The Sumerian Law Code compared with the Code of Hammurabi

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THE great Semitic digest of laws made by Hammurabi and inscribed at his orders on the magnificent diorite stele of Susa was probably promulgated soon after the 34th year of the reign of that famous king,¹ or about 2088. His reign extended to 2081. The period of its composition and promulgation is therefore limited to the brief space of eight years at the end of his reign. This date is at any rate certain for the great stele deciphered by Père Scheil (1902). Fragments of the same code written on clay tablets of the period of Hammurabi were found at Susa,² at Ellasar or Warka,³ and at Nippur. From Nippur two large tablets have been recovered, one of which has the colophon, "Fourth tablet of 'When the far-famed Anu'." ⁴ Since the Code as written on the Paris Stele begins "When the far-famed Anu", it is evident that the editions written on tablets are based upon the monumental copy and that they are later than it. For it is highly improbable that the original tablet edition began with a long historical prologue. The Nippur tablet has a

¹ This statement is based upon references in the prologue of the code which can be connected with facts of his reign mentioned in date formulæ. The date formula of the 35th year which mentions Mari and Malgû is the highest date which can be verified by the prologue, col. iv, 12 and 30. In this date Hammurabi claims to have destroyed the walls of Mari and Malgû cities on the middle Euphrates. For the formula see Poebel, BE. vi, 65, where it is erroneously assigned to the 37th year; for this formula as the date of the 35th year see Boissier, RA. xi, 162, and Clay, *Miscellaneous Inscriptions*, No. 33, 6.

² Scheil, *Délégation en Perse*, x, pl. 9 = Ungnad, *Keilschrifttexte der Gesetze Hammurabis*, 36-7.

³ Clay, *Miscellaneous Inscriptions*, No. 34.

⁴ Langdon, *Historical and Religious Texts*, No. 22. I wrote on p. 49 of my volume in the conviction that the Constantinople tablet represents an edition anterior to that of the Paris Stele, but I am now convinced that this copy is later than the monument.

colophon which says that it is the *al-gub-ba* of the king Hammurabi.¹

A very large tablet containing several laws which were destroyed on the Paris Stele, and containing about twelve columns of the royal promulgation, was found at Nippur.² The colophon being lost, it is impossible to determine its date with reference to the stele. There is one feature about the Philadelphia tablet which is of exceptional interest. For §§ 113 and 120 it has a Sumerian title *di-dib-ba nig é-zi-ga*, "Judgment rendered concerning what is taken from a house." § 113 concerns the theft of grain from a silo or granary, and § 120 the violation of trust on the part of a banker or storehouse keeper who steals grain in his keeping.³ It is, therefore, obvious that the Semitic code was modelled upon Sumerian judicial procedure and Sumerian methods of codification. The laws of both peoples are based upon a long history of case decisions, and hence the Sumerian word for law means a "judgment made known". The Semitic word for law, *dīnu*, really means a legal decision, and the royal legislation of Hammurabi was known to Assyrian scribes as the *dināni* [ša] *Hammurabi*, "The judgments of Hammurabi."

Long before tablets of Sumerian law codes were discovered a great many Sumerian legal decisions or rulings on disputes

¹ The colophon is obscure and badly preserved. It is not necessary to assume, from what we can now read on the tablet, that it was actually written in the reign of Hammurabi.

² Published by Dr. Arno Poebel, *Historical and Grammatical Texts*, No. 93. Translated by Scheil, RA. 13, 49-53, and Poebel, OLZ. 1915, 162-9, 194-200, 225-30, 257-65.

³ Poebel, OLZ. 1915, 263-4, saw the importance of this Sumerian superscription, and suggests that there may have been a group of laws called *di-dib-ba nig é-zi-ga*. By restoring V R. 24a, 27f, Poebel showed that *di-dib-ba* = *dīnu šuhuzu*, "judgment taught," i.e. decision which the judges caused the litigants to know, and *simittu*, law. A Berlin vocabulary (unpublished) has *di-dib-ba* = *didibtá*, *dīnu dānu*, *dīnu parsu*, *dīnu šuhuzu*. The ordinary Sumerian word for "judgment rendered" is *di-til-la* = *dīnu gamru*, V R. 24, 29. For the sign *KU-ba* in this Sumerian superscription as a variant of *LU* (*dib*) note, beside the citations in OLZ. 1915, 264, and RA. xv, 37, the title of a priest *zabar-KU-ba*, Thureau-Dangin, SAK. 194, x, 8, for *zabar-dib-ba*, CT. 24, 3, 18, etc.

by Sumerian law courts were known.¹ We now possess about sixty quite well-preserved documents of this kind, all from Lagash of the period of the Ur dynasty (2474-2357). In the legal phraseology of this city the term for a judgment handed down by the courts was *di-til-la*.² A syllabary of the late period renders this phrase by *dīnu ga-am-ru*, "judgment completed." The phrase of the earlier period of Sumerian judicial procedure does not appear in Semitic.³

All the published Sumerian lawsuits from Nippur are of a late period, and here we find the Sumerian term *di-dib*, to cause a decision to be received, which passed into Semitic as the ordinary term. A tablet of proceedings before a law court dated in the 33rd year of Hammurabi, that is, immediately preceding the promulgation of the Semitic code, has the phrase *di-dīb-dūg*, or a strengthened form of the compound *dib*. *di-bi puḫrum Nibru-(ki)-ka dīb-bi-be-ne-in-dūg*, "The council of Nippur shall cause their judgment to be received."⁴ The Semitic laws of the period, therefore, reveal everywhere the terminology of the Sumerian judicial procedure of the period of Isin and the first half of the first Babylonian dynasty.

All our evidence pointed to the existence of Sumerian law codes as the prototype of the Code of Hammurabi, and when Professor A. T. Clay discovered a large tablet of a compilation

¹ The first attempt to interpret Sumerian lawsuits was the article by F. Pélagaud in *Babyloniaca*, iii, 81-132, based upon tablets previously published by Thureau-Dangin and some new ones copied by Virolleaud in Constantinople, which are published at the end of Pélagaud's article. All these tablets came from Lagash. Later H. de Genouillac published a number of similar texts in *Inventaire des Tablettes de Tello* in the Musée Imperial Ottoman, vol. ii, pt. i. On the basis of these and the tablets previously published Genouillac made a study of Sumerian legal decisions in RA. viii, 1-32. In the second part of vol. ii Genouillac published a large number of these texts, also from Lagash and now in Constantinople.

² The reading *DI* (*dī*) = *dīnu* is no longer in dispute. My former reading *sá-til-la* was erroneous. Syl. B. 185, *di-i* = *dīnu*, is now confirmed by the Chicago Syllabary, 88.

³ But compare *ṭi-ma-šu-nu-ti ig-mu-ru*, Schorr, *Altbabylonische Rechtsurkunden*, 261, 35.

