



the unlearned *Bramins* in that Village shall obtain it, if there are no *Bramins* in that Village, the *Bramins* living in the Environs of that Village shall receive it.

THE Magistrate shall never receive the Effects of a *Bramin*.

## S E C T. II.

### *Of Dividing the Property of the Berhembarry, the Sinassee, and the Bàn Perust.*

IF a *Berhembarry* dies, the Man who taught the Deceased the Incantation *Goitree* shall obtain his Effects; in default of him, another *Berhembarry* shall receive them.

HE is called a *Berhembarry*, who, after assuming the *Braminical* Thread, remains in the Desert Twelve Years, in the Presence of his Theological Instructor, applying himself to the Study of the Science of the *Beids*, and who, in all that Time, sees the Face of Men of no other Tribe, but only of the *Bramins*, and who employs himself wholly in the Worship of God.

IF a *Sinassee* dies, his Effects go to his Pupil in Religion; in default of him, to another *Sinassee*.

HE is a *Sinassee*, who, after assuming the *Braminical* Thread, cuts and shaves all the Hair from his Head, burns the *Braminical* Thread, and cloathing himself in Two Red Cloths, and, carrying a *Bamboo* Staff of his own Height, in his Right-Hand, and an Earthen Pot in his Left, forsakes his Wife and Children, and becomes a *Fakeer*.

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If a *Bân Perist* dies, the Man who was his Fellow Worshipper, in the same consecrated Ground, shall receive his Property; in default of him, it shall go to another *Bân Perist*.

HE is a *Bân Perist*, who, after the Expiration of his Fiftieth Year of Life, renounces the World, and, dedicating himself wholly to the Worship of God in the Defart, returns no more to his own House.

S E C T. III.

*Of a Woman's Property.*

THAT is called a Woman's Property, First, Whatever she receives during the *Ayâmmi Shâdee* (or Days of Marriage.)

THE *Ayâmmi Shâdee* begins with the *Nandee Mookbeb*, (the *Nandee Mookbeb* is when the Bridegroom, before the Marriage Exhortation is pronounced, performs the *Fâtebeb Buzurgwar*\*) and ends with the *Puntubbee-bâden*, that is, the Salute of Respect made to the Bridegroom by the Bride. The Space of Time, thus limited, is called the *Ayâmmi Shâdee*.

WHATEVER she may receive from any Person, as she is going to her Husband's House, or coming from thence.

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\* The *Fâtebeb Buzurgwar* is an Offering made by a Man to the Priests, for the Repose of the Souls of his Father, his Grandfather, &c.



WHATEVER her Husband may at any Time have given her; whatever she has received at any Time from a Brother; and whatever her Father and Mother may have given her.

WHATEVER her Husband, on his contracting a Second Marriage, may give her, to pacify her.

WHATEVER a Person may have given a Woman for Food or Cloathing.

WHATEVER Jewels, or Wearing-Apparel, she may have received from any Person.

ALSO, whatever a Woman may receive from any Person, as an Acknowledgment, or Payment, for any Work performed by her.

WHATEVER she may by Accident have found any where.

WHATEVER she may gain by Painting, Spinning, Needle-Work, or any other Employment of this Kind.

EXCEPT from One of the Family of her Father, One of the Family of her Mother, or One of the Family of her Husband, whatever she may receive from any other Person.

ALSO, if the Father or Mother of a Girl give any Thing to their Son-in-Law, saying, at the same Time, " This shall go to our Daughter," and even without any Words to this Purpose, at the Time of making the Gift, if they merely have it in their Intentions, that the Thing thus given should revert to their Daughter: All and every of these Articles are called a Woman's Property.

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If among these Articles here specified, a Woman's Husband should have given her Glebe Land, Orchards, or Houses, if she has gained any Thing by her own Industry, in Painting, Spinning, Needle-Work, and such Employments, and, exclusive of the Family of her Father, her Mother, or her Husband, if she has received any Thing from any other Person, these Things, thus received, are not in her own Disposal; all her other Effects, except what is gotten by the Three Methods above-mentioned, may be disposed of in any Manner agreeable to her own Inclinations; but of Glebe Land, Orchards, and Houses, of the Money gained by Painting, and such Employments, and of the Presents given her by Strangers, she has not the Right of Disposal: And if a Woman does not leave her Property acquired by these Three Methods, or by the other Means already specified, to her Father, her Brother, or her Son, they shall not obtain it.

If, during the Time of a Famine, or for the Execution of some religious Purpose, or on Account of Sickness, or to satisfy the importunate Demands of a Creditor, who has proceeded so far as to seize his Debtor, and confine him without Victuals, the Husband should appropriate to himself his Wife's Property, without her Leave, he is justifiable, nor is he obliged to return or repay what is so appropriated; but in Times of Plenty and Prosperity, he has not Power to take it; and if in Times of Plenty he takes it without Leave of his Wife, he must repay her both Principal and Interest; if he takes it by her Consent, he shall only return what he originally borrowed.

If a Man takes the Property of One of his Wives, and remains attached to a Second, without behaving with proper Civility to the First, the Magistrate shall cause her Property to be restored to her.



If a Husband neglects to give his Wife necessary Victuals and Apparel, she shall procure them by any Means in her Power.

WHATEVER Woman be of a Disposition altogether malevolent, or wanting in female Modesty, or careles of her Property, or unchaste, such Woman is incapable of possessing what has been specified to be a Woman's Property.

#### S E C T. IV.

##### *Of the Inheritance of a Woman's Property.*

WHEN a Woman dies, then whatever Effects she acquired during the *Ayammi Shādee*, even though she hath a Son living, shall first go to her unmarried Daughter; if there is but One unmarried Daughter, she shall obtain the whole; if there are several unmarried Daughters, they all shall have equal Shares.

AND an unmarried Daughter, who has inherited her Mother's Effects, and afterwards marries, if she should die without having borne a Son, those Effects do not go to her Husband, but the Sisters of the said Daughter shall obtain them; if the Daughter should leave a Son, at her Death, that Son shall receive an equal Share of his Mother's Property from her Sisters.

IF there be no unmarried Daughter, then it shall go in equal Shares to the Daughter who has Children, and to the Daughter who will have Children; of these, if there is but One Daughter, she shall obtain the whole Property; if there are several Daughters, they shall all receive equal Shares.



If there are none of these, then it shall go in equal Shares to the barren Daughter, and to the Daughter who is a childless Widow.

If there are no barren Daughters or childless Widow, it shall go to the Son; if there is but One Son, he shall obtain the whole; if there are several Sons, they shall all receive equal Shares.

If there be no Son, it goes to the Daughter's Son; if there is but One Daughter's Son, he receives the whole; if there are several Daughter's Sons, they shall have equal Shares.

If there be no Daughter's Son, it goes to the Grandson, i. e. Son's Son; if there is but One Grandson, he receives the whole; if there are several Grandsons, they all obtain equal Shares.

If there be no Grandson, it goes to the Grandson's Son; if there be but One Grandson's Son, he shall receive the whole; if there are several Grandson's Sons, they all obtain equal Shares.

If there be no Grandson's Son, it goes to the Husband's Son by another Wife; if there is but One Son of the Husband by another Wife, he shall obtain the whole; if there are several Sons of the Husband by another Wife, they all receive equal Shares.

If there be no Son of the Husband by another Wife, it goes to the Grandson of the Husband by another Wife; if there is but One Grandson of the Husband by another Wife, he obtains the whole; if there are several Grandsons of the Husband by another Wife, they shall all receive equal Shares.



If there be no Grandson of the Husband by another Wife, it goes to the Grandson's Son of the Husband by another Wife; if there is but One Son of the Grandson of the Husband by another Wife, he shall receive the whole; if there be several Grandson's Sons of the Husband by another Wife, they shall all receive equal Shares.

If there be no Grandson's Son of the Husband by another Wife, then, in Five of the Forms of Marriage, whatever Property a Woman may have acquired, after her Death, goes to her Husband.

### *Explanation of those Five Forms of Marriage.*

- I. *Beràmeh.*
- II. *Deeyb.*
- III. *Arsh.*
- IV. *Kàndebrub.*
- V. *Perajapat.*

*First. Beràmeh,* so called, when a Father, with much Entreaty and Importunity, has procured a Bridegroom of Distinction, and, on that Account, making magnificent Nuptial Presents, marries him to his Daughter.

*Second. Deeyb,* so called, when the *Jugg* is first performed: (The *Jugg* is thus celebrated; they pitch a Tent upon a select Spot of Ground, and make a Fire there; then they pour *Ghae* upon the Fire, uttering at the same Time certain Prayers to their Deities: For the *Duchneb* of this Ceremony, the Parents deck  
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out their Daughter with fine Ornaments and handsome Cloaths, and give her in Marriage to the *Bramin*: The *Duchneb* is that Present which a Man gives to a *Bramin*, whom he has procured to pray for him; in this Case, the Daughter is in lieu of that Present.)

*Third. Arsh*, so called, when the Parents of a Girl receive One Bull and One Cow from the Bridegroom, on his marrying their Daughter.

*Fourth. Kandekrub*, so called, when a Man and Woman, by mutual Consent, interchange their Necklaces, or Strings of Flowers, and both make Agreement, in some secret Place; as for Instance, the Woman says, "I am become your Wife," and the Man says, "I acknowledge it."

*Fifth. Perajaput*, so called, when the Parents of a Girl, upon her Marriage, say to the Bridegroom, "Whatever Act of Religion you perform, perform it with our Daughter," and the Bridegroom assents to this Speech.

If there be no Husband, a Woman's Property goes to her Brother; if there is but One Brother, he shall obtain the whole; if there are several Brothers, they all have equal Shares.

If there be no Brother, it goes to her Mother; if there be no Mother, it goes to her Father.

AND under the other Three Forms of Marriage, whatever Property a Woman has acquired, if there be no unmarried Daughter, nor other Heirs, till after the Grandson's Son of the Husband by another Wife, as hath been already specified, after her Death, goes to her Mother; if there be no Mother, it goes to her Father; if there be no Father, to her Husband.

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### *Explanation of the other Three Forms of Marriage.*

- I. *Afbore.*
- II. *Råkbus.*
- III. *Peisbäck.*

*First. Afbore,* so called, when a Man gives Money to a Father and Mother, on his marrying their Daughter, and also gives something to the Daughter herself.

