

LANGUAGE, LITERATURE,  
AND HISTORY: /

PHILOLOGICAL AND HISTORICAL STUDIES

PRESENTED TO

ERICA REINER

Edited by

Francesca Rochberg-Halton

AMERICAN ORIENTAL SOCIETY

NEW HAVEN, CONNECTICUT

1987

# A LEGAL TEXT FROM THE REIGN OF TIGLATH-PILESER III

Erle Leichty

University of Pennsylvania

The tablets published here, BM 78156 (88-4-19,9) and its duplicate BM 40717 (81-4-28,262) are dated to the second year of Tiglath-pileser III and were originally written in Babylon. The text furnished by the tablets concerns a dispute over an inheritance.

The texts deal with a dispute over an inheritance between Šulaja and his two brothers. Šulaja seems to have been the eldest and has received two shares of the legacy with his brothers presumably receiving one each. The dispute between them concerns a piece of real estate in Babylon. They sue each other but then settle out of court ("listen to each other"). In accordance with the settlement, Šulaja buys his brothers' interest in the Babylon property for four minas of silver and the brothers renounce all claims against the real estate and against any part of Šulaja's two shares of the inheritance.

BM 78156 (88-4-19, 9)

1. MU.2.KAM *Tukul-ti-A-é-šár-ra* LUGAL *kib-rat ir-bit-ti*  
<sup>m</sup>Šu-la-a ù šEŠ.MEŠ-šú KI *a-ḥa-meš ig-ru-ma*  
*a-na pa-an LÚ.DI.KU<sub>5</sub>.MEŠ i-ru-bu-ma di-nu id-bu-bu*  
*ár-ka-niš ul-tu pa-an LÚ.DI.MEŠ i-tu-ru-nim-ma*
5. *a-ḥa-meš iš-tim-mu-ma 2-ta ḤA.LA.MEŠ šá* <sup>m</sup>Šu-la-a  
 ù *qaq-qar KI.LAM šá ana AN.DÙL šá ina TIN.TIR.KI*  
<sup>m</sup>Šu-la-a *ina ḥu-ud lib-bi-šu ik-nu-ku-ma ku-mi qaq-qar*  
*u GIŠ.SAR šá URU 4 ma-ni-e KI.LAM šá ana AN.DÙL*  
*a-na* <sup>md</sup>AG-APIN-eš ù <sup>md</sup>AMAR.UD-APIN-eš *id-din*
10. *u* <sup>md</sup>AG-APIN-eš ù <sup>md</sup>AMAR.UD-APIN-eš *ina ḥu-ud lib-bi-šú-nu*  
*qaq-qar-šú-nu u GIŠ.SAR-šú-nu šá URU 4 ma-ni-e*  
*ku-mi 2-ta ḤA.<LA>.MEŠ ù KI.LAM šá ana AN.DÙL*  
*a-na* <sup>m</sup>Šu-la-a *SUM.NA ki-i qaq-qar šá URU 4 ma-ni-e*  
*na-šu-ú* <sup>m</sup>Šu-la-a *i-tar-ma ina áš-ri-šú iz-za-zi*
15. *u<sub>4</sub>-mi qaq-qar šá TIN.TIR.KI na-šu-ú*  
<sup>md</sup>AG-APIN-eš ù <sup>md</sup>AMAR.UD-KÁM *ina áš-ri-šu-nu GUB-zu*  
*šá it-ta-bal-ki-tu 10 MA.NA KÙ.BABBAR i-tur-ra*  
*šá da-ba-ba an-na-a BAL-ú*  
<sup>d</sup>A-nu <sup>d</sup>En-líl *u* <sup>d</sup>BE DINGIR.DINGIR GAL.MEŠ

20. *bi-pi-ma-ru* NÍG.GIG *li-ru-ru-šú*  
<sup>d</sup>AG DUB.SAR É.SAG.KIL ZÁĤ-šú *liq-[bi]*  
<sup>d</sup>DI.KU<sub>5</sub> GU.ZA.LÁ É.SAG.ÍL *šub-<sup>r</sup>tu<sup>1</sup>*
- rev. *šá ina* É.SAG.ÍL É.GAL AN-*e u* KI-<sup>r</sup>*tim<sup>1</sup>*  
*šit-lu-ṭa-tu be-lu-us-su*
25. *u<sub>4</sub>-mi-šam ina ma-ḥar* EN GAL-*i* <sup>d</sup>AMAR.UD  
*a-mat* SAL.ḤUL-šú *u* ZÁĤ-šú *lit-tas-qar*  
*ina ka-nak ú-íl-ti šu-a-tum*
- 
- a-na* IGI <sup>m</sup>Ki-na-a DUMU <sup>md</sup>EN-e-*ṭir* LÚ.DI.KU<sub>5</sub>  
<sup>m</sup>Ka-šir DUMU <sup>m</sup>ZALÁG-<sup>d</sup>30
30. <sup>m</sup>DUMU.NITÁ-a DUMU <sup>m</sup>Ba-si-ia  
<sup>m</sup>Ku-na-a [DUMU] LÚ.GÍR.LÁ  
<sup>m</sup>SUM.NA DUMU LÚ.SIPA.ANŠE.KUR.RA  
<sup>m</sup>Na-*[din)-a* DUMU LÚ.GÍR.LÁ  
<sup>m</sup>Dan-a DUMU LÚ.ḤAL <sup>md</sup>EN-*ib-ni* DUMU <sup>m</sup>Su-ḥa-a-a
35. <sup>md</sup>AMAR.UD-LUGAL.A.NI DUMU LÚ.GÍR.LÁ  
<sup>md</sup>AG-*eri-ba* DUMU LÚ.DUG.QA.BUR  
TIN.TIR.KI ITI.ŠU UD.25.KÁM MU.2.KÁM  
*Tukul-ti-a-e-šár-ra* LUGAL UB.DA.LIMMU.BA  
*šu-pur* <sup>m</sup>Šu-la-a <sup>md</sup>AG-APIN-*eš*
40. <sup>md</sup>AMAR.UD-APIN-*eš* *bi-pi kán-gi-šu-nu*

