

CHAP. ' the mansion of her husband, must do nothing unkind
V. ' to him, be he living or dead :

157. ' Let her emaciate her body, by living voluntarily on pure flowers, roots, and fruit ; but let her not, when her lord is deceased, even pronounce the name of another man.

158. ' Let her continue till death forgiving all injuries, performing harsh duties, avoiding every sensual pleasure, and cheerfully practising the incomparable rules of virtue, which have been followed by such women, as were devoted to one only husband.

159. ' Many thousands of *Bráhmens*, having avoided sensuality from their early youth, and having left no issue in their families, have ascended, *nevertheless*, to heaven ;

160. ' And, like those abstemious men, a virtuous wife ascends to heaven, though she have no child, if, after the decease of her lord, she devote herself to pious austerity :

161. ' But a widow, who, from a wish to bear children, slights her deceased husband *by marrying again*, brings disgrace on herself here below, and shall be excluded from the seat of her lord.

162. ' Issue, begotten on a woman by any other than her husband, is here declared to be no progeny of hers ; no more than a child, begotten on the wife of another man, *belongs to the begetter* : nor is
a second

‘ a second husband allowed, in any part of this code, CHAP.
 ‘ to a virtuous woman. VI.

163. ‘ She, who neglects her former (*pūrva*) lord,
 ‘ though of a lower class, and takes another (*para*)
 ‘ of a higher, becomes despicable in this world, and
 ‘ is called *parapūrvā*, or *one who had a different hus-*
 ‘ *band before.*

164. ‘ A married woman, who violates the duty,
 ‘ which she owes to her lord, brings infamy on her-
 ‘ self in this life, and, *in the next,* shall enter the
 ‘ womb of a shakal, or be afflicted with *elephantiasis,*
 ‘ *and other diseases, which punish crimes;*

165. ‘ While she, who slights not her lord, but keeps
 ‘ her mind, speech, and body, devoted to him, attains
 ‘ his heavenly mansion, and by good men is called
 ‘ *sādhvī*, or *virtuous.*

166. ‘ Yes; by this course of life it is, that a wo-
 ‘ man, whose mind, speech, and body are kept in
 ‘ subjection, acquires high renown in this world, and,
 ‘ in the next, the same abode with her husband.

167. ‘ A twice-born man, versed in sacred ordi-
 ‘ nances, must burn, with hallowed fire and fit imple-
 ‘ ments of sacrifice, his wife dying before him, if she
 ‘ was of his own class, and lived by these rules :

168. ‘ Having thus kindled sacred fires, and per-
 ‘ formed funeral rites to his wife, who died before
 ‘ him, he may again marry, and again light the
 ‘ nuptial fire.

- CHAP. 169. ' Let him not cease to perform day by day,
V. ' according to the preceding rules, the five great
' sacraments; and, having taken a lawful consort, let
' him dwell in his house during the second period of
' his life.

CHAP. VI.

On Devotion; or on the Third and Fourth Orders.

1. ' HAVING thus remained in the order of a house-keeper, as the law ordains, let the twice-born man, who had before completed his studentship, dwell in a forest, his faith being firm and his organs wholly subdued.

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2. ' When the father of a family, perceives his muscles become flaccid and his hair gray, and sees the child of his child, let him then seek refuge in a forest :

3. ' Abandoning all food eaten in towns, and all his household utensils, let him repair to the lonely wood, committing the care of his wife to her sons, or accompanied by her, *if she chuse to attend him.*

4. ' Let him take up his consecrated fire, and all his domestick implements of making oblations to it, and, departing from the town to the forest, let him dwell in it with complete power over his organs of *sense and of action.*

5. ' With many sorts of pure food, such as holy sages used to eat, with green herbs, roots, and fruit, let him perform the five great sacraments before mentioned, introducing them with due ceremonies.

CHAP. VI. 6. ' Let him wear a black antelope's hide, or a
 ' vesture of bark; let him bathe evening and morn-
 ' ing; let him suffer the hairs of his head, his beard,
 ' and his nails to grow continually.

7. ' From such food, as himself may eat, let him,
 ' to the utmost of his power, make offerings and give
 ' alms; and with presents of water, roots, and fruit,
 ' let him honour those who visit his hermitage.

8. ' Let him be constantly engaged in reading the
 ' *Véda*; patient of all extremities, universally bene-
 ' volent, with a mind intent on the Supreme Being;
 ' a perpetual giver, but no receiver of gifts; with
 ' tender affection for all animated bodies.

9. ' Let him, as the law directs, make oblations
 ' on the hearth with three sacred fires; not omitting
 ' in due time the ceremonies to be performed at the
 ' conjunction and opposition of the moon.

10. ' Let him also perform the sacrifice ordained in
 ' honour of the lunar constellations, make the pre-
 ' scribed offering of new grain, and solemnize holy
 ' rites every four months, and at the winter and
 ' summer solstices.

11. ' With pure grains, the food of ancient sages,
 ' growing in the vernal and autumnal seasons, and
 ' brought home by himself, let him severally make,
 ' as the law ordains, the oblations of cakes and boiled
 ' grain;

12. ' And, having presented to the gods, that purest
 ' oblation,

‘ oblation, which the wild woods produced, let him
 ‘ eat what remains, together with some native salt,
 ‘ which himself collected. CHAP. VI.

13. ‘ Let him eat green herbs, flowers, roots, and
 ‘ fruit, that grow on earth or in water, and the produc-
 ‘ tions of pure trees, and oils formed in fruits.

14. ‘ Honey and flesh-meat he must avoid, and all
 ‘ sorts of mushrooms, the plant *bhūstrīna*, that named
 ‘ *sigruca*, and the fruit of the *sléshmátaca*.

15. ‘ In the month *Aśvina* let him cast away the
 ‘ food of sages, which he before had laid up, and
 ‘ his vesture, then become old, and his herbs, roots,
 ‘ and fruit.

16. ‘ Let him not eat the produce of ploughed land,
 ‘ though abandoned by any man, *who owns it*, nor fruit
 ‘ and roots produced in a town, even though hunger
 ‘ oppress him.

17. ‘ He may eat what is mellowed by fire, and
 ‘ he may eat what is ripened by time; and either
 ‘ let him break hard fruits with a stone, or let his
 ‘ teeth serve as a pestle.

18. ‘ Either let him pluck enough for a day, or
 ‘ let him gather enough for a month; or let him col-
 ‘ lect enough for six months, or lay up enough for
 ‘ a year.

19. ‘ Having procured food, as he is able, he may
 ‘ eat it at eve or in the morning; or he may take
 ‘ only

CHAP. ' only every fourth, or every eighth, such regular
VI. ' meal;

20. ' Or, by the rules of the lunar penance, he may
' eat a mouthful less each day of the bright, and
' a mouthful more each day of the dark fortnight; or
' he may eat only once, at the close of each fort-
' night, a mess of boiled grains:

21. ' Or he may constantly live on flowers and roots,
' and on fruit matured by time, which has fallen
' spontaneously, strictly observing the laws ordained
' for hermits.

22. ' Let him slide backwards and forwards on the
' ground; or let him stand a whole day on tiptoe;
' or let him continue in motion rising and sitting alter-
' nately; but at sunrise, at noon, and at sunset, let
' him go to the waters and bathe.

23. ' In the hot season, let him sit exposed to five
' fires, *four blazing around him with the sun above*;
' in the rains, let him stand uncovered, *without even a*
' *mantle*, where the clouds pour *the heaviest* showers;
' in the cold season, let him wear humid vesture; and
' let him increase by degrees the austerity of his
' devotion:

24. ' Performing his ablution at the three *Savanas*,
' let him give satisfaction to the manes and to the
' gods; and, enduring harsher and harsher mortifica-
' tions, let him dry up his bodily frame.

25. ' Then

25. ' Then, having repositied his holy fires, as the law directs, in his mind, let him live without external fire, without a mansion, wholly silent, feeding on roots and fruit;

26. ' Not solicitous for the means of gratification, chaste as a student, sleeping on the bare earth, in the haunts of pious hermits, without one selfish affection, dwelling at the roots of trees.

27. ' From devout *Bráhmens* let him receive alms to support life, or from other housekeepers of twice-born classes, who dwell in the forest:

28. ' Or the hermit may bring food from a town, having received it in a basket of leaves, in his naked hand, or in a potsherd; and then let him swallow eight mouthfuls.

29. ' These and other rules must a *Bráhmen*, who retires to the woods, diligently practise; and, for the purpose of uniting his soul with the Divine Spirit, let him study the various *Upanishads* of scripture, or *chapters on the essence and attributes of God*,

30. ' Which have been studied with reverence by anchorites versed in theology, and by housekeepers, who dwelt afterwards in forests, for the sake of increasing their sublime knowledge and devotion, and for the purification of their bodies.

31. ' Or, if he has any incurable disease, let him advance in a straight path, towards the invincible north eastern point, feeding on water and air, till his

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‘ his mortal frame totally decay, and his soul become
‘ united with the Supreme.

32. ‘ A *Bráhmén*, having shuffled off his body by
‘ any of those modes, which great sages practised,
‘ and becoming void of sorrow and fear, rises to
‘ exaltation in the divine essence.

33. ‘ HAVING thus performed religious acts in a forest
‘ during the third portion of his life, let him become
‘ a *Sannyási* for the fourth portion of it, abandoning
‘ all sensual affections, and wholly reposing in the Su-
‘ preme Spirit :

34. ‘ The man, who has passed from order to order,
‘ has made oblations to fire on his respective changes
‘ of state, and has kept his members in subjection,
‘ but, tired with so long a course of giving alms and
‘ making offerings, thus reposes himself entirely on
‘ God, shall be raised after death to glory.

35. ‘ When he has paid his three debts to the sages,
‘ the manes, and the gods, let him apply his mind to
‘ final beatitude ; but low shall He fall, who presumes
‘ to seek beatitude, without having discharged those
‘ debts :

36. ‘ After he has read the *Védas* in the form pre-
‘ scribed by law, has legally begotten a son, and has
‘ performed sacrifices to the best of his power, he
‘ has paid his three debts, and may then apply his
‘ heart to eternal bliss ;

37. ‘ But if a *Bráhmén* have not read the *Véda*, if
‘ he

‘ he have not begotten a son, and if he have not
 ‘ performed sacrifices, yet shall aim at final beatitude,
 ‘ he shall sink to a place of degradation.

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38. ‘ Having performed the sacrifice of *PRAJA’PATI*,
 ‘ accompanied with a gift of all his wealth, and hav-
 ‘ ing repositied in his mind the sacrificial fires, a *Bráh-*
 ‘ *men* may proceed from his house, *that is, from the*
 ‘ *second order, or he may proceed even from the first, to*
 ‘ the condition of a *Sannyási*.

39. ‘ Higher worlds are illuminated with the glory
 ‘ of that man, who passes from his house into the
 ‘ fourth order, giving exemption from fear to all ani-
 ‘ mated beings, and pronouncing the *mystick words of*
 ‘ the *Véda*:

40. ‘ To the *Bráhmen*, by whom not even the smallest
 ‘ dread has been occasioned by sentient creatures, there
 ‘ can be no dread from any quarter whatever, when
 ‘ he obtains a release from his mortal body.

41. ‘ Departing from his house, taking with him
 ‘ pure implements, *his water-pot and staff*, keeping
 ‘ silence, unallured by desire of the objects near him,
 ‘ let him enter into the fourth order.

42. ‘ Alone let him constantly dwell, for the sake
 ‘ of his own felicity, observing the happiness of a
 ‘ solitary man, who neither forsakes nor is forsaken,
 ‘ let him live without a companion.

43. ‘ Let him have no culinary fire, no domicil; let
 ‘ him, *when very hungry*, go to the town for food;

CHAP. ' let him patiently bear disease; let his mind be firm;
 VI. ' let him study to know God, and fix his attention
 ' on God alone.

44. ' An earthen water-pot, the roots of large trees,
 ' coarse vesture, total solitude, equanimity toward all
 ' creatures, these are the characteristicks of a *Bráh-*
 ' *men* set free.

45. ' Let him not wish for death; let him not wish
 ' for life; let him expect his appointed time, as a
 ' hired servant expects his wages.

46. ' Let him advance his foot purified by looking
 ' down, *lest he touch any thing impure*; let him drink
 ' water purified by straining with a cloth, *lest he hurt*
 ' *some insect*; let him, *if he chuse to speak*, utter words
 ' purified by truth; let him by all means keep his
 ' heart purified.

47. ' Let him bear a reproachful speech with pa-
 ' tience; let him speak reproachfully to no man; let
 ' him not, on account of this *frail and feverish* body,
 ' engage in hostility with any one living.

48. ' With an angry man let him not in his turn be
 ' angry; abused, let him speak mildly; nor let him
 ' utter a word relating to vain illusory things and
 ' confined within seven gates, *the five organs of sense,*
 ' *the heart and the intellect; or this world, with three*
 ' *above and three below it.*

49. ' Delighted with meditating on the Supreme
 ' Spirit, sitting fixed in such meditation, without need-
 ' ing

‘ing any thing earthly, without one sensual desire, CHAP.
 ‘without any companion but his own soul, let him VI.
 ‘live in this world seeking the bliss of the next.

50. ‘Neither by explaining omens and prodigies,
 ‘nor by skill in astrology and palmistry, nor by
 ‘casuistry and expositions of holy texts, let him at
 ‘any time gain his daily support.

51. ‘Let him not go near a house frequented by
 ‘hermits, or priests, or birds, or dogs, or other beg-
 ‘gars.

52. ‘His hair, nails, and beard being clipped, bear-
 ‘ing with him a dish, a staff, and a water-pot, his
 ‘whole mind being fixed on God, let him wander
 ‘about continually, without giving pain to *animal* or
 ‘*vegetable* beings.

53. ‘His dishes must have no fracture, nor must
 ‘they be made of bright metals: the purification or-
 ‘dained for them must be with water alone, like that
 ‘of the vessels for a sacrifice.

54. ‘A gourd, a wooden bowl, an earthen dish, or
 ‘a basket made of reeds, has MENU, son of the Self-
 ‘existing, declared fit vessels to receive the food of
 ‘*Bráhmens* devoted to God.

55. ‘Only once a day let him demand food; let
 ‘him not habituate him to eat much at a time; for
 ‘an anchorite, habituated to eat much, becomes in-
 ‘clined to sensual gratifications.

56. ‘At the time when the smoke of kitchen fires
 ‘has

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‘ has ceased, when the pestle lies motionless, when
‘ the burning charcoal is extinguished, when people
‘ have eaten, and when dishes are removed, *that is,*
‘ *late in the day,* let the *Sannyási* always beg food.

57. ‘ For missing it, let him not be sorrowful; nor
‘ for gaining it, let him be glad; let him care only
‘ for a sufficiency to support life, but let him not be
‘ anxious about his utensils.