*Second. Råkbus,* so called, when a Man marries the Daughter of another, whom he has conquered in War.

*Third. Peisbäck,* so called, when, before Marriage, a Man, coming in the Dress and Disguise of a Woman, debauches a Girl, and afterwards the Mother and Father of the Girl marry her to the same Man.

AFTER this Account of a Woman's Heirs, under the Eight different Forms of Marriage, which have been explained in Two Sections, if none, within the Limitations there specified, should remain, then the Property of a Woman goes, after her Death, to her Husband's Younger Brother; if there is but One Younger Brother, he receives the whole; if there are several Younger Brothers, they all obtain equal Shares.

If there be no Younger Brother of her Husband, it goes in equal Shares to the Son of her Husband's Younger Brother, and to the Son of her Husband's Elder Brother.



If there be none of these, it goes to her Sister's Son; if there is but One Sister's Son, he receives the whole; if there are several Sister's Sons, they shall all have equal Shares.

If there be no Sister's Son, it goes to her Husband's Sister's Son; if there is but One Husband's Sister's Son, he receives the whole; if there are several Husband's Sister's Sons, they all have equal Shares.

If there be no Husband's Sister's Son, it goes to her Brother's Son; if there is but One Brother's Son, he receives the whole; if there are several Brother's Sons, they shall all have equal Shares.

If there be no Brother's Son, it goes to her Daughter's Husband; if there is but One Daughter's Husband, he shall receive the whole; if there are several Daughter's Husbands, they shall all obtain equal Shares.

If there be no Daughter's Husband, it goes to her Husband's Father; if there be no Husband's Father, it goes to her Husband's Elder Brother; if there is but One Elder Brother of her Husband, he receives the whole; if there are several Elder Brothers of the Husband, they all obtain equal Shares.

If there be no Elder Brother of her Husband, it goes to her Husband's Brother's Grandson; if there is but One Husband's Brother's Grandson, he shall receive the whole; if there are several Husband's Brother's Grandsons, they all have equal Shares.

If there be no Husband's Brother's Grandson, it goes to the Husband's Grandfather; if there be no Grandfather of her Husband, it goes to the Husband's Paternal Uncle; if there is but One Paternal Uncle of her Husband, he shall receive



receive the whole; if there are several Husband's Paternal Uncles, they all shall obtain equal Shares.

If there be no Husband's Paternal Uncle, it goes to her Husband's Paternal Uncle's Son; if there is but One Husband's Paternal Uncle's Son, he shall receive the whole; if there are several Husband's Paternal Uncle's Sons, they shall all obtain equal Shares.

If there be no Husband's Paternal Uncle's Son, it goes to her Husband's Paternal Uncle's Grandson; if there is but One Husband's Paternal Uncle's Grandson, he shall obtain the whole; if there are several Husband's Paternal Uncle's Grandsons, they shall all receive equal Shares.

If there be no Husband's Paternal Uncle's Grandson, it goes to her Husband's Grandfather's Father; if there be no Husband's Grandfather's Father, it goes to her Husband's Grandfather's Brother; if there is but One Brother of her Husband's Grandfather, he receives the whole; if there are several Husband's Grandfather's Brothers, they shall all receive equal Shares.

If there be no Husband's Grandfather's Brother, it goes to her Husband's Grandfather's Brother's Son; if there is but One Husband's Grandfather's Brother's Son, he obtains the whole; if there are several Husband's Grandfather's Brother's Sons, they shall all receive equal Shares.

If there is no Husband's Grandfather's Brother's Son, it goes to her Husband's Grandfather's Brother's Grandson; if there is but One Husband's Grandfather's Brother's Grandson, he receives the whole; if there are several Husband's Grandfather's Brother's Grandsons, they all have equal Shares.

If there be no Husband's Grandfather's Brother's Grandson, it goes to her Husband's Grandson's Grandson; if there is but One Husband's Grandson's Grandson,



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Grandson, he obtains the whole; if there are several Husband's Grandson's Grandsons, they all receive equal Shares.

If there be no Husband's Grandson's Grandson, it goes to her Husband's Grandson's Grandson's Son; if there is but One Husband's Grandson's Grandson's Son, he receives the whole; if there are several Husband's Grandson's Grandson's Sons, they shall all obtain equal Shares.

If there be no Husband's Grandson's Grandson's Son, it goes to the Husband's Grandson's Grandson's Grandson; if there is but One Husband's Grandson's Grandson's Grandson, he shall obtain the whole; if there are several Husband's Grandson's Grandson's Grandsons, they all have equal Shares.

If there be no Husband's Grandson's Grandson's Grandson, it goes to her Husband's Grandfather's Grandfather; if there be no Husband's Grandfather's Grandfather, it goes to her Husband's Grandfather's Father's Brother; if there is but One Husband's Grandfather's Father's Brother, he shall receive the whole; if there are several Husband's Grandfather's Father's Brothers, they shall all obtain equal Shares.

If there be no Husband's Grandfather's Father's Brother, it goes to the Husband's Grandfather's Father's Brother's Son; if there is but One Husband's Grandfather's Father's Brother's Son, he obtains the whole; if there are several Husband's Grandfather's Father's Brother's Sons, they shall all receive equal Shares.

If there be no Husband's Grandfather's Father's Brother's Son, it goes to her Husband's Grandfather's Father's Brother's Grandson; if there is but One Husband's Grandfather's Father's Brother's Grandson, he shall obtain the whole;

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whole; if there are several Husband's Grandfather's Father's Brother's Grandsons, they shall all receive equal Shares.

If there be no Husband's Grandfather's Father's Brother's Grandson, it goes to her Husband's Grandfather's Grandfather's Father; if there be no Husband's Grandfather's Grandfather's Father, it goes to her Husband's Grandfather's Grandfather's Brother; if there is but One Husband's Grandfather's Grandfather's Brother, he takes the whole; if there are several Husband's Grandfather's Grandfather's Brothers, they all receive equal Shares.

If there be no Husband's Grandfather's Grandfather's Brother, it goes to her Husband's Grandfather's Grandfather's Brother's Son; if there be but One Husband's Grandfather's Grandfather's Brother's Son, he receives the whole; if there are several Husband's Grandfather's Grandfather's Brother's Sons, they shall all obtain equal Shares.

If there be no Husband's Grandfather's Grandfather's Brother's Son, it goes to her Husband's Grandfather's Grandfather's Brother's Grandson; if there is but One Husband's Grandfather's Grandfather's Brother's Grandson, he shall obtain the whole; if there are several Husband's Grandfather's Grandfather's Brother's Grandsons, they all shall have equal Shares.

If there be no Husband's Grandfather's Grandfather's Brother's Grandson, it goes to her Husband's Grandfather's Grandfather's Grandfather; if there be no Husband's Grandfather's Grandfather's Grandfather, it goes to her Husband's Grandfather's Grandfather's Father's Brother; if there is but One Husband's Grandfather's Grandfather's Father's Brother, he shall obtain the whole; if there are several Husband's Grandfather's Grandfather's Father's Brothers, they all receive equal Shares.



If there be no Husband's Grandfather's Grandfather's Father's Brother, it goes to her Husband's Grandfather's Grandfather's Father's Brother's Son; if there is but One Husband's Grandfather's Grandfather's Father's Brother's Son, he shall receive the whole; if there are several Husband's Grandfather's Grandfather's Father's Brother's Sons, they shall all have equal Shares.

If there be no Husband's Grandfather's Grandfather's Father's Brother's Son, it goes to the Husband's Grandfather's Grandfather's Father's Brother's Grandson; if there is but One Husband's Grandfather's Grandfather's Father's Brother's Grandson, he obtains the whole; if there are several Husband's Grandfather's Grandfather's Father's Brother's Grandsons, they shall all obtain equal Shares.

If there be no Husband's Grandfather's Grandfather's Father's Brother's Grandson, it then goes to any One of her Husband's Family who is the next near Relation; if there be no near Relations, it goes to any One of distant Affinity; if there be none of these also, then the Magistrate shall obtain the Property of the Wife of a *Chebteree*, a *Sooder*, or a *Bice*: And the Property of the Wife of a *Bramin* goes to the learned *Bramins* of the Village where she had her Residence; if there are no learned *Bramins* in the Village, she shall give it to the unlearned *Bramins*; if also there be no unlearned *Bramins* there, she shall give it to the *Bramins* of the Environs.

THE Magistrate shall never obtain the Property of a *Bramin's* Wife.

THE Property of a Woman (exclusive of what she received during the *Ayammi Shudee*, and exclusive of what her Father may have given her, before or after Marriage) goes, after her Death, to her unmarried Daughter, and to her Son, in equal Shares; if there is no Son, the Daughter obtains the whole; if there



there is no Daughter, the Son obtains the whole; if there are several of these, they shall all obtain equal Shares.

If there are none of these, then the Daughter who has borne Children, and the Daughter who will bear Children, shall receive equal Shares; if of these there is only One Daughter, she obtains the whole; if there are several, they all shall possess equal Shares.

If there are none of these, it goes to the Grandson (*i. e.* Son's Son) if there is but One Grandson, he receives the whole; if there are several Grandsons, they receive equal Shares.

If there is no Grandson, it goes to the Daughter's Son; if there is but One Daughter's Son, he obtains the whole; if there are several Daughter's Sons, they shall all obtain equal Shares.

If there is no Daughter's Son, it goes to the Grandson's Son; if there is but One Grandson's Son, he shall take the whole; if there are several Grandson's Sons, they shall all obtain equal Shares.

If there is no Grandson's Son, it goes to the Husband's Son by another Wife; if there is but One Son of the Husband by another Wife, he shall obtain the whole; if there are several Sons of the Husband by another Wife, they shall receive equal Shares.

If there is no Son of the Husband by another Wife, it goes to the Grandson of the Husband by another Wife; if there is but One Grandson by another Wife, he shall obtain the whole; if there are several Grandsons of the Husband by another Wife, they shall all receive equal Shares.



If there is no Grandson of the Husband by another Wife, it goes to the Grandson's Son of the Husband by another Wife; if there is but One Grandson's Son of the Husband by another Wife, he takes the whole; if there are several Grandson's Sons of the Husband by another Wife, they shall all receive equal Shares.

If there is no Grandson's Son of the Husband by another Wife, it goes to the barren Daughter, and to the Daughter who is a childless Widow, in equal Shares; if of these there is but One Daughter, she shall obtain the whole; if there are several Daughters, they must take equal Shares.

