

263. ' Should the neighbours say any thing untrue,
' when two men dispute about a landmark, the king
' shall make each of those witnesses pay the middle-
' most of the three usual amercements.

264. ' He, who, by means of intimidation, shall pos-
' sess himself of a house, a pool, a field, or a garden,
' shall be fined five hundred *panas*; but only two
' hundred, if he trespassed through ignorance of the
' right.

265. ' If the boundary cannot be *otherwise* ascer-
' tained, let the king, knowing what is just, *that is*,
' without partiality, and consulting the future benefit
' of both parties, make a bound-line between their
' lands: this is a settled law.

266. ' Thus has the rule been propounded for deci-
' sions concerning landmarks: I, next, will declare the
' law concerning defamatory words.

267. ' A SOLDIER, defaming a priest, shall be fined
' a hundred *panas*; a merchant, *thus* offending, an
' hundred and fifty, or two hundred; but, *for such*
' an offence, a mechanick or servile man shall be
' whipped.

268. ' A priest shall be fined fifty,* if he slander a
' soldier; twenty-five, if a merchant; and twelve, if he
' slander a man of the servile class.

269. ' For abusing one of the same class, a twice-
' born man shall be fined only twelve; but for ribal-
' dry

* See Note on Book VIII. verse 268.

CHAP. ' dry not to be uttered, even that *and every fine* shall
VIII. ' be doubled.

270. ' A once-born man, who insults the twice-born
' with gross invectives, ought to have his tongue slit;
' for he sprang from the lowest part of BRAHMA':

271. ' If he mention their names and classes with
' contumely, *as if he say* " Oh DE'VADATTA, thou
' *refuse of Bráhmens,*" an iron style, ten fingers long,
' shall be thrust red hot into his mouth.

272. ' Should he, through pride, give instruction to
' priests concerning their duty, let the king order
' some hot oil to be dropped into his mouth and his
' ear.

273. ' He, who falsely denies, through insolence, the
' sacred knowledge, the country, the class, or the
' corporeal investiture of *a man equal in rank,* shall
' be compelled to pay a fine of two hundred *panas*.

274. ' If a man call another blind with one eye, or
' lame, or defective in any similar way, he shall pay
' the small fine of one *pana*, even though he speak
' truth.

275. ' He shall be fined a hundred, who defames
' his mother, his father, his wife, his brother, his son,
' or his preceptor; and he, who gives not his precep-
' tor the way.

276. ' For *mutual* abuse by a priest and a soldier,
' this fine must be imposed by a learned king; the
' lowest

‘ lowest amercement on the priest, and the middle-
‘ most on the soldier.

277. ‘ Such exactly, *as before-mentioned*, must be
‘ the punishment of a merchant and a mechanick, in
‘ respect of their several classes, except the slitting
‘ of the tongue: this is a fixed rule of punishment.

278. ‘ Thus fully has the law been declared for the
‘ punishment of defamatory speech: I will, next, pro-
‘ pound the established law concerning assault and
‘ battery.

279. ‘ With whatever member a low-born man shall
‘ assault or hurt a superiour, even that member of
‘ his must be slit, *or cut more or less in proportion to*
‘ *the injury*: this is an ordinance of MENU.

280. ‘ He, who raises his hand or a staff against ano-
‘ ther, shall have his hand cut; and he, who kicks
‘ another in wrath, shall have an incision made in his
‘ foot.

281. ‘ A man of the lowest class, who shall inso-
‘ lently place himself on the same seat with one of
‘ the highest, shall either be banished with a mark
‘ on his hinder parts, or the king shall cause a gash
‘ to be made on his buttock:

282. ‘ Should he spit on him through pride, the
‘ king shall order both his lips to be gashed; should
‘ he urine on him, his penis; should he break wind
‘ against him, his anus.

283. ‘ If he seize the *Bráhmén* by the locks, or by
‘ the

CHAP. ' the feet, or by the beard, or by the throat, or by
 VIII. ' the scrotum, let the king without hesitation cause
 ' incisions to be made in his hands.

284. ' If any man scratch the skin *of his equal in*
 ' *class*, or fetch blood *from him*, he shall be fined a
 ' hundred *panas*; if he wound a muscle, six *nishcas*;
 ' but, if he break a bone, let him be instantly ba-
 ' nished.

285. ' ACCORDING to the use and value of all great
 ' trees, must a fine be set for injuring them: this is
 ' an established rule.

286. ' If a blow, attended with much pain, be given
 ' either to human creatures or cattle, the king shall
 ' inflict on the striker a punishment as heavy as the
 ' presumed suffering.

287. ' IN all cases of hurting a limb, wounding, or
 ' fetching blood, the assailant shall pay the expence
 ' of a perfect cure; or, *on his failure*, both full da-
 ' mages and a fine to the same amount.

288. ' HE, who injures the goods of another, whe-
 ' ther acquainted or unacquainted with the owner of
 ' them, shall give satisfaction to the owner, and pay
 ' a fine to the king equal to the damage.

289. ' If injury be done to leather or to leathern
 ' bags, or to utensils made of wood or clay, the fine
 ' shall be five times their value.

290. ' THE wise reckon ten occasions, in regard to
 ' a carriage

‘ a carriage, its driver, and its owner, on which the CHAP.
 ‘ fine is remitted; on other occasions a fine is ordained VIII.
 ‘ by law :

291. ‘ The nose-cord or bridle being cut, *by some*
 ‘ *accident without negligence*, or the yoke being snap-
 ‘ ped, on a sudden overturn, or running against any
 ‘ thing *without fault*, the axle being broken, or the
 ‘ wheel cracked ;

292. ‘ On the breaking of the thongs, of the halter,
 ‘ or of the reins, and when the driver has called aloud
 ‘ to make way, *on these occasions* has MENU declared
 ‘ that no fine shall be set :

293. ‘ But, where a carriage has been overturned
 ‘ by the unskilfulness of the driver, there, in the
 ‘ case of any hurt, the master shall be fined two
 ‘ hundred *panas*.

294. ‘ If the driver be skilful, *but negligent*, the
 ‘ driver alone shall be fined ; and those in the carriage
 ‘ shall be fined each a hundred, if the driver be
 ‘ clearly unskilful.

295. ‘ Should a driver, being met in the way by
 ‘ another carriage or by cattle, kill any animal *by his*
 ‘ *negligence*, a fine shall, without doubt, be imposed
 ‘ *by the following rule* :

296. ‘ For killing a man, a fine, equal to that for
 ‘ theft, shall be instantly set ; half that amount, for
 ‘ large brute animals, as for a bull or cow, an ele-
 ‘ phant, a camel, or a horse ;

CHAP. 297. ' For killing very young cattle, the fine shall
VIII. ' be two hundred *panas*; and fifty, for elegant qua-
' drupeds or beautiful birds, as *antelopes, parrots, and*
' *the like*;

298. ' For an ass, a goat, or a sheep, the fine
' must be five silver *māshas*; and one *māsha*, for kil-
' ling a dog or a boar.

299. ' A WIFE, a son, a servant, a pupil, and a
' *younger* whole brother, may be corrected, when they
' commit faults, with a rope or the small shoot of
' a cane;

300. ' But on the back part only of their bodies,
' and not on a noble part by any means: he who
' strikes them otherwise than by this rule, incurs the
' guilt, *or shall pay the fine*, of a thief.

301. ' This law of assault and battery has been
' completely declared: I proceed to declare the rule
' for the settled punishment of theft.

(C 302. ' IN restraining thieves and robbers, let the
' king use extreme diligence; since, by restraining
' thieves and robbers, his fame and his domain are
' increased.

303. ' Constantly, no doubt, is that king to be ho-
' noured, who bestows exemption from fear; since he
' performs, *as it were*, a perpetual sacrifice, giving
' exemption from fear as a constant sacrificial present.

304. ' A sixth part of *the reward for* virtuous deeds,
' performed

‘ performed by the whole people, belongs to the CHAP.
‘ king, who protects them; but, if he protect them VIII.
‘ not, a sixth part of their iniquity lights on him.

305. ‘ *Of the reward for* what every subject reads
‘ in the *Véda*, for what he sacrifices, for what he
‘ gives in charity, for what he performs in worship,
‘ the king justly takes a sixth part in consequence
‘ of protection.

306. ‘ A king, who acts with justice in defending
‘ all creatures, and slays only those, who ought to
‘ be slain, performs, *as it were*, each day a sacrifice
‘ with a hundred thousand gifts;

307. ‘ But a king, who gives no such protection,
‘ yet receives taxes in kind or in value, market
‘ duties and tolls, the small daily presents for his
‘ household, and fines for offences, falls directly on
‘ *his death* to a region of horror.

308. ‘ That king, who gives no protection, yet takes
‘ a sixth part of the grain as his revenue, wise men
‘ have considered as a prince, who draws to him the
‘ foulness of all his people.

309. ‘ Be it known, that a monarch, who pays no
‘ regard to the scriptures, who denies a future state,
‘ who acts with rapacity, who protects not his people,
‘ yet swallows up their possessions, will sink low
‘ indeed *after death*.

310. ‘ WITH great care and by three methods let
‘ him

CHAP. ' him restrain the unjust; by imprisonment, by con-
VIII. ' finement in fetters, and by various kinds of corporal
' punishment;

311. ' Since, by restraining the bad, and by en-
' couraging the good, kings are perpetually made pure,
' as the twice-born are purified by sacrificing.

312. ' A KING, who seeks benefit to his own soul,
' must always forgive parties litigant, children, old
' men, and sick persons, who inveigh against him:

313. ' He, who forgives persons in pain, when they
' abuse him, shall on that account be exalted in
' heaven; but he, who excuses them not, through the
' pride of dominion, shall for that reason sink into
' hell.

314. ' The stealer *of gold from a priest* must run
' hastily to the king, with loosened hair, proclaiming
' the theft, *and adding*: " Thus have I sinned;
' punish me."

315. ' He must bear on his shoulder a pestle of stone,
' or a club of *c'hadira*-wood, or a javelin pointed at
' both ends, or an iron mace:

316. ' Whether the king strike him with it, or dis-
' miss him unhurt, the thief is then absolved from
' the crime; but the king, if he punish him not, shall
' incur the guilt of the thief.

317. ' *The killer of a priest*, or destroyer of an
' embryo, casts his guilt on the *willing* eater of his
' provisions;

‘ provisions; an adulterous wife, on her *negligent* CHAP.
 ‘ husband; a bad scholar and sacrificer, on their VIII.
 ‘ *ignorant* preceptor; and a thief, on the *forgiving*
 ‘ prince:

318. ‘ But men, who have committed offences, and
 ‘ have received from kings the punishment due to them,
 ‘ go pure to heaven, and become as clear as those
 ‘ who have done well.

319. ‘ HE, who steals the rope or the water-pot
 ‘ from a well, and he, who breaks down a cistern,
 ‘ shall be fined a *másha* of gold; and that, *which*
 ‘ *he has taken or injured*, he must restore to its
 ‘ former condition.

320. ‘ Corporal punishment shall be inflicted on him,
 ‘ who steals more than ten *cumbhas* of grain (a *cum-*
 ‘ *bha* is twenty *drónas*, and a *dróna*, two hundred
 ‘ *palas*): for less he must be fined eleven times as
 ‘ much, and shall pay to the owner the amount of
 ‘ his property.

321. ‘ So shall corporal punishment be inflicted for
 ‘ stealing commodities usually sold by weight, or
 ‘ more than a hundred head of cattle, or gold, or
 ‘ silver, or costly apparel:

322. ‘ For stealing more than fifty *palas*, it is enact-
 ‘ ed that a hand shall be amputated: for less, the
 ‘ king shall set a fine eleven times as much as the
 ‘ value.

323. ‘ For

CHAP. 323. ' For stealing men of high birth, and women
VIII. ' above all, and the most precious gems, *as diamonds*
' *or rubies*, the thief deserves capital punishment.

324. ' For stealing large beasts, weapons, or medicines, let the king inflict *adequate* punishment, considering the time and the act.

325. ' For taking kine belonging to priests, and boring their nostrils, or for stealing their other cattle, the offender shall instantly lose half of one foot.

326. ' For stealing thread, raw cotton, materials to make spirituous liquor, cow-dung, molasses, curds, milk, butter-milk, water, or grass,

327. ' Large canes, baskets of canes, salt of every kind, earthen pots, clay or ashes,

328. ' Fish, birds, oil, or clarified butter, flesh-meat, honey, or any thing, *as leather, horn, or ivory*, that came from a beast,

329. ' Or other things not precious, or spirituous liquors, rice dressed with clarified butter, or other messes of boiled rice, the fine must be twice the value of the commodity stolen.

330. ' For stealing *as much as a man can carry* of flowers, green corn, shrubs, creepers, small trees, or other vegetables, enclosed by a hedge, the fine shall be five *raclicàs* of gold or silver;

331. ' But for corn, pot-herbs, roots, and fruit, un-
' enclosed

‘ enclosed by a fence, the fine is an hundred *panas*,
 ‘ if there be no sort of relation *between the taker*
 ‘ *and the owner*; or half a hundred, if there be such
 ‘ relation. CHAP. VIII.

332. ‘ If the taking be violent, and in the sight of
 ‘ the owner, it is robbery; if privately in his absence,
 ‘ it is only theft; and *it is considered as theft*, when
 ‘ a man, having received any thing, refuses to give
 ‘ it back.

333. ‘ On him, who steals the before-mentioned
 ‘ things, when they are prepared for use, let the
 ‘ king set the lowest amercement *of the three*; and
 ‘ *the same* on him, who steals only fire from the
 ‘ temple.

334. ‘ With whatever limb a thief commits the of-
 ‘ fence by any means in this world, *as if he break a*
 ‘ *wall with his hand or his foot*, even that limb shall
 ‘ the king amputate, for the prevention of a similar
 ‘ crime.

335. ‘ NEITHER a father, nor a preceptor, nor a
 ‘ friend, nor a mother, nor a wife, nor a son, nor
 ‘ a domestick priest, must be left unpunished by the
 ‘ king, if they adhere not with firmness to their
 ‘ duty.

336. ‘ WHERE another man of lower birth would
 ‘ be fined one *pana*, the king shall be fined a thou-
 ‘ sand, *and he shall give the fine to the priests*, or
 ‘ *cast it into the river*: this is a sacred rule.

CHAP. 337. ' But the fine of a *Súdra* for theft shall be
VIII. ' eight-fold; that of a *Vaisya*, sixteen-fold; that of a
' *Cshatriya*, two and thirty-fold.

338. ' That of a *Bráhmen*, four and sixty-fold; or a
' hundred-fold complete, or even twice four and
' sixty-fold; each of them knowing the nature of his
' offence.

339. ' The taking of roots and fruit from a large
' tree, in a field or a forest unenclosed, or of wood
' for a sacrificial fire, or of grass to be eaten by
' cows, MENU has pronounced no theft.