58. ‘ Let him constantly disdain to receive food
‘ after humble reverence; since, by receiving it in con-
‘ sequence of an humble salutation, a *Sannyási*, though
‘ free, becomes a captive.

59. ‘ By eating little and by sitting in solitary places,
‘ let him restrain those organs, which are naturally
‘ hurried away by sensual desires.

60. ‘ By the coercion of his members, by the absence
‘ of hate and affection, and by giving no pain to sen-
‘ tient creatures, he becomes fit for immortality.

61. ‘ Let him reflect on the transmigrations of men
‘ caused by their sinful deeds, on their downfall into
‘ a region of darkness, and their torments in the man-
‘ sion of YAMA;

62. ‘ On their separation from those, whom they love,
‘ and their union with those, whom they hate, on their
‘ strength overpowered by old age, and their bodies
‘ racked with disease;

63. ‘ On their agonizing departure from this cor-
‘ poreal

‘ poreal frame, their formation again in the womb, and
 ‘ the glidings of this vital spirit through ten thousand
 ‘ millions of uterine passages; CHAP. VI.

64. ‘ On the misery attached to embodied spirits
 ‘ from a violation of their duties, and the unperishable
 ‘ bliss attached to them from their abundant perform-
 ‘ ance of all duties, religious and civil.

65. ‘ Let him reflect also, with exclusive application
 ‘ of mind, on the subtil indivisible essence of the
 ‘ Supreme Spirit, and its complete existence in all
 ‘ beings, whether extremely high or extremely low.

66. ‘ Equal-minded towards all creatures, in what
 ‘ order soever *he may have been* placed, let him fully
 ‘ discharge his duty, though he bear not the visible
 ‘ marks of his order: the visible mark, *or mere name*,
 ‘ of his order, is by no means an effective discharge
 ‘ of his duty;

67. ‘ As, although the fruit of the tree *cataca* pu-
 ‘ rify water, yet a man cannot purify water by merely
 ‘ pronouncing the name of that fruit: *he must throw*
 ‘ *it, when pounded, into the jar.*

68. ‘ For the sake of preserving minute animals by
 ‘ night and by day, let him walk, though with pain
 ‘ to his own body, perpetually looking on the ground.

69. ‘ Let a *Sannyási*, by way of expiation for *the*
 ‘ *death of* those creatures, which he may have de-
 ‘ stroyed unknowingly by day or by night, make six
 ‘ suppressions of his breath, having duly bathed:

70. ‘ Even

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70. ' Even three suppressions of breath, made according to the divine rule, accompanied with the triverbal phrase (*bhur bhuvah swah*) and the trilateral syllable (*óm*), may be considered as the highest devotion of a *Bráhmen*;

71. ' For as the dross and impurities of metallick ores are consumed by fire, thus are the sinful acts of the human organs consumed by suppressions of the breath, *while the mystick words, and the measures of the gáyatrì are revolved in the mind.*

72. ' Let him thus, by such suppressions of breath, burn away his offences; by reflecting intensely on the steps of ascent to beatitude, *let him destroy sin*; by coercing his members, let him restrain all sensual attachments; by meditating on *the intimate union of his own soul and the divine essence*, let him extinguish all qualities repugnant to the nature of God.

73. ' Let him observe, with extreme application of mind, the progress of this internal spirit through various bodies, high and low; *a progress hard to be discerned by men with unimproved intellects.*

74. ' He, who fully understands the perpetual omnipresence of God, can be led no more captive by criminal acts; but he, who possesses not that sublime knowledge, shall wander again through the world.

75. ' By injuring nothing animated, by subduing all sensual

‘ sensual habits, by devout rites ordained in the *Vēda*,
 ‘ and by rigorous mortifications, men obtain, even in
 ‘ this life, the state of beatitude. CHAP. VI.

76. ‘ A mansion with bones for its rafters and
 ‘ beams; with nerves and tendons, for cords; with
 ‘ muscles and blood, for mortar; with skin, for its
 ‘ outward covering; filled with no sweet perfume,
 ‘ but loaded with feces and urine;

77. ‘ A mansion infested by age and by sorrow,
 ‘ the seat of malady, harassed with pains, haunted
 ‘ with the quality of darkness, and incapable of stand-
 ‘ ing long; such a mansion of the vital soul let its
 ‘ occupier always cheerfully quit;

78. ‘ As a tree leaves the bank of a river, *when it*
 ‘ *falls in*, or as a bird leaves the branch of a tree *at*
 ‘ *his pleasure*, thus he, who leaves his body *by neces-*
 ‘ *sity or by legal choice*, is delivered from the raven-
 ‘ ing shark, *or crocodile*, of the world.

79. ‘ Letting his good acts descend (by the law of
 ‘ the *Vēda*,) to those, who love him, and his evil
 ‘ deeds, to those, who hate him, he may attain,
 ‘ through devout meditation, the eternal spirit.

80. ‘ When, having well considered the nature and
 ‘ consequence of sin, he becomes averse from all sen-
 ‘ sual delights, he then attains bliss in this world;
 ‘ bliss, which shall endure after death.

81. ‘ Thus having gradually abandoned all earthly
 ‘ attachments, and indifferent to all pairs of opposite
 ‘ things

CHAP. ' things, as honour and dishonour, and the like, he
VI. ' remains absorbed in the divine essence.

82. ' All, that has now been declared, is obtained
' by pious meditation; but no man, who is ignorant
' of the Supreme Spirit, can gather the fruit of mere
' ceremonial acts.

83. ' Let him constantly study that part of the
' *Vēda*, which relates to sacrifice; that, which treats
' of subordinate deities; that, which reveals the na-
' ture of the Supreme God; and whatever is declared
' in the *Upanishads*.

84. ' This holy scripture is a sure refuge even for
' those, who understand not its meaning, and of
' course for those, who understand it; this *Vēda* is a
' sure resource for those, who seek bliss above; this
' is a sure resource for those, who seek bliss eternal.

85. ' That *Brāhmen*, who becomes a *Sannyāsī* by this
' discipline, announced in due order, shakes off sin
' here below, and reaches the Most High.

86. ' THIS general law has been revealed to you
' for anchorites with subdued minds: now learn the
' particular discipline of those who become recluses.
' according to the *Vēda*, that is, of anchorites in the
' first of the four degrees.

87. ' The student, the married man, the hermit,
' and the anchorite, are the offspring, though in four
' orders, of married men keeping house;

88. ' And all, or even any, of those orders, assumed
' in

‘ in their turn, according to the sacred ordinances, CHAP.
 ‘ lead the *Bráhmén*, who acts by the preceding rules, VI.
 ‘ to the highest mansion :

89. ‘ But of all those, the house-keeper, observing
 ‘ the regulations of the *Sruti* and *Smṛiti*, may be
 ‘ called the chief; since he supports the three *other*
 ‘ *orders*.

90. ‘ As all rivers, female and male, run to their
 ‘ determined place in the sea, thus men of all *other*
 ‘ orders, repair to their fixed place in the mansion of
 ‘ the house-keeper.

91. ‘ By *Bráhméns*, placed in these four orders, a
 ‘ ten-fold system of duties must ever be sedulously
 ‘ practised :

92. ‘ Content, returning good for evil, resistance to
 ‘ sensual appetites, abstinence from illicit gain, puri-
 ‘ fication, coercion of the organs, knowledge of scrip-
 ‘ ture, knowledge of the Supreme Spirit, veracity,
 ‘ and freedom from wrath, form their tenfold system
 ‘ of duties.

93. ‘ Such *Bráhméns*, as attentively read the ten
 ‘ precepts of duty, and after reading, carefully prac-
 ‘ tise them, attain the most exalted condition.

94. ‘ A *Bráhmén* having practised, with organs under
 ‘ command, this ten-fold system of duty, having heard
 ‘ the *Upanishads* explained, as the law directs, and
 ‘ who has discharged his three debts, may become an

CHAP. VI. ' anchorite, in the house of his son, according to the
VI. ' *Véda* ;

95. ' And, having abandoned all ceremonial acts,
' having expiated all his offences, having obtained a
' command over his organs, and having perfectly
' understood the scripture, he may live at his ease,
' while the household affairs are conducted by his
' son.

96. ' When he thus has relinquished all forms, is
' intent on his own occupation, and free from every
' other desire, when, by devoting himself to God, he
' has effaced sin, he then attains the supreme path of
' glory.

97. ' This four-fold regulation for the sacerdotal
' class, has thus been made known to you ; a just
' regulation, producing endless fruit after death : next,
' learn the duty of kings, or the military class.

CHAP. VII.

On Government, and Publick Law; or on the Military Class.

1. ' I WILL fully declare the duty of kings; and show CHAP.
' how a ruler of men should conduct himself, in what VII.
' manner he was framed, and how his ultimate re-
' ward may be attained by him.

2. ' By a man of the military class, who has received
' in due form the investiture which the *Véda* prescribes,
' great care must be used to maintain the whole *assem-*
' *blage of laws.*

3. ' Since, if the world had no king, it would quake
' on all sides through fear, the ruler of this *universe*,
' therefore, created a king, for the maintenance of this
' system, both religious and civil,

4. ' Forming him of eternal particles drawn from the
' substance of INDRA, PAVANA, YAMA, SU'RYA, of AGNI
' and VARUNA, of CHANDRA and CUVE'RA :

5. ' And since a king was composed of particles drawn
' from those chief guardian deities, he consequently sur-
' passes all mortals in glory.

6. ' Like the sun, he burns eyes and hearts; nor
' can any human creature on earth even gaze on him.

7. ' He is fire and air; he, both sun and moon; he,
' the god of criminal justice; he, the genius of wealth;

CHAP. ' he, the regent of waters ; he, the lord of the firma-
 VII. ' ment.

8. ' A king, even though a child, must not be treated
 ' lightly, from an idea that he is a mere mortal : no ;
 ' he is a powerful divinity, who appears in a human
 ' shape.

9. ' Fire burns only one person, who carelessly goes
 ' too near it ; but the fire of a king in wrath burns
 ' a whole family, with all their cattle and goods.

10. ' Fully considering the business before him, his
 ' own force, and the place, and the time, he assumes
 ' in succession all sorts of forms, for the sake of
 ' advancing justice.

11. ' He, sure, must be the perfect essence of ma-
 ' jesty, by whose favour Abundance rises on her lotos,
 ' in whose valour dwells conquest ; in whose anger,
 ' death.

12. ' He, who shews hatred of the king, through
 ' delusion of mind, will certainly perish ; for speedily
 ' will the king apply his heart to that man's perdi-
 ' tion.

13. ' LET the king prepare a just compensation for
 ' the good, and a just punishment for the bad : the
 ' rule of strict justice let him never transgress.

14. ' For his use BRAHMA' formed in the beginning of
 ' time the genius of punishment, with a body of pure
 ' light, his own son, even abstract criminal justice, the
 ' protector of all created things :

15. ' Through

15. ' Through fear of that genius, all sentient beings, CHAP.
' whether fixed or locomotive, are fitted for natural VII.
' enjoyments and swerve not from duty.

16. ' When the king, therefore, has fully considered
' place and time, and his own strength, and the divine
' ordinance, let him justly inflict punishment on all those,
' who act unjustly.

17. ' Punishment is an active ruler; he is the true
' manager of publick affairs; he is the dispenser of
' laws; and wise men call him the sponsor of all
' the four orders for the discharge of their several
' duties.

18. ' Punishment governs all mankind; punishment
' alone preserves them; punishment wakes, while their
' guards are asleep; the wise consider punishment as
' the perfection of justice.

19. ' When rightly and considerately inflicted, it
' makes all the people happy; but, inflicted without
' full consideration, it wholly destroys them all.

20. ' If the king were not, without indolence, to
' punish the guilty, the stronger would roast the weaker,
' like fish, on a spit; (*or, according to one reading, the*
' stronger would oppress the weaker, like fish in their
' element;)

21. ' The crow would peck the consecrated offering
' of rice; the dog would lick the clarified butter; owner-
' ship would remain with none; the lowest would
' upset the highest.

22. ' The

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22. ' The whole race of men is kept in order by
' punishment; for a guiltless man is hard to be found:
' through fear of punishment, indeed, this universe is
' enabled to enjoy its blessings;

23. ' Deities and demons, heavenly songsters and
' cruel giants, birds and serpents, are made capable,
' by just correction, of their several enjoyments.

24. ' All classes would become corrupt; all barriers
' would be destroyed, there would be total confusion
' among men, if punishment either were not inflicted,
' or were inflicted unduly:

25. ' But where punishment, with a black hue and
' a red eye, advances to destroy sin, there, if the judge
' discern well, the people are undisturbed.

26. ' Holy sages consider as a fit dispenser of cri-
' minal justice, that king, who invariably speaks truth,
' who duly considers all cases, who understands the
' sacred books, who knows the distinctions of virtue,
' pleasure, and riches;

27. ' Such a king, if he justly inflict legal punish-
' ments, greatly increases those three means of happi-
' ness; but punishment itself shall destroy a king,
' who is crafty, voluptuous, and wrathful:

28. ' Criminal justice, the bright essence of majesty,
' and hard to be supported by men with unimproved
' minds, eradicates a king, who swerves from his
' duty, together with all his race:

29. ' Punishment shall overtake his castles, his ter-
' ritories,

‘ ritories, his peopled land, with all fixed and move-
 ‘ able things, that exist on it: even the gods and the
 ‘ sages, *who lose their oblations*, will be afflicted and
 ‘ ascend to the sky.

30. ‘ Just punishment cannot be inflicted by an ig-
 ‘ norant and covetous king, who has no wise and
 ‘ virtuous assistant, whose understanding has not been
 ‘ improved, and whose heart is addicted to sen-
 ‘ suality:

31. ‘ By a king, wholly pure, faithful to his promise,
 ‘ observant of the scriptures, with good assistants and
 ‘ sound understanding, may punishment be justly in-
 ‘ flicted.

32. ‘ Let him in his own domains act with justice,
 ‘ chastise foreign foes with rigour, behave without
 ‘ duplicity to his affectionate friends, and with lenity
 ‘ to *Brāhmens*.

33. ‘ Of a king thus disposed, even though he sub-
 ‘ sist by gleaning, *or, be his treasure ever so small*, the
 ‘ fame is far spread in the world, like a drop of
 ‘ oil in water;

34. ‘ But of a king with a contrary disposition,
 ‘ with passions unsubdued, *be his riches ever so great*,
 ‘ the fame is contracted in the world, like clarified
 ‘ butter in the same element.

35. ‘ A king was created as the protector of all
 ‘ those classes and orders, who, from the first to the
 ‘ last, discharge their several duties;

36. ‘ *And*

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36. ' *And* all, that must be done by him, for the
' protection of his people, with the assistance of good
' ministers, I will declare to you, as the law directs,
' in due order.

