

STUDIA ET DOCUMENTA

AD IURA ORIENTIS ANTIQUI PERTINENTIA

VOLUMEN III

THE
OLD-BABYLONIAN MERCHANT
HIS BUSINESS AND HIS SOCIAL POSITION

BY

W. F. LEEMANS



LEIDEN
E. J. BRILL
1950

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Vol 1

THE OLD-BABYLONIAN MERCHANT

STUDIA ET DOCUMENTA

AD IURA ORIENTIS ANTIQUI PERTINENTIA

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W. F. LEEMANS

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LIST OF ABBREVIATIONS

AASOR XVI	The Annual of the American Schools of Oriental Research. R. H. Pfeiffer and E. A. Speiser, One hundred new Selected Nuzi texts, 1936.
ABB	A. Ungnad, Altbabylonische Briefe aus dem Museum zu Philadelphia (Zeitschrift für vergleichende Rechtswissenschaft XXXVI, p. 214-353), 1920.
AfO	Archiv für Orientforschung, Berlin.
AJSL	American Journal of Semitic Languages and Literatures, Chicago.
Amh. I	The Amherst Tablets, edited by Th. G. Pinches. Texts of the period extending to and including the reign of Bur-Sin, 1908.
Ana ittišu	The series ana ittišu, edited by B. Landsberger, MSL I, 1937.
An. Or. 2	Analecta Orientalia, Roma. A. Deimel, Sumerische Tempelwirtschaft zur Zeit Urukaginas und seiner Vorgänger, 1931.
AO	Museum numbers of the Louvre museum (Antiquités Orientales).
AO	Der alte Orient, Leipzig.
24, 4	B. Landsberger, Assyrische Handelskolonien in Kleinasien, 1925.
31, 3/4	W. Eilers, Die Gesetzesstele Chammurabis, 1932.
AOS	American Oriental Series, New Haven.
32	A. L. Oppenheim, Catalogue of the Cuneiform Tablets of the Wilberforce Eames Babylonian Collection in the New York Public Library, 1948.
Ar.Or.	Archiv Orientalní, Prague.
Ash.	Ashmolean Museum, Oxford.
ASKT	P. Haupt, Akkadische und Sumerische Keilschrifttexte, 1881/2.
BA	Beiträge zur Assyriologie und semitischen Sprachwissenschaft. Edited by F. Delitzsch and P. Haupt.
Bab.	Babyloniaca, Études de Philologie Assyro-Babylonienne, Paris.
BASOR	Bulletin of the American Schools of Oriental Research.
BB	A. Ungnad, Babylonische Briefe aus der Zeit der Hammurapi-Dynastie, 1914 (= VAB VI).
BE	The Babylonian Expedition of the University of Pennsylvania, Series A, Cuneiform Texts.
III, 1	D. W. Myhrman, Sumerian Administrative Documents from the second dynasty of Ur, 1910.
VI, 1	H. Ranke, Babylonian Legal and Business Documents from the Time of the First Dynasty of Babylon, chiefly from Sippar, 1906.
VI, 2	A. Poebel, Babylonian Legal and Business Documents from the Time of the First Dynasty of Babylon, chiefly from Nippur, 1909.
XIV	A. T. Clay, Documents from the Temple Archives of Nippur, dated
XV	{ in the reign of Cassite Rulers, 1906.

XVII, 1	H. Radau, Letters to Cassite Kings from the Temple Archives of Nippur, 1908.
XXXI	S. Langdon, Historical and Religious Texts from the Temple Library of Nippur, 1914.
Berens	Th. G. Pinches, The Babylonian Tablets of the Berens Collection, 1915.
Bilgiç, Schulden und Darlehen	E. Bilgiç, Die wichtigsten Ausdrücke über Schulden und Darlehen in den Keilschrifttexten (Ankara Üniversitesi Dil ve Tarih — Coğrafya Fakültesi Dergisi V 1947, p. 419-454).
BIN	Babylonian Inscriptions in the Collection of James B. Nies, Yale University.
II	J. B. Nies and Cl. E. Keiser, Historical, Religious and Economic Texts and Antiquities, 1920.
IV	A. T. Clay, Letters and Transactions from Cappadocia, 1927.
V	G. G. Hackman, Temple Documents of the Third Dynasty of Ur from Umma, 1937.
VI	F. J. Stephens, Old Assyrian Letters and Business Documents, 1944.
VII	J. B. Alexander, Early Babylonian Letters and Economic Texts, 1943.
Bi.Or.	Bibliotheca Orientalis, Leiden.
BJRL	Bulletin of the John Rylands Library, Manchester.
B(r)M	Museum numbers of the British Museum.
Boyer	G. Boyer, Contribution à l'histoire juridique de la 1re dynastie babylonienne, 1928.
CCT	Cuneiform Texts from Cappadocian Tablets in the British Museum.
CH	Code of Hammurabi.
Cop.	Th. Jacobsen, Cuneiform Texts in the National Museum, Copenhagen, 1939.
CT	Cuneiform Texts from the Babylon Tablets in the British Museum.
Cuq. Études	E. Cuq, Études sur le Droit Babylonien, les Lois Assyriennes et les Lois Hittites, 1929.
DP	Allotte de la Fuye, Documents Présargoniques, 1908-1920.
Driver and Miles, Assyrian Laws	G. E. Driver and J. C. Miles, The Assyrian Laws, 1935.
EG	Elihu Grant, Babylonian Business Documents of the Classical Period, 1919 (nearly all reedited in YBT VIII).
Eilers, Gesellschaft	W. Eilers, Gesellschaftsformen im Altbabylonischen Recht (Leipziger rechtswissenschaftliche Studien 65), 1931.
EL, with number	Numbers of the documents in G. Eisser and J. Lewy, Die altassyrischen Rechtsurkunden vom Kültepe (MVAeG 33 and 35, 3/4), 1930 and 1935.
Festschrift Koschaker	Festschrift Paul Koschaker, Weimar, 1939.
F	Th. Friedrich, Altbabylonische Urkunden aus Sippara. (Beiträge zur Assyriologie und vergleichende semitische Sprachwissenschaft V, 4), 1906.
Fish, Letters	T. Fish, Letters of the First Babylonian Dynasty in the John Rylands Library, Manchester, 1936.
G	J. E. Gautier, Archives d'une Famille de Dilbat au temps de la première dynastie de Babylone, 1908.
Giessen	Numbers of the collection of the university of Giessen, cited in EL.
HE	École pratique des Hautes-Études (Section des sciences historiques et philologiques), Paris (tablets, edited in Boyer and RA).

- HG J. Kohler, F. E. Peiser, A. Ungnad, P. Koschaker, *Hammurabis Gesetz*, vol. I-VI, 1904-1923.
 HLC Haverford Library Collection of Cuneiform Tablets or documents from the Temple Archives of Telloh, edited by G. A. Barton, I, II, III, 1905-1914.
 HSS Harvard Semitic Series, Cambridge, USA.
 III and IV M. I. Hussey, *Sumerian Tablets in the Harvard Semitic Museum*, 1912, 1915.
 IX Excavations at Nuzi II, R. H. Pfeiffer, *The Archives of Shilwateshub son of the King*, 1932.
 HWB Fr. Delitzsch, *Assyrisches Handwörterbuch*, 1896.
 Iraq Iraq, London.
 ITT Inventaire des Tablettes de Tello conservées au Musée Impérial Ottoman. Mission française de Chaldée.
 II, I } H. de Genouillac et L. Delaporte, *Textes de l'époque d'Agadé et d'Ur*, 1910-1912.
 IV }
 V H. de Genouillac, *Époque présargonique, époque d'Agadé, époque d'Ur*.
 JAOS *Journal of the American Oriental Society*, New Haven.
 JCS *Journal of Cuneiform Studies*, New Haven.
 Jean, Larsa Ch. F. Jean, *Larsa d'après les textes cunéiformes 2187 à 1901*, 1931.
 JEBH *Journal of Economic and Business History*.
 Jena Numbers of the Hilprecht collection in Jena, cited in EL.
 JRAS *Journal of the Royal Asiatic Society*, London.
 KAJ E. Ebeling, *Keilschrifttexte aus Assur juristischen Inhalts (Wissenschaftliche Veröffentlichung der Deutschen Orient-Gesellschaft 50)*, 1927.
 KB Keilinschriftliche Bibliothek.
 Kn. J. A. Knudtzon, *Die El-Amarna-Tafeln*, 1915 (VAB II).
 Koschaker, Rechts- P. Koschaker, *Rechtsvergleichende Studien zur Gesetzgebung Hammurapis, Königs von Babylon*, 1917.
 vergl. St.
 Koschaker, Griech. P. Koschaker, *Über einige griechische Rechtsurkunden aus den östlichen Randgebieten des Hellenismus (Abh. der phil. hist. Klasse der Sächs. Akad. der Wissenschaften, XLII/1)*, 1931.
 Rechtsurk.
 Kraus P. Kraus, *Altbabylonische Briefe (MVAeG 35/2 and 36/1)*, 1931, 1932.
 Kt. Bl. *Die Kültepetexte der Sammlung R. Blanckertz*, edited by J. Lewy, 1929.
 Kt. Hahn *Die Kültepetexte aus der Sammlung Frida Hahn*, edited by J. Lewy, 1930.
 Lautner, Personen- J. G. Lautner, *Altbabylonische Personenmiete und Erntearbeiterverträge*, 1936.
 miete
 Leiden Numbers of the Leiden collection, cited in F. M. Th. Böhl, *Mededeelingen uit de Leidsche Verzameling van Spijkerschrift-inscripties, I and II (Mededeelingen der Koninklijke Akademie van Wetenschappen, afdeling Letterkunde, deel 76, serie B 9 (1933), deel 78, serie B 2 (1934))*.
 LIH L. W. King, *The Letters and Inscriptions of Hammurabi*, 1898 ss.
 M Numbers of the tablets edited by B. Meissner in *Beiträge zum altbabylonischen Privatrecht*, 1893.
 MAOG *Mitteilungen der altorientalischen Gesellschaft*, Leipzig.
 I, 2 B. Meissner, *Studien zur assyrischen Lexicographie*, 1925.
 X, 1 H. Waschow, *Babylonische Briefe aus der Kassitenzeit*, 1936.

XV, 1/2	E. Ebeling, Altbabylonische Briefe der Louvre Sammlung aus Larsa, 1942.
XVI, 1/2	E. Ebeling, Altbabylonische Briefe Amerikanischer Sammlungen aus Larsa, 1943.
MDP	Mémoires de la Délégation en Perse = Mémoires de la Mission Archéologique de Perse.
XXII, XXIII, XXIV, XXVIII	V. Scheil, Actes juridiques Susiens, 1930, 1932, 1933.
MSL	V. Scheil, Mélanges épigraphiques, 1939.
I	Materialien zum Sumerischen Lexikon.
MVAG and MVAeG	B. Landsberger, Die Serie ana ittišu, 1937.
X, 4	Mitteilungen der Vorderasiatischen, later on Vorderasiatisch-Ägyptischen Gesellschaft, Leipzig.
XIX, 3	B. Meissner, Assyriologische Studien III, 1905.
XXXIII and XXXV, 3/4	W. Schwenzner, Zum altbabylonischen Wirtschaftsleben, 1915.
XXXV, 2, and XXXVI, 1	G. Eisser and J. Lewy, Die altassyrischen Rechtsurkunden vom Kültepe, 1930, 1935.
N	P. Kraus, Altbabylonische Briefe aus der Vorderasiatischen Abteilung der Preussischen Staatmuseen zu Berlin, 1931-1932.
II	American Schools of Oriental Research. Publications of the Baghdad School. Joint Expedition with the Iraq Museum at Nuzi.
Nik	E. Chiera, Declarations in Court, 1930.
OECT	M. W. Nikolsky, Drevnosti vostocnyja, 1889.
VIII	Oxford Editions of Cuneiform Texts.
OIC	G. R. Hunter, Sumerian Contracts from Nippur, 1930.
OIP	The Oriental Institute of the University of Chicago. Oriental Institute Communications.
XXVII	The University of Chicago. Oriental Institute Publications.
OLZ	I. J. Gelb, Inscriptions from Alishar and Vicinity, 1935.
Orientalia	Orientalistische Literaturzeitung, Leipzig.
Or.	Orientalia, Vetera Series, Roma.
PSBA	Orientalia, Nova Series, Roma.
I(-V) R	Proceedings of the Society of Biblical Archaeology, London.
RA	H. C. Rawlinson, The Cuneiform Inscriptions of Western Asia.
RIB	Revue d'Assyriologie et d'Archéologie Orientale, Paris.
Riftin	L. Speleers, Recueil des Inscriptions de l'Asie Antérieure des Musées Royaux du Cinquantenaire à Bruxelles, 1925.
RTC	A. P. Riftin, Old Babylonian legal and administrative Tablets in the U.S.S.R., 1937.
SAK	F. Thureau-Dangin, Recueil de Tablettes Chaldéennes, 1903.
Š et A	F. Thureau-Dangin, Die Sumerischen und Akkadischen Königsinschriften (Vorderasiatische Bibliothek I, 1), 1907.
SL	Ch. F. Jean, Sumer et Akkad. Contribution à l'histoire de la civilisation dans la Basse-Mésopotamie, 1923. (The roman figures refer to the tablets autographed, the arabic to the transliterations and translations).
Smith	A. Deimel, Sumerisches Lexikon, 1925 ss.
St.Or.	Elihu Grant, Cuneiform Documents in the Smith College Library, Haverford, 1918.
V, 3	Studia Orientalia, Helsingfors.
VIII, 1	A. Saarisalo, New Kirkuk Documents relating to Slaves, 1934.
XI, 1	W. J. Martin, Tribut und Tributleistungen bei den Assyriern, 1936.
	A. Salonen, Nautica Babyloniaca, 1942.

Strassburg	C. Frank, <i>Strassburger Keilschrifttexte in sumerischer und babylonischer Sprache</i> , 1928.
Sumer	<i>Sumer</i> , a Journal of Archeology in Iraq, Baghdad.
Symbolae Koschaker	<i>Symbolae ad Iura Orientis Antiqui pertinentes</i> Paulo Koschaker dedicatae, Leiden 1939.
TCL	Musée du Louvre, Département des Antiquités Orientales. Textes Cunéiformes.
I	F. Thureau-Dangin, <i>Lettres et Contrats de l'époque de la première dynastie babylonienne</i> , 1910.
IV	G. Contenau, <i>Tablettes Cappadociennes</i> , 1920.
V	H. de Genouillac, <i>Textes économiques d'Oumma de l'époque d'Our</i> , 1922.
VII	F. Thureau-Dangin, <i>Lettres de Hammurapi à Šamaš-ḫâsir</i> , 1924.
X, XI	Ch. F. Jean, <i>Contrats de Larsa</i> , 1926.
XVII, XVIII	G. Dossin, <i>Lettres de la première dynastie babylonienne</i> , 1933, 1934.
XXII	G. Dossin, <i>Archives Royales de Mari I, Lettres</i> , 1946.
Tell Sifr	Tell Sifr. Textes Cunéiformes conservés au British Museum. Réédités par Ch. F. Jean, 1931.
TMHC, NF	Texte und Materialien der Frau Professor Hilprecht Collection of Babylonian Antiquities im Eigentum der Universität Jena, Neue Folge.
I/II	A. Pohl, <i>Rechts und Verwaltungsurkunden der III Dynastie von Ur</i> , 1937.
TSA	H. de Genouillac, <i>Textes Sumériennes archaïques</i> , 1909.
TSS	R. Jestin, <i>Tablettes Sumériennes de Šuruppak conservées au Musée de Stamboul</i> , (Mémoires de l'institut français d'Archéologie de Stamboul III), 1937.
UAR	M. Schorr, <i>Urkunden des altbabylonischen Zivil- und Prozessrechts</i> (VAB, vol. V), 1913.
UCP	University of California Publications in Semitic Philology.
IX, 4	H. F. Lutz, <i>Old Babylonian Letters</i> , 1929.
X, 1	H. F. Lutz, <i>Legal and Economic Documents from Ashjâly</i> , 1931.
UET	Ur Excavations, Texts.
I	C. J. Gadd and L. Legrain, <i>Royal Inscriptions</i> .
III	L. Legrain, <i>Business Documents of the Third Dynasty of Ur</i> , 1937, 1947.
UM	University of Pennsylvania. The University Museum, Publications of the Babylonian Section.
I, 2	H. F. Lutz, <i>Selected Sumerian and Babylonian Texts</i> , 1919.
V	A. Poebel, <i>Historical and Grammatical Texts</i> , 1914.
VII	A. Ungnad, <i>Babylonian Letters of the Hammurabi Period</i> , 1915.
VIII, 1	E. Chiera, <i>Legal and Administrative Documents from Nippur, chiefly from the dynasties of Isin and Larsa</i> , 1914.
VIII, 2	E. Chiera, <i>Old-Babylonian Contracts</i> , 1922.
VAB	Vorderasiatische Bibliothek, Leipzig. Vide BB, Kn., SAK, UAR.
VAT	Numbers in the "Vorderasiatische Abteilung" of the Preussischen Staatsmuseen at Berlin.
VS	Vorderasiatische Schriftdenkmäler der Preussischen Staatsmuseen zu Berlin.
Walther, Gerichtswesen	A. Walther, <i>Das altbabylonische Gerichtswesen</i> (Leipziger Semitistische Studien VI, 4-6), 1917.
Wat.	L. Waterman, <i>Business Documents of the Hammurabi Period from the British Museum</i> , 1916.

WVDOG	Wissenschaftliche Veröffentlichungen der Deutschen Orient Gesellschaft.
45	A. Deimel, Die Inschriften von Fara, 1924.
YBC	Yale Babylonian Collection.
YBT	Yale Oriental Series, Babylonian Texts.
I	A. T. Clay, Miscellaneous Inscriptions in the Yale Babylonian Collection, 1915.
II	H. F. Lutz, Early Babylonian Letters from Larsa, 1917.
IV	C. E. Keiser, Selected Temple Documents of the Ur dynasty, 1919.
V	E. M. Grice, Records from Ur and Larsa, dated in the Larsa Dynasty, 1919.
VIII	D. E. Faust, Contracts from Larsa, dated in the reign of Rim-Sin, 1941.
ZA	Zeitschrift für Assyriologie und verwandte Gebiete, Leipzig.
ZSS	Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Romanistische Abteilung, Berlin.

INTRODUCTION

Babylonia is regarded the trading country of antiquity, comparable with Greece during the classical period. Babylonia has not acquired this name without reason.

In lower Mesopotamia—for the sake of brevity further indicated as Babylonia, although this name may strictly speaking, only be applied since the supremacy of Babylon—trade dates from the earliest times of civilisation. This can easily be explained. Babylonia is an alluvial country, originating in the deposits of the river Euphrates, the Tigris and some other rivers running down from the mountains to the north-east. Consequently metals and stones were absolutely lacking in this country. Although the plains were very fertile, they only could be made productive if they were irrigated in one way or another, originally only by natural inundation, later on by mechanical irrigation. There were no trees except date-palms, but they did not produce enough or good timber. With the development of civilisation in the plain, it was necessary—if only to make agricultural implements—to import metals, stones and timber from the neighbouring countries, which was only possible in exchange for the produce that the rich plain yielded its inhabitants for export, viz. corn, dates and sesame oil. The tablets from Lagaš, dating from the time of the patesis Lugalanda and Urukagina, already testify to imports of timber and metals from Elam¹⁾. Trade relations existed at that time not only with the neighbouring Elam, but also with more distant countries like the Indus valley²⁾. The reciprocal influences of Babylonia and Egypt³⁾ may have been connected with trade between the two countries. At the same time the inland traffic was already very lively, and we hear of it especially between Lagaš and Nippur. This traffic mainly took place via the waterways⁴⁾, and many people were engaged in shipping. Navigation was easy downstream; but the barges had to be towed upstream. A journey from Lagaš to Nippur, a distance of

Caravans:
over hills
Trade:

1) Cf. DP 423, RTC 21, and in general A. Schneider, Die sumerische Tempelstadt, p. 61 ss.

2) Cf. Mohendjo-Daro and the Indus-Civilisation, edited by Sir John Marshall (1931), vol. I, p. 102-105, etc., E. Mackay, Early Indus Civilisations, 2nd ed. revised by Dorothy Mackay (1948), p. 146 ss. For relations between Ešnunna and the Indus Valley vide H. Frankfort, OIC 16 (1933), p. 48 ss.

3) Cf. A. Scharf, Die Frühkulturen Ägyptens und Mesopotamiens, AO 41 (1941), and B. Hrozný, Histoire de l'Asie Antérieure, (1947), p. 71 ss.

4) Cf. e.g. ITT V, 9517, 9523, 9525, 9529, 9551, 9558, 9563, etc.

1948
1933

85 miles, took an average of 16 to 17 days, 4 to 5 days in the reverse direction⁵). Ships also navigated the Persian Gulf, where they carried on a brisk trade with the land of Dilmun, by most authors identified with the Isle of Bahrain⁶). Trade with this land is already mentioned in the texts of Urukagina in the 24th century B.C.⁷); it was especially noted for its dates. The people of this island evidently had so much commercial flair that for a Babylonian a *lú-tilmuna* was the same as a merchant⁸).

A particularly vivid idea of the foreign imports can be obtained from the inscriptions of Gudea. It is stated for instance in statue B that for the temple of Ningirsu Gudea used cedar wood from the Amanus Mountains. It is also recorded that many kinds of wood came from other mountainous regions, inter alia, from Meluhha; marble was imported; copper came from Kimaš (Elam), gold came from Meluhha; from the latter country came also precious stones⁹). This land is difficult to locate, like Magan, often mentioned in the same text; like Dilmun, Meluhha and Magan are generally supposed to have been somewhere along the Arabian coasts¹⁰).

In the period of the third dynasty of Ur, trade with foreign countries remained important. Various towns mentioned in Ur III texts have been enumerated by T. Fish¹¹). From these texts it appears that relations with the surrounding countries, especially Elam, were many. This country was one of the most important sources of metals, of which various kinds are mentioned in the documents of this time¹²). Many other articles were also imported, e.g. bitumen, gypsum, timber. These imports were directed by damkara, as appears from various large tablets¹³). The Akkadians also already had relations with Cappadocia in early times, as is proved in respect of the Ur III period, inter alia, by a tablet bearing the seal of king Ibi-Sin¹⁴).

During the time of the first Babylonian dynasty, textile goods were

5) Cf. A. Salonen. *Nautica Babyloniaca* (St. Or. XI, 1), p. 44 ss.

6) S. N. Kramer, however, proposed to locate it in S.W. Iran (BASOR 66, 1944, p. 18). Contra again P. B. Cornwall, BASOR 103 (1946), p. 3-11.

7) A. Deimel, *Orientalia* 2, p. 43-44.

8) Cf. A. Deimel, *Orientalia* 30, p. 29.

9) Cf. also cylinder A, 15-16 (SAK p. 104 ss), etc.

10) Cf. P. van der Meer, *Kernmomenten*, p. 193-194; also W. Martin, *St. Or.* VIII/1, p. 6 ss.

11) BJRL XXIII (1939), p. 219-221.

12) Cf. Ch. F. Jean, *Sumer et Akkad*, p. 46-61.

13) Cf. A. L. Oppenheim, *AOS* 32, ad nr. S 23, and, for temple trade, L. Legrain, *UET* III, p. 193 ad nr 2.

14) F. Thureau-Dangin, *RA* VIII (1911), p. 144; Cf. *Illustrated London News* 1950, p. 69. Cf. also J. Lewy, *Kt. Hahn*, p. 2, ad VAT 9249. *A-ki-di-é* also figures in a number of letters, edited in *BIN* VI.

Handwritten notes in the left margin:

- Trade
- Imports
- Exports
- Merchandise
- Caravan
- Amman
- Samka

exported to Elam¹⁵). These came from Sippar. This town in north-Babylonia was a centre of wool-industry, and documents show that the wool-trade prospered there. Besides textile goods, also dates, oil and corn were exported from Sippar to Elam. Most foreign trade also from Larsa¹⁶) went to the latter country, from which copper and silver could be imported. The date-trade with Dilmun continued¹⁷). From the north-west, from Assyria, lead and other metals were doubtlessly imported, and some merchants maintained permanent relations with Aššur¹⁸). The Mediterranean coast was also reached by Babylonian traders. There, in Byblos, a Babylonian cylinder-seal was found abandoned by its owner, who bore the characteristic name of Tamkarum¹⁹). Even in Crete, Old-Babylonian seals have been found²⁰). Many other articles are mentioned in the documents, various kinds of timber, perfumes, etc., which were doubtlessly imported. Slaves were a special import. They came, inter alia, from the land of Gutium, the wild mountainous region to the north of Babylonia. A good example of this trade is found in M 4, where oil is given to a trader for export, together with an order to buy clear-skinned slaves from Gutium^{20a}).

Besides the foreign trade, the inland trade was very extensive in Old-Babylonian times. A large number of letters refer to this trade, which was carried on mostly by boat. All kinds of articles were transported, various foodstuffs, wool, timber, bricks, metals, etc.²¹), and this traffic was maintained between all Babylonian towns—from Larsa to Nippur, Babylon and Sippar, from Sippar to Babylon etc.—by the rivers and the canals.

Besides this business in goods, the money-trade also prospered in the Old-Babylonian period. The contracts in which silver was lent for various purposes, both agricultural and commercial, were numerous. In the Old-Sumerian period not silver but barley was the chief medium of exchange. Afterwards both were used for this purpose and their rate was fixed at 1 šeqel of silver = 1 gur of barley. In the Harmal law tablets and in the series *ana ittišu*, this rate can still be found, but the contracts and other documents show that since the end of the third dynasty of Ur, the price of barley had increased, slowly in the beginning, but rapidly towards the end of the first Babylonian dynasty, to $3\frac{1}{3}$ šeqel = 1 gur of barley under

15) VS XVI, 30.

16) Cf. e.g. TCL X, 98.

17) Š et A CCIII/CCIV.

18) Cf. e.g. UM VII, 49.

19) M. Dunand, Fouilles de Byblos I, p. 313.

20) M. P. Nilsson, Ar. Or. XVII/2, p. 210.

20a) Cf. I. Mendelsohn, Slavery in the Ancient Near East (1949), p. 3 s.

21) Cf. A. Salonen, St. Or. XI, 1 (1942), p. 29-33.

fish
oil
dates
oil
corn

"
but long
distance"

?
H.
Sumerian
period

No. note
medium of exchange

Samsuditana²²). During the Larsa and Babylon dynasties, the period forming the subject of this study, prices were no longer quoted in barley, but always in silver. Silver, therefore, may denote money at that time. But silver as a circulating medium was not used in coins—these were not invented till many centuries later in Lydia—; it was used in bars or lumps. Consequently the balance (weighing stones) had to be present at every sale, unless bars or pieces of silver were (officially?) marked (*kaspum kankum*)²³).

An attempt is made in this book to shed more light on the central figure in all this trade—the merchant—this word to be taken in its widest sense²⁴). In Babylonian this merchant was called *tamkārum* (Sumerian *damkara*). The study will be divided into two parts. In the first part I will examine with what business the *tamkārum* was concerned. This will be done in the course of discussing those paragraphs of the Code of Hammurabi (CH) in which the *tamkārum* figures, at the same time ascertaining if these paragraphs reflect the actual practice, found in contracts and letters. In the second part, the stress will fall on the social position of the *tamkārum*, and in this connection it will be necessary to consider the part played by the government and the king. As a matter of course, it was inevitable to revert to the *tamkārum*'s business, so that the titles of the two parts only indicate their main tendencies.

Although the *tamkārum* in Old-Babylonian times is the subject of this study, many references are made to the preceding and the following periods, and to contemporaneous phenomena in neighbouring countries. For history cannot be written without regarding the lines of development, and without the possibility of strange influences being taken into account. It is especially in commercial law that strange influences may be strong, since traders have many contacts with neighbouring countries, and in trade the laws of the countries of both parties concerned have to be reckoned with.

22) 1 gur of corn = 1 šeqel, e.g., in the obelisk of Manišusu and in ITT V, 6760. For the later price-fluctuations, cf., W. Schwenzner, MVAG XIX (1914), 3, p. 302, B. Meissner, Abh. der Preuss. Ak. der Wiss., Phil. Hist. Kl. 1936, 1, p. 10, H. F. Lutz, JEBH IV, p. 335-355, etc.

23) Cf. P. Einzig, Primitive money (1949), p. 210 ss.

24) For the etymology of the word *tamkārum* can be referred to W. Eilers, Gesellschaft, p. 18, A. Ungnad, Symbolae Koschaker, p. 98, note 8, H. F. Lutz, JEBH IV (1931-32), p. 556, A. Salonen, St. Or. XI, 1, p. 23, and especially I. J. Gelb, OIP XXVII (1935), p. 23, who established the reading *tamkārum*. The root of the word is also found in the noun *namkūrum* (*makkūrum*) and a derivation is *tamkārūtum*, denoting in Babylonia the business of the *tamkārum*, "trading" (YBT II, 51, and UM VII, 124. The word is also found in Cappadocian and Nuzi tablets).

Some gods are found with *tamkārum* as epithet, notably Enlil (cf. A. Salonen, St. Or. XI, 1, p. 24) and Samaš, who was considered as the *tamkārum* of Sippar (BE XXXI, 11).

Aamha / Tamha

The most important studies on the preceding periods are made by A. Deimel, who has collected extensive material for a description of the economic system in the Old-Sumerian period (c. 2300 B.C.²⁵), and T. Fish, who has done meritorious work by a number of detail-studies on the trade in the period of the third dynasty of Ur (c. 2050-1950 B.C.)²⁶. J. Lewy and B. Landsberger have published many valuable articles on the trading-stations in Cappadocia, flourishing contemporaneously with the Ur III dynasty and during the century after²⁷.

There is only a small number of studies on the economic system, and notably on the trade and its organisation in Old-Babylonian times, the period of the dynasties of Isin (1957-1731 B.C.), Larsa (1661-1689 B.C.) and Babylon (1830-1534 B.C.) (although this period is always considered a flourishing-period of Mesopotamian civilisation). W. Schwenzner and B. Meissner have given surveys on articles and prices in Babylonia; the latter and G. Furlani on the trade in general in the books "Babylonien und Assyrien" and "La Civiltà Babilonense e Assira"²⁸. Ch. F. Jean writes about the Larsa contracts in his book "Larsa" (1931). But in none of these studies is the trade itself treated in full, nor is this done from the juridical point of view. That was only achieved by P. Koschaker in his exemplary article on the government fish trade in Larsa, in ZA XLVII (1942).

In making this study, I have met with the most willing help of various scholars and I have profited greatly from their remarks. All who have contributed, in one way or another, to the writing of this book, may rest assured of my sincere gratitude.

Contracts and letters are cited only according to their autographical edition in the text. In the register, references may be found to transliterations and/or translations of these documents in the principal editions (HG, BB etc.).

25) For the dates the chronological table of S.A.B. Mercer, Sumero-Babylonian Year-formulae, is used.

26) A. Deimel, *Orientalia* (vetera series), passim, and *An. Or.* 2, T. Fish, *BJRL* XXII (1938), p. 167 ss, XXIII (1939), p. 220 ss, *Iraq* V (1938), p. 157 ss.

27) J. Lewy passim in *Die Altassyrische Rechtsurkunden vom Kultepi* (MVAeG XXXIII and XXXV, 3/4), B. Landsberger, *Assyrische Handelskolonien in Kleinasien* (AO 24/4), ZA XXV, p. 31 ss., *Türk Tarih Arkeologia ve Etnografia Dergisi* IV (1940), p. 7-29 etc.

28) W. Schwenzner, *Zum altbabylonischen Wirtschaftsleben*, MVAG XIX, 3 (1915), B. Meissner, *Warenpreise in Babylonien*, *Abh. der Preuss. Ak. der Wiss., Phil. Hist. Kl.* 1936, 1, and *Babylonien und Assyrien*, vol. I, p. 336 ss, G. Furlani, *op. cit.*, p. 372 ss.

Deimel's Dates: S. A. B. Mercer

1730

*Lange
date 100 y
higher*

*Isin 1957
2 cl.*

*Larsa
3 cl.*

*Babylon
3 cl.*

*(1730)
(1679)*

PART ONE
THE BUSINESS OF THE *TAMKĀRUM*

CHAPTER ONE
THE *TAMKĀRUM* AS A TRAVELLING MERCHANT

The travelling merchant figures in §§ 32 and 280/281 of the Code of Hammurabi. § 32 (obv. XI, 13-38) runs:

[šum-]ma lu rēdūm
ù lu bā'irum
15 ša i-na har-ra-an
šar-ri-im
tu-úr-ru
tamkārum ip-tú-ra-aš-šu-ma
āl-šu uš-ta-ak-ši-da-aš-šu

20 šum-ma i-na bi-ti-šu
ša pa-ta-ri-im
i-ba-aš-ši
šu-ma ra-ma-an-šu
i-pa-aṭ-ṭa-ar
25 šum-ma i-na bi-ti-šu
ša pa-ta-ri-šu
la i-ba-aš-ši
i-na bīt ilim āli-šu
ip-pa-aṭ-ṭār
30 šum-ma i-na bīt
ilim āli-šu
ša pa-ta-ri-im
la i-ba-aš-ši
ekallum i-pa-aṭ-ṭa-ri-šu
35 eqil-šu iskirā-šu
ù bīt-sú

If ²⁹⁾ a *tamkārum* has ransomed
either a *rēdūm* or a *bā'irum*,
who was carried off (captured) in
a campaign of the king,

and he enables him to regain his
town,
then, if the (amount required for)
ransom(ing) is extant ³⁰⁾ in
his house,
he shall ransom himself.

If the ransom is not extant in
his house,

he shall be ransomed in the temple
of his town.

If in the temple
of his town
the ransom is not extant,

the palace shall ransom him.
His field, his garden
and his house

29) Cf. lastly E. A. Speiser, JCS I (1947), p. 321-327.

30) A. Goetze has rightly observed that this is the meaning in JCS I (1947), p. 76.

(1) Here *Tamkārūm* is a person
of a given (known) status

a-na ip-te₄-ri-šu
ú-ul in-na-ad-di-in

are not given away for his
ransom³¹).

This paragraph is placed among the laws that are generally intended to protect the *rēdūm* and the *bā'irum*. These were both feudal tenants having, inter alia, military obligations, as the general purport of §§ 26 ss. indicates³²). Provisions are made especially for those cases when these soldiers were captured by the enemy, and one of these is the law of § 32. Often the captured soldier was sold as a slave in a market and the *tamkārum*, the travelling merchant, found him there.

The verb *pašāru* "to loosen", is used both for the act of the *tamkārum* and the following act of the released captive, and as subsidiaries the temple or the palace³³). Although the text of § 32 seems to make it likely that the captive regained his liberty with the first act, the letter YBT II, 32, appears to point out that the verb *pašāru* was also used at any rate, for the second act, as in the CH.

In this letter, Hammurabi ordered two persons: m dSin-a-na-HI-GARKi-li-šu-ú mār Ma-ni-nu-um ša na-ak-rum il-qú-ú 10 gín kù-ba-bbar i-na bīt dSin a-na tamkāri-šu id-na-a-ma pu-uṭ-ra-šu, "concerning Sin-ana-Higar-lišū, the son of Maninum, whom the enemy has captured, give 10 šeqels of silver in the temple of Sin to his *tamkārum* and release him"³⁴). The amount paid is a low, but not unusual price for a slave, so that there is an indication that the *tamkārum* had ransomed the man from slavery in a foreign slave market. Here we meet an example of the second of the three cases mentioned in § 32. By *ina bīt dSin* may have been meant that the price was to be paid by the exchequer of the temple. As the highest secular and priestly authority, the king could order this³⁵).

31) The reason for the restriction of the liability of the released captive becomes clear, when comparing § 27: If a *rēdūm* or a *bā'irum* returns after capture, he gets back his field and his garden, although these were given to another in the meantime, and he fulfills his obligations of feoffee anew. Also the field and garden in § 32 will have been feoff.

32) There were also *rēdū* concerned in jurisdiction; cf. A. Walther, *Gerichtswesen*, p. 173 ss. The *bā'irum* is properly a fisher, but here he is, as in many other instances evidently a feudal tenant with military obligations, just like the *rēdūm*. Cf., e.g., P. Koschaker, *ZA* 47 (1942), p. 147. For the close connection between *rēdūm* and *bā'irum* vide, e.g., *TCL* VII, 41.

33) For the verb cf. G. Furlani, *Revista degli Studi Orientali* XX (1944), p. 408, further M. San Nicolò, *Die Schlussklauseln der altbabylonischen Kauf- und Tauschverträge* (1922), p. 10, note 4 ex p. 9. Cf. also *ana ittišu* 2, IV, 16; 3, II, 17, and 7, II, 1-14.

34) H. F. Lutz, *YBT* II, p. 27-28, reads the price erroneously as 10 minas instead of 10 šeqels.

35) R. Labat, *Le caractère religieux de la royauté assyro-babylonienne*, *Études d'Assyriologie* II (1939), p. 202 ss.

(2)

'his' - To Whose
jurisdiction the
Temple belongs

The legal guarantee for the *tamkārum* that the ransom had to be returned to him is reasonable, as only with this knowledge would a *tamkārum* have ransomed captive *rēdū* or *bā'iru*, whether it was a general duty imposed on him or not.

A slightly different case is found in LIH 48. Two persons (they call themselves *wardū*—servants, slaves—of the addressee) who are captured by the enemy, request the wife of the *rāb Amurrim* to intercede (?) for their release with their fathers; the *tamkārum* (?³⁶) was to be satisfied, so that he would write to his *mārum*³⁷) to release them. The opinion of Ungnad that the captives were soldiers, is plausible: they were captured by an enemy and they seem to have served under the *rāb Amurrim*, who, judging from the title, can very well have been an officer.³⁸) But in this case—unlike § 32—the father of the captives should satisfy the heart of the *tamkārum*, that means, he should pay the ransom³⁹). In this case, however, there is no indication that the two persons were feudal soldiers.

