, 1904).