

The Book of Exodus

Supplementary Laws

Part II – Laws Pertaining to Property

Text: Exodus 21:33 – 22:15

Introduction:

1. While foundational, the Ten Commandments were not the only laws God gave to His people.
2. Chapters 21 – 23 record numerous other commandments given to the nation of Israel.
3. They are divided into three sections; the first dealing with relationships between people.
4. The second section deals with events relating to property.
5. These laws are classified as “judgments” because they were to govern the legal and judicial system of Israel.
6. Judges and magistrates were to be guided by these rules in rendering legal decisions.

I. Concerning Negligence Affecting Animals (Exodus 21:33-36)

- A. The first example concerns an animal that is injured due to falling into an open pit.
 1. The word for ‘pit’ refers to a well or cistern dug into the ground for storing water.
 2. Usually, these were at ground level, but covered over with a large stone or boards.
 3. To get water from the well, the cover had to be removed.
 4. The one who removed it was responsible for replacing it, lest some animal fall into the well and die.
 5. If that happened, the one who was negligent was required to pay the own the value of the dead animal.
- B. The second example concerns an animal that injures or kills another man’s animal.
 1. If one’s animal killed another, the dead animal was to be divided between the parties and the live animal was to be sold and the money divided.
 2. However, if the owner of the violent animal knew of its temperament and neglected to protect others, he was to pay full compensation for the dead animal.
- C. This was a simple and fair way to handle such situations.

II. Concerning Theft (Exodus 22:1-4)

- A. A thief was required to make restitution for that which he had stolen – five oxen for one ox, four sheep for one sheep, or double for anything still in his possession.
- B. There were also laws for a thief who was caught breaking into another’s house.
 1. If it happened at night, the owner of the house had the right of self-defense; and, if the burglar were killed, there would be no retribution.
 2. However, if it happened during the day, the life of the thief could not be taken without consequence.
 3. Instead, the thief was to be captured or identified and brought to trial.
 4. He was to make full restitution; and, if he could not, he would be sold into servitude to pay off his debt.

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- III. Concerning Negligence Affecting Property (Exodus 22:5-6)
- A. A man who allowed his animal to stray and eat in another man's field was required to pay back what had been lost from the best of his own crops.
 - B. If one man's fire spread into the property of another, he was to make restitution for the damages.
- IV. Concerning Stewardship (Exodus 22:7-13)
- A. If a man left possession with a neighbor, he was responsible for taking care of and protecting them.
 - 1. In those days, there were no banks or safety deposit boxes.
 - 2. Thus, a person who needed to travel might leave money or other valuables in the care of a neighbor.
 - B. If there was a robbery and the thief was found, he was to restore double.
 - C. If the thief was not caught, then the one guarding the possessions was brought to court.
 - 1. If he were found to have conspired with or aided the thief, he was responsible for repaying double the loss.
 - 2. When no evidence was available, he was required to take an "oath of the LORD" to prove his innocence.
 - 3. This meant that he would solemnly swear that he was not guilty of dishonesty.
 - 4. If he would make this vow, then the owner accepted his innocence and no restitution was made.
 - D. This practice was also used in other cases of harm or loss to another's property in the care of a neighbor.
- V. Concerning Borrowing (Exodus 22:14-15)
- A. Something borrowed from a neighbor and then lost or damaged was to be restored by the borrower.
 - B. If the owner of the item were present, he was held responsible for seeing that no harm came to his property.
 - C. If the item had been rented, no restitution was to be made.