37. ' LET the king, having risen at early dawn,
' respectfully attend to *Brāhmens*, learned in the three
' *Védas*, and in the science of ethicks; and by their
' decision let him abide.

38. ' Constantly must he show respect to *Brāh-*
' *mens*, who have grown old, *both in years and in*
' *piety*, who know the scriptures, who *in body and*
' *mind* are pure; for he, who honours the aged, will
' perpetually be honoured even by cruel demons:

39. ' From them, though he may have acquired
' modest behaviour *by his own good sense and by study*,
' let him continually learn habits of modesty and com-
' posure; since a king, whose demeanour is humble
' and composed, never perishes.

40. ' While, through want of such humble virtue,
' many kings have perished with all their possessions,
' and, through virtue united with modesty, even her-
' mits have obtained kingdoms.

41. ' Through want of that virtuous humility *VE'NA*
' was utterly ruined, and so was the great king *NA-*
' *HUSHA*, and *SUDA'SA*, and *YAVANA*, (*or, by a different*
' *reading*, and *SUDAMAN*, the son of *PIYAVANA*) and
' *SUMAC'HA*, and *NIMI*;

42. ' But, by virtues with humble behaviour, *PRIT'HU*
' and

‘ and MENU acquired sovereignty; CUVE’RA, wealth in- CHAP.
 ‘ exhaustible; and VISWA’MITRA, son of GA’DHI, the VII.
 ‘ rank of a priest, *though born in the military class.*

43. ‘ From those, who know the three *Védas*, let
 ‘ him learn the triple doctrine comprised in them,
 ‘ together with the primeval science of criminal justice
 ‘ and sound policy, the system of logick and metaphy-
 ‘ sicks, and sublime theological truth: from the people
 ‘ he must learn the theory of *agriculture, commerce,*
 ‘ *and other practical arts.*

44. ‘ Day and night must he strenuously exert him-
 ‘ self to gain complete victory over his own organs;
 ‘ since that king alone, whose organs are completely
 ‘ subdued, can keep his people firm to their duty.

45. ‘ With extreme care let him shun eighteen vices,
 ‘ ten proceeding from love of pleasure, eight springing
 ‘ from wrath, and all ending in misery;

46. ‘ Since a king, addicted to vices arising from
 ‘ love of pleasure, must lose both his wealth and his
 ‘ virtue, and, addicted to vices arising from anger,
 ‘ he may lose even his life *from the publick resent-*
 ‘ *ment.*

47. ‘ Hunting, gaming, sleeping by day, censuring
 ‘ rivals, excess with women, intoxication, singing, in-
 ‘ strumental musick, dancing, and useless travel, are
 ‘ the ten-fold set of vices produced by love of plea-
 ‘ sure:

CHAP. 48. ' Talebearing, violence, insidious wounding, envy,
 VII. ' detraction, unjust seizure of property, reviling, and
 ' open assault are in like manner the eight-fold set
 ' of vices, to which anger gives birth.

49. ' A selfish inclination, which all wise men know
 ' to be the root of those two sets, let him suppress
 ' with diligence: both sets of vices are constantly
 ' produced by it.

50. ' Drinking, dice, women, and hunting, let him
 ' consider as the four most pernicious in the set,
 ' which love of pleasure occasions:

51. ' Battery, defamation, and injury to property,
 ' let him always consider as the three most heinous in
 ' the set, which arises from wrath;

52. ' *And* in this seven-fold assemblage of vices,
 ' too frequently prevailing in all kingdoms, let an
 ' enlightened prince consider the first, and so forth in
 ' order, as the most abominable in each set.

53. ' On a comparison between death and vice, the
 ' learned pronounce vice the more dreadful; since,
 ' after death, a vicious man sinks to regions lower
 ' and lower, while a man, free from vice, reaches
 ' heaven.

54. ' The king must appoint seven or eight minis-
 ' ters, who must be sworn *by touching a sacred image*
 ' *and the like*; men, whose ancestors were servants
 ' of kings; who are versed in the holy books, who
 ' are

‘ are personally brave; who are skilled in the use of
 ‘ weapons; and whose lineage is noble. CHAP. VII.

55. ‘ Even an act easy in itself is hard sometimes
 ‘ to be performed by a single man, especially if he
 ‘ have no assistant near: how much harder *must it be*
 ‘ *to perform alone the business of a kingdom with great*
 ‘ *revenues!*

56. ‘ Let him perpetually consult with those minis-
 ‘ ters on peace and war, on his forces, on his reve-
 ‘ nues, on the protection of his people, and on the
 ‘ means of bestowing aptly the wealth which he has
 ‘ acquired:

57. ‘ Having ascertained the several opinions of his
 ‘ counsellors, *first* apart and *then* collectively, let him
 ‘ do what is most beneficial for him in publick affairs.

58. ‘ To one learned *Bráhmén*, distinguished among
 ‘ them all, let the king impart his momentous counsel,
 ‘ relating to six *principal* articles.

59. ‘ To him, with full confidence, let him intrust
 ‘ all transactions; and with him, having taken his
 ‘ final resolution, let him begin all his measures.

60. ‘ He must likewise appoint other officers; men
 ‘ of integrity, well informed, steady, habituated to gain
 ‘ wealth, by honourable means, and tried by expe-
 ‘ rience.

61. ‘ As many officers as the due performance of
 ‘ his business requires, not slothful men, *but active,*

CHAP. ' able, and well instructed, so many, and no more,
 VII. ' let him appoint.

62. ' Among those let him employ the brave, the
 ' skilful, the well-born, and the honest, in his mines
 ' of gold or gems, and in other similar works for
 ' amassing wealth; but the pusillanimous, in the re-
 ' cesses of his palace.

63. ' Let him likewise appoint an ambassador versed
 ' in all the *Sāstras*, who understands hints, external
 ' signs, and actions, whose hand and heart are pure,
 ' whose abilities are great, and whose birth was il-
 ' lustrious:

64. ' That royal ambassador is applauded most, who
 ' is generally beloved, pure within and without, dex-
 ' terous in business, and endued with an excellent
 ' memory; who knows countries and times, is hand-
 ' some, intrepid, and eloquent.

65. ' The forces of the realm must be immediately
 ' regulated by the commander in chief; the actual
 ' infliction of punishment, by the officers of criminal
 ' justice; the treasury and the country, by the king
 ' himself; peace and war, by the ambassador;

66. ' For it is the ambassador alone who unites,
 ' who alone disjoins the united; that is, he transacts
 ' the business, by which kingdoms are at variance
 ' or in amity.

67. ' In the transaction of affairs let the ambassador
 ' comprehend the visible signs and hints, and discover
 ' the

‘ the acts, of the foreign king, by the signs, hints, CHAP.
‘ and acts of his confidential servants, and the mea- VII.
‘ sures, which that king wishes to take, by *the character*
‘ *and conduct* of his ministers.

68. ‘ Thus, having learned completely *from his am-*
‘ *bassador* all the designs of the foreign prince, let
‘ the king so apply his vigilant care, that he bring
‘ no evil on himself.

69. ‘ LET him fix his abode in a district containing
‘ open champaigns; abounding with grain; inhabited
‘ chiefly by the virtuous; not infected with maladies;
‘ beautiful to the sight; surrounded by submissive
‘ *mountaineers, foresters, or other* neighbours; a coun-
‘ try, in which the subjects may live at ease.

70. ‘ There let him reside in a capital, having, by
‘ way of a fortress, a desert *rather more than twenty*
‘ *miles round it*, or a fortress of earth, a fortress of
‘ water, or of trees, a fortress of armed men, or a
‘ fortress of mountains.

71. ‘ With all possible care let him secure a fortress
‘ of mountains; for, among those just mentioned, a
‘ fortress of mountains has many transcendent pro-
‘ perties.

72. ‘ In the three first of them live wild beasts,
‘ vermin, and aquatick animals; in the three last,
‘ apes, men, and gods, in order as they are named.

73. ‘ As enemies hurt them not in the shelter of
‘ their several abodes, thus foes hurt not a king, who
‘ has

CHAP. ' has taken refuge in his *durga*, or *place of difficult*
VII. ' *access*.

74. ' One bowman, placed on a wall, is a match
' in war for a hundred enemies; and a hundred, for
' ten thousand; therefore is a fort recommended.

75. ' Let that fort be supplied with weapons, with
' money, with grain, with beasts, with *Bráhmens*, with
' artificers, with engines, with grass, and with water.

76. ' In the centre of it let him raise his own
' palace, well finished in all its parts, completely de-
' fended, habitable in every season, brilliant *with white*
' *stucco*, surrounded with water and trees:

77. ' Having prepared it for his mansion, let him
' chuse a consort of the same class with himself, en-
' dued with all the bodily marks of excellence, born
' of an exalted race, captivating his heart, adorned
' with beauty and the best qualities.

78. ' He must appoint also a domestick priest, and
' retain a performer of sacrifices, who may solemnize
' the religious rites of his family, and those performed
' with three sacred fires.

79. ' Let the king make sacrifices, accompanied with
' gifts of many different kinds; and, for the full dis-
' charge of his duty, let him give the *Bráhmens* both
' *legal* enjoyments and *moderate* wealth.

80. ' His annual revenue he may receive from his
' whole dominion through his collectors; but let him
' in

‘ in this world observe the divine ordinances; let him
‘ act as a father to his people. CHAP. VII.

81. ‘ Here and there he must appoint many sorts
‘ of intelligent supervisors, who may inspect all the
‘ acts of the officers engaged in his business.

82. ‘ To *Bráhmens* returned from the mansions of
‘ their preceptors, let him show due respect; for that
‘ is called a precious unperishable gem, deposited by
‘ kings with the sacerdotal class:

83. ‘ It is a gem, which neither thieves or foes take
‘ away; which never perishes: kings must, therefore,
‘ deposit with *Bráhmens* that indestructible jewel of
‘ respectful presents.

84. ‘ An oblation in the mouth, or hand, of a *Bráh-*
‘ *men*, is far better than offerings to holy fire: it
‘ never drops; it never dries; it is never consumed.

85. ‘ A gift, to one not a *Bráhmen*, produces fruit
‘ of a middle standard; to one who calls himself a
‘ *Bráhmen*, double; to a well-read *Bráhmen*, a hun-
‘ dred thousand-fold; to one who has read all the
‘ *Védas*, infinite.

86. ‘ Of a gift made with faith in the *Sástra*, to a
‘ person highly deserving it, the giver shall indubitably
‘ gain the fruit after death, be the present small or
‘ great.

87. ‘ A king, while he protects his people, being
‘ defied by an enemy of equal, greater, or less force,
‘ must

CHAP. ' must by no means turn his face from battle, but
 VII. ' must remember the duty of his military class :

88. ' Never to recede from combat, to protect the
 ' people, and to honour the priests, is the highest duty
 ' of kings and ensures their felicity.

89. ' Those rulers of the earth, who, desirous of
 ' defeating each other, exert their utmost strength in
 ' battle, without ever averting their faces, ascend after
 ' death directly to heaven.

90. ' LET no man, engaged in combat, smite his
 ' foe with *sharp* weapons concealed *in wood*, nor with
 ' arrows mischievously barbed, nor with poisoned ar-
 ' rows, nor with darts blazing with fire ;

91. ' Nor let him *in a car or on horseback* strike his
 ' enemy alighted on the ground ; nor an effeminate
 ' man ; nor one, *who sues for life* with closed palms ;
 ' nor one, whose hair is loose *and obstructs his sight* ;
 ' nor one, who sits down *fatigued* ; nor one, who says,
 ' " I am thy captive ; "

92. ' Nor one, who sleeps ; nor one, who has lost
 ' his coat of mail ; nor one, who is naked ; nor one, who
 ' is disarmed ; nor one, who is a spectator, but not
 ' a combatant ; nor one, who is fighting with another
 ' man :

93. ' Calling to mind the duty of honourable men,
 ' let him never slay one, who has broken his weapon ;
 ' nor one, who is afflicted *with private sorrow* ; nor
 ' one,

‘ one, who has been grievously wounded; nor one, CHAP.
 ‘ who is terrified; nor one, who turns his back. VII.

94. ‘ The soldier, indeed, who, fearing and turning
 ‘ his back, happens to be slain by his foes in an
 ‘ engagement, shall take upon himself all the sin of
 ‘ his commander, whatever it be;

95. ‘ And the commander shall take to himself *the*
 ‘ *fruit of* all the good conduct, which the soldier,
 ‘ who turns his back and is killed, had previously
 ‘ stored up for a future life.

96. ‘ CARS, horses, elephants, umbrellas, habiliments,
 ‘ *except the jewels which may adorn them*, grain, cattle,
 ‘ women, all sorts of liquids and metals, except gold
 ‘ and silver, are the lawful prizes of the man who
 ‘ takes them in war;

97. ‘ But of those prizes, the captors must lay the
 ‘ most valuable before the king; such is the rule in
 ‘ the *Veda* concerning them; and the king should dis-
 ‘ tribute among the whole army what has not been
 ‘ separately taken.

98. ‘ Thus has been declared the blameless primeval
 ‘ law for military men; from this law a king must
 ‘ never depart, when he attacks his foes in battle.

99. ‘ What he has not gained *from his foe*, let him
 ‘ strive to gain; what he has acquired, let him pre-
 ‘ serve with care; what he preserves, let him augment;
 ‘ and what he has augmented, let him bestow on
 ‘ the deserving.

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100. ' This is the four-fold rule, which he must consider as the sure means of attaining the great object of man, *happiness*; and let him practise it fully without intermission, without indolence:

101. ' What he has not gained, let him strive to gain by military strength; what he has acquired, let him preserve by careful inspection; what he has preserved, let him augment by legal modes of increase; and what he has augmented, let him dispense with just liberality.

102. ' Let his troops be constantly exercised; his prowess, constantly displayed; what he ought to secure, constantly secured; and the weakness of his foe, constantly investigated.

103. ' By a king, whose forces are always ready for action, the whole world may be kept in awe; let him then, by a force always ready, make all creatures living his own.

104. ' Let him act on all occasions without guile, and never with insincerity; but, keeping himself ever on his guard, let him discover the fraud intended by his foe.

105. ' Let not his enemy discern his vulnerable part, but the vulnerable part of his enemy let him well discern: like a tortoise, let him draw in his members *under the shell of concealment*, and diligently let him repair any breach that may be made in it.

106. ' Like a heron, let him muse on gaining advantages;

‘vantages; like a lion, let him put forth his strength; CHAP.
 ‘like a wolf, let him creep towards his prey; like a VII.
 ‘hare, let him double to secure his retreat.

