

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 392);—and in *Vīramitrodaya* (Rājanīti, p. 18) which adds the following notes:—When a man seeks for fortune, or having an enemy seeks to destroy him,—or seeks for livelihood,—he has recourse to the king;—Medhātithi and others have remarked that the term '*padmā*' being a synonym of '*Shrī*', is added for the purpose of indicating greatness; that is to say, the term '*padmā*' is superfluous;—in reality however it is '*padmā*' that stands as a name for the goddess of fortune, Lakṣmī, and the term '*shrīḥ*' stands for 'bodily splendour'; or we may construe the words as follows:—'In whose favours rests Padmā, the goddess of fortune, and in whose valour rest resplendence (*shrīḥ*) and victory (*viṣayāḥ*).'

VERSE XII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 392);—and in *Vīramitrodaya* (Rājanīti, p. 23), which adds the following notes:—'*Tam*' stands for the king,—'*dvēṣṭi*' means 'disobeys him',—'*Sa vinashyati*', 'he becomes subjected by the king to death'.

VERSE XIII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 392);—and in *Vīramitrodaya* (Rājanīti, p. 23), which adds the following notes:—Inasmuch as the king is the centre of all lustre and power, one should never transgress any lawful and fair commands that his majesty may issue in regard to his minister, priest or other favourites;—such commands for instance as—'To-day should be observed by all the people as a day of rejoicing, there is a marriage in the minister's house, all should be present there, butchers shall kill no animals today, no birds are to be caught, no debtors are to be imprisoned by their creditors' and so forth [these in regard to the



king's favourites.]—Similarly in regard to one whom he dislikes, he may issue such orders as—‘none shall associate with him, he should not be permitted to enter any household,’ and so forth.—Such rules promulgated by the king should not be disobeyed. In regard to the performance of the *Agnihotra* and such religious acts, however, the king has no right to interfere at all.

This verse is quoted also in *Rājanītiratnākara* (p. 42 b).

VERSE XIV

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 393);—in *Vīramitrodaya* (Rājanīti, p. 283), which adds the following notes :—‘*Tadartham*’ means ‘for the accomplishment of the king’s purpose’; protecting of the people is the king’s duty, and as this protecting cannot be done without punishment, it is punishment itself that is called the ‘protection’ and it is eulogised by being styled ‘Dharma’ itself.—It is quoted again on p. 292.

The verse is quoted in *Vivādaratnākara* (p. 646), which adds the following notes :—The merit arising from the protection of the people is the king’s ‘*Artha*’ or ‘purpose’—for the sake of this the ‘Lord’, Creator of the people, created punishment, which is ‘*brahmatējomayam*,’ the natural Power of Hiranyagarbha, and which is ‘Dharma’ itself, *i.e.*, the consolidator of Dharma ;—both these epithets being purely valedictory ;—and in *Vivādachintāmaṇi* (p. 261), which explains ‘*tadartham dharmam*’ as for the purpose of establishing Dharma ;—and ‘*brahmatējomayam*’ as ‘constituted of the essence of Hiranyagarbha’ ;—it adds that this is mere eulogy.

It is quoted also in *Rājanītiratnākara* (p. 37 b).

VERSE XV

‘*Bhogāya kalpantē*’—‘Become capable of providing enjoyment’ (Medhātithi) ;—‘are enabled to enjoy’ (Kullūka).

This verse is quoted in *Vivādaratnākara* (p. 646); —in *Viramitrodaya* (Rājanīti, p. 284), which adds the following notes:—‘*Tasya*’, ‘of the punishment’;—*Question*: “Punishment, a source of fear, should have ended in the Ablative”.—The answer to this is that all that is meant to be expressed is *relationship in general* (and not the fact of being a source of fear); that is why we have the Genitive.—It is quoted again on p. 292 ;—and in *Vivādachintāmaṇi* (p. 261).

VERSE XVI

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 285), which explains ‘*Shaktim*’ as ‘capacity to bear’ ;—again on p. 292 ;—and in *Vivādachintāmaṇi* (p. 261).

VERSE XVII

This verse is quoted in *Vivādaratnākara* (p. 646), which adds the following notes:—*Rājā*, so called because of his *giving satisfaction* (*rañjanāt*),—*puruṣaḥ*, ‘equal to the Supreme Being’, residing in the hearts of the people ;—he is the *nētā*, the ‘leader’, the propagator of *Dharma*.

It is quoted in *Viramitrodaya* (Rājanīti, p. 292) ;—and in *Vivādachintāmaṇi* (p. 261), which has the following notes :—*Rājā*, so called because he keeps the people contented (*prajārañjanāt*),—*puruṣaḥ*, the Supreme Person, because he abides in the heart (*puri śhētē*) of the people,—*nētā*, ruler, master,—‘*shāsītā*’, the propagator of proper righteousness.

VERSE XVIII

This verse is quoted in *Vivādaratnākara* (p. 646), which explains *jāgarti* as ‘being awake’ in the sense that it serves the purpose of freeing men from all fear of thieves and other mischief-makers ;—in *Viramitrodaya* (Rājanīti, p.

292);—and in *Vivādachintāmaṇi* (p. 261), which says that 'jāgarti' means that he does the work of quelling thieves, which can be done only by a wakeful and watchful person.

VERSE XIX

This verse is quoted in *Vivādaratnākara* (p. 647), which explains 'svadhṛtaḥ' (which is its reading for *sa dhṛtaḥ*) as 'deservedly inflicted';—in *Vīramitrodaya* (Rājanīti, p. 292) and also on p. 284;—and in *Vivādachintāmaṇi* (p. 262), which explains 'sudhṛtaḥ' (which is its reading for *sa dhṛtaḥ*) as 'properly administered,'—'samīkṣya' as 'according to the scriptures'.

VERSE XX

This verse is quoted in *Vivādaratnākara* (p. 648), which explains 'daṇḍya' as 'one who deserves punishment';—in *Vīramitrodaya* (Rājanīti, p. 292),—and also on p. 284, where the following explanation is added:—Just as people eat fish after cooking it on the spit, so would the strong injure the weak and take away their riches and other belongings;—and in *Vivādachintāmaṇi* (p. 263), which explains 'daṇḍyēṣu' as 'those deserving punishment'.

VERSE XXI

This verse is quoted in *Vivādaratnākara* (p. 648), which explains 'adharottaram' as 'subversion of the natural order of superiority and inferiority';—in *Vīramitrodaya* (Rājanīti, p. 292);—and in *Vivādachintāmaṇi* (p. 263), which explains 'adharottaram' as 'the reversal of all standards of superiority and inferiority.'

VERSE XXII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 286), which adds the explanation that it is difficult to have any one pure by his very nature; in most cases it is only through fear of punishment that people are kept on the right path.—It is quoted again on p. 292;—and in *Vivādashintāmaṇi* (p. 263).

VERSE XXIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 286), which explains 'bhogāya kalpantē' as 'remain fixed on their path.'—It is quoted again on p. 292;—and in *Vivādashintāmaṇi* (p. 263).

VERSE XXIV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 286), which adds the following notes:—'*Duṣyēyuh*'—'men of the lower castes would have intercourse with women of the higher ones and thus give birth to improperly mixed-castes'; and on this same account 'all bounds of propriety indicated by the scriptures would be broken down.' It is quoted again on p. 293;—and in *Vivādashintāmaṇi* (p. 263), which explains '*vibhrama*' as 'non-infliction' or 'wrong infliction' (of punishment).

VERSE XXV

This verse is quoted in *Vivādaratnākara*, (p. 646), which adds the following explanation:—'In the kingdom where the dark-complexioned red-eyed Personification of Punishment is active, the people prosper,—provided that the administrator, the ruler, judges rightly';—and in *Vivādashintāmaṇi* (p. 261), which explains '*nētā.....pashyati*', 'if the administrator of justice judges rightly.'

VERSE XXVI

• This verse is quoted in *Vivādaratnākara* (p. 647) which explains ‘*saṃkṣya kārīṇam*’ as ‘one who acts after due consideration of the exigencies of time and place.’;—and in *Vivādachintāmaṇi* (p. 262), which adds the same explanation of ‘*saṃkṣya kārīṇam*.’

VERSE XXVII

‘*Viṣamaḥ*’—‘Irascible’ (Medhātithi, Govindarāja, Kulūka and Rāghavānanda);—‘partial’ (Nārāyaṇa).

This verse is quoted in *Vivādaratnākara*, (p. 647), which explains ‘*samyak*’ as ‘with due deliberation,’—‘*kāmātmā*’ as ‘one who acts just as he pleases’—and ‘*Viṣamaḥ*’ as ‘adopting the wrong course by reason of partiality’;—and in *Vivādachintāmaṇi* (p. 262), which explains ‘*Kāmātmā*’ as ‘if the king acts as he pleases,’ and ‘*Viṣamaḥ*’ as ‘acting wrongly through partiality or prejudice.’

VERSE XXVIII

• This verse is quoted in *Vivādaratnākara* (p. 647) which adds that punishment is called ‘*sumahattējaḥ*’ in the sense that it is extremely sharp;—and in *Vivādachintāmaṇi* (p. 262), which says that ‘*bāndhava*’ here stands for the son,—and that ‘*sumahat tējaḥ*’ refers to its forcible character.

VERSE XXIX

This verse is quoted in *Vivādaratnākara* (p. 647), which explains ‘*tataḥ*’ as ‘after destroying the king along with his relations’;—and in *Vivādachintāmaṇi* (p. 262), which explains ‘*tataḥ*’ as ‘after destroying the king and his *bāndhavas*.’

VERSE XXX

This verse is quoted in *Vivādaratnākara* (p. 647), which explains 'mūḍhēna' as 'devoid of right imagination',—and 'akṛtabuddhinā' as 'one who has not learnt the scriptures';—and in *Vivādachintāmaṇi* (p. 262), which explains 'mūḍhēna' as 'lacking imagination',—and 'akṛtabuddhinā,' as 'ignorant of the scriptures.'

VERSE XXXI

'*Satyasandhaḥ*'—'Regarding Truth as predominant' (Medhātithi);—'faithful to his promise' (Govindarāja, Kullūka and Rāghavānanda).

This verse is quoted in *Vivādaratnākara* (p. 647);—and in *Vivādachintāmaṇi* (p. 262).

VERSE XXXII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 121).

VERSE XXXVII

'*Viduṣaḥ*'—'Those who know the meaning of the Vedas' (Medhātithi);—'learned in the Sciences of Polity and the like' (Kullūka).

This verse is quoted, along with verses 38 to 42, in *Rājanītiratnākara* (p. 56).

VERSE XXXVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 119), which adds the following notes:—'*vṛddhān*' as 'advanced in age, be they Brāhmaṇas or non-Brāhmaṇas';—'*viprān*' and '*vedavidah*' have been already explained;—'*shuchīn*' is 'free from guile';—Medhātithi adds that this



qualification also is one that has not been mentioned elsewhere ; but Kullūka Bhaṭṭa holds that all the rest are only qualifications of 'viprān' [so that Brāhmaṇas alone are meant] ;—the meaning of the second line is that 'the king is respected also by those reckless, merciless ruffians who are devoid of all virtues, not say by ordinary people.'

VERSE XXXIX

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 119), as describing the results proceeding from doing what is prescribed in the preceding verse ; it adds the notes that 'even though the king be already well-disciplined, yet he should learn discipline further, for the purpose of securing greater efficiency.'

VERSE XL

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 119).

VERSE XLI

"Vena is often taken as a type of an undisciplined king. He was the son of Sunīthā and father to Pr̥thu.....Nahuṣa, son of Āyus (the Mahābhārata I and V), was ruined by love and ambition...Sudās was king at the time of the great Vashiṣṭha, and a leader of the Tṛtsu (R̥gveda VII. 18)...Sumukha is unknown to me. Nimi is said to be a Vidēha king"—Hopkins.

Gharpure notes the following references to the *Mahābhārata* ;—(1) Droṇaparva (69) ;—(2) Shāntiparva (28-137, 58-102) ;—(3) Ādiparva (63-5, 69-29) ;—(4) Udyogaparva (101-12) ;—(5) Bhīṣmaparva (6-14) ;—(6) Sabhā-parva (8-9). These are meant to refer respectively to the six kings mentioned in the text.

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 119), which notes that Sudāsa was the son of Paijavana.

VERSE XLII

“Pr̥thu (*cf.* 9. 44) was the title of several gods as well as kings. The one meant is probably he whose happy reign is described in the 7th and 12th books of the Mahābhārata. Manu needs only an exclamation [Hopkins evidently forgets (1) that the person speaking is not *Manu* himself, and (2) that there have been several Manus]. ‘Kubera was god of wealth and Gādhi’s son was Vishvāmitra who was born a Kṣatriya.”—Hopkins.

Gharpure refers to the Mahābhārata, Shāntiparva (58-107) and Bhāgavata (4-13, 145).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 120).

VERSE XLIII

This verse is quoted in *Mitākṣarā* (on 1. 310), which, reads ‘*ātmaavidbhyo*’ (for ‘*ātmavidyām*’) and hence avoids the confusion felt by the commentators on Manu;—in *Madanapārijāta* (p. 222), which explains ‘*daṇḍanīti*’ as ‘*Arthashāstra*’, ‘Science of Polity’,—‘*vārtā*’ as ‘agriculture, commerce, cattle-tending and so forth’,—and ‘*trayī*’ as ‘Ṛk, Yayuṣ and ‘*Sāman*’;—in *Vīramitrodaya* (Rājanīti, p. 118), which notes the reading ‘*vidyām*’, in which case, it says, the whole is to be construed with ‘*adhigachchēt*’ of verse 39;—in *Nṛsimhaprasāda* (Āhnika, p. 36a);—and in *Rājanītiratnākara* (p. 6a).

VERSE XLIV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 118).

VERSE XLV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 148);—in *Parāsharamādhava* (Āchāra, p. 413) as describing the ‘vices’ which are to be avoided by the king.

VERSE XLVI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 148);—in *Parāsharamādhava* (Āchāra, p. 413);—and in *Smṛtitattva* (p. 716 and again on p. 742), as describing the vices.

VERSE XLVII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 413);—in *Vīramitrodaya* (Rājanīti, p. 147), which explains 'parivādaḥ' as 'describing the defects of other persons,'—'vrthātyā' as 'listless wandering,'—and 'tauryatrikam' as 'dancing, singing and music';—in *Vīramitrodaya* (Lakṣaṇa, p. 198);—in *Mitākṣarā* (on 1. 310);—in *Smṛtitattva* (p. 717), which explains 'tauryatrikam' as 'dancing, singing and music';—and again on p. 742, where 'akṣa' is explained as 'gambling.'

VERSE XLVIII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 413);—in *Mitākṣarā* (on 1. 308);—in *Smṛtitattva* (p. 717), which explains 'paishunya' as 'proclaiming the unknown faults of others, malice,'—'sāhasa' as 'punishing the guiltless with imprisonment and so forth,'—'droha' as 'desire to injure others,'—'īrsyā' as 'not brooking the good of others,'—'asūyā' as 'finding fault with the good quality in others,'—and 'arthadūṣaṇam' as 'seizing of property and withholding of what is due';—again on p. 742, where the same explanations are repeated.

It is quoted in *Vīramitrodaya* (Rājanīti, p. 148), which notes that the number 'eight' is made up by 'vākpāruṣyam' and 'daṇḍajam pāruṣyam'; and goes on to explain 'paishunya' as 'malice, proclaiming such faults of others as are not generally known,'—'sāhasa' as 'punishing of the

innocent with imprisonment and so forth,'—'droha' as 'injuring the Brāhmaṇa,'—'irṣyā' as 'not bearing the good of others,'—'asūyā' as 'picking faults in the good qualities of others,'—'arthadūṣaṇa' as 'siezing the property of others and withholding what is due to others,'—'vākpāruṣya' as 'reviling and so forth,'—and 'daṇḍapāruṣya' as 'harshness of punishment, i. e., the imposing of heavy fines or corporal punishment, for slight offences.'

VERSE XLIX

This verse is quoted in *Parāṣharamādhava* (Āchāra, p. 413);—and in *Vīramitrodaya* (Rājanīti, p. 148).

VERSE L

This verse is quoted in *Parāṣharamādhava* (Āchāra, p. 413); in *Mitākṣarā* (on 1. 308);—in *Vīramitrodaya* (Rājanīti, p. 148);—and in *Vīramitrodaya* (Lakṣaṇa, p. 198).

