

THE TWELVE TABLES

THE TWELVE TABLES represents the first formal codification of Roman laws and customs. The code was inscribed on bronze plaques, which were eventually destroyed. These selections are taken from reconstructions of the code preserved in the works of later writers.

Selections from the Twelve Tables

Table III: Execution; Law of Debt

When a debt has been acknowledged, or judgment about the matter has been pronounced in court, thirty days must be the legitimate time of grace. After that, the debtor may be arrested by laying on of hands. Bring him into court. If he does not satisfy the judgment, or no one in court offers himself as surety in his behalf, the creditor may take the defaulter with him. He may bind him either in stocks or in fetters. . . .

Unless they make a settlement, debtors shall be held in bond for sixty days. During that time they shall be brought before the praetor's court in the meeting place on three successive market days, and the amount for which they are judged liable shall be announced; on the third market day they shall suffer capital punishment or be delivered up for sale abroad, across the Tiber.

Table IV: Rights of Head of Family

Quickly kill . . . a dreadfully deformed child.

If a father three times surrenders a son for sale, the son shall be free from the father.

A child born ten months after the father's death will not be admitted into legal inheritance.

Table V: Guardianship; Succession

Females shall remain in guardianship even when they have attained their majority.

If a man is raving mad, rightful authority over his person and chattels shall belong to his agnates [nearest male relatives] or to his clansmen.

A spendthrift is forbidden to exercise administration over his own goods. . . . A person who, being insane or a spendthrift, is prohibited from administering his own goods shall be under trusteeship of agnates.

Table VII: Rights Concerning Land

Branches of a tree may be lopped off all round to a height of more than 15 feet. . . . Should a tree on a neighbor's farm be bent crooked by a wind and lean over your farm, action may be taken for removal of that tree.

It is permitted to gather up fruit falling down on another man's farm.

Table VIII: Torts or Delicts

If any person has sung or composed against another person a song such as was causing slander or insult to another, he shall be clubbed to death.

If a person has maimed another's limb, let there be retaliation in kind unless he makes agreement for settlement with him.

Any person who destroys by burning any building or heap of corn deposited alongside a house shall be bound, scourged, and put to death by burning at the stake, provided that he has committed the said misdeed with malice aforethought, but if he shall have committed it by accident, that is, by negligence, it is ordained that he repair the damage, or, if he be too poor to be competent for such punishment, he shall receive a lighter chastisement.

Table IX: Public Law

The penalty shall be capital punishment for a judge or arbiter legally appointed who has been found guilty of receiving a bribe for giving a decision.

Table XI: Supplementary Laws

Intermarriage shall not take place between plebeians and patricians.