

259. The seat or stand on which the image is to be placed is to be one-third or one-half of itself.

260. The doors of the room are to be twice, thrice or four times the image.

261. The floor of the temple is to be one, two, three or four cubits high.

262. The height of the wall from the floor is to be ten cubits greater than the height of the floor.

263. The height of the palace is to be double that of the doors.

264. The dome is to be equal to, twice or thrice, the height of the whole building.

265-266. The building should be constructed with stories up to one hundred and twenty-fifth and with eight corners like a lotus.

267. The building must be a *chatussāla* and have halls all round it.

268. That with one thousand pillars is good, others are middling or inferior.

269-270. If there is to be a dome over the palace or the hall pillars need not be constructed, the walls are sufficient.

271-272. The space inside the palace (temple) around the image or in front of it is to be six or eight times that (image).

273. The vehicle is to be equal to, one and a half time or twice the image.

274. Where the forms of gods are not mentioned they are to have four hands.

*275-278. Where there is no mention of weapons, the lower hands are to indicate courage and blessings, and the upper hands should have

¹ All these regulations have been framed according to the standard of æsthetic perfection prevalent in those times. Even a superficial study of these canons of Hindu art is sufficient to convince people of their love of exactness, accuracy and mathematical rigidity in the management of secular affairs. Connoisseurs of art would do well to take note of these rules laid down by Śukrāchārya.

² वसुधैव कुटुम्बकम्—For Viṣṇu.

वाराह—For Varuṇa.

वसुधैव कुटुम्बकम्—For Sun.

वसुधैव कुटुम्बकम्—For Śiva.

वसुधैव कुटुम्बकम्—For Lakṣmī.

वसुधैव कुटुम्बकम्—For Sarasvatī.

वसुधैव कुटुम्बकम्—For Gaṇeśa.

śaṅkha (conch), *chakra* (wheel), *aṅkuśa* hook), *pāśa* (noose). *damuru* (horn), *śāla* (trident), *kaṃala* (lotus), *kalasa* (pitcher), *sru* (vessel used in sacrifice), *lāḍḍuka* (sweet balls), *matuluṅṅaka* (fruit), *vīṇā* (lyre), *mālā* (garland), or book.

279. Where there is a multiplicity of mouths or heads these should be set up in a row.

280. Each should have its own throat, crown, eyes and ears.

281-3. Where there is a multiplicity of hands, the necks need not be separated. The portion above elbows should be slender; flat nose should be [represented] massive. Shoulders should be in deportment as trunks.

284. The mouths of Brahmā are to be placed in four directions (i.e., not in a row).

285-286. Hayagrīva, Varāha, Nṛsiṃha, Gaṇeśa are to be like men except in mouths, and Nṛsiṃha except in nails.

287-288. The images of the worshipped gods are to be made according to the above marks whether sitting on the vehicles or on their seats.

289-291. The images should always be without beards and eyelids and of sixteen years of age, have beautiful ornaments and clothes and be painted with brightest colours, covered up to the feet by clothes and adorned with ornaments.

292-293. The images are not to be constructed with limbs less or greater than the fixed proportion. That with less limbs injures the householder, and that with more, the artist.

294-295. The too thin image causes perpetual famines and the too thick one causes constant diseases. That with hidden joints, bones and veins ever increases happiness.

296. The *sāttvika* form of Viṣṇu's image is to have hands with blessings, courage, conch and lotus.

297. The *sāttvika* form of Soma's image is to have hands with deer, musical instrument, courage and blessings.

¹ All the hands must issue from the same neck.

² The sanction for the observance of the canons of art cannot be stricter than what is given here.

³ The last two lines provide the religious or spiritual sanction to the rules of art. Here we get the social and economic.

298. The *sāttvika* form of the image of the god whose mouth is like that of the elephant is to have hands with blessings, courage, lotus and *ladduka* (sweet balls).

299. The *sāttvika* form of the Sun's image is to have hands with lotus, garland, courage and blessings.

300. The *sāttvika* form of Śrī (Lakṣmi)'s image is to have hands with *Vṇā*, *Luṅga* (fruit), courage and blessings.

¹301-302. The images of Viṣṇu and other gods may have six separate forms through conch, wheel, mace, *padma* and other weapons.

303-304. The differences can be distinguished by noticing the *upādhiṣ* (names) as well as the union and separation of limbs.

²305-306. If there be an absence of one or two marks in the images made by painting, drawing, or of sands, earth and pastes, there is no offence.

³207-308. So also defects of measurement are not to be noticed in the following images—those made of natural *Vāṇalingas* (stones of the Nerbudda Valley) or *Chandrakāntas* or of gems found in the Gaṇḍaka river.

⁴309. One should consider the defects of proportion in the images of stones and metals only.

310-311. The artist should construct images with white, yellow, red, and black stones according to the ages and with others according to one's option.

⁵312-313. The white colour is of *sāttvika* type, the yellow and red of the *rājasika*, *tāmasika* type is of black colour—if the other marks described above are attendant.

314. Images are to be of gold, silver, copper and bronze in the *Satya*, *Tretā*, *Dvāpara* and *Kali yugas* respectively.

¹ Every *sāttvika* form may have two types—one described in lines 226-300, and the other with weapons in each hand in the place of courage and blessings. The *rājasika* and *tāmasika* forms also have two types each. So each image may have six possible forms.

² The temporary images need not be executed with particular care, it seems.

³ Like the temporary images, these natural stone images also are to be leniently examined.

The rivers Nerbudda and Gaṇḍaka are mentioned as being sources of stones and gems used in the sculptor's art.

⁴ Those which are to be durable and which require human skill for the execution require to be tested very minutely and must satisfy the conditions of good art as elaborated above.

⁵ Having described the stones to be used according to the *Yugas*, Śākraśāstrīya now fixes the metals for each.

315-316. Śankara's image is to be of white colour, Viṣṇu's to be black, that of the Sun, Śakti (Pārvatī or Śankara's wife) and Gaṇeśa to be copper-coloured (red).

317. The images may be of iron or lead according to one's purposes—say the sages.

318-319. For purposes of worship, whether temporary or permanent, the images should be constructed according to the marks fixed for palaces, &c., not others (without the proper marks) which are the destroyers of happiness.

¹320. The marks of images are known from the relations between the adorer and the adored.

²321-323. Through the strength of the virtues of the worshipper who has his heart always fixed on God the defects of images go for nothing in a moment. The particular vehicle of a deity should be placed in front of the canopy before him.

324-326. Garuḍa has two hands, beautiful eyes, bills and wings, human form, the mouth like bills, a crown, and a bracelet with a charm, has his palms closed (in devotion), head bent low, and eyes fixed towards the lotus feet of the adored.

327. The birds that have become vehicles of gods can assume any forms they like. So also the lion, the bull and other animals.

328. The *vāhana* or vehicle should be placed in the hall before the image.

329-330. These are always to be made according to their names and forms, well adorned and in meditative posture in the hall before the god.

331-334. The tiger has the form of a cat, yellow colour, black marks (stripes), huge physique and no manes. The lion has a thin waist, large eyebrows, big eyes, a young appearance, manes, grey colour and black marks.

335. The difference between the lion and the tiger is only in manes and marks, not in appearance.

336-339. Gaṇeśa is to have an elephant's face, man's form, long ears, big belly, thick but very short neck, thick legs, thick hands, long trunk,

¹ The character of the image may be known from the attitude of the worshipper and the purposes of his worship.

² Even if the image be ill executed the worshipper by his virtues and devotion can make up for the deficiencies.

left tooth (tusk) suppressed, his own vehicle, and the trunk bent towards the left like a slightly curved rod.

340. The image is to be made with joints, bones and veins hidden and according to the proper measurements.

341-342. The trunk is to be four *tālas* and a half. The head is to be ten *aṅgulas*, the eyebrows four *aṅgulas*.

343. The nose is the upper lip. The end of the trunk is to have a *puṣkara*.

344. The length of the ear is ten *aṅgulas* and the width eight *aṅgulas*.

345. The space between the two ears is two *aṅgulas* in addition to one *tāla*.

346. The circumference of the head is thirty-six *aṅgulas*.

347. The circumference of the head round the eyes is also thirty-six *aṅgulas*.

348. The circumference round the bottom of the eyes at the origin of the trunks is two *aṅgulas* in addition to two *tālas* (twenty-six *aṅgulas*).

349. The circumference of the end of the trunk and of the *puṣkara* is ten *aṅgulas*.

350. The length of the throat is three *aṅgulas*, its circumference is thirty *aṅgulas*.

351. The circumference of the belly is four *tālas*.

352. The length of the belly should be made six or eight *aṅgulas* by the artists.

353. The tusk is six *aṅgulas* in length, the circumference of its origin is also that.

354. The lower lip is six *aṅgulas*. The *puṣkara* is to have a lotus.

355-356. The circumference of the origin of the thigh is thirty-six *aṅgulas*. That of the end of the thigh is twenty-three *aṅgulas*.

357. The circumference of the origin of the legs is twenty *aṅgulas*.

358. The circumference of the origin of the hand is greater than that of the end by one or two *aṅgulas*.

359. The space between the eye and the ear is four *aṅgulas*.

360-361. The space between the ends of the eyes, centres of the eyes and the origins of the eyes is ten, seven and six *aṅgulas*, respectively. This is the opinion of experts with regard to Gaṇeśa's image.

362. The height and thickness of the breasts of women is five *angulas*.

363. The circumference of the waist of women is two *angulas* in addition to three *tālas*.

364. The limbs of the female have all to be made up in seven *tālas*.

365. In the image of seven *tālas* the face is to be twelve *angulas*.

366. The height of *vālas* (or infants) varies.

367. The neck of the *śiśu* (very young child) is short and the head thick.

368. The head does not grow in the same proportion as the limbs below the neck.

369. The whole body below the neck is to be four times and a half of the face.

370-371. The body from below the neck to the *śiśna* (genital organ) is to be twice the face. From the *sakthi* (or thighs) to the end the space is two times the face. The hands are two times and a half of the face.

372. There is no rule about the thickness but it should be made according as it looks beautiful.

373. The child begins to grow daily and very fast after the fifth year.

374. The female has all the parts of her body fully developed in her sixteenth year, the male in the twentieth.

375. Then each deserves the full measurements of the seven-*tāla*-type.

376. Somebody acquires beauty even in childhood, others in young or old age.

377. The length of the throat below the face is three *angulas*. The heart is nine *angulas*.

378. The belly and abdomen (*vasti*) each is eighteen *angulas*.

379. The knees are to be three *angulas* each, the legs eighteen *angulas* each.

* The limbs below the neck develop in size with years, not the head. Hence the head must be thick from the beginning.

* Here are the ideas about growth, development, puberty, &c., of human beings that prevailed in Śukra's times.

380. The space from the ankle to the end is to be three *āṅgulas* in the image of seven *tālas*.

381. The throat is to be of *āṅgulas* of the number of Vedas (four), the breast ten *āṅgulas*.

382. The belly is to be ten *āṅgulas*, the abdomen ten *āṅgulas*.

383. The thigh is to be twenty-one *āṅgulas*, the knees four *āṅgulas*.

384. The legs to be twenty-one *āṅgulas*. From the ankle to the end the space is four *āṅgulas*.

385. This is the proportion of limbs in an image of eight *tālas*.

386-387. The face as well as the breast are thirteen *āṅgulas* each. The belly as well as the abdomen are ten *āṅgulas* each.

388. The end from the ankle as well as the throat are five *āṅgulas* each.

389. The thighs as well as the legs are twenty-six *āṅgulas* each.

1 The measurements of the seven-*tāla*-type :—

(1) मुख	...	...	...	12	Āṅgulas.
(2) ग्रीवा	...	...	...	8	"
(3) हृदय	...	...	...	9	"
(4) उदर	...	...	...	9	"
(5) बलि	...	...	...	9	"
(6) वक्षः	...	...	...	18	"
(7) जात्रु	...	...	...	8	"
(8) कक्ष	...	...	...	18	"
(9) गुल्फ	...	...	...	8	"
Total				84	"

2 The measurements of the eight-*tāla*-type :—

(1) मुख	...	...	...	12	Āṅgulas.
(2) ग्रीवा	...	...	...	4	"
(3) हृदय	...	...	...	10	"
(4) उदर	...	...	...	10	"
(5) बलि	...	...	...	10	"
(6) वक्षः	...	...	...	21	"
(7) जात्रु	...	...	...	4	"
(8) कक्ष	...	...	...	21	"
(9) गुल्फ	...	...	...	4	"
Total				96	"

¹390. In an image of ten *tālas* there should be a *mani* at the head, measuring one *āṅgula*.

391. In an image of ten *tālas* the hands are to be fifteen *āṅgulas*.

²392. In the images of less height (i.e., eight or seven *tālas*) they are to be less by two *āṅgulas* in each case.

393. Grace should be given to each image according to fitness.

395. In the image of ten *tālas* the feet are to be fifteen *āṅgulas*.

³396-397. In the images of greater height the skilled artist should give one *āṅgula* more to the face and other limbs per total increase of one *tāla*.

398-99. The images of Asuras, Pisāchas and Rākṣasas are to have long thighs and legs, to be ferocious, cruel and vehement or sometimes very lean and thin.

¹ Measurements of the ten-*tāla*-type :—

(1) मुख	18 <i>Āṅgulas</i> .
(2) शीखा	...	...	...	5 "
(3) हृदय	...	...	...	18 "
(4) उदर	...	...	...	18 "
(5) वस्त्र	...	...	...	18 "
(6) शक्ति	...	...	...	18 "
(7) जगु	...	...	...	26 "
(8) अङ्गुली	...	...	...	5 "
(9) गुह्य	...	...	...	26 "
(10) पक्षि	...	...	...	5 "
	...	...	...	1 "
Total				120 "

² Thus in the image of nine *tālas*, hands ... 13 *āṅgulas*.

" " " " 8 " ... 11 "

" " " " 7 " ... 9 "

³ This is expressed by the following table :—

	Eleven- <i>tāla</i> -type.	Twelve- <i>tāla</i> -type.	Thirteen- <i>tāla</i> -type.
(1) मुख	14	15	16
(3) शीखा	6	7	8
(5) हृदय	14	15	16
&c.	&c.	&c.	&c.

But the total heights in these cases do not amount to 11 *tālas*, 12 *tālas*, &c.

The lines, therefore, do not give the measurements of the whole image of 11, 12, or 13 *tālas*, but only that of the *śṛṅg* or foot. That is, the foot is to be lengthened by one *āṅgula* if the image be lengthened by 1 *tāla*.

¹400. In the images of less height the feet are to be less by one *āṅgula*.