§§ 280/281 deal with slaves, who have found themselves in a foreign country. § 280 (rev. XXIII, 72-87):

<i>šum-ma a-wi-lum</i>	If an <i>awilum</i> (citizen)
<i>i-na ma-at</i>	purchases in a <u>hostile</u> country
<i>nu-ku-ur-tim</i>	
75 <i>wardam amtam ša a-wi-lim</i>	a male or a female slave of
<i>iš-ta-am</i>	an <i>awilum</i>
<i>i-nu-ma</i>	and after that
<i>i-na li-ib-bu mātīm</i>	he comes in his own country,
<i>i-ta-al-kam-ma</i>	
80 <i>be-el wardim ū lu amtīm</i>	the master of the male or the
<i>lu warad-sū ū lu amat-sū</i>	female slave recognizes
<i>ū-te-ed-di</i>	his male or his female slave,
<i>šum-ma wardum ū amtum šu-nu</i>	then, if that male or female slave
<i>mārūmeš ma-tim</i>	are children of the country,
85 <i>ba-lum kaspim-ma</i>	without any money

36) It is not sure that *tamkārum* is the right reading; the text seems to give ²²¹ UR. GAR; cf. A. Ungnad, BB p. 112, note e ad 134.

37) Literally son, but as *mārum* can also indicate the man who has joined a certain profession, e.g. the *mār šipri*, the *mār Amurrim*, it must be considered possible that an employee of the *tamkārum* is meant. Cf. also A. L. Oppenheim, AOS 32, ad nr. O 35.

38) He could, however, also act as a judge—VS IX, 142. Cf. A. Walther, Gerichtswesen, p. 146.

39) An instance of redemption in Cappadocia (Ališar) can be found in OIP XXVII, 5. This redemption was preceded by consultation and the assurance that the redemption could be paid (*a-wi-lu ip-ti-ri ma-dā-iš i-šu-ū*. "the men have plenty for redemption"). Cf. for this text also E. Dhorme, Revue de l'histoire des religions 118 (1939), p. 182-183.

an-du-ra-ar-šu-nu
 iš-ša-ak-ka-an
 § 281 (rev. XXIII, 88-96);
 šum-ma mārūmeš ma-tim ša-ni-
 tim
 ša-a-a-ma-nu-ma
 90 i-na ma-har i-lim
 kaspam iš-qū-lu
 i-qū-ab-bi-ma
 be-el wardim ū lu amtīm
 kaspam iš-qū-lu a-na tamkārīm
 95 i-na-ad-di-in-ma
 lu warad-sū lu amat-sū i-pa-ak
 (read i-pa-ṭar)

their liberty
 shall be effected.

If they are children of another country,

then the purchaser shall declare before the god the money he has paid, and the master of the male or the female slave shall give the money he has paid to the tamkārūm.

and (thereby) redeem his male or female slave.

§§ 280 and 281 evidently belong closely together. The man (*awilum*), who bought the slave abroad in § 280, is the same as in § 281, and is therefore a *tamkārūm*, who, as in § 32, travelled in foreign countries and frequented the slave-markets there, and so was the man in a pre-eminent position to find the slaves. This is in accordance with contracts and letters, which show that the *tamkārūm* was pre-eminently a slave-dealer in Babylonia. In UM VII, 100, for instance, it is said that 3 slaves are purchased from a *tamkārūm*; in YBT VIII, 98, two *tamkārū* are dividing a common property and each received, inter alia, 10 slaves; cf. further VS XVI, 65, and UM VII, 119, etc.⁴⁰). It cannot be stated for certainty in respect of the Old-Babylonian period whether the *tamkārūm*, when visiting foreign markets, enjoyed special protection resulting from immunity and right of free conduct⁴¹).

40) Cf. also VS XVI, 145, and for the earlier times ITT II, 832. In the country of Arrapha the *tamkārūm* was considered as the man most able to ransom persons abroad. In the royal decree N II, 195, it is stated (lines 14-19): *šum-ma awilam ša māt Ar-ra-ap-ḫi a-na šī-im iš-tu māt Nu-ul-la-a-i tamkārūm a-na šī-mi il-te-qī-šu-ma ū i-na māt Ar-ra-ap-ḫi il-te-qā-aš-šu ū 30 šiqli kaspi meš li-il-qī*, 'if a *tamkārūm* takes for silver (buys) a citizen of the land of Arrapha from the land of Nullu and he takes him to the land of Arrapha, he shall receive 30 sheqels of silver'. Thus in Arrapha the amount to be paid to the *tamkārūm* was fixed at a price, which was rather high for a slave, but which may be considered to include a certain reward for the *tamkārūm*. The land of Nullu is situated east of Arrapha (cf. I. J. Gelb, *Hurrians and Subarians*—1944—p. 103, and A. Saaristo, *St. Or. V*, 3—1934—, p. 65 ss. Saaristo (p. 70) thinks that this decree regards Arraphaean slaves, who are bought by an Arraphaean merchant in the land of Nullu and draws a parallel with § 281 of the CH, but the redeemed man is described as an *awilum*, a citizen, and not as *wardūm*.)

41) From the Hittite country legal rules concerning offenses against merchants are known. In § 5 of the Hittite laws penalties are fixed for him who murders a merchant (*DAM. KĀR*), which penalties seemed to differ in the various countries of the

(3) pre-eminently slave dealer in Babylonia
 (a) an expert (b) a permanent

§ 280 is difficult to interpret. As it stands, it leads to a number of incompatibilities which should not be found in a good law, inter alia, that a slave-dealer would beware of buying native slaves abroad. This was a reason for Koschaker to suggest that §§ 280/281 were interpolated, notably lines 83-88⁴²). When these lines are omitted, the text would make reasonable sense. Whatever may be the solution of this problem, for our study one important observation can be made: the *tamkārūm* of CH § 281, line 94, is the same man as the *awilum* in § 280, line 72. This shows that to the *tamkārūm*, the word *awilum* could be applied. The exact meaning of this word, the origin of which is doubtful⁴³), has not yet been ascertained, but there is general agreement in considering the *awilū* as free Babylonian citizens, just as in Assyria, where the *awilū* were free Assyrian men⁴⁴). Although it is just possible that this meaning is generalized into "somebody" elsewhere in the CH, it is beyond doubt that in § 280, line 75, the *awilum* is a free citizen and at the same time a Babylonian. Consequently the *awilum* in line 72, who was a *tamkārūm*, must have had the same status. The nature of the *tamkārūm*'s profession, as it appears in general, also implies that he was a free man and a Babylonian citizen. Accordingly, in the letter VS XVI, 4, a *tamkārūm* is addressed as *awilum*, and in LIH 90 and BE VI/1, 15, a *tamkārūm* is said to be respectively an *awēl Sipparki* and an *awēl Kiški*, a citizen of Sippar, and a citizen of Kiš⁴⁵).

Recapitulating what we learn from §§ 32 and 280/281 about the *tamkārūm*, it can be stated that he was an *awilum* and that he evidently was a merchant who travelled abroad, carrying on his trade and visiting foreign markets, where he traded, inter alia, in slaves.

Hittite empire. A restriction with regard to the nationality of the merchant is not made, so that it may be presumed that the rule held good both for native and foreign merchants.

An instance of murder and robbery of merchants can be found in the Amarna letter VS XI, 5.

42) *Rechtsvergl. St.* p. 105. Cf. for these paragraphs also M. David, *Tijdschrift voor Rechtsgeschiedenis* XVI (1939), p. 377, ad W. Felgenträger, *Antikes Lösungsrecht* (1933).

43) Cf. A. Ungnad, *ZA* 36 (1925), p. 100, and V. Christian, *ZA* 36, p. 315.

44) Cf. Driver and Miles, *Assyrian laws*, p. 16, and A. van Praag, *Droit matrimonial assyro-babylonien*, p. 91 ss. H. F. Lutz, *UCP* IX/4 (1929), p. 279, is of opinion that an *awilum*, if not only "a man" is meant, was more specifically a "manor lord" (and not a "patrician"). Indeed, the manor lord was an *awilum*, but the manor was not essential for an *awilum*.

45) Cf. LIH 86, 12.

his (?)
trade?
No! Trade,

It seems likely that § 117 refers to two ways of giving security, one in the form of giving *ana kiššatim*, the other in the form of sale to the creditor, both of which had the same economic value and were therefore both restricted by Hammurabi in his code. There may have been good reason for Hammurabi to do this, as both ways were probably in use in the kingdom of Larsa, which he had conquered. For, the giving of sons as security, as recorded for instance in YBT VIII, 78 and 35, and of slaves in YBT VIII, 13 and 39, and many others, should perhaps be identified with giving *ana kiššatim*. For the sale of a son, vide e.g. Bab. VII, p. 45 (f). It also often happened that people sold themselves to the creditor in order to pay their debts. A good example is given in YBT VIII, 31, in which some persons sold themselves to Balmunamhe, the well-known moneylender in Larsa, who is pledgee or buyer in many instances, and in which contract it is stated at the same time that the persons selling themselves had paid off their debt. In this case creditor and buyer were clearly the same persons ⁶⁰). In line with the CH, these practices are no longer found to occur in the time of Hammurabi and thereafter ⁶¹).

The *šaiāmānum* or the *kašišum* of § 117—the creditor party to the *chiltum*, which as a rule, or perhaps always, was based on a loan—are denoted as *tamkārū* in §§ 118 and 119. From this we may conclude that the *tamkārū* was the man who usually supplied loans. We may, however, assume that these laws also obtained for other people who supplied loans.

§§ 49-51 protect landowners against ruinous loan contracts of an aleatory character: § 49 (XIV, 18-44):

šum-ma a-wi-lum
kas-pam it-ti tamkārīm
20 il-qī-ma
eqil ip-še-tim
ša še'im ù lu šamaššammim
a-na tamkārīm id-di-in
eqlam e-ri-iš-ma

If a citizen
has taken silver
from a *tamkārū*
and has given a ploughed field
for barley or sesame
to the *tamkārū*
saying: "cultivate the field

F. entrusted with administration of harvest loans

⁶⁰ Driver and Miles (Symbolae Koschaker, p. 69) conclude that creditor and *tamkārū* are not the same person in § 117, supposing that the creditor has threatened or has actually started to take proceedings to bring the debtor before a court, whereupon the debtor is driven to a professional money-lender to raise means to satisfy his creditor and must surrender a member of his own family or household in return for getting his debt paid for him. By the context is proved in my opinion that it is not right to bring in that third person here. For in § 118 is only supposed that the debtor has given his slave *ana kiššatim*, that is, to his creditor. The *tamkārū*, who can sell the slave, therefore, cannot be another person than that creditor, who in his turn is no other than the money-lender in § 117.

⁶¹ Cf. P. Koschaker, HG VI, p. 86-87.

- 25 *še'am ù lu-ú šamaššammam*
ša ib-ba-aš-šu-ú
e-si-ip ta-ba-al
iq-bi-šum
šum-ma ir-ri-šum
- 30 *i-na eqlim še'am*
ù lu šamaššammam
uš-tab-ši
i-na ebūrim še'am ù šamaššam-
mam
ša i-na eqlim ib-ba-aš-šu-ú
- 35 *be-el eqlim-ma*
i-lī-qī-ma
še'am ša kaspi-šu
ù ši-ba-sú
ša it-ti tamkārim
- 40 *il-qū-ú*
ù ma-na-ḥa-at
e-ri-ši-im
a-na tamkārim
i-na-ad-di-in
- § 50 (45-55):
- 45 *šum-ma eqlam ir-ša-am*
ù lu-ú
eql šamaššammim
ir-ša-am id-di-in
še'am ù lu šamaššammam
- 50 *ša i-na eqlim*
ib-ba-aš-šu-ú
be-el eqlim-ma
i-lī-qī-ma
kaspam ù ši-ba-sú
- 55 *a-na tamkārim ú-ta-ar*
- § 51 (56-66):
- šum-ma kaspam*
a-na tu-ur-ri-im
la i-šu
(še'am ù lu) šamaššammam
- 60 *a-na ma-ḥi-ra-ti-šu-nu*
ša kaspi-šu

and gather in the barley
 or the sesame that shall be
 extant",

then, if the cultivator
 produces barley or sesame
 in the field,

in harvesting time

the owner of the field shall
 take the barley and the sesame,
 that will be extant in the field,
 and he shall give barley for the
value of the silver

and its interest,
 that he has received
 from the *tamkārum*,
 together with the expenses
 for the cultivation
 to the *tamkārum*.

If he has given a field,
 sown with barley, or
 a field, sown with sesame,

the owner of the field
 shall take the barley or the
 sesame, that will be extant
 in the field,

and he shall return the silver
and its interest to the tamkārum.

If he has no silver
 to return,

he may give (barley or) sesame
 according to their rate
 to the silver

ù ši-ib-ti-šu	and its interest,
ša it-ti tamkārim il-qū-ú	which he has received from the
	tamkārum,
a-na pī ši-im-da-at	fixed by royal decree
65 šar-ri-im	
a-na tamkārim i-na-ad-di-in	to the tamkārum.

Both §§ 49 and 50/51 are in respect of loans supplied to landowners with mortgage of the land for *esip tabal* ⁶²⁾. § 49 deals with the case where the loan is granted before the act of *erēšu*, § 50/51 where it is granted after the act. Landsberger ⁶³⁾ has explained the terms used in § 49. *Epēšu* includes the ploughing of the field and preparation for sowing. *Erēšu* refers to the cultivation, in the first place the sowing. An *eqel meriše*, as mentioned in the Assyrian laws, tablet B, § 4, line 30, is a sown and cultivated field. The fact that the *erēšu* still had to be done after the advance of the loan, explains why in the case of § 49—as opposed to that of § 50/51—the owner of the field had to restitute the cost of the work to the *tamkārum*. It is supposed that the *tamkārum* did not do this work himself, but that he had it done by an *irrišum*, a farmer. Consequently, the *tamkārum* was not somebody who lent money in order to obtain a field and its crop for his own use, but an investor. But investments of a speculative character, like that of § 49 ss, will as a rule have been made by businessmen. The *tamkārum* in these paragraphs, therefore, may have been as a rule a professional money-lender, although the rules certainly also held, when a private person made the same contracts.

§ 48 deals with loans contracted by farmers. The farmer is dispensed of paying off his debts or the interests, when his field does not produce a crop because of inundations or lack of water. Here the creditor is called *bēl hubullim*, but in this case it may be accepted for certain that the rule regards all debts out of loan, no matter who supplied the loan.

§ 66 contains a rule for a similar contract to that of § 49, but this time referring to date gardens. With regard to the *tamkārum* the same points can be observed.

From this enumeration it has become clear that in different paragraphs of the CH, different conceptions have to be attached to the word *tamkārum*. After having stated that the *tamkārum* is a travelling merchant in §§ 32 and 280/281, he appears in a number of paragraphs as a lender of money or barley; in some of these (§§ 49-51, 66 and perhaps §§ 118 and 119) a

62) Cf. P. Koschaker, Griech. Rechtsurk. p. 90-98.

63) MSL I, p. 160.

x) No. f. involved

professional lender, a banker, seems to be thought of; in others (§§ 152 and 116), *tamkārūm* clearly refers to anybody who has lent money or barley, in others again (§§ 88-96), the same seems likely. Consequently it can be stated that there is a certain incompatibility in the meaning of the word *tamkārūm* in the CH. Various theories about the reason or the origin of this incompatibility could be set up, but it seems most plausible that the literary and political disposition of the author of the code, and perhaps a lack of knowledge of legal matters which is manifested elsewhere in the code⁶⁴), is the real cause of the instability of the terminology. Formulating his rules, the author may have had in mind the more generally occurring instances when using the word *tamkārūm* in the last mentioned paragraphs, so generalizing the word beyond its proper sense.

The Old-Babylonian documents do not give a clear answer to the question as to whether the word *tamkārūm* could in practice be used as extensively as in the CH. The following instances are open to doubt: The letter CT IV, 27a (from the time of Samsuiluna) tells that Ja'um-el had issued a promissory note and now it is time for him to pay. The *tamkārūm* has summoned him. In order to be able to pay his debt, he claims money, which he has in his turn put out with Ibi-Ilabrat, to whom the letter is addressed. The cause of the debt is not mentioned, so that it can be either a purchase or a loan. In the first case the *tamkārūm* would be a merchant, in the second, he could be a money-lender. *No. That is a reference...*

In an annotation to Wat. 74 in HG VI, 1489, it is supposed that *tamkārūm* would mean "creditor" in this contract, but that is not at all certain, especially not because there seems to be question of a debt of tax⁶⁵). In the letter HE 122, it is not clear whether a certain Šamas-liwir is called a *tamkārūm* because he was the creditor to whom a slave-girl was given *ana kiššatim* (on account of a debt), or because he was the person who was charged to redeem the slave-girl, and therefore a *tamkārūm* in the original sense. Rather clearly *tamkārūm* seems to denote merely money-lender in Smith 253, line 20, a document dating from the 6th year of Samsuiluna and discussed more fully on p. 39⁶⁶).

But there are other instances where *tamkārūm* doubtless denotes a person of a certain occupation. This is seen very clearly in CT IV, 8b, from the 13th year of Ammiditana, where in a list of temple expenses the wife of a

64) An example is already noticed in § 32. Cf. further M. David, Die Adoption im altbabylonischen Recht (1927), p. 40.

65) Cf. chapters 7 and 8.

66) The meaning money-lender is also found in an omen-text in which is said "If in a field is a trapezoid, he shall enter the house of debt, a *tamkārūm* will be his master" (Rm 122, obv. 18, edited by S. Langdon in RA XIII (1916), p. 27 ss., and discussed by C. J. Gadd in RA XIX (1922), p. 153).

Very important!

*No. That is a reference...
t. p. 116
m. 116
diff. v. l. m.
could understand*

*1016
§ 119
(6)*

(3)

CHAPTER THREE

THE TAMKARUM AND HIS AGENTS

The development from merchant into banker is a natural one, and there is no essential difference between these two professions—surely not in Babylonia where in principle no distinction was made between silver (money in modern terms) and other marketable stuffs. In a society whose commerce is little developed, trade is only carried on by merchants, who buy and sell. But when commerce increases, the business of a merchant assumes larger proportions and the merchant no longer makes journeys to buy and sell goods personally, but he has this done, either by his subordinates or by agents whom he furnishes with money. We shall find the latter stage in Babylonia when discussing the paragraphs 99-107. Instances of the former, buying and selling through subordinates, will be mentioned when discussing contracts.

A. The Code of Hammurabi.

§§ 99 ss contain rules for the supply of silver for a special purpose, notably a *harrānum*. § 99 runs (UM V, 93, obv., col. III, 8) ⁶⁹):

šum-ma tamkārūmum	If a <i>tamkārūm</i>
a-na šamallīm[im]	has given to a <i>šamallūm</i>
10 kasapam a-na . . .	silver (to carry on business?)
. . . ri- 70)	
id[-di-]in-ma . . .	and he has sent him on a journey,
a-na harrānim it-ru-us-si	then the <i>šamallūm</i> shall in his
šamallūm i-na harrānim	journey . . .
15 [kasap ip-qi-(?)]du-šum 71)	the silver, which has been entrusted
. . . . 72)	to him (?).

69) This paragraph is the last of the damaged part of the Susa stele and only came down to us in the badly damaged Nippur tablet UM, V, 93. The text is reconstructed by the editor of the tablet A. Poebel in *QLZ XVIII* (1915), c. 165-166, and by V. Scheil in *RA XIII* (1916), p. 52-53.

70) Scheil conjectures *pa-ša-rim u ma-ha-ri-im*, translated by "vendre et acheter", but *pašārim*, taken analogously from § 104, is not used of silver there, and *mahāru* is never found in the sense of "to sell".

71) The conjecture *ipqidusum* is made possible by the traces in the text and made rather acceptable as this word is used in other cases, in which goods are entrusted to somebody. Cf. § 253 and P. Koschaker, *Rechtsvergl. St.*, p. 11, note 11, W. von Soden, *Symbolae Koschaker*, p. 200.

72) Scheil (*RA XIII*, p. 53) proposed to read *usap* "fera fructifier (?)", but this is not probable from a palaeographical point of view.

This paragraph presupposes that a *tamkārūm* has given money to a *šamallūm* for a journey. The word used for the journey (*harrānum*) is literally a route⁷³), then a journey and finally a caravan. The purpose for which the *šamallūm* was sent out on a journey (caravan), was mentioned in the hiatus. It is difficult to fill in the gaps, but so much seems likely that that purpose was the carrying on of business. The difficulty is increased by the facts that the word *šamallūm*, or a derivation of it, is found only very seldom in Babylonian texts, and that its etymology is not known⁷⁴). §§ 99 ss. seem to suggest that he was a travelling agent or retail-trader, but they also admit of the possibility that the agent stayed for some time in one town. Moreover his position with regard to that of the *tamkārūm* is not clear. When contrasted with the *tamkārūm*, he is referred to as the "little merchant" in V R 16, 22-23, g-h:

ŠAB. GAL *tam-ka-rum* (GAL = *rabū* = great)
 ŠAB. TUR *ša-ma-al-lu-ú* (TUR = *šihru* = little)⁷⁵)

The following paragraphs read:


§ 100 (UM V, 93, obv., col. III, 17 ss, and CH, rev. I, 1-7):

[šum-ma a-šar] il-li-ku	If, where he has gone,
[ne-me-lam] i-ta-mar	he has seen profit, ⁷⁷)
1 šī-ba-at kas-pim	then the interest of the silver,
ma-la il-qú-ú	as much he has received,
i-sa-ad-dar-ma ⁷⁶)	he shall enter in his account,
u ₄ -mi-šu	one shall count his days
5 i-ma-an-nu-ú-ma	

73) Cf. Delitzsch, HWB p. 201, and in connection with it B. A. van Proosdij, Symbolae van Oven, p. 34. The meaning caravan, for which also the derivation *harrānātum* is found, is illustrated e.g. by S et A CXC VII and by TCL XVIII, 113. A *harrānum* also could take place along a waterway. Cf. further A. Salonen, Naut. Bab., p. 40-41, and Driver and Miles, Ass. laws, p. 72. *Harrānum* is not to be conceived as a trade expedition in BIN II, 76 (cf. HG VI, 1428, and Kraus, MVAeG XXXVI/1, p. 19). According to this text a slave is set free and *il-ka-am ú ha-ra-na-am ki-ma mārē meš A-pil-i-li-šu i-la-ak*, which has to be translated: "The management of the feoff and the expedition (of the king) he shall perform like the sons of Apil-ilīšu" (the liberator, who obviously was a feudal tenant).

74) Cf., not at all convincing, A. Deimel, SL 428 and 445, 8.

75) Cf. also the Neo-Babylonian inscription Br. M. 81-8-30,9 (= KB III/1, p. 122-123): *šamallūm šihru* (SAGAN. LAL TUR).

76) Sometimes transliterated as *i-ša₁₂-at-tār-ma* (e.g. R. F. Harper, The Code of Hammurabi, P. Cruveilhier, Commentaire du Code d'Hammourabi (1938), A. S. Kapelrud, Hammurapis lov), but the cuneiform  does not occur in Old-Babylonian texts with the value *ša*, so that only *i-sa-ad-dar-ma* can be read. Cf. also W. von Soden, Ar. Or. XVII/2, p. 364.

77) That means "has profit". Cf. B. Landsberger, OLZ XXVI (1923), c. 73, ad UM VII, 94, 17.

<i>tamkār-šu</i>	and he shall satisfy
<i>i-īp-pa-al</i>	his <i>tamkārum</i> .
§ 101 (8-14):	
<i>šum-ma a-šar il-li-ku</i>	If, where he has gone,
<i>ne-me-lam</i>	he has <u>not seen</u> profit,
10 <i>la i-ta-mar</i>	
<i>kaspam il-qú-ú</i>	then the silver he has received
<i>uš-ta-ša-na-ma</i>	the <i>šamallūm</i> shall double
<i>šamallūm a-na tamkārim</i>	and give to the <i>tamkārum</i> .
<i>i-na-ad-di-in</i>	

The conjectures in the beginning of § 100 seem to be confirmed by the opening words of § 101. The latter paragraph gives a clear provision in case the *šamallūm* has not made a profit. It is, however, questionable as to what would happen in the event that the *šamallūm* made any profit, as in § 100. This paragraph is very difficult to interpret. The main question is, did the *šamallūm* share in the profits made? A positive answer seems likely. But the word *šibtum*, in line 1, forms an impediment to this supposition, as this word means "interest". So Bilgiç⁷⁸⁾ evidently concludes that the *šamallūm* had to return the capital and interest in case of profit, and twice the capital only in case of loss. The difficulty could perhaps be cleared up if Cuq⁷⁹⁾ was right in conceiving *šibtum* as "l'accroissement qui représente la part du capital dans la production", but this sense is not borne out by any text. Another possibility is that the *tamkārum* received, besides interest, a share in the profit, but neither for this suggestion can any support be found in the texts. The suggestion also that § 101 gives only a minimum-rule, cannot be proved⁸⁰⁾.

The next paragraph, § 102, refers to a second method of supplying silver to a *šamallūm*. It runs (rev. I, 15-24):

15 <i>šum-ma tamkārum</i>	If a <i>tamkārum</i>
<i>a-na šamallīm</i>	has given to a <i>šamallūm</i>
<i>kaspam a-na ta-ad-mi-iq-tim</i>	silver to be a <i>tadmiqtum</i>
<i>it-ta-di-in-ma</i>	
<i>a-šar il-li-ku</i>	and he (the <i>šamallūm</i>), where he
	has gone,

78) Schulden und Darlehen, p. 453.

79) Études, p. 245.

80) In Cappadocia contracts are found for relations lasting more years stipulating a return of double the sum. Cf. PSBA XIX (1897), pl. I over p. 286, TCL IV, 24 and 73, and H. Lewy, JAOS LXVII (1947), p. 308.

20 bi-ti-iq-tam
i-ta-mar
qā-qā-ad kaspim
a-na tamkārim ū-ta-ar

loss
has seen,
then he shall return the principal
sum to the tamkārum.

(vis major. ana illu
Landsberger
1684

The tamkārum gives silver to a šamallūm on the special condition that it is a *tadmiqtum*⁸¹⁾ and in this case—as distinct from § 101—the šamallūm has to return the capital only, if he shall have suffered loss. Bilgiç⁸²⁾ concludes that *tadmiqtum* is “eine Geldschuld, die unter der Bedingung gegeben ist, dass sie Gewinn bringt und dass der Gläubiger am Gewinn beteiligt ist”. This definition is based, inter alia, on YBT VIII, 145. This contract, dated in the 38th year of Rim-Sin, reads as follows⁸³⁾:

20 ma-na kū-babbar nam-tab-ba 6 ma-na kū-babbar
ta-ad-mi-iq-tum šu-nigin 26 ma-na kū-babbar ki dUtu
ū Sin-iš-me-a-ni mZu-ba-bu-um ū Sin-iš-me-a-ni šu-ba-an-ti-eš i-na
ša-la-am ha-ra-nim kū-babbar ū ni-me-el-šu i-lal-e-ne, “20 minas
of silver in partnership, 6 minas of silver as *tadmiqtum*, together 26 minas
of silver, from Šamaš and Sin-išmeani Zubabu and Sin-išmeani have
received. At the accomplishment of the journey they shall weigh out the
silver and the profit from it.”

Both in this case and in Ash 1911-282, mentioned in note⁸³⁾, the *tadmiqtum* was furnished as an accessory to a much greater loan, in the former instance characterized as *tappūtum*, in the latter without further indication⁸⁴⁾. The instances are too few to draw any conclusions, but as it stands, this statement might lead to the suggestion that in the CH also,

81) The word is derived from the root *dmq*. Cf. Landsberger, OLZ 1922, c. 409 (“unterstützen”), and W. Eilers, Gesellschaftsformen, p. 28, note 2, (“gut machen”), and AO 31, 3/4, p. 29, note 4.

82) Schulden und Darlehen, p. 453.

83) Ash 1911-282, as it is—obviously poorly—autographed in PSBA XXXIV, pl. VII, nr. I, is not much use, as only the following part of the transliteration of this document may be accepted as certain: 9 gín-kū-babbar 1 gín ta-ad-mi-iq-tim ki Ur-dŠul-pa-è mAwel-... ū U-bar-rum šu-ba-an-ti kaskal ša-la-am...., “9 šeqels of silver, 1 šeqel as *tadmiqtum* from Ur-Sulpaē Awel-... and Ubarrum have received. At the accomplishment of the journey <they shall weigh out the silver (and the profit?)>”. This last line seems to be very badly damaged, probably already on the tablet, but perhaps still more in the autography. From the contents may be suggested that it was similar to the 11th line of YBT VIII, 145. Professor van der Meer has been so kind as to look for the tablet in the Ashmolean Collection, but unfortunately it has disappeared, probably during the war.

84) Also in Cappadocia a *tadmiqtum*, as a rule, was supplied as an accessory to another contract (BIN IV, 129, TCL IV, 101, Jena 385, CCT I, 41). Not so in the Susan document MDP XXII, 39.

the supply of a *tadmigtum* is conceived as an accessory to the ordinary contract with a *šamallūm*, which was more profitable for him in a way that cannot yet be ascertained with certainty.

§ 103 gives a rule for the event of force majeure (rev. I, 24-31):

	<i>šum-ma har-ra-nam</i>	If during
25	<i>i-na a-la-ki-šu</i>	the going of his way
	<i>na-ak-ru-um</i>	an enemy
	<i>mi-im-ma ša na-šu-ú</i>	all he carries
	<i>uš-ta-ad-di-šu</i>	causes him to throw away,
	<i>šamallūm ni-iš i-lim</i>	then the <i>šamallūm</i> shall
30	<i>i-za-kar-ma</i>	swear before the god
	<i>ú-ta-aš-šar</i>	and he shall go free.

This means that in a special case of force majeure, notably when the *šamallūm* has lost all he carries through hostile activity, he can declare this on oath and can then go free, so that his *tamkārum* bears the risk. From this it follows that the *šamallūm* ran the ordinary risks of the trade, as already seen to be implied in § 101. On the other hand, it seems plausible that the same conditions which are expressly prescribed in case of hostile attacks, obtained also in other cases of force majeure. The above-mentioned eventuality was that which most frequently befell travellers, just as cattle-breeding was especially subject to attacks by lions and *lipit ilim*⁸⁵).

§§ 104 and 105 deal with a third kind of contract between *tamkārum* and *šamallūm*. Here goods are entrusted to the *šamallūm*. § 104 (rev. I, 32-45) runs:

	<i>šum-ma tamkārum</i>	If a <i>tamkārum</i> has given
	<i>a-na šamallim</i>	to a <i>šamallūm</i>
	<i>še'am šipātam šamnam</i>	barley, wool, oil
35	<i>ú mi-im-ma bi-ša-am</i>	or whatever goods
	<i>a-na pa-ša-ri-im</i>	for retail
	<i>id-di-in</i>	
	<i>šamallūm kas-pam</i>	then the <i>šamallūm</i> shall enter
	<i>i-sa-ad-dar-ma</i>	the silver (received for it) in his
		account
40	<i>a-na tamkārim</i>	and return it to the <i>tamkārum</i> .

⁸⁵) §§ 249 and 266. The principle that the holder of a commodity shall go free in such a case, when he ascertains it by oath, is also found in § 249 (cf. further § 20. Vide for the problems raised by these paragraphs P. Koschaker, ZSS 41 (1920), p. 284 ss, and M. San Nicolò, Beiträge zur Rechtsgeschichte im Bereiche der Keilschriftlichen Rechtsquellen (1931), p. 184-185).

ú-ta-ar	
šamallūm ka-ni-ik kaspim	The šamallūm shall take a sealed
ša a-na tamkārīm	tablet for the money which he
i-na-ad-di-nu	gives to the tamkārum.
45 i-li-qí	
§ 105 (rev. I, 46-54):	
šum-ma šamallūm	If a šamallūm
i-te-qí-ma	has been negligent
ka-ni-ik kaspim	and a tablet for the money,
ša a-na tamkārīm	which he has given to the tamkārum
50 id-di-nu	
la il-te-qí	has not taken,
kasap la ka-ni-ki-im	then the money that is not docu-
	mented,
a-na ni-ik-ka-as-sí-im	shall not be placed on
ú-ul iš-ša-ak-ka-an	the account.

As contrasted with § 99, the šamallūm here receives general goods. The purpose is circumscribed by the verb *pašāru*, without mentioning that a *harrānum* had to be undertaken for it. As in § 99 ss, the šamallūm had to return silver to the tamkārum. The question can be asked whether the šamallūm had only to sell the goods or whether he could carry on further business with them. This is dependent on the exact meaning of *pašāru*, which is not clear in this paragraph and is not known from other instances. Nothing is said about the profit of the šamallūm in this case.

The last two paragraphs of the section on the šamallūm contain rules as to evidence § 106 (rev. I, 55-67):

55 šum-ma šamallūm	If a šamallūm
kaspam it-ti tamkārīm	has taken silver with a
il-qí-ma	tamkārum
tamkār-šu	and he contests his tamkārum,
it-ta-ki-ir	
60 tamkārum šu-ú	this tamkārum
i-na ma-ḥar i-lim ù ši-bi	before the god and witnesses
i-na kaspim li-qí-im	can prove that the šamallūm has
šamallām ú-ka-an-ma	taken the silver, ⁸⁶⁾
šamallūm kaspam	and the šamallūm shall give the
65 ma-la il-qú-ú	silver, as much he has taken,

86) Literally: "prove the šamallūm in the taking of the money".

a-du 3-šu a-na tamkārīm
i-na-ad-di-in

three-fold to the *tamkārūm*.

This law again refers to the eventuality of the silver being entrusted to the *šamallūm*. A difficulty in the interpretation of the paragraph lies in the expression *ina maḥar ilim u šibī*. Who were those *šibū*? Were they witnesses of the contested act, or were they arbitrary persons who were only present when this evidence was given? If the former assumption were correct, it might mean that no document had to be drawn up relating to the contracts of §§ 99 ss and 102. As stated above, however, some documented instances are known from the latter contract.

For the position of the *šamallūm* it is of interest to observe that he and the *tamkārūm* are shown to act legally on an equal footing. The same is found in § 107. In § 107 a rule is given for the reverse case, notably when a *tamkārūm* contests what a *šamallūm* has returned to him: (rev. I, 68-II, 14):

<i>šum-ma tamkārūm</i>	If a <i>tamkārūm</i>
<i>šamallūm i-qí-ip-ma</i>	has entrusted (something to) a <i>šamallūm</i>
70 <i>šamallūm mi-im-ma</i>	and the <i>šamallūm</i> has returned
<i>ša tamkārūm id-di-nu-šum</i>	to his <i>tamkārūm</i> everything ⁸⁷⁾
<i>a-na tamkārī-šu</i>	the <i>tamkārūm</i> had given him,
1 <i>ut-te-ir</i>	
<i>tamkārūm mi-im-ma</i>	but the <i>tamkārūm</i> everything
<i>ša šamallūm</i>	that the <i>šamallūm</i>
<i>id-di-nu-šum</i>	has given him
5 <i>it-ta-ki-ir-šu</i>	contests,
<i>šamallūm šu-ú</i>	that <i>šamallūm</i>
<i>i-na ma-ḥar i-lim u šī-bi</i>	before the god and witnesses
<i>tamkārām ú-ka-an-ma</i>	can give proof against the <i>tam-</i> <i>kārūm</i> ,
<i>tamkārūm aš-šum šamallā-šu</i>	and the <i>tamkārūm</i> , because he
10 <i>ik-ki-ru</i>	has contested his <i>šamallūm</i> ,
<i>mi-im-ma ša il-qú-ú</i>	shall give everything he has received
<i>a-du 6-šu</i>	six-fold
<i>a-na šamallīm</i>	to the <i>šamallūm</i> .
<i>i-na-ad-di-in</i>	

As distinct from § 106, it is not stated in § 107 that this precept is only

87) Cf. O. E. Ravn, The so called relative clauses in Accadian (1941), pp. 19 and 45, and A. Goetze, JCS I (1947), p. 79.

written in respect of the cases of §§ 99 and 102 or that of § 104, so that, in principle, it can have been applicable to all kinds of contract between *tamkārūm* and *šamallūm*. But with regard to the silver handed over by the *šamallūm* to the *tamkārūm* according to § 104, there would be a discrepancy with § 105.⁸⁸) But as long as no more is known about the way in which contracts with the *šamallūm* were put into practice, no more can be said than that the system of the rules seems to be illogical.

Having mentioned and partially discussed §§ 99-107, it remains to be concluded what can be stated about the character of the *tamkārūm* in this section. A conclusion is, however, made difficult by two facts, (a) the contract of CH §§ 99-107 cannot be traced in the documents with any certainty, (b) the character of a *šamallūm* is not exactly known. However, so much seems to be clear, that the *tamkārūm* was a man who carried on trade by means of agents or retailtraders, and thus his work was that of a professional merchant. The closest comparison with the contract of § 99 ss—and perhaps a far descendant of it—is the Mediaeval commenda.

B. The contracts.

Although documents relating expressly to contracts between *tamkārū* and *šamallū* are not known, we will examine briefly if there are contracts which were possibly of such a nature. For it is, in fact, unlikely that a contract to which nine paragraphs are given in the CH, should not have been a frequent one. Koschaker characterizes certain contracts as contracts with a *šamallūm* in HG VI (1548-1551), but this was afterwards denied by Eilers in OLZ 1931, c. 934. An hypothetical explanation as to why these contracts may really not have been current in the time of Hammurabi and later, will be mentioned in chapter 10.

It is clear, however, from letters and other documents that the idea of the *šamallūm* and his relationship to the *tamkārūm* was really not unknown to the Babylonians.

The *šamallūm* is mentioned, for example, in addition to the *tamkārūm*, as travelling trader, in a hymn to Šamaš, edited by Gray in "The Šamaš religious-texts" (1901), pl. I, col. III, 26⁸⁹). From the letters we cite: CT II, 49⁹⁰), UM VII, 117, and CT XXXIII, 21 (containing references to

88) Cf. P. Koschaker, *Rechtsvergl. St.* p. 66.

89) Translations, inter alia: Schollmeyer, *Sumerisch-Babylonische Hymnen und Gebete an Šamaš* (1912), p. 84 and 90, F. M. Th. Böhl, *Jaarbericht van het Vooraziatisch-Egyptisch Gezelschap Ex Oriente Lux* 8 (1942), p. 678.

90) Landersdorfer, *Altbabylonische Privatbriefe*, p. 61; cf. also H. F. Lutz, *JEBH* IV (1931-'32), p. 559-560.

the *šamallūtum*⁹¹), all from the time of Samsuiluna or after. From YBT VIII, 42 and 85, both from the reign of Rim-Sin, it appears that the *šamallūm* was also not unknown in south Babylonia during the Larsa-dynasty⁹²). However, from none of these documents can any illuminating characteristics be deduced.