107. ‘When he thus has prepared himself for conquest, let him reduce all opposers to submission by negotiation and three other expedients, *namely, presents, division, and force of arms*:

108. ‘If they cannot be restrained by the three first methods, then let him, firmly but gradually, bring them to subjection by military force.

109. ‘Among those four modes of obtaining success, the wise prefer negotiation and war for the exaltation of kingdoms.

110. ‘As a husbandman plucks up weeds and preserves his corn, thus let a king destroy his opponents and secure his people.

111. ‘That king, who, through weakness of intellect, rashly oppresses his people, will, together with his family, be deprived both of kingdom and life:

112. ‘As, by the loss of bodily sustenance, the lives of animated beings are destroyed, thus, by the distress of kingdoms, are destroyed even the lives of kings.

113. ‘For the sake of protecting his dominions, let the king perpetually observe the following rules; for, by protecting his dominions, he will increase his own happiness.

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114. ' Let him place, as the protectors of his realm,
' a company of guards, commanded by an approved
' officer, over two, three, five, or a hundred districts,
' *according to their extent.*

115. ' Let him appoint a lord of one town with
' its district, a lord of ten towns, a lord of twenty,
' a lord of a hundred, and a lord of a thousand.

116. ' Let the lord of one town certify of his own
' accord to the lord of ten towns any *robberies, tu-*
' *mults, or other evils*, which arise in his district, *and*
' *which he cannot suppress*; and the lord of ten, to the
' lord of twenty:

117. ' Then let the lord of twenty towns notify
' them to the lord of a hundred; and let the lord of
' a hundred transmit the information himself to the
' lord of a thousand townships.

118. ' Such food, drink, wood, and other articles,
' as by law should be given each day to the king
' by the inhabitants of the township, let the lord of
' one town receive *as his perquisite*:

119. ' Let the lord of ten towns enjoy the produce
' of two plough-lands, *or as much ground as can be*
' *tilled with two ploughs, each drawn by six bulls*; the
' lord of twenty, that of ten* plough-lands; the lord
' of a hundred, that of a village or small town; the
' lord of a thousand, that of a large town.

120. ' The affairs of those *townships*, either jointly
' or

* See Note on Book VII verse 119.

‘ or separately transacted, let another minister of the
 ‘ king inspect; who should be well affected, and by
 ‘ no means remiss.

121. ‘ In every large town or city, let him appoint
 ‘ one superintendent of all affairs, elevated in rank,
 ‘ formidable in power, distinguished as a planet among
 ‘ stars:

122. ‘ Let that governor from time to time survey
 ‘ all the rest in person, and, by means of his emis-
 ‘ saries, let him perfectly know their conduct in their
 ‘ several districts.

123. ‘ Since the servants of the king, whom he
 ‘ has appointed guardians of districts, are generally
 ‘ knaves, who seize what belongs to other men, from
 ‘ such knaves let him defend his people:

124. ‘ Of such evil-minded servants, as wring wealth
 ‘ from subjects attending them on business, let the
 ‘ king confiscate all the possessions, and banish them
 ‘ from his realm.

125. ‘ For women, employed in the service of the
 ‘ king, and for his whole set of menial servants, let
 ‘ him daily provide a maintenance, in proportion to
 ‘ their station and to their work:

126. ‘ One *pana* of copper must be given *each day*
 ‘ as wages to the lowest servant, with two cloths for
 ‘ *apparel* every half-year, and a *dróna* of grain every
 ‘ month; to the highest *must be given wages in the*
 ‘ *ratio of six to one.*

127. ‘ HAVING

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127. ' HAVING ascertained the rates of purchase and sale, *the length of the way*, the expences of food and of condiments, the charges of securing the goods carried, and the neat profits of trade, let the king oblige traders to pay taxes *on their saleable commodities* :

128. ' After full consideration, let a king so levy those taxes continually in his dominions, that both he and the merchant may receive a just compensation for their several acts.

129. * As the leech, the suckling calf, and the bee, take their natural food by little and little, thus must a king draw from his dominions an annual revenue.

130. ' Of cattle, of gems, of gold and silver, *added each year to the capital stock*, a fiftieth part may be taken by the king; of grain, an eighth part, a sixth, or a twelfth, *according to the difference of the soil, and the labour necessary to cultivate it*.

131. ' He may also take a sixth part of the clear annual increase of trees, flesh-meat, honey, clarified butter, perfumes, medical substances, liquids, flowers, roots, and fruit,

132. ' Of gathered leaves, potherbs, grass, utensils made with leather or cane, earthen pots, and all things made of stone.

133. ' A king, even though dying *with want*, must not receive any tax from a *Bráhmén* learned in the *Védas*,

‘ *Védas*, nor suffer such a *Bráhmén*, residing in his territories, to be afflicted with hunger. CHAP. VII.

134. ‘ Of that king, in whose dominion a learned *Bráhmén* is afflicted with hunger, the whole kingdom will in a short time be afflicted with famine.

135. ‘ The king, having ascertained his knowledge of scripture and good morals, must allot him a suitable maintenance, and protect him on all sides, as a father protects his own son:

136. ‘ By that religious duty, which such a *Bráhmén* performs each day, under the full protection of the sovereign, the life, wealth, and dominions of his protector shall be greatly increased.

137. ‘ Let the king order a mere trifle to be paid, in the name of the annual tax, by the meaner inhabitants of his realm, who subsist by petty traffick:

138. ‘ By low handicraftsmen, artificers, and servile men, who support themselves by labour, the king may cause work to be done for a day in each month.

139. ‘ Let him not cut up his own root by taking no revenue, nor the root of other men by excess of covetousness; for, by cutting up his own root and theirs, he makes both himself and them wretched.

140. ‘ Let him, considering the diversity of cases, be occasionally sharp and occasionally mild, since a king

CHAP. ' king, duly sharp and mild, becomes universally ap-
 VII. ' proved.

141. ' When tired of overlooking the affairs of men,
 ' let him assign the station *of such an inspector* to a
 ' principal minister, who well knows his duty, who is
 ' eminently learned, whose passions are subdued, and
 ' whose birth is exalted.

142. ' Thus must he protect his people, discharging,
 ' with great exertion and without languor, all those
 ' duties, which the law requires him to perform.

143. ' That monarch, whose subjects are carried from
 ' his kingdom by ruffians, while they call aloud for
 ' protection, and he barely looks on them with his
 ' ministers, is a dead, and not a living king.

144. ' The highest duty of a military man is the
 ' defence of his people, and the king who receives
 ' the consideration just mentioned, is bound to dis-
 ' charge that duty.

145. ' HAVING risen in the last watch of the night,
 ' his body being pure, and his mind attentive, having
 ' made oblations to fire, and shown due respect to
 ' the priests, let him enter his hall *decently splendid*:

146. ' Standing there, let him gratify his subjects,
 ' before he dismiss them, *with kind looks and words*;
 ' and, having dismissed them all, let him take secret
 ' council with his principal ministers:

147. ' Ascending up the back of a mountain, or
 ' going

‘ going privately to a terrace, a bower, a forest, or
 ‘ a lonely place, without listeners, let him consult
 ‘ with them unobserved. CHAP. VII.

148. ‘ That prince, of whose weighty secrets all as-
 ‘ semblies of men are ignorant, shall attain dominion
 ‘ over the whole earth, though *at first* he possess no
 ‘ treasure.

149. ‘ At the time of consultation, let him remove
 ‘ the stupid, the dumb, the blind, and the deaf, talk-
 ‘ ing birds, decrepit old men, women, and infidels, the
 ‘ diseased and the maimed;

150. ‘ Since those, who are disgraced *in this life*
 ‘ *by reason of sins formerly committed*, are apt to be-
 ‘ tray secret council; so are talking birds; and so
 ‘ above all are women: them he must, for that reason,
 ‘ diligently remove.

151. ‘ At noon or at midnight, when his fatigues
 ‘ have ceased, and his cares are dispersed, let him
 ‘ deliberate, with those ministers or alone, on virtue,
 ‘ lawful pleasure, and wealth;

152. ‘ On the means of reconciling the acquisition
 ‘ of them, when they oppose each other; on bestow-
 ‘ ing his daughters in marriage, and on preserving his
 ‘ sons *from evil by the best education*;

153. ‘ On sending ambassadors and messengers; on
 ‘ the probable events of his measures; on the beha-
 ‘ viour *of his women* in the private apartment; and
 ‘ on the acts even of his own emissaries.

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154. ' On the whole eight-fold business of kings, relating to the revenue, to their expences, to the good or bad conduct of their ministers, to legislation in dubious cases, to civil and criminal justice, and to expiations for crimes, let him reflect with the greatest attention; on his five sorts of spies, or active and artful youths, degraded anchorets, distressed husbandmen, decayed merchants, and fictitious penitents, whom he must pay and see privately; on the good will or enmity of his neighbours, and on the state of the circumjacent countries.

155. ' On the conduct of that foreign prince, who has moderate strength equal to one ordinary foe, but no match for two; on the designs of him, who is willing and able to be a conqueror; on the condition of him, who is pacifick, but a match even for the former unallied; and on that of his natural enemy, let him sedulously meditate:

156. ' Those four powers, who, in one word, are the root or principal strength of the countries round him, added to eight others, who are called the branches, and are as many degrees of allies and opponents variously distinguished, are declared to be twelve chief objects of the royal consideration;

157. ' And five other heads, namely, their ministers, their territories, their strong holds, their treasuries, and their armies, being applied to each of those twelve, there are in all, together with them, seventy-two foreign objects to be carefully investigated.

158. ' Let

158. ' Let the king consider as hostile to him, the power immediately beyond him, and the favourer of that power; as amicable, the power next beyond his *natural* foe; and as neutral, the powers beyond that circle: CHAP. VII.

159. ' All those powers let him render subservient to his interest by mild measures and the other three expedients before mentioned, either separate or united, but principally by valour and policy in arms and negotiation.

160. ' Let him constantly deliberate on the six measures of a military prince, *namely*, waging war, and making peace or alliance, marching to battle, and sitting encamped, distributing his forces, and seeking the protection of a more powerful monarch:

161. ' Having considered the posture of affairs, let him occasionally apply to it the measure of sitting inactive, or of marching to action, of peace, or of war, of dividing his force, or of seeking protection.

162. ' A king must know, that there are two sorts of alliance and war; two, of remaining encamped, and of marching; two, *likewise*, of dividing his army, and two of obtaining protection from another power.

163. ' The two sorts of alliance, attended with present and future advantages, are held to be those, when he acts in conjunction with his ally, and when he acts apart from him.

164. ' War is declared to be of two sorts; when

CHAP. ' it is waged for an injury to himself, and when it
 VII. ' is waged for an injury to his ally, with a view to
 ' harass the enemy both in season and out of season.

165. ' Marching is of two sorts, when destructive
 ' acts are done at his own pleasure by himself apart,
 ' or when his ally attends him.

166. ' The two sorts of sitting encamped are, *first*,
 ' when he has been gradually weakened by the Di-
 ' vine Power, or by the operation of past sins, and,
 ' *secondly*, when, to favour his ally, he remains in his
 ' camp.

167. ' A detachment commanded by the king in
 ' person, and a detachment commanded by a general
 ' officer, for the purpose of carrying some important
 ' point, are declared by those, who well know the
 ' six measures, to be the two modes of dividing his
 ' army.

168. ' The two modes of seeking protection, that
 ' his powerful support may be proclaimed in all coun-
 ' tries, are, *first*, when he wishes to be secure from
 ' apprehended injury, and, *next*, when his enemies
 ' actually assail him.

169. ' When the king knows with certainty, that at
 ' some future time his force will be greatly augmented,
 ' and when, at the time present, he sustains little
 ' injury, let him then have recourse to peaceful mea-
 ' sures;

170. ' But, when he sees all his subjects consider-
 ' ably

ably firm in strength, and feels himself highly ex-
alted in power, let him protect his dominions by
war.

171. ' When he perfectly knows his own troops to
be cheerful and well supplied, and those of his
enemy quite the reverse, let him eagerly march
against his foes;

172. ' But, when he finds himself weak in beasts of
burden and in troops, let him then sit quiet in
camp, using great attention, and pacifying his enemy
by degrees.

173. ' When a king sees his foes stronger in all
respects than himself, let him detach a part of his
army, *to keep the enemy amused*, and secure his own
safety in an inaccessible place;

174. ' But, when he is in all places assailable by
the hostile troops, let him speedily seek the protec-
tion of a just and powerful monarch.

175. ' Him, who can keep in subjection both his
own subjects and his foes, let him constantly sooth
by all sorts of attentive respect, as he would honour
his father, *natural or spiritual*;

176. ' But if, even in that situation, he find such
protection a cause of evil, let him alone, though
weak, wage vigorous war without fear.

177. ' By all these expedients let a politick prince
act with such wisdom, that neither allies, neutral
powers,

CHAP. ' powers, nor foes, may gain over him any great ad-
 VII. ' vantage.

178. ' Perfectly let him consider the state of his
 ' kingdom, both *actually* present and *probably* future,
 ' with the good and bad parts of all his actions :

179. ' That king shall never be overcome by his
 ' enemies, who foresees the good and evil to ensue
 ' from his measures ; who, on present occasions, takes
 ' his resolution with prudent speed, and who weighs
 ' the various events of his past conduct.

180. ' Let him so arrange all his affairs, that no
 ' ally, neutral prince, or enemy, may obtain any ad-
 ' vantage over him : this, in a few words, is the sum
 ' of political wisdom.

181. ' WHEN the king begins his march against the
 ' domains of his foe, let him gradually advance, in
 ' the following manner, against the hostile metro-
 ' polis.

182. ' Let him set out on his expedition in the fine
 ' month *Mārgasīrsha*, or about the month of *Phāl-*
 ' *guna* and *Chaitra*, according to *the number of his*
 ' *forces, that he may find autumnal or vernal crops in*
 ' *the country invaded by him :*

183. ' Even in other seasons, when he has a clear
 ' prospect of victory, and when any disaster has be-
 ' fallen his foe, let him advance *with the greater part*
 ' *of his army.*

184. ' Having

184. ' Having made a due arrangement of affairs in his own dominions, and a disposition fit for his enterprize, having provided all things necessary for his continuance in the foreign realm, and having seen all his spies dispatched with propriety,

185. ' Having secured the three sorts of ways, *over water, on plains, and through forests*, and placed his six-fold army, *elephants, cavalry, cars, infantry, officers, and attendants*, in complete military form, let him proceed by fit journeys toward the metropolis of his enemy:

186. ' Let him be much on his guard against every secret friend in the service of the hostile prince, and against emissaries, who go and return; for in such friends he may find very dangerous foes.