²401-2. In all measurements the middle finger is not to be less than five *āṅgulas* or greater than six.

403-4. The artist should always design the appearance of the young, very rarely that of the infant, but never that of the old.

405-6. The king should always set up such gods in the kingdom, and should every year perform festivals in their honour.

407. He should never keep in the temple images broken or made according to false measurements.

³408. He should also repair carefully the gods and temples.

✓⁴409-10. He should always worship the gods and see the entertainments in their honour but never apply his mind to self-enjoyment.

✓⁵411 12. The king should also celebrate the festivals that are observed by the people, and should enjoy happiness when they are happy and be aggrieved when they are in grief.

¹ The line 400 is to be taken with l. 395. They give the measurements of the feet of images of ten *tālas* and less than ten *tālas*.

L. 396 also gives the measurements of the foot $\overline{\text{८८}}$ in the case of images of greater height, though the construction seems to point to not only the measurements of the foot but also other limbs of images of greater height.

The idea is that if the image be shortened by one *tāla*, the foot will be shortened by one *āṅgula*; and if the image be lengthened by one *tāla*, the foot will be lengthened by one *āṅgula*.

² For the images of seven, eight, nine, or any number of *tālas* the length of the middle finger is fixed between five and six *āṅgulas*.

³ The king should always be on the watch for the repair of old temples, palaces and images.

⁴ Amusements and entertainments on the occasions of the festivals are consecrated to the gods—should not be regarded as means of self-enjoyment.

Here is the very *spirit* of Hindu Sociology which makes every thing human an offering to the gods and the whole life a perpetual consecration to their service.

⁵ The festivals are not all to be of a religious nature. The king should sympathise and take part in the folksongs and popular festivals also.

SECTION V. THE KING'S FUNCTIONS.

1. The king should punish the wicked by administering justice.
2. The subjects who are made to observe his orders are always under his authority.
3. The wicked man is the destroyer of good, an enemy of the State and the propagator of vices.
4. The furtherance of the good of the people and their protection are necessary.
5. The destruction of enemies means the prevention of them from committing injuries.
6. The punishment of the wicked means the prevention of wicked actions by them.
- 7-8. *Vyavahâra* or judicial proceeding is that which, by discriminating the good from the evil, ministers to the virtues of both the people and the king and furthers their interests.
- 9-11. The king should attentively look after lawsuits (*vyavahâras*) by freeing himself from anger and greed according to the dictates of Dharma Sâstras,—in the company of the Chief Justice, *Amâtya*, Brâhmana and Priest.
- ✓ 12-13. He should never singly try the cases of two parties or hear their statements. Neither the wise king nor the councillors are ever to try in secret.
- ✓ 14-15. The causes of partiality and imputation are five in number:—passion, cupidity, fear, malice and secret information from the parties.
- ✓ 16-17. The king who does not perform his civic duties well has undoubtedly to rot in the hell.
- 18-19. The enemies soon overpower the king who through delusion and passion decides cases against the dictates of Sâstras.
- 20-21. The actions of kings without help (of councillors) lead to hell and destruction, take away the fear of the enemy's army and ruin life and wealth.
22. So the king should decide cases according to the Sâstras.

¹ The Section deals principally with laws and administration of justice.

² ~~अथ~~ Army. ~~अथ~~ Grains, wealth.

23-26. Where the king cannot personally attend to administration of justice he should appoint Brāhmaṇas who are versed in Vedas, self-controlled, high-born, impartial, unagitated and calm, and who fear next life, are religious-minded, active and devoid of anger.

27-28. If the Brāhmaṇa be not learned enough, the king should appoint a Kṣatriya (for the purpose), or a Vaiśya who is versed in Dharma Śāstras, but reject the Śūdra.

¹29-30. The king should always appoint men of the caste to which he himself belongs, for most members of the royal caste are likely to be well-qualified.

31-32. The justices are to be conversant with actions, character and attributes of people, impartial to both enemies and friends, to know the duties of men and are to be truthful.

✓ 33-34. Those who are not idle, who are masters over anger, passions and greed, and who speak gently are to be appointed to offices by the king from all castes.

35-36. The cultivators, the artisans, the artists, the usurers, corporations, the dancers, the ascetics and thieves should decide their disputes according to the usage of their guild, &c.

✓ 37. It is impossible to detect them through others' help. So they are to be found out with the help of persons born of (i.e., connected with) them.

38-39. The king, who desires his own welfare, should refrain from giving any decisive opinion in a dispute among Brāhmaṇas regarding the interpretation of a procedure of sacrificial ritual.

40. The king should have the cases of the ascetics investigated by the *traividyas* or those who are versed in the Vedas.

41. He should not himself decide the cases of those who practise the occult arts, through fear of exciting their anger.

42-43. The king should not offer advice to those who are versed in all branches of learning, those who are of superior caste and character and to the preceptors, masters and ascetics.

¹ In ll. 23-32 the qualifications of men who are to study the cases and help the king in the administration of justice have been described. They are generally to be learned Brāhmaṇas, but if Brāhmaṇas are not available, may be chosen from any caste except Śūdras, especially from the royal caste.

² Ordinary officers may be chosen from any caste.

• क्षत्रिय—Cultivators, वैश्य—Corporations, guilds, company of traders or those dealing in some articles.

• Laymen cannot detect the character of these persons. So investigation regarding such persons should be carried on through members of those professions.

*44-45. The foresters are to be tried with the help of foresters, merchants by merchants, soldiers by soldiers, and in the village (affairs are to be administered) by persons who live with both parties (i.e., neighbours).

*46-47. Those persons are the best judges of the merits of the case who live in the places where the two parties stand and where the disputed matters and grounds of quarrel exist.

48-49. The king should, however, appoint officers who are virtuous, well-trying and capable of bearing the burden of the administration of justice like bulls.

50-51. The assembly in which there are seven, five or even three Brāhmaṇas versed in human affairs, the Vedas and Dharma Śāstras is (august and solemn) like one on the occasions of sacrifices.

*52. The merchants who are judicious should be made hearers there.

*53. The man who knows the Dharma can speak whether appointed or unappointed.

54. He speaks the voice of God who knows the Śāstra.

*55-56. Either one should not come to the council (Court) or should speak truthfully. That man is a sinner who keeps silence or utters falsehood.

57-58. Those families, corporations or associations which are known intimately to the king should investigate other cases excepting robbery and theft.

*59-60. The *Śrenis* (corporations) will try cases not tried by the *Kulas* (families), the *Gaṇas* (communities) will try the cases left by the *Śrenis*, and the officers will try the cases not decided by the *Gaṇas*.

61-62. The councillors are superior to the *kulas*, and the *adhyakṣa* or chief officer in charge of justice is superior to the councillors. And the king is higher than all—the dictator of what should be done and what not.

¹ Here is something like a trial by peers.

² This is the principle of local judges for local cases.

³ Something like a jury of merchants is implied.

⁴ Even outsiders who know the law can give their opinions on the cases in dispute.

⁵ Outsiders are allowed the full liberty of attending courts of justice and giving their own opinions on the affairs in dispute. Besides, there is the regularly constituted jury of merchants. This account of the administration of justice anticipates the modern practice in some very important points.

⁶ The *gaṇa*, the *śreṇi* and the *kula* are the three successively higher organisations of self-adjudication. When and where these three fail the king with his officers is to interfere.

*63-64. Superior intelligence grows gradually through the investigation of cases of low, average and high importance.

*65-66. The man who has studied only one Śāstra cannot investigate a case properly. So in all cases the king should appoint men who know good many Śāstras.

67. What only one man says can even be the law if he is spiritually minded.

68-69. The cases have to be tried by the king separately with men of various grades of intelligence once, twice, thrice or four times.

70-71. The man who can satisfy the plaintiff and defendant, the councillors, the clerk and the audience by his good methods of work should be an assistant.

72-73. The ten requisites in the administration of justice are the king, officers, councillors, *Smṛiti Śāstras*, accountant, clerk, gold, fire, water and one's own men.

74-75. That court is like a heaven in which the king notices these ten requisites and studies the cases.

76. The functions of these ten are being mentioned separately.

77. The *Adhyakṣa* is the speaker, the king is the president, the councillors are the investigators.

78. *Smṛiti* tells of the rules about recital of *mantras*, penance and gifts, &c.

79. Gold and fire are intended for the swearing of oaths, and water for the thirsty and the nervous.

80. The accountant is to count the money. The clerk is to write properly.

81-82. The accountant and the clerk are to be versed in lexicon and the significance of words, well up in accounts, honest, and trained in the use of various alphabets.

*83-84. A court of justice is that place where the study of the

¹ The lowest officers and organisations have to try the most insignificant cases and their intelligence, therefore, is of an inferior grade. Those that are higher in the judicial scale have to display a higher grade of skill in order to be able to cope with the higher responsibilities entrusted to them. So there is a regular grade or hierarchy of intelligent beings.

² Human and social affairs being very complex cannot be investigated by a single science. The Judges should, therefore, be masters of many arts and sciences in order to discharge their duties satisfactorily.

³ *Śāstras* are the sciences of the secular interests of man. The place which investigates these interests according to the *Śāstras* is the *Śāstrakṛm*.

social, economic and political interests of man takes place according to the dictates of Dharma Śāstras.

85-86. The king should enter the court modestly together with the Brāhmaṇas and the ministers who know state-craft, with the object of investigating the cases.

87. He should proceed with the work after taking the seat of justice.

88. He should put questions to the parties by being equal to both.

89-91. The king should perform his duty by carefully studying the customs that are followed in countries and that are mentioned in the Śāstras, as well as those that are practised by castes, villages, corporations, and families.

✓ 92-93. Those customs that have been introduced in the country, caste or race should be maintained in the same condition, for otherwise the people get agitated.

94. In the southern countries maternal uncles' daughters are married by Brāhmaṇas.

95-96. In Madhyadesa the artisans and artists are beef-eaters, men are all flesh-eaters, women are addicted to intercourse with others than their own husbands.

97. In the North the women drink wine and are touchable when they are menstruated.

98. People of Khasa country marry the widows of their brothers.

99. These people do not deserve penance and punishment because of these actions.

¹ In deciding upon a case and performing his कृत्यम्, viz., the administration of justice, the king should be very circumspect. He should carefully find out the customs that are local, temporal, social, domestic, national, etc. For कृत्यम् differs not only with time and place but also with जाति, देश and काल.

² Śukrāchāryya always advocates the maintenance and preservation of the customs of the folk—a very sound maxim for winning the heart of the people. He is thus not a supporter of the theory of absolute virtues and vices. According to him diametrically opposite practices may be both good if they are customarily followed by certain sections of the community. What is praiseworthy in one locality may be condemnable in another. But the king must be a respecter of the laws of nations, and should not abolish the vestiges of past life or national characteristics in the mania for introducing uniformity.

³ In II. 94—8 a few customs are narrated. These are absolutely local and racial, says Śukrāchāryya. They are practised as virtues or, at any rate, not inconsistent with a strictly moral and civilised life according to the ideas obtaining there, though they may be despised in other parts of the same country and by other races. Thus what people in one part of the country would regard as absolute unchastity, thorough depravity and most heinous social crime or objectionable domestic practice, peoples in other parts follow as though quite social and moral.

'100-101. Those whose customs have been received by traditions and were practised by their ancestors are not to be condemned for following those customs, not others.

102-105. In Kali Yuga the king should repress those by severe punishments who are covetous of others' wives and wealth, who are proud of their little learning, and little fortune, habituated to the rites and practices of Tantras, and apathetic to the Vedas.

'106. The king should administer Nyāya in the noon and Smṛiti in the morning.

'107-108. But for cases of murder, thieving, robbery and felonies there is no fixed time. These should be adjudicated at once.

109-111. Seeing the king seated on the throne together with his ministers, the plaintiff should go to him after carefully considering or writing out what he has to inform him or what has been injured by somebody.

112. He should bend low and submit his petition by folding his hands in submission.

113-114. The king with the ministers after receiving him duly should first console¹ and appease him and then commence the trial (discharge his duty).

115-117. He should then inquire of the plaintiff standing before him submissively 'What is your business? What is your grief? Don't be afraid. By which ruffian, when and under what circumstances have you been oppressed?'

118. Having thus interrogated him the king should hear what he says.

✓ 119. The clerk should write down his statements in the character and language which are prevalent.

120-121. The clerk who writes anything different from what is said by the plaintiff and the defendant should be chastised by the king boldly as a thief.

¹ Having described certain local usages Śukrāchāryya is referring to some long-standing customs. If certain usages have been handed down from generations and are practised among certain peoples by tradition they are not to be held as offenders. But other persons who have not those traditions are to be punished if found practising them.

² Morning is the time for adjudicating cases which involve application of the socio-religious regulations laid down in the Smṛitis and daytime is fixed for cases which involve the breach of laws made by the king, etc.

³ Serious cases to be tried immediately.

122. The councillors should not speak or accept what has been thus (wrongly) written.

123. The king should punish like thieves those persons who extort written statements from anybody.

124. In the absence of the king the chief justice should put these questions.

125-126. The *Prāḍvivāka* is so called because he asks questions (and is therefore *Prāt*) and analyses cases, judges disputes or states what should be done and what not (and is therefore *Vivāka*).

127. Those who are good for councils are councillors.

128-129. If oppressed by enemies with means transgressing the law and the established usage, a person complains to the king, it will form the subject-matter of law-suit.

*130. The king should never himself fabricate a false case, nor even his officers.

*131-132. The king should not through passions, greed, anger or his own information try cases that have not been presented for judgment.

133-134. But he should even without any complaint take up for adjudication cases of *chhalas* (misdemeanour), *aparādhas*, felonies and cases in which the king himself is a party, on hearing of these through *Suchakas*, *Flatterers*, and *Stobhakas*.

135-136. A *Stobhaka* is he who not appointed by the king, gives first information of a crime, for the sake of money,—a conduct censured by the *Sāstras*.

138-139. The *Suchaka* is he who has been appointed by the king to know of others' offences and after knowing them informs the king.

*140-141. Destroyers of roads, slanderers, those who jump across one's walls, destroyers of water-reservoirs and of houses,

142-143. Those who fill up the ditches, publishers of king's imperfections, trespassers into inner apartments, trespassers into bedrooms,

¹ If somebody is injured by others through measures antagonistic to *Smṛiti* and *Āchāra*, and if he applies to the king for redress there is a complaint or *vaṇṇa* formed.

² The Government is to take no cognisance of affairs unless presented by the interested parties.

³ The king is not to take the initiative in these matters. He should try only those cases (*vaṇṇa*) that are brought before him for adjudication.

