

186. Let him be very much on his guard against a friend who secretly serves the enemy and against (deserters) who return (from the enemy's camp); for such (men are) the most dangerous foes.

187. Let him march on his road, arraying (his troops) like a staff (i.e. in an oblong), or like a waggon (i.e. in a wedge), or like a boar (i.e. in a rhombus), or like a Makara (i.e. in two triangles, with the apices joined), or like a pin (i.e. in a long line), or like a Garuḍa (i.e. in a rhomboid with far-extended wings).

188. From whatever (side) he apprehends danger, in that (direction) let him extend his troops, and let him always himself encamp in an array, shaped like a lotus.

189. Let him allot to the commander-in-chief, to the (subordinate) general, (and to the superior officers) places in all directions, and let him turn his front in that direction whence he fears danger.

general, and workmen' (Medh., Gov., Kull., Rāgh.). Medh. adds that some name as the fifth component 'the treasury,' and that others explain the term by 'the sixfold division, mentioned by Kāmandi,' Nitisāra XVI, 6. The latter view is adopted by Nand. Nār. enumerates besides elephants, horses, chariots, and infantry, the riders on elephants and sâstropānāyakas (?).

187. The details regarding the various ways of arranging the troops are found in the Kāmandaki, Nitisāra XIX.

188. My translation of the last clause follows Gov., Nār., and Rāgh. Medh. says that the king shall leave the town with his army in the lotus-array, and Kull. speaks of a 'feigned encampment' (kapa/anivesanam kuryât). The lotus-array is stated to be 'equally extended on all sides and perfectly circular, the centre being occupied by the king.'

189. Medh. remarks that, as the subordinate general and the commander-in-chief are only two persons, they cannot possibly be stationed 'in all directions,' as the text prescribes, and that hence their servants (i.e. the superior officers) must also be intended.

190. On all sides let him place troops of soldiers, on whom he can rely, with whom signals have been arranged, who are expert both in sustaining a charge and in charging, fearless and loyal.

191. Let him make a small number of soldiers fight in close order, at his pleasure let him extend a large number in loose ranks; or let him make them fight, arranging (a small number) in the needle-array, (and a large number) in the thunderbolt-array.

192. On even ground let him fight with chariots and horses, in water-bound places with boats and elephants, on (ground) covered with trees and shrubs with bows, on hilly ground with swords, targets, (and other) weapons.

193. (Men born in) Kurukshetra, Matsyas, Pañkâlas, and those born in Sûrasena, let him cause to fight in the van of the battle, as well as (others who are) tall and light.

194. After arranging his troops, he should encourage them (by an address) and carefully inspect them; he should also mark the behaviour (of the soldiers) when they engage the enemy.

195. When he has shut up his foe (in a town), let him sit encamped, harass his kingdom, and continually spoil his grass, food, fuel, and water.

190. Nâr. explains gulmân, 'troops of soldiers,' by gulmade-sasthân, '(soldiers) standing in thickets' (?).

192. Sthale, 'on hilly ground' (nimnonnate, Râgh.), means according to Medh., Gov., and Kull. 'on ground free from stones, trees, creepers, thorns, pits, and the like.'

193. Kurukshetra, i. e. the neighbourhood of Delhi; Matsyas, i. e. the inhabitants of Bairâta or Vairâta, north of Jepur (Bhogapure, Medh.); Pañkâlas, i. e. the inhabitants of Kânyakubga (Kanag); Sûrasenas, i. e. the inhabitants of the country near Mathura (Ahikâtra, Gov.).

196. Likewise let him destroy the tanks, ramparts, and ditches, and let him assail the (foe unawares) and alarm him at night.

197. Let him instigate to rebellion those who are open to such instigations, let him be informed of his (foe's) doings, and, when fate is propitious, let him fight without fear, trying to conquer.

198. He should (however) try to conquer his foes by conciliation, by (well-applied) gifts, and by creating dissension, used either separately or conjointly, never by fighting, (if it can be avoided.)

199. For when two (princes) fight, victory and defeat in the battle are, as experience teaches, uncertain; let him therefore avoid an engagement.

200. (But) if even those three before-mentioned expedients fail, then let him, duly exerting himself, fight in such a manner that he may completely conquer his enemies.

201. When he has gained victory, let him duly worship the gods and honour righteous Brâhmanas, let him grant exemptions, and let him cause promises of safety to be proclaimed.

201-205. Vi. III, 47-49; Yâgñ. I, 342, 348-351.

201. 'The gods,' i.e. of the conquered country. Parihârân, 'exemptions,' i.e. 'from taxes and dues for a year or two' (Mêdh., Nand.), means according to Gov. 'gifts to Srotriyas and others' (srotriyâdigatâvasyadâneshu mayaitad anugñâtam ity evam); according to Kull. 'gifts to gods and Brâhmanas;' according to Nâr. 'Agrahâras or villages presented to Brâhmanas;' according to Râgh. 'gifts of clothes and ornaments to the inhabitants.' The term parihâra occurs very frequently in the inscriptions (see e.g. Arch. Reports of Western India, vol. iv, p. 104 seq.), and means, as the details adduced there show, 'exemption from taxes and payments as well as other immunities.' These parihâras were regularly attached to all grants to Brâhmanas or temples. In our passage a general temporary remission of the taxes is probably intended.

202. But having fully ascertained the wishes of all the (conquered), let him place there a relative of the (vanquished ruler on the throne), and let him impose his conditions.

203. Let him make authoritative the lawful (customs) of the (inhabitants), just as they are stated (to be), and let him honour the (new king) and his chief servants with precious gifts.

204. The seizure of desirable property which causes displeasure, and its distribution which causes pleasure, are both recommendable, (if they are) resorted to at the proper time.

205. All undertakings (in) this (world) depend both on the ordering of fate and on human exertion; but among these two (the ways of) fate are unfathomable; in the case of man's work action is possible.

206. Or (the king, bent on conquest), considering a friend, gold, and land (to be) the triple result (of an expedition), may, using diligent care, make peace with (his foe) and return (to his realm).

207. Having paid due attention to any king in the circle (of neighbouring states) who might attack him in the rear, and to his supporter who opposes

205. Yâgñ. I, 348. 'Action,' i.e. 'careful investigation,' hence one should strive to attain one's ends by exertion (Gov., Kull.), or 'remedial action' (pratikriyâ, Nâr.), or 'an effort' (purushakâra, Râgh.). Nand. takes the last clause differently, 'if there is a human effort, the action of fate takes place' (mânushe purushakâre sati daivasya kriyâ vidyate).

206. According to Gov., Kull., and Nâr. the meaning is that, if the foe is willing to make an alliance, to pay tribute, and to cede some territory, the king, bent on conquest, may also make peace with him without actually fighting and return home. In the MSS. of Medh. this and the next verses down to verse 211 are wanting, and the commentary on verse 211 is partly given.

207. The meaning of the verse is according to Gov., Kull., and

the latter, let (the conqueror) secure the fruit of the expedition from (the prince whom he attacks), whether (he may have become) friendly or (remained) hostile.

208. By gaining gold and land a king grows not so much in strength as by obtaining a firm friend, (who), though weak, (may become) powerful in the future.

209. A weak friend (even) is greatly commended, who is righteous (and) grateful, whose people are contented, who is attached and persevering in his undertakings.

210. The wise declare him (to be) a most dangerous foe, who is wise, of noble race, brave, clever, liberal, grateful, and firm.

211. Behaviour worthy of an Āryan, knowledge of men, bravery, a compassionate disposition, and great liberality are the virtues of a neutral (who may be courted).

212. Let the king, without hesitation, quit for his own sake even a country (which is) salubrious, fertile, and causing an increase of cattle.

Râgh. that the king, bent on conquest, shall secure his back before he undertakes an expedition. The prince immediately in his rear, who in the terms of the Nîti is called the pārshnigrâha, 'the heel-catcher,' may be supposed to be hostile to him and may be expected to invade his territory during his absence. It is, therefore, essential for the conqueror either to settle matters with him beforehand, or to secure the support of the next neighbour of the pārshnigrâha, who is technically called the âkranda and may be supposed to be inclined to check the pārshnigrâha.

208. Yâgñ. I, 351.

211. Sthaulalakshyam, 'great liberality' (Kull., Nâr., Râgh., Nand.), is explained, as Kull. asserts, by Medh. and Gov. 'being not sharp-sighted.' The Government copy of Gov. has, however, just the contrary, sūkshmadarsitvam. Medh.'s explanation is not decipherable.

213. For times of need let him preserve his wealth; at the expense of his wealth let him preserve his wife; let him at all events preserve himself even by (giving up) his wife and his wealth.

214. A wise (king), seeing that all kinds of misfortunes violently assail him at the same time, should try all (the four) expedients, be it together or separately, (in order to save himself.)

215. On the person who employs the expedients, on the business to be accomplished, and on all the expedients collectively, on these three let him ponder and strive to accomplish his ends.

216. Having thus consulted with his ministers on all these (matters), having taken exercise, and having bathed afterwards, the king may enter the harem at midday in order to dine.

217. There he may eat food, (which has been prepared) by faithful, incorruptible (servants) who know the (proper) time (for dining), which has been well examined (and hallowed) by sacred texts that destroy poison.

218. Let him mix all his food with medicines (that are) antidotes against poison, and let him always be careful to wear gems which destroy poison.

215. 'The person who employs the expedients,' i. e. 'himself' (Gov., Kull., Nâr., Râgh.); 'his minister or the like' (Nand.). Âsritya, 'let him ponder on' (manasâ balâbalâdidvârâ nîskitya, Nâr., Râgh.), means according to Medh., Gov., Kull. 'let him depend on.'

217-220. Vi. III, 85, 87-88; Yâgñ. I, 326.

218. Medh., Gov., Nâr., and Nand. read negayet, and Râgh. so-dhayet, 'let him purify,' instead of yogayet (Kull., K.), 'let him mix.' Nâr. explains niyatah (Medh., Nâr., Râgh.) or prayatah, 'careful' (yatnavân, Gov., Kull., Râgh.), by 'being pure.'

219. Well-tried females whose toilet and ornaments have been examined, shall attentively serve him with fans, water, and perfumes.

220. In like manner let him be careful about his carriages, bed, seat, bath, toilet, and all his ornaments.

221. When he has dined, he may divert himself with his wives in the harem; but when he has diverted himself, he must, in due time, again think of the affairs of state.

222. Adorned (with his robes of state), let him again inspect his fighting men, all his chariots and beasts of burden, the weapons and accoutrements.

223. Having performed his twilight-devotions, let him, well armed, hear in an inner apartment the doings of those who make secret reports and of his spies.

224. But going to another secret apartment and dismissing those people, he may enter the harem, surrounded by female (servants), in order to dine again.

225. Having eaten there something for the second time, and having been recreated by the sound of music, let him go to rest and rise at the proper time free from fatigue.

226. A king who is in good health must observe these rules; but, if he is indisposed, he may entrust all this (business) to his servants.

223. Yâgñ. I, 329. 'Of those who make secret reports,' i. e. 'of the ministers and the rest' (Nâr.), or 'of citizens who may have come' (Medh.).

225. Yâgñ. I, 330. 'Something,' i. e. 'not too much.'

CHAPTER VIII.

1. A king, desirous of investigating law cases, must enter his court of justice, preserving a dignified demeanour, together with Brâhmanas and with experienced councillors.

2. There, either seated or standing, raising his right arm, without ostentation in his dress and ornaments, let him examine the business of suitors,

3. Daily (deciding) one after another (all cases) which fall under the eighteen titles (of the law) according to principles drawn from local usages and from the Institutes of the sacred law.

4. Of those (titles) the first is the non-payment of debts, (then follow), (2) deposit and pledge, (3) sale without ownership, (4) concerns among partners, and (5) resumption of gifts,

5. (6) Non-payment of wages, (7) non-performance of agreements, (8) rescission of sale and purchase, (9) disputes between the owner (of cattle) and his servants,

6. (10) Disputes regarding boundaries, (11) assault and (12) defamation, (13) theft, (14) robbery and violence, (15) adultery,

VIII. 1. Vi. III, 72; Yâgñ. I, 359; II, 1; Gaut. XIII, 26; Vas. XVI, 2.

2. 'Standing,' i.e. 'in important cases' (Medh., Gov., Kull., Râgh.). 'Raising his right arm,' i.e. 'keeping it uncovered' (Nâr., Nand., Râgh., Gov.). Regarding the meaning of the action, see above, IV, 58.

3. Gaut. XI, 19-24; Vas. XVI, 4-5. 'Local usages,' i.e. 'the law of custom which is not opposed to the Sâstras' (Medh., Gov., Kull., Nâr.).

4. 'Non-payment of debts' (*rînasya adânam*, Nâr., Nand.) may also be translated 'recovery of debts' (*rînasya âdânam*).

7. (16) Duties of man and wife, (17) partition (of inheritance), (18) gambling and betting; these are in this world the eighteen topics which give rise to lawsuits.

8. Depending on the eternal law, let him decide the suits of men who mostly contend on the titles just mentioned.

9. But if the king does not personally investigate the suits, then let him appoint a learned Brâhmana to try them.

10. That (man) shall enter that most excellent court, accompanied by three assessors, and fully consider (all) causes (brought) before the (king), either sitting down or standing.

11. Where three Brâhmanas versed in the Vedas and the learned (judge) appointed by the king sit down, they call that the court of (four-faced) Brahman.

12. But where justice, wounded by injustice, approaches and the judges do not extract the dart, there (they also) are wounded (by that dart of injustice).

13. Either the court must not be entered, or the truth must be spoken; a man who either says nothing or speaks falsely, becomes sinful.

7. Vyavahârasthitau, 'which give rise to lawsuits' (Gov.), means according to Nâr. 'in deciding lawsuits.'

8. The word 'mostly' is intended to show that there are other titles besides, as Nârada declared (Medh., Gov., Kull., Nâr., Râgh.). Nand. omits this verse.

9. Vi. III, 73; Yâgñ. II, 3; Gaut. XIII, 26; Vas. XVI, 2.

10. Medh. says 'by (at least) three assessors.'

13. 'Must not be entered,' i.e. 'for the purpose of deciding causes' (Gov., Kull., Râgh.). But the further details show that the verse is intended as a general maxim, applicable to witnesses also.

14. Where justice is destroyed by injustice, or truth by falsehood, while the judges look on, there they shall also be destroyed.

15. 'Justice, being violated, destroys; justice, being preserved, preserves: therefore justice must not be violated, lest violated justice destroy us.'

16. For divine justice (is said to be) a bull (*vrisha*); that (man) who violates it (*kurute 'lam*) the gods consider to be (a man despicable like) a *Sûdra* (*vrishala*); let him, therefore, beware of violating justice.

17. The only friend who follows men even after death is justice; for everything else is lost at the same time when the body (perishes).

18. One quarter of (the guilt of) an unjust (decision) falls on him who committed (the crime), one quarter on the (false) witness, one quarter on all the judges, one quarter on the king.

19. But where he who is worthy of condemnation is condemned, the king is free from guilt, and the judges are saved (from sin); the guilt falls on the perpetrator (of the crime alone).

20. A *Brâhmana* who subsists only by the name of his caste (*gâti*), or one who merely calls himself a *Brâhmana* (though his origin be uncertain), may, at the king's pleasure, interpret the law to him, but never a *Sûdra*.

15. This admonition must be addressed by the assessors to a judge who acts against the law (Gov., Kull., Râgh.). Nand. reads *vaḥ*, 'you,' instead of *naḥ*, 'us.'

18. Gaut. XIII, 11; Baudh. I, 19, 8. *Sabhâsadaḥ*, 'the judges,' means according to Gov. 'all those in court who look on.' The judge and his assessors are, however, the persons really intended.

20. 'One who subsists only by the name of his caste,' i.e. 'a man of *Brâhmana* descent, who neither studies nor performs any other

21. The kingdom of that monarch, who looks on while a Sûdra settles the law, will sink (low), like a cow in a morass.

22. That kingdom where Sûdras are very numerous, which is infested by atheists and destitute of twice-born (inhabitants), soon entirely perishes, afflicted by famine and disease.

23. Having occupied the seat of justice, having covered his body, and having worshipped the guardian deities of the world, let him, with a collected mind, begin the trial of causes.

24. Knowing what is expedient or inexpedient, what is pure justice or injustice, let him examine the causes of suitors according to the order of the castes (*varna*).

act required by the sacred law' (Kull., Râgh.), or 'one who has not been initiated' (Nâr.). Brâhmanabruvaḥ, 'one who merely calls himself a Brâhmana (though his origin be doubtful, Kull., Râgh.), means according to Nâr. 'an initiated Brâhmana who does not study the Veda.' Medh. and Gov. take the two terms as referring to one person only, 'Even a despicable Brâhmana, who subsists merely by the name of his race,' i.e. neither studies the Veda, nor performs the rites, &c. The commentators point out that, as the employment of a Sûdra is emphatically forbidden, Kshatriyas and Vaisyas may be employed in cases of necessity.

22. Sûdrabhûyisham, 'where Sûdras are very numerous' (Gov., Kull., Râgh.), means according to Medh. 'where Sûdras mostly decide the law-cases,' according to Nand. 'where Sûdras are mostly employed in high offices.' Nâr. adds that each of the blemishes enumerated is sufficient to cause destruction.

24. Medh. and Râgh. give another optional explanation of the participial clause, 'Understanding that pure justice secures advantages and mere injustice disadvantages.' According to Kull. it means 'Knowing what is expedient and what inexpedient, but paying attention to justice and injustice alone.' Nâr. and Nand. give still more unacceptable interpretations. Gov., who considers the explanation adopted above the only correct one, explains 'what is expedient' by 'what will please the people,' and 'what is inex-

25. By external signs let him discover the internal disposition of men, by their voice, their colour, their motions, their aspect, their eyes, and their gestures.

26. The internal (working of the) mind is perceived through the aspect, the motions, the gait, the gestures, the speech, and the changes in the eye and of the face.

27. The king shall protect the inherited (and other) property of a minor, until he has returned (from his teacher's house) or until he has passed his minority.

28. In like manner care must be taken of barren women, of those who have no sons, of those whose family is extinct, of wives and widows faithful to their lords, and of women afflicted with diseases.

pedient' by 'what will make them angry;' Kull. and Râgh. by 'what will protect the people' and 'what will destroy them.'

25-26. Yâgñ. II, 15.

25. Gov. omits svara, 'voice,' and writes mukha, 'by the colour of the face.' Îngita, 'motions,' i.e. 'trembling, horripilation, &c.' (Medh., Gov., Râgh.), or 'looking down, &c.' (Kull.), or 'unintentionally moving the arms, &c.' (Nâr.). Âkâra, 'aspect,' i.e. 'pallor, &c.' (Gov.), or 'sweating, horripilation, &c.' (Kull., Nâr.). Medh. and Râgh. take âkâra to mean 'the manner' of the voice, &c., not as a separate class of signs. Keshâta, 'gestures,' i.e. 'moving, wringing the hands, &c.' (Gov., Kull., Râgh.), or 'intentional movements' (Nâr.).

27-29. Gaut. X, 48; Vas. XVI, 8; Vi. III, 65.

27. 'The minority ends with the sixteenth year' (Kull., Nâr.); see Nârada III, 37. The second term is intended to provide for the case of those who finish their Veda-study before the sixteenth year (Medh., Kull.), or of Sûdras (Medh.).

28. 'Those whose family is extinct,' i.e. 'maidens in that condition' (Gov.), or 'those who have quitted their families and become harlots' (Medh. 'others'). 'Wives faithful to their lords,' i.e. 'those whose husbands are absent' (Gov., Râgh.). The conditions

29. A righteous king must punish like thieves those relatives who appropriate the property of such females during their lifetime.

30. Property, the owner of which has disappeared, the king shall cause to be kept as a deposit during three years; within the period of three years the owner may claim it, after (that term) the king may take it.

31. He who says, 'This belongs to me,' must be examined according to the rule; if he accurately describes the shape, and the number (of the articles found) and so forth, (he is) the owner, (and) ought (to receive) that property.

32. But if he does not really know the time and the place (where it was) lost, its colour, shape, and size, he is worthy of a fine equal (in value) to the (object claimed).

33. Now the king, remembering the duty of good men, may take one-sixth part of property lost and afterwards found, or one-tenth, or at least one-twelfth.

of the king's protection are in every case that the relatives are either dead or unable to provide for the females or try to oppress them.

30-34. Âp. II, 28, 7-9; Gaut. X, 36-38; Vas. XVI, 20; Yâgñ. II, 33.

30. 'Property the owner of which has disappeared' means according to the commentators, 'property, found by the royal servants (in a forest or elsewhere, Medh.), the owner of which is not known.' Such property shall be proclaimed by beat of drum (Gov., Kull.). 'Others,' quoted by Medh., think that after three years the king may use it as his own, but has still to restore it, if the owner appears. Nand. points out that the rule does not refer to Brâhmanical property (see Gaut. loc. cit.).

33. The amount to be taken by the king depends according to Medh. on the length of time for which it has been kept (so also

34. Property lost and afterwards found (by the king's servants) shall remain in the keeping of (special) officials; those whom the king may convict of stealing it, he shall cause to be slain by an elephant.

35. From that man who shall truly say with respect to treasure-trove, 'This belongs to me,' the king may take one-sixth or one-twelfth part.

36. But he who falsely says (so), shall be fined in one-eighth of his property, or, a calculation of (the value of) the treasure having been made, in some smaller portion (of that).

37. When a learned Brâhmaṇa has found treasure, deposited in former (times), he may take even the whole (of it); for he is master of everything. ✓

38. When the king finds treasure of old concealed in the ground, let him give one half to Brâhmaṇas and place the (other) half in his treasury. ✓

39. The king obtains one half of ancient hoards and metals (found) in the ground, by reason of

Râgh.), or on the trouble which it gave (so also Gov.) and the king's compassion; according to Kull. and Nâr., on the virtues of the owner. Medh. places this verse after verse 34.

35-39. Gaut. X, 43-45; Vas. III, 13-14; Vi. III, 56-64; Yâgñ. II, 34-35.

35. 'Treasure-trove,' i.e. 'valuables secretly buried in the ground' (Medh.). The amount to be taken depends on the 'virtues' of the finder (Medh., Gov., Kull., Râgh.), or on his caste (Nâr.), or on the place and time, the caste, &c. (Gov.).

36. The amount of the fine depends on the circumstances of the case or the 'virtues' of the offender (Medh.), or on the 'virtues' of the offender alone (Gov., Kull., Râgh.).

37. Medh., Gov., Nâr. take, as Kull. points out, most improperly *pârvopanīhitam*, 'deposited in former times,' to mean 'deposited by his ancestors.' The parallel passages of Vishṇu and others are perfectly clear on the point.

39. I take the last clause, which might also be translated '(and)

(his giving) protection, (and) because he is the lord of the soil.

40. Property stolen by thieves must be restored by the king to (men of) all castes (*varna*); a king who uses such (property) for himself incurs the guilt of a thief.

41. (A king) who knows the sacred law, must inquire into the laws of castes (*gâti*), of districts, of guilds, and of families, and (thus) settle the peculiar law of each.

42. For men who follow their particular occupations and abide by their particular duty, become dear to people, though they may live at a distance.

43. Neither the king nor any servant of his shall

because he is the lord of the earth,' as a distinct recognition of the principle that the ownership of all land is vested in the king. Medh. says, 'he is the lord of the soil (*bhûmi*); it is just that a share should be given to him of that which is found in the soil belonging to him (*tadiyâyâ bhuvo yallabdhham*).'

40. Âp. II, 26, 8; Gaut. X, 46-47; Vi. III, 66-67; Yâgñ. II, 36. I.e. 'if he recovers it' (Medh., Gov., Kull., Nâr., Râgh., Nand.). Medh. reads *kaurîhrîtam*, and mentions another reading, *kaurahrîtam*, which Râgh. has, and thinks that it may mean that the king must make good stolen property which is not recovered.

41. Âp. II, 15, 1; Gaut. XI, 20; Vas. XIX, 7; Baudh. I, 2, 1-8; Vi. III, 3; Yâgñ. I, 360. *Gâti*, 'castes,' i.e. 'Brâhmanas and so forth' (Kull., Nâr., Râgh., Nand.). *Gânâpada*, 'the laws of districts, e.g. of the Kuru, Kâsi or Kâsmîra countries' (Medh.), or 'of certain districts' (*desa*, Gov., Kull., Râgh.), or 'of the inhabitants of one and the same village' (Nâr.). Medh. gives also other explanations of the compound *gâtigânâpadân*, 'of local castes' or 'natives of different countries.' *Srenî*, 'guilds,' i.e. 'of merchants, &c.' (Medh. Kull., Nâr., Râgh.), or 'of merchants and husbandmen, &c.' (Gov.), or 'of merchants and actors, &c.' (Nand.). Râgh. reads *paripâlayet*, 'and protect the peculiar law of each.' It must, of course, be understood that the customs are not opposed to the sacred law (Medh., Gov., Kull., Râgh.).

43. Gaut. XIII, 27. '(Some) other (man),' i.e. 'the plaintiff'

themselves cause a lawsuit to be begun, or hush up one that has been brought (before them) by (some) other (man).

44. As a hunter traces the lair of a (wounded) deer by the drops of blood, even so the king shall discover on which side the right lies, by inferences (from the facts).

45. When engaged in judicial proceedings he must pay full attention to the truth, to the object (of the dispute), (and) to himself, next to the witnesses, to the place, to the time, and to the aspect.

46. What may have been practised by the virtuous, by such twice-born men as are devoted to the law, that he shall establish as law, if it be not

(Medh.), or 'the plaintiff or the defendant' (Kull.), or 'any suitor.' 'Others' explain the second half of the verse according to Medh., as follows, 'and let him not appropriate money brought to him in any other manner than for the suit.'

44. Thus Kull. and Râgh. But Medh. and Gov. take the verse a little differently, 'As the hunter tracks the steps of (a wounded) deer,' &c.

45. 'The truth,' i. e. 'removing all fraud' (Kull., Râgh.), or 'what portion (of this suit) is based on truth' (Nâr., Nand.). Artham, 'the object of the dispute,' i. e. 'if it be not too insignificant, in which case the plaint must not be accepted' (Medh., Gov., Kull., Râgh.). Nâr. explains artha by 'the money realised by a fine and the like,' Nand. by 'the aim.' 'Himself,' i. e. 'that he will obtain heaven by a just decision' (Kull., Râgh.). 'The place and the time,' i. e. 'what is befitting the place and the time' (Kull.), or 'the place, e. g. Banâras, and the time (e. g. of a famine) where and when the offence has been committed, and which may make the case lighter or heavier' (Medh., Râgh.), or 'the customs of the country and what is befitting the time' (Nâr.), or 'the place where the offence was committed and the age of the offender' (Gov.). Rûpam, 'the aspect,' i. e. 'the nature of the object' (Medh., Nand.), or 'the nature of the case' (Kull.), or 'the looks of the parties' (Medh., 'others,' Gov., Nâr., Râgh.).

46. Thus Kull., Nâr., Râgh., and Nand. But Medh. takes the verse differently, 'What has been practised by the virtuous and by

opposed to the (customs of) countries, families, and castes (*gâti*).

47. When a creditor sues (before the king) for the recovery of money from a debtor, let him make the debtor pay the sum which the creditor proves (to be due).

48. By whatever means a creditor may be able to obtain possession of his property, even by those means may he force the debtor and make him pay.

49. By moral suasion, by suit of law, by artful management, or by the customary proceeding, a creditor may recover property lent; and fifthly, by force.

50. A creditor who himself recovers his property from his debtor, must not be blamed by the king for retaking what is his own.

51. But him who denies a debt which is proved by good evidence, he shall order to pay that debt

twice-born men that he shall establish as law for countries, families, and castes, if it is not opposed (to texts of the *Sruti* and *Smṛiti*). Gov. reads *anurûpam*, 'conform with,' instead of *avirud-dham*, 'not opposed,' and seems to agree with Medh. He says, 'And thus let him punish in lawsuits the litigant who acts in a contrary manner; and as here the phrase "what is practised by the virtuous" is used, this (rule) must refer to good conduct.' But the rule, given in verse 41, must refer to laws other than '(those relating to) good conduct.'

49. *Vyavahâreṇa*, 'by suit of law' (Gov., Kull., Nâr.), or 'by threatening a lawsuit' (Nand.), or 'by forced labour' (Medh.), or 'by a forcible sale of property' (Râgh.). *Âkârita*, 'the customary proceeding,' i. e. 'by killing one's wife, children, and cattle, and sitting at the debtor's door.' *Bṛihaspati*, quoted by Kull. and Râgh., or 'by fasting' (Gov.), or 'by the creditor's starving himself to death' (Nâr.). This custom corresponds to the so-called *prâyopavesana*, or *Dharma*, and to the *Traṅga* of the bards.

50. Vi. VI, 19; *Yâgñ.* II, 40.

51. 'In this case self-help must not be used' (Medh.). Regarding the amount of the fine, see below, verse 139.

to the creditor and a small fine according to his circumstances.

52. On the denial (of a debt) by a debtor who has been required in court to pay it, the complainant must call (a witness) who was present (when the loan was made), or adduce other evidence.

53. (The plaintiff) who calls a witness not present at the transaction, who retracts his statements, or does not perceive that his statements (are) confused or contradictory;

54. Or who having stated what he means to prove afterwards varies (his case), or who being questioned on a fact duly stated by himself does not abide by it;

55. Or who converses with the witnesses in a place improper for such conversation; or who declines to answer a question, properly put, or leaves (the court);

56. Or who, being ordered to speak, does not answer, or does not prove what he has alleged; or who does not know what is the first (point), and what the second, fails in his suit.

57. Him also who says 'I have witnesses,' and,

52. Instead of *desyam*, '(a witness) who was present (when the loan was made,' K., Râgh., Kull.), Medh., Gov., Nâr., and Nand. read *desam*, '(must point out) the place.'

53-56. Yâgñ. II, 16.

53. Medh., Gov., Nâr., and Nand. read *apadesam*, 'a wrong or impossible place,' instead of *adesyam*, 'a witness not present.' Kull. reads according to the editions, '*adesyam*,' but his explanation agrees with the other reading.

54. *Pravîhitam*, 'duly stated (by himself),' (Kull., Nand.), i. e. 'in the plaint' (Gov.), means according to Râgh. and Nâr. 'duly ascertained.'

56. 'Who does not know what is the first (point) and what is the second,' i. e. 'what is the proof and what the matter to be proved' (Kull., Râgh.), or 'what ought to be said first and what later' (Nâr., Nand.).

being ordered to produce them, produces them not, the judge must on these (same) grounds declare to be non-suited.

58. If a plaintiff does not speak, he may be punished corporally or fined according to the law; if (a defendant) does not plead within three fortnights, he has lost his cause.

59. In the double of that sum which (a defendant) falsely denies or on which (the plaintiff) falsely declares, shall those two (men) offending against justice be fined by the king.

60. (A defendant) who, being brought (into court) by the creditor, (and) being questioned, denies (the debt), shall be convicted (of his falsehood) by at least three witnesses (who must depose) in the presence of the Brâhmana (appointed by) the king.

61. I will fully declare what kind of men may be made witnesses in suits by creditors, and in what manner those (witnesses) must give true (evidence).

62. Householders, men with male issue, and indigenous (inhabitants of the country, be they) Kshatriyas, Vaisyas, or Sûdras, are competent, when called by a suitor, to give evidence, not any persons whatever (their condition may be) except in cases of urgency.

58. 'If a plaintiff does not speak,' i.e. 'after bringing a suit' (Kull.). Corporal punishment is for heavy cases (Kull.).

59. Yâgñ. II, 59.

60. Thus Gov., Kull., Râgh., but the last words may also mean 'in the presence of the king and of the Brâhmanas.'

61-72. Âp. II, 29, 7; Gaut. XIII, 1-4; Vas. XVI, 28-30; Baudh. I, 19, 13; Vi. VIII, 7-9; Yâgñ. II, 68-72.

62. Medh. and Nâr. refer the expression 'not any person whatever (their condition may be),' to such as volunteer to give evidence without being summoned. The 'cases of urgency' are those mentioned below, verse 69.

63. Trustworthy men of all the (four) castes (varna) may be made witnesses in lawsuits, (men) who know (their) whole duty, and are free from covetousness; but let him reject those (of an) opposite (character).

64. Those must not be made (witnesses) who have an interest in the suit, nor familiar (friends), companions, and enemies (of the parties), nor (men) formerly convicted (of perjury), nor (persons) suffering under (severe) illness, nor (those) tainted (by mortal sin).

65. The king cannot be made a witness, nor mechanics and actors, nor a Srotriya, nor a student of the Veda, nor (an ascetic) who has given up (all) connexion (with the world),

66. Nor one wholly dependent, nor one of bad fame, nor a Dasyu, nor one who follows forbidden

64. 'Who have an interest in the suit' (Nâr.) means according to Medh., Gov., Kull., and Râgh. 'connected by money, i. e. creditors or debtors of the parties,' or according to Nand. 'men who have received benefits from one of the parties.' Sahâya, 'companions,' i. e. 'sureties and the like' (Medh.), or 'servants' (Kull., Nâr.). Drîshadasha, 'men formerly convicted (of perjury),' (Medh., Gov., Kull., Nâr., Râgh., Nand.), may according to Medh. also mean 'men who have been convicted (of any serious offence).' Men afflicted with serious illnesses must not be made witnesses, because such men are liable to become angry or to forget and thus to give false evidence (Medh.). Dûshita, 'tainted,' i. e. by mortal crimes or numerous smaller offences (Medh., Kull., Râgh.), means according to Nâr. and Nand. Abhisastas, 'those accused of such crimes.'

65. Kusîlava, 'actors' (Nâr.), or 'dancers, musicians, and singers' (Medh.), or 'actors and so forth' (Gov., Kull.), or 'singers' (Nand.). A Srotriya, or Brâhmana learned in the Vedas, cannot be made a witness, because he has to attend to his studies and to the Agnihotra (Medh., Kull., Nâr., Râgh., Gov., Nand.). The same remark applies to the last two classes. Lîngastha, 'a student,' includes according to Nâr., Gov., Nand., Medh. also 'ascetics.'

66. 'One wholly dependent,' i. e. 'a slave by birth' (Medh., Gov.,

occupations, nor an aged (man), nor an infant, nor one (man alone), nor a man of the lowest castes, nor one deficient in organs of sense,

67. Nor one extremely grieved, nor one intoxicated, nor a madman, nor one tormented by hunger or thirst, nor one oppressed by fatigue, nor one tormented by desire, nor a wrathful man, nor a thief.

68. Women should give evidence for women, and for twice-born men twice-born men (of the) same (kind), virtuous Sûdras for Sûdras, and men of the lowest castes for the lowest.

69. But any person whatsoever, who has personal knowledge (of an act committed) in the interior apartments (of a house), or in a forest, or of (a crime causing) loss of life, may give evidence between the parties.

70. On failure (of qualified witnesses, evidence)

Kull., Nâr., Râgh.). Vaktavya, 'one of bad fame,' may according to Medh. also mean 'one afflicted with leprosy or some other bad disease.' Dasyu, i. e. 'a servant for wages' (Medh., Gov., Râgh.), or 'a hard-hearted man' (Medh.), or 'an angry man' (Kull.), or 'a murderer' (Râgh.), or 'a low-caste man' (Nand.). The term denotes, however, properly the aboriginal robber-tribes, and probably includes all those resembling them. 'One who follows forbidden occupations,' i. e. 'a Brâhmana who has become a warrior or a trader and the like' (Medh.), or 'a butcher and the like' (Nâr.).

68. Vas. XVI, 30. 'Women should give evidence for women only in cases between women or in matters concerning the female sex, which they alone may be supposed to know' (Medh., Gov., Kull.). 'Twice-born men of the same kind,' i. e. 'of the same caste' (Kull., Nâr., Nand.), or 'of the same caste and equally virtuous' (Gov.), or 'of the same place,' or 'of the same caste, occupations, &c.' (Medh.).

69. 'Of (a crime causing) loss of life,' i. e. 'of robberies, murders, and the like' (Medh., Gov., Kull.).

70. The rule refers to the cases mentioned in verse 69 (Gov., Kull.), or to the last only (Nâr.).

may be given (in such cases) by a woman, by an infant, by an aged man, by a pupil, by a relative, by a slave, or by a hired servant.

71. But the (judge) should consider the evidence of infants, aged and diseased men, who (are apt to) speak untruly, as untrustworthy, likewise that of men with disordered minds.

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

73. On a conflict of the witnesses the king shall accept (as true) the (evidence of the) majority; if (the conflicting parties are) equal in number, (that of) those distinguished by good qualities; on a difference between (equally) distinguished (witnesses, that of) the best among the twice-born.

74. Evidence in accordance with what has actually been seen or heard, is admissible; a witness who speaks truth in those (cases), neither loses spiritual merit nor wealth.

75. A witness who deposes in an assembly of honourable men (Ārya) anything else but what he has seen or heard, falls after death headlong into hell and loses heaven.

73. Vi. VIII, 39; Yāgñ. II, 78, 80. 'The best of the twice-born,' i.e. 'Brāhmaṇas' (Gov., Nār.), or 'particularly distinguished Brāhmaṇas, who fulfil their sacred duties' (Kull., Rāgh.).

74-75. Āp. II, 29, 9-10; Gaut. XIII, 7; Baudh. I, 19, 14-15; Vas. XVI, 36; Vi. VIII, 13-14.

74. 'Nor wealth,' i.e. 'he will not be fined.'

75. 'In an assembly of honourable men,' i.e. in court (Medh.), or 'in an assembly of Brāhmaṇas' (Gov.). 'And loses heaven,' i.e. which he may have earned by good works (Medh., Gov., Kull., Nand.), or 'even after passing through hell, he cannot get into heaven, because his merit is extinct' (Nār.).

76. When a man (originally) not appointed to be a witness sees or hears anything and is (afterwards) examined regarding it, he must declare it (exactly) as he saw or heard it.

77. One man who is free from covetousness may be (accepted as) witness; but not even many pure women, because the understanding of females is apt to waver, nor even many other men, who are tainted with sin.

78. What witnesses declare quite naturally, that must be received on trials; (depositions) differing from that, which they make improperly, are worthless for (the purposes of) justice.

79. The witnesses being assembled in the court in the presence of the plaintiff and of the defendant, let the judge examine them, kindly exhorting them in the following manner:

80. 'What ye know to have been mutually transacted in this matter between the two men before us, declare all that in accordance with the truth; for ye are witnesses in this (cause).

81. 'A witness who speaks the truth in his evidence, gains (after death) the most excellent regions (of bliss) and here (below) unsurpassable fame; such testimony is revered by Brahman (himself).

76. '(Originally) not appointed (to be a witness),' i.e. 'not entered as a witness in the document' (Medh.), 'but accidentally present at the transaction' (Kull., Nâr., Nand.).

78. 'Quite naturally,' i.e. 'not out of compassion, in the belief of gaining merit, or depending on women' (Medh.), or 'not out of fear and the like' (Kull.), or 'without hesitation, quickly' (Nâr.). Gov. and Nand. explain it 'in accordance with the truth.'

79. Gaut. XIII, 5.

80-101. Âp. II, 29, 9-10; Gaut. XIII, 14-22; Vas. XVI, 32-34; Baudh. I, 19, 9-12; Vi. VIII, 19-37; Yâgñ. II, 73-75.

82. 'He who gives false evidence is firmly bound by Varuṇa's fetters, helpless during one hundred existences; let (men therefore) give true evidence.

83. 'By truthfulness a witness is purified, through truthfulness his merit grows; truth must, therefore, be spoken by witnesses of all castes (varṇa).

84. 'The Soul itself is the witness of the Soul, and the Soul is the refuge of the Soul; despise not thy own Soul, the supreme witness of men.

85. 'The wicked, indeed, say in their hearts, "Nobody sees us;" but the gods distinctly see them and the male within their own breasts.

86. 'The sky, the earth, the waters, (the male in) the heart, the moon, the sun, the fire, Yama and the wind, the night, the two twilights, and justice know the conduct of all corporeal beings.'

87. The (judge), being purified, shall ask in the forenoon the twice-born (witnesses) who (also have been) purified, (and stand) facing the north or the east, to give true evidence in the presence of (images of) the gods and of Brāhmaṇas.

88. Let him examine a Brāhmaṇa (beginning with) 'Speak,' a Kshatriya (beginning with) 'Speak the truth,' a Vaisya (admonishing him) by (mentioning) his kine, grain, and gold, a Sūdra (threatening

82. 'Varuṇa's fetters,' i. e. 'terrible snake-bonds or dropsy' (Medh., Kull.). Gov. mentions the snake-bonds alone, and Rāgh. says that the verse threatens the punishment of hell. Dropsy is a disease specially attributed to Varuṇa, see Rig-veda VII, 89, 1, and the story of Sunaḥsepha, Ait. Brāhm. VII, 15. The fetters of Varuṇa are mentioned as the punishment of liars, Atharva-veda IV, 16, 6.

86. '(The male in) the heart,' i. e. 'the male or spirit (puruṣa) who resides in the human heart, clothed with a rudimentary body' (Medh.), and similarly the other commentators.

88. '(Admonishing him) by (mentioning) his kine, grain, or gold,' i. e. 'threatening him with the guilt of all offences committed against

him) with (the guilt of) every crime that causes loss of caste;

89. (Saying), 'Whatever places (of torment) are assigned (by the sages) to the slayer of a Brāhmaṇa, to the murderer of women and children, to him who betrays a friend, and to an ungrateful man, those shall be thy (portion), if thou speakest falsely.

90. '(The reward) of all meritorious deeds which thou, good man, hast done since thy birth, shall become the share of the dogs, if in thy speech thou departest from the truth.

91. 'If thou thinkest, O friend of virtue, with respect to thyself, "I am alone," (know that) that sage who witnesses all virtuous acts and all crimes, ever resides in thy heart.

92. 'If thou art not at variance with that divine Yama, the son of Vivasvat, who dwells in thy heart, thou needest neither visit the Ganges nor the (land of the) Kurus.

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

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

95. 'That man who in a court (of justice) gives an untrue account of a transaction (or asserts a fact) of which he was not an eye-witness, resembles a blind man who swallows fish with the bones.

96. 'The gods are acquainted with no better man

kine, &c.' (Medh.), or 'with the guilt of the theft of kine, &c.' (Gov., Kull., Rāgh.), or 'with the loss of his kine, &c.' (Nār.), or 'by making him touch a cow, &c.' (Nand.).



in this world than him, of whom his conscious Soul has no distrust, when he gives evidence.

97. 'Learn now, O friend, from an enumeration in due order, how many relatives he destroys who gives false evidence in several particular cases.

98. 'He kills five by false testimony regarding (small) cattle, he kills ten by false testimony regarding kine, he kills a hundred by false evidence concerning horses, and a thousand by false evidence concerning men.

99. 'By speaking falsely in a cause regarding gold, he kills the born and the unborn; by false evidence concerning land, he kills everything; beware, therefore, of false evidence concerning land.

100. 'They declare (false evidence) concerning water, concerning the carnal enjoyment of women, and concerning all gems, produced in water, or consisting of stones (to be) equally (wicked) as a lie concerning land.

101. 'Marking well all the evils (which are pro-

97. Hanti, 'destroys or kills,' i. e. 'causes to fall into hell' (Medh., Gov., Kull., Nâr.), or 'causes to fall from heaven and to be reborn in the wombs of animals' (Râgh.). Medh. and Kull. (verse 99) give another explanation of this expression, viz. 'incurs a guilt as great as if he had killed them.'

98. 'Men,' i. e. 'slaves.'

99. 'Everything,' i. e. 'everything animated' (Gov., Kull), or 'even more than a thousand' (Nâr., Râgh.).

100. 'Water,' i. e. 'wells, tanks, &c.' 'Gems produced in water,' i. e. 'pearls, coral, &c.'

Verse 99 is placed by Nand. before verse 100, and some others are inserted between and after them, but the confusion is probably owing merely to clerical errors, as no commentary is given.

101. Añgasâ, 'openly,' means according to Gov. and Kull. 'truly,' according to Nâr. 'quickly.'

duced) by perjury, declare thou openly everything as (thou hast) heard or seen (it).'

102. Brâhmanas who tend cattle, who trade, who are mechanics, actors (or singers), menial servants or usurers, the (judge) shall treat like Sûdras.

103. In (some) cases a man who, though knowing (the facts to be) different, gives such (false evidence) from a pious motive, does not lose heaven; such (evidence) they call the speech of the gods.

104. Whenever the death of a Sûdra, of a Vaisya, of a Kshatriya, or of a Brâhmaṇa would be (caused) by a declaration of the truth, a falsehood may be spoken; for such (falsehood) is preferable to the truth.

105. Such (witnesses) must offer to Sarasvatî oblations of boiled rice (*karu*) which are sacred to the goddess of speech, (thus) performing the best penance in order to expiate the guilt of that falsehood.

106. Or such (a witness) may offer according to the rule clarified butter in the fire, reciting the Kûshmânda texts, or the *Rik*, sacred to Varuna, 'Untie, O Varuna, the uppermost fetter,' or the three verses addressed to the Waters.

107. A man who, without being ill, does not give evidence in (cases of) loans and the like within three fortnights (after the summons), shall become respon-

102. Vas. III, 1.

103-104. Gaut. XIII, 24-25; Vas. XVI, 36; Vi. VIII, 15; Yâgñ. II, 83.

103. Nand. omits this verse.

105-106. Baudh. I, 19, 16; Vi. VIII, 16; Yâgñ. II, 83.

106. The Kûshmânda texts are found Taitt. Âr. X, 3-5; the verse addressed to Varuna, Rîg-veda I, 24, 15; and the three verses addressed to the Waters, Rîg-veda X, 9, 1-3.

107. Yâgñ. II, 76.



sible for the whole debt and (pay) a tenth part of the whole (as a fine to the king).

108. The witness to whom, within seven days after he has given evidence, happens (a misfortune through) sickness, a fire, or the death of a relative, shall be made to pay the debt and a fine.

109. If two (parties) dispute about matters for which no witnesses are available, and the (judge) is unable to really ascertain the truth, he may cause it to be discovered even by an oath.

110. Both by the great sages and the gods oaths have been taken for the purpose of (deciding doubtful) matters; and Vasishtha even swore an oath before king (Sudâs), the son of Pigavana.

111. Let no wise man swear an oath falsely, even in a trifling matter; for he who swears an oath falsely is lost in this (world) and after death.

112. No crime, causing loss of caste, is committed by swearing (falsely) to women, the objects of one's desire, at marriages, for the sake of fodder for a cow, or of fuel, and in (order to show) favour to a Brâhmana.

108. Yâgñ. II, 113.

109. Gaut. XIII, 12-13; Vi. IX, 2-9. According to Medh. sapatha, 'oath,' is used for the whole *daiva anumâna*, 'divine proof,' and thus includes the ordeals.

110. Medh. and Gov. point out that the seven sages purified themselves by oaths when they mutually accused each other of a theft of lotus-fibres (Mah. XIII, 93, 13 seqq.), and that Indra swore an oath when he was accused of an intrigue with Ahalyâ, the wife of Gautama. Vasishtha finally cleared himself of the accusation which Visvâmitra brought against him before king Sudâs, that he was a Râkshasa and had devoured his hundred sons (Medh., Gov., Kull., Nâr., Râgh., Nand.). See Sâyana on Rig-veda VII, 104, and especially on verse 15, which is considered to contain the oath sworn.

112. Gaut. XXIII, 29; Vas. XVI, 35. 'Fuel,' i.e. 'for a burnt-

113. Let the (judge) cause a Brâhmana to swear by his veracity, a Kshatriya by his chariot or the animal he rides on and by his weapons, a Vaisya by his kine, grain, and gold, and a Sûdra by (impregating on his own head the guilt) of all grievous offences (pâtaka).

114. Or the (judge) may cause the (party) to carry fire or to dive under water, or severally to touch the heads of his wives and children.

115. He whom the blazing fire burns not, whom the water forces not to come (quickly) up, who meets with no speedy misfortune, must be held innocent on (the strength of) his oath.

116. For formerly when Vatsa was accused by his younger brother, the fire, the spy of the world, burned not even a hair (of his) by reason of his veracity.

117. Whenever false evidence has been given in any suit, let the (judge) reverse the judgment, and whatever has been done must be (considered as) undone.

oblation' (Medh., Gov., Kull., Nâr.). In the last cases the sacredness of the purpose excuses the crime.

113. The Kshatriya and Vaisya must touch the things mentioned, and say, 'May they become useless to me!' (Medh., Gov., Kull.)

114. This verse refers, as the commentators assert, to the two ordeals described by Vi. XI-XII, and Yâgñ. II, 103-109. Medh., Gov., and Kull. assert that ordeals are to be used in particularly important cases only; see also Vi. IX, 10-14.

116. Maitreya, the step-brother of Vatsa, accused the latter of being the offspring of a Sûdra woman. In order to prove the falseness of this allegation, Vatsa passed through a fire (Medh., Gov., Kull., Nâr., Râgh.). I read *spasah* instead of *sprisah*.

117. Vi. VIII, 40. 'Fines imposed must be remitted' (Gov., Kull., Nâr.).

118. Evidence (given) from covetousness, distraction, terror, friendship, lust, wrath, ignorance, and childishness is declared (to be) invalid.

119. I will propound in (due) order the particular punishments for him who gives false evidence from any one of these motives.

120. (He who commits perjury) through covetousness shall be fined one thousand (*panas*), (he who does it) through distraction, in the lowest amercement; (if a man does it) through fear, two middling amercements shall be paid as a fine, (if he does it) through friendship, four times the amount of the lowest (amercement).

121. (He who does it) through lust, (shall pay) ten times the lowest amercement, but (he who does it) through wrath, three times the next (or second amercement); (he who does it) through ignorance, two full hundreds, but (he who does it) through childishness, one hundred (*panas*).

122. They declare that the wise have prescribed these fines for perjury, in order to prevent a failure of justice, and in order to restrain injustice.

123. But a just king shall fine and banish (men of) the three (lower) castes (*varna*) who have given false evidence, but a Brâhmana he shall (only) banish.

124. Manu, the son of the Self-existent (*Svayambhu*), has named ten places on which punishment

119-123. Yâgñ. II, 81.

120. Regarding the three amercements, see below, verse 138.

123. Vivâsayet, 'he shall (only) banish' (Kull., Nâr., Râgh., Nand.), means according to Medh. 'he shall deprive him of his clothes or of his house.' Gov. gives Medh.'s first explanation only.

124. Âp. II, 27; 8, 17-19; Gaut. XII, 46-47; Vi. V, 2-8.

may be (made to fall) in the cases of the three (lower) castes (*varṇa*); but a *Brāhmaṇa* shall depart unhurt (from the country).

125. (These are) the organ, the belly, the tongue, the two hands, and fifthly the two feet, the eye, the nose, the two ears, likewise the (whole) body.

126. Let the (king), having fully ascertained the motive, the time and place (of the offence), and having considered the ability (of the criminal to suffer) and the (nature of the) crime, cause punishment to fall on those who deserve it.

127. Unjust punishment destroys reputation among men, and fame (after death), and causes even in the next world the loss of heaven; let him, therefore, beware of (inflicting) it.

128. A king who punishes those who do not deserve it, and punishes not those who deserve it, brings great infamy on himself and (after death) sinks into hell.

129. Let him punish first by (gentle) admonition, afterwards by (harsh) reproof, thirdly by a fine, after that by corporal chastisement.

130. But when he cannot restrain such (offenders) even by corporal punishment, then let him apply to them even all the four (modes conjointly).

131. Those technical names of (certain quantities of) copper, silver, and gold, which are generally used

126. Gaut. XII, 51; Yâgñ. I, 367. Anubandham, 'the motive,' includes according to Gov. and Kull. also 'the frequency of the offence.' Nâr. gives the latter meaning alone. Nand. reads *aparâdham*, 'the offence.' Instead of *sârâparâdhau* Nand. reads *sârâsâram*, 'the strength or weakness (of the offender).'

127-128. Yâgñ. I, 356; Vi. XIX, 43.

129-130. Yâgñ. I, 366.

131-138. Vi. IV, 1-14; Yâgñ. I, 361-365.

on earth for the purpose of business transactions among men, I will fully declare.

132. The very small mote which is seen when the sun shines through a lattice, they declare (to be) the least of (all) quantities and (to be called) a *trasarenu* (a floating particle of dust).

133. Know (that) eight *trasarenu*s (are equal) in bulk (to) a *likshâ* (the egg of a louse), three of those to one grain of black mustard (*râgasarshapa*), and three of the latter to a white mustard-seed.

134. Six grains of white mustard are one middle-sized barley-corn, and three barley-corns one *kriśhnala* (*raktikâ*, or *guṇḍa*-berry); five *kriśhna*las are one *mâsha* (bean), and sixteen of those one *suvarṇa*.

135. Four *suvarṇas* are one *pala*, and ten *palas* one *dharana*; two *kriśhna*las (of silver), weighed together, must be considered one *mâshaka* of silver.

136. Sixteen of those make a silver *dharana*, or *purâna*; but know (that) a *karsha* of copper is a *kârshâpana*, or *pana*.

137. Know (that) ten *dharanas* of silver make one *satamâna*; four *suvarṇas* must be considered (equal) in weight to a *nishka*.

138. Two hundred and fifty *panas* are declared (to be) the first (or lowest) *amercement*, five (hundred) are considered as the mean (or middlemost), but one thousand as the highest.

139. A debt being admitted as due, (the defendant)

134. The *kriśhnala* or *raktikâ* (*ratti*) is still used by jewellers and goldsmiths. It corresponds to 0.122 grammes, or 1.875 grains.

136. A *karsha* = 16 *mâshas* = 80 *kriśhna*las.

139. Vi. VI, 20-21; Yâgñ. II, 42. According to Nâr. 'some' only have this verse.

shall pay five in the hundred (as a fine), if it be denied (and proved) twice as much; that is the teaching of Manu.

140. A money-lender may stipulate as an increase of his capital, for the interest, allowed by *Vasishtha*, and take monthly the eightieth part of a hundred.

141. Or, remembering the duty of good men, he may take two in the hundred (by the month), for he who takes two in the hundred becomes not a sinner for gain.

142. Just two in the hundred, three, four, and five (and not more), he may take as monthly interest according to the order of the castes (*varna*).

143. But if a beneficial pledge (i.e. one from which profit accrues, has been given), he shall receive no interest on the loan; nor can he, after keeping (such) a pledge for a very long time, give or sell it.

140. Gaut. XII, 29; *Yâgñ.* II, 37. The rule occurs in our *Vâsishtha* Dharmaśāstra II, 51. The amount is fifteen per cent per annum. According to Kull. (on verse 141), Nâr., Râgh., and Nand. this rule refers to a debt secured by a pledge, and the correctness of this view is proved by the parallel passage of *Yâgñ.*

141-142. Vas. II, 48; Vi. VI, 2; *Yâgñ.* II, 37. This rule refers, according to the same commentators, to unsecured loans. A Brâhmaṇa is to pay two per cent per month, a Kshatriya three, a Vaisya four, and a Sûdra five. Med. and Gov. think that the rule refers to cases where the creditor is unable to live on the smaller interest.

143. Gaut. XII, 32; Vi. VI, 5. 'A beneficial pledge,' i.e. 'land, cattle, slaves, &c.' According to Medh., Gov., and Nâr., the last clause refers to pledges which are not used. But Kull. objects that this is contrary to the common practice of the *Sishvas*, and Râgh. refers to *Yâgñ.* II, 58, where it is clearly stated that beneficial pledges only are never lost, while those which are merely kept are lost when the original debt is doubled by unpaid interest.



144. A pledge (to be kept only) must not be used by force, (the creditor), so using it, shall give up his (whole) interest, or, (if it has been spoilt by use) he shall satisfy the (owner) by (paying its) original price; else he commits a theft of the pledge.

145. Neither a pledge nor a deposit can be lost by lapse of time; they are both recoverable, though they have remained long (with the bailee).

146. Things used with friendly assent, a cow, a camel, a riding-horse, and (a beast) made over for breaking in, are never lost (to the owner).

147. (But in general) whatever (chattel) an owner sees enjoyed by others during ten years, while, though present, he says nothing, that (chattel) he shall not recover.

148. If (the owner is) neither an idiot nor a minor and if (his chattel) is enjoyed (by another) before his eyes, it is lost to him by law; the adverse possessor shall retain that property.

✓ 149. A pledge, a boundary, the property of infants, an (open) deposit, a sealed deposit, women, the property of the king and the wealth of a Srottriya are not lost in consequence of (adverse) enjoyment.

144. Vi. VI, 5; Yâgñ. II, 59. According to Medh. clothes, &c., are meant; according to Kull. and Râgh. clothes, ornaments, &c.; according to Nâr. beds and so forth. Nâr. thinks that the expression 'the value' refers to the profit made by the use of the pledge.

145. Vi. VI, 7-8; Yâgñ. II, 58. According to Medh. the pledge spoken of here is 'a pledge for keeping which is forcibly used.' Upanidhi, 'a deposit,' means according to Medh., Gov., Kull. (who however refers the term also to deposits), Râgh., and Nand. 'anything lent to another out of friendship;' according to Nâr. 'an additional pledge, given subsequently, in order to complete the security for the loan.'

147-148. Gaut. XII, 37; Vas. XVI, 16-17; Yâgñ. II, 24.

149. Vas. XVI, 18; Gaut. XII, 38-39; Yâgñ. II, 25. 'Women,'

150. The fool who uses a pledge without the permission of the owner, shall remit half of his interest, as a compensation for (such) use.

151. In money transactions interest paid at one time (not by instalments) shall never exceed the double (of the principal); on grain, fruit, wool or hair, (and) beasts of burden it must not be more than five times (the original amount).

152. Stipulated interest beyond the legal rate, being against (the law), cannot be recovered; they call that a usurious way (of lending); (the lender) is (in no case) entitled to (more than) five in the hundred.

153. Let him not take interest beyond the year, nor such as is unapproved, nor compound interest, periodical interest, stipulated interest, and corporal interest.

i. e. 'female slaves and the like.' Râgh. adds that their offspring is not lost to the owner. Upanidhi, 'a sealed deposit' (Gov., Kull., Nâr., and Râgh.).

150. According to the commentators this is the consequence, resulting from the secret unpermitted use of a pledge in ordinary cases, while the loss of the whole interest ensues in the case of a forcible use in contravention of a special prohibition.

151. Gaut. XII, 31, 36; Vi. VI, 11-15; Yâgñ. II, 39. The interest here intended is such which is not paid by instalments, but becomes due together with the principal. According to the commentators, the whole sum payable, i. e. the interest together with the principal, shall not exceed the double of the sum lent, or, in the special cases mentioned, five times that amount.

152. According to Gov. and Nâr. this verse entitles the money-lender to take five per cent from Âryans, not from Sûdras only.

153. Gaut. XII, 30, 34-35. 'A creditor may take for the term of a year interest which has been settled by the following agreement, "When one, two, or three months have passed, the interest on the (capital) shall be calculated and be paid to me at one time;" but he shall not take the interest according to the agreement after



154. He who, unable to pay a debt (at the fixed time), wishes to make a new contract, may renew the agreement, after paying the interest which is due.

155. If he cannot pay the money (due as interest), he may insert it in the renewed (agreement); he must pay as much interest as may be due.

156. He who has made a contract to carry goods by a wheeled carriage for money and has agreed to a certain place or time, shall not reap that reward, if he does not keep to the place and the time (stipulated).

a year has passed' (Kull., Râgh.). According to Gov. this clause means, 'If (the creditor) does not take the money (due) for two or three years and (the debtor) pays then, (the creditor) shall not take more interest than for one year.' Nâr. says, 'atisâmvatśarîm ("beyond the year") means that (interest) which after the lapse of one year only is redundant,' i.e. 'exceeds that which has been doubled' (see verse 151). Adrîṣṭâm, 'unapproved,' i.e. 'in the law-books' (Kull., Râgh), or 'in the law-books and in daily life' (Nand.), means according to Medh. and Gov. anupaṭitâm, 'which has not accumulated,' i.e. 'which is taken for one, two, or three days.' Nâr. agrees with the latter view. Kâlavṛddhiḥ, 'periodical interest,' i.e. 'monthly interest' (Gov., Nâr.), or 'interest in contravention of verse 151' (Kull., Râgh.). Kârîtâ, 'stipulated interest,' i.e. 'an illegal rate of interest, or interest which runs on after the principal has been doubled, agreed to by the debtor on account of distress' (Medh., Gov., Nâr., Kull., Râgh.). Kâyikâ, 'corporal interest,' i.e. 'to be paid by bodily labour or by the use of the body of a pledged animal or slave' (Medh.). Kull., Râgh., and Nand. give the second explanation. According to 'some,' quoted by Medh. and Nâr., the last four kinds of interest are not forbidden. Medh. and Gov. think all or some of them are permissible for merchants. See also for the explanation of the terms, Gaut. XII, 34-35, notes; and Colebrooke I, Digest 35-45.

154. Karana, 'the agreement,' i.e. 'the written bond' (Kull., Râgh.), or 'the written bond and so forth' (Gov., Nâr.). According to the latter two, with whom Medh. seems to agree, karana may also refer to a verbal agreement before witnesses.

155. 'Pay,' i.e. promise to pay in the new agreement.

156. Thus Medh., Gov., Kull., and Râgh. But Nâr. and Nand.

157. Whatever rate men fix, who are expert in sea-voyages and able to calculate (the profit) according to the place, the time, and the objects (carried), that (has legal force) in such cases with respect to the payment (to be made).

158. The man who becomes a surety in this (world) for the appearance of a (debtor), and produces him not, shall pay the debt out of his own property.

159. But money due by a surety, or idly promised, or lost at play, or due for spirituous liquor, or what remains unpaid of a fine and a tax or duty, the son (of the party owing it) shall not be obliged to pay.

160. This just mentioned rule shall apply to the case of a surety for appearance (only); if a surety for payment should die, the (judge) may compel even his heirs to discharge the debt.

161. On what account then is it that after the death of a surety other than for payment, whose

explain *kakravṛddhi*, 'a contract to carry goods by a wheeled carriage,' by 'compound interest;' and Medh. on verse 157 mentions this opinion too.

157. The expression 'in sea-voyages' includes voyages by land (Medh., Gov., Kull., Rāgh.), or all voyages (Nār.). The commentators, who explain the preceding verse as referring to compound interest, explain this to mean that merchants trading by sea must pay any rate of interest for money borrowed which experts may fix (see Yāgñ. II, 38). The others, of course, understand by 'the rate' (*vṛddhi*) the carrier's or shipowner's wages.

158-160. Gaut. XII, 42; Vi. VI, 41; Yāgñ. II, 47, 53-54.

159. 'Idly promised,' i.e. 'to clowns and so forth' (Kull.), or 'to bards and the like' (Nār.), or 'not for a religious purpose, but to singers and the like' (Nand.), or 'in jest, to bards and the like' (Rāgh.), or 'a pour-boire and the like' (Gov.).

161. 'Whose affairs are fully known,' i.e. 'the cause for which

affairs are fully known, the creditor may (in some cases) afterwards demand the debt (of the heirs)?

162. If the surety had received money (from him for whom he stood bail) and had money enough (to pay), then (the heir of him) who received it, shall pay (the debt) out of his property; that is the settled rule.

163. A contract made by a person intoxicated, or insane, or grievously disordered (by disease and so forth), or wholly dependent, by an infant or very aged man, or by an unauthorised (party) is invalid.

164. That agreement which has been made contrary to the law or to the settled usage (of the virtuous), can have no legal force, though it be established (by proofs).

165. A fraudulent mortgage or sale, a fraudulent gift or acceptance, and (any transaction) where he detects fraud, the (judge) shall declare null and void.

166. If the debtor be dead and (the money borrowed) was expended for the family, it must be paid by the relatives out of their own estate even if they are divided.

he became a surety (e. g. for appearance or good behaviour) being fully known' (Nâr., Râgh.).

162. *Alamdhanah*, 'had money enough (to pay)', i. e. 'had received a sum equal to the loan contracted by him for whose appearance he stood surety' (Medh., Gov., Kull., Nâr.). According to Râgh. the adjective refers to the heir, and means 'if he has money enough to pay.' Nand. reads *alakshita*, 'if a surety who received money be not found' (i. e. has died or disappeared, &c.).

163. *Yâgñ.* II, 32.

164. 'The sale of wife and children, giving away one's whole property, though one may have issue' (Medh.).

166. Vi. VI, 39; *Yâgñ.* II, 45. The meaning is, as Nand. points out, that if a debt was contracted for the benefit of a united family,

167. Should even a person wholly dependent make a contract for the behoof of the family, the master (of the house), whether (living) in his own country or abroad, shall not rescind it.

168. What is given by force, what is enjoyed by force, also what has been caused to be written by force, and all other transactions done by force, Manu has declared void.

169. Three suffer for the sake of others, witnesses, a surety, and judges; but four enrich themselves (through others), a Brâhmana, a money-lender, a merchant, and a king.

170. No king, however indigent, shall take anything that ought not to be taken, nor shall he,

it must be repaid by the members of the family, though they may have separated afterwards.

167. Adhyadhînañ, 'a person wholly dependent,' i.e. 'a servant (Nâr.), or 'a slave' (Kull.), or 'the youngest (brother) or one in a similar position' (Râgh.). Gov. reads vâ instead of api, and for viâlayet (Medh., Kull., Râgh.) or viârayet (Nand.), vilambayet; and with this reading the translation must be, 'or one wholly dependent, who makes a contract for the sake of the family, must wait for (the arrival of) the master of the house, whether he be at home or abroad.'

168. Vi. VII, 6; Yâgñ. II, 89.

169. Kulam, 'the judges' (Medh., Gov., Kull.), has, according to Nâr., Nand., and Râgh., its usual meaning, 'the family.' Nâr. and Nand. say that the undivided relatives have to suffer by paying the debts of a deceased coparcener; and Râgh. explains the sufferings of a family by the ruin caused through a bad son. Medh., Gov., and Kull. state that the object of the verse is to inculcate that men must not be forced to become witnesses and so forth against their will, and that Brâhmanas, &c., must not force others to those transactions from which they gain advantages, e. g. to lawsuits. (Râgh. similarly.) Nâr. takes the first half as a warning not to become a witness or surety or to remain undivided.

170. Vas. XIX, 14-15.

however wealthy, decline taking that which he ought to take, be it ever so small.

