

## Court Case: Woman Seeking Damages for Her Father's Wrongful Death

**Characters:** Judge 1 Nobleman's daughter  
Judge 2 Villager

**Judge 1:** Our next case concerns this woman, who is seeking payment of damages because her father was gored to death by an ox owned by this villager.

**Judge 2:** Let me begin by questioning the daughter. To what class did your father belong?

**Daughter:** *(Stands, looks at the floor, and speaks shyly.)* He was a nobleman.

**Judge 2:** *(Furrows his brow sympathetically and speaks kindly.)* Could you tell the Assembly what happened on that terrible day that the ox killed your father?

**Daughter:** *(Voice shakes.)* Of course. My father was walking through a field on his way to the market. Suddenly, without any warning, this huge black ox charged toward him. My father tried to run, but he was too old and slow. The ox trampled and attacked him, and he died immediately. *(Wipes a tear from the corner of her eye.)*

**Judge 2:** Was it a wild bull that attacked your father?

**Daughter:** I don't think so. I have often seen the animal grazing in this villager's fields. *(Points to the villager.)*

**Judge 2:** *(Smiles kindly.)* Thank you very much. I know this has been terrible for you. *(Frowns and turns toward the villager.)* Let me now question the villager. Do you own the ox that gored the nobleman?

**Villager:** *(Stands and speaks confidently.)* Yes.

**Judge 2:** Has anyone ever complained about the ox?

- Villager:** *(Stares at the floor as if trying to remember. Suddenly snaps his fingers and looks up.)* Some neighbors have complained that they were chased by the ox, but I thought it was because they were teasing the animal.
- Judge 2:** Did you keep the ox tied up after these complaints?
- Villager:** *(Speaks slowly.)* No.
- Judge 2:** Did you file down the ox's horns?
- Villager:** *(Looks worried and speaks hesitantly.)* No, I thought that would be cruel.
- Judge 1:** *(Looks at the audience.)* Members of the Assembly, you have heard enough evidence. Now you must decide whether the nobleman's daughter is entitled to some payment for the death of her father and, if so, what that payment shall be. In making your decision, consider these laws from the Code of Hammurabi that you have before you:
1. If a wild bull has gored and killed a person, that case has no remedy.
  2. If an ox that is owned by a person was dangerous, and this was made known to the owner, but the owner took no steps to tie up the ox or blunt its horns, and the ox has gored and killed a person, the owner of the ox shall pay half a mina of silver for a nobleman or one third of a mina for a slave.
- Judge 2:** Ladies and gentlemen, you have heard the evidence and have read the laws. You must now judge the case.



- What is the legal problem in this case?
- What was the social class of the man killed by the ox?
- What evidence indicated the ox was not wild?
- What complaint did the villager's neighbors have about the ox?
- What did the villager fail to do that might have protected people from the ox?