**निम्न*—Water reservoir. The enumeration of the *विद्या*, *विद्या*, which the king is himself to bring up for adjudication, like that of the arts and sciences, also gives a socio-economic picture of the ancient times.

trespassers into store-rooms, trespassers into the kitchen, those who stand by dinners without appointment,

145-146. Those who spit or commit nuisance or pass wind before the king intentionally, those who sit in heroic postures before the king, those who sit in the front of the king,

147-148. Those who dress themselves better than the king, those who approach the king impatiently and in an unmannerly way, those who enter by backdoors, those who come at the wrong hour,

149-150. Those who sleep in royal beds, those who use royal seats, those who use king's shoes, those who sleep before the king, those who sit before the king, those who climb before the king, those who sit before the king lying on the bed,

151-152. Those who serve the king's enemies, those who sit without seats offered by the king, those who use others' dress, ornaments and gold, &c.

153-154. Those who take betel of themselves and begin to chew it, those who talk or speak without permission, those who insult or defame the king,

155-156. Those who appear before the king with only one cloth, those who come when rubbing oil, or with dishevelled hair, who come shamelessly, or with painted bodies or with garlands on or while shaking the clothes,

157-158. Those who come before the king with head covered (by a turban), those who are skilled in picking holes in others' pockets, those who are addicted to gambling, drinking, &c., and those who try to see their noses, ears and eyes,

159-160. Those who pick teeth, those who cleanse the ear, those who blow the nose before the king,—these are the fifty sorts of *chhalas* or discourtesy shown to a king.

161-162. Disobeying the king's orders, murder of women, intermixture of castes, adultery, thieving, pregnancy without husband,

163-164. Harshness of words, speaking slang, severity of punishment, and the destruction of foetus—these ten are *aparādhas* or felonies.

165-166. The wrong-doer, the destroyer of grains, the man who sets fire to houses, the seditionist, the man who counterfeits coins,

167-168. The man who discloses the king's secrets, the man who rescues the prisoner, the man who sells or makes a gift or partitions the property of another of which he is not the owner, or who punishes another,

¹ These are offences against the moral sense and social etiquette of the community.

169-170. the man who stops the beating of drums (public proclamations), falsely claims unclaimed goods, or who misappropriates the king's taxes, and mutilates bodies—

¹171. These are the twenty-two cases, which the sages say, are *Rājajñeya*, i.e., offences against the State.

172-173. The complainant should be punished if he be insolent, vehement in speech and ferocious in dress, vain, and rough, sit on the seat of the judges and is boastful.

174. An *Āvedana* or plaint is that which is said to the king by the plaintiff.

175. The language in which it is said to the *Prāḍvirāka* should be very intelligible.

²176-177. The councillors having got that case should interrogate the plaintiff duly, should have more evidences (than presented by him) or curtail their number.

178. The king should have the depositions signed by the complainant and then seal it with his seal.

³179-181. The king should by exemplary punishment deprive those judges and officers of their jurisdiction who without carefully considering the cases pass sentences through fear, greed or passions.

182. The king should first discriminate the cases as to their cognisability before (accepting them for trial).

183. The king should dismiss the plaintiff after his plaint has been duly framed and accepted.

¹ The twenty-two include the 10 *aparādhas* together with the offences mentioned in M. 165-70.

These twelve are offences against the State or commonwealth while the *aparādhas* are mainly offences against society, morality and religion, whereas the *aparādhas* are offences against the person of the king.

The *aparādhas* offences must be brought for trial at the king's own initiative because the Government itself is the party offended against. The *aparādhas* are offences against the king himself, and therefore unless he himself takes cognisance of these, these would remain unpunished, and people would forget manners, etiquette and the rules of civilised life. The *aparādhas* are offences against the community, and as the king is the guardian of morals and religion and head of the society it is his function to find out the breaches of social discipline or the perpetration of serious social crimes.

² *Prāḍvirāka*—The complaint, the case brought forward by the accuser, the case.

The judge should demand for more witnesses if necessary and curtail their number at times.

³ *Prāḍvirāka*—In order that they may remember their offences in carefully trying the cases.

'184-188. The plaintiff should by royal order appoint truthful, honest, active and well-armed men to keep under detention the defendant (who refuses to make certain statements and ignores his complaint) until he is summoned for trial and examination.

'189-190. The detentions as regards to certain places, times, foreign countries, and activities—these are the four kinds of *âsedha* or detentions. The man, who is thus forbidden, must not go beyond them.

'191-192. The man who goes beyond the limits of *âsedha*, in binding down the defendant by restraining his calls of nature or harsh words and treatment should be punished.

'193-194. The man who violates the *âsedha* and the periods of *âsedha*, i.e., breaks the restrictions imposed upon his liberty should be punished. If doing otherwise, the man who imposes the *âsedha* should be punished.

195-196. The king should summon by warrant or by officers the man against whom people complain as having committed or threatened some wrong.

'197-198. The judicious man should suspect men from their associations, past deeds or marks of offence.

¹ बलवैर्ये—Who talks irrelevant and does not stick to the questions asked of him, i.e., evades them and refuses to make statements.

उज्ञानम्—Who ignores or defies his plaints.

आरुपयेत्—Should bring under control, bring to bay.

² आदिष—Limitations of movements.

(1) स्थानादिष—Certain places are forbidden, the prisoner is confined to certain places.

(2) कालादिष—Periods of time during which the prisoner will not be free to do anything he likes but will be compelled to commit or omit certain things.

(3) प्रकटादिष—Distant places forbidden. The man will not be allowed to go beyond a certain area.

(4) कार्योदिष—Certain activities forbidden. The man will be bound down to preserve peace, will not be allowed to speak certain things, &c.

³ The *कालि* or 'bound down' man must not be prevented from responding to calls of nature. He must not be accorded an unnecessarily cruel treatment in words and actions.

⁴ The prisoner or the defendant should be punished only in the act of violating the restrictions imposed upon him.

⁵ तत्प्रेष—Actual commission. वृत्त्य—Warrant issued over the king's signature.

⁶ Grounds of suspicion:—

(1) Bad companions, (2) अनुकूलि—Known habits, (3) चोरा—Stolen goods. If they are found on somebody's possession he is caught red-handed.

199-201. The king should not summon diseased people, children, old men, men in danger, men with many activities, those who fear the failure of works undertaken, those who are busy with the king's affairs and festivities, drunk, mad, foolish, and sick servants.

202-203. The young maids who have no relatives, high class ladies, women who have just delivered children and are in the lying-in room, high caste girls, women whose masters are not unknown,

204-205. Persons about to be married, the sickly, persons about to undertake sacrifices, persons who are accused in other cases, persons doing work for the State,

206-207. Cowherds tending the cattle, agriculturists in the harvest seasons, artists and artisans at their work, and soldiers in times of war,

208-209. Minors who are not yet masters of their affairs, messengers, persons engaged in charitable works, men in danger—these men are not to be bound down and not to be summoned as witnesses.

210-211. If the bound-down man violates the limitations imposed upon him when swimming a river, crossing a forest or going through a difficult region or in times of revolutions, he is not guilty (and should not be punished).

212-213. After knowing the circumstances of the case, the time, place, as well as the importance of the events, the king may summon the diseased (and others who have been mentioned above as not to be summoned) by conveyances in important cases.

214-215. The king should also summon in serious cases those who have retired to forests after knowing of the complaints against them.

216-218. Representatives have to be appointed by the plaintiff and defendant who do not know the legal procedure or who are busy with other affairs, or who are not good speakers, who are foolish, mad and old and females, children and the diseased.

219. Friends also may be appointed to answer queries.

220-221. The king should accept cases even if they are brought forward by father, mother, friend, brother, and other relatives.

222-223. If somebody has a thing done by somebody appointed by him, the work done by the latter is known to be done by the former.

¹ *वृद्धादि*—Diseased. *आशङ्कितानामपि*—Those who fear lest there be a failure of works already undertaken.

² *Pleaders and lawyers*, are to represent such persons and state their cases as their own.

³ The theory underlying the appointment of the pleaders is this. For the time being they become the defendant's and complainant's other selves so to speak, become in fact the defendants and complainants. The proxy becomes the original by a sort of legal fiction for the purposes of answering queries and asking questions.

224. The lawyer's fee is one-sixteenth of the interests involved (i.e., the value defended or realised).

225. Or the fee is one-twentieth or one-fortieth, or one-eightieth or one hundred and sixtieth portion, &c.

226. Fees to be small in proportion as the amount of value or interest under trial increases.

227. If there be many men who are appointed as pleaders in combination they are to be paid according to some other way.

228. Only the man who knows the law and knows the Dharma should be appointed (as pleader).

229. The king should punish the pleader who receives fees otherwise.

230. The pleader is to be appointed not at the will of the king.

231. If the pleader acts otherwise through greed he deserves punishment.

232-233. If somebody is neither a brother, nor the father, nor son, nor a pleader, but speaks on others' interests (i.e., for or against the two parties) he should be punished.

234-235. Those women who are subordinate to the king, prostitutes, those who have no families, and those women who are degraded may be summoned to the court.

236-237. If after the plaint has been lodged the two parties die, their sons who know of the case should be the cognisable parties; otherwise the king should withdraw the case from trial.

238-241. In the cases of murder, thieving, adultery, taking forbidden food, abduction, harshness, forgery, sedition and robbery there are to be no lawyers as representatives (of the defendants). The perpetrators are to answer personally.

242-243. The king should punish according to offence the man who does not respond to summons owing to the vanity of his men and money.

244-245. Having noticed that the defendant who has been brought by the messenger has other engagements the king should take suitable security for his appearance.

¹ कथं—Does it mean other than the rate fixed or "other than *वर्ग* and *अवर्ग*"? He may be punished if he takes exorbitantly or if he practises without knowing the law, &c.

² The king cannot appoint any pleader he likes to a case. It is the interested parties who should engage the services of the lawyers in whom they have confidence.

³ प्रतिज्ञा—Security, one who stands bail. निवेदि, निवेदिता—pleader who represents the case.

246-248. 'I shall pay what is not paid by this man, I shall present him before you (at certain dates), I shall make him present a pawn. You have no fear from him. I shall do what is not done by him. Such and such is his occupation (and means of living). He does not swear falsely.'

249-251. The *Pratibhu* or security is to be taken from both parties. He is to be non-slothful, a good speaker, trusted by the people, renowned, wealthy, and capable of investigating cases.

252-254. To prevent forgery and fabricating false evidence, the king who wants truth should keep both the parties under detention for studying the case. They may be maintained by themselves or by the State but will have to maintain their families with their own incomes.

255-256. Men versed in legal affairs know a *sādhya* to be the case that is free from unintelligible propositions and attended with good evidence, and the *pakṣa* to be the 'object' or person who is definite and human.

257-258. The defects of language (i.e., statements) are ambiguity, meaninglessness, absence of evidence and arguments, under or over-statement, and omission.

259-260. One should give up the following defects of *pakṣa* or 'subject-matter of law suit,' viz., uncommon, *niravādha* (vexatious and frivolous), useless, contradictory, incomprehensible.

261-262. An *aprasiddha pakṣa* (uncommon) is that which was never seen or heard of by anybody, e.g., "I have been cursed by the dumb, tortured by the son of a barren lady."

263-265. 'This man reads or sings sweetly, and enjoys in his own house, this man has his gate on the street near my house' this is known to be a *niravādha pakṣa* (frivolous).

266-268. The following is *niṣprayojana* (useless): 'This my son-in-law enjoys with my daughter,' 'This barren woman does not bear child,' 'Why this dead man does not speak.' These are known as *asādhya* and contradictory respectively.

269-270. 'People do not sympathise with me in my grief and pleasures.' This is *nirārtha*, i.e., worthless.

¹ These are the statements of the man who stands bail before the king. He has to promise certain things in these words.

प्रतिभु, etc.,—who promises and guarantees that the party has 'credit' and is a reliable man, कपि—pawn, mortgage.

² वेत्तव्यं.—The object must not be non-human. Only human objects are cognisable.

³ Here are the possible defects निवार्य of which the विषय must be free.

⁴ Such are impossible or absurd statements.

271-272. The plaintiff who after having mentioned his case gives that up or contradicts himself by taking some other side is a mean man and must be punished.

273-274. After the *pūrvapakṣa* or plaint has been determined, corrected according to what is acceptable and what is not, and well discussed, the *uttarapakṣa* or the defendant's version is to be written.

275-276. The plaintiff is to be questioned first, then the defendant. The chief justice is to receive answers to the queries through the officers.

277-279. The reply to the plaint is to be written in the presence of the plaintiff so as to cover the whole case and give the essential points in no vague words and in a manner intelligible without comments.

280-281. That reply is inadmissible which is doubtful, too little, or too much and partial, i.e., covers only an aspect of the case.

282. One should not say anything unless asked, otherwise one is punishable.

283-284. The defendant who does not reply to the plaint presented, is to be controlled by the application of *sāma* and other means.

285-286. By cross-questioning should be disclosed those facts which may have been suppressed by both parties in their statements through wickedness or ignorance.

287-288. There are four kinds of reply--admission, denial, *pratyavaskandana* (admission with justification) and *pūrvanyāyavidhi* (res judicata).

289-290. A confession of judgment or admission or *pratipatti* is that in which the defendant acknowledges as real what has been said by the complainant.

291-292. The denial is that in which the defendant after hearing the plaint objects to it, whether in point of fact or language.

293-294. 'I do not know of it,' 'this is false,' 'I was not there then,' 'I was not born then.' These are the four species of denials.

295-296. A *pratyavaskandana* is that in which the defendant while admitting the statements of the plaintiff, justifies them owing to the existence of other facts.

297-298. The *pūrvanyāya* or *prāṅgnyāya* is that in which the past history of the case is referred to, e.g., in which the defendant says that in this very case the plaintiff was defeated by him sometime ago (res judicata).

299-300. *Prāṅgnyāya* is of three kinds. I shall prove by presentation of the old judgment, or evidence of the officers and judges or by witnesses that I defeated him on the last occasion.

¹ The councillors and officers are to cross both parties.

² It is something like an intellectual tug of war between the two parties.

301-302. Those officers who do not receive the statements of the two parties in the presence of each other are punishable like thieves.

303-304. A *kāraṇa* is the document of the actions (*kriyā*) of both the parties after these have been recorded, corrected, and made faultless.

305-306 The four divisions of a case are first, the *Pārvapakṣa* or plaintiff's statement, secondly, the *Uttara* or reply of the defendant, thirdly, the *Kriyā* or actions of the two parties in the conducting of the suit, and lastly, the *Nirṇaya* or decision and judgment.

307. The *Sādhyā* or case is said to be *Kārya* or the thing to be done. The *Sādhana* or means adopted to do the thing is said to be *Kriyā*.