171. In consequence of his taking what ought not to be taken, or of his refusing what ought to be received, a king will be accused of weakness and perish in this (world) and after death.

172. By taking his due, by preventing the confusion of the castes (*varna*), and by protecting the weak, the power of the king grows, and he prospers in this (world) and after death.

173. Let the prince, therefore, like Yama, not heeding his own likings and dislikings, behave exactly like Yama, suppressing his anger and controlling himself.

174. But that evil-minded king who in his folly decides causes unjustly, his enemies soon subjugate.

175. If, subduing love and hatred, he decides the causes according to the law, (the hearts of) his subjects turn towards him as the rivers (run) towards the ocean.

176. (The debtor) who complains to the king that his creditor recovers (the debt) independently (of the court), shall be compelled by the king to pay (as a fine) one quarter (of the sum) and to his (creditor) the money (due).

177. Even by (personal) labour shall the debtor make good (what he owes) to his creditor, if he be of the same caste or of a lower one; but

171. 'For if a king takes from his subjects what he ought not to take, they will say, "He fines us, because he is unable to overcome the vassals, neighbours, and the forest tribes (and to obtain money from them);" Medh.

176. Vi. VI, 19. See above, verses 49-50.

177. The last clause refers to *Brâhmanas* (Medh., Kull., Râgh.).

a (debtor) of a higher caste shall pay it gradually (when he earns something).

178. According to these rules let the king equitably decide between men, who dispute with each other the matters, which are proved by witnesses and (other) evidence.

179. A sensible man should make a deposit (only) with a person of (good) family, of good conduct, well acquainted with the law, veracious, having many relatives, wealthy, and honourable (ârya).

180. In whatever manner a person shall deposit anything in the hands of another, in the same manner ought the same thing to be received back (by the owner); as the delivery (was, so must be) the re-delivery.

181. He who restores not his deposit to the depositor at his request, may be tried by the judge in the depositor's absence.

182. On failure of witnesses let the (judge) actually deposit gold with that (defendant) under some pretext or other through spies of suitable age and appearance (and afterwards demand it back).

183. If the (defendant) restores it in the manner and shape in which it was bailed, there is nothing

178. Pratyaya, ' (other) evidence,' i. e. 'by inference and divine proof' (Medh.), or 'by inference, oaths, and so forth' (Gov.), or 'by oaths' (Nâr., Nand.).

180. Yâgñ. II, 65. See also below, verse 195. Nand. omits 184, and places the other verses as follows: 180, 195, 188 b, 185, 186, 189, 194, 187, 188 a, 181, 182, 183, 196, 190, 191, 192, 193.

181. The order of the verses referring to the trial of the bailee, is according to Gov. 181, 183, 184, 182, and according to Nâr. 181, 183, 182, 184.

(of that description) in his hands, for which others accuse him.

184. But if he restores not that gold, as he ought, to those (spies), then he shall be compelled by force to restore both (deposits); that is a settled rule of law.

185. An open or a sealed deposit must never be returned to a near relative (of the depositor during the latter's lifetime); for if (the recipient) dies (without delivering them), they are lost, but if he does not die, they are not lost.

186. But (a depositary) who of his own accord returns them to a near relative of a deceased (depositor), must not be harassed (about them) by the king or by the depositor's relatives.

187. And (in doubtful cases) he should try to obtain that object by friendly means, without (having recourse to) artifice, or having inquired into the (depositary's) conduct, he should settle (the matter) with gentle means.

188. Such is the rule for obtaining back all those open deposits; in the case of a sealed deposit (the depositary) shall incur no (censure), unless he has taken out something.

189. (A deposit) which has been stolen by thieves

185. Pratyanantare, 'to a near relative,' i. e. 'to his son, brother, or wife' (Medh.).

187. According to Nâr., this verse refers to cases when one believes a deposit to be with another, but has not made it over oneself; according to Gov. and Kull., to cases where there may be an error. Gov. and Kull. think that the person who should act in the manner described is the king, and they explain anvikkhet, 'one should try to obtain,' by 'he should decide.' Nâr. and Râgh., on the other hand, think that the depositor should act thus. The former explanation is perhaps preferable.

189. Yâgñ. II, 66.

or washed away by water or burned by fire, (the bailee) shall not make it good, unless he took part of it (for himself).

190. Him who appropriates a deposit and him (who asks for it) without having made it, (the judge) shall try by all (sorts of) means, and by the oaths prescribed in the Veda.

191. He who does not return a deposit and he who demands what he never bailed shall both be punished like thieves, or be compelled to pay a fine equal (to the value of the object retained or claimed).

192. The king should compel him who does not restore an open deposit, and in like manner him who retains a sealed deposit, to pay a fine equal (to its value).

193. That man who by false pretences may possess himself of another's property, shall be publicly punished by various (modes of) corporal (or capital) chastisement, together with his accomplices.

190. 'By all (sorts of) means,' i.e. 'by the four expedients, kindness and so forth' (Gov., Kull., Râgh.), or 'by spies and so forth' (Nâr.), or 'by blows, imprisonment, and so forth' (Medh.). 'By the oaths prescribed in the Veda,' i.e. 'by the ordeals, such as carrying fire' (Gov., Kull., Nâr.). Nâr. quotes a passage of the Veda, in which it is prescribed that the accused shall take hold of a hot axe.

191. Vi. V, 169-171. The former punishment, which consists of mutilation and other corporal punishments (Medh., Nâr., Râgh.), or the highest amercement and the like (Gov.), shall be inflicted on others than Brâhmanas in particularly bad cases and for a repetition of the offence (Medh., Gov., Kull., Nâr., Râgh.).

192. Medh., Gov., and Kull. refer this rule to first offences. Nâr. takes *aviseshena*, 'in like manner,' to mean 'without making a distinction on account of the caste of the offender.' Medh. explains *upanidhi*, 'a sealed deposit,' by 'an object lent in a friendly manner.'

193. 'By false pretences,' i.e. 'by frightening others with the

194. If a deposit of a particular description or quantity is bailed by anybody in the presence of a number (of witnesses), it must be known to be of that particular (description and quantity; the depository) who makes a false statement (regarding it) is liable to a fine.

195. But if anything is delivered or received privately, it must be privately returned; as the bailment (was, so should be) the re-delivery.

196. Thus let the king decide (causes) concerning a deposit and a friendly loan (for use) without showing (undue) rigour to the depository.

197. If anybody sells the property of another man, without being the owner and without the assent of the owner, the (judge) shall not admit him who is a thief, though he may not consider himself as a thief, as a witness (in any case).

198. If the (offender) is a kinsman (of the owner), he shall be fined six hundred *pasas*; if he is not a kinsman, nor has any excuse, he shall be guilty of theft.

king's anger, by promising to obtain for them favours from the king, or the love of a maiden, and so forth' (Medh.). 'By (various) modes of corporal chastisement,' i. e. 'by cutting off his hands, feet, or his head, &c.' (Gov., Kull., Râgh.), or 'by decapitating or impaling the offender, or having him trampled to death by elephants, and so forth' (Medh.).

194. I. e. the witnesses must be examined regarding it, and their evidence is conclusive.

196. This conclusion makes it somewhat doubtful if the term *upanidhi*, which occurs verses 185 and 191, and has been translated by 'a sealed deposit' in accordance with the opinion of most commentators, has really that meaning.

198. 'Any excuse,' e. g. 'that he received it as a present, 'or bought it from the son or other relative of the owner, and so forth' (Gov., Kull.). Nâr. reads *anavasare*, 'and buys at an improper (time or place).'

199. A gift or sale, made by anybody else but the owner, must be considered as null and void, according to the rule in judicial proceedings.

200. Where possession is evident, but no title is perceived, there the title (shall be) a proof (of ownership), not possession; such is the settled rule.

201. He who obtains a chattel in the market before a number (of witnesses), acquires that chattel with a clear legal title by purchase.

202. If the original (seller) be not producible, (the buyer) being exculpated by a public sale, must be dismissed by the king without punishment, but (the former owner) who lost the chattel shall receive it (back from the buyer).

203. One commodity mixed with another must not be sold (as pure), nor a bad one (as good), nor less (than the proper quantity or weight), nor anything that is not at hand or that is concealed.

199. Nand. omits this verse, and inserts instead, 'He who ignorantly makes a sale without ownership shall be punished according to the above rule (i. e. be fined); but he who does it knowingly shall be punished like a thief.' Nâr. has no trace of verse 199, but quotes the beginning of the verse just translated (anena vidhineti).

200. Nand. places this verse after 202.

201-202. Vi. V, 164-166; Yâgñ. II, 168-170.

202. Thus Medh., Kull., Nâr., and Râgh. (Kull., however, taking *sodhita*, 'exculpated,' in the sense of *niskṛita*, 'determined.') But Gov. takes the first part differently. 'If the price cannot be produced by him (the seller)—because he has gone to another country—then the buyer must not be punished by the king, being held to be guiltless on account of the open sale, in accordance with the rule of the preceding verse;' similarly Nand. The difference is caused thereby that Gov. apparently objects to the explanation of *mûlam* (*mûlyam*, Nand.) by 'the original (seller).' According to Kull. the buyer receives half the value from the original owner.

203. Yâgñ. II, 245. 'Concealed,' i. e. 'in a cloth' (Medh., Nâr.), or 'in the earth' (Nand.), or 'covered with paint' (Gov., Kull., Râgh.).

204. If, after one damsel has been shown, another be given to the bridegroom, he may marry them both for the same price; that Manu ordained.

205. He who gives (a damsel in marriage), having first openly declared her blemishes, whether she be insane, or afflicted with leprosy, or have lost her virginity, is not liable to punishment.

206. If an officiating priest, chosen to perform a sacrifice, abandons his work, a share only (of the fee) in proportion to the work (done) shall be given to him by those who work with him.

207. But he who abandons his work after the sacrificial fees have been given, shall obtain his full share and cause to be performed (what remains) by another (priest).

208. But if (specific) fees are ordained for the several parts of a rite, shall he (who performs the part) receive them, or shall they all share them?

209. The Adhvaryu priest shall take the chariot, and the Brahman at the kindling of the fires (Agnyâdhâna) a horse, the Hotri priest shall also take a horse, and the Udgâtri the cart, (used) when (the Soma) is purchased.

204. This rule is rather astonishing after what has been said, III, 51-54, regarding the sale of daughters, and it proves that, in spite of all directions to the contrary, wives were purchased in ancient India as frequently as in our days.

207. Yâgñ. II, 265. 'After the sacrificial fees have been given,' i.e. 'at the midday oblation and so forth' (Medh., Kull., Gov.). According to Medh. the sacrificer is to pay the substitute, according to the other commentators the priest who receives the fee.

208. Medh. mentions that specific fees are prescribed at the Râgasûya and similar sacrifices; see Âsv. Srauta-sûtra IX, 3, 14-15; 4, 7-20.

209. According to Medh. and Kull. all the three first-mentioned gifts are given according to the precepts of some Sâkhâs at the Agnyâdhâna, the kindling of the fires. But Gov. says that the

210. The (four) chief priests among all (the sixteen), who are entitled to one half, shall receive a moiety (of the fee), the next (four) one half of that, the set entitled to a third share, one third, and those entitled to a fourth a quarter.

211. By the application of these principles the allotment of shares must be made among those men who here (below) perform their work conjointly.

212. Should money be given (or promised) for a pious purpose by one man to another who asks for it, the gift shall be void, if the (money is) afterwards not (used) in the manner (stated).

213. But if the (recipient) through pride or greed tries to enforce (the fulfilment of the promise), he shall be compelled by the king to pay one *suvarna* as an expiation for his theft.

214. Thus the lawful subtraction of a gift has

Brahman priest receives a swift horse at the Agnyâdhâna, and Nâr. adds that the Hotri receives a horse at the Gyotishoma.

210. The four classes of priests, regarding whose functions see Max Müller, History Anc. Sansk. Lit., p. 468 seqq., are: 1. Hotri, Adhvaryu, Brahman, Udgâtri; 2. Maitrâvaruna, Pratiprasthâtri, Brâhmanâkkhamsin, Prastotri; 3. Akkhâvâka, Neshtri, Agnîdhra, Pratihatri; 4. Potri, Subrahmanyâ, Grâvash/ut, Netri. Medh. gives the total as 112, and the shares as 56, 28, 16, 12; Gov., Kull., Nâr., and Râgh. the total as 100, and the shares as 48, 24, 16, 8. But Nand. says that the total of the fee, whatever it may be, shall be divided into 25 shares, and the several classes shall receive 12, 6, 4, and 3 such shares respectively. See also Âsv. Srauta-sûtra IX, 4, 3-5. The rule, given in this verse, applies to all ordinary cases.

211. Yâgñ. II, 259, 265. I.e. each is to be paid according to the amount of work which he performs.

212. 'For a pious purpose,' i.e. 'for a sacrifice or a wedding' (Medh.).

213. Samsâdhayet, 'tries to enforce (the fulfilment of the promise),' i.e. 'by a complaint before the king' (Medh.), or 'tries to obtain the money forcibly or refuses to return it' (Kull., Râgh., Gov.).

been fully explained; I will next propound (the law for) the non-payment of wages.

215. A hired (servant or workman) who, without being ill, out of pride fails to perform his work according to the agreement, shall be fined eight *krishnālas* and no wages shall be paid to him.

216. But (if he is really) ill, (and) after recovery performs (his work) according to the original agreement, he shall receive his wages even after (the lapse of) a very long time.

217. But if he, whether sick or well, does not (perform or) cause to be performed (by others) his work according to his agreement, the wages for that work shall not be given to him, even (if it be only) slightly incomplete.

218. Thus the law for the non-payment of wages has been completely stated; I will next explain the law concerning men who break an agreement.

219. If a man belonging to a corporation inhabiting a village or a district, after swearing to an agreement, breaks it through avarice, (the king) shall banish him from his realm,

220. And having imprisoned such a breaker of an agreement, he shall compel him to pay six

215. Âp. II, 28, 2-3; Vi. V, 153-154; Yâgñ. II, 193. 'Eight *krishnālas*,' i. e. 'of gold, silver or copper, according to the case' (Medh., Gov.), or 'of gold' (Kull.).

216. I read with Medh., Gov., Nâr., Râgh., and K. *sudîrghasya* for *sa dirghasya* (Kull., Nand.).

219. Vi. V, 168; Yâgñ. II, 192. By 'corporations inhabiting a village or district' are meant according to Medh., village communities and corporations of merchants, mendicants or monks, *Katurvedîs* and so forth, and he mentions regulations regarding the grazing of the cattle on a common as one of the agreements which all must observe.

220. According to others mentioned by Medh. the translation

nishkas, (each of) four suvarṇas, and one satamāna of silver.

221. A righteous king shall apply this law of fines in villages and castes (*gāti*) to those who break an agreement.

222. If anybody in this (world), after buying or selling anything, repent (of his bargain), he may return or take (back) that chattel within ten days.

223. But after (the lapse of) ten days he may neither give nor cause it to be given (back); both he who takes it (back) and he who gives it (back, except by consent) shall be fined by the king six hundred (*panas*).

224. But the king himself shall impose a fine of ninety-six *panas* on him who gives a blemished damsel (to a suitor) without informing (him of the blemish).

225. But that man who, out of malice, says of a maiden, 'She is not a maiden,' shall be fined one hundred (*panas*), if he cannot prove her blemish.

226. The nuptial texts are applied solely to virgins, (and) nowhere among men to females who have lost their virginity, for such (females) are excluded from religious ceremonies.

should be 'four suvarṇas or six nishkas or one satamāna.' Kull. and Rāgh. also think it possible that three separate fines may be inflicted according to the circumstances of the case.

222. *Yāgñ.* II, 177. According to Medh., Gov., Kull., the rule refers to things which are not easily spoilt, such as land, copper, &c., not to flowers, fruit, and the like; according to Nār., to grain and seeds, 'because in other *Smṛitis* different periods are mentioned for other objects' (see *Yāgñ.* loc. cit.).

224-225. *Yāgñ.* I, 66.

224. Regarding the blemishes, see above, verse 205.

226. K. omits this verse.

227. The nuptial texts are a certain proof (that a maiden has been made a lawful) wife ; but the learned should know that they (and the marriage-ceremony) are complete with the seventh step (of the bride around the sacred fire).

228. If anybody in this (world) repent of any completed transaction, (the king) shall keep him on the road of rectitude in accordance with the rules given above.

229. I will fully declare in accordance with the true law (the rules concerning) the disputes, (arising) from the transgressions of owners of cattle and of herdsmen.

230. During the day the responsibility for the safety (of the cattle rests) on the herdsman, during the night on the owner, (provided they are) in his house ; (if it be) otherwise, the herdsman will be responsible (for them also during the night).

231. A hired herdsman who is paid with milk, may milk with the consent of the owner the best (cow) out of ten ; such shall be his hire if no (other) wages (are paid).

232. The herdsman alone shall make good (the loss of a beast) strayed, destroyed by worms, killed by dogs or (by falling) into a pit, if he did not duly exert himself (to prevent it).

227. Nand. omits this verse and the next. After the seventh step has been made the marriage cannot be rescinded (Medh., Gov., Kull., Nār.).

228. I. e. he may be allowed to rescind a contract for wages and the like within ten days, but not later (Gov., Kull.).

231. Nand. omits this verse.

232. VI. V, 137-138 ; Yāgñ. I, 164-165. 'By worms,' i. e. according to Medh. by a kind called Ârohakas, who enter the sexual parts of the cows and destroy them ; Râgh. says, 'by snakes and the like.' 'By dogs,' the word is according to Medh. merely intended as an instance for any wild animal.

233. But for (an animal) stolen by thieves, though he raised an alarm, the herdsman shall not pay, provided he gives notice to his master at the proper place and time.

234. If cattle die, let him carry to his master their ears, skin, tails, bladders, tendons, and the yellow concrete bile, and let him point out their particular marks.

235. But if goats or sheep are surrounded by wolves and the herdsman does not hasten (to their assistance), he shall be responsible for any (animal) which a wolf may attack and kill.

236. But if they, kept in (proper) order, graze together in the forest, and a wolf, suddenly jumping on one of them, kills it, the herdsman shall bear in that case no responsibility.

237. On all sides of a village a space, one hundred dhanus or three samyâ-throws (in breadth), shall be reserved (for pasture), and thrice (that space) round a town.

238. If the cattle do damage to unfenced crops on that (common), the king shall in that case not punish the herdsmen.

239. (The owner of the field) shall make there a hedge over which a camel cannot look, and stop

234. I read with Medh. and Gov. *āṅkāms ka*, 'their particular marks,' instead of *āṅgāni*, 'their (other) limbs' (Rāgh., Nand., K., and the editions). To judge from the commentary, Kull. must have had the same reading as Medh. and Gov.

235. Vi. V, 137.

237. Yāgñ. II, 167. Dhanus, literally 'a bow's length' = 4 hastas or about 6 feet. The *samyâ* is a short, thick piece of wood, used at sacrifices. A *samyâ*-throw is mentioned as a measure also by Âp. I, 9, 6.

every gap through which a dog or a boar can thrust his head.

240. (If cattle do mischief) in an enclosed field near a highway or near a village, the herdsman shall be fined one hundred (*panas*); (but cattle), unattended by a herdsman, (the watchman in the field) shall drive away.

241. (For damage) in other fields (each head of) cattle shall (pay a fine of) one (*pana*) and a quarter, and in all (cases the value of) the crop (destroyed) shall be made good to the owner of the field; that is the settled rule.

242. But Manu has declared that no fine shall be paid for (damage done by) a cow within ten days after her calving, by bulls and by cattle sacred to the gods, whether they are attended by a herdsman or not.

243. If (the crops are destroyed by) the husbandman's (own) fault, the fine shall amount to ten times as much as (the king's) share; but the fine (shall be) only half that amount if (the fault lay) with the servants and the farmer had no knowledge of it.

240-242. Âp. II, 28, 5; Gaut. XII, 19-26; Vi. V, 140-150; Yâgñ. II, 161-163.

241. 'The cattle,' i.e. 'the herdsman shall pay for the cattle.' 'In all cases,' i.e. 'whether the cattle were attended by a herdsman or not' (Medh., Gov., Kull., Râgh.).

242. A cow is, according to Nâr., during the first days after calving utterly unmanageable. 'Bulls,' i.e. 'those set at liberty (see Vi. LXXXVI) are meant' (Nâr., Kull.), which may be met with near many Indian villages and in many towns. 'Cattle sacred to the gods,' i.e. either 'such as are set apart for sacrifices,' or 'such as are dedicated to temples' (Medh.). The other commentators prefer the second explanation.

243. Âp. II, 28, 1. 'The husbandman's (own) fault,' i.e. 'if he

244. To these rules a righteous king shall keep in (all cases of) transgressions by masters, their cattle, and herdsmen.

245. If a dispute has arisen between two villages concerning a boundary, the king shall settle the limits in the month of *Gyaishtha*, when the land-marks are most distinctly visible.

246. Let him mark the boundaries (by) trees, (e.g.) *Nyagrodhas*, *Asvatthas*, *Kimsukas*, cotton-trees, *Sâlas*, *Palmyra* palms, and trees with milky juice,

247. By clustering shrubs, bamboos of different kinds, *Samis*, creepers and raised mounds, reeds, thickets of *Kubgaka*; thus the boundary will not be forgotten.

248. Tanks, wells, cisterns, and fountains should be built where boundaries meet, as well as temples,

249. And as he will see that through men's ignorance of the boundaries trespasses constantly occur in the world, let him cause to be made other hidden marks for boundaries,

250. Stones, bones, cow's hair, chaff, ashes, potsherds, dry cowdung, bricks, cinders, pebbles, and sand,

has allowed his crops to be eaten by cattle, or has not sown the field in proper time, &c.' (Medh., Gov., Kull., Nâr., Râgh.).

245. *Gyaishtha*, i.e. May-June, 'when the grass has been dried up by the heat' (Medh., Kull., Râgh.).

246. *Yâgñ.* II, 151. *Nyagrodha*, *Ficus Indica*; *Asvattha*, *Ficus Religiosa*; *Kimsuka*, *Butea Frondosa*; *Sâla*, *Shorea Robusta*. 'Trees with milky juice,' i.e. '*Arka* (*Calatropis Gigantea*), *Udumbara* (*Ficus Glomerata*), &c.'

247. *Samî*, *Acacia Suma*; 'mounds,' i.e. the heaps of earth are meant which now are used generally as landmarks in British districts. Instead of *Kubgaka* Nand. reads *Kulyaka*.

251. And whatever other things of a similar kind the earth does not corrode even after a long time, those he should cause to be buried where one boundary joins (the other).

252. By these signs, by long continued possession, and by constantly flowing streams of water the king shall ascertain the boundary (of the land) of two disputing parties.

253. If there be a doubt even on inspection of the marks, the settlement of a dispute regarding boundaries shall depend on witnesses.

254. The witnesses, (giving evidence) regarding a boundary, shall be examined concerning the landmarks in the presence of the crowd of the villagers and also of the two litigants.

255. As they, being questioned, unanimously decide, even so he shall record the boundary (in writing), together with their names.

256. Let them, putting earth on their heads, wearing chaplets (of red flowers) and red dresses, being sworn each by (the rewards for) his meritorious deeds, settle (the boundary) in accordance with the truth.

257. If they determine (the boundary) in the

251. According to Kull., who relies on a passage of *Bṛhaspati*, these objects are to be placed in jars.

254. According to the commentators the verse refers to a dispute between two villages, and the two litigants are persons deputed by each village to conduct the case (see also below, verse 261).

255. All the commentators explain *nibadhnîyât* by 'he shall record in writing,' and as it is specially mentioned that the names of the witnesses shall be given, it seems impossible to take the word in any other sense. Medh. says that, if the witnesses disagree, the opinion of the majority shall be taken.

256-260. *Yâgñ. II, 150-152.*

manner stated, they are guiltless (being) veracious witnesses; but if they determine it unjustly, they shall be compelled to pay a fine of two hundred (panas).

258. On failure of witnesses (from the two villages, men of) the four neighbouring villages, who are pure, shall make (as, witnesses) a decision concerning the boundary in the presence of the king.

259. On failure of neighbours (who are) original inhabitants (of the country and can be) witnesses with respect to the boundary, (the king) may hear the evidence even of the following inhabitants of the forest,

260. (Viz.) hunters, fowlers, herdsmen, fishermen, root-diggers, snake-catchers, gleaners, and other foresters.

261. As they, being examined, declare the marks for the meeting of the boundaries (to be), even so the king shall justly cause them to be fixed between the two villages.

262. The decision concerning the boundary-marks of fields, wells, tanks, of gardens and houses depends upon (the evidence of) the neighbours.

263. Should the neighbours give false evidence,

258. Men from the four surrounding villages are meant, as Kull. suggests. The correctness of this opinion is proved by the fact that the land-grants usually mention 'the four boundaries' (*ĥaturāghā/ānāni*) of the villages given away. Medh. and Nand. read *gramasāmāntavāsinaḥ*, 'four men living in, &c.'

259. *Maulānām*, 'original inhabitants,' i.e. 'whose ancestors have lived there since the settlement of the village' (Medh., Gov., Kull., *Rāgh.*).

260. 'Other foresters,' i.e. 'those who collect flowers, fruit, and fuel' (Medh., Gov., Kull.), or 'Sabaras and the rest' (*Nār.*).

262. Vas. XVI, 13-15; *Yāgñ.* II, 154.

263. *Yāgñ.* I, 153.

when men dispute about a boundary-mark, the king shall make each of them pay the middlemost amercement as a fine.

264. He who by intimidation possesses himself of a house, a tank, a garden, or a field, shall be fined five hundred (*panas*); (if he trespassed) through ignorance, the fine (shall be) two hundred (*panas*).

265. If the boundary cannot be ascertained (by any evidence), let a righteous king with (the intention of) benefiting them (all), himself assign (his) land (to each); that is the settled rule.

266. Thus the law for deciding boundary (disputes) has been fully declared, I will next propound the (manner of) deciding (cases of) defamation.

267. A Kshatriya, having defamed a Brâhmana, shall be fined one hundred (*panas*); a Vaisya one hundred and fifty or two hundred; a Sûdra shall suffer corporal punishment.

268. A Brâhmana shall be fined fifty (*panas*) for defaming a Kshatriya; in (the case of) a Vaisya the fine shall be twenty-five (*panas*); in (the case of) a Sûdra twelve.

269. For offences of twice-born men against those of equal caste (*varna*, the fine shall be) also twelve (*panas*); for speeches which ought not to be uttered, that (and every fine shall be) double.

270. A once-born man (a Sûdra), who insults a

265. Yâgñ. II, 153.

267-277. Âp. II, 27, 14; Gaut. XII, 1, 8-14; Vas. IX, 9; Vi. V, 23-39; Yâgñ. II, 204-211.

269. 'Speeches that ought not to be uttered,' i.e. 'insinuations against the honour of another's female relatives, especially mothers and sisters' (Medh., Gov., Kull., Râgh.), with which the Hindus, like other Orientals, are very ready.

270. The last clause refers, according to the commentators, to the

twice-born man with gross invective, shall have his tongue cut out; for he is of low origin.

271. If he mentions the names and castes (*gâti*) of the (twice-born) with contumely, an iron nail, ten fingers long, shall be thrust red-hot into his mouth.

272. If he arrogantly teaches Brâhmanas their duty, the king shall cause hot oil to be poured into his mouth and into his ears.

273. He who through arrogance makes false statements regarding the learning (of a caste-fellow), his country, his caste (*gâti*), or the rites by which his body was sanctified, shall be compelled to pay a fine of two hundred (*panas*).

274. He who even in accordance with the true facts (contemptuously) calls another man one-eyed, lame, or the like (names), shall be fined at least one *kârshâpana*.

275. He who defames his mother, his father, his wife, his brother, his son, or his teacher, and he who gives not the way to his preceptor, shall be compelled to pay one hundred (*panas*).

276. (For mutual abuse) by a Brâhmana and a

origin of the Sûdra from Brahman's feet; see above, I, 31. According to Medh. the expression 'once-born' includes men born from high-caste fathers and low-caste mothers.

271. I.e. if he says 're Yagnâdatta,' or 'thou scum of the Brâhmanas.'

273. '(Of a caste-fellow),' (Kull., Râgh.), Gov. too states that the rule cannot refer to Sûdras, because the punishment is too light. Medh. explains karma by 'occupation,' and sârîram by 'bodily (deficiencies),' while the others refer karma sârîram to a denial of the initiation.

275. Âkshârayati, 'defames,' i.e. 'accuses them of a mortal sin' (Gov., Kull., Râgh.), or 'of incest' (Nâr.), or 'causes dissensions between them and others' (Medh.), or 'makes them angry' (Nand.).

Kshatriya a fine must be imposed by a discerning (king), on the Brâhmaṇa the lowest amercement, but on the Kshatriya the middlemost.

277. A Vaisya and a Sûdra must be punished exactly in the same manner according to their respective castes, but the tongue (of the Sûdra) shall not be cut out; that is the decision.

278. Thus the rules for punishments (applicable to cases) of defamation have been truly declared; I will next propound the decision (of cases) of assault.

279. With whatever limb a man of a low caste does hurt to (a man of the three) highest (castes), even that limb shall be cut off; that is the teaching of Manu.

280. He who raises his hand or a stick, shall have his hand cut off; he who in anger kicks with his foot, shall have his foot cut off.

281. A low-caste man who tries to place himself on the same seat with a man of a high caste, shall be branded on his hip and be banished, or (the king) shall cause his buttock to be gashed.

282. If out of arrogance he spits (on a superior), the king shall cause both his lips to be cut off; if he urines (on him), the penis; if he breaks wind (against him), the anus.

277. I. e. if a Sûdra defames a Vaisya his tongue is not cut out, but he pays the middlemost amercement.

279-280. Vi. V, 19; Yâgñ. II, 215.

280. Praharet, 'kicks,' i. e. 'lifts his foot in order to kick' (Medh., Nâr., Nand.).

281. Âp. II, 27, 15; Gaut. XII, 7; Vi. V, 20. According to Medh., Gov., Kull., the rule refers to a Brâhmaṇa and a Sûdra; according to Râgh., to the latter and an Âryan; according to Nâr., to a Kshatriya, Vaisya, or Sûdra offending against a Brâhmaṇa.

282. Vi. V, 21-22.

283. If he lays hold of the hair (of a superior), let the (king) unhesitatingly cut off his hands, likewise (if he takes him) by the feet, the beard, the neck, or the scrotum.

284. He who breaks the skin (of an equal) or fetches blood (from him) shall be fined one hundred (*panas*), he who cuts a muscle six *nishkas*, he who breaks a bone shall be banished.

285. According to the usefulness of the several (kinds of) trees a fine must be inflicted for injuring them; that is the settled rule.

286. If a blow is struck against men or animals in order to (give them) pain, (the judge) shall inflict a fine in proportion to the amount of pain (caused).

287. If a limb is injured, a wound (is caused), or blood (flows, the assailant) shall be made to pay (to the sufferer) the expenses of the cure, or the whole (both the usual amercement and the expenses of the cure as a) fine (to the king).

284. Vi. V, 66-70; Yâgñ. II, 218. '(Of an equal),' (Medh., Kull., Nand.) According to Râgh., the rule refers to Sûdras assaulting Sûdras. According to Nâr., the last offender's property shall be confiscated.

285. Vi. V, 55-59; Yâgñ. II, 227-228. The expression 'trees' includes all plants (Medh., Kull.). According to Gov., the fine for injuring trees which give shade only is to be very small; in the case of flower-bearing trees, middling; in the case of fruit-trees, high (see Vi. loc. cit.). Medh. remarks that the position of the trees, e.g. whether they are boundary-marks, or stand on a cross-road, in a hermitage, &c., has to be taken into account (see Yâgñ. loc. cit.).

286-287. Vi. V, 75-76; Yâgñ. II, 219, 222.

287. Instead of *vraṇa*, 'a wound' (Kull., Nâr.), Medh., Gov., Râgh., Nand., and K. read *prâṇa*. Medh. explains the latter reading by 'if the vital strength is injured,' and Gov. and Râgh. by 'if the breathing power is injured by gagging.' 'Or the whole (as a) fine,' i. e. if the person injured refuses the compensation. Nâr. says, 'and shall pay the whole fine, mentioned above.'

288. He who damages the goods of another, be it intentionally or unintentionally, shall give satisfaction to the (owner) and pay to the king a fine equal to the (damage).

289. In the case of (damage done to) leather, or to utensils of leather, of wood, or of clay, the fine (shall be) five times their value; likewise in the case of (damage to) flowers, roots, and fruit.

290. They declare with respect to a carriage, its driver and its owner, (that there are) ten cases in which no punishment (for damage done) can be inflicted; in other cases a fine is prescribed.

291. When the nose-string is snapped, when the yoke is broken, when the carriage turns sideways or back, when the axle or a wheel is broken,

292. When the leather-thongs, the rope around the neck or the bridle are broken, and when (the driver) has loudly called out, 'Make way,' Manu has declared (that in all these cases) no punishment (shall be inflicted).

293. But if the cart turns off (the road) through the driver's want of skill, the owner shall be fined, if damage (is done), two hundred (*panas*).

294. If the driver is skilful (but negligent), he alone shall be fined; if the driver is unskilful, the occupants of the carriage (also) shall be each fined one hundred (*panas*).

295. But if he is stopped on his way by cattle or

288. 'The goods,' i.e. 'such objects as are not mentioned specially' (Medh., Gov., Kull., Râgh.).

291-295. Yâgñ. II, 298-299.

291. 'When the carriage turns sideways or backwards,' i.e. 'off the road owing to its badness, to the animals taking fright, &c.' (Medh., Gov., Kull., Râgh.).

295. There are two readings, *avikârita*, 'without doubt' (lit. 'not

by (another) carriage, and he causes the death of any living being, a fine shall without doubt be imposed.

296. If a man is killed, his guilt will be at once the same as (that of) a thief; for large animals such as cows, elephants, camels or horses, half of that.

297. For injuring small cattle the fine (shall be) two hundred (*panas*); the fine for beautiful wild quadrupeds and birds shall amount to fifty (*panas*).

298. For donkeys, sheep, and goats the fine shall be five *mâshas*; but the punishment for killing a dog or a pig shall be one *mâsha*.

299. A wife, a son, a slave, a pupil, and a (younger) brother of the full blood, who have committed faults, may be beaten with a rope or a split bamboo,

300. But on the back part of the body (only), never on a noble part; he who strikes them otherwise will incur the same guilt as a thief.

301. Thus the whole law of assault (and hurt) has been declared completely; I will now explain the rules for the decision (in cases) of theft.

302. Let the king exert himself to the utmost to

considered'), and *viârita*, 'is considered (to be just).' Medh. gives besides the explanation, adopted in the translation according to Kull., another one, 'is not considered (just).' He mentions also the second reading, which Gov., Râgh., Nâr., and Nand. have, and explains it with them by 'is considered (to be just).'

296. 'The same as that of a thief,' i. e. 'he must pay the highest amercement, or 1000 *panas*' (Medh., Gov., Nâr., Kull., Râgh., Nand.).

297-298. Vi. V, 50-54.

299-300. Âp. I, 8, 31; Gaut. II, 43-44.

300. 'Not on a noble part,' i. e. 'not on the chest or the head, &c.' (Medh., Kull.).

punish thieves; for, if he punishes thieves, his fame grows and his kingdom prospers.

303. That king, indeed, is ever worthy of honour who ensures the safety (of his subjects); for the sacrificial session (sattra, which he, as it were, performs thereby) ever grows in length, the safety (of his subjects representing) the sacrificial fee.

304. A king who (duly) protects (his subjects) receives from each and all the sixth part of their spiritual merit; if he does not protect them, the sixth part of their demerit also (will fall on him).

305. Whatever (merit a man gains by) reading the Veda, by sacrificing, by charitable gifts, (or by) worshipping (Gurus and gods), the king obtains a sixth part of that in consequence of his duly protecting (his kingdom).

306. A king who protects the created beings in accordance with the sacred law and smites those worthy of corporal punishment, daily offers (as it were) sacrifices at which hundred thousands (are given as) fees.

307. A king who does not afford protection, (yet) takes his share in kind, his taxes, tolls and duties, daily presents and fines, will (after death) soon sink into hell.

303-311. Âp. II, 25, 15; Vas. I, 42-44; Vi. V, 196; Yâgñ. I, 335-336, 358; see also below, IX, 252 seqq.

307. 'The share in kind,' i.e. 'the sixth part of the harvest' (Medh., Gov., Kull., Nâr., Râgh.), or 'the choice portions of fruit, grain, &c. to be given to the king.' 'Taxes,' i.e. *gaṅghādāna* (Medh.), or the land-tax paid in money (Nâr.), 'monthly taxes, or taxes payable in certain months by the villagers' (Gov., Kull., Râgh.). *Sulka*, i.e. 'the tolls and duties payable by merchants and traders' (Medh., Gov., Kull., Nâr., Râgh.). For *pratibhâgam*, i.e. 'the daily presents of fruit, vegetables, &c.,' the so-called *Dālīs* (Medh., Kull.),

308. They declare that a king who affords no protection, (yet) receives the sixth part of the produce, takes upon himself all the foulness of his whole people.

309. Know that a king who heeds not the rules (of the law), who is an atheist, and rapacious, who does not protect (his subjects, but) devours them, will sink low (after death).

310. Let him carefully restrain the wicked by three methods,—by imprisonment, by putting them in fetters, and by various (kinds of) corporal punishments.

311. For by punishing the wicked and by favouring the virtuous, kings are constantly sanctified, just as twice-born men by sacrifices.

312. A king who desires his own welfare must always forgive litigants, infants, aged and sick men, who inveigh against him.

313. He who, being abused by men in pain, pardons (them), will in reward of that (act) be exalted in heaven; but he who, (proud) of his kingly state,

Nâr. and Râgh. read *pratibhogam*, Gov. *bhûtibhogam*, and Nand. *prîtibhogam*, but the explanation of the first two var. lect. is the same. *Prîtibhogam* would however denote all 'benevolences,' which usually are called *prîtidâna* and are levied on particular occasions.

308. Medh. and Nâr. read *arakshitâram attâram*, '(a king) who affords no protection, (yet) devours (his subjects and) takes, &c.'

309. Nand. reads at the end of the verse *asatyam ka nrîpam tyaget*, 'Let him forsake a king who heeds not the rules . . . and is untruthful.' This var. lect. is mentioned by Medh. *Vipralumpakam* (or 'lopakam'), 'rapacious,' means according to Nâr., Nand., and Râgh. 'who takes the goods of Brâhmanas or injures them.'

310. 'The wicked,' i.e. 'thieves, because the topic (is theft),' (Medh.).

311. 'Twice-born men,' i.e. 'Brâhmanas' (Medh., Nâr.).

forgives them not, will for that (reason) sink into hell.

314. A thief shall, running, approach the king, with flying hair, confessing that theft (and saying), 'Thus have I done, punish me;'

315. (And he must) carry on his shoulder a pestle, or a club of Khadira wood, or a spear sharp at both ends, or an iron staff.

316. Whether he be punished or pardoned, the thief is freed from the (guilt of) theft; but the king, if he punishes not, takes upon himself the guilt of the thief.

317. The killer of a learned Brāhmaṇa throws his guilt on him who eats his food, an adulterous wife on her (negligent) husband, a (sinning) pupil or sacrificer on (their negligent) teacher (or priest), a thief on the king (who pardons him).

318. But men who have committed crimes and have been punished by the king, go to heaven, being pure like those who performed meritorious deeds.

319. He who steals the rope or the water-pot from a well, or damages a hut where water is distri-

314-316. Âp. I, 25, 4-5; Gaut. XII, 43-45; Vas. XX, 41; Baudh. II, 1, 16-17; Vi. LIH, 1-2; Yâgñ. III, 257.

314. Medh. and Nand. read instead of dhâvatâ, 'running,' dhîmatâ, (shall approach the king) 'with firm determination.' But Medh. mentions the other reading too, the correctness of which is attested by Vas. loc. cit. According to the commentators and the parallel passages, a repentant thief is meant who has stolen gold belonging to a Brāhmaṇa; see also below, XI, 199-201.

317. Vas. XIX, 44. Medh. gives verse 317 after 318, but remarks that the order ought to be inverted. He says that a priest must leave a disobedient sacrificer; else the guilt of irregularities committed by the latter will fall upon the priest.

319. 'Damages,' i.e. 'takes away the wood belonging to it' (Nâr.).

buted, shall pay one *mâsha* as a fine and restore the (article abstracted or damaged) in its (proper place).

320. On him who steals more than ten *kumbhas* of grain corporal punishment (shall be inflicted); in other cases he shall be fined eleven times as much, and shall pay to the (owner the value of his) property.

321. So shall corporal punishment be inflicted for stealing more than a hundred (*palas*) of articles sold by the weight, (i. e.) of gold, silver, and so forth, and of most excellent clothes.

322. For (stealing) more than fifty (*palas*) it is enacted that the hands (of the offender) shall be cut off; but in other cases, let him inflict a fine of eleven times the value.

323. For stealing men of noble family and especially women and the most precious gems, (the offender) deserves corporal (or capital) punishment.

324. For stealing large animals, weapons, or medicines, let the king fix a punishment, after considering the time and the purpose (for which they were destined).

'One *mâsha*,' i. e. 'of copper' (Medh.), 'of gold' (Gov., Kull., Nâr., Râgh.).

320. Vi. V, 12. 'A *kumbha* is equal to 20 or 22 *prasthas* of 32 *palas* each' (Medh.), or 'to 20 *dronas* of 200 *palas* each' (Gov., Kull., Râgh.), or 'to 200 *palas*' (Nâr.). *Vadha*, 'corporal punishment,' i. e. 'flogging, mutilation, or even capital punishment, according to the quality of the person robbed' (Gov., Kull., Râgh.).

321. Vi. V, 13. According to Nâr. and Râgh., other things than gold and silver are to be understood by *dharima*, 'sold by the weight.' But Medh., Gov., and Kull. explain as above.

322. Vi. V, 81-82. Nâr. thinks that this rule refers to copper and the like metals of small value. But it is also possible to remove the seeming inconsistency, by explaining the term *vadha* in the preceding verse by 'capital punishment.'

324-325. Vi. V, 77-78.

324. 'The purpose for which the object was destined,' i. e. 'whether

325. For (stealing) cows belonging to Brâhmanas, for piercing (the nostrils of) a barren cow, and for stealing (other) cattle (belonging to Brâhmanas, the offender) shall forthwith lose half his feet.

326. (For stealing) thread, cotton, drugs causing fermentation, cowdung, molasses, sour milk, sweet milk, butter-milk, water, or grass,

327. Vessels made of bamboo or other cane, salt of various kinds, earthen (vessels), earth and ashes,

328. Fish, birds, oil, clarified butter, meat, honey, and other things that come from beasts,

329. Or other things of a similar kind, spirituous liquor, boiled rice, and every kind of cooked food, the fine (shall be) twice the value (of the stolen article).

330. For flowers, green corn, shrubs, creepers, trees, and other unhusked (grain) the fine (shall be) five *krishnalas*.

weapons were stolen during a combat, or medicines from a very sick man' (Medh., Gov., Râgh.).

325. Instead of the reading of the editions, '*sthûrikâyâs ka bhedane*,' Medh., Nâr., Râgh., Nand., and K. have '*sthûrikâyâs ka bhedane*,' which is no doubt the correct version, the vulgata being caused by a mislecture of the old form of the letter 'tha.' Kull. and Râgh. explain the phrase in the manner given above, and Gov., who reads '*nâsa[si]kâyâs ka bhedane*,' agrees with them. Medh., on the other hand, says that *sthûrikâ* means 'an ox' (*balîvarda*), and the phrase must be taken 'for pricking with a goad (and using for one's purpose) the ox (of another man).' Nâr. finally asserts that *sthûrikâ* means 'a load placed on an ox,' and interprets the words by 'for cutting open a sack carried by an ox and abstracting its contents.'

326-331. Vi. V, 83-86.

328. 'Other things that come from beasts,' i. e. 'skins, horns, *gorokanâ*, &c.' (Gov., Nâr., Kull., Râgh.).

329. 'Other things of a similar kind,' i. e. 'red arsenic, red lead, &c.' (Gov., Kull.), or 'other eatables' (Nand.).

330. Gaut. XII, 18. Gov. reads *alpeshu*, 'for a little unhusked

331. For husked grain, vegetables, roots, and fruit the fine (shall be) one hundred (*panas*) if there is no connexion (between the owner and the thief), fifty (*panas*) if such a connexion exists.

332. An offence (of this description), which is committed in the presence (of the owner) and with violence, will be robbery; if (it is committed) in his absence, it will be theft; likewise if (the possession of) anything is denied after it has been taken.

333. On that man who may steal (any of) the above-mentioned articles, when they are prepared for (use), let the king inflict the first (or lowest) amercement; likewise on him who may steal (a sacred) fire out of the room (in which it is kept).

334. With whatever limb a thief in any way commits (an offence) against men, even of that (the king) shall deprive him in order to prevent (a repetition of the crime).

(grain),’ instead of anyeshu, ‘other.’ ‘Five *krishṇa*las,’ i.e. ‘of gold’ (Medh.), ‘of gold or silver’ (Gov., Kull., Rāgh.).

331. *Niranvaye*, ‘if there be no connexion (between the owner and the thief),’ means according to Medh. either ‘if there be no connexion by friendly mutual leading,’ or ‘if there be no connexion such as residence in the same village,’ or ‘if there was no watchman in the field.’ Gov. and Nār. agree with the first explanation, Kull. and Rāgh. with the second; but see above, verse 198.

332. *Yāgñ.* II, 230. Medh. and Nār. place this verse after the next.

333. ‘Prepared for use,’ i.e. ‘for eating’ (Medh., Nār.), or ‘thread worked into cloth’ (Medh., Gov., Kull., Rāgh.). ‘Fire,’ i.e. either the sacred fire (Medh., Kull., Nār., Rāgh.), or also the common fire (Gov.). Medh. and Nand. read *satam*, ‘one hundred *panas*,’ instead of *ādyam*, ‘the lowest amercement,’ which latter reading Medh. mentions too.

334. *Pratyādesāya*, ‘in order to prevent (a repetition of the offence),’ (Gov., Kull., Rāgh., Nand.), means according to Medh. and Nār. ‘in order to deter (others).’

335. Neither a father, nor a teacher, nor a friend, nor a mother, nor a wife, nor a son, nor a domestic priest must be left unpunished by a king, if they do not keep within their duty.

336. Where another common man would be fined one *kârshâpana*, the king shall be fined one thousand; that is the settled rule.

337. In (a case of) theft the guilt of a *Sûdra* shall be eightfold, that of a *Vaisya* sixteenfold, that of a *Kshatriya* two-and-thirtyfold,

338. That of a *Brâhmana* sixty-fourfold, or quite a hundredfold, or (even) twice four-and-sixtyfold; (each of them) knowing the nature of the offence.

339. (The taking of) roots and of fruit from trees, of wood for a (sacrificial) fire, and of grass for feeding cows, *Manu* has declared (to be) no theft.

340. A *Brâhmana*, seeking to obtain property from a man who took what was not given to him, either by sacrificing for him or by teaching him, is even like a thief.

341. A twice-born man, who is travelling and whose provisions are exhausted, shall not be fined, if he takes two stalks of sugar-cane or two (esculent) roots from the field of another man.

335. *Yâgñ.* I, 357.

336. The king shall throw the money, due as a fine for an offence he may have committed, into the water or give it to *Brâhmanas* (*Medh.*, *Gov.*, *Kull.*), in accordance with IX, 245.

337-338. *Gaut.* XII, 15-17.

337. 'The guilt' means of course that the offender has to pay a fine in proportion.

339. *Âp.* I, 28, 3; *Gaut.* XII, 28; *Yâgñ.* II, 166. According to *Medh.*, *Gov.*, *Kull.*, *Nâr.*, and *Râgh.*, the condition is that the things taken were unenclosed.

341. *Gaut.* XII, 49-50; see also below, IX, 239, 241.

342. He who ties up unbound or sets free tied up (cattle of other men), he who takes a slave, a horse, or a carriage will have incurred the guilt of a thief.

343. A king who punishes thieves according to these rules, will gain fame in this world and after death unsurpassable bliss.

344. A king who desires to gain the throne of Indra and imperishable eternal fame, shall not, even for a moment, neglect (to punish) the man who commits violence.

345. He who commits violence must be considered as the worst offender, (more wicked) than a defamer, than a thief, and than he who injures (another) with a staff.

346. But that king who pardons the perpetrator of violence quickly perishes and incurs hatred.

347. Neither for friendship's sake, nor for the sake of great lucre, must a king let go perpetrators of violence, who cause terror to all creatures.

348. Twice-born men may take up arms when (they are) hindered (in the fulfilment of) their duties, when destruction (threatens) the twice-born castes (varṇa) in (evil) times,

342. 'Takes a slave, &c.,' i.e. 'makes them do his work' (Nār.). The other commentators think of actual theft.

344. Sâhasa, 'violence,' comprises according to Medh. robbery (see also above, verse 332), rape, arson, cutting clothes, or forcibly destroying property.

348-351. Gaut. VII, 25; Vas. III, 15-18, 24; Baudh. I, 18-23; Vi. V, 189-192.

348. I.e. when robbers and so forth do not allow the twice-born to offer sacrifices or to fulfil other sacred duties (Medh.), or when in times of a foreign invasion (Gov., Kull., Nâr., Râgh.), or of a famine (Nâr.), the twice-born castes are threatened by an improper intermixture (samkara).

349. In their own defence, in a strife for the fees of officiating priests, and in order to protect women and Brāhmanas; he who (under such circumstances) kills in the cause of right, commits no sin.

350. One may slay without hesitation an assassin who approaches (with murderous intent), whether (he be one's) teacher, a child or an aged man, or a Brāhmaṇa deeply versed in the Vedas.

351. By killing an assassin the slayer incurs no guilt, whether (he does it) publicly or secretly; in that case fury recoils upon fury.

352. Men who commit adultery with the wives of others, the king shall cause to be marked by punishments which cause terror, and afterwards banish.

353. For by (adultery) is caused a mixture of the castes (varṇa) among men; thence (follows) sin, which cuts up even the roots and causes the destruction of everything.

354. A man formerly accused of (such) offences, who secretly converses with another man's wife, shall pay the first (or lowest) amercement.

355. But a man, not before accused, who (thus) speaks with (a woman) for some (reasonable) cause, shall not incur any guilt, since in him there is no transgression.

350. According to Kull: the condition is that one must be unable to save oneself by flight, according to Nār. one must not wound such a man 'excessively.'

351. 'Secretly,' i. e. 'by incantations or spells' (Gov., Nār., Nand.).

353. I. e. if a mixture of the castes takes place, the sacrifices cannot be offered properly, because duly qualified sacrificers are wanting. If sacrifices are not duly offered, no rain will fall (see above, III, 76), and everything will perish (Medh., Gov., Kull., Rāgh.).

354-358. Âp. II, 26, 18-19; Yâgñ. II, 284.

356. He who addresses the wife of another man at a Tīrtha, outside the village, in a forest, or at the confluence of rivers, shall suffer (the punishment for) adulterous acts (*samgrahana*).

357. Offering presents (to a woman), romping (with her), touching her ornaments and dress, sitting with her on a bed, all (these acts) are considered adulterous acts (*samgrahana*).

358. If one touches a woman in a place (which ought) not (to be touched) or allows (oneself) to be touched in such a spot, all (such acts done) with mutual consent are declared (to be) adulterous (*samgrahana*).

359. A man who is not a Brāhmaṇa ought to suffer death for adultery (*samgrahana*); for the wives of all the four castes even must always be carefully guarded.

360. Mendicants, bards, men who have performed the initiatory ceremony of a Vedic sacrifice, and artisans are not prohibited from speaking to married women.

356. 'A Tīrtha,' i. e. 'a place on the river-bank where the women fetch water' (Medh., Nār., Rāgh.). The punishment is the highest amercement (Kull.). Nand. places this verse after 357.

358. Nand. says, 'If one touches a woman in a lonely place.' Gov. also mentions this explanation.

359. According to Gov., Kull., Rāgh. this rule refers to adultery committed by a Sūdra with a Brāhmaṇī (Rāgh.) or to the violation of a Brāhmaṇī by a Sūdra (Gov., Kull.). Medh., too, thinks that a Sūdra alone is to suffer capital punishment for adultery with an Āryan woman. Nand., finally, says that Kshatriyas, Vaisyas, and Sūdras are meant, who offend with a female of a higher caste. Possibly the correct explanation of *prānāntam dandam*, 'death,' may, however, be 'a punishment, even death.' This rendering at least removes all the difficulties created by the parallel passages and the following verses.

361. Let no man converse with the wives of others after he has been forbidden (to do so); but he who converses (with them), in spite of a prohibition, shall be fined one suvarna.

362. This rule does not apply to the wives of actors and singers, nor (of) those who live on (the intrigues of) their own (wives); for such men send their wives (to others) or, concealing themselves, allow them to hold criminal intercourse.

363. Yet he who secretly converses with such women, or with female slaves kept by one (master), and with female ascetics, shall be compelled to pay a small fine.

364. He who violates an unwilling maiden shall instantly suffer corporal punishment; but a man who enjoys a willing maiden shall not suffer corporal punishment, if (his caste be) the same (as hers).

365. From a maiden who makes advances to a (man of) high (caste), he shall not take any fine; but her, who courts a (man of) low (caste), let him force to live confined in her house.

361. Yâgñ. II, 285.

362. Baudh. II, 4, 3. I translate *kâraṇa* according to the commentators by 'actors and singers,' but it may also be the name of a caste which is well known in Western India.

363. 'Female ascetics,' i. e. 'Rakshakâs (?)', *S'ilamitrâs* (?), and so forth' (Medh.), or 'Buddhist nuns' (Gov., Kull., Râgh.). Nâr. says 'female mendicants.' It deserves to be noted that according to a passage attributed by Gov. and Nâr. to Baudhâyaṇa, but not found in our text, 'some' permitted even orthodox females to become ascetics. Female ascetics were probably in ancient India as common as they are now, and were considered equally disreputable.

364-368. Yâgñ. II, 288.

365. 'From a maiden,' i. e. 'from her relatives or guardians' (Medh.). According to Kull. and Nâr. the girl is to be fettered, according to Medh. to be guarded by her relatives. The confinement is to last until she is cured of her attachment.

366. A (man of) low (caste) who makes love to a maiden (of) the highest (caste) shall suffer corporal punishment; he who addresses a maiden (of) equal (caste) shall pay the nuptial fee, if her father desires it.

367. But if any man through insolence forcibly contaminates a maiden, two of his fingers shall be instantly cut off, and he shall pay a fine of six hundred (panas).

368. A man (of) equal (caste) who defiles a willing maiden shall not suffer the amputation of his fingers, but shall pay a fine of two hundred (panas) in order to deter him from a repetition (of the offence).

369. A damsel who pollutes (another) damsel must be fined two hundred (panas), pay the double of her (nuptial) fee, and receive ten (lashes with a) rod.

370. But a woman who pollutes a damsel shall instantly have (her head) shaved or two fingers cut off, and be made to ride (through the town) on a donkey.

371. If a wife, proud of the greatness of her relatives or (her own) excellence, violates the duty which she owes to her lord, the king shall cause

366. The meaning of the second clause is that if the father wishes it, the offender is to marry the girl, after paying the nuptial fee (Kull., Nâr.). If the father does not wish to receive the fee, the offender is to pay an equal sum as a fine to the king (Medh., Gov., Râgh.).

370. According to Medh. and Nâr. the verse prescribes three different punishments, and a Brâhmanî offender is to be shaved, a Kshatriyâ to be led through the streets on a donkey, while women of other castes are to lose two fingers. According to Goy., Kull., and Râgh. the punishment is to be regulated by the circumstances.

371-372. Gaut. XXIII, 14-15; Vi. V, 18.

her to be devoured by dogs in a place frequented by many.

372. Let him cause the male offender to be burnt on a red-hot iron bed ; they shall put logs under it, (until) the sinner is burned (to death).

373. On a man (once) convicted, who is (again) accused within a year, a double fine (must be inflicted); even thus (must the fine be doubled) for (repeated) intercourse with a *Vrâtyâ* and a *Kandâlî*.

374. A *Sûdra* who has intercourse with a woman of a twice-born caste (*varṇa*), guarded or unguarded, (shall be punished in the following manner): if she was unguarded, he loses the part (offending) and all his property; if she was 'guarded, everything (even his life).

375. (For intercourse with a guarded *Brâhmanî*) a *Vaisya* shall forfeit all his property after imprisonment for a year; a *Kshatriya* shall be fined one thousand (*panas*) and be shaved with the urine (of an ass).

376. If a *Vaisya* or a *Kshatriya* has connexion with an unguarded *Brâhmanî*, let him fine the *Vaisya* five hundred (*panas*) and the *Kshatriya* one thousand.

377. But even these two, if they offend with a

373. 'A *Vrâtyâ*,' i.e. 'the wife of an *Âryan* who has not been initiated' (Gov., Kull., Râgh.); see above, II, 39; or 'one not married in proper time' (Nâr. and Medh.), which latter attempts also another explanation, 'a public woman' or 'one common to several men.' The fine intended is two thousand *panas* (Gov., Kull., Râgh.).

374. Âp. II, 26, 20; 27, 9; Gaut. XII, 2-3; Vas. XXI, 5, 5; Baudh. II, 3, 52; Yâgñ. II, 286, 294. 'Guarded,' i.e. 'by her husband or relatives' (Medh., Kull., Râgh.).

377. Âp. II, 26, 20; Vas. XXI, 2-3; Yâgñ. II, 286. 'Like a *Sûdra*,' see verse 374.

Brāhmaṇī (not only) guarded (but the wife of an eminent man), shall be punished like a Sūdra or be burnt in a fire of dry grass.

378. A Brāhmaṇa who carnally knows a guarded Brāhmaṇī against her will, shall be fined one thousand (*panas*); but he shall be made to pay five hundred, if he had connexion with a willing one.

379. Tonsure (of the head) is ordained for a Brāhmaṇa (instead of) capital punishment; but (men of) other castes shall suffer capital punishment.

380. Let him never slay a Brāhmaṇa, though he have committed all (possible) crimes; let him banish such an (offender), leaving all his property (to him) and (his body) unhurt.

381. No greater crime is known on earth than slaying a Brāhmaṇa; a king, therefore, must not even conceive in his mind the thought of killing a Brāhmaṇa.

382. If a Vaisya approaches a guarded female of the Kshatriya caste, or a Kshatriya a (guarded) Vaisya woman, they both deserve the same punishment as in the case of an unguarded Brāhmaṇa female.

383. A Brāhmaṇa shall be compelled to pay a fine of one thousand (*panas*) if he has intercourse with guarded (females of) those two (castes); for (offending with) a (guarded) Sūdra female a fine of one thousand (*panas* shall be inflicted) on a Kshatriya or a Vaisya.

384. For (intercourse with) an unguarded Kshatriyā a fine of five hundred (*panas* shall fall) on a

382. According to the commentators the rule of verse 376 applies.

Vaisya; but (for the same offence) a Kshatriya shall be shaved with the urine (of a donkey) or (pay) the same fine.

385. A Brâhmana who approaches unguarded females (of the) Kshatriya or Vaisya (castes), or a Sûdra female, shall be fined five hundred (*panas*); but (for intercourse with) a female (of the) lowest (castes), one thousand.

386. That king in whose town lives no thief, no adulterer, no defamer, no man guilty of violence, and no committer of assaults, attains the world of Sakra (Indra).

387. The suppression of those five in his dominions secures to a king paramount sovereignty among his peers and fame in the world.

388. A sacrificer who forsakes an officiating priest, and an officiating priest who forsakes a sacrificer, (each being) able to perform his work and not contaminated (by grievous crimes), must each be fined one hundred (*panas*).

389. Neither a mother, nor a father, nor a wife, nor a son shall be cast off; he who casts them off, unless guilty of a crime causing loss of caste, shall be fined by the king six hundred (*panas*).

390. If twice-born men dispute among each other

385. 'A female of the lowest castes,' i.e. 'a *Kandâlî*' (Gov., Kull., Râgh.), or 'belonging to the castes of washermen, leather-workers, actors, basket-makers, fishermen, Medas, or Bhillas' (Nâr.).

386. Vi. V, 196.

388. 'An officiating priest,' i.e. 'one who has sacrificed for his family since many generations' (Gov., Nâr.).

389. Vi. V, 163; Yâgñ. II, 237. 'Shall not be cast off,' i.e. 'shall not be refused maintenance or the due respect' (Medh., Gov., Kull.).

390. 'Of the orders,' i.e. 'of the four orders' (Nâr., Râgh.), or 'of the householders' (Gov., Kull.). Medh. and Nand. take *âsrama*

concerning the duty of the orders, a king who desires his own welfare should not (hastily) decide (what is) the law.

391. Having shown them due honour, he should, with (the assistance of) Brâhmanas, first soothe them by gentle (speech) and afterwards teach them their duty.

392. A Brâhmana who does not invite his next neighbour and his neighbour next but one, (though) both (be) worthy (of the honour), to a festival at which twenty Brâhmanas are entertained, is liable to a fine of one mâsha.

393. A Srotريا who does not entertain a virtuous Srotريا at auspicious festive rites, shall be made to pay him twice (the value of) the meal and a mâsha of gold (as a fine to the king).

394. A blind man, an idiot, (a cripple) who moves with the help of a board, a man full seventy years old, and he who confers benefits on Srotrias, shall not be compelled by any (king) to pay a tax.

not in the sense of 'order,' but of 'hermitage,' and 'twice-born men' in the sense of 'hermits.' Nâr. explains na vibrâyât, 'shall not (hastily) decide,' by 'shall not wrongly decide by himself.'

392. Vi. V, 94; Yâgñ. II, 263. 'A festival,' i.e. 'a wedding and so forth' (Medh.), or 'at which a dinner is given' (Nand.). Anuversya, 'his next neighbour but one' (Kull., Nâr., Râgh.), means according to Medh., Gov., and Nand. 'he who lives at the back of his house,' while the neighbour living opposite is the prâtivesya. 'Twenty,' i.e. 'twenty or more other Brâhmanas' (Gov.). 'A mâsha,' i.e. 'of silver' (Gov., Kull., Râgh.), or 'of gold' (Medh., Nâr.).

393. 'A virtuous Srotريا,' i.e. 'a neighbour' (Gov., Kull., Râgh.), or 'living in the same village' (Nâr.). Medh. says, 'one who is not a neighbour.'

394. Âp. II, 26, 10-15; Vas. XIX, 23-24. '(A cripple) who moves with the help of a board' is not an uncommon sight in the streets of Indian towns. 'By any (king),' i.e. 'even by one whose treasury is empty.'

395. Let the king always treat kindly a Srotriya, a sick or distressed man, an infant and an aged or an indigent man, a man of high birth, and an honourable man (Ārya).

396. A washerman shall wash (the clothes of his employers) gently on a smooth board of Sālmali-wood; he shall not return the clothes (of one person) for those (of another), nor allow anybody (but the owner) to wear them.

397. A weaver (who has received) ten palas (of thread), shall return (cloth weighing) one pala more; he who acts differently shall be compelled to pay a fine of twelve (pāṇas).

398. Let the king take one-twentieth of that (amount) which men, well acquainted with the settlement of tolls and duties (and) skilful in (estimating the value of) all kinds of merchandise, may fix as the value for each saleable commodity.

399. Let the king confiscate the whole property of (a trader) who out of greed exports goods of which the king has a monopoly or (the export of which is) forbidden.

396. Yāgñ. II, 238. Sālmali, or cotton-tree wood, is naturally soft (Medh.).

397. Yāgñ. II, 179. Instead of 'twelve (pāṇas),' (Kull., Rāgh.), Medh. proposes 'twelve (palas),' Gov. 'twelve (times the value of the thread),' and Nār. 'one-twelfth (of the value of the thread).' Nand. reads dasaphalam and ekaphalādhikam, and says that the weaver is to pay to the king the profit of each eleventh piece of work which he performs.

398. Yāgñ. II, 261. Instead of 'of that (amount),' (Medh., Nār.), Gov., Kull., and Rāgh. say 'of the profit on that.'

399. Yāgñ. II, 261. Medh. gives as instances of monopolies, elephants; in Kasmīr, saffron; in the east, fine cloth and wool; in the west, horses; in the south, precious stones and pearls. Saffron is still a royal monopoly in Kasmīr.

400. He who avoids a custom-house (or a toll), he who buys or sells at an improper time, or he who makes a false statement in enumerating (his goods), shall be fined eight times (the amount of duty) which he tried to evade.

401. Let (the king) fix (the rates for) the purchase and sale of all marketable goods, having (duly) considered whence they come, whither they go, how long they have been kept, the (probable) profit and the (probable) outlay.

402. Once in five nights, or at the close of each fortnight, let the king publicly settle the prices for the (merchants).

403. All weights and measures must be duly marked, and once in six months let him re-examine them.

404. At a ferry an (empty) cart shall be made to pay one *pana*, a man's (load) half a *pana*, an animal and a woman one quarter of a (*pana*), an unloaded man one-half of a quarter.

405. Carts (laden) with vessels full (of merchandise) shall be made to pay toll at a ferry according to the value (of the goods), empty vessels and men without luggage some trifle.

400. Yāgñ. II, 262. 'At an improper time,' i.e. 'at night and so forth' (Medh., Gov., Nār., Kull., Rāgh.).

402. Yāgñ. II, 251. Gov. and Kull. say, 'let the king settle the price in the presence of those (experts,' see verse 398). The translation follows Rāgh. The length of the periods depends thereon, whether the goods vary much in price. Medh. omits this and the next four verses.

403. Vas. XIX, 13.

405. 'Empty vessels,' i.e. such as serve for the transport of merchandise, jars, leather-bags, baskets, &c. *Aparikkhadāh*, 'men without luggage,' may also be translated 'men without attendants.' Kull. and Rāgh. say, 'poor men.'

406. For a long passage the boat-hire must be proportioned to the places and times; know that this (rule refers) to (passages along) the banks of rivers; at sea there is no settled (freight).

407. But a woman who has been pregnant two months or more, an ascetic, a hermit in the forest, and Brâhmanas who are students of the Veda, shall not be made to pay toll at a ferry.