The question may be asked whether all or some of the contracts by which silver is supplied to *tappū* (*kasap tappūtīm*) can be identified with the contract of CH §§ 99-101. The main scheme of these contracts is in Sumerian: *x ma-na kū-babbar kū-nam-tam-ba ki A B šu-ba-a-n-ti*, in Akkadian: *x ma-na kaspam kasap tappūtīm itti A B ilqi*, "x mina of silver, silver of the partnership, from A B has received". The most frequent formulae of return are: *ūm ummeānum irrišu kaspam išaqqal* (*kū i-lal-ē*), "when the *ummeānum* requires it, he shall pay the silver", and *ina šalam harrānim kaspam išaqqal*, "on his return from the trade-journey he shall pay the silver". The features of this contract are amply discussed by Eilers in his book "Gesellschaftsformen im altbabylonischen Recht", and others⁹³).

The contract of *kasap tappūtīm* and that with the *šamallūm* might have the following features in common:

1°. In a number of these contracts of *kasap tappūtīm*, it is stated that the silver was furnished for a *harrānum* (VAT 701, YBT VIII, 145 and 172⁹⁴), once even by a *tamkārum* (UM VIII/2, 151). In the section of *ana ittišu* concerning business-partners (*tappū*) (6, I, 15 ss), it is also supposed that they undertake a trade-journey. There is, however, no reason to believe that a *harrānum* could not be undertaken under various contracts, and, on the other hand, only in a number of the contracts of *kasap tappūtīm* does a *harrānum* appear to have been the purpose.

91) This term is also used in the Nuzi document HSS IX, 34, 18 (cf. A. Saaristo, St. Or. V, 3, p. 29), but there it must have an extraordinary, derived sense, being used in connection with the cultivation of fields.

92) Here the word is used as a proper name of a *wakil tamkāri*. Also in another record from the time of Rim-Sin, TCL X, 85, *šamallūm* figures. Jean doubts whether it is here a proper name or the name of a profession. In favour of the former supposition may argue that in the same place, where in TCL X, 85, *šamallūm* figures, in TCL X, 58, a *wakil tamkāri* acts. Is it too hazardous to suppose that in both documents the same person, the *wakil tamkāri* *šamallūm* is designated and that this is the same person as in YBT VIII, 42 and 85? All four documents date from almost the same time (22nd, 24th, 29th and 31st year of Rim-Sin).

93) J. G. Lautner, Festschrift Koschaker III, p. 24-79, E. Szlechter, Le contrat de société en Babylonie, en Grèce et à Rome (1947), p. 5-92, and E. Bilgiç in Schulden und Darlehen, p. 453-454. The first two essays contain theories which are open to criticism.

94) Also in a number of Susan contracts and in the Middle-Assyrian contract KAJ 32 (cf. also KAJ 39).

2°. The distinction made between *šibtum* and *nemēlum*, as found in CH §§ 100 and 101, is also found in the same section of *ana ittišu*, lines 24-29, running:

<i>kás-pa ù šibta-ša</i>	after they have laid aside
<i>i-na a-ḫi-te i-ša-ka-nu-ma</i>	the silver and its <i>šibtum</i> ,
<i>nī-me-la ma-la ib-ba-áš-šu-ú</i>	they shall divide the <i>nemēlum</i>
<i>i-na ma-ḫar ilŠamaš</i>	as much as is extant
<i>mi-it-ḫa-ri-iš</i>	among one another
<i>i-zu-uz-zu</i>	before Šamaš.

As already seen, it cannot be deduced from the CH what profits the *šamallūm* and the *tamkārūm* drew, but the division of the profits between investor and *tappū* is also discussed (vide the authors cited).

3°. In YBT VIII, 145, transliterated above p. 25, a *tadmiqtum* is supplied besides *kasap tappūtīm*. Both had to be returned with the *nemēlum* to the investor. If a *tadmiqtum*, as described in CH § 102, is meant here, the receiver of it might have been a *šamallūm*. But then the receiver of the *kasap tappūtīm* could also be denoted as *šamallūm* in this instance. It would appear that Bilgiç⁹⁵⁾ has drawn this logical conclusion. Bilgiç, however, distinguishes three variations of the contract of *kasap tappūtīm*.

4°. In the hymn to Šamaš, already mentioned⁹⁶⁾, *šamallūm* seems to be paraphrased by *nāš kīsi*, "he who bears the bag". The *kīsum* was originally the bag of the merchant, in which he carried his weighing stones⁹⁷⁾. More generally, it became the trader's bag or pouch with money, which was bound up in his garment (*kī-su kaspi ḫurāši ina si-sik-ti-šu-nu ru-ku-us-ma*, "the bag with silver or gold which was bound in the hem of their garment")⁹⁸⁾. Finally *kīsum* assumed the meaning of capital, money for trading purposes⁹⁹⁾.

95) Schulden und Darlehen, p. 439 and 453.

96) P. 29.

97) Cf. CT XIV, 3, 6b: *z á - ku š - n i g - z á = k i - i - s [u]*.

98) Journal of the Transactions of the Victoria Institute XXVI (1893), p. 155, III, 8-10. Cf. *sig - a l a m = nabnitu* II, 119, Meissner, MAOG I/2, p. 18.

99) Cf. Eilers, Gesellschaft, p. 27, note 5, and the authors cited there. The word is borrowed from the Babylonian in Hebrew, Aramaic, Arabic etc.

In Cappadocia the word *naruqqūm* (ideogram *KUŠ . A . SA* (or *GA*). *LAL*) had the same development: In Babylonia only used in its literal sense of "bag, sack", it was in Cappadocia especially the bag with money and finally the money of commerce, capital. The literal sense is preserved in the expression *naruqqūm našd'um*, said of the *šamallūm*, who travels and "bears the bag" (cf. Eisser and Lewy, MVAeG XXXV, 3, p. 101, note a). This is obviously the Cappadocian parallel to Babylonian *nāš kīsi*, although the business, it refers to, shows differences in both countries. (Cf. for Babylonia the texts mentioned by Meissner, Beiträge zum assyrischen Wörterbuch II (Chicago 1932), p. 52-53, for Cappadocia J. Lewy, MVAeG XXXV, 3, p. 102, note a. The literal sense also

Most instances of a *kisum* in Old-Babylonian tablets, however, are in contracts referring to *tappū*-relations ¹⁰⁰). If the travelling bag was characteristic of the *šamallū* only (which we do not know) the possibility exists that these *tappū* were *šamallū* ¹⁰¹).

The following objections may be raised against identification of the two contracts:

1°. In §§ 99-103 only one *šamallū* is spoken of, and there is no indication whatever that a *tamkārū* could enter into a contract with more *šamallū*, who were *tappū* between them.

2°. There exists no instance of *kasap tappūtīm* in which the words *šamallū* or *šamallūtum* are used.

3°. In the formulae of return of the *kasap tappūtīm* contracts, it is said as a rule that the silver had to be repaid to the *ummeānum*, while the principal of the *šamallū* is said to be a *tamkārū* in the CH and the word *ummeānum* is not used. Only once is a man, who supplied *kasap tappūtīm*, stated to have been a *tamkārū*, i.e. notably in UM VIII/2, 151; on another occasion it was a *nadītum* (VAT 806), and perhaps in a third instance (YBT VIII, 96), the man supplying the silver can be stated to have been a professional *tamkārū* ¹⁰²).

4°. The *šamallū* only figures in relation to a *tamkārū*, while *tappūtu* relations take different forms, both agrarian and commercial, the latter again with many variations ¹⁰³). However, this need not preclude the agreement of

can be found in Cappadocia, e.g. in Kt. Halin 35, line 1, and Giessen 3-9, line 18. For the Cappadocian *naruqqūm*-business cf. especially Landsberger, *Türk Tarih Ark. ve Etnogr. dergisi* IV (1940), p. 20 ss, and H. Lewy, *JAOS* 67 (1947), p. 308.

¹⁰⁰) E.g. VS VIII, 71, BE VI/1, 97 (*bāb kisim*, "merchandise of the bag"?), BE VI/1, 15. Cf. further BE VI/1, 26, CT XXIX, 33, CT XXIX, 30. A *šamallū*-relation perhaps is found in UM VII, 49. This letter may be explained thus that Aššur-asu had a *šamallū*, Imdī-Ištar, who had placed (invested) his *kisum* in the house, i.e. in the enterprise, of Warad-Sin in Sippar. There business had been carried on with the money for two years already and now Aššur-asu urged Warad-Sin to have his interest at heart. This kind of business seems to approach the Cappadocian *naruqqūm*-business as described by Landsberger and H. Lewy: a trader carried on business at a trading-station with money (*naruqqūm*), supplied to him by one or more persons, for a number of years. Indeed, the principal Imdī-Ištar was evidently an inhabitant of Aššur.

¹⁰¹) In a text which was hitherto known as a fragment of a "Babylonian Seisachtheia" (Br. M. 78259; S. Langdon, *PSBA* XXXVI (1904), p. 100-106, cf. M. Schorr, *Sitzungsberichte der Heidelberger Ak. der Wiss.* 1915, Abh. 4, C. J. Gadd, *Symbolae Koschaker*, p. 102 ss.), but which really contains laws, as seems to be demonstrated by another fragment of the tablet in the Istanbul museum, *ana harrānim, ana tappūtīm* and (*ana?*) *tadmīqtīm* seem to be mentioned in one sentence, but it is not practicable to discuss this text further before the publication of the Istanbul fragment.

¹⁰²) Vide part two, p. 63.

¹⁰³) Cf. E. Bilgiç, *Schulden und Darlehen*, p. 454.

Istanbul fragment

one of these forms with the contract of CH § 99 ss, as Bilgiç seems to accept ¹⁰⁴).

Examples of the contract of § 104 are likewise not to be found with any certainty. There are some documents of which this contract could perhaps be the basis, although the word *šamallūm* is not used; for example, in the letter VS XVI, 15, the situation seems to have been that Sin-aḫiam-idinnam had obtained dates and oil from an *ummiānum*, and with these he apparently carried on business in Iamutbal, but he had lost his money. He therefore called in his father's aid in order to be able to satisfy (*apālu*) his *ummiānum*. This could be an instance of § 104. It can be observed that in this instance, Sin-aḫiam-idinnam undertook a risk, but the value of this observation is diminished since the way in which the money was lost is not mentioned. Another instance is found perhaps in CT VI, 39a, from the time of Ammišaduga. This document contains a fragment of book-keeping, perhaps from a trading house, in which five times a quantity of a certain commodity is entered as a *qiptum Elamki*. The possibility that these were loans must be excluded, as it cannot be accepted that people from Elam came some 150 miles to Sippar in order to borrow there. Also the supposition that the goods were delivered to Elam on credit has not much credibility, as it is improbable that a Babylonian merchant should sell and deliver his goods to Elamites without having any surety for the purchase-money. But it seems indeed possible that travelling agents were entrusted with the sale of the goods in Elam in a way such as that mentioned in CH § 104. The terminology would allow of this suggestion, since "entrusting" something to the *šamallūm* could be denoted with the verb *qāpū* (cf. § 107), although surely not always, when a *qiptum* is mentioned, a *šamallūm* relationship may be supposed.

It may be difficult to trace the particular *šamallūm* relationship in the contracts, but there are many documents showing merchants making use of the services of another person in one way or another, either as mandatary or in a subordinate position.

As examples of a mandate or a similar relationship may be mentioned here (although the principal is not expressly denoted as a *tamkārum*):

104) It seems not wholly impossible that a relation with *šamallū* is found in VS XVI, 4, which says that Ibni-Adad and Anum-piša, probably *tappū*, had carried on business for Ilka-Samaš. Anum-piša had given his silver to Ilka-Samaš earlier than Ibni-Adad and now Ibni-Adad feared that Ilka-Samaš would claim his money, but Ilka-Samaš allowed him to pay what he could and advised him not to travel any further as the rivers were swollen. As in the case of § 99 the agent had to bring home money. The orders, given to Ibni-Adad at the end of the letter are, however, contrary to a contract of § 99, notably to buy a slave and to buy jars at a certain price.

In this connection perhaps also the letter CT VI, 19b, could be compared.

CT XXIX, 13 and 14: Anum-pi-Šamaš, a trader in perfumes etc., had ready money (13, line 6), but it seemed difficult for him to obtain his merchandise in time to be able to satisfy the demand (13, line 23 ss.). He therefore repeatedly wrote to his agent Sin-(aḥam-)idinnam, who was obviously away on a business-journey (14, line 11) with the purpose of buying all kinds of oil etc., but it seems that this agent did not carry out his orders soon enough, and once he sent a servant (*ṣuhārū*) back with empty hands (14, line 9-10).

In VS XVI, 52 and 36, and VAT 6088, is described how Belanum ordered Aḥuni to buy and to send to Babylon various kinds of timber. These had to be transported to Babylon by water. Further, he was to buy wine, reed, horn and sheep, and he dealt in horses, for whose fodder Belanum had to pay.

In VS XVI, 180, is related that the writer, during a visit to Babylon, had agreed with the addressee that the latter would be his agent, and he now gave him an order to buy liquor to the value of 5 šeqels of silver and another article also to the value of 5 šeqels¹⁰⁵). A contract containing such a commission to buy a certain quantity of a commodity at a fixed price is BE VI/1, 115.

It is clear that these instances show a difference from the contract of CH §§ 99-107: There the *šamallūm* may be assumed to have had some degree of liberty in his business, here the agent was bound hand and foot; he had to buy certain articles mentioned by name to amounts fixed by the principal, or to sell certain fixed quantities of articles likewise fixed. In such cases his profit cannot have been dependent on his own activity, but he must have received ordinary wages or similar payment—hence the necessity for exhortations! Another difference is that in § 99 the transactions begin and end with money, in § 104 begin with goods and end with money, while in the instances just mentioned, the process begins with money and ends with goods.

The subordinates acting for *tamkārū*, were servants and slaves. Servants were indicated by the word *ṣuhārū*¹⁰⁶). The *ṣuhārū* very often occur as transporters and messengers in the trade, e.g. CT IV, 26a, a *ṣuhārū* brought grain; CT II, 12, a *ṣuhārū* brought wool of sheep; VS XVI, 92, a *ṣuhārū* fetched herbs; UM VII, 100, a *ṣuhārū* brought a slave to Babylon; VS XVI, 21, and CT XXIX, 30, a *ṣuhārū* carried a letter; TCL, I, 18, CT XXIX, 14, VS VII, 91, and VS XVI, 82, a *ṣuhārū* transported goods; Fish, Letters 5, a *ṣuhārū* made a journey, etc. They

105) Cf. also VS XVI, 98, an order to buy seeds, etc.

106) Cf. B. Landsberger, OLZ 1925, c. 233.

ordinary wages or similar payment

must often have carried out these tasks in the service of a merchant, a *tamkārūm*, as appears clearly in CT XXIX, 14. In MDP XXVIII, 538, it is expressly stated that a *tamkārūm* had a *ṣuhārūm*. Servant

Nowhere, to my knowledge is there any indication that these *ṣuhārū* had liberty of action as had the *šamallū*. They were rather workmen, and they may have been working in the service of the *tamkārūm* as well as in that of the *šamallūm* or any other kind of trader. UM VII, 117, seems to be in contradiction to this statement, if, with Ungnad, one conceives *ṣu-ḥa-ri* in line 9, as an addition to *šamallūm*. However, since the preceding lines of the letter are almost completely effaced, this is not certain¹⁰⁷).

It is doubtful whether a *ṣuhārūm* could conclude business for his master. The documents mentioned do not record any instances. The *ṣuhārūm* mainly performed services for the effecting and execution of the liabilities of his master in regard to contracts. As a rule, he only acted as an intermediary. very

Slaves certainly did not render more important services. In general it is doubtful if slaves could transact any business at all for their master¹⁰⁸). Important

107) In Cappadocia the *ṣuhārū* had a similar position as in Babylonia, as is argued by J. Lewy (Kt. Bl., p. 24-25), who characterizes him in this connection as a dependent employee of the merchant, not free to act on his own initiative.

108) A. Saarisalo, New Kirkuk documents relating to slaves (St. Or. V, 3, p. 79) thinks so for Nuzi, but in the two Nuzi texts mentioned by him (HSS IX, 14, and N II, 140) the slave could act on his own account as well as for his master Šilwatešup. From HSS IX, 7, it appears that a Nuzi slave was, in fact, able to act in a lawsuit on behalf of his master.

Exceptional:
federal!

CHAPTER FOUR CONCLUSIONS

Our enquiry into the *tamkārum* and his various activities as they appear in the CH, has shown him in the following functions:

- 1° a travelling merchant in goods,
- 2° a broker, whose merchandise is sold by agents,
- 3° a man who finances trading enterprises,
- 4° a money-lender.

This last activity has given rise to the use of the word *tamkārum* for creditor in the CH. As this meaning cannot be pointed out with certainty in other texts, except in one contract to be mentioned below, the author of the code may not have used the word in the sense which it had acquired in general practice, viz. denoting a person pursuing a definite trade. The same conclusion may be drawn from the fact that laws like those of § 88 ss, may be supposed to have been intended for everybody who lent money, and not only professional money-lenders, whereas the contracts, and notably the addition of the word to names of witnesses, show that *tamkārum* indicated a profession. This will appear more clearly in part two.

Also, in the only paragraph of the law-tablets found at Tell Harmal (edited in Sumer IV, p. 63, by A. Goetze), in which the *tamkārum* figures, he seems to act in accordance with Babylonian contracts. These tablets contain laws of the country of Ešnunna, which give a more definite impression of being based on practice than the Code of Hammurabi, in which the literary and political character seems to be more prevalent. § 15 of these laws runs:

i-na qa-ti sagwardim ù amtīm tamkārum ù sa-bi-tum kaspam še-a-am šipā-tam šamnam a-di ma-di-im ú-ul i-ma-ha-ar.

The translation of this paragraph is uncertain. W. von Soden proposes: Out of the hands of a male or female slave a *tamkārum* or a *sabītum* shall not accept silver, barley, wool or oil in a great quantity¹⁰⁹⁾. The *tamkārum* is mentioned here side by side with the *sabītum*, the hostess of an inn who deals in spirits, and is definitely a person pursuing a trade for a livelihood, for whom also the CH gives some rules in §§ 108-III. The *tamkārum* here is also a man of a special professional class.

¹⁰⁹⁾ Ar. Or. XVII/2, p. 369.

Law of Ešnunna: Babylonian Tamkal meant!

If the use of the word *tamkārum* in the rules of the CH is wider than corresponded with actual practice, these rules make us acquainted with the various activities of the *tamkārum*, and these are borne out by documents, except his relationship with the *šamallām* for which no documents can be pointed out in illustration. It is not the case that a *tamkārum* was employed solely in one of the four above-mentioned functions. There were surely *tamkārū* who only dealt in goods, and others who were only bankers, but still other *tamkārū* may have been engaged in more or all of these functions, and the contracts show a number of them displaying a many-sided activity. The most clear examples which can be given are from Larsa. Why this is so, will become clear in part two.

As an example, may be cited a certain *tamkārum* Abuwaqar, who will be more fully described later (vide p. 63). Although the name is a common one, it is probably the same man who figures in the following documents. In YBT V, 203, he is said to have received a quantity of goods to the value of half a mina. YBT V, 224, tells that Abuwaqar and two other individuals, among others Sin-šamuh, who is well-known from other documents, have given ribbons as presents to *šuhārū*, and in the end there is mention of articles brought from the house of Abuwaqar, also for a number of *šuhārū*. In TCL X, 81, a large stock of perfumes of the house of Abuwaqar is enumerated. In YBT V, 236, he gave a receipt for the large sum of $5\frac{2}{3}$ mina and $6\frac{1}{2}$ šeqel of silver. Perhaps the same man is found in YBT VIII, 96, supplying *kū-nam-ta-b-ba* together with the Šamaš temple. We can only guess that the term *bīt Abuwaqar* in some of these documents, was comparable to our trading-house, which in any case, would point to business on a large scale. That the trade was a prosperous one is shown by the purchase of built-up and landed properties¹¹⁰). Abuwaqar belonged to the circle of great businessmen in Larsa, who will be described below.

To the same circle belonged Gimillum, mentioned as *tamkārum*, who was a witness in the purchase of a house by Balmunamhe (YBT V, 129). In YBT VIII, 102, Gimillum was concerned in a large settlement of accounts arising from a deal in textile-goods in the Šamaš temple, i.e. before the judges. It is stated that he had a claim of 458 garments and 51 minas of wool, on two brothers. Among the witnesses were Abuwaqar, just mentioned, and Idin-Amurru, to be mentioned below. The name Gimillum was common in Larsa; therefore it is impossible to say if it is the same person who acted in other documents, viz. YBT VIII, 78, lending money, in YBT VIII, 53, giving money *ana kiššatim* of a ship, in YBT V,

¹¹⁰) YBT VIII, 68, 79, 84, 95.

166, 200, 240 etc., receiving corn, sheep, etc., in TCL X, 86, concerned in trade in ale, etc.

Another example among the many is provided by Sin-durma, who appears dealing in slaves in VS XIII, 64 and 72, and lending money in VS XIII, 63. Although he is not found with the addition of *tamkārūm* to his name, he may well have been one, for it appears from his witnesses that *tamkārū* were among his friends. More examples will be given in the second part.

Coöperation of two or more *tamkārū* is not attested by documents. In general, a plurality of creditors is only very seldom found in loan-transactions¹¹¹), but it happens more than once that someone supplied an ordinary loan or *kasap tappūtīm* in conjunction with a god (mostly Šamaš)¹¹²). The real meaning of these joint loans by a god and a mortal is not wholly clear, but it seems likely that the mortal acted as a representative of the god. Whether the mortal acted at the same time as a private person, and whether he himself was financially interested in the transaction is not known. This would surely have been the case when he was also a receiving party, as he was in the contract of *kasap tappūtīm* YBT VIII, 145. Conversely, however, he may not have been interested when he was only mentioned on the credit side, as in YBT VIII, 96.

A *tamkārūm*, on his part, could enter into a relationship with more retail-traders or agents at the same time. Between these traders, a relation of *tappūtum* could exist (UM VIII/2, 151). Loans supplied to a plurality of debtors were very usual¹¹³). As a rule, nothing is known about the inter-relationship of the debtors except when the loan was supplied *ana tappūtīm*. More often, one amount is mentioned, lent to the debtors collectively, but it could also happen that the silver was supplied to each of the debtors separately, and even in different amounts, as in BIN VII, 83. But in all these cases, the liability of the debtors to the creditor could be characterized by the particular clause *itti šalmim u kinim kasam iliqqi* (*ki lú silim-ma-ta ù lú gi-na-ta kù-babbar iliqqi*), a clause of which the real meaning is still not wholly clear¹¹⁴).

¹¹¹) In general loans supplied by more persons are seldom. Cf. YBT VIII, 67. In VS VIII, 128, two deities (Šamaš and Aia, represented by Šamaš-muballit) supplied a loan. BE VI/2, 65, does not contain an ordinary loan: the price of a house, sold by two persons, is given as credit by them (sale on credit). Also G 50 is not an ordinary loan, and in YBT V, 242, *kasap tappūtīm* is supplied by two persons to a third.

¹¹²) Cf. e.g. BIN VII, 72-91, VS IX, 148/149. YBT VIII, 96 and 145.

¹¹³) E.g. without interest YBT VIII, 135 and 155, with interest VS VIII, 128.

¹¹⁴) Vide, e.g., B. Landsberger, ZA 35, p. 25 ss, P. Koschaker, Neue Keilschriftliche Rechtsurkunden aus der El-Amarna-Zeit (Abh. der Phil. hist. Klasse der Sächs. Akad. der Wiss. XXXIX, 5), p. 118 ss, and Griech. Rechtsurk. p. 104, note 2, G. Eisser, Festgabe Heck. p. 157 ss, É. Cuq, Études p. 307 ss.

Smith 253, said to have been found at Tell HabiI Ibrahim (Kutha) and already mentioned several times, asks for special discussion:

3 še-gur Reš-Ištar-ilu 1 (gur) 70 (sila) dSin-mu-ša-lim 2 (gur) Ibiq-dŠa-la $2\frac{1}{3}$ gín $7\frac{1}{2}$ (še) kù-babbar ša Ibiq-dŠa-la 1 (gur) Ī-lī-tu-ra-am igi-6-gál kù-babbar 240 (sila) še ša Li-iš-ta-lim-ilu 1 (gur) dSin-ra'-im-Uruki 1 (gur) dSin-ša-mu-uh 100 (sila) Iz-qur-dŠamaš 60 (sila) Ga-ma-al-dŠamaš 10 (gur) 170 (sila) še-gur $2\frac{1}{2}$ gín $7\frac{1}{2}$ še kù-babbar hu-bu-ul-lum ša Pi-ir-hu-um ù dŠamaš-mu-še-zi-ib mārūmeš d^{BIL}.GIŠ-i-din-nam mī-it-ha-ri-iš a-hu ki-[ma] a-hi tamkārimeš i-ip-pa-lu-ú, "3 gur of corn of Reš-Ištar-ilu, 1 gur and 70 sila of Sin-mušalim, 2 gur of Ibiq-Šala, $2\frac{1}{3}$ šeqel and $7\frac{1}{2}$ še of silver of Ibiq-Šala, 1 gur (of corn) of Ilitiram, $\frac{1}{6}$ (šeqel) of silver and 240 sila of corn of Lištalim-ilu, 1 gur (of corn) of Sin-ra'im-Uru, 1 gur of Sin-šamuh, 100 sila of Izqur-Šamaš (and) 60 sila of Gamal-Šamaš, (totally) 10 gur and 170 sila of corn, $2\frac{1}{2}$ šeqel and $7\frac{1}{2}$ še of silver is the debt of Pirhum and Šamaš-mušeziib, the sons of Bilgiš-idin-nam. They shall equally, the one as well as the other brother, satisfy the tamkārū (plural)" 115).

The term *hubullum* points to the fact that the loan is one at interest. But here is no question of an ordinary loan by one or more individuals, who advanced a sum to one or more debtors, but a number of persons first had brought together a capital, which is stated to have been lent to two brothers. The two brothers, therefore, did not borrow from the individual money-lenders—which they surely would have done by individual contracts—but they borrowed the combined fund. The money-lenders must have brought their capital together with a special purpose, which can scarcely have been other than to form a fund, though a small one, for a commercial purpose. The executors of these transactions were Pirhum and Šamaš-mušeziib, who received the capital as *hubullum*. A certain percentage of interest, however, was not stipulated, nor was the term of the loan fixed. The latter indicates that the interest could not be comprised in the amount lent. Therefore, the interests had to be calculated either according to the customary percentages, or they had to take the form of dividends. The creditors in this case are summarized as *tamkārū*. If our explanation of the contract is correct, the creditors, supplying very small amounts, were surely not professional bankers, but the word here really seems to mean only (occasional) money-lender, creditor. The contract dates from the sixth year of Samsuiluna, i.e. after Hammurabi.

115) Here it is clear that *mīthāriš* expresses an equal liability of the two debtors. Cf. also Thureau-Dangin. Textes mathématiques babyloniens, p. 222.

PART TWO
THE SOCIAL POSITION OF THE *TAMKĀRUM*

CHAPTER FIVE

BEFORE THE OLD-BABYLONIAN PERIOD

112
these
alternatives
are
neither
In the first part we have mainly seen in what types of trade the Old-Babylonian *tamkārū* were concerned, but we did not examine the position which the *tamkārū* held in Babylonian society; we have not considered the question of his social importance, nor that of his relation, if any, to the government. Was he a private businessman, did he carry on his commerce in the service of or on behalf of the state, or both? Before we examine these points it will be appropriate to attempt to outline the *tamkārū*'s position in the period, preceding the Old-Babylonian.

organ
Already in the Old-Sumerian documents there is frequent mention of *dāmka-ra*. The economic and social organisation of that time is shown in many documents found in Lagaš, especially from the reigns of the patesis Lugalanda and Urukagina¹¹⁶). In that town a kind of state-socialism was found with a patesi (*ensi*) at the head. Whether this patesi was looked upon as a secular or a clerical authority^{116a}), it is certain that the common people were subordinate to both the patesi himself and his wife. The people are found working under his direction on behalf of the state in every branch of industry and commerce, and in the latter field especially the *dāmka-ra*. In that period the *dāmka-ra* was still merely engaged in trading in goods. Traces of his later money-lending activities are not found. Some examples of *dāmka-ra* carrying on trade with foreign countries, borrowed from the book of A. Schneider, "Die Sumerische Tempelstadt", are to be found in: VS XIV, 30, where is related that the *dāmka-ra* Ur-Enki has brought 234 minas of copper-alloy from the land

116) Cf. A. Schneider, Die Sumerische Tempelstadt, A. Deimel, Sumerische Tempelwirtschaft zur Zeit Urukaginas und seiner Vorgänger (An. Or. 2), P. van der Meer, Kernmomenten, pp. 183 ss., etc.

116a) The latter view is held by A. Deimel, An. Or. 2, pp. 78 and 80, C. J. Gadd, Ideas of divine rule in the Ancient East (1948), p. 37; contra M. David, Betrachtungen zur Leidener Keilschrift-Sammlung, p. 4, B. Landsberger, Ankara Universitesi Dil ve Tarih-Coğrafya Fakültesi Dergisi III, p. 154.

of Dilmun; Lugalanda has checked it in the palace. According to Nik. 292 a damkara has brought $6\frac{1}{2}$ mina of silver from Elam for Barnamtara, the wife of the patesi Lugalanda. Nik. 85 relates that a damkara has purchased 3 asses in the town of Dūr-ilu for the estate of Barnamtara and that they are delivered to a ploughman. It was mainly the commerce with other towns and countries that was carried on by the damkara, but they also figured in local trade, especially in the sale of fish¹¹⁷). Fish, hauled by the fishermen, was sold by the patesi or his wife to damkara or gal-damkara for retail to the consumers.

In the archives of the Bau-temple in Lagaš, which have yielded most of the extant records, mention is made, besides of the damkara, of the gal-damkara, i.e. "great merchant". This man seems to have been one of the highest officials and only one gal-damkara at a time appears to have held office. The interrelation between this functionary and the damkara has not, so far, been completely understood, although it may be remarked that in the documents found it is more often the gal-damkara who had to do with the patesi or his wife¹¹⁸).

From the Suruppak tablets it appears that in this town the position and function of the damkara were similar to those in Lagaš, while the number is decidedly larger than in the Lagaš tablets¹¹⁹). The former again seem to show that the office of gal-damkara was held by one person at a time only¹²⁰). In lists of officials, such as TSŠ 181 and 668, the gal-damkara is found to occupy a high place in the order of precedence among a number of other gal-officials.

When Babylonia came under the domination of the Gutī, Lagaš remained independent and it enjoyed a period of prosperity under its patesi Gudea, but nowhere in Gudea's inscriptions are damkara mentioned.

117) Instances, mentioned by A. Schneider, are VS XIV, 43, and DP II, 332.

118) The gal-damkara about whom most is known, was Ur-é-ninni, also simply designated as damkara, and further as (gal-)damkara ensi, "the (great) damkara of the patesi", (gal-)damkara é-sal, "the (great) damkara of the Lady's temple", and (gal-)damkara dBa'u, "the (great) damkara of (the goddess) Ba'u" (Cf. Allotte de la Fuye, RA XVII (1920), p. 3). The wages of damkara and gal-damkara were entered in long wage lists, from which it appears that they received all kinds of commodities. Sometimes it is recorded that damkara or gal-damkara received fields for their sustenance (cf. A. Schneider, Tempelstadt, p. 110-112, and A. Deimel, Orientalia 4, ed. 2 (1924), e.g. VS XIV, 72, and HSS III, 40 for Ur-é-ninni, TSA 7 and DP 591 for other damkara. This was the precursor of the a-šā-suku, the *egel kurummatim*, of later times.

119) Cf. the lists of personal names in Deimel, die Inschriften von Fara III (WVDOG 45) and R. Jestin, Tablettes sumériennes de Suruppak. Together 32 damkara.

120) Only three are mentioned, Amar-dNinni-za and Ud-di, both also found as damkara, and E-dDugud^{bu}.

eged fields for their sustenance
Gudea: superintending noble

Field: equal
Kurummatim
193

UR III
agric!

In the next period of the third dynasty of Ur, although its main features remained Sumerian, the Semitic element was on the increase. Now in economic life are found operating (a) the king (palace), (b) the temple, and (c) private persons. Contracts between private persons gradually increased in number during this period. A number still concern chattels (slaves, animals etc.) ¹²¹), but an occasional sale of a house or some landed property is now recorded ¹²²) and many documents relate to loans with payable interest, supplied for the greater part for agricultural purposes. Large numbers of these originate from Nippur.

UR III:
City
State
period

It must be kept in mind that for the first time the whole of Babylonia was under one rule for a longer time. In the various city states of earlier times evolution had been divergent and had reached different stages. Differences were still so large in the Ur III period that calendars (the names of the months) varied in different towns ¹²³). As the evolutionary drive seems to be due to the Semites entering the fertile plain of the rivers from the north-west and west, in north Babylonia development was more rapid than in the south. In the latter region Sumerian organisation and Sumerian law survived longer. This fact is wellknown ¹²⁴) and is clearly shown by the wording of the contracts, which, during the later Hammurabi dynasty, was still generally Sumerian in south Babylonia (Larsa), while it was Akkadian in the north (Sippar). Nippur had its own characteristics, which in many respects were a compromise between north and south. This division corresponds with the division of the land in three states after the fall of the Ur III dynasty, viz. the kingdoms of Isin (Nippur), Larsa, and Babylon (Sippar).

From the preceding facts, it follows that the position of the *tamkārūm* in the various towns of the Ur III kingdom may have differed. The *tamkārūm* in this time is described by T. Fish in the Bulletin of the John Rylands Library XXII (1938), p. 160-174. Examining the *tamkārūm*'s relation to the state, Fish concluded that several *damkara* were employees of king or temple, as tablets in which they are mentioned, are in large measure temple records, and usually of "national" or "town" property and affairs.

¹²¹) BE III/1, 15, TMHC, NF I/II, 50, 51, ITT II/1, 746, 748, 830, 832, 925, etc., UET III, 14, 15, etc., BIN V, 346. Cf. T. Fish, Iraq V (1938), p. 164-165, and for Umma G. G. Hackman, BIN V, p. 3. From this town only very few instances of private transactions are extant.

¹²²) E.g. YBT IV, 4, ITT II/1, 920, UET III, 27 (concerning houses), BE III/1, 14, purchase of a palm-grove. Cf. also ITT II/1, 1038. Cf. M. David, Betrachtungen zur Leidener Keilschriftsammlung, p. 6, and M. San Nicolò, Die Schlussklauseln der altbabylonischen Kauf- und Tauschverträge, p. 35-37.

¹²³) Vide e.g. A. Deimel, SL sub nr 52.

¹²⁴) Cf. e.g. M. San Nicolò, Schlussklauseln, p. 60 ss, J. Klíma, Untersuchungen zum altbabylonischen Erbrecht, passim.

He admits that "at the same time, it remains possible that there were persons who were professional traders on their own account and quite unattached to any master royal or religious". If we compare this conclusion with the evidence afforded by the documents, we can in the main agree with it. The two following points can be made:

1°. Sometimes there is no doubt that damkara were in the service of the government, e.g. in the case of the "missi dominici" to Elam, who received a reward or provisions in Lagaš¹²⁵). Among those messengers were people of various professions, as a rule they were lú-giš-ku, lú-rim, rá-gab etc., but twice a damkara is found among those given a reward. It is also fairly evident that the damkara acted on behalf of the palace in the great cattle-account Amh. I, 38, serving as an intermediary in the delivery of all kinds of cattle.

Damkara were rewarded for their services in the usual way, just as other people. RIB 120 and 191 mention awards to damkara from different towns (Nippur, Uruk, Ur, Umma). It is probable that the damkara received an a-šà suku, an *egél kurummatim*, a field for feeding (sustenance)¹²⁶).

Another time it is clear that a damkara was attached to a temple, e.g., in a number of Ur texts. In UET III, 1056, a dam-kara é-an-na is spoken of among a number of other people, who received various quantities of barley. In UET III, 272, a great number, at least 8, damkara figure as suppliers of bitumen as a-ru-a, gifts to a temple. The name of one of these damkara also appears in UET III, 729, recording deliveries of precious metals and stones; from the addition en-na to the profession it appears that the man was a temple-merchant. UET III, 337, mentions an account of the merchant of the Šamaš-temple in Ur. An idea of the extent of the temple-trade can be formed from the activity of the zag-u of the gods Nanna and Ningal, described by L. Legrain in UET III, p. 193, ad. nr. 2.

In other cases the question is more difficult to answer.

Most instructive are a number of so-called "balanced accounts" (written níg. šid-ag¹²⁷)), all from Umma. Fish has discussed these documents in JRAS 1939, p. 32 ss, and BJRL XXII (1938), p. 167 ss¹²⁸). These documents begin with a statement of amounts of silver and/or goods with their

125) Cf. Ch. F. Jean, RA XIX (1922), p. 1 ss, especially p. 17, 34 and 37.

126) Cf. e.g. ITT IV, 7774 and 7875.

127) Cf. A. L. Oppenheim, AOS 32, note 15a.

128) To the instances mentioned by Fish may be added CT V, 38, níg. šid-ag of Gal-dul dam-kara (cf. S. Langdon, Bab. VI (1912), p. 42), AOS 32, nr E 34. Cf. in this connection AOS 32, nr L 1.

x again

silver equivalent, with notes as to their origin. The first amount is designated as *si-i-tum* (remainder) from a certain year, which is the year previous to that of the account. The enumeration, containing only comparatively few (as a rule 3-5) entries of relatively large amounts of the most current commodities—besides silver wool, dates, barley etc.—ends with the statement of the total amount in silver ¹²⁹) and this total is described as *sag-gar-ga-ra* ("capital") ¹³⁰). Then follows a long enumeration—introduced by the term *ša(g)-bi-ta*, i.e., "out of this (capital sum)"—of small quantities of all kinds of commodities each with their equivalent in money (with which—as Fish states—no doubt, they were purchased) and the name of a person. At the end the total of the amounts of money expended (*zi(g)-ga-a₄*) is stated. The tablet ends with the statement of the difference between the first and the second total amounts,—*LAL-ni*, if the former is greater than the latter, *diri(g)* in the reverse case—followed by the statement that it is the account of this or that *damkara*, e.g.: *nig-šid-ag šeš-kal-la dam-kara*, "balanced account of Šeškalla, the *damkara*". Fortunately we have two successive accounts ¹³¹); the amount stated as *LAL-ni* in the former tablet corresponds with the amount denoted as *si-i-tum* in the second. It seems that these documents were drawn up periodically, perhaps every month, as at the end the month and the year are mentioned, not the day.

