

## THE LAWS OF THE TWELVE TABLES

### TABLE I (Summons to court)

I. When anyone summons another before the tribunal of a judge, the latter must, without hesitation, immediately appear.

II. If, after having been summoned, he does not appear, or refuses to come before the tribunal of the judge, let the party who summoned him call upon any citizens who are present to bear witness. Then let him seize his reluctant adversary; so that he may be brought into court, as a captive, by apparent force.

III. When anyone who has been summoned to court is guilty of evasion, or attempts to flee, let him be arrested...

VII. When litigants wish to settle their dispute among themselves, even while they are on their way to appear before the Prætor, they shall have the right to make peace; and whatever agreement they enter into, it shall be considered just, and shall be confirmed.

### TABLE II (Concerning judgments and thefts)

III. Where anyone is deprived of the evidence of a witness let him call...

IV. Where anyone commits a theft by night, and having been caught in the act is killed, he is legally killed.

VI. When any persons commit a theft during the day and in the light, whether they be freemen or slaves, of full age or minors, and attempt to defend themselves with weapons, or with any kind of implements...and the thieves are killed by him in the defense of his person and property, it is legal, and no liability attaches to the homicide.

X. Where anyone, in order to favor a thief, makes a compromise for the loss sustained, he cannot afterwards prosecute him for theft.

XI. Stolen property shall always be his to whom it formerly belonged; nor can the lawful owner ever be deprived of it by long possession, without regard to its duration; nor can it ever be acquired by another, no matter in what way this may take place.

### TABLE III (Concerning debt)

IV. Where anyone, having acknowledged a debt, has a judgment rendered against him requiring payment, thirty days shall be given to him in which to pay the money and satisfy the judgment.

V. After the term of thirty days granted by the law to debtors who have had judgment rendered against them has expired, and in the meantime, they have not satisfied the judgment, their creditors shall be permitted to forcibly seize them and bring them again into court.

VII. If, after a debtor has been delivered up to his creditor, or has been placed in chains, he desires to obtain food and has the means, he shall be permitted to support himself out of his own property. But if he has nothing on which to live, his creditor, who holds him in chains, shall give him a pound of grain every day, or he can give him more than a pound, if he wishes to do so.

IX. After he has been kept in chains for sixty days, and the sum for which he is liable has been three times publicly proclaimed in the Forum, he shall be condemned to be reduced to slavery by him to whom he was delivered up; or, if the latter prefers, he can be sold beyond the Tiber.

Mr. Shupryt's  
favorite

#### TABLE IV (Concerning the rights of a father, and of marriage)

I. A father shall have the right of life and death over his son born in lawful marriage, and shall also have the power to render him independent, after he has been sold three times.

II. If a father sells his son three times, the latter shall be free from paternal authority.

III. A father shall immediately put to death a son recently born, who is a monster, or has a form different from that of members of the human race.

IV. When a woman brings forth a son within the next ten months after the death of her husband, he shall be born in lawful marriage, and shall be the legal heir of his estate.

#### TABLE V (Concerning estates and guardianships)

I. No matter in what way the head of a household may dispose of his estate, and appoint heirs to the same, or guardians; it shall have the force and effect of law.

II. Where a father dies...without leaving any proper heir...the next of kin among his family, shall be his heir.

III. When a freedman dies...and does not leave any proper heir, but his (wife), or the children...the inheritance of the estate of the freedman shall be adjudged to the next of kin of the (wife).

VI. When the head of a family dies...and leaves a proper heir who has not reached the age of puberty, his nearest (relative) shall obtain the guardianship.

VII. When no guardian has been appointed for an insane person, or a spendthrift, his nearest (relatives), or if there are none, his other relatives, must take charge of his property.

#### TABLE VI (Concerning ownership and possession)

I. When anyone contracts a legal obligation with reference to his property, or sells it, by making a verbal statement or agreement concerning the same, this shall have the force and effect of law...

III. Where property has been sold, even though it may have been delivered, it shall by no means be acquired by the purchaser until the price has been paid, or a surety or a pledge has been given, and the vendor satisfied in this manner.