308. The plaintiff should establish his case in the third quarter by the *Kriyā*.

309. The *Vyavahāra* or a law-suit has four divisions, if there be no *Pratipatti* or admission.

310-312. The cases should be tried in the order of their arrival, or of their importance, or of the gravity of injuries suffered and losses sustained, or of the castes.

313-317. The assessors after considering the defence should give their opinion with regard to the party on whom lies the burden of proof. He on whom lies the burden of proof should prove the point at issue with all the evidence at his command, documentary and otherwise. In a dispute between two, the evidence of both cannot be true. The evidence of one must be false, if the other is right.

318. In the case of a reference to the past history of a suit by *Prāgnyāya* (res judicata) the defendant will have to present his *Kriyā* (the means for proving it).

319-320. Some time owing to certain reasons the burden of proof may be shifted from the first to the second party. At this stage the plaintiff should immediately write down the evidence in support of his case.

321. That *Sādhana* or evidence is two-fold, human and divine.

322. The human evidence is three-fold—documentary, possessory and oral.

323. When the human *Sādhana*s (evidences) have failed he should use the divine ones like ordeals of the pot, &c.

¹ ञ्च - A quarter. The four quarters or divisions of a case are enumerated here.

² सत्यम् - True reply as described above. If the reply is true the case is punished then and there, i.e., at the second stage. But if the defendant be not so honest, the case has to be dragged through all the stages.

¹324. Both *bhāta* (human) and *bhāva* (divine) *Sādhana*s are two-fold according to *Tattva* or reality and *Chhala* or fiction.

325. *Tattva* is that which describes the truth. *Chhala* is that which describes the false things.

326-327. The king should study the cases after always removing the *Chhala*s by reasoning, inference and the application of *Sāma* and other methods.

328-329. The king should not delay in taking evidence. If there be delay there will arise great defects which may lead to the miscarriage of justice.

²330-331. The king should record the evidences (*Sādhana*s) in the presence of both parties, should not receive them in their absence.

332. The defects of the evidences have to be pointed out by the defendant.

333. The deeper meanings of the evidence are to be made clear by the councillors by referring to the *Sāstras* at the proper time.

334. The man who complains against somebody without any reason is punishable and should be deprived of his suit.

335. After having carefully considered the evidence the king should decide upon the case.

336. The producer of false evidence should be punished according to the offence.

337. The man who bears false evidence and the man who suppresses evidences are to receive double the punishment (of the producer).

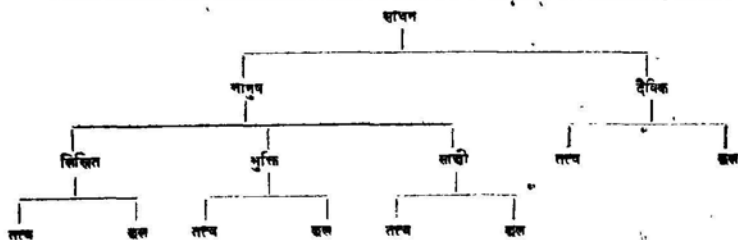
338. Now I am describing the written evidence *Likhita Sādhana*, (and other evidences) in due order.

339. Writing was created by Brahmanā as a reminder of past events.

340-342. The *Likhita* or written document is of two kinds—royal

¹ Each of *द्वय*, and *मानव* *Sādhana*s may be real and fictitious.

² The *Sādhana*s or evidences enumerated above are given in the following table :—



The *लिखित* are described in ll. 337-63, the *श्राव्य* in 364-416, the *भुक्ति* in 432-4, the *दैविक* in 450-451.

and popular, whether recorded with one's own hands or by others, and whether before witnesses or without witnesses. They are to be prepared according to customs of the locality.

343-344. The seven popular *Likhitas* are about partitions, gifts, sales, acceptance, receipts, *Sambiddāna*, and debts.

344-345. Royal commands are of three kinds, meant for administration, information or decision.

346-347. The *Bhāgapatra* or the document of partition is valid if it has the witnesses, and the approval of the heirs. Otherwise even if made by father it is as good as not done.

348-349. The documents of gifts, sale and purchase about immovable goods are valid only when approved by the receivers and having the *Grāmapas* or village officers as witnesses.

350-351. The royal documents are those that are signed and sealed by the king and signed by the *Prakritis* or departmental heads.

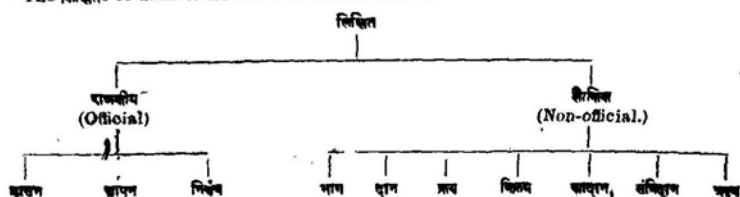
352-357. There should be mention of time, year, month, fortnight, *tithi* (day of the moon's age), period of the day, province, district, place, caste, size, age, the objects, the evidences, the goods, the number, one's own name, and the king's name, residence, names of the other party, names of ancestors, the griefs (or injuries sustained), the collector, or the giver and the signs of mercy, &c.

358. The document which does not mention all these is *Hina* or poor (i.e., not valid), e. g.,

359-361. The documents which are disorderly (in which the facts have been mentioned without any order), which mention the facts in the reverse order, which are unintelligible, which are useless, and which are written after the expiration of the period of transaction, are not valid, as well as those which have been written by senseless people, females, or by force.

362-363. In *Vyavahāras* men attain success if documents are made on good paper, attested with good witnesses, etc., and accompanied with possession.

¹ The *Likhitas* or documents are enumerated below :—



364-365. The man other than self who is aware of the facts of the case is a witness. The witness is of various classes—one who has seen or who has heard of it, each again is divided into two classes—got-up (false) and true.

366-367. The man by whom facts are seen or heard in the presence of the plaintiff and the defendant may be a witness if he be uniform in statements.

368-369. The man whose intelligence, memory and ears do not prove defective even after a long time deserves to be a witness.

370. The man whose truthfulness has been tested deserves to be a witness.

371. Even one man if virtuous is adequate when approved by both parties.

372. Men should be witnesses according to caste and race.

373-374. Householders, not the dependants, wise men, those who are not abroad, and young men should be made witnesses. Females should be appointed in cases involving female interests.

375-376. Witnesses, however, need not be discriminated in the following cases—violence, thieving, felonies and abuse, assault and kidnapping.

377-378. The child because of his ignorance, the women because of mendacity, the forger because of sinful habits; the relatives because of their affection, the enemies because of their rivalry.

379-380. The man who belongs to an inferior caste or race because of his vanity, the cheat because of his cupidity and the servant because of fees and bribes—these people are not to be witnesses.

381. Not also those with whom one has money transactions, with whom one has marriage relations and those with whom one has educational relations.

382. If somebody is prejudiced with the *Śrenis* (communities) or *vargas* (groups) of men, his evidence is not to be taken. For men like him are all enemies.

384-386. The king should not lose time in talking with the witnesses, and should make them give evidence in the presence of both the plaintiff and the defendant—never in their absence.

¹ The conditions as to who are to be witnesses are to be enforced only under certain circumstances, not always. There are several cases e.g., *वृत्त* in which witnesses need not conform to the above conditions.

The following lines mention the persons who are not to be witnesses

² *वृत्त* i.e., pupils, or school-fellows, or teachers.

387. The man who, when ordered, does not bear witness is punishable.

388-389. And the man who was not present or who has not been summoned or ordered to say what he knows is punishable whether he talks truth or falsehood.

390-391. If there be a division or difference the king should accept the verdict of the majority; if there be equality or sameness, he should accept the opinions of the virtuous, and always the opinions of those who are well qualified.

392-393. A person present in court must depose truly as to what he has seen or heard, when asked, even though he may not have been cited as a witness.

394-395. The witness should say separately what he has known separately in different times, this is the eternal practice.

396-397. One should accept the evidences of witnesses which are given spontaneously not through force; after the evidence has been once given by the witness he should not be repeatedly crossed.

398-400. The witness should be interrogated after being well governed by oaths, the teachings of Purāṇas, narration of the great merits of virtuous life, and the great sins of falsehood.

401-402. 'Where, when, how, whence and what have you seen or heard—whether written by oneself or caused to be written by somebody? speak truly all that you know.'

403-404. The witness who gives true evidence attains happy life hereafter and unrivalled fame in this world. This is the remark of Brahmā.

405-406. It is truth that blesses the witness. It is truth that increases virtue. So it is truth that should be spoken by witnesses with reference to all castes.

407-408. Oneself is one's own witness, oneself is one's own protector. So you should not degrade and insult your ownself (by false evidence).

409-410. The sinner thinks 'Nobody is noticing me.' But the gods and the manes see you.

¹ The principle is pre-eminently modest.

² If the evidence has been clearly set forth once the witness should not be teased by unnecessary questions.

411-412. All the virtues that you have earned in the series of births you have passed through belong to the man whom you thwart by false evidence.

413-414. You also acquire all the vices committed by him during one hundred lives. In this way the king should advise the witness in public.

415-416. One should give sufficient time for the consideration of the evidences presented, according to their nature, whether divine or royal.

417-418. If the written documents be missing the cases should be investigated with the help of evidence by possession and witnesses. If the documents as well as witnesses be wanting only the possession should be used. And if possession evidences fail, the documentary evidences and witnesses should be used.

420-421. The king should never investigate cases with only one kind of evidence *e.g.*, by mere possession or document or witnesses.

422-423. The ingenious cheats can easily produce duplicates of the documents (by forging). Hence on the strength of the documents alone no point can be absolutely gained.

424-425. So also solely on the strength of witnesses no case can be won, because of their affection, greed, fear, anger and falsehood.

426-427. Again there are men who on the strength of mere force enjoy goods whether unclaimed or belonging to others (than themselves). So a case cannot be won by mere possession alone.

428-429. One should suspect only such cases as have grounds for suspicion, not otherwise. The king should punish like thieves the officers who are foolishly suspicious.

430-431. Through over-suspiciousness great calamities come up. People are disintegrated, and virtue and business suffer.

432-433. Possession can be a sufficient evidence when it is attended with income for a long time without opposition and always in the presence of the defendant.

434-435. When, however, the man simply declares that he is in possession but never receives the income there is a case of pretended possession and the man is a thief.

¹ In the last six lines arguments have been advanced to show that all the three kinds of evidences, viz., documents, witnesses and possession—may be vitiated each in its own way. So one only cannot constitute a title to something.

² *सम्पत्ति*—With income, *विरोधि*—Without opposition.

436. Even title is no evidence which is not accompanied by possession however slight.

437-438. The owner of a small property who sees his moveables enjoyed by another openly for ten years, cannot get that back.

439-440. The man whose land has been enjoyed for twenty years by others, even if he be powerful, cannot get that back.

441-442. The king should punish as a thief the sinful man who holds the property of another for many hundred years even without title.

443-444. But the property which is ceaselessly enjoyed for sixty years even without title cannot be claimed back by anybody.

445-446. The following cannot be destroyed by length of adverse possession : mortgage, boundary land, minor's property, trust property, sealed deposit of female slaves, Government property, and property of a learned Śrotriya.

447-448. The owner who is indifferent (to his property), and remains silent (i.e., does not prohibit the trespasser) cannot get back by a lawsuit that property, on the expiry of the above period.

449. Possession has thus been briefly narrated. Now the divine *Sādhanas* (ordeal) are being mentioned.

450-451. When through the heedlessness of the owner, there does not exist the threefold evidence and the opposite party conceals the truth, then is to be applied the threefold procedure mentioned hereafter.

452-453. First repeated persuasion (to the opposite party to be fair), secondly, *Yukti* thirdly, ordeal (or divine test),—these should be applied in succession to prove one's case.

454-455. *Yukti* (or probability and expediency) is that which is based on right argument, unopposed to scriptures and usages of the good, and which is employed to achieve one's end ; but not anything else.

456-457. Rewards, distinctions, dissensions, and temptations are the various acts which cause the mind to change. (These means may be employed to weaken the case of the adversary and to induce him to tell the truth).

458-459. Persuasion must be constant and repeated, heedless of the remarks of the opposite party. For though refused thrice, four times, or five times, at last the adversary may yield and turn to right.

460. Even when *Yukti* fails the divya *Sādhanā* (ordeal) has to be used in the investigation of cases.

461-2. The methods are known to be *divya* because these were used by the great *devas* or gods in the discrimination of difficult cases.

463. The seven *Rishis* also recognised them as purificatory means.

464-5. The man who through vanity of learning does not have recourse to the *divyas* adopted by men like *Vasiṣṭha* is an irreligious man.

466-7. The gods undoubtedly take away half the merits of the *Brahmana* who thro' vanity does not swear by the *divya* method even when it is presented before him.

468-9. On the other hand the man who desirous of his purgation has often recourse to *divya* is purified and does attain fame and heaven, otherwise not.

470-1. In the matter of decision of cases by the *divya*, fire, poison, vessel, water, virtue and vice, rice and oaths—these are prescribed by the sages.

472-3. The preceding ones are more weighty than the succeeding, and should be employed according to the importance of the case. But really all *divyas* are weighty.

474-7. The (accused) has to walk nine steps with a hot ball of iron in the hand or has to walk seven steps on hot charcoal, or has to take out a quantity of iron placed in hot oil by the hand, or has to lick by the tongue a very hot iron plate.

478. The accused has to swallow poison or catch the poisonous snake by the hand.

479. He has to be measured against something of equal weight and then to correct(?) either diminution or increment(?).

480-1. He has to drink the water taken from that used in bathing his auspicious gods, and afterwards to be immersed in water for a certain period.

482. He has to touch or take away the images of *Dharma* and *Adharma* without seeing them.

¹ These are the methods of using Fire in the *divya* method of trial. Having described the fire-ordeal in these lines Śukracharyya is describing the other *divyas* in succession.

² These are the two methods of the Poison-ordeal.

³ The man has to be placed in the balance twice. If there be any discrepancy in the two measurements his guilt is proved. The ~~water~~ or water-vessel mentioned in l. 470 must be huge enough, to contain substances, e. g., water, grains &c. equal to a man's weight.

⁴ This is the water ordeal. If the man does not get suffocation, soon, he is innocent, it appears. ~~एष~~ should eat, here drink. Before being immersed in the water he has to quaff off a quantity of the sacred water in order to be impressed by the gravity of the occasion.

⁵ This is the ~~वर्ण~~ ordeal. Two images are placed before the accused, one personating virtue and the other vice. The man is blind folded and required to touch or take away the images in that plight ~~एष~~ If he touches the virtue he is innocent, otherwise guilty.