## TRANSLATION

Second year, Tiglath-Pileser, king of the four quarters. Šulaja and his brothers sued each other and they went before the judges and pleaded the case. Afterwards, they returned from before the judges and they agreed among themselves (concerning) two shares belonging to Šulaja and land, which was in escrow located in Babylon. Šulaja, of his own free will, drew up a sealed tablet. In exchange for the land and orchard in the city he gave Nabu-ereš and Marduk-ereš four minas, the escrow price. And, Nabu-ereš and Marduk-ereš, of their own free will, gave their land and their orchard in the city (worth) four minas to Šulaja in exchange for (their claim against) the two shares and the escrow price. When the land in the city (worth) four minas was turned over, Šulaja withdrew and was satisfied. On the day the land in Babylon was turned over, Nabu-ereš and Marduk-ereš were satisfied. Whoever violates (this agreement) shall forfeit ten minas of silver. Whoever changes this agreement, may Anu, Enlil, and Ea, the great gods, curse him with a terrible, indissoluble curse. May Nabu, the scribe of Esagila order his destruction. May Mandanu, the throne bearer of Esagila, the seat whose lordship is victorious in Esagila, the palace of Heaven and earth, may he speak evil and destruction for him every day in the presence of the great lord Marduk.

At the sealing of this contract:

Witnesses —

And the scribe, Nabu-eriba, son of the potter. Babylon; Du<sup>2</sup>uzu; twenty-fifth day; second year; Tiglath-Pileser, king of the four quarters. Nail of Šulaja, Nabu-ereš, Marduk-ereš, (instead of) of their seal(s).

Texts contemporaneous with the reign of Tiglath-Pileser III are extremely rare and the two published here are the only ones from the genre of legal texts.<sup>1</sup> The two tablets are nearly identical in content. BM 78156 is complete and contains the whole text. BM 40717 is the upper right hand corner of a tablet. It contains the first ten lines of the obverse and the last six of the reverse. In line four, BM 40717 writes LÚ.DI.KU<sub>5</sub>.MEŠ for LÚ.DI.MEŠ in BM 78156. In line nine BM 40717 adds *ša* before Marduk-ereš. The reverse of BM 40717 divides the lines slightly differently. Otherwise the texts are exact duplicates.

Both tablets are late copies. This is shown by the nail markings which appear on the edges of each tablet and are typical of late copies. All such texts known to me deal with real estate in one form or another. BM 78156 also has *hi-pi* breaks in lines 20 and 40.

The text is quite straightforward with the exception of the phrase *ana andulli/šulūli* which occurs in lines 6, 8, and 12. I believe the phrase represents an idiomatic usage in the sense of "protection." That is, the property is under the "protection" of the city of Babylon or some unnamed authority in Babylon. *Andullu/šulūlu* is normally used with gods or kings, but note the broader usage of the synonym *šillu* as evidenced in CAD § pp. 191-92. I have tentatively translated *ana andulli/šulūli* as "escrow." Another example of similar usage should clarify the matter.

In line twenty the scribe has probably misread from the broken copy. It is most probable that the original tablet had *la nap-šu-ru*. The scribe has read the traces of *šu* as *ma*. Since the phrase is so well attested it is difficult to explain the error, but it certainly is a poor commentary on the scribe's knowledge of Akkadian. In line forty the broken original probably contained the GIM sign.

It is interesting to note that the "standard" neo-Babylonian legal formulae were already well established by the second year of Tiglath-Pileser III.

<sup>1</sup> The two texts are published by the kind consent of the acting Keeper of Western Asiatic Antiquities, T. Mitchell, and the Trustees of the British Museum. These texts have already been noted by J. A. Brinkman in Brinkman PKB 359. BM 40717 was already known to Thureau-Dangin who mentioned the text in conjunction with his publication of three administrative documents from this reign in RA 6 (1907), pp. 134-37.