408. Whatever may be damaged in a boat by the fault of the boatmen, that shall be made good by the boatmen collectively, (each paying) his share.

409. This decision in suits (brought) by passengers (holds good only) in case the boatmen are culpably negligent on the water; in the case of (an accident) caused by (the will of) the gods, no fine can be (inflicted on them).

410. (The king) should order a Vaisya to trade, to lend money, to cultivate the land, or to tend cattle, and a Sûdra to serve the twice-born castes.

411. (Some wealthy) Brâhmana shall compassionately support both a Kshatriya and a Vaisya, if they are distressed for a livelihood, employing them on work (which is suitable for) their (castes).

412. But a Brâhmana who, because he is powerful, out of greed makes initiated (men of the) twice-born (castes) against their will do the work of slaves, shall be fined by the king six hundred (panas).

407. Vi. V. 132. According to Medh., heterodox monks must pay, because the word Brâhmana (taken above with students) refers to all the persons mentioned.

408. 'Whatever,' i. e. 'merchandise' (Medh., Nâr.), or 'luggage' (Gov., Kull., Râgh.).

411. I. e. he shall employ a poor Kshatriya as watchman, and a Vaisya as herdsman (Medh.). If he employs them in this way, he is not punishable (Gov., Kull.).

413. But a Sûdra, whether bought or unbought, he may compel to do servile work; for he was created by the Self-existent (Svayambhû) to be the slave of a Brâhmana.

414. A Sûdra, though emancipated by his master, is not released from servitude; since that is innate in him, who can set him free from it?

415. There are slaves of seven kinds, (viz.) he who is made a captive under a standard, he who serves for his daily food, he who is born in the house, he who is bought and he who is given, he who is inherited from ancestors, and he who is enslaved by way of punishment.

416. A wife, a son, and a slave, these three are declared to have no property; the wealth which they earn is (acquired) for him to whom they belong.

413. 'Whether bought or unbought,' i.e. 'whether maintained in consideration of service or not' (Gov., Kull., Ragh.), or 'whether bought or hired' (Nâr.).

414. Medh. says that the last clause is 'an arthavâda, because further on it will be shown that a slave can be emancipated.' Kull. thinks that an emancipated Sûdra must still serve Brâhmanas or other Âryans in order to gain spiritual merit.

415. Medh. rejects the notion that a captive Kshatriya can be made a slave, and thinks that a captured Sûdra must be meant; but see Yâgñ. II, 183, where it is laid down that Kshatriyas may become the slaves of Brâhmanas and Vaisyas of Brâhmanas and Kshatriyas. Nâr. explains dhvaghâhrîtaḥ, 'one made a captive under a standard,' by 'one who has become a slave by marrying a female slave.' 'Enslaved by way of punishment,' i.e. 'because he cannot pay a debt or a fine' (Medh., Gov., Kull., Ragh.), or 'also because he left a religious order' (see Vi. V, 152), (Nâr., Nand.)

416. According to Medh., Gov., Kull., Ragh., the verse means only that these persons are unable to dispose of their property independently. Nâr.'s short note (adhigakṣhamti parakarmakara-nâdinâ) seems to indicate that he took it to refer to their incapacity to earn money by working for others.



417. A Brāhmaṇa may confidently seize the goods of (his) Sūdra (slave); for, as that (slave) can have no property, his master may take his possessions.

418. (The king) should carefully compel Vaisyas and Sūdras to perform the work (prescribed) for them; for if these two (castes) swerved from their duties, they would throw this (whole) world into confusion.

419. Let him daily look after the completion of his undertakings, his beasts of burden, and carriages, (the collection of) his revenues and the disbursements, his mines and his treasury.

420. A king who thus brings to a conclusion all the legal business enumerated above, and removes all sin, reaches the highest state (of bliss).

CHAPTER IX.

1. I will now propound the eternal laws for a husband and his wife who keep to the path of duty, whether they be united or separated.

2. Day and night women must be kept in depend-

417. 'Confidently' means according to Medh., Nār., and Nand. 'without fearing that he commits the sin of accepting a present from a Sūdra.'

419. Karmāntān, 'the completion of his undertakings' (Kull., Rāgh.), means according to Medh., Gov., and Nand. 'the works,' i. e. 'agriculture, offices for collecting tolls and duties, and so forth' (Medh., Gov.), according to Nār. 'the workshops, e. g. for making arms.' The last explanation is perhaps the best.

IX. 1. According to Medh., Gov., and Kull. the duties of husband and wife are placed in the section on civil and criminal law, because the king can and even is bound to enforce their observance by punishments, if either of the two raises a complaint. 'Separated,' i. e. 'when the husband is absent or dead' (Nār., Rāgh.).

2-3. Gaut. XVIII, 1; Vas. V, 1-2; Baudh. II, 3, 44-45; Vi. V, 1-2; Yāgñ. I, 85.

ence by the males (of) their (families), and, if they attach themselves to sensual enjoyments, they must be kept under one's control.

3. Her father protects (her) in childhood, her husband protects (her) in youth, and her sons protect (her) in old age; a woman is never fit for independence.

4. Reprehensible is the father who gives not (his daughter in marriage) at the proper time; reprehensible is the husband who approaches not (his wife in due season), and reprehensible is the son who does not protect his mother after her husband has died.

5. Women must particularly be guarded against evil inclinations, however trifling (they may appear); for, if they are not guarded, they will bring sorrow on two families.

6. Considering that the highest duty of all castes, even weak husbands (must) strive to guard their wives.

7. He who carefully guards his wife, preserves (the purity of) his offspring, virtuous conduct, his family, himself, and his (means of acquiring) merit.

2. 'Must be kept under one's control,' i. e. 'they must be restrained from their vicious attachment' (*âtmano vase sthâpyâ yathâ na sa-gyante*), (*Nâr.*)

4. *Yâgñ. I, 64.* 'At the proper time,' i. e. before she is marriageable; see *Gaut. XVIII, 21*; *Vas. XVII, 67-71*. 'The husband,' see *Baudh. IV, 1, 17-19*, and above, *III, 45*. After this verse *K.* inserts another, not mentioned by the commentators, 'If the wife is guarded, the (purity of the) offspring is secured thereby; if the (purity of the) offspring is secured, oneself is secure.'

6. *Yâgñ. I, 81.* 'Weak husbands,' i. e. 'blind, lame, or poor ones, &c.' (*Kull., Râgh.*).

7. 'His family,' i. e. 'his ancestors,' because legitimate sons alone can offer the *Srâddhas* (*Medh., Gov., Kull.*), or 'his relatives,' because adultery brings dishonour (*Medh., Râgh.*), or 'the position of the

8. The husband, after conception by his wife, becomes an embryo and is born again of her ; for that is the wifehood of a wife (*gâyâ*), that he is born (*gâyate*) again by her.

9. As the male is to whom a wife cleaves, even so is the son whom she brings forth ; let him therefore carefully guard his wife, in order to keep his offspring pure.

10. No man can completely guard women by force ; but they can be guarded by the employment of the (following) expedients :

11. Let the (husband) employ his (wife) in the collection and expenditure of his wealth, in keeping (everything) clean, in (the fulfilment of) religious duties, in the preparation of his food, and in looking after the household utensils.

12. Women, confined in the house under trustworthy and obedient servants, are not (well) guarded ; but those who of their own accord keep guard over themselves, are well guarded.

13. Drinking (spirituous liquor), associating with wicked people, separation from the husband, rambling abroad, sleeping (at unseasonable hours), and dwelling in other men's houses, are the six causes of the ruin of women.

family' (*Nâr.*), or 'his property' (*Râgh.*). 'Himself,' i. e. 'because legitimate children alone can offer the *Śrâddhas*' (*Gov.*, *Kull.*, *Râgh.*), or 'because an adulteress and her paramour are likely to attempt his life' (*Medh.*). 'His (means of acquiring) merit,' i. e. 'because the husband of an adulteress is not entitled to kindle the sacred fire' (*Gov.*, *Kull.*, *Râgh.*). *Nâr.* says, 'his duty (as a householder).'

8. *Yâgñ.* I, 56. The idea is taken from the Veda ; see e.g. *Aitareya-brâhmana* VII, 13, to which *Kull.* refers.

13. 'Associating with wicked people,' i. e. 'with other unfaithful wives' (*Nâr.*), or 'with adulterers' (*Râgh.*).

14. Women do not care for beauty, nor is their attention fixed on age; (thinking), '(It is enough that) he is a man,' they give themselves to the handsome and to the ugly.

15. Through their passion for men, through their mutable temper, through their natural heartlessness, they become disloyal towards their husbands, however carefully they may be guarded in this (world).

16. Knowing their disposition, which the Lord of creatures laid in them at the creation, to be such, (every) man should most strenuously exert himself to guard them.

17. (When creating them) Manu allotted to women (a love of their) bed, (of their) seat and (of) ornament, impure desires, wrath, dishonesty, malice, and bad conduct.

18. For women no (sacramental) rite (is performed) with sacred texts, thus the law is settled; women (who are) destitute of strength and destitute of (the knowledge of) Vedic texts, (are as impure as) falsehood (itself), that is a fixed rule.

19. And to this effect many sacred texts are sung also in the Vedas, in order to (make) fully known the true disposition (of women); hear (now those texts which refer to) the expiation of their (sins).

20. 'If my mother, going astray and unfaithful, conceived illicit desires, may my father keep that seed from me,' that is the scriptural text.

18. The sacramental rites meant are the birth-ceremony and so forth; see also above, II, 66. 'Destitute of strength' (Gov.), i. e. 'of firmness, intelligence, bodily strength, &c.' (Medh., Nand.). The second half verse is closely allied to that quoted Baudh. II, 3, 46, and, like the latter, probably a modification of a Vedic passage.

20. The verse is a slightly altered Mantra which occurs in the

21. If a woman thinks in her heart of anything that would pain her husband, the (above-mentioned text) is declared (to be a means for) completely removing such infidelity.

22. Whatever be the qualities of the man with whom a woman is united according to the law, such qualities even she assumes, like a river (united) with the ocean.

23. Akshamâlâ, a woman of the lowest birth, being united to Vasishṭha and Sâraṅgî, (being united) to Mandapâla, became worthy of honour.

24. These and other females of low birth have

Sâṅkhâya *Grihya-sûtra* III, 13, and in the *Kâturmâsya* portion of the *Kâṭhaka* recension of the Black Yagur-veda. According to the former work it is to be recited by an Anyatrakarana, 'the son of a paramour.' But the *Kaṭhas* prescribe its use by every sacrificer who offers a *Kâturmâsya* sacrifice. Medh., Gov., and Kull. probably allude to the custom of the latter school when they say that the Mantra must be recited by every sacrificer, and that its viniyoga or destination is to be repeated at the *Kâturmâsya* and at the Anvashakâ-srâddha. Gov., Kull., Râgh., Nâr., and Nand. explain *retah*, 'seed,' by *mâtriragorûpam skannam*, and *vrîṅktâm*, 'may he keep away,' either by *bhagatâm* (*svîkarotu*, Nâr., Nand.), 'may he take for himself,' or by *sodhayatu*, 'may he purify' (Gov., Kull., Râgh.). Medh. likewise knows the last explanation. But he gives also another, *retah pituh sambandhi yad retah sukram*, and *vrîṅktâm*, *apanudatu*, which comes nearer to that given above. *Nidarsanam*, 'a scriptural text,' means according to Medh., *drishântah*, 'an example,' and the other commentators explain it similarly.

22. I.e. as a river becomes salt after uniting with the ocean. It must be borne in mind that, according to the Indian poets, the rivers are the wives of the ocean.

23. Akshamâlâ or Arundhatî was a *Kândâlî* (Gov., Râgh.), and became, as the *Sruti* states (Râgh.), with the permission of the *Rishis*, the wife of the sage Vasishṭha. The story of Mandapâla is told in the *Mahâbhârata* I, 8335 seq. (Adhy. 229). Medh., Gov., and K. read *Sâraṅgî* instead of *Sâraṅgî* or *Sâraṅgî*.

attained eminence in this world by the respective good qualities of their husbands.

25. Thus has been declared the ever pure popular usage (which regulates the relations) between husband and wife; hear (next) the laws concerning children which are the cause of happiness in this world and after death.

26. Between wives (*striyaḥ*) who (are destined) to bear children, who secure many blessings, who are worthy of worship and irradiate (their) dwellings, and between the goddesses of fortune (*sriyaḥ*, who reside) in the houses (of men), there is no difference whatsoever.

27. The production of children, the nurture of those born, and the daily life of men, (of these matters) woman is visibly the cause.

28. Offspring, (the due performance of) religious rites, faithful service, highest conjugal happiness and heavenly bliss for the ancestors and oneself, depend on one's wife alone.

29. She who, controlling her thoughts, speech, and acts, violates not her duty towards her lord, dwells with him (after death) in heaven, and in this world is called by the virtuous a faithful (wife, *sādhvī*).

30. But for disloyalty to her husband a wife is censured among men, and (in her next life) she is born in the womb of a jackal and tormented by diseases, the punishment of her sin.

27. Instead of *pratyaham*, 'the daily (life of men),' Medh. and Nār. read *pratyartham*, '(the life of men) in all its details,' and Gov. *prītyartham*, 'the friendly intercourse of men,' because he who has no wife cannot entertain others (Gov., Kull., Rāgh.). Medh. mentions also another reading, *pratyardham*.

29. Identical with V, 165.

30. Vas. XXI, 14; see also above, V, 164.

31. Listen (now) to the following holy discussion, salutary to all men, which the virtuous (of the present day) and the ancient great sages have held concerning male offspring.

32. They (all) say that the male issue (of a woman) belongs to the lord, but with respect to the (meaning of the term) lord the revealed texts differ; some call the begetter (of the child the lord), others declare (that it is) the owner of the soil.

33. By the sacred tradition the woman is declared to be the soil, the man is declared to be the seed; the production of all corporeal beings (takes place) through the union of the soil with the seed.

34. In some cases the seed is more distinguished, and in some the womb of the female; but when both are equal, the offspring is most highly esteemed.

35. On comparing the seed and the receptacle (of the seed), the seed is declared to be more important; for the offspring of all created beings is marked by the characteristics of the seed.

36. Whatever (kind of) seed is sown in a field, prepared in due season, (a plant) of that same kind,

32. Âp. II, 13, 6-7; Gaut. XVIII, 9-14; Vas. XVII, 6-9, 63-64. Thus Gov., Kull, Râgh., and Nand. But Medh., Nâr., and K. (prima manu) read kartari instead of bhartari, and with this reading the verse has to be translated as follows: 'They (all) declare that a (lawfully begotten) son belongs to the husband, but with respect to the begetter (of a child on another's wife) there is a conflict between the revealed texts; some declare the begetter (to be the owner of the son), others that (he belongs to the) owner of the soil.'

34. The commentators point out the cases of Vyâsa and Rîshya-sringa as instances of the truth of the first proposition, and of Dhritarâshtra and other Kshetragas as instances of the second. 'Equal,' i. e. 'belonging to the same owner and to the same class' (Medh.).

marked with the peculiar qualities of the seed, springs up in it.

37. This earth, indeed, is called the primeval womb of created beings ; but the seed develops not in its development any properties of the womb.

38. In this world seeds of different kinds, sown at the proper time in the land, even in one field, come forth (each) according to its kind.

39. The rice (called) *vrihi* and (that called) *sâli*, mudga-beans, sesamum, *mâsha*-beans, barley, leeks, and sugar-cane, (all) spring up according to their seed.

40. That one (plant) should be sown and another be produced cannot happen ; whatever seed is sown, (a plant of) that kind even comes forth.

41. Never therefore must a prudent well-trained man, who knows the Veda and its *Ângas* and desires long life, cohabit with another's wife.

42. With respect to this (matter), those acquainted with the past recite some stanzas, sung by *Vâyu* (the Wind, to show) that seed must not be sown by (any) man on that which belongs to another.

43. As the arrow, shot by (a hunter) who afterwards hits a wounded (deer) in the wound (made by

37. 'Develops not any properties of the womb,' i.e. 'shows no properties such as being composed of earth' (Medh., Gov., Kull.).

39. *Vrihi*, i.e. such rice as ripens in sixty days (*shashâikâ*) ; *sâli*, i.e. 'red rice, which ripens in the cold season' (Gov., Nâr.). Mudga, i.e. *Phaseolus Mungo* (*mûg*) ; *mâsha*, i.e. *Phaseolus Radiatus*.

41. *Vigñâna*, 'the knowledge of the *Ângas*' (Kull.), means according to Medh. and Nâr., 'profane knowledge ;' according to Râgh., 'the tradition.' Nand. inverts the order, and says, 'profane and sacred learning.'

43. Or, according to a second explanation offered by Medh., 'As the arrow of the hunter who hits a wounded deer is shot into the air (as it were) and becomes useless.'

another), is shot in vain, even so the seed, sown on what belongs to another, is quickly lost (to the sower).

44. (Sages) who know the past call this earth (*prithivī*) even the wife of *Prithu*; they declare a field to belong to him who cleared away the timber, and a deer to him who (first) wounded it.

45. He only is a perfect man who consists (of three persons united), his wife, himself, and his offspring; thus (says the Veda), and (learned) *Brāhmanas* propound this (maxim) likewise, 'The husband is declared to be one with the wife.'

46. Neither by sale nor by repudiation is a wife released from her husband; such we know the law to be, which the Lord of creatures (*Pragâpati*) made of old.

47. Once is the partition (of the inheritance) made, (once is) a maiden given in marriage, (and) once does (a man) say, 'I will give;' each of those three (acts is done) once only.

44. 'Though the earth, after she belonged to *Prithu*, was possessed by many kings, yet she is called *Prithivī*, or *Prithvī*, after her first owner *Prithu*' (*Medh.*, *Nār.*).

45. In confirmation of the first maxim the commentators adduce a passage of the *Vāgasaneyi-brāhmaṇa*; see also *Âp.* II, 14, 16.

46. The meaning is that a wife, sold or repudiated by her husband, can never become the legitimate wife of another who may have bought or received her after she was repudiated (*Medh.*).

47. *Yâgñ.* I, 65. 'A partition (of the inheritance),' i. e. 'one which has been made in accordance with the law, not one made unjustly' (*Gov.*, *Kull.*, *Râgh.*). *Medh.* mentions two other explanations: 1. 'if one of the coparceners complains afterwards that he has received too little, he is entitled only to have the particular point readjusted, not to annul the whole division;' 2. 'if after the division it appears that one of the coparceners was disqualified by bodily defects and ought not to have received a share, the portion

48. As with cows, mares, female camels, slave-girls, buffalo-cows, she-goats, and ewes, it is not the begetter (or his owner) who obtains the offspring, even thus (it is) with the wives of others.

49. Those who, having no property in a field, but possessing seed-corn, sow it in another's soil, do indeed not receive the grain of the crop which may spring up.

50. If (one man's) bull were to beget a hundred calves on another man's cows, they would belong to the owner of the cows; in vain would the bull have spent his strength.

51. Thus men who have no marital property in women, but sow their seed in the soil of others, benefit the owner of the woman; but the giver of the seed reaps no advantage.

52. If no agreement with respect to the crop has been made between the owner of the field and the owner of the seed, the benefit clearly belongs to the owner of the field; the receptacle is more important than the seed.

53. But if by a special contract (a field) is made over (to another) for sowing, then the owner of the seed and the owner of the soil are both considered in this world as sharers of the (crop).

54. If seed be carried by water or wind into

made over to him cannot be resumed by the others.' Nâr. refers the phrase 'I will give' to a verbal promise to give a girl, made without a libation of water. I read with Medh., Gov., Râgh., Nand., and K. *sakṛit sakṛit*, instead of *satâm sakṛit*, 'those three (acts are done) once among good men.' The object of the verse is to show that a marriage is indissoluble, because a girl can be given once only (Kull., Nand.).

50. Vas. XVII, 8.

54. I read with Gov., Râgh., and K. *bîgī*, 'the owner of the

somebody's field and germinates (there), the (plant sprung from that) seed belongs even to the owner of the field, the owner of the seed does not receive the crop.

55. Know that such is the law concerning the offspring of cows, mares, slave-girls, female camels, she-goats, and ewes, as well as of females of birds and buffalo-cows.

56. Thus the comparative importance of the seed and of the womb has been declared to you; I will next propound the law (applicable) to women in times of misfortune.

57. The wife of an elder brother is for his younger (brother) the wife of a Guru; but the wife of the younger is declared (to be) the daughter-in-law of the elder.

58. An elder (brother) who approaches the wife of the younger, and a younger (brother who approaches) the wife of the elder, except in times of misfortune, both become outcasts, even though (they were duly) authorised.

59. On failure of issue (by her husband) a woman who has been authorised, may obtain, (in the) proper (manner prescribed), the desired offspring by (cohabitation with) a brother-in-law or (with some other) *Sapinda* (of the husband).

seed,' instead of *vaptâ*, 'the sower of the seed' (*Medh.*, *Kull.*, *Nand.*).

55. 'Such is the law,' i.e. what has been stated in verses 48-54.

56. 'In times of misfortune,' i.e. 'when there is no male offspring.'

57. *Guru* means here, according to *Râgh.*, 'the father.' As the younger brother's wife is called 'the daughter-in-law' of the elder, the explanation is probably correct.

58-63. *Gaut.* XVIII, 4-8; *Vas.* XVII, 56-61; *Baudh.* II, 4, 9-10; *Yâgñ.* I, 68-69.

59. A woman can be authorised by her husband, or after his

60. He (who is) appointed to (cohabit with) the widow shall (approach her) at night anointed with clarified butter and silent, (and) beget one son, by no means a second.

61. Some (sages), versed in the law, considering the purpose of the appointment not to have been attained by those two (on the birth of the first), think that a second (son) may be lawfully procreated on (such) women.

62. But when the purpose of the appointment to (cohabit with) the widow has been attained in accordance with the law, those two shall behave towards each other like a father and a daughter-in-law.

63. If those two (being thus) appointed deviate from the rule and act from carnal desire, they will both become outcasts, (as men) who defile the bed of a daughter-in-law or of a Guru.

64. By twice-born men a widow must not be appointed to (cohabit with) any other (than her husband); for they who appoint (her) to another (man), will violate the eternal law.

death by his relatives. 'On failure of issue,' i. e. 'of sons' (Gov., Râgh., Nand.), or 'of sons and of an appointed daughter' (Medh.). If the son born is not fit to offer the Srâddhas, a second may be begot (Medh., Kull., Nâr.).

60. According to the commentators, the expression 'the widow' is not intended to prohibit an appointment by a diseased or impotent husband.

61. 'Because the Sish/as say, "He who has one son only, has no son"' (Medh., Gov., Kull., Râgh.).

62. 'Those two,' i. e. 'the elder brother and the female appointed.'

63. 'Those two,' i. e. 'an elder or younger brother.' 'The rule,' see verse 60. For the last clause, compare verse 57.

64-68. These verses flatly contradict the rules given in the preceding ones. But it by no means follows that they are a modern

65. In the sacred texts which refer to marriage the appointment (of widows) is nowhere mentioned, nor is the re-marriage of widows prescribed in the rules concerning marriage.

66. This practice which is reprehended by the learned of the twice-born castes as fit for cattle is said (to have occurred) even among men, while Vena ruled.

67. That chief of royal sages who formerly possessed the whole world, caused a confusion of the castes (*varṇa*), his intellect being destroyed by lust.

68. Since that (time) the virtuous censure that (man) who in his folly appoints a woman, whose husband died, to (bear) children (to another man).

69. If the (future) husband of a maiden dies after troth verbally plighted, her brother-in-law shall wed her according to the following rule.

70. Having, according to the rule, espoused her (who must be) clad in white garments and be intent

addition. For the same view is expressed by Âp. II, 27, 2-6, and was held, according to Baudh. II, 3, 34, by Aupagandhani. Moreover the *Br̥haspati Smṛiti* states expressly (Colebrooke IV, Dig. CLVII) that the contradictory statement occurred in the *Mānava Dharmasāstra*, known to its author.

65. In his commentary on verse 66 Medh. points out that in other sacred texts, *Rig-vedā* X, 40, 2, the *Niyoga* is mentioned.

66. According to the epic and *Paurāṇic* tradition Vena was the father of *Pr̥thu*, and a godless king, who demanded that the sacrifices should be offered to himself, not to the gods. He was, therefore, cut to pieces by the *Br̥hmanas* with blades of *Kusa* grass. But hitherto no other passage has been found where it is stated that he introduced the practice of *Niyoga*. Possibly the assertion of the *Mānava* may have grown out of the etymological import of the word *vena*, 'full of desire or lust.'

70. The child born by a female thus married belongs, as the commentators point out, to her deceased betrothed.

on purity, he shall approach her once in each proper season until issue (be had).

71. Let no prudent man, after giving his daughter to one (man), give her again to another; for he who gives (his daughter) whom he had before given, incurs (the guilt of) speaking falsely regarding a human being.

72. Though (a man) may have accepted a damsel in due form, he may abandon (her if she be) blemished, diseased, or deflowered, and (if she have been) given with fraud.

73. If anybody gives away a maiden possessing blemishes without declaring them, (the bridegroom) may annul that (contract) with the evil-minded giver.

74. A man who has business (abroad) may depart after securing a maintenance for his wife; for a wife, even though virtuous, may be corrupted if she be distressed by want of subsistence.

75. If (the husband) went on a journey after providing (for her), the wife shall subject herself to restraints in her daily life; but if he departed without providing (for her), she may subsist by blameless manual work.

71. Yâgñ. I, 65; Vi. XXV, 9-10. Regarding the guilt incurred, see above, VIII, 98. Medh. and Nand. say that the verse is meant to forbid the marriage of a girl whose betrothed died. But Kull. thinks that it refers to all cases where a betrothal has taken place, and that it removes a doubt which might arise through a too strict interpretation of VIII, 227.

72. 'In due form,' i.e. 'with a libation of water and in the presence of Brâhmanas' (Medh., Kull., Râgh.). 'Blemished,' i.e. 'by evil bodily marks' (Medh., Kull., Râgh., Nand.), or 'by being of a base family' (Nâr.).

73. See above, VIII, 205, 224.

74. Nand. inserts verses 95-96 after this.

75. Yâgñ. I, 84. 'Shall subject herself to restraints in her daily

76. If the husband went abroad for some sacred duty, (she) must wait for him eight years, if (he went) to (acquire) learning or fame six (years), if (he went) for pleasure three years.

77. For one year let a husband bear with a wife who hates him; but after (the lapse of) a year let him deprive her of her property and cease to cohabit with her.

78. She who shows disrespect to (a husband) who is addicted to (some evil) passion, is a drunkard, or diseased, shall be deserted for three months (and be) deprived of her ornaments and furniture.

79. But she who shows aversion towards a mad or outcast (husband), a eunuch, one destitute of manly strength, or one afflicted with such diseases as punish crimes, shall neither be cast off nor be deprived of her property.

80. She who drinks spirituous liquor, is of bad

life,' i.e. 'shall not adorn herself, nor visit the houses of strangers, or go to festivals' (Medh., Kull., Râgh.).

76. Gaut. XVIII, 15, 17; Vas. XVII, 75-80. Kull., Nâr., and Râgh. declare that after the expiration of the terms mentioned the wife shall go to seek her husband. Nand. says, 'the meaning is that no sin is committed if she afterwards takes another husband.' Medh. holds that she shall support herself, as before, by blameless occupations and remain chaste. He mentions the opinion of others, according to which she may take another husband in accordance with Nârada's and Parâsara's precepts, but rejects it. 'For pleasure,' i.e. 'in order to gain the favours of another woman whom he prefers' (Medh., Kull., Râgh.).

77. 'Her property,' i.e. 'the ornaments and other wealth given to her by himself' (Kull., Râgh., Nand.), or 'her separate property, which he may have given to her' (strîdhana, Nâr.). The commentators add that she must, however, be maintained.

78. 'Addicted to (some evil) passion,' i.e. 'to gambling and so forth' (Kull., Nâr.), or 'to avarice' (Râgh.).

80-81. Baudh. II, 4, 6; Yâgñ. I, 73.

80. 'Diseased,' i.e. 'afflicted with leprosy or the like' (Kull.);

conduct, rebellious, diseased, mischievous, or wasteful, may at any time be superseded (by another wife).

81. A barren wife may be superseded in the eighth year, she whose children (all) die in the tenth, she who bears only daughters in the eleventh, but she who is quarrelsome without delay.

82. But a sick wife who is kind (to her husband) and virtuous in her conduct, may be superseded (only) with her own consent and must never be disgraced.

83. A wife who, being superseded, in anger departs from (her husband's) house, must either be instantly confined or cast off in the presence of the family.

84. But she who, though having been forbidden, drinks spirituous liquor even at festivals, or goes to public spectacles or assemblies, shall be fined six *krishnalas*.

85. If twice-born men wed women of their own and of other (lower castes), the seniority, honour, and habitation of those (wives) must be (settled) according to the order of the castes (*varna*).

86. Among all (twice-born men) the wife of equal caste alone, not a wife of a different caste by any means, shall personally attend her husband and assist him in his daily sacred rites.

87. But he who foolishly causes that (duty) to be

'mischievous,' i.e. 'who beats or ill-treats her children, servants, &c.' (Medh., Nâr., Kull.).

83. 'Of the family,' i.e. 'of her own and the husband's family' (Medh.), or 'of her own family' (Kull., Nâr.).

86. Vi. XXVI, 1; Yâgñ. I, 88. 'Personally attend,' i.e. 'prepare and bring his food, &c.' (Medh., Kull., Râgh.).

87. Vi. XXVI, 2. Instead of 'by the ancients' (Kull., Râgh.,

performed by another, while his wife of equal caste is alive, is declared by the ancients (to be) as (despicable) as a *Kāṇḍāla* (sprung from the) Brāhmaṇa (caste).

88. To a distinguished, handsome suitor (of) equal (caste) should (a father) give his daughter in accordance with the prescribed rule, though she have not attained (the proper age).

89. (But) the maiden, though marriageable, should rather stop in (the father's) house until death, than that he should ever give her to a man destitute of good qualities.

90. Three years let a damsel wait, though she be marriageable; but after that time let her choose for herself a bridegroom (of) equal (caste and rank).

91. If, being not given in marriage, she herself seeks a husband, she incurs no guilt, nor (does) he whom she weds.

92. A maiden who chooses for herself, shall not take with her any ornaments, given by her father or her mother, or her brothers; if she carries them away, it will be theft.

93. But he who takes (to wife) a marriageable

Nand.), Medh. says, 'since olden times,' Nār. 'in the Purāṇa.' Regarding the origin of the *Kāṇḍālas*, see below, X, 12.

88-92. Gaut. XVIII, 20-23; Vas. XVII, 69-71; Baudh. IV, 1, 11-14; Vi. XXIV, 40-41; Yāgñ. I, 64.

88. 'Though she have not attained (the proper age),' i.e. 'the age of eight years' (Kull., Nār., Rāgh.), or 'before she is bodily fit for marriage' (Medh., Nand.). Medh. specially objects to the first opinion, 'because men greedy of money give even an infant in marriage.'

92. I read with Medh. and Nand., *steyam syāt*, instead of *stenā syāt*, 'she will be a thief' (Kull., Rāgh., K.). Medh. mentions another reading, *stenaḥ syāt*, 'he, i.e. the bridegroom, will be a thief.'

93. Medh. says that this verse, according to 'some,' does not belong to Manu (*kecid āhuḥ amānavo 'yam ślokaḥ*).

bride, shall not pay any nuptial fee to her father; for the (latter) will lose his dominion over her in consequence of his preventing (the legitimate result of the appearance of) her menses.

94. A man, aged thirty years, shall marry a maiden of twelve who pleases him, or a man of twenty-four a girl eight years of age; if (the performance of) his duties would (otherwise) be impeded, (he must marry) sooner.

95. The husband receives his wife from the gods, (he does not wed her) according to his own will; doing what is agreeable to the gods, he must always support her (while she is) faithful.

96. To be mothers were women created, and to be fathers men; religious rites, therefore, are ordained in the Veda to be performed (by the husband) together with the wife.

97. If, after the nuptial fee has been paid for a maiden, the giver of the fee dies, she shall be given in marriage to his brother, in case she consents.

94. Medh. and Kull. point out that this verse is not intended to lay down a hard and fast rule, but merely to give instances of suitable ages. 'If (the performance of) his duties would be impeded, &c.,' i. e. 'if he has finished his studentship earlier, he must marry at once in order to be able to fulfil his duties as a householder' (Kull., Nâr., Râgh.).

95. 'From the gods,' i. e. 'from those mentioned in the Mantras recited at the wedding, e. g. from Bhaga, Aryaman, Savitri, &c.' (Kull., Râgh.), or 'from Agni' (Nâr.), or 'from Soma, the Gandharva, and Agni' (Medh., Nand.). Medh. reads *vindatânikkayâ*, 'shall wed without a wish on his part,' but mentions the other reading, *vindate nekkhayâ*, too. According to Medh., Kull., and Râgh., a faithful wife must be supported, even if she does not love her husband.

97. 'His brother,' i. e. 'his full brother, who is even (as) the deceased himself' (Nâr.). Regarding the nuptial fee, and the

98. Even a Sûdra ought not to take a nuptial fee, when he gives away his daughter ; for he who takes a fee sells his daughter, covering (the transaction by another name).

99. Neither ancients nor moderns who were good men have done such (a deed) that, after promising (a daughter) to one man, they gave her to another ;

100. Nor, indeed, have we heard, even in former creations, of such (a thing as) the covert sale of a daughter for a fixed price, called a nuptial fee.

101. 'Let mutual fidelity continue until death,' this may be considered as the summary of the highest law for husband and wife.

102. Let man and woman, united in marriage, constantly exert themselves, that (they may not be) disunited (and) may not violate their mutual fidelity.

103. Thus has been declared to you the law for a husband and his wife, which is intimately connected with conjugal happiness, and the manner of raising offspring in times of calamity ; learn (now the law concerning) the division of the inheritance.

104. After the death of the father and of the mother, the brothers, being assembled, may divide among themselves in equal shares the paternal (and the maternal) estate ; for, they have no power (over it) while the parents live.

contradiction between this and the next verses, see note on VIII, 204.

99. Nand. places this verse after the next.

104. Gaut. XXVIII, 1 ; Baudh. II, 3, 8 ; Yâgñ. II, 117. The father's estate is to be divided after the father's death, and the mother's estate after the mother's death (Kull., Nâr., Râgh., Nand.). The mother's estate devolves on the sons only on failure of daughters (Nâr.). The word ūrdhvam, 'after,' indicates by implication that the rule holds good in the case of the (father's)

105. (Or) the eldest alone may take the whole paternal estate, the others shall live under him just as (they lived) under their father.

106. Immediately on the birth of his first-born a man is (called) the father of a son and is freed from the debt to the manes; that (son), therefore, is worthy (to receive) the whole estate.

107. That son alone on whom he throws his debt and through whom he obtains immortality, is begotten for (the fulfilment of) the law; all the rest they consider the offspring of desire.

108. As a father (supports) his sons, so let the eldest support his younger brothers, and let them also in accordance with the law behave towards their eldest brother as sons (behave towards their father).

109. The eldest (son) makes the family prosperous or, on the contrary, brings it to ruin; the eldest (is considered) among men most worthy of honour, the eldest is not treated with disrespect by the virtuous.

110. If the eldest brother behaves as an eldest brother (ought to do), he (must be treated) like a

turning ascetic (Râgh.). The equal division takes place if the eldest does not desire to receive an additional share (Kull.). The last clause shows that a division of the property may take place with the parents' permission during their lifetime (Kull., Nâr., Râgh.).

105. Gaut. XXVIII, 3; Baudh. II, 3, 13. I. e. if the eldest son is virtuous (Kull., Râgh.), or possesses particularly eminent qualities, while the others are less distinguished (Nâr.).

106. Regarding the debt, see Vas. XI, 48.

107. This verse alludes to the Vedic text quoted, Vas. XVII, 1; Vi. XV, 45.

108. I. e. if they make no division and the eldest takes the whole estate (Kull.). Nand. places this verse after the next.

110. 'Behaves as an eldest brother (ought to do)', i. e. 'duly protects and educates the younger ones' (Medh., Kull., Nâr., Râgh.).

mother and like a father; but if he behaves in a manner unworthy of an eldest brother, he should yet be honoured like a kinsman.

111. Either let them thus live together, or apart, if (each) desires (to gain) spiritual merit; for (by their living) separate (their) merit increases, hence separation is meritorious.

112. The additional share (deducted) for the eldest shall be one-twentieth (of the estate) and the best of all chattels, for the middlemost half of that, but for the youngest one-fourth.

113. Both the eldest and the youngest shall take (their shares) according to (the rule just) stated; (each of) those who are between the eldest and the youngest, shall have the share (prescribed for the) middlemost.

114. Among the goods of every kind the eldest shall take the best (article), and (even a single chattel) which is particularly good, as well as the best of ten (animals).

'Like a kinsman,' i.e. 'like a maternal or paternal uncle' (Medh., Kull., Râgh.); see also below, verse 213.

111. Gaut. XXVIII, 4. '(Their) merit increases,' i.e. 'each of them has to kindle the sacred fire, to offer separately the Agni-hotra, the five great sacrifices and so forth, and hence each gains separately merit' (Medh., Kull.).

112. Gaut. XXVIII, 5-7; Baudh. II, 3, 9; Vi., XVIII, 37; Yâgñ. II, 114. 'The remainder shall be divided equally,' see verse 116 (Medh., Kull., Nâr., Râgh.). Medh. says that 'some' declare that the rules on the unequal partition refer to past times, and have no authority for the Kaliyuga. But he rejects this view.

113. The object of the verse is to show that no difference shall be made between sons intervening between the eldest and the youngest, however great their number may be (Kull., Râgh.).

114. Gaut. XXVIII, 11-13; Baudh. II, 3, 6. '(Even a single chattel) which is particularly good,' i.e. 'a dress or an ornament' (Medh.), or 'something impartible like an idol' (Nand.).

115. But among (brothers) equally skilled in their occupations, there is no additional share, (consisting of the best animal) among ten; some trifle only shall be given to the eldest as a token of respect.

116. If additional shares are thus deducted, one must allot equal shares (out of the residue to each); but if no deduction is made, the allotment of the shares among them shall be (made) in the following manner.

117. Let the eldest son take one share in excess, the (brother) born next after him one (share) and a half, the younger ones one share each; thus the law is settled.

✓ 118. But to the maiden (sisters) the brothers shall severally give (portions) out of their shares, each out of his share one-fourth part; those who refuse to give (it), will become outcasts.

'The best of ten animals,' thus Kull., Nâr., Râgh., according to Gaut. XXVIII, 12, where they read *dasataḥ paśūnām*, instead of *daratam*. Medh. gives the same explanation, but applies the rule also to clothes and ornaments. He adds, that 'others' explain the text in accordance with Vas. XVII, 43, 'And a tithe (of the cattle and horses).' Nand. nearly agrees with Medh.'s opinion, as he says that everything shall be divided into ten shares, and the eldest shall take one in excess. All the commentators agree that this additional share belongs to an eldest brother only, if he is endowed with particularly good qualities and the rest are inferior to him.

115. Âp. II, 13, 13. 'Their occupations,' i. e. 'reciting the Veda and so forth' (Kull., Râgh.). According to Nâr., the phrase 'no additional share (consisting of the best animals) among ten' indicates that none of the other additions, mentioned in verse 114, shall be given. Nand. omits this verse.

116. Gaut. XXVIII, 8.

117. Gaut. XXVIII, 9-10; Vas. XVII, 42. 'One share in excess,' i. e. 'two shares' (Medh., Kull., Nâr., Râgh., Nand.). The latter four point out that this division is to be made when the eldest and the second brothers are more eminent than the rest.

118. Vi. XVIII, 35; Yâgñ. II, 124. According to all the com-

119. Let him never divide (the value of) a single goat or sheep, or a (single beast) with uncloven hoofs; it is prescribed (that) a single goat or sheep (remaining after an equal division, belongs) to the eldest alone.

120. If a younger brother begets a son on the wife of the elder, the division must then be made equally; thus the law is settled.

mentators the meaning is that, if a man leaves children by wives of different castes, the brothers are to provide for the dowry of the unmarried sisters of the same caste, i. e. a Brâhmana's sons by a Brâhmana wife for the daughters of the latter, the sons by a Kshatriya wife for the daughters of the latter, &c. This meaning is more clearly expressed by Medh.'s reading, svâbhyah svâbhyas tu kanyâbhaḥ, 'But the brothers shall give (portions) to the maiden (sisters), each to those of his own (caste).' Kull. adds, that the duty of providing for sisters devolves in the first instance on brothers of the full blood, and in default of such on half-brothers.

As regards the expression 'a fourth share,' Medh. says that a brother shall receive three-fourths and the sister one-fourth, and that, if there are many sisters, they shall receive one-fourth of the share of a brother of equal caste. Kull. agrees with the first part of the explanation, but adds, 'Hence it must be understood that even if there are many brothers and sisters of the same caste, but born of different mothers, one-fourth part must be given to the sisters of the full blood' (i. e. by their full brothers). Nâr. says, 'They shall give each one-fourth part of their share, and take three parts; and the same division must be made if there are many daughters. But if there are many sons and one daughter, they must deduct from their several shares as much money as will be equal to a fourth part of one brother's share and give that.' Medh. censures those commentators who think that one-fourth share need not be actually given, but only as much as will suffice to defray the marriage expenses.

119. I. e. such an animal is not to be sold and the proceeds to be divided; nor shall its value be made good to the other brothers by giving them other objects (Medh., Kull., Nâr., Râgh.).

120. I. e. the Kshetrâga receives no preferential share, as his father would have done. Kull. infers from this verse that, though

121. The representative (the son begotten on the wife) is not invested with the right of the principal (the eldest brother to an additional share); the principal (became) a father on the procreation (of a son by his younger brother); hence one should give a share to the (son begotten on the wife of the elder brother) according to the rule (stated above).

122. If there be a doubt, how the division shall be made, in case the younger son is born of the elder wife and the elder son of the younger wife,

123. (Then the son) born of the first wife shall

above, verse 104, brothers (i.e. sons of the deceased) only are named, grandsons inherit, also according to Manu, just like sons and with sons; see also below, verse 186.

121. Thus Kull.; Nand. agrees with respect to the first half-verse, but explains the second as follows, 'The father is the principal in the procreation of children; hence one must give a share to the (son begotten on the wife of the eldest) according to the law (declared above).' Nâr. also differs, 'The subsidiary (son) does not by law take the place of the principal, (and cannot for that reason receive an additional share); his father (the eldest was) the principal for continuing the line; hence one should give a share (to his subsidiary son) in accordance with the law.' Râgh. goes off still further, 'The principal (the eldest) must according to the law not be treated like the substitute (i.e. not be deprived of an additional share, yet as) the father is the chief person in the procreation (of children), one should give a share to the (son of the wife) in accordance with the law (applicable to his real father).' Medh. has a similar explanation, '(To say) that the substitute (i.e. the Kshetrâga) is equal to the principal is not proper according to the sacred law; the father (i.e. the begetter) is the principal in the procreation of children, hence one must give a share (to the Kshetrâga) in accordance (with the law declared above).'

122. The point to be decided is, if the seniority is to be according to the mothers or according to actual birth. The eldest wife is, of course, the one married first.

123. Gaut. XXVIII, 14.

take as his additional share one (most excellent) bull; the next best bulls (shall belong) to those (who are) inferior on account of their mothers.

124. But the eldest (son, being) born of the eldest wife, shall receive fifteen cows and a bull, the other sons may then take shares according to (the seniority of) their mothers; that is a settled rule.

125. Between sons born of wives equal (in caste) (and) without (any other) distinction no seniority in right of the mother exists; seniority is declared (to be) according to birth.

126. And with respect to the Subrahmanyâ (texts) also it is recorded that the invocation (of Indra shall be made) by the first-born, of twins likewise, (conceived at one time) in the wombs (of their mothers) the seniority is declared (to depend) on (actual) birth.

124. Gaut. XXVIII, 15. 'May take shares,' i. e. 'may divide the (other) cows' (Medh., Kull.), or 'shall each receive one bull, a very good one, a less excellent one, in due order, according to the seniority of their mothers' (Nâr.).

125. As this verse and the following one contradict the rules given in verses 123-124, the commentators try to reconcile them in various ways. Medh. thinks that verses 123-124 are an arthavâda and have no legal force, and Râgh. inclines to the same opinion. Nâr. and Nand. hold that the seniority according to the mother's marriage is of importance for the law of inheritance (verses 123-124), but that it has no value with respect to salutations and the like or to prerogatives at sacrifices (verses 125-126). Kull., finally relying on Gov.'s opinion, thinks that the rules leave an option, and that their application depends on the existence of good qualities and the want of such. It is, however, probable that, according to the custom of Hindu writers, the two conflicting opinions are placed side by side, and that it is intended that the learned should find their way out of the difficulty as they can.

126. The Subrahmanyâ texts contain an invitation, addressed to Indra, to partake of the Soma; see Aitareya-brâhmana VI, 3. Nand. reads yamayos kaikagarbhe 'pi.

127. He who has no son may make his daughter in the following manner an appointed daughter (putrikâ, saying to her husband), 'The (male) child, born of her, shall perform my funeral rites.'

128. According to this rule Daksha, himself, lord of created beings, formerly made (all his female offspring) appointed daughters in order to multiply his race.

129. He gave ten to Dharma, thirteen to Kas-yapa, twenty-seven to King Soma, honouring (them) with an affectionate heart.

130. A son is even (as) oneself, (such) a daughter is equal to a son; how can another (heir) take the estate, while such (an appointed daughter who is even) oneself, lives?

131. But whatever may be the separate property of the mother, that is the share of the unmarried daughter alone; and the son of an (appointed) daughter shall take the whole estate of (his maternal grandfather) who leaves no son.

127. Gaut. XXVIII, 18; Vas. XVII, 17; Baudh. II, 3, 15; Vi. XV, 5.

128. The story of Daksha's fifty, sixty, or twenty-four daughters occurs in the Mahâbhârata and the Purânas. The twenty-seven given to King Soma, the moon, are the lunar mansions or Nakshatras.

130. 'A son is even (as) oneself;' see the verse quoted, Baudh. II, 3, 14. The commentators state that the word duhitâ, 'daughter,' means here putrikâ, 'an appointed daughter.' Medh. adds that in accordance with this verse, an appointed daughter who has no son, when her father dies, does not inherit his property(?).

131. Gaut. XXVIII, 24; Vi. XVII, 21. The correctness of the translation of the term yautakam by 'separate property' (Medh.), follows from its being used below, verse 214, to denote the separate hoard made by an elder brother. According to Medh., Kull., and Nâr., all strîdhana is meant; according to 'others' mentioned by Medh., Nand., and Râgh., the so-called saudâyikam or property derived from the

132. The son of an (appointed) daughter, indeed, shall (also) take the estate of his (own) father, who leaves no (other) son; he shall (then) present two funeral cakes to his own father and to his maternal grandfather.

133. Between a son's son and the son of an (appointed) daughter there is no difference, neither with respect to worldly matters nor to sacred duties; for their father and mother both sprang from the body of the same (man).

134. But if, after a daughter has been appointed, a son be born (to her father), the division (of the inheritance) must in that (case) be equal; for there is no right of primogeniture for a woman.

135. But if an appointed daughter by accident dies without (leaving) a son, the husband of the appointed daughter may, without hesitation, take that estate.

father's family. Kumârî, 'an unmarried daughter' (Medh., Kull.), means according to Nâr., 'a daughter who has no sons.' Dauhitrâñ, literally 'the son of a daughter,' means according to the commentators 'the son of an appointed daughter,' putrikâputrâñ. The first rule is, according to Kull., Nâr., and Nand., a general maxim, which refers not merely to the case of a putrikâ. The second rule shows, according to Nand., that the appointed daughter herself does not inherit her father's estate, if she has a son.

132. Medh. mentions a var. lect., aputrasya hared yadi, 'If the son of an (appointed) daughter takes the entire estate of (his maternal grandfather), &c.,' which is also found in Gov.'s text, but considers it to be wrong.

133. Yâgñ. II, 128. Loke dharmatañ, 'neither with respect to worldly affairs nor to sacred duties' (Kull.), means according to Râgh. and Nand. 'with respect to sacred duties, according to the law.'

135. 'That estate,' i.e. 'what the appointed daughter received from her father either during his lifetime or after his death' (Nâr.). Kull. adds that the verse is intended to forbid the father's inheriting his pre-deceased daughter's property, on the plea that she was like a son (see verse 185). Nand. says that the paternal uncles &c. shall not take the putrikâ's estate.

136. Through that son whom (a daughter), either not appointed or appointed, may bear to (a husband) of equal (caste), his maternal grandfather (has) a son's son; he shall present the funeral cake and take the estate.

137. Through a son he conquers the worlds, through a son's son he obtains immortality, but through his son's grandson he gains the world of the sun.

138. Because a son delivers (*trâyate*) his father from the hell called Put, he was therefore called put-tra (a deliverer from Put) by the Self-existent (*Svayambhû*) himself.

139. Between a son's son and the son of a daughter there exists in this world no difference; for even the son of a daughter saves him (who has no sons) in the next world, like the son's son.

136. Kull. explains *akṛitâ vâ kṛitâ vâpi* by '(a daughter) either appointed not (explicitly but by a mental reservation), or appointed (explicitly, at the betrothal, according to verse 127).' He adds that Gov. takes the word *akṛitâ* in its usual sense, and asserts that the verse allows the son of a daughter not appointed to inherit his maternal grandfather's estate. The latter opinion is held also by Nâr., who remarks that the son of a daughter not appointed inherits on failure of a wife or of daughters of his grandfather; and by Nand. Râgh. and Medh. side with Kull., whose explanation is supported by Gaut. XXVIII, 20, and still more by Vi. XV, 6. The latter passage clearly prescribes that the daughter of a man who has no sons is in every case 'an appointed daughter.'

137. Vas. XVII, 5; Vi. XV, 46; *Yâgñ.* I, 78. 'The worlds,' i. e. 'the ten, called *visoka* (free from sorrow), the first of which is *svarga*' (Medh.). 'Immortality, i. e. a very long residence in those same (worlds),' (Medh., Kull.) 'The sun,' i. e. '*Hiranyagarbha*' (Nâr.). The verse shows that sons and grandsons inherit, though a wife and the rest may be living (Kull.).

138. Vi. XV, 44.

139. Vi. XV, 47. According to Medh. and Kull., *dauhitrah*, 'the

140. Let the son of an appointed daughter first present a funeral cake to his mother, the second to her father, the third to his father's father.

141. Of the man who has an adopted (Datrīma) son possessing all good qualities, that same (son) shall take the inheritance, though brought from another family.

142. An adopted son shall never take the family (name) and the estate of his natural father; the funeral cake follows the family (name) and the estate, the funeral offerings of him who gives (his son in adoption) cease (as far as that son is concerned).

son of a daughter,' means here also 'the son of an appointed daughter.' Nand. reads *putravat*, 'like a son;' Gov. *pūrvagān*, '(and) the ancestors.'

140. Baudh. II, 3, 16. Medh. mentions a var. lect., *pitus tasya*, 'the second to his father,' which he, however, justly considers to be bad.

141. Vas. XV, 9-10; Baudh. Parisish/a 16. Medh., Kull., and Rāgh. refer this rule to the case where a man has a legitimate son and an adopted son, and think that in such a case the latter, being eminently virtuous, shall receive, like a *Kshetrāga* (see verse 146), a fifth or sixth part of the estate. Medh. remarks that some think he is to have half, but that their opinion is improper; and finally that *Upādhyāya*, i.e. his teacher, allots to the adopted son less than to the *Kshetrāga*. Kull. and Rāgh. state that Gov. took the verse to mean that an eminently virtuous adopted son shall inherit on failure of a legitimate son and of the son of the wife, but that this explanation is inadmissible on account of verse 165. Nevertheless Rāgh. reproduces Gov.'s opinion. Nār. says, 'It has been declared that an adopted son receives a share like the chief son, when he is eminently virtuous.' Nand. reads at the end of the second line, *samprāpto 'sya na putrakāḥ*, 'shall take the inheritance, (provided) the (adoptive father) has no son.'

142. Medh. mentions another 'improper' explanation, according to which *haret*, 'shall take,' is to mean *hārayet*, 'shall allow to be taken,' and the purport of the verse is that 'he is to benefit both (fathers) like a *Dvyāmushyāyana*.'

143. The son of a wife, not appointed (to have issue by another), and he whom (an appointed female, already) the mother of a son, bears to her brother-in-law, are both unworthy of a share, (one being) the son of an adulterer and (the other) produced through (mere) lust.

144. Even the male (child) of a female (duly) appointed, not begotten according to the rule (given above), is unworthy of the paternal estate; for he was procreated by an outcast.

145. A son (legally) begotten on such an appointed female shall inherit like a legitimate son of the body; for that seed and the produce belong, according to the law, to the owner of the soil.

146. He who takes care of his deceased brother's estate and of his widow, shall, after raising up a son for his brother, give that property even to that (son).

147. If a woman (duly) appointed bears a son to her brother-in-law or to another (Sapinda), that (son, if he is) begotten through desire, they declare (to be) incapable of inheriting and to be produced in vain.

148. The rules (given above) must be understood (to apply) to a distribution among sons of women of the same (caste); hear (now the law) concerning

144. 'The rule (given above),' i. e. that given above, verse 60. Nand. omits this verse.

145. Medh. and Kull. state that the object of this verse is to teach that a Kshetrâga, if endowed with good qualities, may even receive (against verse 120) the additional share of an eldest son, because it is said that he inherits 'like a legitimate son.' Nâr. says, '(the expression) like a legitimate son (is used) in order to establish (the title to) an equal share.' Nand. omits this verse.

146. 'This rule refers to the case where the two brothers are divided, while verse 120 refers to those who live in union' (Medh., Kull., Râgh.). Nand. places this verse after 147.

those begotten by one man on many wives of different (castes).

149. If there be four wives of a Brâhmana in the direct order of the castes, the rule for the division (of the estate) among the sons born of them is as follows :

150. The (slave) who tills (the field), the bull kept for impregnating cows, the vehicle, the ornaments, and the house shall be given as an additional portion to the Brâhmana (son), and one most excellent share.

151. Let the son of the Brâhmanî (wife) take three shares of the (remainder of the) estate, the son of the Kshatriyâ two, the son of the Vaisyâ a share and a half, and the son of the Sûdrâ may take one share.

152. Or let him who knows the law make ten shares of the whole estate, and justly distribute them according to the following rule :

149-156. Gaut. XXVIII, 35-39 ; Vas. XVII, 48-50 ; Baudh. II, 3, 10 ; Vi. XVIII, 1-33, 38-40 ; Yâgyñ. II, 125.

150. 'The ornaments,' i.e. 'the ring which the father used to wear, and the like' (Medh., Kull.). 'The house,' i.e. 'the principal mansion' (Medh., Kull., Râgh.). *Ekâmsas ka pradhânatah*, 'one most excellent share' (Medh., Kull.), means according to Nâr., with whom Nand. agrees, 'and one share consisting of the chief, i.e. best property' (*pradhânato mukhyadhanâd utkrishâd ity artha*), and according to Râgh. 'and one share, because he is the chief person.' According to Nâr. this 'one share' must be equal in value to one of the three shares mentioned in the next verse.

151. Medh. and Kull. remark that the rule holds good also if there are more sons than one in each class.

152. According to Nâr. this rule refers to the case when each of the wives has several sons, while the preceding one is applicable when each wife has one son only. Râgh. thinks that the first rule shall be followed when the son of the Brâhmanî possesses good qualities, the second when he is destitute of them.

153. The Brâhmana (son) shall take four shares, the son of the Kshatriyâ (wife) three, the son of the Vaisya shall have two parts, the son of the Sûdra may take one share.

154. Whether (a Brâhmana) have sons or have no sons (by wives of the twice-born castes), the (heir) must, according to the law, give to the son of a Sûdra (wife) no more than a tenth (part of his estate).

155. The son of a Brâhmana, a Kshatriya, and a Vaisya by a Sûdra (wife) receives no share of the inheritance; whatever his father may give to him, that shall be his property.

156. All the sons of twice-born men, born of wives of the same caste, shall equally divide the estate, after the others have given to the eldest an additional share.

157. For a Sûdra is ordained a wife of his own caste only (and) no other; those born of her shall have equal shares, even if there be a hundred sons.

153. Medh. points out that according to other Smrîtis the Brâhmana son alone receives land, given to his father, and that the Sûdra son receives no share in land, if there is other property.

154. Hence on failure of other sons the other heirs, the Sapindas (Medh.), or the widow and the rest (Nâr.), shall take the rest of the estate. Nâr. adds that he may obtain more than a tenth, if his father give it to him.

155. The son of a Sûdra wife receives no share of his father's estate in case the mother was not legally married (Medh. 'others,' Kull.), or in case he is destitute of good qualities (Kull., Râgh.). According to Medh. and Nâr., na rikthabhâk, 'receives no share of the inheritance,' means 'receives no (larger) share (than one-tenth, except if the father himself has given more to him).' But it seems more probable, that the verse is intended to inculcate the maxim that a son by a Sûdra wife cannot claim any fixed portion of the inheritance from his father who divides his estate.

156. Medh., Gov., and K. read vâ, 'or,' instead of ye (gâtâh), but this gives no good sense, as Medh. remarks.

158. Among the twelve sons of men whom Manu, sprung from the Self-existent (Svayambhū), enumerates, six are kinsmen and heirs, and six not heirs, (but) kinsmen.

159. The legitimate son of the body, the son begotten on a wife, the son adopted, the son made, the son secretly born, and the son cast off, (are) the six heirs and kinsmen.

160. The son of an unmarried damsel, the son received with the wife, the son bought, the son begotten on a re-married woman, the son self-given, and the son of a Sūdra female, (are) the six (who are) not heirs, (but) kinsmen.

161. Whatever result a man obtains who (tries to) cross a (sheet of) water in an unsafe boat, even that result obtains he who (tries to) pass the gloom (of the next world) with (the help of) bad (substitutes for a real) son.

162. If the two heirs of one man be a legitimate

158-159. Gaut. XXVIII, 31-33; Vas. XVII, 25, 38; Baudh. II, 3, 31-32.

158. I.e. the first six inherit the family estate and offer the funeral oblations, the last six do not inherit, but offer libations of water and so forth as remoter kinsmen (Kull., Nār., Rāgh., Nand. 'some'). Medh., Nār., and Nand. take adāyādabāndhavāḥ to mean 'not heirs nor kinsmen.' But Kull. rightly objects that the parallel passage of Baudh. proves this explanation to be wrong. Nār. finally interprets bandhudāyādāḥ, 'heirs and kinsmen,' as 'heirs to the kinsmen,' i.e. 'inheritors of the estate of kinsmen, such as paternal uncles, on failure of sons, wives, and so forth.' Nār. and Nand., as well as Medh. in his commentary on verse 166, add that the son of an appointed daughter is not mentioned, because he has been declared above to be equal to a legitimate son.

161. Medh. mentions another explanation of the expression kuputraḥ, 'by bad (substitutes for a real) son,' according to which 'sons of a wife or widow not duly appointed' are meant.

162. According to Medh. and Gov. (quoted by Kull. and Rāgh.),

son of his body and a son begotten on his wife, each (of the two sons), to the exclusion of the other, shall take the estate of his (natural) father.

163. The legitimate son of the body alone (shall be) the owner of the paternal estate; but, in order to avoid harshness, let him allow a maintenance to the rest.

164. But when the legitimate son of the body divides the paternal estate, he shall give one-sixth or one-fifth part of his father's property to the son begotten on the wife.

the rule refers to the case where a legitimate son and the son of a wife not appointed both claim the inheritance. But 'others,' quoted by Medh., Kull., and Râgh., think that it applies to the case where a wife first was appointed by her husband to procreate a son with his brother, and afterwards a legitimate son was born. The difficulty which under this explanation arises with respect to verse 164, is removed by assuming that the latter applies to the case where the natural father of the Kshetrâga has likewise sons, while verse 162 presupposes that he has none. Nâr. and Nand. say that the case which the rule contemplates, is that two brothers were undivided, and when the one died, the other, who himself had sons, begat with the widow a Kshetrâga son. On the death of the second brother, the Kshetrâga is entitled to receive only the share of the husband of his mother, not to claim a portion of the estate of his natural father. Under this supposition the translation would be, 'If a legitimate son (of one brother) and the son of the wife (of another) have a claim to one (undivided) estate, each shall receive the share of his father.'

163-165. Vi. XV, 28-30; Yâgñ. II, 132.

163. This rule refers to the case where one man leaves several substitutes for sons and a legitimate son (Medh., Kull., Nâr., Râgh.). 'To the rest,' i.e. 'to all except the son begotten on the wife' (which latter is exempted by verses 164-165; Medh., Kull., Râgh., Nand.). 'He who does not maintain them, commits sin' (Medh., Kull.); but not, if they have other means of subsistence (Nand.).

164. This rule refers to the case where a Kshetrâga was begotten before the legitimate son, and received no property from his natural father (Râgh.); see also Kull.'s notes on verses 162-163. According

165. The legitimate son and the son of the wife (thus) share the father's estate; but the other ten become members of the family, and inherit according to their order (each later named on failure of those named earlier).

166. Him whom a man begets on his own wedded wife, let him know to be a legitimate son of the body (Aurasa), the first in rank.

167. He who was begotten according to the peculiar law (of the Niyoga) on the appointed wife of a dead man, of a eunuch, or of one diseased, is called a son begotten on a wife (Kshetrāga).

168. That (boy) equal (by caste) whom his mother or his father affectionately give, (confirming the gift)

to Nâr, it refers, however, to the case where a man died, leaving several widows, and one was appointed to bear a son by her brother-in-law, while another afterwards proved to be pregnant and bore a legitimate son. 'The Kshetrāga receives one-fifth, if he is endowed with good qualities, else one-sixth' (Medh., Kull., Nâr., Râgh., Nand.).

165. Vas. XVII, 39. Gotrarikthâmsabhâginah, 'become members of the family (i. e. succeed to the family rights and duties) and inherit' (Medh., Kull., Nand.), may also be translated, 'share the family estate,' as Nâr. proposes. But his suggestion that the family estate is here mentioned in order to exclude them from their father's self-acquired property is doubtlessly wrong. Equally inadmissible seems another explanation, mentioned by Nâr. and Nand., according to which *amsabhâginah*, 'they share,' is to mean 'they obtain (such) a share (as will suffice for their maintenance).'

166. Âp. II, 18, 1; Vas. XVII, 13; Baudh. II, 3, 14; Vi. XV, 2; Yâgñ. II, 128. I read prâthamakalpikam with Medh., Gov., Nâr., and K. Râgh. gives prathamakalpikam. Kull. and Nâr. think that the wife must be of equal caste, while Medh. says that *sva* means 'his own,' not 'of his own caste.' Medh. mentions Kull.'s opinion as that of 'others.'

167. Vas. XVII, 14; Baudh. II, 3, 18; Vi. XV, 3; Yâgñ. I, 69, II, 127-128.

168. Vas. XVII, 29; Baudh. II, 3, 20; Vi. XV, 18-19; Yâgñ.

with (a libation of) water, in times of distress (to a man) as his son, must be considered as an adopted son (Datrima).

169. But he is considered a son made (*Kritrima*) whom (a man) makes his son, (he being) equal (by caste), acquainted with (the distinctions between) right and wrong, (and) endowed with filial virtues.

170. If (a child) be born in a man's house and his father be not known, he is a son born secretly in the house (*Gûdhotpanna*), and shall belong to him of whose wife he was born.

171. He whom (a man) receives as his son, (after he has been) deserted by his parents or by either of them, is called a son cast off (*Apaviddha*).

II, 130. *Sadrīsam*, 'equal (by caste),' (*Kull.*, *Nâr.*, *Râgh.*, *Nand.*), means according to *Medh.* 'equal by virtues, not by caste.' 'His mother or his father,' i.e. 'after mutually agreeing' (*Kull.*), 'the mother, if there is no father' (*Râgh.*). *Medh.* and *Nand.* read *mâtâ pitâ ka*, 'his mother and his father,' but *Medh.* adds that *vâ* is the proper reading. 'Affectionately,' i.e. 'not out of avarice' (*Medh.*), or 'not out of fear and so forth' (*Kull.*, *Nand.*), or 'not by force or fraud' (*Râgh.*). 'In times of distress,' i.e. 'if the adopter has no son' (*Kull.*, *Râgh.*), or 'if the adoptee's parents are in distress' (*Nâr.*).

169. *Baudh.* II, 3, 21; *Yâgñ.* II, 131. *Medh.* again says, 'equal by qualities.' 'Acquainted with (the distinctions between) right and wrong,' i.e. 'by performing or not performing *Srâddhas* and other sacred rites merit or sin will follow' (*Kull.*), or 'I am now the son of so and so, and if I do not serve him I shall become an outcast' (*Râgh.*), or 'not an infant' (*Medh.* 'some,' *Nâr.*). *Nâr.* adds that some read *gunadoshaviṣakshanaḥ*, and refer the adjective to the adopter, who is thereby warned not to take an outcast or the like.

170. *Vas.* XVII, 24; *Baudh.* II, 3, 22; *Vi.* XV, 13-14; *Yâgñ.* II, 129. According to the commentators the condition is that there is no suspicion that the wife had intercourse with a man of lower caste. *Nâr.* says that the case contemplated is, that a wife had intercourse with several men of equal caste.

171. *Vas.* XVII, 37; *Baudh.* II, 3, 23; *Vi.* XV, 24-25; *Yâgñ.*

172. A son whom a damsel secretly bears in the house of her father, one shall name the son of an unmarried damsel (Kânîna, and declare) such offspring of an unmarried girl (to belong) to him who weds her (afterwards).

173. If one marries, either knowingly or unknowingly, a pregnant (bride), the child in her womb belongs to him who weds her, and is called (a son) received with the bride (Sahodha).

174. If a man buys a (boy), whether equal or unequal (in good qualities), from his father and mother for the sake of having a son, that (child) is called a (son) bought (Kritaka).

175. If a woman abandoned by her husband, or a widow, of her own accord contracts a second marriage and bears (a son), he is called the son of a re-married woman (Paunarbhava).

176. If she be (still) a virgin, or one who returned (to her first husband) after leaving him, she is worthy to again perform with her second (or first deserted) husband the (nuptial) ceremony.