⁴ Poebel, BE. vi, No. 10; see *ibid.*, p. 47; Schorr, *ibid.*, No. 292.

of Sumerian laws and published¹ it in 1915 the theory of a Sumerian prototype was confirmed. Only the reverse of this important tablet from Erech (?) containing nine laws is preserved. In the colophon the laws are called *ti-la* of Nidaba and Hani, or the decisions of Nidaba and Hani.² *Tila* is apparently an abbreviation of *di-ti-la*, a phrase characteristic of the Lagash school and of the earlier (Ur) period. When I was engaged upon the catalogue of the Nippur Collection in Philadelphia I came upon a few tablets of this kind, and I found time to publish only one of them, Ni. 4573, a fragment from the top of a single-column tablet.³ I am unable to make any connected sense from this fragment, and, in fact, it is not at all certain whether it should not be regarded as a code of precepts for learners in the schools.⁴ Two double-column tablets of the collection are extremely important, and together they carry seventeen laws. Ni. 8284 and its duplicate, in fragmentary condition, 13632 + 13647, has been published by Dr. Lutz in vol. i, pt. ii, of *Publications of the Babylonian Section*, University Museum, Philadelphia, No. 101 (duplicate 100). Since this tablet ends in the midst of a law the Sumerian code was clearly continued on a succeeding document. It is extraordinary that the tablet has no colophon to tell us its position in the series. The method of redacting long liturgies in series of small tablets was already employed in this period and in the schools at Nippur.⁵ Ni. 8326, published by Lutz as No. 102, is sadly damaged on the reverse. It, like No. 101, probably contained no colophon. In the *Revue d'Assyriologie*, xvii, 35-43, the able French scholar, Professor

¹ *Miscellaneous Inscriptions in the Yale Babylonian Collection*, No. 28. The author gave an interpretation of this tablet on pp. 18-27.

² For the grain goddess as patroness of writing and her consort Hani, also a patron of writing at Umma, see, in addition to Clay's discussion, p. 19, the writer's *Tammuz and Ishtar*, p. 153.

³ *Sumerian Grammatical Texts*, No. 30, republished by Lutz, *Selected Sumerian and Babylonian Texts*, No. 98.

⁴ Note that the tablets of laws in the Nippur Collection are all double-column tablets.

⁵ See the writer's *Babylonian Liturgies*, p. xlix

Scheil, wrote an edition of Nos. 100–2 in Lutz's volume. The successful decipherer of the Code of Hammurabi places himself again on record as the first interpreter of these two tablets. I have seldom realized the advantage which a second interpreter has received at the hands of one who led the way.

I have arranged all the published Sumerian laws in the arbitrary order given below. Naturally the Nippurian redaction may not have been the same as the code of Ellasar or Erech. The three tablets of the law here edited certainly do not follow each other consecutively, and their positions in the Sumerian code remain wholly uncertain. But enough consecutive material is available to show that we have here a real code arranged on scientific principles; the laws on various subjects are grouped together. But it will be seen that with rare exceptions the Sumerian laws are not literal originals of the Semitic code. The two codes resemble each other much in content and phraseology, and Sumerian law was obviously the forerunner of Semitic legislation. In my analysis of the twenty-six laws now recovered I follow the order provisionally assigned to them in my paper.

- (1) §§ 1–3, concerning care and protection of gardens. This subject is dealt with much more fully in §§ 59–65 of the Hammurabi Code.
- (2) § 4, concerning responsibilities of neighbours. No corresponding Semitic law, unless it be § 67.
- (3) §§ 5–8, concerning slavery. Slavery in Sumer dates from prehistoric times and probably originated in the custom of reducing captives to the condition of servitude. The primitive ideograph for slave consists of the sign *NITAH* (male) and *KUR* (foreign land), “male of a foreign land,” and in Sumerian this was apparently pronounced *er, ur*.¹

¹ *e-rum* = *ardu* in BM. 38744. The pronunciation *e-ri* is certain and in early texts the ideograph is followed by *ra*, i.e. *er-ra*. See Clay, *Miscellaneous Inscriptions*, 4, iii, 1; Nikolski, No. 19, Obv. v, 6.

The laws pertaining to slaves are not grouped together in the Code of Hammurabi, but are given in various parts of the code in those sections (on marriage, debt, personal injury, etc.) which involve the subject of slavery. The same principle probably obtained to a less extent in the Sumerian code, but in §§ 18–19 below the rights of a slave woman are not secured at all, which seems to indicate an advance in the standing of slaves under Semitic law.

The subject of runaway slaves is discussed in §§ 15–20 of the code. Here the laws are more comprehensive and cover nearly all possible circumstances. A freeman who aids a palace slave or a poor man's slave to escape from a city is slain. If he gives refuge to a slave of the palace or a poor man's slave and does not produce him at the governor's proclamation he is slain. If he captures a runaway slave and restores him he receives two shekels. If the owner's name cannot be found he shall convey the slave to the palace and the authorities shall find the owner. If he capture a slave and confine him in his house and the slave is stolen from his house, that freeman is slain. If the slave escape from his captor he shall swear to the fact and go free.

In comparison with these laws the Sumerian ruling is primitive and far less severe. From it we gather that the Sumerians ordinarily held a slave to be worth 25 shekels.¹

§ 6 corresponds to § 282 of the Code of Hammurabi, where a slave who falsely denies his owner has his ear severed.

§§ 7 and 8 provide in a merciful manner for a slave afflicted with incurable disease. He receives royal alms, and in case he takes refuge with a freeman he shall be protected and conveyed to a house provided for such cases, or to some place where he may wish to go.² There is nothing similar to this law in the Code of Hammurabi. § 278 provides for the return of a

¹ Prices of slaves vary greatly in Semitic contracts. Note the high price, 50 shekels, for a slave girl, in Schorr, *Altbabylonische Rechtsurkunden*, No. 84, and 12 shekels for a male slave, No. 85.

² So I interpret the law, but it is obscure and uncertain.

purchased slave if the *bennu* disease befall him within a month of his sale. *Bennu* is obviously the same disease as *miġtum* in the Sumerian code; the two words indicate the same disease as we otherwise know from Virolleaud, *Astrologie*, Sin xix, 10.¹ A royal gift to petty officers (*rēdū*) is mentioned in § 34 of the Code, but there is no reference in Semitic law or contracts to royal alms for the helpless poor.

(4) § 9, concerning false accusations. Corresponds to §§ 1-3 of the Code. See the note at the end of my translation. See also § 127 of the Code on false accusation of a woman's chastity, for which a freeman is reduced to slavery.

(5) §§ 10-11. § 10 probably began a group of laws on property and taxation. § 10 corresponds to § 30 of the Code.

(6) §§ 12-17, concerning marriage and the family. The Code has a long section on marriage and the family, §§ 128-195. In both codes this is by far the most lengthy section. The Sumerian section certainly began on some lost tablet, and probably continued for several paragraphs after the break at the end of § 17.

§ 12 = § 167; § 13 = § 171. In each case the resemblance in legislation is great. § 14 probably does not appear in the Code; it appears to make legitimate the children of a concubine which she bears to her master after his wife's death.