187. ' On his march let him form his troops, either like a staff, or in an even column; like a wain, or in a wedge with the apex foremost; like a boar, or in a rhomb with the van and rear narrow and the centre broad; like a *Macara* or sea-monster, that is, in a double triangle with apices joined; like a needle, or in a long line; or like the bird of *VISHNU*, that is, in a rhomboid with the wings far extended:

188. ' From whatever side he apprehends danger, to that side let him extend his troops; and let him always conceal himself in the midst of a squadron formed like a lotos-flower.

189. ' Let him cause his generals and the chief commander

CHAP. ' mander *under himself*, to act in all quarters; and
 VII. ' from whatever side he perceives a design of attack-
 ' ing him, to that side let him turn his front.

190. ' On all sides let him station troops of soldiers,
 ' in whom he confides, distinguished by known *colours*
 ' and *other* marks; who are excellent both in sustain-
 ' ing a charge and in charging, who are fearless and
 ' incapable of desertion.

191. ' Let him at his pleasure order a few men to
 ' engage in a close phalanx, or a large number of
 ' warriors in loose ranks; and, having formed them
 ' in a *long line like* a needle, or in *three divisions*
 ' like a thunderbolt, let him give orders for battle.

192. ' On a plain, let him fight with his armed
 ' cars and horses; on watery places, with manned
 ' boats and elephants; on ground full of trees and
 ' shrubs, with bows; on cleared ground, with swords
 ' and targets, and *other* weapons.

193. ' Men born in *Curushétra*, near *Indraprest'ha*,
 ' in *Matsya*, or *Viráta*, in *Panchála*, or *Cányacubja*,
 ' and in *Súraséna*, in the district of *Mal'hurà*, let him
 ' cause to engage in the van; and men, *born in other*
 ' countries, who are tall and light.

194. ' Let him, when he has formed his troops in
 ' array, encourage them *with short animated speeches*;
 ' and then, let him try them completely: let him know,
 ' likewise, how his men severally exert themselves,
 ' while they charge the foe.

195. ' If

195. ' If he block up his enemy, let him sit en- CHAP.
 ' camped, and lay waste the hostile country; let him VII.
 ' continually spoil the grass, water, and wood of the
 ' adverse prince.

196. ' Pools, wells, and trenches let him destroy:
 ' let him harass the foe *by day*, and alarm him by
 ' night.

197. ' Let him secretly bring over to his party all
 ' such *leaders* as he can safely bring over; let him
 ' be informed of all that his enemies are doing; and,
 ' when a fortunate moment is offered by heaven, let
 ' him give battle, pushing on to conquest and aban-
 ' doning fear:

198. ' Yet he should be more sedulous to reduce
 ' his enemy by negotiation, by well applied gifts, and
 ' by creating divisions, using either all or some of
 ' those methods, than by hazarding at any time a
 ' decisive action,

199. ' Since victory or defeat are not surely fore-
 ' seen on either side, when two armies engage in the
 ' field; let the king then, *if other expedients prevail*,
 ' avoid a pitched battle:

200. ' But, should there be no means of applying
 ' the three *before-mentioned* expedients, let him, after
 ' due preparation, fight so valiantly, that his enemy
 ' may be totally routed.

201. ' HAVING conquered a country, let him respect
 ' the deities *adored in it*, and their virtuous priests;
 ' let

CHAP. ' let him also distribute largesses *to the people*, and
VII. ' cause a full exemption from terroure to be loudly
' proclaimed.

202. ' When he has perfectly ascertained the conduct and intentions of all the vanquished, let him fix in that country *a prince of the royal race*, and give him precise instructions.

203. ' Let him establish the laws *of the conquered nation* as declared *in their books*; and let him gratify the new prince with *gems and other precious gifts*.

204. ' The seizure of desirable property, though it cause hatred, and the donation of it, though it cause love, may be laudable or blameable on different occasions:

205. ' All this *conduct of human affairs* is considered as dependent on acts ascribed to the deity, and on acts ascribed to men; now the operations of the deity cannot be known by any intenseness of thought, but those of men may be clearly discovered.

206. ' Or the victor, considering an ally, territory, and wealth as the triple fruit of conquest, may form an alliance with the vanquished prince, and proceed in union with him, using diligent circumspection.

207. ' He should pay due attention to the prince, who supported his cause, and to any other prince in the circumjacent region, who checked that supporter, so that, both from a well-wisher and from an
' opponent,

‘ opponent, he may secure the fruit of his expedi- CHAP.
‘ tion. VII.

208. ‘ By gaining wealth and territory a king acquires
‘ not so great an increase of strength, as by obtain-
‘ ing a firm ally, who, though weak, may hereafter
‘ be powerful.

209. ‘ That ally, though feeble, is highly estimable,
‘ who knows the whole extent of his duties, who grate-
‘ fully remembers benefits, whose people are satisfied,
‘ *or, who has a gentle nature*, who loves his friend,
‘ and perseveres in his good resolutions.

210. ‘ Him have the sages declared an enemy hard
‘ to be subdued, who is eminently learned, of a noble
‘ race, personally brave, dexterous in management, li-
‘ beral, grateful, and firm.

211. ‘ Good-nature, knowledge of mankind, valour,
‘ benignity of heart, and incessant liberality, are the
‘ assemblage of virtues, which adorn a neutral prince,
‘ *whose amity must be courted*.

212. ‘ Even a salubrious and fertile country, where
‘ cattle continually increase, let a king abandon with-
‘ out hesitation for the sake of preserving himself:

213. ‘ Against misfortune, let him preserve his wealth;
‘ at the expence of his wealth, let him preserve his
‘ wife; but let him at all events preserve himself, even
‘ at the hazard of his wife and his riches.

214. ‘ A wise prince, who finds every sort of cala-
‘ mity

CHAP. ' mity rushing violently upon him, should have recourse
VII. ' to all just expedients, united or separate :

215. ' Let him consider the business to be expedited, the expedients collectively, and himself who must apply them; and, taking refuge completely in those three, let him strenuously labour for his own prosperity.

216. ' HAVING consulted with his ministers, in the manner before prescribed, on all this *mass of publick affairs*; having used exercise *becoming a warrior*, and having bathed *after it*, let the king enter at noon his private apartment for the purpose of taking food.

217. ' There let him eat lawful aliment, prepared by servants attached to his person, who know the difference of times and are incapable of perfidy, after it has been proved innocent *by certain experiments*, and hallowed by texts of the *Véda* repulsive of poison.

218. ' Together with all his food let him swallow such medical substances as resist venom; and let him constantly wear with attention such gems, as are known to repel it.

219. ' Let his females, well tried and attentive, their dress and ornaments having been examined, *lest some weapon should be concealed in them*, do him humble service with fans, water, and perfumes :

220. ' Thus let him take diligent care, when he
' goes

‘ goes out in a carriage or on horseback, when he
‘ lies down to rest, when he sits, when he takes food,
‘ when he bathes, anoints his body *with odorous es-* CHAP.
‘ *sences*, and puts on all his habiliments. VII.

221. ‘ After eating, let him divert himself with his
‘ women in the recesses of his palace; and, having
‘ idled a reasonable time, let him again think of pub-
‘ lick affairs :

222. ‘ When he has dressed himself completely, let
‘ him once more review his armed men, with all their
‘ elephants, horses, and cars, their accoutrements, and
‘ weapons.

223. ‘ At sunset, having performed his religious duty,
‘ let him privately, but well armed, in his interior
‘ apartment, hear what has been done by his reporters
‘ and emissaries :

224. ‘ Then, having dismissed those informers, and
‘ returning to another secret chamber, let him go,
‘ attended by women, to the inmost recess of his
‘ mansion for the sake of his evening meal ;

225. ‘ There, having a second time eaten a little,
‘ and having been recreated with musical strains, let
‘ him take rest early, and rise refreshed from his labour.

226. ‘ This perfect system of rules let a king, free
‘ from illness, observe ; but, when really afflicted with
‘ disease, he may intrust all these affairs to his of-
‘ ficers.’

CHAP. VIII.

On Jûdicature ; and on Law, Private and Criminal.

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VIII.

1. ' A KING, desirous of inspecting judicial proceedings, must enter his court of justice, composed and sedate in his demeanour, together with *Brâhmens* and counsellors, who know how to give him advice :

2. ' There, either sitting or standing, holding forth his right arm, without ostentation in his dress and ornaments, let him examine the affairs of litigant parties.

3. ' Each day let him decide causes, one after another, under the eighteen *principal* titles of law, by arguments and rules drawn from local usages, and from written codes :

4. ' Of those *titles*, the first is debt, on loans for consumption ; *the second*, deposits, and loans for use ; *the third*, sale without ownership ; *the fourth*, concerns among partners ; *the fifth*, subtraction of what has been given ;

5. ' *The sixth*, non-payment of wages or hire ; *the seventh*, non-performance of agreements ; *the eighth*, rescission of sale and purchase ; *the ninth*, disputes between master and servant ;

6. ' *The tenth*, contests on boundaries ; *the eleventh*
' and

‘ *and twelfth*, assault and slander; *the thirteenth*, larceny; *the fourteenth*, robbery and other violence; *the fifteenth*, adultery; CHAP. VIII.

7. ‘ *The sixteenth*, altercation between man and wife, and their several duties; *the seventeenth*, the law of inheritance; *the eighteenth*, gaming with dice and with living creatures: these eighteen titles of law are settled as the ground-work of all judicial procedure in this world.

8. ‘ Among men, who contend for the most part on the titles just mentioned, *and on a few miscellaneous heads not comprised under them*, let the king decide causes justly, observing primeval law;

9. ‘ But, when he cannot inspect such affairs in person, let him appoint, for the inspection of them, a *Bráhmén* of eminent learning:

10. ‘ Let that chief judge, accompanied by three assessors, fully consider all causes brought before the king; and, having entered the court-room, let him sit or stand, *but not move backwards and forwards*.

11. ‘ In whatever country three *Bráhméns*, particularly skilled in the three several *Védas*, sit together with the very learned *Bráhmén* appointed by the king, the wise call that *assembly* the court of BRAHMA *with four faces*.

12. ‘ WHEN justice, having been wounded by iniquity, approaches the court, and the judges extract not the dart, they also shall be wounded by it.

13. ‘ Either

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13. ' Either the court must not be entered *by judges,*
' *parties, and witnesses,* or law and truth must be openly
' declared: that man is criminal, who either says no-
' thing, or says what is false or unjust.

14. ' Where justice is destroyed by iniquity, and
' truth by false evidence, the judges, who basely look
' on *without giving redress,* shall also be destroyed.

15. ' Justice being destroyed, will destroy; being
' preserved, will preserve: it must never, therefore,
' be violated. "Beware, *O judge,* lest justice, being
' overturned, overturn *both us and thyself.*"

16. ' The divine form of justice is represented as
' *Vrishā,* or a bull, and the gods consider him, who
' violates justice, as a *Vrishala,* or one who slays a
' bull: let the king, therefore, and his judges beware
' of violating justice.

17. ' The only firm friend, who follows men even
' after death, is justice: all others are extinct with
' the body.

18. ' Of injustice *in decisions,* one quarter falls on the
' party in the cause; one quarter, on his witnesses;
' one quarter, on all the judges; and one quarter on
' the king;

19. ' But where he, who deserves condemnation, shall
' be condemned, the king is guiltless, and the judges
' free from blame: an evil deed shall recoil on him,
' who committed it.

20. ' A Bráh-

20. ' A *Bráhmén* supported only by his class, and
 ' one barely reputed a *Bráhmén*, but without per-
 ' forming any sacerdotal acts, may, at the king's plea-
 ' sure, interpret the law to him: *so may the two mid-*
 ' *dle classes*; but a *Súdra*, in no case whatever.

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21. ' Of that king, who stupidly looks on, while a
 ' *Súdra* decides causes, the kingdom itself shall be
 ' embarrassed, like a cow in deep mire.

22. ' The whole territory, which is inhabited by a
 ' number of *Súdras*, overwhelmed with atheists, and
 ' deprived of *Bráhméns*, must speedily perish afflicted
 ' with dearth and disease.

23. ' LET the king *or his judge*, having seated him-
 ' self on the bench, his body properly clothed and
 ' his mind attentively fixed, begin with doing reve-
 ' rence to the deities, who guard the world; and then
 ' let him enter on the trial of causes:

24. ' Understanding what is expedient or inexpe-
 ' dient, but considering only what is law or not law,
 ' let him examine all disputes between parties, in the
 ' order of their several classes.

25. ' By external signs let him see through the
 ' thoughts of men; b their voice, colour, countenance,
 ' limbs, eyes, and action:

26. ' From the limbs, the look, the motion of the
 ' body, the gesticulation, the speech, the changes of
 ' the eye and the face, are discovered the internal
 ' workings of the mind.

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27. ' THE property of a student and of an infant,
' whether by descent or otherwise, let the king hold
' in his custody, until the owner shall have ended his
' studentship, or until his infancy shall have ceased
' in his sixteenth year.

28. ' Equal care must be taken of barren women,
' of women without sons, *whose husbands have married*
' *other wives*, of women without kindred, or whose
' husbands are in distant places, of widows true to
' their lords, and of women afflicted with illness.

29. ' Such kinsmen, as, *by any pretence*, appropriate
' the fortunes of women during their lives, a just
' king must punish with the severity due to thieves.

30. ' Three years let the king detain the property
' of which no owner appears, *after a distinct procla-*
' *mation*: the owner, appearing within the three years,
' may take it; but, after that term, the king may
' confiscate it.

31. ' He, who says "This is mine," must be duly
' examined; and if, *before he inspect it*, he declare its
' form, number, and other circumstances, the owner
' must have his property;

32. ' But if he show not at what place and time
' it was lost, and specify not its colour, shape, and
' dimensions, he ought to be amerced:

33. ' The king may take a sixth part of the pro-
' perty so detained by him, or a tenth, or a twelfth,
' remembering the duty of good kings.

34. ' Property

34. ' Property lost *by one man*, and found *by another*, let the king secure, by committing it to the care of trust-worthy men; and those, whom he shall convict of stealing it, let him cause to be trampled on by an elephant.

35. ' From the man, who shall say with truth, " This property, which has been kept, belongs to me," the king may take a sixth or twelfth part, *for having secured it*;

36. ' But he, who shall say so falsely, may be fined either an eighth part of his own property, or else in some small proportion to the value of the goods falsely claimed, a just calculation having been made.

37. ' A learned *Bráhmén*, having found a treasure formerly hidden, may take it without any deduction; since he is the lord of all;

38. ' But of a treasure anciently reposed under ground, which *any other subject* or the king has discovered, the king may lay up half in his treasury, having given half to the *Bráhméns*.

39. ' Of old hoards, and precious minerals in the earth, the king is entitled to half by reason of his general protection, and because he is the lord paramount of the soil.

40. ' To men of all classes, the king must restore their property, which robbers have seized; since a king, who takes it for himself, incurs the guilt of a robber.