¹483. He has to chew without anxiety or fear one *Karṣha* amount of rice.

²484-6. He has to touch the feet of superiors, or heads of children, or coins or swear by the gods 'Let me be cursed with the burden of sins, let all my merits be extinguished.'

³487. Fire is prescribed in cases involving thefts of one thousand, poison in one fourth less, balance in one-third less, water in half that amount, virtue and rice in half the preceding (i.e. one-fourth of the unit), rice in one-eighth, oaths in one-sixteenth. This is the order of *divyas*.

⁴491-492. The above figures are meant for the worst (class of people), and it is declared in the *Smṛitis* that twice those (respective figures) should be taken (in the case) of the better class (of persons), and also four times that (in the case) of the highest (class of men).

493-494. When (the accuser) would not himself abide by the judicial sentence (in case the contrary is proved) then no ordeal is prescribed: it is well declared that the accuser should consent to abide himself by the judicial sentence (if the contrary is proved) in all the ordeals.

495-496. An ordeal is to be prescribed to the accused only, for that is so said in the *Śruti*, and never shall (a Judge) order an accuser to go through (any one of) the ordeals.

(?)⁵497. But the other, (namely, the accuser,) might, if he so wills it,

¹ The Rice-ordeal declares a man guilty who in chewing the rice experiences difficulties through palpitation of heart or want of salivation &c. owing to excess of excitement or agitation.

² These are the four methods of oath-ordeal.

³ The *Divya* methods of decision (*Nirṇaya*) have to be used in the investigation of criminal cases in the order described in these lines. Criminal Law regarding thefts would thus require:—

	Rs.
(1). Fire ordeal in suits of	1000
(2). Poison " " "	750
(3). Balance " " "	600
(4). Water " " "	500
(5). Virtue and Vice " "	250
(6). Rice " " "	125
(7). Oaths " " "	62

⁴ Fire-test is to be applied for a theft of Rs. 1,000 by *ṣṭṣṭ*, for Rs. 2,000 by *ṣṭṣ*, and for Rs. 4,000 by the *ṣṭṣ*. And so on.

⁵ A recent commentary proposes that *śirakāśi* means *सिद्धांश*, that is to say, when one is undergoing the ordeal, the other party must stand in front of him. But we follow here the explanation of the *Mitākṣara* (vide under II. 95), which says *śiraka* or *śiras*, (lit. head), is the last step of a law-suit, (that is,) decision, and signifies punishment; and he who would consent to abide by that (in case the contrary is proved) is one who resolutely urges the accusation, that is, *śirakāśi*.

have recourse to ordeal, and (the party) other than he might press the accusation (against him).

¹498-499. In the case of those who have been suspected by the rulers, those also who have been pointed out to (as offenders) by the enemies (of mankind) and (in the case) of those too who are bent upon proving their innocence, ordeal might be prescribed without the accuser standing in front.

500-501. In cases of adultery and incestuous intercourses in the prohibited (circle), and an accusation of having committed a mortal sin, ordeal itself (should be had recourse to), there is no (proof) otherwise.

²502. In the case of those on whom there was a presumptive charge of theft, the ordeal of lifting a small piece of metal from the boiling oily matter is ordained.

503-4. But when the case is an indictment for murder, though means of human proof there does exist, yet if the accuser would (of his own accord) have recourse to ordeal, then the (human) evidence should not there be inquired into.

³505-6. Where the means (of proof is such) as its honesty requires to be tried, and if such evidence is given before the king, the king having occupied the seat of justice shall test it by means of a suitable ordeal.

⁴507-8. Whatever document it is, if it is as good as any good legal document, in points of name, Gotra, etc. of the parties, but if no money was ever borrowed (by the defendant), there the decision is to be arrived at by means of an ordeal.

509-11. Where no human evidence is coming forward, the ordeal might be prescribed there, and also in such cases as offences committed

¹ Another interpretation of this verse: "(in the case) of those who have been pointed out to (as offenders) by the enemies (of mankind), who have been next suspected too by the rulers (as such), and who consequently are bent upon proving their innocence, ordeal might be prescribed without the (accuser) to stand in front."

N. B.—*अपराध*, though generally taken to mean robbers, is yet translated as 'enemies (of mankind)' considering the various uses of the word in the Smṛiti literature.

² *Tapta-māṣa*: see the *Mitākṣarā* II. 7.

³ If the king hears that the other *sādhana*s have been used dishonestly he should rectify them by *Divya*.

⁴ Cases of forgery and false charges of debts.

The *Divya* is to be applied where, even in the absence of loan documents are presented which resemble the actual ones in name, gotra &c.

in a forest, in a solitary place, at the time of night, or in an inner apartment, in the case of violence, in cases of accusations affecting the character of women, and the cases where every fact is denied (completely).

512. When other evidences are extremely vitiated, they must be rejected and the honesty of the parties should be tested by means of ordeals.

513-4. In cases relating to mortal sins, theft of deposits, a king, notwithstanding there are witnesses, shall investigate the case by means of ordeals.

515-6. Where witnesses of the first class differ in their evidence, likewise the witness of the next class do so, and likewise do the witnesses other than that next class, that case shall be conducted by administering the oaths.

517-20. In disputes relating to immovable properties; in cases of disputes among unions of men, guilds, and companies; in cases relating to non-delivery of gifts; when a case has to be decided between servants and their masters; in a case relating to rescension of sales; and where having purchased a thing one does not pay the amount of its price, —these (disputes) one shall prove by witnesses, by document and by possession too.

521-22. In marriages, festivities, and gambling games, if a dispute arises, witnesses are the means of proof there, and neither an ordeal nor a document (is necessary).

523-4. In using a property as an entrance or path, mortgage, passage of water, etc., likewise, it is possession itself that is valid.

525-526. If one party would urge human evidence and the other party divine, the king should accept the human not the divine.

527-528. If there be a human evidence which covers only a part of the case, even that is to be accepted, not the divine though that covers the full ground notwithstanding men urge it.

529-530. The six kinds of *Nirṇaya* or decision are through *Pramāṇas* (or evidences of witnesses, documents, &c.), reasons, usages, oaths, special orders of the king, and the admission by the plaintiff.

531-532. Where there is no document, no possession, no witnesses, and no resorting to ordeals, the king is at liberty (to proceed as it is best).

¹ *Sukraniti* does not advocate the conditions of an over-theocratic life but represents the features of a pre-eminently human and rational state of things. Thus if two *sādhana*s are brought forward—one human and the other divine, the human is to be accepted. Even if the human evidence be partial, that is more adequate than a couple *dṛṣṭya*.

533-534. In cases which are impossible to decide finally and which are of a doubtful character, e.g., those relating to boundaries, &c., the king as the supreme lord is at liberty (to proceed as it is best).

535-536. Even the king is a sinner if he decides cases in an absolute manner: therefore he should administer the secular interests in harmony with the (spirit of) Dharma Śāstras.

537-538. Judicial investigations are vitiated through the greed of the king and (his) ministers. People too are drawn away from the path of virtue and get addicted to fraudulent matters.

539-541. If a case proceeds through excessive passion, greed and anger it affects the parties, witnesses, judicial councillors, and even the king. Hence the king should cut off their root (e.g., person, etc.) and discriminate it well.

542-544. If somebody presents as right to the king something which is wrongful and if the king accepts that as right without careful consideration, he is regarded as the real actor and gets eightfold sin.

545-546. The councillors must not be indifferent to the immoral methods of procedure adopted by the king, for then they are thrown down hellward together with the king.

547-548. The *Dhigdaṇḍa* (moral disapprobation) and *Vāgdaṇḍa* (oral chastisement) these two are within the competence of councillors. *Arthadaṇḍa* or fines and corporeal punishment are within that of the king.

549-550. If somebody objects to the judgment as well as the decree of the king as against Dharma, he can have a re-trial on the depositing of double the fine.

551-552. A re-trial or appeal may arise in those cases which have been vitiated by the undue pressure of witnesses and officers, and by the defects of the king's own actions.

553-554. Whoever, an Amātyā or the President (of the judicial

¹ If the king and officers be greedy, forgery, counterfeiting, etc., become prevalent among the subjects.

² The king must not accept the statements of informers without careful investigation as to their worth.

³ The king must protest against the wrong of the king.

⁴ The appellant may argue that the first trial was vitiated because of the defects of officers, defects of witnesses, and defects of the king himself as regards procedure, judgment, passing of sentence, &c.

असह — Oppressed.

पुनर्दण्ड — Repetition of the case—appeal.

पुनर्दण्ड — Re-examination.

⁵ The king really commits all these offences which are done by Amātya, Prādīvṛddha, &c.

assembly), would decide a case contrary to law, the king shall examine it again, while he should fine them a thousand.

555-556. Without punishment no one can walk in the right path. So when the offences of (judicial) counsellors have been pointed out the king should take the case-for re-trial.

557-558. A man is said to be successful when he can substantiate his case by arguments, gets the approval of the Judge, and receives the *Jayapatra* or document of victory.

559-560. The king should give to the victorious party the *Jayapatra* after it has been carefully analysed by the officers and accepted by the other party.

561-562. Otherwise the king should imprison the plaintiff for many years, and punish him according to the seriousness of the false charges and (similarly) honour him who is (falsely) accused.

563-564. The subjects follow that king, as the rivers the ocean, who investigates the cases according to *Dharma* by restraining his passions and anger.

565-566. Even the son who has got old age is not independent if the parents are alive: Of them, the father is superior for the seed is superior (to the field).

567. In the absence of father, the mother; in her absence, the elder brother.

✓568. Sovereignty (authority) can be given only to the eldest, and eldership comes through both qualifications and age.

569-570. One should respect those women as one's own mother who are the wives of father, and should maintain them all with a portion of property equal to his own.

571-572. Subjects are all dependent, the king is the sovereign authority. The disciple is dependent, the preceptor is independent.

573-574. The father has authority over sons and son's wives in the matter of discipline, but no right to sell or give away the son.

575-576. Among those who are dependent, all the (persons) mentioned above (as dependent) are always independent (in a way): they are admittedly their own masters in the matter of issuing command (where they can), and giving away or not giving away (what is their own).

577-578. The father is the lord of all gems, jewels, etc., but neither the father nor the grandfather has authority over all immovables.

¹579-580. The wife, the son, and the slave—these three are *ādhana*, i.e., unpropertied (in the matter of family property). Whatever they earn is the property of those to whom they belong.

²581-582. A man is not the owner of the property because it is held by him. Is it not found in the case of thieves that somebody's property is being held by somebody else?

583. Hence ownership is to be admitted only if the Śāstras sanction, it is not brought about by mere enjoyment.

³584. Otherwise one should not say that so and so's wealth has been stolen by so and so.

585-6. In the Śāstras sources of income as well as the castes are known to be various and that Dharma of the Śāstras always binds even the Mlechchhas.

587. For the preservation of the community these have been fixed by previous sages.

588. Sons and wives are to be made equal sharers.

589. The daughter is to have half of the son's share, the daughter's son half of that.

590. Even if the father be dead, the sons, &c., are to receive their shares according to the above proportion.

591-592. The son should give one-fourth to the mother, one-half of that to the sister, one-half of that to the sister's son, and himself receive the remainder.

593-594. The son, the grandson, the wife, the daughter, the daughter's son, the mother, the father, the brother and the brother's son—these are to receive the wealth (in the order stated) each in the case of failure of the predecessor (in the list).

⁴595. Absolute right is given to women in the matter of wealth that is called women's wealth as regards sale, and gift, even in immovables.

597-598. The *Saudāyika* wealth is known to be that which comes to a married woman through gifts and dowries from parents' or husband's families or through presents by parents and relatives.

¹ These persons are the chattels, so to speak. Their earnings belong to their master like themselves.

² Mere possession does not constitute property.

³ One should not without careful examination charge anybody with theft.

⁴ *Stridhana* derived from *strī*, i.e., one's own possessions—here referring to what is technically the *stridhana* or woman's property. The wife will have *stridhana* absolute authority over her own wealth (*stridhana*) but not over the share which comes to her according to her position in the above order of claimants, i.e., according to the legal share by right of succession. This absolute right pertains to even immovables.

599-600. The man who earns anything without the help of ancestral wealth can enjoy that at his own will. That is indivisible.

601-602. Anybody who can save somebody's wealth from absolute destruction owing to the ravages of deluge, thieves, kings and fire has right to one-tenth.

603-604. The goldsmiths should get remuneration according to the labour undergone by each in cases where they combine to perform a work of art.

605. He is said to be a *silpin* by the learned who is well-versed in his art.

606-607. The leader or captain of those who combine to build a palace or a temple and construct canals or furniture is to get twice the share got by each.

608-609. The remuneration of a musical party also is to be divided according to this principle. The *tālajña* or one who beats time is to get one-half and the singers to have equal shares.

610-611. If thieves steal something from other's kingdoms by the king's order they should first give one-sixth to the king and then divide the rest among themselves.

612-613. If one of the gang is caught all the rest should spend equal sums in rescuing him.

614-615. Those who deal in gold, grains, and liquids (collectively) will have earnings according to the amount of their share, greater, equal or less.

616-17. Whatever portion is stipulated indeed (beforehand), equal, less, or more, that (shall be accepted) exactly so. Expenditure he shall pay and do the work (proportionately) and take the profit too (in the same manner).

618. The same principle (of joint-stock enterprises) applies to merchants as well as peasants.

619-621. The common property, the wealth that has been realised by begging, security, mortgage, slaves, the property of slaves, *anvāhita*

¹ ~~सिद्धि~~—Remuneration, ~~एवम्~~—by combining.

² Joint work, collective organisations, associations, etc., have been mentioned in *Sukraniti*, both in economic and political affairs of the *Śrenis* and *Gāyas* &c.

~~एवम्~~—The leader, master-craftsman.

³ For references to music parties in Indian literature, see an article in the *Vedic Magazine* (March 1913) by the author.

⁴ ~~एवम्~~—Finally.

~~एवम्~~—That which is deposited with a person to be delivered ultimately to another person.

(deposits) and the total wealth if there be children—these nine are not to be made over to others by the wise even in times of danger.

622-623. Those who receive what should not be given, and give what should not be given—both these classes of men are to be punished like thieves, and are to be made to pay the highest fine.

624-625. The man who receives wealth from thieves as well as those who are no masters and the man who purchases quite secretly (from them) are to be punished like thieves.

626-627. The priest who forsakes the householder without offence and the householder who forsakes the priest without offence—both are to be punished.

628-629. A merchant should fix $\frac{1}{2}$ nd or $\frac{1}{16}$ th part as the profit in a business with due regard to the expenditure and to the conditions of the place and not more.