VERSE LI

This verse is quoted in *Mitākṣarā* (on 1. 301);—in *Vīramitrodaya* (Lakṣaṇa, p. 198);—in *Vīramitrodaya* (Rājanīti, p. 148);—in *Parāṣharamādhava* (Āchāra, p. 413).

VERSE LII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 148).

VERSE LIII

This verse is quoted in *Parāṣharamādhava* (Āchāra, p. 414);—and in *Vīramitrodaya* (Rājanīti, p. 149), which explains 'adhodho vrajati' as 'falls into hell,' and adds that hells have been described as located in the Nether Regions (that is why they are spoken of as 'adhaḥ,' 'down below').



VERSE LIV

‘*Labdhalakṣān*’—‘Experienced’ (Medhātīthi);—‘who fail not in their undertakings’ (Govindarāja, Nandana and Rāghavānanda);—‘skilled in the use of weapons.’

‘*Suparīkṣitān*’—‘Tried through temptations’ (Medhātīthi);—‘tried as to incorruptibility’ (Nārāyaṇa);—‘tested by spies’ (Govindarāja);—‘bound to fidelity by oath, by touching the images of gods and such sacred objects (Kullūka and Rāghavānanda).

This verse is quoted in *Mitākṣarā* (on 1. 311) to the effect that the king should appoint seven *or* eight councillors;—in *Parāśharamādhava* (Āchāra p. 405);—in *Virāmitrodaya* (Rājanīti, p. 177), which explains, ‘*labdhalakṣān*’ as ‘*paridrṣṭakarmaṇaḥ*’, ‘who have seen action’, i.e., ‘experienced’;—in *Nītimayūkha* (p. 61), which explains ‘*labdhalakṣān*’ as ‘clever’,—‘*maulān*’ as ‘hereditary’;—and in *Rājanītiratnākara* (p. 9 b).

VERSE LV

This verse is quoted in *Virāmitrodaya* (Rājanīti, p. 177);—and in *Virāmitrodaya* (Lakṣana, p. 215).

VERSE LVI

‘*Sthānam*’—‘Halting’ (Nandana).—Buhler misrepresents Medhātīthi when he attributes to him the alternative explanation of *sthāna* as ‘loss of his Kingdom’, in reality Medhātīthi says ‘stability of the Kingdom’ as rightly understood by Hopkins.

This verse is quoted in *Virāmitrodaya* (Rājanīti, p. 316), which adds the following notes:—*Taiḥ*, ‘with the said councillors,—*chintayēt*, ‘the King should deliberate,—*sandhiḥ*, ‘alliances’—*vigrahaḥ*, ‘declaration of war’,—*sthānam*, ‘consisting of the four factors of the army, treasury, capital

city and Kingdom',—'*samudayah*,' 'agriculture, pastures, outposts, traders, cattle, customs, fines and so forth,'—'*guptih*,' protection of his Kingdom,—'*labdhaprasahamanam*,' bestowing of honours and gifts upon temples, hermitages and learned men';—the meaning of the phrase *sāmānyam sandhivigraham* is that 'he should discuss questions of peace and war in general, the detailed and specific details being discussed in connection with the '*śāḍgunya*.'

It is quoted also in *Parāsharamādhava* (Āchāra, p. 405) and in *Rājanītiratnākara*;—(p. 10 b).

VERSE LVII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 178);—in *Parāsharamādhava* (Āchāra, p. 406);—and in *Nītimayūkha* (p. 53).

VERSE LVIII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 406);—and in *Vīramitrodaya* (Rājanīti, p. 178).

VERSE LIX

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 406);—and in *Vīramitrodaya* (Rājanīti, p. 178).

VERSE LX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 185);—and in *Nītimayūkha* (p. 53).

VERSE LXI

'*Adhyakṣaprachārē*' (Medhātithi, p. 511, l. 14)—This is the name of one of the chapters in Kautilya's *Arthashastra*. It is referred to again in the *Bhāṣya* on verse 81 below.

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 185);—and in *Nītimayūkha* (p. 53).



VERSE LXII

‘*Karmānta*’—‘*Bhakṣya-kārpāsāvāpādayaḥ*’, ‘Food-stuffs, cotton fabrics, utensils and so forth’ or ‘sowing of seeds of food-grains and cotton etc.’ (Medhātithi, to whom Buhler, on the strength of his own Mss., attributes the explanation ‘sugar-mills, distilleries and so forth’);—‘store-houses of sugar-cane, grains and such things’ (Kullūka).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 187), which adds the following notes:—‘*Tēṣām*, ‘from among the said assistants’;—‘*arthē*, ‘in the work of collecting revenue’; which is further explained by the term ‘*ākarakarmānta*’;—‘*bhīrūn*’, ‘those who are full of fear of this world as well as of the next.’

It is also quoted in *Aparārka* (p. 581);—and in *Nītimayūkha* (p. 53), which explains ‘*ākara*’ as ‘mines of gold and other metals’,—‘*karmānta*’ as ‘granaries’,—and ‘*antar-nivēśhana*’ as ‘the bed-room and other private apartments,’ and adds that there should be ‘*bhīru*’, cowards, as brave men might kill the king.

VERSE LXIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 188), which adds the following notes:—‘*Sarvashāstravi-shāradam*’, ‘expert in several sciences, scriptural as well as temporal’;—‘*īṅgitam*’, ‘words and accents indicative of people’s intentions’;—‘*ākāraḥ*’, ‘joyous or pale expression of the face, indicative of joy or grief’;—‘*chēṣṭā*’, ‘such actions as the throwing about of the arms and so forth, which are indicative of anger and other emotions’;—the man appointed should know all these.

This verse is quoted also in *Vīramitrodaya* (Lakṣaṇa p. 225);—and in *Rājanītiratnākara* (p. 28 b).

VERSE LXIV

‘*Anuraktaḥ*’—‘Loyal to the king’ (Medhātithi, Govindarāja and Rāghavānanda);—‘attached to the people’ (Kullūka).

This verse is quoted in *Vīramitrodaya* (Lakṣaṇa, p. 225);—and in *Vīramitrodaya* (Rājanīti, p. 188), which adds the following notes:—‘*Anuraktaḥ*,’ ‘attached to the people and hence not likely to be disagreeable even to enemy-kings’;—‘*śhuchih*,’ ‘pure in his dealings with women and money’;—‘*dakṣaḥ*,’ ‘one who never misses his opportunity to act’;—‘*smṛtimān*,’ ‘not likely to forget either the instructions of his own king or the replies given by the other party’;—‘*dēśhakūlavit*,’ ‘capable of altering either his own king’s message or the reply given by the other party, or his own operations, in view of the altered conditions of time and place in which he may find himself’;—‘*vapuṣmān*,’ ‘possessed of excellent physical features’;—‘*vītabhīḥ*,’ ‘who is capable of telling even disagreeable things to the king, if it is likely to be beneficial to the latter’s interests.’

VERSE LXV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 188); and in *Rājanītiratnākara* (p. 27 b.)

VERSE LXVI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 188).

VERSE LXVII

‘*Niguḍhēngitachēṣṭitaiḥ*’—‘By his own hidden gestures and actions’ (Govindarāja);—‘through the gestures and actions of the confidential agents of the other party’ (Kullūka);—‘through men who hide their own significant gestures and actions’ (Nandana).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 188).



VERSE LXVIII

The *Bhāṣya* on this verse has not been seen by us.

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 188).

According to Medhātithi (mentioned by Buhler), the verse refers to the *Ambassador* who should so act as not to bring evil upon his own party; while according to others it refers to the *king*. Kullūka leaves it doubtful.

VERSE LXIX

‘*Jāṅgalam*’—“The full definition of *Jāṅgala* is, according to a verse quoted by Govindarāja, Rāghavānanda and Kullūka, as below—‘That country is called *Jāṅgala* which has little water and grass, where strong breezes prevail, the heat is great, where rain and the like are abundant.’—Buhler.

‘*Anāvilam*’—‘Where the people are not quarrelsome’ (Medhātithi, mentioned by Buhler; though the *Bhāṣya* on this verse also is not found in any of the printed editions, nor in any of the Mss. consulted by us);—‘not subject to epidemic diseases’ (Kullūka).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 197), which quotes the definition of ‘*Jāṅgala*’ noted above, and adds that the qualification that ‘water should be scarce’ is meant to indicate that such a place would be less likely to be attacked by the enemy; in the capital itself the supply of water should be abundant. It adds the following explanatory notes on the text:—The place should be fully supplied with ‘*shasya*’, i. e., with rich and fresh supplies of grains from the autumn, winter, spring and rain harvests;—it should be ‘*āryaprāyam*’, i. e., full of virtuous people;—‘*anāvila*’, i. e., free from all dangers from serpents, tigers and the like,—‘*ramya*’, agreeable, pleasant,—‘*ānatasāman-ta*’, ‘having all subsidiary kings fully won over by gifts of presents and honors,—and ‘*svājīvyā*’, ‘where means of

agriculture and trade are easily procurable';—in '*dēśhamāvasēt*,' the accusative ending is due to the root '*vas*' being preceded by the preposition '*ā*.'

VERSE LXX

This verse is quoted in *Parāśharamādhava* (Āchāra, p. 406), as describing the various kinds of fortification ;—in *Mitākṣarā* (on 1. 320) as describing the six kinds of fortification ;—in *Vīramitrodaya* (Rājanīti, p. 202) ;—and in *Vīramitrodaya* (Lakṣana, p. 239), which adds the following explanations :—'*Dhanvadurgam*' is 'the fortification in the midst of a desert', called '*durga*', because of its inaccessibility due to absence of water and other difficulties ;—it suggests another explanation of the name—'*dhanvā*' is the name of a tract of land devoid of shelter and water ; and a fort that is surrounded by such a tract of land is '*dhanvadurga*'; the meaning being that the king should make his fort, and then render its vicinity waterless and shelterless. It notes a third explanation of the name :—'*Dhanvan*,' 'bow,' indicates the '*dhanvin*,' 'archer' ; hence '*dhanvadurga*' would mean a 'line of defence consisting of men armed with bows and arrows'. This, it says, is not right ; as it involves the necessity of having recourse to metaphorical explanation ; and also because we have never heard of such a 'fort' ; again because such a 'line of defence' could be very easily broken through ; and lastly because this would be the same as the '*nṛdurga*' coming later.—'*Naradurga*' is the line of defence consisting of the army ; and this consists of elephants, chariots, horses and archers ; and as this also would include archers, the separate name '*dhanvadurga*' could not stand for the same sort of defence.—The '*Mahīdurga*' is the 'fort made of bricks and stones on the ground' ;—some people explain it as a fort consisting only of an unevenly rugged tract of land ;—the '*Mahīdurga*' has been thus defined in *Aushanasa*

Dhanurveda—‘That fort is called *Mahāidurga* which consists of a tract of land, portions of which are very high and others very low; it is equipped with all accessories, well guarded and filled with all means of offence and defence. The ‘*Jaladurga*’ consists of that place which is surrounded by swift and unfordable streams of water.—The ‘*Vana-durga*’ is a tract of land surrounded by impenetrable forests and trees.—‘*Baladurga* or *Nṛdurga*’ is that line of defence which consists in the dispositions of the army.—The ‘*Giri-durga*’ is erected either on the summit of a mountain, or in a tract of land surrounded by hills.

It is quoted in *Nṛsimhaprasāda* (Samskāra, p. 72 a);—and in *Nītimayūkha* (p. 64), which adds that Kāmandaka mentions the *Airāṇa-durga* also.

VERSE LXXI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 203), which explains “*bāhugunṇyēna*” as ‘by reason of its having many apparent advantages, such as inaccessibility and so forth’;—in *Nṛsimhaprasāda* (Samskāra p. 72 a);—and in *Nītimayūkha* (p. 65), which says that the genitive in ‘*ētēṣam*’ (which is its reading for ‘*ēṣām hi*’) denotes selection.

VERSE LXXII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 202), which adds the following explanations:—From among the first three kinds of fort, wild animals take shelter in the fort consisting of the desert,—‘animals living in holes,’ i. e., rats take shelter in the fort consisting of the ground, fish take shelter in the ‘fort’ consisting of unfordable water;—monkeys take shelter in trees, which constitute their fort;—and man takes shelter under men, who constitute his ‘fort’,—and the gods take shelter on

mountain-peaks, like the Kailāsha. What is meant is that 'just as the gods and others take shelter under the defences of the Kailasha peak and so forth, so should the king take shelter in a fort'.

VERSE LXXIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 202).

VERSE LXXIV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 202); —in *Vīramitrodaya* (Lakṣaṇa, p. 238);—in *Nītimayūkha* (p. 65), which says that even if the attack is made by men ten times the number of the garrison, they are repulsed;—and in *Rājanītiratnākara* (p. 20a).

VERSE LXXV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 204); —in *Vīramitrodaya* (Lakṣaṇa, p. 238);—in *Parāsharamādhava* (Āchāra, p. 407);—in *Nṛsimhaprasāda* (Samskāra, p. 72a);—and in *Nītimayūkha* (p. 65), which explains 'mantraiḥ' (v. l. 'yantraiḥ') as 'persons well versed in the use of incantations for the cure of snake-bite and other ills'.

VERSE LXXVI

'*Sarvartukam*'—'Provided with the produce of all seasons' (Medhātithi, Govindarāja, Kullūka and Rāghavānanda); —'habitable in all seasons' (Nandana and Nārāyaṇa).

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 407);—and in *Nītimayūkha* (p. 65), which explains '*sarvartukam*' as 'with gardens containing trees of fruits of all seasons, or stocked with fruits and flowers of all seasons', —and '*sarvavastusamanvitam*' as 'stocked with things needed in several seasons'.

VERSE LXXVII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 407).

VERSE LXXVIII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 407);—and in *Rājanītiratnākara* (p. 13 b).

VERSE LXXIX

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 407).

VERSE LXXX

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 407);—and in *Vīramitrodaya* (Rājanīti, p. 187), which explains 'sāmvatsarikam balim' as the 'yearly tax';—'lokē' as 'among the people';—and 'āshrayaparah' as 'inclined to provide livings for the poor and the helpless.'

VERSE LXXXI

This verse is quoted in *Aparārka* (p. 581), which explains 'kāryāṇī' as 'good and bad deeds.'

VERSE LXXXIV

'Chyavatē'—'Becomes spoilt' (Medhātithi); Kullūka reads 'vyathatē' and explains it as 'dries up'; and Rāghavānanda as 'causes pain'.

This verse is quoted in *Rājanītiratnākara* (p. 14a).

VERSE LXXXV

‘*Samam*’—‘Middling’ (Medhātithi);—‘neither more nor less than what is described in the scriptures’ (Kullūka and Govindarāja);—‘equal to the kindness shown’ (Nārāyaṇa).

This verse is quoted in *Aparārka* (p. 286).

VERSE LXXXVI

This verse is quoted in *Aparārka* (p. 303), to the effect that the value of a gift varies in proportion to the qualifications of its giver and receiver.

VERSE LXXXVII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 405).

VERSE LXXXVIII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 413).

VERSE LXXXIX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 405), which explains ‘*mīthah*’ as ‘vying with each other’;—and in *Rājanītiratnākara* (p. 28 a).

VERSE XC

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 405), which explains ‘*digdhaiḥ*’ as ‘poisoned’.

VERSE XCI

‘*Sthalārūḍham*’—‘Who is standing on the other ground’ (Medhātithi, Kullūka and Rāghavānanda);—‘one who, in flight, has climbed on an eminence’ (Nārāyaṇa).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 406); and in *Nītimayūkha* (p. 80).



VERSE XCII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 406);—and in *Nītimayūkha* (p. 80).

VERSE XCIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 406);—and in *Nītimayūkha* (p. 81).

VERSE XCIV

Nowhere in Medhātithi do we find any indication of the explanation that is attributed to him by Hopkins.

This verse is quoted in *Nītimayūkha* (p. 80).

VERSE XCV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 408).

VERSE XCVI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 409), which adds the following explanations:—
'*Sarvadravyāṇi*' stands for 'clothes and other things',—
'*kupya*' for 'copper and metals other than gold and silver'.

VERSE XCVII

'*Indro vai vrtram &c.*' (Medhātithi, p. 522, l. 19).—This quotation is from the Aitarēya Brāhmaṇa, III. 21—(Buhler).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 409), which explains '*apṛthagjitam*' as 'what has been won by the soldiers collectively.'