340. ' A PRIEST who willingly receives any thing,
' either for sacrificing or for instructing, from the
' hand of a man who had taken what the owner had
' not given, shall be *punished* even as the thief.

341. ' A twice-born man, who is travelling, and
' whose provisions are scanty, shall not be fined, for
' taking only two sugar canes, or two esculent roots,
' from the field of another man.

342. ' He, who ties the unbound, or looses the
' bound, *cattle of another*, and he, who takes a slave, a
' horse, or a carriage *without permission*, shall be
' punished as for theft.

343. ' A king, who by *enforcing* these laws restrains
' men from committing theft, acquires in this world
' fame, and, in the next, beatitude.

344. ' LET not the king, who ardently desires a
' seat

‘ seat with INDRA, and wishes for glory, which no-
 ‘ thing can change or diminish, endure for a moment
 ‘ the man, who has committed atrocious violence, as
 ‘ by robbery, arson, or homicide.

345. ‘ He, who commits great violence, must be con-
 ‘ sidered as a more grievous offender than a defamer,
 ‘ a thief, or a striker with a staff:

346. ‘ That king, who endures a man convicted of
 ‘ such atrocity, quickly goes to perdition, and incurs
 ‘ publick hate.

347. ‘ Neither on account of friendship, nor for the
 ‘ sake of great lucre, shall the king dismiss the per-
 ‘ petrators of violent acts, who spread terrou among
 ‘ all creatures.

348. ‘ THE twice-born may take arms, when their
 ‘ duty is obstructed by force; and when, in some
 ‘ evil time, a disaster has befallen the twice-born
 ‘ classes;

349. ‘ And in their own defence; and in a war for
 ‘ just cause; and in defence of a woman or a priest:
 ‘ he, who kills justly, commits no crime.

350. ‘ Let a man, without hesitation, slay another,
 ‘ if he cannot otherwise escape, who assails him with
 ‘ intent to murder, whether young or old, or his pre-
 ‘ ceptor, or a *Bráhmen* deeply versed in the scrip-
 ‘ ture.

351. ‘ By killing an assassin, who attempts to kill,
 ‘ whether

CHAP. ' whether in publick or in private, no crime is com-
VIII. ' mitted by the slayer: fury recoils upon fury.

352. ' MEN, who commit overt-acts of adulterous in-
' clinations for the wives of others, let the king
' banish from his realm, having punished them with
' such bodily marks, as excite aversion;

353. ' Since adultery causes, to the general ruin,
' a mixture of classes among men: thence arises viola-
' tion of duties; and thence is the root of felicity
' quite destroyed.

354. ' A man before noted for such an offence, who
' converses in secret with the wife of another, shall
' pay the first of the three usual amercements;

355. ' But a man, not before noted, who thus con-
' verses with her for some reasonable cause, shall
' pay no fine; since in him there is no transgression.

356. ' He, who talks with the wife of another man
' at a place of pilgrimage, in a forest or a grove, or
' at the confluence of rivers, incurs the guilt of an
' adulterous inclination:

357. ' To send her flowers or perfumes, to sport
' and jest with her, to touch her apparel and orna-
' ments, to sit with her on the same couch, are held
' adulterous acts on his part;

358. ' To touch a married woman on *her breasts* or
' any *other* place, which ought not to be touched, or,
' being

‘ being touched unbecomingly by her, to bear it com-
‘ placently, are adulterous acts with mutual assent.

359. ‘ A man of the servile class, who commits
‘ actual adultery with the wife of a priest, ought to
‘ suffer death; the wives, indeed, of all the four
‘ classes must ever be most especially guarded.

360. ‘ Mendicants, encomiasts, men prepared for a
‘ sacrifice, and *cooks and other* artisans, are not pro-
‘ hibited from speaking to married women.

361. ‘ Let no man converse, after he has been for-
‘ bidden, with the wives of others: he, who thus con-
‘ verses, *after a husband or father has forbidden him*,
‘ shall pay a fine of one *suverna*.

362. ‘ These laws relate not to the wives of publick
‘ dancers or singers, or of such base men, as live by
‘ intrigues of their wives; men, who either carry
‘ women to others, or, lying concealed at home, per-
‘ mit them to hold a culpable intercourse:

363. ‘ Yet he, who has a private connexion with such
‘ women, or with servant-girls kept by one master, or
‘ with female anchorets *of an heretical religion*, shall
‘ be compelled to pay a small fine.

364. ‘ He, who vitiates a damsel without her con-
‘ sent, shall suffer corporal punishment instantly; but
‘ he, who enjoys a willing damsel, shall not be cor-
‘ porally punished, if his class be the same with hers.

365. ‘ From a girl, who makes advances to a man
‘ of

CHAP. ' of a high class, let not the king take the smallest
VIII. ' fine; but her, who first addresses a low man, let him
' constrain to live in her house well guarded.

366. ' A low man, who makes love to a damsel of
' high birth, ought to be punished corporally; but he,
' who addresses a maid of equal rank, shall give the
' nuptial present *and marry her*, if her father please.

367. ' Or the man, who through insolence forcibly
' contaminates a damsel, let the king instantly order
' two fingers to be amputated, and condemn him to
' pay a fine of six hundred *panas*:

368. ' A man of equal rank, who defiles a consenting
' damsel, shall not have his fingers amputated, but
' shall pay a fine of two hundred *panas*, to restrain
' him from a repetition of his offence.

369. ' A damsel, polluting another damsel, must be
' fined two hundred *panas*, pay the double value of
' her nuptial present, and receive ten lashes with a
' whip;

370. ' But a woman, polluting a damsel, shall have
' her head instantly shaved, and two of her fingers
' chopped off; and shall ride, mounted on an ass,
' *through the publick street*.

371. ' SHOULD a wife, proud of her family and the
' great qualities of her kinsmen, actually violate the
' duty, which she owes to her lord, let the king con-
' demn her to be devoured by dogs in a place much
' frequented;

372. ' And

372. ' And let him place the adulterer on an iron
' bed well heated, under which the executioners shall
' throw logs continually, till the sinful wretch be
' there burned *to death*.

373. ' Of a man once convicted, and a year after
' guilty of the same crime, the fine must be doubled;
' so it must, if he be connected with the daughter of
' an outcast or with a *Chándálí* woman.

374. ' A mechanick or servile man, having an adul-
' terous connexion with a woman of a twice-born class,
' whether guarded at home or unguarded, *shall thus*
' *be punished*: if she was unguarded, *he* shall lose the
' part offending, and his whole substance; if guarded,
' and a priestess, every thing, *even his life*.

375. ' For adultery with a guarded priestess, a mer-
' chant shall forfeit all his wealth after imprisonment
' for a year; a soldier shall be fined a thousand *pa-*
' *nas*, and be shaved with *the urine of an ass*:

376. ' But, if a merchant or soldier commit adul-
' tery with a woman of the sacerdotal class, whom
' her husband guards not at home, the king shall only
' fine the merchant five hundred, and the soldier a
' thousand:

377. ' Both of them, however, if they commit that
' offence with a priestess *not only guarded but eminent*
' *for good qualities*, shall be punished like men of the
' servile class, or be burned in a fire of dry grass or
' reeds.

378. ' A *Bráhmen*,

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VIII.

378. ' A *Bráhmén*, who carnally knows a guarded woman without her free will, must be fined a thousand *panas*; but only five hundred if he knew her with her free consent.

379. ' Ignominious tonsure is ordained, instead of capital punishment, for an adulterer of the priestly class, where the punishment of other classes may extend to loss of life.

380. ' Never shall the king slay a *Bráhmén*, though convicted of all possible crimes: let him banish the offender from his realm, but with all his property secure, and his body unhurt:

381. ' No greater crime is known on earth than slaying a *Bráhmén*; and the king, therefore, must not even form in his mind an idea of killing a priest.

382. ' If a merchant converse criminally with a guarded woman of the military, or a soldier with one of the mercantile class, they both deserve the same punishment as in the case of a priestess unguarded:

383. ' But a *Bráhmén*, who shall commit adultery with a guarded woman of those two classes, must be fined a thousand *panas*; and, for the like offence with a guarded woman of the servile class, the fine of a soldier or a merchant shall be also one thousand.

384. ' For adultery with a woman of the military class, if unguarded, the fine of a merchant is five hundred;

‘ hundred; but a soldier, *for the converse of that of-* CHAP.
 ‘ *fence*, must be shaved with urine, or pay the fine VIII.
 ‘ *just mentioned.*

385. ‘ A priest shall pay five hundred *panas* if he
 ‘ connect himself criminally with an unguarded woman
 ‘ of the military, commercial, or servile class; and a
 ‘ thousand, *for such a connexion with a woman of a vile*
 ‘ *mixed breed.*

386. ‘ THAT king, in whose realm lives no thief, no
 ‘ adulterer, no defamer, no man guilty of atrocious
 ‘ violence, and no committer of assaults, attains the
 ‘ mansion of SACRA.

387. ‘ By suppressing those five in his dominion, he
 ‘ gains royalty paramount over men of the same kingly
 ‘ rank, and spreads his fame through the world.

388. ‘ THE sacrificer, who forsakes the officiating
 ‘ priest, and the officiating priest, who abandons the
 ‘ sacrificer, each being able to do his work, and guilty
 ‘ of no grievous offence, must each be fined a hundred
 ‘ *panas.*

389. ‘ A mother, a father, a wife, and a son shall
 ‘ not be forsaken: he, who forsakes either of them,
 ‘ unless guilty of a deadly sin, shall pay six hundred
 ‘ *panas* as a fine to the king.

390. ‘ LET not a prince, who seeks the good of his
 ‘ own soul, *hastily and alone* pronounce the law, on
 ‘ a dispute concerning any legal observance, among
 ‘ twice-born men in their several orders;

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391. ' But let him, after giving them due honour
' according to their merit, and, at first, having soothed
' them by mildness, apprise them of their duty with
' the assistance of *Bráhmens*.

392. ' THE priest, who gives an entertainment to
' twenty men of the three first classes, without invit-
' ing his next neighbour, and his neighbour next but
' one, if both be worthy of an invitation, shall be
' fined one *másha* of silver.

393. ' A *Bráhmén* of deep learning in the *Véda* who
' invites not another *Bráhmén*, both learned and vir-
' tuous, to an entertainment given on some occasion re-
' lating to his wealth, as the marriage of his child,
' and the like, shall be made to pay him twice the
' value of the repast, and be fined a *másha* of gold.

394. ' NEITHER a blind man, nor an idiot, nor a
' cripple, nor a man full seventy years old, nor one
' who confers great benefits on priests of eminent
' learning, shall be compelled by any king to pay
' taxes.

395. ' Let the king always do honour to a learned
' theologian, to a man either sick or grieved, to a
' little child, to an aged or indigent man, to a man
' of exalted birth, and to a man of distinguished
' virtue.

396. ' LET a washerman wash the clothes of his em-
' ployers by little and little, or piece by piece, and
' not hastily, on a smooth board of *Sálmali*-wood: let
' him

‘ him never mix *the* clothes of *one* person with *the* clothes of *another*, nor suffer any *but* the owner to wear them.

397. ‘ LET a weaver, who has received ten *palas* of cotton-thread, give them back increased to eleven *by the rice-water and the like used in weaving*: he, who does otherwise, shall pay a fine of twelve *panas*.

398. ‘ As men versed in cases of tolls, and acquainted with all marketable commodities, shall establish the price of saleable things, let the king take a twentieth part of *the profit on sales* at that price.

399. ‘ Of the trader, who, through avarice, exports commodities, of which the king justly claims the pre-emption, or on which he has laid an embargo, let the sovereign confiscate the whole property.

400. ‘ Any seller or buyer, who *fraudulently* passes by the toll-office at *night* or any *other* improper time, or who makes a false enumeration of *the articles* bought, shall be fined eight times as much as their value.

401. ‘ Let the king establish rules for the sale and purchase of all marketable things, having duly considered whence they come, *if imported*; and, *if exported*, whither they must be sent; how long they have been kept; what may be gained by them; and what has been expended on them.

402. ‘ Once in five nights, or at the close of every half month, *according to the nature of the commodities*,

CHAP.
VIII.

‘ *dities*, let the king make a regulation for market prices in the presence of those *experienced men* :

403. ‘ Let all weights and measures be well ascertained by him ; and once in six months let him re-examine them.

404. ‘ The toll at a ferry is one *pana* for an empty cart ; half a *pana*, for a man with a load ; a quarter, for a beast used in agriculture, or for a woman ; and an eighth, for an unloaded man.

405. ‘ Waggons, filled with goods packed up, shall pay toll in proportion to their value ; but for empty vessels and bags, and for *poor* men ill-apparelled, a very small toll shall be demanded.

406. ‘ For a long passage, the freight must be proportioned to places and times ; but this must be understood of passages up and down rivers : at sea there can be no settled freight.

407. ‘ A woman, who has been two months pregnant, a religious beggar, a forester in the third order, and *Bráhmens*, who are students in theology, shall not be obliged to pay toll for their passage.

408. ‘ Whatever shall be broken in a boat, by the fault of the boatmen, shall be made good by those men collectively, each paying his portion.

409. ‘ This rule, ordained for such as pass rivers in boats, relates to the culpable neglect of boatmen on the water : in the case of inevitable accident, there can be no damages recovered.

410. ‘ THE

410. ' THE king should order each man of the mercantile class to practise trade, or money-lending, or agriculture and attendance on cattle; and each man of the servile class to act in the service of the twice-born.

411. ' Both him of the military, and him of the commercial class, if distressed for a livelihood, let some wealthy *Bráhmén* support, obliging them without harshness to discharge their several duties.

412. ' A *Bráhmén*, who, by his power and through avarice, shall cause twice-born men, girt with the sacrificial thread, to perform servile acts, *such as washing his feet*, without their consent, shall be fined by the king six hundred *panas*;

413. ' But a man of the servile class whether bought or unbought, he may compel to perform servile duty; because such a man was created by the Self-existent for the purpose of serving *Bráhmén* :

414. ' A *Súdra*, though emancipated by his master, is not released from a state of servitude; for of a state, which is natural to him, by whom can he be divested?

415. ' THERE are servants of seven sorts; one made captive under a standard *or in battle*, one maintained in consideration of service, one born of a female slave in the house, one sold, or given, or inherited

CHAP. ' inherited from ancestors, and one enslaved by way
VIII. ' of punishment *on his inability to pay a large fine.*

416. ' Three persons, a wife, a son, and a slave,
are declared by law to have *in general* no wealth
' exclusively their own: the wealth, which they may
' earn, is *regularly* acquired for the man, to whom they
' belong.

417. ' A *Bráhmén* may seize without hesitation, *if*
' *he be distressed for a subsistence*, the goods of his
' *Súdra*-slave; for, as that slave can have no property,
' his master may take his goods.