What may have been the background of these accounts? It might be presumed that the drawing up of these periodical balances was of some interest to the *damkara* himself and that the tablets were strictly private bookkeeping documents. This is not plausible. It is indeed questionable if economic texts of mere private interest were drawn up and if not all documents were intended to be used for or against other persons or authorities. The "balanced accounts" really rather have the character of a periodical rendering of accounts.

Now it is remarkable that the commodities composing the *sag-gar-ga-ra* were current commodities in large amounts. These were the commodities which administrations, either of palace or temple, received in large quantities as produce of their own estates, but also as taxes. Sometimes it is said that the goods are supplied by the *patesi* ¹³²).

The *damkara* sold these goods and the sums received are mentioned with the goods in the first section. For the money received the *damkara*

¹²⁹) Once in barley, Š et A LXXVI.

¹³⁰) Cf. A. L. Oppenheim, AOS 32, p. 79, ad H 2.

¹³¹) TCL V, 6056 and BM 105545, transliterated by Fish in JRAS 1939, p. 31 ss.

¹³²) E.g. 7 talents of wool in BM 106064. Cf. TCL V, 6162.

capital

to x . on pref. to gloss...
 xxx staple finance ..

bought goods that were not included in the palace or temple stores, because these goods were not received in taxes etc. The tablets therefore, seem to be a kind of statements of a current account which the palace or the temple had with the damkara. The deliveries of the articles, bought by the damkara, to the government were recorded in a separate tablet as AOS 32, no. S 23. If this is true, then it must be stated that the capital with which the damkara carried on trade in behalf of palace or temple was separated, or at least could be separated at any moment, from other silver and goods in his business, notably his own.

2°. Actually damkara had property of their own as is shown by a ditilla from Lagaš (ITT II/1, 963) which says that: 1 Nin-mu-igi-mu gím gím A-na-na dam-kara Ur-zikum-ma-ke₄ Šu-šu-a Babba-me-lám-a ú Igi-a-z[i] dam A-na-na-še in-ši-šám Ur-dBa-ú ... 1 Nin-mu-igi-mu gím dú(g)-in-ni-[gar-ra] Ur-zikum-ma ... 1 Nin-mu-igi-m[u gím] ba-na-[gi-in], "the slave-girl Nin-mu-igi-mu, slave of Anana, the damkara, Ur-zikum-ma has bought from Šušu, Babbamelam (evidently the sons) and Igi-azi, the wife of Anana, Ur-Ba'u has claimed the slave-girl Nin-mu-igi-mu. To Ur-zikum-ma the slave-girl Nin-mu-igi-mu has been allocated". Šušu, Babbamelam and Igi-azi only could have validly sold the slave-girl in their quality of heirs to Anana. As the sale was indeed valid, they were in a position to inherit from Anana, consequently from a damkara. A record from Umma¹³³) states: 15 gín kù-bab-bar ki A-kal-la-ta Lugal-sa₆-ga šu-ba-ti nig-šám é Sag-da-na Šuruppakki, "15 šeqel of silver from Akalla Lugal-saga has received as the purchase price of a house in (the?) Sagdana¹³⁴) in Šuruppak". From the related document YBT IV, 287, dated in the 35th year of Šulgi¹³⁵), it appears that Lugal-saga was a damkara: 5 gín kù-babbar nig-šám é Sag-te-na Šuruppakki ki A-kal-la Lugal-sa₆-ga dam-kara šu-ba-ti, "5 šeqels of silver, purchase price of a house in (the?) Sagdana in Šuruppak, from Akalla Lugal-saga, the damkara, has received". Although these acts are not deeds of sale, but receipts for the purchase money, they show, that a damkara might own a house. For, although there are no witnesses

133) YBT IV, 286, of an unknown year, perhaps the same year as in nr 287, or the following.

134) For Sagdana see N. Schneider, AfO III (1926), p. 122. It seems doubtful whether Sagdana is a name of a town or of a certain district.

135) Cf. T. Fish, BJRL XXII (1938), p. 174, and for the year-formula S. A. B. Mercer, Sumero Babylonian Year formulae, nr 91.

{ not deeds of sale,
no witnesses

very good
Why not?

separate

good

14

mentioned in the tablet, there is no reason to suppose that Lugalsaga did not act as a private person.

If a *damkara* could own houses and slaves privately, then he undoubtedly could privately own all kinds of chattels, notably silver, the basic medium for trade. It should not be supposed that he did not use this private capital for private trade. Evidence of mere private trade of *damkara* is not traceable in the Lagas and Umma documents to my knowledge. In general it is often difficult to find out whether a particular document refers to private or government trade, as the *damkara* probably carried on their trade for the temple or the palace under his own name. But *damkara* were acting as private persons in their function as intermediary in sales by private people. ITT II/1, 832, a *ditilla* from Lagaš, affords an instance: *Lúdingir-ra* had bought a slave-girl from *Ur-lugal*. The sale was complete and "return" was not possible, as the slave had already been carried off from the *damkara* *Lu-Girda*, and *Lu-Girda* had given the silver (the price) to *Ur-lugal*. *Lu-Girda* apparently was the intermediary at this sale.

Evidence of purely private trade has come to us from the Nippur documents. In Nippur money-lending was very usual during the third dynasty of Ur and the loans were recorded¹³⁶). As a rule the amounts borrowed were small, only some šeqels of silver or gurs of barley, probably nearly all for agricultural purposes, the purchase of seeds etc. Some persons obviously made this kind of business their profession. On the evidence of some 30 documents a certain *Lugal-azida* is known to have lent silver or barley, as a rule against interest, sometimes without interest. This individual, however, is never designated as a *damkara*¹³⁷). But other individuals, often figuring as money-lenders, are said to be *damkara*: *Addakalla* who lent silver at a rate of 20 per cent to *Ur-meme* in TMHC, NF I/II, 6, and *Ur-Sin*, who lent silver to *Ibquša* (without interest being mentioned) in TMHC, NF I/II, 7. The latter loan is peculiar in that it concerns a rather large sum, half a mina of silver, while the other loans granted by *Ur-Sin* only amount to not more than only one or a few šeqels. This loan may have been advanced for a non-agricultural undertaking, perhaps for some commercial enterprise¹³⁸).

In theory it might be suggested that these loans were supplied by agents

¹³⁶) Vide, e.g., YBT IV, TMHC, NF I/II, etc.

¹³⁷) Once a *damkara* was a witness of the act, TMHC, NF I/II, 11a.

¹³⁸) Also one of the witnesses was a *damkara*. It may be remarked that the oldest known contract of *kasap-tappūtum* dates from this time and originates from Nippur (BE III/1, 16). Other loans by *Addakalla* are recorded in TMHC, NF I/II, 23 and 98, in the former to a *damkara*, by *Ur-Sin* in 4, 12, 14, 38, 40, 85 and 130. *Addakalla* borrowed in nrs 10 and 101.

of an unnamed temple or of the palace, but objections to this suggestion must be raised, because, in the first place, public acts need not be witnessed, while the acts in question were, as a rule, confirmed by witnesses numbering from two to six, and, secondly, the rate of interest on barley loans supplied by temples, remained 20 per cent in later times and was not at the rate of $33\frac{1}{3}$ per cent, as in the Ur III contracts from Nippur, where interest was expressly stipulated¹³⁹). From this, therefore, we may conclude that in Nippur many private loans were granted, some of these at least by damkara. There is, however, insufficient evidence to warrant the conclusion that this state of affairs prevailed throughout Babylonia. From Lagaš and Umma no tablets concerning money-loans have come down to us. From the city of Ur a number of silverloans is known, but it does not appear that these were advanced by damkara.

From the preceding it is clear that there were damkara who acted on behalf of temple or king, and others who acted on their own account. The next question to be considered is whether the damkara was a member of a special class or if he was "merely a casual". Fish takes the former view, but he does not care to suggest "that the dam-qar were a commercial caste enjoying a monopoly as in India. They were apparently ordinary members of the community in which division of labour was an outstanding feature of industrial organisation". He bases his opinion mainly on the fact that dam-kara-meš (plural) is frequently used in the documents. It is, however, remarkable that all these texts come from Lagaš, Ur and Umma in south Babylonia. Examples of damkara in an unspecified sense are not found in the Nippur documents. The reason why this should be so, if the fact is not merely accidental, may be sought in these documents giving a different picture of the Nippur economy from that prevailing in the south.

There are no convincing traces of an organisation of damkara in Ur III times. A feature, often adduced as typical of an organisation, a president or a similar functionary, is not found. There is no mention of a gal-damkara or an ugula damkara in the Ur III texts, to my knowledge. The title gal-damkara, "great merchant", was found in the preceding period, as we have already seen. The title ugula damkara does not appear till after the third dynasty of Ur, in the Old-Babylonian period. Nor are any other features which might point to an organisation found in Nippur, in the south we find only the impersonal mention of

139) Cf. W. F. Leemans, Revue Int. des Droits de l'Antiquité, vol. 5, p. 14.

public acts / dispositive / transactional

3? IMP

? 2

This is not proven

IMP

Gild

damkara in plural, which might indicate that the damkara there were looked upon as a group, a professional class¹⁴⁰).

140) T. Fish, BJRL XXII (1938), p. 163 s, has given a list of damkara known from Ur III times. Fish rightly remarks that there may have been more damkara as a man's profession is seldom mentioned: persons, who occur frequently, are denoted as damkara only once or twice. But nevertheless the list of Fish may be extended: In Lagaš: A-hu-ni (RA XIX, p. 39, IV, rev. 6), A-na-na (ITT II, 963, Bur-Sin 7), Da-da (also Cop. 54, IV, 35 - Bur-Sin), Gal-dul (CT V, 38, IV, 4 - Sulgi), Gimil-Ištar (ITT II/2, appendix, 1034 - no date), Gimil-dŠamaš (ITT IV, 7089 - no date), Gù-gù-nu, son of A-na-na (ITT IV, 7181, seal - Sulgi x + 33), Id-ni-ni, son of An-ù-bi (ITT V, 10024 and 10032, seals - no date), Lú-dingir-ra (ITT IV, 7716 - no date), Lú-dGir-da (ITT II, 832 - Gimil-Sin), Lú-dNin-gir-su (also RA XIX, p. 40, XX, obv. 19), Lum-ma-zi (ITT IV, 7149 - no date), Na-na (ITT IV, 7105 - no date), Nanna-ki-ág, son of Ur-dSin (ITT IV, 7523 - Sulgi), Ni-ni (CT V, 38, II, 6 - Sulgi), Sae-ga (?) (Cop. 54, XII, 31 - Bur-Sin), Ur-giš-ginar (ITT IV, 7604 - Sulgi, CT V, 38, 1, 10 - Sulgi-, ITT IV, 7875 - no date), Ur-nigin-gar (?) (ITT V, 10013, seal - no date), Ur-dNinni (ITT IV, 7536 - Gimil-Sin), Ur-dSin (ITT IV, 7523 - Sulgi). in Ur (chronologically): Warad-dNanna (UET III, 1194 - Sulgi 40), Lú-bal-sae-ga (UET III, 838 - Sulgi 40), Gù-de-a (UET III, 719 - no date), father of the damkara Pú-ta (UET III, 330 - Bur-Sin 5), Ur-è (UET III, 1585 - Gimil-Sin 5, id. 88 - Ibi-Sin 1, and id. 1582 - Ibi-Sin 6), Lu-ka-gi-na (UET III, 1112 - Gimil-Sin 7), Lú-bitarri (UET III, 1107 and 1357 - Gimil-Sin 9), I-la-ak-nu-da and his son Ma-at-(ti)-i-li (UET III, 885 - Ibi-Sin 5), Ur-sae-ga (UET III, 382, - Ibi-Sin 8, 405 and 1249, both Ibi-Sin 10), Šeš-kal-la (UET III, 221 - Ibi-Sin 9), Ur-dNun-gal, damkara é-a-u-na (UET III, 1056 - Ibi-Sin 19), further without date: Bur-aš-nanga, Púzur-dSin, Da-gar, Gimil-da-da, I-lí-tu-ra-am, La-gi-ib, Lú-dingir-ra, Ur-šu-bu-la (all UET III, 272), Lugal-ja-[ka] (UET III, 43), Nu (RIB 120). In Uruk: dSin-kalag (RIB 120 - no date, from Umma). In Umma: Inim-dŠará (Cop. 35, 12 - Bur-Sin), Inim-ma-dingir (AOS 32, nr KK 26), Lú-dInnina (AOS 32, nr 18*), Lugal-gar-lagar-e (AOS 32, 18*), Lú-kalla (TCL V, 6037), Sag-kud-da (TCL V, 6162 - Cf. for the two last mentioned T. Fish, JRAS 1939, p. 35), Šeš-kal-la (RIB 191 - Bur-Sin 9; really Umma?). In Nippur: ka-tar (TMHC, NF I/II, 44, 12 - no date), dŠará (?) - KAM (?) (RIB 120 - no date), Ur-dim(?) - gal(?) (RIB 191 - no date), Ur-Me-me (TMHC, NF I/II, 29 seal), Ur-dŠará (TMHC, NF I/II, 21a and 21b - Gimil-Sin 6), Ur-dNusku, son of Kaka (Corpus of Ancient Near-Eastern seals I, nr. 277), U-šul-Ma-ma (AOS 32, nr TT 11). In Abu-Hatab (?): Da-da-mu (JRAS 1939, p. 30). Unknown, or not certain: Lú-Erim^{ki} and Ni-ni-šag (HLC 33 - Sulgi 49), Lú-gu-la (HLC 249 - no date), Lú-Kinunir (HLC 362 - Bur-Sin 5), Ur-dKal (HLC 259 - no date), Ur-Šul-pa-è (RIB 191 - Bur-Sin 9), Ur-dUtu (HLC 81 - Sulgi 41).

CHAPTER SIX

LARSA UNDER ITS OWN RULE

A. THE TAMKARUM

After the fall of the Ur III dynasty the kingdom of Isin, with Nippur as the most important town, first became powerful, but Nippur documents mentioning *tamkārū* do not date from this time. On the other hand there is abundant material from Larsa, the capital of the kingdom in the south, that overpowered the kingdom of Isin about 1729 B.C. Nowhere are so many *tamkaru* (about 60) mentioned as in this town. And this does not imply that numbers of other people, who are not expressly designated as such, were no *tamkārū*. For the addition "*tamkārū*" after the name of a person occurs but rarely, although he was a *tamkārū*. Idin-Amurru, for example, who figures in more than 30 documents, is only once designated as *tamkārū*. Abuwaqar, whose name is found nearly 40 times, is only 5 times designated as *tamkārū*, etc. Jean has enumerated the Larsa *tamkārū*¹⁴¹), but this enumeration is no longer complete. We therefore give a new list in chronological order of the contracts in which an individual is designated as *tamkārū*. Most persons figure in a number of other texts.

First the *tamkārū* in the time of Larsa's own kings are enumerated:

Nur-ilīšu (Warad-Sin 4, TCL X, 15).

Dumuqum (Warad-Sin 8, TCL X, 6, and Rim-Sin 8, TCL X, 31). He was the father of —

Gimil-Dumuzi (Warad-Sin 9, TCL X, 7). (He had a son Ilušu-našir who is not found as a *tamkārū*).

Ur-du₆-kū-ga (Warad-Sin 8, TCL X, 4).

Gimil-Ninmarki (Warad-Sin 8, TCL X, 6), son of Ribam-ili, a man who lived among *tamkārū* and who was in his turn a son of Hunubum (TCL X, 13)¹⁴²).

I-ši-..... (Warad-Sin 8, TCL X, 6), perhaps identical with Ušinurum, whose name could probably also be spelled Išinurum (Cf. TCL X, 7).

Zamaiatum (Warad-Sin 9, TCL X, 8, and Rim-Sin 8, TCL X, 31) and his son

Munawirum (Rim-Sin 22, TCL X, 55). It is not unlikely that he is the same man who is mentioned as *wakil tamkārī* in TCL X, 34 (Rim-Sin 9), and YBT VIII, 52 (Rim-Sin 26).

¹⁴¹) Larsa, p. 80-81.

¹⁴²) Cf. TCL X, 2 and 23; TCL X, 88 and 89.

Fall of UR 1950
Larsa 1961
1729

1729

Warad-Sin

Rim-Sin

- Bidadum
 Mašam-ili
 Šilli-Ninmarki
- } (Warad-Sin 10, VS XIII, 56).
 Awil-ili (Warad-Sin 11, YBT V, 129).
 Gimillum (Warad-Sin 11, YBT V, 129).
 Puqum (Rim-Sin 4, YBT VIII, 176).
 Nur-Kubi (Rim-Sin 8, YBT VIII, 69).
 Sin-iqīšam (Rim-Sin 8, TCL X, 30).
 Ušinurum (Rim-Sin 8 and 9, TCL X, 30 and 8).
 Sin-remeni (Rim-Sin 13, VS XIII, 57).
 Laqipum (Rim-Sin 15, Riftin 25).
 Tizqarum (Rim-Sin 16, TCL X, 22).
 Abuwaqar (Rim-Sin 16, 21, 25, 27, 29, YBT VIII, 32, YBT V, 203, YBT VIII, 52, TCL X, 70, YBT VIII, 102)¹⁴³).
 Hupatum (Rim-Sin 18, Riftin 2).
 Sin-bel-aplim (Rim-Sin 24, VS XIII, 98).
 Utu-mansi (Rim-Sin 25, YBT VIII, 52).
 Nanna-mansi (Rim-Sin 25, YBT VIII, 52), son of Šili-Šamaš (TCL X, 4), and father of Bur-Sin (TCL X, 55) and Sin-imguranni (YBT VIII, 128, and VS XIII, 56).
 (?)¹⁴⁴ Šamaš-gamil, son of Supapum (Rim-Sin 25, YBT VIII, 52).
 Ili-Šili (Rim-Sin 25, TCL X, 67, and YBT VIII, 52), son of Sin-iqīšam.
 His brother Ataia also figures in some texts, but is not designated as a *tamkārūm*.
 Nidnat-Sin (Rim-Sin 29, TCL X, 75).
 Idin-Amurru (Rim-Sin 29, YBT VIII, 102).
 Sin-magir (Rim-Sin 28, YBT VIII, 85 and 98).
 Apil-ilišu (Rim-Sin 28, YBT VIII, 98).
 Šubulum (Rim-Sin 28, YBT VIII, 85).
 Awil-Amurru (Rim-Sin 30 + x, YBT VIII, 125).
 Adad-muballit (Rim-Sin 31, YBT V, 139).
 Sin-ereš (Rim-Sin 31, YBT VIII, 88. The same in UCP IX/4, 5 ?).
 Tab-šillum (Rim-Sin 32, VS XIII, 72).
 Ninsianna-palil (or ašared) (Rim-Sin 32, VS XIII, 72).
 Sin-šarri-matim (Š et A CLXXVIII, Rim-Sin).
 Enlil-issu
 Sin-muballit
- } (RA XV, 1918, p. 80), both sons of Imgur-Sin, who lived in
 Rim-Sin 36 (cf. RA XII, 1915, p. 116). Sin-muballit also
 in YBT II, 33.

143) An Abuwaqar, *tamkārūm*, figures as a witness in Strassburg 36, dating from the 3rd or 4th year of Samsuiluna. This may have been another man.

144) Cf. below p. 59.

Apil-Damu (Rim-Sin 36, VS XIII, 74).

Sin-imguranni (Rim-Sin 38, YBT VIII, 146). The son of Nanna-mansi, mentioned above? (cf. YBT VIII, 128, 29).

Amurru-malik (Rim-Sin 44, VS XIII, 82), son of Nuratum.

Sin-eribam (Rim-Sin 45, VS XIII, 85), son of Ili-taiar.

Nur-ilišu (Rim-Sin 58, YBT VIII, 154, probably not the same as the individual with the same name mentioned above, as there is a 67 years' interval). The same as *wakil tamkārī* in YBT VIII, 160 (Rim-Sin 50)?

Ibi-Nergal } (Rim-Sin 55, YBT VIII, 167).
Kuia }

Warad-Sibi (Rim-Sin 57, YBT VIII, 46).

Šep-Sin (Rim-Sin 57, Riftin 19, cf. also Riftin 90)¹⁴⁵).

Further the following, of whom it is not known when they lived:

Bana-ša-Sin (YBT II, 52), perhaps in Kisik.

Begum (YBT V, p. 24).

Ili-turam (YBT V, p. 29).

Mar-Adad (YBT II, 5).

All these 53 persons were found in tablets covering a period of only 61 years, viz. the period of the 8th year of Warad-Sin to the 57th year of Rim-Sin. About a hundred tablets, dated in the reigns of Larsa kings before Warad-Sin, have been edited, 70 in BIN VII, but these probably have not come from Larsa itself¹⁴⁶), ca. 35 in YBT V, most of these of an administrative character, some have been edited elsewhere¹⁴⁷), but in none is the word *tamkārūm* found.

A number of economic texts from the time of Rim-Sin still show the same general character and the same economic organisation as in Ur III times. This appears from the texts referring to fish, dates and other mass-produce received by the government. A group of these texts from the time of Hammurabi and Samsuiluna has been dealt with at length by Koschaker in ZA 47 (1942), p. 135-180. Some remarks on these texts will be made below. We will now briefly discuss another group of tablets, edited in TCL X, in which again and again the same three men figure as acting persons, notably Mannia, Sin-rama and Enlil-našir. Some other individuals besides are found more than once in these documents, all of which show the characteristics of administrative documents; witnesses are never mentioned.

¹⁴⁵) Cf. below p. 87.

¹⁴⁶) The greater part of these tablets are tags for workers or offerings, lists of various materials, administrative receipts and similar documents, and, especially those of the archives of Lú-igi-sa, are mainly of an agricultural character. It is not surprising that in these documents no *tamkārū* are found.

¹⁴⁷) Two in TCL X.

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TCL X, 100, dated in 45th year of Rim-Sin, is drawn up in the form of a balanced account. It opens as follows:

NÍG · ŠID

ša $\frac{1}{3}$ ma-na kù-b [a b b a r]

si-it-ti $\frac{1}{2}$ ma-na kù-b a [b b a r]

ša iš-tu ekallimlim ú-ši-a

"account . . . , concerning $\frac{1}{3}$ mina of silver, remainder of $\frac{1}{2}$ mina of silver, which came from the palace". After it has been recorded how it has been composed and divided over the accounts of Enlil-našir and Sin-rama, this sum is described as sa-g-ga-r-ga-ra, "capital sum". Introduced by the words šà (g) - b i - t a . "out of which", there follows a large number of expenses, and the objects on which these were spent (inter alia, sacrifices to various gods) were in each case specified.

The silver came from the palace. The document therefore may be a record of the administration of this silver by the employees of the palace. These employees were a kind of government buyers and sellers, who received their capital from the palace or by order of the palace and concluded various transactions, mainly purchases, on behalf of it. As will also appear from other later instances, the palace ordered its offerings for the temples through the intermediary of its buyers.

buyers

The oldest tablet of the group is TCL X, 78, dated in the 30th year of Rim-Sin. This tablet begins with the statement of the total amount of silver of the preceding tablet(s). Then follows a long list of rather small amounts, the prices of various articles, and the tablet ends with the total amount (circa $4\frac{1}{3}$ mina of silver), ša Ma-an-ni-ia ma-aḥ-ru, "which Mannia received". Consequently, in contrast with nr 100, Mannia in this case did not buy commodities, but sold them.

The activities of Mannia and the other persons mentioned also extended to other towns, especially Uruk and Ašdubba¹⁴⁸). In TCL X, 97, mention is made of a quantity of grain, which was transported from one town to another, while the donkey-drivers¹⁴⁹) hired for this purpose were provided with corn.

The relations between Mannia, Sin-rama and the other individuals figuring in these tablets are not clear. At various times they seem to have sojourned in different towns and they often made journeys to neighbouring towns, e.g. Mannia to Uruk in TCL X, 127. But these people did not maintain the usual commercial relations with one another. They all appear to have worked on behalf of the palace, to each being assigned a special task which formed a

¹⁴⁸) Cf. e.g. TCL X, 97, 107, 108, 127, etc.

¹⁴⁹) Line 7: lú an-še-bi-a

link in a chain of cooperation. Nevertheless commercial practice was observed between these men and so it could happen that a settlement of accounts was made between Mannia and a certain Nammu-tukulti in TCL X, 108: $\frac{1}{3}$ šeqel of silver, the balance of an account, which Mannia owed to Nammu-tukulti. Nammu-tukulti had ordered Mannia to give to Hurašatum, a man also mentioned more than once. This order had been carried out and now Nammu-tukulti had no further claim on Mannia. In carrying on their business probably on behalf of the palace, these individuals observed the practice of private business with one another, at least to a certain degree. This must be taken as an indication, that these men each had to account for their own activities. That a man like Mannia had also private means may be deduced from the witnessed act TCL X, 101, with probably the same man as acting person, and TCL X, 137, recording the hiring out of a slave by Mannia for three months at the price of $1\frac{1}{2}$ šeqel of silver. The last tablet known to refer to the activities of Mannia c.s. is TCL X, 109, dated in the 51st year of Rim-Sin; this again refers to an offering, with which also Sin-rama was concerned.

Some balanced accounts from earlier dates in the reign of Rim-Sin will be discussed in the next chapter, where attention will be paid again to the government business.

In all these documents, which may be taken to prove that the business of the palace still went on as it did during the Ur III dynasty, no person is ever described as a *tamkārūm*. On the other hand the *tamkārū* enumerated by name are not known to have been interested in business of the kind here described or to have maintained more or less official relations with the palace.

Now passing on to the description of these *tamkārū*, it must be observed in the first place, that the extent of private property and private enterprise had considerably increased in Larsa: sales of houses, fields and gardens were usual now and by division-of-inheritance acts it is shown that private estates could be rather large. It was in documents recording these private acts that the *tamkārū* mentioned above are found; mainly as witnesses, but some of them are also found in the acts themselves, notably buying and selling houses, gardens, meadows etc. (e.g. TCL X, 2, 89, YBT VIII, 68 etc.), leasing a house (TCL X, 131), buying a slave (YBT VIII, 86), sharing in divisions of properties (YBT VIII, 98, RA XV, p. 80, TCL X, 30, 55 etc.), granting a loan against interest (?) (TCL X, 114), supplying *kasap tappūtīm* (YBT VIII, 96 (?), TCL X, 75).

Only the two latter acts yield capital, the former are concerned with the preservation of it. These private documents (consequently witnessed) show *tamkārū* owning and disposing of private property of the movable as well as the immovable kind. But they do not tell us much about the social status

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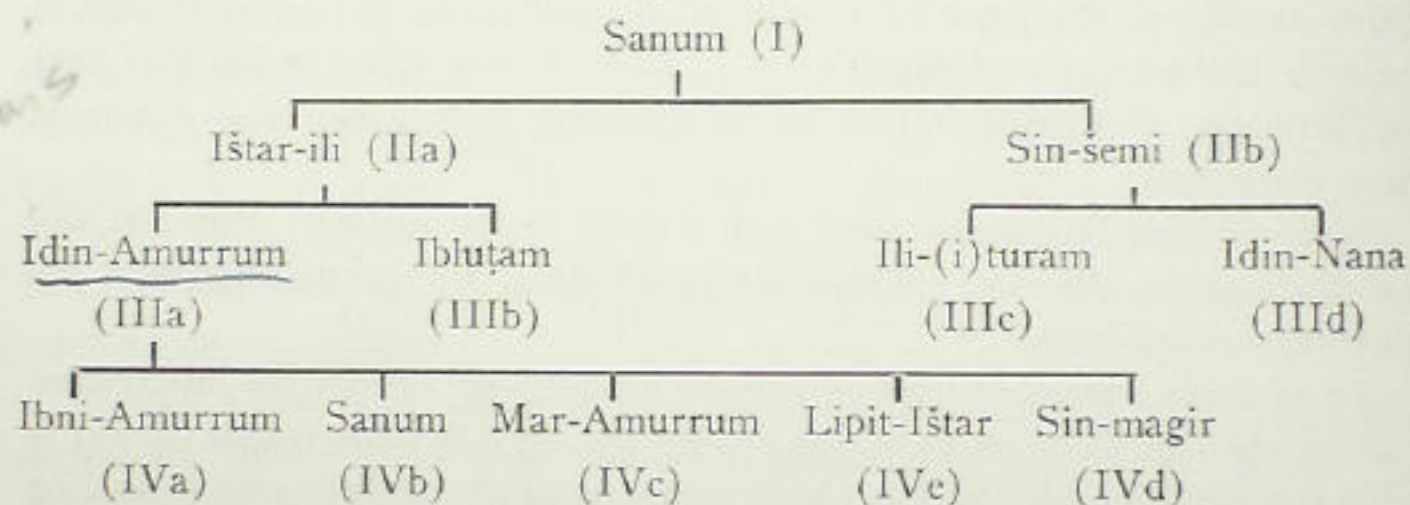
yes

Palace administration

important

of the *tamkārū*. For that purpose it is more useful to describe some individual *tamkārū* in their surroundings.

Prominent among the *tamkārū* of Larsa in the time of Rim-Sin were Idin-Amurru and his family ¹⁵⁰). He himself is only once designated as a *tamkārū*, figuring as a witness in a legalized settlement of accounts of a certain Gimillum with the brothers Idiniatum and Sin-paṭer (YBT VIII, 102). There is no doubt that this *tamkārū* is the individual who will be described below, as some of his co-witnesses were persons, well-known from his surroundings. From other documents it is also known that he lived among *tamkārū* and that as such he was a person of considerable importance. Nearly a quarter of all the *tamkārū* enumerated above came into contact with him at some time or other, as a rule acting as witnesses for him or some member of his family. His genealogy is given in the following table:



I. Sanum, so far as we can ascertain, was the common ancestor of the family. He himself does not occur in the contracts as an acting person or as a witness. From TCL X, 15, dated in the 4th year of Warad-Sin, and TCL X, 8, a deed for unimproved property dated in the 9th year of Warad-Sin, it appears that he had a son Ištar-ili, mentioned as the buyer in the latter contract. From TCL X, 129, line 4, we learn of another son, Sin-šemi, whose property bordered upon that purchased by Ištar-ili. That these two were brothers follows from TCL X, 31, recording the division of a garden between Ištar-ili and Sin-šemi in the 8th year of Rim-Sin. Witnesses of this act were in the first place a *wakil tamkāri*, whose name has been obliterated, and the *tamkārū* Dumuqum and Zamaiatum, who will be mentioned below, and Bur-Sin, who was a son of a *tamkārū*.

Ištar-ili follows sub IIa, Sin-šemi sub IIb.

IIa. Ištar-ili. The first time we meet this man is as the owner of a house

¹⁵⁰) Dr. Matouš (Ar. Or. XVII/2, p. 142-173) made a study of this family at the same time as myself, but although Dr. Matouš's study was the first to be published, our objectives being different, there did not appear any occasion to suppress any part of mine.

sold in the deed TCL X, 14, dated in the 3rd year of Warad-Sin. In the following year Ur-Keš bought unimproved property, adjacent to the houses of Ištar-ili and Nur-Ištar, from Ribam-ili, the son of Hunubum¹⁵¹). Witness of this act was among others the *tamkārum* Nur-ilišu. Probably a part of this parcel was sold by Ur-Keš in the 8th year of Warad-Sin to Ištar-ili¹⁵²). Among the witnesses in this case were Nur-Ištar, the neighbour, the *tamkārum* Dumuqum, to be spoken of below, and the *tamkārum* Gimil-Ninmarki. The latter is known to be a son of Ribam-ili, the original owner of the parcel, from TCL X, 2, a deed by which Sin-šemi (perhaps the brother of Ištar-ili) bought unimproved property from Urdukuga and Ribam-ili, and from TCL X, 23, a deed which shows Ištar-ili to have bought some property.

The first time Ištar-ili is found acting is in TCL X, 4, dated in the 8th year of Warad-Sin, as the interested party in the considerable sum of 10 minas of silver. Among the witnesses figure Urdukuga, the *tamkārum*, Gimil-Dumuzi, son of Dumuqum, Nanna-mansi, son of Šili-Šamaš. The *tamkārum* Urdukuga will be mentioned below, more than once.

Gimil-Dumuzi was denoted as a *tamkārum*, acting as a witness on the occasion of a purchase by Ištar-ili in the 9th year of Warad-Sin¹⁵³). Perhaps Gimil-Dumuzi already figures in a deed from the 1st year of Sin-eribam¹⁵⁴), but there are no other means of identification except the name, which does not otherwise occur. His father Dumuqum also acted as a witness for Ištar-ili or his heirs in the 8th year of Warad-Sin and the 8th year of Rim-Sin, on both occasions being denoted as *tamkārum*, like his son¹⁵⁵). The son of Gimil-Dumuzi, Ilišu-našir, is once found as a witness for Idin-Amurru, the son of Ištar-ili, in the 8th year of Rim-Sin, together with other individuals known from other tablets to have been *tamkārū*, viz. in the deed TCL X, 29.

Nanna-mansi, the son of Šili-Šamaš, is known to have been *tamkārum* from YBT VIII, 52, dated in the 25th year of Rim-Sin, in this case acting as a witness together with Idin-Amurru and other *tamkārū* of the same group. He more than once acted as a witness for Ištar-ili and his son Idin-Amurru or together with the latter¹⁵⁶). The same man is the acting person in some other documents: In YBT VIII, 68, he sold a house to Abuwaqar, a merchant to be mentioned below; a witness in this case was Idin-Amurru, son of Ištar-ili; other witnesses of the deed are known also from other tablets. This Nanna-mansi may probably be identified with Nanna-mansi in VS XIII, 56, who with his wife Bau-taiarat and his son Sin-imguranni sold a house to two individuals in the 10th year of Warad-Sin. It is, how-

¹⁵¹) TCL X, 15. The name of the buyer is spelled Ur-Ki-eš in TCL X, 6, and Ur-⁴Ki-eš in TCL X, 15.

¹⁵²) TCL X, 6.

¹⁵³) TCL X, 7.

¹⁵⁴) YBT V, 133.

¹⁵⁵) TCL X, 6 and 31.

¹⁵⁶) TCL X, 10, 33 and 37; YBT VIII, 52.

ever, remarkable, that among the witnesses there were three *tamkārū* (Bidadum, Šilli-Ninmarki and Mašam-ili). Sin-imguranni, the son of Nanna-mansi, sometimes acted as a witness together with Idin-Amurru. Another son of Nanna-mansi was Bur-Sin, a witness at the division of the inheritance of Ištar-ili in the 22nd year of Rim-Sin, and probably also already at the division of the inheritance of Sanum in Rim-Sin 8¹⁵⁷). It is remarkable that the same person is also found as a witness at a purchase of real estate by Balmunamhe in the 8th year of Warad-Sin in YBT V, 118.

Ištar-ili was a man of means, who often bought improved or unimproved properties. In TCL X, 7, he bought a house, inter alia adjacent to that of Sin-šemi, from Sin-išmeani. In TCL X, 8, dated in the year Warad-Sin 9, he bought unimproved property from Iribam-ili (= Ribam-ili), the son of Hunubum, already mentioned. Witnesses were inter alia the *tamkārū* Zamaiatum and Ušinurum, further Adad-mansi, the son of Ilitiram¹⁵⁸).

Zamaiatum was a son of Šilli-Adad as appears from TCL X, 23. He also acted as a witness in transactions by Ištar-ili's son Idin-Amurru¹⁵⁹). Ušinurum is also designated as a *tamkārū* in TCL X, 30, being a witness on the occasion of a division of Ištar-ili's estates. In the third year of Warad-Sin he already acted as a witness when a house was sold, adjacent to one owned by Ištar-ili (TCL X, 14) and he then is denoted as the son of Ubar-Šamaš. It does not seem impossible, that he was a brother of the seller, Sin-eribam, who was also denoted as a son of Ubar-Šamaš¹⁶⁰), but Ubar-Šamaš was a very usual name. In TCL X, 9, Ušinurum himself sold a house to Ištar-ili.

On another occasion, recorded in TCL X, 129, Ištar-ili, together with Ilitiram, bought unimproved property, adjacent to the houses of Sin-daian, Urdukuga, already mentioned, and Sin-šemi, the son of Sanum, from the same Ribam-ili, son of Hunubum. In the same year the same two people bought an adjacent property, confining with the houses of Sin-šemi and Ribam-ili, from Urdukuga (TCL X, 130). Other purchases of Ištar-ili are recorded in TCL X, 18, 22 and 23. He did not deal in houses, but he owned them, and his ownership of them caused him make arrangements as to common walls, recorded in TCL X, 19 and 21.

As an owner of slaves Ištar-ili figures in YBT V, 73, dated in the 5th year of Warad-Sin. Ištar-ili is not found as a witness in the Larsa contracts published by Jean, but he does figure as such, on the same occasion as Bur-

157) TCL X, 55, and TCL X, 31.

158) The three latter also acted as witnesses in TCL X, 6, already mentioned, and the division of property act TCL X, 31.

159) TCL X, 31, 35 and 38. The mention of A-ba(ma?)-a-a-tum in the list of personal names in Jean, Larsa, p. 236, must be cancelled.

160) In TCL X, 3, both are mentioned as owners of a common wall. Probably the same man, spelt Išinurum, is a witness in TCL X, 7.

many
divisions of
estate on
death

Sin, the son of Nanna-mansi, in YBT V, 118, a deed concerning some real estate dated in the 8th year of Warad-Sin. The fact is of some importance as the buyer in this deed was the wellknown Balmunamhe¹⁶¹).