§ 15 corresponds to no law of the Code. The profession of a hierodule, *karlil*, was confined to free-born women.² Sumerian law permitted a man whose wife was childless to beget heirs from a temple hierodule. Now *karlil* is rendered into Semitic by *harimtu* and *kizritu*,³ and *kizritu* is probably identical with *zikritu* by metathesis. For *zikritu* the ordinary

¹ See also CT. 19, 22, 9-11, *miġtum* as synonym of *bennu*. Sudhoff has come to the conclusion that this means epilepsy, Schorr, *ibid.*, p. 129.

² Note that a woman adopts a girl and makes a hierodule of her. Poebel, BE. vi, 4.

³ Shurpu, v, 144.

Sumerian word is a pseudo-ideogram [*sal zi-ik*]-*ru* = *zikritu*, Rm. 2, 26, rev. 11. In the Code of Hammurabi the temple harlots, *sal zi-ik-ru-um*, are mentioned with the priestesses and are probably identical with the *kar-lil* of the Sumerian code. She inherits her father's property on the same terms as a son, and when she dies her inheritance goes to her brothers (§ 180). Hence she could not marry. § 187 provides for the adoption of children of a *zikritu* or hierodule, and leaves the impression that such children are state property who cannot be claimed by their mother. Such a son when adopted is severely punished for denying his adoptive parents (§ 192).¹

§ 16 deals with a case of adultery, the violation by enticement of a freeman's wife. The penalty imposed upon the co-respondent is not stated. The wife is not divorced, but the violation permits the husband to take another wife. The Semitic code, § 129, concerns the same kind of adultery, that is, the unfaithfulness of the wife is implied and the penalty is death for both. Here, again, Semitic law is much more severe, and involves a more serious estimate of the crime.

§ 17 probably corresponds to one of the paragraphs 159, 160, 161 of the Code.

- (7) §§ 18-19, concerning injury to pregnant women. Corresponds to §§ 209-14. See the note on § 19.
- (8) § 20, concerning damage to a rented boat. This subject is dealt with in §§ 236-8 of the Code.
- (9) §§ 21-2, concerning adoption. § 22 seems to be a repetition of the end of § 21, and the whole section refers to penalties of breaking faith in adoption on the part of both child and parents. In my note on § 21 the reader will find that this law is well illustrated in Sumerian and Semitic documents, and it should

¹ The sacred women of the land Emutbal are brought to Babylon by the orders of Hammurabi, see King, *Letters and Inscriptions of Hammurabi*, No. 34 = Ungnad, *Babylonische Briefe*, No. 2. Here the two orders of priestesses, *ištarāti* and *kizréti*, are mentioned. Both King and Ungnad erroneously rendered *ištarāti* by "goddesses". The word is the plural of *ištarītu*, harlot. See *Tammuz and Ishtar*, p. 80.

be in the Code, possibly in the part not yet recovered. §§ 185–93 of the Code protect the rights of adoptive parents and adopted children.

- (10) §§ 23–4 belong under section 6 above, and correspond to no laws in the Code.
- (11) §§ 25–6, on the obligations of ox-herds. § 25 probably corresponds literally to § 262 of the Code, of which only two lines are preserved.

The Code distinguishes between *nākidu*, ox-herd, and *re'u*, shepherd. If a lion slays oxen or sheep in the fold of a shepherd the loss is borne by the owner (§ 266). The business of the *nākidu* or Sumerian *gud-nigin* seems to have been more in the nature of a guardian who was responsible for the safety of his charges. § 26 corresponds precisely to § 263 of the Code.

LUTZ No. 101

§ 1

1. <i>tukundilī</i>	1. If
2. <i>galu galu-ur</i> ¹	2. a man to a man
3. <i>giš-šar giš-gub-bu-dé</i> ²	3. for planting a garden with tree
4. <i>kislaḡ</i> ³ <i>in-na-an-sḡ</i>	4. gave vacant land
5. <i>kislaḡ-bi</i>	5. (and) this vacant land
6. <i>giš-šar giš-gub-bu-dé</i>	6. in planting with trees
7. <i>nu ni-in-tíl</i> ⁴	7. he finished not

¹ For the sign U with value *ur* see *Sumerian Grammar*, 254, *ur* 15, and for the construction, Poebel, BE. vi, No. 11, 21, *ud kur-šá galu galu-ur*, “In future days man against man (shall not complain).” *ur* is for the ordinary *ra*. For postfixed *ur* = *ra*, see *Sum. Gr.*, § 81 end and *ur* = *ana*, *ina*, Poebel, PBS. v, 105, iii, 6. Radau, *Ninib* No. 1, i, 28, *Gimil-Sin-mu-ur*, “To my (king) Gimil-Sin.”

² Cf. Code of Hammurabi, § 60, *ana kirim zugāpim* and my restoration of II Raw. 15, 22, in RA. 14, 18, *giš-šar giš-šub-ba-ta* = *kirā ana zaḡāpi*. The difficult passage in the Tammuz hymn SBP. 330, 10, is now intelligible, *ba-ši-in-ū* [*giš-šar*] *giš-mi-ni-in-gub*, “Mount thou up and plant the gardens.” For *giš-gub* in the poetical sense “to instal a ruler”, see *Sumerian Liturgies and Psalms*, 256, 23.

³ *kislaḡ* = *terītu*, vacant, i.e. land without buildings, see Schorr, VAB. v, 418, 24, and Poebel, BE. vi, 12, note 2; Thureau-Dangin, RA. 11, 96.

⁴ See the commentary of *ana itti-šu*, RA. 14, 18, 26, and Code § 61.

8. <i>galu giš-šar in-gub-ba</i> ¹	8. to the gardener who did the planting ²
9. <i>šag ga-la-ba-na-ka</i>	9. in his share of it ³
10. <i>kislaġ ba-ra-ab-šub-a</i>	10. the (part of the) vacant land which was neglected
11. <i>in-na-ab-sum-mu</i>	11. shall be assigned.
	§ 2
12. <i>tukundibi</i>	12. If (a man)
13. <i>giš-šar galu-ka</i>	13. the garden of a man
14. <i>in-éd</i>	14. takes over
15. <i>nam-ma(?)-dúr ba-ku</i>	15. and <i>pollenates it not</i> but neglects it
16. 10 <i>gìn</i> ⁴ <i>kù-babbar ni-lal-e</i>	16. he shall pay ten shekels of silver.

This paragraph corresponds apparently to the Code § 65, where the provision against such neglect is more logical. A negligent gardener according to the Code must pay the owner of the garden in produce in the same proportion as that of an adjoining garden which had been properly cared for.

§ 3

17. <i>tukundibi galu</i>	17. If a man
18. <i>giš-šar galu-ka</i>	18. in the garden of a man
19. <i>giš in-siġ</i>	19. has cut wood
20. <i>maš ma-na kù-babbar</i>	20. $\frac{1}{2}$ mana of silver
21. <i>ni-lal-e</i>	21. he shall pay.

The law is almost identical with the Code § 59, but the latter is again more exact and logical, since it restricts the penalty to those cases in which the owner of the garden was unaware of the trespass and theft of the woodcutter.