If there are none of these, then the Property of every Woman who was married according to any One of the Five first Forms of Marriage goes to her Husband; if there is no Husband, to her Brother; if there is but One Brother, he receives the whole; if there are several Brothers, they must take equal Shares.

If there is no Brother, it goes to her Mother; if there is no Mother, it goes to her Father; if there is no Father, then the Property of a Woman who was married according to any One of the Three last Forms of Marriage, goes, after her Death (if there be no Daughter or other Heir within the Limits already before-mentioned) to her Mother; if there is no Mother, to her Father; if there is no Father, it goes to her Husband.

If there be no Husband, then the Property of every Woman who was married according to any One of the Eight Forms of Marriage goes, after her Death, to her Husband's Younger Brother; if there is but One Younger Brother of her Husband, he shall receive the whole; if there are several Younger Brothers of her Husband, they must take equal Shares.



If there is no Younger Brother of her Husband, then it goes, in equal Shares, to her Husband's Elder Brother's Son, and to her Husband's Younger Brother's Son; if there is but One Son of her Husband's Elder Brother, or One Son of her Husband's Younger Brother, he shall take the whole; if there are several, they shall all receive equal Shares.

If there is no Son of her Husband's Younger Brother, nor Son of her Husband's Elder Brother, it goes to her Sister's Son; if there is but One Sister's Son, he shall take the whole; if there are several Sister's Sons, they shall all obtain equal Shares.

If there be no Sister's Son, it goes to her Husband's Sister's Son; if there is but One Husband's Sister's Son, he shall take the whole; if there are several Husband's Sister's Sons, they shall all receive equal Shares.

If there be no Husband's Sister's Son, it goes to her Brother's Son; if there is but One Person her Brother's Son, he shall take the whole; if there are several Brother's Sons, they all receive equal Shares.

If there is no Brother's Son, it goes to her Daughter's Husband; if there is but One Daughter's Husband, he shall receive the whole; if there are several Daughter's Husbands, they shall all obtain equal Shares.

If there is no Daughter's Husband, it goes to her Husband's Father; if there is no Husband's Father, it goes to her Husband's Elder Brother; if there is but One Elder Brother of her Husband, he shall take the whole; if there are several Elder Brothers of her Husband, they shall receive equal Shares.

If there is no Elder Brother of her Husband, it goes to her Husband's Brother's Grandson; if there is but One Husband's Brother's Grandson, he shall take



take the whole; if there are several Husband's Brother's Grandsons, they all have equal Shares.

If there is no Husband's Brother's Grandson, it goes to her Husband's Grandfather; if there is no Husband's Grandfather, it goes to her Husband's Paternal Uncle; if there is but One Paternal Uncle of her Husband, he shall receive the whole; if there are several Paternal Uncles of her Husband, they shall take equal Shares.

If there is no Paternal Uncle of her Husband, it goes to her Husband's Paternal Uncle's Son; if there is but One Son of her Husband's Paternal Uncle, he shall receive the whole; if there are several Sons of her Husband's Paternal Uncle, they receive equal Shares.

If there is no Husband's Paternal Uncle's Son, it goes to her Husband's Paternal Uncle's Grandson; if there is but One Husband's Paternal Uncle's Grandson, he shall take the whole; if there are several Husband's Paternal Uncle's Grandsons, they shall receive equal Shares.

If there is no Husband's Paternal Uncle's Grandson, it goes to her Husband's Grandfather's Father; if there is no Grandfather's Father of her Husband, it goes to her Husband's Grandfather's Brother; if there is but One Brother of her Husband's Grandfather, he shall take the whole; if there are several Brothers of her Husband's Grandfather, they shall receive equal Shares.

If there is no Husband's Grandfather's Brother, it goes to her Husband's Grandfather's Brother's Son; if there is but One Son of her Husband's Grandfather's Brother, he shall take the whole; if there are several Sons of her Husband's Grandfather's Brother, they shall all receive equal Shares.

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If there is no Husband's Grandfather's Brother's Son, it goes to her Husband's Grandfather's Brother's Grandson; if there is but One Grandson of her Husband's Grandfather's Brother, he shall take the whole; if there are several Grandsons of her Husband's Grandfather's Brother, they shall receive equal Shares.

If there is no Husband's Grandfather's Brother's Grandson, it goes to her Husband's Grandson's Grandson; if there is but One Grandson of her Husband's Grandson, he shall take the whole; if there are several of her Husband's Grandson's Grandsons, they shall all receive equal Shares.

If there is no Husband's Grandson's Grandson, it goes to her Husband's Grandson's Grandson's Son; if there is but One Husband's Grandson's Grandson's Son, he shall take the whole; if there are several Husband's Grandson's Grandson's Sons, they shall receive equal Shares.

If there be no Husband's Grandson's Grandson's Son, it goes to her Husband's Grandson's Grandson's Grandson; if there is but One Husband's Grandson's Grandson's Grandson, he shall take the whole; if there are several Husband's Grandson's Grandson's Grandsons, they shall receive equal Shares.

If there is no Husband's Grandson's Grandson's Grandson, it goes to her Husband's Grandfather's Grandfather; if there be no Husband's Grandfather's Grandfather, it goes to her Husband's Grandfather's Father's Brother; if there is but One Husband's Grandfather's Father's Brother, he shall take the whole; if there are several Husband's Grandfather's Father's Brothers, they shall all receive equal Shares.



If there is no Husband's Grandfather's Father's Brother, it goes to her Husband's Grandfather's Father's Brother's Son; if there is but One Husband's Grandfather's Father's Brother's Son, he shall take the whole; if there are several Husband's Grandfather's Father's Brother's Sons, they shall receive equal Shares.

If there is no Husband's Grandfather's Father's Brother's Son, it goes to her Husband's Grandfather's Father's Brother's Grandson; if there is but One Husband's Grandfather's Father's Brother's Grandson, he shall receive the whole; if there are several of her Husband's Grandfather's Father's Brother's Grandsons, they shall receive equal Shares.

If there is no Husband's Grandfather's Father's Brother's Grandson, it goes to her Husband's Grandfather's Grandfather's Father; if there is no Husband's Grandfather's Grandfather's Father, it goes to her Husband's Grandfather's Grandfather's Brother; if there is but One Husband's Grandfather's Grandfather's Brother, he shall take the whole; if there are several of her Husband's Grandfather's Grandfather's Brothers, they shall all receive equal Shares.

If there is no Husband's Grandfather's Grandfather's Brother, it goes to her Husband's Grandfather's Grandfather's Brother's Son; if there is but One Son of her Husband's Grandfather's Grandfather's Brother, he shall take the whole; if there are several Sons of her Husband's Grandfather's Grandfather's Brother, they shall receive equal Shares.

If there is no Husband's Grandfather's Grandfather's Brother's Son, it goes to her Husband's Grandfather's Grandfather's Brother's Grandson; if there is but One Grandson of her Husband's Grandfather's Grandfather's Brother, he

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shall take the whole; if there are several of her Husband's Grandfather's Grandfather's Brother's Grandsons, they all have equal Shares.

If there is no Husband's Grandfather's Grandfather's Brother's Grandson, it goes to her Husband's Grandfather's Grandfather's Grandfather; if there is no Husband's Grandfather's Grandfather's Grandfather, it goes to her Husband's Grandfather's Grandfather's Father's Brother; if there is but One Brother of her Husband's Grandfather's Grandfather's Father, he shall take the whole; if there are several of her Husband's Grandfather's Grandfather's Father's Brothers, they shall all receive equal Shares.

If there is no Husband's Grandfather's Grandfather's Father's Brother, it goes to her Husband's Grandfather's Grandfather's Father's Brother's Son; if there is but One Son of the Husband's Grandfather's Grandfather's Father's Brother, he receives the whole; if there are several of her Husband's Grandfather's Grandfather's Father's Brother's Sons, they shall receive equal Shares.

If there is no Husband's Grandfather's Grandfather's Father's Brother's Son, it goes to her Husband's Grandfather's Grandfather's Father's Brother's Grandson; if there is but One Grandson of her Husband's Grandfather's Grandfather's Father's Brother, he takes the whole; if there are several of her Husband's Grandfather's Grandfather's Father's Brother's Grandsons, they shall receive equal Shares.

If there is no Husband's Grandfather's Grandfather's Father's Brother's Grandson, it goes then to any One of her Husband's Family who is the next near Relation; if there be no near Relation, he who is of distant Kindred to her Husband's Family shall obtain it; if there is not any One of these, then the Magistrate shall take the Property of the Wife of a *Choblerree*, a *Sooder*, or a *Bice*. And the Property of a *Bramin's* Wife shall be given to the learned *Bramins* of the Village



Village where the said *Bramin's* Wife lived; if there be no learned *Bramins* in that Village, the unlearned *Bramins* of that Village shall obtain it; if also there are no unlearned *Bramins* in that Village, then it shall be given to the *Bramins* of the Environs.

THE Magistrate shall never obtain the Property of a *Bramin's* Wife.

WHATEVER a Father may have given to his Daughter, either before or after her Marriage, such Property, after her Death, even though she hath a Son living, goes to her unmarried Daughter; if there is but One unmarried Daughter, she receives the whole; if there are several unmarried Daughters, they all receive equal Shares.

IF an unmarried Daughter, having received her Mother's Effects, afterwards marries, and then dies childless, that Property does not go to her Husband, but her Sisters shall obtain it.

IF she dies, leaving a Son, that Son shall obtain from his Mother's Sisters an equal Share with them.

IF there is no unmarried Daughter, then it goes to the Daughter who has borne Children, and the Daughter who will bear Children, in equal Shares; if of these there is but One Daughter, she shall take the whole, if there are several, they shall have equal Shares.

IF there are none of these, then it goes, in equal Shares, to the Daughter who is barren, and to the Daughter who is a childless Widow; if there is but One barren Daughter, or childless Widow, she shall take the whole; if there are several, they shall obtain equal Shares.



If there is no Daughter who is barren, or a childless Widow, it goes to her Son; if there is but One Son, he shall obtain the whole; if there are several Sons, they shall have equal Shares.

If there is no Son, it goes to the Daughter's Son; if there is but One Daughter's Son, he shall take the whole; if there are several Daughter's Sons, they shall receive equal Shares.