418. ' With vigilant care should the king exert him-
' self in compelling merchants and mechanicks to
' perform their respective duties; for, when such men
' swerve from their duty, they throw this world into
' confusion.

419. ' Day by day must the king, *though engaged*
' *in forensick business*, consider the great objects of
' publick measures, and inquire into the state of his
' carriages, *elephants, horses, and cars*, his constant
' revenues and necessary expences, his mines of *pre-*
' *cious metals or gems*, and his treasury:

420. ' Thus, bringing to a conclusion all these
' weighty affairs, and removing *from his realm and*
' *from himself* every taint of sin, a king reaches the
' supreme path of beatitude.'

CHAP. IX.

On the same ; and on the Commercial and Servile Classes.

1. ' I now will propound the immemorial duties of
' man and woman, who must both remain firm in the
' legal path, whether united or separated.
2. ' Day and night must women be held by their
' protectors in a state of dependence ; but in *lawful*
' and *innocent* recreations, though rather addicted to
' them, they may be left at their own disposal.
3. ' Their fathers protect them in childhood ;
' their husbands protect them in youth ; their sons
' protect them in age : a woman is never fit for in-
' dependence.
4. ' Reprehensible is the father, who gives not his
' daughter in marriage at the proper time ; and the
' husband, who approaches not his wife in due season ;
' reprehensible also is the son, who protects not his
' mother after the death of her lord.
5. ' Women must, above all, be restrained from the
' smallest illicit gratification ; for, not being thus re-
' strained, they bring sorrow on both families :
6. ' Let husbands consider this as the supreme law
' ordained for all classes ; and let them, how weak
' soever,

CHAP. ' soever, diligently keep their wives under lawful re-
IX. ' strictions;

7. ' For he who preserves his wife *from vice*, pre-
serves his offspring *from suspicion of bastardy*, his
ancient usages *from neglect*, his family *from disgrace*,
' himself *from anguish*, and his duty *from violation*.

8. ' The husband, after conception by his wife, be-
comes himself an embryo, and is born a second
' time here below; for which reason the wife is called
' *jáyá*, since by her (*jáyaté*) he is born again:

9. ' Now the wife brings forth a son endued with
' similar qualities to those of the father; so that,
' with a view to an excellent offspring, he must vi-
' gilantly guard his wife.

10. ' No man, indeed, can wholly restrain women
' by violent measures; but, by these expedients, they
' may be restrained:

11. ' Let the husband keep his wife employed in
' the collection and expenditure of wealth, in purifi-
' cation and female duty, in the preparation of daily
' food, and the superintendence of household uten-
' sils.

12. ' By confinement at home, even under affec-
' tionate and observant guardians, they are not se-
' cure; but those women are truly secure, who are
' guarded by their own good inclinations.

13. ' Drinking *spirituous liquor*, associating with
' evil

‘ evil persons, absence from her husband, rambling
‘ abroad, unseasonable sleep, and dwelling in the
‘ house of another, are six faults which bring infamy
‘ on a married woman :

14. ‘ Such *women* examine not beauty, nor pay at-
‘ tention to age ; whether *their lover be* handsome or
‘ ugly, they think it is enough that he is a man, and
‘ pursue their pleasures.

15. ‘ Through their passion for men, their mutable
‘ temper, their want of settled affection, and their per-
‘ verse nature (let them be guarded in this world
‘ ever so well), they soon become alienated from their
‘ husbands.

16. ‘ Yet should their husbands be diligently care-
‘ ful in guarding them ; though they well know the
‘ disposition, with which the lord of creation formed
‘ them :

17. ‘ *MEN* allotted to such women a love of their
‘ bed, of their seat, and of ornamn, impure appe-
‘ tites, wrath, weak flexibility, desire of mischief,
‘ and bad conduct.

18. ‘ Women have no business with the texts of the
‘ *Veda* ; thus is the law fully settled : having, therefore,
‘ no evidence *of law*, and no *knowledge of* expiatory
‘ texts, sinful women must be as foul as falsehood
‘ itself ; and this is a fixed rule.

19. ‘ To this effect many texts, which may show
‘ their

CHAP. ' their true disposition, are chanted in the *Vedas*: hear
IX. ' now their expiation for sin.

20. ' "That pure blood, which my mother defiled
' by adulterous desire, frequenting the houses of other
' men, and violating her duty to her lord, that blood
' may my father purify!" Such is the tenour of the
' holy text, *which her son, who knows her guilt, must*
' *pronounce for her*;

21. ' *And* this expiation has been declared for every
' unbecoming thought, which enters her mind, con-
' cerning infidelity to her husband; since that *is the*
' *beginning of adultery*.

22. ' Whatever be the qualities of the man, with
' whom a woman is united by lawful marriage, such
' qualities even she assumes; like a river *united* with
' the sea.

23. ' ACSHAMA'LA, a woman of the lowest birth,
' being thus united to VASISHT'HA, and SA'RANGI', being
' united to MANDAPA'LA, were entitled to very high
' honour:

24. ' These, and other females of low birth, have
' attained eminence in this world by the respective
' good qualities of their lords.

25. ' Thus has the law, ever pure, been propounded
' for the civil conduct of men and women: hear, next,
' the laws concerning children, by obedience to which
' may happiness be attained in this and the future
' life.

26. ' WHEN

26. ' WHEN good women, united with husbands in CHAP.
 ' expectation of progeny, eminently fortunate and wor- IX.
 ' thy of reverence, irradiate the houses of their lords,
 ' between them and goddesses of abundance there
 ' is no diversity whatever.

27. ' The production of children, the nurture of
 ' them, when produced, and the daily superintendence
 ' of domestick affairs are peculiar to the wife :

28. ' From the wife alone proceed offspring, good
 ' household management, solicitous attention, most ex-
 ' quisite caresses, and that heavenly beatitude which
 ' she obtains for the manes of ancestors, and for *the*
 ' husband himself.

29. ' She, who deserts not her lord, but keeps in
 ' subjection to him her heart, her speech, and her
 ' body, shall attain his mansion in heaven, and, by
 ' the virtuous in this world, be called *Sádhwî*, or good
 ' and faithful ;

30. ' But a wife, by disloyalty to her husband,
 ' shall incur disgrace in this life, and be born *in the*
 ' next from the womb of a shakal, or be tormented
 ' with horrible diseases, which punish vice.

31. ' LEARN now that excellent law, universally sa-
 ' lutary, which was declared, concerning issue, by great
 ' and good sages formerly born.

32. ' They consider the male issue of a woman as
 ' the son of the lord ; but, on the subject of that
 ' lord, a difference of opinion is mentioned in the

CHAP. IX. ' *Veda*; some giving that name to the real procreator
 ' of the child, and others applying it to the married
 ' possessor of the woman.

33. ' The woman is considered in law as the field,
 ' and the man as the grain: now vegetable bodies are
 ' formed by the united operation of the seed and the
 ' field.

34. ' In some cases the prolific power of the male
 ' is chiefly distinguished; in others, the receptacle of
 ' the female; but, when both are equal in dignity,
 ' the offspring is most highly esteemed:

35. ' In general, as between the male and female
 ' powers of procreation, the male is held superiour;
 ' since the offspring of all procreant beings is distin-
 ' guished by marks of the male power.

36. ' Whatever be the quality of seed, scattered in
 ' a field prepared in due season, a plant of the same
 ' quality springs in that field, with peculiar visible
 ' properties.

37. ' Certainly this earth is called the primeval
 ' womb of many beings; but the seed exhibits not in
 ' its vegetation any properties of the womb.

38. ' On earth here below, even in the same
 ' ploughed field, seeds of many different forms, hav-
 ' ing been sown by husbandmen in the proper season,
 ' vegetate according to their nature:

39. ' Rice-plants, *mature in sixty days, and those,*
 ' *which*

‘ which require transplantation, mudga, tila, másha,
‘ barley, leaks, and sugar-canes, all spring up ac-
‘ cording to the seeds.

40. ‘ That one plant should be sown, and another
‘ produced, cannot happen: whatever seed may be
‘ sown, even that produces its proper stem.

41. ‘ Never must it be sown in another man’s field
‘ by him, who has natural good sense, who has been
‘ well instructed, who knows the *Véda* and its *Angas*,
‘ who desires long life :

42. ‘ They who are acquainted with past times, have
‘ preserved, on this subject, holy strains chanted by
‘ every breeze, declaring, that “ seed must not be
‘ sown in the field of another man.”

43. ‘ As the arrow of that hunter is vain, who
‘ shoots it into the wound, which another had made
‘ just before in the antelope, thus instantly perishes
‘ the seed, which a man throws into the soil of
‘ another :

44. ‘ Sages, who know former times, consider this
‘ earth (*Prithiví*) as the wife of king PRITHU; and
‘ thus they pronounce cultivated land to be the pro-
‘ perty of him, who cut away the wood, or who clear-
‘ ed and tilled it; and the antelope, of the first hun-
‘ ter, who mortally wounded it.

45. ‘ Then only is a man perfect, when he consists
‘ of three persons united, his wife, himself, and his
‘ son; and thus have learned *Bráhmens* announced
‘ this

CHAP. ' this *maxim*: "The husband is even one person with
IX. ' his wife," for all domestick and religious, not for all
' civil, purposes.

46. ' Neither by sale nor desertion can a wife be
' released from her husband: thus we fully acknow-
' ledge the law enacted of old by the Lord of crea-
' tures.

47. ' Once is the partition of an inheritance made;
' once is a damsel given in marriage; and once does
' a man say "I give:" these three are, by good
' men, done once for all and irrevocably.

48. ' As with cows, mares, female camels, slave-
' girls, milch buffalos, she-goats, and ewes, it is not
' the owner of the *bull or other* father, who owns
' the offspring, even thus is it with the wives of
' others.

49. ' They, who have no property in the field, but,
' having grain in their possession, sow it in soil
' owned by another, can receive no advantage what-
' ever from the corn, which may be produced:

50. ' Should a bull beget a hundred calves on cows
' not owned by his master, those calves belong
' solely to the proprietors of the cows; and the
' strength of the bull was wasted:

51. ' Thus men, who have no marital property in
' women, but sow in the fields owned by others,
' may raise up fruit to the husbands; but the pro-
' creator can have no advantage from it.

52. ' Unless

52. ' Unless there be a special agreement between CHAP.
' the owners of the land and of the seed, the fruit IX.
' belongs clearly to the land-owner; for the recepta-
' cle is more important than the seed:

53. ' But the owners of the seed and of the soil
' may be considered in this world as joint owners
' of the crop, which they agree, by special compact
' in consideration of the seed, to divide between
' them.

54. ' Whatever man owns a field, if seed, conveyed
' into it by water or wind, should germinate, the
' plant belongs to the land-owner: the mere sower
' takes not the fruit.

55. ' Such is the law concerning the offspring of
' cows, and mares, of female camels, goats, and
' sheep, of slave-girls, hens, and milch buffalos, *un-*
' *less there be a special agreement.*

56. ' Thus has the comparative importance of the
' soil and the seed been declared to you: I will
' next propound the law concerning women, who have
' no issue *by their husbands.*

57. ' The wife of an elder brother is considered as
' mother-in-law to the younger; and the wife of the
' younger as daughter-in-law to the elder:

58. ' The elder brother, amorously approaching the
' wife of the younger, and the younger, caressing
' the wife of the elder, are both degraded, even
' though

CHAP. ' though authorized *by the husband or spiritual guide,*
IX. ' except when such wife has no issue.

59. ' On failure of issue by the husband, *if he be*
' *of the servile class*, the desired offspring may be
' procreated, either by his brother or some other
' *sapinda*, on the wife, who has been duly au-
' thorized :

60. ' Sprinkled with clarified butter, silent, in the
' night, let the kinsman thus appointed beget one
' son, but a second by no means, on the widow *or*
' *childless wife* :

61. ' Some sages, learned in the laws concerning
' women, thinking it possible, that the great object
' of that appointment may not be obtained *by the*
' *birth of a single son*, are of opinion, that the wife
' and appointed kinsman may legally procreate a
' second.

62. ' The first object of the appointment being ob-
' tained according to law, both *the brother and the*
' *widow* must live together like a father and a
' daughter by affinity.

63. ' Either brother, appointed for this purpose,
' who deviates from the strict rule, and acts from
' carnal desire, shall be degraded, as having defiled
' the bed of his daughter-in-law, or of his father.

64. ' By men of twice-born classes no widow, *or*
' *childless wife*, must be authorized to conceive by
' any other than her lord; for they, who authorize
' her

her to conceive by any other, violate the primeval law. CHAP. IX.

65. Such a commission to a brother or other near kinsman is nowhere mentioned in the nuptial texts of the *Veda*; nor is the marriage of a widow even named in the laws concerning marriage.

66. This practice, fit only for cattle, is reprehended by learned *Bráhmens*; yet it is declared to have been the practice even of men, while *VE'NA* had sovereign power.

67. He, possessing the whole earth, and thence only called the chief of sage monarchs, gave rise to a confusion of classes, when his intellect became weak through lust.

68. Since his time the virtuous disapprove of that man, who, through delusion of mind, directs a widow to receive the caresses of another for the sake of progeny.

69. The damsel, indeed, whose husband shall die after troth verbally plighted, but before consummation, his brother shall take in marriage according to this rule:

70. Having espoused her in due form of law, she being clad in a white robe, and pure in her moral conduct, let him approach her once in each proper season, and until issue be had.

71. Let no man of sense, who has once given his

CHAP. ' his daughter to a suitor, give her again to another;
IX. ' for he, who gives away his daughter, whom he had
' before given, incurs the guilt and fine of speaking
' falsely in a cause concerning mankind.

72. ' EVEN though a man have married a young
' woman in legal form, yet he may abandon her, if
' he find her blemished, afflicted with disease, or pre-
' viously deflowered, and given to him with fraud:

73. ' If any man give a faulty damsel in marriage,
' without disclosing her blemish, the husband may
' annul that act of her ill-minded giver.

74. ' SHOULD a man have business abroad, let him
' assure a fit maintenance to his wife, and then reside
' *for a time* in a foreign country; since a wife, even
' though virtuous, may be tempted to act amiss, if
' she be distressed by want of subsistence:

75. ' While her husband, having settled her main-
' tenance, resides abroad, let her continue firm in
' religious austerities; but, if he leave her no support,
' let her subsist by *spinning and other* blameless
' arts.

76. ' If he live abroad on account of some sacred
' duty, let her wait for him eight years; if on ac-
' count of knowledge or fame, six; if on account of
' pleasure, three: *after those terms have expired, she*
' *must follow him.*

77. ' FOR a whole year let a husband bear with
' his wife, who treats him with aversion; but, after
' a year,

‘ a year, let him deprive her of her separate pro- CHAP.
 ‘ perty, and cease to cohabit with her. IX.