630. (One might advance money to one who intends to be a merchant) and not demanding the interest, he should make him carry on the trade with half the profits always.

631-2. When (the amount) drawn from the debtor (in the form of) interest has reached twice the principal then the king shall make (the debtor) pay only the principal to the creditor and nothing more than that.

633-634. Creditors take away people's wealth by the compound rate of interest. So the king should protect the people from them.

635-636. If somebody does not return the money to the creditor when he is able, the king should make him pay that back by applying the methods of *Sāma*, *Dāṇḍa*, &c.

637-638. When the document in one's possession is lost, and he brings a suit for the recovery of debt then the king should well ascertain the truth by means of witnesses and make the debtor pay him as before (when the document had not been lost).

639-640. The man who receives what has not been given and again wants some thing though well paid—both of these are to be punished by the virtuous king.

641. The seller of bad (adulterated) goods is punishable like a thief.

¹ *प्रदत्तपुनः*—The *am* or expenditure is to be calculated according to the place of business, i.e., transport and freight are also to be included in the Total Cost of production.

² Cf. Chapter V. 123.

³ Here is something like State Intervention in Credit-affairs.

642. The king should give wages to artists after noticing their works and qualifications.

643-644. The king should daily receive (as duty) from the sales of silver one-fifth, one-fourth, one-third or one-half—not more.

645. (When) one hundred *palas* (of gold) is taken and melted, it is pure if it still remains one hundred *palas* and does not become less.

646-48. Silver is diminished by four-hundredth part (when melted), copper (becomes) less by a hundredth part; tin, Jasada, and lead (each) is diminished by one-sixteenth part, and iron by one-eighth part, if it is otherwise the artisan should always be punished by the king.

649-51. In articles of the best workmanship gold is lost by a two-hundredth part of itself while silver by a hundredth part; and if soldered (by using) good material, (the weight) is increased by a sixteenth part.

652. Having examined the soldering and the workmanship, the increase or decrease should be determined.

653-654. The goldsmiths' wages is to be one-thirtieth (the value worked upon) if workmanship be excellent, one-sixtieth if mediocre, and half of that if of inferior order.

655. Wages to be half of that in the case of *kataka* (bracelet), and in the case of mere melting, half of that.

656-657. The silversmith's wages is to be half if workmanship be of the highest order, half of this if mediocre and half of that if inferior, and half of that if *kataka*.

658-659. The wages is to be one-fourth in the case of copper, zinc, and Jasada metal, half, or equal or twice or eight times in the case of iron.

660. The man who adulterates metals deserves double the punishment.

661-662. Customs originating with the sages in ancient times, have grown with the people in diverse ways, which it is impossible to describe.

663. The Section on Administration of the State has thus been described.

664. The merits and demerits not mentioned herein are to be known from popular usage.

¹ The Rate of Royalty upon Mining.

SECTION VI. FORTRESSES.

1. Now I shall narrate in brief the Sixth Section, that on Fortresses.

'2. Fortresses are made inaccessible through ditches, thorns, rocks and deserts.

'3-4. The *pārikha* fort is that which is surrounded on all sides by great ditches; and the *pārigha* is known to be that which is protected by walls of bricks, stones and mud.

5-7. The *vāna* or forest-fort is one which is encircled by huge thorns and clusters of trees, the *dhamvadurga* is known to be that round about which there is no water, the *jaladurga* or water-fort is that which is surrounded by great sheets of water.

8-9. The *giridurga* or hill-fort is described as that which is on high level and is supplied with plenty of water. The *sainyadurga* or troop-fort is that one which is defended by heroes well up in *vyūhas* or military tactics and hence impregnable.

'10. The *sahāyadurga* or help-fort is known to be that which belongs to the valorous and friendly kinsfolk.

'11-12. The desert-fort is superior to the *pārikha*, thence the *pārigha*, thence the forest, thence the *dhanva*, thence the water, last the hill-fort.

'13. The *salūyadurga* and the *sainyadurga* are the ornaments of all fortresses.

14. Without these the other forts are of no use to the king.

15-16. The fortress with soldiers is the best of all, the others are mere helps or auxiliaries to this; the king should therefore always keep this fort.

1. *रेखि* pertaining to *रेखि* or deserts.

2. *मृदुलिपि* embankments of mud wall.

3 The forts have been described and classified according to two principles: (1) the physical difficulties or advantages of the site on which the fort stands, e.g., forests, water &c., (2) the human inmates also e.g., the troops, the allies, &c.

4 Of course the arrangement here is in order of the difficulties presented to the enemy. The *pārikha* or that which is protected by ditches only is described as being the lowest of all in this respect, and the hill-fort is the best.

5 Undoubtedly the real strength of all forts is in the nature and mettle of the human element, the valour and character of the troops occupying them. Merely physical advantages are of no avail.

¹17-18 One who has forts with troops can survey the whole earth ; but to have every other kind of forts except those with troops is tantamount to imprisonment.

19. It is advisable to have recourse to other forts in times of danger or emergency.

²20-21. One man with arms can fight one hundred if (he gets the protection) of a fort ; a hundred men can fight ten thousand, hence the king should have forts.

³22. To the valorous and to the people who live in forts with troops every place is like a fort.

23-24. The king should have forts well provided with war materials and contingencies, as well as grains, troops, arms and treasure.

25-26. The fortress which is manned by friends and allies is the best of all. Victory is sure when the fort is thus manned.

27. Whichever is thus manned by friends and allies is sure to lead to victory.

⁴28. The mutual dependence of forts and fortresses constitutes an element of success.

¹ Of course one can easily appreciate the embarrassing situation in which the ruler is placed when he has forts with physical advantages only but no manly and friendly troops to defend them. It is obvious that under these circumstances the instruments of self-defence would be used by the enemies against their proprietors themselves, and forts would be their own prisons.

The distinction between the physical and the human elements is here carried to perfection.

² The efficacy of forts is described here. It is suggested that forts can multiply a warrior's strength hundred-fold. One man in a fort is equivalent to one hundred men out of it.

³ People who depend on their own nerve can convert every place into a fort, i. e., can walk erect everywhere without fear. It is the inward strength of a man that is his real fort.

⁴ *परस्परसहायता*. The forts should all be so situated and governed that there arise no difficulties of access from one to the other or conflicts of jurisdiction between them. The system of forts in the State should be placed on a sound basis of co-ordination and inter-relation.

In enumerating the factors of success or the circumstances that are likely to lead to success, Sukracharya mentions two conditions :—

(1) The existence of *सखा* i. e., friends and allies.

(2) The well-ordered military system and governmental machinery which alone can place the forts in inter-dependent relations.

SECTION VII.

THE ARMY.

[This is a purely political chapter embracing many of the important topics dealt with in Treatises on International Law, especially in their sections on War.]

1. Forts have been briefly discussed, the Seventh Section, that on the Army is now being narrated.

2. The army is the group of men, animals, &c., equipped with arms, missiles, &c.

¹3-4. The army is of two kinds: (1) that which proceeds independently; (2) that which has resort to vehicles, &c. Each, again, is of three kinds: (i) that pertaining to the gods; (ii) that pertaining to monsters; and (iii) that pertaining to human beings. The preceding ones are stronger than the succeeding.

5-6. The *swagamā* army is that which moves without any help, the *anyagamā* is that which proceeds in vehicles. The Infantry is the *swagamā*, the other is of three kinds, using chariots, horses or elephants.

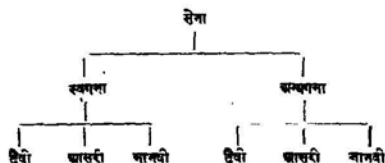
7-8. Without the army there is neither kingdom, nor wealth nor prowess.

²8-9. Even in the case of a man of no position, everybody becomes his tool if he has strength and becomes his enemy if he be weak. Does not this hold true in the case of rulers?

³10-12. Strength of the body, strength of valour and prowess, strength of the army, strength of arms, fifth is strength of intelligence, the sixth is strength of life. One who has all these is equivalent to Viṣṇu.

13. Without the army no one can overpower even an insignificant enemy.

Classification of सेना:—



¹ It is strength that converts foes into friends in the case of ordinary people (अन्यपानस्य) or of a man who has few people i.e. of insignificant persons). So the King should always have strength, (i.e., the army) and never be weak.

² The man possessing all these six kinds of strength is certainly super-human,

*14. The gods, monsters, as well as human beings have to depend on others' strength (i. e. strength of the army).

15-16. The army is the chief means of overpowering the enemy. So the king should carefully maintain a formidable army.

*17-18. The army is of two kinds—one's own, and that belonging to the allies. Each again is of two kinds according as it is—(i) long standing, or (ii) newly recruited, and also as it is—(i) useful, or (ii) useless.

*19-20. (The army is of two kinds): untrained or trained; officered by the State or not officered by the State; equipped by the state with arms, or supplying their own arms and ammunitions; bringing their own vehicles or supplied with vehicles by the State.

21. The army that belongs to the allies is maintained through good-will, one's own army is however maintained by salary.

22. The *maula* army is that which has been existing for many years, the *sādyuska*, which is not that.

23. The *sira*, efficient or useful army is that which is adept in warfare, the contrary is the *asāra*

24. The trained army is that which is skilled in the *vjuhas* or military tactics, the opposite is the untrained.

25. The *gulmibhuta* army is that which has officers of the State, the *agulmaka* is that which brings its own chiefs.

26. The *dattāstra* army is that which receives arms etc. from the master, otherwise is the army which supplies its own arms and missiles.

27. The army regimented by the State, and the regiments formed among the soldiers by themselves; likewise the army receiving conveyances from the state (or not).

*28. The *kirāts* and people living in forests who are dependent on their own resources and strength (belong to the latter class).

¹ Everybody requires assistants.

² *Sam*—old, existing from the origin or *sam* of the State. *Sam* now, raw recruits.

³ Two kinds of military recruitment are described here. The army of the State seems to have been divided into two classes: (1) the Standing army which must have been trained, regimented *sam* or officered and manned by the Military Department of the State, and supplied with weapons and conveyances at State expense, (2) the national army of volunteers or the Militia which must necessarily be raw recruits, untrained, unregimented (i.e. having their own captains and lieutenants) and responsible for their own arms, accoutrements and conveyances. It would thus appear that the *Sam* army i.e., that which is connected with the State, as it were, through roots, or from the beginning, would correspond to the permanent standing army of the kingdom, and the *Sam* or new army improvised for the occasions to the national Militia enlisted by the methods of conscription or voluntary service.

* It appears that the army of the State may be recruited from independent forest-tribes who do not ordinarily acknowledge suzerainty of the neighbouring chief. They of course bring their fighting apparatus.

¹29-30. The troops left by, or captured from, the enemy and placed among one's own people as well as one's own troops tampered with by the enemy, should be regarded as inimical.

31. Each is weak, and not at all a help.

²32-33. Strength of the physique is to be promoted in the interest of hand-to-hand fights by means of tussles between peers, exercises, parades and adequate food.

34-35. The king should promote the strength of valour and prowess by means of hunting excursions against tigers (and big games) and exercises among heroes and valorous people with arms and weapons.

³36-37. The strength of the army is to be increased by good payments, that of arms and weapons by penances and regular exercises; and that of intelligence by the companionship of (or intercourse with) people learned in Śāstras.

⁴38-40. The king should so govern his life that the kingdom may be permanent in his own dynasty through continuity of good deeds. So long as the kingdom continues in his family so long he is said to live.

⁵41. The king should have his infantry four times the cavalry, bulls one-fifth of his horse, camels one-eighth, elephants one-fourth of the camels, chariots half of elephants, and cannon twice the chariots,

¹ भेदानीन brought under the policy of भेद one of the four celebrated methods of Statecraft recognised in Hindu Niti Śāstras. When once the loyalty of the troops has been tampered with by the enemy and seeds of disaffection have been sown among them, there is no trust to be placed with them. The disaffected army is as good as the enemy's (and should be 'disbanded').

² दुर्गैः Equals, peers. निवृद्ध tug-of-war, hand-to-hand tussles. मायुष्यम् Muscular strength is a desideratum for duels.

³ In ll. 31-36 Śukraśāstrīya has pointed out the proper method of developing the various kinds of military strength—(1) physical, (2) moral, (3) intellectual &c.

नमः Mantras and penances are prescribed for warriors in the use of missiles and weapons in all Hindu Treatises on Polity. Atharva Veda is the great and one of the first store-houses of these military charms and incantations.

⁴ The king should try to perpetuate himself and thus augment the strength or longevity of his life. The method suggested is कृतज्ञिय i.e., the performance of good deeds. कृतज्ञिय leads to popularity of the king and maintenance of the State in the same family for long. Thus the king himself lives long through posterity.

⁵ The relative proportion of the constituents of the Army according to Śukranīti :

पादाय (Footsoldiers)

= 4 वज्र (Horse).

वज्र (Bull)

= $\frac{1}{8}$ of "

मण्डप (Camel)

= $\frac{1}{2}$ of "

गज (Elephants)

= $\frac{1}{2}$ मण्डप

= $\frac{1}{2}$ of "

रथ (Chariot)

= $\frac{1}{2}$ वज्र

= $\frac{1}{8}$ of "

वृद्धालीक (Cannon i. e., artillery)

= 2 रथ

= $\frac{1}{2}$ of "

¹45-8. He should have in the army a predominance of footsoldiers, a medium quantity of horse, a small amount of elephant force, equal number of bulls and camels, but never elephants in excess.

²47-52. The ruler whose income is a *las karsha* or one lakh of rupees should have every year one hundred reserve force of the same age, well-accounted and decently equipped with weapons and missiles, three hundred footsoldiers armed with lesser fire-arms or guns—eighty horses, one chariot, two larger fire-arms or cannons, ten camels, two elephants, two chariots, sixteen bulls, six clerks, and three councillors.

³53-8. The ruler should every month spend one thousand and five hundred rupees on contingencies, charities and personal wants, one hundred on the clerks, three hundred on councillors, three hundred on wife

¹ Here is a general remark about the definite proportion stated above. The bulls and camels may be equal in amount, the particular injunction about elephants should be noted.

² The annual military establishment of the ruler worth Rs. 1,00,000 which is regarded as the 'unit' of political life is described in these lines. It provides for:—

- (1) 100 ~~war~~ or separate i. e., reserve force.
- (2) 300 Infantry with guns.
- (3) 80 Horses.
- (4) 1 Chariot.
- (5) 2 Cannons.
- (6) 10 Camels.
- (7) 2 Elephants.
- (8) 2 Chariots.
- (9) 16 Bulls.
- (10) 6 Clerks or Scribes.
- (11) 3 Councillors.