If there is no Daughter's Son, it goes to the Grandson; if there is but One Grandson, he shall take the whole; if there are several Grandsons, they shall receive equal Shares.

If there is no Grandson, it goes to the Grandson's Son; if there is but One Grandson's Son, he shall take the whole; if there are several Grandson's Sons, they shall receive equal Shares.

If there is no Grandson's Son, it goes to her Husband's Son by another Wife; if there is but One Son of her Husband by another Wife, he shall take the whole; if there are several Sons of her Husband by another Wife, they shall receive equal Shares.

If there is no Son of her Husband by another Wife, it goes to her Husband's Grandson by another Wife; if there is but One Grandson of the Husband by another Wife, he shall take the whole; if there are several Grandsons of her Husband by another Wife, they shall receive equal Shares.

If there is no Grandson of her Husband by another Wife, it goes to the Grandson's Son of her Husband by another Wife; if there is but One Grandson's Son of her Husband by another Wife, he shall take the whole; if there



are several Grandson's Sons of the Husband by another Wife; they all have equal Shares.

If there is no Grandson's Son of her Husband by another Wife, then the Property of every Woman who was married after any One of the first Five Forms of Marriage goes, after her Death, to her Husband.

If there is no Husband, it goes to her Brother; if there is but One Brother, he shall take the whole; if there are several Brothers, they shall receive equal Shares.

If there is no Brother, it goes to the Mother; if there is no Mother, it goes to the Father; if there is no Father, then the Property of every Woman who was married according to any One of the Three last Forms of Marriage goes, after her Death (if there is no Grandson's Son of her Husband by another Wife) to her Mother; if there is no Mother, it goes to her Father; if there is no Father, it goes to her Husband.

If there is no Husband, then the Property of a Woman who was married according to any One of the Eight Forms of Marriage goes, after her Death, to her Husband's Younger Brother; if there is but One Younger Brother of her Husband, he shall take the whole; if there are several Younger Brothers of her Husband, they shall receive equal Shares.

If there is no Younger Brother of her Husband, it goes, in equal Shares, to her Husband's Younger Brother's Son, and to her Husband's Elder Brother's Son; if there is but One of these, he shall take the whole Property; if there are more than One, they shall obtain equal Shares.

If there is no Husband's Elder Brother's Son, and no Husband's Younger Brother's Son, it goes to her Sister's Son; if there is but One Sister's Son, he



shall take the whole; if there are several Sister's Sons, they shall receive equal Shares.

If there is no Sister's Son, it goes to her Husband's Sister's Son; if there is but One Husband's Sister's Son, he shall take the whole; if there are several Husband's Sister's Sons, they shall all receive equal Shares.

If there is no Husband's Sister's Son, it goes to her Brother's Son; if there is but One Brother's Son, he shall take the whole; if there are several Brother's Sons, they shall receive equal Shares.

If there is no Brother's Son, it goes to her Daughter's Husband; if there is but One Daughter's Husband, he shall take the whole; if there are several Daughter's Husbands, they shall obtain equal Shares.

If there is no Daughter's Husband, it goes to her Husband's Father; if there is no Husband's Father, it goes to her Husband's Elder Brother; if there is but One Elder Brother of her Husband, he shall take the whole; if there are several Elder Brothers of her Husband, they shall receive equal Shares.

If there is no Elder Brother of her Husband, it goes to her Husband's Brother's Grandson; if there is but One Husband's Brother's Grandson, he shall take the whole; if there are several of her Husband's Brother's Grandsons, they shall receive equal Shares.

If there is no Husband's Brother's Grandson, it goes to her Husband's Grandfather; if there is no Husband's Grandfather, it goes to her Husband's Paternal Uncle; if there is but One Paternal Uncle of her Husband, he shall take the whole; if there are several of her Husband's Paternal Uncles, they shall receive equal Shares.

If



If there is no Husband's Paternal Uncle, it goes to her Husband's Paternal Uncle's Son; if there is but One Son of her Husband's Paternal Uncle, he shall receive the whole; if there are several of her Husband's Paternal Uncle's Sons, they all have equal Shares.

If there is no Husband's Paternal Uncle's Son, it goes to her Husband's Paternal Uncle's Grandson; if there is but One Grandson of her Husband's Paternal Uncle, he shall take the whole; if there are several of her Husband's Paternal Uncle's Grandsons, they shall all receive equal Shares.

If there is no Husband's Paternal Uncle's Grandson, it goes to her Husband's Grandfather's Father; if there is no Husband's Grandfather's Father, it goes to her Husband's Grandfather's Brother; if there is but One Brother of her Husband's Grandfather, he shall take the whole; if there are several of her Husband's Grandfather's Brothers, they shall receive equal Shares.

If there is no Husband's Grandfather's Brother, it goes to her Husband's Grandfather's Brother's Son; if there is but One Son of her Husband's Grandfather's Brother, he shall take the whole; if there are several of her Husband's Grandfather's Brother's Sons, they shall receive equal Shares.

If there is no Husband's Grandfather's Brother's Son, it goes to her Husband's Grandfather's Brother's Grandson; if there is but One Grandson of her Husband's Grandfather's Brother, he shall take the whole; if there are several of her Husband's Grandfather's Brother's Grandsons, they shall all receive equal Shares.

If there is no Husband's Grandfather's Brother's Grandson, it goes to her Husband's Grandson's Grandson; if there is but One Grandson of her Husband's

band's



band's Grandson, he shall take the whole; if there are several of her Husband's Grandson's Grandsons, they shall receive equal Shares.

If there is no Husband's Grandson's Grandson, it goes to her Husband's Grandson's Grandson's Son; if there is but One Husband's Grandson's Grandson's Son, he shall take the whole; if there are several Husband's Grandson's Grandson's Sons, they shall receive equal Shares.

If there is no Husband's Grandson's Grandson's Son, it goes to her Husband's Grandson's Grandson's Grandson; if there is but One Grandson of her Husband's Grandson's Grandson, he shall take the whole; if there are several of her Husband's Grandson's Grandson's Grandsons, they shall receive equal Shares.

If there is no Husband's Grandson's Grandson's Grandson, it goes to her Husband's Grandfather's Grandfather; if there be no Husband's Grandfather's Grandfather, it goes to her Husband's Grandfather's Father's Brother; if there is but One Brother of her Husband's Grandfather's Father, he takes the whole; if there are several of her Husband's Grandfather's Father's Brothers, they all receive equal Shares.

If there is no Brother of her Husband's Grandfather's Father, it goes to her Husband's Grandfather's Father's Brother's Son; if there is but One Son of her Husband's Grandfather's Father's Brother, he shall take the whole; if there are several of her Husband's Grandfather's Father's Brother's Sons, they shall have equal Shares.

If there is no Husband's Grandfather's Father's Brother's Son, it goes to her Husband's Grandfather's Father's Brother's Grandson; if there is but One Grandson of her Husband's Grandfather's Father's Brother, he shall take the whole;



whole; if there are several of her Husband's Grandfather's Father's Brother's Grandsons, they shall receive equal Shares.

If there is no Husband's Grandfather's Father's Brother's Grandson, it goes to her Husband's Grandfather's Grandfather's Father, if there is no Husband's Grandfather's Grandfather's Father, it goes to her Husband's Grandfather's Grandfather's Brother, if there is but One Brother of her Husband's Grandfather's Grandfather, he shall take the whole; if there are several of her Husband's Grandfather's Grandfather's Brothers, they shall receive equal Shares.

If there is no Husband's Grandfather's Grandfather's Brother, it goes to her Husband's Grandfather's Grandfather's Brother's Son; if there is but One Son of her Husband's Grandfather's Grandfather's Brother, he shall take the whole; if there are several of her Husband's Grandfather's Grandfather's Brother's Sons, they shall receive equal Shares.

If there is no Husband's Grandfather's Grandfather's Brother's Son, it goes to her Husband's Grandfather's Grandfather's Brother's Grandson; if there is but One Grandson of her Husband's Grandfather's Grandfather's Brother, he shall take the whole; if there are several of her Husband's Grandfather's Grandfather's Brother's Grandsons, they all shall receive equal Shares.

If there is no Husband's Grandfather's Grandfather's Brother's Grandson, it goes to her Husband's Grandfather's Grandfather's Grandfather, if there is no Husband's Grandfather's Grandfather's Grandfather, it goes to her Husband's Grandfather's Grandfather's Father's Brother; if there is but One Brother of her Husband's Grandfather's Grandfather's Father, he shall take the whole; if there are several of her Husband's Grandfather's Grandfather's Father's Brothers, they shall receive equal Shares.



If there be no Husband's Grandfather's Grandfather's Father's Brother, it goes to her Husband's Grandfather's Grandfather's Father's Brother's Son; if there is but One Son of her Husband's Grandfather's Grandfather's Father's Brother, he shall take the whole; if there are several of her Husband's Grandfather's Grandfather's Father's Brother's Sons, they shall receive equal Shares.

If there is no Husband's Grandfather's Grandfather's Father's Brother's Son, it goes to her Husband's Grandfather's Grandfather's Father's Brother's Grandson; if there is but One Grandson of her Husband's Grandfather's Grandfather's Father's Brother, he shall take the whole; if there are several Grandsons of her Husband's Grandfather's Grandfather's Father's Brother, they shall receive equal Shares.

If there is no Husband's Grandfather's Grandfather's Father's Brother's Grandson, it then goes to any One of her Husband's Family who is the next near Relation; if there is no near Relation, it goes to One of distant Affinity.

If there is not any One of these, then the Magistrate shall obtain the Effects of the Wife of a *Chehteree*, a *Sooder*, or a *Bice*: And the Property of the Wife of a *Bramin* goes to the learned *Bramins* of the Village where that *Bramin* had his Residence; if there is no learned *Bramin*, the unlearned *Bramins* of that Village shall obtain it; if there are none of these also, then the *Bramins* of the Environs shall obtain it.

THE Magistrate shall never assume the Property of the Wife of a *Bramin*.



### *Of Inheriting from an unmarried Girl.*

WHEN an unmarried Girl dies, her Property goes to her Brother by the same Parents; if there is but One Brother by the same Parents, he shall take the whole; if there are several Brothers by the same Parents, they shall all receive equal Shares.

If there is no Brother by the same Parents, it goes to her Mother; if there is no Mother, it goes to her Father; if there is no Father, it goes to her Brother by a different Mother; if there is no Brother by a different Mother, it goes to the Son of her Brother by the same Parents; if there is no Son of her Brother by the same Parents, it goes to the Son of her Brother by a different Mother.