78. ‘ She, who neglects her lord, though addicted
 ‘ to gaming, fond of spirituous liquors, or diseased,
 ‘ must be deserted for three months, and deprived
 ‘ of her ornaments and household furniture :

79. ‘ But she, who is averse from a mad husband,
 ‘ or a deadly sinner, or an eunuch, or one without
 ‘ manly strength, or one afflicted with such maladies
 ‘ as punish crimes, must neither be deserted nor
 ‘ stripped of her property.

80. ‘ A WIFE, who drinks any spirituous liquors,
 ‘ who acts immorally, who shows atred *to her lord*,
 ‘ who is *incurably* diseased, who is mischievous, who
 ‘ wastes his property, may at all times be superseded
 ‘ by another wife.

81. ‘ A barren wife may be superseded by another
 ‘ in the eighth year: she, whose children are all dead,
 ‘ in the tenth; she, who brings forth *only* daughters,
 ‘ in the eleventh; she, who speaks unkindly, without
 ‘ delay;

82. ‘ But she, who, though afflicted with illness, is
 ‘ beloved and virtuous, must never be disgraced, though
 ‘ she may be superseded by another wife with her
 ‘ own consent.

83. ‘ If a wife, legally superseded, shall depart in
 ‘ wrath from the house, she must either instantly be

CHAP. ' confined, or abandoned in the presence of the whole
IX. ' family:

84. ' But she, who, having been forbidden, addicts
' herself to intoxicating liquor even at jubilees, or
' mixes in crowds at theatres, must be fined six *rac-*
' *ticàs* of gold.

85. ' WHEN twice-born men take wives, both of their
' own class and others, the precedence, honour, and
' habitation of those wives, must be settled according
' to the order of their classes:

86. ' To all such married men, the wives of the
' same class only (not wives of a different class by
' any means) must perform the duty of personal at-
' tendance, and the daily business relating to acts
' of religion;

87. ' For he, who foolishly causes those duties to
' be performed by any other than his wife of the
' same class, when she is near at hand, has been im-
' memorially considered as a mere *Chandála* begotten
' on a *Bráhmén*.

88. ' To an excellent and handsome youth of the
' same class, let every man give his daughter in mar-
' riage, according to law; even though she have not
' attained her age of *eight years*:

89. ' *But* it is better, that the damsel, though mar-
' riageable, should stay at home till her death, than
' that he should ever give her in marriage to a bride-
' groom void of excellent qualities.

90. ' Three

90. ' Three years let a damsel wait, though she be CHAP.
' marriageable; but, after that term, let her chuse IX.
' for herself a bridegroom of equal rank :

91. ' If, not being given in marriage, she chuse her
' bridegroom, neither she, nor the youth chosen,
' commits any offence ;

92. ' But a damsel, thus electing her husband, shall
' not carry with her the ornaments, which she re-
' ceived from her father, nor those given by her
' mother or brethren : if she carry them away, she
' commits theft.

93. ' He, who takes to wife a damsel of full age,
' shall not give a nuptial present to her father ; since
' the father lost his dominion over her, by detaining
' her at a time, when she might have been a parent.

94. ' A man, aged thirty years, may marry a girl
' of twelve, *if he find one* dear to his heart ; or a man
' of twenty-four years, a damsel of eight : but, if *he*
' *finish his studentship earlier, and* the duties of his
' *next order* would otherwise be impeded, let him
' marry immediately.

95. ' A wife, given by the gods, *who are named in*
' *the bridal texts*, let the husband receive and support
' constantly, if she be virtuous, though he married
' her not from inclination : such conduct will please
' the gods.

96. ' To be mothers, were women created ; and to
' be fathers, men ; religious rites, therefore are ordained
' in

CHAP. IX. ' in the *Véda* to be performed *by the husband together with the wife.*

97. ' If a nuptial gratuity* has actually been given to a damsel, and he, who gave it, should die *before marriage*, the damsel shall be married to his brother, if she consent;

98. ' But even a man of the servile class ought not to receive a gratuity, when he gives his daughter in marriage; since a father, who takes a fee *on that occasion*, tacitly sells his daughter.

99. ' Neither ancients* nor moderns, who were good men, have ever given a damsel in marriage, after she had been promised to another man;

100. ' Nor, even in former creations, have we heard *the virtuous* approve the tacit sale of a daughter for a price, under the name of a nuptial gratuity.

101. ' " Let mutual fidelity continue to death:" this, in few words, may be considered as the supreme law between husband and wife.

102. ' Let a man and woman, united by marriage, constantly beware, lest, at any time disunited, they violate their mutual fidelity.

103. ' Thus has been declared to you the law, abounding in the purest affection, for the conduct of man and wife; together with the practice of raising up offspring *to a husband of the servile class* on failure

‘ failure of issue by him begotten: learn now the law CHAP.
‘ of inheritance. IX.

104. ‘ AFTER the death of the father and the mother,
‘ the brothers being assembled, may divide among
‘ themselves the paternal and maternal estate; but
‘ they have no power over it, while their parents live,
‘ unless the father chuse to distribute it.

105. ‘ The eldest brother may take entire possession
‘ of the patrimony; and the others may live under
‘ him, as they lived under their father, unless they chuse
‘ to be separated.

106. ‘ By the eldest, at the moment of his birth,
‘ the father, having begotten a son, discharges his
‘ debt to his own progenitors; the eldest son, there-
‘ fore, ought before partition to manage the whole
‘ patrimony:

107. ‘ That son alone, by whose birth he dis-
‘ charges his debt, and through whom he attains im-
‘ mortality, was begotten from a sense of duty: all
‘ the rest are considered by the wise as begotten from
‘ love of pleasure.

108. ‘ Let the father alone support his sons; and
‘ the first-born, his younger brothers; and let them
‘ behave to the eldest, according to law, as children
‘ should behave to their father.

109. ‘ The first-born, if virtuous, exalts the family,
‘ or, if vitious, destroys it: the first-born is in this
‘ world

CHAP. ' world the most respectable; and the good never
IX. ' treat him with disdain.

110. ' If an elder brother act, as an elder brother
ought, he is *to be revered* as a mother, as a father;
' and, even if he have not the behaviour of a good
' elder brother, he should be respected as a *maternal*
' *uncle, or other kinsman.*

111. ' Either let them thus live together, or, if they
' desire *separately to perform* religious rites, let them
' live apart; since religious duties are multiplied in
' separate houses, their separation is, therefore, legal
' *and even laudable.*

112. ' The portion deducted for the eldest is a twen-
' tieth part of *the heritage*, with the best of all the
' chattels; for the middlemost, half of that, *or a for-*
' *tieth*; for the youngest, a quarter of it, *or an*
' *eightieth.*

113. ' The eldest and youngest respectively take their
' just mentioned portions; and, if there be more than
' one between them, each of the intermediate sons
' has the mean portion, *or the fortieth.*

114. ' Of all the goods collected let the first-born,
' *if he be transcendently learned and virtuous*, take the
' best article, whatever is most excellent in its kind,
' and the best of ten cows *or the like.*

115. ' But among brothers equally skilled in per-
' forming their several duties, there is no deduction
' of the best in ten, *or the most excellent chattel;*
' though

‘ though some trifle, as a mark of greater veneration, CHAP.
‘ should be given to the first-born. IX.

116. ‘ If a deduction be thus made, let equal shares
‘ of the residue be ascertained *and received*; but, if
‘ there be no deduction, the shares must be distri-
‘ buted in this manner :

117. ‘ Let the eldest have a double share, and the
‘ next-born, a share and a half, *if they clearly sur-
‘ pass the rest in virtue and learning*; the younger
‘ sons must have each a share: *if all be equal in
‘ good qualities, they must all take share and share
‘ alike.*

118. ‘ To the *unmarried daughters by the same mo-
‘ ther*, let their brothers give portions out of their
‘ own allotments respectively, *according to the classes
‘ of their several mothers*: let each give a fourth part
‘ of his own distinct share; and they, who refuse to
‘ give it, shall be degraded.

119. ‘ Let them never divide *the value of* a single
‘ goat or sheep, or a single beast with uncloven
‘ hoofs: a single goat or sheep *remaining after an
‘ equal distribution*, belongs to the first-born. •

120. ‘ Should a younger brother, *in the manner be-
‘ fore mentioned*, have begotten a son on the wife of
‘ his *deceased* elder brother, the division must then be
‘ made *equally between that son, who represents the de-
‘ ceased, and his natural father*: thus is the law
‘ settled.

CHAP.
IX.

121. ' The representative is not *so far* wholly substituted by law in the place of the *deceased* principal, *as to have the portion of an elder son*; and the principal became a father in consequence of the procreation *by his younger brother*; the son, therefore, is entitled by law to an equal share, *but not to a double portion*.

122. ' A younger son being born of a first married wife, after an elder son had been born of a wife last married, *but of a lower class*, it may be a doubt in that case, how the division shall be made:

123. ' Let the son, born of the elder wife, take one most excellent bull deducted from the inheritance; the next excellent bulls are for those, *who were born first, but* are inferior on account of their mothers, *who were married last*.

124. ' A son, indeed, who was first born, and brought forth by the wife first married, may take, *if learned and virtuous*, one bull and fifteen cows; and the other sons may then take, each in right of his several mother: such is the fixed rule.

125. ' As between sons, born of wives equal in their class *and without any other* distinction, there can be no seniority in right of the mother; but the seniority ordained by law, is according to the birth.

126. ' The right of invoking INDRA by the texts, called *swabrahmanyá*, depends on actual priority of birth; and of twins also, *if any such be conceived*
' among

‘ among *different* wives, the eldest is he, who was
 ‘ first actually born. CHAP. IX.

127. ‘ HE, who has no son, may appoint his daugh-
 ‘ ter in this manner to raise up a son for him, *saying* :
 ‘ “ the male child, who shall be born from her in
 ‘ wedlock, shall be mine for the purpose of perform-
 ‘ ing my obsequies.”

128. ‘ In this manner DACSHA himself, lord of created
 ‘ beings, anciently appointed all his *fifty* daughters to
 ‘ raise up sons to him for the sake of multiplying his
 ‘ race :

129. ‘ He gave ten to DHERMA, thirteen to CASYAPA,
 ‘ twenty seven to SÓMA, king of *Bráhmens and medical*
 ‘ *plants*, after doing honour to them with an affec-
 ‘ tionate heart.

130. ‘ THE son of a man is even as himself; and
 ‘ as the son, such is the daughter *thus appointed* : how
 ‘ then, *if he have no son*, can any inherit his pro-
 ‘ perty, but a daughter, who is closely united with his
 ‘ own soul?

131. ‘ Property, given to the mother on her mar-
 ‘ riage, is inherited by her *unmarried* daughter; and
 ‘ the son of a daughter, *appointed in the manner just*
 ‘ *mentioned*, shall inherit the whole estate of her fa-
 ‘ ther, who leaves no son *by himself begotten* :

132. ‘ The son, however, of *such* a daughter, who
 ‘ succeeds to all the wealth of her father dying with-

CHAP. ' out a son, must offer two funeral cakes, one to his
IX. ' own father, and one to the father of his mother.

133. ' Between a son's son and the son of *such* a daughter, there is no difference in law; since their father and mother both sprang from the body of the same man:

134. ' But, a daughter having been appointed to produce a son for her father, and a son, *begotten by himself*, being afterwards born, the division of the heritage must in that case be equal; since there is no right of primogeniture for a woman.

135. ' Should a daughter, thus appointed to raise up a son for her father, die by any accident without a son, the husband of that daughter may, without hesitation, possess himself of her property.

136. ' By that male child, whom a daughter thus appointed, either by an implied intention or a plain declaration, shall produce from a husband of an equal class, the maternal grandfather becomes in law the father of a son: let that son give the funeral cake and possess the inheritance.

137. ' By a son, a man obtains victory over all people; by a son's son, he enjoys immortality; and, afterwards, by the son of that grandson, he reaches the solar abode.

138. ' Since the son (*trāyatā*) delivers his father from the hell named *put*, he was, therefore, called *puttra* by BRAHMA himself:

139. ' Now

139. ' Now between the sons of his son and of his daughter *thus appointed*, there subsists in this world no difference; for even the son of such a daughter delivers him in the next, like the son of his son. CHAP. IX.

140. ' Let the son of such a daughter offer the first funeral cake to his mother; the second to her father; the third, to her paternal grandfather.

141. ' Or the man, to whom a son has been given, according to a subsequent law, adorned with every virtue, that son shall take a *fifth or sixth part* of the heritage, though brought from a different family.

142. ' A given son must never claim the family and estate of his natural father: the funeral cake follows the family and estate; but of him, who has given away his son, the funeral oblation is extinct.

143. ' THE son of a wife, not authorized to have issue by another, and the son begotten, by the brother of the husband, on a wife, who has a son then living, are both unworthy of the heritage; one being the child of an adulterer, and the other produced through mere lust.

144. ' Even the son of a wife duly authorized, not begotten according to the law *already propounded*, is unworthy of the paternal estate; for he was procreated by an outcast:

145. ' But the son *legally* begotten on a wife, authorized for the purpose *before mentioned*, may inherit in all respects, if he be virtuous and learned, as a son

CHAP. ' a son begotten by the husband; since *in that case*
 IX. ' the seed and the produce belong of right to the
 ' owner of the field.

146. ' He, who keeps the *fixed and moveable* estate
 ' of his *deceased* brother, maintains the widow, and
 ' raises up a son to that brother, must give to that
 ' son, *at the age of fifteen*, the whole of his brother's
 ' *divided* property.

147. ' Should a wife, even though legally autho-
 ' rized, produce a son by the brother, or any other
 ' *sapinda*, of her husband, that son, if begotten with
 ' *amorous embraces, and tokens of* impure desire, the
 ' sages proclaim base-born and incapable of inheriting.

148. ' *This law, which has preceded*, must be un-
 ' derstood of a distribution among sons begotten on
 ' women of the same class: hear now the law con-
 ' cerning *sons by* several women of different classes.

149. ' If there be four wives of a *Bráhmén* in the
 ' direct order of the classes, and sons are produced
 ' by them all, this is the rule of partition *among*
 ' *them*:

150. ' The chief servant in husbandry, the bull kept
 ' for impregnating cows, the riding-horse or carriage,
 ' the *ring and other* ornaments, and the principal mes-
 ' suage, shall be deducted from the inheritance and
 ' given to the *Bráhmén*-son, together with a larger
 ' share by way of pre-eminence.

151. ' Let the *Bráhmén* take three shares of the
 ' residue;

‘ residue; the son of the *Cshatriyà*-wife, two shares; CHAP.
 ‘ the son of the *Vaisyà*-wife, a share and a half; and IX
 ‘ the son of the *Súdrà*-wife, may take one share.

152. ‘ Or, *if no deduction be made*, let some per-
 ‘ son learned in the law divide the whole collected
 ‘ estate into ten parts, and make a legal distribution
 ‘ by this *following* rule:

153. ‘ Let the son of the *Bráhmaṇ* take four parts;
 ‘ the son of the *Cshatriyà* three; let the son of the
 ‘ *Vaisyà* have two parts; let the son of the *Súdrà*
 ‘ take a single part, *if he be virtuous*.