¹ Var. omits the subjunctive inflection. Cf. Code § 62, 40, *ša innadû*.

² Note *gub* = *zakāpu* in the same sense as *giš-gub*. Cf. CT. 19, 47, 21.

³ Note the neuter suffix *ba* and the personal suffix *na*, and for this principle see *Sum. Gr.*, § 160.

⁴ The reading *gìn* = *šiklu* is confirmed by Meek, *AJSL*. 36, 158, 25, *TU (gi-e) = šiklu*.

§ 4

22. <i>tukundibi galu</i>	22. If a man's house
23. <i>é-e uš-sa-ni</i>	23. is beside

COL. II

1. <i>kislaḫ galu al-šub</i>	1. vacant land of a man which is neglected
2. <i>lugal é-a-ge</i>	2. and the owner of the house
3. <i>galu kislaḫ-ra</i>	3. to the owner of the vacant land
4. <i>kislaḫ-zu al-šub</i>	4. "Thy vacant is neglected;
5. <i>é-mu galu gib¹-dé</i>	5. in order to seclude ² my house
6. <i>é-zu kala-ga-ab</i>	6. strengthen thou thy house,"
7. <i>in-na-an-dúg</i>	7. said,
8. <i>eni:n-enim keš-du-bi</i>	8. and the words concerning the agreement
9. <i>un-da-an-gi-en</i>	9. be established, ³
10. <i>lugal kislaḫ-a-ge</i>	10. the owner of the vacant land
11. <i>lugal é-a-ra</i>	11. to the owner of the house
12. <i>nig ú-gu-de-a-ni</i>	12. for whatsoever he lost
13. <i>in-na-ab-su-su⁴</i>	13. shall indemnify.

The meaning of this law seems to be clear enough, but the statement is made in a confusing manner. A man has built a house, one side of which is supported by the wall which separates his plot of ground from his neighbour's field. He enjoins his neighbour to strengthen his wall, and if he neglects to do so the neighbour is penalized to pay any loss

¹ For *GI + GI = gib*, v. Ebeling, KTA. 8, 3, *ab-gib-bi = ušapra*ku and CT. 17, 31, 3, *sag-ba-an-gib-ba = ipri*k. Scheil reads *ni-šár-ne*, "ma maison on va agrandir."

² Literally "turn away man".

³ Or *enim-gi* (?), "to revoke a promise"; see Gudea, Statue B, I 14; Thureau-Dangin, SAK. 52, xi, 13; Langdon, *Poème du Paradis*, 226, 37. The rendering adopted here agrees with that of Scheil, and for *enim ka-kešda*, to make an agreement, see *Sumerian Grammar*, p. 224.

⁴ For *su = rábu*, repay, cf. *su = apálu ša ḫubullu*, AO. 3930, rev. 17. See also Ungnad's restoration of the Code §73, *mimma [ša ḫalku] i-ri-[a-ab]*.

incurred to the owner of the house. Confusion to the interpreter is caused by the reference in line 6, "strengthen thy house," but there is otherwise no reference to a house on the adjoining property. The word "house" is employed loosely for wall. The corresponding law in the Code is probably § 67, only a few words of which have been preserved. For contracts concerning dividing walls, see Schorr, *Altbabylonische Rechtsurkunden*, Nos. 198–201.

. § 5

14. <i>tukundibi</i>	14. If
15. <i>geme arad</i> ¹ <i>galu*-ur</i>	15. a female slave or a male slave
from a freeman
16. <i>šag-uru-ka ba-zaš</i>	16. in a city escape
17. <i>é galu-ka</i>	17. and in the house of a freeman
18. <i>áš iti-ám</i>	18. for one month
19. <i>ni-ku-a</i>	19. take up abode
20. <i>ba-an-gi-en</i> ²	20. and he (or she) be confirmed
(as the owner's)
21. <i>sag sag-gim</i>	21. slave for slave.
22. <i>ba-ab-sum-mu</i>	22. he shall give
23. <i>tukundibi</i>	23. If
24. <i>sag nu-tuk</i>	24. he have no slave

¹ In this period the Sumerian word for slave *eri*, *erra*, is replaced by the Semitic *arad*; see, for example, VS. i, No. 27, 14; Gudea, Cyl. B. 18, 21. Not until the Semitic period of Sargon the Ancient does the sign for female servant *SAL* + *KUR* appear, Thureau-Dangin, RTC. 80, obv. 2, developed out of an older sign REC., p. 6, second form of *NITAH* + *KUR*. In fact, the early inscriptions write male and female slave with *KUR* inserted into variant forms of the same sign. For the masculine sign see Nikolski, No. 19, v, 6, and the feminine sign at line 11, rev. i, 1, *et passim*. When the new sign for *geme*, female slave, was invented the old sign for female slave is then written for male slave and the original form for male slave is abandoned. Consequently on this tablet *arad*, slave, is written with a sign which in pre-Sargonic times indicated a female slave.

² For *gin* as a technical term in deciding suits at law, see Thureau-Dangin, RTC. 290, R. 4; Genouillac, *Inventaire*, 172, 6; 830, rev. 7 and 923. See below Col. iii, 11.

COL. III

1. 25 <i>gìn ku-babbar</i>	1. 25 shekels of silver
2. <i>ni-lal-e</i>	2. he shall pay.
	§ 6
3. <i>tukundibi</i>	3. If
4. <i>arad galu-ge</i>	4. the slave of a freeman
5. <i>lugal-a-ni ir</i>	5. against his master
6. <i>nam-araā da ni</i>	6. concerning his servitude
7. <i>ba-an-du-gur</i> ¹	7. has brought complaint,
8. <i>lugal a-ni-iṛ</i>	8. and to his owner
9. <i>nam-arad-dā-ni</i>	9. his servitude
10. <i>a-rá 2-ám</i>	10. twice
11. <i>un-gi-en</i>	11. be confirmed,
12. <i>kiši</i> ² <i>-bi</i>	12. upon his forehead
13. <i>al-búr- e</i>	13. shall one incise a mark.
	§ 7
14. <i>tukundibi</i>	14. If
15. <i>mi-ik-tum</i>	15. there be a malady
16. <i>nig-ba lugal-kam</i>	16. there shall be a gift of the king.
17. <i>nu-ub-da-an-kár-i</i>	17. Not shall he be left destitute
	§ 8
17. <i>tukundibi</i>	17. If
18. <i>mi-ik-tum</i>	18. there be a malady
19. <i>ní-te-a-ni-ta</i>	19. and of his own free will

¹ Cf. Thureau-Dangin, RTC. 290, 9, *murgu ba-gur-ra-ta*, "after she had turned," i.e. brought complaint. Scheil discovered the connexion between this law and § 282 of the Code.