If there is no Son of her Brother by a different Mother, it goes to her Brother's Grandson; if there is but One Brother's Grandson, he shall take the whole; if there are several of her Brother's Grandsons, they shall receive equal Shares.

If there is no Brother's Grandson, it goes to her Grandfather (*i. e.* Father's Father) if there is no Grandfather, it goes to her Paternal Uncle; if there is but One Paternal Uncle, he shall take the whole; if there are several Paternal Uncles, they shall receive equal Shares.

If there is no Paternal Uncle, it goes to the Paternal Uncle's Son; if there is but One Paternal Uncle's Son, he shall take the whole; if there are several Paternal Uncle's Sons, they shall receive equal Shares.



If there is no Paternal Uncle's Son, it goes to her Paternal Uncle's Grandson; if there is but One Paternal Uncle's Grandson, he shall take the whole; if there are several Paternal Uncle's Grandsons, they shall receive equal Shares.

If there is no Paternal Uncle's Grandson, it goes to her Grandfather's Father; if there is no Grandfather's Father, it goes to her Grandfather's Brother; if there is but One Brother of her Grandfather, he shall take the whole; if there are several of her Grandfather's Brothers, they shall receive equal Shares.

If there is no Grandfather's Brother, it goes to her Grandfather's Brother's Son; if there is but One Son of her Grandfather's Brother, he shall take the whole; if there are several of her Grandfather's Brother's Sons, they shall receive equal Shares.

If there is no Grandfather's Brother's Son, it goes to her Grandfather's Brother's Grandson; if there is but One Grandson of her Grandfather's Brother, he shall take the whole; if there are several of her Grandfather's Brother's Grandsons, they shall receive equal Shares.

If there is no Grandfather's Brother's Grandson, it goes to her Grandfather's Grandfather; if there is no Grandfather's Grandfather, it goes to her Grandfather's Father's Brother; if there is but One Brother of her Grandfather's Father, he shall take the whole; if there are several of her Grandfather's Father's Brothers, they shall receive equal Shares.

If there is no Grandfather's Father's Brother, it goes to her Grandfather's Father's Brother's Son; if there is but One Son of her Grandfather's Father's Brother, he shall take the whole; if there are several of her Grandfather's Father's Brother's Sons, they shall receive equal Shares.

If



If there is no Grandfather's Father's Brother's Son, it goes to her Grandfather's Father's Brother's Grandson; if there is but One Grandson of her Grandfather's Father's Brother, he shall take the whole; if there are several of her Grandfather's Father's Brother's Grandsons, they shall have equal Shares.

If there is no Grandfather's Father's Brother's Grandson, it goes to her Grandfather's Grandfather's Father; if there is no Grandfather's Grandfather's Father, it goes to her Grandfather's Grandfather's Brother; if there is but One Brother of her Grandfather's Grandfather, he shall take the whole; if there are several of her Grandfather's Grandfather's Brothers, they shall receive equal Shares.

If there is no Grandfather's Grandfather's Brother, it goes to her Grandfather's Grandfather's Brother's Son; if there is but One Son of her Grandfather's Grandfather's Brother, he shall take the whole; if there are several of her Grandfather's Grandfather's Brother's Sons, they shall have equal Shares.

If there is no Grandfather's Grandfather's Brother's Son, it goes to her Grandfather's Grandfather's Brother's Grandson; if there is but One Grandson of her Grandfather's Grandfather's Brother, he shall take the whole; if there are several of her Grandfather's Grandfather's Brother's Grandsons, they shall receive equal Shares.

If there is no Grandfather's Grandfather's Brother's Grandson, it goes to her Grandfather's Grandfather's Grandfather; if there is no Grandfather's Grandfather's Grandfather, it goes to her Grandfather's Grandfather's Father's Brother; if there is but One Brother of her Grandfather's Grandfather's Father, he shall take the whole; if there are several of her Grandfather's Grandfather's Father's Brothers, they shall receive equal Shares.



If there is no Grandfather's Grandfather's Father's Brother, it goes to her Grandfather's Grandfather's Father's Brother's Son; if there is but One Son of her Grandfather's Grandfather's Father's Brother, he shall take the whole; if there are several of her Grandfather's Grandfather's Father's Brother's Sons, they shall receive equal Shares.

If there is no Grandfather's Grandfather's Father's Brother's Son, it goes to her Grandfather's Grandfather's Father's Brother's Grandson; if there is but One Grandson of her Grandfather's Grandfather's Father's Brother, he shall take the whole; if there are several of her Grandfather's Grandfather's Father's Brother's Grandsons, they shall receive equal Shares.

If there is no Grandfather's Grandfather's Father's Brother's Grandson, it then goes to any One of the Family of the aforesaid Girl's Father who is the next near Relation; if there is no near Relation, then One of distant Kindred shall obtain it.

If also there is no distant Relation, then the Magistrate shall assume the Effects of the unmarried Daughter of a *Chekteree*, a *Sooder*, and a *Bice*: And the Property of the unmarried Daughter of a *Bramin* shall be given to the learned *Bramins* of the Village where the aforesaid Daughter had her Residence.

If there is no learned *Bramin* in that Village, it shall be given to the unlearned *Bramins* of that Village.

If there are no unlearned *Bramins* also, it shall be given to the *Bramins* of the Environs of that Village.



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THE Magistrate shall never assume the Property of the unmarried Daughter of a *Bramin*.

IF, during the Life-time of a Girl deceased, any Person had entered into an Engagement to marry her, and that Person, or the Mother and Father of that Person had made that Girl any Present, that Gift shall revert again to the aforesaid Person.

IF, after Agreement to marry a Daughter to a particular Person, that Daughter be given in Marriage to another Person, then whatever Present, either in Money or other Articles, the Person first mentioned, or his Mother and Father, had given to the Girl, or whatever Gift any other of that Person's Family had presented, on Account of the intended Marriage, such Money and other Articles shall again revert to the Person aforesaid.

## S E C T. V.

### *Of Persons incapable of Inheritance.*

WHOEVER is born an Eunuch; whoever is expelled from his Tribe, his Relations and Kindred, for commission of any Crimes; whoever is born Blind; whoever is Deaf from his Mother's Womb; whoever is an Idiot; whoever cannot distinguish between Good and Evil; whoever has no Principle of Religion; whoever is Dumb; whoever is born without Hand, or Foot, or Nose, or Tongue, or Privy Member, or Fundament; whoever strikes and beats his own Father, or who, after his Father's Death, performs not the *Serâdeks* (religious Offices to his Father's Memory) whoever is of such a general ill Behaviour, as that his Relations and Partners refuse to eat or drink with him, and who lives in constant commission of those Actions which  
are



are forbidden to his particular Tribe by the *Beids*; whoever is so incurably disordered, as that no Remedies have any Effect on him; and who, on Account of his Disorder, is never able to perform the *Seradeb*, the *Poojeb*, and other religious Duties of this Kind; whoever is afflicted with a scrofulous Leprosy, or a Leprosy breaking out in Boils, with a perpetual Discharge of Blood and Matter; Men afflicted with these Disorders, even after *Perasschut* (or Recovery) shall remain incapable of Inheritance: And also, whoever wears the Disguise of a *Berhemcherry*, or a *Sinasse*, and so gains a Livelihood in a fraudulent Manner; whoever is seized with a *Ganssee Fikkbeb*, or a Consumption, in which he brings up Blood mingled with Phlegm; whoever has professed himself a *Sinasse*; whoever procures his Subsistence by an unwarrantable Business or Profession; all or any of these Circumstances, here specified, incapacitate a Man for Inheritance.

But whoever shall supersede these Persons, in the Inheritance of bequeathed Property, must allow them Victuals and Cloathing; nevertheless the Man who has been expelled from his Tribe shall receive Nothing.

If the Sons of these People be totally free from all the Objections which have been stated above, they shall receive their Share of the Property left for Inheritance; nevertheless the Son of the Man expelled from his Tribe, who was born after such Expulsion, shall not receive any Share.

If there are unmarried Daughters of any of these, such Daughters shall be maintained in Victuals and Cloathing, until their Marriage.

AND also to the Wives of these (if there are not unchaste) shall be allowed Victuals and Cloaths.



## S E C T. VI.

*Of Property liable to Division.*

Of the Property of a Grandfather and a Father; and of such Property as arises from a Partnership Concern, and of whatever is given by a Relation of equal Affinity, indiscriminately, that is, without specifying the Name of any particular Person; as also of such Gains as arise from the Joint Labour and united Efforts of Two, Four, &c. Persons.

\* \* ALL such Property is liable to Division.

WHEN Two or more Persons are Co-Heirs, if any Gain is made upon the Common Stock, then the Persons, by whose Labour or prudent Management such Gain was produced, shall each receive a double Share; those who did not join in the Plan or Execution of the Business shall each receive a single Share.

\* \* ACCORDING to the Ordinations of *Sirree Kisben Terkālunghār*, and *Gopaul Panchānyn*.

WHEN Two, Four or more Persons are Partners, and One or Two of those Partners acquire any Profit, each Partner shall receive a Share of it, proportionable to his Property in the Joint Stock; and those who gained this Profit shall first divide the whole of it into equal Shares, and each take a single Share; and then receive a Part of what remains, proportionable to their Share in the Common Stock.

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\* \* ACCORDING



\* \* ACCORDING to the Ordination of *Sewärteb Bektichärige*, and *Jermoot Babur*, and this Ordination is approved (or rather is customary in this Kingdom.)

If the Property of a Partnership belongs wholly to One of the Partners, and the other Partner performs all the Labour of the Business, and makes a Profit upon that Property, such Profit shall be divided equally between them.

If One Partner both risks his Property and takes also his Share of the Labour of Business, and another Partner, without risking his own Property, takes only his Share of the Trouble and Management of Affairs, then he who advanced his Property, and exerted his Efforts, shall receive a double Share; he who only contributed his Efforts shall receive a single Share.

If a Man, without any Advance of Property, should, by his own mere Diligence and Efforts, acquire any Profit, his Partners shall receive no Share of it.