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41. ' A king, who knows the revealed law, must enquire into the particular laws of classes, the laws or usages of districts, the customs of traders, and the rules of certain families, and establish their peculiar laws, *if they be not repugnant to the law of God*;

42. ' Since all men, who mind their own customary ways of proceeding, and are fixed in the discharge of their several duties, become united by affection with the people at large, even though they dwell far asunder.

43. ' Neither the king himself nor his officers must ever promote litigation; nor ever neglect a law-suit instituted by others.

44. ' As a hunter traces the lair of a *wounded* beast by the drops of blood; thus let a king investigate the true point of justice by deliberate arguments:

45. ' Let him fully consider the nature of truth, the state of the case, and his own person; and next, the witnesses, the place, the mode, and the time; firmly adhering to all the rules of practice:

46. ' What has been practised by good men and by virtuous *Bráhmens*, if it be not inconsistent with the legal customs of provinces or districts, of classes and families, let him establish.

47. ' WHEN a creditor sues before him for the recovery of his right from a debtor, let him cause the debtor to pay what the creditor shall prove due.

48. ' By

48. ' By whatever lawful means a creditor may have gotten possession of his own property, let the king ratify such payment by the debtor, though obtained even by compulsory means.

49. ' By the mediation of friends, by suit in court, by artful management, or by distress, a creditor may recover the property lent; and, fifthly, by legal force.

50. ' That creditor, who recovers his right from his debtor, must not be rebuked by the king for retaking his own property.

51. ' In a suit for a debt, which the defendant denies, let him award payment to the creditor of what, by good evidence, he shall prove due, and exact a small fine, *according to the circumstances of the debtor.*

52. ' On the denial of a debt, which the defendant has in court been required to pay, the plaintiff must call a witness who was present at the place of the loan, or produce other evidence, *as a note and the like.*

53. ' The plaintiff, who calls a witness not present at the place, *where the contract was made*, or, having knowingly called him, disclaims him as his witness; or who perceives not, that he asserts confused and contradictory facts;

54. ' Or who, having stated what he designs to prove, varies afterwards from his case; or who, being questioned

CHAP. ' questioned on a fact, which he had before admitted,
VIII. ' refuses to acknowledge that very fact;

55. ' Or who has conversed with the witnesses in a
' place unfit for such conversation; or who declines
' answering a question properly put; or who departs
' from the court;

56. ' Or who, being ordered to speak, stands mute;
' or who proves not what he has alledged; or who
' knows not what is capable or incapable of proof;
' *such a plaintiff* shall fail in that suit.

57. ' Him who has said "I have witnesses," and,
' being told to produce them, produces them not, the
' judge must on this account declare nonsuited.

58. ' If the plaintiff delay to put in his plaint, he
' may, *according to the nature of the case*, be corpo-
' rally punished or justly amerced; and, if the defen-
' dant plead not within three fortnights, he is by law
' condemned.

59. ' In the double of that sum, which the defendant
' falsely denies, or on which the complainant falsely
' declares, shall those two men, wilfully offending
' against justice, be fined by the king.

60. ' When a man has been brought into court by
' a suitor for property, and, being called on to answer,
' denies the debt, the cause should be decided by the
' *Bráhmén* who represents the king, having heard
' three witnesses *at least*.

61. ' WHAT

61. ' WHAT sort of witnesses must be produced by CHAP. VIII.
' creditors *and others* on the trial of causes, I will
' comprehensively declare; and in what manner those
' witnesses must give true evidence.

62. ' Married house-keepers, men with male issue,
' inhabitants of the same district, either of the mili-
' tary, the commercial, or the servile class, are com-
' petent, when called by the party, to give their evi-
' dence; not any persons indiscriminately, except in
' *such cases of urgency as will soon be mentioned.*

63. ' Just and sensible men of all the *four* classes
' may be witnesses on trials; men, who know their
' whole duty, and are free from covetousness: but
' men of an opposite character the judge must reject.

64. ' Those must not be admitted who have a pecu-
' niary interest; nor familiar friends; nor menial ser-
' vants; nor enemies; nor men formerly perjured; nor
' persons grievously diseased; nor those, who have
' committed heinous offences.

65. ' The king cannot be made a witness; nor *cooks,*
' *and the like* mean artificers; nor publick dancers and
' singers; nor a priest of deep learning in scripture;
' nor a student in theology; nor an anchoret secluded
' from all worldly connexions;

66. ' Nor one wholly dependent; nor one of bad
' fame; nor one, who follows a cruel occupation; nor
' one, who acts openly against the law; nor a decrepit
' old man; nor a child; nor one man only, *unless he*
' *be*

CHAP. ' *be distinguished for virtue* ; nor a wretch of the lowest
 VIII. ' mixed class ; nor one, who has lost the organs of sense ;

67. ' Nor one extremely grieved ; nor one intoxicated ; nor a madman ; nor one tormented with
 ' hunger or thirst ; nor one oppressed by fatigue ; nor
 ' one excited by lust ; nor one inflamed by wrath ; nor
 ' one who has been convicted of theft.

68. ' Women should regularly be witnesses for
 ' women ; twice-born men, for men alike twice-born ;
 ' good servants and mechanicks, for servants and me-
 ' chanicks ; and those of the lowest race, for those
 ' of the lowest ;

69. ' But any person whatever, who has positive
 ' knowledge of *transactions* in the private apartments
 ' of a house, or in a forest, or at a time of death,
 ' may give evidence between the parties :

70. ' On failure of *witnesses duly qualified*, evidence
 ' may in *such cases* be given by a woman, by a
 ' child, or by an aged man, by a pupil, by a kins-
 ' man, by a slave, or by a hired servant ;

71. ' Yet of children, of old men, and of the dis-
 ' eased, who are all apt to speak untruly, the judge
 ' must consider the testimony as weak ; and *much*
 ' more, that of men with disordered minds :

72. ' In all cases of violence, of theft and adultery,
 ' of defamation and assault, he must not examine too
 ' strictly the competence of witnesses.

73. ' If

73. ' If there be contradictory evidence, let the king decide by the plurality of credible witnesses; if equality in number, by superiority in virtue; if parity in virtue, by the testimony of such twice-born men, as have best performed publick duties. CHAP. VIII.

74. ' Evidence of what has been seen, or of what has been heard, *as slander and the like*, given by those who saw or heard it, is admissible; and a witness, who speaks truth in those cases, neither deviates from virtue nor loses his wealth:

75. ' But a witness, who knowingly says any thing, before an assembly of good men, different from what he had seen or heard, shall fall headlong, after death, into a region of horror, and be debarred from heaven.

76. ' When a man sees or hears any thing, without being then called upon to attest it, yet, if he be afterwards examined as a witness, he must declare it, exactly as *it was* seen, and as *it was* heard.

77. ' One man, untainted with covetousness and other vices, may in some cases be the sole witness, and will have more weight than many women, because female understandings are apt to waver; or than many other men, who have been tarnished with crimes.

78. ' What witnesses declare naturally, or without bias, must be received on trials; but what they improperly say, from some unnatural bent, is inapplicable to the purposes of justice.

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79. ' THE witnesses being assembled in the middle
' of the court-room, in the presence of the plaintiff
' and the defendant, let the judge examine them, after
' having addressed them *all together* in the following
' manner :

80. ' " What ye know to have been transacted in the
' matter before us, between the parties reciprocally,
' declare at large and with truth ; for your evidence
' in this cause is required."

81. ' A witness, who gives testimony with truth,
' shall attain exalted seats of beatitude above, and the
' highest fame here below : such testimony is revered
' by BRAHMA' himself ;

82. ' The witness who speaks falsely, shall be fast
' bound *under water*, in the *snaky* cords of VARUNA,
' and be wholly deprived of power *to escape torment*
' during a hundred transmigrations : let mankind, there-
' fore, give no false testimony.

83. ' By truth is a witness cleared from sin ; by truth
' is justice advanced : truth must, therefore, be spoken
' by witnesses of every class.

84. ' The soul itself is its own witness ; the soul it-
' self is its own refuge ; offend not thy conscious soul,
' the supreme internal witness of men !

85. ' The sinful have said in their hearts : " None
' sees us." Yes ; the gods distinctly see them ; and
' so does the spirit within their breasts.

86. ' The guardian deities of the firmament, of the
' earth,

‘ earth, of the waters, of the human heart, of the
 ‘ moon, of the sun, and of fire, of punishment after CHAP.
 ‘ death, of the winds, of night, of both twilights, VIII.
 ‘ and of justice, perfectly know the state of all spirits
 ‘ clothed with bodies.

87. ‘ In the forenoon let the judge, being purified,
 ‘ severally call on the twice-born, being purified also,
 ‘ to declare the truth, in the presence of *some image*,
 ‘ *a symbol* of the divinity, and of *Bráhmens*, while the
 ‘ witnesses turn their faces either to the north or to
 ‘ the east.

88. ‘ To a *Bráhmen* he must begin with saying,
 ‘ “ Declare;” to a *Cshatriya*, with saying, “ Declare
 ‘ the truth;” to a *Vaisya*, with *comparing perjury to*
 ‘ *the crime of stealing* kine, grain, or gold; to a
 ‘ *Súdra*, with comparing it *in some or all of the follow-*
 ‘ *ing sentences*, to every crime *that men can commit*.

89. ‘ “ WHATEVER places of torture have been pre-
 ‘ pared for the slayer of a priest, for the murderer
 ‘ of a woman or of a child, for the injurer of a
 ‘ friend, and for an ungrateful man, those places are
 ‘ ordained for a witness who gives false evidence.

90. ‘ “ The fruit of every virtuous act, which thou
 ‘ hast done, O good man, since thy birth, shall de-
 ‘ part from thee to dogs, if thou deviate in speech
 ‘ from the truth.

91. ‘ “ O friend to virtue, that supreme spirit, which
 ‘ thou believest one and the same with thyself, re-
 ‘ sides

CHAP. ' sides in thy bosom perpetually, and is an all-know-
VIII. ' ing inspector of thy goodness or of thy wickedness.

92. ' " If thou beest not at variance, *by speaking*
' *falsely*, with YAMA, or the subduer of all : with VAI-
' VASWATA, or the punisher, with that great divinity
' who dwells in thy breast, go not *on a pilgrimage*
' to the river *Gangà*, nor to the plains of CURU, *for*
' *thou hast no need of expiation.*

93. ' " Naked and shorn, tormented with hunger and
' thirst, and deprived of sight, shall the man, who
' gives false evidence, go with a potsherd to beg
' food at the door of his enemy.

94. ' " Headlong, in utter darkness, shall the impious
' wretch tumble into hell, who, being interrogated in
' a judicial inquiry, answers one question falsely.

95. ' " He, who in a court of justice gives an imper-
' fect account of any transaction, or asserts a fact of
' which he was no eye-witness, shall receive pain
' *instead of pleasure*, and resemble a man, who eats
' fish *with eagerness* and swallows the sharp bones.

96. ' " The gods are acquainted with no better mortal
' in this world, than the man, of whom the intel-
' ligent spirit, which pervades his body, has no dis-
' trust, when he prepares to give evidence.

97. ' " Hear, honest man, from a just enumeration
' in order, how many kinsmen, in evidence of dif-
' ferent sorts, a false witness kills, *or incurs the guilt*
' *of killing :*

98. ' " He

98. ‘ “ He kills five by false testimony concerning cattle in general; he kills ten by false testimony concerning kine; he kills a hundred by false evidence concerning horses; and a thousand by false evidence concerning the human race:

99. ‘ “ By speaking falsely in a cause concerning gold, he kills the born and the unborn; by speaking falsely concerning land, he kills every thing *animated*: beware then of speaking falsely in a cause concerning land!

100. ‘ “ The sages have held false evidence concerning water, and the possession or enjoyment of women, equal to false evidence concerning land; and it is equally criminal in causes concerning *pearls and other* precious things formed in water, and concerning all things made of stone.

101. ‘ “ Marking well all the murders which are comprehended in the crime of perjury, declare thou the whole truth with precision, as *it was* heard, and as *it was* seen by thee.”

102. ‘ *Bráhmens*, who tend herds of cattle, who trade, who practise mechanical arts, who profess dancing and singing, who are hired servants or usurers, let the judge exhort and examine as if they were *Súdras*.

103. ‘ In some cases, a giver of false evidence from a pious motive, even though he know the truth, shall not lose a seat in heaven: such evidence wise men call the speech of the gods.

104. ‘ Whenever

CHAP. 104. ' Whenever the death of a man, *who had not*
 VIII. ' *been a grievous offender*, either of the servile, the
 ' commercial, the military, or the sacerdotal class,
 ' would be occasioned by true evidence, *from the known*
 ' *rigour of the king, even though the fault arose from*
 ' *inadvertence or errour*, falsehood may be spoken: it
 ' is even preferable to truth.

105. ' Such *witnesses* must offer, as oblations to
 ' SARASWATÍ, cakes of rice and milk addressed to the
 ' goddess of speech; and thus will they fully expiate
 ' that venial sin of benevolent falsehood:

106. ' Or such a *witness* may pour clarified butter
 ' into the holy fire, according to the sacred rule,
 ' hallowing it with the texts called *cúshmandá*, or with
 ' those which relate to VARUNA, beginning with *ud*;
 ' or with the three texts appropriated to the water-
 ' gods.

107. ' A MAN who labours not under illness, yet
 ' comes not to give evidence in cases of loans and
 ' the like, within three fortnights *after due summons*,
 ' shall take upon himself the whole debt, and pay a
 ' tenth part of it as a fine *to the king*.

108. ' The witness, who has given evidence, and
 ' to whom, within seven days after, a *misfortune* hap-
 ' pens *from* disease, fire, or the death of a kinsman,
 ' shall be condemned to pay the debt and a fine.

109. ' In cases, where no witness can be had, be-
 ' tween two parties opposing each other, the judge
 ' may

‘ may acquire a knowledge of the truth by the oath
 ‘ of the parties; or if he cannot otherwise perfectly
 ‘ ascertain it. CHAP. VIII.

110. ‘ By the *seven* great *Rishis*, and by the deities
 ‘ themselves, have oaths been taken, for the purpose
 ‘ of judicial proof; and even VASISHT’HA, *being accused*
 ‘ by VISWA’MITRA of murder, took an oath before the
 ‘ king SUDA’MAN, son of PIYAVANA.

111. ‘ Let no man of sense take an oath in vain,
 ‘ that is, not in a court of justice, on a trifling oc-
 ‘ casion; for the man, who takes an oath in vain,
 ‘ shall be punished in this life and in the next:

112. ‘ To women, however, at a time of dalliance,
 ‘ or on a proposal of marriage, in the case of grass
 ‘ or fruit eaten by a cow, of wood taken for a sacri-
 ‘ fice, or of a promise made for the preservation of
 ‘ a *Bráhmén*, it is no deadly sin to take a light oath.