II, 132. The reason of the desertion may be either extreme distress of the parents, or the commission of some fault on the part of the boy (Medh.). 'Provided the father of the child was of equal caste' (Nâr., Nand.).

172. Vas. XVII, 22-23; Baudh. II, 3, 24; Vi. XV, 10-11; Yâgñ.

II, 129. 'Provided the lover was of equal or higher caste' (Nâr.).

173. Vas. XVII, 26-27; Baudh. II, 3, 25; Vi. XV, 15-16; Yâgñ.

II, 131. Medh.'s commentary on verses 173-178 is missing in the I. O. copies.

174. Vas. XVII, 30-32; Baudh. II, 3, 26; Vi. XV, 20-21; Yâgñ.

II, 131. 'Equal or unequal,' i. e. 'by good qualities, not by caste' (Kull., Râgh.), means according to Nâr. 'whether of equal or of lower caste.'

175. Vas. XVII, 18; Baudh. II, 3, 27; Vi. XV, 7-9; Yâgñ.

II, 130.

176. Vas. XVII, 74. 'Hence a re-married woman, who is not a

177. He who, having lost his parents or being abandoned (by them) without (just) cause, gives himself to a (man), is called a son self-given (*Sva-yamdatta*).

178. The son whom a *Brâhmana* begets through lust on a *Sûdra* female is, (though) alive (*pârayan*), a corpse (*sava*), and hence called a *Pârasava* (a living corpse).

179. A son who is (begotten) by a *Sûdra* on a female slave, or on the female slave of his slave, may, if permitted (by his father), take a share (of the inheritance); thus the law is settled.

180. These eleven, the son begotten on the wife and the rest as enumerated (above), the wise call substitutes for a son, (taken) in order (to prevent) a failure of the (funeral) ceremonies.

181. Those sons, who have been mentioned in connection with (the legitimate son of the body),

virgin, is unworthy of the sacrament' (*Nâr.*). *Râgh.*, relying on *Yâgñ. II*, 130, expresses the contrary view, and thinks that the word *vâ*, 'or,' at the end of the first half-verse, permits the insertion of 'or not a virgin.'

177. *Vas. XVII*, 33-35; *Baudh. II*, 3, 28; *Vi. XV*, 22-23; *Yâgñ. II*, 131.

178. *Vas. XVII*, 38; *Baudh. II*, 3, 30; *Vi. XV*, 27. 'On a *Sûdra*-female' i. e. 'one married to him' (*Kull.*). The designation 'a corpse' indicates that his father derives imperfect benefits from his offerings (*Kull.*, *Nâr.*, *Râgh.*), or that he is blameable (*Râgh.*). The term *Brâhmana* includes *Kshatriyas* by implication (*Nâr.*).

179. *Yâgñ. II*, 133. 'A share,' i. e. 'a share equal to that of a legitimate son' (*Kull.*), in case the division is made in the father's lifetime, else half a share according to *Yâgñ.* (*Medh.*).

180. *Kriyâlopât*, 'in (order to prevent) a failure of the (funeral) ceremonies,' means according to *Medh.* 'in (order to prevent) a failure of the duty (to beget offspring).' *Kull.* mentions this explanation also. *Nand.* says, 'when there is no legitimacy in consequence of the absence of the action of begetting one.'

181. *Âp. II*, 13, 7; *Baudh. II*, 3, 34-35. Hence they should, not

being begotten by strangers, belong (in reality) to him from whose seed they sprang, but not to the other (man who took them).

182. If among brothers, sprung from one (father), one have a son, Manu has declared them all to have male offspring through that son.

183. If among all the wives of one husband one have a son, Manu declares them all (to be) mothers of male children through that son.

184. On failure of each better (son), each next inferior (one) is worthy of the inheritance; but if there be many (of) equal (rank), they shall all share the estate.

185. Not brothers, nor fathers, (but) sons take the paternal estate; but the father shall take the inheritance of (a son) who leaves no male issue, and his brothers.

be taken, if there is a legitimate son (Medh.), or an appointed daughter (Kull.).

182. Vas. XVII, 10; Vi. XV, 42. Hence no subsidiary sons (Kull., Râgh.), or no Kshetrageas (Nâr.), are necessary in such a case. Kull. and Râgh. add that the brother will take estate and give the funeral offerings on failure of a wife, daughters, and so forth (Yâgñ. II, 135).

183. Vas. XVII, 11; Vi. XV, 41. Hence no adoption or other substitution (Kull., Râgh.), or no appointment (Nâr.), shall be made in such a case.

184. 'Each better (son),' i.e. 'each earlier named among the twelve' (Kull., Nâr., Râgh., Nand.). Kull. and Râgh. add that, as the son of a Sûdra wife is enumerated among the twelve, and not considered like the son of Kshatriya and Vaisya wives a legitimate son, he inherits only on failure of all other subsidiary sons. 'Many (of) equal rank,' i.e. 'many Paunarbhavas and so forth' (Kull., Râgh.).

185. Kull. and Râgh. insert after 'who leaves no son,' 'nor widow and daughters,' and before 'brothers,' 'who leaves no parents.' Nâr., who (as also Gov., Nand., and K.) reads *eva vâ*, 'or brothers,' says that the father inherits the estate of an undivided

186. To three (ancestors) water must be offered, to three the funeral cake is given, the fourth (descendant is) the giver of these (oblations), the fifth has no connection (with them).

✓ 187. Always to that (relative within three degrees) who is nearest to the (deceased) *Sapinda* the

son, leaving no male issue, or the brothers with his permission, and that the estate of a divided son descends to his wife, and other heirs mentioned by *Yâgñ.* II, 135-136. All these interpolations are most probably improper, as *Manu* nowhere mentions the right of a wife or a daughter, not appointed, to the estate. The verse can only refer to a divided coparcener or to the separate property of an undivided one, and *Manu's* opinion seems to be that on failure of sons, grandsons, and great-grandsons, whose rights are indicated by verse 137, the father shall inherit, and after him the brothers.

186. 'To three,' i. e. 'to the father, the grandfather, and the great-grandfather' (*Kull.*, *Nâr.*, *Râgh.*, *Nand.*). To these same three the cakes are offered (*Kull.*, *Râgh.*). *Kull.* and *Râgh.* state that the object of the verse is to indicate the right of *Kshetragas* and other subsidiary sons to inherit the estate of a grandfather and so forth deceased without leaving issue. *Kull.* adds that the right of sons and grandsons of a legitimate son is indicated by verse 137. *Nand.*, however, thinks that the verse serves to prove the right of grandsons and great-grandsons to inherit before 'brothers and the rest.'

187. *Vas.* XVII, 81-82; *Gaut.* XXVIII, 33; *Âp.* II, 14, 2-3. The above translation does not fully agree with any of the explanations given by the four commentators. On philological grounds it seems to me improbable that *anantaraḥ sapindāt* can mean anything else than 'nearest to the *Sapinda*,' and that this *Sapinda* can be anybody else than the deceased. Further, as verse 186 apparently contains a definition of the term, limiting *Sapinda*-relationship to three degrees, and as in the second half of verse 187 the *Sakulyas*, 'those belonging to the same family,' are mentioned as the next heirs, it seems certain that 'the nearest' here meant is 'the nearest *Sapinda* or relative within three degrees.' Practically the proposed translation is not much different from that extracted by *Kull.* and others by the grammatically inadmissible expedient of taking *sapindāt* for *sapindamadyāt*, 'among the *Sapindas*.' The correctness of the above explanation is also attested by the closely allied parallel passage of *Baudhāyana* I, 11, 9-13, the first *Sūtra* of

estate shall belong; afterwards a Sakulya shall be (the heir, then) the spiritual teacher or the pupil.

which corresponds to verse 186, while the other four express the same sense as verse 187. There too the term Sakulya occurs, which Gimûtavâhana takes to denote the three descendants beyond the great-grandson and the three ascendants beyond the great-grandfather, while others explain it as a general term, 'members of one family.' What Manu's precise acceptation of the word was cannot be said with certainty. But, as no technical definition is given by him, it will be safest to take it in its etymological and widest sense, 'the (remoter) members of the family,' and to assume that the principle of nearness to the deceased regulated the succession.

As regards the explanations of the commentators, Kull. says, 'As this general rule would be meaningless, if it were referred to the legitimate son and those other Sapindas alone, who have already been mentioned, its object must therefore be (to teach) that the wife and the rest, who have not been mentioned, shall inherit. To that Sapinda who is the nearest among the Sapindas, be he a male or a female, the estate of the deceased shall belong.' He then goes on to enumerate the heirs in the following order: 1. the legitimate son, sharing with a Kshetrâga (verse 164), and a virtuous adoptive son (verse 141); 2. the appointed daughter and her son; 3. the Kshetrâga and the other ten subsidiary sons, each on failure of the earlier named, with the proviso that the son of a Sûdra wife receives one-tenth of the estate only (verse 154); 4. the widow (on this point a great many passages are quoted, and Medh. is censured, because in his commentary, which is missing in the I. O. MSS., like the whole passage 182-201, he denied her right to inherit); 5. the daughter, not appointed; 6. the father and the mother; 7. full brothers; 8. sons of full brothers; 9. the paternal grandmother (verse 227); 10. any other near Sapinda, (a) of the grandfather's line, (b) of the great-grandfather's line, and so forth; 11. the Samânodakas, or relatives allied by libations of water (Kull. considering Sakulya as equivalent to Samânodaka); 12. the teacher; 13. the pupil. According to Kull. the translation should be, 'To the nearest among the Sapindas (male or female) the estate shall belong; afterwards (on failure of Sapindas) a Samânodaka shall be (the heir), next the teacher, and (then) the pupil.' Râgh. in substance agrees with this explanation, but in order to make the rule still more fully agree with Yâgy. II, 135-136, he asserts that the

188. But on failure of all (heirs) Brâhmanas (shall) share the estate, (who are) versed in the three Vedas, pure and self-controlled; thus the law is not violated.

Bandhus or cognates are also implied by the term Sakulya. His explanation of the first words also differs from Kull's, and is more in accordance with the rules of grammar, 'He who is the nearest to the Sapinda, i.e. to the legitimate son and the son of the daughter—(viz.) the five, the wife and the rest (mentioned by Yâgñ. II, 135-136).' Râgh. and Kull. are clearly under the spell of Yâgñ., and most improperly transfer into Manu's text the ideas of the latter. Nâr.'s short disjointed remarks are not very clear. He explains the first words by *eshâm madhye sapindânâm ato tho[yo]nantaro yathâ putrasya pitâ tasya tatpitetyâdi tasya tasya taddhanam*, 'Among those Sapindas the nearest to him, i.e. the father to his son, his father to him, and so forth; always to him that estate (shall belong).' He then enumerates, on failure of the father, the brother and his son, the grandfather, the Samânodaka, the Sagotra, and the 'Bandhu, i.e. the maternal uncle and the rest,' as successive heirs, and explains Sakulya by Bandhu.

Nand., whose text has a faulty reading *sapindârhaḥ*, asserts that *pinda* (*sapinda*?) means 'the deceased,' and explains the first line by saying, 'Always to him who is the Sapinda nearest to the deceased the wealth, the estate, shall belong—the repetition (of the word *tasya*) shows the successive order.' The Sakulyas are, according to him, the Samânodakas. He reads *sakulyâḥ syuḥ*, 'Sakulyas shall be the heirs.'

188. Gaut. XXVIII, 41; Vas. XVII, 84-86; Baudh. I, 13, 14; Vi. XVII, 13-14. The phrase 'on failure of all (heirs),' i.e. 'of those mentioned' (Râgh.), or 'of all males and females, related in any way (to the deceased),' (Nand.), indicates according to Kull. that other unnamed persons, such as fellow-students, are also entitled to inherit. 'Brâhmanas,' i.e. 'such as live in the same village' (Nâr.). 'Pure,' i.e. 'careful of external and internal purity' (Kull.), or better 'who are of good conduct' (Nâr.). According to Kull. and Râgh., the meaning of the last clause is that the Brâhmanas who inherit the estate will offer the funeral sacrifices, and thus no violation of the law regarding the Srâddhas will occur. Nâr. points out that this rule, as the following verse shows, refers solely to the property of a Brâhmana.

189. The property of a Brâhmana must never be taken by the king, that is a settled rule; but (the property of men) of other castes the king may take on failure of all (heirs).

190. (If the widow) of (a man) who died without leaving issue, raises up to him a son by a member of the family (Sagotra), she shall deliver to that (son) the whole property which belonged to the (deceased).

191. But if two (sons), begotten by two (different men), contend for the property (in the hands) of their mother, each shall take, to the exclusion of the other, what belonged to his father.

189. Âp. II, 14, 5; Gaut. XXVIII, 42; Vas. XVII, 83; Baudh. I, 13, 15-16. According to Kull. and Râgh., the repetition of the prohibition to take the property of a Brâhmana shows that, if no learned and virtuous Brâhmanas are to be found, the king shall give the estate of a Brâhmana deceased without heirs, even to men who have nothing but the name of the Brâhmana caste.

190. According to Kull. and Râgh., this verse refers to the case in which a duly authorised widow bears a son to a relative of her husband, and repeats the rule given above, verse 146, which here however is made imperative on the widow. Kull. adds that the object of the repetition is to show that not only a brother-in-law or a Sapinda, as stated above, verse 59, but also a remoter relative, a Sagotra, may beget a son for a man deceased without issue. Nâr., on the other hand, thinks that in accordance with this verse a child which a widow bears, even without authorisation, to a Sagotra shall inherit the estate of the widow's deceased husband (*sagotrâd yadi tantum samtânam âhared aniyuktâpi strî tadâ golakatvê 'pi tasya gñâtýantarâbhâve kshetrapatidhanahâritvam ity arthaḥ*). He adds that some apply this rule to Sûdra females only, and that in the opinion of these persons Gûdhagas, Kânînas, and Sahodhas also are considered as sons in the case of Sûdras only, not in the case of Âryans.

191. Kull. and Nand. think that the verse refers to the case in which a woman married successively two husbands and bore a son to either. If the two husbands died and their property remained in

192. But when the mother has died, all the uterine brothers and the uterine sisters shall equally divide the mother's estate.

193. Even to the daughters of those (daughters) something should be given, as is seemly, out of the estate of their maternal grandmother, on the score of affection.

194. What (was given) before the (nuptial) fire, what (was given) on the bridal procession, what was

the hands of the wife, she is to make over the entire property of her first husband to his son, and the property of the second husband to the son of the latter. Râgh. gives the same explanation, but proposes as an alternative, 'If two (sons), begotten by two (different men), contend for the separate property of their mother, &c.' For a twice-married woman will have received nuptial and other presents from both husbands. After her death her sons shall each receive what came to her from his father. Nâr. finally holds that the verse refers to a contention between a legitimate son and a Golaka or a Paunarbhava for the estates of their respective fathers which their mother holds. He construes *striyâh* with *gâtau*, 'begotten by two (different men) on one woman.'

192. Kull. and Râgh. restrict this rule, in accordance with a passage of *Br̥haspati*, to unmarried daughters, and hold that married daughters receive merely 'a token of respect.' The latter amounts according to Kull. to 'one-fourth of a share;' see above, verse 118. Nâr. says that the term 'the mother's estate' refers to 'other property than *strīdhana* or separate property,' and adds to the expression 'the sisters' *aputrâh*, 'those who have no sons.' He, however, gives the opinion, held by Kull. and Râgh. also, stating that it belongs to 'some.'

193. Kull. holds that the granddaughters should be unmarried. Nâr. says, 'When the married daughters are dead, their daughters shall be presented at will by their maternal uncles with the share which their mothers would have received as a token of respect.' Râgh., too, thinks that 'on the score of affection' means 'at the pleasure (of the heirs).' But Nand. deduces from the same term the absolute necessity of the gift.

194. Vi. XVII, 17; Yâgñ. II, 143. 'What was given in token of love,' i.e. 'by the husband' (*ratikâle*, Nâr.).

given in token of love, and what was received from her brother, mother, or father, that is called the six-fold property of a woman.

195. (Such property), as well as a gift subsequent and what was given (to her) by her affectionate husband, shall go to her offspring, (even) if she dies in the lifetime of her husband.

196. It is ordained that the property (of a woman married) according to the Brâhma, the Daiva, the Ârsha, the Gândharva, or the Prâgâpatya rite (shall belong) to her husband alone, if she dies without issue.

197. But it is prescribed that the property which may have been given to a (wife) on an Âsura marriage or (one of the) other (blamable marriages, shall go) to her mother and to her father, if she dies without issue.

198. Whatever property may have been given by her father to a wife (who has co-wives of different castes), that the daughter (of the) Brâhmanî (wife) shall take, or that (daughter's) issue.

195. Yâgñ. II, 144. Kull. and Nâr. state that both the separate property of a woman, enumerated in verse 194, and that named in verse 195, descend to her children, i.e. 'to her sons and the rest' (Râgh.), or 'to her sons or daughters' (Nand.). Nâr. remarks that 'a gift subsequent' and 'the husband's affectionate gift' are not strîdhana, or separate property, and that hence the wife has no right of free disposal with respect to these two.

196-197. Vi. XVII, 19-20; Yâgñ. II, 145.

196. Nâr. adds to the term 'property,' strîdhanâstrîdhanarûpam, 'whether separate property or not.'

198. I.e. if a Brâhmana has wives of the Brâhmana and Kshatriya castes, property given in any way to the Kshatriya wife by her own family, goes to the daughter of the Brâhmana wife, or if that daughter of the Brâhmana wife is dead and has left issue, to the latter. 'Thus the sons of the Brâhmana wife are excluded' (Kull., Nâr.). Nâr. states expressly that the term 'issue' refers to daughters alone.

199. Women should never make a hoard from (the property of) their families which is common to many, nor from their own (husbands' particular) property without permission.

200. The ornaments which may have been worn by women during their husbands' lifetime, his heirs shall not divide; those who divide them become outcasts.

201. Eunuchs and outcasts, (persons) born blind or deaf, the insane, idiots and the dumb, as well as those deficient in any organ (of action or sensation), receive no share.

199. Kull. and Râgh., whose explanation the translation given above follows, take the first clause to refer to the property of a united family, and the second to the separate property of the husbands. But according to Nâr. and Nand. the translation should be as follows, 'Wives should never take anything (for their private expenses) from (their husbands' property, destined for the support of) their families, on which many have a claim, nor from their own property (which is not *strîdhana*), without the consent of their husbands.' Nâr.'s explanation of *nirhâram kuryuḥ*, 'should (never) take anything,' seems preferable to that given by Kull. and Râgh.

200. Vi. XVII, 22. 'His heirs,' i.e. 'the sons and the rest' (Kull., Nâr.). Nand., who differs from the above explanation, says, 'Since the ornaments are the husband's property, because they have not been mentioned as *strîdhana*, the object of this utterance is to forbid their going to the heirs, while the husband lives' (*alamkârasya strîdhane 'nudishatvâd bhartrîdhanatvena bhartrîbhâve dâydânâm prâptyapavâdârtho 'yam ârambhaḥ*). Nand. appears, therefore, to construe *patyau gîvati* with *bhageran*, just as Nandapandita does in the parallel passage of Vishnu (see Professor Jolly's note).

201-203. Âp. II, 14, 1, 15; Gaut. XXVIII, 23, 40, 43; Vas. XVII, 52-53; Baudh. II, 3, 37-40; Vi. XV, 32-37; Yâgñ. II, 140-141.

201. 'Eunuchs,' i.e. 'those who are incurable;' 'outcasts,' i.e. 'those guilty of a mortal sin (*mahâpâtaka*) before they perform a penance;' 'the insane,' i.e. 'those who are incurable' (Nâr.). 'Those deficient in any organ, i.e. of action' (Nand.), such as lame men (Kull., Nand.), such as men without hands (Râgh.), or

202. But it is just that (a man) who knows (the law) should give even to all of them food and raiment without stint, according to his ability; he who gives it not will become an outcast.

203. If the eunuch and the rest should somehow or other desire to (take) wives, the offspring of such among them as have children is worthy of a share.

204. Whatever property the eldest (son) acquires (by his own exertion) after the father's death, a share of that (shall belong) to his younger (brothers), provided they have made a due progress in learning.

also 'of sensation,' such as men who have lost the faculty of touch (Nâr.).

202. Medh. and Kull. take *atyantam*, 'without stint,' in the sense of 'for life.' Nâr. construes the word with *adadat*, and explains 'he who does not give it at all.' Nand. reads *abhyāṅgam*, 'ointments,' for *atyantam*, 'without stint.'

203. Medh. is of opinion that some of the persons disqualified from inheriting, the *vâtaretas klîba*, those born blind and the lame, may marry, while outcasts, madmen, and the rest cannot do so. Hence the conditional clause may be taken in the sense adopted above in the translation. He, however, adds that the rule may also refer to cases in which the cause of the disqualification arose after marriage. Nâr.'s explanation is substantially the same. But he considers that a eunuch and an outcast cannot contract a legal marriage, and that the expression *klîbâdaya*, literally 'those among whom the eunuch is the first,' refers to 'men born blind and the rest.' He admits also the rights of the *Kshetrâga* sons of eunuchs and outcasts who contracted a marriage before their disqualification arose. Kull. says, 'By the employment of the term "somehow or other" it is indicated that a eunuch and the rest are not worthy to marry.' In the sequel he explains the word 'offspring' by *Kshetrâga*. Râgh. and Nand. follow him with respect to the latter point.

204. The rule refers of course to a united family only (Kull.). Medh. infers from the expression *vidyânupâlinâ*, 'provided they have made a due progress in learning,' that 'persons subsisting by learning, mechanics and artisans, such as physicians, actors, singers,'

205. But if all of them, being unlearned, acquire property by their labour, the division of that shall be equal, (as it is) not property acquired by the father; that is a settled rule.

206. Property (acquired) by learning belongs solely to him to whom (it was given), likewise the gift of a friend, a present received on marriage or with the honey-mixture.

are meant. Nâr. and Nand. hold that no part of an acquisition, made under the same circumstances by the youngest brother, can be claimed by the eldest, because this verse specifies the eldest alone, and because the next verse declares that the acquisitions only made by any member of an unlearned family, shall be partible.

205. Gaut. XXXVIII, 31. This rule refers to acquisitions by trade (Medh., Kull., Nâr.), by agriculture (Medh., Kull. Nand.), or by royal service (Medh.). 'As the division is to be equal, the eldest receives no preferential share' (Medh., Kull., Nand.). Medh. adds that, since the expression 'as it is not property acquired by the father,' gives the reason for the equal division, the same rule holds good for the division of the estate of any other person deceased without issue. Nand. takes apitrya iti for apitryaḥ iti and explains it by 'since (the division) has not been made by the father.'

206. Yâgñ. II, 118-119. 'Property acquired by learning,' i. e. 'a fee for teaching or money received for proficiency in an art' (Medh., Nand.), includes according to a text of Kâtyâyana, quoted by Kull. and Râgh. (see Colebrooke V, Digest CCCXLVII), gifts from pupils, gratuities for performing a sacrifice, a fee for answering a difficult question in casuistry, or for ascertaining a doubtful point in law, rewards for displaying knowledge or for victory in a learned contest, or for reciting the Veda with transcendent ability. Instances in which land was given as vidyâdhana occur in the inscriptions, see e. g. Indian Antiquary, XII, p. 195 b, l. 6. 'A present received on marriage,' i. e. 'what (the bridegroom) receives from the relatives of his wife' (Medh., Nâr.), or 'from any other person' (Medh. 'others'), means according to Nand., 'strîdhana received at the time of marriage' (?). 'A present received with the honey-mixture' is explained by Medh. and, as Kull. asserts, by Gov. also, by 'the fee given for the performance of a sacrifice.' But the explanation given by Kull., Nâr., Râgh., and Nand., 'any

207. But if one of the brothers, being able (to maintain himself) by his own occupation, does not desire (a share of the family) property, he may be made separate (by the others) receiving a trifle out of his share to live upon.

208. What one (brother) may acquire by his labour without using the patrimony, that acquisition, (made solely) by his own effort, he shall not share unless by his own will (with his brothers).

209. But if a father recovers lost ancestral pro-

present received, in token of respect, with the honey-mixture,' e. g. a silver vase (Râgh.), is preferable. Regarding the persons worthy of the honey-mixture, see above, III, 119-120. Kull. points out that this rule is a restriction of that given above, verse 204. Râgh. adds that, as the parallel passage of Yâgñ. shows, such acquisitions become the private property of the donee, only if they were obtained 'without detriment to the paternal estate;' see also below, verse 208.

207. Yâgñ. II, 116. The translation given above follows the second explanation offered by Medh., and the glosses of Kull. and Nâr. According to Medh.'s first explanation, with which Nand. agrees, the translation would agree with Sir W. Jones's, 'he may debar himself from his share.' The reason why a trifle should be given is, according to all commentators, that future disputes may be prevented.

208. Yâgñ. II, 118; Vi. XVIII, 42. 'By his labour,' i. e. 'by agriculture and the like' (Medh., Kull., Nand.), or 'by any occupation entailing trouble' (sramaganyakarmañâ, Nâr.). Anupaghnâ, 'without using' (Nand.), or 'without living upon' (Râgh.), is explained by Kull. 'without detriment to,' and Nand. mentions this interpretation also. Nâr. remarks that acquisitions made without labour or trouble are liable to partition. Nand. says that the rule, given in this verse, may be reconciled with that contained in verse 205, by assuming that the latter presupposes that all brothers exert themselves according to their ability (pûrvam sarveshu yathâsâmarthyam ihamâneshu bhrâtṛiṣhu labdhasya samavibhâga ukta ityavirodho 'nusamdhyañ).

209. Yâgñ. II, 119; Vi. XVIII, 43. The translation of *paitṛi-*kam, lit. 'paternal,' by 'ancestral,' is based on Nâr.'s gloss *svapitṛi-*

erty, he shall not divide it, unless by his own will, with his sons, (for it is) self-acquired (property).

210. If brothers, (once) divided and living (again) together (as coparceners), make a second partition, the division shall in that case be equal; in such a case there is no right of primogeniture.

211. If the eldest or the youngest (brother) is deprived of his share, or if either of them dies, his share is not lost (to his immediate heirs).

212. His uterine brothers, having assembled together, shall equally divide it, and those brothers who were reunited (with him) and the uterine sisters.

sambandhi and on Râgh.'s pitṛīpitâmahâdisambandhi. The latter refers also to the parallel passage of Yâgñ. Anavâptam, 'lost,' means literally 'not obtained (by his father).' The translation of svayamargitam by 'for it is self-acquired' agrees with Nand.'s remark, svayamargitavâd ity arthaḥ. Nâr. adds, 'And thus it has been declared that property of the father which has not been acquired by him with exceedingly great trouble must be divided at the will of the sons, and to this refers the passage of Yâgñ. II, 121, "Over land acquired by the grandfather, &c." Medh., whose commentary on this verse is very corrupt, seems likewise to have inferred from it that Manu admitted the equal ownership of a father and his sons in ancestral property (see also Colebrooke V, Digest XCI). But he combats the theory that sons may without a violation of their duty force the father to divide the ancestral property.

210. Vi. XVIII, 41.

211. 'Be deprived of his share,' i. e. 'because he has become an outcast or the like' (Medh.), or 'because he has become an ascetic' (Kull., Nand.), or 'because he has emigrated' (Nand.), or 'because he has become a eunuch after the (first) partition' (Nâr.). Na lupyate, 'is not lost (to his immediate heirs),' is explained by Nâr. as follows, 'His share, being formerly determined, is not lost, i. e. must not be divided by all the reunited coparceners and thus be made to disappear' (see also the text of Brîhaspati, Colebrooke V, Digest CCCCVII, 2). 'What is to be done with the share is shown in the next verse' (Medh., Nâr., Râgh., Nand.).

212. Vi. XVII, 17; Gaut. XXVIII, 21; Yâgñ. II, 138. The

213. An eldest brother who through avarice may defraud the younger ones, shall no (longer hold the position of) the eldest, shall not receive an (eldest son's additional) share, and shall be punished by the king.

214. All brothers who habitually commit forbidden acts, are unworthy of (a share of) the property, and the eldest shall not make (anything his) separate property without giving (an equivalent) to his younger brothers.

meaning of the verse is: 1. according to Medh., with whose opinion the not very clear glosses of Kull. and Râgh. seem to agree, 'the share of a deceased reunited brother goes first to the reunited brothers of the full blood and to such sisters of the full blood who are not married (aputrâh, MSS. for aprattâh)—married sisters (pravrittâh, MSS. for pradattâh) being excluded, because they belong to another family—next to not reunited brothers of the full blood, finally to reunited half-brothers; 2. according to Nâr., 'the share of a reunited brother devolves first on reunited brothers of the whole blood, next on reunited half-brothers, further on sisters of the full blood, then on the sons of brothers [of the whole blood?], and finally on sons of half-brothers [? tadabhâve tvasodârâdy api]. Nand. has the same order of heirs as Nâr., but stops with 'the sisters of the whole blood.' Nâr.'s and Nand.'s explanation, which strictly follows the order of the enumeration in the text, agrees with Brîhaspati's rule (Colebrooke V, Digest CCCCVII, 3), which likewise seems to be a paraphrase of Manu's words. Kull., Râgh., and Nâr. hold that the heirs, named in the verse, inherit only on failure of sons, wives, daughters, and parents. Nâr. further remarks that some refer this verse and the preceding one to the division of the estate of one who died before partition, while others believe that it applies to the estate of a reunited brother only.

213. 'Shall no (longer hold the position of) the eldest,' i.e. 'shall not receive the honours, e.g. in saluting, due to the eldest brother' (Medh., Kull., Nâr., Râgh.). The insertion of the words 'an eldest son's additional' before 'share,' is made on the authority of Medh. and Kull. 'Shall be punished,' i.e. 'by reprimand (vâgdandadhig-dandâbhyâm) or by a fine as the case may require' (Medh.).

214. Âp. II, 14, 15; Gaut. XXVIII, 40; Baudh. II, 3, 38. 'Who

215. If undivided brethren, (living with their father,) together make an exertion (for gain), the father shall on no account give to them unequal shares (on a division of the estate).

216. But a son, born after partition, shall alone take the property of his father, or if any (of the other sons) be reunited with the (father), he shall share with them.

217. A mother shall obtain the inheritance of a son (who dies) without leaving issue, and, if the mother be dead, the paternal grandmother shall take the estate.

habitually commit forbidden acts,' i. e. 'who are addicted to gambling, drinking, and the like vices' (Kull., Râgh.), or 'who, being Brâhmanas, follow despicable modes of living, such as tending cattle, serving Sûdras and the like' (Nâr.). Na . . . kurvîta yautukam, 'shall not make (anything his) separate property,' means according to Nand. 'shall not give a marriage-portion to his daughter without having made a division of the estate.' The correct interpretation is, however, that given by the other commentators, according to which the eldest is not to appropriate anything out of the common stock for himself 'without giving an equivalent to the others' (kanish/ebhyas tâvad adattvâ, Nâr.).

215. Yâgñ. II, 120. Medh. remarks that this rule is a restriction of the general power of the father to make an unequal division (Yâgñ. II, 116), and thinks that it is not necessary that all the brothers should have been associated in the same kind of work. According to him it is sufficient that all have exerted themselves to gain money. Nâr. and Nand. clearly express the contrary view (sahot-thânam sambhûyavânigryâdinâ vittârganam, Nâr.).

216. Gaut. XXVIII, 29; Vi. XVII, 3; Yâgñ. II, 122.

217. Vi. XVII, 7; Yâgñ. II, 135. Kull., Nâr., and Nand. all three hold that the mother inherits only on failure of sons [grandsons and great-grandsons, Nand.], widows, and daughters. But they disagree with respect to the sequence of the next following heirs. Kull. holds that the mother and the father, whose right has been mentioned above, verse 185, follow next, inheriting conjointly, then brothers, afterwards brothers' sons, and after

218. And if, after all the debts and assets have been duly distributed according to the rule, any (property) be afterwards discovered, one must divide it equally.

219. A dress, a vehicle, ornaments, cooked food, water, and female (slaves), property destined for pious uses or sacrifices, and a pasture-ground, they declare to be indivisible.

them the paternal grandmother. Nâr. gives the following order : 1. mother, 2. father, 3. brothers, 4. brothers' sons, 5. maternal grandmother. Medh. says that this verse has been explained formerly. The portion of his commentary where the explanation occurred, has, however, been lost ; see note on verse 187.

218. Yâgñ. II, 126. Medh., Kull., and Nâr. point out that on the division of property discovered after partition, the eldest, according to this text, receives no preferential share. Nâr. adds that this rule applies also to debts, discovered after partition. Nâr. inserts this verse after verse 219.

219. Gaut. XXVIII, 46-47 ; Vi. XVIII, 44. Instead of *patram*, 'a vehicle,' i.e. 'a horse or cart, used exclusively by one of the coparceners during union' (Medh., Kull., Nâr., Râgh.), Nand. reads *pâtram*, 'a drinking-vessel.' *Striyah*, 'female (slaves),' means according to Nâr. 'wives.' My translation of *yogakshemam*, which I take with Medh., Nâr., and Nand. as a copulative compound in the neuter gender, by 'property destined for pious uses and sacrifices,' rests on the explanation given by *Vigñânesvara* (Colebrooke, Mit. I, 4, 23), and adopted by Haradatta and Nandapandita on the parallel passages of Gaut. and Vi. I prefer it to all others, chiefly on account of the explicit passage of *Laugâkshi* which *Vigñânesvara* quotes. In its favour speaks also that numerous royal grants allow villages or land to *Brâhmanas* and their descendants for the performance of certain sacrifices, or for charitable purposes, such as the daily distribution of food (*annasattra* or *sadâvratâ*), and that the occurrence of a rule in the *Smritis*, declaring property given under such conditions to be impartible, is no more than might be expected. The commentators on Manu, on the other hand, give the following explanations : 1. 'the means of securing protection, i.e. royal councillors, family priests, ministers, old women (*vriddhâ?*), a house, and a *kâra*, a spy (?), or a pasture-ground(?) and the like' (Medh.); 2. 'a royal councillor, a domestic priest and the like' (Kull.

220. The division (of the property) and the rules for allotting (shares) to the (several) sons, those begotten on a wife and the rest, in (due) order, have been thus declared to you; hear (now) the laws concerning gambling.

221. Gambling and betting let the king exclude from his realm; those two vices cause the destruction of the kingdoms of princes.

222. Gambling and betting amount to open theft; the king shall always exert himself in suppressing both (of them).

223. When inanimate (things) are used (for staking money on them), that is called among men gambling (*dyûta*), when animate beings are used (for the same purpose), one must know that to be betting (*samâhvaya*).

224. Let the king corporally punish all those (persons) who either gamble and bet or afford (an

and *Râgh.*, which latter reads, however, *yogakshemapraṣṭharam*); 3. 'means of gain, i.e. a grant and the like, received from a king and the like, and gained by oneself, and means of protection' (*prākāre ka ish/akādiḥ? Nâr.*); 4. 'sources of gain, i.e. persons for whom one sacrifices and the like, sources of protection, i.e. doorkeepers and the like, and sources of gain and protection, i.e. lords of villages and the like' (*Nand.*). *Praṣṭhara*, 'a pasture-ground,' means according to *Nâr.* and *Nand.* 'a road leading to a field, a garden and the like.'

Medh., *Kull.*, and *Nâr.* state that the first four articles shall in general be kept by the coparcener who used them or for whose use they were prepared, but that articles or quantities of 'exceptional value must be sold or exchanged for other property. Wells and so forth are to be used by all the coparceners (*Kull.*, *Nand.*). Female slaves are to do work for all coparceners (*Kull.*).

221-229. *Âp.* II, 25, 12-15; *Gaut.* XXV, 18; *Baudh.* II, 2, 16; *Yâgñ.* II, 199-203. In the *L. O. MSS.* *Medh.*'s commentary on verses 221-227 is missing.

224. *Yâgñ.* II, 304. 'The distinctive marks of twice-born men,'

opportunity for it), likewise Sûdras who assume the distinctive marks of twice-born (men).

225. Gamblers, dancers and singers, cruel men, men belonging to an heretical sect, those following forbidden occupations, and sellers of spirituous liquor, let him instantly banish from his town.

226. If such (persons who are) secret thieves, dwell in the realm of a king, they constantly harass his good subjects by their forbidden practices.

227. In a former Kalpa this (vice of) gambling has been seen to cause great enmity; a wise man, therefore, should not practise it even for amusement.

228. On every man who addicts himself to that (vice) either secretly or openly, the king may inflict punishment according to his discretion.

i. e. 'the sacrificial thread and the like' (Kull., Nâr.). 'Shall punish corporally,' i. e. 'shall cause them to be flogged, &c.' (Nâr.), or 'shall cause their hands and feet to be cut off and so forth according to the gravity of the offence' (Kull., Râgh.).

225. Instead of *krûrân*, 'cruel men,' i. e. 'those who hate men learned in the Veda' (Kull.), Nâr. and Râgh. read *kerân*, which the former explains by 'men of exceedingly crooked behaviour,' and the latter in accordance with Kull.'s explanation of *krûrân*. Nand. reads *kailân*, 'given to sports' (*kelsilân*), and K. *korân*, 'thieves.' Saundâkân, 'distillers or sellers of spirituous liquor' (Kull., Nâr.), may also mean 'drunkards,' as Nand. explains it.

226. Instead of 'who are secret thieves' (Kull.), Nâr. says, 'and secret thieves.' Bâdhante, 'harass' (Kull.), means according to Nâr., Râgh., and Nand. 'corrupt.'

227. Nâr. explains *purâkalpe*, 'in a former Kalpa,' by 'in the ancient stories,' and Râgh. and Nand. point to the adventures of king Nala and Yudhishthira, which, no doubt, are alluded to in the text.

228. Râgh. and Nand. point out that not only corporal punishment (according to verse 224), but also a fine may be inflicted; see also the next verse.

229. But a Kshatriya, a Vaisya, and a Sûdra who are unable to pay a fine, shall discharge the debt by labour; a Brâhmana shall pay it by instalments.

230. On women, infants, men of disordered mind, the poor and the sick, the king shall inflict punishment with a whip, a cane, or a rope and the like.

231. But those appointed (to administer public) affairs, who, baked by the fire of wealth, mar the business of suitors, the king shall deprive of their property.

232. Forgers of royal edicts, those who corrupt his ministers, those who slay women, infants, or Brâhmanas, and those who serve his enemies, the king shall put to death.

233. Whenever any (legal transaction) has been completed or (a punishment) been inflicted according to the law, he shall sanction it and not annul it.

229. Yâgñ. II, 43. Compare the rule given at VIII, 177.

230. Siphâ, 'a whip,' is explained by Râgh. as 'a rod measuring five fingers,' or 'the pendent root of a fig-tree.' Nâr. and Nand. give the latter meaning. Medh., Nâr., and Nand. read daridrânâtharoginâm, 'the poor, the unprotected, and the sick.'

231. See above, VII, 124; Vi. V, 180. 'Those appointed, &c.,' i. e. viceroys and so forth (Medh.), or judges and so forth (Nâr.). 'Baked by the fire of wealth' is a simile taken from the burning of earthen pots, and means that such persons by the influence of wealth undergo a change for the worse, just as a pot heated in a fire changes its colour, or, as the Vaiseshikas hold, its nature. According to Medh., 'others' read ye 'niyuktâs tu, and referred the verse to non-official persons meddling with administrative or judicial business.

232. Yâgñ. II, 240; Vi. V, 9, 11.

233. Medh. and Kull. refer this prohibition to cases which have been properly decided in the king's courts, while Nâr. thinks that it applies to orders passed by former kings. Nand. gives a different explanation of the words tîrita and anusishâ. He adduces a verse of Kâtyâyana, according to which the former means 'a cause or

234. Whatever matter his ministers or the judge may settle improperly, that the king himself shall (re-)settle and fine (them) one thousand (panas).

235. The slayer of a Brâhmana, (a twice-born man) who drinks (the spirituous liquor called) Surâ, he who steals (the gold of a Brâhmana), and he who violates a Guru's bed, must each and all be considered as men who committed mortal sins (mahâ-pâtaka).

236. On those four even, if they do not perform a penance, let him inflict corporal punishment and fines in accordance with the law.

237. For violating a Guru's bed, (the mark of) a female part shall be (impressed on the forehead with a hot iron); for drinking (the spirituous liquor called) Surâ, the sign of a tavern; for stealing (the gold of a Brâhmana), a dog's foot; for murdering a Brâhmana, a headless corpse.

plaint declared to be just or unjust by the assessors,' and the latter 'a cause or plaint confirmed by witnesses.'

234. Yâgñ. II, 305. Medh. and Kull. think that this rule refers to cases where the cause of the unjust decision is not a bribe, because the punishment of corrupt judges has been prescribed above, verse 231. But Nâr. and Râgh. think that it applies to cases of bribery also, and that the fine shall vary according to the nature of the case, 1000 panas being the lowest punishment.

235-242. Baudh. I, 18, 18; Vi. V, 3-7.

235. Instead of '(a twice-born man) who drinks the spirituous liquor, &c.' (Kull., Nâr.), Medh. and Râgh. say, 'a Brâhmaṇa who, &c.,' but see below, XI, 94.

236. Medh. remarks that 'others' refer this rule, on account of the word api, 'even, likewise,' to the fifth Mahâpatakin also, i. e. to him who associates with one of the other four (see below, XI, 55); and Râgh., as well as Nand., approves of this explanation.

237. 'The sign of a tavern,' i. e. 'a wine-cup.' It follows from the rule given in verse 240, that the forehead is the place where they shall be branded.

238. Excluded from all fellowship at meals, excluded from all sacrifices, excluded from instruction and from matrimonial alliances, abject and excluded from all religious duties, let them wander over (this) earth.

239. Such (persons) who have been branded with (indelible) marks must be cast off by their paternal and maternal relations, and receive neither compassion nor a salutation; that is the teaching of Manu.

240. But (men of) all castes who perform the prescribed penances, must not be branded on the forehead by the king, but shall be made to pay the highest amercement.

241. For (such) offences the middlemost amercement shall be inflicted on a Brâhmana, or he may be banished from the realm, keeping his money and his chattels.

242. But (men of) other (castes), who have unintentionally committed such crimes, ought to be deprived of their whole property; if (they committed them) intentionally, they shall be banished.

238. Medh. reads *asamyogyâh*, 'excluded from all intercourse,' instead of *asamyâgyâh*, 'excluded from all sacrifices.'

240. 'All castes,' i. e. 'the three Âryan castes.' Nâr. and Nand. read *pûrve*, 'the before-mentioned castes.' 'The highest amercement,' see above, VIII, 138.

241. According to Medh., the meaning of the verse is that a Brâhmana, endowed with good qualities, who unintentionally (verse 242) committed a mortal sin, shall either be fined in the middlemost amercement and be made to perform the prescribed penance, or, if he refuses to do that, be banished without the infliction of a fine. Kull. and Nand. partly agree, but think that the offender is to be banished, if he committed the crime intentionally.

242. The translation follows Nâr. and Nand., who think that persons, performing no penance, shall be deprived of their whole

243. A virtuous king must not take for himself the property of a man guilty of mortal sin; but if he takes it out of greed, he is tainted by that guilt (of the offender).

244. Having thrown such a fine into the water, let him offer it to Varuna, or let him bestow it on a learned and virtuous Brâhmana.

245. Varuna is the lord of punishment, for he holds the sceptre even over kings; a Brâhmana who has learnt the whole Veda is the lord of the whole world.

246. In that (country), where the king avoids taking the property of (mortal) sinners, men are born in (due) time (and are) long-lived,

247. And the crops of the husbandmen spring up, each as it was sown, and the children die not, and no misshaped (offspring) is born.

property, if the offence was committed unintentionally, and be banished after being branded, if their crime was intentional. Nâr., moreover, adds, 'this refers to light cases; it has been declared that he shall slay the offender in bad cases.' Kull. and Râgh. think that confiscation of the whole property shall be inflicted in particularly bad cases, instead of the fine of 1000 panas prescribed in verse 240; and Medh. says that this is the opinion of 'some.' Medh., Kull., and Râgh. explain pravâsanam, 'shall be banished,' by 'shall be punished corporally.' Though it is not absolutely impossible that pravâs may mean 'to hurt, or punish corporally,' it seems not advisable to take the word in the latter sense, on account of verses 238 and 241; compare also VIII, 284. Medh. remarks that a Sûdra who offends unintentionally, shall be branded and be deprived of his whole property, else he shall be put to death.

244. Yâgñ. II, 307.

245. Varuna is the supreme ruler (adhirâga) of kings; see Taittiriya-brâhmana III, 1, 2, 7. Regarding the position of a learned Brâhmana, see above, I, 98-101.

246. Instead of kâlena, 'in (due) time,' i.e. 'after the full period of gestation' (Kull., Nâr., Râgh.), Nand. reads loka tu, 'but in that country.'

248. But the king shall inflict on a base-born (Sûdra), who intentionally gives pain to Brâhmanas, various (kinds of) corporal punishment which cause terror.

249. When a king punishes an innocent (man), his guilt is considered as great as when he sets free a guilty man; but (he acquires) merit when he punishes (justly).

250. Thus the (manner of) deciding suits (falling) under the eighteen titles, between two litigant parties, has been declared at length.

251. A king who thus duly fulfils his duties in accordance with justice, may seek to gain countries which he has not yet gained, and shall duly protect them when he has gained them.

252. Having duly settled his country, and having built forts in accordance with the Institutes, he shall use his utmost exertions to remove (those men who are noxious like) thorns.

253. By protecting those who live as (becomes) Âryans and by removing the thorns, kings, solely intent on guarding their subjects, reach heaven.

254. The realm of that king who takes his share

248. See above, VIII, 279-284. Though all the commentators take *avaragam* in the sense of 'a base-born Sûdra,' the word may have its etymological meaning, 'a man of lower caste.' Medh. explains 'who gives pain' by 'who takes their property or wives,' Nâr., 'who causes exceedingly great misery.'

249. See above, VIII, 19, 310-311, 317.

250. 'This verse is the conclusion of the section on the eighteen titles of the law' (Medh.), 'and now follows a supplement on the duties of a king' (Nâr.).

252. See above, VII, 69-70.

253-254. See above, VIII, 307, 386-387.

in kind, though he does not punish thieves, (will be) disturbed and he (will) lose heaven.

255. But if his kingdom be secure, protected by the strength of his arm, it will constantly flourish like a (well)-watered tree.

256. Let the king who sees (everything) through his spies, discover the two sorts of thieves who deprive others of their property, both those who (show themselves) openly and those who (lie) concealed.

257. Among them, the open rogues (are those) who subsist by (cheating in the sale of) various marketable commodities, but the concealed rogues are burglars, robbers in forests, and so forth.

258. Those who take bribes, cheats and rogues, gamblers, those who live by teaching (the performance of) auspicious ceremonies, sanctimonious hypocrites, and fortune-tellers,

258. Aupādhikāḥ, 'cheats,' means according to Medh. 'persons of crooked behaviour who promise kindnesses, but secretly do evil to others,' or 'such as take money under false pretences,' or 'such as extort money by threats.' The last explanation is adopted by Kull. and Rāgh., while Nār. and Nand. interpret the term to mean 'persons who cheat by using false weights and measures.' *Vañṣakāḥ*, 'rogues,' i.e. 'men who promise to transact business for others, and do not keep their word' (Medh.), or 'alchemists who pretend to change base metals into precious metals' (*rasam vidyām* [*rasavidyayā*] *tāmraḍi ragatādirūpeṇa darsayitvā suvarṇādikam grāhanti*, Rāgh., Kull.), or 'men who take money on false pretences' (Nār.). *Maṅgalādesavṛtāḥ*, 'those who live by teaching the performance of, or by performing for others, auspicious ceremonies' (Medh., Kull., Rāgh.), means according to Nār. 'men who live by reciting auspicious hymns' (*maṅgalastutipāṭho vṛttam karitam yeshām*), and Medh. proposes a similar alternative explanation. Medh. reads *bhadrāprekṣanikāiḥ saha*, and explains the compound by 'eulogists' (*prāsaṃsikapurushalakṣaṇāḥ*). Nār. explains *ikṣhanikāḥ*, 'fortune-tellers,' by 'actors and jugglers.'

259. Officials of high rank and physicians who act improperly, men living by showing their proficiency in arts, and clever harlots,

260. These and the like who show themselves openly, as well as others who walk in disguise (such as) non-Āryans who wear the marks of Āryans, he should know to be thorns (in the side of his people).

261. Having detected them by means of trustworthy persons, who, disguising themselves, (pretend) to follow the same occupations and by means of spies, wearing various disguises, he must cause them to be instigated (to commit offences), and bring them into his power.

259. Mahâmâtra, 'officials of high rank,' i.e. 'courtiers such as councillors and domestic priests' (Medh.), or 'ministers' (Nâr.), is taken by Kull. and Râgh. in its other sense, 'elephant-breakers.' Silpopakârayuktâh, 'men living by showing their proficiency in arts,' i.e. 'such as cut figures out of chips of cane and the like' (Medh., Râgh.), or 'painters and the like' (Kull.). Nâr. and Nand. read silpopakârayuktâh, i.e. 'artists such as painters and persons adorning (upakâra) people such as hairdressers' (Nâr.), or 'umbrella and fan makers' (Nand.). Medh. says that asam-yakkârinah, 'who act improperly,' must be taken with all the four classes of persons enumerated.

260. Nâr. and Nand. read vigâtîyân, 'such and the like open (rogues) of many kinds,' and connect the accusatives in this verse with viditvâ in the next. Kull. takes vigânîyât, 'let him know (to be),' in the sense of 'let him discover (through spies).'

261. The translation follows Nâr.'s explanation, who reads protsâhya (likewise found in Gov., Râgh., and K.) instead of protsâdya, found in the editions, in Kull.'s and probably also in Medh.'s version. The reading protsâdya, 'having destroyed them,' is objectionable on account of the following verse. Râgh. explains protsâhya differently; he says, 'having inspired them with energy by saying, "you must give up this livelihood and earn money by agriculture, trade, and the like," he shall induce to adopt a honest mode of line through desire for money.' Nand. seems to

262. Then having caused the crimes, which they committed by their several actions, to be proclaimed in accordance with the facts, the king shall duly punish them according to their strength and their crimes.

263. For the wickedness of evil-minded thieves, who secretly prowl over this earth, cannot be restrained except by punishment.

264. Assembly-houses, houses where water is distributed or cakes are sold, brothels, taverns and victualler's shops, cross-roads, well-known trees, festive assemblies, and play-houses and concert-rooms,

265. Old gardens, forests, the shops of artisans, empty dwellings, natural and artificial groves,

266. These and the like places the king shall cause to be guarded by companies of soldiers, both stationary and patrolling, and by spies, in order to keep away thieves.

267. By the means of clever reformed thieves, who associate with such (rogues), follow them and know their various machinations, he must detect and destroy them.

268. Under the pretext of (offering them) various dainties, of introducing them to Brāhmanas, and on the pretence of (showing them) feats of strength, the (spies) must make them meet (the officers of justice).

read *protsârya* (*protsâryâ*, MS.). Kull. explains *anekasamsthânaiḥ*, 'wearing various disguises' (Nâr., Nand.), by 'stationed in various places.' Medh.'s commentary on the end of verse 261 and on verses 262-274 is missing in the I. O. MSS.

267. Instead of *utsâdayet*, 'he shall destroy them' (Kull., K., editions), Gov., Nâr., Nand., and Râgh. read *utsâhayet*, i.e. 'he shall incite them to commit' (crimes, Nâr., Râgh.).

269. Those among them who do not come, and those who suspect the old (thieves employed by the king), the king shall attack by force and slay together with their friends, blood relations, and connexions.

270. A just king shall not cause a thief to be put to death, (unless taken) with the stolen goods (in his possession); him who (is taken) with the stolen goods and the implements (of burglary), he may, without hesitation, cause to be slain.

271. All those also who in villages give food to thieves or grant them room for (concealing their implements), he shall cause to be put to death.

272. Those who are appointed to guard provinces and his vassals who have been ordered (to help), he shall speedily punish like thieves, (if they remain) inactive in attacks (by robbers).

273. Moreover if (a man), who subsists by (the fulfilment of) the law, departs from the established rule of the law, the (king) shall severely punish him by a fine, (because he) violated his duty.

269. *Mûlaprazihitâh*, 'who suspect the old thieves employed by the king' (Kull., *Râgh.*), means according to *Nâr.* 'who have been sent by ministers and the like staying in his kingdom,' and according to *Nand.* 'who have discovered the root, i. e. the reasons (of the proceedings of the spies).' All the three explanations are, however, doubtful.

271. *Bhândâvakâsadâh*, 'who give them room for (concealing) their implements' (Kull.), means according to *Nâr.* 'who give them money (for buying arms and the like) and shelter.'

272. The commentators take *sâmantân*, 'his vassals,' in its etymological sense of 'neighbours.' But it has here no doubt the usual technical meaning.

273. According to the commentators officiating priests and other *Brâhmanas* are meant, who subsist by obtaining alms on the strength of their piety.

274. Those who do not give assistance according to their ability when a village is being plundered, a dyke is being destroyed, or a highway robbery committed, shall be banished with their goods and chattels.

275. On those who rob the king's treasury and those who persevere in opposing (his commands), he shall inflict various kinds of capital punishment, likewise on those who conspire with his enemies.

276. But the king shall cut off the hands of those robbers who, breaking into houses, commit thefts at night, and cause them to be impaled on a pointed stake.

277. On the first conviction, let him cause two fingers of a cut-purse to be amputated; on the second, one hand and one foot; on the third, he shall suffer death.

278. Those who give (to thieves) fire, food, arms, or shelter, and receivers of stolen goods, the ruler shall punish like thieves.

274. Vi. V, 74. Instead of *hitâbhaṅge*, 'when an embankment is destroyed' (Kull., editions), *Râgh.* reads *hiḍâbhaṅge*, and *Gov.* as well as *Nand.* *iḍâbhaṅge* with the same explanation. *Nâr.* has *taḍâgabhaṅge*, probably a mistake for *iḍâbhaṅge*, and mentions a var. lect. *hi//âbhaṅge*, adding that *hi//â* is 'a dam thrown across a river.' *K.* finally reads *setubhaṅge*.

276. *Yâgñ.* II, 273.

277. Vi. V, 136; *Yâgñ.* II, 274. 'Two fingers,' i. e. 'the thumb and the index' (Kull., *Râgh.*, *Nâr.*), or 'the index and the middle finger' (*Nand.*).

278. *Yâgñ.* II, 276. 'Those who give (to thieves) fire,' i. e. 'in order that they may warm themselves, or for similar purposes' (*Medh.*), or 'in order that they may put fire to houses' (*Nâr.*). *Moshasya samnidhâtṛîn*, 'receivers of stolen goods' (Kull.), means according to *Nâr.* 'those who conduct thieves to the place where they can commit their crime, or helpers and abettors.' The best copy of *Medh.* has *mokshasya*, both in the text and in the

279. Him who breaks (the dam of) a tank he shall slay (by drowning him) in water or by (some other) simple (mode of) capital punishment; or the offender may repair the (damage), but shall be made to pay the highest amercement.

280. Those who break into a (royal) storehouse, an armoury, or a temple, and those who steal elephants, horses, or chariots, he shall slay without hesitation.

281. But he who shall take away the water of a tank, made in ancient times, or shall cut off the supply of water, must be made to pay the first (or lowest) amercement.

282. But he who, except in a case of extreme necessity, drops filth on the king's high-road, shall pay two *kârshâpanas* and immediately remove (that) filth.

283. But a person in urgent necessity, an aged man, a pregnant woman, or a child, shall be reprimanded and clean the (place); that is a settled rule.

284. All physicians who treat (their patients) wrongly (shall pay) a fine; in the case of animals, the

commentary, and the other gives it in the text, while the explanation is *rakshitâraḥ*, 'protectors or abettors.' Nand., too, reads in the text *mokshasya*, and says, '*mokshasya moshitadravyasya mokshasâdhanasyeti vâ.*' It would, therefore, seem that an ancient var. lect. *mokshasya* really existed.

279. *Yâgñ.* II, 278. 'By (some other) simple (mode of) capital punishment,' i. e. 'by cutting off his head' (*Nâr.*, *Râgh.*).

280. *Yâgñ.* II, 273. This verse and the next are omitted in the I. O. MSS. of Medh.

281. *Nâr.* says that the offender must also make good the damage done.

282. *Vi. V*, 106-107. Medh. says that he shall pay the *Kandâla*, i. e. the sweeper, to remove the filth.

284. *Vi. V*, 175-177; *Yâgñ.* II, 242. *Nâr.* adds, 'But this

first (or lowest); in the case of human beings, the middlemost (amercement).

285. He who destroys a bridge, the flag (of a temple or royal palace), a pole, or images, shall repair the whole (damage) and pay five hundred (paras).

286. For adulterating unadulterated commodities, and for breaking gems or for improperly boring (them), the fine is the first (or lowest) amercement.

287. But that man who behaves dishonestly to honest (customers) or cheats in his prices, shall be fined in the first or in the middlemost amercement.

288. Let him place all prisons near a high-road, where the suffering and disfigured offenders can be seen.

289. Him who destroys the wall (of a town), or fills up the ditch (round a town), or breaks a (town)-gate, he shall instantly banish.

290. For all incantations intended to destroy life,

refers to cases when death is not (the result of the wrong treatment); for if that is the case the punishment is greater.'

285. Vi. V, 174; Yâgñ. II, 297. 'A pole,' i. e. the flagstaff of a village (Nâr.), or 'such as stand in tanks and the like' (Kull.). 'Images,' i. e. 'statues of men; but death as the punishment for destroying images of the gods, because (above, verse 280) capital punishment has been prescribed for breaking into temples' (Nâr.). Kull. and Râgh. say 'common images, made of clay and so forth.'

286. Vi. V, 124; Yâgñ. II, 245-246. Medh. thinks that the fine must be proportionate to the value of the spoiled gem, and Kull. adds that in every case the owner of the spoilt article shall receive compensation.

287. Thus Kull. and Nâr. But Medh. takes the first clause differently: 'That man who gives unequal (quantities) for (such goods as ought to be bartered for) equal (quantities).'

288. Nand. reads kashâni, 'where the treatment is severe,' instead of sarvâni, 'all.'

290. According to the commentators the abhiârah comprise

for magic rites with roots (practised by persons) not related (to him against whom they are directed), and for various kinds of sorcery, a fine of two hundred (panas) shall be inflicted.

291. He who sells (for seed-corn that which is) not seed-corn, he who takes up seed (already sown), and he who destroys a boundary(-mark), shall be punished by mutilation.

292. But the king shall cause a goldsmith who behaves dishonestly, the most noxious of all the thorns, to be cut to pieces with razors.

293. For the theft of agricultural implements, of arms and of medicines, let the king award punishment, taking into account the time (of the offence) and the use (of the object).

all incantations and sacrifices, taught either in the Veda or in secular works, which are intended to destroy life. The magic rites, performed with roots, are those which are intended to bring a person into one's power. These are permitted, if practised against a husband or a relative (Nâr.). The *krîtyâh*, 'sorcery,' are such spells as produce diseases, or cause the failure of an adversary's undertakings. If the *abhiâras* are successful, the punishment is that of murder (Medh., Kull.).

291. Instead of *bîgotkrish/am* (Kull.), which is explained 'who sells seed-corn placed (at the top of a bag of worthless grain),' the correct reading seems to be *bîgotkrash/â*, 'he who takes up seed (already sown).' *Bîgotkrash/â* occurs in Nâr.'s commentary only, where it is explained *bîgakâle mahârgatâkâmotkarshakârî*, 'he who at sowing time plucks (the seed) out, desiring to raise the price of grain.' All the other commentators give more or less corrupt readings, which, however, all point to the form *bîgotkrash/â*, viz. Medh., *bîgetkrush/âh* or *bîgotkrîptyah*, explained by *vandhyâ-nîti kshetra gñâtu* [*kshetrâni kartum*] *bîgam utkarshati sobhanam yad bîgam kshetre* [*ta*] *devoddhrîtya nayati*; Gov., *bîgotkrish/âh*; Nand., *bîgotkrish/oh* and *bîgotkrish/â*, explained by *bîgânâm uptânâm uddhartâ*; K., *bîryâtkrash/â*, marked as corrupt.

293. Thus a theft of a plough in the season for ploughing, or of

294. The king and his minister, his capital, his realm, his treasury, his army, and his ally are the seven constituent parts (of a kingdom); (hence) a kingdom is said to have seven limbs (aṅga).

295. But let him know (that) among these seven constituent parts of a kingdom (which have been enumerated) in due order, each earlier (named) is more important and (its destruction) the greater calamity.

296. Yet in a kingdom, containing seven constituent parts, which is upheld like the triple staff (of an ascetic), there is no (single part) more important (than the others), by reason of the importance of the qualities of each for the others.

297. For each part is particularly qualified for (the accomplishment of) certain objects, (and thus) each is declared to be the most important for that particular purpose which is effected by its means.

298. By spies, by a (pretended) display of energy, and by carrying out (various) undertakings, let the king constantly ascertain his own and his enemy's strength;

299. Moreover, all calamities and vices; afterwards, when he has fully considered their relative importance, let him begin his operations.

arms just before or during a fight, should be punished more heavily than if it had been committed at any other time.

294. See above, VII, 257; Yāgñ. I, 352.

296. The verse is meant, as the commentators remark, to show that one must not infer from verse 295 that the Aṅgas, named later in the enumeration, may be neglected. According to Nār., the simile is not taken from the triple staff of an ascetic, but from the three beams of a house and the like.

298. See above, VII. Medh., Gov., Nār., Nand., and K. read at the end of the line, parātmanoḥ, instead of mahipatiḥ.

299. 'All calamities and vices,' i.e. 'those affecting his enemy

300. (Though he be) ever so much tired (by repeated failures), let him begin his operations again and again; for fortune greatly favours the man who (strenuously) exerts himself in his undertakings.

301. The various ways in which a king behaves (resemble) the *Kṛita*, *Tretâ*, *Dvâpara*, and *Kali* ages; hence the king is identified with the ages (of the world).

302. Sleeping he represents the *Kali* (or iron age), waking the *Dvâpara* (or brazen) age, ready to act the *Tretâ* (or silver age), but moving (actively) the *Kṛita* (or golden) age.

303. Let the king emulate the energetic action of *Indra*, of the *Sun*, of the *Wind*, of *Yama*, of *Varuna*, of the *Moon*, of the *Fire*, and of the *Earth*.

304. As *Indra* sends copious rain during the four months of the rainy season, even so let the king, taking upon himself the office of *Indra*, shower benefits on his kingdom.

305. As the *Sun* during eight months (imperceptibly) draws up the water with his rays, even so let him gradually draw his taxes from his kingdom; for that is the office in which he resembles the *Sun*.

306. As the *Wind* moves (everywhere), entering (in the shape of the vital air) all created beings, even so let him penetrate (everywhere) through his

and his enemy's party' (*Nâr.*), or 'those affecting both his own and the enemy's parties' (*Kull.*). *Nand.* reads the second line as follows, *gurulâghavato gñâtva tatañ karma samâkareṭ*.

302. This verse closely agrees with the fourth exhortation, addressed by *Indra* to *Rohita*, *Aitareya-brâhmana* VII, 15.

305. Instead of *nityam*, 'gradually,' *Nand.* reads *satmyak*, 'duly.'

spies; that is the office in which he resembles the Wind.

307. As Yama at the appointed time subjects to his rule both friends and foes, even so all subjects must be controlled by the king; that is the office in which he resembles Yama.

308. As (a sinner) is seen bound with ropes by Varuna, even so let him punish the wicked; that is his office in which he resembles Varuna.

309. He is a king, taking upon himself the office of the Moon, whose (appearance) his subjects (greet with as great joy) as men feel on seeing the full moon.

310. (If) he is ardent in wrath against criminals and endowed with brilliant energy, and destroys wicked vassals, then his character is said (to resemble) that of Fire.

311. As the Earth supports all created beings equally, thus (a king) who supports all his subjects, (takes upon himself) the office of the Earth.

312. Employing these and other means, the king shall, ever untired, restrain thieves both in his own dominions and in (those of) others.

313. Let him not, though fallen into the deepest distress, provoke Brâhmanas to anger; for they,

308. Nand. reads the first line differently, *Varunenâpi pâsais ka badhyate varunair naraḥ*, 'As men are bound by Varuna with Varuna's fetters.' The expression 'the fetters of Varuna' is a common designation of dropsy.

310. Nâr. adds, 'As the fire at an ordeal injures wicked men, even so he should destroy wicked neighbours.'

312. 'In (those of) others,' i.e. 'those thieves who live in other kingdoms, and come to rob in his own' (Kull., Nâr.). Nand. omits this and the next two verses.

313. 'Let him not provoke Brâhmanas to anger,' i.e. 'by taking their

when angered, could instantly destroy him together with his army and his vehicles.

314. Who could escape destruction, when he provokes to anger those (men), by whom the fire was made to consume all things, by whom the (water of the) ocean was made undrinkable, and by whom the moon was made to wane and to increase again?

315. Who could prosper, while he injures those (men) who provoked to anger, could create other worlds and other guardians of the world, and deprive the gods of their divine station?

316. What man, desirous of life, would injure them to whose support the (three) worlds and the gods ever owe their existence, and whose wealth is the Veda?

317. A Brâhmana, be he ignorant or learned, is a great divinity, just as the fire, whether carried forth (for the performance of a burnt-oblation) or not carried forth, is a great divinity.

318. The brilliant fire is not contaminated even in burial-places, and, when presented with oblations (of butter) at sacrifices, it again increases mightily.

property' (Medh., Nâr.), or 'treating them with contumely' (Medh.). 'They could destroy him,' i. e. 'by magic rites and curses' (Kull.).

314. This verse refers to certain stories, told, as Medh. and Nâr. point out, in the section of the Mahâbhârata, called Mokshadharma XII, 344, 55, 57-58, 60-61. There it is said that Bhrigu made the fire consume all things, that the moon became 'consumptive' in consequence of the curse of Daksha, and that Vadavâ-mukha made the ocean salt in punishment for his disobedience.

315. This verse also contains allusions to the Mahâbhârata. Visvâmitra tried to create other worlds (Medh.), the Vâlakhilyas another Indra and Vâyû, and others deprived the gods of their station. With respect to the latter point, Râgh. quotes the story of Mândavya cursing Yama (Mahâbhârata I, 108, 16), and causing him to be born as a Sûdra.