VERSE XLIX

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 413);—and in *Vīramitrodaya* (Rājanīti, p. 131).

VERSE C

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 131).

VERSE CII

‘*Nityamudyatadaṇḍaḥ syāt*’—‘Should keep his army fit by constant exercise’ (Medhātithi, Govindarāja and Kullūka);—‘should be always ready to strike (Nārāyaṇa and Nandana).

This verse is quoted in *Vīramitrodaya*, (Rājanīti, pp. 133-134), which adds the following notes:—‘*Udyatadaṇḍaḥ*,’—‘daṇḍa’ here stands for the training and exercise of the elephants, horses and other compliments of the army; and this should be ‘*udyata*’, ever active, ready;—or ‘*daṇḍa*’ may stand for ‘punishment of the wicked,’ and this should be ‘*udyata*’, always inflicted in time.—‘*Vivṛtapauruṣaḥ*’—he whose ‘*pauruṣa*’ manliness, i.e., superiority in the knowledge and use of weapons, is ‘*vivṛta*,’ displayed;—‘*sambṛtasamvāryaḥ*’—he whose secrets, i. e., councils, appearances and operations, are kept unknown to others.

VERSE CIII

This verse is quoted in *Vīramitrodaya*, (Rājanīti, p. 134) which explains ‘*udvijatē*’ as ‘becomes afraid’, which means that his glory becomes proclaimed.

VERSE CIV

Buhler remarks that “Medhātithi reads *atandritaḥ*,” but there is nothing in *Bhāṣya* to indicate this.

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 134), which explains ‘*amāyayā*’ as ‘without guile’, ‘*vartēta*,’ as ‘should behave i. e., towards his counsellors and others;—’ and in *Parāsharamādhava* (Āchāra, p. 413).



VERSE CV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 117), which adds the following explanation :—He should try his best to keep his weak points from being known by the enemy, and yet he himself should find out the weak points of the enemy, such as disaffection among the people and so forth; just as the tortoise hides within its body its head and other limbs, in the same manner should he always keep won over to his side, by bestowing gifts and honours, his own ministers and other officers of state; and if, by chance, some disaffection should happen to arise among his people, he should take remedial measures at once.

VERSE CVII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 404).

VERSE CVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 404), to the effect that force should be employed only when all other means have failed.

VERSE CIX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 279).

VERSE CX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 253) which explains 'nirdātā' as 'he who weeds out grass and other things growing in a cultivated field,'—and 'Kakṣam' as 'weeds.'

VERSE CXI

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 409);—and in *Vīramitrodaya* (Rājanīti, p. 254).

VERSE CXII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 409);—and in *Viramitrodaya* (Rājanīti, p. 254).

VERSE CXIII

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 248), which explains 'saṅgraha' as 'protecting, consolidation, making one's own.'

VERSE CXIV

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 248), which supplies the following explanation:—In the midst of two hundred, or three hundred, or five hundred villages, he should establish an outpost, containing a detachment of infantry and others;—if we read 'rāṣṭrasya saṅgraham' (in place of 'rāṣṭrasya guptayē) the meaning would be that he should establish a *saṅgraha*, i. e., a 'guard' consisting of a 'gulma' an outpost, and 'avasthita' supervised by honest officers.—The option regarding the extent of each charge is based upon the diversity in the strength of robbers and other mischief-makers in varying areas.

VERSE CXV

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 248).

VERSE CXVI

"This rule refers to offences with which the persons who report them are unable to deal (according to Medhātithi, Govindarāja, Kullūka and Rāghavānanda); Nārāyaṇa thinks that chiefly refusals to pay the revenue or disputes on such matters are meant."—Buhler.

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 250).



VERSE CXVII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 250).

VERSE CXVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 250), which explains the meaning to be that the 'lord of the village' should receive for his living only the food, drink and fuel and such other things as are due to be presented to the king,—and not the annual rent;—this annual rent being realised by the king himself through a trusted official.

VERSE CXIX

'*Kulam*'—A portion of the village, known in some places as *ghaṭṭa*, and in others as '*uṣṭa*';—'as much land as can be cultivated with two ploughs' (Kullūka);—'as much as is cultivated by one cultivator' (Nandana).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 251), which adds the following notes:—'*Kulam*' is a portion of the village, called '*pādukā*,' says *Kalpataru*:—others however hold that it stands for as much land as can be cultivated by two ploughs. That much of land he should have for his livelihood.

VERSE CXX

'*Prthakkāryāṇi*'—'Quarrels among each other' (Nārāyaṇa);—'the separate affairs of the villagers' (Nandana).

'*Snigdhaḥ*'—'Impartial' (Medhātithi);—'loyal to the king' (Kullūka).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 249), which explains '*prthakkāryāṇi*' as 'quarrels among themselves';—it notes that if we adopted the reading '*prthak-kāyāṇi*,' the meaning would be 'matters on which there is a difference of opinion among them.'

VERSE CXXI

‘*Graham*’—‘The planet Mars’ (Medhātithi);—‘Planet, Venus and others’ (Kullūka);—‘the Sun’ (Govindarāja);—‘the Moon’ (Nārāyaṇa).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 249), which adds the following notes:—‘*Uchchaissthānam*’ means ‘highly placed in the matter of birth and so forth,’—or ‘having a highly placed seat,’—‘*ghorarūpam*’ means ‘awe-inspiring.’

VERSE CXXII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 250), which adds the following notes:—‘*Anuparikramāt*’ i.e., wherever the lawful people are being oppressed by unlawful people, he should strengthen the former with his own forces;—‘*vṛttam*’ means ‘behaviour’;—‘*pariṇayēt*’ means ‘report’; ‘*tacheharaiḥ*,’ ‘through the king’s agents.’

VERSE CXXIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 253);—and in *Vivādaratnākara* (p. 367).

VERSE CXXIV

This verse is quoted in *Vivādaratnākara* (p. 367), which explains ‘*kāryikēbhyaḥ*’ as ‘men who have business, suitors.’

VERSE CXXV

This verse is quoted in *Vīramitrodaya* (Rājanīti, pp. 251-252).

VERSE CXXVI

‘*Paṇa*’—See 8. 136.

Droṇa—‘Four *āḍhakas*, i.e., 10 seers’ (Medhātithi and Kullūka);—‘512 *palas*’ (Govindarāja).

“Govindarāja and Kullūka state that the highest servants shall receive six times as much grain and clothes as the lowest, and the middle class servants three times as much as the lowest.”—Buhler.

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 252), which adds the following notes:—‘*Avakṛṣṭasya*’ ‘of domestic servants’;—‘*vētanam*,’ fooding,—‘*āchhādaḥ*’, ‘two pieces of clothing’;—‘*droṇaḥ*,’ ‘four ‘*Āḍhakas*’;—and in *Shuddhikaumudī* (p. 240).

VERSE CXXVII

‘*Yogakṣēmam*’—‘Charges incurred for security of property against royalty and thieves and robbers’ (Medhātithi);—‘net profits (*yoga*) and charges’ for securing the goods against robbers &c.’ (Kullūka).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 259), which adds the following notes:—What has been paid for the cloth, salt and other articles of merchandise? What are likely to be the profits from selling them? From what distance has all this been brought? What quantity of food and vegetables and condiments have been spent by the man in importing the goods? How much he has lost over the charges incurred in securing his goods against robbers and other dangers of the journey? What is the profit he is actually making? What is he spending over the guarding of his merchandise against robbers and thieves?—the King should take into consideration all this and then fix the taxes payable by the traders.

This verse is quoted also in *Parāsharamādhava* (Āchāra, p. 404).

VERSE CXXVIII

The order of verses 128 and 129 of *Medhātithi* is reversed in the other commentaries and hence by Buhler and Burnell.

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 404);—and in *Vīramitrodaya* (Rājanīti, p. 260), which adds the following notes:—‘*Adanti*,’ ‘eat’;—‘*ādyam*,’ ‘what is fit for eating, i.e., blood, milk and honey’;—‘*vāryoko-vatsa-ṣatpadāh*,’ ‘the leech, the calf and the bee’;—in the same manner should the king draw from his kingdom only a small amount of annual revenue, so that the principal capital of the people may not be affected.

VERSE CXXIX

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 404);—and in *Vīramitrodaya* (Rājanīti, p. 260), which adds the following explanation:—The king should impose taxes in such a manner that he himself gets some reward for what he does in the shape of securing safety to life and property, and also the transactors of business—the cultivator, the trader and others—also obtain a fair return for the work that they do, in the shape of tilling the soil, trading and so forth;—again on p. 264, to the effect that the taxes may be enhanced or reduced in consideration of the loss or gain actually accruing to the people concerned.

VERSE CXXX

The second half of this verse is quoted in *Vīramitrodaya* (Rājanīti, p. 262), which remarks that the option laid down is in view of the varying fertility of the soil and the consequent greater or less labour involved in cultivation; it explains ‘*dhānya*’ as standing for *Vrīhi*, *Yava* and so forth and adds that what is here mentioned is to be realised only from cultivators.

VERSES CXXXI—CXXXII

These two verses are quoted in *Vīramitrodaya* (Rājanīti, p. 161), which adds the following notes:—‘*Dru*’ is *tree*,—‘*māmsa*,’ flesh of the goat and other animals,—‘*madhu*,’ honey, ‘*sarpiḥ*,’ clarified butter, ‘*gandha*,’ sandal-wood and the like,—‘*oṣadhi*,’ *guḍūchi* and the rest,—‘*rasa*,’ salt and the like,—‘*puspa*,’ Champaka and the rest,—‘*mūlāni*,’ the *Haridrā* and so forth,—‘*patra*,’ the palm-leaf and the like.

VERSE CXXXIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 261);—and in *Parāsharamādhava* (Āchāra, p. 408).

VERSE CXXXIV

This verse is quoted in *Mitākṣarā* (on 3. 44);—in *Parāsharamādhava* (Āchāra, p. 408);—and in *Vīramitrodaya* (Rājanīti, p. 141), which remarks that though this verse mentions the ‘Brāhmaṇa’ in general, yet from what follows in the next verse it is clear that what the text means is to speak of only the *learned* Brāhmaṇa.

VERSE CXXXV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 141) as indicating that it is incumbent on the king to see that no *learned* Brāhmaṇa in his kingdom suffers from hunger;—and in *Parāsharamādhava* (Āchāra, p. 408).

VERSE CXXXVI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 141);—and again on p. 272.

VERSE CXXXVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 274), which adds that the service herein mentioned being the only tax payable by them, no other tax should be imposed upon these men.

VERSE CXXXIX

This verse is quoted in *Vīramitrodayā* (Rājanīti, p. 275), which explains 'ātmanūlochchhēda' as 'not realising revenues and taxes,' and 'paramulochchhēda' as 'realising more revenue and taxes than what is proper.'

VERSE CXL

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 134).

VERSE CXLI

Buhler attributes the reading 'Shāntam', for 'prājñam', to Medhātithi; but there is nothing in *Bhāṣya* itself to justify this conclusion.

VERSE CXLII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 414).

VERSE CXLIII

This verse is quoted in *Vivādaratnākara* (p. 294), which explains 'hriyantē' as 'are robbed'; and adds that the Genitive in 'sampashyataḥ' denotes *disregard*.

VERSE CXLV

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 409);—in *Vīramitrodaya* (Rājanīti, p. 155);—in *Nṛsimhaprasāda* (Samskāra, p. 740);—and in *Smṛtichandrikā* (Vyavahāra, p. 43).

VERSE CXLVI

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 410);—in *Vīramitrodaya* (Rājanīti, p. 159), which explains 'tatra' as 'in the Court';—and in *Smṛtichandrikā* (Vyavahāra, p. 61).

VERSE CXLVII

'*Niḥshalākē*'—'Free from grass or such other places of concealment' (Medhātithi, Govindarāja and Nandana);—'solitary' (Kullūka, Nārāyaṇa and Rāghavānanda).

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 410);—in *Vīramitrodaya* (Rājanīti, p. 159) as laying down the place for holding the Council; it explains '*Niḥshalākē*' as 'solitary place';—in *Nṛsimhaprasāda* (Samskāra, p. 72 b);—and in *Rājanītiratnākara* (p. 22 a).

VERSE CXLVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 308);—and in *Rājanītiratnākara* (p. 22 b).

VERSE CXLIX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 309), which adds the following notes:—'*Jaḍa*' is 'one who is devoid of intelligence, idiot,'—'*tairyaogyonāḥ*',—'parrots, starlings and the like,'—'*vayoti gāḥ*', 'very old persons,'—'*Mlēchchha*', stands for 'persons whose language is not intelligible';—for '*Mlēchchho*', another reading is '*klībo*'.

It is quoted in *Rājanītiratnākara* (p. 22 b).

VERSE CL

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 309), which explains '*Āḍṛta*' as 'suspicious.'

VERSE CLI

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 410);—and in *Vīramitrodaya* (Rājanīti, p. 159) as laying down the time for holding the Council;—and again on p. 317).

VERSE CLII

The second half of this verse is quoted in *Parāsharamādhava* (Āchāra, p. 410);—the entire verse in *Vīramitrodaya* (Rājanīti, p. 159),—and again on p. 317, where the following notes are added—‘*Tēṣām*’ stands for ‘Dharma’—Artha—Kāma’, among whom, in most cases, there is conflict;—‘*samupārjanam*’ means ‘attainment, in the proper manner, i.e., the attainment of one or the other out of the three, without detriment to the other two factors.’

VERSE CLIII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 410);—and in *Vīramitrodaya* (Rājanīti, p. 159);—again on p. 317, where ‘*pranidhi*’ is explained as ‘spy.’

VERSE CLIV

‘*Aṣṭavidham karma*’—Medhātithi offers three explanations:—(A)—(1) Conciliation, (2) Division, (3) Force, (4) Presents, (5) Attempting the undone, (6) Completing what is done, (7) Bettering what is completed, (8) Consolidating the fruits of the operation;—(B) (1) Trading routes, (2) Bridge-making, (3) Fortification, (4) Strengthening of forts, (5) Elephant-catching, (6) Mining, (7) Settling unpopulated tracts, and (8) Clearing forests;—(C)—(1) Revenue-collection, (2) Expenditure, (3) Dismissing undesirable servants, (4) Prohibiting of wrong, (5) Deciding difficult points, (6) Inspection of judicial affairs, (7) Inflicting of punishments,

(8) prescribing purificatory penances.—Of these (B) is adopted by Nandana, and (C) by Govindarājā, Kullūka, Nārāyaṇa and Rāghavānanda.

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 411), which explains that the 'eightfold business' has been described by Ushanas, and it quotes the verses cited by Medhātithi, to which it adds the note that '*shuddhi*' is 'expiatory penance.' It proceeds to explain *pañchavarga* as standing for (1) *kāpālīka*, beggar (2) *dāmbhika*, the hypocrite, (3) *gr̥hapati*, the householder (4) *vaidēhaka*, and (5) the disguised hermit; it goes on to point out that it may stand for—(1) The commencement of an operation, (2) the supply of men, (3) supply of material, (4) precautionary measures and (5) success.

It is quoted in *Vīramitrodaya* (Rājanīti, p. 159), where also the verses of Ushanas are quoted, to which the following explanatory notes are added:—'*Ādānam*'—*i. e.*, of taxes and other dues,—'*visarga*', 'making gifts of wealth,'—'*praiṣa*' is the activity of the Minister and others relating to temporal and spiritual matters,—'*niṣēdhaḥ*', prohibiting of inimical acts,—'*anuvachana*', 'the king's orders regarding doubtful points'—and '*shuddhi*' is 'expiatory penance.'—It explains '*pañchavarga*' as consisting of—(1) allies, (2) means of success, (3) apportionment of time and place, (4) prevention of trouble and (5) success.