The last time Ištar-ili occurs was in the 16th year of Rim-Sin, when he sold a date garden to his son Idin-Amurru, who already owned an adjacent property¹⁶²). In the 22nd year of Rim-Sin a part of his property was divided between his sons Idin-Amurru and Ibluṭam (TCL X, 55). Consequently he must have died between the 16th and 22nd year of Rim-Sin. A supplementary division was made between Idin-Amurru and Ibluṭam many years later in the reign of Hammurabi¹⁶³). From this the conclusion may be drawn that a part of the property of Ištar-ili had been left undivided. That this actually was the case becomes evident from TCL XI, 200, a division among the sons of Idin-Amurru of property left undivided. The existence of such undivided family property in Old-Babylonian times is a very interesting fact which needs further consideration, but which cannot be gone into here. It may be remarked that Ibluṭam, the son of Ištar-ili, was present at the act as a witness.

cf
Lajeh

Witnesses in TCL X, 55, were, besides Bur-Sin, whom we have already met as the son of Nanna-mansi, Munawirum, the *tamkārūm*, son of Zamaia-tum, who will be discussed below, Abuwaqar, son of Idin-Irra, whom we have already signalized as *tamkārūm* in chapter 4, the *tamkārūm* Tizqarum, son of Ili-idinnam¹⁶⁴), and a few other individuals.

Idin-Amurru follows sub IIIa, Ibluṭam sub IIIb.

IIIa. Idin-Amurru. The first time Idin-Amurru appears in the documents is in the 7th year of Rim-Sin, buying a house confining with that of Atanaḥ-ili, an individual repeatedly mentioned in the archives of Ištar-ili and Idin-Amurru, and Nur-Ištar, of whom mention has been made more than once (TCL X, 27). Some years later he arranged for joists to be fixed in the wall of Atanaḥ-ili's house (TCL X, 38).

Idin-Amurru is proved to have been a *tamkārūm* by YBT VIII, 102. In

161) In YBT V, 121, a deed for a house; among the witnesses figures Ištar-ili, followed by a cuneiform, which Miss Grice reads as *gir*. This can hardly be correct, as *gir* does not occur as a designation of witnesses, *gir* appears to have indicated a position that was obtained by executing a certain act. Cf., inter alia, Bi. Or. IV (1947), p. 15-16. Surely another Ištar-ili occurs in YBT VIII, 161, dated in the 51st year of Rim-Sin, as our Ištar-ili died already some 20 years before.

162) TCL X, 42.

163) TCL XI, 141.

164) Cf. TCL X, 22. The name of Tizqarum's father is found in TCL X, 29, line 18, and may be completed by YBT VIII, 68, line 17, and TCL X, 55, rev. 22. Tizqarum is a name figuring in a number of documents, but it cannot be ascertained whether it always refers to the son of Ili-idinnam. Cf. TCL X, 86, 87 and 88, documents of the bookkeeping type, TCL X, 122, 114, 84 and 85.

this record he is mentioned as having been present at the settlement of an account of a certain Gimillum and two other individuals. That the Idin-Amurum, who is mentioned here with the addition *tamkārū*, is identical with the man now under discussion may be safely assumed, as his name figures between the *tamkārū* Abuwaqar and Ili-šili, who repeatedly acted as witnesses in contracts of Idin-Amurum. Moreover the same three persons acted as witnesses in YBT VIII, 52, a document drawn up only a few years earlier, together with other *tamkārū* known from contracts of Idin-Amurum, but here after Idin-Amurum we find the addition *mār Sanum*, which is the name of his grandfather. In the same way *Idin-Amurum* is identified in YBT VIII, 128. *Mār Sanum* seems to be used as designation of the family here in the same way as e.g. *mār Egibi* in Neo-Babylonian times.

Some documents show Idin-Amurum concerned in the kind of business which was typical of the *tamkārū*. In TCL X, 75, he supplied 1½ mina of silver as *kasap tappūtim*. Witnesses were among others Ili-šili, the *tamkārū* Abuwaqar and Nidnat-Sin, and Sin-inguranni. In the letter YBT II, 145, it says something about a *harrānum*, with which one Idin-Amurum was in some way concerned, perhaps the same man.

But the far larger part of the documents in which Idin-Amurum figures as acting person are deeds for all kinds of immovable property. He bought houses. In TCL X, 29, he bought a house adjacent to a house that he already owned, from his cousin Idin-Nana. He also bought a small parcel from the same cousin in TCL X, 36. In TCL X, 128, again it is recorded that he bought a house confining with a house he possessed¹⁶⁵). Idin-Amurum also bought date-groves, gardens and meadows¹⁶⁶). As witnesses of all these deeds we find over and again the same persons. A number of these can be proved to have been *tamkārū*.

These witnesses, besides the individuals already described with Ištar-ili, are:

Munawirum, son of Zamaiatum mentioned above. That he was a *tamkārū* is shown in TCL X, 55, where he figures as first witness at the division of the inheritance of Ištar-ili. Also in TCL X, 33 and 51, purchases made by Idin-Amurum, he was first witness. In two cases, probably the same man is denoted as *wakil tamkārī*, viz. in TCL X, 34, rev. 34, where he functions as a witness in a lawsuit in the Sanum family in the 9th year of Rim-Sin, and in YBT VIII, 52, from the 25th year of Rim-Sin, where he was first witness, followed by Idin-Amurum, the son of Sanum, Šamaš-gamil, the son of Supapum, probably also *tamkārū*, Abuwaqar, the *tamkārū*, Utu-mansi, the *tamkārū*, Nanna-mansi, the *tamkārū*, and the

¹⁶⁵) Other sales or exchanges of houses or building sites are recorded in TCL X, 41, 44, 50, 67, 70, 73 and 76.

¹⁶⁶) TCL X, 33, 35, 37, 42, 43, 51; TCL X, 89; TCL X, 46.

scribe Sin-šamuh, a man also to be found more than once in the documents, both in documents of Idin-Amurru and Balmunamhe¹⁶⁷). It must be remembered that Balmunamhe also had a son, whose name was Munawirum¹⁶⁸). The name was a not unfrequent one and it is often difficult to decide whether persons bearing this name are identical¹⁶⁹).

Abuwaqar, son of Idin-Irra, a *tamkārūm* of whose business there are many traces in the documents and who figures as a witness in contracts of both Idin-Amurru and Balmunamhe, has already been mentioned above and will be discussed below.

Sin-iqišam and his son Ili-šili. Sin-iqišam is said to be *tamkārūm* acting as a witness at a division of the inheritance of Istar-ili (TCL X, 30). Also at a purchase of date-grove by Idin-Amurru he was present (TCL X, 35). Ili-šili is said to be his son in TCL X, 55, rev. 17, an inheritance act concerning Istar-ili's property, and in TCL X, 37. As *tamkārūm* he is denoted in YBT VIII, 52, and TCL X, 67, a deed of Idin-Amurru. He is not found acting himself. In some documents he is a witness together with his brother Ataia¹⁷⁰). This Ataia is also found in a document under which Abuwaqar supplied *kasap tappūtīm* (YBT VIII, 96).

Nidnat-Sin is designated as *tamkārūm* in TCL X, 75, which concerns *kasap tappūtīm* supplied by Idin-Amurru. He was repeatedly a witness in contracts of Idin-Amurru, or together with Idin-Amurru in other contracts¹⁷¹). Another time he was a witness for Abuwaqar (YBT VIII, 95) or together with Abuwaqar, once when a loan was granted by Balmunamhe (YBT VIII, 32), once at a division of property by *tamkārū* (Apil-ilišu and Sin-magir, YBT VIII, 98). He may have been the same person who divided with Šamaš-liwir the property of their father Šamaš-gamil in the 51st year of Rim-Sin (VS XIII, 90). A Šamaš-gamil is found as a witness in TCL X, 30 (division of property of Istar-ili), TCL X, 129 (purchase of a house by Istar-ili) and YBT VIII, 52, mentioned above, there denoted as son of Supapum, and probably as *tamkārūm*. The name Nidnat-Sin, however, was a usual one and there was a smith of that name, who was frequently a witness in contracts of Balmunamhe¹⁷²).

Utu-mansi, said to be a *tamkārūm* in YBT VIII, 52, was also a witness in the lawsuit in the Sanum family, recorded in TCL X, 34.

The last occasions on which Idin-Amurru is found, were in the 47th year of Rim-Sin (YBT VIII, 174), when he acted as a witness, in the 50th year of Rim-Sin, when he was involved in a lawsuit with Idin-Amurru, the son of Šamaš-tappi, recorded in TCL X, 105, and in the 30th year of Hammurabi (the first year of his rule in Larsa), when he shared an un-

¹⁶⁷) TCL X and YBT VIII.

¹⁶⁸) YBT VIII, 64, line 16 (Rim-Sin 60).

¹⁶⁹) Also once in a document from the archives of Idin-Amurru a Munawirum is *nagar* by profession (TCL X, 105, line 17).

¹⁷⁰) TCL X, 76, and YBT VIII, 79, the latter a deed by which Abuwaqar bought an orchard.

¹⁷¹) TCL X, 51, 76, 73, 89 etc.; YBT VIII, 174.

¹⁷²) Vide YBT VIII, etc.

divided orchard with his brother Ibluṭam (TCL XI, 141). He had died before Hammurabi 40, when the main part of his inheritance was divided among his sons Ibni-Amurru, Sanum, Mari-Amurru, Lipit-Ištar and Sin-magir (TCL XI, 174). Some years later, in the 4th year of Samsuiluna, a further division took place among the sons (TCL XI, 200)¹⁷³. Among the witnesses of the first act may be noted Ilušu-našir, son of Ibi-Sumukan, and Watar-Šamaš, son of Sin-inguranni, both at a later date also acting as witnesses for Ibni-Amurru in TCL XI, 193, and the *wakil* NAM 5 Ilušu-ibi, son of Nur-ilišu. The latter is known from a letter from Hammurabi to Sin-idinam (LIH 24), there designated as *tamk[ārum wakil]* NAM 5¹⁷⁴. One Watar-Šamaš, who was *wakil* NAM 5, figures in HE 266, but it cannot be decided if he is identical with the man mentioned here.

The sons of Idin-Amurru now follow under IV a-d.

IVa. Ibni-Amurru. He seems to have been the elder son. He is the only one of the brothers who undoubtedly figures as an acting person in the documents. The first time he is found acting was in the 40th year of Rim-Sin, the last time in the 7th year of Samsuiluna¹⁷⁵, which is close to the end of the period from which the Larsa tablets date. Ibni-Amurru's activity was many-sided. In the first place there are a number of contracts with members of his family. TCL XI, 172, records that Lipit-Ištar and Sin-magir deposited a number of doors of various kinds of timber with him, TCL XI, 192, that the sons of Sin-magir had received dates from Ibni-Amurru, by TCL XI, 198, he bought a meadow from his uncle Ibluṭam, according to TCL XI, 217, he had a money-claim on Mar-Amurru and in TCL XI, 218, some landed property divided between him and his brother Lipit-Ištar is summed up. The main business in which he is found to have been interested is related with the trade in fish, dates, wool etc. by the palace, that is the government, during the supremacy of Babylon, notably in the period from the 2nd till the 6th year of Samsuiluna¹⁷⁶. This dealing in fish sold by the government has been fully described by Koschaker in ZA 47 (1942), p. 135-180. This article will be reverted to below. But already in this place the remark is opportune that Ibni-Amurru is never denoted as a *tamkārum*, which is not surprising if only for the reason that he is never found acting as a witness and it was especially to the names of witnesses that a designation of their profession was sometimes added. This fact, therefore, does not mean that he actually was not a *tamkārum*. It is, e.g., remarkable that, in the same

173) Ibni-Amurru's part may have been mentioned in the lost first lines of the tablet.

174) Vide p. 91.

175) TCL XI, 172, and TCL XI, 217.

176) TCL XI, 193, 194, 195, 199, TCL X, 13, TCL XI, 208, 210; see further TCL XI, 197 and 205.

place, where in HE 139 another individual is mentioned in the function of gir, with the addition that he was a *tamkārūm*, Ibni-Amurru figures in TCL XI, 197 and 205. There are also traces of the government fish trade in documents from the time of Rim-Sin, but only after the conquest by Hammurabi are *tamkārū* found concerned in it. Coincidentally with this the general character of the documents referring to Ibni-Amurru differs from that of those of his ancestors. Whereas the latter concern private business among private people, sales of various kinds of property etc., in the former the palace (i.e. the government) or its representatives were a party.

IV b-d. Sanum, Mar-Amurru, Lipit-Ištar and Sin-magir. The four brothers of Ibni-Amurru are found only a few times in the documents. Most cases have already been mentioned. Sanum was a witness in TCL XI, 198 (Samsuiluna 3), Mar-Amurru figures in TCL XI, 217 (Samsuiluna 7), Lipit-Ištar in TCL XI, 198 and 218, and BIN II, 76 (Samsuiluna 7), in the latter document as a witness at the release of a slave by Apil-ilišu. On a seal to this document we find added to his name: *warad ilAmurrim*, an addition frequently found on seals¹⁷⁷). Lipit-Ištar was a usual name and therefore it is by no means certain that the Lipit-Ištar, denoted as *tamkārūm* in TCL XI, 216, is the son of Ibni-Amurru. The names of the other persons occurring in this text are no indication of this.

Sin-magir acts in TCL XI, 172, and probably his sons in TCL XI, 192. For the rest the name was such a usual one, that it is difficult to trace a person bearing it through the documents. A *tamkārūm* Sin-magir, mentioned in YBT VIII, 98, was certainly a different person, possibly the same as in YBT VIII, 85.

IIIb. Ibluṭam, the son of Ištar-ili, is found living in the 22nd year of Rim-Sin and for the last time in the 4th year of Samsuiluna¹⁷⁸). In TCL XI, 198, he is stated to have sold a meadow, adjacent inter alia to another parcel belonging to him and to a parcel owned by Lipit-Ištar, to his brother Idin-Amurru. The other contracts in which he occurs have already been discussed.

IIb. Sin-šemi. Now we return to the younger branch of the family. This Sin-šemi may be the one found buying unimproved property, inter alia adjacent to the house of Ribam-ili¹⁷⁹), from Urdukuga and his wife Ratum in the 4th year of Sin-iqušam (TCL X, 2). In TCL X, 14, among the witnesses of a sale of a house adjacent to that of Ištar-ili, Sin-šemi is mentioned as the father of Urdukuga, but this may have been another individual, as Urdukuga belonged to the generation of Ištar-ili and is already found in the earliest documents of the archives of Ištar-ili, while Sin-šemi probably was

¹⁷⁷) YBT VIII, 71.

¹⁷⁸) TCL X, 55, TCL XI, 200.

¹⁷⁹) This Ribam-ili, son of Humubum, is further recorded to have sold land to Ištar-ili in TCL X, 8, and land adjacent to Ištar-ili to a certain Ur-ki-eš in TCL X, 15 (witness was among others the *tamkārūm* Nur-ilišu). This Ribam-ili evidently belonged to the same group of people and he may have been a *tamkārūm*, like his son Gimil-Ninmarki, who is mentioned to have been one.

a younger brother of Ištar-ili. Urdukuga was a *tamkārum* as shown by TCL X, 4; the last time he is found, is in a deed for a date-grove purchased by Idin-Amurru in the 10th year of Rim-Sin (TCL X, 35).

Two sons of Sin-šemi are to be found in TCL X, 34, a record of a lawsuit in the 9th year of Rim-Sin, which seems to have been occasioned by differences within the family: Idin-Nana, son of Sin-šemi, had lodged a complaint concerning the *zittum*, the share, left by his brother Ilitiram, against Idin-Amurru, the son of Ištar-ili. The king remitted the case to the temple of Šamaš, and there, in the temple of Šamaš, the *kārum* heard their case. The situation may have been that Ilitiram had died and now his brother Idin-Nana and his cousin Idin-Amurru contested his inheritance. This may have been some undivided property of the descendants of Sanum, as was also found in the family later on, as we have seen above, but, on the other hand, the possibility cannot be precluded that Idin-Amurru as representative of the elder branch of the family had some claims on the inheritance of members of the family who died without issue. For the document ends (lines 25 ss) *ù ħa-la I-lī-tu-ra-am ša I-din-dAmurru mār Ištar-ili i-šú-ú ù i-ra-aš-šu-ú I-din-dNa-na-a mār dSin-še-mi enim-nu-um-gá-gá-a-e mu dNanna dŠamaš ù Ri-im-dSin lu gal in-pa d*, "and not to claim the part of Ilitiram that Idin-Amurru, the son of Ištar-ili, has or will obtain, this has Idin-Nana, the son of Sin-šemi, sworn by Nanna, Šamaš and king Rim-Sin". Some of the witnesses were individuals now already known to us, such as the *wakil tamkārī* Munawirum.

IIIc. Ilitiram, son of Sin-šemi, must have died before Rim-Sin 9, as seen just now. Perhaps it was he who, together with Ištar-ili, in TCL X, 129 and 130, bought unimproved property from Ribam-ili and Urdukuga, which property may have given rise to the lawsuit described just now, after his death. For the rest, this name also was a usual one.

IIId. Idin-Nana, the second son of Sin-šemi, can hardly have been a good businessman. From his acts, as far as they are known to us, he appears to have merely been disposing of his estates in the 8th and 9th year of Rim-Sin, as a rule selling them to his cousin Idin-Amurru; TCL X, 29, records that he sold a house to Idin-Amurru, in TCL X, 33, a date garden, worth $\frac{1}{2}$ a mina, in TCL X, 36, again part of a house. In TCL X, 32, he sold a date garden to another businessman in Larsa Ubar-Šamaš for $\frac{2}{3}$ mina and 5 šeqels. Once he is mentioned among the witnesses of a purchase by Idin-Amurru (TCL X, 35).

Now that we have come to the end of the genealogy of the Sanum family, we will consider what conclusions may be drawn from it. Only conclusions that shed some light on the position of the *tamkārum* will be considered here; those of different interest will be left aside. Here we have a family, the members of whose main branch show a great activity in buying real estate. These persons, of whom only Idin-Amurru is denoted as a *tamkārum*, are shown living in an entourage of individuals who again and again met over contracts, and who can be proved to have been *tamkārū*. About one third of all the *tamkārū* known from Larsa can be stated to have belonged to this

From one
another!
family

circle. And these are only the people of whom it is expressly stated that they were *tamkārū*, an addition which, as we have seen, was rather exceptional. It may be assumed that also Idin-Amurru's father Ištar-ili, who belonged to the same circle, was a *tamkārū*. This assumption seems more liable to objection in the case of Ibni-Amurru, the broker in fish etc. At first sight it appears very probable, but, as Ibni-Amurru's activity took place under the rule of the Babylonian kings in Larsa, this problem will be discussed in a following chapter.

It has already been observed that there is no evidence at all, that the *tamkārū* in Larsa during the reigns of Rim-Sin and Warad-Sin acted on behalf of the palace. Nevertheless they seem to have formed a special group, who perhaps lived in one quarter of the town. For various documents mentioned in connection with the Sanum family show that houses of *tamkārū* often confined with each other and witnesses, who at sales and purchases of immovables were, as a rule, people living in the same neighbourhood, were again and again *tamkārū*.

To this group of *tamkārū* also belonged Abuwaqar, designated as a *tamkārū* in YBT V, 203, YBT VIII, 32, 52 and 102, and TCL X, 70. As appears from YBT V, 141, and TCL X, 36, he was a son of Idin-Irra. His activity is already described on p. 37. Here he will be regarded in his milieu. The first time he appears is in the 8th year of Rim-Sin, as a witness for Idin-Amurru (TCL X, 29 and 30), in the latter document together with at least two other *tamkārū* (Ušinurum and Sin-iqīšam). In the following years he acted repeatedly as a witness in documents of Idin-Amurru; thus he was present at the division of the inheritance of Ištar-ili¹⁸⁰). In YBT VIII, 52 and 102, he was a witness in a record of legal proceedings together with Idin-Amurru and a number of the *tamkārū*, already mentioned in the description of the Sanum family. Also when he himself bought houses or other immovables the same individuals were witnesses: in YBT VIII, 68, in which it is recorded that he bought a house from Nanna-mansi, they were Idin-Amurru, the son of Ištar-ili, and Anna-imitti, the son of Ilišu-ellatsu, a man also known from the Idin-Amurru archives; in YBT VIII, 79, Ilišili and Ataia, in YBT VIII, 80, Nanna-[mansi]¹⁸¹). The *tamkārū* Tizkarum, son of Ili-idinnam, was also among his friends, he being a witness in YBT VIII, 68 and 79. The last record in which Abuwaqar figures is perhaps YBT VIII, 96, which shows a man of this name supplying together with Šamaš kasap tappūtīm in the 32nd year of Rim-Sin; among the witnesses was Ataia.

¹⁸⁰) TCL X, 55; the other instances are TCL X, 33, 34, 35, 36, 37, 38, 42, 43, 50, 70, 75, 76.

¹⁸¹) TCL X, 29, 30, 36, 37, 50, 55, 89.

It is an important fact that the same Abuwaqar also sometimes acted as a witness in contracts drawn up on behalf of Balmunamhe; in YBT V, 141, at the purchase of a slave by Balmunamhe, in YBT VIII, 32, at the granting of a loan, in YBT VIII, 42, at a lawsuit. Also other people whose names occur in conjunction with Idin-Amurru or Abuwaqar, are found in the contracts of Balmunamhe. In the first place the scribe Sin-šamuh, together with the *tamkārū* a witness in the record YBT VIII, 52, which we have already cited more than once. Probably the same man is found in YBT V, 224, together with Abuwaqar, in TCL X, 73, at the purchase of a house by Idin-Amurru, and in TCL X, 58, in which a subordinate of the *wakīl tamkārī* acted in some capacity. The same scribe acted as a witness for Balmunamhe in YBT VIII, 44, and Bab. VII, p. 45 (f), and probably the same man was his witness in YBT VIII, 42 (line 25) and 59. Also the *tamkārū* Nidnat-Sin, described above, is once found as a witness in an act drawn up on behalf of Balmunamhe (YBT VIII, 32). Bur-Sin, the son of Nannamansi, was a witness at a purchase by Balmunamhe in YBT V, 118.

Consequently there are some indications that this Balmunamhe, son of Sin-nur-matim, may have belonged to the same circle of *tamkārū*. He is, however, never denoted as a *tamkārū*, but this designation is usually only added to witnesses and no contract has been found in which Balmunamhe acted as a witness. The man occurs for the first time in documents dated in the reign of Warad-Sin¹⁸²) and hence-forward as an acting person in about 85 tablets till the 31st year of Rim-Sin. Then his name does not figure for a number of years. But the name turns up again in YBT VIII, 46, dated in the 57th year of Rim-Sin, and YBT VIII, 71, dated in the 58th year of Rim-Sin, when his seal was used instead of that of the contracting party Idin-Ea, a son of Balmunamhe. On this seal he himself is said to have been the son of Sin-nur-matim, so that we are sure that he was the same person, who, at that time, may have been dead. In the letters TCL VII, 23 (Hammurabi to Šamaš-ḥašir) and 69 (Awil-Ninurta to Šamaš-ḥašir), an individual figures with a name spelled U₄-ba-l-na-na-m-he or U₄-ba-l-a-na-na-m-he. Should this still have been the same person, then he must have been capable of playing an active part for upwards of 64 years. This is unlikely, and for this very reason it seems probable that there have been two people of the same or about the same name and that the first Balmunamhe had died or somehow disappeared shortly after the 31st year, or at the latest the 57th year of Rim-Sin¹⁸³). Moreover the man in the

¹⁸²) YBT V, 118 etc. Cf. for Balmunamhe also Ch. F. Jean, *Larsa* p. 75-77.

¹⁸³) It may be doubted whether the date of YBT VIII, 46, is correct, for this is the only contract of so late a date exactly of the type which Balmunamhe frequently used before the 31st year of Rim-Sin. Balmunamhe also figures in one text, dated in

See 5.

letters to Samaš-ḥašir was no longer the grandseigneur of the times of Warad-Sin and Rim-Sin, but an official, probably highly-placed, with a number of *iššakki* under him and who was concerned in the allotment of *eqli kurummatim*. Faust¹⁸⁴) mentions yet another document from the time of Hammurabi, but this has not been published.

Already Sin-nur-matim was a very wealthy man. He had an *alum*, a village, named after him¹⁸⁵). Such villages sprang up around a *dintum* (AN.ZA.QAR), a manor, originally a tower, a stronghold¹⁸⁶). Balmunamhe also gave his name to such a manor, *dintu Balmunamhe*, mentioned in the 8th year of Rim-Sin¹⁸⁷), which later became a village, as appears from YBT VIII, 173, dated in the 31st year of Rim-Sin. Balmunamhe's estate is also mentioned in a record, dated in the 23rd year of Rim-Sin (YBT VIII, 42). Such an estate could only be owned by a man of consequence, of ample means. The latter fact is easily proved when we examine the activities of Balmunamhe. One of his main sources of revenue was the lending of money, for which the borrower pledged slaves or himself to Balmunamhe¹⁸⁸). Balmunamhe also bought slaves¹⁸⁹), sometimes the seller himself, who thus discharged his debt¹⁹⁰). He saw to it that his slave-keeping was remunerative by hiring them out¹⁹¹) and having them serve an apprenticeship¹⁹²). YBT VIII, 24, records that Balmunamhe supplied a loan *šu-lal* against interest, YBT V, 128, a loan *šu-lal* without interest to an individual and his *tappū*, YBT V, 147, a loan *šu-lal* to be paid back in oil, YBT VIII, 32, a loan of x mina against interest to two persons. All these activities are typically those, which have been described in the preceding pages as the activities of a *tamkārūm*. Other activities were by no means incompatible with these, such as the hiring out of ships which Balmunamhe is recorded to have done in TCL X, 74, and YBT VIII, 2. Finally there are many documents recording purchases and sometimes exchanges of houses and grounds¹⁹³).

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a year of Rim-Sin II (Riftin 84), i.e. probably about the 9th year of Samsuiluna, which makes it almost certain that this Balmunamhe was a second one—with regard to the contents of the text the same as in TCL VII, 23 and 69.

184) YBT VIII, p. 4.

185) YBT V, 181, 182, 212 and 217, Riftin 51 and 103.

186) For *dintu* vide lastly Koschaker, ZA XLVIII (1944), p. 176, note 27.

187) YBT V, 181.

188) YBT VIII, 3, 11, 13 etc. TCL X, 47.

189) YBT VIII, 12, 30, YBT V, 124.

190) YBT VIII, 31 contains a clear instance; further YBT VIII, 17, 36, 40, YBT V, 132, 141, 145. Cf. Lautner, Personenmiete, note 19.

191) YBT V, 115, AJSL XXXIV (1917-18), p. 199 ss.

192) YBT V, 253. Cf. Lautner, Personenmiete, p. 13.

193) YBT V, 122 (together with the father Sin-nur-matim), 125 etc., YBT VIII, 4, 6 etc. Cf. also YBT VIII, 5.

Thus, Balmunamhe like the Larsa *tamkārū* described, added to his real estate¹⁹⁴). A number of these *tamkārū* were among his friends, besides those already mentioned, Puqum in YBT VIII, 176, Nur-kubi in YBT VIII, 69, Warad-Sibi in YBT VIII, 46, and Laqipum in Riftin 25, perhaps also Gimillum, who was a witness at the purchase of a house by Balmunamhe from the *tamkārū* Awil-ili in the 11th year of Warad-Sin¹⁹⁵). Among these witnesses only Gimillum probably figures more than once in the contracts, but the name occurs too frequently for the bearer of it to be traceable with any certainty. In YBT VIII, 42, recording a lawsuit of Balmunamhe, a person of the same name is mentioned as *daiānum*. It is not impossible that one of these persons was a brother of Balmunamhe, as YBT V, 200, is sealed by Gimillum, son of Sin-nur-matim.

All this indicates that Balmunamhe frequented the circle of the *tamkārū*. Nevertheless it may be doubted if Balmunamhe actually belonged to this circle, and consequently whether he himself was a *tamkārū*. In the first place there are many persons, who followed professions other than that of *tamkārū* among his witnesses, e.g., Waraia, who was *lú-geštin-na*, dealer in spirits¹⁹⁶); Šamaš-gamil, who was a *simug*, a smith, Singamil, a *mušen-dù*, a fowler, Itti-Ea-milki, a priest of Ea, etc. In the second place it may be observed that the houses and grounds Balmunamhe bought, did not confine with the parcels of the *tamkārū* mentioned above. If the assumption that the latter lived in one quarter of the town, is right, it must be stated that Balmunamhe did not live there. He had a particular position as a lord of the manor. Only, if we assume that a man who performed certain acts, notably those of professional money-lending, supplying travelling traders with commodities, etc., should be classed as a *tamkārū*, then we are bound also to assume that Balmunamhe was a *tamkārū*. There may have been a tendency towards a development in this direction during Hammurabi's reign, but in the time of Warad-Sin and Rim-Sin there were as yet no signs of this; at that time the designation *tamkārū* was still one attached to a profession. At that time a certain group of *tamkārū* was found and the manor-lord Balmunamhe was not one of them¹⁹⁷).

194) A number of acts appear to refer to the administration of these properties; e.g., YBT V, 146, and YBT VIII, 34, concerning dates, YBT V, 193, concerning sheep, the letter YBT II, 77, etc.

195) YBT V, 129.

196) Vide the list of personal names in YBT VIII.

197) In his capacity of manor-lord Balmunamhe figures in YBT VIII, 34 and 59, both among the last texts of his archives (30th and 31st year of Rim-Sin) and both recording the delivery of date-produce apparently to him as lord of the groves and very much resembling later texts with Šamaš-ḥašir, Hammurabi's governor in Larsa, mentioned as squire (e.g. TCL XI, 182).

*Leemman argues: H. C. Thore
sign of status (lord); but
not yet Larsa under Warad
Sin + Rim Sin*

Some sons of Balmunamhe are known: Bala in the unpublished text YBC 6319¹⁹⁸), Idin-Ea, to whom, with mention of his patronymic, the Hammurabi letter TCL XVII, 63, is addressed. Hammurabi ordered him to superintend the shearing of the sheep in the lower district. Undoubtedly he is the same man whom we find in YBT VIII, 71, dated in the 57th year of Rim-Sin, where he used the seal of Balmunamhe, a proceeding which can only be expected from a son, probably after the death of his father. In this document a slave is given to Belitum, in addition to the *nudunnum* which her father Idin-Ea had already given her. Evidently Belitum had brothers, as it says that they will never claim the slave. Thus this document acquaints us with a fourth generation of the family. A third son of Balmunamhe was named Munawirum, who occurs as a witness, with his father's name added, in YBT VIII, 64, dated in the 59th year of Rim-Sin, a contract concerning sheep and belonging to a group of contracts in which no *tamkârû* are mentioned¹⁹⁹). There also lived a *tamkârum* Munawirum in Larsa, perhaps the same man as one who was at times *wakîl tamkârî*, but he was not the son of Balmunamhe but of Zamaiatum described above. Consequently from whatever is known about the sons of Balmunamhe it cannot be inferred that his was a family of *tamkârû*. It is remarkable that, after the disappearance of the prominent Balmunamhe, there should be no more evidence of the wealth of the family and its landed property. Whether a reason for this fact can be traced, will be examined in chapter ten.

A point still to be examined is, whether each profession had its own quarter in Babylonian towns. There are indications that this was indeed the case in the Assyrian towns²⁰⁰). And, as we have seen, there are also indications that the *tamkârû* lived in a certain quarter of the town in Babylonia, which may have been close to the *kârum*, the market-quay.

Another question is whether these *tamkârû* were organised. I. Mendelsohn thinks they were²⁰¹). He assumes that persons pursuing a definite calling were, in Babylonia, banded together in a guild. His argument is based on the designation of certain persons as *mâru*, and in Neo-Babylonian times also as *aplu*, of a certain profession, such as *mârêmes iššakkimeš* etc. This designation, however, does not in itself prove the existence of guilds. There may, indeed, be certain expressions, in which *mârum* indicates the member of a certain group, but this does not mean, not even if the group in question is constituted of men pursuing a certain profession, that to

198) Cf. D. E. Faust, YBT VIII, p. 4.

199) YBT VIII, 109, 162-165, etc.

200) Cf. I. Mendelsohn, JAOS LX (1940), p. 71.

201) JAOS LX, p. 68 ss.

such a group the designation "guild" may be applied. For a guild, as it developed in Mediaeval Europe, was a corporation consisting of a fixed number of members, chosen by co-optation, in order to monopolize some branch of trade or industry and to exclude interlopers, which corporation also attended to the social needs of its members. Of these tendencies none is found in Babylonia. And especially with regard to the *tamkārū* it can be stated that also outsiders (e.g. Balmunamhe!) could carry on trade. Actually not a single trace of guild organisations is extant in the Old-Babylonian sources, not even a word to denote such a corporation. But while we reject the existence of guilds as we conceive them, in Babylonia, it cannot be denied that those who pursued a certain profession did form a certain group in the community. Arguments for the existence of a certain connection between the *tamkārū* have been adduced above. Probably only people belonging to this group, of whatever kind their connection with it may have been, bore the professional designation, i.e. *tamkārū*.

Mendelsohn thinks that the guilds were presided over by a *waklum* in Old-Babylonian times. *Waklum* (Sumerian *ugula*) is, as a rule, translated by "head" or "chief" of the group of persons that follow²⁰²), although Förtsch has explained it as "Aufseher", surveyor²⁰³). The designation is added to a number of professions, most of which have been enumerated by Lautner, *Personenmiete*, note 610. The reason why Lautner discusses the *waklum* is that he found this designation in lists of labourers, the *waklum* himself being one of these. He was not a surveyor, but a foreman, who worked with the labourers and who acted as their representative. Here the translation "head" of a group will serve, but in other cases it appears unsatisfactory, e.g. in that of the *wakil nadit Šamaš*, the *wakil ēnti Šamaš*, "the wakil of the priestesses of Šamaš", the *wakil gagim*, "the wakil of the women's convent"²⁰⁴). If these priestesses of high rank were organised in a corporation with a president, this president would have been either a high priestess or priest. But here it was evidently a man who, though attached to the group of priestesses, was not their head. He may have had some administrative function in the group, including, perhaps, in some cases a representative one. The only conclusion that can be drawn, is that *waklum* indicates some prominent position in a group, but the character of this position may vary. The general statement that a *waklum* was a president of some professional group cannot be made. Neither, therefore,

202) Cf. I. Mendelsohn, *JAOS* LX, p. 69, and J. G. Lautner, *Personenmiete*, p. 210 ss.

203) *ZA* XXXI (1917), p. 159-160. The word is found in the ideogram for *re'u*, herdsman, this being *pa* + *udu*, literally surveyor of sheep.

204) Cf. Kraus, *Altbab. Briefe* II, p. 85, and the texts cited there.

can it be stated a priori that a *wakil tamkārī* was the president of the group of *tamkārū* in a town. His position in Larsa will be examined presently.

B. THE *WAKIL TAMKĀRĪ*

Several *waklū tamkārī* from Larsa are known. Let us first enumerate those during the reign of the Larsa dynasty.

Sin-pilah, son of Ibiq-Nunu, sealed a deed recording a purchase of unimproved property by Sin-nur-matim and Balmunamhe in the 9th year of Warad-Sin (YBT V, 122). Nothing more is known about this individual.

Ubar-Šamaš, designated as *wakil tamkārī* in Riftin 52, dated in the 8th year of Rim-Sin, and as *wakil tamkārī Larsaki* in Riftin 66. In the latter document account is rendered of 10 šiqil of gold of the *wakil tamkārī*. It is quite possible that the great continuation-account in balanced form, TCL X, 17, dated in the 2nd year of Rim-Sin, was rendered by the same Ubar-Šamaš, because, as will be seen below, a parallel instance occurred in a town near Larsa.

In the act TCL X, 31, concerning a division of inheritance between Ištar-ili and Sin-šemi in the 8th year of Rim-Sin, a *wakil tamkārī* is mentioned as first witness, but his name is obliterated; perhaps it was Munawirum, who also figured in other documents of the Sanum family.

This Munawirum figures for the first time as *wakil tamkārī*, when he acted as a witness in the 9th year of Rim-Sin in TCL X, 34, the record of the lawsuit between Idin-Amurru, the son of Ištar-ili, and Idin-Nana, the son of Sin-šemi. Munawirum is again denoted as *wakil tamkārī* when he was a witness, together with Idin-Amurru and a number of *tamkārū*, in YBT VIII, 52, dated in the 25th year of Rim-Sin. Finally a witness Munawirum in YBT VIII, 161, dated in the 51st year of Rim-Sin, is probably denoted as *wakil tamkārī*, but the cuneiforms are damaged, so that we cannot be certain as to this reading. The name is a usual one and therefore it is not possible to identify the *wakil tamkārī* Munawirum with a Munawirum occurring in other tablets without any indication of his profession. We should not, however, rashly dismiss the possibility that he was the same as the *tamkārū*, son of Zamaiatum, a witness at the division of the inheritance of Ištar-ili in TCL X, 55. This, indeed, is not improbable. For, as in YBT VIII, 52, and perhaps TCL X, 31, Munawirum is mentioned as the *first* witness (which may have had some significance) in TCL X, 55, just like also in TCL X, 33 and 51, both concerning purchases by Idin-Amurru. If this identification is correct, here would be a man who was sometimes *tamkārū* and at other times *wakil tamkārī*. He must, however, be carefully distinguished from the son of Balmunamhe, who bore the same name.

Šamallum. This man figures with the addition *wakil tamkāri* as a witness in a lawsuit of Balmunamhe, dated in the 23rd year of Rim-Sin, where his name is followed by those of a number of judges (*daiānū*) (YBT VIII, 42); in the deed YBT VIII, 85, dated in the 28th year of Rim-Sin, as the owner of an adjacent parcel, and in TCL X, 105, as first witness at a purchase made by Idin-Amurru, the son of Ištar-ili. As already set forth on p. 30 (note 92) he is probably the same man whose subordinates had apparently some duties to perform, when strangers died in Larsa according to the records TCL X, 58 and 85, dated in the 22nd and the 31st year of Rim-Sin. It is not improbable that his concern in this matter was of an official character.

Šamaš-muballit, *wakil tamkāri*, was the proprietor of an adjacent house in the deed concerning a house VS XIII, 82, in the 44th year of Rim-Sin.

The *wakil tamkāri* Nur-ilišu was a witness in the 50th year of Rim-Sin (YBT VIII, 160).

(One Sin-bel-aplim is mentioned in TCL X, 109, as *wakil tamkāri* in the 51st year of Rim-Sin, a year in which also Munawirum is stated to have been *wakil tamkāri*. But it is not improbable that Sin-bel-aplim was not *wakil tamkāri* in Larsa, but in the town of Gardi. A *tamkārū* of the same name is found in VS XIII, 98).