316. See above, I, 93-95.

319. Thus, though Brāhmanas employ themselves in all (sorts of) mean occupations, they must be honoured in every way; for (each of) them is a very great deity.

320. When the Kshatriyas become in any way overbearing towards the Brāhmanas, the Brāhmanas themselves shall duly restrain them; for the Kshatriyas sprang from the Brāhmanas.

321. Fire sprang from water, Kshatriyas from Brāhmanas, iron from stone; the all-penetrating force of those (three) has no effect on that whence they were produced.

322. Kshatriyas prosper not without Brāhmanas, Brāhmanas prosper not without Kshatriyas; Brāhmanas and Kshatriyas, being closely united, prosper in this (world) and in the next.

323. But (a king who feels his end drawing nigh) shall bestow all his wealth, accumulated from fines, on Brāhmanas, make over his kingdom to his son, and then seek death in battle.

321. 'Fire sprang from water, thus speak the Paurānikas' (Nand.); '(that origin is) visible in the case of lightning and in that of the (submarine) *Vaṣavāgni*' (Rāgh.). According to Rāgh., the statement that the Kshatriyas sprang from the Brāhmanas is based on a Vedic passage. But Nār. thinks that it alludes to a Paurānik story, according to which the Brāhmanas produced with the Kshatriyā females a new Kshatriya race after the destruction of the second varṇa by Parasurāma.

322. Gaut. XI, 14; Vas. XIX, 4.

323. Medh. says that others explain the expression 'all his wealth, accumulated from fines,' as including 'all the king's possessions, excepting horses and chariots, arms, land, and slaves,' but that this is improper. He adds that, if the king cannot die in battle, he may burn or drown himself. Kull. says that he may kill himself by starvation. In later times kings followed this rule; see e. g. *Vikramānkaṭarita* IV, 44-68.

324. Thus conducting himself (and) ever intent on (discharging) his royal duties, a king shall order all his servants (to work) for the good of his people.

325. Thus the eternal law concerning the duties of a king has been fully declared; know that the following rules apply in (due) order to the duties of Vaisyas and Sûdras.

326. After a Vaisya has received the sacraments and has taken a wife, he shall be always attentive to the business whereby he may subsist and to (that of) tending cattle.

327. For when the Lord of creatures (Pragâpati) created cattle, he made them over to the Vaisya; to the Brâhmaṇa, and to the king he entrusted all created beings.

328. A Vaisya must never (conceive this) wish, 'I will not keep cattle;' and if a Vaisya is willing (to keep them), they must never be kept by (men of) other (castes).

329. (A Vaisya) must know the respective value of gems, of pearls, of coral, of metals, of (cloth) made of thread, of perfumes, and of condiments.

330. He must be acquainted with the (manner of) sowing of seeds, and of the good and bad qualities of fields, and he must perfectly know all measures and weights.

331. Moreover, the excellence and defects of commodities, the advantages and disadvantages of (different) countries, the (probable) profit and loss on merchandise, and the means of properly rearing cattle.

332. He must be acquainted with the (proper)

326. Regarding the 'business whereby a Vaisya may subsist,' see below, X, 77-78.

wages of servants, with the various languages of men, with the manner of keeping goods, and (the rules of) purchase and sale.

333. Let him exert himself to the utmost in order to increase his property in a righteous manner, and let him zealously give food to all created beings.

334. But to serve Brāhmanas (who are) learned in the Vedas, householders, and famous (for virtue) is the highest duty of a Sūdra, which leads to beatitude.

335. (A Sūdra who is) pure, the servant of his betters, gentle in his speech, and free from pride, and always seeks a refuge with Brāhmanas, attains (in his next life) a higher caste.

336. The excellent law for the conduct of the (four) castes (varna), (when they are) not in distress, has been thus promulgated; now hear in order their (several duties) in times of distress.

CHAPTER X.

1. Let the three twice-born castes (varna), discharging their (prescribed) duties, study (the Veda); but among them the Brāhmaṇa (alone) shall teach it, not the other two; that is an established rule.

333. 'If a rich Vaisya is not liberal, he shall be punished by the king' (Medh.).

334-336. See below, X, 121-129.

335. I read with Medh., Gov., and Nār., brāhmanâpâsrayo nityam.

X. 1. Medh. has one line more in the beginning, 'Hereafter I will declare the rules applicable to that which must be studied.' According to Nār., the expression svakarmasthâh, 'discharging their prescribed duties,' means 'if they follow their prescribed

2. The Brâhmana must know the means of subsistence (prescribed) by law for all, instruct the others, and himself live according to (the law).

3. On account of his pre-eminence, on account of the superiority of his origin, on account of his observance of (particular) restrictive rules, and on account of his particular sanctification the Brâhmana is the lord of (all) castes (varna).

4. The Brâhmana, the Kshatriya, and the Vaisya castes (varna) are the twice-born ones, but the fourth, the Sûdra, has one birth only; there is no fifth (caste).

5. In all castes (varna) those (children) only which are begotten in the direct order on wedded wives, equal (in caste and married as) virgins, are to be

occupations,' and indicates that those who follow forbidden occupations, i. e. live like Sûdras, shall not study the Veda. The commentators entirely forget to mention that, according to II, 241-242, a Brâhmana may learn the Veda from a non-Brâhmanical teacher, and that hence this rule is not absolute.

2. Gaut. XI, 25; Vas. I, 39-41. Medh. points out that this rule gives an exception to IV, 80, where it is said that a Brâhmana shall not give spiritual advice to a Sûdra.

3. See above, I, 93. 'On account of his pre-eminence,' i. e. 'through his qualities' (Medh.), or 'by race' (Gov., Kull., Nâr., Râgh.). Niyamasya ka dhâranât, 'on account of his observance of (particular) restrictive rules,' i. e. 'of the rules prescribed for a Snâtaka' (Medh., Gov., Nâr., Râgh.), means according to Kull. 'on account of his possessing a particularly great knowledge of the Veda.' 'On account of his particular sanctification,' i. e. 'because special observances are required from him in sipping water and so forth, or because he must be initiated earlier than a Kshatriya' (Medh.). The other commentators give the second explanation only. 'The lord,' i. e. 'the adviser and instructor.'

4. Âp. I, 1, 3; Vas. II, 1-2; Baudh. I, 16, 1; Yâgñ. I, 10.

5. Âp. II, 13, 1; Vi. XVI, 1; Yâgñ. I, 90. 'In the direct order,' i. e. 'by a Brâhmana on a Brâhmanî, by a Kshatriya on a Kshatriyâ, and so forth' (Medh., Gov., Kull.), means according to Nâr., that

considered as belonging to the same caste (as their fathers).

6. Sons, begotten by twice-born men on wives of the next lower castes, they declare to be similar (to their fathers, but) blamed on account of the fault (inherent) in their mothers.

7. Such is the eternal law concerning (children) born of wives one degree lower (than their husbands); know (that) the following rule (is applicable) to those born of women two or three degrees lower.

8. From a Brâhmana with the daughter of a Vaisya is born (a son) called an Ambashta, with the daughter of a Sûdra a Nishâda, who is also called a Pârasava.

in each case the bridegroom must be older than the wife. He adds, 'Hence it has been declared that the son of a woman who is older than (her husband) is not a Brâhmana, though she may have been legally married, and may be of the same caste (as her husband).' The commentators are at great pains to prove that subsidiary sons, such as Sahodhas, Kânînas, and so forth, and all offspring of illicit unions are outcasts. Medh. and Gov. even take the trouble to discuss the Vedic story of Gâbâla Satyakâma (*Khândogya* Up. IV, 4), whose mother did not know by whom he was begotten, and who, nevertheless, was admitted to be a Brâhmana. They are of opinion that Gâbâlâ had been legally married, and had forgotten her husband's family-name during her troubles.

6-56. Gaut. IV, 16-28; Vas. XVIII; Baudh. I, 16, 6-17, 15; Vi. XVI, 2-15; Yâgñ. I, 91-95.

6. 'Blamed,' i.e. 'excluded from the fathers' caste' (Nâr.). With the expression 'similar,' compare Baudh.'s term 'savarjya.' Nand. places verse 14 immediately after this, and adds that if the latter is placed lower down, that is owing to a mistake of the copyists.

7. Regarding the term Pârasava, see above, IX, 178. Gov. and Nâr. remark that the second name Parâsava is added in order to distinguish this Nishâda from the other Nishâda, who is a Pratiloma, and subsists by catching fish.

8. Medh. does not give this verse.

9. From a Kshatriya and the daughter of a Sûdra springs a being, called Ugra, resembling both a Kshatriya and a Sûdra, ferocious in his manners, and delighting in cruelty.

10. Children of a Brâhmana by (women of) the three (lower) castes, of a Kshatriya by (wives of) the two (lower) castes, and of a Vaisya by (a wife of) the one caste (below him) are all six called base-born (*apasada*).

11. From a Kshatriya by the daughter of a Brâhmana is born (a son called) according to his caste (*gâti*) a Sûta; from a Vaisya by females of the royal and the Brâhmana (castes) spring a Mâgadha and a Vaideha.

12. From a Sûdra are born an Âyogava, a Kshattri, and a Kândâla, the lowest of men, by Vaisya, Kshatriya, and Brâhmana females, (sons who owe their origin to) a confusion of the castes.

13. As an Ambashtha and an Ugra, (begotten) in the direct order on (women) one degree lower (than their husbands) are declared (to be), even so are a Kshattri and a Vaidehaka, though they were born in the inverse order of the castes (from mothers one degree higher than the fathers).

14. Those sons of the twice-born, begotten on wives of the next lower castes, who have been enumerated in due order, they call by the name

12. Nâr. and K. read Ayogava. Medh. and Nand. read Kândâla, instead of Kândâla (Gov., Kull.).

13. The meaning is that the Kshattri and the Vaidehaka, though Pratilomas, hold the same position with respect to sacred rites, but not with respect to studying and so forth, and are as fit to be touched as the two Anulomas (Medh.). Gov. and Kull. mention the second point of equality only.

14. The meaning is that they are reckoned as belonging to the

Anantaras (belonging to the next lower caste), on account of the blemish (inherent) in their mothers.

15. A Brâhmana begets on the daughter of an Ugra an Âvrita, on the daughter of an Ambashtha an Âbhira, but on a female of the Âyogava (caste) a Dhigvana, 10 Av
11 Agh
12 Digh

16. From a Sûdra spring in the inverse order (by females of the higher castes) three base-born (sons, apasada), an Âyogava, a Kshattri, and a Kândâla, the lowest of men;

17. From a Vaisya are born in the inverse order of the castes a Mâgadha and a Vaideha, but from a Kshatriya a Sûta only; these are three other base-born ones (apasada).

18. The son of a Nishâda by a Sûdra female becomes a Pukkasa by caste (*gâti*), but the son of a Sûdra by a Nishâda female is declared to be a Kukkutaka. 13 Pukk
14 Kukku

19. Moreover, the son of a Kshattri by an Ugra female is called a Svapâka; but one begotten by a Vaidehaka on an Ambashtha female is named a Vena. 15 Svap
16 Vena

20. Those (sons) whom the twice-born beget on wives of equal caste, but who, not fulfilling their

mothers' caste and receive the sacraments according to the law prescribed for the mothers' caste (Medh., Gov., Kull., Nâr., Nand.); see also below, verse 41.

15. The Âbhira is the modern Ahir.

16-17. Kull. thinks that the Pratilomas are enumerated once more, 'in order to show that they are unfit to fulfil the duties of sons.' Nand. places these two verses before verse 15.

18. Nand. reads Pulkasa instead of Pukkasa.

19. Gov., Nand., and K. read Vena instead of Vena. Râgh. adds that the modern name is Baruda, the name of caste of basket-makers.

20. Gov. and Nand. read at the end of the first line sutân for

sacred duties, are excluded from the Sāvitrī, one must designate by the appellation Vrātyas.

21. But from a Vrātya (of the) Brāhmaṇa (caste) spring the wicked Bhriggakantaka, the Āvantya, the Vāadhāna, the Pushpadha, and the Saikha.

22. From a Vrātya (of the) Kshatriya (caste), the Ghalla, the Malla, the Likkhivi, the Nata, the Karana, the Khasa, and the Dravida.

tu yān (Medh., Kull., K.), 'not fulfilling their sacred duties,' i.e. 'not being initiated at the proper time;' see above, II, 39. Medh. mentions a var. lect. avratāḥ, 'Those sons whom men neglecting their sacred duties, &c.' But he rejects it.

21. I read with Medh., Gov., Nār., and K., Bhriggakantaka instead of Bhūrgakantaka (editions), or Bhūtyakantaka (Nand.); see also Gaut. IV, 20, where the form Bhrigyakanta occurs. Regarding the Āvantya (Āpañka, Nand.), see also Baudh. I, 2, 13. Instead of Vāadhāna Nand. has Vādaghāna, and K. Vādhadhāna, marked as corrupt. Medh. reads (one MS. Pushpasaikharaḥ) Pushpasekhara instead of pushpadhaḥ saikha eva ka (editions). Gov. has in the text Pushyaḥ saikhakastathā, in the commentary pushyavasaisakha; K. pushpa... kharas tathā; Nand. Pushpasibaka eva ka. It would seem that according to Medh. and Nand. only four tribes, sprung from a Vrātya Brāhmaṇa, are enumerated. But the form of the last name remains doubtful. The commentators think all the races named are descended from a Vrātya Brāhmaṇa and a female of his own caste. Gov. remarks that according to Usanas' Nītisāstra the Bhriggakantas live by sorcery, the Āvantyas and Vāadhānas serve in war, and all other Vrātyas are spies. It is very probable that all these names originally denote nations, but the Āvantyas, the inhabitants of Western Mālvā, and the Vāadhānas, who are enumerated among the northern tribes, are alone traceable in other works.

22. I read with Medh. and Gov. Likkhivi instead of Nikkhivi (editions). K. has Likhavi (kha being marked as corrupt), and Nand. Likkikhi. As 'a' and 'i' in these are constantly exchanged, Likkhivi may be considered as a vicarious form for Likkhavi, and it may be assumed that the Manusamhitā considered the famous Kshatriya race of Magadha, and Nepāl as unorthodox. Gov. says that, according to Usanas, the Naṭas and Karanas are spies, and

23. From a Vrâtya (of the) Vaisya (caste) are born a Sudhanvan, an Âkârya, a Kârusha, a Viganman, a Maitra, and a Sâtвата.

24. By adultery (committed by persons) of (different) castes, by marriages with women who ought not to be married, and by the neglect of the duties and occupations (prescribed) to each, are produced (sons who owe their origin) to a confusion of the castes.

25. I will (now) fully enumerate those (sons) of mixed origin, who are born of Anulomas and of Pratilomas, and (thus) are mutually connected.

26. The Sûta, the Vaidehaka, the *Kandâla*, that lowest of mortals, the Mâgadha, he of the Kshattri caste (*gâti*), and the Âyogava,

27. These six (Pratilomas) beget similar races (*varna*) on women of their own (caste), they (also) produce (the like) with females of their mother's caste (*gâti*), and with females (of) higher ones.

the Khasas and Drauidas are water-carriers and distributors of waters at drinking fountains.

23. K. reads Pârusha, and Nand. Kâruga, instead of Kârusha (Medh., Gov., Kull.). Instead of Viganman Nand. has Nigaṅgha. Gov. remarks that, according to Usanas, Âkâryas and Sâtवatas subsist by worshipping the gods, or serving as temple-priests (*âkâryasâtवataih devapûjanam*).

25. 'Anulomas,' see above, verse 8.

27. Thus Nâr. and Nand., with whom Kull. agrees, except that he adds 'on higher and (on lower) castes.' Medh. reads in the second line *mâtrigâtâyâh prasûyante pravarâsu ka yonishu*, and explains as follows, 'Those who belong to the mother's caste, i.e. the Anulomas, called Anantara (verse 14), beget similar sons on females of their own caste, and (more degraded children) on females of higher castes.' He mentions that others read *matrigâtau prasûyante*, and says that the meaning then is, 'The Anulomas beget sons of their own race on females of their own and of their mothers' castes.' Gov. reads *mâtrigâtau svayonyâm tu sadrisam ganayanti vai*, and

28. As a (Brāhmaṇa) begets on (females of) two out of the three (twice-born castes a son similar to) himself, (but inferior) on account of the lower degree (of the mother), and (one equal to himself) on a female of his own race, even so is the order in the case of the excluded (races, vāhya). || ✓

29. Those (six mentioned above) also beget, the one on the females of the other, a great many (kinds of) despicable (sons), even more sinful than their (fathers), and excluded (from the Āryan community, vāhya). || *Defn of Brāhma*

30. Just as a Sūdra begets on a Brāhmaṇa female a being excluded (from the Āryan community), even so (a person himself) excluded pro-

likewise refers the line to the Anulomas. 'But (the Anulomas) beget similar sons on females of their mothers' and of their own castes.' Rāgh. likewise differs.

28. I read with all the commentators and K., *kramaḥ* instead of *kramāt* (editions). 'Even so is the order in the case of the excluded (races),' means according to Gov. and Kull., that there is a difference in rank between Pratilomas, similar to that existing between Anulomas, and that Pratilomas sprung from Āryan fathers are more respectable than those begotten by Sūdra fathers, according to Medh., whose opinion is controverted by Gov., Kull., and Rāgh., that Pratilomas, sprung from Āryan fathers and mothers, are to be considered Āryans, and worthy of being initiated just as Anulomas. According to Nār. and Nand., the translation should be as follows: 'As among the three castes a (man) produces (a son similar to) himself on two wives, (i. e.) on her who belongs to his own caste and on her who belongs to the next lower one, even so is the order with those excluded (from the four chief castes),' i. e. even so is it with Anulomas, e. g. with a Mūrdhāvasikta, who begets a Mūrdhāvasikta on a Mūrdhāvasikta female and on an Āvantya female (Nār.), and with Pratilomas, e. g. with a Kshattri who begets a Kshattri both on a female of his own caste and on a Kāṇḍālī (Nand.). It must be added that Nand. reads *anantaryām* instead of *anantaryāt*.

creates with (females of) the four castes (*varna*, sons) more (worthy of being) excluded (than he himself).

31. But men excluded (by the *Āryans*, *vāhya*), who approach females of higher rank, beget races (*varna*) still more worthy to be excluded, low men (*hina*) still lower races, even fifteen (in number).

31. In order to show that fifteen lower castes are produced, the commentators propose various interpretations of the verse, among which those of Kull., Nār., and Rāgh. alone deserve to be mentioned. Kull. thinks that the terms *vāhya* and *hina* may either refer to two sets of men or to one only. Under the former supposition, the *Vāhyas* must be understood to be the *Pratiloma* offspring of a *Sūdra*, i.e. *Āyogavas*, *Kshattris*, and *Kandālas*; and the *Hīnas*, the *Pratiloma* offspring of *Kshatriyas* and *Vaiśyas*, i.e. *Sūtas*, *Māgadhas*, and *Vaidehas*. Each of these two sets produce fifteen lower races by unions with women of the four chief castes and of their own (verse 27), i.e. *Āyogavas* beget five, with *Brāhmaṇa*, *Kshatriya*, *Vaiśya*, *Sūdra*, and *Āyogava* women; *Kshattris* likewise five, with *Brāhmaṇa*, *Kshatriya*, *Vaiśya*, *Sūdra*, and *Kshattri* women, and so forth. But if the two terms *vāhya* and *hina* are referred to one set of males only, they must be understood to denote the six *Pratilomas*, *Kandālas*, *Kshattris*, *Āyogavas*, *Vaidehas*, *Māgadhas*, and *Sūtas*; and it must be assumed that the verse refers to unions between these six *Pratiloma* races alone. Then the lowest among them, the *Kandāla*, may produce with females of the five higher *Pratiloma* tribes five more degraded races; the *Kshattri*, with the four above him, four; the *Āyogava*, the three above him, three; the *Vaideha*, two; and the *Māgadha*, one. The total of $5 + 4 + 3 + 2 + 1$ is thus 15. Rāgh. agrees with this interpretation. Nār., on the other hand, refers the terms *vāhya* and *hina* to one set of males, the three *Pratilomas* sprung from the *Sūdra*, and assumes that the verse refers to unions of these three with females of the four principal castes and of their own. According to the calculation given under Kull.'s first explanation, the total of more degraded races which may be thus produced, is thirty. It seems to me that Kull.'s second explanation is the best, though I am not prepared to deny that his first explanation, and even Nār.'s version, may be defended. The commentators point out that *varna* is used here in a figurative sense, because it has been declared above, verse 4, that there are only four real *varnas*.

32. A Dasyu begets on an Âyogava (woman) a Sairandhra, who is skilled in adorning and attending (his master), who, (though) not a slave, lives like a slave, (or) subsists by snaring (animals).

33. A Vaideha produces (with the same) a sweet-voiced Maitreyaka, who, ringing a bell at the appearance of dawn, continually praises (great) men.

34. A Nishâda begets (on the same) a Mârgava (or) Dâsa, who subsists by working as a boatman, (and) whom the inhabitants of Âryâvarta call a Kaivarta.

35. Those three base-born ones are severally begot on Âyogava women, who wear the clothes of the dead, are wicked, and eat reprehensible food.

32. I read with Medh., Gov., Nâr., Nand., and K., Sairandhra instead of Sairandhri (editions). 'A Dasyu,' i.e. 'one of those tribes described below, verse 45' (Medh., Gov., Kull.), or 'one of the afore-mentioned fifteen Pratiloma races' (Nâr., Nand.). Prasâdhanopakâragnâm, 'skilled in adorning and attending (his master),' i.e. 'in dressing hair, anointing him with oil and so forth, and in shampooing' (Gov., Nâr., Nand.), means according to Kull., who takes prasâdhanopakârâ, not as a copulative, but as a talpurusha compound, 'skilled in serving (his master) at his toilet.' Medh.'s explanation is ambiguous. With respect to his second occupation, 'snaring animals,' Medh., Gov., and Kull. say that the Sairandhra resorts to it in order to support himself in times of distress, or in order to obtain meat for the worship of the gods and manes, or at the order of the king. Nand. remarks, 'As the Dasyus are many, there are also many Sairandhras, and that is indicated by the addition of a different mode of subsistence.'

34. Gov. and K. read Mâgadha instead of Mârgava. Gov. thinks that, as the section treats of Pratilomas, the Nishâda mentioned here is the Pratiloma Nishâda enumerated by Vyâsa.

35. I follow Medh., Gov., Nâr., Nand., and K., who read mṛtāvāstrabhṛtśvanâr्याśu, 'who wear the clothes of the dead, are wicked,' instead of mṛtāvāstrabhṛtśu nârīśu, 'women who wear the clothes of the dead' (editions). Kull. also seems to have had the

36. From a Nishâda springs (by a woman of the Vaideha caste) a Kârâvara, who works in leather; and from a Vaidehaka (by women of the Kârâvara and Nishâda castes), an Andhra and a Meda, who dwell outside the village.

37. From a *Kandâla* by a Vaideha woman is born a *Pându*sopâka, who deals in cane; from a Nishâda (by the same) an *Âhindîka*.

38. But from a *Kandâla* by a Pukkasa woman is born the sinful Sopâka, who lives by the occupations of his sire, and is ever despised by good men.

39. A Nishâda woman bears to a *Kandâla* a son (called) *Antyâvasâyin*, employed in burial-grounds, and despised even by those excluded (from the Âryan community).

40. These races, (which originate) in a confusion (of the castes and) have been described according to their fathers and mothers, may be known by their occupations, whether they conceal or openly show themselves.

former reading, as he copies the explanation *sukrûrâsu*, 'very cruel,' which Gov. gives. Medh. explains *anâryâsu* by 'not to be touched by Âryans.'

36. Thus according to Medh. and Kull. But Gov. and Râgh. understand in the second line with 'from a Vaidehaka,' the words 'by women of the Vaideha caste.' Nâr., who in the preceding verse takes the words *ete trayaḥ*, 'those three,' in the sense of 'the following three other races,' assumes of course that the mothers of Kârâvaras, Medas, and Andhras are Âyogava females. The latter two 'castes' are the well-known nations inhabiting *Mevâḍ* (*Medapâṭa*) in south-eastern Râgputâna, and the eastern Dekkan.

38. Râgh. and Nand. read *Paulkasa* instead of *Pukkasa*. *Mûla-vyasanavṛttimân* means according to Gov., Kull., and Râgh. 'who lives by executing criminals,' according to Nâr. and Nand. 'who lives by digging roots,' i.e. 'in order to sell them as medicine,' or 'by curing hemorrhoids' (Nand.). Medh. gives both explanations. The translation, given above, follows the Petersburg Dict., sub voce.

41. Six sons, begotten (by Âryans) on women of equal and the next lower castes (Anantara), have the duties of twice-born men; but all those born in consequence of a violation (of the law) are, as regards their duties, equal to Sûdras.

42. By the power of austerities and of the seed (from which they sprang), these (races) obtain here among men more exalted or lower rank in successive births.

43. But in consequence of the omission of the sacred rites, and of their not consulting Brâhmanas, the following tribes of Kshatriyas have gradually sunk in this world to the condition of Sûdras;

44. (Viz.) the Paundrakas, the Kodas, the Dravidas, the Kâmbogas, the Yavanas, the Sakas, the Pâradas, the Pahlavas, the Kînas, the Kirâtas, and the Daradas.

41. Medh. adds, 'The mention of the Anantaras is intended to include all Anulomas.'

42. 'These,' i.e. 'those born of wives of equal castes and Anantaras' (Gov., Kull.). Medh. and Nâr. include all Anulomas, and Râgh. even Pratilomas, sprung from Âryan fathers. Yuge yuge, 'in successive births' (Medh., Nâr., Nand.), means according to Kull. 'in each of the ages of the world.' Kull. refers to the stories regarding Visvâmitra and Rîshyasrînga, while Medh. points to the discussion, given below, verse 64 seq.

43. Medh. and Gov. read brâhmanâtikramena, 'by disrespect towards Brâhmanas,' instead of brâhmanâdarsanena, 'by not consulting Brâhmanas' (Kull., Nâr., Nand., Râgh., K.).

44. Instead of Paundrakas (Kull.), Medh., Nâr., Nand., and K. read Pundrakas, and Gov. Paundhrakas. My reading Kodas is a correction of Komdra, which is found in some MSS. of Medh. and in K. We have plainly Kola in Nand., while some MSS. of Medh. and Gov. read Kâmdra or Kâmdra, and the editions give Kaudra. Sir W. Jones' opinion that kaudra stands for ka Odra is improbable, because the particle 'and' is clearly not wanted after the first word. Instead of Pahlava, some MSS. of Medh. and some editions

45. All those tribes in this world, which are excluded from (the community of) those born from the mouth, the arms, the thighs, and the feet (of Brahman), are called Dasyus, whether they speak the language of the Mlekkhas (barbarians) or that of the Âryans.

46. Those who have been mentioned as the base-born (offspring, apasada) of Âryans, or as produced in consequence of a violation (of the law, apadhvasaga), shall subsist by occupations reprehended by the twice-born.

47. To Sûtas (belongs) the management of horses and of chariots; to Ambashthas, the art of healing; to Vaidehakas, the service of women; to Mâgadhas, trade;

48. Killing fish to Nishâdas; carpenters' work to the Âyogava; to Medas, Andhras, Kuñkus, and Madgus, the slaughter of wild animals;

read Pahnavâ. Gov. gives Pallava. The editions give the Khasas after the Daradas. But Medh., Gov., Nand., and K. have tathâ at the end of the verse. The commentators state that the names enumerated in the first instance denote countries, and next, particular races living in them.

45. 'Those born from the mouth, &c.,' i.e. the four Varnas; see above, I, 87.

46. 'Base-born offspring of Âryans;' see above, verses 17 and 41.

47. 'The service of women,' i.e. 'the office of guardians in the harem.'

48. Instead of Kuñku (editions, Râgh.), Medh., Goy., and Nâr. seem to have read Kûku. Nand. reads Mamsu for Madgu. Nâr. says that these two words are synonyms of Ghalla and Malla; see above, verse 22. But Gov. quotes a verse of Yama, according to which the Kûkuka is the son of a Vaisya by a Kshatriya female, and the Madgu the offspring of a Sûdra and a Kshatriyâ. Kull.'s and Râgh.'s reference to Baudh. is, according to the MSS. of the Baudh. Dharmasûtra, erroneous.

49. To Kshattris, Ugras, and Pukkasas, catching and killing (animals) living in holes ; to Dhigvanas, working in leather ; to Venas, playing drums.

50. Near well-known trees and burial-grounds, on mountains and in groves, let these (tribes) dwell, known (by certain marks), and subsisting by their peculiar occupations.

51. But the dwellings of *Kandâlas* and *Svapakas* shall be outside the village, they must be made *Apapâtras*, and their wealth (shall be) dogs and donkeys.

52. Their dress (shall be) the garments of the dead, (they shall eat) their food from broken dishes, black iron (shall be) their ornaments, and they must always wander from place to place.

53. A man who fulfils a religious duty, shall not seek intercourse with them ; their transactions (shall be) among themselves, and their marriages with their equals.

54. Their food shall be given to them by others (than an *Âryan* giver) in a broken dish ; at night they shall not walk about in villages and in towns.

49. Nand. omits this verse.

50. Nand. places verse 50 after verse 52.

51. Medh. and Nâr. read *avapâtrâh* instead of *apapâtrâh* (Kull., Râgh., K., and Gov.?), and Medh. gives three explanations of the term : 1. vessels used by them must be thrown away ; 2. if food is given to them, it must not be placed in vessels which they hold in their hands, but in such as stand on the ground or are held by others ; 3. they shall use bad, i. e. broken vessels, as is stated in the next verse. The other commentators adopt the first explanation, which is no doubt the correct one.

53. Gov. and Nand. say, 'A righteous man,' instead of 'A man who fulfils a religious duty.'

54. Gov. and Nâr. take the beginning of the verse differently,

55. By day they may go about for the purpose of their work, distinguished by marks at the king's command, and they shall carry out the corpses (of persons) who have no relatives; that is a settled rule.

56. By the king's order they shall always execute the criminals, in accordance with the law, and they shall take for themselves the clothes, the beds, and the ornaments of (such) criminals.

57. A man of impure origin, who belongs not to any caste, (*varṇa*, but whose character is) not known, who, (though) not an *Āryan*, has the appearance of an *Āryan*, one may discover by his acts.

58. Behaviour unworthy of an *Āryan*, harshness, cruelty, and habitual neglect of the prescribed duties betray in this world a man of impure origin.

59. A base-born man either resembles in character his father, or his mother, or both; he can never conceal his real nature.

60. Even if a man, born in a great family, sprang from criminal intercourse, he will certainly possess the faults of his (father), be they small or great.

61. But that kingdom in which such bastards, sully (the purity of) the castes, are born, perishes quickly together with its inhabitants.

'Their food shall be given to them by others in a broken vessel,' i. e. 'they shall not cook for themselves in their houses.'

55. 'Distinguished by marks,' i. e. 'by a thunderbolt and the like, or by axes, adzes, and so forth, used for executing criminals, and carried on the shoulder' (*Medh.*), or 'by sticks and so forth' (*Gov.*), or 'by iron ornaments and peacock's feathers and the like' (*Nâr.*). *Râgh.* thinks that they are to be branded on the forehead and on other parts of the body. In olden times the depressed races of Gujarat used to wear a horn as their distinguishing mark.

57-59. Vas. XVIII, 7; Vi. XVI, 17.

62. Dying, without the expectation of a reward, for the sake of Brāhmanas and of cows, or in the defence of women and children, secures beatitude to those excluded (from the Āryan community, vāhya).

63. Abstention from injuring (creatures), veracity, abstention from unlawfully appropriating (the goods of others), purity, and control of the organs, Manu has declared to be the summary of the law for the four castes.

64. If (a female of the caste), sprung from a Brāhmana and a Sūdra female, bear (children) to one of the highest caste, the inferior (tribe) attains the highest caste within the seventh generation.

62. Vi. XVI, 18.

63. Gaut. VIII, 23; Yāgñ. I, 122; and above, IV, 246, V, 107. Nand. reads sarvavarne, 'for all castes,' instead of kāturvarnye, 'for the four castes.'

64. Āp. II, 10-11; Gaut. IV, 22; Yāgñ. I, 96. [According to Medh., Gov., Kull., and Rāgh., the meaning is that, if the daughter of a Brāhmana and of a Sūdra female and her descendants all marry Brāhmanas, the offspring of the sixth female descendant of the original couple will be a Brāhmana. While this explanation agrees with Haradatta's comment on the parallel passage of Gautama, Nār. and Nand. take the verse very differently. They say that if a Pārasava, the son of a Brāhmana and of a Sūdra female, marries a most excellent Pārasava female, who possesses a good moral character and other virtues, and if his descendants do the same, the child born in the sixth generation will be a Brāhmana. Nand. quotes in support of his view Baudhāyana I, 16, 13-14 (left out in my translation of the Sacred Books of the East, II, p. 197), nishādena nishādyām ā pañkāmāg gāter apahanti [gāto 'pahanti] sūdratām | tam upanayet shashtham yāgayet, '(Offspring), begotten by a Nishāda on a Nishādī, removes within five generations the Sūdra-hood; one may initiate him (the fifth descendant), one may sacrifice for the sixth.' This passage of Baudhāyana, the reading of which is supported by a new MS. from Madras, clearly shows that Baudhāyana allowed the male offspring of Brāhmanas and Sūdra females to be raised to the level of Āryans. It is also not impossible

65. (Thus) a *Sûdra* attains the rank of a *Brâhmana*, and (in a similar manner) a *Brâhmana* sinks to the level of a *Sûdra*; but know that it is the same with the offspring of a *Kshatriya* or of a *Vaisya*.

66. If (a doubt) should arise, with whom the pre-eminence (is, whether) with him whom an *Âryan* by chance begot on a non-*Âryan* female, or (with the son) of a *Brâhmana* woman by a non-*Âryan*,

67. The decision is as follows: 'He who was begotten by an *Âryan* on a non-*Âryan* female, may become (like to) an *Âryan* by his virtues; he whom an *Âryan* (mother) bore to a non-*Âryan* father (is and remains) unlike to an *Âryan*.'

that the meaning of Manu's verse may be the same, and that the translation should be, 'If the offspring of a *Brâhmana* and of a *Sûdra* female begets children with a most excellent (male of the *Brâhmana* caste or female of the *Pârasava* tribe), the inferior (tribe) attains the highest caste in the seventh generation.' The chief objection to this version, which consists in the fact that *sregasâ*, 'with a most excellent,' stands in the masculine, may be met by Manu's peculiar use of the masculine instead of the feminine above in verse 32, where *âyogave* is used for *âyogavyâm*.

65. The manner in which a *Brâhmana* sinks to the level of a *Sûdra* is, according to Medh., Gov., and Kull., the following. If the son of a *Brâhmana* and of a *Sûdra* female and his descendants marry *Sûdra* wives, the seventh descendant will be a pure *Sûdra*. Medh., Gov., and Kull. hold that the offspring of a *Brâhmana* and of a *Kshatriya* female obtains the higher or lower rank in the third generation, and the offspring of a *Brâhmana* and of a *Vaisya* female in the fifth. Medh. and Gov. expressly state that 'they,' i. e. the older commentators, give this explanation.

66. 'A non-*Âryan* female,' i. e. 'a *Sûdra* female' (Medh., Gov., Kull., Râgh., Nand.), or 'the daughter of a *Vrâtya* and the like' (Nâr.). 'By chance,' i. e. even on an unmarried one (Medh., Gov., Kull., Râgh., Nand.), or 'unknowingly' (Nâr.). 'An *Âryan* female,' i. e. 'a *Brâhmani*' (Medh., Gov., Kull., Râgh., Nâr., Nand.).

67. 'May become (like to) an *Âryan* by his virtues,' i. e. 'may become most excellent or praiseworthy by offering the *Pâkayagñas*

68. The law prescribes that neither of the two shall receive the sacraments, the first (being excluded) on account of the lowness of his origin, the second (because the union of his parents was) against the order of the castes.

69. As good seed, springing up in good soil, turns out perfectly well, even so the son of an Âryan by an Âryan woman is worthy of all the sacraments.

70. Some sages declare the seed to be more important, and others the field; again others (assert that) the seed and the field (are equally important); but the legal decision on this point is as follows:

71. Seed, sown on barren ground, perishes in it; a (fertile) field also, in which no (good) seed (is sown), will remain barren.

72. As through the power of the seed (sons) born of animals became sages who are honoured and praised, hence the seed is declared to be more important.

73. Having considered (the case of) a non-Âryan who acts like an Âryan, and (that of) an Âryan who acts like a non-Âryan, the creator declared, 'Those two are neither equal nor unequal.'

and the like, which according to other Smritis are permitted to him' (Medh., Gov., Kull., Nâr.). 'Unlike to an Âryan,' i.e. 'unworthy of praise or respect' (Gov., Kull.).

69-72. See also the discussion which occurs above, IX, 33-41.

Gov., Kull., and Nand. say 'a field in which no seed (is sown) remains barren.' The translation follows Medh. The commentators refer to the stories of Mandapâla and Rishyasringa, see above, IX, 23.

72. 'Not equal,' i.e. because they differ in caste; 'not unequal,' i.e. because both do what is forbidden to them. Hence nobody should do acts which are not permitted to him (Gov., Kull., Râgh.).

74. Brâhmanas who are intent on the means (of gaining union with) Brahman and firm in (discharging) their duties, shall live by duly performing the following six acts, (which are enumerated) in their (proper) order.

75. Teaching, studying, sacrificing for himself, sacrificing for others, making gifts and receiving them are the six acts (prescribed) for a Brâhmana.

76. But among the six acts (ordained) for him three are his means of subsistence, (viz.) sacrificing for others, teaching, and accepting gifts from pure men.

77. (Passing) from the Brâhmana to the Kshatriya, three acts (incumbent on the former) are forbidden, (viz.) teaching, sacrificing for others, and, thirdly, the acceptance of gifts.

78. The same are likewise forbidden to a Vaisya, that is a settled rule; for Manu, the lord of creatures (Pragâpati), has not prescribed them for (men of) those two (castes).

79. To carry arms for striking and for throwing (is prescribed) for Kshatriyas as a means of subsistence; to trade, (to rear) cattle, and agriculture

74-80. Âp. II, 10, 4-7; Gaut. X, 1-7, 49; Vas. II, 13-19; Baudh. I, 18, 1-4; Vi. II, 1-7; Yâgñ. I, 118-119; see also above, I, 88-90.

74. Brahmayonisthâh, 'who are intent on the means of gaining union with Brahman' (Medh., Gov., Kull.), means according to Nâr. and Râgh. 'who are of pure Brâhmanical race,' according to Nand. 'who abide by that which springs from the Veda,' or 'the sacred law,' or 'who are the dwelling-place of the Veda.'

77. Nâr. reads brâhmanâh kshatriyam prati, 'To a Kshatriya three acts incumbent on a Brâhmana' are forbidden, 'instead of brâhmanât kshatriyam prati. Nand., whose text is corrupt, seems to have had the same reading as Nâr.

for Vaisyas; but their duties are liberality, the study of the Veda, and the performance of sacrifices.

80. Among the several occupations the most commendable are, teaching the Veda for a Brâhmana, protecting (the people) for a Kshatriya, and trade for a Vaisya.

81. But a Brâhmana, unable to subsist by his peculiar occupations just mentioned, may live according to the law applicable to Kshatriyas; for the latter is next to him in rank.

82. If it be asked, 'How shall it be, if he cannot maintain himself by either (of these occupations?)' the answer is), he may adopt a Vaisya's mode of life, employing himself in agriculture and rearing cattle.

83. But a Brâhmana, or a Kshatriya, living by a Vaisya's mode of subsistence, shall carefully avoid (the pursuit of) agriculture, (which causes) injury to many beings and depends on others.

84. (Some) declare that agriculture is something excellent, (but) that means of subsistence is blamed

80. Vârttâ, 'trade' (Nand.), means according to Kull. 'trade and rearing cattle,' and according to Gov. 'trade, rearing cattle, and agriculture.' But the context makes it probable that one occupation only is intended.

81-98. Âp. I, 20, 10-21, 4; Gaut. VII, 1-26; Vas. II, 22-39; Baudh. II, 4, 16-21; Vi. II, 15; LIV, 18-21; Yâgñ. III, 35-40.

82. Nâr. thinks that *krîshi*, 'agriculture,' means here *asvayamkrîtâ*, 'at which the Brâhmana does not work personally,' while Gov. and Kull. hold the contrary opinion. For according to them the *asvayamkrîtâ krîshi* has been permitted even for ordinary times, above, IV, 4-5.

83. 'Depends on others,' i.e. 'on bullocks and so forth' (Gov., Kull.). It has been taught above, IV, 159-160, that a Snâtaka is to avoid all that depends upon others.

84. Medh. points out that this verse is directed against the teaching of Vas. II, 32-36.

by the virtuous ; (for) the wooden (implement) with iron point injures the earth and (the beings) living in the earth.

85. But he who, through a want of means of subsistence, gives up the strictness with respect to his duties, may sell, in order to increase his wealth, the commodities sold by Vaisyas, making (however) the (following) exceptions.

86. He must avoid (selling) condiments of all sorts, cooked food and sesamum, stones, salt, cattle, and human (beings),

87. All dyed cloth, as well as cloth made of hemp, or flax, or wool, even though they be not dyed, fruit, roots, and (medical) herbs ;

88. Water, weapons, poison, meat, Soma, and perfumes of all kinds, fresh milk, honey, sour milk, clarified butter, oil, wax, sugar, Kusa-grass ;

89. All beasts of the forest, animals with fangs or tusks, birds, spirituous liquor, indigo, lac, and all one-hoofed beasts.

90. But he who subsists by agriculture, may at pleasure sell unmixed sesamum grains for sacred

86. Medh. says, 'and cooked food, mixed with sesamum grains.' The same commentator thinks that, as salt which is also a condiment is specially forbidden, other condiments may be sold optionally. But Gov. and Kull. point out that it is specially named, because the penance is heavier. Nâr. explains rasân, 'condiments,' by 'exudations of leaves, wood, and so forth.'

88. Nâr. reads kshâram, 'alkaline substances,' instead of kshîram, 'fresh milk,' but mentions the latter reading, and Nand. kshâram for kshaudram.

89. Nâr. reads maggâ, 'marrow,' instead of madyam, 'spirituous liquor.' Medh. says that some read ekasaphân bahûn, 'many one-hoofed beasts,' and permit the sale of a single one. Nand. reads pasûn, 'animals.'

90. Suddhân, 'unmixed' (Medh., Gov., Kull., Râgh.), means

purposes, provided he himself has grown them and has not kept them long.

91. If he applies sesamum to any other purpose but food, anointing, and charitable gifts, he will be born (again) as a worm and, together with his ancestors, be plunged into the ordure of dogs.

92. By (selling) flesh, salt, and lac a Brāhmaṇa at once becomes an outcast; by selling milk he becomes (equal to) a Sūdra in three days.

93. But by willingly selling in this world other (forbidden) commodities, a Brāhmaṇa assumes after seven nights the character of a Vaisya.

94. Condiments may be bartered for condiments, but by no means salt for (other) condiments; cooked food (may be exchanged) for (other kinds of) cooked food, and sesamum seeds for grain in equal quantities.

95. A Kshatriya who has fallen into distress, may subsist by all these (means); but he must never arrogantly adopt the mode of life (prescribed for his) betters.

according to Nand. 'white,' according to Nār. 'of good quality.' 'Provided he has not kept them long,' i. e. 'if he has not kept them long after the harvest, in order to increase his profit' (Medh., Gov., Kull., Nār.).

91. K. reads *krimir bhūtvā sa vishīḥyām*, 'he will be plunged into ordure;' and Medh. seems likewise to have read *sa*, 'he,' for *sva*, 'dog.'

93. *Kāmataḥ*, 'willingly,' means according to Medh. and Nand. 'not in times of distress, but in ordinary times.'

94. I read with Medh. and Nand., *kṛtānnaṃ ka kṛtānnena* instead of *kākrītānnena* (Gov., Kull., Nār.), 'for undressed grain,' because all the other Smṛitis have the former rule. K. reads *vā kṛtānnena*, and thus shows how the misreading *kā°* arose. Nand. reads *na tveva lavanam tilaiḥ*, 'but not salt for sesamum grains,' and Medh. mentions the reading as a var. lect.



96. A man of low caste who through covetousness lives by the occupations of a higher one, the king shall deprive of his property and banish.

97. It is better (to discharge) one's own (appointed) duty incompletely than to perform completely that of another; for he who lives according to the law of another (caste) is instantly excluded from his own.

98. A Vaisya who is unable to subsist by his own duties, may even maintain himself by a Sûdra's mode of life, avoiding (however) acts forbidden (to him), and he should give it up, when he is able (to do so).

99. But a Sûdra, being unable to find service with the twice-born and threatened with the loss of his sons and wife (through hunger), may maintain himself by handicrafts.

100. (Let him follow) those mechanical occupations and those various practical arts by following which the twice-born are (best) served.

101. A Brâhmana who is distressed through a want of means of subsistence and pines (with hunger), (but) unwilling to adopt a Vaisya's mode of life and resolved to follow his own (prescribed) path, may act in the following manner.

97. Nâr. gives as an instance of an ill or incomplete performance of a Brâhmana's duty, which is better than completely discharging the duties of another caste, the acceptance of alms from an impure person. Nand. omits this verse, which, indeed, is here out of place and ought to stand in the discussion beginning verse 101.

98. 'Acts forbidden to him,' i. e. 'eating the leavings of the others and so forth' (Gov., Kull., Nâr.), or 'eating forbidden food and the like' (Nand.).

99-100. Vi. III, 14; Gaut. X, 60.

101-114. Gaut. VII, 4-5, 23; Âp. I, 18, 5-8, 14-15.

102. A Brāhmaṇa who has fallen into distress may accept (gifts) from anybody; for according to the law it is not possible (to assert) that anything pure can be sullied.

103. By teaching, by sacrificing for, and by accepting gifts from despicable (men) Brāhmaṇas (in distress) commit not sin; for they (are as pure) as fire and water.

104. He who, when in danger of losing his life, accepts food from any person whatsoever, is no more tainted by sin than the sky by mud.

105. Agāṅgarta, who suffered hunger, approached in order to slay (his own) son, and was not tainted by sin, since he (only) sought a remedy against famishing.

106. Vāmadeva, who well knew right and wrong, did not sully himself when, tormented (by hunger), he desired to eat the flesh of a dog in order to save his life.

107. Bharadvāga, a performer of great austerities, accepted many cows from the carpenter Brību, when he was starving together with his sons in a lonely forest.

102. 'Anything pure,' i. e. 'the Ganges and the like' (Medh., Gov., Kull.), or 'fire and the like' (Nār., Rāgh.).

103. Vas. XXVII, 9.

105. Regarding the story of Agāṅgarta, see Aitareya-brāhmaṇa VII, 13-16.

107. I read with Gov. and Sāyana on Rig-veda VI, 45, 31, Brību instead of Vridhu (Kull., Rāgh., K.), and Brīhat (Nār., Nand.). The corrected copies of Medh. have Vridhu, but the oldest reads vridhha in the text, and in the commentary drību, i. e. brību. It is not doubtful that Brību is the correct reading. For in the hymn quoted that personage is described as the carpenter of the Panis, and his liberality is highly praised. Moreover the Sāṅkhāyana



108. Visvâmitra, who well knew what is right or wrong, approached, when he was tormented by hunger, (to eat) the haunch of a dog, receiving it from the hands of a *Kandâla*.

109. On (comparing) the acceptance (of gifts from low men), sacrificing (for them), and teaching (them), the acceptance of gifts is the meanest (of those acts) and (most) reprehensible for a Brâhmana (on account of its results) in the next life.

110. (For) assisting in sacrifices and teaching are (two acts) always performed for men who have received the sacraments; but the acceptance of gifts takes place even in (case the giver is) a Sûdra of the lowest class.

111. The guilt incurred by offering sacrifices for teaching (unworthy men) is removed by muttering (sacred texts) and by burnt offerings, but that incurred by accepting gifts (from them) by throwing (the gifts) away and by austerities.

112. A Brâhmana who is unable to maintain himself, should (rather) glean ears or grains from (the field of) any (man); gleaning ears is better than accepting gifts, picking up single grains is declared to be still more laudable.

113. If Brâhmanas, who are Snâtakas, are pining with hunger, or in want of (utensils made of) common metals, or of other property, they may ask the

Srauta-sûtra (see the Petersburg Dictionary, sub voce *Brîhu*) alludes to the legend mentioned by Manu.

108. Regarding the legend of Visvâmitra, see Mahâbh. XII, 141, 28 seqq.

110. Nâr. says, 'a Sûdra (or) one of the lowest class, i. e. a *Kandâla*.'

111. Âp. I, 28, 11; Vas. XX, 45; Vi. LIV, 28. 'By austerities,' i. e. 'by penances,' see below, XI, 194.

113. Kupyam, '(utensils made of) common metals,' includes

king for them ; if he is not disposed to be liberal, he must be left.

114. (The acceptance of) an untilled field is less blamable than (that of) a tilled one ; (with respect to) cows, goats, sheep, gold, grain, and cooked food, (the acceptance of) each earlier-named (article is less blamable than of the following ones).

115. There are seven lawful modes of acquiring property, (viz.) inheritance, finding or friendly donation, purchase, conquest, lending at interest, the performance of work, and the acceptance of gifts from virtuous men.

according to Medh. 'pots, kettles, wooden stools, and the like ; according to Gov. 'all property of small value such as beds, seats ;' according to Kull., Râgh., and Nand. 'also grain and clothes.' But Nâr. takes it in its usual sense, 'common metals such as brass and copper.' I translate the last clause according to the first explanation of Medh., Gov., Nâr., and Râgh., who think that all Brâhmanas should leave the realm of a king who does not support famishing Snâtakas. Nand., however, says that such a king is to be excluded from instruction and admission to sacrifices. Medh.'s second interpretation, according to which *tyâgaḥ* means *dharmahâniḥ*, 'a loss of spiritual merit,' agrees with Nand.'s view. Kull. finally takes the phrase very differently, 'but he who does not wish to give anything, being known for his avarice, must be left to himself, i.e. must not be asked.' Kull. and Gov. hold that 'the prince' meant here is a Kshatriya king who does not follow the Sâstras, or a Sûdra king (see note on IV, 33), and that the verse thus rescinds the prohibition given above, IV, 84 seq.

114. Vas. XII, 3.

115. Gaut. X, 39-42. *Lâbha*, 'finding or friendly donation' (Medh., Gov., Kull.), refers according to Nâr. and Nand. to the acquisition of treasure-trove alone, not to the acceptance of presents from friends, from a father-in-law, &c. *Gaya*, 'conquest,' means according to Nand. 'gaining lawsuits.' The same commentator takes *prayoga*, 'lending money at interest,' in the sense of 'teaching,' and *karmayoga*, 'performance of labour,' in the sense of 'sacrificing for others.' All the commentators, except Nand., point out that the first three modes of acquisition are lawful for all castes, the fourth for Ksha-

116. Learning, mechanical arts, work for wages, service, rearing cattle, traffic, agriculture, contentment (with little), alms, and receiving interest on money, are the ten modes of subsistence (permitted to all men in times of distress).

117. Neither a Brâhmana, nor a Kshatriya must lend (money at) interest; but at his pleasure (either of them) may, in times of distress (when he requires money) for sacred purposes, lend to a very sinful man at a small interest.

118. A Kshatriya (king) who, in times of distress, takes even the fourth part (of the crops), is free from guilt, if he protects his subjects to the best of his ability.

119. His peculiar duty is conquest, and he must not turn back in danger; having protected the Vaisyas by his weapons, he may cause the legal tax to be collected;

120. (Viz.) from Vaisyas one-eighth as the tax on

triyas, the fifth and sixth for Vaisyas (or the fifth for Vaisyas, the sixth for Sûdras, Nâr.), and the seventh for Brâhmanas.

116. 'Learning,' i. e. (teaching) other than Vedic sciences, e. g. logic, exorcising evil spirits, or charms against poison (Medh., Kull., Nâr., Râgh.). Gov. thinks that 'teaching for a stipulated fee' is also permissible under this rule.

117. Vas. II, 40-43. Gov., Nâr., and K. read *alpakam* instead of *alpiâm*, and with this var. lect. the last clause might be translated with Nâr. by '... (either of them) ... may lend a small (sum) to a very sinful man.'

119. I read with Gov. and K. *na bhaye* instead of *nâhave* (editions). Medh.'s text has the latter reading, but the commentary *bhaye upasthite parânmukho yuddhe na syât*, 'when danger threatens he shall not turn back in battle,' indicates that his reading was *bhaye*. The same inference may be drawn from Kull.'s commentary. Nand. gives *na bhaye*, probably a mistake for *na bhaye*.

120. According to Medh., the first line refers to the profits of

grain, one-twentieth (on the profits on gold and cattle), which amount at least to one Kârshâpana; Sûdras, artisans, and mechanics (shall) benefit (the king) by (doing) work (for him).

121. If a Sûdra, (unable to subsist by serving Brâhmanas,) seeks a livelihood, he may serve Kshatriyas, or he may also seek to maintain himself by attending on a wealthy Vaisya.

122. But let a (Sûdra) serve Brâhmanas, either

subjects dealing in corn or in gold. From the former the king may take in times of distress one-eighth, and from the latter one-twentieth. The second line indicates that artisans who, according to VII, 138, in ordinary times furnish one piece of work in each month, may be made to work more for the king. According to Gov. and Kull., husbandmen (*krishigîvinâm*, Gov.) shall give from the increments on grain (*upakaya*) one-eighth (instead of one-twelfth, and in the direst distress one-fourth, according to verse 118, Kull.), from all increments on gold and so forth amounting to more than a Kârshâpana one-twentieth instead of one-fiftieth, as prescribed above, VII, 130. Râgh. in substance agrees with this explanation. Nâr. and Nand. read, as it would seem, *vimsatkârshâpanâvaram* (*nâparam*, Nand.), and take the verse differently. Nâr. says that the tax on grain is to be one-fourth in the case of Sûdras, and one-eighth in the case of Vaisyas; that the tax on everything else is to be at least one Kârshâpana in twenty, and that artisans who work for wages shall pay the same rate (*vimsatkârshâpanam iti dhanyâd anyeshu vimsad vimsatikârshâpanamûlyam tâdrisâlâbhe kârshâpana eko râgnâ grâhya ity avaraḥ pakshaḥ | sambhave tv adhikam api grâhyam ity arthaḥ | dharmopakaranâḥ [karmo] dharmibhir [karmabhir] visvam upakurvantas tantuvâyâdayaḥ | sûdrâḥ kâravo varnavâhyâ nataḥkîtrakârâdyâḥ | silpinas ka rathakârâdyâs te 'pi karma krâtva bhrâtîve 'pi vimsatikârshâpanalâbhe kârshâpanâvaram sulkam dadyur iti seshah*). According to Nâr. the translation would be: '(Viz.) one-eighth as the tax (payable) by Vaisyas on grain, (and on everything else) at least one Kârshâpana out of twenty; Sûdra artisans and mechanics who benefit (men) by their work (shall pay the same rate).' Nâr. adds that some read *trimsatkârshâpanâvaram*, 'at least one Kârshâpana out of thirty.'

121-129. Gaut. X, 50-65; Yâgñ. I, 120-121.

for the sake of heaven, or with a view to both (this life and the next); for he who is called the servant of a Brāhmana thereby gains all his ends.

123. The service of Brāhmanas alone is declared (to be) an excellent occupation for a Sūdra; for whatever else besides this he may perform will bear him no fruit.

124. They must allot to him out of their own family(-property) a suitable maintenance, after considering his ability, his industry, and the number of those whom he is bound to support.

125. The remnants of their food must be given to him, as well as their old clothes, the refuse of their grain, and their old household furniture.

126. A Sūdra cannot commit an offence, causing loss of caste (pātaka), and he is not worthy to receive the sacraments; he has no right to (fulfil) the sacred law (of the Âryans, yet) there is no prohibition against (his fulfilling certain portions of) the law.

127. (Sūdras) who are desirous to gain merit, and know (their) duty, commit no sin, but gain praise, if they imitate the practice of virtuous men without reciting sacred texts.

128. The more a (Sūdra), keeping himself free from envy, imitates the behaviour of the virtuous, the more he gains, without being-censured, (exaltation in) this world and the next.

126. 'Cannot commit an offence causing loss of caste,' i.e. 'by eating garlic and the like forbidden fruit' (Gov., Kull.), or 'by (keeping) a slaughter-house' (Rāgh.).

127. In what particulars the practice of the Âryans may be imitated by Sūdras, may be learnt from the parallel passages quoted above.

129. No collection of wealth must be made by a Sûdra, even though he be able (to do it); for a Sûdra who has acquired wealth, gives pain to Brâhmanas.

130. The duties of the four castes (*varna*) in times of distress have thus been declared, and if they perform them well, they will reach the most blessed state.

131. Thus all the legal rules for the four castes have been proclaimed; I next will promulgate the auspicious rules for penances.

CHAPTER XI.

1. Him who wishes (to marry for the sake of having) offspring, him who wishes to perform a sacrifice, a traveller, him who has given away all his property, him who begs for the sake of his teacher, his father, or his mother, a student of the Veda, and a sick man,

2. These nine Brâhmanas one should consider as

129. 'Gives pain to Brâhmanas,' i.e. 'by becoming proud and not serving them' (Gov., Kull., Râgh.).

XI. 1. Âp. II, 10, 1-2; Gaut. V, 21; Baudh. II, 5, 19. 'He who has given away all his property,' i.e. 'on performing a Visvagit sacrifice' (Medh., Gov., Kull., Râgh.), or 'other Kratus' (Nâr.). 'For the sake of his teacher, his father, or his mother,' i.e. 'in order to maintain them' (Gov., Kull., Râgh.), or 'in order to procure the fee for the teacher' (Râgh., Nâr.). The commentators try to excuse the introduction of the miscellaneous rules, contained in verses 1-43, before the discussion of the penances, which according to X, 131 ought to follow at once, either by assuming that the object is to show the necessity of performing penances in case these rules are violated, or by pointing out that, as gifts are the means for removing sin, the enumeration of the Pâtras or worthy recipients is required.

Snātakas, begging in order to fulfil the sacred law ; to such poor men gifts must be given in proportion to their learning.

3. To these most excellent among the twice-born, food and presents (of money) must be given ; it is declared that food must be given to others outside the sacrificial enclosure.

4. But a king shall bestow, as is proper, jewels of all sorts, and presents for the sake of sacrifices on Brāhmaṇas learned in the Vedas.

5. If a man who has a wife weds a second wife, having begged money (to defray the marriage expenses, he obtains) no advantage but sensual enjoyment ; but the issue (of his second marriage belongs) to the giver of the money.

6. One should give, according to one's ability, wealth to Brāhmaṇas learned in the Veda and living alone ; (thus) one obtains after death heavenly bliss.

3. Gaut. V, 22 ; Baudh. II, 5, 20. The translation follows Medh., Gov., and Nār. The interpretation adopted by Kull. is, 'To these most excellent Brāhmaṇas food together with presents must be given (inside the sacrificial enclosure).' Nand. reads etebhyo 'pi instead of etebhyo hi, and thinks that bahirvede is to be construed with api, 'To these most excellent among the twice-born food . . . must be given even outside the sacrificial enclosure.' The correct explanation of the force of the word bahirvedi, 'outside the sacrificial enclosure,' is given by Nār., who adds, vedyām tu yāṅītam sarvam eva deyam, 'but near the fire-altar everything asked for must be given to them.' The meaning of the verse, therefore, is that the nine mendicants, mentioned in verses 1-2, shall always receive what they ask for, and other mendicants ordinary food only, but that if they beg at the performance of a sacrifice, other property also must be given to them.

5. Âp. II, 10, 3. The object of the verse is to forbid that alms shall be asked or given for such a purpose (Gov., Kull.). Medh., Gov., Nār., Râgh., and K. omit this verse. It looks very much like an interpolation, intended to explain the preceding rule.

7. He who may possess (a supply of) food sufficient to maintain those dependant on him during three years or more than that, is worthy to drink the Soma-juice.

8. But a twice-born man, who, though possessing less than that amount of property, nevertheless drinks the Soma-juice, does not derive any benefit from that (act), though he may have formerly drunk the Soma-juice.

9. (If) an opulent man (is) liberal towards strangers, while his family lives in distress, that counterfeit virtue will first make him taste the sweets (of fame, but afterwards) make him swallow the poison (of punishment in hell).

10. If (a man) does anything for the sake of his happiness in another world, to the detriment of those whom he is bound to maintain, that produces evil results for him, both while he lives and when he is dead.

11. If a sacrifice, (offered) by (any twice-born) sacrificer, (and) especially by a Brâhmaṇa, must remain incomplete through (the want of) one requisite, while a righteous king rules,

7. Vas. VIII, 10; Vi. LIX, 8; Yâgñ. I, 124. 'Drink the Soma-juice,' i.e. 'perform a Soma-sacrifice, in order to obtain the fulfilment of some wish' (Medh., Gov., Kull., Râgh.).

8. 'Though he formerly may have drunk the Soma,' i.e. 'at the nitya (i.e. the annual, see above, IV, 26, VI, 10) Soma-sacrifice' (Gov., Kull., Râgh.). The same commentators and Medh. point out that this and the preceding verses do not forbid the performance of the nitya Soma-sacrifices, but only of those called kâmya. He who performs the latter without possessing the requisite property, loses also the rewards for the former.

11-15. Gaut. XVIII, 24-27.

11. 'While a righteous king rules,' i.e. 'because such a king will not punish a man who acts in accordance with the Sâstras' (Medh., Gov., Kull., Nâr.).

12. That article (required) for the completion of the sacrifice, may be taken (forcibly) from the house of any Vaisya, who possesses a large number of cattle, (but) neither performs the (minor) sacrifices nor drinks the Soma-juice;

13. (Or) the (sacrificer) may take at his pleasure two or three (articles required for a sacrifice) from the house of a Sûdra ; for a Sûdra has no business with sacrifices.

14. If (a man) possessing one hundred cows, kindles not the sacred fire, or one possessing a thousand cows, drinks not the Soma-juice, a (sacrificer) may unhesitatingly take (what he requires) from the houses of those two, even (though they be Brâhmanas or Kshatriyas);

15. (Or) he may take (it by force or fraud) from one who always takes and never gives, and who refuses to give it; thus the fame (of the taker) will spread and his merit increase.

16. Likewise he who has not eaten at (the time of) six meals, may take at (the time of) the seventh meal (food) from a man who neglects his sacred

12. Nâr. and Nand. think that 'the king' is the agent to be understood with the verb 'may be taken.' The latter relies on the parallel passage of the Mahâbhârata, where the last Pâda of the verse is yagñârtham pârtiivo haret. 'The (minor) sacrifices,' i.e. 'the Pâkayagñas and so forth' (Kull.), or 'the five great sacrifices' (Nâr.).

14. Gov. thinks that this verse refers to a Kshatriya alone, while Medh., Kull., Râgh. refer it to Brâhmanas also.

15. Gov., Kull., and Râgh. explain âdânanitya, 'one who always takes,' by 'a Brâhmana who always accepts presents,' while Medh. and Nâr. refer the word to men of all castes who constantly amass wealth.

16-23. Gaut. XVIII, 28-32; Yâgñ. III, 43-44.

16. 'At the seventh meal-time,' i.e. 'on the fourth day of his starving.'

duties, without (however) making a provision for the morrow,

17. Either from the threshing-floor, or from a field, or out of the house, or wherever he finds it; but if (the owner) asks him, he must confess to him that (deed and its cause).

18. (On such occasions) a Kshatriya must never take the property of a (virtuous) Brâhmana; but he who is starving may appropriate the possessions of a Dasyu, or of one who neglects his sacred duties.

19. He who takes property from the wicked and bestows it on the virtuous, transforms himself into a boat, and carries both (over the sea of misfortune).

20. The property of those who zealously offer sacrifices, the wise call the property of the gods; but the wealth of those who perform no sacrifices is called the property of the Âsuras.

21. On him (who, for the reasons stated, appropriates another's possessions), a righteous king shall not inflict punishment; for (in that case) a Brâhmana pines with hunger through the Kshatriya's want of care.

22. Having ascertained the number of those dependent on such a man, and having fully considered his learning and his conduct, the king shall allow him, out of his own property, a maintenance whereon he may live according to the law;

23. And after allotting to him a maintenance, the

18. 'A Dasyu,' see above, X, 45. According to Nâr., this verse too refers to the king.

19. 'Both,' i. e. 'him from whom he takes it by saving him from sin (or, from the trouble of protecting his property, Gov.), and the recipient' (Kull., Gov.). Nand. omits verses 19-21.

21-22. See above, VII, 134-135.

23. See above, VIII, 304.



king must protect him in every way; for he obtains from such (a man) whom he protects, the sixth part of his spiritual merit.

24. A Brâhmana shall never beg from a Sûdra property for a sacrifice; for a sacrificer, having begged (it from such a man), after death is born (again) as a *Kandâla*.

25. A Brâhmana who, having begged any property for a sacrifice, does not use the whole (for that purpose), becomes for a hundred years a (vulture of the kind called) Bhâsa, or a crow.

26. That sinful man, who, through covetousness, seizes the property of the gods, or the property of Brâhmanas, feeds in another world on the leavings of vultures.

27. In case the prescribed animal and Soma-sacrifices cannot be performed, let him always offer at the change of the year a Vaisvânari Ishî as a penance (for the omission).

28. But a twice-born, who, without being in distress, performs his duties according to the law for times of distress, obtains no reward for them in the next world; that is the opinion (of the sages).

29. By the Visve-devas, by the Sâdhyas, and by the great sages (of the) Brâhmana (caste), who were afraid of perishing in times of distress, a substitute was made for the (principal) rule.

24. Vi. LIX, 11; Yâgñ. I, 127.

25. Yâgñ. I, 127. Medh., Gov., and Nâr. say, 'A Brâhmana who . . . does not give the whole of it (to Brâhmanas).'

26. Pare loka, 'in another world,' means according to Gov. and Kull., 'in his next birth.'

27. Vi. LIX, 10; Yâgñ. I, 126. The Vaisvânari Ishî is according to Medh., a rite described in the Grîhya-sûtras. Regarding the prescribed Śrauta sacrifices, see above, IV, 25-26.