## S E C T. VII.

*Of Dividing Property earned by the Science of the Shaster, by the Art of Painting, Architecture, or other Arts of that Kind, on which a Profit may be gained.*

If any Person, without Employment of any Stock in Partnership, by his own Efforts, in the Exertion of any Art, should acquire any Profit, then, whichever of his Partners by Affinity hath a greater or equal Share of Knowledge with himself, he shall give to each of such Partners a single Share, and he shall appropriate a double Share to himself; and whichever of them has less Knowledge than he, or is wholly without Skill in any Art, shall not receive a Share.

If



If any Person, who hath learnt any Art from his Father, his Grandfather, his Paternal Uncle, his Brother, or any Person in his own Family, should acquire any Profit by that Art, then whoever of the Family is totally unskilled in any Art, or hath less Knowledge than he, shall receive a single Share each; and whoever works for his own Subsistence shall take a double Share.

If One Person hath quitted his Partners by Affinity, for the Purpose of learning any Art, and another Person of the Family, unskilled in any Art, expends Part of his Property, in supporting the immediate Dependants of the Absentee, then he who went away, to improve himself in any Art, shall take to himself a double Share of any Profit he may gain by that Art, and shall give a single Share of it to the Person who supported his Dependants in his Absence; if those Dependants were supported from the Joint Stock, he shall not give any Thing.

If a Person learns any Art from a Stranger, and also receives Victuals and Cloaths from him, his Partners by Affinity shall not receive any Share of the Profits he may gain by that Art.

## S E C T. VIII.

### *Of Dividing Property earned by a Man's Sons.*

If any Man acquires a Profit, upon employing his Father's or Grandfather's Property, he shall give the Half of all his Gains to his Father; and if he hath not any Brothers, he shall take the other Half himself; if he hath Brothers, he shall take to himself a double Share of the remaining Half, and shall give a single Share to each of his Brothers.



If any Person, without any Advance of Property, should raise any Profit, he shall give the Half of it to his Father, and shall take to himself the other Half: His Partners by Affinity shall not receive any Share of it.

If any Person, upon employing his Brother's Property, should acquire any Profit, of the whole of such Profit, he shall give One Half to his Father, if his Father be a Man of Knowledge and Skill; and of the remaining Half, he who raised the Profit shall receive a double Share; and he whose Property was employed shall receive a single Share; and those who employed no Property shall not receive any Thing: If the Father be not a Man of Knowledge or Skill, he shall receive a double Share; and he who made the Profit shall also receive a double Share; and the Man whose Property was employed shall receive a single Share.

## S E C T. IX.

### *Of Possessions Indivisible.*

If a Man by Victory in War has made any Prize, it shall not be liable to be shared.

If a Man has received any Thing in the House of his Wife's Father, no Share of it shall appertain to his Partners (or Relations.)

If a Man's Father or Mother, out of particular Kindness, hath given him any Thing, no Share of it shall appertain to his Partners (or Relations.)

If a Person, without Employment of the Joint Stock, and without equal Labour on the Side of his Partners (and exclusive of what a Relation of equal Affinity



Affinity may have given him) should acquire any Profit, it is not liable to be shared by his Partners.

If a Father gives, by his own Choice, Land, Houses, Orchards, and the Earnings of his own Industry, to One of his Sons, the other Sons shall not receive any Share of it.

EVERY Man shall take of the Water of a Pool, or of a Well, according to his Necessity: No Account is to be had of a greater or lesser Share in this Article.

EXCLUSIVE of Glebe Land, if any other Property of a Father, or Grandfather, be not occupied, and One of the Partners by Affinity, without employing the Joint Stock, and exclusive of the Labour or Efforts of the other Partners, by Permission also of the other Partners, entered upon such Property, it shall not be divided into Shares; if, in the same Manner, by Permission of the Partners, One of them occupies any Glebe Land of his Father and Grandfather, then he shall divide such Glebe into Four Shares; and from thence he shall first take to himself One Share, and afterwards divide the Three remaining Shares equally between himself and his Partners.

In a Partnership of Affinity, the Wearing-Apparel of each Partner, all the Necessaries of his *Sewarree* (or travelling Equipage) the Ornaments worn about his Person, the Vessels and Dishes for Meat and Drink, that are in immediate Use, and the Slave Girl, whom he has the first destined for his *Haram*, exclusive of other Girls, and also the Carpets and Mats for sitting and sleeping, that are in constant Service, of these Things, if One Man expends a lesser and another a larger Quantity, no Account shall be had of such greater or lesser Shares; and if, of these Things, there are not more in the House than One for each Person, they shall all receive equal Shares.



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THE Place of *Poojeh*, that is of Worship, and the Place of *Jugg*, which has already been explained under the Article of *Jugg*, in the Section of a Woman's Property, is not liable to be shared: As also the *Tāgur*, or Idol of Adoration, is not liable to Division.

THE Space of Ground occupied by the House-Drain, the Path left for the Passage of the Cattle, and the Path of the Great Gate of the House, are not liable to Division.

WHATEVER is immediately necessary to any Person is not liable to be shared: As for Instance, when Two, Four, &c. Persons are Partners, One of them hires himself as a Servant, another becomes a *Pundit*, another a Painter, and, in this Manner, they all exercise different Professions, then each of them shall take of what may be in the House, according to the Occasions of his own Profession; if there is but One Article, they shall all take equal Shares of it; but if that Article be any Instrument belonging to the Calling exercised by any One of them, that Person shall take it, and shall give all his Partners their Proportion of the Price of it.

If, during the Life-time of a Father, all his Sons, either by Order of their Father, or even without Prohibition from their Father, make for themselves Houses and Gardens upon their Father's Land, if the Land so taken be in greater or lesser Quantities, it is not liable to be shared; but if among these some have made, and some have not made, Houses and Gardens, then it shall be divided into equal Shares.

S E C T.



## S E C T. X.

*Of a Father's Dividing among his Sons the Property earned by himself.*

If a Father divides among his Sons the Property earned by himself, he shall give it according to his own Choice; if it is not the Father's Choice, his Sons shall not have Authority to force him to such a Division.

If a Father gives to his Sons, by his own Choice, a small Share of the Property earned by his own Industry, and keeps a larger Portion to himself, he has the Power; also if, after expending what he reserved for himself, he requires Food and Cloaths from his Sons, he shall have Power to take it.

If a Father divides among his Sons the Property earned by himself, he shall divide it among all his Sons, by equal Shares; but if any One of the Sons hath been particularly dutiful to his Father, or hath a very large Family, or is incapable of getting his own Living, upon these Three Accounts, if he gives a larger Share to such Sons than to the rest, he has Authority for so doing.

If a Father, infligated by Resentment, or by a particular Fondness for the Mother of any One of his Sons, or by the Influence of any Fit of Sickness, divides the Property acquired by himself unequally among his Sons, such Division is not approved.

If all the Sons go at once in a Body to their Father, jointly requesting their respective Shares of his Fortune; in that Case, the Father shall give equal Shares



Shares of the Property earned by himself to the Son incapable of getting his own Living; to the Son who hath been particularly dutiful to him, and to the Son who hath a very large Family, and also to the other Sons who do not lie under any of these Three Circumstances, in this Case, he shall not have Power to give to any One of them more or less than to the others.

If a Father has occupied any Glebe belonging to his Father, that was not before occupied, he shall not have Power to divide it among his Sons in unequal Shares, as in the Case of Property earned by himself.

## S E C T. XI.

### *Of a Father's Dividing among his Sons the Property left by his Father and Grandfather.*

If a Father desires to divide among his Sons the Property of his Father and Grandfather, whenever he altogether despairs of having a Son by any One of his Wives, he may divide and give it to them at his own Choice; if he has Hope of a Son from any One Wife, he has not Authority to divide it.

If it be not the Father's Choice, the Sons have no Authority to take from him by Force their respective Shares of their Ancestors Property; even if there is no Expectation that their Father shall ever have another Son, still they have not Authority to take it.

If a Father, by his own Choice, divides among his Sons the Property of his Father and Grandfather, he shall take to himself a double Share, and shall give a single Share to each of his Sons.

If



If a Father divides among his Sons the Glebe, Orchards, Houses, Rents, Slave Girls, and Slaves of his Father and Ancestors, to the Son who hath a large Family, to the Son who is incapable of getting his own Living, to the Son who hath been particularly dutiful to his Father, and to all his other Sons, he shall give it in equal Shares; he hath no Authority to give to some more, to others less; and these Things also he hath no Power to sell, or to give away, without the Consent of his Sons.

A FATHER shall not so give away, or sell the Effects and Glebe belonging to himself, or to his Father and Ancestors, as that his immediate Dependants should be distressed for Want of Victuals or Cloathing; if, reserving so much as may be necessary for the immediate Food and Cloaths of his Dependants, he should sell, or give away the rest of the Property, he has Authority so to sell and give away.

If a Father, exclusive of the Glebe, the Rents, the Slave Girls, and the Slaves of his Father and Ancestors, divides the rest of their Property among his Sons, then, in the same Manner as the Property earned by himself, in giving a Share to the Son who hath the large Family, to the Son who cannot get his own Living, and to the Son who hath been particularly dutiful, he has Power to give them a larger or a smaller Share; if all the Sons in a Body desire their respective Shares, then there shall be no One Share, greater or less than another.

If a Father, at the Time of dividing the Property gained by himself, or that of his Father and Ancestors, among his Sons, parts the whole into Twenty equal Shares, and from thence gives One Share to his Eldest Son, he has Authority to do so; and he shall then divide the other Nineteen Parts equally between his Eldest and his other Sons.

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If



If a Man, of the Tribe of *Sooder*, of his own Choice, gives an equal Share of his Property to the Son born of a Concubine, and to the Son born of a Wife, he has Power to do it.

If a Father should die without having divided his Property, then, whatever Share the Son born of a Wife may receive, the Son born of the Concubine shall receive Half as much.

If there is no Son born of the Wife, nor Grandson, nor Grandson's Son, nor Wife, nor Daughters, nor Daughter's Son, then the Son born of the Concubine shall receive the whole Property.

If there is a Daughter's Son, he shall take an equal Share.

WHENEVER a Person gives a Share to his Sons, equal with the Share assumed by himself, to his Wife who hath neither Son, nor Grandson, nor Grandson's Son, and to whom hath been given nought of those Things which constitute a Woman's Property, he shall give One Share, at the Computation of the Share of One Son; if any of those Things that constitute a Woman's Property hath been given to the Wife, he shall give her at the Computation of Half the Share of One Son.