154. ‘ But whether the *Bráhmaṇ* have sons, or have
 ‘ no sons, *by wives of the three first classes*, no more
 ‘ than a tenth part must be given to the son of a *Sú-*
 ‘ *drà*.

155. ‘ The son of a *Bráhmaṇ*, a *Cshatriya*, or a
 ‘ *Vaisya* by a woman of the servile class, shall inhe-
 ‘ rit no part of the estate, *unless he be virtuous; nor*
 ‘ *jointly with other sons, unless his mother was law-*
 ‘ *fully married*: whatever his father may give him, let
 ‘ that be his own.

156. ‘ All the sons of twice-born men, produced by
 ‘ wives of the same class, must divide the heritage
 ‘ equally, after the younger brothers have given the
 ‘ first-born his deducted allotment.

157. ‘ For a *Súdra* is ordained a wife of his own
 ‘ class, *and no other*: all, produced by her, shall have
 ‘ equal shares, though she have a hundred sons.

158. ‘ Or

CHAP. 158. ' OF the twelve sons of men, whom MENU,
IX. ' sprung from the Self-existent, has named, six are
' kinsmen and heirs; six, not heirs, *except to their*
' *own fathers*, but kinsmen.

159. ' The son begotten by a man himself *in law-*
' *ful wedlock*, the son of his wife begotten *in the*
' *manner before described*, a son given *to him*, a son
' made or adopted, a son of concealed birth, or whose
' real father cannot be known, and a son rejected by
' his natural parents, are the six kinsmen and heirs :

160. ' The son of a young woman *unmarried*, the
' son of a pregnant bride, a son bought, a son by
' a twice-married woman, a son self-given, and a son
' by a *Súdrà*, are the six kinsmen, but not heirs to
' *collaterals*.

161. ' Such advantage, as a man would gain, who
' should attempt to pass deep water in a boat made
' of woven reeds, that father obtains, who passes the
' gloom of death, leaving only contemptible sons, *who*
' *are the eleven, or at least the six, last mentioned*.

162. ' If the two heirs of one man be the son of
' his own body and a son of his wife by a kinsman,
' *the former of whom was begotten after his recovery*
' *from an illness thought incurable*, each of the sons,
' exclusively of the other, shall succeed to the whole
' estate of his natural father.

163. ' The son of his own body is the sole heir to
' his

‘ his estate, but, that all evil may be removed, let
 ‘ him allow a maintenance to the rest; CHAP.
 IX.

164. ‘ And, when the son of the body has taken
 ‘ an account of the paternal inheritance, let him give
 ‘ a sixth part of it to the son of the wife begotten
 ‘ by a kinsman, *before his father's recovery*; or a
 ‘ fifth part, *if that son be eminently virtuous*.

165. ‘ The son of the body, and the son of the wife,
 ‘ may succeed *immediately* to the paternal estate *in the*
 ‘ *manner just mentioned*; but the ten other sons can
 ‘ only succeed in order to the family duties and to
 ‘ their share of the inheritance, *those last named being*
 ‘ *excluded by any one of the preceding*.

166. ‘ Him, whom a man has begotten on his own
 ‘ wedded wife, let him know to be the first in rank,
 ‘ as the son of his body.

167. ‘ He, who was begotten, according to law, on
 ‘ the wife of a man deceased, or impotent, or dis-
 ‘ ordered, after due authority given to her, is called
 ‘ the lawful son of the wife.

168. ‘ He, whom his father, or mother *with her*
 ‘ *husband's assent*, gives to another as his son, pro-
 ‘ vided that the donee have no issue, if the boy be
 ‘ of the same class and affectionately disposed, is
 ‘ considered as a son given, *the gift being confirmed*
 ‘ by *pouring water*.

169. ‘ He is considered as a son made *or adopted*,
 ‘ whom a man takes as his own son, the boy being
 2 s ‘ equal

CHAP. IX. ' equal in class, endued with filial virtues, acquainted
 ' with *the merit of performing obsequies to his adopter,*
 ' and with *the sin of omitting them.*

170. ' In whose mansion soever a male child shall
 ' be brought forth *by a married woman, whose husband*
 ' *has long been absent,* if the real father cannot be
 ' discovered, *but if it be probable that he was of an*
 ' *equal class,* that child belongs to the lord of the
 ' *unfaithful wife,* and is called a son of concealed
 ' birth in his mansion.

171. ' A boy, whom a man receives as his own
 ' son, after he has been deserted *without just cause*
 ' by his parents, or by either of them, *if one be*
 ' *dead,* is called a son rejected.

172. ' A son, whom the daughter of any man pri-
 ' vately brings forth in the house of her father, if she
 ' afterwards marry her lover, is described as a son
 ' begotten on an unmarried girl.

173. ' If a pregnant young woman marry, whether
 ' her pregnancy be known or unknown, the male child
 ' in her womb belongs to the bridegroom, and is
 ' called a son received with his bride.

174. ' He is called a son bought, whom a man,
 ' for the sake of having a son *to perform his obse-*
 ' *quies,* purchases from his father and mother, whether
 ' the boy be equal or unequal *to himself in good*
 ' *qualities,* for in class all adopted sons must be
 ' equal.

175. ' He

175. ' He, whom a woman, either forsaken by her lord or a widow, conceived by a second husband, whom she took by her own desire, *though against law*, is called the son of a woman twice married: CHAP. IX.

176. ' If, on her second marriage, she be still a virgin, or if she left her husband under the age of puberty and return to him at his full age, she must again perform the nuptial ceremony either with her second, or her young and deserted, husband.

177. ' He, who has lost his parents, or been abandoned by them without just cause, and offers himself to a man as his son, is called a son self-given.

178. ' A son, begotten through lust on a *Súdrà* by a man of the priestly class, is even as a corpse, though alive, and is thence called in law a living corpse:

179. ' But a son, begotten by a man of the servile class on his female slave, or on the female slave of his male slave, may take a share of the heritage, if permitted by the other sons: thus is the law established.

180. ' These eleven sons (the son of the wife, and the rest as enumerated) are allowed by wise legislators to be substitutes in order for sons of the body, for the sake of preventing a failure of obsequies;

181. ' Though such, as are called sons for that purpose,

CHAP. ' pose, but were produced from the manhood of others,
IX. ' belong in truth to the father, from whose man-
' hood they severally sprang, and to no other, *except*
' *by a just fiction of law.*

182. ' If, among several brothers of the whole
' blood, one have a son born, MENU pronounces them
' all fathers of a male child by means of that son;
' *so that, if such nephew would be the heir, the uncles*
' *have no power to adopt sons:*

183. ' Thus if, among all the wives of the same
' husband, one bring forth a male child, MENU has
' declared them all, by means of that son, to be
' mothers of male issue.

184. ' On failure of the best, *and* of the next best,
' *among those twelve sons*, let the inferiour in order
' take the heritage; but, if there be many of equal
' rank, let all be sharers of the estate.

185. ' Not brothers, nor parents, but sons, *if living*,
' *or their male issue*, are heirs to the deceased, but
' of him, who leaves no son, *nor a wife, nor a*
' *daughter*, the father shall take the inheritance;
' and, *if he leave neither father, nor mother*, the bro-
' thers.

186. ' To three *ancestors* must water be given at
' their obsequies; for three (*the father, his father,*
' *and the paternal grandfather*) is the funeral cake
' ordained: the fourth *in descent* is the giver of obla-
' tions to them, and their heir, *if they die without*
' *nearer*

‘ *nearer descendants*; but the fifth has no concern *with* CHAP.
 ‘ *the gift of the funeral cake.* IX.

187. ‘ To the nearest *sapinda*, *male or female*, after
 ‘ him in the third degree, the inheritance *next* be-
 ‘ longs; then, on failure of *sapindas* and of their issue,
 ‘ the *samánódaca*, or distant kinsman, shall be the
 ‘ heir; or the spiritual preceptor, or the pupil, *or the*
 ‘ *fellow-student, of the deceased*:

188. ‘ On failure of all those, the lawful heirs are
 ‘ such *Bráhmens*, as have read the three *Védas*, as
 ‘ are pure *in body and mind*, as have subdued their
 ‘ passions; *and they must consequently offer the cake*:
 ‘ thus the rites of obsequies cannot fail.

189. ‘ The property of a *Bráhmen* shall never be
 ‘ taken *as an escheat* by the king; this is a fixed
 ‘ law: but the wealth of the other classes, on failure
 ‘ of all heirs, the king may take.

190. ‘ If the widow of a man, who died without a
 ‘ son, raise up a son to him by one of his kins-
 ‘ men, let her deliver to that son, *at his full age*,
 ‘ the collected estate of the deceased, whatever it be.

191. ‘ If two sons, begotten by two *successive hus-*
 ‘ *bands, who are both dead*, contend for their property,
 ‘ then in the hands of their mother, let each take,
 ‘ exclusive of the other, his own father’s estate.

192. ‘ On the death of the mother, let all the
 ‘ uterine brothers and the uterine sisters, *if unmarried*,
 ‘ equally divide the maternal estate: *each married*
 ‘ *sister*

CHAP. ' *sister shall have a fourth part of a brother's allot-*
IX. ' *ment.*

193. ' Even to the daughters of those daughters,
' it is fit, that something should be given, from the
' assets of their maternal grandmother, on the score
' of natural affection.

194. ' WHAT was given before the nuptial fire, what
' was given on the bridal procession, what was given
' in token of love, and what was received from a
' brother, a mother, or a father, are considered as the
' six-fold *separate* property of a *married* woman:

195. ' What she received after marriage from the
' family of her husband, and what her affectionate
' lord may have given her, shall be inherited, even
' if she die in his life-time, by her children.

196. ' It is ordained, that the property of a woman,
' married by the ceremonies called *Bráhma*, *Daiva*,
' *Arsha*, *Gándharva*, or *Prájápatya*, shall go to her
' husband, if she die without issue.

197. ' But her wealth given on the marriage called
' *Asura*, or on either of the *two* others, is ordained,
' on her death without issue, to become the property
' of her father and mother.

198. ' If a widow, *whose husband had other wives*
' *of different classes*, shall have received wealth at
' any time as a *gift* from her father, and shall die
' *without*

‘ *without issue*, it shall go to the daughter of the
‘ *Bráhmaṇi*-wife, or to the issue of that daughter.

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199. ‘ A woman should never make a hoard from
‘ the goods of her kindred, *which are common to her*
‘ *and many*; or even from the property of her lord,
‘ without his assent.

200. ‘ Such ornamental apparel, as women wear
‘ during the lives of their husbands, the heirs of those
‘ husbands shall not divide among themselves: they,
‘ who divide it among themselves, fall deep *into sin*.

201. ‘ Eunuchs and outcasts, persons born blind or
‘ deaf, madmen, idiots, the dumb, and such as have
‘ lost the use of a limb, are excluded from a share
‘ of the heritage;

202. ‘ But it is just, that the heir, who knows his
‘ duty, should give all of them food and raiment *for*
‘ *life* without stint, according to the best of his
‘ power: he, who gives them nothing, sinks assuredly
‘ *to a region of punishment*.

203. ‘ If the eunuch and the rest should at any
‘ time desire to marry, *and if the wife of the eunuch*
‘ *should raise up a son to him by a man legally ap-*
‘ *pointed*, that son and the issue of such, as have
‘ children, shall be capable of inheriting.

204. ‘ After the death of the father, if the eldest
‘ brother acquire *wealth by his own efforts before par-*
‘ *tition*, a share of that *acquisition* shall go to the
‘ younger

CHAP. ' younger brothers, if they have made a due progress
IX. ' in learning;

205. ' And if all of them, being unlearned, acquire
' property *before partition* by their own labour, there
' shall be an equal division of that property *without*
' *regard to the first-born*; for it was not the wealth
' of their father: this rule is clearly settled.

206. ' Wealth, however, acquired by learning, be-
' longs exclusively to any one *of them, who acquired*
' *it*: so does any thing given by a friend; received
' on account of marriage, or presented as a mark of
' respect to a guest.

207. ' If any one of the brethren has a compe-
' tence from his own occupation, and wants not the
' property *of his father*, he may debar himself from
' his own share, some trifle being given him as a
' consideration, *to prevent future strife*.

208. ' What a brother has acquired by labour or
' skill, without using the patrimony, he shall not give
' up without his assent; for it was gained by his own
' exertion:

209. ' And if a son, by his own efforts, recover a
' *debt or property unjustly detained*, which could not
' be recovered before by his father, he shall not, un-
' less by his free will, put it into parcenary with his
' brethren, since in fact it was acquired by himself.

210. ' If brethren, once divided and living again
' together as parceners, make a second partition, the
' shares

‘ shares must in that case be equal; and the first-
 ‘ born shall have no right of deduction. CHAP.
 IX.

211. ‘ Should the eldest or youngest of several bro-
 ‘ thers be deprived of his share *by a civil death on*
 ‘ *his entrance into the fourth order*, or should any one
 ‘ of them die, his *vested interest in a share* shall
 ‘ not wholly be lost;

212. ‘ But, *if he leave neither son, nor wife, nor*
 ‘ *daughter, nor father, nor mother*, his uterine brothers
 ‘ and sisters, and such brothers as were re-united
 ‘ after a separation, shall assemble and divide his
 ‘ share equally.

213. ‘ Any eldest brother, who from avarice shall
 ‘ defraud his younger brother, shall forfeit *the honours*
 ‘ *of his primogeniture*, be deprived of his own share,
 ‘ and pay a fine to the king.

214. ‘ All those brothers, who are addicted to any
 ‘ vice, lose their title to the inheritance: the first-
 ‘ born shall not appropriate it to himself, but shall
 ‘ give shares to the youngest, *if they be not vicious*.

215. ‘ If, among undivided brethren *living* with their
 ‘ father, there be a common exertion for common
 ‘ gain, the father shall never make an unequal di-
 ‘ vision among them, *when they divide their families*.

216. ‘ A son, born after a division *in the lifetime*
 ‘ *of his father*, shall alone inherit the patrimony, or
 ‘ shall have a share of it with the divided brethren,
 ‘ if they return and unite themselves with him.

CHAP. 217. ' OF a son, dying childless *and leaving no*
IX. ' *widow*, the *father and mother* shall take the estate;
' and, the mother also being dead, the paternal *grand-*
' *father and grandmother* shall take the heritage, *on*
' *failure of brothers and nephews.*

218. ' When all the debts and wealth have been
' justly distributed according to law, any property,
' that may afterwards be discovered, shall be subject
' to a similar distribution.