² The sign is the early Babylonian form of SAI. 7487 (*ki-ši*) = *muttatu*, forehead. For the Sumerian value see Rm. 2, 588, obv. 30, in AJSL. 36, 158, and CT. 18, 32b, 10 (*ki-ši*) = variant, RA. 10, 82, v. 32, which has by confusion SAG. Note Syl. B.¹ iv, 35, where *kiši* is followed by SAG. In line 13 *bur* clearly means "brand", "cut", for which the Semitic texts have *muttata-šu ugallabu*, Code § 127, and for the branding of a slave who denies his master, see Daiches, LSS. i², No. 26, 9; *búr* = *galābu* is not documented, but *búr* does mean to cut, tear, *šalātu*, Arabic *salata*, and this is probably the sense here.

20. <i>galu*ur un-ši-du</i>	20. he come to a freeman
21. <i>galu-bi</i>	21. that freeman
22. <i>nu-un-tag-tag</i>	22. shall not reject him
23. <i>ki¹ šag-ga-na-šú</i>	23. but to the place of his desire
24. <i>ga-ba-rá</i>	24. he shall cause him to go.

COL. IV

§ 9

1. <i>tukundibi</i>	1. If
2. <i>galu galu*ur</i>	2. a man against a man
3. <i>á nu-gar-ra-la</i>	3. for a deed (?) which was not done,
4. <i>enim nu-zu-ni</i>	4. for a matter which he knew not
5. <i>in-da-lal²</i>	5. has brought accusation,
6. <i>galu-bi</i>	6. and that man
7. <i>nu-un-gi-en³</i>	7. has failed to prove it,
8. <i>enim in-da-lá-a</i>	8. as to the matter which he accused him of
9. <i>nam-tag-ga-ba je-il-e</i>	9. let him bear the penalty.

The wording of this law is again indefinite and written to cover all degrees of accusations with their corresponding penalties. It corresponds to at least three paragraphs of the Code. § 1. If a man accuse a man of a deed which involves murder and fails to prove it he shall be slain. §§ 2 and 3. If a man bear witness in a lawsuit and fail to prove his statement he shall pay the penalty involved in the case. That is, if his false evidence involve the life of a man he himself shall be killed. If the case involve grain or money he must pay grain or money, as much as the defendant would have

¹ Copy by Lutz has *DI*, perhaps *sá šag-ga-na* (?). One expects *ki-šaggana* to mean a house of quarantine, pest-house, but no word for such an idea is suggested by *šaggan*. The phrase occurs in my *Historical and Religious Texts*, No. 54, 4. Scheil adopts the reading *DI*, and renders "au tribunal de son choix".

² *lal*, bind, accuse, is rendered by *ubburu* in the Code, see § 1.

³ *gi-en* corresponds to *uktin* in the Code.

paid had he been convicted. The Sumerian law above stands on a lower stage of lawgiving put upon the same level of justice.

§ 10

10. <i>tukundibi</i>	10. If
11. <i>lugal e-a</i>	11. the owner of a house
12. <i>ù nin é-a-ge</i>	12. or the mistress of a house
13. <i>gú-un¹ é-a</i>	13. the burden of taxation on a house
14. <i>in-šub-bu-tum²</i>	14. has abandoned and has taken himself off,
15. <i>galu kur-e in-ila</i>	15. and another man has borne it,
16. <i>mu-3-kam-ma-ka</i>	16. and for three years
17. <i>nu-ub-ta-è-e</i>	17. he has not ejected him,
18. <i>galu gú-un é-a</i>	18. the man who has borne
19. <i>in-il-la</i>	19. the burden of taxation of the house
20. <i>é-bi ba-an-tum</i>	20. shall take that house.
21. <i>lugal é-a-ge</i>	21. The owner of the house
22. <i>enem nu-um-gà-gà-a</i>	22. shall not protest.

This law corresponds closely with § 30 of the Code, but the *ilku* in the Semitic law is borne by soldiers only, and clearly refers to crown lands held by men who served in the army, otherwise the provisions of the older Sumerian law are precisely similar to those of Hammurabi. The Semitic law is : " If a sergeant or a common soldier has abandoned his field, his garden, or his house before the burden of taxation and has taken himself off, and another after this has seized his field,

¹ This passage yields at last the Sumerian word for *ilku*, state tax, tribute, and shows that *ilku* is a synonym of *billu*. Cf. Haupt, ASKT. 215, 24, *gìn-gar-zi-da* = tax collector, i.e. the one who fixes the tribute.

² This phrase, although ungrammatical, is clearly equivalent to *iddi-ma uddabbir*, "he abandoned (the field, etc.) and fled." Code § 30. *tum*, therefore, means *dapāru*, to remove, drive away, and we have here an example in Sumerian of two verbal roots of different meanings placed together and conjugated with a single verbal prefix.

his garden, or his house, and has paid the taxes thereon for three years, if then he has returned and desires his field, his garden, or his house, not shall it be given to him. He who seized it and paid taxes thereon shall exercise the duty of crown property."

§ 11

23. *tukundibi*

23. If

24. *lugal é-a*

24. the owner of a house . .

Here the tablet ends and the law was continued on a following tablet. Naturally, this law corresponded to to § 31 of the Code. This provides for the restoration of the property in the event of the owner returning after one year.

LUTZ No. 102

§ 12

1. *tukundibi*

1. If

2. [*dam*] *egir-ra*

2. a second wife

3. *ba-an-tuk-a*

3. he has married

4. *dumu in-ši-in-tu-ud*

4. and she has borne him a son

5. *sag-PA KAB DU* ¹

5. the dowry

6. *e ad-da nā-ta*

6. which from her father's house

7. *mu-un-túm-ma*

7. she brought

8. *dumu-na-ka*

8. shall be her son's.

9. *dumu dam nitalam* ²9. The son of the wife who was
first chosen10. *ù dumu dam agir-ra*

10. and the son of the second wife

11. *nig-ga ad-da-ne-ne*11. the property of their father ⁴12. *ur-a-sig-ga-bi* ³

12. equally

13. *ni-ba-e-ne*

13. shall divide.

¹ This passage supplies the Sumerian word for *širiktū*.

² *nitadam*, *nitalam* = *hairu*, *hairtu*, always refers to the first husband or wife in a marriage.

³ *mithariš*, Code § 167 end, *mithariš izuzzu*.

⁴ Note that this passage confirms the reading *namkur bit abim* in § 167 of the Code.

This law has much similarity to § 167 of the Code. "If a freeman married a wife and she bore him sons and that woman went to (her) fate, and after her he married another woman who bore him children, after the father has gone to his fate the sons shall not divide according to the capital. They shall take the dowry of their mothers and divide equally the property of the house of the father." Here, again, the Semitic law is more explicit and juristically exact.

§ 13

14. <i>tukundibi galu*-ur</i>	14. If to a man
15. <i>dam im-tuk</i>	15. the wife whom he married
16. <i>damu in-ši-in-tu-ud</i>	16. bore him a son
17. <i>āumu-bi in-til</i>	17. and that son lived,
18. <i>ù geme lugal-a-ni-ir</i>	18. and a handmaid to her master
19. <i>dumu in-ši-in-tu-ud</i>	19. also bore a son,
20. <i>ad-da-a geme</i>	20. and the father to the hand-
maid
21. <i>u dumu-ne-ne</i>	21. and her sons
22. <i>ama-ar-gi-bi in-gar</i>	22. gave them their freedom,
23. <i>dumu geme-ge</i>	23. the son of the handmaid
24. <i>dumu lugal-a-na-ra</i>	24. with the son of her master
25. <i>é nu-un-da-ba-e</i>	25. shall not divide the house.