30. That evil-minded man, who, being able (to fulfil) the original law, lives according to the secondary rule, reaps no reward for that after death.

31. A Brâhmana who knows the law need not bring any (offence) to the notice of the king; by his own power alone he can punish those men who injure him.

32. His own power is greater than the power of the king; the Brâhmana, therefore, may punish his foes by his own power alone.

33. Let him use without hesitation the sacred texts, revealed by Atharvan and by Aṅgiras; speech, indeed, is the weapon of the Brâhmana, with that he may slay his enemies.

34. A Kshatriya shall pass through misfortunes which have befallen him by the strength of his arms, a Vaisya and a Sûdra by their wealth, the chief of the twice-born by muttered prayers and burnt-oblations.

35. The Brâhmana is declared (to be) the creator (of the world), the punisher, the teacher, (and hence) a benefactor (of all created beings); to him let no man say anything unpropitious, nor use any harsh words.

31. This and the following verses rescind the rules given above, IX, 290.

32. See above, IX, 313-321.

33. 'The sacred texts, revealed by Atharvan and Aṅgiras,' i. e. the charms and incantations contained in the Atharva-veda. Nâr. reads abhiârayan, 'using magic,' instead of aviârayan (Medh., Gov., Kull., K.). Nand. reads, srutîr atharvâṅgirasîḥ kuryâd ity abhiâritam.

34. Vas. XXVI, 16.

35. I read with Medh., Gov., Nâr., Râgh., Nand., and K., maitro for maitri, and suktâm for sushkâm (editions). The commentators differ

36. Neither a girl, nor a (married) young woman, nor a man of little learning, nor a fool, nor a man in great suffering, nor one uninitiated, shall offer an Agnihotra.

37. For such (persons) offering a burnt-oblation sink into hell, as well as he to whom that (Agnihotra) belongs; hence the person who sacrifices (for another) must be skilled in (the performance of) Vaitâna (rites), and know the whole Veda.

much with respect to the explanation of the first line. Vidhâtâ, 'the creator (of the world,' Medh., Nâr.), means according to Gov. and Kull. 'the performer of the prescribed rites;' according to Râgh. 'able to do, to undo, and to change;' according to Nand. 'the performer of magic rites and so forth.' Sâsitâ, 'the punisher' (Medh. Kull., Râgh.), i. e. 'of others, of the king' (Medh.), or 'of his sons, pupils, and so forth' (Kull.), is interpreted by Nâr. to mean 'the instructor in the sacred law,' by Nand. 'the instigator (of incantations).' Vaktâ, 'the teacher' (Gov., Nâr.), means according to Medh. 'the giver of good advice,' according to Kull. and Râgh. 'the expounder of the sacred law.' The explanations of Gov. and Kull. allow also the translation adopted by Sir W. Jones, 'He who performs his duties . . . is truly called a Brâhmana.' As regards the second line Medh. offers two explanations. First he interprets it 'to him, i. e. when he uses magic, let no man say anything unpropitious, i. e. he must not punish him, nor use any harsh words, i. e. admonish or sharply reprimand him.' Gov. and Kull. agree with this explanation, but omit the specification 'when he uses magic.' According to Medh.'s second rendering the line contains an advice, addressed to men of all castes, not to anger or disquiet a Brâhmana; and this view is adopted by Râgh. and Nand., who explain akusalam, 'unpropitious,' by anish'am, 'anything disagreeable.' Nâr.'s readings seem to have differed. He has kuryât instead of brûyât, and explains the first phrase, 'to him let no man do anything unpropitious,' i. e. anything unbecoming, such as a bodily injury. In the second clause he reads suktam (suktam, MS.), which he explains by paryushitam, 'stale,' but he does not give the remainder of his text.

36-37. Âp. II, 15, 18-19; Gaut. II, 4; Vas. II, 6: see also above, II, 172; V, 155; IX, 18. The Vaitâna rites are those performed in the vitâna, the three sacred fires. Hence it follows that the Agnihotra meant here is the Srauta Agnihotra.

38. A Brāhmaṇa who, though wealthy, does not give, as fee for the performance of an Agnyādheya, a horse sacred to Pragâpati, becomes (equal to one) who has not kindled the sacred fires.

39. Let him who has faith and controls his senses perform other meritorious acts, but let him on no account offer sacrifices at which he gives smaller fees (than those prescribed).

40. The organs (of sense and action), honour, (bliss in) heaven, longevity, fame, offspring, and cattle are destroyed by a sacrifice at which (too) small sacrificial fees are given; hence a man of small means should not offer a (Srauta) sacrifice.

41. A Brāhmaṇa who, being an Agnihotrin, voluntarily neglects the sacred fires, shall perform a lunar penance during one month; for that (offence) is equal to the slaughter of a son.

42. Those who, obtaining wealth from Sûdras, (and using that) offer an Agnihotra, are priests officiating for Sûdras, (and hence) censured among those who recite the Veda.

38. The translation of prâgâpatya, 'sacred to Pragâpati,' follows Gov., Kull., Nâr., and Râgh. Medh. says that the epithet may be used merely by way of laudation, or may mean that the animal is to be neither very good nor very bad, or that it may be derived from a phrase current among the people. Nand. explains it by 'to be given to the Brahman priest.'

40. Gov. and Kull. explain, here and above, IV, 94, yasaḥ, 'honour,' by 'a good name during one's life,' and kîrtim, 'fame,' by 'fame after death.' Nâr. takes the former as 'being known to others for one's virtues,' and the latter as 'being praised by others.'

41. Gaut. XXII, 34; Vas. I, 18; XXI, 27; Vi. LIV, 13. Nand. explains vîra, 'son' (Gov., Kull., Nâr., Râgh.), by a Kshatriya, and Râgh. says that it may also mean 'a deity.'

42. See above, XI, 24.

43. Treading with his foot on the heads of those fools who worship a fire (kindled at the expense) of a Sûdra, the giver (of the wealth) shall always pass over his miseries (in the next world).

44. A man who omits a prescribed act, or performs a blamable act, or cleaves to sensual enjoyments, must perform a penance.

45. (All) sages prescribe a penance for a sin unintentionally committed; some declare, on the evidence of the revealed texts, (that it may be performed) even for an intentional (offence).

46. A sin unintentionally committed is expiated by the recitation of Vedic texts, but that which (men) in their folly commit intentionally, by various (special) penances.

47. A twice-born man, having become liable to perform a penance, be it by (the decree of) fate or by (an act) committed in a former life, must not, before the penance has been performed, have intercourse with virtuous men.

48. Some wicked men suffer a change of their

43. Nand. reads the first line differently, *pâpânâm satatam teshâm agnim sûdrasya guhvatâm*, but the general sense remains the same.

44-46. Gaut. XIX; Vas. XX, 1-3; XXII; Baudh. III, 10; Yâgñ. III, 219, 226.

45. Vedic texts which prescribe penances for offences committed intentionally, are quoted Gaut. XIX, 7-10. The commentators adduce also Aitareya-brâhmana VII, 28.

47. Daivât, 'by (the decree of) fate,' i.e. 'through carelessness' (Medh., Nâr., Kull., Râgh.). Medh. mentions a var. lect. *mohât*, 'through delusion of mind.' 'By (an act) committed in a former life,' i.e. 'if he has black teeth or some other bodily defect from which his having committed a crime in a former birth may be inferred.'

48-54. Vas. I, 18; XX, 6; XXI, 43-44; VI. XLV; Yâgñ. III, 207-215.

(natural) appearance in consequence of crimes committed in this life, and some in consequence of those committed in a former (existence).

49. He who steals the gold (of a Brâhmana) has diseased nails; a drinker of (the spirituous liquor called) Surâ, black teeth; the slayer of a Brâhmana, consumption; the violator of a Guru's bed, a diseased skin;

50. An informer, a foul-smelling nose; a calumniator, a stinking breath; a stealer of grain, deficiency in limbs; he who adulterates (grain), redundant limbs;

51. A stealer of (cooked) food, dyspepsia; a stealer of the words (of the Veda), dumbness; a stealer of clothes, white leprosy; a horse-stealer, lameness.

52. The stealer of a lamp will become blind; he who extinguishes it will become one-eyed; injury (to sentient beings) is punished by general sickness; an adulterer (will have) swellings (in his limbs).

53. Thus in consequence of a remnant of (the guilt of former) crimes, are born idiots, dumb, blind, deaf, and deformed men, who are (all) despised by the virtuous.

54. Penances, therefore, must always be performed for the sake of purification, because those

51. 'A stealer of the words (of the Veda),' i.e. 'one who learns the Veda without permission, by hearing another man recite it' (Gov., Kull., Râgh.), means according to Nâr. 'a plagiarist.'

52. Gov., Nâr., Nand., and K. omit this verse, and Râgh. says that it is found kvâpi, in some MSS.

53. I read with Nâr., Nand., and K., karmâvasesheṇa instead of karmavisesheṇa (editions). The explanations of Medh., Gov., and Kull. likewise point to the former reading.

whose sins have not been expiated, are born (again) with disgraceful marks.

55. Killing a Brâhmana, drinking (the spirituous liquor called) Surâ, stealing (the gold of a Brâhmana), adultery with a Guru's wife, and associating with such (offenders), they declare (to be) mortal sins (mahâpâtaka).

56. Falsely attributing to oneself high birth, giving information to the king (regarding a crime), and falsely accusing one's teacher, (are offences) equal to slaying a Brâhmana.

57. Forgetting the Veda, reviling the Vedas, giving false evidence, slaying a friend, eating forbidden food, or (swallowing substances) unfit for food, are six (offences) equal to drinking Surâ.

58. Stealing a deposit, or men, a horse, and silver, land, diamonds and (other) gems, is declared to be equal to stealing the gold (of a Brâhmana).

59. Carnal intercourse with sisters by the same mother, with (unmarried) maidens, with females of

55-71. Âp. I, 21, 7-19; Gaut. XXI, 1-12; Vas. I, 19-23; Baudh. II, 2, 1-8; 12-13; 15-16; Vi. XXXIV, 1; XXXV-XXXVIII, 6; XXXIX-XLII; Yâgñ. III, 227-242.

55. See above, IX, 235.

56. Guros kâlikanirbandha, 'falsely accusing one's teacher' (Medh., Gov., Kull.), may also mean according to Medh. 'wrongfully going to law with the teacher.' Nâr. and Nand. explain it by 'persevering in doing what is disagreeable to the teacher.'

57. Garhitânâdya, 'forbidden food and (substances) unfit for food' (Gov., Kull., Râgh.), means according to Medh. 'forbidden food and such which one has resolved not to eat;' according to Nâr. and Nand. 'food blemished by the contact with impure men or things, and such as is by its nature unfit for eating, e. g. garlic.'

59. The commentators point out that, though the crimes enumerated in verses 56-59 are stated to be equal to mortal sins, the penances are not always the same, but frequently less heavy.

the lowest castes, with the wives of a friend, or of a son, they declare to be equal to the violation of a Guru's bed.

60. Slaying kine, sacrificing for those who are unworthy to sacrifice, adultery, selling oneself, casting off one's teacher, mother, father, or son, giving up the (daily) study of the Veda, and neglecting the (sacred domestic) fire,

61. Allowing one's younger brother to marry first, marrying before one's elder brother, giving a daughter to, or sacrificing for, (either brother),

62. Defiling a damsel, usury, breaking a vow, selling a tank, a garden, one's wife, or child,

63. Living as a Vrâtya, casting off a relative, teaching (the Veda) for wages, learning (the Veda) from a paid teacher, and selling goods which one ought not to sell,

64. Superintending mines (or factories) of any

60. 'Selling oneself,' i.e. 'for money into slavery' (Medh.), 'refers to Âryans only' (Nâr.). Medh. mentions another reading, *pâradâryam avikrayaḥ*, 'adultery and the sale of forbidden merchandise.' Medh. and Nâr. say, 'forgetting the sacred texts required for the daily private recitation;' and Medh. adds that, as the same offence has been mentioned above, verse 57, 'forgetting the Veda,' may be either reckoned as equal to a Mahâ-pâtaka or as an Upapâtaka crime. Nâr. refers the term 'the fire' to the three sacred Srauta fires.

62. 'Breaking a vow,' i.e. 'any vow voluntarily undertaken' (Medh., Nâr.), means according to Gov., Kull., and Râgh. 'breaking the vow of studentship.'

63. 'Living as a Vrâtya,' see above, X, 20. 'Casting off a relative,' i.e. 'not supporting him in distress, though one possesses money enough to do so' (Medh.). Medh. takes *bândhava* in the sense of 'maternal relatives,' and understands that it includes the mother, sisters, maternal uncles, &c., while the other commentators take it in a wider sense.

64. Mahâyantrapravartana, 'executing great mechanical works,'

sort, executing great mechanical works, injuring (living) plants, subsisting on (the earnings of) one's wife, sorcery (by means of sacrifices), and working (magic by means of) roots, (and so forth),

65. Cutting down green trees for firewood, doing acts for one's own advantage only, eating prohibited food,

66. Neglecting to kindle the sacred fires, theft, non-payment of (the three) debts, studying bad books, and practising (the arts of) dancing and singing,

67. Stealing grain, base metals, or cattle, inter-

e. g. 'constructing dams across rivers in order to stop the water' (Medh., Gov., Kull., Râgh., K.), means according to Nâr. 'making machines for killing great animals such as boars,' according to Nand. '(making) great machines such as sugar-mills.' Stryâgiva, 'subsisting on (the earnings of) one's wife, i. e. by making her go into service (Nâr., Nand.), or by forcing her to become a harlot' (Kull.), means according to Medh. 'subsisting on (the separate property of) one's wife,' according to Râgh. 'living on (the money obtained by selling one's wife.' Nand. reads *himsraushadhistry-upâgîva*, 'subsisting on (money earned by the sale of) noxious herbs or on (the earnings of) one's wife.'

65. 'Doing acts for one's own advantage only,' i. e. 'cooking only for oneself, and so forth' (Medh., Nâr., Kull., Nand., Râgh.); see above, III, 118. By *ninditâna*, 'forbidden food,' Medh. understands the same kinds, mentioned above, verse 57; Kull., 'forbidden food such as garlic;' Nâr., Râgh., and Nand., 'food given by persons from whom it must not be accepted, e. g. by a king, a gambler, &c.' Medh. and Kull. state expressly that, if such food be eaten once and unintentionally, the offence is an *Upapâtaka*, but in worse cases equal to a *Mahâpâtaka*.

66. 'Theft,' i. e. 'of valuable objects' (Kull.), 'excepting gold and the other articles specially mentioned' (Medh., Râgh.), e. g. 'of clothes' (Nâr.). Regarding the three debts, see Vas. XI, 45. 'Bad books,' i. e. 'those of the *Kârvâkas*, *Nirgranthas* (*Gainas*, Medh.), or 'of heretics in general' (Nâr.).

67. 'Cattle,' i. e. other than cows; see above, verse 60.

course with women who drink spirituous liquor, slaying women, Sûdras, Vaisyas, or Kshatriyas, and atheism, (are all) minor offences, causing loss of caste (Upapâtaka).

68. Giving pain to a Brâhmana (by a blow), smelling at things which ought not to be smelt at, or at spirituous liquor, cheating, and an unnatural offence with a man, are declared to cause the loss of caste (Gâtibhramsa).

69. Killing a donkey, a horse, a camel, a deer, an elephant, a goat, a sheep, a fish, a snake, or a buffalo, must be known to degrade (the offender) to a mixed caste (Samkarikarana).

70. Accepting presents from blamed men, trading, serving Sûdras, and speaking a falsehood, make (the offender) unworthy to receive gifts (Apâtra).

71. Killing insects, small or large, or birds, eating anything kept close to spirituous liquors, stealing fruit, firewood, or flowers, (are offences) which make impure (Malâvaha).

72. Learn (now) completely those penances, by means of which all the several offences mentioned (can) be expiated.

73. For his purification the slayer of a Brâhmana shall make a hut in the forest and dwell (in it)

68. 'Things which ought not to be smelt at,' e.g. 'garlic, onions, ordure, &c.' (Medh., Gov., Kull., Nâr.).

70. 'Blamed men,' i.e. those from whom no gifts must be accepted; see above, IV, 84 seq.

73-87. Âp. I, 24, 10-25; 25, 11-12; 28, 21-29, 1; Gaut. XXII, 2-10; Vas. XX, 25-28; Baudh. II, 1, 2-6; Vi. XXV, 6; L, 1-6, 15; Yâgñ. III, 243-250.

73. According to Kull., Nâr., and Râgh. this penance is to be performed in case the homicide was committed unintentionally.



during twelve years, subsisting on alms and making the skull of a dead man his flag ;

74. Or let him, of his own free will, become (in a battle) the target of archers who know (his purpose); or he may thrice throw himself headlong into a blazing fire ;

75. Or he may offer a horse-sacrifice, a Svargit, a Gosava, an Abhigit, a Visvagit, a Trivrit, or an Agnishrut ;

76. Or, in order to remove (the guilt of) slaying a Brâhmana, he may walk one hundred yoganâs, reciting one of the Vedas, eating little, and controlling his organs ;

77. Or he may present to a Brâhmana, learned in

74. Vidushâm, 'who know (his purpose),' (Medh., Gov., Kull.), may also mean according to Medh. 'who are expert in archery,' and Nand. adopts this explanation. Nâr. thinks that this penance must be performed by one who intentionally murdered a Brâhmana, and that it must end in his death. According to the Bhavishyapurâna which Kull. and Râgh. quote, these two penances and that mentioned in the next verse are to be performed by a Kshatriya who slew a Brâhmana, those ending in death by an offender who himself, destitute of good qualities, killed a learned Srotriya, and the lighter ones by an eminent king who unintentionally caused the death of a worthless Brâhmana.

75. According to the Bhavishyapurâna, Nâr. and Kull., Svargit is the name of a sacrifice, but Medh. (on verse 78) and Râgh. take the word as an adjective qualifying Gosava. Regarding the Gosava, see Kâtâyâna Sr. Sûtras XXII, 11, 3 ; regarding the Abhigit, Âsv. Sr. Sûtras VIII, 5, 13. According to Gov. and Nâr., Trivrit is equivalent to Trivritstoma, and to be taken separately ; but according to Medh. and Râgh., trivritâ qualifies Agnishrut. Regarding the Agnishrut, see Âsv. Sr. Sûtras IX, 7, 22-25.

76. According to Nâr., Kull., and Râgh. (the latter two quoting the Bhavishyapurâna as their authority), this penance suffices to expiate the unintentional slaughter of one who has nothing but the name of a Brâhmana.

77. I read with Medh., Gov., and K., dhanam hi instead of

the Vedas, his whole property, as much wealth as suffices for the maintenance (of the recipient), or a house together with the furniture;

78. Or, subsisting on sacrificial food, he may walk against the stream along (the whole course of the river) Sarasvatî; or, restricting his food (very much), he may mutter thrice the Samhitâ of a Veda.

79. Having shaved off (all his hair), he may dwell at the extremity of the village, or in a cow-pen, or in a hermitage, or at the root of a tree, taking pleasure in doing good to cows and Brâhmanas.

dhanam vâ (Nâr., Nand., Râgh., editions), 'or as much wealth as.' Kull.'s explanation, too, points to the former reading, the meaning of which is that 'the whole property' must be sufficient to maintain the recipient. According to the Bhavishyapurâna, quoted by Kull. and Râgh., the penance is prescribed for the case that a rich, unlearned Brâhmana who keeps no sacred fire, unintentionally slew an utterly worthless Brâhmana.

78. According to the Bhavishyapurâna, quoted by Kull. and Râgh., the first penance is to be performed by an unlearned Brâhmana who intentionally killed an utterly worthless caste-fellow, the second by an exceedingly distinguished Srotriya who unintentionally caused the death of a man merely a Brâhmana in name. Medh. and Gov. attach their views regarding the particular cases to their explanations of this Sûtra. Gov. does not go beyond generalities. But Medh. says that the penance mentioned in verse 73 and the first described in verse 74 may be optionally performed for intentionally slaying an ordinary Brâhmana. If a Srotriya or one who is performing a Srauta sacrifice has been killed, the offender is to burn himself. The sacrifices will atone for the guilt of a homicide committed unintentionally, by a most distinguished member of the Âryan castes, provided that the person slain was a Brâhmana in name only.

79. Medh., Kull., and Gov. think that the rule allows an option with respect to the residence during the penance of twelve years (verse 73). Nâr. says that the verse contains a general rule for all penances.

80. He who unhesitatingly abandons life for the sake of Brâhmanas or of cows, is freed from (the guilt of) the murder of a Brâhmana, and (so is he) who saves (the life of) a cow, or of a Brâhmana.

81. If either he fights at least three times (against robbers in defence of) a Brâhmana's (property), or reconquers the whole property of a Brâhmana, or if he loses his life for such a cause, he is freed (from his guilt).

82. He who thus (remains) always firm in his vow, chaste, and of concentrated mind, removes after the lapse of twelve years (the guilt of) slaying a Brâhmana.

83. Or he who, after confessing his crime in an assembly of the gods of the earth (Brâhmanas), and the gods of men (Kshatriyas), bathes (with the priests) at the close of a horse-sacrifice, is (also) freed (from guilt).

84. The Brâhmana is declared (to be) the root of the sacred law and the Kshatriya its top; hence he who has confessed his sin before an assembly of such men, becomes pure.

85. By his origin alone a Brâhmana is a deity even for the gods, and (his teaching is) authoritative for men, because the Veda is the foundation for that.

80. This holds good also before the twelve years' penance is finished (Gov., Kull., Nâr.).

83. Gov. holds that this penance is efficacious only if the offender is engaged in the performance of the twelve years' penance. Kull. and Râgh. think that it is a separate penance, because the subject of the twelve years' penance has been finished in the preceding verse, and because the Bhavishyapurâna specially prescribes it for an eminent Brâhmana who unintentionally causes the death of a worthless caste-fellow. Medh. mentions both opinions, and states that he believes the penance to be efficacious in any case.

86. (If) only three of them who are learned in the Veda proclaim the expiation for offences, that shall purify the (sinners); for the words of learned men are a means of purification.

87. A Brâhmana who, with a concentrated mind, follows any of the (above-mentioned) rules, removes the sin committed by slaying a Brâhmana through his self-control.

88. For destroying the embryo (of a Brâhmana, the sex of which was) unknown, for slaying a Kshatriya or a Vaisya who are (engaged in or) have offered a (Vedic) sacrifice, or a (Brâhmana) woman who has bathed after temporary uncleanness (Âtreya), he must perform the same penance,

89. Likewise for giving false evidence (in an important cause), for passionately abusing the teacher, for stealing a deposit, and for killing (his) wife or his friend.

90. This expiation has been prescribed for unin-

88-89. Âp. I, 24, 6-9, 23; Gaut. XXII, 11-14; Vas. XX, 34-36; Baudh. II, 1, 12; Vi. L, 7-10; LII, 4; Yâgñ. III, 251.

88. Medh. and several other commentators propose, in explanation of the term Âtreya, besides the interpretation given above, also the erroneous one, 'a female of the tribe of Atri.'

89. 'Giving false evidence,' i.e. 'in a case where the life of the accused is involved' (Medh., Gov., Nâr.), or 'where gold, land and the like is at stake' (Kull., Râgh.). 'Abusing the teacher,' see above, verse 56. 'Stealing a deposit,' i.e. 'gold belonging to a Kshatriya or Vaisya, or silver and other property belonging to a Brâhmana' (Kull., Nâr., Râgh.), or property belonging to a poor Brâhmana (Medh.). Strî, 'his wife' (Nâr., Nand.), means according to Gov., Kull., and Râgh. 'the virtuous wife of a distinguished Brâhmana who keeps sacred fires.' Medh. (on verse 88) seems to agree to a similar explanation. 'His friend,' i.e. 'though he may not be a Brâhmana' (Nâr.).

90. The verse is identical with Baudh. II, 1, 6. The correct

tentionally killing a Brâhmana ; but for intentionally slaying a Brâhmana no atonement is ordained.

91. A twice-born man who has (intentionally) drunk, through delusion of mind, (the spirituous liquor called) Surâ shall drink that liquor boiling-hot; when his body has been completely scalded by that, he is freed from his guilt;

92. Or he may drink cow's urine, water, milk, clarified butter or (liquid) cowdung boiling-hot, until he dies;

93. Or, in order to remove (the guilt of) drinking Surâ, he may eat during a year once (a day) at night grains (of rice) or oilcake, wearing clothes made of cowhair and his own hair in braids and carrying (a wine cup as) a flag.

interpretation of this verse is that Manu, just as Âp. I, 24, 24, held the intentional murder of a true Brâhmana to be inexpiable during the criminal's life, and meant to teach that the murderer had either to perform a penance which caused his death or to live according to the twelve years' rule during the term of his natural life. This is the doctrine attributed to Manu by Gaut. XXI, 7. While Gov. and Nâr. agree with this explanation, Medh., 'others' quoted by Gov., Kull., Nand., and Râgh. refer *iyam*, 'this,' to verse 73, and hold that in the case of wilful murder the penance has only to be made severer by doubling or trebling the term of twelve years.

91-98. Âp. I, 25, 3, 10; 27, 10; Gaut. XXIII, 10-12; Vas. XX, 19, 22; Baudh. II, 1, 18-22; Vi. LI, 1-4; Yâgñ. III, 253-254.

91. This and the next penances are prescribed for an intentional offence; see below, verse 147. According to Medh., Gov., Kull., and Râgh. (the latter two quoting the Bhavishyapurâna), the spirituous liquor here intended is the *paishâkî surâ*, that distilled from ground rice. According to Nâr. the penance ending in death must be performed by all Âryans who have drunk *paishâkî surâ*, and by Brâhmanas who have drunk any of the three kinds of *surâ* mentioned in verse 95. Nand. reads *amohât*, and explains it by *matipûrvakam*, 'intentionally.'

93. According to Gov., Kull., Nand., and Râgh., this penance is prescribed for drinking unintentionally *paishâkî surâ*; according

94. Surâ, indeed, is the dirty refuse (mala) of grain, sin also is called dirt (mala); hence a Brâhmana, a Kshatriya, and a Vaisya shall not drink Surâ.

95. Surâ one must know to be of three kinds, that distilled from molasses (gaudî), that distilled from ground rice, and that distilled from Madhûka-flowers (mâdhvî); as the one (named above) even so are all (three sorts) forbidden to the chief of the twice-born.

96. Surâ, (all other) intoxicating drinks and decoctions and flesh are the food of the Yakshas, Râkshasas, and Pisâkas; a Brâhmana who eats (the remnants of) the offerings consecrated to the gods, must not partake of such (substances).

97. A Brâhmana, stupefied by drunkenness, might fall on something impure, or (improperly) pronounce Vedic (texts), or commit some other act which ought not to be committed.

98. When the Brahman (the Veda) which dwells in his body is (even) once (only) deluged with spirituous liquor, his Brahmanhood forsakes him and he becomes a Sûdra.

to 'others' quoted by Medh. and Râgh., for drinking gaudî or mâdhvî surâ; according to Nâr., for intentionally drinking water mixed with madhusurâ. Medh. himself says idam prânâtyaya aushadhârtham, 'this (is intended) as a medicine for death.'

94. This verse shows, as the commentators point out, the distinction between spirituous liquor distilled from ground grain, paishîkî surâ, and the other two sorts mentioned in the next verse. The first alone is forbidden to all Âryans; the other two sorts to Brâhmanas; see also Gaut. II, 20.

95. Mâdhvî, 'distilled from Madhûka (Mauâ) flowers' (Kull.), means according to Medh. 'distilled from honey,' according to Nâr. 'distilled either from grapes or from Madhûka flowers or from honey.'

99. The various expiations for drinking (the spirituous liquors called) Surâ have thus been explained; I will next proclaim the atonement for stealing the gold (of a Brâhmana).

100. A Brâhmana who has stolen the gold (of a Brâhmana) shall go to the king and, confessing his deed, say, 'Lord, punish me!'

101. Taking (from him) the club (which he must carry), the king himself shall strike him once, by his death the thief becomes pure; or a Brâhmana (may purify himself) by austerities.

102. He who desires to remove by austerities the guilt of stealing the gold (of a Brâhmana), shall perform the penance (prescribed) for the slayer of a Brâhmana, (living) in a forest and dressed in (garments made of) bark.

103. By these penances a twice-born man may remove the guilt incurred by a theft (of gold); but he may atone for connexion with a Guru's wife by the following penances.

104. He who has violated his Guru's bed, shall,

100-101. See above, VIII, 314-316.

101. At the end of the verse Gov., Kull., Nâr., Râgh., Nand., and K. read *vâ* instead of *tu* (Medh.(?) editions), which is variously explained. According to Nâr. and Nand., it means 'but.' Kull. thinks that it indicates that, while a Brâhmana must never be slain by the king, other Âryans also may perform austerities. According to Râgh., it refers to the optional recitation of the Gâyatrî, repeated 700,000 times; according to Nâr., to other penances, even such as end in death. But Gov. is probably right in assuming that 'the austerities' meant are those prescribed in the next verse.

102. Âp. I, 25, 10; Yâgñ. III, 258; Vi. LII, 3. According to Nâr., this verse refers to an 'unintentional' offence; according to Kull. and Râgh., to the theft of a small sum.

104-107. Âp. I, 25, 1-2, 10; 28, 15-18; Gaut. XXIII, 8-12;

after confessing his crime, extend himself on a heated iron bed, or embrace the red-hot image (of a woman); by dying he becomes pure;

105. Or, having himself cut off his organ and his testicles and having taken them in his joined hands, he may walk straight towards the region of Nirriti (the south-west), until he falls down (dead);

106. Or, carrying the foot of a bedstead, dressed in (garments of) bark and allowing his beard to grow, he may, with a concentrated mind, perform during a whole year the *Krikkhra* (or hard, penance), revealed by Pragâpati, in a lonely forest;

107. Or, controlling his organs, he may during three months continuously perform the lunar penance, (subsisting) on sacrificial food or barley-gruel, in order to remove (the guilt of) violating a Guru's bed.

108. By means of these penances men who have committed mortal sins (Mahâpâtaka) may remove their guilt, but those who committed minor offences, causing loss of caste, (Upapâtaka, can do it) by the various following penances.

Vas. XX, 13-14; Baudh. II, 1, 13-15; Vi. XXXIV, 2; LIII, 1; Yâgñ. III, 259-260.

104. According to Medh., the term 'Guru' denotes here 'the teacher or the father;' according to Kull., Nâr., and Râgh., 'the father;' and Nâr. particularly excludes an offence with a step-mother.

106. According to Medh., Kull., Râgh., this penance expiates incest committed by mistake; according to Nâr., the rule applies to the case when the offence was committed with a stepmother. Regarding the *Krikkhra* penance, see below, verse 212.

107. According to Medh. and Râgh., the rule refers to an offence committed with the wife of a paternal or of a maternal uncle, or of other minor Gurus; according to Kull., to an offence with an un-faithful or low-caste wife of a Guru. Regarding the lunar penance or *Kândrâyana*, see below, verse 217.

108. Nâr. takes mahâpâtakinaḥ, 'those who committed mortal

109. He who has committed a minor offence by slaying a cow (or bull) shall drink during (the first) month (a decoction of) barley-grains; having shaved all his hair, and covering himself with the hide (of the slain cow), he must live in a cow-house.

110. During the two (following) months he shall eat a small (quantity of food) without any factitious salt at every fourth meal-time, and shall bathe in the urine of cows, keeping his organs under control.

111. During the day he shall follow the cows and, standing upright, inhale the dust (raised by their hoofs); at night, after serving and worshipping them, he shall remain in the (posture, called) *virâsana*.

112. Controlling himself and free from anger, he must stand when they stand, follow them when they walk, and seat himself when they lie down.

113. (When a cow is) sick, or is threatened by danger from thieves, tigers, and the like, or falls, or sticks in a morass, he must relieve her by all possible means:

114. In heat, in rain, or in cold, or when the wind blows violently, he must not seek to shelter himself, without (first) sheltering the cows according to his ability.

115. Let him not say (a word), if a cow eats (anything) in his own or another's house or field or on the threshing-floor, or if a calf drinks (milk).

116. The slayer of a cow who serves cows in this

sins,' in the sense of 'those equal to mortal sinners,' i.e. those offenders who have been enumerated above, verse 56 seq.

109-117. Âp. I, 26, 1; Gaut. XXII, 18; Vi. L, 16-24; Yâgñ. III, 263-264.

111. 'In the (posture, called) *virâsana*,' i.e. 'seated without leaning against a wall or the like' (Kull., Nand.).

manner, removes after three months the guilt which he incurred by killing a cow.

117. But after he has fully performed the penance, he must give to (Brâhmanas) learned in the Veda ten cows and a bull, (or) if he does not possess (so much property) he must offer to them all he has.

118. Twice-born men who have committed (other) minor offences (Upapâtaka), except a student who has broken his vow (Avakîrñin), may perform, in order to purify themselves, the same penance or also a lunar penance.

119. But a student who has broken his vow shall offer at night on a crossway to Nirriti a one-eyed ass, according to the rule of the Pâkayagñas.

120. Having offered according to the rule oblations in the fire, he shall finally offer (four) oblations of clarified butter to Vâta, to Indra, to the teacher (of the gods, Brîhaspati) and to Agni, reciting the *Rik* verse 'May the Maruts grant me,' &c.

121. Those who know the Veda declare that a voluntary effusion of semen by a twice-born (youth) who fulfils the vow (of studentship constitutes) a breach of that vow.

122. The divine light which the Veda imparts to

117. Yâgñ. III, 265.

118-124. Âp. I, 26, 8; Gaut. XXV, 1-4; Vas. XXIII, 1-4; Baudh. II, 1, 30-35; Vi. XXVIII, 49-50; Yâgñ. III, 280.

118. According to Nâr. and Nand., the lunar penance is to be performed if the offence was committed unintentionally.

119. 'According to the rule of the Pâkayagñas,' i. e. 'according to the Pasukalpa, found in Âsvalâyana's and other Grîhya Sûtras,' Âsv. Grî. Sûtras I, 11 (Nâr.).

120. The verse is found Taittirîya Âranyaka II, 18, 4.

122. I read with Medh., Gov., and K., marutaḥ, instead of mârutam (Nand., editions).

the student, enters, if he breaks his vow, the Maruts, Puruhûta (Indra), the teacher (of the gods, Brîhaspati) and Pāvaka (Fire).

123. When this sin has been committed, he shall go begging to seven houses, dressed in the hide of the (sacrificed) ass, proclaiming his deed.

124. Subsisting on a single (daily meal that consists) of the alms obtained there and bathing at (the time of) the three savanas (morning, noon, and evening), he becomes pure after (the lapse of) one year.

125. For committing with intent any of the deeds which cause loss of caste (*Gâtibhramsakara*), (the offender) shall perform a *Sântapana Krikkhra*; (for doing it) unintentionally, (the *Krikkhra*) revealed by Pragâpati.

126. As atonement for deeds which degrade to a mixed caste (*Samkara*), and for those which make a man unworthy to receive gifts (*Apâtra*), (he shall perform) the lunar (penance) during a month; for (acts) which render impure (*Malinîkaranîya*) he shall scald himself during three days with (hot) barley-gruel.

127. One-fourth (of the penance) for the murder of a Brâhmana is prescribed (as expiation) for (intentionally) killing a Kshatriya, one-eighth for

125. Regarding the offences called *Gâtibhramsakara*, see above, verse 68. The *Sântapana Krikkhra* is described below, verse 213.

126. Regarding the three classes of offences, see above, 69-71. The penance of subsisting on barley-gruel is described Vi. XLVIII; Baudh. III, 6.

127-131. Âp. I, 24, 1-4; Gaut. XXII, 14-16; Vas. XX, 31-33; Baudh. I, 19, 1-2; II, 8-10; Vi. L, 12-14; Yâgñ. III, 266-267.

127. The word 'virtuous' is, according to the commentators, to be understood with 'a Kshatriya' and 'a Vaisya,' and the rule

killing a Vaisya; know that it is one-sixteenth for killing a virtuous Sûdra.

128. But if a Brâhmana unintentionally kills a Kshatriya, he shall give, in order to purify himself, one thousand cows and a bull;

129. Or he may perform the penance prescribed for the murderer of a Brâhmana during three years, controlling himself, wearing his hair in braids, staying far away from the village, and dwelling at the root of a tree.

130. A Brâhmana who has slain a virtuous Vaisya, shall perform the same penance during one year, or he may give one hundred cows and one (bull).

(verse 66), according to which the murder of a Sûdra, a Vaisya, and a Kshatriya is an Upapâtaka, to be expiated by a three months' Govrata or a lunar penance, refers to the cases of persons who do not live in accordance with the sacred law.

128. I read with Medh., Gov., Kull. (commentary), Nand., K., suddhyartham âtmanaḥ, instead of suḥaritavrataḥ (editions), which latter reading is evidently wrong.

129. According to Medh. and Râgh., this verse is merely a repetition of the rule given in verse 127. But others, mentioned by him, Gov., Kull., and Nâr., think that the special observances prescribed during the twelve years' penance, e. g. carrying a skull instead of a flag, which this verse does not expressly mention, need not be kept. Nand. reads dvyabdam, 'two years,' instead of tryabdam.

130. I read with Gov., Kull., Nâr., Râgh., Nand., and K. dadyâd vaikasatam, instead of dadyâṭkaikasatam (Medh., editions, and probably mentioned by Nâr.). According to Gov. and Kull. the two penances are to be performed optionally, in case a virtuous Vaisya has been killed unintentionally. Râgh. seems to hold the same opinion. But Medh. says that the first penance is to be performed for the murder of a Vaisya who was less distinguished than the one referred to in verse 127. Nâr. finally thinks that the verse refers to a Vaisya engaged in the performance of a sacrifice, and that the

131. He who has slain a Sûdra, shall perform that whole penance during six months, or he may also give ten white cows and one bull to a Brâhmana.

132. Having killed a cat, an ichneumon, a blue jay, a frog, a dog, an iguana, an owl, or a crow, he shall perform the penance for the murder of a Sûdra ;

133. Or he may drink milk during three days, or walk one hundred yoganas, or bathe in a river, or mutter the hymn addressed to the Waters.

134. For killing a snake, a Brâhmana shall give a spade of black iron, for a eunuch a load of straw and a mâsha of lead ;

particle vâ, 'or,' takes the place of the copula, and thus one penance only is prescribed.

131. Gov. and Kull. hold that these penances, too, are to be performed in the case of an unintentional homicide. Medh. explains sitâh, 'white,' to mean 'not white in colour, but (called so) because they resemble in purity (white substances), and give much milk and are accompanied by their calves.'

132. Âp. I, 25, 13 ; Gaut. XXII, 19 ; Vas. XXI, 24 ; Vi. L, 30-32 ; Yâgñ. III, 270. Gov., Kull., Nand. expressly state that the penance for the murder of a Sûdra is to be performed for intentionally (thus also Nâr.) killing any single one of these animals, while Medh. thinks that the rule holds good only if one has killed all of them. The penance intended is, according to Gov., Kull., Nâr., and Râgh., not that mentioned in the preceding verse, but the lunar penance (Gov., Kull., Râgh.), or the Govrata (Gov., Kull.), or the Tapta Krikkhra (Nâr.).

133. According to Gov., Kull., Nâr., Râgh., these penances are to be performed if the animal has been killed unintentionally ; according to Medh. they serve to expiate the slaughter of a single animal. The choice among the four penances depends according to Kull. and Râgh. on the strength of the offender, according to Gov. and Nâr. on his caste and other circumstances. 'A yogana,' i. e. $2\frac{1}{2}$ -9 miles. The hymn mentioned is found Rig-veda X, 9.

134. Gaut. XXII, 23, 25 ; Vi. L, 34-35 ; Yâgñ. III, 273. 'A Brâhmana,' i. e. 'even a Brâhmana' (Nâr.). The recipient of the gift is in every case a Brâhmana.

135. For a boar a pot of clarified butter, for a partridge a *drona* of sesamum-grains, for a parrot a calf two years old, for a crane (a calf) three years old.

136. If he has killed a *Hamsa*, a *Balâka*, a heron, a peacock, a monkey, a falcon, or a *Bhâsa*, he shall give a cow to a *Brâhmana*.

137. For killing a horse, he shall give a garment, for (killing) an elephant, five black bulls, for (killing) a goat, or a sheep, a draught-ox, for killing a donkey, (a calf) one year old;

138. But for killing carnivorous wild beasts, he shall give a milch-cow, for (killing) wild beasts that are not carnivorous, a heifer, for killing a camel, one *krishnala*.

139. For killing adulterous women of the four castes, he must give, in order to purify himself, respectively a leathern bag, a bow, a goat, or a sheep.

140. A twice-born man, who is unable to atone by gifts for the slaughter of a serpent and the other (creatures mentioned), shall perform for each of them, a *Krikkhra* (penance) in order to remove his guilt.

141. But for destroying one thousand (small)

135. Gaut. XXII, 24; Vi. L, 36-39; Yâgñ. III, 271, 273-274. *Kumbha*, 'a pot,' i. e. 'of 200 palas' (Nâr.). A *drona*, i. e. four *âdhakas* (Medh.), or 128 palas (Nâr.).

136. Vi. L, 33; Yâgñ. III, 272.

137. Vi. L, 25-28; Yâgñ. III, 271, 274.

138. Vi. L, 29, 40-41; Yâgñ. III, 272-273. 'A *krishnala*,' i. e. 'of gold' (Medh., Gov., Kull., Nâr., Nand., Râgh.).

139. Gaut. XXII, 26; Yâgñ. III, 268. 'Respectively,' i. e. according to the order of the castes. Râgh. adds 'unintentionally.'

140. Yâgñ. III, 274; Vas. XXI, 26.

141. Gaut. XXII, 20-21; Âp. I, 26, 2; Vas. XXI, 25; Vi. L, 46;

animals that have bones, or a whole cart-load of boneless (animals), he shall perform the penance (prescribed) for the murder of a Sûdra.

142. But for killing (small) animals which have bones, he should give some trifle to a Brâhmana; if he injures boneless (animals), he becomes pure by suppressing his breath (prânâyâma).

143. For cutting fruit-trees, shrubs, creepers, lianas, or flowering plants, one hundred *Rikas* must be muttered.

144. (For destroying) any kind of creature, bred in food, in condiments, in fruit, or in flowers, the expiation is to eat clarified butter.

145. If a man destroys for no good purpose plants produced by cultivation, or such as spontaneously spring up in the forest, he shall attend a cow during one day, subsisting on milk alone.

146. The guilt incurred intentionally or unintentionally by injuring (created beings) can be removed by means of these penances; hear (now, how) all

Yâgñ. III, 269. '(Small) animals that have bones,' i. e. 'lizards and the like' (Gov., Kull., Nâr.).

142. Vi. L, 47; Yâgñ. III, 275; Gaut. XXII, 22. The rule refers in each case to the destruction of a single animal (Medh., Gov., Kull., Râgh.), or of a number less than that mentioned in the preceding verse (Nâr.). 'Something,' i. e. one pana (Nâr.) or 'eight handfuls of grain' (Nand.).

143. Vi. L, 48; Yâgñ. III, 276. According to Kull. this penance must be performed for an offence committed once and unintentionally, because 'the cutting of green trees' has been declared above, verse 65, to be an Upapâtaka for which at least a lunar penance has to be performed. 'One hundred *Rikas*,' 'the Gâyatrî and the like' (Kull.), or 'the Gâyatrî one hundred times' (Nâr.).

144. Vi. L, 49; Yâgñ. III, 275. Rasa, 'condiments,' i. e. 'molasses, butter-milk and the like' (Medh., Gov., Kull.).

145. Vi. L, 50; Yâgñ. III, 144.

(sins) committed by partaking of forbidden food (or drink, can be expiated).

147. He who drinks unintentionally (the spirituous liquor, called) *Vârunî*, becomes pure by being initiated (again); (even for drinking it) intentionally (a penance) destructive to life must not be imposed; that is a settled rule.

148. He who has drunk water which has stood in a vessel used for keeping (the spirituous liquor, called) *Surâ*, or other intoxicating drinks, shall drink during five (days and) nights (nothing but) milk in which the *Saṅkha* (plant) has been boiled.

147. Âp. I, 25, 10; Gaut. XXIII, 2; Vas. XX, 19; Baudh. II, 1, 19; Vi. LI, 1, 4; Yâgñ. III, 255. '*Vârunî*,' i. e. 'liquor distilled from molasses or *Mauâ* flowers (*gaudî mâdhvî ka*), not that distilled from ground grain, because another penance has been prescribed above, verse 93' (Medh., Gov.). The other commentators agree with this explanation, as well as with the additional rule that a *Tapta Krikkhra* must be performed before the second initiation. Râgh. and Kull. quote also the *Bhaviṣhyapurâṇa*, which gives the same interpretation. The explanation of the second part of the verse is everywhere that which the translation follows except in Medh.'s and Nand.'s commentaries, where it is rendered '(for drinking even these two kinds of *Surâ*) intentionally (this penance) must not be prescribed, (but) one whereby death ensues.' In my opinion the commentators are totally wrong. I think that *Vârunî* means here, as elsewhere, *Surâ*, and that the first half of the verse prescribes the performance of a second initiation after the penance, mentioned in verse 93, has been performed, while the second line teaches that the intentional drinking of *Surâ* can be expiated by death alone. I would therefore propose, 'If a man unintentionally drinks *Surâ*, he becomes pure only by being initiated again; but (the guilt of him who drinks it) intentionally, cannot be expiated, it remains as long as he lives, that is a settled rule.' The correctness of my interpretation of the words *anirdesyam prâñantikam* follows from Gaut. XXI, 7.

148. Vas. XX, 21; Vi. LI, 23-24; Baudh. II, 1, 22.



149. He who has touched spirituous liquor, has given it away, or received it in accordance with the rule, or has drunk water left by a Sûdra, shall drink during three days water in which Kusa-grass has been boiled.

150. But when a Brâhmana who has partaken of Soma-juice, has smelt the odour exhaled by a drinker of Surâ, he becomes pure by thrice suppressing his breath in water, and eating clarified butter.

151. (Men of) the three twice-born castes who have unintentionally swallowed ordure or urine, or anything that has touched Surâ, must be initiated again.

152. The tonsure, (wearing) the sacred girdle, (carrying) a staff, going to beg, and the vows (incumbent on a student), are omitted on the second initiation of twice-born men.

153. But he who has eaten the food of men, whose food must not be eaten, or the leavings of women and Sûdras, or forbidden flesh, shall drink barley(-gruel) during seven (days and) nights.

149. 'According to the rule,' i. e. 'pronouncing a benediction (on the giver),' (Gov., Kull., Nâr., Râgh.), or 'at a Sautrâmanî sacrifice' (Nand.).

150. Gaut. XXIII, 6; Vi. LI, 25.

151. Gaut. XXIII, 3; Vas. XX, 20; Vi. LI, 2; Yâgñ. III, 235.

152. Vas. XX, 18; Baudh. II, 1, 20; Vi. LI, 5. 'The vows,' i. e. 'serving the fire, avoiding meat, honey and so forth' (Gov., Kull., Râgh.), and 'the Veda-vows' (Nâr.).

153. Vas. XIV, 33; Vi. LI, 50, 54, 56. See above, IV, 222, where another penance is prescribed for unknowingly eating food given by persons whose food must not be eaten. According to Kull. the two penances may be performed optionally, but according to Medh. and Nâr. this rule refers to an offence committed intentionally.

154. A twice-born man who has drunk (fluids that have turned) sour, or astringent decoctions, becomes, though (these substances may) not (be specially) forbidden, impure until they have been digested.

155. A twice-born man, who has swallowed the urine or ordure of a village pig, of a donkey, of a camel, of a jackal, of a monkey, or of a crow, shall perform a lunar penance.

156. He who has eaten dried meat; mushrooms growing on the ground, or (meat, the nature of) which is unknown, (or) such as had been kept in a slaughter-house, shall perform the same penance.

157. The atonement for partaking of (the meat of) carnivorous animals, of pigs, of camels, of cocks, of crows, of donkeys, and of human flesh, is a *Tapta Krikkhra* (penance).

158. If a twice-born man, who has not returned

154. 'Astringent decoctions,' i.e. 'those known to physicians are prepared from various herbs' (Medh.). Râgh. and Nand. think that *pîtva medhyânyapi* stands for *pîtva amedhyâni api*, and explain *amedhya* by 'garlic and the like.'

156. Vi. LI, 27, 34. Gov. and Râgh. take *agnâtam*, 'the nature of which is unknown,' to mean 'unintentionally.' Râgh. takes *bhaumâni*, 'growing on the ground,' separately, and interprets *kavakâni*, 'mushrooms,' by 'mushrooms growing on trees.' But Medh. says 'the word *bhaumâni* is used in order to exclude those growing in the holes (of trees) from the prohibition,' while Nâr. thinks that according to another *Smṛiti* another penance, the *Prasṛitiyāvaka*, shall be performed for eating the latter.

157. Gaut. XXIII, 4-5; Vas. XXIII, 30; Vi. LI, 3-4. With respect to this verse and the preceding one, see also above, V, 19-21, where other penances are prescribed. Kull. and Râgh. think that this rule refers to an offence committed once, while those given in the fifth chapter apply to a relapse. Regarding the *Tapta Krikkhra*, see below, verse 215.

158. Vi. LI, 43-44. The commentators state that the term

(home from his teacher's house), eats food, given at a monthly (Sṛāddha), he shall fast during three days and pass one day (standing) in water.

159. But a student who on any occasion eats honey or meat, shall perform an ordinary *Krikkhra* (penance), and afterwards complete his vow (of studentship).

160. He who eats what is left by a cat, by a crow, by a mouse (or rat), by a dog, or by an ichneumon, or (food) into which a hair or an insect has fallen, shall drink (a decoction of) the *Brahmasuvarkalā* (plant).

161. He who desires to be pure, must not eat forbidden food, and must vomit up such as he has eaten unintentionally, or quickly atone for it by (various) means of purification.

162. The various rules respecting penances for eating forbidden food have been thus declared; hear now the law of those penances which remove the guilt of theft.

māsika, 'a monthly (Sṛāddha),' refers to a so-called *Ekoddishā Sṛāddha*. According to Medh., 'others' thought that, because a student is allowed to partake of a Sṛāddha by II, 189, the inviter should perform the penance. According to Medh., the student shall on the fourth day stand in water; but according to Gov., Kull., on one of the three fast days; according to Nār., on the first.

159. Vi. LI, 45; Vas. XXIII, 12; Yāgñ. III, 282. Instead of *brahmaṣārī*, 'a student,' Medh., Gov., Nār., and Nand. read *vrata-kārī*, 'a man performing a vow,' and Nār. explains it by 'a student, a hermit, a widow, an ascetic and so forth,' while the other commentators refer the term to a student alone.

160. Vi. LI, 46; Vas. XXIII, 11. 'Food into which an insect or a hair has fallen,' i.e. 'without scattering earth on it' (Gov., Kull., Rāgh.). Nār. adds during one day.

161. Gaut. XXIII, 26. 'Means of purification,' i.e. 'penances' (Medh., Gov., Kull., Rāgh.), or 'purgative decoctions' ('others,' Medh., Nār., Nand.).

163. The chief of the twice-born, having voluntarily stolen (valuable) property, grain, or cooked food, from the house of a caste-fellow, is purified by performing *Krikkhra* (penances) during a whole year.

164. The lunar penance has been declared to be the expiation for stealing men and women, and (for wrongfully appropriating) a field, a house, or the water of wells and cisterns.

165. He who has stolen objects of small value from the house of another man, shall, after restoring the (stolen article), perform a *Sântapana Krikkhra* for his purification.

166. (To swallow) the five products of the cow (*pañkagavya*) is the atonement for stealing eatables of various kinds, a vehicle, a bed, a seat, flowers, roots, or fruit.

163. Vi. LII, 5. According to Medh. and Nâr. it is meant that others stealing the same articles from caste-fellows must perform the same penance. Medh., Gov., Kull., Nand., and Nâr. think that the verse gives the extreme limit of the penance, and that under special circumstances it may be reduced.

164. Vi. LII, 6. 'Men and women,' i. e. 'slaves' (Medh.). Râgh. mentions a var. lect. *tadâgânâm*, 'or a tank,' instead of *galânâm*, 'of the water.' Nâr. and Râgh. think that the penance is intended for an offence committed unintentionally.

165. Vi. LII, 7. 'Objects of small value,' i. e. 'earthen vessels, wooden ones, e. g. a trough, or iron utensils, e. g. a hoe' (Medh.), or 'tin, lead and the like' (Gov., Kull., Râgh.), or 'straw and the like' (Nâr.). K. omits 'after restoring,' and reads *tatpâpasya visudhaye*, 'for the expiation of that sin.'

166. Vi. LII, 8. Medh. says that the penance is to last one day only. Nâr. thinks that the *Mahâsântapana* penance is indicated by the mention of the *pañkagavya*, and that this holds good in the case of an unintentional offence only. Nand. adds, 'With this and the following rules the words "after restoring the property" have still their force;' so also Kull. on verse 165.

167. Fasting during three (days and) nights shall be (the penance for stealing) grass, wood, trees, dry food, molasses, clothes, leather, and meat.

168. To subsist during twelve days on (uncooked) grains (is the penance for stealing) gems, pearls, coral, copper, silver, iron, brass, or stone.

169. (For stealing) cotton, silk, wool, an animal with cloven hoofs, or one with uncloven hoofs, a bird, perfumes, medicinal herbs, or a rope (the penance is to subsist) during three days (on) milk.

170. By means of these penances, a twice-born man may remove the guilt of theft; but the guilt of approaching women who ought not to be approached (agamyâ), he may expiate by (the following) penances.

171. He who has had sexual intercourse with sisters by the same mother, with the wives of a friend, or of a son, with unmarried maidens, and with females of the lowest castes, shall perform the penance, prescribed for the violation of a Guru's bed.

167. Vi. LII, 9. According to Nâr. the rule refers to an unintentional offence.

168. Vi. LII, 10. According to Medh. the penance may be shortened according to the special circumstances of the case. Nâr. says, 'This refers to cases when the theft is not committed in times of distress.'

169. Vi. LII, 11. According to Nâr. this rule holds good if the theft is committed in times of distress and very small quantities are taken. Gov. and Kull. observe on this verse and the preceding ones, that the apparent inequality of the penances, which are prescribed equally for great and small things, will disappear if special circumstances, such as the frequency of the offence, time and place, the character of the owner and so forth, are taken into account.

171. Gaut. XXIII, 12-13, 32; Vas. XX, 15-16; Baudh. II, 1, 13; Vi. XXXIV, 2; XXXVI, 7; LIII, 1; Yâgñ. III, 233. See also above, verse 59. According to Medh., Gov., Kull., and Râgh., the penance to be performed is that mentioned above in verse 106, while self-immolation is prescribed for repeated intentional offences only. Nâr. speaks of a twelve years' penance.

172. He who has approached the daughter of his father's sister, (who is almost equal to) a sister, (the daughter) of his mother's sister, or of his mother's full brother, shall perform a lunar penance.

173. A wise man should not take as his wife any of these three; they must not be wedded because they are (*Sapinda*)-relatives, he who marries (one of them), sinks low.

174. A man who has committed a bestial crime, or an unnatural crime with a female, or has had intercourse in water, or with a menstruating woman, shall perform a *Sântapana Krikkhṛa*.

175. A twice-born man who commits an unnatural offence with a male, or has intercourse with a female in a cart drawn by oxen, in water, or in the day-time, shall bathe, dressed in his clothes.

176. A *Brâhmana* who unintentionally approaches a woman of the *Kandâla* or of (any other) very low caste, who eats (the food of such persons) and accepts

172. I read with all the commentators and K. in the second line *mâṭus ka bhrâtur âptasya* (*âptâm ka*, Nand.) instead of *mâṭus ka bhrâṭus tanayâm* (editions). According to Kull. and Nâr. the rule refers to an offence committed by mistake and, as the former says, once only.

173. This verse is directed against the custom of the southerners, mentioned by Baudh. I, 2, 3. 'Sinks low,' i.e. 'falls into hell or begets base-born offspring' (Medh.). Gov. and Kull. adopt the former explanation, while Nâr. says 'he becomes an outcast.'

174. Gaut. XXII, 36; XXIII, 34; Vi. LIII, 4, 7; Yâgñ. III, 288. A bestial crime with a cow is excepted, see Vi. LIII, 3. Medh. mentions a var. lect., *gale khe ka*, instead of *gale kaiva*, which agrees with Vishnu's text.

175. Vi. LIII, 4; Yâgñ. III, 291. Nâr. says that the verse refers to an unintentional offence.

176. Vas. XXIII, 41; Baudh. II, 4, 13-14; Vi. LIII, 5-6. 'Very low caste,' i.e. 'Mlekkhas or barbarians, Sabaras and so forth' (Medh., Gov., Kull.), or 'Sûtas and the like' (Nâr.), or 'Gavanas

(presents from them) becomes an outcast; but (if he does it) intentionally, he becomes their equal.

177. An exceedingly corrupt wife let her husband confine to one apartment, and compel her to perform the penance which is prescribed for males in cases of adultery.

178. If, being solicited by a man (of) equal (caste), she (afterwards) is again unfaithful, then a *Krikkhra* and a lunar penance are prescribed as the means of purifying her.

179. The sin which a twice-born man commits by dallying one night with a *Vrishali*, he removes in three years, by subsisting on alms and daily muttering (sacred texts).

180. The atonement (to be performed) by sinners (of) four (kinds) even, has been thus declared; hear now the penances for those who have intercourse with outcasts.

181. He who associates with an outcast, himself becomes an outcast after a year, not by sacrificing

(i. e. Mahommedans) and the like' (*Râgh.*). In the first case the penance for a *Patita* must be performed; in the second, no penance can be prescribed.

177. Vas. XXI, 8, 12-13; Vi. LIII, 8. Adultery is an *Upapâ-taka* according to verse 60, and to be expiated, according to verse 118, by a *Govrata* or a *Kândrâyana*, which latter seems to be here intended. The commentators add that the penance must be lighter or heavier, according to the caste of the male offender.

178. I read with Gov., *Nâr. upamantritâ* instead of *upayantritâ* (editions, K., Nand.). Medh. seems to have read *anumantritâ*.

179. Âp. I, 27, 11; Baudh. II, 2, 11; Vi. LIII, 9. 'A *Vrishali*,' i. e. a *Kandâlî* (Medh., Kull., *Râgh.*). But others, mentioned by Medh., Gov., and *Nâr.*, think that a *Sûdra* female is meant. Nand. places this verse before verse 178.

181. Gaut. XXI, 3; Vas. I, 22; Baudh. II, 2, 35; *Yâgñ.* III, 261; Vi. XXXV, 3-5. Gov. and *Nâr.* explain the verse differently, 'He who associates with an outcast by sacrificing for him or by forming

for him, teaching him, or forming a matrimonial alliance with him, but by using the same carriage or seat, or by eating with him.

182. He who associates with any one of those outcasts, must perform, in order to atone for (such) intercourse, the penance prescribed for that (sinner).

183. The *Sapindas* and *Samânodakas* of an outcast must offer (a libation of) water (to him, as if he were dead), outside (the village), on an inauspicious day, in the evening and in the presence of the relatives, officiating priests, and teachers.

184. A female slave shall upset with her foot a pot filled with water, as if it were for a dead person; (his *Sapindas*) as well as the *Samânodakas* shall be impure for a day and a night;

185. But thenceforward it shall be forbidden to converse with him, to sit with him, to give him a share of the inheritance, and to hold with him such intercourse as is usual among men;

186. And (if he be the eldest) his right of primogeniture shall be withheld and the additional share,

a matrimonial alliance with him, himself becomes an outcast after a year, but not by using the same carriage or seat or eating with him.' In the latter case four years are required. The parallel passage of *Vishnu* shows, however, clearly what is meant.

182. Vi. LIV, 1.

183-186. Gaut. XX, 4-7; Vas. XV, 12-16; Baudh. II, 1, 36; Yâgñ. III, 295.

183. 'In the presence of the relatives, &c.,' i.e. 'of those who perform the ceremony, not of those of the outcast' (Medh.).

184. 'As if it were for a dead person,' i.e. 'saying, "This is for N. N."' (Medh.), 'turning to the south' (Gov., Kull., Nâr., Nand., Râgh.).

185. I prefer K.'s reading *nivarterams tatas tasmât*. According to Medh. 'others' explained *dâyâdya*, 'a share of the inheritance,' by 'money,' and thought that all sums due to him were to be given to his heirs.



due to the eldest son; and in his stead a younger brother, excelling in virtue; shall obtain the share of the eldest.

187. But when he has performed his penance, they shall bathe with him in a holy pool and throw down a new pot, filled with water.

188. But he shall throw that pot into water, enter his house and perform, as before, all the duties incumbent on a relative.

189. Let him follow the same rule in the case of female outcasts; but clothes, food, and drink shall be given to them, and they shall live close to the (family-)house.

190. Let him not transact any business with unpurified sinners; but let him in no way reproach those who have made atonement.

191. Let him not dwell together with the murderers of children, with those who have returned evil for good, and with the slayers of suppliants for protection or of women, though they may have been purified according to the sacred law.

192. Those twice-born men who may not have been taught the Sâvitri (at the time) prescribed by the rule, he shall cause to perform three *Krikkhra* (penances) and afterwards initiate them in accordance with the law.

187-188. Gaut. XX, 10-14; Vas. XV, 17-21; Baudh. II, 1, 36; Yâgñ. III, 296.

188. Thus Gov., Kull., Râgh., and others quoted by Medh. But the latter commentator himself refers *sâ tu*, 'but he,' to one of the relatives, and Nâr. seems to agree with him.

189. Yâgñ. III, 297.

190-191. Vi. LIV, 32-33; Yâgñ. III, 299.

192. Âp. I, 1, 23-2, 10; Vas. XI, 76-79; Vi. LIV, 26. Regarding the times of the initiation, see above, II, 38.

193. Let him prescribe the same (expiation) when twice-born men, who follow forbidden occupations or have neglected (to learn) the Veda, desire to perform a penance.

194. If Brâhmanas acquire property by a reprehensible action, they become pure by relinquishing it, muttering prayers, and (performing) austerities.

195. By muttering with a concentrated mind the Sâvitri three thousand times, (dwelling) for a month in a cow-house, (and) subsisting on milk, (a man) is freed from (the guilt of) accepting presents from a wicked man.

196. But when he returns from the cow-house, emaciated with his fast, and reverently salutes, (the Brâhmanas) shall ask him, 'Friend, dost thou desire to become our equal?'

197. If he answers to the Brâhmanas, 'Forsooth, (I will not offend again),' he shall scatter (some) grass for the cows; if the cows hallow that place (by eating the grass) the (Brâhmana) shall re-admit him (into their community).

193. Vi. LIV, 27.

194. Vi. LIV, 24, 28; Yâgñ. III, 290. 'By a reprehensible action,' i.e. 'by receiving presents from wicked men or, according to others, by acquiring money in any manner forbidden to him. The latter extend the rule to other Âryans' (Medh.). Gov., Kull., and Nâr. refer the verse to Brâhmanas and to their accepting presents from wicked men and similar acts.

195. Medh. remarks that according to some the offender shall daily recite the Gâyatri three thousand times, according to others three thousand times in the whole month.

196-197. Yâgñ. III, 300.

197. The beginning of the verse is explained differently by Nâr. and Nand.: 'If he tells the truth to the Brâhmanas, i.e. with respect to his offence and his penance.' Medh. takes tîrtha in its usual sense, 'a bathing-place,' and connects it with pratigrahaṁ kuryuḥ,

198. He who has sacrificed for Vrâtyas, or has performed the obsequies of strangers, or a magic sacrifice (intended to destroy life) or an Ahîna sacrifice, removes (his guilt) by three *Krikkhra* (penances).

199. A twice-born man who has cast off a suppliant for protection, or has (improperly) divulged the Veda, atones for his offence, if he subsists during a year on barley.

200. He who has been bitten by a dog, a jackal, or a donkey, by a tame carnivorous animal, by a man, a horse, a camel, or a (village-)pig, becomes pure by suppressing his breath (*Prânâyâma*).

201. To eat during a month at each sixth meal-time (only), to recite the *Samhitâ* (of a Veda), and (to perform) daily the *Sâkala* oblations, are the means of purifying those excluded from society at repasts (*Apânktya*).

'they shall re-admit at the bathing-place.' Nâr. says it means *vya-vahâravartman*. The translation follows Gov., Kull., and Râgh.

198. Âp. I, 26, 7; Vi. LIV, 25; Yâgñ. III, 289. Vrâtyas, see above, X, 20. 'A magic rite (intended to destroy life),' i.e. 'a Syena sacrifice and the like.' The Ahîna sacrifices are those lasting between two and twelve days; see Weber, Ind. Stud. X, 355. Medh. thinks that the rule refers to the person who offers the sacrifices (*yagamâna*), while others mentioned by him hold that it applies to the officiating priests.

199. Yâgñ. III, 289. *Vedam viplâvya*, 'having (improperly) divulged the Veda,' i.e. 'having taught people who ought not to be taught' (Medh., Gov., Kull., Nand.), means according to Nâr. 'having improperly interpreted the Veda or perverted its sense by omitting *Anusvâras*, *Visargas*, and the like,' according to Râgh. 'having intentionally forgotten it.'

200. Gaut. XXIII, 7; Vas. XXIII, 31; Vi. LIV, 12; Yâgñ. III, 277. 'A tame carnivorous animal,' i.e. 'a cat, an ichneumon, and so forth' (Medh., Gov., Kull., Râgh.). Nâr. reads *agrâmyaiḥ* (*grâmyaiḥ*) *kravyâdbliḥ*, and gives as an instance 'a wolf.'

201. Regarding the *Apânktyas*, elsewhere called *Pañktidûshayas*,

202. A Brâhmana who voluntarily rode in a carriage drawn by camels or by asses, and he who bathed naked, become pure by suppressing his breath (Prânâyâma).

203. He who has relieved the necessities of nature, being greatly pressed, either without (using) water or in water, becomes pure by bathing outside (the village) in his clothes and by touching a cow.

204. Fasting is the penance for omitting the daily rites prescribed by the Veda and for neglecting the special duties of a Snâtaka.