219. ' Apparel, carriages, or riding-horses, and or-
' naments *of ordinary value, which any of the heirs*
' *had used by consent before partition*, dressed rice,
' water *in a well or cistern*, female slaves, family
' priests, or spiritual counsellors, and pasture ground
' for cattle, the wise have declared indivisible, *and*
' *still to be used as before.*

220. ' Thus have the laws of inheritance, and the
' rule for the conduct of sons (whether the son of
' the wife or others) been expounded to you in
' order: learn at present the law concerning games
' of chance.

221. ' GAMING, either with inanimate or with ani-
' mated things, let the king exclude wholly from
' his realm: both those modes of play cause destruc-
' tion to princes.

222. ' Such play with dice *and the like*, or by
' matches *between rams and cocks*, amounts to open
' theft;

‘ theft; and the king must ever be vigilant in sup- CHAP.
‘ pressing both *modes of play*: IX.

223. ‘ Gaming with lifeless things is known among
‘ men by the name of *dyūta*; but *samāhwaya* sig-
‘ nifies a match between living creatures.

224. ‘ Let the king punish corporally at discretion
‘ both the gamester and the keeper of a gaming-
‘ house, whether they play with inanimate or ani-
‘ mated things; and men of the servile class, who
‘ wear the *string and other* marks of the twice-born.

225. ‘ Gamesters, publick dancers and singers,
‘ revilers of scripture, open hereticks, men who per-
‘ form not the duties of their several classes, and
‘ sellers of spirituous liquor, let him instantly banish
‘ from the town:

226. ‘ Those wretches, lurking like unseen thieves
‘ in the dominion of a prince, continually harass his
‘ good subjects with their vitious conduct.

227. ‘ Even in a former creation was this *vice of*
‘ gaming found a great provoker of enmity: let no
‘ sensible man, therefore, addict himself to play even
‘ for his amusement:

228. ‘ On the man addicted to it, either privately
‘ or openly, let punishment be inflicted at the dis-
‘ cretion of the king.

229. ‘ A MAN of the military, commercial, or servile
‘ class, who cannot pay a fine, shall discharge the
‘ debt

CHAP. ' debt by his labour: a priest shall discharge it by
IX. ' little and little.

230. ' For women, children, persons of crazy intellect, the old, the poor, and the infirm, the king shall order punishment with a small whip, a twig, or a rope.

231. ' THOSE ministers, who are employed in public affairs, and, inflamed by the blaze of wealth, mar the business of any person concerned, let the king strip of all their property.

232. ' Such, as forge royal edicts, cause dissensions among the great ministers, or kill women, priests, or children, let the king put to death; and such, as adhere to his enemies.

233. ' Whatever business has at any time been transacted conformably to law, let him consider as finally settled, and refuse to unravel;

234. ' But whatever business has been concluded illegally by his ministers or by a judge, let the king himself re-examine; and let him fine them each a thousand *panas*.

235. ' The slayer of a priest, *a soldier or merchant drinking arak, or a priest drinking arak*, mead, or rum, he, who steals *the gold of a priest*, and he, who violates the bed of his *natural or spiritual* father, are all to be considered respectively as offenders in the highest degree, *except those, whose crimes are not fit to be named*:

236. ' On

236. ' On such of those four, as have not actually CHAP.
' performed an expiation, let the king legally inflict IX.
' corporal punishment, together with a fine.

237. ' For violating the paternal bed, let *the mark*
' *of a female part be impressed on the forehead with*
' *hot iron*; for drinking spirits, a vintner's flag; for
' stealing sacred gold, a dog's foot; for murdering
' a priest, *the figure of a headless corpse*:

238. ' With none to eat with them, with none to
' sacrifice with them, with none to read with them,
' with none to be allied by marriage to them, abject
' and excluded from all social duties, let them wander
' over this earth:

239. ' Branded with *indelible* marks, they shall be
' deserted by their paternal and maternal relations,
' treated by none with affection, received by none
' with respect: such is the ordinance of MENU.

240. ' *Criminals of all the classes, having performed*
' *an expiation, as ordained by law, shall not be marked*
' *on the forehead, but condemned to pay the highest*
' *fine*:

241. ' For crimes by a priest, *who had a good cha-*
' *racter before his offence*, the middle fine shall be set
' on him; or, *if his crime was premeditated*, he shall
' be banished from the realm, *taking with him his*
' *effects and his family*;

242. ' But men of the other classes, who have com-
' mitted those crimes, though without premeditation,
' shall

CHAP. ' shall be stripped of all their possessions; and, if their
IX. ' offence was premeditated, shall be corporally, or
' even capitally, punished, *according to circumstances.*

243. ' LET no virtuous prince appropriate the wealth
' of a criminal in the highest degree; for he, who ap-
' propriates it through covetousness, is contaminated
' with the same guilt:

244. ' Having thrown such a fine into the waters,
' let him offer it to VARUNA; or let him bestow it on
' some priest of eminent learning in the scriptures:

245. ' VARUNA is the lord of punishment; he holds
' a rod even over kings; and a priest who has gone
' through the whole *Veda*, is *equal to* a sovereign of
' all the world.

246. ' Where the king abstains from receiving *to his*
' *own use* the wealth of such offenders, there children
' are born in due season and enjoy long lives;

247. ' *There* the grain of husbandmen rises abun-
' dantly, as it was respectively sown; there no young-
' lings die, nor is one deformed animal born.

248. ' SHOULD a man of the basest class, with pre-
' conceived malice, give pain to *Bráhmens*, let the
' prince corporally punish him by various modes, that
' may raise terroure.

249. ' A king is pronounced equally unjust in re-
' leasing the man who deserves punishment, and in
' punishing the man who deserves it not: he is just,
' who always inflicts the punishment ordained by law.

250. ' These

250. ' These established rules for administering justice between two litigant parties, have been pro-
' pounded at length under eighteen heads. CHAP. IX.

251. ' Thus fully performing all duties required by law, let a king seek *with justice* to possess regions yet unpossessed, and, when they are in his possession, let him govern them well.

252. ' His realm being completely arranged and his fortresses amply provided, let him ever apply the most diligent care to eradicate *bad men resembling* thorny weeds, as the law directs.

253. ' By protecting such as live virtuously, and by rooting up such as live wickedly, those kings, whose hearts are intent on the security of their people, shall rise to heaven.

254. ' Of that prince, who takes a revenue, without restraining rogues, the dominions are thrown into disorder, and himself shall be precluded from a celestial abode;

255. ' But of him, whose realm, by the strength of his arm, is defended and free from terrour, the dominions continually flourish, like trees duly watered.

256. ' LET the king, whose emissaries are his eyes, discern well the two sorts of rogues, the open and the concealed, who deprive other men of their wealth:

257. ' Open rogues are they, who subsist by cheating
' ing

CHAP. ' ing in various marketable commodities; and con-
IX. ' cealed rogues are they, who steal and rob in forests
' and the like secret places.

258. ' Receivers of bribes, extorters of money by
' threats, debasers of metals, gamesters, fortune-tellers,
' imposters, and professors of palmistry;

259. ' Elephant-breakers, and quacks, not performing
' what they engage to perform, pretended artists, and
' subtil harlots;

260. ' These and the like thorny weeds, overspread-
' ing the world, let the king discover with a quick
' sight, and others, who act ill in secret; worthless
' men, yet bearing the outward signs of the worthy.

261. ' Having detected them, by means of trusty
' persons disguised, who *pretend to* have the same oc-
' cupation with them, and of spies placed in several
' stations, let him bring them by artifice into his
' power;

262. ' Then, having fully proclaimed their respective
' criminal acts, let the king inflict punishment legally,
' according to the crimes proved;

263. ' Since, without certain punishment, it is im-
' possible to restrain the delinquency of scoundrels
' with depraved souls, who secretly prowl over this
' earth.

264. ' Much-frequented places, cisterns of water,
' bake-houses, the lodgings of harlots, taverns and
' victualling

‘ victualling-shops, squares where four ways meet, large
 ‘ well known trees, assemblies, and publick spectacles; CHAP. IX.

265. ‘ Old court-yards, thickets, the houses of artists,
 ‘ empty mansions, groves, and gardens;

266. ‘ These and the like places let the king guard,
 ‘ for the prevention of robberies, with soldiers, both
 ‘ stationary and patrolling, as well as with secret
 ‘ watchmen.

267. ‘ By the means of able spies, once thieves, *but*
 ‘ *reformed*, who, well knowing the various machina-
 ‘ tions of rogues, associate with them and follow
 ‘ them, let the king detect and draw them forth:

268. ‘ On pretexs of dainty food and gratifications,
 ‘ or of seeing some wise priest, *who could ensure their*
 ‘ *success*, or on pretence of *mock battles and the like*
 ‘ feats of strength, let the spies procure an assembly
 ‘ of those men.

269. ‘ Such as refuse to go forth on those occa-
 ‘ sions, deterred by *former punishments, which the*
 ‘ king *had inflicted*, let him *seize* by force, and put to
 ‘ death, *on proof of their guilt*, with their friends and
 ‘ kinsmen, paternal and maternal, *if proved to be*
 ‘ *their confederates*.

270. ‘ Let not a just prince kill a man convicted
 ‘ of simple theft, unless taken with the mainer or
 ‘ with implements of robbery; but any thief, taken
 ‘ with the mainer, or with such implements, let him
 ‘ destroy without hesitation;

CHAP. 271. ' And let them slay all those, who give robbers
IX. ' food in towns, or supply them with implements, or
' afford them shelter.

272. ' Should those men, who were appointed to
' guard any districts, or those of the vicinity, who
' were employed for that purpose, be neutral in at-
' tacks by robbers *and inactive in seizing them*, let
' him instantly punish them as thieves.

273. ' Him, who lives *apparently* by the rules of
' his class, but *really* departs from those rules, let
' the king severely punish by fine, as a wretch, who
' violates his duty.

274. ' They, who give no assistance on the plun-
' dering of a town, on the forcible breaking of a dike,
' or on seeing a robbery on the highway, shall be
' banished with their cattle and utensils.

275. ' Men, who rob the king's treasure, or obsti-
' nately oppose his commands, let him destroy by
' various modes of just punishment; and those, who
' encourage his enemies.

276. ' Of robbers, who break a wall or partition,
' and commit theft in the night, let the prince order
' the hands to be lopped off, and themselves to be
' fixed on a sharp stake.

277. ' Two fingers of a cutpurse, *the thumb and the*
' *index*, let him cause to be amputated on his first
' conviction; on the second, one hand and one foot;
' on the third, he shall suffer death.

278. ' Such

278. ' Such, as give thieves fire, such as give them food, such as give them arms and apartments, and such as knowingly receive a thing stolen, let the king punish as *he would punish* a thief. CHAP. IX.

279. ' The breaker of a *dam to secure a pool*, let him punish by long immersion under water, or by keen corporal suffering; or the offender shall repair it, but must pay the highest mulct.

280. ' Those, who break open the treasury, or the arsenal, or the temple of a deity, and those, who carry off royal elephants, horses, or cars, let him without hesitation destroy.

281. ' He, who shall take away the water of an ancient pool, or shall obstruct a water-course, must be condemned to pay the lowest usual amercement.

282. ' HE, who shall drop his ordure on the king's highway, except in case of necessity, shall pay two *panas* and immediately remove the filth;

283. ' But a person in urgent necessity, a very old man, a pregnant woman, and a child, only deserve reproof, and shall clean the place themselves: that is a settled rule.

284. ' ALL physicians and surgeons acting unskilfully in their several professions, must pay for *injury to* brute animals the lowest, but for *injury to* human creatures the middle, amercement.

285. ' THE breaker of a foot-bridge, of a publick flag,

CHAP. ' flag, of a palisade, and of idols *made of clay*, shall
IX. ' repair what he has broken, and pay a mulct of five
' hundred *panas*.

286. ' FOR mixing impure with pure commodities,
' for piercing fine gems, *as diamonds or rubies*, and
' for boring *pearls or inferiour gems* improperly, the
' fine is the lowest of the three; *but damages must*
' *always be paid*.

287. ' THE man, who shall deal unjustly with pur-
' chasers at a fair price *by delivering goods of less va-*
' *lue*, or shall sell at a high price *goods of ordinary*
' *value*, shall pay, *according to circumstances*, the low-
' est or the middle amercement.

288. ' LET the king place all prisons near a publick
' road, where offenders may be seen wretched or dis-
' figured.

289. ' HIM, who breaks down a *publick* wall, him, who
' fills up a *publick* ditch, him, who throws down a
' *publick* gate, the king shall speedily banish.

290. ' FOR all sacrifices to destroy innocent men,
' the punishment is a fine of two hundred *panas*; and
' for machinations with *poisonous* roots, and for the
' various *charms and witcheries intended to kill*, by
' persons not effecting their purpose.

291. ' THE seller of bad grain for good, or of good
' seed placed at the top *of the bag, to conceal the*
' *bad below*, and the destroyer of known land-marks,
' must

‘ must suffer such corporal punishment as will dis-
‘ figure them;’

292. ‘ But the most pernicious of all deceivers is
‘ a goldsmith, who commits frauds: the king shall
‘ order him to be cut peacemeal with razors.

293. ‘ For stealing implements of husbandry, wea-
‘ pons, and prepared medicines, let the king award
‘ punishment according to the time and according to
‘ their use.

294. ‘ THE king, and his council, his metropolis,
‘ his realm, his treasure, and his army, together with
‘ his ally, are the seven members of his kingdom;
‘ whence it is called *Septánga*:

295. ‘ Among those seven members of a kingdom,
‘ let him consider the ruin of the first, and so forth
‘ in order, as the greatest calamity;

296. ‘ Yet, in a seven-parted kingdom here below,
‘ there is no supremacy among the several parts,
‘ from any pre-eminence in useful qualities: but all
‘ the parts must reciprocally support each other, like
‘ the three staves of a holy mendicant:

297. ‘ In these and those acts, *indeed*, this and
‘ that member may be distinguished; *and* the mem-
‘ ber by which any affair is transacted, has the pre-
‘ eminence in that particular affair.

298. ‘ WHEN the king employs emissaries, when he
‘ exerts power, when he regulates publick business,
‘ let

CHAP. ' let him invariably know both his own strength and
IX. ' that of his enemy,

299. ' With all *their several* distresses and vices :
' let him then begin his operations, having maturely
' considered the greater and less importance of *par-*
' *ticular acts* :

300. ' Let him, *though frequently disappointed*, re-
' new his operations, how fatigued soever, again and
' again ; since fortune always attends the man, who,
' *having begun well*, strenuously renews his efforts.

301. ' ALL the ages, called *Satya*, *Trétá*, *Dwápara*,
' and *Cali*, depend on the conduct of the king ; who
' is declared *in turn* to represent each of those
' ages :

302. ' Sleeping, he is the *Cali* age ; waking, the
' *Dwápara* ; exerting himself in action, the *Trétá* ;
' living virtuously, the *Satya*.

303. ' Of INDRA, of SU'RYA, of PAVANA, of YAMA, of
' VARUNA, of CHANDRA, of AGNI, and of PRIT'HIVÌ, let
' the king emulate the power and attributes.