³ The monthly items of expenditure of the ruler worth one lakh have been given in these lines. The 'unit' of Disbursement in the annual budget gives the figures in the following schedule:

Items.	Per month. Per year.	
	Rs.	Rs.
(1). Personal wants, enjoyments and charities etc	... 1,500	18,000
(2) 6 Clerks or Scribes ... ..	... 100	1,200
(3) 3 Councillors ... ..	... 300	3,600
(4) Family ... ..	... 300	3,600
(5) Learning and education ... ..	... 200	2,400
(6) Horse and Foot ... ..	... 14,000	1,68,000
(7) Elephants, Camels, Bulls and Fire-arms ... ..	... 400	4,800
(8) Savings ... ..	... 1,500	18,000
Total	... 8,800	89,600

(about a lakh).

It would be interesting to note the salary bill of clerks and ministers. It appears that about Rs. 16 a month is the rate for each clerk, and Rs. 100 a month is fixed for the highest officer of a State yielding Rs. 1,00,000. Incidentally we get an idea of what is known as the Standard of Life and Comfort among the ancient Hindus.

and children, two hundred on the men of letters, four thousand* on the horsemen, horses and infantry, four hundred on elephants, camels, bulls, and fire-arms, and save the remaining one thousand and five hundred in the treasury.

*59. The ruler should annually withdraw money from the soldiers for their accoutrements.

*60-63. The chariot that is to be kept by the State should be made of iron, easily movable by means of wheels, placed on a platform, provided with a seat for the driver in the middle, filled with weapons and missiles in the interior, fitted up with arrangements for producing shade at will, beautiful to look at, and furnished with good horses.

*64-67. Harmful elephants are those that have blue palates, blue tongues, curved tusks, or no tusks, who persist long in their angry moods, whose rut gushes out without any systematic order, who shake their backs, who have less than eighteen nails, and whose tails touch and sweep the ground; good elephants have the opposite attributes.

*68. There are four classes of elephants—*Bhadra*, *Mandra*, *Mṛiga* and *Mīra*.

69-70. The *Bhadra* elephant is known to be that which has tusks coloured like honey (i. e., not pure white but yellowish), which is strong and well-formed, is round and fat in body, has good face and has excellent limbs.

*71-72. The *Mandra* elephant is that which has a fat belly, lion-like

There is another item to be noted in this schedule. This is about Learning and Education. Patronage of Education and Promotion of Learning by means of stipends, scholarships, rewards, honorariums etc. are compulsory items that cannot be neglected in the monthly State-Budgets. Men of letters are among the primary charges upon the income of the ruler. Hence there is a definite provision for them in the 'unit' of disbursement or the normal Budget of the one lakh standard.

* The soldiers have to pay for their own uniforms. But it appears that the State is to get these prepared and not to make the individuals responsible. The system seems to be that of granting liveries and uniforms from the State in exchange for the price to be paid by the soldiers. They cannot purchase these things in the open market at their own will.

* *वर्णः*—The tent on the chariot should be foldable and portable if need be, so that it may be convenient to regulate it according to the rays of the sun.

* The science about elephants is highly specialised in India. Hindu drivers and veterinary doctors are well up in the rules of elephant life. There are several marks known to them by which they can interpret the internal character of these animals and forebode good or evil of the owner.

* The celebrated four castes (वर्ण) are to be met with in almost every Hindu system of classification. Cf. the classification of wood, trees, and boats.

* *निर्गन्धः*—Eyes like those of the lion, i. e., which turn towards the back and the sides at intervals.

eyes, thick skin, thick throat and thick trunk, medium limbs and a long body.

73-74. The *Mriga* elephant is that which has small or short throat, tusks, ears and trunk, big eyes, and very short lips and genital organ, and is dwarf.

75. The *Mis'ra* elephant is that which has these characteristics in mixture.

76. The three species have separate measurements.

77-78. In elephant measurements one *angula* is made by eight *yardaras*, and one *kara* or cubit is made by twenty-four *angulæ*.

79-80. In the *Bhadra* class the height or stature is seven cubits, the length is eight cubits, and circumference of the belly is ten cubits.

81. The measurement of the *Mandra* and *Mriga* species are successively one cubit less than the preceding.

82. But it is mentioned by sages that the lengths of the *Mandra* and *Bhadra* class would be equal.

83-84. The best of all elephants is that which has long cheeks, eyebrows and forehead, has the swiftest speed, and has auspicious marks on the body.

85. The horse measure is separate, as indicated by the ratio that five *Yavas* make one *angula*.

¹ The *Misra* would thus be a non-descript, incapable of being classified or specified as belonging to a particular type.

² The relative proportions of limbs vary with the three classes.

³ The height of the *Mandra* would thus be five cubits, that of the *mriga* could be five cubits. The length of the *Mandra* would be seven cubits, i.e., one cubit less than that of *Bhadra*. But by this rule the lengths are equal. So *Mandra* is eight cubits long. Therefore *Mriga* is to be seven cubits not six as in 1. 81.

⁴ This is a special rule modifying that in the previous line. According to 1. 81 the length of the *mandra* ought to be seven cubits, i.e., one cubit less than that of *Bhadra*. But by this rule the lengths are equal. So *Mandra* is eight cubits long. Therefore *Mriga* is to be seven cubits not six as in 1. 81.

The following measurements are to be noted in ll. 77-82.

(a) Elephant measure:—

8 Yavas	...	...	...	1 Angula.
24 Angulas	...	...	...	1 Kara.

(b) Comparative statement of limbs:—

		Bhadra.	Mandra.	Mriga.
Height	...	7 karas	6 karas	5 karas.
Length	...	8 "	8 "	7 "
Circumference of belly	...	10 "	9 "	8 "

But these ~~was~~ or marks have not been mentioned in the Treatise.

In measuring horses people use a different standard from that used for elephants.

'86-89. The best horse is that whose face is twenty-four *angulas*. The good is that whose face is thirty-six *angulas*. The medium is that whose face is thirty-two *angulas*. The inferior is that whose face is twenty-eight *angulas*.

90. In horses all the limbs are made according to a certain proportion with the face.

'91-95. The height is three times the measure of the face. The length of the whole body from the crescent (top of the head) to the beginning or origin of the tail is four times the face together with its one-third. The circumference of the belly is three *angulas* over and above three times the face. These are the general rules of measurement of limbs. Elaborate details are being given below.

'96-101. In the horse of the twenty-eight-*angula*-face, the height of the heel (hoof) is three *angulas*, the ankle-joint (fetlock) four *angulas*, the leg is twenty *angulas*, the knee is three *angulas*, the thighs to the end of the elbow are twenty-four *angulas*. The space from the elbow-joint to the neck is thirty-eight *angulas*. The back thighs are equal to the face, the back legs are less than the face by a quarter.

102. The height has been already mentioned. The length is now being described according to the Śāstras.

'103-104. The length of the neck is 'extensive, one-sixth in addition to twice the face. The height of the neck is one-fourth and half of that less than the face.

¹ General remarks about the quality of horses :—

5 वष	...	...	...	...	1 वषमुल
The best horse has a face of	...	...	...	...	40 वषमुल
The good	"	"	...	...	36 "
The medium	"	"	...	...	32 "
The lowest	"	"	...	...	28 "

² The limbs of the horses are to have a fixed proportion with the face. Ordinary horse-measurements are :—

Stature	...	...	...	...	3 faces
Length	...	...	...	...	4½ "
Circumference of वक्ष	...	...	...	...	3 " 3 <i>angulas</i> .

³ वष heel or hoof. पशिराज from heel to ankle.

चतुर्विंशद्विंश *angulas* of four hands i.e., 20 *angulas*.

कुक्षि elbow, here the joint which connects the thighs with the trunk.

प्रत्यू back or hind. The back leg is thus twenty-eight minus seven or 21 *angulas*.

चतुर्विंशदीन less than the face by $\frac{1}{4}$ th and $\frac{1}{2}$ of $\frac{1}{4}$ th, i.e., 28 - ($\frac{1}{4}$ + $\frac{1}{2}$) of 24 *angulas* or about 28-7.5 or 18 *angulas*.

105-106. From the end of the neck to the origin of the genital organ the measure is equal to that of the neck. From there to the end of the vertebral column the space is one-half and one-sixth of the face.

107-108. The tail is half the face, the genital organ likewise, the testicles are half the tail and organ. The ear is six angulas long, may be four or five angulas also.

109-110. The circumference of the heel or hoof is one angula in addition to half the face. That of the portion just above is half of this, that of the legs is likewise.

111-113. The circumference of good thighs is eleven angulas according to the masters. The circumference of the back thighs is three times one-sixth. The outer aspect of the hind thigh and leg is to look like a curved bow.

114-115. The circumference of the hock at the ankle-joint is nine angulas. The circumference of the hind legs is equal to that of the fore-legs.

116-117. Space between two thighs is one angula. Breadth or width of the neck on which the hair grows is one and a half angula.

118-119. The mane should be made to grow beautifully downwards, to the extent of one cubit, from the space between the crown and the end of the neck.

120-122. The hair of the tail is one and a half cubit or two cubits. The length of the ears is seven, eight, nine or ten angulas, their width is three or four angulas.

123-125. The neck is neither fat nor flat but like that of the peacock. The circumference of the foreneck is one *mushti* or four angulas in addition to the face. The circumference of the origin of the neck (*i.e.*, where it comes out from the body) is twice the face minus ten angulas.

126-127. The good breast is one-third less than the face. The circumference of the forehead over the eyes is eight angulas in addition to the face.

128-129. The circumference of the face at the nose below the eye is equal to the face minus one-third.

130-131. The width of the eye is two angulas, their length is three angulas. Or the width two angulas and a half and the length is four angulas.

132. The space between two thighs is one-third face.

133. The space between the two eyes is one-fifth of the face.

From end of the vertebral column. $\frac{1}{2}$ or $\frac{1}{3}$ of 28 or 18 angulas.

134. The space between two ears is likewise, as well as the space between an eye and an ear.

135. The space between two heels, when the horse is standing erect is equal to the length of the ear.

¹136-7. The space between two eye-pupils, space between two eyes, as well as the space between the nose and the eye are one-third of the hind thigh.

138-9. The upper lip is one third of the face. The space between two nostrils is one-ninth of the same.

140. The body (from back to breast) is half of human height, and is equal to the breast at the end of the vertebral column.

141. The breast hangs low at the origin of the arms to the extent of one-fourth of the face.

142-3. The space between the arms at the breast is known to be one-sixth of the face. The lower lip is an angula and a half high together with the jaw.

144. That horse is beautiful which has a high neck and low back.

²145-7. If an image is to be made, the appropriate pattern or model should be always placed in front. No image can be made without a

¹ अङ्गुलि or hind thigh is 28 angulas. The space therefore is about 9 angulas.

² The following are the measurements given in II. 96-144. The type taken is that whose face is 28 angulas, i. e. the lowest species.

(a) Heights.

1. Heel or Hoof...	...	...	...	3	angulas.
2. Anklejoint ...	...	...	...	4	"
3. Fore leg ...	...	...	...	20	"
4. Knee ...	...	...	...	8	"
5. Fore thigh ...	...	...	...	14	"
6. Thigh to neck	...	...	...	38	"
7. Hind legs ...	...	...	...	28	"
8. Hind thighs	...	...	...	21	"
9. Neck ...	...	...	...	18	"

(b) Lengths.

1. Neck ...	...	...	...	60	angulas.
2. Body ...	...	...	...	60	"
3. From organ to end of vertebral column	...	...	...	18	"
4. Tail ...	...	...	...	14	"
5. Genital organ	...	...	...	14	"
6. Testicles ...	...	...	...	7	"
7. Ear ...	...	...	...	6, 4, or	"
8. Mane or Hair of neck	...	...	...	1	cubit
9. Hair of tail ...	...	...	...	1½ or 2	cubits
10. Eye ...	...	...	...	3 or 4	angulas.

model. So the artist should frame the limbs after meditating on the horse and finding out the measurements and attributes of horses in the manner indicated above.

149-53. The horse with divine attributes or excellent horse is that which has a beardless face, beautiful, smart and high nose, long and high neck, short belly, heels and ears, very swift speed, voice like the cloud and the gander, is neither very wicked nor very mild, has good form and colour and beautiful circular rings of feather.

154-55. Circular hair-rings or feather-rings are of two kinds—those turning leftwards or rightwards, full rings or partial rings, small rings or large rings.

156-57. The hair ring that turns leftwards is auspicious in the

(c) *Circumferences.*

1. Heel	15	angulas.
2. Anklejoint	7½	"
3. Fore leg	7½	"
4. Fore thigh	11	"
5. Hind thigh	88	"
6. Hock of the anklejoint	9	"
7. Hind leg	7½	"
8. Forepart of neck	32	"
9. End of neck	46	"
10. Forehead	36	"
11. Face at the nose below the eye	10	"

(d) *Distances, breadth, width, or space.*

1. Between two thighs at the back	1	angula.
2. The neck on which hair grows	1½	"
3. Ear	3 or 4	"
4. Breast	19	"
5. Eye	2 or 2½	"
6. Between two thighs	9	"
7. Between two eyes	5	"
8. Between two ears	5	"
9. Between eye and ear	5	"
10. Between two heels	6, 7, &c	"
11. Between two pupils of eyes	9	"
12. Between two eye brows	9	"
13. Between eye and nose	9	"
14. Between two nostrils	3	"
15. Between arms at breast	4	"
16. Lower lip	1½	"
17. Upper lip	9	"
18. Between back and breast	1½ cubits.	"

¹ If the hair-rings have a rightward direction in female horses, the result is inauspicious. So if a male horse has hair-rings which turn leftwards the result is not satisfactory.

female horse, and that which turns rightwards in the male horse. Not the contrary.

158. Their results vary with the directions in which they are formed, *e. g.*, downwards, upwards or oblique.

159-61. The auspicious marks made of hair or feather are the conch, wheel, mace, lotus, altar, seat of meditation, palace, gate, bow, pitcher full of water, white mustard seeds, garland, fish, dagger and *Śrīvatsa* gem.

162-63. Those horses are the very best which have these feathery shapes on the nose-tip, the forehead, throat and head.

164-65. Those are good horses which have these hair marks on the breast, neck, shoulder, waist, nape, belly and the front of the sides.

166-67. The *purnaharsha* horse is that which has two such marks on the brow and a third on the head.

168-69. The horse that has a mark on the backbone leads to the increase of the master's horses and is known as the *surya* horse.

170-71. The horse that has three marks on the forehead is known as *trikuta* and leads to the increase of horses.

172-73. The horse that has three such feather spots on the neck is the *vājeśha* or lord of horses in the royal stable.

174-75. If two marks are noticed on the cheeks of a horse they lead to the increase of fame and kingdom.