205. He who has said 'Hum' to a Brâhmana, or has addressed one of his betters with 'Thou,' shall bathe, fast during the remaining part of the day, and appease (the person offended) by a reverential salutation.

206. He who has struck (a Brâhmana) even with a blade of grass, tied him by the neck with a cloth, or conquered him in an altercation, shall appease him by a prostration.

'defilers of the company,' see above, III, 151 seq. Nâr. remarks that this penance is to be performed by those only for whom no other expiation is specially prescribed. The Sâkala-homas are oblations offered with the eight verses Vâgasaneyi-samhitâ VIII, 13.

202. Vi. LIV, 23; Yâgñ. III, 291. Medh. and Kull. remark that he who rides on the back of camels or donkeys has to perform more than one Prânâyâma.

203. Vi. LIV, 10. 'Outside the village,' i.e. 'in a river or the like' (Medh., Gov., Kull., Râgh.).

204. Vi. LIV, 29. The rules for a Snâtaka are those given in the fourth chapter. The daily rites are the Agnihotra and so forth. The fasting is to last one day (Medh., Kull., Nâr.).

205. Yâgñ. III, 292. 'One's betters ought to be addressed with "You"' (Medh.).

206. Yâgñ. III, 292. See above, IV, 166. Gov. and Nâr. say, 'a Brâhmana more venerable than himself.'

207. But he who, intending to hurt a Brâhmana, has threatened (him with a stick and the like) shall remain in hell during a hundred years; he who (actually) struck him, during one thousand years.

208. As many particles of dust as the blood of a Brâhmana causes to coagulate, for so many thousand years shall the shedder of that (blood) remain in hell.

209. For threatening a Brâhmana, (the offender) shall perform a *Krikkhra*, for striking him an *Atikrikkhra*, for shedding his blood a *Krikkhra* and an *Atikrikkhra*.

210. For the expiation of offences for which no atonement has been prescribed, let him fix a penance after considering (the offender's) strength and the (nature of the) offence.

211. I will (now) describe to you those means, adopted by the gods, the sages, and the manes, through which a man may remove his sins.

212. A twice-born man who performs (the *Krikkhra* penance), revealed by Pragâpati, shall eat during three days in the morning (only), during (the next) three days in the evening (only), during the (following) three days (food given) unasked, and shall fast during another period of three days.

207-208. See above, IV, 165, 167-169, where slightly different versions of these verses occur. I read with all the commentators and K. *dviganmanaḥ*, 'of a Brâhmana,' instead of *mahîtale*, 'on the ground' (editions).

209. Vi. LIV, 30; Yâgñ. III, 293. Medh. points out that these offences have already been dealt with above in verses 67 and 125, and thinks that the penance prescribed in the latter verse may be performed optionally instead of those mentioned here.

210. Vi. LIV, 34; Yâgñ. III, 294.

212. Âp. I, 27, 7; Gaut. XXVI, 2-5; Vas. XXI, 20; Baudh. II,

213. (Subsisting on) the urine of cows, cowdung, milk, sour milk, clarified butter, and a decoction of Kusa-grass, and fasting during one (day and) night, (that is) called a *Sântapana Krikkhra*.

214. A twice-born man who performs an *Atikrikkhra* (penance), must take his food during three periods of three days in the manner described above, (but) one mouthful only at each meal, and fast during the last three days.

215. A *Brâhmana* who performs a *Taptakrikkhra* (penance) must drink hot water, hot milk, hot clarified butter and (inhale) hot air, each during three days, and bathe once with a concentrated mind.

216. A fast for twelve days by a man who controls himself and commits no mistakes, is called a *Parâka Krikkhra*, which removes all guilt.

217. If one diminishes (one's food daily by) one

2, 38; IV, 5, 6-7; Vi. XLVI, 10; *Yâgñ.* III, 320. According to Medh., food which a wife brings unasked is also 'food given unasked.'

213. Baudh. IV, 5, 13; Vi. XLVI, 19; *Yâgñ.* III, 313. There are two ways of performing this penance: Either the penitent may eat the six substances during one day and fast on the next, or he may subsist one day on each of the six and fast on the seventh day (Medh., Gov.). The other commentators give the first explanation only.

214. Gaut. XXV, 18-19; Vas. XXIV, 1-2; Baudh. II, 2, 40; IV, 5, 8; *Yâgñ.* III, 320. 'Above,' i.e. in verse 213.

215. Vas. XXI, 18; Baudh. II, 2, 37; IV, 5, 10; Vi. XLVI, 11; *Yâgñ.* III, 318.

216. Baudh. IV, 5, 15; Vi. XLVI, 18; *Yâgñ.* III, 221. 'Commits no mistakes,' i.e. 'with respect to the general rules to be followed during the performance of a *Krikkhra*,' see Vas. XXIV, 5 (Medh., Nâr.).

217-226. Gaut. XXVII; Vas. XXIV, 45-47; XXVII, 21; Baudh. III, 8; IV, 5, 17-21; Vi. XLVII; *Yâgñ.* III, 324-327.

217. The form of the lunar penance described in this verse is

mouthful during the dark (half of the month) and increases (it in the same manner) during the bright half, and bathes (daily) at the time of three libations (morning, noon, and evening), that is called a lunar penance (*Kândrâyana*).

218. Let him follow throughout the same rule at the (*Kândrâyana*, called) *yavamadhyama* (shaped like a barley-corn), (but) let him (in that case) begin the lunar penance, (with a) controlled (mind), on the first day of the bright half (of the month).

219. He who performs the lunar penance of ascetics, shall eat (during a month) daily at midday eight mouthfuls, controlling himself and consuming sacrificial food (only).

220. If a *Brâhmana*, with concentrated mind, eats (during a month daily) four mouthfuls in a morning and four after sunset, (that is) called the lunar penance of children.

221. He who, concentrating his mind, eats during a month in any way thrice eighty mouthfuls of sacrificial food, dwells (after death) in the world of the moon.

222. The Rudras, likewise the *Âdityas*, the *Vasus* and the *Maruts*, together with the great sages, practised this (rite) in order to remove all evil.

223. Burnt oblations, accompanied by (the recitation of) the *Mahâvyâhṛtis*, must daily be made (by

the so-called *pipṣlikâmadhya* or ant-shaped one, where the fast or lean days lie in the middle.

218. It will be advisable to read with *Medh.* and *Gov.*, in the second line, *ġaret* instead of *ġaran*. *Gov.* has *ġaran* in the first line. *Nand.* reads the last words quite differently, (*niyatas*) *ġândrâyanam athâparam*.

221. 'In any way,' i. e. 'without observing any particular limit as to the number of mouthfuls to be eaten on each day' (*Nâr.*).

the penitent) himself, and he must abstain from injuring (sentient creatures), speak the truth, and keep himself free from anger and from dishonesty.

224. Let him bathe three times each day and thrice each night, dressed in his clothes; let him on no account talk to women, Sûdras, and outcasts.

225. Let him pass the time standing (during the day) and sitting (during the night), or if he is unable (to do that) let him lie on the (bare) ground; let him be chaste and observe the vows (of a student) and worship his Gurus, the gods, and Brâhmanas.

226. Let him constantly mutter the Sâvitri and (other) purificatory texts according to his ability; (let him) carefully (act thus) on (the occasion of) all (other) vows (performed) by way of penance.

227. By these expiations twice-born men must be purified whose sins are known, but let him purify those whose sins are not known by (the recitation of) sacred texts and by (the performance of) burnt oblations.

224. Medh. remarks that the penitent may however talk to the female members of his household, if an occasion requires it.

225. Vratî syât, 'observe the vows (of a student),' i.e. 'wear the girdle of Muñga-grass, a staff and so forth' (Gov., Kull. Nâr.), means according to Medh. 'let him resolve to abstain from that which is not forbidden by good men.'

226. 'Purificatory texts,' i.e. 'the Aghamarshana, the Pâvamânîs and so forth;' see Vi. LVI. '(Other) vows,' i.e. 'the Krikkhras.'

227. Vas. XXV, 3. Penances are usually imposed by a parishad, an assembly of learned Brâhmanas. In the case of secret sins the penances shall be settled by the learned in a general way, not with reference to a special case. By this interpretation the commentators get over the difficulty which the reading sodhayet, 'let him purify,' offers. But Nâr. reads anâvishkrîtapâpâs tu mantrair homais ka sodhanaiḥ, 'but those whose sins are not known, by sacred texts and burnt oblations, (declared to be) means of purification.'

228. By confession, by repentance, by austerity, and by reciting (the Veda) a sinner is freed from guilt, and in case no other course is possible, by liberality.

229. In proportion as a man who has done wrong, himself confesses it, even so far he is freed from guilt, as a snake from its slough.

230. In proportion as his heart loathes his evil deed, even so far is his body freed from that guilt.

231. He who has committed a sin and has repented, is freed from that sin, but he is purified only by (the resolution of) ceasing (to sin and thinking) 'I will do so no more.'

232. Having thus considered in his mind what results will arise from his deeds after death, let him always be good in thoughts, speech, and actions.

233. He who, having either unintentionally or intentionally committed a reprehensible deed, desires to be freed from (the guilt of) it, must not commit it a second time.

234. If his mind be uneasy with respect to any act, let him repeat the austerities (prescribed as a penance) for it until they fully satisfy (his conscience).

235. All the bliss of gods and men is declared by the sages to whom the Veda was revealed, to have

228. Âpadi, 'in case no other course is possible,' i.e. 'if the offender is unable to perform penances or to recite Vedic texts.'

230. 'His body,' i.e. 'the soul in his body' (Medh., Gov., Kull., Nand.), or 'the subtle body' (Nâr.).

231. Instead of *naivam*, 'so no (more),' Nâr. reads *nainaḥ* ('I will) not sin (any more),' and K.'s reading *nainam* points to the same var. lect. Gov., Nand., and the best MS. of Medh. read *naitat kuryât punar iti*, and the translation would then be 'but he is purified (only) by ceasing (to sin), thereby that he does so no more.'

235. 'To have austerity for its root, austerity for its middle, and

austerity for its root, austerity for its middle, and austerity for its end.

236. (The pursuit of sacred) knowledge is the austerity of a Brâhmaṇa, protecting (the people) is the austerity of a Kshatriya, (the pursuit of) his daily business is the austerity of a Vaisya, and service the austerity of a Sûdra.

237. The sages who control themselves and subsist on fruit, roots, and air, survey the three worlds together with their moving and immovable (creatures) through their austerities alone.

238. Medicines, good health, learning, and the various divine stations are attained by austerities alone; for austerity is the means of gaining them.

239. Whatever is hard to be traversed, whatever is hard to be attained, whatever is hard to be reached, whatever is hard to be performed, all (this) may be accomplished by austerities; for austerity (possesses a power) which it is difficult to surpass.

240. Both those who have committed mortal sin (Mahâpâtaka) and all other offenders are severally freed from their guilt by means of well-performed austerities.

241. Insects, snakes, moths, bees, birds and beings, bereft of motion, reach heaven by the power of austerities.

austerity for its end,' i. e. 'to be produced, to continue, and to end in consequence of austerities performed' (Medh., Kull., Nâr.).

238. Medh. explains aushadhâni, 'medicines,' by 'elixirs.' Instead of agado (Kull., K., Râgh.) Medh., Gov., Nâr., and Nand. read agadâh, and explain it by 'medicines' (Medh., Nand.), 'remedies or charms against poison' (Gov., Nâr.).

241. Instead of ki'âs ka, 'insects,' Nâr. reads svânas ka, 'dogs.' Gov. and Nand. say that the verse refers to the Kî'opâkhyâna and the Kapotâkhyâna, told in the Iihâsâs (Mahâbhârata XII).



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242. Whatever sin men commit by thoughts, words, or deeds, that they speedily burn away by penance, if they keep penance as their only riches.

243. The gods accept the offerings of that Brâhmaṇa alone who has purified himself by austerities, and grant to him all he desires.

244. The lord, Pragâpati, created these Institutes (of the sacred law) by his austerities alone; the sages likewise obtained (the revelation of) the Vedas through their austerities.

245. The gods, discerning that the holy origin of this whole (world) is from austerity, have thus proclaimed the incomparable power of austerity.

246. The daily study of the Veda, the performance of the great sacrifices according to one's ability, (and) patience (in suffering) quickly destroy all guilt, even that caused by mortal sins.

247. As a fire in one moment consumes with its bright flame the fuel that has been placed on it, even so he who knows the Veda destroys all guilt by the fire of knowledge.

248. The penances for sins (made public) have been thus declared according to the law; learn next the penances for secret (sins).

249. Sixteen suppressions of the breath (Prânâyâma) accompanied by (the recitation of) the Vyâhr̥itis

245. I read with all the commentators and K. at the end of the verse, *adbhavam*, instead of *uttamam* (editions).

246. Vas. XXVII, 7; Yâgñ. III, 311.

247. Vas. XXVII, 1-2.

248. Kull. and Râgh. state that Gov. omits this verse, while Medh. gives it. The accessible MS. of Gov., however, shows it, but without a commentary. Medh. says only that 'some' read it. Nâr. and Nand. omit it.

249. Vas. XXVI, 4; Vi. LV, 5; Baudh. IV, 1, 29. The best

and of the syllable Om, purify, if they are repeated daily, after a month even the murderer of a learned Brāhmaṇa.

250. Even a drinker of (the spirituous liquor called) Surâ becomes pure, if he mutters the hymn (seen) by Kutsa, 'Removing by thy splendour our guilt, O Agni,' &c., (that seen) by Vasishtha, 'With their hymns the Vasishthas woke the Dawn,' &c., the Mâhitra (hymn) and (the verses called) Suddhavâtis.

251. Even he who has stolen gold, instantly becomes free from guilt, if he once mutters (the hymn beginning with the words) 'The middlemost brother of this beautiful, ancient Hotri-priest' and the Sivasamkalpa.

252. The violator of a Guru's bed is freed (from sin), if he repeatedly recites the Havishpântiya (hymn), (that beginning) 'Neither anxiety nor misfortune,' (and that beginning) 'Thus, verily, thus,' and mutters the hymn addressed to Purusha.

253. He who desires to expiate sins great or

explanation of the words 'accompanied by (the recitation of) the Vyâhrîtis and (of) the syllable Om' is Nâr.'s, who asserts that they indicate the necessity of reciting the Gâyatrî with the Siras text during the performance of each Prânâyâma; see Vas. XXV, 13.

250. Vas. XXVI, 5. The hymn seen by Kutsa, i. e. Rig-veda I, 97; that seen by Vasishtha, i. e. Rig-veda VII, 80. The Mâhitra hymn, i. e. Rig-veda X, 185. The Suddhavâtis, i. e. Rig-veda VIII, 84, 7-9. Medh., Gov., Nâr., and K. read mâhendram for mâhitram, and Nâr. adds that some give the latter reading. The hymns are to be recited during a month sixteen times (Gov., Kull., Râgh.), or 108 times a day (Nâr.).

251. Vas. XXVI, 6. The hymn is found Rig-veda I, 164; the Sivasamkalpa, Vâg. Samh. XXXIV, 1. 'Once,' i. e. 'once daily during a month' (Gov., Kull., Nâr.).

252. Vas. XXVI, 7; Yâgñ. III, 305. The four hymns are Rig-veda X, 88; X, 126; X, 119; and X, 90.

253. The two verses are found Rig-veda I, 24, 14, and VII, 89, 5.

small, must mutter during a year the *Rik*-verse 'May we remove thy anger, O Varuna,' &c., or 'Whatever offence here, O Varuna,' &c.

254. That man who, having accepted presents which ought not to be accepted, or having eaten forbidden food, mutters the Taratsamandiya (*Rikas*), becomes pure after three days.

255. But he who has committed many sins, becomes pure, if he recites during a month the (four verses) addressed to Soma and Rudra, and the three verses (beginning) 'Aryaman, Varuna, and Mitra,' while he bathes in a river.

256. A grievous offender shall mutter the seven verses (beginning with) 'Indra,' for half a year; but he who has committed any blamable act in water, shall subsist during a month on food obtained by begging.

257. A twice-born man removes even very great guilt by offering clarified butter with the sacred texts belonging to the Sâkala-homas, or by muttering the *Rik*, (beginning) 'Adoration.'

258. He who is stained by mortal sin, becomes pure, if, with a concentrated mind, he attends cows for a year, reciting the Pâvamâni (hymns) and subsisting on alms.

254. Gaut. XXIV, 2-3; Baudh. IV, 2, 4-5. The verses are found Rig-veda IX, 58, 1-4.

255. The verses are found Rig-veda VI, 74, 1-4, and IV, 2, 4-6.

256. The verses are found Rig-veda I, 106, 1-7.

257. The Mantras for the Sâkala-homas, i.e. Vâg. Samh. VIII, 13. The verse is found Rig-veda VI, 51, 8. According to Nâr. the Mantras must be muttered 108 times.

258. The Pâvamâni hymns, i.e. the ninth Mandala of the Rig-veda.

259. Or if, pure (in mind and in body), he thrice repeats the *Samhitâ* of the Veda in a forest, sanctified by three *Parâka* (penances), he is freed from all crimes causing loss of caste (*pâtaka*).

260. But if (a man) fasts during three days, bathing thrice a day, and muttering (in the water the hymn seen by) *Aghamarshana*, he is (likewise) freed from all sins causing loss of caste.

261. As the horse-sacrifice, the king of sacrifices, removes all sin, even so the *Aghamarshana* hymn effaces all guilt.

262. A *Brâhmana* who retains in his memory the *Rig-veda* is not stained by guilt, though he may have destroyed these three worlds, though he may eat the food of anybody.

263. He who, with a concentrated mind, thrice recites the *Riksamhitâ*, or (that of the) *Yagur-veda*, or (that of the) *Sâma-veda* together with the secret (texts, the *Upanishads*), is completely freed from all sins.

264. As a clod of earth, falling into a great lake, is quickly dissolved, even so every sinful act is engulfed in the threefold Veda.

265. The *Rikas*, the *Yagus* (-formulas) which differ (from the former), the manifold *Sâman* (-songs), must

259. 'The *Samhitâ*,' i. e. the Mantras and *Brâhmanas* (Kull., Râgh.), the former alone (Nâr.). 'Parâka penances,' see above, verse 216. The verse seems to refer to the *Anasnatpârâyana*, fully described by Baudh. III, 9.

260-261. Gaut. XXIV, 10-12; Vas. XXVI, 8; Baudh. III, 5; IV, 2, 15; Vi. LV, 7; Yâgñ. III, 302. The *Aghamarshana* is found *Rig-veda* X, 190.

262. Vas. XXVII, 3.

263. Baudh. IV, 5, 29.

264. I read with Gov., Nand., and K. pr. manu 'kshipram' instead of 'ksiptam' (Medh., K. sec. manu, editions).

265. Medh. and Gov. read âdyâni, 'chief,' instead of anyâni, 'which differ,' Medh. explains it as 'either those found in the

be known (to form) the triple Veda; he who knows them, (is called) learned in the Veda.

266. The initial triliteral Brahman on which the threefold (sacred science) is based, is another triple Veda which must be kept secret; he who knows that, (is called) learned in the Veda.

CHAPTER XII.

1. 'O sinless One, the whole sacred law, (applicable) to the four castes, has been declared by thee; communicate to us (now), according to the truth, the ultimate retribution for (their) deeds.'

2. To the great sages (who addressed him thus) righteous Bhrigu, sprung from Manu, answered, 'Hear the decision concerning this whole connexion with actions.'

3. Action, which springs from the mind, from speech, and from the body, produces either good or evil results; by action are caused the (various) conditions of men, the highest, the middling, and the lowest.

4. Know that the mind is the instigator here

Samhitâ, not those read in the *Brâhmana* or those recited according to the *Samhitâpâṭha*, not those recited according to the *Pada* or *Kramapâṭhas*.' Gov. gives the first explanation only.

266. K. omits this verse, and inserts in its stead the following lines:

esha vo vadita[*bhīhita*]s sarvaḥ prāyaskittavinirnayaḥ |
naiḥsreyasaṁ karmavidhim viprasyaitaṁ nibodhata ||
ataḥ param pravakshyāmi samsāraavidhim uttamam |

Nand. gives the first two lines after verse 266, reading, however, *ityeshâ(?)bhīhitaḥ*.

XII. 1. Râgh. takes *tattvataḥ param* separately and explains the second line as follows: 'communicate to us (now) the retribution for (their) deeds (and) supreme (liberation, which springs) from (the recognition of) truth.'

4. 'Of three kinds,' i.e. 'good, middling, or bad.' 'Has three



below, even to that (action) which is connected with the body, (and) which is of three kinds, has three locations, and falls under ten heads.

5. Coveting the property of others, thinking in one's heart of what is undesirable, and adherence to false (doctrines), are the three kinds of (sinful) mental action.

6. Abusing (others, speaking) untruth, detracting from the merits of all men, and talking idly, shall be the four kinds of (evil) verbal action.

7. Taking what has not been given, injuring (creatures) without the sanction of the law, and holding criminal intercourse with another man's wife, are declared to be the three kinds of (wicked) bodily action.

8. (A man) obtains (the result of) a good or evil mental (act) in his mind, (that of) a verbal (act) in his speech, (that of) a bodily (act) in his body.

9. In consequence of (many) sinful acts committed with his body, a man becomes (in the next birth) something inanimate, in consequence (of sins) com-

locations,' i. e. 'the mind, speech, and the body.' 'Falls under ten heads,' i. e. 'those mentioned in verses 5-7.' The mind, which is here called the instigator, is the internal organ, which has the faculty of *samkalpa*, 'volition.'

5. 'Thinking in one's heart what is undesirable,' means according to Medh. either 'thinking of or wishing anything that may be injurious to others or what is forbidden.' Gov. and Nâr. give the first explanation, the other commentators the second. Others mentioned by Medh. explained *vitathâbhinivesam*, 'adherence to false doctrines' (i. e. the denial of a future state, of the authority of the Vedas and so forth), by 'a constant deep hatred.' In their remarks on this verse and the next two, the commentators point out that the opposites of the acts mentioned are the different kinds of good actions.

5-9. Yâgñ. III, 131, 134-136.

mitted by speech, a bird, or a beast, and in consequence of mental (sins he is re-born in) a low caste.

10. That man is called a (true) *tridandīn* in whose mind these three, the control over his speech (*vâgdanda*), the control over his thoughts (*manodanda*), and the control over his body (*kâyadanda*), are firmly fixed.

11. That man who keeps this threefold control (over himself) with respect to all created beings and wholly subdues desire and wrath, thereby assuredly gains complete success.

12. Him who impels this (corporeal) Self to action, they call the *Kshetragña* (the knower of the field); but him who does the acts, the wise name the *Bhûtâtman* (the Self consisting of the elements).

13. Another internal Self that is generated with all embodied (*Kshetragñas*) is called *Gīva*, through which (the *Kshetragña*) becomes sensible of all pleasure and pain in (successive) births.

10. Usually an ascetic who wears three staves (*danda*) tied together, is called a *tridandīn*. According to our verse this outward sign avails nothing. That man only deserves the name *tridandīn* who keeps a threefold control (*danda*) over himself.

11. 'Complete success,' i. e. 'final liberation.'

12. 'This (corporeal) Self,' i. e. 'the body' (Medh., Gov., Kull.), or 'the gross visible body which includes the three sheaths' (Râgh., Nâr.). 'The *Kshetragña* (the knower of the field),' i. e. 'the individual Soul (*Gīva*),' (Medh. on verse 13, Nâr.), the *Paramâtman* (Nand.); Râgh. quotes, in explanation of the term 'the field,' *Bhagavadgîtâ* XIII, 5-6. 'The *Bhûtâtman* (the Self consisting of the elements),' i. e. 'the body which is composed of or a modification of the elements, i. e. of earth and so forth' (Medh., Gov., Kull., Râgh.), 'the Self which has the form of the non-sentient, the elements and so forth' (Nâr.), or 'the *Gīva*' (Nand.).

13. According to Medh. 'some' understand by the term *Gīva* 'the subtile body (*linga sarīra*) which is overspread by Mahat, the Great One,' because the individual soul, which is usually called

14. These two, the Great One and the Kshetragnā, who are closely united with the elements, pervade him who resides in the multiform created beings.

Gīva, has been mentioned in verse 12 under the appellation Kshetragnā. He adds that 'others' explain Gīva by 'the internal organ, which has the form of mind, intelligence, and egoism.' The former view is adopted by Rāgh., while Gov., who paraphrases Gīva by *manaḥ*, 'the mind,' and Kull. as well as Nār., who render it by 'Mabat,' 'the Great One or intelligence,' lean towards the second. Nand. says, '*gīvasamgñāḥ* means "he who fully knows the Gīvas," i. e. the omniscient.' Sahagah, 'that is generated with,' means according to Medh. and Gov. 'that is associated with until the period of destruction (*pralaya*) or until final liberation is obtained.'

14. The term mahān, 'the Great One,' is referred by Medh., Gov., Kull., Nār., Rāgh. to the Gīva mentioned in the preceding verse, and hence is explained by each in accordance with the view expressed on verse 13. Bhūtasamprīktau, 'closely united with the elements' (Medh., Gov., Kull.), or 'enveloped by the elements' (Rāgh.), means according to Nār. 'united with the Bhūtātman.' Sthitam tam vyāpya tishṭhataḥ, 'pervade him who resides,' i. e. 'pervade' (Gov.), or 'rest on' (Kull.), or 'conceal through illusion' (Nār.) him, i. e. 'the Paramātman, the Supreme Soul' (Gov., Kull., Nār.), 'who resides in all created beings' (Gov., Nār.) 'as the witness' (Kull., Nār.). Gov. adds 'or (the expression *vyāpya tishṭhataḥ*) "they pervade" is used because the Supreme Soul pervades everything.' This latter explanation probably refers to Medh.'s rendering, according to which the verse must be translated 'Those two, the Great One and the Knower of the Field, who are closely united, rest on him who resides in the multiform created beings, pervading (them).' Medh. expressly declares that *tishṭhataḥ* is to be taken as a transitive verb (*sarvakarmatvam* [*sakarmatvam*] *tishṭhater anekārthatvāt*). He explains 'him' by 'the Supreme Soul,' and adds that the expression 'rest on' is justified, because the Paramātman is the cause of the whole world, and the product rests on its cause. Rāgh. differs very much, and says, 'Those two, the Great One (i. e. the Intelligence and by implication the subtle body) and the Knower of the Field, i. e. the individual soul enveloped by the five elements (and) pervading him who is found in the manifold created beings, i. e. the gross bodies, and reside, i. e. there, as the enjoyers.' Nand. finally has the following explanation: 'Those two, i. e. the

15. From his body innumerable forms go forth, which constantly impel the multiform creatures to action.

16. Another strong body, formed of particles (of the) five (elements and) destined to suffer the torments (in hell), is produced after death (in the case) of wicked men.

17. When (the evil-doers) by means of that body have suffered there the torments imposed by Yama, (its constituent parts) are united, each according to its class, with those very elements (from which they were taken).

individual and the Supreme Soul; united with the elements, i.e. residing in the body; the Great One, i.e. the Supreme Soul and the Knower of the Field; in the manifold, i.e. in the gross and in the subtle; him who is found, i.e. the field (kshetra), pervading they reside. The meaning is that the individual soul pervades the body and the Supreme Soul pervades the individual soul.

15. 'From his body,' i.e. 'from nature or the form of the Supreme Soul (Paramâtman, Medh., Nâr.) or from the body of Brahman which is endowed with the qualities' (Râgh.), 'like waves from the ocean or sparks from fire, in the manner mentioned in the Vedânta philosophy' (Gov., Kull.). 'Others,' mentioned by Medh., and Nand. explain the expression by 'from the root-evolvent or matter (prakṛti) which is the body of the Supreme Soul.' Mûrtayaḥ, 'forms,' i.e. 'Kshetragñas' (Gov., Kull., Nâr.), or 'souls limited by subtle bodies' (Râgh.), or 'portions which are the causes of the production of forms' (Nand.).

16. Dhruvam, 'strong,' i.e. 'able to withstand the supernatural torments' (Medh., Kull., Râgh.). Gov. and Nand. read *dridham*.

17. The translation follows Medh., Gov., and Râgh., with whom Nâr. seems to agree, and it presupposes that the construction of the verse is ungrammatical. Kull. and Nand., who wish to show that Manu's text does not depart from the ordinary rules of grammar, assume that the subject of both clauses is *dushkrîto gîvâh*, 'the evil-doing souls.' The former says, 'The evil-doing souls that are subtle, having suffered by means of that produced body those torments imposed by Yama, are individually dissolved on the disappearance of the gross body, in those very constituent portions of

18. He, having suffered for his faults, which are produced by attachment to sensual objects, and which result in misery, approaches, free from stains, those two mighty ones.

the elements;' the meaning is, 'they remain being united with them.' Nand.'s explanation is more intelligible. According to him the translation must be as follows: '(The individual souls) having suffered by means of that body the torments of Yama, are dissolved (on the termination of their sufferings, as far as that body is concerned), in those very (five) elements according to the proportion of their works' (*vibhāgasas tatkarmavibhāgānurūpam*). But it seems to me that these attempts to save the grammatical reputation of the author are useless.

18. The translation follows the reading of Gov. (comm.), Kull., Nand., and Rāgh., *anubhūyāsukhodarkân*. Medh., Gov. (text), and K. read *anubhūya sukhodarkân*, '(after the expiation) of which happiness is the result' (Medh.). 'He,' i. e. 'the individual soul' (*kshe-tragñā*, Medh., Gov., Nand.), or 'the individual soul limited by the subtle body' (Kull., Rāgh.), refers according to Nār. to 'the Great One' (Mahân). 'Those two mighty ones,' i. e. 'the Great One and the Supreme Soul' (Medh. 'others,' Gov., Kull.), are according to Medh. and Rāgh. 'the Great One and the *Kshetragñā*' (mentioned verse 14), according to Nār. and Nand. (on verse 19) 'the Giva and the Paramâtman or Supreme Soul.' Medh. adds that under his explanation the verse looks as if it were self-contradictory, because the end to be attained and the attainer are the same, but that the distinction is merely figurative. For the expression 'he approaches' means 'he becomes nothing else but that' [i. e. after the dissolution of the body, assumed in order to suffer the punishments, he remains purely *Kshetragñā* and Mahân]. His words are, *atah kshetragñam abhyetiti prāptam ta ka viruddham sa eva prāpya[h] prāpakas ka i satyam aupakāriko bhedo 'bhipretah i abhyetity ayam arthah i etāvanmātrasesho bhavati yad uta kshetragñatayā prāptādisamghātmakena mahân iti vyapadish/ena phalashu tāvanmātrah parisishyate i lingagīvas ka kshetragñah ||* Rāgh., the only other commentator, who occupies himself with the ulterior meaning of the verse, renders *abhyeti*, 'he approaches,' by *anugakhati*, 'he follows,' and adds 'in order to produce a new body' (*sarīrāntarārambhāya*). He further quotes *Satapatha-brāhmaṇa* XIV, 7, 2, 5, in order to show that according to the Veda the individual soul, united with the subtle body, makes for itself another body.

19. Those two together examine without tiring the merit and the guilt of that (individual soul), united with which it obtains bliss or misery both in this world and the next.

20. If (the soul) chiefly practises virtue and vice to a small degree, it obtains bliss in heaven, clothed with those very elements.

21. But if it chiefly cleaves to vice and to virtue in a small degree, it suffers, deserted by the elements, the torments inflicted by Yama.

22. The individual soul, having endured those torments of Yama, again enters, free from taint, those very five elements, each in due proportion.

23. Let (man), having recognised even by means of his intellect these transitions of the individual soul (which depend) on merit and demerit, always fix his heart on (the acquisition of) merit.

24. Know Goodness (sattva), Activity (ragas), and Darkness (tamas) to be the three qualities of the

19. 'Those two,' i.e. 'the Great One and the Supreme Soul' (mahatparamâtmanau, Gov., Kull.), are according to Medh., who modifies the explanation given on the preceding verse, the Mahân and the Paramâtman; according to Râgh., the Mahân and the Kshetragña. Pasyatah, 'examine,' means according to Râgh. 'by their presence cause to be performed.' 'The guilt,' i.e. 'which remains after the sufferings (in hell,' Kull.). Nand. explains the first line very differently: 'Those two (merit and demerit) watchfully attend him (the Kshetragña) who is bent on performing good and evil.' 'United with which,' i.e. 'with merit and guilt' (Medh., Gov., Kull., Nand.), refers in Râgh.'s opinion to the Mahân and the Kshetragña.

20. 'With those very elements,' i.e. 'with a gross body consisting of the before-mentioned five elements.'

21. 'Deserted by the elements,' i.e. 'after death' (Kull., Nâr.).

22. Medh. and K. read abhyeti for apyeti.

24. Yâgñ. III, 182. 'Of the Self,' i.e. 'of the Mahat' (Kull.,

Self, with which the Great One always completely pervades all existences.

25. When one of these qualities wholly predominates in a body, then it makes the embodied (soul) eminently distinguished for that quality.

26. Goodness is declared (to have the form of) knowledge, Darkness (of) ignorance, Activity (of) love and hatred; such is the nature of these (three) which is (all-)pervading and clings to everything created.

27. When (man) experiences in his soul a (feeling) full of bliss, a deep calm, as it were, and a pure light, then let him know (that it is) among those three (the quality called) Goodness.

28. What is mixed with pain and does not give satisfaction to the soul one may know (to be the quality of) Activity, which is difficult to conquer, and which ever draws embodied (souls towards sensual objects).

Râgh., Nâr., Nand.), the latter two saying mahattattvasya, 'of the (Sâmkhya) principle, called Mahat.' Medh.'s somewhat longer discussion arrives at the same result.

25. 'In a body,' i. e. 'in a subtle body' (Râgh.). Medh. and Gov. add to the first clause 'in consequence of acts done in a former life.'

26. Kull. takes etat, 'such,' in the sense of 'as follows.' Nâr. and Nand. take the last line somewhat differently: 'The nature of these three is pervaded by the (three characteristics just mentioned and) clings to all created beings.'

27. 'A (feeling) full of bliss,' i. e. 'without any particular cause for such a sensation' (Gov.). I take tatra, which Gov. and Kull. explain by tasmin and construe with âtmani, in the sense of teshu, 'among those three.' Râgh. says tatreti tribhiḥ.

28. Medh. has apratipam, which he explains by apratyaksham, 'not perceptible by the senses,' instead of apratigham, 'difficult to conquer.'

29. What is coupled with delusion, what has the character of an undiscernible mass, what cannot be fathomed by reasoning, what cannot be fully known, one must consider (as the quality of) Darkness.

30. I will, moreover, fully describe the results which arise from these three qualities, the excellent ones, the middling ones, and the lowest.

31. The study of the Vedas, austerity, (the pursuit of) knowledge, purity, control over the organs, the performance of meritorious acts and meditation on the Soul, (are) the marks of the quality of Goodness.

32. Delighting in undertakings, want of firmness, commission of sinful acts, and continual indulgence in sensual pleasures, (are) the marks of the quality of Activity.

33. Covetousness, sleepiness, pusillanimity, cruelty, atheism, leading an evil life, a habit of soliciting favours, and inattentiveness, are the marks of the quality of Darkness.

29. I follow Gov., Kull., Nâr., Râgh., and K., who read *avyaktavishayâtmakam* instead of *avyaktam vishayâtmakam* (Nand., editions). Medh.'s reading is doubtful. 'What is coupled with delusion,' i. e. 'where it is impossible to decide if the (thing) is real or unreal' (Gov., Kull., Râgh.). *Avyaktavishayâtmakam*, 'what has the character of an undiscernible mass' (*asphu/avishayâkârasvabhâvam*, Kull., Râgh.), or 'what has the form of an, undiscernible mass and the nature of which is unreal' (*aspash/avishayâkârasvabhâvam*, Gov.), means according to Nâr. 'where the mass and the soul are not luminous' (*aprakâso vishaya âtmâ ña yatra*).

31. The last words of the verse, which have been translated according to Medh., mean according to Nâr. literally '(are the result) of Goodness (and) the marks of (that) quality' (*sâttvikam sattvaganyam gunasya tasyaiva lakshanam kîhnam*).

32. *Adhairyam*, 'want of firmness,' means according to Nâr. 'want of a contented disposition.'

33. *Bhinnavrîtîtâ*, 'leading an evil life,' i. e. 'omitting to live

34. Know, moreover, the following to be a brief description of the three qualities, each in its order, as they appear in the three (times, the present, past, and future).

35. When a (man), having done, doing, or being about to do any act, feels ashamed, the learned may know that all (such acts bear) the mark of the quality of Darkness.

36. But, when (a man) desires (to gain) by an act much fame in this world and feels no sorrow on failing, know that it (bears the mark of the quality of) Activity.

37. But that (bears) the mark of the quality of Goodness which with his whole (heart) he desires to know, which he is not ashamed to perform, and at which his soul rejoices.

38. The craving after sensual pleasures is declared to be the mark of Darkness, (the pursuit of) wealth (the mark) of Activity, (the desire to gain) spiritual

according to the rule of conduct;’ *pramâdaḥ*, ‘inattentiveness,’ i. e. ‘to duty.’

34. Instead of *trishu*, ‘in the three (times,’ *Medh.*, *Gov.*, *Kull.*, *Râgh.*), *Nand.* reads *nṛīshu*, ‘in men.’ *Nâr.*, who reads *trishu*, explains the words *trayânâm guṇânâm*, *trishu* as follows: ‘of the three,’ i. e. ‘of the study of the Veda and so forth;’ ‘of the *guṇas*, i. e. ‘of the three classes of virtues;’ ‘in the three,’ i. e. ‘in the three original qualities.’

36. *Nand.* has *rikkhati* instead of *ikkati*. I read with *Medh.*, *Gov.*, *Kull.*, *Nâr.*, *Râgh.*, and *Nand.*, *na ka sokati* instead of *sa ka sokati* (editions). *K.* reads *naiva*. ‘And feels no sorrow on failing,’ i. e. ‘if on failing to accomplish his undertaking he begins another, but does not desist from it out of sorrow, that is the meaning’ (*Râgh.*).

37. Instead of *yat sarvena* (*Gov.*, *Kull.*), *Medh.* and *K.* read *yaḥ sarvena*, and *Nand.* *sarvam yene*°. ‘Which with his whole (heart) he desires to know,’ i. e. ‘the meaning of the Veda and so forth’ (*Kull.*, *Râgh.*).

merit the mark of Goodness; each later (named quality is) better than the preceding one.

39. I will briefly declare in due order what transmigrations in this whole (world a man) obtains through each of these qualities.

40. Those endowed with Goodness reach the state of gods, those endowed with Activity the state of men, and those endowed with Darkness ever sink to the condition of beasts; that is the threefold course of transmigrations.

41. But know this threefold course of transmigrations that depends on the (three) qualities (to be again) threefold, low, middling, and high, according to the particular nature of the acts and of the knowledge (of each man).

42. Immovable (beings), insects, both small and great, fishes, snakes, and tortoises, cattle and wild animals, are the lowest conditions to which (the quality of) Darkness leads.

43. Elephants, horses, Sûdras, and despicable barbarians, lions, tigers, and boars (are) the middling states, caused by (the quality of) Darkness.

44. *Kâranas*, *Suparnas* and hypocrites, *Râkshasas*

40. *Yâgñ.* III, 137-139.

41. 'Of the knowledge (of each man),' i. e. 'if the acts were committed intentionally or not' (Medh.).

42. 'Immovable (beings),' i. e. 'trees and so forth.' *Pasavañ*, 'cattle,' i. e. 'cows and so forth' (Nâr.), or 'dogs and so forth' (Râgh.). Instead of *sakaññhapâñ* (Gov., Kull., Râgh.), 'and tortoises,' Medh., Nâr., and Nand. read *sarîsripâñ*, 'creeping things,' i. e. 'scorpions and the like' (Nâr.). Instead of *mrigâs kaiva* (Gov., Kull., Râgh.), 'and wild animals (or deer),' Medh. and Nand. have *srigâlâs ka*, 'and jackals.'

43. *Mleññhâñ*, 'barbarians,' i. e. 'Sabaras and so forth' (Nâr.).

44. *Kâraña* may denote a caste of men, i. e. 'bards, singers, panders, and the like' (Medh.), or 'rope-dancers' (Nâr.), or 'Natas'

and Pisâkas (belong to) the highest (rank of) conditions among those produced by Darkness.

45. *Ghallas*, *Mallas*, *Nâtas*, men who subsist by despicable occupations and those addicted to gambling and drinking (form) the lowest (order of) conditions caused by Activity.

46. Kings and Kshatriyas, the domestic priests of kings, and those who delight in the warfare of disputations (constitute) the middling (rank of the) states caused by Activity.

47. The Gandharvas, the Guhyakas, and the servants of the gods, likewise the Apsarases, (belong all to) the highest (rank of) conditions produced by Activity.

48. Hermits, ascetics, Brâhmanas, the crowds of the Vaimânika deities, the lunar mansions, and the Daityas (form) the first (and lowest rank of the) existences caused by Goodness.

(Gov., Kull.); but it may also, with Râgh., be referred to a class of mythological beings. *Suparnas* are the bird-deities, mentioned above, I, 37.

45. *Ghallas*, *Mallas*, i. e. 'those mentioned above, X, 22 (Kull., Nâr.), who are fencers with sticks or wrestlers and jesters' (Medh., Kull.). *Nâtas*, i. e. 'those exhibiting themselves on the stage' (*raṅgâvatâarakâh*, Medh., Kull.). I read with Medh., Gov., Nâr., and Nand. *purushâs ka kuvrîttayaḥ*, 'men who subsist by despicable occupations,' instead of *purushâḥ sastravîttayaḥ*, 'men living by the trade of arms' (Kull., editions).

46. With respect to the low estimation in which domestic priests are held, see the verse quoted *Pañkatantra* II, 63 (Bombay edition). Nand. reads *dânayuddhapradhânâs ka*, 'very liberal men, and those delighting in strife.'

47. *Guhyakas*, i. e. 'evil spirits who hurt children;' *Yakshas*, i. e. 'the guardians of treasures' (Nâr.). Both are demigods, servants of Kubera. 'The servants of the gods,' i. e. 'Vidyâdharas and so forth.'

48. Medh. mentions an opinion, held by 'others,' according to

49. Sacrificers, the sages, the gods, the Vedas, the heavenly lights, the years, the manes, and the Sâdhyas (constitute) the second order of existences, caused by Goodness.

50. The sages declare Brahmâ, the creators of the universe, the law, the Great One, and the Undiscernible One (to constitute) the highest order of beings produced by Goodness.

51. Thus (the result) of the threefold action, the whole system of transmigrations which (consists) of three classes, (each) with three subdivisions, and which includes all created beings, has been fully pointed out.

which the Yatis, 'ascetics,' are a people living on mount Meru. 'The Vaimânika deities,' i.e. 'those who move in mid-air with their palatial chariots, called vimânas.' Instead of Daityâḥ, Nâr. mentions as a var. lect. Siddhâḥ.

49. 'The Vedas,' i.e. 'sounds placed in a certain sequence' (Medh.), or 'the guardian deities or personifications of the Vedas, such as are described in the Itihâsas as belonging to the court of Brahman' (Medh. 'others,' Gov., Kull., Nâr., Râgh.). With respect to the next two terms the commentators vacillate whether the things mentioned or their regents (adhishṭhâtrî devatâ) are intended.

50. Brahmâ, i.e. 'Hiranyagarbha' (Gov., Kull., Râgh.). 'The creators of the universe,' i.e. 'Marîṭi and the rest;' see above, I, 35; 'the law,' i.e. 'either the meaning of the Veda or the incarnate law' (Medh.); according to the other commentators, the latter only. 'The Great One,' i.e. 'the deity presiding over the principle (of the Sâmkhya philosophy) called the Great One (or Intellect,' Gov., Kull., Râgh.); 'the Undiscernible One,' i.e. 'the deity presiding over the root-evolvent or chief cause of the Sâmkhya philosophy' (Gov., Kull., Râgh.). Medh., who discusses and rejects these explanations of the last two terms, holds that they refer to the Supreme Soul (paramâtman). Nâr. explains 'the Undiscernible' by 'egoism.' Medh., Gov., and K. read avyakta eva ka instead of avyaktam eva ka.

51. Medh. and K. read esha dharmaḥ, 'Thus the law with respect to the threefold action, &c.' Nand. places verse 81 immediately after this.

52. In consequence of attachment to (the objects of) the senses, and in consequence of the non-performance of their duties, fools, the lowest of men, reach the vilest births.

53. What wombs this individual soul enters in this world and in consequence of what actions, learn the particulars of that at large and in due order.

54. Those who committed mortal sins (*mahâpâ-taka*), having passed during large numbers of years through dreadful hells, obtain, after the expiration of (that term of punishment), the following births.

55. The slayer of a *Brâhmana* enters the womb of a dog, a pig, an ass, a camel, a cow, a goat, a sheep, a deer, a bird, a *Kandâla*, and a *Pukkasa*.

56. A *Brâhmana* who drinks (the spirituous liquor called) *Surâ* shall enter (the bodies) of small and large insects, of moths, of birds, feeding on ordure, and of destructive beasts.

57. A *Brâhmana* who steals (the gold of a *Brâhmana* shall pass) a thousand times (through the bodies) of spiders, snakes and lizards, of aquatic animals and of destructive *Pisâkas*.

58. The violator of a *Guru's* bed (enters) a hundred times (the forms) of grasses, shrubs, and creepers, likewise of carnivorous (animals) and of (beasts) with fangs and of those doing cruel deeds.

52. *Yâgñ.* III, 219. 'Fools,' i.e. 'those who do not perform penances' (Gov., Kull.).

55. *Yâgñ.* III, 207. Nand. reads *Pukkasa*, Medh. and Gov. *Pukhkas* with a *Gihvâmûliya* which looks like *sh*.

56. *Yâgñ.* III, 207.

57. *Yâgñ.* III, 208. 'Aquatic animals,' i.e. 'crocodiles and so forth' (Gov.). Gov. explains *lûta*, 'spider,' by 'scorpion.' K. omits this verse.

58. *Yâgñ.* III, 208. The commentators explain 'carnivorous

59. Men who delight in doing hurt (become) carnivorous (animals); those who eat forbidden food, worms; thieves, creatures consuming their own kind; those who have intercourse with women of the lowest castes, Pretas.

60. He who has associated with outcasts, he who has approached the wives of other men, and he who has stolen the property of a Brāhmaṇa become Brahmarākshasas.

61. A man who out of greed has stolen gems, pearls or coral, or any of the many other kinds of precious things, is born among the goldsmiths.

62. For stealing grain (a man) becomes a rat, for stealing yellow metal a Hamsa, for stealing water a Plava, for stealing honey a stinging insect, for stealing milk a crow, for stealing condiments a dog, for stealing clarified butter an ichneumon;

63. For stealing meat a vulture, for stealing fat a cormorant, for stealing oil a winged animal (of the

(animals)' by 'vultures and the like,' '(beasts) with fangs' by 'lions or tigers and the like.' 'Those doing cruel deeds' are, according to Gov., 'men such as Sabaras;' according to Kull., 'animals such as tigers.'

59. 'Creatures consuming their own kind,' i.e. 'fish and the like.' Nand. places verse 60 before verse 59.

60. Yâgñ. III, 212. 'A Brahmarākshasa,' lit. 'a Brāhmanical Rākshasa,' is an evil spirit. K. omits this verse.

61. Yâgñ. III, 213. According to another explanation, which Medh. considers the only admissible one, and which the other commentators mention as an alternative, hemakartṛi, 'a goldsmith,' is the name of a bird.

62. Yâgñ. III, 214, 215; Vi. XLIV, 15-20. Rasam, 'condiments,' i.e. the juice of sugar-cane, &c. (Kull.), means according to Nār. 'quicksilver.'

63. Yâgñ. III, 211, 215; Vi. XLIV, 21-25. I read with Medh., Gov., and Nand., vasām, 'fat,' instead of vapām (Kull., editions);

kind called) Tailapaka, for stealing salt a cricket, for stealing sour milk a bird (of the kind called) Balâkâ.

64. For stealing silk a partridge, for stealing linen a frog, for stealing cotton-cloth a crane, for stealing a cow an iguana, for stealing molasses a flying-fox ;

65. For stealing fine perfumes a musk-rat, for stealing vegetables consisting of leaves a peacock, for stealing cooked food of various kinds a porcupine, for stealing uncooked food a hedgehog.

66. For stealing fire he becomes a heron, for stealing household-utensils a mason-wasp, for stealing dyed clothes a francolin-partridge ;

67. For stealing a deer or an elephant a wolf, for stealing a horse a tiger, for stealing fruit and roots a monkey, for stealing a woman a bear, for stealing water a black-white cuckoo, for stealing vehicles a camel, for stealing cattle a he-goat.

68. That man who has forcibly taken away any kind of property belonging to another, or who has eaten sacrificial food (of) which (no portion) had been offered, inevitably becomes an animal.

which latter word Nâr. also gives, but explains by *medaḥ*. The Tailapaka is probably the cockroach. *Kṛivâka*, 'a cricket,' may also mean 'a cicada.' Nand. reads *Kakravâka*, 'a Brâhmanî duck.'

64. *Yâgñ.* III, 215 ; *Vi.* XLIV, 25-30. Regarding *Vâgguda*, 'the flying-fox,' see note on *Gaut.* XVII, 34. *Râgh.* confirms the explanation given there, as he says that it is a bird flying at night. *Medh.* and *Nand.* seem to have had a different reading at the end of the verse. The MSS. of the former have *krauñko godhâ mâmsâshu valgutîḥ* (?), and that of the latter *godhâ gavyam dado sallam* (?).

65. *Yâgñ.* III, 213 ; *Vi.* XLIV, 31-34.

66. *Yâgñ.* III, 214-215 ; *Vi.* XLIV, 35-37.

67. *Yâgñ.* III, 214 ; *Vi.* XLIV, 38-43.

68. *Yâgñ.* III, 217 ; *Vi.* XLIV, 44.

69. Women, also, who in like manner have committed a theft, shall incur guilt ; they will become the females of those same creatures (which have been enumerated above).

70. But (men of the four) castes who have relinquished without the pressure of necessity their proper occupations, will become the servants of Dasyus, after migrating into despicable bodies.

71. A Brâhmana who has fallen off from his duty (becomes) an Ulkâmukha Preta, who feeds on what has been vomited ; and a Kshatriya, a Kaṭapûtana (Preta), who eats impure substances and corpses.

72. A Vaisya who has fallen off from his duty becomes a Maitrâkshagyotika Preta, who feeds on pus ; and a Sûdra, a Kailâsaka (Preta, who feeds on moths).

69. Vi. XLIV, 45. 'In like manner,' i. e. 'intentionally' (Gov., Kull.).

70. I follow Medh., Gov., Nâr., Nand., Râgh., and K., who read dasyushu instead of satrushu, 'of their enemies' (editions). Gov. explains dasyushu by satrushu, and the same explanation is given by Kull. ; while according to Medh., 'thieves and robbers' are meant ; and according to Nâr., 'forest-tribes, such as Sabaras.' Nand. reads pretatâm (MS. prenatalâm) for preshyatâm, and explains it by 'will become Pisâkas among the Dasyus.' His reading looks like a correction made on account of the next verses.

71. Ulkâmukha, i. e. 'with flaming mouth' (Medh.). Medh. prefers Kâ/apûtana, 'with a stinking nose,' to Ka/apûtana (Kull., Nâr., Râgh., Nand., K.). Gov. reads Ka/apûtana.

72. Maitrâkshagyotika is, according to Medh., Kull., and Râgh., to be explained as a kind of Preta who has a light in or sees with the anus. Medh. gives another explanation, according to which it simply means 'a Preta,' and adds that 'others' explain it by 'an owl.' Kailâsaka, 'a (Preta) who feeds on moths' (Gov.), means according to Kull., 'who feeds on body-lice.' Kelâsaka is the reading of Gov., Nâr., and Nand.

73. In proportion as sensual men indulge in sensual pleasures, in that same proportion their taste for them grows.

74. By repeating their sinful acts those men of small understanding suffer pain here (below) in various births;

75. (The torture of) being tossed about in dreadful hells, Tâmisra and the rest, (that of) the Forest with sword-leaved trees and the like, and (that of) being bound and mangled;

76. And various torments, the (pain of) being devoured by ravens and owls, the heat of scorching sand, and the (torture of) being boiled in jars, which is hard to bear;

77. And births in the wombs (of) despicable (beings) which cause constant misery, and afflictions from cold and heat and terrors of various kinds,

78. The (pain of) repeatedly lying in various wombs and agonizing births, imprisonment in fetters hard to bear, and the misery of being enslaved by others,

79. And separations from their relatives and dear ones, and the (pain of) dwelling together with the wicked, (labour in) gaining wealth and its loss, (trouble in) making friends and (the appearance of) enemies,

80. Old age against which there is no remedy, the

73. I follow Medh. and Gov., who explain kusalatâ, literally 'cleverness' (Kull., Râgh.), by ekarasibhâvaḥ.

75-76. See above, IV, 88-89; Yâgñ. III, 206, 221-225.

76. Medh. reads karambhavâlukâs taptâḥ, and explains karambhaḥ by karmadaḥ (kardamaḥ?), 'heated mud and sand (?)'. The translation follows Kull.'s and Râgh.'s notes. Medh., Gov., Râgh., Nand., and K. read suduḥsahân, 'very hard to bear,' which has been given above, instead of dârunân, 'terrible' (Kull., editions).

tings of diseases, afflictions of many various kinds, and (finally) unconquerable death.

81. But with whatever disposition of mind (a man) performs any act, he reaps its result in a (future) body endowed with the same quality.

82. All the results, proceeding from actions, have been thus pointed out; learn (next) those acts which secure supreme bliss to a Brâhmaṇa.

83. Studying the Veda, (practising) austerities, (the acquisition of true) knowledge, the subjugation of the organs, abstention from doing injury, and serving the Guru are the best means for attaining supreme bliss.

84. (If you ask) whether among all these virtuous actions, (performed) here below, (there be) one which has been declared more efficacious (than the rest) for securing supreme happiness to man,

85. (The answer is that) the knowledge of the Soul is stated to be the most excellent among all of them; for that is the first of all sciences, because immortality is gained through that.

86. Among those six (kinds of) actions (enumer-

81. E.g. if while a man performs an act his disposition is sâttvika, or 'chiefly penetrated by the quality of Goodness,' he will reap its reward in a body produced chiefly by that quality, e.g. that of a god.

83. Yâgñ. III, 190.

84. Medh. omits this verse.

85. Yâgñ. I, 199. 'The knowledge of the Soul,' i.e. not that of the Kshetragnâ, but that of the Supreme Soul, which is taught in the Upanishads (Medh., Gov., Kull., Nand.), means according to Nâr., 'meditation' (dhyânam). Nand. asserts that the genitive sarveshâm, 'among all,' stands in the sense of the ablative. According to him the translation should be, 'is more excellent than all those.'

86. Medh. takes the genitive shannâm, 'among those six,' in the

ated above, the performance of) the acts taught in the Veda must ever be held to be most efficacious for ensuring happiness in this world and the next.

87. For in the performance of the acts prescribed by the Veda all those (others) are fully comprised, (each) in its turn in the several rules for the rites.

88. The acts prescribed by the Veda are of two kinds, such as procure an increase of happiness and

sense of an ablative, and according to him the translation would be, 'The acts taught in the Veda must ever be held to be more efficacious for ensuring happiness in this world and in the next than all those six (kinds of) actions (enumerated above).' He proposes two explanations for karma vaidikam. 'The acts taught in the Veda' may either be 'the Śrauta rites, such as the Gyo-tish/oma,' or 'those called further on, in verses 88-89, nivr̥tta,' i. e. 'rites performed as a matter of duty, without a desire for rewards.' Nand. accepts the first explanation, and so does Gov., who, however, takes the genitive in its usual sense, 'among those six.' Nār. adopts Medh.'s second explanation, and says, 'acts, taught in the Veda,' i. e. 'sacrifices and so forth, performed without the intention of (gaining) rewards,' and construes the genitives like Gov. The same construction is adopted by Kull., who explains karma vaidikam by 'the knowledge of the Supreme Soul.' Medh.'s second explanation seems to be the best, on account of verses 89 and 90, where 'knowledge,' i. e. 'the knowledge of the Supreme Soul' (see verse 85) and the performance of the nivr̥ttam karma are said to effect final liberation. The explanation of the genitives shannām eteshām by 'among those six' may perhaps be defended, if vaidikam karma is taken to correspond to vedābhyāsaḥ, 'studying the Veda (and obeying its rules),' in verse 83. But Medh.'s explanation of the construction is quite possible.

87. Kull. alters his explanation of vaidikam karma slightly, and interprets it by 'the worship of the Supreme Soul' (paramātmopāsana), and quotes Br̥hadāraṇyaka-upanishad IV, 4, 22 in support of his view. The other commentators find no difficulty in showing that both 'the Śrauta sacrifices' and 'the nivr̥ttākhyam karma' include all the six points mentioned above, verse 83. I read in the first line with K. hi instead of tu (Medh., Gov., Kull., Nand.).

88. Kull. again changes his explanation of the expression 'acts

cause a continuation (of mundane existence, *pravṛtta*), and such as ensure supreme bliss and cause a cessation (of mundane existence, *nivṛtta*).

89. Acts which secure (the fulfilment of) wishes in this world or in the next are called *pravṛtta* (such as cause a continuation of mundane existence); but acts performed without any desire (for a reward), preceded by (the acquisition) of (true) knowledge, are declared to be *nivṛtta* (such as cause the cessation of mundane existence).

90. He who sedulously performs acts leading to future births (*pravṛtta*) becomes equal to the gods; but he who is intent on the performance of those causing the cessation (of existence, *nivṛtta*) indeed, passes beyond (the reach of) the five elements.

91. He who sacrifices to the Self (alone), equally recognising the Self in all created beings and all created beings in the Self, becomes (independent like) an autocrat and self-luminous.

taught in the Veda,' and takes it to mean 'sacrifices like the *Gyotishōma* and the worship of images.'

89. Medh. explains *gñānapūrvam*, 'preceded by (the acquisition of true) knowledge,' to mean 'whereof knowledge is the chief (part,' *gñānam ādyam mukhyam yasya*).

90. Kull. remarks that the expression 'becomes equal to the gods' gives only an instance of the rewards attainable by *kāmyāni karmāṇi*. 'Passes beyond (the reach of) the five elements,' i. e. 'casts off the subtle body' (*Nār.*), or 'obtains final liberation' (Medh., Gov., Kull.).

91. *Īsa-upanishad*, 6. 'He who sacrifices to the Self (alone),' i. e. 'who connects himself with the nature of one who consists of all deities, i. e. thinks, "Not Agni, nor Āditya is the deity, I am here the deity"' (*ātmanam eva sarvadevatāmayatvena yogayate | manyate nāstir [nāgnir] ādityo vā devatā | aham iha ka devatā mati [ihaiva devatā iti?]*, Medh., similarly Gov. and *Nār.*), means according to Kull., *Rāgh.*, and Nand., 'he who performs the *Gyotishōma* and the like (sacrifices) in the manner of the *Brahmārpana*,' i. e. in such

92. After giving up even the above-mentioned sacrificial rites, a Brâhmana should exert himself in (acquiring) the knowledge of the Soul, in extinguishing his passions, and in studying the Veda.

93. For that secures the attainment of the object of existence, especially in the case of a Brâhmana, because by attaining that, not otherwise, a twice-born man has gained all his ends.

94. The Veda is the eternal eye of the manes, gods, and men; the Veda-ordinance (is) both beyond the sphere of (human) power, and beyond the sphere of (human) comprehension; that is a certain fact.

a manner that he understands Brahman to be the object of the worship, and makes over the merit to Brahman. The participial clause means, according to Medh. and Gov., thinking 'I am contained in the whole creation, both the movable and the immovable' (vyavasthitaḥ, Gov.), or 'I am, as it were, the whole world' (aham ivaitaggagat, Medh.) and 'all created beings are contained in me' (mayy avasthitāni, Gov., mayi sthitāni, Medh.). Kull., Râgh., and Nand. (who reads sampāyan) explain it on pure Vedânta principles. The sacrificer is to recognise his identity with the Supreme Soul, and that through this identity he is one with all created beings, and that all created beings are one with him. The double rendering of the term svârâgyam is based on the double meaning of the verb râg, 'to rule' and 'to shine.' Medh. alone points it out. Kull. gives the second meaning alone, and takes the phrase a little differently: 'attains the state of the self-luminous (Brahman).' Gov., Nâr., and Nand. give Medh.'s first meaning only.

92. 'Above-mentioned,' i.e. 'as securing supreme bliss' (Nand.), or 'the Agnihotra and the rest' (Medh., Gov., Kull.). The last three commentators point out that this verse is not intended to authorise an irregular discontinuance of the daily rites.

93. Nand. omits this verse. Kṛitakṛtyaḥ, 'has gained all his ends' (Medh.), is taken by Gov. in its other sense, 'has done all he ought to do' (kṛitakaraṇīyaḥ).

94. Instead of asakyam, 'beyond (the sphere of human) power,' i.e. 'which cannot have been produced by men' (Gov., Kull.), Nâr. and Nand. read atarkyam, 'beyond (the sphere of human) reasoning' (tarkenânyathâsambhavam, Nâr.; idṛśam ity adhyavasâtu

95. All those traditions (*smṛiti*) and all those despicable systems of philosophy, which are not based on the Veda, produce no reward after death; for they are declared to be founded on Darkness.

96. All those (doctrines), differing from the (Veda), which spring up and (soon) perish, are worthless and false, because they are of modern date.

97. The four castes, the three worlds, the four orders, the past, the present, and the future are all severally known by means of the Veda.

98. Sound, touch, colour, taste, and fifthly smell are known through the Veda alone, (their) production (is) through the (Vedic rites, which in this respect are) secondary acts.

asakyam apaurusheyatvât, Nand.). Aprameyam, 'beyond (the sphere of human) comprehension,' may, according to the commentators, mean either that the Veda can never be fully known, on account of the number of its branches and of the depth of its meaning, or that it cannot be understood by human reasoning alone, but requires the help of grammar of the *Mīmāṃsâ* and so forth.

95. As an example of false traditions Medh. names 'rules such as "Heavenly bliss is attained by worshipping *Kaityas*," which occur in the *Sobha* and other *Siddhântas* of the *Nirgranthas* (*Digambara Gainas*).' 'Despicable systems of philosophy,' e. g. 'that of the *Kârvâkas*' (Kull.). *Pretya*, 'after death' (*paraloke*, Gov., Kull.), means according to Medh. *prakarsham prâpya*, 'after attaining eminence.' Medh. mentions the explanation adopted above as that of 'others,' and adds that it requires the reading *prete*.

97. *Nâr.* and *Râgh.* explain *prasidhyati*, 'are made known,' by *gâyate*, 'are produced.' Gov. and Kull. point to III, 76.

98. I read with all the commentators *prasidhyanti* instead of *prasûyante* (Indian editions). The last words of the verse are extremely doubtful. Medh. reads *prasûtir gunakarmataḥ*, and Gov. seems to have adopted the same version, though the text of the *Puṇa MS.* has *prabhûtagunakarmataḥ*. Kull. and *Râgh.* give *prasûtigunakarmataḥ*; Nand. *prasûtigunakarmabhiḥ*, and *Nâr.* *prasûtigunadharmataḥ*, with which reading a var. lect. mentioned by Medh., *prasûtegunadharmaḥ* may have originally agreed. In concluding his note on the

99. The eternal lore of the Veda upholds all created beings; hence I hold that to be supreme,

verse Medh. remarks that many other varr. lectt. exist which he omits, because they are useless (*vaikṛityapâḥhântarâmi nishprayaganatvân na likhyante*). The explanations differ still more than the readings. The translation follows Medh.'s interpretation. According to him the verse means that 'sound and the rest are known to be enjoyable and means of obtaining pleasure through the Veda, as they are perceived in the form of melodies and so forth at the performance of Vedic rites,' but that 'the Veda is not their material cause, the Vedic rites being secondary actions only with respect to their production' (*sabdâdînâm bhogyatvena sukhasâdhanânâm vedât eva prasiddhiḥ* | *vaidikakarmânushṭhânâd gītâdisabdopapattiḥ* *na punar veda upâdânakâranam* *etad âha prasûtir gunakarmataḥ* | *prasûtiḥ sabdâdînâm utpattiḥ* | *tadartham gunakarma phalârthatvât pradhânakarme* [ma] *ka kṛitrâdishu gunadharmâ* [karme] *ty uktam*). Gov.'s short note in substance agrees with this view (*ye svargâdivipratâ [shayâ] upabhogyatvenâbhimatâḥ sabdâdayo vishayâs te 'bhimatavishayopabhogotpattiyartham yad upakârakam karmâgnihoṭrâdikam tadanushṭhânâdvârena vedât eva prasidhyanti*). According to Kull. the meaning of the compound is, 'through the Vedic rites, (originating from) the (three) qualities (Goodness and so forth, which are) the sources (of sound and so forth).' Râgh. gives two explanations: '(The elements which are the substrata of) sound, touch, colour, taste, and fifthly (of) smell, are known through the Veda according to their origin, their qualities, and their actions.' Afterwards he gives for the last word an alternative version which closely agrees with Kull.'s view. Nand. says, 'Sound and so forth, together with their sources, i. e. ether and so forth, with their qualities, i. e. their manifold subdivisions, e. g. the *śadga* (note), and so forth, and with their actions, i. e. attracting the organs of sensation and so forth, are known from the Veda alone.' Nâr. finally interprets his reading as follows: '(Sound and so forth) are produced from the Veda alone, which is characterised—the affix *tasi* has the meaning of the third and other cases—by the following, (*viz.*) the origin, i. e. the cause of production, quality, i. e. excessiveness and so forth, property, i. e. fragrance and so forth' (*prasûtiḥ ganmahetuḥ* | *guna utkaṭvâdi* | *dharmâḥ surabhitvâdiḥ* | *trâtiyâdi tasiḥ* | *etair upalakshitâd vedât prasidhyanti gâyante*).

99. In explanation of the first line the commentators point to

which is the means of (securing happiness to) these creatures.

100. Command of armies, royal authority, the office of a judge, and sovereignty over the whole world he (only) deserves who knows the Veda-science.

101. As a fire that has gained strength consumes even trees full of sap, even so he who knows the Veda burns out the taint of his soul which arises from (evil) acts.