It is quoted again in the same work, on page 317, where also the same verses from Ushanas are quoted, but with a fuller explanatory note:—'*Ādānam*' is 'collection of revenue and other dues',—'*visarga*' is 'the giving away of prizes and other presents',—'*prēṣa*' is the deputing of servants (*v. l. praiṣa*) and others,—'*arthavachana*' is 'taking of measures for amassing wealth',—some works read, for '*arthavachanam*', '*anuvachanam*', which means 'the king's orders on doubtful points',—'*shuddhi*' regarding Punishments, consists in their being inflicted in accordance with law; and that regarding the 'Self' consists in expiatory penances.—Next it quotes

Medhātithi's first explanation (A) of the 'eightfold business'; and then proceeds to explain '*pañchavarga*' (of the text) as meaning the 'group consisting of five spies', as follows:— (1) Those trustworthy persons who are experts in geography, arts, languages and so forth, (2) those disguised as dwarfs, foresters, dumb and deaf, insane or blind, (3) dancers, musicians, and singers, (4) Ascetics and so forth. It then quotes the other explanation of '*pañchavarga*' as consisting of allies and the rest (see above). '*Aparāgaḥ*' (of the text) means 'disaffection'; the sense being that the king should make it his business to learn everything regarding the affection and disaffection that there may be among Ministers, Priests, the Commander-in-Chief, the Heir Apparent, the Porter and others.

VERSE CLV

Cf. Kāmandakīya Nīṭisāra, 8. 14, 18.

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 320), which adds the following notes:—In the 'circle' of kings, there are four kinds of kings—(1) The king seeking conquest (2) the three kinds of enemy—the natural enemy, the artificial enemy and the neighbouring state, (3) the middle state, which is capable of defeating either of the two parties to a conflict, taken singly (4) the neutral, who is capable of smashing any one of the above three.

This verse is quoted in *Rājanītiratnākara* (p. 36a).

VERSE CLVI

"The eight other constituents are, according to Kāmandakī 8. 16—17, (a) in front beyond the foe's territory—(1) a friend, (2) the foe's friend, (3) the friend's friend (4) the foe's friends, friend;—(b) in the rear—(1) he who attacks in the rear, (2) he who restrains the latter, (3) and (4) the supporters of these two."—Buhler.

The first half of this verse is quoted in *Vīramitrodaya* (Rājanīti, p. 320), where also the above eight are mentioned.

VERSE CLVII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 323), which enumerates the 72 as consisting of the (1) conquering king, (2) his minister, (3) his kingdom, (4) his fortress, (5) his treasury, (6) his army ;—and so with each of the other eleven states of the 'Circle'; this *twelve* times *six* makes 72.

VERSE CLVIII

The second half of this verse is quoted in *Parāsharamādhava* (Āchāra, p. 411) ;—and the first half in *Vīramitrodaya* (Rājanīti, p. 321).

VERSE CLIX

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 411) ;—in *Vīramitrodaya* (Rājanīti, p. 323), which adds the following notes :—'Abhisandadhyāt' means 'should win over to his side';—and in *Nṛsimhaprasāda* (Samskāra, p. 72 b).

VERSE CLX

See *Kāmandaka* (11. 27).

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 411) ;—and in *Vīramitrodaya* (Rājanīti, p. 324), which adds the following notes :—'Sandhi' is 'alliance, entering into a compact, such as we shall help each other with elephants, horses and so forth,—'vīgraha' is 'war',—'yāna' is 'marching against the enemy',—'āsana' is 'staying within one's own territories, not minding the war that may have been declared',—'dvaidhībhāva' is 'dividing one's own forces into two parts',—and in *Nṛsimhaprasāda* (Samskāra, p. 72b).

VERSE CLXI

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 411),—and in *Vīramitrodaya* (Rājanīti, p. 324), which explains '*Samshraya*' as 'seeking the shelter of a more powerful king, when hard-pressed by the enemy.'

VERSE CLXII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 325), which adds the following notes :—'*Sandhi*,' 'alliance', is of two kinds—(1) the compact that 'both of us should march against a common enemy', and (2) the compact that 'you march this way, I march the other way';—'War' also is of two kinds—(1) declared by one's self against an enemy, and (2) undertaken for helping an ally attacked by an enemy;—'Marching' also is of two kinds—(1) singly, and (2) conjointly with an ally; 'Halting' also is of two kinds—(1) done on account of weakness and (2) done for the purpose of waiting to help an ally;—'Division of forces' is of two kinds—(1) the king remaining with half the force in the fort and the Commander-in-chief going out to meet the enemy and (2) the reverse arrangement;—'Seeking protection' also is of two kinds—(1) done for the rescuing of what has been lost and (2) done for awaiting future aggression.

VERSE CLXIII

Nārāyaṇa and Nandana take the term '*tadā tvāyatīsam-yuktah*' as referring to two different cases,—'yielding either (a) immediate or (b) future advantages.'

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 325) to the effect that the two kinds of 'alliance' spoken of above (see preceding note) are each again of two kinds, as leading to (a) immediate advantage or (b) future advantage.

VERSE CLXIV

‘*Akālē*’—This is taken by Medhātithi with the second clause and by Govindarājā with the first.

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 325) to the effect that ‘war’ is of two kinds—(1) That undertaken for some special purpose of one’s own—this being done either in the proper season, such as during the months of November or December, or even out of season; and (2) that undertaken for helping an ally who has been attacked by an enemy.

VERSE CLXV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 326), as setting forth the two kinds of ‘marching’—(a) alone or (b) accompanied by the ally.

VERSE CLXVI

‘*Daivāt pūrvakṛtēna*’—‘In consequence of imprudence during present life,—and in consequence of acts committed during previous existences’ (Medhātithi, Govindarāja and Kullūka);—‘by an enemy made formerly’ (Nārāyaṇa).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 326).

VERSE CLXVII

“The text really mentions only one method of ‘Division.’ Hence Medhātithi thinks that, in order to obtain the two kinds required, it must be understood that the measure may be resorted to either for one’s sake or for the sake of somebody else.—Nārāyaṇa makes the two methods out by supposing that in the one case the army stops in front of the enemy under the command of a general, while the king marches with a portion of his forces, and that in the other case the contrary

takes place.—Govindarāja quotes Kāmandaki, 11.24, where a different meaning, ‘duplicity’ is attributed to the term ‘*dvaidhābhāva*.’—Buhler.

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 326) which explains ‘*sthitiḥ*’ as ‘*dvidhāhūya sthitiḥ*’ ‘taking up a position with forces divided,’ and adopts the explanation attributed (in the above note) to Nārāyaṇa;—and in *Rājanītiratnākara* (p. 24 b).

VERSE CLXVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 326), as describing the two kinds of ‘Refuge’—(a) that taken for the purpose of regaining of what has been lost to the enemy, and (b) that taken for the averting of future trouble.

VERSE CLXIX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 326), which adds the following notes :—‘*āyatyam*,’ ‘in the future,’—‘*ādhiḥyam*,’ ‘superiority of force,’—‘*tadātve*,’ ‘at the time.’

VERSE CLXX

Cf. Kāmandaka, 8. 4.

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 327).

VERSE CLXXI

Cf. Kāmandaka, 10. 26.

This verse is quoted in *Vīramitrodaya*, (Rājanīti, p. 327).

VERSE CLXXII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 327).

VERSE CLXXIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 327).

VERSE CLXXIV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 328).

VERSE CLXXV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 328).

VERSE CLXXVI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 328);—and in *Nītimayūkha* (p. 58).

VERSE CLXXVII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 328);—and in *Nītimayūkha* (p. 58).

VERSE CLXXVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 328).

VERSE CLXXIX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 328).

VERSE CLXXX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 328).

VERSE CXXXI

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 400);—in *Viramitrodaya* (Rājanīti, p. 330);—and in *Nṛsimhaprasāda* (Samskāra, p. 72b).

VERSE CLXXXII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 400);—in *Viramitrodaya* (Rājanīti, p. 330);—in *Smṛtitattva* (p. 713); and again on p. 742, to the effect that if the king's business is urgent, he may proceed on an expedition at any time;—in *Nṛsimhaprasāda* (Samskāra, p. 72b);—and in *Rājanītiratnākara* (p. 26a).

VERSE CLXXXIII

Cf. Kāmandaka, 11. 3.

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 401);—in *Viramitrodaya* (Rājanīti, p. 330), to the effect that the 'enemy's difficulty' being itself laid down as affording the best opportunity for marching against him, there is no room for any other consideration;—and in *Smṛtitattva* (p. 742) to the same effect.

VERSE CLXXXIV

'*Upagrhyāspadam*'—'Having won over the disaffected servants of the enemy' (Govindarāja, Kullūka and Rāghavānanda);—'having established a camp in the enemy's country' (Nārāyaṇa).

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 401);—and in *Viramitrodaya* (Rājanīti, p. 396), which adds the following notes—'mūlṛ', 'at the base, in his own kingdom'—'*vidhānam*', 'measures for defending, such as garrisoning and so forth.'



VERSE CLXXXV

‘*Ṣaḍvidham balam*’—‘(1) Elephants, (2) horses, (3) chariots, (4) foot-soldiers, (5) army-treasury, (6) labourers ; or (1) the *maula* (2) *bhṛtya*, (3) *shrēṇī*, (4) *mitra*, (5) *amitra* and (6) *āṭāvika*; (Medhātithi);—the latter enumeration is found in Kāmandaka, 16. 6, which is adopted by Nandana.

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 401);—and in *Vīramitrodaya* (Rājanīti, p. 396), which explains ‘*ṣaḍvidham balam*’ as consisting of the *maula*, the *bhṛtaka* and so forth,—and ‘*Sāmparāyika-kalpēna*’ as ‘in accordance with the rules of war’.

VERSE CLXXXVI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 397).

VERSE CLXXXVII

See Kāmandaka, 19, for the various kinds of tactical disposition of the forces.

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 401);—in *Vīramitrodaya* (Rājanīti, p. 400), which adds that full descriptions of the several *Vyūhas* the reader will find in *Lakṣaṇaprakāsha*;—and in *Rājanītiratnākara* (p. 26 a).

VERSE CLXXXVIII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 402);—and in *Vīramitrodaya* (Rājanīti, p. 400).

VERSE CLXXXIX

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 402);—and in *Vīramitrodaya* (Rājanīti, p. 400).



VERSE CXC

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 402);—and in *Vīramitrodaya* (Rājanīti, p. 401).

VERSE CXCI

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 402):—and in *Viramitrodaya* (Rājānīti, p. 404).

VERSE CXCII

'*Sthalā*'—'Ground free from stones, trees, creepers, pits etc.,' (Medhātithi, Govindarāja and Kullūka);—'hilly ground' (Nārāyaṇa).

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 402);—and in *Viramitrodaya* (Rājanīti, p. 405).

VERSE CXCHII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 402);—and in *Viramitrodaya* (Rājanīti, p. 405).

VERSE CXCV

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 402);—in *Viramītrodaya* (Rājanīti, p. 405);—and in *Rājanītiratnākara* (p. 27 a).

VERSE CXCV

This verse is quoted in *Mitākṣarā* (on 1.342), in support of the view that before a country has been entirely subjected, the conqueror should do nothing for the sake of the people of that country;—in *Parāsharamādhava* (Āchāra, p. 402);—and in *Vīramitrodaya* (Rājānīti, p. 403).

VERSE CXCVI

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 402);—and in *Vīramitrodaya* (Rājanīti, p. 403).

VERSE CXCVII

The second half of this verse is quoted in *Smṛtitattva* (p. 742);—the entire verse in *Parāsharamādhava* (Āchāra, p. 402);—and in *Vīramitrodaya* (Rājanīti, p. 404), which explains 'upajāpēt' as 'should create dissension, alienate.'

VERSE CXCVIII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 403);—in *Vīramitrodaya* (Rājanīti, p. 404);—and in *Smṛtitattva* (p. 742).

VERSE CXCIX

This verse is quoted in *Smṛtitattva* (p. 742);—in *Parāsharamādhava* (Āchāra, p. 403);—and in *Vīramitrodaya* (Rājanīti, p. 404).

VERSE CC

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 403);—in *Vīramitrodaya* (Rājanīti, p. 404);—and in *Smṛtitattva* (p. 742), which reading 'samyattah' (for 'sampannah'), explains it as 'with due effort'.

VERSE CCI

'*Parihāra*'—'Exemptions from taxes and custom-dues etc.' (Medhātithi);—'gifts to the gods and Brāhmaṇas' (Govindarāja and Kullūka);—'gifts of clothes and ornaments to the inhabitants' (Rāghavānanda).

“The term ‘*parihāra*’ occurs very frequently in the inscriptions (see *e. g.*, Arch. Reports of Western India, Vol. IV, p. 104 *et. seq.*), and means ‘exemption from taxes and payments as well as other immunities’. These *parihāras* were regularly attached to all grants to Brāhmaṇas or temples”—Buhler.

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 403);—in *Vīramitrodaya* (Rājanīti, p. 409), which adds the following notes:—‘*Jitvā*,’ ‘having conquered the enemy’s territories’,—‘*devān dhārmikān brāhmaṇān*’—*i. e.*, those inhabiting the conquered country—‘*sampūjayēt*,’—‘he should worship’, *i. e.*, offer them lands, gold, presents and honours’;—‘*parihārān*’ means ‘explanations of his own action in conquering the country, such as it was not through greed for conquest that I have conquered this kingdom, this king of yours wronged me deeply, that is why I have conquered him—thereby showing that he is not to blame;—or ‘*parihāra*’ may mean ‘gifts’, such proclamations, for instance, as ‘all the gold and wealth that I have won I present to the Brāhmaṇas’;—similary he should proclaim such amnesty as ‘all those who, through loyalty to their late king, acted against me, only did their duty, and they need not fear any retaliation from me’.

It is quoted in *Nṛsimhaprasāda* (Samskāra, p. 73 a).

VERSE CCII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 403);—and in *Vīramitrodaya* (Rājanīti, p. 410), which adds the following notes:—‘*Tēṣām*,’ ‘of the minister and other office-bearers of the late king,’—‘*chikīrṣitam*,’ ‘wish,’—‘*samam*,’ ‘unanimous,’—‘*viditvā*,’ ‘having ascertained,’—‘*tadvamshyam*,’ ‘one born of the same family as the king killed in battle,’—‘*sthāpayēt*,’ ‘should install him in the place of the late king,’—‘*Samyakriyām*,’ ‘a compact to the effect that henceforward you shall behave towards me in such and such a manner’;—and in *Nṛsimhaprasāda* (Samskāra, p. 73 a).

VERSE CCIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 410), which adds the following notes:—‘*Tēṣām*,’ ‘of the other king,’—‘*yathoditān*,’ ‘as handed down by his family-traditions,’—‘*dharmān*,’ ‘practices, customs,’—these he should make the ‘*pramāṇāni*,’ the *authority*, by way of oath, *i. e.*, he should administer the oath in such words as—‘if you act contrary to this compact of yours, you fall off from such and such high morality and custom handed down by your family-traditions.’—It suggests also another explanation of the verse as follows—‘*Teṣām*,’ ‘of the former king’—‘*yathoditān dharmān*,’ ‘the administrative measures taken for the grant of livings to Brāhmaṇas, ministers and others,’—these he should ‘*pramāṇani kurvīta*,’ ‘declare to be inviolable.’

It is quoted in *Nṛsimhaprasāda* (Samskāra, p. 73 b).

VERSE CCIV

This verse is quoted in *Vīramitrodaya*, (Rājanīti, p. 410), which adds the following notes:—‘*Abhīpsitānām*,’ ‘required by, the king selected from among the family of the late king, and by his ministers,’—‘*arthānām*,’ ‘of things,’—‘*ādānam*,’ ‘the taking away,’—which is ‘*apriyakaram*,’—‘disagreeable,’—and ‘*dānam*,’ ‘giving away’—which is ‘*priyakārakam*’ to them;—in as much as it is only if he were fully equipped with the necessary elephants, horses and wealth that the new king could hope to be safe against other kings, the presentation of such things at the time of installation is ‘*kālē yuktam*,’ ‘highly opportune,’—and hence ‘*prashasyatē*,’ ‘is commended.’

VERSE CCV

‘*Kriyā*’—‘Action, for attaining success’ (Govindarāja and Kullūka);—‘remedial action’ (Nārāyaṇa);—‘effort’ (Rāghavānanda).

‘*Mānuṣē vidyatē kriyā*’—‘It is only when there is human effort, that fate becomes operative’ (Nandana).

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 312).