113. ‘ Let the judge cause a priest to swear by his
 ‘ veracity; a soldier, by his horse, or elephant, and
 ‘ his weapons; a merchant, by his kine, grain, and
 ‘ gold; a mechanick or servile man, by *imprecating*
 ‘ on his own head, if he speak falsely, all possible
 ‘ crimes;

114. ‘ Or, on great occasions, let him cause the party
 ‘ to hold fire, or to dive under water, or severally to
 ‘ touch the heads of his children and wife:

115. ‘ He, whom the blazing fire burns not, whom
 ‘ the water soon forces not up, or who meets with no
 ‘ speedy

CHAP. ' speedy misfortune, must be held veracious in his
VIII. ' testimony on oath.

116. ' Of the sage VATSA, whom his younger *half-*
' brother formerly attacked, *as the son of a servile*
' *woman*, the fire, which pervades the world, burned
' not even a hair, by reason of his perfect veracity.

117. ' WHENEVER false evidence has been given in
' any suit, the king must reverse the judgment; and
' whatever has been done, must be considered as
' undone.

118. ' Evidence, given from covetousness, from dis-
' traction of mind, from terrour, from friendship, from
' lust, from wrath, from ignorance, and from inatten-
' tion, must be held invalid.

119. ' THE distinctions of punishment for a false wit-
' ness, from either of those motives, I will propound
' fully and in order:

120. ' If he speak falsely through covetousness, he
' shall be fined a thousand *panas*; if through distrac-
' tion of mind, *two hundred and fifty*, or the lowest
' amercement; if through terrour, two mean amerce-
' ments; if through friendship, four times the lowest;

121. ' If through lust, ten times the lowest amerce-
' ment; if through wrath, three times the next, *or*
' *middlemost*; if through ignorance, two hundred com-
' plete; if through inattention, a hundred only.

122. ' Learned men have specified these punish-
' ments,

ments, *which were* ordained by sage legislators for CHAP.
 ' perjured witnesses, with a view to prevent a failure VIII.
 ' of justice and to restrain iniquity.

123. ' Let a just prince banish men of the three
 ' lower classes, if they give false evidence, having first
 ' levied the fine; but a *Bráhmén* let him only banish.

124. ' MENU, son of the Self-existent, has named ten
 ' places of punishment, which are appropriated to the
 ' three lower classes; but a *Bráhmén* must depart
 ' from the realm unhurt in any one of them :

125. ' The part of generation, the belly, the tongue,
 ' the two hands, and, fifthly, the two feet, the eye,
 ' the nose, both ears, the property, and, in a capital
 ' case, the whole body.

126. ' Let the king, having considered and ascer-
 ' tained the frequency of a similar offence, the place
 ' and time, the ability of the criminal *to pay or suffer*,
 ' and the crime itself, cause punishment to fall on those
 ' alone, who deserve it.

127. ' Unjust punishment destroys reputation during
 ' life, and fame after death; it even obstructs, in the
 ' next life, the path to heaven: unjust punishment,
 ' therefore, let the king by all means avoid.

128. ' A king, who inflicts punishment on such as
 ' deserve it not, and inflicts no punishment on such
 ' as deserve it, brings infamy on himself, while he
 ' lives, and shall sink, when he dies, to a region of
 ' torment.

CHAP. 129. ' First, let him punish by gentle admonition ;
VIII. ' afterwards, by harsh reproof; thirdly, by deprivation
' of property; after that, by corporal pain :

130. ' But, when even by corporal punishment he
' cannot restrain such offenders, let him apply to them
' all the four modes with rigour.

131. ' THOSE names of copper, silver, and gold
' weights, which are commonly used among men, for
' the purpose of worldly business, I will now compre-
' hensively explain.

132. ' The very small mote, which may be discerned
' in a sun-beam passing through a lattice, is the least
' visible quantity, and men call it a *trasarénu* :

133. ' Eight of those *trasarénu*s are supposed equal
' in weight to one minute poppy-seed; three of those
' seeds are equal to one black mustard-seed; and
' three of those last, to a white mustard-seed :

134. ' Six white mustard-seeds are equal to a mid-
' dle-sized barley-corn; three such barley-corns to one
' *racticà*, or seed of the *Gunjà*; five *racticàs* of gold
' are one *másha*, and sixteen such *máshas*, one *su-*
' *verna*;

135. ' Four *suvernas* make a *pala*; ten *palas*, a *dha-*
' *rana*; but two *racticàs* of silver, weighed together,
' are considered as one *máshaca*;

136. ' Sixteen of those *máshacas* are a silver *dharana*,
' or *purána*; but a *carsha*, or eighty *racticàs* of cop-
' per, is called a *pana* or *cárshápana*.

' 137. ' Ten

137. ' Ten *dharanas* of silver are known by the name CHAP.
' of a *satamána*; and the weight of four *suvernas* has VIII.
' also the appellation of a *nishca*.

138. ' Now two hundred and fifty *panas* are de-
' clared to be the first or lowest amercement; five
' hundred of them are considered as the mean; and
' a thousand, as the highest.

139. ' A DEBT being admitted by the defendant, he
' must pay five in the hundred, as a fine to the king;
' but, if it be denied and proved, twice as much:
' this law was enacted by MENU.

140. ' A LENDER of money may take, in addition
' to his capital, the interest allowed by VASISHTHA,
' that is, an eightieth part of a hundred, or one and a
' quarter, by the month, if he have a pledge;

141. ' Or, if he have no pledge, he may take two
' in the hundred by the month, remembering the duty
' of good men: for, by thus taking two in the hun-
' dred, he becomes not a sinner for gain.

142. ' He may thus take in proportion to the risk,
' and in the direct order of the classes, two in the
' hundred from a priest, three from a soldier, four
' from a merchant, and five from a mechanick or servile
' man, but never more, as interest by the month.

143. ' If he take a beneficial pledge, or a pledge
' to be used for his profit, he must have no other in-
' terest on the loan; nor, after a great length of
212 ' time,

CHAP. 'time, or when the profits have amounted to the debt,
VIII. 'can he give or sell such a pledge, though he may
'assign it in pledge to another.

144. 'A pledge to be kept only must not be used
'by force, that is, against consent: the pawnee so
'using it must give up his whole interest, or must
'satisfy the pawner, if it be spoiled or worn out, by
'paying him the original price of it; otherwise, he
'commits a theft of the pawn.

145. 'Neither a pledge without limit, nor a de-
'posit, are lost to the owner by lapse of time: they
'are both recoverable, though they have long re-
'mained with the bailee.

146. 'A milch cow, a camel, a riding-horse, a bull
'or other beast, which has been sent to be tamed for
'labour, and other things used with friendly assent,
'are not lost by length of time to the owner.

147. 'In general, whatever chattel the owner sees
'enjoyed by others for ten years, while, though pre-
'sent, he says nothing, that chattel he shall not
'recover:

148. 'If he be neither an idiot, nor an infant under
'the full age of fifteen years, and if the chattel be
'adversely possessed in a place where he may see
'it, his property in it is extinct by law, and the
'adverse possessor shall keep it.

149. 'A pledge, a boundary of land, the property
'of an infant, a deposit either open or in a chest
'sealed,

‘ sealed, female slaves, the wealth of a king, and
 ‘ of a learned *Brāhmen*, are not lost in consequence
 ‘ of adverse enjoyment. CHAP. VIII.

150. ‘ The fool, who secretly uses a pledge without,
 ‘ *though not against*, the assent of the owner, shall give
 ‘ up half of his interest, as a compensation for such
 ‘ use.

151. ‘ INTEREST on money, received at once, *not*
 ‘ *month by month, or day by day, as it ought*, must
 ‘ never be more than enough to double the debt, *that*
 ‘ *is, more than the amount of the principal paid at the*
 ‘ *same time*: on grain, on fruit, on wool or hair, on
 ‘ beasts of burden, *lent to be paid in the same kind of*
 ‘ *equal value*, it must not be more than enough to
 ‘ make the debt quintuple.

152. ‘ Stipulated interest beyond the legal rate, and
 ‘ different from the *preceding* rule, is invalid; and the
 ‘ wise call it an usurious way of *lending*: the lender
 ‘ is entitled *at most* to five in the hundred.

153. ‘ Let no lender *for a month, or for two or*
 ‘ *three months, at a certain interest*, receive such inte-
 ‘ rest beyond the year; nor any interest, which is
 ‘ unapproved; nor interest upon interest *by previous*
 ‘ *agreement*; nor monthly interest exceeding in time
 ‘ the amount of the principal; nor interest exacted
 ‘ from a debtor, *as the price of the risk, when there*
 ‘ *is no publick danger or distress*; nor immoderate
 ‘ profits from a pledge to be used by way of interest.

154. ‘ He,

CHAP. 154. ' He, who cannot pay the debt *at the fixed*
 VIII. ' *time*, and wishes to renew the contract, may renew
 ' it in writing, *with the creditor's assent*, if he pay all
 ' the interest then due;

155. ' But if, *by some unavoidable accident*, he can-
 ' not pay the whole interest, he may insert *as prin-*
 ' *cipal* in the renewed contract so much of the inte-
 ' rest accrued as he ought to pay.

156. ' A lender at interest on *the risk of* safe car-
 ' riage, who has agreed on the place and time, shall
 ' not receive such interest, if *by accident* the goods
 ' are not carried to the place, or within the time:

157. ' Whatever interest, or *price of the risk*, shall
 ' be settled *between the parties*, by men well acquainted
 ' with sea-voyages or journies by land, with times
 ' and with places, such interest shall have legal force.

158. ' THE man, who becomes surety for the appear-
 ' ance of a debtor in this world, and produces him
 ' not, shall pay the debt out of his own property;

159. ' But money, due by a surety, or idly promised
 ' *to musicians and actresses*, or lost at play, or due
 ' for spirituous liquors, or what remains unpaid of a
 ' fine or toll, the son of the surety or debtor shall not
 ' in general be obliged to pay:

160. ' Such is the rule in cases of a surety for ap-
 ' pearance or good behaviour; but, if a surety for pay-
 ' ment should die, the judge may compel even his
 ' heirs to discharge the debt.

161. ' On

161. ' On what account then is it, that, after the death of a surety other than for payment, the creditor may *in one case* demand the debt of the heir, all the affairs of the deceased being known and proved? CHAP. VIII.

162. ' If the surety had received money from the debtor, and had enough to pay the debt, the son of him, who so received it, shall discharge the debt out of his *inherited* property: this is a sacred ordinance.

163. ' A contract made by a person intoxicated or insane, or grievously disordered, or wholly dependent, by an infant or a decrepit old man, or *in the name of another* by a person without authority, is utterly null.

164. ' That plaint can have no effect, though it may be supported by evidence, which contains a cause of action inconsistent with positive law or with settled usage.

165. ' When the judge discovers a fraudulent pledge or sale, a fraudulent gift and acceptance, or in whatever other case he detects fraud, let him annul the whole transaction.

166. ' If the debtor be dead, and if the money borrowed was expended for the use of his family, it must be paid by that family, divided or undivided, out of their own estate.

167. ' Should even a slave make a contract *in the name*

CHAP. ' *name of his absent master* for the behoof of the
VIII. ' family, that master, whether in his own country or
' abroad, shall not rescind it.

168. ' What is given by force *to a man who cannot*
' *accept it legally*, what is by force enjoyed, by force
' caused to be written, and all other things done by
' force or against free consent, MENU has pronounced
' void.

169. ' Three are troubled by means of others, *name-*
' *ly*, witnesses, sureties, and inspectors of causes, and
' four collect wealth slowly, *with benefit to others*, a
' *Bráhmén*, a money-lender, a merchant, and a king.

170. ' Let no king, how indigent soever, take any
' thing which ought not to be taken; nor let him,
' how wealthy soever, decline taking that which he
' ought to take, be it ever so small:

171. ' By taking what ought not to be taken, and
' by refusing what ought to be received, the king be-
' trays his own weakness, and is lost both in this
' world and in the next;

172. ' But by taking his due, by administering jus-
' tice, and by protecting the weak, the king augments
' his own force, and is exalted in the next world and
' in this.

173. ' Therefore, let the king, like YAMA, resigning
' what may be pleasing or unpleasing to himself, live
' by the strict rules of YAMA, his anger being repress-
' ed, and his organs kept in subjection.

174. ' That

174. ' That evil-minded king, who, through infatuation, decides causes with injustice, his enemies, *through the disaffection of his people*, quickly reduce to a state of dependence;

175. ' But him, who subduing both lust and wrath, examines causes with justice, his people naturally seek, as rivers the ocean.

176. ' THE debtor, who complains before the king, that his creditor has recovered the debt by his own legal act, *as before-mentioned*, shall be compelled by the king to pay a quarter of the sum *as a fine*, and the creditor shall be left in possession of his own.

177. ' Even by personal labour shall the debtor pay what is adjudged, if he be of the same class with the creditor, or of a lower; but a debtor of a higher class must pay it *according to his income* by little and little.

178. ' By this system of rules let the king decide, with equal justice, all disputes between men opposing each other, having ascertained the truth by evidence or the oaths of the parties.

179. ' A SENSIBLE man should make a deposit with some person of high birth, and of good morals, well acquainted with law, habitually veracious, having a large family, wealthy and venerable.

180. ' Whatever thing, and in whatever manner, a person shall deposit in the hands of another, the same thing, and in the same manner, ought to be
2 κ received

CHAP. ' received back by the owner: as the delivery was,
VIII. ' so *must be* the receipt.

181. ' He, who restores not to the depositor, on his
' request, what has been deposited, may first be tried
' by the judge *in the following manner*, the depositor
' himself being absent.

182. ' On failure of witnesses, let the judge actually
' deposit gold, *or precious things*, with the defendant,
' by the artful contrivance of spies, who have passed
' the age of childhood, and whose persons are en-
' gaging:

183. ' Should the defendant restore that deposit in
' the manner and shape, in which it was bailed *by the*
' *spies*, there is nothing in his hands, for which others
' can justly accuse him;

184. ' But if he restore not the gold, or *precious*
' *things*, as he ought, to those emissaries, let him be
' apprehended and compelled to pay the value of both
' deposits: this is a settled rule.

185. ' A deposit, whether sealed up or not, should
' never be redelivered, while the depositor is alive, to
' his heir apparent or presumptive: both sorts of de-
' posits, indeed, are extinct, *or cannot be demanded by*
' *the heir*, if the depositor die, *in that case*; but not,
' unless he die, *for, should the heir apparent keep them,*
' *the depositor himself may sue the bailee*:

186. ' But, if a depositary by his own free act shall
' deliver a deposit to the heir of a deceased bailor,
' he

‘ he must not be harassed *with claims of a similar* CHAP.
 ‘ *kind*, either by the king, or by that heir : VIII.