This law has considerable resemblance to § 171 of the Code. "And if a father in his lifetime to the sons whom a handmaid bore to him did not say 'My sons', after the father went to his fate, from the property of the house of the father the sons of the handmaid with the sons of the wife shall not take a portion. Freedom to the handmaid and her children shall be given." The Semitic law then goes on to make provision for the widowed wife and the conveyance of her property to her children after her death.

§ 14

26. <i>tukundibi</i>	26. If
27. [<i>dam</i>] <i>nitalam-a-ni</i>	27. his wife, the one first chosen,
28. [<i>in</i>]- <i>dīg</i>	28. has died,

29. <i>egir dam-a-na-ta</i>	29. and after the death of his wife
30. [<i>geme</i> ?] <i>i nam- ? -ku</i>	30. his handmaid (?) . . .
31. <i>ba-an-tuk-tuk</i>	31. he took
32. . . .	32. ? ?
33. <i>dumu</i> []	33. A son . . .
34. <i>dumu</i> []	34. A son . . .
35. <i>lugal-a-ni-[ir]</i>	35. to her master
36. <i>in-ši-in-tu-ud</i>	36. she bore
37. <i>dumu dumu-šú gín-n[a]</i>	37. son like son
38. <i>é-a-ni ib-dùg-g[i]</i>	38. his house shall enjoy (?) ¹
§ 15	
39. <i>tukundibi</i>	39. If
40. <i>ga'lu-*ur</i>	40. to a freeman
41. <i>dam-a-ni</i>	41. his wife
42. <i>dumu nu-un-ši-in-tu-ud</i>	42. bore a son not,
43. <i>kar-lil-da</i> ²	43. and a hierodule
44. <i>tilla-a</i> ³	44. in the highway
45. <i>dumu in-ši-in-tu-ud</i>	45. bore him a son,
46. <i>kar-lil-ba</i>	46. to that hierodule
47. <i>še-ba iá-ba</i>	47. sustenance in grain, oil
48. <i>šig-ba</i>	48. and wool
49. <i>in-na-ab-sim-mu</i>	49. he shall give.
50. <i>dumu kar-lil-dé</i>	50. To the son of the hierodule
51. <i>in-ši-in-tu-ud-da</i>	51. whom she bore to him
52. <i>ibil-ni ni-me-en</i> ⁴	52. "He is his son" (he shall say).

¹ The meaning is obscure and the verb *dug* has never been found in a similar passage.

² *da* is probably the noun augment here, unless a line *in-da-na-a* has been omitted. See *Poème Sumérien du Paradis*, 160, n. 3.

³ For *AN-AS-AN* (*tilla*) = *zāku*, *šulū*, street, *ribu*, *ribātum*, carrefour, see *Keilschrifttexte aus Boghazköi*, i, No. 40, 14–17. As a commentary on this passage compare the omen, *Babyloniaca*, iii, 217, 47.

⁴ Here, again, a line has been omitted. Supply *ni-da-an-dug* = *iktabi*, cf. Code § 170, line 45. We expect *abil-mu*, "thou art my son." This law proves that the hierodule was a free-born woman, and consequently owing to her caste and her sacred profession her children by rape are legitimate.

53. <i>ud dam-a-ni</i>	53. As long as his wife
54. <i>a-na ti-la-áš</i>	54. lives
55. <i>kar-lil</i>	55. the hierodule
56. <i>dam nitalam-ra</i>	56. with the wife who was first
chosen
57. <i>é-a nu-un-da-an-ku</i>	57. in the house shall not take up
her abode.
- § 16
59. <i>tukundibi</i>	59. If
60. <i>galu galu-*ur</i>	60. a man
61. <i>dam nitalam-a-ni</i>	61. the wife, who was first chosen,
of a man
62. <i>igi-ni ba-ab-gi</i>	62. turned his eye upon
63. <i>ùr-ba (?) ba-an-lal-lal</i> ¹	63. and he was taken in her bosom
64. <i>[é]-ta nu-ub-ta-ed</i>	64. not shall she be sent forth
from the house.

REVERSE

1. <i>dam-a-ni</i>	1. His wife,
2. <i>dam-sukud</i> ² - <i>na (?)</i>	2. the wife of his . . .
3. <i>ba an-tuk-a</i>	3. whom he has married,
4. <i>dam-egir-ra</i>	4. (that is) the second wife,
5. <i>dam nitalam</i>	5. the wife who was first chosen
6. <i>ni-il-il</i> ³	6. shall support
- § 17
7. <i>tukundibi</i>	7. If
8. <i>mussa tūr</i>	8. a son-in-law to
9. <i>é ùr-ra-na-ka</i>	9. the house of his father-in-law(?)
10. <i>ni-in-[tum-ma ?]</i>	10. brought (?) (a tribute)
11. <i>nig-sal(?) -uš(?) -[sa in-šig ?]</i>	11. and the marriage gift gave (?)
12. <i>egir-[ba-ta ?]</i>	12. and then (?)

¹ Cf. § 130 of the Code.² Scheil reads this sign *LIL*.³ Semitic *ittanašši-ši*, Code § 148, 81 ; § 178, col. xv, 8.

13. <i>im</i> . . .	13. . . .
14. <i>ba</i> . . .	14. . . .
15. <i>ba</i> . . .	15. . . .
16. . . .	16. . . .
17. [<i>in</i>] ¹ — <i>nx-ab</i> . . . <i>de</i>	17. . . .
18. . . . <i>bi ? al(?)ni</i>	18. . . .
19. . . . <i>tuk-tuk</i>	19. . . .
20 21. . . .	20. 21

CLAY No. 28

§ 18

1. <i>tukundibi</i>	1. If (a man)
2. <i>dumu-sal galu zag-an-uš</i> ²	2. jostled the daughter of a freeman
3. <i>nig šag-ga-ni</i>	3. and that which was in her interior
4. <i>a-im-šub-šub</i>	4. he caused to fall
5. 10 <i>gin ku-babbar ni-lal-e</i>	5. he shall pay ten shekels of silver.

§ 19

6. <i>tukundibi</i>	6. If (a man)
7. <i>dumu-[sal] galu ba-an-sig</i> ³	7. smote the daughter of a freeman
8. <i>nig šag-ga-ni</i>	8. and that which was in her interior
9. <i>a-im-šub-šub</i> ³	9. he caused to fall
10. $\frac{1}{3}$ <i>ma-na ku-babbar ni-lal-e</i>	10. one-third mana of silver he shall pay.