VERSE CCVI

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 412), which adds the following notes :—The particle ‘*vā*’ indicates that what the verse is speaking of is the alternative to war;—‘*prayatnato yuktaḥ*,’ ‘having become fully equipped with all the equipments, such as sending the ambassador and so forth, necessary for marching on the conquering expedition,’—‘*saha*,’ ‘with the enemy,’—‘*sandhim krtvā*,’ ‘having made peace’;—‘*sāmpashyan*,’ ‘rightly discerning,’ the ‘*triple result*’ in the shape of ‘friend, gold and territory’, and hence making peace on the acquisition of any one of these three, he should ‘depart’, return to his own kingdom.

VERSE CCVII

This verse is quoted in *Viramitrodaya*, (Rājanīti, p. 412), which adds the following notes :—‘*Maṇḍalē*’ ‘in the circle of twelve enemies’;—the ‘*pārṣṇigrāha*’, is the enemy whose territory lies immediately in the rear of the king who is marching on an expedition against a state in his front;—‘*ākṛanda*’ is the king whose territory lies behind that of the said *pārṣṇigrāha*,—‘*samprēksya*,’ ‘having duly examined the strength and weakness of both these’;—‘*mitrāt*,’ ‘from the king against whom he was marching and with whom he has made peace’;—‘*amitrāt*,’ ‘from the enemy against whom he was marching and who has not made peace with him’,—the king undertaking the expedition shall obtain the point of his expedition—in the shape either of victory over the enemy, or one of the ‘three results’ of peace, in the shape of ‘friend, gold and territory.’

VERSE CCVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 277);—and in *Rājanītiratnākara* (p. 29 a).

VERSE CCIX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 277).

VERSE CCX

This verse is quoted in *Smṛtitattva* (p. 743), as describing the 'dangerous enemy';—in *Vīramitrodaya* (Lakṣaṇa, p. 218);—and in *Vīramitrodaya* (Rājanīti, p. 323).

VERSE CCXI

'*Sthaulalakṣyam*'—'Great liberality' (Kullūka, Nārāyaṇa, Rāghavānanda and Nandana);—Kullūka asserts that both Govindarāja and Medhātithi explain the term as being 'not sharp-sighted.' As regards Medhātithi, whose explanation Buhler could not decipher, his words are—'*Sthūlalakṣaḥ prabhūtasyaāpi arthamēṣām sarvakālam kṣamate*, which means that the man who is '*sthūlalakṣa*' looks with equanimity upon the ever-increasing prosperity of these (i. e., other kings). This may imply *absence of sharp-sightedness*.—Hopkins says "Medhātithi and Govindarāja erroneously interpret as *subtility*". While Govindarāja is said by Buhler to explain the term to mean '*sūkṣmadars-hitvam*'; but this is evidently wrong; as the *initial 'a'* Buhler has failed to notice in the manuscript.

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 323).

VERSE CCXII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 412).

VERSE CCXIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 413).

VERSE CCXIV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 413), which explains 'Samyuktān' as 'arisen together',—'viyuktān', as 'arisen separately,' and 'nayēt' as 'should employ.'

VERSE CCXV

'Upētāram'—'The employer of the means, i.e. the king himself' (Medhātithi, Govindarāja, Kullūka, Nārāyaṇa and Rāghavānanda);—'the king's minister' (Nandana).

'Āśhritya'—'Undertaking' (Medhātithi);—'depending upon' (Govindarāja and Kullūka);—'pondering over' (Nārāyaṇa and Rāghavānanda).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 413), which explains 'upētāram' as 'the employer of the means, i.e., the king himself,'—and 'upēyam' as 'one who is to be won by the means employed, i.e., the enemy'—again, on p. 319, where also the explanations are repeated;—and in *Nītimayūkha* (p. 50).

VERSE CCXVI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 160).

VERSE CCXVII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 160).

VERSE CCXVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 161), which explains 'nējayēt' (which is its reading for 'shodhayēt') as 'should wash.'

VERSE CCXIX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 161);
—and in *Nītimayūkha* (p. 51).

VERSE CCXX

This verse is quoted in *Vīramitrodaya* (p. 51).

VERSE CCXXI

This verse is quoted in *Mitākṣarā* (on 1.328);—in
Madanapārijāta (p. 224);—in *Vīramitrodaya* (Rājanīti,
p. 167);—in *Nītimayūkha* (p. 51);—and in *Nṛsimhapra-*
śāda (Āhnika, p. 36a).

VERSE CCXXII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 167);
—and in *Nītimayūkha* (p. 51).

VERSE CCXXIII

‘*Rahasyākhyāyinām*’—‘Of the ministers and others
making secret reports’ (Nārāyaṇa);—‘of the citizens who
may have come to make secret reports’ (Medhātithi).

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 167);
—in *Nītimayūkha* (p. 53);—and in *Nṛsimhaprasāda*
(Āhnika, p. 36a).

VERSE CCXXIV

This verse is quoted in *Mitākṣarā* (on 1.329);—in
Vīramitrodaya (Rājanīti, p. 168);—and in *Nītimayūkha*
(p. 53).

VERSE CCXXV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 168);
—and in *Nītimayūkha* (p. 53).

VERSE CCXXVI

This verse is quoted in *Mitākṣarā* (on 1.330);—and
in *Vīramitrodaya* (Rājanīti, p. 169), which explains ‘*ṛtat*
sarvam’ as ‘protection of the people and so forth’.

VERSE CCXXVII

VERSE CCXXVIII

VERSE CCXXIX

Adhyaya VIII

VERSE I

This verse is quoted in *Aparārka* (p. 600), which explains 'mantrajñāḥ' as 'arthashāstrajñāḥ', 'learned in the Science of Polity', and deduces the sense that the person who tries cases should act up to the principles of the Science of Polity, in so far as they are not incompatible with the Dharmashāstra, the Ethical Science.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 18), to the effect that having entered the court, the king shall carry on the work, in association with learned men and with councillors ;—in *Vyavahāramayūkha* (page 2) ;—in *Nṛsimahaprasāda* (Vyavahāra, p. 1b) :—in *Kṛtyakalpataru* (3a), which has the following notes—'Vyavahārān', points of dispute between the plaintiff and the defendant,—'didṛkṣuḥ', with a view to determine,—'prthivīpatiḥ', includes non-Kṣattriyas also,—'mantrajñāḥ', persons conversant with the method of doing business in due accordance with the exigencies of time and place,—this qualifies 'brāhmaṇaiḥ', ignorant Brāhmaṇas being prone to give hasty advice and thereby create trouble,—'mantribhiḥ' stands for experienced councillors ;—and in *Vīramitrodaya* (Vyavahāra, p. 4a).

VERSE II

'Raising his right arm'—See 458.

This verse is quoted in *Aparārka* (p. 600) ;—the second half in *Vyavahāramayūkha* (p. 2) ;—in *Parāsharamādhava* (Vyavahāra, p. 18) ;—in *Nṛsimhaprasāda* (p. 2a) ;—in *Smṛtichandrikā* (Vyavahāra, p. 52), which says that

‘seated or standing’ is meant to preclude *lying down* and *walking* ;—in *Kṛtyakalpataru* (3a), which has the following notes :—‘*Vinīta*’ is calm and dignified’—‘*pāṇimudya*’, taking the hand out of the upper wrapper, *i. e.*, having gathered together his clothes,—‘*pashyēt*’ determine, decide,—‘*kāryāṇi*,’ non-payment of debt and so forth ;—and in *Vīramitrodaya* (Vyavahāra, p. 40).

VERSE III

‘*Vināpi sākṣibhiḥ etc.*’—(Medhātithi, p. 793, l. 24)—This is a clear reference to Yājñavalkya (Vyavahāra, 89).

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 18), and again on p. 31, in support of the view that the king shall decide cases relating to all the eighteen points of dispute, on the basis of local customs and also of ordeals and other methods prescribed by the scriptures ;—in *Nṛsimhaprasāda* (Vyavahāra, p. 2a) ;—in *Smṛtichandrikā* (Vyavahāra, p. 57) ;—in *Kṛtyakalpataru* (3a), which has the following notes :—‘*Dēśadr̥ṣṭa hētu*’ are those special means of coming to a decision which are effective in the place concerned,—of the custom obtaining among the people of the North and those of the Central land, of feeding the person who comes to ask for the hand of a girl, which *feeding* means a distinct promise to marry the girl,—‘*shāstradr̥ṣṭa hētu*’ stands for *witnesses and the rest* ;—and in *Vīramitrodaya* (Vyavahāra, p. 4a).

VERSE IV

This verse is quoted in *Mitākṣarā* (on 2. 5) ;—in *Nṛsimhaprasāda* (Vyavahāra, p. 3 b) ;—in *Vyavahāramayūkha* (p. 1) which explains ‘*anapākarma*’ as ‘*non-delivery*’ ;—in *Aparārka* (p. 596) ;—in *Vivādachintāmaṇi* (p. 1) ;—in *Smṛtisāroddhāra* (p. 325) ;—in *Nṛsimhaprasāda* (Vyavahāra, p. 3 b) ;—in *Kṛtyaklapataru* (12b) ;—and in *Vīramitrodaya* (Vyavahāra, p. 89b).

VERSE V

This verse is quoted in *Aparārka* (p. 596);—in *Mitākṣarā* (on 2. 5);—in *Vyavahāramayūkha* (p. 1), which explains ‘*anushayaḥ*’ as ‘*pashchāttāpaḥ*’, ‘revoking’;—in *Vivādachintāmaṇi* (p. 1.)—in *Smṛtisāroddhāra* (p. 325);—in *Nṛsimhaprasāda* (Vyavahāra, p. 3b);—in *Kṛtyakalpataru* (12b);—and in *Viramitrodaya* (Vyavahāra, 896).

VERSE VI

This verse is quoted in *Aparārka* (p. 596);—in *Vyavahāramayūkha* (p. 1);—in *Mitākṣarā* (on 2. 5);—in *Vivādachintāmaṇi* (p. 1);—in *Smṛtisāroddhāra* (p. 325);—in *Nṛsimhaprasāda* (Vyavahāra, p. 3b);—in *Kṛtyakalpataru* (12 b);—and in *Viramitrodaya* (Vyavahāra, 89 b).

VERSE VII

‘*Vyavahārasthitau*’—‘Giving rise to law-suits’ (Govindarāja);—‘in deciding law-suits’ (Nārāyaṇa).

This verse is quoted in *Mitākṣarā* (on 2. 5);—in *Vyavahāramayūkha* (p. 1), which explains ‘*dyūta*’ as ‘gambling with inanimate objects’ and ‘*samāhvayaḥ*’ as ‘gambling with animals,’ and notes that though theft, adultery, defamation and assault are all only forms of ‘crime’ (‘*Sāhasa*’) yet they have been mentioned separately, also, on the analogy of such expressions as ‘*Gobalivarda*.’

It is quoted in *Aparārka* (p. 596), which explains ‘*padāni*’ as ‘*sthāna*, ‘*viśāya*’, ‘subjects’;—in *Vivādachintāmaṇi* (p. 1);—in *Smṛtisāroddhāra* (p. 325);—in *Nṛsimhaprasāda* (Vyavahāra, p. 3 b);—in *Kṛtyakalpataru* (12b);—and in *Viramitrodaya* (Vyavahāra, 89b.)

On verses 1-7 *Vīramitrodaya* (Vyavahāra, p. 4a) has the following notes :—‘*Vyavahārān*,’ business described above,—‘*pārthivah*,’ the anointed Kṣatriya ;—the term ‘*nṛpaḥ*’ implies that what is here enjoined applies also to those who, though not themselves kings, are appointed by the king to work for him ;—‘seated or standing’ may be options to be determined by the king’s capacity, or by the respectability or otherwise of the parties appearing before him ;—the raising of the right arm is for calling the attention of suitors ; the dress etc. are to be humble, so that the parties may not be confounded by his gorgeous attire ;—‘*pratyaham*’ shows that cases should be tried every day ;—‘*dēśhadṛṣṭa*’ are those customs and arguments that may have local application, such as the customs regarding the betrothal of girls (described above) among ‘northerners.’

VERSE VIII

This verse is quoted in *Aparārka* (p. 596) ;—and in *Kṛtyakalpataru* (12b).

VERSE IX

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 21), which adds that the Brāhmaṇa so appointed is called the ‘*Prāḍvivāka*,’ ‘judge,’ who is to try the suits exactly in the same manner as has been laid down for the king. It adds a text from Nārada explaining the name ‘*Prāḍvivāka*’:—‘The *Prāḍvivāka* is so called because he puts questions (prāṭ) upon the subject-matter of the suit and investigates it (vivāka).—It is quoted also in *Smṛtichandrikā* (Vyavahāra, p. 36) ;—in *Kṛtyakalpataru* (8a) ;—and in *Vīramitrodaya* (Vyavahāra, p. 10b).

VERSE X

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 21);—in *Smṛtichandrikā* (Vyavahāra, p. 37);—in *Kṛtyakalpataru* (8a);—in *Vīramitrodaya* (Vyavahāra, 10 b);—and in *Rājanītiratnākara* (p. 15 b).

VERSE XI

This verse is quoted in *Smṛtitāttva* (II, p. 199), to the effect that the court becomes a true 'Court,' only by reason of the presence of the duly qualified Brāhmaṇa-judge appointed by the king;—in *Smṛtichandrikā* (Vyavahāra, p. 46), which explains '*prakṛtaḥ*' as the *appointed* judge;—in *Kṛtyakalpataru* (8b);—in *Vīramitrodaya* (Vyavahāra, 36 and 11b), which says that no stress is meant to be laid upon the number *three*, as the number may be larger, up to seven; what is meant is that they shall not be less than three;—and in *Rājanītiratnākara* (p. 17a).

VERSE XII

This verse is quoted in *Vīramitrodaya* (Vyavahāra, 5a and 10 b).

VERSE XIII

This verse is quoted in *Aparārka* (p. 604);—in *Mitākṣarā* (on 2. 2), in support of the view that the assessors duly appointed incur sin if they do not check the king in the event of his taking an illegal course; but as regards other people present, these incur sin only if they either speak falsely or suppress the truth,—and not for not checking the king;—and again on 2. 83;—and also in *Vīramitrodaya* (Vyavahāra, p. 12a).

VERSE XV

This verse is quoted in *Nṛsimhaprasāda* (Samskāra, p. 17 a);—in *Hēmādrī* (Vrata, p. 15);—in *Smṛtichandrikā* (Vyavahāra, p. 48);—and in *Kṛtyakalpataru* (11 b).

VERSE XVI

This verse is quoted in *Aparārka* (p. 447), in support of the interpretation of 'vṛṣala' as 'one devoid of *dharmā*';—and in *Kṛtyakalpataru* (11 a).

VERSE XVII

This verse is quoted in *Hitopadēsha* 1, 59;—in *Hēmādrī* (Vrata, p. 14);—in *Nṛsimhaprasāda* (Samskāra, p. 17 a);—and in *Kṛtyakalpataru* (11 a).

VERSE XVIII

'*Sabhāsadaḥ*'—'People assembled in Court' (Kullūka and Rāghavānanda);—'Judges' (Govindarāja).

This verse is quoted in *Mitākṣarā* (on 2. 305), to the effect that in the case of miscarriage of justice, every one of those persons should be punished;—in *Parāsharamādhava* (Vyavahāra, p. 15);—in *Smṛtitattva* (II, p. 200);—and in *Vīramitrodaya* (Vyavahāra, p. 5a).

VERSE XIX

This verse is quoted in *Aparārka* (p. 604);—in *Parāsharamādhava* (Vyavahāra, p. 26), to the effect that the king becomes absolved from all sin if he shows complete impartiality;—in *Smṛtitattva* (II, p. 200) which adds the following notes:—'*Kartāram*' means the 'speaker', the perjurer,—the term '*rājā*' here stands for the Judge,—'*anēnāḥ*' means 'free from sin';—in *Smṛtichandrikā* (Vyavahāra, p. 48);—and in *Vīramitrodaya* (Vyavahāra, 5a).

VERSE XX

‘*Brāhmaṇabruvaḥ*’—‘One whose origin is doubtful, but who calls himself a *Brāhmaṇa*’ (Kullūka and Rāghavānanda);—‘despicable *Brāhmaṇa*’ (Medhātithi and Govindarāja);—‘an initiated *Brāhmaṇa* who does not study the Veda’ (Nārāyaṇa).

This verse is quoted in *Aparārka* (p. 601);—in *Parāsharamādhava* (Vyavahāra, p. 22);—in *Smṛtitattva* (II, p. 200), which supplies the definition of ‘*brāhmaṇabruvaḥ*’ as ‘the *Brāhmaṇa* who neither studies nor teaches (the Veda)’;—in *Kṛtyakalpataru* (9a);—and in *Vīramitrodaya* (Vyavahāra, p. 11a).