187. ‘ And, *if similar claims be made*, the king must
 ‘ decide the questions after friendly admonition, *with-*
 ‘ *out having recourse to artifice*; for, the honest dis-
 ‘ position of the man being proved, the judge must
 ‘ proceed with mildness.

188. ‘ Such is the mode of ascertaining the right
 ‘ in all these cases of a deposit: in the case of a
 ‘ deposit sealed up, the bailee shall incur no censure
 ‘ *on the redelivery*, unless he have *altered the seal* or
 ‘ taken out something.

189. ‘ If a deposit be seized by thieves, *or destroyed*
 ‘ *by vermine*, or washed away by water, or consumed
 ‘ by fire, the bailee shall not be obliged to make it
 ‘ good, unless he took part of it for himself.

190. ‘ The defendant, who denies a deposit, and the
 ‘ plaintiff, who asserts it, let the king try by all sorts
 ‘ of expedients, and by the modes of ordeal pre-
 ‘ scribed in the *Véda*.

191. ‘ He who restores not a thing really deposited,
 ‘ and he, who demands what he never bailed, shall both,
 ‘ *for a second offence*, be punished as thieves, *if gold*,
 ‘ *pearls, or the like be demanded*; or, *in the case of a*
 ‘ *trifling demand*, shall pay a fine equal to the value
 ‘ of the thing claimed:

192. ‘ *For the first offence*, the king should compel
 2 K 2 ‘ a frau-

CHAP. ' a fraudulent depositary, without any distinction be-
 VIII. ' tween a deposit under seal or open, to pay a fine
 ' equal to its value.

193. ' That man, who, by false pretences, gets into
 ' his hands the goods of another, shall, together with
 ' his accomplices, be punished by various degrees of
 ' *whipping or mutilation, or even by death.*

194. ' *Regularly*, a deposit should be produced, the
 ' same in kind and quantity as it was bailed, by the
 ' same and to the same person, by whom and from
 ' whom it was received, and before the same com-
 ' pany, *who were witnesses to the deposit*: he who pro-
 ' duces it in a different manner, ought to be fined;

195. ' But a thing, privately deposited, should be
 ' privately restored by and to the person, by and
 ' from whom it was received: as the bailment *was*,
 ' so *should be* the delivery, *according to a rule in the*
 ' *Véda.*

196. ' Thus let the king decide causes concerning
 ' a deposit, or a friendly loan for use, without show-
 ' ing rigour to the depositary.

197. ' Him, who sells the property of another man,
 ' without the assent of the owner, the judge shall
 ' not admit as a competent witness, but shall treat
 ' as a thief, who pretends that he has committed no
 ' theft:

198. ' If, indeed, he be a near kinsman of the
 ' owner,

owner, he shall be fined six hundred *panas*; but, CHAP.
if he be neither his kinsman nor a claimant under VIII.
him, he commits an offence equal to larceny.

199. ' A gift or sale, thus made by any other than
the true owner, must, by a settled rule, be con-
sidered, in judicial proceedings, as not made.

200. ' Where occupation *for a time* shall be proved,
but no sort of title shall appear, *the sale cannot be*
supported: title, not occupation, is essential to its
support; *and this rule also is fixed.*

201. ' He, who has received a chattel, by purchase
in open market, *before a number of men*, justly ac-
quires the absolute property, by having paid the
price of it, *if he can produce the vendor*;

202. ' But, if the vendor be not producible, and the
vendee prove the publick sale, the latter must be dis-
missed by the king without punishment; and the
former owner, who lost the chattel, may take it
back *on paying the vendee half its value.*

203. ' One commodity, mixed with another, shall
never be sold as *unmixed*; nor a bad commodity
as *good*; nor less *than agreed on*; nor any thing kept
at a distance or concealed, *lest some defect in it*
should be discovered.

204. ' If, after one damsel has been shown, another
be offered to the bridegroom, *who had purchased*
leave to marry her from her next kinsman, he may
become

CHAP. ' become the husband of both for the same price :
VIII. ' this law MENU ordained.

205. ' The kinsman, who gives a damsel in marriage, having first openly told her blemishes, whether she be insane, or disordered with elephantiasis, or defiled by connexion with a man, shall suffer no punishment.

206. ' If an officiating priest, actually engaged in a sacrifice, abandon his work, a share only, in proportion to his work done, shall be given to him by his partners in the business, *out of their common pay* :

207. ' But, if he discontinue his work *without fraud*, after the time of giving the sacrificial fees, he may take his full share, and cause what remains to be performed by another priest.

208. ' Where, on the performance of solemn rites, a specifick fee is ordained for each part of them, shall he alone, who performs that part, receive the fee, or shall all the priests take the perquisites jointly ?

209. ' *At some holy rites*, let the reader of the *Yajurveda* take the car, and the *Brahmá*, or superintending priest, the horse ; or, *on another occasion*, let the reader of the *Rigveda* take the horse, and the chanter of the *Sámvéda* receive the carriage, in which the purchased materials of the sacrifice had been brought.

210. ' *A hun-*

210. ' *A hundred cows being distributable among sixteen priests, the four chief, or first set, are entitled to near half, or forty-eight; the next four, to half of that number; the third set, to a third part of it; and the fourth set, to a quarter:*
211. ' According to this rule, *or in proportion to the work*, must allotments of shares be given to men here below, who, *though in conjunction*, perform their several parts of the business.
212. ' SHOULD money or goods be given, *or promised as a gift*, by one man to another, who asks it for some religious act, the gift shall be void, if that act be not afterwards performed:
213. ' If the money be delivered, and the receiver, through pride or avarice, *refuse in that case* to return it, he shall be fined one *suverna* by the king, as a punishment for his theft.
214. ' Such, as here declared, is the rule ordained for withdrawing what has been given: I will, next, propound the law for non-payment of wages.
215. ' THAT hired servant or workman, who, not from any disorder but from indolence, fails to perform his work according to his agreement, shall be fined eight *racticàs*, and his wages or hire shall not be paid.
216. ' But, if he be really ill, and, when restored to health, shall perform his work according to his original

CHAP. ' original bargain, he shall receive his pay even for a
VIII. ' very long time :

217. ' Yet, whether he be sick or well, if the work
' stipulated be not performed *by another for him or by*
' *himself*, his whole wages are forfeited, though the
' work want but a little of being complete.

218. ' This is the general rule concerning work un-
' dertaken for wages or hire : next, I will fully declare
' the law concerning such men as break their pro-
' mises.

(219. ' THE man, among the traders and other inha-
' bitants of a town or district, who breaks a promise
' through avarice, though he had taken an oath to
' perform it, let the king banish from his realm :

220. ' Or, *according to circumstances*, let the judge,
' having arrested the promise-breaker, condemn him
' to pay six *nishcas*, or four *suvernas*, or one *satamāna*
' of silver, *or all three if he deserve such a fine*.

221. ' Among all citizens, and in all classes, let a
' just king observe this rule for imposing fines on men,
' who shall break their engagements.

222. ' A MAN, who has bought or sold any thing in
' this world, *that has a fixed price, and is not perish-*
' *able, as land or metals*, and wishes to rescind the
' contract, may give or take back such a thing within
' ten days ;

223. ' But, after ten days, he shall neither give nor
' take

‘ take it back : the giver or the taker, *except by con-* CHAP.
 ‘ *sent*, shall be fined by the king six hundred *panas*. VIII.

224. ‘ The king himself shall take a fine of ninety-
 ‘ six *panas* from him, who gives a blemished girl in
 ‘ *marriage for a reward*, without avowing her blemish ;

225. ‘ But the man, who, through malignity, says
 ‘ of a damsel, that she is no virgin, shall be fined a
 ‘ hundred *panas*, if he cannot prove her defilement.

226. ‘ The holy nuptial texts are applied solely to
 ‘ virgins, and no where on earth to girls, who have lost
 ‘ their virginity ; since those women are *in general*
 ‘ excluded from legal ceremonies :

227. ‘ The nuptial texts are a certain rule in regard
 ‘ to wedlock, and the bridal contract is known by
 ‘ the learned to be complete *and irrevocable* on the
 ‘ seventh step of the married pair, hand in hand, after
 ‘ those texts have been pronounced.

228. ‘ By this law, in all business whatever here
 ‘ below, must the judge confine, within the path of
 ‘ rectitude, a person inclined to rescind his contract of
 ‘ sale and purchase.

229. ‘ I now will decide exactly, according to prin-
 ‘ ciples of law, the contests usually arising from the
 ‘ fault of such as own herds of cattle, and of such
 ‘ as are hired to keep them.

230. ‘ By day the blame falls on the herdsman ; by
 ‘ night on the owner, *if the cattle be fed and kept in*

CHAP. ' his own house; but, if the place of their food and
VIII. ' custody be different, the keeper incurs the blame.

231. ' That hired servant, whose wages are paid
' with milk, may, with the assent of the owner, milk
' the best cow out of ten: such are the wages of
' herdsmen, unless they be paid in a different mode.

232. ' The herdsman himself shall make good the
' loss of a beast, which through his want of due care
' has strayed, has been destroyed by reptiles, or kil-
' led by dogs, or has died by falling into a pit;

233. ' But he shall not be compelled to make it
' good, when robbers have carried it away, if, after
' fresh proclamation and pursuit, he give notice to his
' master in a proper place and season.

234. ' When cattle die, let him carry to his master
' their ears, their hides, their tails, the skin below
' their navels, their tendons, and the liquor exuding
' from their foreheads: let him also point out their
' limbs.

235. ' A flock of goats or of sheep being attacked
' by wolves, and the keeper not going *to repel the*
' *attack*, he shall be responsible for every one of
' them, which a wolf shall violently kill;

236. ' But, if any one of them, while they graze
' together near a wood, and the shepherd keeps them
' in order, shall be suddenly killed by a wolf spring-
' ing on it, he shall not in that case be responsible.

237. ' On

237. ' On all sides of a village or small town, let
' a space be left for pasture, in breadth either four
' hundred cubits, or three casts of a large stick; and
' thrice that space round a city or considerable
' town:

238. ' Within that pasture ground, if cattle do any
' damage to grain in a field uninclosed with a hedge,
' the king shall not punish the herdsman.

239. ' Let the owner of the field enclose it with a
' hedge of *thorny plants*, over which a camel could
' not look; and let him stop every gap, through
' which a dog or a boar could thrust his head.

240. ' Should cattle, attended by a herdsman, do
' mischief near a highway, in an enclosed field or
' near the village, he shall be fined a hundred *panas*;
' but against cattle which have no keeper, let the
' owner of the field secure it.

241. ' In other fields, the *owner of cattle doing mis-*
' *chief* shall be fined one *pana* and a quarter; but,
' in all places, the *value of the damaged grain* must
' be paid: such is the fixed rule concerning a hus-
' bandman.

242. ' For damage by a cow before ten days have
' passed since her calving, by bulls kept for impreg-
' nation, and by cattle consecrated to the deity,
' whether attended or unattended, MENU has ordained
' no fine.

243. ' If land be injured, by the fault of the farmer
2 L 2 ' himself,

CHAP. ' himself, *as if he fails to sow it in due time*, he shall
 VIII. ' be fined ten times as much as the *king's share of*
 ' *the crop, that might otherwise have been raised*; but
 ' only five times as much, if it was the fault of his
 ' servants without his knowledge.

244. ' These rules let a just prince observe in all
 ' cases of transgression by masters, their cattle, and
 ' their herdsmen.

245. ' If a contest arise between two villages, or
 ' *landholders*, concerning a boundary, let the king, or
 ' *his judge* ascertain the limits in the month of
 ' *Jyaishl'ha*, when the landmarks are seen more dis-
 ' tinctly.

246. ' *When boundaries first are established*, let strong
 ' trees be planted on them, *Vatas, Pippalas, Palásas,*
 ' *Sálmatis, Sálas or Tálás*; or such trees (*like the Udum-*
 ' *bara or Vajradru*) as abound in milk;

247. ' Or clustering shrubs, or *Vénus* of different
 ' sorts, or *Samí-trees*, and creepers, or *Saras*, and
 ' clumps of *Cubjacas*: and mounds of earth should be
 ' raised on them, so that the landmark may not
 ' easily perish:

248. ' Lakes and wells, pools and streams, ought
 ' also to be made on the common limits, and tem-
 ' ples dedicated to the gods.

249. ' The persons concerned, reflecting on the per-
 ' petual trespasses committed by men here below
 ' through

‘ through ignorance of boundaries, should cause other CHAP.
‘ landmarks to be concealed *under ground*: VIII.

250. ‘ Large pieces of stone, bones, tails of cows,
‘ bran, ashes, potsherds, dried cow-dung, bricks and
‘ tiles, charcoal, pebbles, and sand,

251. ‘ And substances of all sorts, which the earth
‘ corrodes not even in a long time, should be placed
‘ *in jars* not appearing *above ground* on the common
‘ boundary.

252. ‘ By such marks, or by the course of a stream,
‘ and long continued possession, the judge may ascer-
‘ tain the limit between the lands of two parties in
‘ litigation.

253. ‘ Should there be a doubt, even on the in-
‘ spection of those marks, recourse must be had, for
‘ the decision of such a contest, to the declarations
‘ of witnesses.

254. ‘ Those witnesses must be examined concern-
‘ ing the landmarks, in the presence of all the towns-
‘ men or villagers, or of both the contending parties:

255. ‘ What the witnesses, thus assembled and in-
‘ terrogated, shall positively declare concerning the
‘ limits, must be recorded in writing, together with
‘ all their names.

256. ‘ Let them, putting earth on their heads, wear-
‘ ing chaplets of red flowers and clad in red mantles,
‘ be sworn by *the reward of* all their several good
‘ actions,

CHAP. 'actions, to give correct evidence concerning the metes
VIII. 'and bounds.

257. ' Veracious witnesses, who give evidence as
' the law requires, are absolved from their sins; but
' such, as give it unjustly, shall each be fined two
' hundred *panas*.

258. ' If there be no witnesses, let four men, who
' dwell on all the four sides of the two villages, make
' a decision concerning the boundary, being duly pre-
' pared, *like the witnesses*, in the presence of the
' king.

259. ' If there be no such neighbours on all sides,
' nor any men, whose ancestors had lived there since
' the villages were built, nor other inhabitants of
' towns, who can give evidence on the limits, the
' judge must examine the following men, who inhabit
' the woods;

260. ' Hunters, fowlers, herdsmen, fishers, diggers
' for roots, catchers of snakes, gleaners, and other
' foresters:

261. ' According to their declaration, when they are
' duly examined, let the king with precision order
' landmarks to be fixed on the boundary line between
' the two villages.

262. ' As to the bounds of arable fields, wells or
' pools, gardens and houses, the testimony of next
' neighbours on every side must be considered as the
' best means of decision;

263. ' Should