¹ So Scheil.² For the meaning of *zag-uš* see OLZ. 1914, 417, which is probably to be distinguished from *zag-šuš*. Thureau-Dangin, *Mission Française de Chaldée*, i, 15, note 1, translates *zag-šuš* by "to mark". The term *zag-šuš* is always employed with animals; see citations in my article in OLZ. and Thureau-Dangin's note, also VS. xiv, 145, rev. 2.³ *a-šub*, a strengthened form of *šub* = *nadû*. For the augment *ù* cf. *ù-nad*, to lie down, *Poème Sumérien du Paradis*, 160, 7.

The last section is identical with § 209 of the Code of Hammurabi, with the exception of the amount of the fine. Here it is 20 shekels, where the Semitic code has 10 shekels. The circumstances described in § 18 are not considered in the Code of Hammurabi, which, however, in §§ 210–14 covers other considerations which are neglected by the Sumerian laws. § 210 provides for the circumstance that the pregnant woman, daughter of a freeman, dies from the maltreatment. In such case the offender's daughter is executed. § 211 rules that the offender must pay 5 shekels for similar maltreatment of the pregnant daughter of a poor man, and in case she dies § 212 provides for the payment of a half mana of silver. § 213 rules that two shekels is the fine for causing a pregnant slave woman to lose her child and § 214 fixes a third mana of silver for her death. These comparisons between the two codes are stated by Clay, *ibid.*, 23 f. The Semitic code is much more explicit and comprehensive; § 210 involves a cruel injustice, and it would be interesting to know whether the Sumerians also had this law.

§ 20

11. <i>tukundibi</i>	11. If a man
12. <i>kaskal dūg-ga-ni</i>	12. who was sent upon a com-
mission
13. <i>nar¹ ri-bal</i>	13. in crossing a river
14. <i>má ú-gu-ba-an-de²</i>	14. allowed a ship to be lost
15. <i>en-na má e-dé³</i>	15. until he has raised the ship
16. <i>á-bi ba-ba⁴-ta</i>	16. her rent and the decrease in
value

¹ *NAR* appears to be Semitic here, *ina ebir nāri* (?) *ri-bal* = *bal-ri*, cf. Ranke, BE. vi, 61, 1 + 5.

² Cf. Code of Hammurabi, § 236, 34, *uhtallik*.

³ *e-de* = *wāṣu*, usually written *ed*, *è*. Cf. the Code § 238, 59, *uṣ-te-li-a-aṣ-ši*. The Sumerian should be rendered *uṣēsi-aṣṣi*.

⁴ Text *ma*, photograph and Clay's copy. *ba-ba* > *bi-bi* = *nušurrū*, RA. 13, 189, 31 = Brünnow, 116; *-ta* is the conjunction "and" here, see *Sumerian Grammar*, § 232.

22. <i>nu ama-mu</i>	22. not my mother "
23. <i>be-an-dúg</i>	23. has said,
24. <i>é a-šag giš-šar</i>	24. of house, field, garden
25. <i>arad arad nig-ga-ra</i> ¹	25. slaves and property
26. <i>ib-ta-è-a</i>	26. shall he be disinherited ;
27. <i>u tug(?) -bi</i>	27. and that adopted child (?)
28. <i>šam til-la-a-ni-šú</i>	28. for his full price shall
29. <i>in-na-ab-sum-mu</i>	29. he sell.
30. <i>ad-da-ni u ama-ni</i>	30. And if his father and his
mother
31. <i>nu dumu-[mu]-meš</i>	31. " Not our son "
32. <i>ba-an-na-dug</i>	32. said to him,
33. <i>ga</i> ² <i>é-ta bar-ra-e(d)-a</i>	33. they shall be deprived of
utensils (?) and house.

The laws on adoption in the Code §§ 185-93 do not provide for cases of renunciation either by parents or children. We could assume from the vague Sumerian law above that adoption carried with it the right of inheritance, which was clearly not involved by adoption according to Semitic law (§§ 190-1). A Semitic contract published and edited by Ungnad and edited also by Schorr ³ has a special clause in which the adopted son is assured to his right of inheritance. In this contract the following phrase occurs : " If in future days S. to B. and H. shall say, ' Thou art not my father, thou art not my mother,' they shall cut a mark upon him and sell him for money. And if B. and H. to S. their son shall say, ' Thou art not our son,' they shall leave house and utensils." Semitic contracts of adoption involve inheritance only by special clause. ⁴

¹ For *nig-ga-ra*, early form of *nig-ga* = *makkuru*, v. BE. 31, 19, 9.

² This sign is read *UB* by Clay. We expect here a word for *unātu*, utensils. Cf. Schorr, *ibid.*, No. 8, 26, *ina bīti uniāti itelū* (the parents who deny their adopted son) shall be deprived of house and utensils. The most probable reading seems to be *GA*. Naturally *ga* may be an error for *nig-ga*, property, cf. Poebel, *ibid.*, No. 24, 26.

³ VS. viii, 127 (formerly published by Meissner) = Schorr, *Altbabylonische Rechtsurkunden*, No. 8. It is dated in the 14th year of Hammurabi.

⁴ Schorr, No. 9. Ungnad-Kohler, *Hammurabi's Gesetz*, 19, 20, 22, 23.

Fortunately a few Sumerian contracts of adoption have been recovered, and these illustrate the Sumerian legal practice on this point. Four contracts of this kind are edited by Poebel, B.E. vi, pp. 27-34. Here two kinds of adoption are clearly intimated by the terms *nam-dumu*, "sonship," and *nam-ibila*, "heirship"; when the latter term is inserted the adopted son or daughter is entitled to inheritance. It is obvious, when the Sumerian law above orders the adopted son to leave house, garden, etc., that the case of a fully adopted son is under consideration. In these contracts the clause for full adoption is *nam-dumu-ni-šú ba-an-da-an-ri*¹ *nam-ibil-a-ni-šú in-gar*, "He took him to sonship and made him into heirship."² The difficult sign rendered *tug* = *likú* in the law above has no similarity to the sign *RI*, which, because of its legal connexion, should be employed for "adopted son".

The Code does not contemplate a similar case for a real son, but only the case of a son who has twice committed a grave offence against his father, § 169. The son is expelled from his inheritance. The law reads *abúm mdr-šu ina aplútím inazaḥ*, "The father shall expel his son from heirship." For this Semitic phrase the Sumerian has *ad-da dumu-ni nam-ibil-ta ib-ta-an-sa*,³ "The father removed his son from sonship."⁴ The phrase of this law in lines 24-9 corresponds almost literally to the penalty imposed upon an adopted son in Sumerian contracts.⁵ Sumerian and Semitic contracts also impose penalty of sale into slavery upon an adopted child who denies his parents. The interpretation of this law on the basis of

¹ II Raw. 9b, 60, has a false translation *ana maráti-šu iṭ-ru-šu* (for *ilki-šu*). On the other hand, the phrases for ejecting a son from his heritage is given in this same text, Col. ii, 14 = RA. 14, 14, *nam-dumu-a-ni-ta ib-ta-an-sar* = *ana* (error for *ina*) *maráti-šu iṭrusu*, "he expelled him from sonship." Ibid., 16, *nam-apil-a-ni-ta ib-ta-an-zi* = *ana* (error for *ina*) *aplúti-šu issuh-šu*, "he ejected him from heirship."