VERSE XXI

This verse is quoted in *Aparārka* (p. 601);—in *Kṛtyakalpataru* (9b);—and in *Vīramitrodaya* (Vyavahāra, p. 11a).

VERSE XXII

‘*Shūdrabhūyisṭham*’—‘Where Shūdras form a majority among judges’ (Medhātithi);—‘where Shūdras, *i. e.*, disbelievers, form the majority of inhabitants’ (Kullūka);—‘where Shūdras form the majority among holders of high office’ (Nandana).

Medhātithi does not explain ‘*Shūdra*’ here as ‘unbelievers’; he has been misrepresented by Hopkins.

VERSE XXIII

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 41);—in *Smṛtitattva* (II, p. 200);—in *Nṛsimha-prasāda* (Vyavahāra, pp. 2a and 5b);—in *Smṛtichandrikā* (Vyavahāra, p. 70);—and by Jimūtavāhana (Dāyabhāga, p. 4a).

VERSE XXIV

‘*Arthānarthāvubhau buddhvā dharmādharmau cha kēvalau*’—Medhātithi has given three explanations of this (See *Translation*):—‘Fully realizing the wordly evils and advantages, but paying due heed to Dharma and Adharma as alone conducive to spiritual results’ (Kullūka);—‘discriminating the righteous and the unrighteous, and taking up the righteous first’ (Nārāyaṇa and Nandana);—‘knowing what will please and what displease the people and understanding what is just and what is unjust’ (Govindarāja).

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 46), as laying down the order in which the king is to take up the cases, when several come up at the same time;—in *Smṛtichandrikā* (Vyavahāra, p. 80);—in *Kṛtyakalpataṁ*, (16b);—and in *Vīramitrodaya* (Vyavahāra, p. 19a).

VERSE XXV

‘*Īṅgita*’—‘Perspiring, trembling, horripilation and so forth’ (Medhātithi, Govindarāja and Rāghavānanda);—‘casting down the eyes &c.’ (Kullūka);—‘aimlessly moving about the arms &c.’ (Nārāyaṇa).

‘*Ākāra*’—‘Manner’ compounded with ‘*svara-varṇa-īṅgita*’ collectively, (Medhātithi and Rāghavānanda);—‘aspect, e.g., pallor, horripilation, sweating’ (Govindarāja, Kullūka, and Nārāyaṇa) who take the term independently—copulatively compounded with ‘*svara*’ &c.

This verse is quoted in *Aparārka* (p. 620);—in *Smṛtitattva* (p. II, 218), which adds the following notes:—‘*Svara*,’ such as choking voice,—‘*varṇa*,’ abnormal pallor and so forth,—‘*īṅgita*,’ i. e., sweating, trembling and horripilation—‘*ākāra*,’ disfigurement,—‘*chakṣuṣ*,’ timid or piteous look,—‘*chēṣṭita*,’ the manner of standing and moving. It adds that all these, being uncertain indications, have to be regarded as inferior to witnesses and other kinds of direct evidence;—in

Kṛtykalpataru, (21 b), which has the following notes:—*‘Viḍhāvayēt,’* determine, ascertain,—*‘bhāvam,’* motive, intention, *‘nṛṇām,’* of the two parties and of the witnesses,—*‘ākāra’* transformation in the natural voice and other things,—that of *‘svara’* appears in the form of trembling and so forth, that of *‘varṇa’* in the shape of paleness and so forth;—and in *Vīramitrodaya* (Vyavahāra, p. 30a), which adds the following notes:—*‘Svara’* stands for the choking of the voice and so forth,—*‘varṇa’* for the darkness of complexion, and so forth,—*‘īṅgita’* for perspiration, trembling and the like,—*‘ākāra’* for the raising of the eye-brows and so forth—*‘chakṣu’* for the timid look,—*‘chēṣṭita’* for the listless changing of position.

VERSE XXVI

This verse is quoted in *Aparārka* (p. 260);—in *Parāsharamādhava* (Vyavahāra, p. 43);—in *Smṛtichandrikā* (Vyavahāra, p. 112);—in *Kṛtyakalpataru* (22 a), which has the following notes:—*‘Īṅgita’* stands for perspiration, thrilling of the hair,—*‘vikāra’* of the eye, the look of love or anger,—*‘chēṣṭita’*, throwing about of the hand and so forth,—*‘gatyā’* halting gait and so forth;—*‘chēṣṭita’*, inconsistent and contradictory statements,—*‘vaktra vikāra’*, drying of the mouth &c;—and in *Vīramitrodaya* (Vyavahāra, p. 30 b).

VERSE XXVII

This verse is quoted in *Vivādaratnākara* (p. 598), which explains *‘Bāladāyāgatam’* as ‘belonging to a minor’ and *‘ānupālayēt’* as ‘should guard it against co-parceners’;—and in *Vivādachintāmaṇi* (p. 244).

VERSE XXVIII

‘Niṣkulāsu’—‘Those women who have no brother-in-law, or uncle to take care of them’ (Medhātithi and

Rāghavānanda);—‘harlots’ (‘others’ in Medhātithi);—‘those maidens whose family is extinct’ (Govindarāja);—‘those who have no Sapiṇḍas’ (Kullūka).

This verse is quoted in *Vivādaratnākara* (p. 512), which adds the following notes:—‘*Vashā*’, barren woman,—‘*aputrā*’, one who has lost her son,—‘*Niṣkulā*’ one who has lost all her paternal and maternal relations.

VERSE XXIX

This verse is quoted in *Mitākṣarā* (on 2.147), in support of the view that except the husband, no co-parcener should lay hands upon the property of women during their life-time;—in *Aparārka* (p. 752), to the effect that when the woman is *dead*, her relations do have a right to her *Strīdhana* property;—in *Vivādaratnākara* (p. 512); and in *Vyavahāramayūkha* (p. 70).

VERSE XXX

This rule is meant for only such property as does not belong to a Brāhmaṇa—says Nandana.

This verse is quoted in *Aparārka* (p. 778), which notes that the rule (relating to the keeping of the property for three years) pertains to the case of property belonging to Brāhmaṇas with exceptional qualifications;—in *Mitākṣarā* on 2. 33, which notes that the meaning is that for three years, the property must be kept in safe custody; if the owner turns up before the lapse of one year, the entire property should be handed over to him; but if he turns up after one year then a portion of the property is to be taken by the king as fee for keeping it; the proportion being specified below in verse 33; it adds that the last clause permits the king to spend the property after three years, only in the case of the owner not turning up at all.—It is quoted again under 1. 173, where it is noted that the period of three years is meant for the case of the owner being a Brāhmaṇa ‘endowed with learning and character.’

It is quoted in *Madanapārijāta* (p. 226), which notes that this only permits the king to *make use* of the property (not to make it his own). In view of what the *Mitākṣarā* and *Aparārka* have said, it is interesting to note that *Madanapārijāta* reads 'abdam' and 'abdāt', which clearly puts down the period as *one year* only.

It is quoted in *Vyavahāramayūkha* (p. 87), which also notes that the rules refer to the property of a Brāhmaṇa learned in the Veda.

This is quoted in *Vīramitrodaya* (Rājanīti, p. 266), which adds the following notes:—Reading this text along with *Yājñavalkya* (2-33), we take the rule to be that, if the owner turns up before the lapse of one year, the entire property should be made over to him, but if after that, the king should take from it his own share;—for three years he should keep the property in the same condition in which it was found; and after that he is permitted to spend out of it;—and if the owner turns up after three years, then the king should take out of it his own share, which should be equal to that of the owner,—giving the fourth part of the royal share to the man who found the property.

It is quoted in *Nṛsimhaprasāda* (Āhnika, p. 36a and Vyavahāra, p. 27b).

VERSE XXXI

This verse is quoted in *Vivādaratnākara* (p. 347), which adds the following notes:—'anuyoṣyaḥ' 'should be questioned',—'rūpam', 'white and so forth',—'saṅkhyā', 'four, five &c',—the term 'ādi' is meant to include the 'kind' character and such other details regarding lost property.

It is quoted in *Madanapārijāta* (p. 226);—and in *Nṛsimhaprasāda* (Āhnika, p. 36a).

VERSE XXXII

This verse is quoted in *Vivādaratnākara* (p. 347).

VERSE XXXIII

Which particular part of the property is to be taken by the king in any particular case shall depend upon the length of time for which it has been kept by the king (Medhātithi and Rāghavānanda),—or on the trouble involved in keeping it (Medhātithi and Govindarāja),—or on the character of the owner (Kullūka and Nārāyaṇa).

This verse is quoted in *Mitākṣarā* (on 2.33), which concludes that during the first year, the king should hand over to the owner the entire property, keeping nothing for the state,—during the second year he should keep for the state the twelfth part of it,—during the third year, its tenth part,—and during the fourth year and onwards, the sixth part; and in every case the fourth part of the royal share should be given to the man who found the property.—This is again quoted in the same work under 2.173, where also the same explanation is accepted.

It is quoted in *Aparārka* (p. 778), which declares that whether the king shall take the larger or smaller share shall depend upon the trouble involved in the keeping of the property.

It is quoted in *Vyavahāramayūkha* (p. 87), which accepts the explanation given in the *Mitākṣarā*, and adds that the rule that the king should take the whole property after the lapse of three years is meant for those cases where the owner of the property is not known; but in cases where it is known that such and such an article has been forgotten here by this or that man,—the property has to be handed over to him, even though he may turn up after the lapse of three years.

It is quoted in *Vivādaratnākara* (p. 347), which adds the following notes;—‘*Praṇaṣṭādhigatāt*’ means ‘out of the property that was lost, discovered and kept in custody;’—the alternatives regarding the portion to be taken by the king

are based upon the amount of trouble involved in the keeping of the property;—this rule is meant for the case of property other than the 'single-hoofed' and the rest mentioned in Yājñavalkya (2. 174).

It is quoted in *Madanapārījāta* (p. 226);—and in *Viramitrodaya* (Rājanīti, p. 265), which adds the following notes:—'*Pranaṣṭa*' means 'fallen away from the possession of the owner';—if some such property has been found by the customs-officer or other officers guarding the place, and brought over to the king,—then out of that, if the owner should turn up to claim it during the first year, the king should hand over to him the whole of it,—if during the second year, he should keep for the state the twelfth part of it,—during the third year, the tenth part, and during the fourth year and onwards, the sixth part, adding that the increased share is justified by the increased trouble involved in keeping the property for a longer period.

It is quoted in *Nṛsimhaprasāda* (Vyavahāra, p. 27b).

VERSE XXXIV

This verse is quoted in *Vivādaratnākara* (p. 347), which adds the following notes:—'*Pranaṣṭādhigatam*', 'was first lost and then recovered';—'*yuktaiḥ*', 'carefully devoted to guarding the property';—'*ibhēna*', 'by means of an elephant';—and in *Vivādachintāmaṇi* (p. 149), which notes that the 'guarding' is to be done by the king's officers, and explains '*ibhēna*' as 'by an elephant'.

VERSE XXXV

The amount to be taken depends 'upon the character of the finder' (Medhātithi, Kullūka and Rāghavānanda),—or 'on the caste of the finder' (Nārāyaṇa),—or, 'on the time, place, the caste of the finder and so forth' (Govindarāja).

This verse is quoted in *Aparārka* (p. 641), which adds that the amount of the royalty shall be determined in due accordance with the character (of the claimant, and of the treasure) ;—in *Mitākṣarā* (on 2. 34-35), which notes that the proportion of the royalty is to be determined by considerations of the caste of the claimant, the nature of the place and time and such other details ;—in *Vivādaratnākara* (p. 642), which adds the following notes :—‘*Nidhi*’ here stands for ‘treasure buried underground long ago and forgotten’,—whether the king shall receive the sixth or twelfth part shall depend upon the virtuous character or otherwise of the person claiming it.

It is quoted in *Vyavahāramayūkha* (p. 88), which appears to take the meaning to be that the king shall take the sixth part for the state, and also the twelfth part for the person who discovered the treasure.

It is quoted in *Vīramitrodaya* (Rājanīti, p. 269), which adds that the exact proportion shall depend upon the time and upon the qualifications of the owner of the treasure ;—and that this refers to treasure belonging to others than the Brāhmaṇas.

VERSE XXXVI

The amount of the fine depends on the circumstances of the case and the virtues of the offender (*Medhātithi*),—or only on the virtues of the offender (*Govindarāja*, *Kullūka* and *Rāghavānanda*).

The first half of this verse is quoted in *Aparārka* (p. 641) ;—and the whole verse in *Vivādaratnākara* (p. 642), which adds the following notes :—‘*Alpīyasīm kalām*’ implies that the fine is to be imposed in such a manner that the entire treasure may not become absorbed,—this being meant for those cases where the exact extent of the entire property is not known.



VERSE XXXVII

‘*Pūrvopanihitam*’—‘Deposited by ancestors’ (Medhātithi, Govindarāja and Nārāyaṇa);—‘deposited in former times’ (Kullūka).

VERSE XXXIX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 267), which adds that this verse is supplementary to 38, and notes that the second half, which the king should deposit in his treasury (in terms of verse 38), is to be so kept with the clear purpose of handing it over to the rightful claimant when he turns up.

VERSE XL

This verse is quoted in *Mitākṣarā* (on 2.36), which adds:—(a) If the king recovers the stolen property from the thieves and keeps it for himself, he takes the sin of the thief, (b) if he ignores the theft, then the sins of the people fall upon him; (c) if, having tried his best to recover the stolen property, he fails to do so, he should make good the loss out of his own treasury.

VERSE XLI

‘*Jānapada*’—‘Of districts’ (Medhātithi, and Kullūka Govindarāja);—‘of the inhabitants of one and the same village’ (Nārāyaṇa).

The customs here referred to are those that are not repugnant to the Scriptures (Medhātithi, Govindarāja, Kullūka and Rāghavānanda).

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 65), which has the following notes:—‘*Shrēṇi-dharma*’ customs established among such communities as those of the tradesmen and artisans, e. g., ‘such and such things are not

to be sold on such a day',—'*Kuladharmā*;' e.g., 'in this family the piercing of the ears is to be done in the fifth year';—in *Kṛtyakalpataṛu* (p. 6 b);—and in *Vīramitrodaya* (Vyavahāra, p. 9 b), which has the following notes:—'*Jātijānapada*', laws relating to tribes, castes and to localities, —'*Shrēṇi*' stands for the corporation of persons belonging to the same profession,—'*Svadharmā*', the law promulgated by the king himself.

VERSE XLII

This verse is quoted in *Kṛtyakalpataṛu* (6 b).

VERSE XLIII

'*Anyēna*'—'By another',—i. e. the plaintiff (*Medhātithi*), —'the plaintiff or the defendant' (*Kullūka*).

This verse is quoted in *Mitākṣarā* (on 22'5), where *Bālabhaṭṭi* offers the following explanations of the second half of the verse:—(a) The king should not entertain any suit illegally brought up by any one;—or (b) he shall not ignore a suit brought forward by any one;—(c) (if we adopt the reading '*na chāprāpitam*') 'he shall not admit into the proceedings any facts not presented by either of the two parties to the suit.' The *Subodhinī* reproduces the same explanations.

It is quoted in *Aparārka* (p. 605), which adds the following notes:—'*Kāryam*' here means 'suit,' 'dispute';—any proved fact that may be adduced during the hearing of the suit, the king should not ignore or set aside;—in *Kṛtyakalpataṛu* (13 b), which explains '*na grasēt*' as 'he should not ignore';—and in *Vīramitrodaya* (Vyavahāra, 15 b).

VERSE XLIV

Cf. 12.104; also the *Mahābhārata* 12.132.21.

‘*Padam*’—‘Footsteps’ (Medhātithi and Govindarāja)—and ‘lair’ (Kullūka and Rāghavānanda).

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 30);—in *Smṛtichandrikā* (Vyavahāra, p. 56);—and in *Kṛtyakalpataru* (5 a).

VERSE XLV

‘*Artham*’—‘The value of the suit and the motive behind it’ (Medhātithi);—‘such suit as deals with things of value, like cattle, gold and the like’ (Kullūka);—‘money realisable by fine’ (Nārāyaṇa);—‘the aim’ (Nandana).