102. In whatever order (a man) who knows the true meaning of the Veda-science may dwell, he becomes even while abiding in this world, fit for the union with Brahman.

103. (Even forgetful) students of the (sacred) books are more distinguished than the ignorant, those who remember them surpass the (forgetful) students, those who possess a knowledge (of the meaning) are more distinguished than those who

III, 76, and the corresponding Vedic passages. Gov. and Kull. explain *asya gantoḥ*, 'of these creatures,' by 'of men entitled to perform Vedic rites.' Nâr. takes the second line differently: 'Through that, i. e. the Veda alone, I know that highest, i. e. meditation, which is the means, i. e. the means of securing final liberation to these creatures' (*yad asya gantoḥ sâdhanam apavarga-sâdhanam | param dhyânam dhyeyâdi | tad etasmâd vedâd eva manye gâne*).

100. Medh. places this verse later. The order in which the remaining verses of the *Samhitâ* are read in the MSS. differs very much from that adopted by the other commentators. They stand as follows: 106, 107, 108, 100, 101, 102, 103, 104, 105, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122; next both the text and the commentary of 91, 92, 93 are repeated, and then comes the last verse, 126.

101. Vas. XXVII, 2.

103. *Agñebhyaḥ*, 'than the ignorant,' i. e. 'entirely ignorant'

(only) remember (the words), men who follow (the teaching of the texts) surpass those who (merely) know (their meaning).

104. Austerity and sacred learning are the best means by which a Brāhmaṇa secures supreme bliss ; by austerities he destroys guilt, by sacred learning he obtains the cessation of (births and) deaths.

105. The three (kinds of evidence), perception, inference, and the (sacred) Institutes which comprise the tradition (of) many (schools), must be fully understood by him who desires perfect correctness with respect to the sacred law.

106. He alone, and no other man, knows the sacred law, who explores the (utterances) of the sages and the body of the laws, by (modes of) reasoning, not repugnant to the Veda-lore.

(Medh., Nār.), 'who have not studied the Veda' (Nand.), means according to Gov. and Kull., 'those who have learned a little.' Granthinah, '(forgetful) students' (Kull., Nand.), means according to Medh. and Gov., 'students who learn the texts alone, but do not take very great trouble with them ;' according to Nār., 'men who know the text only.' Dhârinah, 'those who remember (the texts)' (Kull., Nand.), are according to Medh. and Gov., 'men who are very persevering in studying ;' according to Nār., 'those who know the meaning of the texts.' Nār. takes gñānin, 'he who knows (the meaning of the texts),' in the sense of 'he who knows the Soul or Self.'

104. Yāgñ. I, 200.

105. Sâstram, 'the (sacred) Institutes,' i.e. 'the Veda, which has many Sâkhâs' (Gov., Nār.), or 'the Veda and the Smṛiti' (Medh.), or 'the Smṛiti' (Kull.). Nand. reads siddhim, 'a complete knowledge or accurate performance,' instead of suddhim. The Pura copy of Nār. stops with this verse, the remaining leaves being lost.

106. 'The utterances of the sages,' i.e. 'the Veda,' 'The body of the laws,' i.e. 'the Smṛiti.' 'The modes of reasoning' are, according to Medh. and Kull., the Mîmâṃsâ of Gaimini ; according to 'others' quoted by Medh., all the philosophical schools, excepting

107. Thus the acts which secure supreme bliss have been exactly and fully described; (now) the secret portion of these Institutes, proclaimed by Manu, will be taught.

108. If it be asked how it should be with respect to (points of) the law which have not been (specially) mentioned, (the answer is), 'that which Brâhmanas (who are) Sishṭas propound, shall doubtlessly have legal (force).'

109. Those Brâhmanas must be considered as Sishṭas who, in accordance with the sacred law, have studied the Veda together with its appendages, and are able to adduce proofs perceptible by the senses from the revealed texts.

those which, like the Bauddhas, Nirgranthas, and Lokâyatikas, deny the authority of the Vedas.

108-115. Âp. II, 29, 13-14; Gaut. XXVIII, 48-51; Vas. III, 20; Bauddh. I, 1, 5-13, 16; Yâgñ. I, 9-10.

109. 'In accordance with the sacred law,' i. e. 'while observing the rules prescribed for a student.' The expression *śrutipratyakshahetavaḥ*, 'who are able to adduce proofs perceptible by the senses from the revealed texts,' is variously interpreted. According to Medh. it means either 'those who possess the revealed texts, (proof through) perception and argument' (*śrutipratyakshe hetuḥ ka śrutipratyakshahetavaḥ*), or 'those for whom the revealed texts which are perceptible by the senses, are the reason for distinguishing between virtue and sin' (*athavâ śruteḥ pratyakshasruteḥ | pratyakshasabdāḥ sraute pratyaye pratyakshatulyatvât prayuktaḥ | sa ka hetuḥ dharmâdharmaparigñāne kâraṇam yeshâm ta evam uḍyante*); according to Gov., 'who are the cause of the teaching of the subjects perceptible in the Veda' (*vedagoḥarapadârthopadesakâraṇabhûtâḥ*); according to Kull., 'who are the causes of making the revealed texts perceptible, by reciting the revealed texts,' and according to Nand., 'those for whose knowledge and exposition of the law hearing and perception by means of the senses are the causes' (*yeshâm śravaṇam pratyaksham ka dharmagñânavaḥanayanor hetuḥ te*). 'The appendages,' i. e. 'the Itihâsas and 'Purânas' (Medh. according to the Mahâbhârata,

110. Whatever an assembly, consisting either of at least ten, or of at least three persons who follow their prescribed occupations, declares to be law, the legal (force of) that one must not dispute.

111. Three persons who each know one of the three principal Vedas, a logician, a Mīmāṃsaka, one who knows the Nirukta, one who recites (the Institutes of) the sacred law, and three men belonging to the first three orders shall constitute a (legal) assembly, consisting of at least ten members.

112. One who knows the *Rig*-veda, one who knows the *Yagur*-veda, and one who knows the *Sāma*-veda, shall be known (to form) an assembly consisting of at least three members (and competent) to decide doubtful points of law.

113. Even that which one Brāhmaṇa versed in the Veda declares to be law, must be considered (to have) supreme legal (force, but) not that which is proclaimed by myriads of ignorant men.

114. Even if thousands of Brāhmaṇas, who have

Nand.), or 'the *Āṅgas*, Mīmāṃsā, the law-books, the *Purāṇas*, and so forth' (Gov., Kull.).

110. Medh. and Gov. read *viśārayet* instead of *viśālayet* (Kull., Nand.).

111. 'Three men belonging to the first three orders,' i. e. 'a student, a householder, and a hermit' (Gov., Kull., Nand.). Medh. says that some think 'a student, a householder, and an ascetic' to be meant, because the hermit must not enter a village, and because Gautama, in the enumeration of the castes, places the ascetic before the hermit, while others refer the words to Manu's first three orders. The reading *traividyo*, which all the commentaries give, is probably incorrect. It ought to be *traividyam*, *tisrinām vidyānām samāhārah*; see *Yāgñ.* I, 9, and compare *kāturvidyam*, *kāturvaidyam*, Baudh. I, 1, 1, 8, and Vas. III, 20.

114. *Avratānām*, 'who have not fulfilled their sacred duties,' i. e. 'who have not fulfilled the vows incumbent on 'a student' (Gov., Kull.).

not fulfilled their sacred duties, are unacquainted with the Veda, and subsist only by the name of their caste, meet, they cannot (form) an assembly (for settling the sacred law).

115. The sin of him whom dunces, incarnations of Darkness, and unacquainted with the law, instruct (in his duty), falls, increased a hundredfold, on those who propound it.

116. All that which is most efficacious for securing supreme bliss has been thus declared to you; a Brâhmana who does not fall off from that obtains the most excellent state.

117. Thus did that worshipful deity disclose to me, through a desire of benefiting mankind, this whole most excellent secret of the sacred law.

118. Let (every Brâhmana), concentrating his mind, fully recognise in the Self all things, both the real and the unreal, for he who recognises the universe in the Self, does not give his heart to unrighteousness.

115. Nand. gives yad for yam, instead of tamobhûtâh, 'incarnations of Darkness,' the reading of the Dharma-sûtras, tamomûdhâh, 'perplexed by Darkness or ignorance.'

118. Sampasyet, 'let (every Brâhmana) fully recognise,' i. e. 'let him clearly realise in his mind' (sâkshâtkuryât, Medh., Kull.), through devotional exercises (upâsanâ, Medh.), or through deep meditation (Kull.), or 'let him vow to be solely intent on that one object of knowledge, to the exclusion of the knowledge of all other knowable objects' (gñeyântaravishayanirâkaranena tadekagñeyanish-
/hâm anubrûyât, Medh.). Âtmani, 'in the Self,' i. e. 'in the Supreme Self' (Kull., Nand.), or 'in his own individual Self' (Gov.). Medh. remarks that 'the learned dispute regarding the meaning of the term âtman, and that besides the two explanations already given a third was proposed by some, according to which it meant 'the corporeal Self.' Medh. himself considers the first explanation to be the correct one. Sadasat, 'the real and the unreal,' i. e. either 'the

119. The Self alone is the multitude of the gods, the universe rests on the Self; for the Self produces the connexion of these embodied (spirits) with actions.

120. Let him meditate on the ether as identical with the cavities (of the body), on the wind as identical with the organs of motions and of touch, on the most excellent light as the same with his digestive organs and his sight, on water as the same with the (corporeal) fluids, on the earth as the same with the solid parts (of his body);

121. On the moon as one with the internal organ, on the quarters of the horizon as one with his sense of hearing, on Vishnu as one with his (power of) motion, on Hara as the same with his strength, on Agni (Fire) as identical with his speech, on Mitra as identical with his excretions, and on Pragâpati as one with his organ of generation.

122. Let him know the supreme Male (Purusha, to be) the sovereign ruler of them all, smaller even than small, bright like gold, and perceptible by the intellect (only when) in (a state of) sleep(-like abstraction).

123. Some call him Agni (Fire), others Manu, the

products and the causes,' or 'the intelligent and the non-intelligent' (Nand.), means according to Gov., 'that which possesses a shape of certain proportions and its opposite' (*mûrtam prâthivyâdi yaktâ-mûrtam âkâsâdi*). Medh. proposes two other explanations, 1. 'that which is both existent and non-existent, i. e. comes into existence and perishes;' 2. 'that which like the hare's horn is non-existent, and that which like ether is eternal.' The word *samâhita*, 'concentrating himself,' may have, as Medh. thinks, a technical meaning, and refer to the *Samâdhi*, mentioned in the Yoga and Vedânta systems.

119. In this verse Gov., too, explains *âtma* by *paramâtmâ*.

120. Medh. explains *snehe*, 'on the (corporeal) fluids,' by 'on the viscous substances,' e. g. 'the brain and so forth.'



Lord of creatures, others Indra, others the vital air, and again others eternal Brahman.

124. He pervades all created beings in the five forms, and constantly makes them, by means of birth, growth and decay, revolve like the wheels (of a chariot).

125. He who thus recognises the Self through the Self in all created beings, becomes equal(-minded) towards all, and enters the highest state, Brahman.

126. A twice-born man who recites these Institutes, revealed by Manu, will be always virtuous in conduct, and will reach whatever condition he desires.

124. The five forms are the five great elements, which produce all bodies (Gov., Kull., Nand.).*

125. Instead of param padam, 'the highest state,' Nand. reads sanâtanam, 'the eternal (Brahman).'

APPENDIX.

QUOTATIONS FROM THE INSTITUTES OF MANU, IN THE TRANSLATED HINDU LAW-BOOKS¹.

- I, 101. Col. Dig. II, 4, 42.
 II, 96. Mit. II, 1, 22.
 140. Sar. Vi. 421, 426, 436-7.
 145. Col. Dig. V, 424; Viram. III, 4, 7.
 146. Dây. XI, 4, 3.
 172. Col. Dig. V, 123.
 III, 4-11. Col. Dig. IV, 185.
 5. Datt. Mî. VI, 27.
 12. Col. Dig. V, 144; Dây. IX, 2; Mit. I, 8, 7.
 14. Col. Dig. V, 147.
 15-7. Col. Dig. V, 145; Dây. IX, 9; Viram. II, 1, 25.
 18. Col. Dig. IV, 52.
 20-1. Dây. IV, 3, 4.
 42. Viram. III, 1, 2.
 49. Smri. K. XI, 2, 4; Sar. Vi. 138, 332, 336,
 Varad. p. 41.
 51. Dây. IV, 3, 24.
 55. Col. Dig. IV, 42.
 56-9. Col. Dig. IV, 39.
 60. Col. Dig. IV, 40, 189, 1; May. IV, 8, 21.
 61-2. Col. Dig. IV, 189, 2-3.
 81. Dây. XI, 6, 17.

¹ Colebrooke's Digest (Col. Dig.); Vyavahâramayûkha, by Borradaile (Vyav.); Dâyabhâga and Mitâksharâ on Inheritance, by Colebrooke (Dây.; Mit.); Mitâksharâ on Vyavahâra, by Macnaghten (M. Mit.); Dâyakramasangraha, by Wynch (Dâyakr.); Dattakamîmâmsâ and Dattakāṇḍrikâ, by Sutherland (Datt. Mî.; Datt. Kand.); Vivâdakintâmani, by Prosonno Kumar Tagore (Viv. Kint.); Vîramitrodaya on Inheritance, by Golâpchand Sarkâr (Viram.); Smritikāṇḍrikâ, by T. Kristnaswamy Jyer (Smri. K.); Sarasvatîvilâsa, by Foulkes (Sar. Vi.); Vyavahâramâdhava and Varadarâjya on Inheritance, by Burnell (Mâdh.; Varad.).

- IV, 162. M. Mit. II, 8, 21.
V, 60. Dâṃ. XI, 1, 42; XI, 6, 17; Datt. Mî. VI, 27.
127. Col. Dig. V, 321.
147-9. Col. Dig. IV, 86.
150. Col. Dig. IV, 89.
153-6. Col. Dig. IV, 103.
157. Col. Dig. IV, 139; Mit. I, 10, 9; Vîram. II, 2, 4; Sar. Vi. 345.
158. Col. Dig. IV, 139; Mit. I, 10, 9; Vîram. II, 2, 4.
159. Col. Dig. IV, 140; Mit. I, 10, 9; Vîram. II, 2, 4.
160. Col. Dig. IV, 141; Mit. I, 10, 9; Datt. Mî. I, 29; Vîram. II, 2, 4.
161. Col. Dig. IV, 142; Mit. I, 10, 9; Vîram. II, 2, 4; Sar. Vi. 345.
162. Col. Dig. IV, 143.
163. Col. Dig. IV, 161.
165. Col. Dig. IV, 105.
VII, 14-28. Viv. Kint. pp. 320-2.
82. Col. Dig. V, 163; Dâṃ. IX, 20.
85. Col. Dig. II, 4, 63.
127-40. Col. Dig. II, 2, 14, 1-13.
VIII, 1-2. May. I, 1, 5.
4. Col. Dig. II, 1, 2; May. I, 1, 3; Viv. Kint. p. 4.
5-7. Col. Dig. II, 1, 2; May. I, 1, 3; M. Mit. I, 2, 5.
11. M. Mit. I, 1, 12.
13. M. Mit. I, 1, 15; VI, 1, 59.
27. Col. Dig. V, 449; Viv. Kint. p. 300.
28. Col. Dig. V, 480, 1.
29. Col. Dig. V, 480, 2; May. IV, 10, 10; Smṛi. K. IX, 2, 27.
30. Col. Dig. II, 2, 60, 1; May. VII, 8; M. Mit. V, 4.
31-2. Col. Dig. II, 2, 60, 2-3.
33. May. VII, 8; M. Mit. V, 5.
34. Viv. Kint. p. 180.

- (VIII), 35. May. VII, 10; M. Mit. V, 11.
 37-8. M. Mit. V, 9.
 40. May. VII, 11; M. Mit. V, 12.
 43. M. Mit. I, 2, 7.
 45. Col. Dig. II, 4, 68.
 46. Col. Dig. I, 50, 233.
 47. Col. Dig. I, 233.
 48. Col. Dig. I, 234; Viv. Kint. p. 43.
 49. Col. Dig. I, 235; Viv. Kint. p. 43.
 50. Col. Dig. I, 254.
 51. Col. Dig. I, 264.
 59. Col. Dig. I, 265; Viv. Kint. p. 47.
 68. M. Mit. VI, 1, 6.
 70. May. II, 3, 8.
 74. M. Mit. VI, 1, 1.
 79-80. May. II, 3, 14.
 87. May. II, 3, 4.
 102. May. II, 3, 17; M. Mit. VI, 1, 22.
 107. M. Mit. VI, 1, 29.
 108. May. II, 3, 20; M. Mit. VI, 1, 45.
 113. May. II, 3, 17; III, 3; M. Mit. VI, 1, 23;
 VIII, 20, 1.
 115. M. Mit. VIII, 10, 2.
 117. M. Mit. VI, 1, 31.
 120. M. Mit. VI, 1, 49; Viv. Kint. p. 221.
 121. M. Mit. VI, 1, 49; Viv. Kint. p. 222.
 122. Viv. Kint. p. 221.
 123. M. Mit. III, 4, 9; Viv. Kint. p. 222.
 124-5. M. Mit. III, 4, 4.
 128. M. Mit. I, 1, 6.
 129. M. Mit. III, 4, 3.
 132-4. Col. Dig. III, 1, 77, 1-3.
 138. Viv. Kint. p. 222.
 139. Col. Dig. I, 273; Viv. Kint. pp. 48, 221.
 140. Col. Dig. I, 23, 29, 1.
 141. Col. Dig. I, 29, 2; Viv. Kint. p. 7.
 143. Col. Dig. I, 91, 117; II, 2, 7; Viv. Kint. pp.
 21, 25.
 144. Col. Dig. I, 87; May. V, 2, 3.

VIII), 146. May. II, 2, 7.

147. M. Mit. III, 2, 6.

150. Col. Dig. I, 78.

151. Col. Dig. I, 43, 61; May. V, 1, 7; Viv. Kint.

p. 17.

152. Col. Dig. I, 42.

153. Col. Dig. I, 41.

154. Col. Dig. I, 48, 257, 1.

155. Col. Dig. I, 257, 2.

156. Col. Dig. I, 258.

157. Col. Dig. I, 33; Viv. Kint. p. 19.

159-60. Col. Dig. I, 151, 1-2.

161. Col. Dig. I, 154.

162. Col. Dig. I, 155.

163. Col. Dig. II, 2, 11; II, 4, 57.

165. May. IX, 10; Vīram. V, 1, 2.

166. Col. Dig. I, 186.

167. Col. Dig. I, 190; Dāyakr. XII, 1, 1; Viv. Kint. p. 39.

168. Col. Dig. II, 2, 10.

177. Col. Dig. I, 245; May. V, 4, 6.

179. Col. Dig. II, 1, 13; Viv. Kint. p. 49.

180. Col. Dig. II, 1, 16.

181-4. Col. Dig. II, 1, 47, 1-4.

185. Col. Dig. II, 1, 20.

186. Col. Dig. II, 1, 21; Viv. Kint. p. 51.

187. Col. Dig. II, 1, 46.

188. Col. Dig. II, 1, 49.

189. Col. Dig. II, 1, 26; Viv. Kint. p. 51.

191. Col. Dig. II, 1, 37; May. VI, 2.

192. Col. Dig. II, 1, 38; May. VI, 5; Viv. Kint.

p. 54.

193. Col. Dig. II, 1, 39; Viv. Kint. p. 53.

194. Col. Dig. II, 1, 48.

195. Col. Dig. II, 1, 17.

196. Col. Dig. II, 1, 50.

197. Col. Dig. II, 2, 5; Viv. Kint. p. 56.

198. Col. Dig. II, 2, 40; Viv. Kint. pp. 56, 222.

199. Col. Dig. II, 2, 27.

- (VII), 201. Col. Dig. II, 2, 36.
202. Col. Dig. II, 2, 50; May. VII, 5; Viv. Kint. p. 58.
203. Col. Dig. II, 2, 61; Viv. Kint. p. 119.
206. Col. Dig. II, 3, 32; Viv. Kint. p. 65.
207. Col. Dig. II, 3, 33.
208. Col. Dig. II, 3, 35, 1.
209. Col. Dig. II, 3, 35, 2; Viv. Kint. p. 67.
210. Col. Dig. II, 3, 35, 3; Viv. Kint. p. 66.
212. Col. Dig. II, 4, 48, 1; Viv. Kint. pp. 84, 223.
213. Col. Dig. II, 4, 48, 2.
215. Col. Dig. III, 1, 76; May. XI, 4; Viv. Kint. p. 98.
216. Col. Dig. III, 1, 81; May. XI, 4; Viv. Kint. p. 99.
217. Col. Dig. III, 1, 78; May. XI, 4; Viv. Kint. p. 99.
218. Col. Dig. III, 2, 1.
- 219-20. Col. Dig. III, 2, 15; Viv. Kint. p. 110.
222. Col. Dig. III, 3, 7; 23, 1; Viv. Kint. p. 113.
223. Col. Dig. III, 3, 23, 2; Viv. Kint. p. 113.
- 224-7. Col. Dig. IV, 166-9.
228. Col. Dig. III, 3, 24; Viv. Kint. p. 113.
229. Col. Dig. III, 4, 1.
230. Col. Dig. III, 4, 9; Viv. Kint. p. 105.
231. Col. Dig. III, 4, 2; Viv. Kint. p. 105.
232. Col. Dig. III, 4, 12; Viv. Kint. p. 106.
233. Col. Dig. III, 4, 7; Viv. Kint. p. 106.
234. Col. Dig. III, 4, 18.
- 235-6. Col. Dig. III, 4, 16.
237. Col. Dig. III, 4, 19; May. XV, 3; Viv. Kint. p. 132.
238. Col. Dig. III, 4, 25; Viv. Kint. p. 132.
239. Col. Dig. III, 4, 32.
240. Col. Dig. III, 4, 29; May. XVII, 9.
241. Col. Dig. III, 4, 36; Viv. Kint. p. 133.
242. Col. Dig. III, 4, 54; Viv. Kint. p. 136.
244. Col. Dig. III, 4, 59.
- 245-52. Viv. Kint. p. 120.

- (VIII), 253. *Viv. Kint.* p. 121.
 257. *May.* XV, 4.
 259-61. *Viv. Kint.* p. 121.
 262. *Viv. Kint.* p. 124.
 264. *May.* XV, 11; *Viv. Kint.* p. 126.
 267. *May.* XVI, 1, 3; *Viv. Kint.* p. 140.
 268. *Viv. Kint.* p. 140.
 273. *Viv. Kint.* p. 142.
 275. *May.* XVI, 1, 4.
 276-7. *Viv. Kint.* p. 141.
 279. *May.* XVI, 2, 4; *Viv. Kint.* p. 150.
 280-1. *May.* XVI, 2, 4; *Viv. Kint.* pp. 146, 150.
 281-2. *Viv. Kint.* pp. 146, 150.
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210. Col. Dig. V, 35, 406, 1; Dây. XII, 1; Mit. II, 9, 12; May. IV, 9, 2; Vīram. IV, 1, 4; Smṛi. K. XII, 3; Mād̥h. p. 34; Varad. p. 52.
211. Col. Dig. V, 406, 2; Mit. II, 9, 12; May. IV, 9, 13; Vīram. IV, 4; Smṛi. K. XI, 1, 51; XII, 17; Sar. Vi. 767; Mād̥h. pp. 35-6; Varad. p. 52.
212. Col. Dig. V, 406, 3; Dây. XI, 6, 32; Mit. II, 9, 12; May. IV, 9, 13; Vīram. IV, 4, 6; Smṛi. K. XI, 1, 51; XII, 17; Sar. Vi. 767; Mād̥h. pp. 35-6; Varad. p. 52.
213. Col. Dig. V, 52; Mit. I, 9, 5; May. IV, 7, 24; Vīram. II, 1, 7; VI, 2; Viv. Kint. p. 234; Sar. Vi. 781; Mād̥h. p. 52.
214. Col. Dig. V, 317; Dây. V, 6; May. IV, 11, 9; Vīram. VIII, 11; Viv. Kint. p. 242; Smṛi. K. V, 19; Varad. p. 12.
215. Col. Dig. V, 29; Dây. II, 86; Vīram. II, 1, 10; Viv. Kint. p. 235.
216. Col. Dig. V, 101; Dây. I, 46; II, 2; VII, 1;

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A.

SYNOPSIS OF PARALLEL PASSAGES.

By the advice of the editor I add a detailed synopsis of the parallel passages from the six Dharma-sûtras and Smṛtis, as well as of the wholly or partly identical verses from the Mahâbhârata, Parâsara, Mânava Srâddhakalpa, the Upanishads, and some other works. I trust that, though references to the Smṛtis have already been given in the notes to the translation, this addition will not be found useless. The principle on which I have worked is a different one, and this synopsis shows much more clearly which rules of Manu's work are represented in the older books and which are not. It also shows at a glance which verses I have been able to trace elsewhere. According to what has been said in the Introduction, both points are of some importance. I have used this opportunity to supply some omissions, and to correct the misprints occurring in the figures of the quotations given in the notes. Wherever the notes and the synopsis differ, the latter alone is to be relied on. The addition of an asterisk (*) to a quotation means that the passage is in verse, and that it is thus intimately connected with Manu's Sloka. The passages quoted from the Mahâbhârata are all cognate verses. Hence no asterisks have been added.

Abbreviations: Ga.=Gautamîya Dharma-sâstra; Ba.=Baudhâyanîya Dharma-sâstra; Âp.=Âpastambîya Dharma-sûtra; Va.=Vâsishṭha Dharma-sâstra; Vi.=Viṣṇu Smṛiti; Yâ.=Yâgyavalkîya Dharma-sâstra; Par.=Parâsara Smṛiti (Calc. ed.); Mâ. Sr.=Mânava-Srâddhakalpa (Introduction, pp. xl-xliii); Â. Gri.=Âsvalâyana Grîhya-sûtra (Calc. ed.); Sâ. Gri.=Sâṅkhâya Grîhya-sûtra; Pâ. Gri.=Pâraskara Grîhya-sûtra; Go. Gri.=Gobhiliya Grîhya-sûtra (Calc. ed.); Mai. Up.=Maitrâyanîyabrâhmanopanishad; Îsâ. Up.=Îsâvâsyopanishad; Sa. Up.=Saṃhitopanishad; Nir.=Nirukta; Mah.=Mahâbhârata; V. P.=Viṣṇu-purâna, Wilson's translation, edited by Dr. F. E. Hall.

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59. Ba. I, 8, 15-16; Va. III, 26; Vi. LXII, 1-4; Yâ. I, 19.

60. Ba. I, 8, 19-21; Ga. I, 36; Âp. I, 16, 2-10; Va. III, 27-29; Vi. LXII, 6-8; Yâ. I, 20; Go. Gri. I, 2, 5-9.

61. Ba. I, 8, 17; Âp. I, 15, 4-7; Va. III, 31; Vi. LXII, 5; Yâ. I, 18, 20; Go. Gri. I, 2, 5, 22-23.

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64. Vi. XXVII, 29*; Ba. I, 6, 6-9.

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71. Ba. I, 3, 25-28; Âp. I, 5, 19, 23; Vi. XXX, 32; Yâ.

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196. Vi. XXVIII, 19*; Ga. II, 28; Ba. I, 3, 38; Va. VII, 12; Âp. I, 6, 6-9; Pâ. Gri. II, 5, 30.
197. Vi. XXVIII, 20-22.
198. Ga. II, 14-15, 21; Âp. I, 2, 21; 3, 15; 6, 13-17; 8, 8-10; Vi. XXVIII, 23; Sâ. Gri. IV, 8, 5, 7-11.
199. Ga. II, 18, 23; Âp. I, 8, 15; Vi. XXVIII, 24-25.
200. Vi. XXVIII, 26.
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203. Âp. I, 6, 15, 23.
204. Ba. I, 3, 34; Âp. I, 8, 12-13; Vi. XXVIII, 27-28.
205. Va. XIII, 54^a*; Ga. VI, 3-4; Âp. I, 6, 29-30; 8, 19-20; Vi. XXVIII, 29-30.
206. Âp. I, 7, 28-29.
207. Ga. II, 31; Ba. I, 3, 44; Âp. I, 7, 29-30; Va. XIII, 54; Vi. XXXII, 1.
208. Vi. XXVIII, 31.
209. Ga. II, 32; Ba. I, 3, 36; Âp. I, 7, 30; Vi. XXVIII, 32-33.
210. Ga. II, 31; Ba. I, 3, 37; Âp. I, 7, 27; Vi. XXXII, 2, 5.
211. Ga. II, 32; Ba. I, 3, 37; Âp. I, 7, 27; Vi. XXXII, 6.
212. Vi. XXXII, 13*; Ga. II, 34; Ba. I, 3, 33.
213. Mah. XIII, 48, 38.
214. Mah. XIII, 48, 37.
215.
216. Vi. XXXII, 14*.
217. Vi. XXXII, 15*; Ga. VI, 2; Âp. I, 14, 8.
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219. Ga. I, 27; II, 10; Âp. I, 2, 31-32; 30, 8; Va. VII, 11; Vi. XXVIII, 41.
220. Vi. XXVIII, 53*; Ga. XXIII, 21; Ba. II, 7, 16; Âp. II, 12, 13-14; Va. XX, 4.
221. Va. I, 18; Âp. II, 12, 22.
222. Ga. II, 11; Ba. II, 7, 2; Vi. XXVIII, 2.
223. Mah. XIII, 105, 13; Âp. II, 29, 11.
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225. Ga. XXI, 15; Âp. I, 14, 6; Vi. XXXI, 1-3.
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228. Vi. XXXI, 5.
229. Mah. XII, 108, 5^b.
230. Mah. XII, 108, 6; Vi. XXXI, 7*.
231. Mah. XII, 108, 7; Vi. XXXI, 8; Âp. I, 3, 44.
232. Mah. XII, 108, 8^a.
233. Mah. XII, 108, 8^b-9; Vi. XXXI, 10*.
234. Mah. XII, 108, 12; Vi. XXXI, 9*.
235. Vi. XXXI, 6.
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238. Mah. XII, 165, 31^a, 32^a; Âp. II, 29, 11.
239. Mah. XII, 165, 31^b, 32^a.
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241. Ga. VII, 1-3; Ba. I, 3, 41-43; Âp. II, 4, 25.
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243. Ga. III, 5, 6; Ba. II, 11, 13; Âp. II, 21, 6; Va. VII, 4; Vi. XXVIII, 43; Yâ. I, 49.
244. Ga. III, 9; Yâ. I, 50.
245. Ga. II, 48-49; Âp. I, 7, 19; Vi. XXVIII, 42; Yâ. I, 51; Â. Gri. III, 9, 4; Go. Gri. III, 4, 1-2.

246. Sâ. *Gri.* III, 1, 18.

247. Ga. III, 7; Vi. XXVIII,
44-45; Yâ. I, 49.

248. Ga. III, 8; Va. VII, 5-6;
Vi. XXVIII, 46; Yâ. I, 49.

249. Vi. XXVIII, 47*.

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1. Ga. II, 45-47; Ba. I, 3, 1-4;
Âp. I, 2, 12-16; Yâ. I, 36; Â.
Gri. I, 22, 3-4; Pâ. *Gri.* II,
5, 13-15; II, 6, 2-3.

2. Va. VIII, 1; Yâ. I, 52.

3. Sâ. *Gri.* III, 1, 5, 17; Go.
Gri. III, 4, 30-34.

4. Ga. IV, 1; Va. VIII, 1; Yâ.
I, 52; Â. *Gri.* I, 5, 3-6; III,
9, 4; Sâ. *Gri.* I, 5, 6-10; Pâ.
Gri. II, 6, 1, 4; Go. *Gri.* II,
1, 2.

5. Ga. IV, 2-5; Va. VIII, 1-2;
Ba. II, 1, 37-38; Vi. XXIV,
9-10; Yâ. I, 53; Go. *Gri.*
III, 4, 4-5.

6. Â. *Gri.* I, 5, 1.

7. Yâ. I, 54.

8. Vi. XXIV, 12-16; Yâ. I, 53.

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11. Yâ. I, 53.

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13. Ba. I, 16, 2-5; Va. I, 24-25;
Vi. XXIV, 1-4; Yâ. I, 57;
Pâ. *Gri.* I, 4, 8-11.

14. Va. I, 26; Yâ. I, 56.

15. Vi. XXVI, 6*; Va. I, 27.

16. Ba. II, 2, 7.

17. Va. I, 27.

18. Vi. XXVI, 7*; Va. XIV, 11.

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20. Mah. I, 73, 8.

21. Mah. I, 73, 8-9; Ba. I, 20,
1; Va. I, 29; Vi. XXIV, 18.

22.

23. Mah. I, 73, 10; Ga. IV, 15.

24. Mah. I, 73, 10-11; Ga. IV,
14; Ba. I, 20, 10; Âp. II, 12,
3; Vi. XXIV, 27-28.

25. Mah. I, 73, 11-12.

26. Mah. I, 73, 13; Ba. I, 20,
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27. Ga. IV, 6; Ba. I, 20, 2;
Âp. II, 11, 17; Va. I, 30; Vi.
XXIV, 19; Yâ. I, 58; Â. *Gri.*
I, 6.

28. Ga. IV, 9; Ba. I, 20, 5;
Âp. II, 11, 19; Va. I, 31; Vi.
XXIV, 20; Yâ. I, 59; Â. *Gri.*
I, 6.

29. Ga. IV, 8; Ba. I, 20, 4; Âp.
II, 11, 18; Va. I, 32; Vi.
XXIV, 21; Yâ. I, 59; Â. *Gri.*
I, 6.

30. Ga. IV, 7; Ba. I, 20, 3; Vi.
XXIV, 22; Yâ. I, 60; Â. *Gri.*
I, 6.

31. Ga. IV, 11; Ba. I, 20, 6¹;
Âp. II, 12, 1; Va. I, 35; Vi.
XXIV, 24; Yâ. I, 61; Â. *Gri.*
I, 6.

32. Ga. IV, 10; Ba. I, 20, 7¹;
Âp. II, 11, 20; Va. I, 33; Vi.
XXIV, 23; Yâ. I, 61; Â. *Gri.*
I, 6.

¹ The order of the Sûtras followed here is that adopted by Dr. Hultsch in his edition of the text.

33. Ga. IV, 12; Ba. I, 20, 8; Âp. II, 12, 2; Va. I, 34; Vi. XXIV, 25; Yâ. I, 61; Â. Gri. I, 6.
34. Ga. IV, 13; Ba. I, 20, 9; Vi. XXIV, 26; Yâ. I, 61; Â. Gri. I, 6.
35.
36.
37. Ga. IV, 33; Vi. XXIV, 29; Yâ. I, 58; Â. Gri. I, 6.
38. Ga. IV, 29-32; Vi. XXIV, 30-32; Yâ. I, 59-60; Â. Gri. I, 6.
39.
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42. Ba. I, 21, 1; Âp. II, 12, 4.
43. Vi. XXIV, 5; Yâ. I, 62.
44. Vi. XXIV, 6-8; Yâ. I, 62.
45. Ga. V, 1-2; Ba. IV, 1, 18-19; Âp. II, 1, 17-18; Va. XII, 21-24; Vi. LXIX, 1; Yâ. I, 79-81; Sâ. Gri. IV, 11, 16; Pâ. Gri. I, 11, 7-8.
46. Yâ. I, 79.
47. Yâ. I, 79.
48. Yâ. I, 79.
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50. Yâ. I, 79.
51. Ba. I, 21, 2-3; II, 2, 27; Âp. II, 13, 11; Va. I, 37-38.
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53. Mah. XIII, 45, 20; Âp. II, 13, 12; Va. I, 36.
54. Mah. XIII, 46, 1^{b-2a}.
55. Mah. XIII, 46, 3; Yâ. I, 82.
56. Mah. XIII, 46, 5^{b-6a}.
57. Mah. XIII, 46, 6^b.
58. Mah. XIII, 46, 7.
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61. Mah. XIII, 46, 4.
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63. Ba. I, 10, 26*.
64. Ba. I, 10, 28^a*.
65. Ba. I, 10, 28^b*.
66. Ba. I, 10, 29.
67. Ga. V, 7-8; Ba. II, 4, 22; Vi. LIX, 1-2; Yâ. I, 97.
68. Par. II, 11*; Vi. LIX, 19.
69. Vi. LIX, 20.
70. Ga. V, 3-4, 9; Ba. II, 5, 11; II, 11, 1; Vi. LIX, 20-25; Yâ. I, 102; Â. Gri. III, 1, 1-4.
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72. Vi. LIX, 26*.
73. Sâ. Gri. I, 5, 1; Pâ. Gri. I, 4, 1.
74. Â. Gri. I, 1, 3; Sâ. Gri. I, 10, 6.
75. Â. Gri. III, 2, 2.
76. Mah. XII, 264, 11; Mai. Up. VI, 37; Va. XI, 13.
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78. Va. VIII, 14-16; Vi. LIX, 27-28.
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80. Vi. LIX, 29*; Sâ. Gri. II, 16, 6.
81. Yâ. I, 23, 104.
82. Mah. XIII, 97, 8^{b-9a}; Mâ. Sr. IV*; Vi. LXVII, 23-25.
83. { Ga. V, 10; Ba. II, 5, 11; Âp. II, 3, 12, 16-17; Va. XI, 3; Vi. LXVII, 1-3;
84. { Â. Gri. I, 2, 1-2; Sâ. Gri. II, 14, 1-4; Pâ. Gri. II, 9, 1-12.
85. { Ga. V, 11-17; Âp. II, 3, 12, 15, 18-23; II, 4, 1-8; Va. XI, 4; Vi. LXVII, 4-22; Â. Gri. I, 2, 3-10;
86. { Sâ. Gri. II, 14, 5-17; Pâ. Gri. II, 9, 3-10; Go. Gri. I, 4, 8-12.
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91. {

92. Âp. II, 9, 5-6; Vi. LXVII, 26; Yâ. I, 103; Sâ. Gri. II, 14, 22.
93. Âp. II, 4, 9; Vi. LXVII, 28, 32, 44, 46.
94. Ba. II, 5, 15; Âp. II, 4, 10-11; Va. XI, 5; Vi. LIX, 14; LXVII, 27; Yâ. I, 108; Sâ. Gri. II, 14, 20; Pâ. Gri. II, 9, 11-12.
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96. Ga. V, 18; Yâ. I, 108; Sâ. Gri. II, 14, 19.
97. Va. III, 8.
98.
99. Ga. V, 31-34; Va. VIII, 12; Âp. II, 4, 13, 16; II, 6, 7-14; Vi. LXVII, 45; Yâ. I, 107.
100. Sâ. Gri. II, 17, 1*; Vi. LXVII, 33.
101. Âp. II, 4, 14*; Ga. V, 35-36; Yâ. I, 107.
102. Va. VIII, 7*; Vi. LXVII, 34*; Ga. V, 40.
103. Va. VIII, 8a*; Vi. LXVII, 35*; Par. I, 43*; Sâ. Gri. II, 16, 3*; Ga. V, 40; Âp. II, 6, 5.
104. Yâ. I, 112.
105. Va. VIII, 8b*; Ga. V, 40; Va. VIII, 4-5; Vi. LXVII, 29-30; Yâ. 107.
106. Ga. V, 38-39; Âp. II, 8, 2-4; Yâ. I, 104.
107. Yâ. I, 107.
108. Âp. II, 6, 16-17; Va. XI, 12.
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110. Ga. V, 43.
111. Vi. LXVII, 36*; Ga. V, 44.
112. Vi. LXVII, 37*; Ga. V,

- 45; Ba. II, 5, 14; Âp. II, 4, 18-20.
113. Vi. LXVII, 38*; Yâ. I, 108.
114. Vi. LXVII, 39*; Ga. V, 25; Ba. II, 13, 5^{a-b}; Âp. II, 4, 12; Yâ. I, 105; Sâ. Gri. II, 14, 21; Pâ. Gri. II, 9, 13.
115. Ba. II, 13, 5^{c-d}*; Vi. LXVII, 40*; Ba. II, 5, 18.
116. Vi. LXVII, 41*; Âp. II, 8, 2; Yâ. I, 105; Pâ. Gri. II, 9, 14.
117. Vi. LXVII, 42*; Ba. II, 13, 6.
118. Vi. LXVII, 43*; Ba. II, 13, 2.
119. Ga. V, 27-28; Ba. II, 6, 36-38; Âp. II, 8, 5-9; Va. XI, 1-2; Yâ. I, 109-10; Â. Gri. I, 24, 1-4; Sâ. Gri. II, 15, 1-9; Pâ. Gri. I, 3, 1-3; Go. Gri. IV, 10, 24-26.
120. Ga. V, 29-30; Ba. II, 6, 37; Yâ. I, 110; Sâ. Gri. II, 15, 10.
121. Go. Gri. I, 4, 19.
122. Ga. XV, 2; Yâ. I, 217.
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125. Ba. II, 15, 10*; Va. XI, 27*; Mâ. Sr. IV*; Ga. XV, 21; Vi. LXXIII, 3-4; Yâ. I, 228; Â. Gri. IV, 7, 2; Sâ. Gri. IV, 1, 2.
126. Ba. II, 15, 11*; Va. XI, 28*; Mâ. Sr. IV*.
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128. Va. III, 8a*; Â. Gri. IV, 7, 2.
129. Ga. XV, 21; Va. XI, 29.
130. Vi. LXXXII, 2.
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134. Mah. XIII, 90, 50; Va. VI, 26; Vi. LXXXIII, 9-13; Yâ. I, 221.
135. Mah. XIII, 90, 51^a.
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138. Ga. XV, 12; Ba. II, 14, 6; Âp. II, 17, 4; Va. XI, 17.
139. Âp. II, 17, 9.
140. Mah. XIII, 90, 42.
141. Mah. XIII, 90, 46; Âp. II, 17, 8*.
142. Mah. XIII, 90, 44.
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144. Ba. II, 14, 4; Âp. II, 17, 5-6; Va. XI, 18.
145. Mâ. Sr. IV*; Ba. II, 14, 4.
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148. Mâ. Sr. IV*; Ga. XV, 20; Vi. LXXXIII, 17-18; Yâ. I, 220.
149. Vi. LXXXII, 1-2.
150. Ga. XV, 16; Va. XI, 19; Yâ. I, 223-224.
151. Ga. XV, 16, 18; Vi. LXXXII, 13.
152. Ga. XV, 18; Vi. LXXXII, 8-9.
153. Ga. XV, 16, 18; Va. XI, 19; Vi. LXXXII, 26; Yâ. I, 222.
154. Ga. XV, 16, 18; Va. XI, 19; Yâ. I, 223.
155. Ga. XV, 17-18; Yâ. I, 222.
156. Vi. LXXXII, 20-21; Yâ. I, 222, 223.
157. Vi. LXXXII, 23, 29; Yâ. I, 224.
158. Mah. XIII, 90, 7; Ga. XV, 18; Yâ. I, 223-224.
159. Mah. XIII, 90, 8; Ga. XV, 19; Vi. LXXXII, 5, 28; Yâ. I, 222, 223.
160. Ga. XV, 18; Vi. LXXXII, 18; Yâ. I, 223.
161. Ga. XV, 18; Âp. II, 17, 21; Va. XI, 19; Vi. LXXXII, 19; Yâ. I, 222.
162. Âp. II, 17, 21; Vi. LXXXII, 7.
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164. Ga. XV, 18; Vi. LXXXII, 22; Yâ. I, 223.
165. Yâ. I, 223.
166. Ga. XV, 16; Yâ. I, 224.
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170. Mah. XIII, 90, 11^b-12^a.
171. Par. IV, 20.
172. Mah. XII, 165, 68^a; Ba. II, 1, 39*; Par. IV, 19*.
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174. Par. IV, 17*.
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180. Mah. XIII, 90, 13^b-14^a.
181. Mah. XIII, 90, 14^b-15^a.
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184. Mah. XIII, 90, 36; Ga. XV, 9, 28; Âp. II, 17, 22; Vi. LXXXIII, 5; Yâ. I, 219.
185. Mah. XIII, 90, 26^b-27^a; Mâ. Sr. IV*; Ga. XV, 28; Ba. II, 14, 2; Âp. II, 17, 22; Vi.

- LXXXIII, 2-4, 15, 16; Yâ. I, 219-221.
186. Mâ. Sr. IV*; Yâ. I, 219.
187. Ba. II, 14, 6; Âp. II, 17, 11-15; Va. XI, 17; Vi. LXXIII, 2; Yâ. I, 225.
188. Ga. XV, 23; Yâ. I, 225.
189. Mâ. Sr. IV.
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191. Ga. XV, 22.
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202. Mâ. Sr. II; Âp. II, 19, 3-5; Vi. LXXIX, 24; Yâ. I, 236.
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205. Vi. LXXIII, 27; Yâ. I, 244.
206. Ga. XV, 25; Âp. II, 18, 6; Yâ. I, 227; Vi. LXXXV, 62.
207. Vi. LXXXV, 54-61.
208. Vi. LXXIII, 2; Yâ. I, 226; Â. Gri. IV, 7, 2.
209. Ba. II, 14, 7; Vi. LXXIII, 12; Yâ. I, 231; Â. Gri. IV, 8, 1; Sâ. Gri. IV, 1, 5.
210. Ba. II, 14, 7; Âp. II, 17, 17-19; Vi. LXXIII, 12; Yâ. I, 235; Â. Gri. IV, 7, 5-7; Sâ. Gri. IV, 1, 2-3.
211. Ba. II, 14, 7; Â. Gri. IV, 8, 4; Sâ. Gri. IV, 1, 6.
212. Â. Gri. IV, 8, 5-6.
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214. Â. Gri. IV, 7, 9.
215. Vi. LXXIII, 17-19; Yâ. I, 241; Sâ. Gri. IV, 1, 10.
216. Vi. LXXIII, 22.
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218. Vi. LXXIII, 23.
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224. Âp. II, 19, 9; Va. XI, 26.
225. Ba. II, 15, 3*; Va. XI, 25*.
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227. { 19-22; Vi. LXXIII, 21,
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228. Âp. II, 17, 4.
229. Âp. II, 18, 3; Vi. LXXIX, 19-21; LXXXI, 2.
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231. Ba. II, 14, 5; Vi. LXXIX, 5-15; Yâ. I, 239.
232. Vi. LXXIII, 16; Â. Gri. IV, 8, 10; Sâ. Gri. IV, 1, 8.
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234. Vi. LXXIX, 16; LXXXIII, 18.
235. Va. XI, 35*, 36; Yâ. I, 235.
236. Vi. LXXXI, 11, 19.
237. Va. XI, 32*; Vi. LXXXI, 20*.
238. Mah. XIII, 90, 19; Vi. LXXXI, 12-13.
239. Ga. XV, 24; Âp. II, 17, 20; Vi. LXXXI, 6-9.
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242. Vi. LXXXI, 15.
243. Vi. LXXXI, 18.
244. Vi. LXXXI, 21*; Yâ. I, 240; Â. Gri. IV, 8, 14.

245. Vi. LXXXI, 22*; Va. XI, 23*.
246. Vi. LXXXI, 23*; Va. XI, 24*.
247. Vi. XXI, 2-3; Yâ. II, 250; Sâ. Gri. IV, 2, 1-4.
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250. Mah. XIII, 90, 12^b-13^a; Va. XI, 37*.
251. Vi. LXXIII, 26; Yâ. I, 240; Â. Gri. IV, 8, 11; Sâ. Gri. IV, 2, 5-7.
252. Yâ. I, 243; Â. Gri. IV, 8, 15.
253. Â. Gri. IV, 8, 11; Sâ. Gri. IV, 1, 12; Yâ. I, 240.
254. Va. III, 69-71; Sâ. Gri. IV, 2, 5; IV, 4, 14.
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258. Vi. LXXIII, 27.
259. Vi. LXXIII, 28*; Yâ. I, 245*.
260. Yâ. I, 256; Go. Gri. IV, 3, 31-34.
261. Ba. II, 14, 9; Â. Gri. IV, 8, 12-13; Sâ. Gri. IV, 1, 9.
262. Go. Gri. IV, 3, 27.
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265. Va. XI, 21-22; Yâ. I, 256.
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267. Mah. XIII, 88, 3; Ga. XV, 15; Vi. LXXX, 1; Yâ. I, 257.
268. Mah. XIII, 88, 5; Ga. XV, 15; Vi. LXXX, 2-5; Yâ. I, 257.
269. Mah. XIII, 88, 7; Ga. XV, 15; Vi. LXXX, 6-9; Yâ. I, 257-258.
270. Ga. XV, 15; Âp. II, 16, 27; Vi. LXXX, 10; Yâ. I, 258.
271. Mah. XIII, 88, 9^b; Ga. XV, 15; Âp. II, 16, 26; Vi. LXXX, 11-12; Yâ. I, 257.
272. Ga. XV, 15; Âp. II, 17, 1-3; Vi. LXXX, 14; Yâ. I, 259.
273. Mah. XIII, 88, 15; Âp. II, 19, 22; Yâ. I, 260.
274. Mah. XIII, 88, 12^a; Mâ. Sr. II; Va. XI, 40*; Vi. LXXVIII, 52-53.
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276. Ga. XV, 3; Âp. II, 16, 6; Va. XI, 16.
277. Ga. XV, 4; Âp. II, 16, 8-22; Vi. LXXVIII, 8-49; Yâ. I, 261-267.
278. Âp. II, 16, 5; Va. XI, 36; Vi. LXXIII, 2.
279. Yâ. I, 232.
280. Âp. II, 17, 23; Vi. LXXVII, 8.
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283. Mâ. Sr. II; Ba. II, 11, 3; Âp. I, 13, 1.
284. Yâ. I, 268.
285. Mah. III, 2, 60; XII, 244, 12^a-13^b.
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| 2. Mah. XII, 263, 6. | 34. Ga. IX, 3; Âp. I, 30, 13;
Va. XII, 4; Vi. LXXI, 9. |
| 3. | 35. Ga. IX, 4, 6, 7, 71-72; Ba. I,
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| 4. | 36. Ba. I, 5, 3-5; I, 6, 1; II, 6,
7; Va. XII, 14, 37-38; Âp.
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| 5. Sâ. Gri. IV, 11, 13. | 37. Mah. XIII, 104, 17 ^b -18 ^a ;
Ba. II, 6, 10; Âp. I, 31, 20;
Va. XII, 10; Vi. LXXI, 17-
21; Yâ. I, 135; Sâ. Gri. IV,
11, 2; Pâ. Gri. II, 7, 6. |
| 6. Sâ. Gri. IV, 11, 15. | 38. Ga. IX, 52; Ba. II, 6, 15;
Âp. I, 31, 15; Va. XII, 9; Vi.
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Â. Gri. III, 9, 6; Pâ. Gri. II,
7, 8; Go. Gri. III, 5, 11. |
| 7. Yâ. I, 128. | 39. Ga. IX, 66; Vi. LXIII, 26-
30; Yâ. I, 133; Sâ. Gri. IV,
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| 8. Yâ. I, 128. | 40. Ga. IX, 29-30; Va. XII, 6;
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| 9. Mah. XII, 244, 4. | 41. |
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32; Va. XII, 31; Vi. LXXI,
25; Yâ. I, 131; Sâ. Gri. IV,
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| 12. Yâ. I, 129. | 44. Ga. IX, 32, 48; Vi. LXXI,
26; Yâ. I, 135. |
| 13. | 45. Ga. IX, 40, 61; Va. VI,
12; XII, 11; Ba. II, 6, 24; |
| 14. Va. XXVII, 8*; Sâ. Gri.
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| 15. Yâ. I, 129. | |
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| 17. Ba. I, 10, 30; Vi. LXXI, 4;
Yâ. I, 129. | |
| 18. Vi. LXXI, 5-6; Yâ. I, 123. | |
| 19. Vi. LXXI, 8; Yâ. I, 99. | |
| 20. | |
| 21. Ga. V, 3. | |
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| 25. Ba. II, 4, 23; Va. XI, 46;
Vi. LIX, 4; Yâ. I, 124. | |
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ADDITIONS AND CORRECTIONS.

Page xx, ll. 26-33. The tradition which asserts that the Gautamiya and Vâsishtâ Dharmaśāstras originally were the property of Vedic schools, studying the Sâma-veda and the Rig-veda, has already been mentioned by Colebrooke in his Essay on the Mîmâṃsâ. It goes back to Kumâṛila, who adduces it in his Vârttika on Mîmâṃsâ-sûtra, 1, 3, 11 (Tantra-vârttika, p. 179, Benares Sanskrit Series). The same author states there that the Dharmaśāstra of Sâṅkha and Likhita belonged to the Vâgasaneyins.

P. xxxix, *add at the end of note 3*: 'It is, however, found in some other Grîhya-sûtras.'

P. lvii, *add at the end of note 4*: 'The copy of the Munich MS. No. 83 has मनः.'

P. cxii, l. 1. More important is the fact that Kumâṛila, who, as I hold with Professor Max Müller, cannot be placed later than 700 A.D., knew our Manu-smṛiti. In the portions of the Tantra-vârttika, published in the Benares Sanskrit Series, I find the following verses quoted, i, 21^b (p. 203, l. 14); ii, 140 (p. 178, l. 8); iv, 178 (p. 138, l. 17); v, 56 (p. 111, l. 11); viii, 57 (p. 199, l. 23); ix, 182 (p. 135, l. 2); xi, 30 (p. 110, l. 19); xi, 93 (p. 136, l. 19); xi, 94 (p. 136, l. 24); xi, 96^b (p. 137, l. 7); xii, 95 (p. 117, l. 20); xii, 105, 106^b (p. 80, l. 18). Most of these quotations show some variae lectiones, which, however, are not very important, and possibly, nay probably, are due to inaccuracy on Kumâṛila's part. One verse, quoted p. 241, l. 22, is not traceable in our Manu. Kumâṛila names Manu throughout as the first and most venerable authority on the sacred law. His predecessor, the author of the metrical Tikâ, on the Mîmâṃsâ-sûtra, which he quotes at great length, holds the same opinion, and clearly and frequently alludes to our Manu-smṛiti.

P. 11, ch. I, ver. 19, *add at the end of the note*: 'The idea that seven Purushas make up man, occurs Satapatha-brâhmana VI, 1, 1, 3, and 6.'

P. 32, ch. II, v. 15, *add at the end of the note*: 'The passages referred to in the text are quoted in the Sabarabhâshya on Mîmâṃsâ-sûtra, II, 4, 8.'

P. 33, ch. II, v. 21, *for* 'to the east of Prayâga and to the west of Vinâsana' *read* 'to the west of Prayâga and to the east of Vinâsana.'

P. 39, ch. II, v. 52, *for* 'truthfulness, if he faces the east' *read* 'truthfulness, if he faces the north.'

P. 58, ch. II, v. 151, *for* 'old enough to be) fathers' *read* 'old enough to (be his) fathers.'

- P. 94, ch. III, v. 103 note, *read at the end*: 'âgatam apy atithim na vidyât.'
- P. 101, ch. III, v. 141 note, *for* 'paisakî' *read* 'Paisâkî.'
- P. 105, ch. III, v. 159, *for* 'substances used for flavouring' *read* 'condiments.'
- P. 112, ch. III, v. 202 note, *for* 'akshayâyakalpate' *read* 'akshayâyopak.'
- P. 121, ch. III, v. 251, *for* 'Rest either (here or at home)' *read* 'Take rest.'
- P. 126, ch. III, v. 274 note. The passage quoted by Vigñânesvara on Yâgñ. I, 217, is to the following effect: 'When the moon stands in the (asterism) sacred to the manes (Maghâb) and the sun in the (asterism) Hasta, that lunar day is sacred to Yama; it is called the elephant's shadow.' Another explanation of the same term from the Malamâsatattva, quoted in the Petersburg Dictionary, asserts that it means an eclipse of the sun.
- P. 137, ch. IV, v. 55, *after* 'let him not take off his garland' *add* '(with his own hands).'
- P. 141, ch. IV, v. 80 note, *add* 'Regarding the consequences of giving spiritual advice to a Sûdra, see also Mah. XIII, 10, 55.'
- P. 144, ch. IV, note to vv. 95-97, *for* 'The Pushya-day is the sixth lunar day of each month' *read* 'The Pushya-day of the month of Pausha is the day of the full moon; see Bâpudeva Sâstrî, note on Sûryasiddhânta, p. 94, s. 16.'
- P. 147, ch. IV, v. 113 note, *add* 'Some parallel passages make the latter meaning more probable.'
- P. 172, ch. V, v. 16 note, *add* 'For Saralkas on all (occasions,' Medh., Gov.) Ku. proposes 'Saralkas of all (kinds).'
- P. 182, ch. V, v. 82 note, *for* 'such a one who is mentioned' *read* 'such a one as is mentioned.'
- P. 189, ch. V, v. 115, *for* 'for solid things' *read* 'for things piled up.' The commentators give as examples 'couches, beds, and the like,' and apparently refer to the cushions and mattresses used for such purposes.
- P. 199, ch. VI, v. 6. The translation 'a dress made of bark or grass' ought to be placed in the text, instead of 'a tattered garment.'
- P. 206, ch. VI, v. 43 note, *for the first* 'asamkasukab' *read* 'asamkusukab.'
- P. 222, ch. VII, v. 43. In accordance with the explanation of Medh., 'the science of dialectics, (which gives) self-knowledge' ought to be inserted in the text, instead of 'the science of dialectics and the knowledge of the (supreme) Soul; see Introduction, p. xxxvii.
- P. 234, ch. VII, v. 118 note, *insert* 'or Mahattara' *after* 'Grâmakûra,' and 'are' *before* 'the so-called haks.'
- P. 241, ch. VII, v. 157, *for* 'consists' *read* '(consists).'
- Pages 253, 255, superscription, *for* 'ceremonial' *read* 'criminal.'
- P. 253, ch. VIII, v. 4 note, *insert at beginning* 'Rinasyâdânâam.'
- P. 257, ch. VIII, v. 25 note, *for* 'âkâra' *read* 'âkâra' (twice).

- P. 263, ch. VIII, v. 53 note, *for* 'apadesam' *read* 'adesam.'
- P. 265, ch. VIII, v. 65 note, *for* 'includes according to Nâr., Gov., Nand., Medh. also ascetics,' *read* 'includes according to Nâr., Gov., Medh. also ascetics, or, refers to the latter alone, Nand.'
- P. 288, ch. VIII, v. 192 note, *for* 'Nâr. takes' *read* 'Nâr. and Nand. take.'
- P. 292, ch. VIII, v. 210 note. Add after the quotation from Âsv. Srauta-sûtra, 'Âp. Srauta-sûtra XIII, 5, 12.'
- P. 295, ch. VIII, v. 227 note, *dele* 'Nand. omits this verse and the next.'
- P. 295, ch. VIII, v. 228 note, *add* 'Nand. omits this verse.'
- P. 296, ch. VIII, v. 237 note, *add after* 'The samyâ is,' 'either the wedge at the yoke, or.'
- P. 308, ch. VIII, v. 309 note, *for* 'who takes the goods of Brâhmanas or injures them' *read* 'who takes the goods of Brâhmanas, injures, or abandons them.'
- P. 331, ch. IX, v. 20 note, *add* 'The Pratîka of this verse is quoted by Vi. LXXIII, 12; see also Âp. Srauta-sûtra I, 9, 9, where a somewhat different version occurs.'
- P. 339, ch. IX, vv. 64-68 note, *for* 'Aupagandhani' *read* 'Aupagaṅghani,' which latter is the correct form of the name.
- P. 352, ch. IX, v. 128 note, *add* 'The story agrees exactly with Mah. XII, 343, 57; see also Vishnu-purâṇa, vol. ii, p. 10 (ed. Hall).'
- P. 362, ch. IX, v. 170, *for* 'Gûdhotpanna' *read* 'Gûdhotpanna.'
- P. 398, ch. IX, v. 315 note, *add at end*, 'see also Mah. XIII, 33, 17.'
- P. 399, ch. IX, v. 323. Mah. XII, 65, 1 seq. recommend âhave deha-tyâgam, 'death in battle,' for a king.
- P. 405, ch. X, v. 19 note, *for* 'the name of caste' *read* 'the name of the caste.'
- P. 406, ch. X, v. 22. The form Likkbivi for Likkbavi actually occurs.
- P. 407, *ibid.*, *for* 'waters' *read* 'water.'
- P. 416, ch. X, v. 64 note, *for* 'Sacred Books of the East, II,' *read* 'S. B. E. XIV.'
- P. 425, ch. X, v. 111, *for* 'offering sacrifices for teaching' *read* 'offering sacrifices for, or, teaching.'
- P. 443, ch. XI, v. 64 note, *add* 'Yâ. III, 240 favours Nâr.'s explanation of mahâyantrapravartana.'
- P. 457, ch. XI, v. 134, *for* 'a spade of black iron' *read* 'a mattock of black iron.'
- P. 479, ch. XI, v. 242, *for* 'penance' *read* 'austerity' (twice).
- P. 480, ch. XI, v. 250, *for* '(that seen) by Vasishṭha' *read* 'the three verses (seen) by Vasishṭha.' *Make the same correction in the note, and add*, 'the correct reading in the text is prati tryîkam.'
- P. 481, ch. XI, v. 253, *add at the end*, or, 'Thus, verily thus.'
- P. 512, ch. XII, v. 120 note, *add* 'Compare for this verse and the next, Rig-veda X, 90, 13-14.'



TRANSLITERATION OF ORIENTAL ALPHABETS ADOPTED FOR THE TRANSLATIONS OF THE SACRED BOOKS OF THE EAST.

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TRANSLITERATION OF ORIENTAL ALPHABETS.

617

CONSONANTS.	MISSIONARY ALPHABET.			Sanskrit.	Zend.	Pehlevi.	Persian.	Arabic.	Hebrew.	Chinese.
	I Class.	II Class.	III Class.							
Gutturales.										
1 Tenuis	k	. . . . .		क	𑀓	𐭅	𐭆	𐭇	𐤁	k
2 „ aspirata	kh	. . . . .		ख	𑀔	𐭆	𐭇	𐭈	𐤂	kh
3 Media	g	. . . . .		ग	𑀕	𐭇	𐭈	𐭉	𐤃	. . .
4 „ aspirata	gh	. . . . .		घ	𑀖	𐭈	𐭉	𐭊	𐤄	. . .
5 Gutturo-labialis	q	. . . . .					ق	ق	ק	. . .
6 Nasalis	h (ng)	. . . . .		ङ	{ 𑀗 (ng) 𑀘 (N) }					. . .
7 Spiritus asper	h	. . . . .		ह	𑀙 (hv)	𐭉	ه	ه	ה	h, hs
8 „ lenis . . . . .	'	. . . . .					ا	ا	א	. . .
9 „ asper faucalis	'h	. . . . .					ح	ح	ח	. . .
10 „ lenis faucalis	'h	. . . . .					ع	ع	ע	. . .
11 „ asper fricatus		'h					خ	خ	כ	. . .
12 „ lenis fricatus		'h								. . .
Gutturales modificatae (palatales, &c.)										
13 Tenuis		k	. . . . .	च	𑀚	𐭊	چ			h
14 „ aspirata		kh	. . . . .	छ						kh
15 Media		g	. . . . .	ज	𑀛	𐭋	ج	ج		. . .
16 „ aspirata		gh	. . . . .	झ			غ	غ		. . .
17 „ Nasalis		ñ	. . . . .	ञ						. . .

CONSONANTS (continued).	MISSIONARY ALPHABET.			Sanskrit.	Zend.	Pehlvi.	Persian.	Arabic.	Hebrew.	Chinese.
	I Class.	II Class.	III Class.							
18 Semivocalis	y			य	𐬨 𐬩 𐬪 init.	و	ي	ي	י	y
19 Spiritus asper		(y')								
20 " lenis		(y)								
21 " asper assibilatus		s		श	𐬥	س	ش	س	ש	
22 " lenis assibilatus		z				ز	ز	ز	ז	z
Dentales.										
23 Tenuis	t			त	𐬭	ت	ت	ت	ת	t
24 " aspirata	th			थ	𐬮	ث	ث	ث	ת	th
25 " assibilata			TH							
26 Media	d			द	𐬯	د	د	د	ד	
27 " aspirata	dh			ध						
28 " assibilata			DH							
29 Nasalis	n			न	𐬰	ن	ن	ن	נ	n
30 Semivocalis	l			ल	𐬱	ل	ل	ل	ל	l
31 " mollis 1		l								
32 " mollis 2			L							
33 Spiritus asper 1	s			स	𐬲	س	س	س	ס	s
34 " asper 2		s (f)								
35 " lenis	z					ز	ز	ز	ז	z
36 " asperimus 1			z (z)							
37 " asperimus 2			z (z)							



Dentales modificatae (linguales, &c.)

38 Tenuis . . . . .	...	t	...	ट	...	...	...	...	...	...
39 „ aspirata . . . . .	...	th	...	ठ	...	...	...	...	...	...
40 Media . . . . .	...	d	...	ड	...	...	...	...	...	...
41 „ aspirata . . . . .	...	dh	...	ढ	...	...	...	...	...	...
42 Nasalis . . . . .	...	n	...	ण	...	...	...	...	...	...
43 Semivocalis	r	...	...	र	...	...	...	...	...	...
44 „ fricata . . . . .	...	r	...	...	...	...	...	...	...	r
45 „ diacritica . . . . .	...	...	R	...	...	...	...	...	...	...
46 Spiritus asper	sh	...	...	ष	...	...	...	...	...	sh
47 „ lenis	zh	...	...	...	...	...	...	...	...	...

Labiales.

48 Tenuis	p	...	...	प	...	...	...	...	...	p
49 „ aspirata	ph	...	...	फ	...	...	...	...	...	ph
50 Media	b	...	...	ब	...	...	...	...	...	...
51 „ aspirata	bh	...	...	भ	...	...	...	...	...	...
52 Tenuissima . . . . .	...	p	...	...	...	...	...	...	...	...
53 Nasalis	m	...	...	म	...	...	...	...	...	m
54 Semivocalis	w	...	...	...	...	...	...	...	...	w
55 „ aspirata	hw
56 Spiritus asper	f	f
57 „ lenis	v	व
58 Anusvāra	m	...	अं
59 Visarga	h	...	अः

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