304. ' As INDRA sheds plentiful showers during the
' four rainy months, thus let him, acting like the
' regent of clouds, rain just gratifications over his
' kingdom :

305. ' As SU'RYA with strong rays draws up the
' water during eight months, thus let him, perform-
' ing the function of the sun, gradually draw from
' his realm the legal revenue :

306. ' As

306. 'As PAVANA, when he moves, pervades all creatures, thus let him, imitating the regent of wind, pervade *all places* by his concealed emissaries: CHAP. IX.

307. 'As YAMA, at the appointed time, punishes friends and foes, *or those who revere, and those who condemn him*, thus let the king, resembling the judge of departed spirits, punish *offending subjects*:

308. 'As VARUNA most assuredly binds the guilty in fatal cords, thus let him, representing the genius of water, keep offenders in close confinement:

309. 'When the people are no less delighted on seeing the king, than on seeing the full moon, he appears in the character of CHANDRA:

310. 'Against criminals let him ever be ardent in wrath, let him be splendid in glory, let him consume wicked ministers, thus emulating the functions of AGNI, regent of fire.

311. 'As PRITHVÌ supports all creatures equally, thus a king, sustaining all subjects, resembles in his office the goddess of earth.

312. 'Engaged in these duties and in others, with continual activity, let the king, *above all things* restrain robbers, both in his own territories and in those of other princes, *from which they come, or in which they seek refuge*.

313. 'LET him not, although in the greatest distress
for

CHAP. 'for money, provoke *Bráhmens* to anger, by taking
IX. 'their property; for they, once enraged, could immediately by sacrifices and imprecations destroy him with his troops, elephants, horses and cars.

314. 'Who, without perishing, could provoke those holy men, by whom, *that is, by whose ancestors, under BRAHMA*, the all-devouring fire was created, the sea with waters not drinkable, and the moon with its wane and increase?

315. 'What prince could gain wealth by oppressing those, who, if angry, could frame other worlds and regents of worlds, could give being to new gods and mortals?

316. 'What man, desirous of life, would injure those, by the aid of whom, *that is, by whose oblations*, worlds and gods perpetually subsist; those, who are rich in the learning of the *Véda*?

317. 'A *Bráhmen*, whether learned or ignorant, is a powerful divinity; even as fire is a powerful divinity, whether consecrated or popular.

318. 'Even in places for burning the dead, the bright fire is undefiled; and, when presented with clarified butter at subsequent sacrifices, blazes again with extreme splendour:

319. 'Thus, although *Bráhmens* employ themselves in all sorts of mean occupation, they must invariably be honoured; for they are something transcendently divine.

320. 'Of

320. ' Of a military man, who raises his arm violently on all occasions against the priestly class, the priest himself shall be the chastiser; since the soldier originally proceeded from the *Bráhmén*.

321. ' From the waters arose fire; from the priest, the soldier; from stone, iron: their all-penetrating force is ineffectual in the place, whence they respectively sprang.

322. ' The military class cannot prosper without the sacerdotal, nor can the sacerdotal be raised without the military: both classes, by cordial union, are exalted in this world and in the next.

323. ' SHOULD the king *be near his end through some incurable disease*, he must bestow on the priests all his riches accumulated from legal fines; and, having duly committed his kingdom to his son, let him seek death in battle, or, if there be no war, by abstaining from food.

324. ' Thus conducting himself, and ever firm in discharging his royal duties, let the king employ all his ministers in acts beneficial to his people.

325. ' These rules for the conduct of a military man having been propounded, let mankind next hear the rules for the commercial and servile classes in due order.

326. ' LET the *Vaisya*, having been girt with his proper sacrificial thread, and having married an

CHAP. ' equal wife, be always attentive to his business of
IX. ' *agriculture and trade*, and to that of keeping cattle;

327. ' Since the Lord of created beings, having
' formed herds, and flocks, intrusted them to the care
' of the *Vaisya*, while he intrusted the whole human
' species to the *Bráhmén* and the *Cshatriya*:

328. ' Never must a *Vaisya* be disposed to say,
' "I keep no cattle;" nor, he being willing to keep
' them, must they by any means be kept by men of
' another class.

329. ' Of gems, pearls, and coral, of iron, of wo-
' ven cloth, of perfumes, and of liquids, let him well
' know the prices both high and low:

330. ' Let him be skilled likewise in *the time and*
' *manner of sowing seeds*, and in the bad or good
' qualities of land; let him also perfectly know the
' correct modes of measuring and weighing,

331. ' The excellence or defects of commodities,
' the advantages and disadvantages of different re-
' gions, the probable gain or loss on vendible goods,
' and the means of breeding cattle with large aug-
' mentation:

332. ' Let him know the just wages of servants,
' the various dialects of men, the best way of keep-
' ing goods, and *whatever else belongs to purchase*
' and sale.

333. ' Let him apply the most vigilant care to
' augment

‘ augment his wealth by *performing* his duty; and, with great solicitude, let him give nourishment to all sentient creatures. CHAP. IX.

334. ‘ SERVILE attendance on *Bráhmens* learned in the *Véda*, chiefly on such as keep house and are famed for virtue, is of itself the highest duty of a *Súdra*, and leads him to future beatitude.

335. ‘ Pure in *body and mind*, humbly serving the three higher classes, mild in speech, never arrogant, ever seeking refuge in *Bráhmens* principally, he may attain the most eminent class in *another transmigration*.

336. ‘ THIS clear system of duties has been promulgated for the four classes, when they are not in distress for subsistence; now learn in order their several duties in times of necessity.

CHAP. X.

On the mixed Classes ; and on Times of Distress.

CHAP.

X.

1. ' LET the three twice-born classes, remaining firm in their several duties, carefully read the *Véda*; but a *Bráhmén* must explain it to them, not a man of the other two classes: this is an established rule.

2. ' The *Bráhmén* must know the means of subsistence ordained by law for all the classes, and must declare them to the rest: let himself likewise act in conformity to law.

3. ' From priority of birth, from superiority of origin, from a more exact knowledge of scripture, and from a distinction in the sacrificial thread, the *Bráhmén* is the lord of all classes.

4. ' The three twice-born classes are the sacerdotal, the military, and the commercial; but the fourth, or servile, is once-born, that is, has no second birth from the *gáyatrí*, and wears no thread: nor is there a fifth pure class.

5. ' IN all classes they, and they only, who are born, in a direct order, of wives equal in class and virgins at the time of marriage, are to be considered as the same in class with their fathers:

6. ' Sons, begotten by twice-born men, on women
' of

of the class next immediately below them, wise legislators call similar, *not the same*, in class with their parents, because they are degraded, to a middle rank between both, by the lowness of their mothers: they are named in order, Múrdhábhishicta, Máhishya, and Carana, or Cáyast'ha; and their several employments are teaching military exercises; musick, astronomy, and keeping herds; and attendance on princes.

7. Such is the primeval rule for the sons of women one degree lower than their husbands: for the sons of women two or three degrees lower, let this rule of law be known.

8. From a Bráhmén, on a wife of the Vaisya-class, is born a son called Ambasht'ha, or Vaidya, on a Súdra-wife a Nisháda, named also Párasava:

9. From a Cshatriya, on a wife of the Súdra-class, springs a creature, called Ugra, with a nature partly warlike and partly servile, ferocious in his manners, cruel in his acts.

10. The sons of a Bráhmén by women of three lower classes, of a Cshatriya by women of two, and of a Vaisya by one lower class, are called Apasaddh, or degraded below their fathers.

11. From a Cshatriya, by a Bráhmén-wife, springs a Sûta by birth; from a Vaisya, by a military or sacerdotal wife, spring a Mágadha and a Vaidéha.

12. From a Súdra, on women of the commercial, military,

CHAP. X. ' military, and priestly classes, are born sons of a
 ' mixed breed, called *Ayógava*, *Cshattri*, and *Chan-*
 ' *dála*, the lowest of mortals.

13. ' As the *Ambashṭha* and *Ugra*, born in a di-
 ' rect order, with one class between *those of their*
 ' *parents*, are considered in law, so are the *Cshattri*,
 ' and the *Vaidéha*, born in an inverse order *with one*
 ' *intermediate class*; and all four may be touched with-
 ' out impurity.

14. ' Those sons of the twice-born, who are begot-
 ' ten on women without an interval (*Antara*) between
 ' the classes mentioned in order, the wise call *Anan-*
 ' *taras*, giving them a *distinct* name from the lower
 ' degree of their mothers.

15. ' From a *Brāhmen*, by a girl of the *Ugra*-tribe,
 ' is born an *Avṛita*; by one of the *Ambashṭha*-tribe,
 ' an *Abhīra*; by one of the *Ayógava*-tribe, a *Dhig-*
 ' *vana*.

16. ' The *Ayógava*, the *Cshattri*, and the *Chandála*,
 ' the lowest of men, spring from a *Súdra* in an in-
 ' verse order of *the classes*, and are *therefore*, all three
 ' excluded from the performance of obsequies to their
 ' ancestors:

17. ' From a *Vaisya* the *Mágadha* and *Vaidéha*,
 ' from a *Cshatriya* the *Súta* only, are born in an in-
 ' verse order; and they are three other sons excluded
 ' from funeral rites to their fathers.

18. ' The son of a *Nisháda* by a woman of the
 ' *Súdra*-

‘ *Súdra*-class, is by tribe a *Puccasa*; but the son of
‘ a *Súdra* by a *Nishádi*-woman, is named *Cuccutaca*. X.

19. ‘ One, born of a *Cshattri* by an *Ugrá*, is called
‘ *Swapáca*; and one, begotten by a *Vaidéha* on an
‘ *Ambashthi*-wife, is called *Véna*.

20. ‘ Those, whom the twice-born beget on women
‘ of equal classes, but who perform not the proper
‘ ceremonies of assuming the thread, and the like,
‘ people denominate *Vrátyas*, or excluded from the
‘ *gáyatrí*.

21. ‘ From such an outcast *Bráhmen* springs a son
‘ of a sinful nature, who in different countries is
‘ named a *Bhírjacantaca*, an *Ávantya*, a *Vátadhána*,
‘ a *Pushpadha* and a *Saie’ha*:

22. ‘ From such an outcast *Cshatriya* comes a son
‘ called a *J’halla*, a *Malla*, a *Nich’hivi*, a *Nata*, a
‘ *Carana*, a *C’hasa*, and a *Dravira*:

23. ‘ From such an outcast *Vaisya* is born a son
‘ called *Sudhanwan*, *Chárya*, *Cárusha*, *Vijanman*, *Mai-*
‘ *tra*, and *Sátwata*.

24. ‘ By intermixtures of the classes, by their mar-
‘ riages with women who ought not to be married,
‘ and by their omission of prescribed duties, impure
‘ classes have been formed.

25. ‘ THOSE men of mingled births, who were born
‘ in the inverse order of classes, and who intermarry
‘ among themselves, I will now compendiously de-
‘ scribe.

26. ‘ The

CHAP. 26. ' The *Súta*, the *Vaidéha*, and the *Chandála*,
 X. ' that lowest of mortals, the *Mágadha*, the *Cshattri*
 ' by tribe, and the *Ayógava*.

27. ' These six beget similar sons on women of
 ' their own classes, or on women of the same class
 ' with their mothers; and they produce the like from
 ' women of the two highest classes, and of the low-
 ' est:

28. ' As a twice-born son may spring from a
 ' *Bráhmén* by women of two classes out of three, a
 ' similar son, when there is no interval, and an equal
 ' son from a woman of his own class, it is thus in
 ' the case of the low tribes in order.

29. ' Those six beget, on women of their own tribes,
 ' reciprocally, very many despicable and abject races
 ' even more foul than their begetters.

30. ' Even as a *Súdra* begets, on a *Bráhmén*-wo-
 ' man, a son more vile than himself, thus any other
 ' low man begets, on women of the four classes, a
 ' son yet lower.

31. ' The six low classes, marrying inversely, beget
 ' fifteen yet lower tribes, the base producing still
 ' baser; and in a direct order they produce fifteen more.

32. ' A *Dasyu*, or outcast of any pure class, begets
 ' on an *Ayógavi*-woman a *Sairindhra*, who should
 ' know how to attend and to dress his master; though
 ' not a slave, he must live by slavish work, and
 ' may

‘ may also gain subsistence by catching wild beasts in toils : CHAP. X.

33. ‘ A *Vaidéha* begets on her a sweet-voiced *Maitréyaca*, who, ringing a bell at the appearance of dawn, continually praises great men :

34. ‘ A *Nisháda* begets on her a *Márgava*, or *Dása*, who subsists by his labour in boats, and is named *Caiverta* by those, who dwell in *Aryáverta*, or the land of the venerable.

35. ‘ Those three of a Base tribe are severally begotten on *Ayógavi*-women, who wear the clothes of the deceased and eat reprehensible food.

36. ‘ From a *Nisháda* springs by a woman of the *Vaidéha*-tribe, a *Cárávara*, who cuts leather, and from a *Vaidéha* spring by women of the *Cárávara* and *Nisháda*-casts, an *Andhra* and a *Méda*, who must live without the town.

37. ‘ From a *Chandála* by a *Vaidéhi*-woman, comes a *Pándusópaca*, who works with cane and reeds ; and from a *Nisháda*, an *Ahindica*, who acts as a jailor.

38. ‘ From a *Chandála*, by a *Puccasi*-woman, is born a *Sópaca*, who lives by punishing criminals condemned by the king, a sinful wretch ever despised by the virtuous.

39. ‘ A *Nishádi*-woman, by a *Chandála*, produces a son called *Antyávasáyin*, employed in places for burning

CHAP. ' burning the dead, contemned even by the con-
X. ' temptible.

40. ' These, among various mixed classes, have been
' described by their several fathers and mothers; and,
' whether concealed or open, they may be known by
' their occupations.

41. ' Six sons, *three* begotten on women of the
' same class, and *three* on women of lower classes,
' must perform the duties of twice-born men; but
' those, who are *born in an inverse order*, and called
' low-born, are equal, in respect of duty, to mere
' *Súdras*.

42. ' By the force of extreme devotion and of
' exalted fathers, all of them may rise *in time* to
' high birth, as *by the reverse* they may sink to a
' lower state, in every age among mortals in this in-
' ferious world.

43. ' THE following races of *Cshatriyas*, by their
' omission of holy rites and by seeing no *Bráhmens*,
' have gradually sunk among men, to the lowest of
' the four classes:

44. ' *Paynd'racas*, *Odras*, and *Draviras*; *Cámbójas*,
' *Yavanas*, and *Sacas*; *Páradas*, *Pahlavas*, *Chínas*, *Ci-*
' *rátas*, *Deradas*, and *C'hasas*;

45. ' All those tribes of men, who sprang from the
' mouth, the arm, the thigh, and the foot of BRAH-
' MA', but who became outcasts *by having neglected*
' *their*

‘ their duties, are called *Dasyus*, or *plunderers*, whether CHAP.
 ‘ they speak the language of *Mléchch’has*, or that of X.
 ‘ *Aryas*.