‘*Ātmānam sākshiṇam*’—‘Looking upon himself as the witness’; or ‘looking upon his own position, and that of the witness adduced’ (Medhātithi);—Kullūka and others have the latter explanation only.

‘*Dēśham kālam*’—‘Considerations of the place and time of the offence committed’ (Medhātithi and Rāghavānanda); ‘what is befitting the time and place’ (Kullūka);—‘customs of the country and what is befitting the time’ (Nārāyaṇa); ‘place of offence and age of the offender’ (Govindarāja); ‘Heavy and continued residence there’ (‘others’ in Medhātithi).

‘*Rūpam*’—‘Aspect of the case’ (Medhātithi, Kullūka and Nandana);—‘looks of the parties’ (Nārāyaṇa and Rāghavānanda);—‘beauty of the celestial damsels’ (‘others’ in Medhātithi),

This verse is quoted in *Kṛtyakalpataru* (p. 5 a), which has the following notes :—‘*Satyam pashyēt*’, the meaning is that even though the statements of the two parties are not clear enough to justify a decision, yet if, by inference and other means, the king is able to form some decision, he should fix upon that ;—‘*artham*’, gold, cattle and other kinds of property ;—‘*ātmānam*’, he should look upon himself as participating in the effects of the trial ;—‘*rūpam*’, form of the object in dispute, i. e., its importance or otherwise.

VERSE XLVI

According to Medhātithi this verse permits the king to admit the authority of only such local and family customs and practices as are *not contrary to Shruti and Smṛti*.—Kullūka, Nārāyaṇa and Rāghavānanda, however, take it to mean that he is to accept as authority only such scriptural rules of conduct *as are not contrary to local and family customs*.—According to ‘others’ (mentioned by Medhātithi) what the verse means is that ‘whatever virtuous practices the king finds being followed in one country, those he shall introduce in other countries also, if they are not contrary to scriptural texts.’

This verse is quoted in *Smṛtichandrikā* (Samskāra, p. 25), which says that family and country customs are to be regarded as right, but only when they are not repugnant to *Shruti* and other authoritative sources of knowledge.

VERSE XLVII

This verse is quoted in *Vivādaratnākara* (p. 76), which adds the following explanation;—‘when the debtor has received something,—and the creditor approaches the king for the recovery of that, then the king should have the creditor’s dues paid to him by the debtor;—if it is *adhamarnavibhāvitam*, that is, if it is proved by the creditor that the amount claimed is really due from the debtor’;—and in *Kṛtyakalpataru* (80b).

The clear meaning, specially in view of verse 51, appears to be ‘if the debt is *admitted by the debtor*.’

VERSE XLVIII

This verse is quoted in *Vivādaratnākara* (p. 67), which explains ‘*Sangrhya*’ as ‘*vashīkṛtya*, ‘compelling’;—and in *Kṛtyakalpataru* (78 b).

VERSE XLIX

‘*Vyavahārēṇa*’.—‘By business-transaction : advancing more money to the debtor with which, as capital, the latter would carry on some trade, with the profits of which he would gradually clear off the older debt also’ (Medhātithi);—‘by law-suit’ (Govindarāja, Kullūka and Narāyaṇa ; noted but rejected by Medhātithi);—‘by threatening a suit’ (Nandana);—‘by forced sale of property’ (Rāghavānanda).

Both Buhler and Hopkins represent Medhātithi as explaining this term to mean ‘forced labour’. But there is nothing in Medhātithi to show this. What Medhātithi means is quite clear, and it is made clearer by the illustration given by him of ‘*karnōdaka*’; it is a common practice in India that when water gets into the ear and cannot be easily got out, people pour more water into it, and along with this latter, the former water also flows out.

This verse is quoted in and *Aparārka* (p. 645), which adds the following notes:—‘*dharma*’ is ‘truth’,—‘*vyavahāra*’, stands for such evidence as is documentary, oral and so forth,—‘*chhala*’ is *trick*,—‘*ācharitam*’, ‘custom of the country’,—‘*balam*’ means oppression by starving and so forth.

It is quoted in *Vivādaratnākara* (p. 67);—and in *Mitākṣarā* (on 2.40), which adds the following notes:—‘*dharmēṇa*’, i.e. ‘by truthful persuasion’,—‘*vyavahārēṇa*’, i. e., ‘by adducing witnesses, documents and other kinds of evidence’,—‘*chhālēṇa*’, i. e., borrowing from him ornaments and other things under the pretext of some ceremonies &c. in the family,—‘*ācharitēṇa*’, i. e., by starving,—the fifth method being the application of ‘*balā*’, force, in the shape of keeping him chained and so forth;—by these methods is the creditor to recover the money that he had advanced on interest.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 191);—in *Nṛsimhaprasāda* (Vyavahāra, p. 19a);—and in *Kṛtyakalpataru* (78 b).

VERSE L

This verse is quoted in *Vivādaratnākara* (p. 74), which explains the meaning to be that if a creditor adopts any of the five methods mentioned in the preceding verse, he should not be prevented by the king from doing so;—and in *Kṛtyakalpataru* (p. 80 a).

VERSE LI

This verse is quoted in *Vivādaratnākara* (p. 76), which adds the following notes:—‘*Apavyayamānam*’, ‘denying’,—‘*Karaṇēna*,’ ‘by evidence, documentary and otherwise’,—‘*vibhāvitam*’, ‘faced, convinced’;—such a debtor the king shall compel to pay the amount to the creditor;—and by reason of the man having denied what was true, the king shall exact from him a slight fine also.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 153), which adds that this rule is meant for the case where the debtor is a well behaved Brāhmaṇa;—in *Vyavahāratattva* (p. 61);—and in *Kṛtyakalpataru* (p. 80 b).

VERSE LII

‘*Dēsham*’—There is no difference in the meaning assigned to the word by Medhātithi and Kullūka,—both taking it in the sense of ‘witness’; the meaning ‘place’, attributed to Medhātithi, is however found in Nandana. In his interpretation of Medhātithi, Buhler has been misled by the explanation that Medhātithi has provided by another reading. (See *Translation*).

This verse is quoted in *Kṛtyakalpataru* (24 b), which adds the following explanation:—When on being questioned in court by the king or the judge, the debtor denies all transaction with the creditor, then the latter who

is the plaintiff, should name the witnesses and cite other proofs in the form of written documents and so forth:— and in *Vīramitrodaya* (Vyavahāra, 29 b), which explains ‘*dēśham*’ as ‘witness’, expounding it as ‘*disati artham yathādr̥ṣṭam*’ and quotes Medhātithi’s explanation on ‘*karaṇam*’ also, which it explains as ‘other proofs’; it remarks that Medhātithi reads ‘*kāraṇam vā samuddishēt*.’

VERSE LIII

Medhātithi is again misrepresented by Buhler; he does not read ‘*apadēśhyam*’, the reading adopted by him being ‘*adēśham*’. Nārāyaṇa also reads the same, not ‘*apadēśhyam*’. —Nandana reads ‘*adēyam*’, not ‘*apadēśhyam*’. Buhler has apparently confused verse 53 with 54, where Medhātithi reads ‘*apadēśham*’ for ‘*apadēśhyam*’.

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 108), which has the following explanation— ‘One who cites an impossible witness, or having cited a possible one, says that he has not cited him, or one who does not perceive inconsistencies in his own statement, is to be non-suited;’—in *Kṛtyakalpataru* (p. 22 b), which has the following notes:—‘*Adēśham*’ (which is its reading for ‘*adēśhyam*’), a place where the parties have never met; —‘*adharottarān arthān*’, “former and latter”—‘*vigītān*’, contradictory;—and in *Vīramitrodaya* (Vyavahāra, p. 31 b), which adds the following notes:—‘*Adēśhyām dishati*’, ‘says what is irrelevant or indecorous,—he who having said something says he did not say it’—‘who does not comprehend the inconsistencies in his own past and present statements’.

VERSE LIV

‘*Pranīhitam*’—‘Duly stated by himself’ (Kullūka and Nandana);—‘stated by himself in the plaint’ (Govindarāja); ‘duly ascertained’ (Rāghavānanda and Nārāyaṇa).

This verse is quoted in *Kṛtyakalpataru* which has the following notes :—‘*Apadishya*’, having put forward, —‘*apadēsham*’, pretext,—‘*apadhāvati*’,—retracts,—‘*samyak pranihitam artham*’, what has been stated clearly and definitely,—‘*prstah*’, questioned as to what he has to say as against the statement of the other party, or what proofs he has in support of his own statement ;—and in *Vīramitrodaya* (Vyavahāra, 31 b), which has the following explanations :—‘He who slinks away from the court under some pretext’.—‘who does not pay heed—by answering,—to what has been said by others, even though fully comprehending what has been said’;—it quotes *Medhātithi* as reading ‘*adēsham*’ and reproduces his several explanations.

VERSE LV

This verse is quoted in *Kṛtyakalpataru* (22 b), which has the following notes :—‘*Asambhāṣyē*’ ‘in a place where no conversation should be held’,—‘*niṣpatēt*’, ‘should go away without mentioning his destination’;—and in *Vīramitrodaya* (Vyavahāra, 31b).

VERSE LVI

‘*Pūrvāparam*’—‘The plaint and its answer’ (*Medhātithi*);—‘the proof and the matter to be proved’ (*Kullūka*);—‘what should be said first and what afterwards’ (*Nārāyaṇa* and *Nandana*).

This verse is quoted in *Kṛtyakalpataru* (22 b) which says that ‘*brūhi*’, ‘speak out’ has to be reiterated for the sake of firmness;—and in *Vīramitrodaya* (Vyavahāra, 31b).

VERSE LVII

This verse is quoted in *Kṛtyakalpataru* (22b), which explains ‘*dharmasthaḥ*’ as ‘one who is occupying the judgment seat’;—and in *Vīramitrodaya* (Vyavahāra, 31 b),



which explains the construction as—‘*mā*,’ *mām*, ‘*gnātārah*,’ persons knowing that what I state is true, &c., &c., as being, according to Medhātithi, but goes on to add, that according to the Āchārya, ‘*mēti*’ stands for ‘*mē-iti*,’ the *sandhi* being explained as a Vedic anomaly. It notes the reading, ‘*Santi jñātāra ityuktā*,’ as found in *Kalpataru*, but rejects it as an unauthorised reading.

VERSE LVIII

This verse is quoted in *Kṛtyakalpataru* (22b).

VERSE LIX

Verses 59-61 are not omitted by Medhātithi, as wrongly asserted by Hopkins.

This verse is quoted in *Vivādaratnākara* (p. 77), which adds the following explanation:—When the defendant, through dishonest motives, denies the claim,—or when the plaintiff prefers a false claim,—both those are dishonest dealers, and they should be punished with a fine, which is the double of the amount of the claim;—in *Vivādachintāmaṇi* (p. 34), which says that this rule refers to cases where the culprit is very wealthy;—and in *Kṛtyakalpataru* (80b).

VERSE LXI

This verse is quoted in *Vyavahāra-Bālabhāṭṭi* (p. 256);—and in *Smṛtiichandrikā* (Vyavahāra, p. 173).

VERSE LXII

‘*Maulāḥ*,’—‘Natives of the place’ (Medhātithi);—‘heads of families or friends.’

This verse is quoted in *Aparārka* (p. 665);—and in *Vyavahāra-Bālabhāṭṭi* (p. 256).

VERSE LXIII

This verse is quoted in *Vyavahāra-Bālabhāṭṭī* (p. 256 and 281);—and in *Smṛtichandrikā* (Vyavahāra, p. 177).

VERSE LXIV

‘*Arthasambandhinaḥ*’—‘Persons having money-dealings with either of the two parties’ (Medhātithi, Govindarāja, Kullūka and Rāghavananda);—‘having an interest in the suit’ (Nārāyaṇa and Medhātithi, alternatively); ‘who have received benefits from the parties’ (Nandana).

‘*Sahāyāḥ*’—‘Sureties and the like’ (Medhātithi);—‘Servants’ (Kullūka and Nārāyaṇa).

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 66);—in *Vyavahāra-Bālabhāṭṭī*, (p. 281);—in *Nṛsimhaprasāda* (Vyavahāra, p. 10a);—in *Kṛtyakalpataru* (29 b);—and in *Vīramitrodaya* (Vyavahāra, 49a), which says that these texts set forth those qualities, which make a man unreliable as a witness, and it reproduces Medhātithi’s explanations of the words.

VERSE LXV

‘*Kushīlava*’—‘Actors, dancers singers and so forth’ (Medhātithi);—‘actors’ (Nārāyaṇa);—‘actors and so forth’ (Govindarāja and Kullūka);—‘singers’ (Nandana).

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 66);—in *Nṛsimhaprasāda* (Vyavahāra, p. 10 a);—in *Vyavahāra-Bālabhāṭṭī* (p. 281);—in *Smṛtichandrikā*, (Vyavahāra, p. 177);—in *Kṛtyakalpataru* (30b);—and in *Vīramitrodaya* (Vyavahāra, 49 b), which reproduces Medhātithi’s explanation.

VERSE LXVI

‘*Vaktavyaḥ*’—‘Son or pupil or such others as can be ordered about’ (Medhātithi and Rāmachandra);—‘one whose

body is disfigured by leprosy or such other diseases' (Medhātithi, alternative);—'despised by reason of misconduct' (Nārāyaṇa, Kullūka, Rāghavānanda and Nandana).

'*Dasyu*'—'Servant receiving wages' (Medhātithi, Govindarāja and Rāghavānanda);—'cruel man' (Medhātithi, alternative, Kullūka and Rāghavānanda); 'low-caste man' (Nandana);—'murderer' (Rāmachandra).

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 66)—in *Nṛsimhaprasāda* (Vyavahāra, p. 10a);—in *Vyavahāra-Bālabhaṭṭi* (p. 281);—in *Smṛtichandrikā* (Vyavahāra, p. 177);—in *Kṛtyakalpataru* (30 b), which explains '*adhyadhīnaḥ*' as one who is held in bondage;—and in *Vīramitrodaya* (Vyavahāra, 49b), which reproduces Medhātithi's explanations.

VERSE LXVII

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 66);—in *Nṛsimhaprasāda* (Vyavahāra, p. 10a);—in *Vyavahāra-Bālabhaṭṭi* (p. 281);—in *Smṛtichandrikā* (Vyavahāra, p. 177);—in *Kṛtyakalpataru* (30 b);—and in *Vīramitrodaya* (Vyavahāra, 49 b).

VERSE LXVIII

'*Sadrśhāḥ*'—'Inhabitants of the same place, of the same caste, same occupations, same qualifications' (Medhātithi);—'of the same caste' (Kullūka);—'of the same caste and equally virtuous' (Govindarāja).

This verse is quoted in *Aparārka* (p. 665);—in *Mitākṣarā* (on 2.68);—in *Smṛtitattva* (II, p. 214);—in *Nṛsimhaprasāda* (Vyavahāra, p. 9b);—in *Kṛtyakalpataru*, 30 b);—and in *Vīramitrodaya* (Vyavahāra, 47 a).

VERSE LXIX

This verse is quoted in *Aparārka* (p. 671), which adds that 'anubhāvi' means an *eye-witness*, one who has actually seen the occurrence;—in *Smṛtitattva* (II, p. 214);—in *Smṛtichandrikā* (Vyavahāra, p. 181), which explains 'anubhāvi' as 'one conversant with the facts of the case';—in *Kṛtyakalpataru* (3a), which explains 'anubhāvi' as 'one who has had *anubhāva*, experience';—and in *Vīramitrodaya* (Vyavahāra, 51a), which has the same explanation of 'anubhāvi.'

VERSE LXX

This rule refers to the cases contemplated in the preceding verse (Govindarāja and Kullūka),—'to the last of these cases only' (Nārāyaṇa).

This verse is quoted in *Aparārka* (p. 671), which adds that the women and others mentioned here to be admissible as witnesses should be understood to be only such as are free from the disqualifications of being prejudiced or wickedly inclined and so forth.

It is quoted in *Smṛtitattva* (II, p. 214);—in *Parāshara-mādhava* (Vyavahāra, p. 70);—in *Smṛtichandrikā* (Vyavahāra, p. 181);—and in *Kṛtyakalpataru* (32a).

VERSE LXXI

Nandana is misrepresented by Hopkins.

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 196), which explains '*Utsiktamanasām*' as 'impatient';—and in *Kṛtyakalpataru* (32b).