The information about these *wakil tamkāri* provided by the documents is but scanty. It presents the following points: First that there is not a single instance of a *wakil tamkāri* carrying on trade on his own account. Secondly that the *wakil tamkāri* had some function in connection with the recording of the death of strangers, who were probably concerned in trade. Thirdly that it was possible to speak of the *wakil tamkāri Larsaki*, which shows that the function of *wakil tamkāri* could only be held by one person at a time in the town. And in the fourth—and most important—place, that the *wakil tamkāri* often acted as a witness, especially as first witness²⁰⁵), in lawsuits and legal acts, in which *tamkārū* were often concerned. In records of lawsuits *wakil tamkāri* and *tamkārū* figure besides *daiānū*. First witness at the legal declaration in YBT VIII, 52, was the *wakil tamkāri* Munawirum, followed by a number of *tamkārū*. Some of the same *tamkārū*, but not the *wakil tamkāri*, were witnesses at the legal settlement of accounts in YBT VIII, 102, accompanied among others by the *daiānū* Šaninum and Ilišu-ellazu. These two *daiānū*, together with some colleagues and the *wakil tamkāri* Šamallum, figure in the legal record of Balmunamhe c.s. YBT VIII, 42. Šamallum was also first witness in TCL X, 105, a record from the Idin-Amurru archives.

²⁰⁵) But not always, vide e.g. TCL X, 34.

Highly informative is TCL X, 34, the lawsuit between Idin-Nana and Idin-Amurru. There it says in lines 5 ss: *šar-ru-um i-na bit dŠamaš it-ru-su-nu-ti-ma i-na bit dŠamaš ka-ru-um di-nam ú-ša-lí-zu-nu-ti-ma*, "the king had sent them to the temple of Šamaš and in the temple of Šamaš the *kārum* had admitted them to legal proceedings". The third of the witnesses was the *wakil tamkāri* Munawirum. Evidently the situation was such that a collegium, the *kārum*, sat in the temple of Šamaš so as to form a court where the parties took the oath before the deity. It may be assumed that the same court dealt with the cases referred to above, because some persons, among whom Munawirum, also attended these cases. *Tamkārū* and the *wakil tamkāri* formed part of this court in Larsa, together with *daiānū* (judges) and other people. Probably the *wakil tamkāri* even occupied a prominent place in this jurisdiction as he is always mentioned among the first of those who attended. The function of the *wakil tamkāri* in jurisdiction will be discussed more fully below when we describe the situation in Sippar; but the texts now mentioned show that in Larsa too there was a juridical organisation in which both *wakil tamkāri* and *tamkārū* played a part, the former perhaps presiding over it.

The *kārum*, in which this organisation found its concrete form and one of whose functions was to sit as a court, was, however, not a board of *tamkārū*, as also other persons (*daiānū* etc.) sat on it. It is therefore, like the title *waklum*, no proof that merchant guilds existed in Babylonia. This does not imply that the *tamkārū* were without any organisation and that the *kārum* was not an institution of or for the *tamkārū* ²⁰⁶). It can only be stated that there was a close contact between the various *tamkārū* in Larsa, a contact which also included the *wakil tamkāri*.

From the foregoing it is impossible to draw more than a few conclusions as to the activity and the status of the *wakil tamkāri* in Larsa during the reign of its own rulers. Fortunately there exists a number of tablets concerning the activity of a *wakil tamkāri* of Zarbilum, a town near to Larsa, named Itti-Sin-milki. This man held office in the earlier part of the reign of Rim-Sin. In examining his activity the best starting point will be a remarkable balanced account, edited by Grice in YBT V, nr 207, the transliteration and translation of which are as follows:

Obv 2 gur še gišia
kar-bi 1 1/2 (bariga), 5 sila-ta
kù-bi 8 ma-na
10 gùn sig-ús kar-bi 1 1/10 ma-na-ta

²⁰⁶) In modern times it is impossible to speak of "merchants guilds", but everywhere merchants have organisations such as chambers of commerce etc. whose services are often made use of, inter alia, for the appointment of arbiters in commercial cases.

- 5 kù-bi 1 ma-na
 šà mu é-dNin-é-mah(?) šà Maš-kán-šabrīmki mu-
 un-dù-a
 40 udu-nitá šám 1 udu-e 1 gín-ta
 kù-bi $\frac{2}{3}$ ma-na
 šà mu *Ri-im-dSin* lugal
 10 2 gur še gišša kar-bi 2 (bariga)-ta
 kù-bi 5 ma-na
 šà mu é-dIškur šà Zararki ba-dù
 2 gur še gišša kar-bi 1 (bariga) 5 (bán)-ta
 kù-bi $5\frac{1}{3}$ ma-na 7 gín igi-4-gál 5 še
 15 šà mu 4 urudualam *Ku-du-ur-ma-bu-ug* é-dNanna-še
 i-ni-in-tu-re
 šu-nigin til-la

-
- [itu]bár-zag-gar u₄ 29-kam
 mu é-dInnina dNanna ù dEnki ša Zararki mu-
 un-dù-a
 20 20 ma-na 7 gín igi-4-gál 5 še kù-babbar
 [š]u-ti-a *It-ti-dSin-mi-il₅-ki* ugula dam-kàra Zar-bil-
 lumki
 sag-gar-ga-ra šà-bi-ta
 49 túg-ḫi-a kar-bi [3] gín-ta
 kù-bi $2\frac{1}{3}$ ma-na [7 gín]
 25 10 túg-ḫi-a kar-bi [4] gín-ta
 kù-bi $\frac{2}{3}$ ma-na
 5 ḫar-ḫi-a kù-bi $1\frac{2}{3}$ ma-na
 1 ma-na kù-babbar šám na₄ ḫar-PAR.AŠ
 ù na₄ DA.GAZ.PAR.AŠ
 30 2 ḫar-šu kù-babbar ki-lal-bi $18\frac{1}{2}$ gín
a-na mārāt ki(?) -im-ti Iš-ša-an
i-nu-ú-ma a-wi-lum it-ti mārāt šarrim
 ša a-na D[ē]rki in-na-ad-nu a-na Zar-bil-lumki il-li-ku
 2(?) udu-nitá kù-bi $2\frac{1}{2}$ gín
 Rev. (hiatus in which this enumeration presumably ended with
 ša mu dNin-é-mah(?) ša Maš-kán-šabrīmki mu-
 un-dù-a, followed by a new enumeration of articles, ending with:)
 35 5 kù-bi 4(?) gín
 šà [mu *Ri-i*]m-dSin lugal
 3 ra kù-bi 1 ma-na 10 gín
 2 kù-bi $\frac{1}{3}$ ma-na 5 gín

- 2 . . . kù-bi $\frac{1}{2}$ ma-na
 40 20 túgli-zum(?) kù-bi 1 ma-na $6\frac{2}{3}$ gín
 20 túgbar-LU kù-bi 1 ma-na
 2 ma-na nagga kar-bi 10 gín-ta
 kù-bi 12 gín
 šà mu é-dlškur šà [Zarark]i-[m]a ba-dù
 45 1 túgsu-uš-šum(?) [kù-bi . . . g]ín
 11 túgli-zum(?) [kù-bi] $\frac{1}{2}$ [ma-]na 3 gín
 2 ḥar-šu kù-babbar ki-lal-bi $\frac{1}{3}$ ma-na
 níg-ba mārat Ur-dNanna ša a-na é A-pil-ku-bi in-na-ad-nu
 10 gín kù-babbar [šám] 2 túg-è-a a-na gišmá-ḥi-a
 gu-la
 50 šà mu 4 urudualam Ku-du-ur-ma-bu-ug é-dNanna-še
 i-ni-in-tu-ri
 $\frac{1}{2}$ ma-na guškin kar-bi $6\frac{1}{2}$ gín-ta
 kù-bi 3 ma-na 15 gín
 níg(?) - [ba?] Gi-mi-lum
 55 20 túgli-zum(?) kar-bi $2\frac{2}{3}$ gín-ta
 kù-bi $\frac{5}{6}$ ma-na $3\frac{1}{3}$ gín
 ša a-na níg-bameš ša kaš-dé-a dInnina-Zabalamki
 $17\frac{1}{3}$ ma-na 4 gín kù-babbar
 ba-zi
 60 si-i-tum $2\frac{1}{3}$ ma-na 3 gín igi-4-gál 5 še kù-babbar
 ki It-ti-dSin-mi-il₅-ki
 itubár-zag-gar u₄ 29-kam
 mu é-dInnina dNanna ù dEnki šà Zararki mu-
 ūn-dù-a

Obv. "2 gur sesame oil

—its rate 95 sila (to a mina)—

its value 8 minas,

10 talents of wool of second quality—its rate $\frac{1}{10}$ mina (to a talent)—

5 its value 1 mina,

of the year Warad-Sin 12;

40 sheep—the price of 1 sheep is 1 šeqel—

their value $\frac{2}{3}$ mina,

of the year Rim-Sin 1;

10 2 gur sesame oil—its rate 120 sila (to a mina)—

its value 5 minas,

of the year Rim-Sin 2;

2 gur of sesame oil—its rate 110 sila (to a mina)—

- its value $5\frac{1}{3}$ minas, $7\frac{1}{4}$ šeqels and 5 še,
 15 of the year Rim-Sin 3;
 all together
 (till) the 29th day of the month Nisannu
 of the year Rim-Sin 4
 20 20 minas, $7\frac{1}{4}$ šeqels and 5 še of silver,
 received by Itti-Sin-milki, the *wakil tamkārī* of Zarbilum,
 capital sum, out of which:
 49 garments—their rate 3 šeqels (each)—
 their value $2\frac{1}{3}$ mina and 7 šeqels,
 25 10 garments—their rate 4 šeqels (each)—
 their value $\frac{2}{3}$ mina,
 5 rings, their value $1\frac{2}{3}$ mina,
 1 mina of silver price for rings of white stone
 and cut white stone²⁰⁷),
 30 2 bracelets of silver, their weight $18\frac{1}{2}$ šeqels,
 for the daughter of the tribe of Iššan(?),
 when the man with the daughter of the king,
 who was given (in marriage) at Dēr, came to Zarbilum,
 2(?) sheep, their value $2\frac{1}{2}$ šeqels",
 Rev. (hiatus, in which this enumeration presumably ended with:
 "of the year Warad-Sin 12", followed by a new enumeration of articles,
 ending with:)
 35 "5 their value . . and 4 šeqels,
 of the year Rim-Sin 1;
 3, their value 1 mina and 10 šeqels,
 2, their value $\frac{1}{3}$ mina and 5 šeqels,
 2, their value $\frac{1}{2}$ mina,
 40 20 (garments), their value 1 mina and $6\frac{2}{3}$ šeqels,
 20 ribbons, their value 1 mina,
 2 minas of lead—its rate 10 šeqels (of lead for a šeqel of silver)—
 its value 12 šeqels,
 of the year Rim-Sin 2;
 45 1 (garment), [its value . . . še]qel,
 11 (garments), [their value] $\frac{1}{2}$ [mi]na and 3 šeqels,
 2 bracelets of silver, their weight $\frac{1}{3}$ mina,
 gift to the daughter of Ur-Nanna, who is given (in marriage) into the

²⁰⁷) Cf. R. Campbell Thompson, A dictionary of Assyrian chemistry and geology, pp. XLII and 144. The usual spelling of the first word is TAG.GAZ = tak-kās = takkasu = cut stone, but as the combination with PAR.AŠ, hard white stone, alabaster (?), is repeatedly found, it may be assumed that this word is meant here.

- house of Apil-kubi,
 10 šeqels of silver, price for 2 sails(?) for big ships,
 50 of the year Rim-Sin 3;
 1/2 mina of gold—its rate 6 1/2 šeqels of silver (for a šeqel of gold)—
 its value 3 minas and 15 šeqels,
 gift(?) to Gimillum,
 55 20 (garments)—their rate 2 2/3 šeqels—
 their value 5/6 mina and 3 1/3 šeqels,
 which are for the gifts of the libations of Innina of Zabalam;
 17 1/3 (read 17 2/3) minas and 4 šeqels of silver
 have been paid out.
 60 The remainder is 2 1/3 minas, 3 1/4 šeqels and 5 še of silver
 owed by Itti-Sin-milki.
 The 29th day of the month Nisannu
 in the year Rim-Sin 4.

In lines 1 to 15 of this balanced account articles received by Itti-Sin-milki over a period of four years are mentioned, evidently with the prices received by him by selling them. The sources of the articles, sesame oil, wool and sheep, are not mentioned. Then it is stated that the account goes on till the 29th day of the first month of the fourth year of Rim-Sin and that until that day 20 minas 7 1/4 šeqels and 5 še of silver have been received by Itti-Sin-milki. Then follows an enumeration of items of expenditure. He evidently bought a great variety of articles; among these are many garments and ornaments (with sometimes a note as to their destination) which are summed up year by year with the prices paid. The account closes with the sum total of expenditure and the statement that there was a surplus balance of 2 1/3 minas 3 1/4 šeqels and 5 še of silver. The words *ki Itti-Sin-milki* should probably be taken to mean that Itti-Sin-milki owed this sum. To whom did he owe it? It is said that Itti-Sin-milki held the function of *wakil tamkārī* of Zarbīlum and this might carry the suggestion that he kept this account in virtue of his function. But then there are only two possibilities, first that he kept the account on behalf of some corporation, in which case the idea of a corporation of *tamkārū* might suggest itself; but the existence of such a corporation in Larsa has not been proved. Secondly that he kept the account on behalf of the king. This is a priori probable, because also other balanced accounts may be supposed to have been drawn up on behalf of the palace, as we have seen in the case of Mannia c.s. This assumption is supported by some features in the account itself, notably that the purchases were sometimes made on behalf of temples and once apparently for an official reception, and it becomes almost a certainty, when we regard the other documents in which Itti-Sin-milki figures. These documents, all dated in the period from

the 22nd to the 27th year of Rim-Sin ²⁰⁸), link up with the balanced account. In TCL X, 61, it is recorded that Itti-Sin-milki has delivered 21 gurs and 230 sila of oil and 53 gurs and 140 sila of sesame oil—therefore large quantities—to Ili-idinnam and Ikun-pi-Adad for certain offerings. TCL X, 72, contains a similar statement. According to this document the same individuals Ikun-pi-Adad and Ili-idinnam received a large quantity of various articles, inter alia, gold and timber, each with its value added, to the total amount of $7\frac{1}{3}$ minas and $5\frac{1}{3}$ šeqels from Itti-Sin-milki for offerings by the king. This is clearly the counterpart of the expenditure bookings in the balanced account. In the latter all kinds of articles were mentioned as sold for certain purposes. Itti-Sin-milki surely did not keep these articles, but he passed them on to temples etc., according to the orders given to him ²⁰⁹). In the document now under discussion, the representatives of the temple are stated to have received the goods. For, although the profession of Ikun-pi-Adad and Ili-idinnam is nowhere mentioned, they may be supposed to have been officials, charged with the administration of goods, probably those destined for the temples. TCL X, 53, belongs to the same class of documents: Ikun-pi-Adad and Ili-idinnam have received 1 mina of silver as a gift (š u - g a r) from Itti-Sin-milki probably for a feast (isinnu?) of the god Amurru. TCL X, 56, is less clear, but it can be deduced that again a large sum has been received by Ikun-pi-Adad and Ili-idinnam from Itti-Sin-milki, with, perhaps, indications of further recipients and purposes, from which it might appear that the deliveries were not only for offerings, but also for journeys etc. This is also shown by TCL X, 54, where it says: 92 d u n (?) - k a r k a r - b i $\frac{1}{3}$ g i n - t a - a - a n k ū - b i $\frac{1}{2}$ m a - n a $\frac{2}{3}$ g i n s á - d u g ₄ l ú - k i n - g i ₄ - a Ê š - n u n - n a k i i - n u - ú - m a u m - m ā n ā t (ERINĥi-a) I a - m u - u t - b a - l u m i - n a M a š - k á n - š a b r i m k i a - n a ĥ a r r ā n Ê š - n u n - n a k i i p - ĥ u - ú - r u k i I t - t i - d S i n - m i l - k i u g u l a d a m - k ā r a Z a r - b i l - l u m k i b a - z i, "92 . . —their rate $\frac{1}{3}$ šeqel a piece—, their value $\frac{1}{2}$ mina and $\frac{2}{3}$ šeqel, provisions for the messenger of Ešnunna, when the troops of Iamutbalum gathered in Maškanšabrīm for a campaign to Ešnunna, paid out by Itti-Sin-milki, the *wakil tamkāri* of Zarbilum" ²¹⁰). Other items of expenditure by Itti-Sin-milki are recorded in TCL X, 64, large quantities of wool to various persons, and TCL X, 60, only two šeqels of silver for the pressing of oil. These items may also have been entered in balanced accounts.

²⁰⁸) Perhaps the same person is found as a witness in YBT V, 127, dated in the 12th year of Warad-Sin.

²⁰⁹) The temple in Zarbilum was under the care of Rim-Sin. Cf. Jean, *Larsa*, p. 9.

²¹⁰) The translation of this text is uncertain. The translation grammatically most probable is given, but it must be remembered that, as a rule, Rim-Sin was on good terms with the states east of the Tigris. The article supplied is not known.

From all these documents it appears that Itti-Sin-milki had at his disposal large quantities of goods, especially mass-produce, oil, sesame-oil, wool etc. Other goods he had in smaller quantities. These he must have bought, as they were goods which were industrial products, such as garments and goods which were not found in Babylonia itself, like gold and timber. But oil, also sesame oil, and wool were the typical produce of the land itself. The way in which he obtained them has not been recorded. In the first instance it might be supposed that he bought them from the farmers with silver which he obtained from the palace. But not only is there no evidence of such transactions but moreover—and this is even more to the point—there would have been no sense in the business, if the *wakil tamkāri* received money from the palace to make purchases. In this case only the second part, the expenditure column, of the balanced account need have been drawn up by Itti-Sin-milki in order to render his accounts, but he need not have stated that his capital was the amount obtained by selling other goods. These goods he must have obtained from, or by order of the palace. Either is possible. In the first place they may have been goods received by the palace, which it did not need for its own use and therefore sold through the medium of the *wakil tamkāri*. This is a procedure, which, as will be seen below, was still in use in Larsa after the conquest by Hammurabi of Babylon, and therefore seems to be the more probable alternative. The other is that the *wakil tamkāri* received the goods directly from the taxable people. This too, must not be precluded a priori, because in later times *wakil tamkāri* were concerned in the collecting of taxes.

Now having described the activities of the *wakil tamkāri* of Zarbilum, the reason for the suggestion, made on p. 69, that TCL X, 17, would have been a (continuation-)account of the *wakil tamkāri* of Larsa, becomes clear. This account bears a striking resemblance to YBT V, 207. Since the man, who rendered the account, Ubar-Šamaš, is also named as a *wakil tamkāri*, notably that of Larsa, in Riftin 66, it may be supposed that TCL X, 17, is an account of this *wakil tamkāri*. Among the assets in TCL X, 17, are mentioned a sum of silver from the preceding account, sesame to a value of 8 minas and wool to a value of 1 mina of silver. On the capital sum expenses were drawn for a great variety of articles, some for delivery (gifts?) to ladies, one *i-nu-ma šu-ḥa-ar-tum i-na bi-ti Ur-dNanna in-na-ad-nu*, "when the girl was given into the house of Ur-Nanna", and some others probably destined for temples. The account ends with the large deficit of over 4 minas of silver, which Ubar-Šamaš evidently had advanced out of his own means.

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CHAPTER SEVEN

LARSA UNDER BABYLONIAN RULE

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Towards the end of his long reign Rim-Sin could no longer resist the continually growing power of his north-Babylonian rival Hammurabi²¹¹). Hammurabi captured Larsa in the 31st year of his reign. His rule over Larsa was to last for about twelve years, and his successor Samsuiluna may have reigned there for another ten years. From the year-formulae it appears that Samsuiluna after eight peaceful years was beset by difficulties owing to attacks by the Cassites, which coincided with risings, and that there was warfare all over the country. Šumer and especially Larsa were no longer mentioned in the year-formulae of the kings of Babylon, and at the same time the glory of Larsa seems to have come to an end. After the 10th or 11th year of Samsuiluna, Larsa is no longer heard of²¹²). It may have been conquered by the kings of the Sealand, perhaps with the support of other towns of south Babylonia which may have insisted on the devastation of the town, it being the centre from which they had been ruled, and perhaps oppressed, for so long. Hammurabi had left the town as it was and he made it the centre of his administration for south Babylonia. His governors and high officials resided there.

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Yet there are a few indications that some changes take place in Larsa after the conquest by Hammurabi, also with regard to the organization of trade, especially the trade of the *šakallum*. This is not surprising, as Hammurabi was a great organizer, who vigorously upheld the central authority. But on the other hand he was so tactful as to adapt himself to local circumstances and to make use of the organization he found in existence. His predilection for this policy is illustrated by the very fact that he did not destroy Larsa, but allowed it to continue its superior position as the capital of his southern province.

Trade
Trade

From the circa 20 years of Babylonian domination over Larsa, the names of only eight *tamkārū* have come down to us, and, with the exception of one of them, little is known about these, because their names are only mentioned once in the documents or because it is not possible to identify them with

211) Cf. Ch. F. Jean, *Larsa*, p. 86 ss.

212) Cf. the inscription of Nabonid commemorating the reconstruction of Ebabbara in Larsa (S. Langdon, *Die neubabylonische Königsinschriften*, p. 234 ss). All the documents edited in BIN VII dated in years after the 5th year of Samsuiluna (nrs 185 ss) have come, not from Larsa, but probably from Isin, at any rate from the district of Nippur. Cf. W. F. Leemans, *Bi. Or.* IV (1947), p. 16.

anything approaching certainty with namesakes in other documents. They are:

Sin-ituram (Hammurabi 40, HE 139). He acted as *gir* in the government (fish) trade, like Ibni-Amurru, who will be discussed presently.

Ilušu-ibi (Hammurabi, LIH 24). He was at the same time *wakil* NAM 5, an official who was subordinate to the *wakil tamkāri*, as will be seen below.

Napišti-idinam (Samsuiluna 4, TCL XI, 202).

Šep-Sin (Samsuiluna 5, HE 111, further Riftin 90). As to him, vide p. 84 ss.

Izkur-Šamaš (Samsuiluna 5, TCL XI, 209).

Sin-našir (Samsuiluna 5, TCL XI, 209).

Lipit-Ištar (Samsuiluna 7, TCL XI, 216). A Lipit-Ištar figures in more documents from the same time, but it cannot be proved that he is the same man, nor that he was the brother of Ibni-Amurru.

Sin-idinam (Samsuiluna 10, TCL XI, 219). He was concerned in the lease of a house owned by the Šamaš temple.

(In HE 122 a *tamkārum* Šamaš-liwir is mentioned, who may have been a resident of Larsa, but quite as possibly of some neighbouring town. This *tamkārum* acted as intermediary in the release of a female slave. In Riftin 35, dated in the 2nd year of Samsuiluna, the witness Pirhum was *tamkārum*, but the text has not the appearance of a Larsa text, as also Riftin has indicated by means of an interrogation mark after the provenance).

Koschaker in his essay on the government economic administration in Larsa²¹³), denies that Ibni-Amurru was a *tamkārum*, remarking that he is nowhere designated as such. This in itself does not mean that he was not a *tamkārum* because the profession of a man was as a rule only mentioned when he acted as a witness and Ibni-Amurru is not found as a witness. But principally Koschaker founds his opinion on the statement that the *tamkārum* was a government merchant and banker; even though his private means were separated from those which he administered on behalf of the government, in the last analysis they belonged to the government; Ibni-Amurru, on the contrary, is shown by the documents to have been a private individual, whose means were purely private, so that he was not a *tamkārum*. This briefly is Koschaker's argument. We agree with Koschaker that Ibni-Amurru was a private individual, and that he acted with the government on the footing of a private merchant. Koschaker in a masterly way expounds that during the reign of Samsuiluna the government disposed of great quantities of fish, dates, wool etc. in Larsa, as in earlier times it did in Lagaš. Consequently the whole business described by Koschaker should be seen as a later development of earlier institutions. In Hammurabi's time the palace received the fish, dates, wool etc. from people dependent on the government

²¹³) ZA 47, p. 164.

by way of taxes (*zātu*). The *wakil Amurri* was charged with the organization of the delivery of these supplies to the government. The palace used these supplies primarily for its own consumption. What remained it sold for private use in two ways; firstly through the intermediary of persons, known to have been *tamkārūm* or *wakil tamkāri* (i.e. Šep-Sin). Secondly, the fishermen delivered their fish directly to fishtraders, which had this advantage that the fish that was liable to rapid decay in the hot climate of Mesopotamia, could be supplied to the consumers more quickly. The fishtraders afterwards had to pay one third of the silver value of the tax owed by the fishermen to the palace. Consequently the fishtrader was entitled to two thirds of the value, for which he had to undertake a twofold risk, both that of poor hauls and that of rapid decay. This arrangement would only make sense if the fishtraders were private men possessed of private means. Such a trader was Ibni-Amurru.

As Koschaker observes, the aforementioned man who sold fish as an intermediary of the palace (see "firstly" above), seems to have been an instrument of the palace, the government. If one examines the instances where such persons occur, it must be stated that they were either *wakil tamkāri*, or a *tamkārūm*, who held this function. In HE 111 and 113 it was Šep-Sin²¹⁴), in HE 266 it was the *wakil tamkāri* of Ur, Sin-muštāl. This leads to the statement that what Koschaker says on p. 169 of his article is correct with regard to the *wakil tamkāri* and probably some *tamkārū* (Šep-Sin under Samsuiluna), but there is no evidence that it would be valid in the case of all *tamkārū* and that there was no longer any use for *tamkārū* who were private traders. The *tamkārū*, as shown by the documents discussed above, and notably those connected with the Sanum family and its entourage, acted on their own account in Larsa during the reigns of Warad-Sin and Rim-Sin, and they accumulated private means that were heritable. As already observed on p. 60, it may be presumed that precisely Ibni-Amurru, being possessed of private means inherited from his father, descending from a family of merchants and himself a businessman, may be defined as a *tamkārūm*. But some change may have occurred in the position of the private *tamkārūm*. For a difference between the documents of Ibni-Amurru and those of his ancestors is noticeable. The latter refer mainly to the private property of these individuals, and there is no indication that they were in any way concerned in the government fishtrade, which may have been carried on also in the time of Rim-Sin as a continuation of the fishtrade which existed in Lagaš during and before the Ur III dynasty, as is born out by texts such as YBT VIII, 111 and 122. On the other hand, there are no documents relating to the management of the private means of Ibni-

²¹⁴) See for him below p. 84 ss.

Amurru, except those recording the division of his father's inheritance and the acts resulting from it.

Ibni-Amurru functioned in the government fish trade in a way which indicates that he had private means ²¹⁵), but for the receipt of his stock he was dependent on the palace. As a rule, the *tamkārū* seem to have been only minor people in the time of Hammurabi in Larsa, who often had some sort of connection with the government. The latter statement is indicated, besides by Ibni-Amurru's part in the government trade in fish and other articles received as taxes, firstly by a *tamkārū* (Sin-ituram) acting as *gir* in the fish trade ²¹⁶), secondly by the *tamkārū* Ilušu-ibi acting as *wakil* NAM 5, and in the third place by the role of Šep-Sin under Samsuiluna's reign, described below.

This however does not mean that the *tamkārū* only dealt on behalf of the government and that in the last analysis his means belonged to the government, although it must be stated that—in contrast to the period of the Larsa dynasty—no deeds of *tamkārū* concerning their private means have been recorded in the documents, except the above mentioned inheritance acts of Ibni-Amurru. This fact may be due to three causes, a decrease of prosperity, an increase of concern on the part of the government and the possibility that only few documents of this category have so far been found. In support of our suggestion as to the first two causes, we may state that on the whole only few documents concerning private means are known from Larsa in the time of the Babylonian supremacy.

The *wakil tamkārī*.

Two letters from Hammurabi to Samaš-ḥašir afford information of immediate value about the *wakil tamkārī* in this time. Both letters refer to the *wakil tamkārī* of Ur Sin-muštāl, the second letter also to his Larsa colleague Šep-Sin (to be mentioned below). Ur was part of the kingdom of Larsa and after the conquest by Hammurabi it had been placed under the control of the governors in Larsa, of whom Samaš-ḥašir was the best known, and therefore it seems justifiable to speak first of a *wakil tamkārī* of Ur.

In TCL VII, 2, Hammurabi wrote to his governor: *tup-pi an-ni-a-am i-na a-ma-ri-im 10 bur eqlam a-na dSin-mu-uš-ta-al 10 bur a-na I-li-i-din-nam 10 bur a-na I-li-iš-me-a-ni 3 waklūmeš tamkārimeš ša Uruki ga-du-um eqli kurummati-šu-nu la-bi-ir-tim i-di-iš-šu-nu-ši-im*. "When you read this letter, you must give 10 bur of field to Sin-muštāl, 10 bur to Ili-idinnam, 10 bur

²¹⁵) Vide Koschaker, ZA 47, p. 164.

²¹⁶) The meaning of *gir*, however, is not clear. For various explanations given cf. Bi. Or. IV (1947), p. 15-16.

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to Ili-išmeani, 3 *wakil tamkāri* of Ur in addition to their old *eqli kurummati* (fields for sustenance)". In TCL VII, 3, Hammurabi orders: *aš-šum Še-ep-dSin wakil tamkārimēš Larsaki eqel kurummat-sū ki-ma dSin-mu-uš-ta-al wakil tamkārimēš Uruki i-di-iš-šum*, "with regard to Šep-Sin, the *wakil tamkāri* of Larsa, give him an *eqel kurummatim* just as Sin-muštāl, the *wakil tamkāri* of Ur".

In the first place these letters show that *waklū tamkāri* obtained *eqel kurummatim* from the palace. These were fields granted to persons who were in the service of the palace by way of sustenance. Their object was to provide these officials with an income, a salary²¹⁷). This proves that the *wakil tamkāri* rendered services to the palace, probably in the position of an official.

A second observation to be made is that there seem to have been three *waklū tamkāri* in Ur at the same time. It is, however, not certain that all three *waklū tamkāri* in TCL VII, 2, functioned in the same quarter of the town. The great Babylonian towns comprised various quarters, often with a municipal administration of their own (e.g. Lagaš and Sippar) and moreover there were suburbs which fell under the authority of the main town²¹⁸). Consequently it is not impossible that all three *waklū tamkāri* did not hold office in the town of Ur itself. This indeed was the case with Sin-muštāl, who alone is mentioned in TCL VII, 3, as *wakil tamkāri* of Ur. This Sin-muštāl is well-known from other documents²¹⁹). His name has been cited in the description of the government fishtrade in Larsa: HE 266 relates that Nur-Ea had received 13½ šeqel of silver, the price of fish, for his *zūtum* (tax consisting in natural produce) from Watar-Šamaš, the *wakil* NAM 5, who was under the authority of Sin-muštāl, the *wakil tamkāri* of Ur. Koschaker argues that Nur-Ea, a taxable fisherman, delivered his *zūtum* under instructions of the palace to Sin-muštāl, who in his turn was authorised by the palace to conclude the purchase of the fish on account of the palace. This document, therefore, must be taken as a declaration that the fisherman had discharged his *zūtum* to the amount mentioned. Sin-muštāl, on issuing the document, acted in the name of the palace. The settlement of the further pecuniary consequences was an internal affair of a merely administrative character between the *wakil tamkāri* and the palace, since the means of the *wakil tamkāri*, or at least the means the *wakil tamkāri* held in connection with business for the palace, belonged to the palace. That this was the case will appear in respect of another *wakil tamkāri*, to be mentioned below,

217) Cf. E. Cuq, *Études* p. 155, P. Koschaker, *Or.* IV (1935), p. 42, ZA 47 (1942), p. 146.

218) Thus probably places such as Bad-tibira near Larsa, etc.

219) Cf. Koschaker, ZA 47, p. 168.

Sep-Sin, from the documents, and this is in accordance with what was argued above with regard to the *wakil tamkāri* of Zarbilum Itti-Sin-milki. As in the time of Rim-Sin, the *wakil tamkāri* received mass-produce from the palace for sale, and he kept the account of his transactions on behalf of the palace. Whether the *wakil tamkāri* under Hammurabi also bought specific articles for the palace with the money received is not known, as no balanced accounts or related documents have been found. But it proves that Hammurabi built on the existing administration.

In the instance of HE 266, Sin-muštāl did not act in person but he had a subordinate (*ša qāt*), the *wakil* NAM 5 Watar-Šamaš, do it. In the letter YBT II, 34, Sin-muštāl, writing to the same subordinate, was also concerned in the collection of *zūtū*²²⁰). Another time, in the letter UCP IX/4, 5, Sin-muštāl wrote to the *rabiānum* of Jakudu about the collecting of a *zūtum* in which the *wakil* NAM 5 Sin-mušālim was concerned. Also the letter TCL XVIII, 109, touches on a tax of corn which had to be paid to Sin-muštāl.

This collecting of taxes was undoubtedly a business which was done in the service of the king, or in any case in close relation with the government. The letter LIH 33 shows that the *wakil tamkāri* was responsible for these taxes, which were fixed at certain amounts, and that he had to take them in person to king Hammurabi in Babylon: Hammurabi wrote to Sin-idinnam, his governor in south Babylonia at that time, to send to Babylon, as soon as he read the letter, Sin-muštāl, the *wakil tamkāri*, with his 1800 gur of sesame and 7 minas of silver *labirtišu*, which probably meant: from his previous tax-collection. All these documents show the same state of things: This *wakil tamkāri* of Ur was closely related with the government. Everything he undertook was done on behalf of the palace—we might say in the service of, or as an employee of the palace, but it is doubtful whether the relation was identical with our conception of employment in modern terms.

Probably Sin-muštāl also figures in a long text on the administration of 250 cattle and 3000 sheep, but the real significance of the text (Riftin 90) cannot be understood without an extensive study of cattle-administration in Old-Babylonian times.

The following men were *wakil tamkāri* in Larsa during the 20 years of Babylonian rule:

Šamaš-šululi. In an administrative record, dated in the 35th year of Hammurabi²²¹), it is stated that two subordinates of (*níg-šu*) Šamaš-

²²⁰) Cf. Koschaker, ZA 47, note 89. Koschaker states that Watar-Šamaš was certainly a *tamkārum*, but, although it is probable, there is no evidence to support this statement, cf. p. 91.

²²¹) TCL XI, 153.

šululi the *wakil tamkāri*, have received 44 gur and 60 sila of ripe dates. It ends with the name of a place and the name of a person who was *gir*. It seems most probable that this refers to the receipt of tax from a certain place. Afterwards Šamaš-šululi figures in three documents dated in the third year of Samsuiluna. These documents ²²²⁾ are described by Koschaker in ZA 47, p. 177-179. All three documents are difficult to explain. In TCL XI, 197, a subordinate of the *wakil tamkāri* Šamaš-šululi, the *wakil* NAM 5 Ibi-Nin-šubur, was somehow concerned in the receipt of the price for fish, dates and onions. In the other two documents it is recorded that Ibni-Adad, another *wakil* NAM 5 subordinate to Šamaš-šululi, had received the price for fish from the *wakil* Amurri Ana-Sin-takil. All three documents seem to agree on the point that Šamaš-šululi and his staff had to collect the prices paid for the fish etc., sold by the government. Without the attribute of *wakil tamkāri*, a Šamaš-šululi figures in some lists of awards granted to persons who apparently had rendered services to the government ²²³⁾.

Šep-Sin, son of Šamaš-muballit, is the *wakil tamkāri* about whom our knowledge is the most extensive. He has already been mentioned above in the description of Sin-muštāl. Koschaker has described the activity of Šep-Sin amply in his essay on the government fish trade in ZA 47, p. 136-143 and p. 172-176. His appearance in the documents may be divided into two or three periods, the reigns of Hammurabi, of Samsuiluna and perhaps as early as that of Rim-Sin.

In the time of Hammurabi he is shown to have been *wakil tamkāri* in Larsa, viz. in the 37th, 40th, 41st, and 42nd year of the reign, by HE 126, 139 (and 140 ²²⁴⁾), 105, 130. The documents of this time show him playing an active part in the government economy. As shown by HE 137, Šep-Sin received fish and dates from persons who had to pay a *zūtum*, a tax in natural produce, on behalf of the palace, with the object of subtracting the fixed silver value of this natural produce from the amount of the tax due to the palace. The palace sold these fish and dates to Šep-Sin at the same price, and Šep-Sin sold them to the consumers. HE 139, a document of which the interpretation is not certain, seems to deal with a subsequent stage in the same affair. Here Šep-Sin has paid a mina of silver, perhaps the proceeds of fish delivered by tax-payers ²²⁵⁾. He is said to be subordinate (*nīg-šu*) to Marduk-našir, the *mār šakkanakkim*, evidently a high official.

Other texts show that Šep-Sin played a part in a delivery of dates to the government. HE 130 records the delivery of a large quantity of dates, grown

²²²⁾ Berens 94 and 95 and TCL XI, 197.

²²³⁾ TCL XI, 166 and 249, HE 101.

²²⁴⁾ Here with erroneous omission of *wakil*.

²²⁵⁾ Cf. Koschaker, ZA 47, p. 171, note 90, j^o p. 156, note 58.

by a certain Apil-Amurru, for the great temple of Marduk through the intermediary of the *wakil* NAM 5 Ili-išu under the orders of Šep-Sin, the *wakil tamkāri*. For bookkeeping-purposes the price in silver of the dates at the Larsa rate was determinant. In HE 126 it is stated that Šep-Sin had received 24 gur and 140 sila of dates—*kar-bi 2 gur 1 gín kù-bi 12 gín igi-6-gál 12 še*, "their rate is 2 gur for a šeqel, their value 12½ šeqel and 12 še"—from a grove-owner and delivered these to a certain Ili-ippalsam in the town of Raḥabu, a man mentioned more than once in the documents. This he may have done by order of the palace. Documents such as these suggest that, like Itti-Sin-milki, Šep-Sin may be supposed to have made deliveries of part of the produce received by him to various persons and temples. He might have written down the value in his accounts for the palace. Among the items of receipt in this bookkeeping may have been entered the value of the fish, dates etc. received by him, among the items of expenditure the deliveries ordered by the king or his officials. The produce received will probably also have comprised sesame oil, as in the instance of Itti-Sin-milki, as may appear from the following ²²⁶).