46. ‘ THOSE sons of the twice-born, who are said
 ‘ to be degraded, and who are considered as low-born,
 ‘ shall subsist only by such employments, as the twice-
 ‘ born despise.

47. ‘ *Sútas* must live by managing horses and
 ‘ by driving cars; *Ambasht’has*, by curing disorders;
 ‘ *Vaidéhas*, by waiting on women; *Mágadhas*, by tra-
 ‘ velling with merchandize;

48. ‘ *Nisháddas*, by catching fish; an *Ayógava*, by
 ‘ the work of a carpenter; a *Méda*, an *Andhra*, and
 ‘ (the sons of a *Bráhmen* by wives of the *Vaidéha*
 ‘ and *Ugra*-classes, respectively called) a *Chunchu*
 ‘ and a *Madgu*, by slaying beasts of the forest;

49. ‘ A *Cshattri*, an *Ugra*, and a *Puccasa*, by kil-
 ‘ ling or confining such animals as live in holes:
 ‘ *Dhigvanas*, by selling leather; *Vénas*, by striking
 ‘ musical instruments:

50. ‘ Near large publick trees, in places for burning
 ‘ the dead, on mountains, and in groves, let those
 ‘ tribes dwell, generally known, and engaged in their
 ‘ several works.

51. ‘ THE abode of a *Chandála* and a *Swapáca* must
 ‘ be out of the town; they must not have the use
 ‘ of entire vessels; their sole wealth must be dogs
 ‘ and asses:

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52. ' Their clothes must be the mantles of the deceased; their dishes for food, broken pots; their ornaments, rusty iron; continually must they roam from place to place:

53. ' Let no man, who regards his duty religious and civil, hold any intercourse with them; let their transactions be confined to themselves, and their marriages only between equals:

54. ' Let food be given to them in potsherds, *but not by the hands of the giver*; and let them not walk by night in cities or towns:

55. ' By day they may walk about for the purpose of work, distinguished by the king's badges; and they shall carry out the corpse of every one, who dies without kindred: such is the fixed rule.

56. ' They shall always kill those, who are to be slain by the sentence of the law, and by the royal warrant; and let them take the clothes of the slain, their beds, and their ornaments.

57. ' HIM, who was born of a sinful mother, *and consequently* in a low class, but is not openly known, who, though worthless in truth, bears the semblance of a worthy man, let people discover by his acts:

58. ' Want of virtuous dignity, harshness of speech, cruelty, and habitual neglect of prescribed duties, betray in this world the son of a criminal mother.

59. ' Whether a man of debased birth assume the character

‘ character of his father or of his mother, he can at CHAP.
 ‘ no time conceal his origin: X.

60. ‘ He, whose family had been exalted, but whose
 ‘ parents were criminal in marrying, has a base nature,
 ‘ according as the offence *of his mother* was great or
 ‘ small.

61. ‘ In whatever country such men are born, as
 ‘ destroy the purity of the four classes, that country
 ‘ soon perishes, together with the natives of it.

62. ‘ Desertion of life, without reward, for the sake
 ‘ of preserving a priest or a cow, a woman or a
 ‘ child, may cause the beatitude of those base-born
 ‘ tribes.

63. ‘ Avoiding all injury *to animated beings*, veracity,
 ‘ abstaining from theft, *and from unjust seizure of*
 ‘ *property*, cleanliness, and command over the bodily
 ‘ organs, form the compendious system of duty, which
 ‘ MENU has ordained for the four classes.

64. ‘ SHOULD the tribe sprung from a *Bráhmén*, by
 ‘ a *Súdrá*-woman, produce a *succession of children* by
 ‘ the marriages of its women with other *Bráhméns*,
 ‘ the low tribe shall be raised to the highest in the
 ‘ seventh generation.

65. ‘ As *the son of a Súdra* may thus attain the
 ‘ rank of a *Bráhmén*, and as *the son of a Bráhmén*
 ‘ may sink to a level with *Súdras*, even so must it
 ‘ be with him, who springs from a *Cshatriya*; even so
 ‘ with him, who was born of a *Vaisya*.

66. ‘ IF

- CHAP. 66. ' If there be a doubt, as to the preference
 X. ' between him, who was begotten by a *Bráhmén* for
 ' his pleasure, *but not in wedlock*, on a *Súdrà*-woman,
 ' and him who was begotten by a *Súdra* on a *Bráhmén*,
 67. ' *Thus is it removed*: he, who was begotten by
 ' an exalted man on a base woman, may by his
 ' good acts become respectable; but he, who was
 ' begotten on an exalted woman by a base man,
 ' must himself continue base:
 68. ' Neither of the two (as the law is fixed) shall
 ' be girt with a sacred string; not the former, be-
 ' cause his mother was low; nor the second, because
 ' the order of the classes was inverted.
 69. ' As good grain, springing from good soil, is
 ' in all respects excellent, thus a man, springing from
 ' a respectable father by a respectable mother, has
 ' a claim to the whole institution of the twice-born.
 70. ' Some sages give a preference to the grain;
 ' others to the field; and others consider both field
 ' and grain; on this point the decision follows:
 71. ' Grain, cast into bad ground, wholly perishes,
 ' and a good field, with no grain sown in it, is a
 ' mere heap of clods;
 72. ' But since, by the virtue of eminent fathers,
 ' even the sons of wild animals, *as Rīshyasringa*,
 ' and others, have been transformed into holy men
 ' revered and extolled, the paternal side, therefore,
 ' prevails.

73. ' BRAHMA'

73. ' BRAHMA' himself, having compared a *Súdra*,
' who performs the duties of the twice-born, with a
' twice-born man, who does the acts of a *Súdra*,
' said: " Those two are neither equal nor unequal,"
' *that is, they are neither equal in rank, nor unequal*
' *in bad conduct.*

74. ' LET such *Bráhmens* as are intent on the means
' of attaining the supreme godhead, and firm in their
' own duties, completely perform, in order, the six
' following acts:

75. ' Reading the *Védas*, and teaching *others* to
' read them, sacrificing, and assisting *others* to sa-
' crifice, giving to the poor, if themselves have enough,
' and accepting gifts from the virtuous if themselves
' are poor, are the six prescribed acts of the first-
' born class;

76. ' But, among those six acts of a *Bráhmen*,
' three are his *means of subsistence*; assisting to sa-
' crifice, teaching the *Védas*, and receiving gifts from
' a pure-handed giver.

77. ' Three acts of duty cease with the *Bráhmen*,
' and belong not to the *Cshatriya*; teaching the *Védas*,
' officiating at a sacrifice, and, thirdly, receiving pre-
' sents:

78. ' Those *three* are also (by the fixed rule of law)
' forbidden to the *Vaisya*; since MENU, the lord of
' all men, prescribed not those acts to the two *classes*,
' *military and commercial.*

79. ' The

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79. ' The means of subsistence, peculiar to the
' *Cshatriya*, are bearing arms, either held for striking
' or missile, to the *Vaisya*, merchandize, attending on
' cattle, and agriculture: but, *with a view to the next*
' *life*, the duties of both are almsgiving, reading,
' sacrificing:

80. ' Among the several occupations *for gaining a*
' *livelihood* the most commendable respectively for
' the sacerdotal, military, and mercantile classes, are
' teaching the *Vēda*, defending the people, and com-
' merce or keeping herds and flocks.

81. ' Yet a *Bráhmen*, unable to subsist by his duties
' just mentioned, may live by the duty of a soldier;
' for that is the next in rank.

82. ' If it be asked, how he must live, should he
' be unable to get a subsistence by either of those
' employments; *the answer is*, he may subsist as a
' mercantile man, applying himself *in person* to tillage
' and attendance on cattle:

83. ' But a *Bráhmen* and a *Cshatriya*, obliged to
' subsist by the acts of a *Vaisya*, must avoid with
' care, *if they can live by keeping herds*, the busi-
' ness of tillage, which gives great pain to sentient
' creatures, and is dependant on *the labour of others*,
' as bulls and so forth.

84. ' Some are of opinion, that agriculture is excel-
' lent; but it is a mode of subsistence which the
' benevolent greatly blame; for the iron-mouthed
' pieces

‘ pieces of wood not only wound the earth, but the
 ‘ creatures dwelling in it. CHAP.
 X.

85. ‘ If, through want of a virtuous livelihood, they
 ‘ cannot follow laudable occupations, they may then
 ‘ gain a competence of wealth by selling commodities
 ‘ usually sold by merchants, avoiding what ought to
 ‘ be avoided :

86. ‘ They must avoid selling liquids of all sorts,
 ‘ dressed grain, seeds of *tila*, stones, salt, cattle, and
 ‘ human creatures ;

87. ‘ All woven cloth dyed red, cloth made of *sana*,
 ‘ of *eshumá*-bark, and of wool, even though not red ;
 ‘ fruit, roots, and medicinal plants ;

88. ‘ Water, iron, poison, flesh-meat, the moon-
 ‘ plant, and perfumes of any sort ; milk, honey, butter-
 ‘ milk, clarified butter, oil of *tila*, wax, sugar, and
 ‘ blades of *cus’a*-grass ;

89. ‘ All beasts of the forest, *as deer and the like* ;
 ‘ ravenous beasts, birds, *and fish* ; spirituous liquors,
 ‘ *níli*, or indigo, and *lácshá*, or lac ; and all beasts
 ‘ with uncloven hoofs.

90. ‘ But the *Bráhmén*-husbandman may at pleasure
 ‘ sell pure *tila*-seeds for the purpose of holy rites,
 ‘ if he keep them not long *with a hope of more gain*,
 ‘ and shall have produced them by his own culture :

91. ‘ If he apply seeds of *tila* to any purpose but
 ‘ food, anointing, and sacred oblations, he shall be
 2 z ‘ plunged

CHAP. ' plunged, in the shape of a worm, together with his
X. ' parents, into the ordure of dogs.

92. ' By selling flesh-meat, *lácshá*, or salt, a *Bráh-*
' *men* immediately sinks low; by selling milk three
' days, he falls to a level with a *Súdra*;

93. ' And by selling the other forbidden commo-
' dities with his own free will, he assumes in this
' world, after seven nights, the nature of a mere
' *Vaisya*.

94. ' Fluid things may, however, be bartered for
' other fluids, but not salt for any thing liquid; so
' may dressed grain for grain undressed, and *tila*-seeds
' for grain in the husk, equal weights or measures
' being given and taken.

95. ' A MILITARY man, in distress, may subsist by
' all these means, but at no time must he have re-
' course to the highest, or *sacerdotal*, function.

96. ' A man of the lowest class, who, through
' covetousness, lives by the acts of the highest, let
' the king strip of all his wealth and instantly banish:

97. ' His own office, though defectively performed,
' is preferable to that of another, though performed
' completely; for he, who *without necessity* discharges
' the duties of another class, immediately forfeits his
' own.

98. ' A MERCANTILE man, unable to subsist by his
' own duties, may descend even to the servile acts
' of

‘ of a *Súdra*, taking care never to do what ought
 ‘ never to be done; but, when he has gained a com- CHAP.
 ‘ petence, let him depart from service. X.

99. ‘ A MAN of the fourth class, not finding em-
 ‘ ployment by waiting on the twice-born, while his
 ‘ wife and son are tormented with hunger, may sub-
 ‘ sist by handicrafts:

100. ‘ Let him principally follow those mechanical
 ‘ occupations, as *joinery and masonry*, or those various
 ‘ practical arts, as *painting and wood-work*, by following
 ‘ which, he may serve the twice-born.

101. ‘ SHOULD a *Bráhmen*, afflicted and pining
 ‘ through want of food, choose rather to remain
 ‘ fixed in the path of his own duty, than to follow
 ‘ the practice of *Vaisyas*, let him act in this manner:

102. ‘ The *Bráhmen*, having fallen into distress,
 ‘ may receive gifts from any person whatever; for by
 ‘ no sacred rule can it be shown, that absolute
 ‘ purity can be sullied.

103. ‘ From interpreting the *Véda*, from officiating
 ‘ at sacrifices, or from taking presents, though in
 ‘ modes generally disapproved, no sin is committed
 ‘ by priests *in distress*; for they are as pure as fire
 ‘ or water.

104. ‘ He, who receives food, when his life could
 ‘ not otherwise be sustained, from any man whatever,
 ‘ is no more tainted by sin, than the subtil ether by
 ‘ mud:

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105. ' AJĠGARTĀ, dying with hunger, was going to destroy his own son (*named* SŪNAH-SĒP'HA) *by selling him for some cattle*; yet he was guilty of no crime, since he only sought a remedy against famishing:

106. ' VA'MADEVA, who well knew right and wrong, was by no means rendered impure, though desirous, when oppressed *with hunger*, of eating the flesh of dogs for the preservation of his life:

107. ' BHARAD'ĠA, eminent in devotion, when he and his son were almost starved in a dreary forest, accepted several cows from the carpenter VRIDHU:

108. ' VISWAMĪTRA too, than whom none better knew the distinctions between virtue and vice, resolved, when he was perishing with hunger, to eat the haunch of a dog, which he had received from a *Chandāla*.

109. ' Among *the acts generally disapproved, namely, accepting presents from low men, assisting them to sacrifice, and explaining the scripture to them*, the receipt of presents is the meanest *in this world*, and the most blamed in a *Brāhmen* after his present life;

110. ' Because assisting to sacrifice and explaining the scripture are two acts always performed for those, whose minds have been improved *by the sacred initiation*; but gifts are also received from a servile man of the lowest class.

111. ' The

111. ' The guilt, incurred by assisting *low men* to sacrifice and by teaching *them* the scripture, is removed by repetitions of the *gdyatrì* and oblations to fire; but that, incurred by accepting gifts *from them*, is expiated only by abandoning the gifts and by rigorous devotion.

112. ' It were better for a *Bráhmén*, who could not maintain himself, to glean ears and grains after harvest from *the field of* any person whatever: gleaning whole ears would be better than accepting a present, and picking up single grains would be still more laudable.

113. ' *Bráhméns*, who keep house, and are in want of any metals *except gold and silver*, or of other articles *for good uses*, may ask the king for them, if he be of the military class; but a king, *known to be avacious and unwilling to give*, must not be solicited.

114. ' The foremost, *in order*, of these things may be received more innocently than that, which follows it: a field untilled, a tilled field, cows, goats, sheep, precious metals or gems, new grain, dressed grain.

115. ' THERE are seven virtuous means of acquiring property; succession, occupancy or donation, and purchase or exchange, *which are allowed to all classes*; conquest, *which is peculiar to the military class*; lending at interest, husbandry or commerce, *which belong to the mercantile class*; and acceptance of presents, *by the sacerdotal class*, from respectable men.

116. ' Learning,