If he hath given a small Share to his Sons, and hath reserved a larger Part for himself, he shall then, from his own Share, give to the Wife above described One Share, at the Computation or Rate of the Share of One Son.

If a Father, being separated from his Sons, hath divided his Property among them, according to the Ordinations of the *Skaster*, and he also taking his own Share, according to the *Skaster*, returns no more to live with his Sons, afterwards



wards if he should have another Son by the same Mother, this Son shall receive his Father's Share, and also whatever Acquisition of Property his Father may have made after such Separation.

If several Sons are born after this Separation, they shall all receive equal Shares, and these Sons shall pay whatever Debts their Father may have contracted after such Separation.

THE Sons who were first separated from their Father shall not receive this latter Property, neither shall they pay their Father's Debts; and also the Son who was born after the Separation shall not receive from them any Share of the original Property.

\* \* THIS Ordination concerns solely the Property immediately acquired by the Father.

If a Father divides the Property of his Father and Grandfather among his Sons, according to the *Shafter*; as for Instance, he takes to himself a double Share, and gives a single Share to each of his Sons, afterwards another Son is born, then that Son shall receive from his Brothers an equal Share of the Property that was divided, and shall also receive, upon his Father's Death, an equal Share of that Part of the Property which remained in his Father's Possession upon Division.

WHEN a Father separates from his Sons, and gives to them their respective Shares of his Property, and also takes to himself his own Share, if at that Time the Mother of those Sons be big with Child, the Son born after this Separation shall receive an equal Share from the Sons who are separated; and they shall all receive equal Shares of all that may be their Father's Property; and they shall all contribute to pay any Debts which the Father may have contracted.

S E C T.



## S E C T. XII.

*Of Sons Dividing the Property left by their Father.*

If a Man, having a Wife, and Sons born from that Wife, dies, or renounces the World, or gives up all his Effects, or is expelled from his Tribe and Relations, so long as that Wife lives, it is not a right and decent Custom, that those Sons should share, and receive among themselves the Property left by that Person; if the Wife aforesaid gives them Instructions accordingly, then the Sons have Authority to divide it: At the Time of Division, if the Wife is desirous to receive a Share, she shall take One Share, at the Rate of the Share of One Son; if she does not wish to have a Share, she shall receive Victuals and Cloaths.

If a Man hath given to his Wife, or if the Father of that Man hath given to the Wife, ought of those Things that constitute a Woman's Property, then the Sons of that Person, at the Time of sharing his Property, shall give to their Mother, at the Computation of Half the Share of One Person; and to any other Wife of their Father, having neither Son, nor Grandson, nor Grandson's Son, they shall not give a Share, but shall give her Victuals and Cloaths.

\* \* THIS Ordination is according to *Sewarteb Behtàchàrige*, and *Sirres Kishen Terkàlungkàr*, and *Jeimoot Bábun*, and is approved (or customary in this Kingdom.)

THE Father's Wife, having neither Son, nor Grandson, nor Grandson's Son, shall receive an equal Share with that of the Son, according to the Ordinations of the *Pundits of Metilla*.



If all the Brothers of One Family, by their own Choice, live together, then the Elder Brother, taking upon himself the Command of the Family, shall, in Manner of a Father, lend his Assistance towards the Support and Education of his Younger Brothers; and the Younger Brothers also, considering their Elder Brother in the Light of a Father and Patron, shall demean themselves conformably to his Pleasure.

If the Elder Brother is unfit for the Management of Affairs, then whichever of the Brothers is most capable shall take the Burden of them all upon himself, and shall govern the Family.

To live together is the Result of the general Consent of all the Partners, and to separate arises from the Inclination of any One of them, therefore, if, in consequence of the Inclination of One among them, they separate and divide their Stock, the Share of any Person who is absent, and the Share of him who is a Child, shall be reserved for them, in some safe Place, that it may not be lost or diminished.

If all the Brothers, by their own Choice, selecting the Twentieth Part of Property above-mentioned, before the general Division, present it to their Elder Brother, and then share equally the remaining Nineteen Parts between the aforesaid Elder Brother and the Younger Brothers, it may be done; if it be not the Choice of all the Brothers, and the Elder Brother makes demand of this Twentieth Part, he shall not have Power to take it.

If any Member of a Partnership by Affinity gives up his Share, by his own Choice, and leaves his Partners, then the Partners aforesaid, for the Sake of hindering all future Disputes, that none of his Heirs might, at any distant Pe-

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riod, make any Demand, shall give something to that Person, and take from him a written Acknowledgment.

At the Time that Partners by Affinity take their respective Shares of Property bequeathed them, it is necessary, that they discharge the Debts of the Man whose Estate they inherit; if they are unable to pay the Debts, they shall pacify the Creditor, and, taking their Share of the Property, give a Promise to pay the Debts hereafter, and shall pay accordingly, sooner or later, according to their Shares; and if the Deceased had intended to give ought to any Person, they shall give that also, upon their assuming their Shares of the Property left to them.

Among Partners, if One Person has a very large Family, and the others have but small Families, then the Men of small Families, at the Time of sharing the Property, shall not have Liberty to speak to the Man of large Family, upon Account of the larger Quantity of Victuals and Cloaths expended, during the Time of their living together, but shall receive, in equal Shares, whatever is there collected.

If a Brother, or an unmarried Sister, hath not yet performed the Ceremony of having the Ears bored, or of assuming the *Braminical* Thread, or of first tasting Salt, and the other Partners have all gone through these Duties, then the Partners, at the Time of dividing their Effects, shall give to these (exclusive of their Shares) whatever is necessary for the Expence of these Ceremonies, according to their Abilities, and shall then divide, in equal Shares, the rest of the Property; if the whole Property is not sufficient to answer the Expence of these Ceremonies, then the Partners above-mentioned shall respectively use their Endeavours, to acquire Sufficiency for the Performance of these Duties.



If a Grandfather dies, not leaving a Son, and the Grandson makes Division of his Effects, then the Wives of the Grandfather, if they take their Share of what he left, shall receive equal Shares with the Grandson.

If they do not take their respective Shares, the Grandson shall give them Victuals and Cloaths; if those Wives have received what hath been described to be a Woman's Property, they shall receive a Share, at the Computation of Half the Share of the Grandson.

### S E C T. XIII.

*Of Dividing the Joint Stock of Persons, who agree to live together, after the Original Dispersion and Separation of the Family.*

WHEN a Man, after Separation, resumes again, upon a friendly Footing, his Connexion with his Father, his Brother, or his Paternal Uncle, and an Agreement is made between them, that, "My Property is yours, and your Property is mine," and this Agreement also, on both Sides, is made with upright Intentions, it is called *Sungserfut-beb*.

\* \* THE Meaning of *Sungserfut-beb* is when, after a Separation, a fresh Connexion takes place.

EXCLUSIVE of those Persons above-mentioned, if a Man resumes his Connexion with any other Person, such Circumstance is not called *Sungserfut-beb*.

\* \* THIS



\* \* THIS is according to the Ordination of *Jeimoot Bâbun*, and *Sewârtch Bektâchârige*, and is approved (or customary.)

BUT the *Pundits* of *Metbilla* say, that when a Person, after Separation from any Relation whatever, resumes his Connexion with him, such a Circumstance is called *Sungfersut-beb*.

IF Two or more Brothers, after Separation, resume again their Connexion, and then separate the Second Time, they shall receive equal Shares of their Joint Effects.

IF a Man, after Separation, resuming his former Connexion, hath in the mean Time acquired any Profit, by Dint of Science and Industry, or by Painting, or any other Art, from that Profit, he shall take to himself a double Share, and shall give to each of his Partners a single Share.

IF a Father, after Separation from his Sons, resumes his Connexion with One or more of those Sons, and, after that Separation, the Father should beget another Son, then the Sons who, after Separation, resumed their Connexion, and every Son who was born after that Separation, after the Death of their Father, shall receive equal Shares, and shall, in equal Proportions, discharge the Father's Debts.

ALL those Sons, who resumed not their Connexion with their Father, have no Concern, either with the Effects of their Father or with the Payment of his Debts.

IF a Father, after Separation from his Sons, resumes his Connexion with One or more of those Sons, and, after that Separation, the Father should beget



beget another Son, if the Father, after such Separation, without the Efforts of his Sons, and without Employment of the Common Stock, should acquire any Property, that Property, after the Death of the Father, shall be received by whatever Son was born after such Separation; and the others, who again resume their Connexion, shall not receive it.

If the Father, by Employment of the Common Stock, and by the Efforts and Labour of his Sons acquires any Property, it shall be divided by equal Shares.

AND if the Father, for his own Purposes, contracts any Debt, the same Son who was born after the Separation shall discharge them.

#### S E C T. XIV.

*Of a Partner's receiving his Share of the Joint Stock, after a long Space of Time hath elapsed; also of the Inheritance of the Sons of a Woman of the Sooder Cast, by Two different Husbands; and also of adopted Sons.*

If One of the Partners by Affinity, before Separation, goes into another Kingdom, and there fixes his Residence, so that, after a long Elapse of Time, either he, or his Son, or his Grandson, or his Grandson's Son, or any of his Descendants, should come to the Partners by Affinity before-mentioned, and make demand of his Share, he shall bring the Men of Credit among his Neighbours, his Relations, or any others, to prove his Affinity to the Man who fixed his Residence in a foreign Kingdom, and shall receive his Share of Inheritance.



If a Woman of the *Sooder* Cast, who hath borne a Son to her Husband, should take that Son with her, and go to live with another Man of the same Cast, and while she remains in the House of this Second Person should bear to him also a Son, then each Son that is born to either Man, after the Death of that Man, shall receive his particular Property.

If the Mother of these Sons should die, then each Son shall separately inherit whatever was given to his Mother by his own Father; and if the Mother had any other Effects, exclusive of what the Fathers gave, the Sons shall both receive equal Shares of it.

A MAN, without Permission of his Partners by Affinity, shall neither give away, nor sell to any One the Joint Property : If he gives away or sells a Part of it, at the Computation of his own Share, it is approved.

BUT if he gives, or sells, or mortgages such Property to a Man of fraudulent Principles, so that Loss and Vexations should accrue thereby to the Partners, the Man who thus gives away, sells or mortgages such Property, is to be accounted criminal.

\* \* \* ACCORDING to the Ordination of *Sewartab Bektàchàriga*, *Jeimoot Bâkun*, and *Sirree Kishen Terkàlungkâr*, and is approved.