V. Where a woman, who has not been united to a man in marriage, lives with him for an entire year...she shall pass into his power as his legal wife.

VI. Where parties have a dispute with reference to property before the tribunal of the Prætor, both of them shall be permitted to state their claims in the presence of witnesses.

X. If a husband desires to divorce his wife, and dissolve his marriage, he must give a reason for doing so.

### **TABLE VII (Concerning crimes)**

I. If a quadruped causes injury to anyone, let the owner tender him the estimated amount of the damage; and if he is unwilling to accept it, the owner shall, by way of reparation, surrender the animal that caused the injury.

II. If you cause any unlawful damage...accidentally and unintentionally, you must make good the loss, either by tendering what has caused it, or by payment.

III. Anyone who, by means of incantations and magic arts, prevents grain or crops of any kind belonging to another from growing, shall be sacrificed to Ceres.

IV. If anyone...secretly, and by night, destroys or cuts and appropriates to his own use, the crop of another...he shall be sacrificed to Ceres, and hung. If he is under the age of puberty, and not yet old enough to be accountable, he shall be scourged, in the discretion of the Praetor, and shall make good the loss by paying double its amount.

VI. Anyone who, knowingly and maliciously, burns a building, or a heap of grain left near a building, after having been placed in chains and scourged, shall be put to death by fire. If, however, he caused the damage by accident, and without malice, he shall make it good; or, if he has not the means to do so, he shall receive a lighter punishment.

VIII. When anyone publicly abuses another in a loud voice, or writes a poem for the purpose of insulting him, or rendering him infamous, he shall be beaten with a rod until he dies.

IX. When anyone breaks a member of another, and is unwilling to come to make a settlement with him, he shall be punished by the law of retaliation.

XI. If anyone, after having been asked, appears either as a witness or a balance-holder, at a sale, or the execution of a will, and refuses to testify when this is required to prove the genuineness of the transaction, he shall become infamous, and cannot afterwards give evidence.

XII. Anyone who gives false testimony shall be hurled from the Tarpeian Rock.

XIII. If anyone knowingly and maliciously kills a freeman, he shall be guilty of a capital crime. If he kills him by accident, without malice and unintentionally, let him substitute a ram to be sacrificed publicly by way of expiation for the homicide of the deceased, and for the purpose of appeasing the children of the latter.

XV. Anyone who kills an ascendant (person of higher status), shall have his head wrapped in a cloth, and after having been sewed up in a sack, shall be thrown into the water.

### **TABLE VIII (Concerning the laws of real property)**

II. Societies and associations which have the right to assemble, can make, promulgate, and confirm for themselves such contracts and rules as they may desire; provided nothing is done by them contrary to public enactments, or which does not violate the common law.

### **TABLE IX (Concerning public law)**

I. No privileges, or statutes, shall be enacted in favor of private persons, to the injury of others contrary to the law common to all citizens, and which individuals, no matter of what rank, have a right to make use of.

II. The same rights shall be conferred upon, and the same laws shall be considered to have been enacted for all the people residing in and beyond Latium, that have been enacted for good and steadfast Roman citizens.

III. When a judge, or an arbiter appointed to hear a case, accepts money, or other gifts, for the purpose of influencing his decision, he shall suffer the penalty of death.

IV. No decision with reference to the life or liberty of a Roman citizen shall be rendered except by the vote of the Greater *Comitia*.

VII. If anyone should stir up war against his country, or delivers a Roman citizen into the hands of the enemy, he shall be punished with death.

**TABLE XI (Supplement to the five preceding ones)**

I. Affairs of great importance shall not be transacted without the vote of the people, with whom rests the power to appoint magistrates, to condemn citizens, and to enact laws. Laws subsequently passed always take preference over former ones.

II. Those who belong to the Senatorial Order and are styled Fathers, shall not contract marriage with plebeians.

**TABLE XII (Supplement to the five preceding ones)**

III. If a slave, with the knowledge of his master, should commit a theft, or cause damage to anyone, his master shall be given up to the other party by way of reparation for the theft, injury, or damage committed by the slave.