² Poebel, No. 24, 5 f. Cf. 28, 4; 23, 22, abbreviated to *nam-ibila-ni šú ba-an-da-ri-a*.

³ *sa* is for *saḡ* a variant of *suḡ* = *nasāhu*.

⁴ Genouillac, *Inventaire*, 5276, rev. 5.

⁵ Poebel, No. 24, 18-20.

its application to cases of disavowal of parents by adopted children is strongly supported by many legal documents.

§ 22

34. <i>tukundibi</i>	34. If
35. <i>tug(?)¹ ad-da-ni</i>	35. to an adopted son (?) his father
36. <i>ù am-x-ni</i>	36. and his mother
37. <i>nu dumu-mu-meš</i>	37. "Not our son" (said)
38. [<i>é ?</i>] <i>ù(?) uru</i>	38. from house (?) and (?) city
39. [<i>ib-ta</i>]- <i>e(d)-a</i>	39. shall they be compelled to go.

§ 23 ²

40. <i>tukundibi</i>	40. If (a man)
41. <i>dumu-sal galu e-sir-ra</i>	41. the daughter of a freeman in the street
42. <i>é-im-gi</i> ³	42. took for a bride ⁴
43. <i>ad-da-ni</i>	43. and her father
44. <i>ù ama-ni</i>	44. and her mother
45. <i>nu-ba</i> ⁵ <i>-an-zu-uš</i>	45. knew it not,
46. <i>ka-ar-ab</i> ⁶ <i>á</i>	46. "I . . . her"
47. <i>nam ad-ni ù ama-ni</i> ⁷ (?)	47. to her father and mother (?)
48. <i>ni-dug-e</i>	48. he shall say.
49. <i>ad-da-ni</i>	49. Her father

¹ There are traces of a small sign on the tablet before *ad*, as we are bound to expect. This section represents a variant of lines 30-3, and proves that this code is a compilation of laws which are not altogether consistent with each other.

² This paragraph was edited by the writer in the *Journal of the Society of Oriental Research*, vol. iii, 82-3.

³ *é-gi*, "to confine in a house," is connected with the word *é-gi-a* = *kallatu*, bride, and refers to the custom of confining a newly married couple to the house for a short period after marriage. This custom is referred to in the Code of Hammurabi, § 176 *ištu innemdu*, "after they had dwelled together." See, for a full discussion of this custom, p. 82 of JSOR., vol. iii.

⁴ The phrase is pregnant here and clearly refers to an illegitimate honeymoon or bridal confinement. Literally, "he confined her to a house."

⁵ Text *zu*.

⁶ Or *DU* (?).

⁷ Sign *ŠAB*! It is possible that *ka-ar-ab* is a precative verbal prefix in the 1st person for *ga-ra-ab* (verily I will . . .).

50. <i>ù ama-ni</i>	50. and her mother
51. <i>nam-dam-ni-šú</i>	51. unto wifehood
52. <i>in-na-ab sum-mu</i>	52. shall give her to him.
	§ 24
53. <i>tukundibi</i>	53. If (a man)
54. <i>dumu sal galu e sir-da</i>	54. the daughter of a freeman from
the street
55. <i>é-im-gi</i>	55. took for a bride,
56. <i>ad-da-ni</i>	56. and her father
57. <i>ù ama-ni</i>	57. and her mother
58. <i>ba-an-zu-uš</i>	58. knew of it
59. <i>galu é-im-gi</i>	59. he who took her for a bride
60. <i>in-dib in-tar</i>	60. shall be seized and judged.
61. <i>e dingir-ra ?</i>	61. In the house of god . . .
62. <i>in- ?</i>	62. he shall . . .
	§ 25
63. <i>tukundibi</i>	63. If
64. <i>gud nigin-na</i> ¹	64. an ox-herd allows
65. <i>ur-mağ e-kür-e</i>	65. a lion to devour (an ox),
66. <i>gab-ri</i>	66. a substitute of equal value
67. <i>nam lugal-la-ni-šú</i>	67. to the owner
68. <i>ib-ri-ri</i> ²	68. shall he present.
	§ 26
69. <i>tukundibi</i>	69. If
70. <i>gud nigin-na</i>	70. an ox-herd
71. <i>gud ú-gu ba-an-de</i>	71. allow an ox to be lost
72. <i>gud gud-gim</i>	72. ox for ox
73. [<i>lugal a-ni-šú</i>]	73. [to its owner]
74. [<i>in-na-ab-su-su</i>]	74. [shall he restore] ³

¹ Literally, "one who confines oxen." The Semitic law § 262 probably had *nākidu*.

² Or *en*, emphatic ending? *gab-ri ri-ri* = *maḥāru miḥra*, to present a substitute Cf. *gab-ri* [] = *miḥra muḥur*, CT. 19, 42, 23, and for *ri* = *maḥāru* see AO. 3930, Obv. 12, and RA. 10, 77, 8.

³ *iriab*; see the Code of Hammurabi § 219 and above, Sumerian law, § 4, line 13.

ADDENDUM

The Sumerian original of Ellasar

In the text of my paper I have returned to the Biblical form of the name of the city of the sun-god in Sumer, now the ruins of Senkereh. Genesis xiv, 1, mentions Ariôch, king of Ellasar, which has been correctly identified with *Larsa*, the Babylonian pronunciation of the name. But the old Sumerian pronunciation, as hitherto accepted among Assyriologists, was supposed to be *Zarar* or *Arar*. The present views about the name are unsatisfactory, and it is obvious that there was something wrong about our knowledge concerning the history of the word. The Sumerian ideogram for the name of this city is *UD-UNU-(ki)*, "Abode of the sun-god," and Raw. v, 23, 30, indicated that the name was pronounced *Zarar-ma*, but the new copy in CT. xi, 35, showed that *ZA* is uncertain and that *A* may be correct. Some scholars have adopted *Arar-ma* or *Arar* as the true rendering. The ending *ma* which is also added frequently to the name of the city of Ur, i.e. *Uri-ma*, is an old locative ending *aka*, *aga*, *ama* > *ma*, and is commonly omitted.

ZA-ra-ár is certainly correct, for the sign *ZA* has the value *il* or *ila* here, and the Sumerian should be pronounced *Ilarar*. The value *il* for *ZA* resorts from a Berlin syllabary, Schroeder, *Keilschrifttexte aus Assur*, No. 216, 9, where the divine name *ZA-MAL-MAL* is read *Ilbaba*. *Ilrar* by dissimilation, or *r* > *s*, gave *Ilsar* or *Ilasar*.

A great many examples of alveolar *r* passing into sibilant *s*, *š* have been given in § 46 of my *Sumerian Grammar*. The Hebrew rendering is based directly upon the Sumerian, which proves the antiquity of Genesis xiv. The Babylonian *Larsa* is a distortion of *Ilrar*, *Ilasar* by metathesis.