If any Person, without Permission of the Partners by Affinity, gives away, sells or mortgages a Part of the Joint Property, on Computation of his own Share, it is approved; according to the Ordination of the *Pundits of Metkilla*.

If to a Man, who hath before patronized an adopted Son, a Son should afterwards be born of his own Seed, after the Death of the Father, the adopted Son



Son shall receive a single Share, and the begotten Son shall receive a double Share of his Property.

## S E C T. XV.

*Of Dividing concealed Effects; and of rectifying unequal Divisions; and of the Modes of settling the disputed Shares of Partners.*

If any One of the Partners by Affinity, at the Time of sharing and dividing their Property, concealed any Part of the Effects, and this Circumstance should afterwards appear, that Part shall then be divided equally among all not the other Partners, and the Man who concealed it.

BUT if any One of the Partners still continues suspicious, he shall undergo the *Purrikeb*, that is Ordeal for him; whoever is not suspicious of him, he shall perform the *Purrikeb*.

IF, at the Time of Division of Joint Stock, the Partners by Mistake should have made an unequal Distribution, it is not approved.

HE who received too large a Share, whenever the Mistake is proved, shall divide equally among them all the Overplus of his proper Portion.

AT the Time of Division of Joint Stock, if One Person be a Child, and any One of the Partners fraudulently takes from the Share of that Child, to add to his own, when this Circumstance comes to be proved, that Child shall receive from him the Balance of his Share.

IF,



If, at the Time of Division of Joint Stock, all the Partners, by their own Free-Will, receive unequal Shares, some more, some less, and are afterwards desirous to have an adjusted Settlement of their Shares, they shall not have the Power.

EVERY Kingdom has its own Customs, and every Town has its own Customs, so every Tribe has its own Customs; if, according to those Customs, an unequal Division takes place, it is approved.

If the Mode of unequal Division has passed regularly from Father and Ancestors, this also is approved.

If One Person of the Partners by Affinity should say, that "Our Property has been shared," and another should say, that "It hath not been shared," and upon such a Dispute they should refer their Claims to Arbitration, First, the Arbitrators shall inquire the State of the Case, of the Men descended from the same Grandfather with the Plaintiff and Defendant, and who have formerly separated from the Family.

If the Matter is not settled by Inquiry from Persons descended from the same Grandfather, they shall next examine the Relations and Kindred of the Plaintiff and Defendant.

If it is not settled by Examination of the Relations and Kindred of the Plaintiff and Defendant, they shall next inquire and examine the Division Accounts; if there is no Division Account, then the Arbitrators shall proceed to examine Circumstances, as whether the Expence and Income of the Plaintiff and Defendant be separate and apart.

WHETHER



WHETHER their Agriculture and Trade be on either Side distinct and separate.

IF they are *Bramins*, whether One presents the *Dàn*, and the other accepts the *Dàn*: (The *Dàn* is thus performed, they pronounce a certain Kind of Charm, or Incantation over any Thing, in the Wish of a happy Futurity, and give it as a Present to another Person:) Whether, between the Plaintiff and Defendant, a Pledge is deposited by One Party, and accepted by the other.

WHETHER, on either Side, One be Witness for the other, or One be Security for the other.

WHETHER they perform the *Seràdeb Amàwous*; (that is, the Ceremonies of the last Night of the Lunar Month, which is called the Night of Darknefs.)

AND the *Seràdeb-nowànn*, which is thus performed, in the Month *Agbun*, yearly, they put together new Rice, Milk, Sugar, Candy, ripe Plantains, Sugar Cane, Yam, Cocoa-Nut, Ginger, and Sugar-Candy, and perform the *Fàtebeb Buzurgwar*.

AND the *Seràdeb Aperpukb*: (*Aperpukb* is when, before the Ten Days, called *Rozidus-bàreb*,\* upon the Days of the *Sbebbi Tarackee*,† (or Night of Darknefs) which are Fifteen Days, sometimes in the Month of *Dkùdun*, and sometimes in the Month of *Affen*, they perform the *Fàtebeb Buzurgwar* :) Whether they perform all these *Seràdebs* separate and apart from each other.

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\* The Days in which the pompous Worship and Burial of the *Hindoo* Deities are celebrated.

† Or Night of Darknefs, so called, because then the Moon shines only a small Part of the Night.



THEN, although there be no Witness, or Division Account, to prove the real State of the Case, if in these Ceremonies they act separately, it is to be accepted as a Proof that a Division has before taken place.

## S E C T. XVI.

### *Of Acquiring Right of Possession in the Property of another, by Usufruct.*

A PERSON who is not a Minor (a Man ceases to be a Minor at Fifteen Years of Age) nor impotent and incapable, nor diseased, nor an Idiot, nor so lame as not to have Power to walk, nor blind, and who, on going before a Magistrate, is capable of distinguishing and taking up his own Concerns, and who has not given to another Person Power to employ and apply to Use his Property, if, in the Face of such a Person, another Man applies to his own Use, for the Space of Twenty Years, the Glebe Land, or Houses, or Orchards of that Person, without Let or Molestation from him, from the Twenty-first Year, the Property becomes invested in the Person so applying such Things to Use; and any Claim of the First Person above-mentioned upon such Glebe, Houses or Orchards, shall by no Means stand good; but if the Person before-mentioned comes under any of the Circumstances herein before described, his Claim in that Case shall stand good.

\* \* ACCORDING to the Ordinations of *Sirree Kerrâchârige*, and *Pâlack*, and *Jogue Lague*, and *Bheb-deeb Bhet*, and *Sool Pânee*, and *Chendeesur*, and *Secwârteb Huhâchârige*; and is approved (or customary.)

A PERSON



A PERSON who is not a Minor, nor impotent and incapable, nor diseased, nor so lame as not to have Power to walk, nor blind, and who, on going before a Magistrate, is capable of distinguishing and taking up his own Concerns, and who has not given to another Person Power to employ and apply to Use his Property, if, in the Face of such a Person, another Man applies to his own Use, for the Space of Ten Years, the Gold and Silver, the Jewels, the Cloaths, the woven Silks, the Household-Furniture, and Iron Instruments, and other Goods and Chattels of this Kind (exclusive of Glebe, Houses and Orchards) belonging to that Person, without Let or Molestation from him, from the Eleventh Year, the Property becomes invested in the Person so applying such Goods and Chattels to Use; and any Claim of the First Person before-mentioned, for Possession of any such Goods and Chattels, shall by no Means stand good.

BUT if the Person before-mentioned comes under any of the Circumstances herein before described, his Claim in that Case shall stand good.

\* \* ACCORDING to the Ordinations of *Sirree Kerrachârige*, and *Pâlook*, and *Jogue Logue*, and *Bheeb-deeb Bheet*, and *Sool Pânee*, and *Cbendeefur*, and *Sewârteeb Baktâchârige*; and is approved.

IF any Person hath occupied the Glebe, Houses and Orchards, of another Person, and applied them to his own Use, and that Person, within the Space of Twenty Years, makes any Let or Molestation, then the Glebe, Houses and Orchards above-mentioned, revert to the Person aforesaid; but of the Produce of them, whatsoever the other Person has expended, he shall not receive any Thing.

EXCLUSIVE of Glebe, Houses and Orchards, if any Person has entered upon, and applied to his own Use, any other Goods and Chattels belonging to



to another Person, and that Person, within the Space of Ten Years, lays claim to those Goods, then the Goods and Chattels so claimed shall revert to that Person; but if the other Person has made any Profit by those Things, he shall not receive any of it.

If any of the original Effects be spoiled or expended, that Person shall make it good, and the Magistrate shall inflict upon that Person the same Punishment as upon a Robber.

ANY Thing deposited as a Pledge, any Thing committed to the Custody of another, under Hand and Seal, any Thing intrusted to another by *Howaleb*: (*Howaleb* is when a Person, in friendly Confidence, intrusts to another his Glebe Land, Orchards, Houses, Kine, Horses, Elephants, Camels, and such Kind of Cattle, as also his Household-Furniture, and all his Goods and Chattels.)

THINGS intrusted in either of these Three Modes, if that Person, without Let or Molestation, has applied to his own Use, for a very considerable Length of Time, yet, when the Owner afore said shall make demand for those Things, he shall receive them: These Kind of Things do not come under the Limitation of Twenty Years, and of Ten Years.

SUPPOSE a Person, having applied to his own Use the Glebe Land, Orchards and Houses of a Stranger, for the Space of Twenty Years, should then die, and the Son of that Person also, for the like Space of Twenty Years, having applied the same to his own Use, should then die, and the Grandson of that Person likewise, having applied the same to his own Use, for the like Space of Twenty Years, and should then die, the Glebe Land, Houses and Orchards above-mentioned, are applied to Use, by the Son of the Grandson of that Person.



In this Case, while the Property passed through Three different Possessors, for the Space of Sixty Years, if the right Owner of the Glebe Land, Houses and Orchards before-mentioned, through Inattention and Ignorance, hath attempted no Let or Molestation, in the Sixty-first Year, the Claim of the Descendants of that Owner shall by no Means stand good; the Glebe, Houses and Orchards above-mentioned, shall remain in Possession of the Person who has applied them to Use.

SUPPOSE a Person, having applied to his own Use the Glebe, Houses and Orchards of a Stranger, for the Space of Sixty Years, through Inattention and Ignorance of the rightful Owner, should die, or if he and his Son together, having applied them to Use, for Sixty Years, should then die, and his Grandson also enjoys the present Use of such Property, in this Case, if the rightful Owner, or the Descendants of the rightful Owner, even after this Term of Sixty Years, put in their Claim, or cause any Let or Molestation, then the Glebe, Orchards and Houses aforesaid, shall revert to such Owner, and to the Descendants of such Owner; and the Man who applies them to Use shall not retain Possession of them.

SUPPOSE a Person, having applied to his own Use, for more than Twenty Years, the Glebe, Orchards and Houses of a Stranger, should then die, and the Son of that Person also, having applied the same to his own Use, for a less Space of Time than Twenty Years, should then die, and his Grandson also, having applied the same to his own Use, for Twenty Years, should then die, in this Case, if the Property has passed through Three different Possessors, who, having applied it to Use, for the Space of Sixty Years, are since dead, yet the Son of his Grandson shall not receive that Glebe, but it shall go to the original Owner.