In the letter LIH 33 from Hammurabi to Sin-idinnam, then his governor in south-Babylonia, residing in Larsa, it appears that Šep-Sin, the *wakil tamkāri*, and Sin-muštāl, the *wakil tamkāri*, had to bring the amounts overdue to Babylon, the former 1800 gur of sesame and 19 minas of silver, the latter 1800 gur of sesame and 7 minas of silver. They had deferred their departure, saying that it was harvest time. As now harvest time was over, Hammurabi ordered Sin-idinnam to send the two men immediately to Babylon with their overdue payments. As was already remarked in the description of Sin-muštāl, these payments were apparently taxes, collected by the *wakil tamkāri*. The natural produce they had to bring, may have been taxes received by them in kind, the silver may either have been the proceeds of other natural produce which they had sold at the order of the palace, or it may have been silver received in cash. The reason why they would not go to Babylon in the harvest time will not have been that they had to gather in crops themselves, but that this was the moment at which they had to collect the *sūtu* taxes. In another letter, LIH 16, Hammurabi ordered Sin-idinnam to see that the *wakil tamkāri* Šep-Sin and the *waklū* NAM 5, who were under his orders, should bring the rest of a sum of silver to Babylon. From both letters it appears clearly that the *wakil tamkāri* was obliged to deliver great amounts of silver and natural produce to the palace. This he evidently did

²²⁶) In this connection probably HE 105 must also be viewed, recording that sealed tablets concerning barley tax of the patesi of the palace were taken to Šep-Sin. The purpose of this act is not clear, but it also shows Šep-Sin concerned in the collection of taxes which were represented by tablets, "certificates".

in the service of the king; the silver and the natural produce he had received in his function. With regard to the silver, it may be suggested that it may have been, at least partly, the surplus of a balanced account—in the letter the word *šitat* = rest, corresponding to the Sumerian *si-i-tum* is actually used.

In the former letter, the fact that Šep-Sin and Sin-muštāl each had to bring a fixed amount to Babylon affords an indication that it was their duty to supply an amount fixed by the king and that they were responsible for this amount. That this was actually the case is shown by the letter LIH 30, in which Hammurabi wrote to Sin-idinnam that Šep-Sin, the *wakil tamkāri*, had complained to him that with regard to the silver for the temple of Kittum, which was to come from Dūr-gurgurri and the district of the Tigris, Etel-pi-Marduk had shirked his obligation and that with regard to the silver for the temple of Kittum, which was to come from Raḥabu and its environs, Gimil-Marduk had not fulfilled his obligation, so that Šep-Sin had not received all the silver due to him. But nevertheless the palace had caused him to pay the entire amount of silver. Šep-Sin would not have had to pay this full amount if he had not been responsible for it. At the same time, this letter bears out that the *wakil tamkāri* had to hand over a part of his receipts not to the palace directly, but on behalf of the palace to temples, as in HE 130, already discussed.

*Tax
Samu* If Šep-Sin was responsible for the delivery of a fixed amount, this would mean that the means he had received over and above that amount were his. Consequently not all his funds belonged in the last analysis to the *ēkallum*, but he may have had private means. This would lead to the conclusion that we agree with Koschaker that the *wakil tamkāri* was an official in the service of the king, but that we disagree with Koschaker in so far as he argues that all the *wakil tamkāri*'s means were in the last analysis owned by the *ēkallum*. That this opinion of Koschaker is not tenable is moreover shown by some documents already mentioned: A *wakil tamkāri* could own a garden, cf. YBT VIII, 85, where the *wakil tamkāri* Šamallum is mentioned as the owner of a garden adjacent to a property which had been sold. In the same way the *wakil tamkāri*, Šamaš-muballit, has already been named as the owner of a house. And the account of a man who was probably a *wakil tamkāri*, could close with a deficit, evidently advanced by the renderer of the account²²⁷). It is true, these instances are from the reign of the last ruler of Larsa, but there are no indications that the change of rule had consequences with regard to this point.

There is no evidence that Šep-Sin was still a *wakil tamkāri* under Sam-

²²⁷) Cf. p. 77.

suiluna. At that time the function was held by Šamaš-šululi, who has been to have held it as early as the 35th year of Hammurabi, two years before Šep-Sin was first mentioned as a *wakil tamkāri*. Koschaker²²⁸) supposes that at that time he was *wakil tamkāri*, suggesting that in HE 111 *wakil* would have been merely omitted before *tamkār Larsaki*, but this suggestion is probably contradicted by Riftin 90, where almost certainly the same Šep-Sin is clearly denoted as *tamkārūm* besides Sin-muštāl, the *wakil tamkāri*. Neither from the former, nor from the latter document, however, can the inference be drawn that the activities of Šep-Sin had undergone any change. In HE 111 and 113 he even was subordinate (*nīg-šu*) to Mar-duk-našir, the *mār šakkanakkim*, as in an earlier document (HE 139). Both documents show him concerned in the governmental commerce: he had his subordinate Šalitum take delivery of wool, fish, etc. from the palace in order to sell this produce to the consumers (HE 111). Riftin 90 is an administrative document on government-owned cattle in two towns, in the care of various herdsmen.

Koschaker in his article on the government-trade in Larsa, came to the conclusion that the *tamkārūm* was a government functionary in the time of the Babylonian supremacy in Larsa. If, however, it is assumed, as Koschaker does, that Šep-Sin was still a *wakil tamkāri* under Samsuiluna, Koschaker's conclusion is only proved as for the *wakil tamkāri* and not as to the *tamkārūm*. But, if Šep-Sin was no longer a *wakil tamkāri*, but a *tamkārūm* under Samsuiluna, and if there had been no change at all in his activity, as suggested by the documents last cited, then it must be assumed that a *tamkārūm* could now be in the service of the government in almost the same way as a *wakil tamkāri*²²⁹).

Koschaker points out the possibility that Šep-Sin was already active under Rim-Sin. For, already in YBT V, 206, dated in the 61st year of Rim-Sin, a certain Ibi-Sin, who received a sum of silver, is said to be *nīg-šu Šep-Sin*, "under the orders of Šep-Sin". This suggestion finds some support in Riftin 19, dated in the 57th year of Rim-Sin, as in this text recording the purchase of a field, the owner of the adjacent lot Šep-Sin is designated as *tamkārūm* (and moreover as brother of Nawirum). Too much value should not, however, be attached to these texts, as the name was a very usual one under Rim-Sin. But if indeed all the texts refer to the same person, Šep-Sin, already a *tamkārūm* in the last years of Rim-Sin, would have been promoted *wakil tamkāri* by Hammurabi but after his death reduced in office by Samsuiluna. Then another instance would be found of a *tamkārūm* having received an appointment as *wakil tamkāri* in Larsa.

228) ZA 47, p. 137, note 7.

229) Cf. p. 80.

Shygar

There is a number of documents which might refer to private acts of Šep-Sin, but it cannot be proved in all these instances that Šep-Sin was the *wakil tamkārī* under discussion: HE 135 contains a settlement concerning silver, gold and textiles between Šep-Sin and Šulul-Šamaš. Both parties were to break, i.e. destroy, all sealed documents recording obligations which bound either to the other, *i-zi-ib suluppī ēkallimlim*, "except concerning dates of the palace". This addition makes it very probable that here we have to do with the *wakil tamkārī* Šep-Sin and that the exception refers to his business in the service of the *ēkallum*. This text proves at the same time that a distinction was made between Šep-Sin's private means and business and the means he administered in virtue of his function. The document is dated in the 38th year of Hammurabi. The business relation between Šep-Sin and Šulul-Šamaš seems to have been of a lasting kind, as HE 124, dated in the 4th year of Samsuiluna shows the former as still maintaining relations with the son of Šulul-Šamaš Šabi-Šamaš.

HE 140 records that Šep-Sin, the *<wakil> tamkārī*, had a money-claim on a certain person. A similar statement is found in HE 136.

In HE 129 Šep-Sin mediated as a banker between one individual in Babylon and another in Larsa (which he could conveniently combine with occasional visits to Babylon in his function). HE 141 records a promise to pay silver to Šep-Sin. A remarkable fact is that in none of these documents are there any witnesses mentioned, while private documents were as a rule witnessed, so that it is doubtful whether these documents actually refer to Šep-Sin's private administration. It is very doubtful, whether we find the same individual in YBT VIII 172, supplying *kasap tappūtīm* to two persons in the 58th year of Rim-Sin. This act is witnessed.

Some questions regarding the activity of the *wakil tamkārī* of Hammurabi should still be discussed.

From what sort of people did the *wakil tamkārī* collect taxes? Firstly from fishermen etc. who had to pay their *zūtū*. Secondly from the *lú-geštin-na*, the dealer in spirits. This appears from the letter TCL XVII, 33, in which Marduk-našir wrote to the *wakil tamkārī* about 300 gur of barley the *šiqī* of the *lú-geštin-na* of Kisik, *ša bi-ti-ka*, "of your house" ²³⁰). The exact meaning of *šiqum* is not clear, but in this instance the word must have applied to some tax. Marduk-našir was *mār šak-kanakki*, the principal of Šep-Sin. Therefore the addressee may have been Šep-Sin, but he possibly, or rather probably, was another *wakil tamkārī*, as the matter in question concerned taxes levied in Kisik, and not in Larsa.

²³⁰) For this expression see nextly.

From the letter as it continues, it appears that these taxes were due to the palace. Consequently the *wakil tamkāri* had to collect taxes from the traders in spirits.

In the third place from *tamkāri*. This appears from the letter TCL XVII, 32. Here Belanum wrote to the *wakil tamkāri*: 227 gur šitat še'i tamkārimēš ša bi-ti-ka i-na bi-ti-šu-nu ú-hu-ur, "227 gur, the rest of the corn of the *tamkāri* of your house, lies overdue in their house" ²³¹). From this text, it appears that the *tamkāri* owed a certain amount of corn and that the *wakil tamkāri* had to take delivery of it. Belanum may have been an official who summoned the *wakil tamkāri* and the corn may have been a tax due to the government. UCP IX/4, nr. 5, shows that these taxes owed by *tamkāri* were also *zūtū*. In this letter Sin-muštāl (the *wakil tamkāri* of Ur) wrote to the *rabiānum* of Iakudu: aš-šum še-im na-aš-pa-ki-im ša mārimeš dSin-ēreš tamkārum ša qā-ti-ka zu-uz-zu-nu ú-ul iš-qu-lu m dSin-mu-ša-lim wakil NAM 5-šu-nu it-ta-al-kam, "concerning the barley storage of the sons of the *tamkārum* Sin-ēreš, who are under my competency, as they have not paid their *zūtum*, Sin-mušālim, their *wakil* NAM 5, shall come". The situation may have been this: Sin-muštāl had to collect *zūtū* taxes in his function of *wakil tamkāri*. This he did through the intermediary of his subordinate, the *wakil* NAM 5 Sin-mušālim, whose function will be discussed presently. This man was responsible for the collection of local taxes, inter alia from the children of a *tamkārum*, evidently because of the profession of their father, who is said to have been *ša qāti* of Sin-muštāl.

All the latter documents agree on this point that *tamkāri* and *lú-ges-tin-na* were *ša biti* or *ša qāti* of the *wakil tamkāri*. *Bitum* means house, and, as already said above when speaking of Abuwaqar, this word, if used in connection with a *tamkārum* mentioned by name, may have denoted his trading-house. So also in the letter TCL XVII, 32, the *bitišunu* may have been the trading-house of the *tamkāri*. The *wakil tamkāri*, however, did not have an ordinary trading-house, but was in charge of a government-office, and consequently, if his *bitum* is mentioned in connection with his activities, it would be better translated by "office". The *bit tamkārim* is spoken of in several other letters, all, like the preceding, from the times of Hammurabi and Samsuiluna. In YBT II, 64, it is stated that the addressee will obtain 15 šeqels in the *bit tamkārim*. In UM VII, 53, someone had promised, in the *bit tamkārim*, to satisfy another man, as he had taken the responsibility for a sum of silver upon himself.

The latter texts might point to a more public, or at least communal

²³¹) Ebeling (MAOG XV, 1/2, 32) transliterates [ša] qā-ti-ka and i-na qā-ti-šu-nu, but this reading seems to be incorrect with regard to the cuneiforms.

office

character of the *bīt tamkārīm*, and TCL XVII, 32, in which letter a number of *tamkārū* figure, but *bitišunu* may be taken as a singular, can also point in the same direction. This actually appears to have been the character of the *bīt tamkārī* in Cappadocia, where it was a place where silver could be borrowed and where payments etc. were claimed²³²). The nature of the *bīt tamkārīm* in the Mari letter TCL XXII, 21, is not clear.

If it is clear that the *wakil tamkārī* in the time of Hammurabi and Samsuiluna had some authority with regard to the *tamkārū*—which he probably did not have in the times of Warad-Sin and Rim-Sin, as no indications of it are extant from those times—, it becomes even more clear when we discuss the *wakil* NAM 5. At least 8 persons holding this title are known, all from Larsa, Ur and Kutalla (Tell Sifr), the latter towns being situated in the province of Larsa, and every one of the eight *wakil* NAM 5 held his post only during the reigns of Hammurabi and Samsuiluna. No *waklū* NAM 5 are known from Ur III times or before, from the time of the Larsa dynasty, or from North-Babylonia under the kings of Babylon.

It has already been observed that in the letter LIH 16, it is stated that *Še-ep-dSin wakil tamkārī ù [wakl]imeš 5 [š]a q[á-t]i-šu*, "Šep-Sin, the *wakil tamkārī*, and the *waklū* NAM 5 under his order" (who were to bring a sum of silver to Babylon). This shows that more *waklū* NAM 5 were subordinate to one *wakil tamkārī*. An enumeration and discussion of the *waklū* NAM 5 will elucidate their position and function.

1. Sin-mušalim, *wakil* NAM 5 in Ur, figures in the letter UCP IX/4, 5, already cited. The *wakil tamkārī* of Ur Sin-muštal had to collect *sūtu* tax from the children of a *tamkārū*. Obviously the *wakil* NAM 5 Sin-mušalim was to come to him to bring him this tax as the man responsible for it. Sin-mušalim, therefore, must have been a subordinate of Sin-muštal, who had to assist him in the collection of taxes. Here we already have an instance of the activity in which most *waklū* NAM 5 are found to have been engaged. Sin-mušalim stood to the children of the *tamkārū* in the relation of *their wakil* NAM 5. This points to a permanent relation, and that affords an indication that these children, and consequently at least some *tamkārū*, were in some way or other under the supervision of officials, in the first instance the *wakil* NAM 5, and in the second resort the *wakil tamkārī*²³³). The same point is illustrated by Š et A CLXXXIII, in which document the *tamkārū* of Ur níg-šu Sin-mušalim, "under the orders of Sin-mušalim" is mentioned, probably as having exchanged one individual, who stood under

²³²) Jena 275, RA XXI, 89, CCT IV, 32b, line 5. Cf. Eisser-Lewy, MVAeG XXXV, p. 30, note c.

²³³) A Sin-mušalim and a Sin-ereš are also mentioned in the letter YBT II, 67, but only a small part of this letter has been preserved.

the orders of somebody else, for another. The tablet is dated in the 8th year of Samsuiluna. It is remarkable that the name of the *tamkārū* is not mentioned, but only that he was subordinate to Sin-mušalim, who may have been identical with the person in the former letter. Sin-mušalim was already in function during the reign of Hammurabi, if it is assumed that the same man is one of the addressees in the letter UCP IX/4, 1, concerning the division of fields.

2. Watar-Šamaš was the other *wakil* NAM 5 who was, as we have already seen, under the orders (*níg-šū*) of Sin-muštal and at the same time active in his function in the government fish trade²³⁴). It is worthy of notice that he probably did not live in Ur, but in Larsa, as some letters addressed to him have been found there. From the letter YBT II, 10, it may also be deduced that he did not live in the same town as Sin-muštal. This letter is important in clarifying the relation of the *wakil* NAM 5 and the *tamkārū*: Ilušu-ibnišu wrote to Watar-Šamaš: *a-nu-um-ma a-na dSin-mu-uš-ta-al tup-pi uš-ta-bi-lam tamkārīmeš ša il-li-ku-nim pa-ni-šu-nu ša-ab-ta-am-ma a-la-kam li-pu-šu-nim*, "Now I have sent my tablet to Sin-muštal. Place yourself at the head of the *tamkārū* who have come. Let them make their journey". Ilušu-ibnišu may perhaps be assumed to have been *šakkanakkum*, when comparing YBT II, 38, line 15. As seen above Šep-Sin was under the orders of the *mār šakkanakkim* Marduk-našir. Ilušu-ibnišu, therefore, may be supposed to have been an official placed above Sin-muštal. The situation then may have been that Ilušu-ibnišu gave an order directly to Watar-Šamaš and that he informed the immediate superior of Watar-Šamaš, viz. Sin-muštal, of this order. The order itself was to the effect that Watar-Šamaš was to guide a caravan of *tamkārū*. From this it appears that the authorities were actively concerned with the trade of these *tamkārū*, and that these had to obey instructions issued by the authorities. It was not only incumbent on the *wakil* NAM 5 to collect taxes (*zūtū*) from *tamkārū* and other people, but evidently also to direct the *tamkārū*'s trade²³⁵).

3. Ilušu-ibi is known from a letter from Hammurabi to his governor in Larsa, Sin-idinnam (LIH 24): Ilušu-ibi the *tamkārū*, the *wakil* NAM 5, had informed Hammurabi that he had supplied 30 gur of corn to the *šakkanakkum* Sin-magir against receipt, but that he could not get his corn back. Hammurabi now writes to Sin-idinnam that he has inspected the document, and that the latter must order Sin-magir to return the corn with interest. The

234) HE 266. Cf. also YBT II, 34, a letter from Sin-muštal to Watar-Šamaš containing instructions about the taking receipt of fish, and, if not on hand, dates. Cf. Koschaker, ZA 47, p. 170, note 89.

235) Watar-Šamaš is probably also the addressee and recipient in the letters Š et A CCVIII and CLXXX, but the contents of these letters do not supply further information.

most important feature revealed by this letter is that Ilušu-ibi was both *tamkārūm* and *wakil* NAM 5. In the first place *tamkārūm*; this Ilušu-ibi may, therefore, have been by profession, while *wakil* NAM 5 may have been his function. So here is evidence that a *wakil* NAM 5 was a *tamkārūm*. Can this be assumed with regard to all *wakil* NAM 5? Koschaker²³⁶) is of this opinion, at least with regard to Watar-Šamaš. But, if it holds good for Watar-Šamaš, it may have been true for all *wakil* NAM 5. This assumption appears to gain support from the frequent concern of the *wakil* NAM 5 with *tamkārū* and his position in between the *wakil tamkārī* and the *tamkārūm*.

In the second place the fact that interest had to be paid on the sum supplied shows that the *wakil* NAM 5 could have private means, like the *tamkārūm* and the *wakil tamkārī*, and that he could carry on business with them on own behalf.

Ilušu-ibi is also mentioned as second witness in TCL XI, 174, the division of the inheritance of Idin-Amurru, therefore as a friend of Ibni-Amurru, who is thus once more shown in contact with a *tamkārūm*. He was the son of Nur-ilišu. This may have been the man who was *wakil tamkārī* in the 50th year of Rim-Sin²³⁷), and was probably mentioned as a *tamkārūm* and son of Urum in YBT VIII, 154, dated in the 58th year of Rim-Sin. If these identifications are justified, we should, in this instance, find a father and his son, both *tamkārūm*, the former moreover *wakil tamkārī*, the latter moreover *wakil* NAM 5, which would certainly point to a relation between the three occupations and a similar social position of their holders.

4. Ili-īšu was subordinate to the *wakil tamkārī* Šep-Sin in a record concerning the delivery of a great quantity of dates in the 42nd year of Hammurabi (HE 130).

5. Ibi-Nin-šubur was under the orders of the *wakil tamkārī* of Larsa Šamaš-šululi and concerned in the fish trade (TCL XI, 197 and 199).

6. Ibni-Adad, too, was subordinate to Šamaš-šululi, and concerned in the government fish trade in the time of Samsuiluna (Berens 94 and 95, HE 137).

7. Idin-Ištar figures in the Tell Sifr text nr. 78, dated in the 7th year of Samsuiluna. Tell Sifr, the ancient Kutalla, was in the vicinity of Larsa and it certainly was situated in the province of Larsa. The text runs: š á m (k u g -) a - a b - b a z ú - l u m s u m - s a r u š s u d u d u ù i à š a é - k a l - l u m a - n a k ā r L a r s a k i - m a i d - d i - n u - ú m l - r i - b a - a m - d Š i n m ā r U - b a r - d Š i n ù a ḫ ḫ ū m e š - š u k i I - d i - i n - I š t a r u g u l a N A M 5 ù Š i - l i - I š t a r g a b - r i - š u - n u m a ḫ - r u l i - i b - b a - š u - n u ṭ a - a b, "with regard to the price for sea-fish²³⁸), dates,

²³⁶) ZA 47, p. 171.

²³⁷) YBT VIII, 160.



²³⁸) This must be the correct reading, as the order of the articles is a usual one, especially in the trade of the *ēkallum*.

harvested garlic and oil, which the palace has delivered to the quay of Larsa, Iribam-Sin, the son of Ubar-Sin, and his brothers have received their counter-value from Idin-Ištar, the *wakil* NAM 5, and Šili-Ištar, and their hearts are satisfied". This text may be viewed in the same light as the texts discussed by Koschaker, ZA 47, p. 151, and be explained as follows: Iribam-Sin and his brothers had to deliver fish, dates etc. of a certain value to the palace, probably as a tax. They did not deliver them to the palace, as the palace had offered this produce for sale on the *kārum*, but the *wakil* NAM 5 and a colleague received it on the *kārum* on behalf of the palace and they gave to Iribam-Sin and his brothers either the counter-value, or a receipt stating that they had delivered produce at the fixed price, which may be the meaning of *gabrum*²³⁹). The function of Idin-Ištar was not different from that of the previously-mentioned *wakil* NAM 5. In this connection also, Tell Sifr 70 is clarified to a certain extent.

8. Abum-waqar is the *wakil* NAM 5 mentioned in this text, dated in the 5th year of Samsuiluna, and running: 3 gín kù-babbar ša-bi-lu lib-bi zu-ut mārēmeš U-bar-dSin mEri-ba-dSin a-na A-bu-um-wa-qar ugula NAM 5 kù i-lal-é a-na sa-pi-ti-šu (?) ha-ra-an ši-ri-im gi-im-ra-am ù zu(?)-[t]a-am i-na-ad-di-in, "3 šeqels of silver šabilu, belonging to the *zūtum* of the sons of Ubar-Sin, has Eriba-Sin paid to Abum-waqar, the *wakil* NAM 5". The rest of the text is not clear²⁴⁰). Here we find the same taxable individuals as in Tell Sifr 78, the sons of Ubar-Sin, represented by Eriba-Sin. In this instance Eriba-Sin paid a part²⁴¹) of their *zūtum* in silver to the *wakil* NAM 5. This individual therefore acted as a tax collector here, and this lends support to our exposition of Tell Sifr 78, that in this document also a payment of a tax was recorded²⁴²).

Resuming what has been elucidated in the preceding pages, it can be

239) Delitzsch (HWB, p. 193) defines *gabru* as: "eine Sache die einer andern gegenübertritt, d.i. entspricht", this may be countervalue, and also a reply, in casu a receipt. The permansive construction of the sentence cannot be expressed in the translation.

240) J. G. Lautner (Festschrift Koschaker III, p. 40 ss) reads *ir-bi-ti-šu* instead of *sa-pi-ti-šu*, but  is not found for *ir* in Old-Babylonian times, but actually for *sa* (Cf. Ch. Fossey, Évolution des cunéiformes, pp. 515 and 249), and *bi* is written  elsewhere in the same text. Instead of *zu(?) - ta-am* Lautner reads *ba-[ab]-ta-am*, but there is not enough space for this reading. Indeed, the second part of the text is inexplicable, when read in this way, but it is better to accept a "non liquet" than a reading which, for the rest, is not intelligible either with regard to the former part of the text.

241) Named *šabilu*. The sense of this word is not clear. Cf. Lautner, Festschrift Koschaker III, p. 40.

242) In a number of texts an *ugula* NAM 10 figures. This man need not be considered here, as the title seems to have been a military one. The title occurs already in the Ur III period (UET III, 1414; cf. 2 and 17). Cf. F. R. Kraus, MVAeG 35/2, p. 62. It cannot be ascertained if the title *wakil* NAM 5 also had its origin in the military sphere.

stated that in the time of Hammurabi and Samsuiluna, there was a hierarchic sequence: king - governor of Larsa (and/or (*mār*) *šakkanakkim*) - *wakil tamkāri* - *wakil NAM 5* - *tamkārūm*. The last three individuals mentioned, were entrusted with trading for the government, the *wakil tamkāri* and the *wakil NAM 5* moreover with the collection, and especially the administration of (*gūtū*-)taxes. In so far as these taxes, paid in natural produce, were not needed by the government or were perishable, they sold them. For the silver received they probably bought articles needed by the palace; they made deliveries by order of the king, and the rest of the silver together with produce required in north Babylonia, they brought to Babylon. All three probably kept business-accounts for the palace, but besides this they had private means, with which they carried on their own trade. The paragraphs of the CH, discussed in part I, refer to the latter kind of business. The *wakil tamkāri* may have been a rather high official. On the other hand, there is no evidence that the *tamkārū* were wealthy men in the time of Hammurabi and Samsuiluna. Nothing is known about their property, and only very little about their business at that time.

The assumption that the *wakil tamkāri*, described here, was the successor of the Old-Sumerian *gal-damkara* in Lagaš and other towns may seem justified. The *gal-damkara* stood in close connection with the *patesi* and directed the trade of the state. But no *gal-damkara* is known from the whole intermediate period, i.e. that of Ur III. In the time of the Larsa dynasty and afterwards, the title *gal* (*rabūm*) was no longer in use for high officials and it had been replaced by the designation *waklum* (*ugula*), which had been used for the chiefs of lower personnel in earlier times. Now the word had come to be used for persons with a special function attached to various kinds of occupations, such as *tamkārū*. Consequently, either a development may have taken place, so that the *wakil tamkāri*, who from old had stood in close relation with the palace, must have been maintained in his position in the course of the centuries, so that still during the Larsa and Babylon dynasties he was the official who directed the government trade—a development of which there is no evidence—, or a new function must have been created in accordance with what was still remembered of the old institution or on the analogy of other functions. As an accessory task, he was to collect and administer taxes owed by *tamkārū* and other businessmen. The *tamkārū*, however, who from old had had little direct contact with the palace, may have developed into purely private traders (as shown by the older Larsa contracts) who may have owed certain taxes to the palace and—a possibility which must not be ruled out in spite of lack of evidence—were perhaps sometimes concerned in the government trade. In the time of the Babylonian supremacy, the latter trade

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seems to have regained importance. The *wakil tamkāri* in the Larsa period may be supposed to have come from the circle of the *tamkāru*; for the Hammurabi period, the same may be assumed. Accordingly, the possibility must be reckoned with that the *wakil tamkāri* was not only an official of the king (as is proved already by the fact that he could also carry on private business), but at the same time a representative of the *tamkāru* with the king. Evidence in support of this suggestion cannot be adduced, but its likelihood would have been enhanced if the *wakil tamkāri* had been appointed by the *tamkāru* themselves from their midst. This supposition, however, would be unsupportable. For the Old-Sumerian *gal-damkara* must certainly have been appointed by the patesi; a man like Itti-Sin-milki can only have been appointed by the king to carry on his trade and keep his account; and in the time of Hammurabi, by far the most important duties of the *wakil tamkāri* were his official ones. The *wakil tamkāri* was, in the first place, the king's business-man and the king's representative among the *tamkāru*, and as such he was to be considered as an official²⁴³). He may have been chosen by the king from among the *tamkāru* as a man who was especially able or influential in his profession.

243) L. Oppenheim, JAOS LX, p. 70, considers the circumstance that the *wakil tamkāri* was responsible for the non-payment of taxes owed by citizens in the district appointed to him, as an impediment to designate him as a government official, but this is not correct. Indeed, it is not usual for present-day officials, but it is not incompatible with a person being an official, of which in the first place the appointment by the government is characteristic.

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CHAPTER EIGHT

SIPPAR

When we now turn to Sippar, we come to the most Semitic part of the first Babylonian kingdom. The town, situated at no very great distance from Babylon, seems even to have been the royal residence in the second half of the reign of Hammurabi ²⁴⁴). By far the greater part of the documents from north Babylonia, dated in the first Babylonian dynasty, originate from this town. A part of these documents is dated from the reigns of Hammurabi and his predecessors, but the greater part was drawn up during the reigns of his successors. The average date of these documents is, therefore, somewhat later than that of the Larsa texts. The general character of the documents found in Sippar differs from that of the Larsa texts in various respects. A large percentage of these documents relates to the activities of the *nadītū*, the priestesses of Šamaš, who lived in the *gagūm*, the convent, and therefore these documents were probably found there. Spade and pickaxe do not seem to have hit a merchants' quarter: the number of people designated as *tamkārū* in the records is only very small. From the long period of about 200 years from which most Sippar documents date, only some ten tamkārū are known, and that as a rule only from a single text:

Abum-waqar, who may have lived in the time of Sin-muballit, is said to have received $\frac{1}{3}$ mina of silver from Arnabatum in VS VIII, 77. What was done with the silver after this is not clear, but it is of some importance that the witnesses were six women, who may perhaps be supposed to have been priestesses of Šamaš, so that the business was done in the *gagūm*.

Sin-pilah is the only tamkārū known from the reign of Hammurabi, and that only by his sealing a deed by which a father gave a house to his daughter who was a *nadītum* (BE VI/2, 70). Consequently, again a document from the *gagūm*.

Šamaš-rabi, a *tamkārū* mentioned as 14th in an enumeration of 20 persons, dated in the 6th year of Samsuiluna (F 45) ²⁴⁵).

²⁴⁴) Cf. F. M. Th. Böhl, King Hammurabi of Babylon in the setting of his time, Mededelingen Kon. Ned. Ak. van Wet., Afd. Letterkunde, Nieuwe reeks IX, 10, p. 22.

²⁴⁵) The reading *tamkārū* is not absolutely certain here. The first cuneiform looks more like *ni*, for which reason Th. Friedrich (BA V, p. 442) read *ni.ku* (*daiānum*).

200 yrs
10
tamkārū

Idin-Ištar, a *tamkārum*, who is said to be an *awil Sipparim*, but who lived in Kar-Šamaš, had to be called back to pay a tax (*nemettum*) in Sippar under an order from king Abi-ešuh, in his letter LIH 90²⁴⁶).

Sin-idinnam, *tamkārum* of Sippar, and the *daiānū*, the judges of Sippar-Iahrurum, are said to have received barley, certainly as a tax, in CT VIII, 27b, dated in the reign of Abi-ešuh. As will be seen below, a *wakil tamkāri* was often mentioned together with *daiānū* and as concerned in the same activity, and therefore it may be worth considering if the word *tamkārum* is not used here instead of *wakil tamkāri*. Sin-idinnam was a very usual name and there were also various *daiānū* of the same name²⁴⁷), which, however, was also borne by a president of the *kārum*²⁴⁸), and he may have been a *wakil tamkāri*. A *tamkārum* of this name is also found in VS IX, 217, a list of various persons.

Sin-išmeani, the son of Awilia, is said to be a *tamkārum* in BE VI/1, 85, dated in the 32nd year of Ammiditana. In this document it is stated that Sin-išmeani has given 14 šeqels of silver for the purchase of grain—which money he had received from the department of Utul-Ištar (to be explained below)—to Ilušu-ibi, who had to deliver the grain within 10 days to the bearer of the receipt. Thus Sin-išmeani probably acted as an agent of the palace with palace funds. There were more documents of a similar kind, but in these it is stated that the same commodity as that received from the palace is to be returned—corn in BE VI/1, 86, silver in BE VI/1, 87—and this is an indication that speculation was not the objective, but only the granting of loans by the palace, on behalf of which Sin-išmeani and others delivered the receipt to individuals to whom the palace owed the same amount. It may be suggested that such individuals were persons who had delivered wool to the palace, as the scribe Utul-Ištar managed the wool department, but there is nothing to corroborate this suggestion.

The name Sin-išmeani is a usual one, but with some degree of certainty we may assume that he was the same man who acted as a witness in the sale of a house in Sippar-Amnanim in BE VI/1, 88, as also in this connection he is said to be the son of Awilia, together with his brother Ibni-Šamaš.

Awil-Ištar is also said to be a son of one Awilia in UM VII, 100, but the date of this letter is not known and the man lived in Sippar-Anunitum. He was a merchant who dealt in female slaves. The writer of the letter complains that she had paid for three slaves, but had only received two. This was typically private business.

On the contrary.

246) The *daiānū* of Sippar-Iahrurum Idin-Ištar, mentioned in BE VI/1, 105, dated in the time of Ammišaduga, therefore at least 40 years later, must have been another individual. A *wakil tamkāri* of the same name in note 280.

247) Cf. RA XI, p. 177, Wat. 29.

248) Cf., e.g., LIH 89, 92, 103, etc.

*if slaves were sold
exclusively through T., why then
'typically private business'?*

Idin-Marduk is only mentioned as the husband of a woman who had received some natural-produce from the temple of Tašmetum, in CT IV, 8b, dated in the 13th year of Ammiditana.

du^uki-idinnam, *tamkārūm*, was the father of a man, Naram-ili, who was a witness in the lease of a house (UM VIII/2, 222, date unknown).

Tamlatum, the son of Qiš-Anum, is said, in the letter CT IV, 32, to have hired a ship together with a boatman, and to have had it sent down the river to Babylon to carry bricks.

In CT II, 49, a certain Idin-Sin wrote a letter to a relative, evidently living in Sippar, in which he complained that on his arrival at Arrapha his *šamallūm* had absconded with his ass. As Idin-Sin was the principal of a *šamallūm*, he may be supposed to have been a *tamkārūm*. The rest of his letter concerns his trade, which was rather extensive and apparently of a private character.

Ilušu-bani, son of Ibi-Ilabrat, was a *tamkārūm*, who was possibly, though not certainly, an inhabitant of Sippar. In the letter UM VII, 47, he wrote to a certain Luštamar, inter alia, on the subject of persons taken in pledge from the daughter of Iasi-ili. The *tamkārūm* was apparently here somehow concerned in a debt. The name Ilušu-bani, again occurs too frequently to make it possible to identify this *tamkārūm* in other documents.

Thus the number of *tamkārū* known by name is only small. The reason for this fact might not have been that it was not usual to mention a man's profession. For it is also impossible to denote persons who were *tamkārū* with a view to the business they carried on, just as it was possible in Larsa. As has been stated (p. 96 supra) no archives have been found, which could be recognised as those of *tamkārū*. On the other hand in Sippar the archives of *nadītū*, priestesses of Šamaš, have been found; these women were occupied with various kinds of transactions and played an important part in economic life, lending silver and corn, supplying capital for trade expeditions etc. Like the *tamkārū* in Larsa, the *nadītū* in Sippar invested their money in houses and landed property, which they let out on lease. This business of the *nadītū*, already referred to en passant, will not be discussed here.

Although the number of *tamkārū* is not large, the enumeration shows some important features as to their activity and social position. There is no information about the dwelling place of the *tamkārū*, but they lived in Sippar-Amnanum and Sippar-Anunitum as well. In the first place the *tamkārūm* is shown as a travelling merchant, who probably did private business, and as a money-lender. In the second place, in the instance of Sin-išmeani, the *tamkārūm* was concerned in government dealings. This government trade, mainly in wool, will be discussed together with the *wakil tamkārī* in Sippar. In CT VIII, 2b, dated in the 34th year of Ammiditana, *tamkārū* also acted for the palace. This document appears to be an account, apparently of silver

received by some authority. This text states: *2 manē ša šim alpi šatti 2 ša i-na ēkallim a-na tamkārimeš in-na-ad-nu it-ti tamkārimeš rē'ūmeš i-ša-mu kaspam i-na bīt rē'i it-ta-ad-di-nu-ma a-na nikkassim iš-ta-ak(?) -nu-ni*, "2 minas of the price of a heifer, which in the palace was given to the *tamkārū* and from the *tamkārū* herdsman have bought; the silver they have given in the house of the herdsman and placed(?) on the account". This may be interpreted to mean that the palace gave a heifer to the *tamkārū*, to be sold by them, and that the latter sold it to the herdsman. These paid the money, probably not to the *tamkārū*, but to the person who kept the account. The *tamkārū* would then only have had the function of intermediaries in this transaction, acting for the palace. The rest of the document is not entirely clear, the text having been partly obliterated, but this much is clear that it concerns a cattle account of the palace and a delivery is made to Utu-šumudib, an individual who will be described below, and to a certain Etirum.

In the third place, just as in Larsa, the *tamkārū* had to pay certain taxes to the government. This appears from LIH 90, recording that the *tamkārū* Idin-lštar had to pay a tax to the king, and also from the letter LIH 86, addressed by king Abi-ešuḫ to officials, probably the *daiānū* ²⁴⁹), in Sippar. This text treats *tamkārū* in general. It appears that *tamkārū* of Sippar were have come to Babylon to bring a special kind of taxes, *igisu*, but had failed to do so. The addressees now received instructions relating to the collection of these taxes and the letter ends: *ū at-tu-nu tamkārūmeš be-el pi-ḫa-tim kaspam igisā tamkārimeš šu-nu-[ti] li-iš-mi-du-ma li-il-qu-ni-[i]k-ku-nu-ši-i[m] šum-ma kaspam igisā-šu-nu la uš-ta-b[i-lu-ni-ik-ku-nu-ši-im] tamkārūmeš šu-nu-ti a-na ma-a[h-ri-ia] li-ir-du-[ū-nim]*, "and you, cause the *tamkārū* who are responsible ²⁵⁰) to collect the taxes of these *tamkārū* and then bring to you. If they do not bring their taxes to you, let these *tamkārū* then be brought before me". From this text it may be deduced that the Sippar *tamkārū* as such, i.e. because they held the occupation, had to pay a certain tax. As *bēl piḫātim* has to be conceived as a term denoting the responsibility of a person, it appears moreover that, among the *tamkārū*, some were responsible for the collection of these taxes, which had to be delivered to the king through the intermediary of the authorities of Sippar. As will be seen below, the *kārū* and the *daiānū* in Sippar, to whom also the *wakīl tamkāri* belonged, were concerned with the collection of taxes ²⁵¹). It is not known what kind of tax the *igisu* were.