176-77. The horse that has however only one mark on the cheek is known as the *sarvanāma* and leads to the owner's ruin.

178-79. The horse that has a mark on the right cheek is known as the *siva* and leads to the happiness of the master.

180. The horse that has a mark on the left cheek is wicked and leads to loss of wealth.

181-83. The horses that have two spots on the ears are known as *Indra*, those that have marks on the nipples are known as *Vijaya*. Both give victory in wars and lead to the increase of territory.

184-85. The horse that has two marks, one on the side of the neck is known as *Padma*; and that brings several *Padmas* (*Padma*=one thousand billions) of wealth as well as unceasing happiness to the master.

186-87. The horse that has one or three marks in the nose is known as *Bhupala* and *Chakravarti*.

* If the feathers or hairs on the body of horses do assume some such shapes as are known to belong to the objects mentioned here, it is believed the proprietor will be happy. It thus appears that the marks on the horse's body need not all be circular. The marks may be of any shape and size.

संज्ञा (1) Seat of meditation, (2) white mustard seeds.

188-89. The horse that has one large mark on the throat is known as *Chintamani* and leads to the realisation of the desired objects.

190. The horses that have marks on the forehead and the throat are known as *Sulka* and give increase and game.

191-2. If the horse has marks in the mouth or at the end of the belly, it is sure to get death or causes ruin of the master.

193-95. The marks that are on the knees give the troubles of life abroad. That on the genital organ causes loss of victory and beauty. That on the end of the vertebral column means destruction of *trivargh*, i.e., every thing.

196-97. The horse that has a mark on the origin of the tail is ruinous and known as *Dhumaketu*. The horse that has a mark on the rectum, the tail and the end of the vertebral column is known as the *Kritānta*.

200-2. The marks are always bad if they are on eyes, jaws, cheeks, breast, throat, upper lip, kidney, waist, knee, genital organ, hump of the back, navel, right waist and right foot.

203-5. The marks are good if they are on the throat, the back, lower lip, space between ear and eye, left waist, sides, thighs, and fore legs.

206-7. Two marks on the forehead with space between indicate good and are like the sun and the moon. If they overlap they give medium results, but if they are too contiguous they are evil.

208-9. Three marks on the forehead with space between them one being on the top are indicative of good. But two marks very contiguous to each other are inauspicious.

210. Three triangular marks on the forehead are the causes of grief.

211. One mark in the middle of the throat is very auspicious and prevents all harms.

212. On the leg the downward mark is good, on the forehead the upward.

(?)213. A *Satapadi* which is turned backward is not all regarded as inauspicious.

214-15. The mark on the back of the genital organ or the nipple is bad. That near the ear also is bad.

216. If the horse has a mark on one of the upper sides of the neck it is called *Ekarashmi*.

217. The horse that has an upward mark on the leg is disparaged as the uprooter of posts.

218. The horse that has both good and evil marks is known to be *medium*.

219. The horse that has five white marks on the face and four legs is known as *Panchakalyāna*. The one that has in addition to these three marks on the breast, neck and tail is known as *Ashtamangala*.

220. The *Shyāmākarna* horse is that which has one colour throughout the body but has ears coloured *shyāma* i.e., greenish. If that one colour be white the horse is sacred and deserves to be worshipped.

223. The horse is known to be *Jayamangala* which has eyes like *vaiduryya* gem.

224. The horse may be worshipped, whether of one colour or of variegated colour, provided it is beautiful.

225. The horse with black legs as well as that with one white leg are disparaged.

226-28. The rough, grey coloured as well as ash-coloured horses are also despised. The horses with black roofs of mouth, black tongues, black lips, as well as those which are throughout black but have white tails are deprecated.

229-31. Those horses are good which run with legs thrown from a height, whose movements are like those of tigers, peacocks, ducks, parrots, pigeons, deer, camels, monkeys and bulls.

232-33. If the horse-man does not get tired by riding a horse even after over-feeding and over-drinking, the gait of the horse is known to be excellent, and the horse is also very good.

234-35. The horse that has one very white mark on the forehead but is throughout coloured otherwise is known as *dala bhanji*, the man who has such a horse is looked down upon.

23. All defects due to colour vanish if the horse has a decent aspect.

238. The horse that is strong, has good gait, is well-formed and not very wicked is much appreciated even if defiled by hair-marks.

239-43. Defects grow in horses through long continued absence of work. But through excessive work the horse grows lean and emaciated by disease. Without bearing burden the horse becomes unfit for any work. Without food it becomes sickly, but with excessive feeding it contracts disease. It is the good or bad qualifications of the trainer that give the horse good or bad gait.

¹ The five or eight white marks are so many auspicious signs.

² Some commonplace observations about food, exercise, work, training etc. of horses.

✓244-45 The good trainer is he who moves his legs below the knees, keeps his body erect, is fixed in his seat, and holds the bridle uniformly.

246-47. The good trainer should strike the horse at the proper place by whips mildly and not too severely but with medium pressure.

248-50. He should strike the horse at the sides if it neighs, also at the sides if it slips, at the ear if it shies, at the neck if it goes astray, at the space between the arms if angry, at the belly if absent-minded.

251. The horse is not struck at any other place by experts.

252-54. Or one should strike the horse at the breast if it be terrified, at the neck if it neighs, at the posterior if it slips, at the mouth if going astray, at the tail if it be angry, at the knees if it be absent-minded.

255-57. One should not strike the horse very often or at the wrong place. One adds to the defects of the horse by striking it at the wrong time and place. Those defects exist so long as the horse lives.

258. One should overpower the horse by whips, should never ride a horse without a whip.

259. The good horse should go one hundred *dhanu* in sixteen *mātrās*.

260. Horses are inferior according as their speed is lower (than the rate defined above).

261-63. The circle that is to be made for training the horse is of the highest class if one thousand *chāpīs* in circumference, is medium if half that size; inferior if half that, small if only one hundred *dhanu* in size, and very small if half that.

264-65. The trainer should daily increase the movement or speed of the horse by exercises within the circular ring in such a way that it can run one hundred *yojanas* in a day.

266-67. One should ride the horse in the morning and evening in October and November, winter and spring, in the evening in summer, in the morning in autumn.

268. One should not use the horse in the rainy season nor on uneven grounds.

* *सन्नि* at the proper place. The proper places are mentioned below.

† *चपुः*— $\frac{1}{2}$ Cubits. 100 *dhanus* make 400 cubits or 200 yards.

‡ *मात्रा*—a period of time. 10 *mātrās*—4 seconds.

$$\therefore 16 \text{ mātrās} = \frac{4 \times 16}{10} = 6.4 \text{ seconds.}$$

∴ in 1 hour, about 64 miles. The rate seems to be exaggerated.

§ *योजन*—4 miles. 100 *Yojanas* make 400 miles. But how does this rate tally with that given in I, 259?

269. The appetite, strength, prowess and health of the horse are promoted by well-regulated movements.

270-71. The horse that has got fatigue through work should be given a slight stroll for sometime, then should be fed upon sugar and powdered grains mixed with water.

272-73. The horse should be given peas or grains, *māsha*, *mungs*, both dry and wet, as well as well-cooked meat.

274. One should not use the whip at the places which have been wounded.

275-78. In the interest of its strength the horse should be given *gur* and salt just after work before the saddle and fittings are brought down. Then when the sweat has disappeared and it has stood calm and quiet the horse should be relieved of its fittings and reins.

279-80. The horse should be made to stroll in the dust after its limbs have been rubbed, and carefully tended with baths, drinks and foods.

281. Wines and juices of forest or wild animals take away all the defects of horses.

282. The horse should be made to take milk, ghee, water and powdered grains.

283-84. If the horse be made to carry burden just after taking food and drink, it soon contracts coughs and gasps and other diseases.

285-86. Barley and pea constitute the best food for horses, *māsha* and *muktushtha* are good, *masur* and *mungs* are inferior stuff.

✓287-88. The movements of horses are of six kinds—*dhārā*, *āskandita*, *rechita*, *pluta*, *dhauritaka*, *valgita*; each has its own characteristics.

289. The *dhārā* gait is known to be that which is very fast, in the midst of which a horse would get puzzled if spurred with the heels.

291-92. The *āskandita* movement of horses is known to be that in which the horse contracts its forelegs and runs with rapid leaps.

293. The *rechita* movement is that with short leaps but continuous.

294. The *pluta* movement is that in which the horse leaps with all the four legs like the deer.

295-96. The *dhauritaka* movement is rapid movement with uncontracted legs very useful in drawing chariot.

297-98. The *valgita* movement is that in which the horse runs with contracted legs, neck raised like that of the peacock, and half the body trembling.

¹ Several country grains, mainly pulses are mentioned here.

² These technical terms are being explained below.

299-300. In bulls the circumference of the belly is four times that of the face, the height or stature together with the hump is three times the face and the length is three times and a half of the face.

301. The bull that is seven *tālas* in height is appreciated if possessing all these attributes.

302-3. The bull that is neither idle nor wicked but a good beast for carrying burden, has a well-formed body and a good back, is the best of all.

304-5. The camel that is strong-built, has a good face, is nine *tālas* in stature, carries burden and goes thirty *yojanas* a day, is appreciated.

306-7. The age of one hundred years is the maximum for men and elephants.

307. The young age of both men and elephants extends up to the twentieth year.

308-9. The middle age of man extends up to the sixtieth year, that of elephants to the eightieth.

310-1. The maximum age of horses is thirty-four years. That of bulls and camels is twenty-five years.

✓312-3. The young age of horses, bulls and camels extends up to the fifth year. Their middle age extends up to the sixteenth year, old age since then.

314. The age of both bulls and horses is to be known from the growth and colour of teeth.

315-20. In the first year of horses six white teeth grow. In the second year the lower teeth get black and red. In the third year both the front teeth become black and this goes on till the sixth year. In the fourth year the two teeth by the side of the two front teeth are replaced by new teeth. In the fifth year the last two (molar) teeth are replaced and these blacken from the sixth year.

¹ The following table gives these distinctions between the various periods of life, viz. youth, manhood, old age, as pertaining to men, elephants, &c.

			Maximum age.	Youth.	Middle age.
Man	...	...	100 years	20 years	60 years
Elephant	...	...	100 "	20 "	80 "
Horse	...	...	34 "	5 "	16 "
Bull	...	...	25 "	5 "	16 "
Camel	...	...	25 "	5 "	16 "

² Thus in the course of five years the whole dental structure of horses is replaced. With the replacement of the natal teeth infancy is closed and middle age begins.

321-24. The teeth gradually yellow from the ninth year and whiten from the twelfth year, become transparent like glass from the fifteenth year, have the hue of honey from the eighteenth year and of conch from the twenty-first year. The last continues till the twenty-fourth.

325. Since twenty-fourth year the teeth get loose and separated, and begin to fall down in threes.

326-27. The horse that has attained full age gets three circular rows on the upper lip. The age is to be considered low in proportion as the rows are less.

328-29. The bad horses are those that throw kicks, make sounds with lips, shake their backs, tend to go down into water, suddenly stop in the midst of a movement, lie down on the back, move backwards and leap up.

330. As well as those that have snake-like tongues, the colour of bears, and are timid in character.

331. The horse that has a mark on the forehead disfigured by a minute blot (of another colour) is depreciated, as well as that which tears asunder the ropes.

332-35. All the eight white teeth of bulls grow in their fourth year. Two extreme (molar) teeth fall down and are replaced in the fifth year: in the sixth year the next two, in the seventh the next two, and in the eighth the central two.

¹ The changes in colour of horse's teeth as indicated in ll. 315-25 are given below :—

Age						Colour.
1st year	...	...	...	...	...	... white.
2nd year	...	...	...	...	...	... black and red.
3rd year—6th year	...	...	...	...	...	... black.
6th—9th year	...	...	...	...	...	... black.
9th—12th year	...	...	...	...	...	... yellow
12th—15th year	...	...	...	...	...	... white.
15th—18th year	...	...	...	...	...	... glass.
18th—21st year	...	...	...	...	...	... honey.
21st—24th year	...	...	...	...	...	... conch.

² These are some of the vicious habits of wicked horses.

³ छिद्र hole in the चिह्न (mark) on the नास (forehead). The hole here is a spot or blot of another colour which disfigures चिह्न or main mark on the brow.

आयुष्मन् which cuts the means of keeping the horse under control, e. g., destroys the fastenings, fittings, ropes, posts, reins, &c.

'336-37. Every two years the teeth get black, yellow, white, red and conch-like in order. Then their looseness and fall commence.

'338. The age of camels also has to be understood from considerations like these.

✓339-40. The hook with two mouths, one for movement forward and the other for movement backward has to be used in controlling the elephant. The driver should use this instrument for regulating the movements of the animal.

341-44. [Description of the bridle or reins]. The horse is to be controlled by such a bridle.

'345. The bull and the camel have to be governed by strings with which the nose can be pulled.

346. An instrument with seven sharp teeth is to be used in cleansing (or rubbing) these animals.

347-48. Men as well as beasts have to be always governed by adequate punishments. The soldiers have to be controlled by special methods not by fines.

¹ Each colour lasts for two years. As all the teeth get finally replaced in eight years, the colour changes up to the 18th year (2 years for every colour).

✓ In II. 77-338 we have been supplied with studies of animals for domestic as well as military use. The elaborate details about their size, shape, proportion of limbs, feeding, training, age, movements, medical treatment etc. though not quite relevant in a treatise on purely political subjects, are however called for according to the scope of the subject-matter which the author has taken up for himself. *Sukraniti* is a very comprehensive work as all Hindu social and human treatises are. As such it deals with all matters that directly or indirectly concern the main subject, viz., the promotion of human and social well-being.

The whole sub-section on the Animal-Force of the Military Department of the State gives a concrete picture of the exact manner in which the War establishment is governed. The various sciences and practical arts connected with the life-history, habits, habitats, food, diseases, external and internal characteristics have all been laid under contribution, and the account is incidentally suggestive of the vast knowledge of the animal world that the Hindus displayed in the specialised treatises, if any, on the animals. Zoology, Veterinary Science, at any rate, their practical aspects must have been highly developed, thus testifying to the genius of the Hindus for the inductive sciences of the physical, objective world. Some of these Biological treatises of the Hindus e.g., those on elephants, plants etc. have already acquired celebrity in connection with Ayurveda. In order that full justice may be done to the achievements of the Hindu sages in physical sciences those specialised treatises have to be edited and published. Works like *Sukraniti* can only suggest and indicate the lines of inquiry by pointing to or hinting at the existence of Hindu scientific works of a really technical character dealing with animals, minerals, and vegetables of the earth.

² The instruments by which the animals are governed in their movements are the hook, the bridle and the strings.