249) Thus Ungnad. King reads *tamkāri*, but letters of the king concerning the government were frequently addressed to the *daiānū* of Sippar, but never to the *tamkārū* of Sippar.

250) *Bēl piḫātim* is the name of an official in later times, but here *piḫātim* is probably used in its original sense of responsibility and a *bēl piḫātim* may have been a responsible man.

251) LIH 79.

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(a)
(b) The *tamkārū* in Sippar may be compared with the *tamkārū* in Larsa during the reigns of Hammurabi and Samsuiluna, both as regards their being concerned with the government trade in mass-produce and as regards their obligation to pay taxes to the government; these taxes were collected by representatives of the *tamkārū*, but these are not found designated as *wakil* NAM 5 in Sippar.

The *wakil tamkārī* in Sippar. There are more *wakil tamkārī* than *tamkārū* known by name from this place. But not only is a larger number known, our factual knowledge of these men is also greater. Some are found in a number of records. Like those in Larsa, they will be discussed chronologically.

Aham-nirši was one of the men who acted as witnesses when two individuals came to a settlement in a case concerning a house during the reign of Apil-Sin (CT IV, 7a). Nothing further is known about this man.

Sin-iqišam lived in the time of Sin-muballit. In VS VIII, 71, questions, arising from a partnership, after the death of one of the partners, were settled in a *di-in bit dšamaš i-na é-ba b b a r*, "a judgment of the temple of Šamaš in Ebarra". Among the arbiters was Sin-iqišam, the *wakil tamkārī*. CT VIII, 1a and 4a, contain divisions of property, and end with an oath. Sin-iqišam and some other persons (among whom the *rabiānum* of Sippar-Abdirah) were among the witnesses in both cases.

Ušur-pi-Ištar was another *wakil tamkārī* in the time of Sin-muballit. In CT VIII, 16a, a house adjacent to his was included in a divided property.

Pi-Šamaš was present at a judgment by Išarlim, the *rabiānum* of Sippar, and the *kārum* of Sippar in the time of Hammurabi (CT VI, 47b).

Adad-idinnam (dīm-ma-an-si) was the first witness in a document setting forth the share which had been granted to a woman by her father during her lifetime, dated in the 33rd year of Hammurabi (CT VIII, 5b).

Ilušu-bani, son of Naram-ilišu, was said to be *wakil tamkārī* acting as a witness at the purchase of some property by a *naditum* in UM VIII/2, 261, as in the following tablet probably found in Sippar. In UM VIII/2, 263, dated in the 38th year of Hammurabi, it is recorded that the same man received 50 sucking lambs, worth $2\frac{1}{2}$ mina of silver, from a certain Imgur-Sin. The act was not witnessed; probably Ilušu-bani may have acted in an official capacity, which may have been expressed in the first line of the reverse of the tablet, of which the beginning is destroyed.

Ibqu-ilišu was a prominent *wakil tamkārī* during the reign of Samsuiluna, and is known from the second until the 29th year of this reign. Walther ²⁵²⁾

²⁵²⁾ Gerichtswesen, p. 14-15.

believes that the same man, being a son of Šarrum-Šamaš, already figures in documents of the time of Hammurabi, but this cannot be proved, as the name was a rather usual one. In any case the man will hardly have been *wakil tamkāri* at that time. In CT VIII, 24b, dated in the 2nd year of Samsuiluna, two women, perhaps priestesses, applied to the judges of the king. These *daiānū* were Sin-išmeani, a judge in Babylon, and Sinnatum, but their names are preceded by that of the *wakil tamkāri* Ibqu-ilišu. Then he figures in a list of 32 *šabē*, people, dated in the 8th year of Samsuiluna, together with his brother Anatum (UM VIII/2, 227, 4). In Wat. 28, probably dated in the 9th year of Samsuiluna, he was a witness at the purchase of a large piece of land by a *naditum*, together with the *daiānum* Nuratum, the son of Ibqu-Anunitum, and a number of other officials. In BE VI/1, 61, dated in the 24th year of Samsuiluna, it is recorded that a *naditum* of Šamaš has bought a field, payment to be made to the palace. First witnesses were again Nuratum, the son of Ibqu-Anunitum, and Ibqu-ilišu, the *wakil tamkāri*. CT VI, 20a, dated in the 29th year of Samsuiluna, records the sale of a plot of land to a *naditum*, which plot (without the house) the seller had bought from Ibqu-ilišu.

Šamaš-našir, who lived in the time of Abi-ešuḫ, examined as *wakil tamkāri*, together with the judges (*daiānū*) of Sippar, two tablets concerning silver given *ana taḫḫūtum* (BE VI/2, 91) ²⁵³).

Marduk-našir. TCL I, 148, dated in the 21st year of Abi-ešuḫ, records that two persons had received silver for certain ends from Marduk-našir, the *wakil tamkāri*, the *kārum* of Sippar and the *daiānū* of Sippar. This Marduk-našir, together with the *kārum*, is addressed in various letters from Abi-ešuḫ ²⁵⁴).

Šamaš-bani was *wakil tamkāri* in the first year of Ammiditana; he then acted as a witness, his name being followed by those of the *daiānū* Sin-idin-nam, Warad-Sin, and Ilušu-bani, and some other individuals, in the receipt of the rest of 6 minas of silver, the price of 5400 sar of land, purchased by the *naditum* Aia-rišat, daughter of Ilušu-ibni (Wat. 29). Aia-rišat was a wealthy priestess and her father was, as shown by CT VI, 6, the *wakil tamkāri* Ilušu-ibni. The latter document tells us that, in the 11th year of Ammišaduga, she had bought 1500 sar of field in the district of Sippar-Iahrurum from Šamaš-bani, the son of Sin-idinnam, who had obtained this land at the division of his father's inheritance with his brother Marduk-našir. The names of these brothers are exactly the same as those of the last two *waklū tamkāri* mentioned. Would the conjecture be too bold that these

²⁵³) A *tamkārum* of probably the same name, son of Be-..., had the cylinder seal, Corpus of Ancient Near-Eastern seals, nr. 428.

²⁵⁴) E.g., LIH 91, 93, 84.

persons were actually identical and that the two *wakil tamkārī* were brothers, although both names were very usual? Then all transactions would have taken place in the circle of the *waklū tamkārī*, who, as appears from the wealth of Aia-rišat, were rich men and large landowners. However, a serious, although not an insuperable objection against the identification, is that Ilušu-ibni was not *wakil tamkārī* until after Marduk-našir and Šamaš-bani.

Ilušu-ibni, just mentioned, was the next *wakil tamkārī*. For the first time he figures in that function in the 5th year of Ammiditana in CT VIII, 30c, as the recipient of a sum of silver, paid by various persons and also himself, which was part of the price received for wool by the Šamaš temple. At the end of the text Ilušu-ibni is mentioned again with the *daiānū* of Sippar, as the officials concerned in the matter. In CT VIII, 8b, dated in the 15th year of Ammiditana, Ilušu-ibni was concerned in the distribution of grain of the Šamaš temple. Then in CT VIII, 36a, dated in the 26th year of Ammiditana, it is stated: 1 talent of wool belonging to the palace (its price is 10 šeqels of silver), that Ilušu-ibni, the *wakil tamkārī*, has received from the palace, department of Utul-Ištar, the scribe, from Ilušu-ibni, the *wakil tamkārī*, Taribum and others have borrowed. When the palace demands it, they shall pay the silver to the palace". Thus Ilušu-ibni sells wool of the palace on credit. He only did it on behalf of the palace, as clearly appears from the stipulation that the price was to be paid to the palace when the palace desired it. Here we meet again with an instance of wool-trade by the palace (the government) in Sippar under Ammiditana and Ammišaduga, which was managed by the *abī šābē*, later on *tuššarrum*, Utul-Ištar, and in which also Ilušu-ibni's son Utu-šu-mundib and *daiānū* were concerned. Koschaker has remarked on this business in ZA 47, p. 141, note 15.

Two daughters of Ilušu-ibni are known, both *nadītū* of Šamaš, Aia-rišat, already mentioned, and Aia-tallik, who is said to have lent a gur of corn to another *nadītum* in Wat. 18.

Utu-šu-mundib, denoted as the son of the *wakil tamkārī* Ilušu-ibni in Wat. 19, was a *daiānum* at first, figuring as such in the documents since the 29th year of Ammiditana²⁵⁵). As he was a *daiānum*, all the texts in which he figures have been enumerated by Walther, Gerichtswesen, p. 43 s. Here only a few texts will be discussed which are of interest as throwing light on the position of the *wakil tamkārī*. In CT VI, 37c, Utu-šu-mundib is shown in the same legal position as that of his father in CT VIII, 36a; it is stated: 1 mina of wool belonging to the palace, department of Utul-Ištar, a certain Sin-nadin-šumi had received from Utu-šu-mundib. As soon as the palace required it, Sin-nadin-šumi was to pay the palace according to the

²⁵⁵) CT VI, 37c.

standard rate. From this text it appears that Utu-šu-mundib sold wool for the palace on credit. The wool was *namharti ekallim*, "received by the palace" ²⁵⁶). From whom the palace had received the wool is not known; perhaps, or even probably, it consisted at least partly in taxes, like the fish in Larsa, but on the other hand the palace may be supposed also to have bought wool ²⁵⁷). Utu-šu-mundib is recorded to have performed a similar act in Wat. 19, CT VI, 35c, and CT VIII, 11c. CT XXXIII, 31, records the payment of the price to Utu-šu-mundib in a similar case. It was not only the *daiānum* Utu-šu-mundib who sold wool on behalf of the palace, but also other *daiānū*, e.g. Idin-Ea in BE VI/1, 87, and Warad-ilišu in BE VI/1, 91. Idin-Ea was also concerned in other business of the department of Utul-Ištar, e.g., lending grain for agriculture ²⁵⁸). Besides these, other people performed the same and similar acts ²⁵⁹), and also remarkably, as already stated, a *tamkārū*, notably Sin-išmeani, the son of Awīlia.

Under Ammišaduga the same Utu-šu-mundib is denoted as *wakil tamkārī*, e.g., in CT VIII, 10c and 21b, acting as the administrator of a large quantity of grain of the palace in the silo in Sippar-Amnanim, out of which he supplied small quantities to various persons on loan till the next harvest.

Like his sisters, Utu-šu-mundib possessed private property, as may be deduced from the not altogether clear tablet TCL I, 221.

Awil-Sin was *wakil tamkārī* in the later years of the reign of Ammiditana, as appears from a contract on the lease of land by a *naditum* of Šamaš, dated in the 32nd year of this king, in which he was a witness (CT VIII, 40d). He was probably the same man who was a *daiānum* under Ammišaduga and the son of Sin-bel-aplim. He owned fields and a house (CT VI, 6, Wat. 75 and CT VIII, 23b).

Utu-šu-mundib, stated to have been *wakil tamkārī* in the 5th year of Ammišaduga, has already been described.

Ibni-Adad is proved to have been *wakil tamkārī* in the same year (some months later) in CT VIII, 11b, being (with a *daiānum*) a witness in the lease of land by a *naditum* of Šamaš. In the next year Ibni-Adad, the judges of Sippar and some others acknowledged the receipt of grain into the silo of Sippar-Amnanim. He had died before the 14th year of Ammišaduga, as then his sons Iddatum and Bazizum were concerned in a lawsuit about a field that Ibni-Adad had bought (M 42). The *daiānum* Ibni-Adad, mentioned in CT VIII, 36c, in the 8th year of Ammiditana, may have been another person.

256) Cf. Koschaker, ZA 47, p. 168.

257) Cf. BE VI/1, 85, and p. 97 above.

258) BE VI/1, 86. Cf. further BE VI/2, 120.

259) Cf., e.g., CT VIII, 21a and 30b.

pussafurina

Adad-idinnam (certainly not the same one as the individual of this name already mentioned) figured as *wakil tamkāri* in the time of Ammišaduga. In BE VI/1, 105, he was the first witness in the purchase of a house by a *nadītum* of Šamaš, followed by a *rāb sikkatim* and a *daiānum*. In the letter UM VII, 103, a certain Ibqu-Anunitum complained that the *wakil tamkāri* Adad-idinnam had demanded the field that he had had on lease from the children of Baginu for five years, and which he had tilled for ten years.

If we now consider the evidence of the various instances of the *wakil tamkāri* in Sippar, it can be stated in the first place that there is no document in which more than one *wakil tamkāri* occurs at the same time. Nor can it be established that there were more *waklū tamkāri* at the same time by a comparison of documents. Only once did two *waklū tamkāri* occur in the same year, Utu-šu-mundib and Ibni-Adad, but there was an interval of some months, and in the case of the former, it was the last time, in the case of the latter, the first time he figured as *wakil tamkāri* in the documents. In jurisdiction, invariably only one *wakil tamkāri* was present besides several judges (*daiānū*) and, as shown by VS IX, 62, the title of *wakil tamkāri* sufficed to indicate an adjacency. All this points to the conclusion that there was only one *wakil tamkāri* at the same time in Sippar, at least in one district of Sippar. For the letter LIH 55 is addressed to the *wakil tamkāri* of Sippar-Jahrurum, therefore of a district of Sippar.

In the enumeration of the *waklū tamkāri* in Sippar, in the aggregate fifteen, there were only occasional allusions to their family relations. Perhaps, or rather probably, there were relations of kinship between these men and various *daiānu*, judges, but the frequency of the same names in Sippar, greater than in Larsa, renders identifications often difficult or uncertain. The relations described show 1° that some *waklū tamkāri* were connected with *nadītū* of Šamaš and that others acted as their witnesses, 2° that *waklū tamkāri* had also been *daiānū* during their lifetime and that they were often mentioned together with *daiānū* and the *kārum* of Sippar. From the latter fact it may be deduced that they were, as in Larsa, concerned in the jurisdiction. But on the other side the *daiānū* had not only a task in jurisdiction, but, together with the *wakil tamkāri*, also in the receipt and sale of palace wool. Instances were adduced in the description of Utu-šu-mundib. A quite usual combination in the texts mentioned is: *wakil tamkāri u daiānūmeš Sipparki*. As this sequence never varies, the presumption that the *wakil tamkāri* may have functioned as president of the college seems justified. This presumption gains support from the fact that persons, who can be stated to have been *daiānum* and *wakil tamkāri*, held the latter function only after they had held the former. At first sight it does not appear that this college, the *kārum* of Sippar, only sat in cases of commerce, as among the parties

daiānum

h

there was in many instances a *nadītum*, but these *nadītū* played an important part in the commerce of Sippar and this may have been the reason why they often had to apply to the judges of the *kārum* with the *wakil tamkāri* as president.

From the texts cited it is quite clear that the main activity of the *wakil tamkāri* was in the government trade, as in Larsa in the same time. In Sippar, this trade was chiefly in wool. As in Larsa, besides silver and palace goods, the *wakil tamkāri* also held private property. This is indirectly inferred from the wealth of their heirs, like Aia-rišat, the daughter of Ilušu-ibni, and direct proof is afforded in the case of Utu-šu-mundib and by the text VS IX, 62, concerning the lease of a field adjacent to that of the *wakil tamkāri*.

The *kārum* and the *daiānū* were also concerned in the collection of taxes in Sippar, as already observed when describing the *tamkāri*. This also may be deduced from, inter alia, LIH 79, a letter to Sin-idinnam, the *kārum* of Sippar and the *daiānū* of Sippar, concerning the collection of a tax. Sin-idinnam may have been *wakil tamkāri*, as he was the president of this college. The *wakil tamkāri* was clearly concerned in tax collection in LIH 84, in which letter Marduk-našir was ordered by Abi-ešuḫ to see that a field, from which tax was due, was harvested. The *wakil tamkāri* was responsible to the king for the taxes, as appears from the letter LIH 55, in which the *wakil tamkāri* of Sippar-Jahrurum was urged to bring his tax of wool to Babylon. The same letters show clearly that the *wakil tamkāri* was subordinate to the king.

Who appointed the *wakil tamkāri*? It was supposed, in describing this functionary in Larsa, that, at least after the conquest by Hammurabi, the *wakil tamkāri* was appointed by the king. The same may be assumed in respect of Sippar for identical reasons, notably on the ground of the important function the *wakil tamkāri* held in government commercial activity. This assumption is supported here by CT VIII, 24b. In this case parties applied to the king's judges, who evidently held assizes in Sippar. Such judges, one of whom is moreover said to have been a judge of Babylon, were certainly appointed by the king. However, in the document, which embodies the judgment, these royal judges were not mentioned first, but the Sippar *wakil tamkāri* Ibqu-ilišu. The application to the royal judges can only have been made with the object of obtaining a judgment by judges who had not been appointed locally, either by the local authorities or as arbiters by the parties; but this would not have had the desired effect if the president was not a royal official as well. This president, the *wakil tamkāri*, must consequently have been appointed by the king.

When comparing the Sippar *wakil tamkāri* with those in Larsa, there is

wool + fish
 ① a definite resemblance, at least during the reigns of Hammurabi and Sam-suiluna. In both towns they were concerned in the trade of the palace, in Sippar, so far as is known, mainly in wool, in Larsa mainly in fish. Differences certainly may have existed, but these appear to have been only minor ones, dependent on the nature of the produce traded and on local circumstances. For as has been seen, already during Rim-Sin the *wakil tamkāri* in Larsa carried on the trade for the palace, and Hammurabi certainly built on this existing organisation. In both towns the *wakil tamkāri* was charged with the collection of taxes. And finally in both towns the *wakil tamkāri* had a judicial function in Larsa already before Hammurabi. A difference appears to have been that in Larsa the *wakil tamkāri* came from the circle of the *tamkāru*, whereas there is not the least indication that this was the case in Sippar. There they were chosen rather from the circle of the officials, especially the *daiānū*.

② With these conclusions we have cleared the way for a following chapter. But first we will see what is known about the *tamkārum* in other Babylonian towns.

Larsa + Sippar
 at least during
 of Ur + his successors
 " a definite resemblance!

CHAPTER NINE

OTHER TOWNS

A. DILBAT

A number of documents have come down from this north Babylonian town, most of them edited by Gauthier in "Archives d'une famille de Dilbat" and by Ungnad in VS VII, while a number of other documents are in the Leiden collection and have been described by Böhl in „Mededeelingen uit de Leidsche Verzameling van Spijkerschrift-inscripties" II, p. 12 ss. The texts are of the same nature as those from Sippar and on the whole show a north Babylonian character ²⁶⁰).

The family referred to by Gautier in the title of his book, is that of Idin-Lagamal, who lived under Sumu-abu and Sumu-la-ilu, and whose pedigree can be traced until the reign of Hammurabi. Idin-Lagamal, the son of Ili-amrani, is found from very beginning of the first Babylonian dynasty as a wealthy inhabitant of Dilbat, buying houses and fields and making these estates remunerative. He is found as a witness of a deed dated as early as in the 2nd year of Sumu-abu (G 1), but soon after he himself was the acting person and this activity he continued under Sumu-la-ilu. Probably he died before the 26th year of Sumu-la-ilu, because in that year his sons Naḫilum, Makkur-Nanna and Tutu-naṣir were at law about a common ditch (G 30). Naḫilum appears to have been the elder son, who succeeded to the paternal house. He is found buying estate (houses and fields), even more frequently than his father, in G 22 probably even from his brother Tutu-naṣir ²⁶¹). Naḫilum gave his daughter Salatum in marriage to Išme-Sin (G 14); another daughter, Eli-eriša, probably figures in G 39. Naḫilum showed his greatest activity during the reigns of Apil-Sin and Sinmuballit. Thereafter the fortune of this family appears to have come to an end. Naḫilum's son Huzalum, who lived under Hammurabi, is no longer found purchasing immovables, but only concerned in petty business, the hire of an ox in G 45, the lease of a field from his sister (?) Eli-eriša in G 39. G 57 shows him in a certain relation with the *ēkallum*, which, as shown by G 32, already played a part in the economy of Dilbat.

If the Dilbat tablets of the time previous to Hammurabi belong to the archives of the family of Idin-Lagamal, the tablets from that time onwards

²⁶⁰) Cf. A. Ungnad, BA VI/5 (1909) and A. L. Oppenheim, Or. IV (1935), p. 148 ss.

²⁶¹) Much caution is called for here in the matter of identification, as a certain Menum-šuklul had sons of exactly the same names as Idin-Lagamal.

show a greater variety of names. In the family archives of Idin-Lagamal a *tamkārūm* is never found mentioned. The family was a wealthy one; how their wealth had been obtained is not shown by documents, but usually wealth is obtained through business. The only *tamkārūm* found in the Dilbat tablets before Hammurabi was Nabi-Adad, a witness in VS VII, 4. After Hammurabi, four *tamkārū* are found:

Ibqu-Arahtum, a witness in a document from the time of Samsuiluna (Riftin 4).

Huzalum in VS VII, 143. This document dates from the reign of Ammišaduga and therefore Huzalum cannot be identical with the son of Naḥilum. Moreover his father's name is known to have been Gimil-Nana from the tablet VS VII, 141, obtained by the Berlin Museum packed in the same case. In both documents it is recorded that Sin-inguranni, the *gallābum* (of the king), has lent silver by the order of Huzalum to certain individuals in order to obtain dates in the one and sesame in the other instance, after the harvest. The hierarchic order and the fact that Sin-inguranni was a royal official, make it probable that the whole business was done on behalf of the government and, therefore, that Huzalum also acted for the government.

Ilušu-ibni was clearly a government agent, as he was designated as *tamkār ēkallim* in VS VII, 119, dated in the 16th year of Ammišaduga²⁶²). By his order (*ana qabī*), a loan was granted by the *mu'irru ša bāb ēkallim*²⁶³).

Nabu-mušallim figures in an enumeration of persons who received or delivered certain quantities of an unnamed article, and among a group of people who pursued various other professions (VS VII, 155, time of Ammiditana).

The three latter, therefore, seem to have had some relation or other with the government, but the very term *tamkār ēkallim* proves that not every *tamkārūm* acted for the palace, because only then does the term have any sense.

B. BABYLON

From Babylon itself no *tamkārū* are known to me. In the letter VS XVI, 158, it is stated that the *tamkārūm* Ubarrum had arrived with his ship at the gardens of the town—which may have been Babylon—but that he did not go farther for some reason or other, perhaps because he feared that his ship might be confiscated or because of examination. He therefore advised

²⁶²) This tablet arrived at the Museum in a case labelled as despatched from Muḥattat. VS VII, 155, which will be mentioned presently, was in a case, stated to have come from Dēlam. The case, in which VS VII, 141 and 143 were received, was not labelled. The site of Dilbat is not precisely known. Both Dēlam and Muḥattat, at a distance of 3½ miles from each other, come up for consideration (cf. Real-Lexicon der Assyriologie II, p. 218 s).

²⁶³) For the *mu'irru ša bāb ēkallim* vide Walther, Gerichtswesen, p. 148 ss.

the man, for whom his cargo of wool was destined, to come and fetch it from outside the town. From this it could be deduced that Ubarrum was not a *tamkārūm* of Babylon, but a *tamkārūm* from some other town, who carried wool to Babylon. At all events he was evidently a private merchant, who had undertaken to deliver wool to the addressee of the letter.

C. KISH

The Kish tablets are mainly dated in the reigns of kings Manana and Iawium, who were approximately coeval with the beginning of the first dynasty of Babylon. Some tablets bear date-formulae of Sumu-abum, the first king of Babylon²⁶⁴). In these tablets two individuals are found, who, although never designated as such, may have been *tamkārū* if we compare their activities with those of individuals described. Šisunawirat, son of Belum, lent silver and corn to be returned after the harvest²⁶⁵). In PSBA XXXIII, pl. XXXVI, nr. XI, Šisunawirat gave more than two minas *ana tappūtīm*²⁶⁶), obviously as *qiptum*, consequently probably for a trading enterprise. Šisunawirat prospered in his business, for he could buy several houses and fields²⁶⁷).

The other man was Šumšunu-watar, who is likewise recorded to have lent fairly large amounts of silver, on the security of fields²⁶⁸). Further he lent silver as *šu-lal* and barley against interest, as *hubuttatum* or with the clause *máš nu-tuk*²⁶⁹). In PSBA XXXIII, pl. XLVI, nr. XXVIII is stated that he had a claim of 6 gur of sesame oil on Šisunawirat, to be returned at the harvest. Šumšunu-watar is also recorded to have bought fields²⁷⁰), from which it appears that his means increased by his business.

Four *tamkārū*, *awilū Kiški*, are mentioned as witnesses in an act in the temple of Šamaš in Sippar, recorded in the Sippar tablet BE VI/1, 15, dating from the time of Zabium. Probably after the dissolution of a business partnership, two people will carry on trade on their own account (*a-wi-lum*

264) Cf. F. Thureau-Dangin, RA VIII, p. 65 ss, and the communication by M. Rutten at the 21st congress of Orientalists at Paris (1948).

265) PSBA XXXIII, pl. XLII, nr. XIV, pl. XLV, nr. XXV, and RA VIII, p. 75.

266) This text may be read: 2 ma-na 10 [gín]n kù-babbar kù-babbar nam-tab[-ba]-ni(?) -sè ki Ši-sú-na-wi-ra-[at] mār Be-lum awilum^{lum} šu(?) mSin-ba-ni mār Warad-E-a itu še-kin-kud šu-ba-an-ti itu kin-d[ī]štar i-lal-é a-na qī-īp-ti-īm mŠi-sú-na-wi-ra-at la a-wa-zu (?).

267) Cf. PSBA XXXIII, pl. XLIV, nr. XX; pl. XLVII, nr. XXX; RA VIII, p. 74; PSBA XXXIII, pl. XXXIII, nr. IV, etc.

268) RA VIII, p. 70; and PSBA XXXIII, pl. XXXV, nr. X.

269) PSBA XXXIII, pl. XLVII, nr. XXIX; PSBA XXXIII, pl. XXXVI, nr. XII; PSBA XXXIII, pl. XXXVI, nr. XIII; PSBA XXXIII, pl. XLV, nr. XXIV.

270) RA VIII, p. 69, etc.

a-na ki-si-šu-ma ú-ka-aš-ša). These people, therefore, may have been either *tamkārū* themselves, or *šamallū*. The four *tamkārū* from Kiš are:

Šamaš-in-matim, son of Abiia,

Imgurum, son of Nur-Sin,

Atanaḥ-ili,

Sin-idi.

There is only one tablet from Kish, of a somewhat later date (RIB 238, time of Samsuiluna), in which a person (Nuratum) is designated as *tamkārū*. This man was a witness at the sale of a slave.

D. NIPPUR

In Nippur the Ur III dynasty was followed by the dynasty of Isin. In the documents dated in that dynasty, however, not a single *tamkārū* can be found. After the conquest of Nippur by king Rim-Sin of Larsa, a *tamkārū* from Nippur is found twice in the contracts, not in contracts from Nippur, but in the Larsa contracts VS XIII, 72, and VS XIII, 81, both dated from the later years of Rim-Sin, and both times in the enumerations of witnesses, viz. Ali-waqrum and Nur-abi. After the conquest by Hammurabi, only rarely was a person designated as a *tamkārū* in the Nippur contracts: Enlil-níg-dūg who supplied money for a *harrānum* in UM VIII/2, 151, dated in the 19th year of Samsuiluna, Beli-ennam, probably a witness in an undated record of a lawsuit concerning *kasap tappūtim* (UM VIII/2, 164), Sin-idinnam, who let a house in the 28th year of Samsuiluna (UM VIII/1, 90) and Warad-Enlil, mentioned in a damaged list without date (UM VIII/1, 84).

Not only are the texts few, but also their contents do not yield helpful information. Still, it can be stated that there are other people, who, though never designated as such, might have been *tamkārū* in view of their recorded activities.

As in other towns, family-archives are also found in Nippur, and from these several generations of a family are known. The most notable example is the family of Eluti, known during seven generations, mainly from Lipit-Enlil to Samsuiluna²⁷¹), but it does not appear that this family was concerned in trade. A number of the documents in these archives, like many Nippur texts from this time, contain purchases and divisions of offices.

E. TELL SIFR (KUTALLA)

In the documents from Tell Sifr, situated near Larsa, which documents are dated from the reigns of Hammurabi and Samsuiluna, two brothers,

²⁷¹) Cf. OECT VIII, p. 1-2.

Šilli-Ištar and Awil-ili, figure prominently. Nothing is known about their social standing, nor can it be deduced from their relationships. They were sons of Ili-sukkalli and Lamašum²⁷²). Tell Sifr 35 shows that they had two sisters, and that their mother had three more children, probably by another marriage. These two men dealt in houses on a large scale. No less than 27 deeds by which they bought houses or other buildings have been edited. Moreover they sometimes exchanged buildings and had houses built²⁷³). Sometimes they would litigate about their possessions²⁷⁴). Persons of the name Šilli-Ištar figure in some other Tell-Sifr texts, inter alia, concerned in trade, but there is no indication that they were the same individuals, and in some cases this seems rather improbable. There are, therefore, no indications that Šilli-Ištar and his brother Awil-ili were *tam-kārū*. Only in one of their documents, the record of their lawsuit nr 42, dated in Hammurabi 36, are two tamkārū mentioned among the witnesses: Ili-ma-abī, and Inbi-šeḫum.

Two *wakil* NAM 5 are found in Tell Sifr texts, but these have already been described, together with the *wakil* NAM 5 in Larsa, on p. 90-91.

F. IŠHALY

Išhaly is the modern name of a town that was situated in the country of Ešnunna. This country lay outside the territory of Babylonia proper, east of the Tigris, but it had close relations with north Babylonia in some periods, especially with Sippar, where the rulers of Ešnunna appear to have reigned for some time, and, as in Sippar, there was in Išhaly a large temple of Šamaš with a ziqqurat²⁷⁵). For this reason it is justified to include the tablets of Išhaly in this study. These tablets are dated in the reigns of the rulers of Ešnunna, who were previous to Hammurabi. They show that there was a brisk moneylending business in Išhaly, mainly for agricultural purposes. One group of tablets, edited by H. F. Lutz in UCP X/1, refers to loans granted by Bur-Sin and his sons Ilušu-našir and Nanna-dim. As in Babylonia, these men are also recorded as having bought various kinds of property, land and slaves²⁷⁶). Another group, edited by J. B. Alexander in BIN VII, nr 72-91, and considered by him to have

272) Tell Sifr 40/41, 36, etc.; 35.

273) Tell Sifr 48. Cf. also E. Cuq, *Études*, p. 196 and 214.

274) Tell Sifr 36 and 42.

275) Cf. UCP X, p. 50, nr. 5, and UCP X/1, nr. 10, line 5; H. Frankfort, OIC 13, p. 26.

276) UCP X/1, 52, 90, etc.


come from Sippar²⁷⁷), records loans advanced by a certain Gidanum, sometimes together with the temple of Šamaš. But neither Bur-Sin and his sons, nor Gidanum are ever denoted as *tamkārū*.


Yet one *tamkārū* is known from the Išhaly-tablets, viz. Nanna-mansi, who is recorded to have sold somebody as a slave in UCP X/1, 91, an act peculiar for a *tamkārū*.

The function of *wakil tamkārī* also existed in Išhaly. In UCP X/1, 43, it is stated that sums, varying from more than two minas to more than five minas, were respectively *mazašti Ešnunaki*, *mazašti Šalbum*²⁷⁸), *mazašti Neribtim*²⁷⁹) and *nīg-šu wakil tamkārī*. Then follows the sum total, $12\frac{2}{3}$ minas, $3\frac{1}{2}$ šeqels and 13 še, followed by a last line, read by Lutz: *ašarēdu Ra-ni-ka-ba*. The explanation of the document is rendered difficult by the absence of a verb. Therefore the possibility should be reckoned with that Lutz's reading of the last line is not the correct one. *Mazaštu* can be the same as *maššartu*, deposit, but what can be the meaning of the deposit of a town? The only possible explanation seems to me that some high official received various sums, probably as taxes, from various towns and from the *wakil tamkārī*. The *mazaštu*, therefore, may have been a tax, owed by a city. The institution of *wakil tamkārī* was of a different order and therefore in his case, the term *nīg-šu* may be used. But as the *wakil tamkārī* was an official who had to deliver the taxes collected by him, he could be mentioned on the same line with towns. This perhaps is the oldest mention of a *wakil tamkārī*²⁸⁰).

277) Cf. W. F. Leemans, *Revue Internationale des Droits de l'Antiquité*, vol. 5, p. 17. The arguments for considering Išhaly as the place of provenance of these texts are:
(a) the term of return of a loan was as a rule *ana maškannim*,
(b) in BIN VII, 87, loans were granted to a number of people, like in the contracts edited by Lutz.

(c) in BIN VII, 82, containing a *hubuttatum*, the clause *ušetiqma 1 gur 1 (bariga) 4 (sūtu) šibtam ušab* figures, which clause cannot be found in any old-Babylonian contract, but was current in Išhaly.

278) H. F. Lutz (UCP X, p. 9) reads *amēl ša-bu-um*, but a town may have been meant, and moreover the cuneiform for *sa* does not be there. It rather looks as if there is only one cuneiform, viz. , which may denote *āl*. A town Šalbum is not known from other texts.

279) Lutz (UCP X, p. 9) reads *be-ri-šu-nu*, but *be* is not rendered by  in the Išhaly tablets, and the last cuneiform is not *nu*, but *tim*; *šu* may have been erroneously read instead of *ib*. Neribtim is a place, which frequently occurs in the Išhaly texts.

280) A *wakil tamkārī* Idin-lštar of an unknown place was the writer of the letter VS XVI, 141, to the *šakkanakkum* of Šamaš, with the order to ship reeds. A *tamkārū* from Maškan-šabrīm is referred to in TCL XVIII, 113, without mention of his name.

CHAPTER TEN

CONCLUSIONS

Dates?

Now that we have fully discussed the *tamkārū* and the *wakil tamkārī* in the various Babylonian cities, and have determined their position in these cities at various times, the moment has arrived to trace the general historical development, as expounded by this treatise, during the Old-Babylonian period, which period we understand to comprise the periods of the Isin, Larsa and Babylon dynasties.

The basis of the development was laid in the Ur III period. Before that time there had existed the system of the Sumerian government-economy. Now both temple and king (the palace) are found playing a large part in the economy and directing trade to a great extent. However, *damkara* no longer acted solely on behalf of the temple or the palace; they began to carry on business on their own behalf as well trading in goods and in silver, the latter in the form of financial loans, as is especially shown by the Nippur texts.

Large

silver

imp

After the fall of Ur III, when legal and economic texts again come to light, private property and trade appear to have reached a stage of high development. The oldest of the larger groups of tablets, those from Kish, dated in the reigns of Manana and Iawium, already give evidence of this fact: Šumšunu-watar and Šisunawirat were rich private men. Half a century later the same can be noted in Larsa, whence a large number of tablets, mainly since the reign of Warad-Sin, originates. On the one hand, the tablets show that business was still done by the palace, and that, as shown by the instance of Itti-Sin-milki of Zarbilum, the *wakil tamkārī* was concerned in this business. On the other hand there was large-scale private ownership of immovables. People like Balmunamhe owned large estates. Everything testifies to prosperity, notably so the great number of *tamkārū* known from the reign of Warad-Sin and the first half of the reign of Rim-Sin. The prosperity of these *tamkārū* is proved by the fact that they purchased many houses and landed estates, as shown above, especially in the instances of Ištar-ilī and his son Idin-Amurru and of Abuwaqar. There is no evidence that these *tamkārū* had any relation to the palace—the king—or that the position they held was a more subordinate one than that of any other citizen. They seem to have been entirely independent private merchants.

By way

21

The early
Lamhar

There is a remarkable change in the middle of the reign of Rim-Sin. The following symptoms of this change can be observed in economic life:

1°. From the tablets edited, 37 *tamkārū* are known by name as living in the later years of Warad-Sin and the first 32 years of Rim-Sin. Only 11 *tamkārū* are known from tablets dated from the 33rd to 60th years of Rim-Sin. Moreover, the earlier *tamkārū* are generally mentioned repeatedly in the documents, whereas only few of the latter figure more than once, and the names of the majority are known only from one text. One might be tempted to the question whether the reason for this should not be sought in any scarcity of documents found from the latter half of Rim-Sin's reign. This, however, must be refuted as the total number of documents found shows no, or hardly any decrease, nor is there any such decrease in the period of Babylonian rule.

2°. The disappearance, at about the same time, of the names of various wealthy men from the documents. Balmunamhe no longer occurs after the 31st year of Rim-Sin, except perhaps in YBT VIII, 46, dated in Rim-Sin 57, but it seems problematic whether this date is correct, as in this case Balmunamhe must have lived to an almost incredible age. There are no indications that his sons had succeeded to his estates and his business at this time (cf. p. 67)²⁸¹. No purchases of houses or landed property by Idin-Amurru are known after the 28th year of Rim-Sin, except one in the 36th year of Rim-Sin (TCL X, 89). He died however between Rim-Sin 50 and Hammurabi 40, and the finding of the acts concerning the division of his inheritance proves that his archives have been preserved complete. The *tamkārū* Abuwaqar no longer figures as acting person after Rim-Sin 31 or 32.

3°. The number of transactions relating to immovables during the latter half of the reign of Rim-Sin is, in general, much smaller than in the first half: twice as many are dated before the 31st year than after that date²⁸², and of the subsequent records, by far the greater part dates from the 31st to the 40th years. Nearly half these contracts after the 30th year record purchases or exchanges made by a certain Ubar-Šamaš, probably in each case the same man, who is never stated to have been a *tamkārū* and who perhaps held some particular position. These records, mainly edited in VS XIII and YBT VIII, record purchases of houses, fields and date gardens²⁸³. Moreover, some documents are known in which it is recorded

281) These sons only emerge under Hammurabi, notably Idin-Ea, who had an official function then. Hammurabi may have had good companions in these men, who surely will not have been content with the rule of Rim-Sin, but who already in the last years of his reign, when his authority became declining and his fall was nearing were mentioned a single time.

282) Cf. now also L. Matouš, *Ar. Or.* XVII/2, p. 143-144.

283) VS XIII, 65, 77, 78, YBT VIII, 65 etc. For Ubar-Šamaš vide Ch. F. Jean, *Larsa*, p. 77.

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Instead of "loan" in line 2 on pag. 124 must be read: fief.

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