VERSE LXXII

This verse is quoted in *Kṛtyakalpataru* (32a);—and in *Vīramitrodaya* (Vyavahāra, 50b).



VERSE LXXIII

‘*Dvijōttamān*’—Brāhmaṇas’ (Govindarāja and Nārāyaṇa ;—‘righteous Brāhmaṇas’ (Kullūka and Raghavānanda).

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 211) ;—and in *Kṛtyakalpataru* (32a).

VERSE LXXIV

This verse is quoted in *Vyavahāratattva* (p. 26) ;—in *Kṛtyakalpataru* (27a), which says that ‘*samakṣhadarśanā*’ and ‘*śhravaṇa*’ stand for all forms of valid knowledge, hence the meaning is that that man is a *witness* who possesses a right knowledge of the subject-matter of the enquiry ;—and in *Vīramitrodaya* (Vyavahāra, 44b).

VERSE LXXV

‘*Samsadi*’—‘In the Court’ (Medhātithi) ;—‘in an assembly of Brāhmaṇas’ (Govindarāja).

‘*Svargāt hīyatē*’—‘Falls off from heaven which he may have earned by meritorious acts’ (Medhātithi, Govindarāja, Kullūka and Nandana) ;—‘even after passing through hell, he cannot get into heaven’ (Nārāyaṇa).

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 200) ;—and in *Kṛtyakalpataru* (38a).

VERSE LXXVI

‘*Anibaddhaḥ*’—‘Not entered as a witness in the document’ (Medhātithi),—‘but accidentally present at the transaction’ (Kullūka, Nārāyaṇa and Nandana).

This verse is quoted in *Vyavahāratattva* (p. 26) ;—in *Kṛtyakalpataru* (28a) ;—and in *Vīramitrodaya* (Vyavahāra, 46a), which explains ‘*anibaddhaḥ*’ as ‘not cited or entered.’

VERSE LXXVII

This verse is quoted in *Smṛtitattva* (II, p. 213), which adds the following notes:—‘*Eko*’ *lubdhastu sākṣī*’ is the reading adopted by Kullūka Bhaṭṭa; the other reading—‘*eko lubdhastvasākṣī*’—adopted by Jīmūtavāhana, is not right; because as a matter of fact, even several *avaricious men* would be *asākṣī*, and hence there would be no point in the term ‘*ekaḥ*.’ But admitting this reading, the verse could be taken as not admitting the evidence of *one* ‘avaricious man’, and thereby admitting that of *one* man who is free from avarice, even though he be ignorant of law. It is for this reason that Vishvarūpa and others have explained the meaning to be that when accepted by both parties, even a single man may be admitted as witness, and they have not laid stress upon the condition that he should be ‘conversant with law;—’ ‘*Doshaiḥ*’ stands for *theft* and so forth.

This verse is quoted in *Kṛtyakalpataru* (32a).

VERSE LXXVIII

‘*Svabhāvēna*’—‘Quite naturally’—‘not out of compassion’ (Medhātithi, who says nothing regarding ‘depending on women’ as Buhler wrongly puts it),—‘not out of fear and the like’ (Kullūka);—‘the reliability or otherwise of the witness is to be ascertained after due consideration of his *Svabhāva*, character, and not from the manner of his giving evidence’ (‘others’ in Medhātithi),—‘without hesitation, quickly’ (Nārāyaṇa);—‘in accordance with truth’ (Govindarāja and Nandana).

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 80);—and in *Vyavahāra-Bālabhaṭṭi* (p. 282).

VERSE LXXIX

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 75);—in *Vyavahāramayūkha* (p. 18);—in

Smṛtichndrikā (Vyavahāra, p. 198);—and in *Kṛtyakalpataru* (33b), which explains ‘*sabhāntaḥ*’ as ‘in court’, and ‘*anuyujāta*’ as ‘should question.’

VERSE LXXX

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 75);—in *Vyavahāramayūkha* (p. 18);—and in *Kṛtyakalpataru* (33 b).

VERSE LXXXI

Hopkins is again wrong in saying that “this verse is omitted by Nandana.”

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 75);—in *Kṛtyakalpataru* (33 b);—and in *Vīramitrodaya* (Vyavahāra, p. 53 b).

VERSE LXXXII

“Dropsy is a disease specially attributed to Varuṇa (see Ṛgveda 7. 89. 1, and the story of Sunahshēpha, Aitarēya Brāhmaṇa 7. 15). The fetters of Varuṇa are mentioned as the punishment of liars in the Atharva Veda, 4. 16. 6.”—Buhler.

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 199);—in *Kṛtyakalpataru* (33 b), which explains ‘*shatam-ājātīḥ*’ as ‘during a hundred lives’;—and in *Vīramitrodaya* (Vyavahāra, 53 b).

VERSE LXXXIV

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 199);—in *Kṛtyakalpataru* (33 b),—and in *Vīramitrodaya* (Vyavahāra, 53 b).

VERSE LXXXV

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 199);—in *Kṛtyakalpataru* (33 b),—and in *Vīramitrodaya* (Vyavahāra, p. 53 b).

VERSE LXXXVI

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 200) ;—in *Kṛtyakalpataru* (33 b),—and in *Vīramitrodaya* (Vyavahāra, p. 53 b).

VERSE LXXXVII

This verse is quoted in *Aparārka* (p. 673) ;—in *Parāsharamādhava* (Vyavahāra, p. 78) ;—in *Vyavahāramayūkha* (p. 18) ;—in *Vyavahāratattva* (p. 32) ;—in *Smṛtichandrikā* (Vyavahāra, p. 203) ;—and in *Kṛtyakalpataru* (33 b).

VERSE LXXXVIII

‘*Gobījakañchanaiḥ*’—‘Threatening him with the guilt of all offences committed against kine and the rest’ (Medhātithi) ;—‘with the guilt of the theft of kine etc.’ (Govindarāja, Kullūka and Rāghavānanda) ;—‘with the loss of his kine etc.’ (Nārāyaṇa) ;—‘by making him touch the cow and other things’ (Nandana).

This verse is quoted in *Aparārka* (p. 674) ;—and in *Parāsharamādhava* (Vyavahāra, p. 78), where however the first half is read as सत्येन शापयेद्विप्रं क्षत्रियं वाहनाशुचैः ;—in *Smṛtitattva* (II, p. 215), which adds :—The Vaishya is to be admonished with the words :—‘those sins would accrue to you which are involved in stealing the cow etc. if you tell a lie’, and the Shūdra with the words—‘all kinds of sins would fall on you etc. etc.’ ;—in *Smṛtichandrikā* (Vyavahāra, p. 204) ;—and in *Kṛtyakalpataru* (33 b).

VERSE LXXXIX

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 78) ;—in *Smṛtitattva* (II, p. 215) ;—in *Smṛtichandrikā* (Vyavahāra, p. 204) ;—and in *Kṛtyakalpataru* (35 a).



VERSE XC

Cf. 3. 230 and 11. 122.

This verse is quoted in *Aparārka* (p. 674);—in *Parāsharamādhava* (Vyavahāra, p. 78);—in *Smṛtichandrikā* (Vyavahāra, p. 204);—and in *Kṛtyakalpataru* (35 a).

VERSE XCI

Cf. The Mahābhārata 1.74.28.

This verse is quoted in *Aparārka* (p. 674);—and in *Smṛtichandrikā* (Vyavahāra, p. 204).

VERSE XCII

This verse is quoted in *Aparārka* (p. 674);—and in *Smṛtichandrikā* (Vyavahāra, p. 204), which explains 'Kūrun' as 'Kurukṣetra.'

VERSE XCIII

Hopkins remarks that 'grham' is the reading of Medhātithi (for 'Kulam'). But there is nothing in the *Bhāṣya* to show this.

This verse is quoted in *Aparārka* (p. 674);—in *Smṛtichandrikā* (Vyavahāra, p. 204);—and in *Kṛtyakalpataru* (35 a).

VERSE XCIV

This verse is quoted in *Kṛtyakalpataru* (35 a);—in *Aparārka* (p. 674);—and in *Smṛtichandrikā* (Vyavahāra, p. 204).

VERSE XCV

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 205), which says that according to some

people, this and the preceding two verses are to be addressed to witnesses of the lower order only; hence in ordinary cases, after '*kuṛūn gamah*', the exhortation should begin with '*yāvato bāndhavān &c.*' (verse 97);—these exhortations are to be addressed to Shūdras and to poverty-stricken twice-born persons also;—and in *Kṛtyakalpataru* (35 b).

VERSE XCVI

This verse is quoted in *Aparārka* (p. 674);—and in *Kṛtyakalpataru* (35 b).

VERSE XCVII

'*Hanti*'—'Destroys—i. e., leads to hell' (Medhātithi on 98, and Nārāyaṇa and Kullūka);—'makes to fall from heaven, or makes to be born among lower animals' (Rāghavānanda);—'incurs the guilt of killing them' (Kullūka, alternative).

'*Saumya*'—Addressed to Bhṛgu (Medhātithi), but later on under 99, he rejects the view and says that it must be taken as addressed to the witness giving evidence.

This verse is quoted in *Aparārka* (p. 674);—in *Smṛtichandrikā* (Vyavahāra, p. 205);—and in *Kṛtyakalpataru* (35 b).

VERSE XCVIII

This verse is quoted in *Aparārka* (p. 674);—in *Smṛtisāroddhāra* (p. 336);—in *Smṛtichandrikā* (Samskāra, p. 220), which says that '*pañcha*', 'five', qualifies '*bandhavān*' 'relations,' who have been mentioned in the preceding verse;—in *Smṛtichandrikā* (Vyavahāra, p. 205);—and in *Kṛtyakalpataru* (35 b).

VERSE XCIX

‘*Sarvam hanti*’—‘Destroys everything—*i. e.*, incurs the guilt of killing *all animate beings*’ (Kullūka and Govindarāja);—‘destroys even more than a thousand beings’ (Nārāyaṇa);—‘destroys the entire universe’ (Nandana).

VERSE C

This verse is quoted in *Smṛtichandrikā* (Vyavahāra, p. 205),—and in *Kṛtyakalpataru*.

VERSE CI

‘*Añjasā*’—‘Without hesitation or shilly-shallying’, (Medhātithi);—‘truly’ (Govindarāja and Kullūka);—‘quickly’ (Nārāyaṇa).

This verse is quoted in *Aparārka* (p. 674);—in *Smṛtichandrikā* (Vyavahāra, p. 205), which explains ‘*añjasā*’ as ‘with a clear heart’;—and in *Kṛtyakalpataru* (35 b).

VERSE CII

This verse is quoted in *Aparārka* (p. 674), and again on p. 681, as indicating that in certain eventualities even a Brāhmaṇa may be condemned to death;—in *Vyavahāramayūkha* (p. 19);—in *Vīramitrodaya* (Rajānīti, p. 268), which refers to *Aparārka* and adds that the term ‘*viprām*’ here stands for the illiterate Brāhmaṇa who does cattle-tending &c., as also for such Kṣātrīyas and Vaiśhyas as are addicted to degraded vocations;—in *Hēmādri* (Dāna, p. 35 and Shrāddha, p. 359);—in *Prāyascittavivēka* (p. 384);—in *Smṛtichandrikā* (Vyavahāra, p. 205).

VERSE CIII

Buhler wrongly says that Nandana omits this verse; Hopkins is equally inaccurate in saying that Nandana places this verse after 104.

This verse is quoted in *Kṛtyakalpataru* (38 a).

VERSE CIV

This verse is quoted in *Prāyashchittavivēka* (p. 432), which says that this is to be regarded as mere *arthavāda*, as expiatory rites are prescribed for this lying also;—in *Smṛtichandrikā* (Vyavahāra, p. 207), as an exception to the general rule regarding deposing truthfully;—in *Kṛtyakalpataru* (38 a);—and in *Vīramitrodaya* (Vyavahāra, p. 58 a), which explains that this verse makes *silence*, or even *lying*, better than telling the truth, under the circumstances.

VERSE CV

‘*Kapīṇjalaiḥ*’ (Medhātithi, p. 937, l. 11)—This refers to a case dealt with in *Mīmāṃsā-sūtra*, where it is said that whenever the plural number is used, we should understand it to mean *three*; for instance, when ‘*Kapīṇjala* birds’ are spoken of as to be sacrificed. Medhātithi says that this principle should not be applied to the present case of the plural in ‘*Charubhiḥ*’.

Nandana does not read the verse differently as asserted by Hopkins.

This verse is quoted in *Aparārka* (p. 682), which adds that the plural number in ‘*Charubhiḥ*’ is due to the plurality of the persons referred to here—‘*tē*’, ‘they’;—in *Prāyashchittavivēka* (p. 432), which says that this refers to the three higher castes only.

It is quoted in *Parāsharamādhava* (Prāyashchitta, p. 390);—in *Smṛtitattva* (II, p. 355), which adds that ‘*Vāgdēvatā*’ here must be taken as standing for ‘*Sarasvatī*’, the terms ‘*Vāk*’ and ‘*Sarasvatī*’ being synonymous, specially as it is only thus that the offering shall be consistent with its name ‘*Sacrifice to Sarasvatī*’; it proceeds to add that the pronoun ‘*tē*’ here stands for those witnesses who tell a lie for saving a Brāhmaṇa or a Kṣatriya from death;—in *Smṛtichandrikā* (Vyavahāra, p. 207); and in *Kṛtyakalpataru* (38 b).

VERSE CVI

‘*Kūṣmaṇḍalīḥ*’—i. e. *Vājasaneyā Samhitā*. 20 14-16, or *Taittirīya Āraṇyaka*, 10. 3-5.

This verse is quoted in *Aparārka* (p. 682), which adds that ‘*uditi*’ refers to the opening word of the mantra ‘*Uduttamamvaruṇa pāshamasmat &c.*’ (R̥gveda, 1. 24. 15);—in *Parāsharamādhava* (Prāyashchitta, p. 390);—in *Smṛtichandrikā* (Vyavahāra, p. 207);—and in *Kṛtyakalpataru* (38 b).

VERSE CVII

Hopkins again misrepresents Nandana as reading ‘*gatonarah*’ for ‘*Narogadah.*’ It is clear that Hopkins had a very defective manuscript of Nandana’s commentary.

This verse is quoted in *Kṛtyakalpataru* (37 b);—in *Aparārka* (p. 677), to the effect that it is only in cases relating to debts and the like that the absentee witness who is fit to attend, does not attend;—in ‘*Mitākṣarā*’ (on 2.76) which adds that ‘*agadah*’ stands for freedom from disease and state or divine oppression;—in *Smṛtichandrikā* (Vyavahāra, p. 213), which explains ‘*agadah*’ as ‘in good health,’—‘*tadṛnam*’ as that which can be proved by means of witnesses;—‘*sarvam*’ as ‘along with accrued interest;’

and 'prāpnuyāt' as 'should be paid';—and in *Vīramitrodaya* (Vyavahāra, 54 b) which explains that 'agadaḥ' stands for the 'absence of obstacles arising either from natural causes or from some action of the king.'

VERSE CVIII

Nandana is again misrepresented by Hopkins.

This verse is quoted in *Mitākṣarā* (on 2. 80.)

VERSE CIX

'*Shapathēna*'—'Supernatural proof' (Medhātithi);—'oath'—'touching of the head and so forth' (Nārāyaṇa),—or declaring 'may heinous sins accrue to me if what I have said turns out to be untrue' (Nandana).

This verse is quoted in *Aparārka* (p. 694), which adds that '*asākṣikēṣu*' means 'in cases where no human evidence is available';—and in *Vīramitrodaya* (Vyavahāra, 71b), which explains '*asākṣikēṣu*' in the same manner.

VERSE CX

'*Paṇjavana*' is another name for king Sudās, say Nārāyaṇa and Kullūka.

For the story of the seven sages, see the Mahābhārata 13. 93; 13. "See Sāyana on Rgveda 7. 104. 15, which is considered to contain the oath sworn."—Buhler.

This verse is quoted in *Vyavahāra-Bālabhāṭṭī* (p. 406);—and in *Kṛtyakalpataru* (62a).

VERSE CXI

'*Vrthā*'—'False' (Medhātithi, Nārāyaṇa and Nandana);—'needlessly, in small matters' (Rāghavānanda).

This verse is quoted in *Smṛtitattva* (II, p. 229),—in *Vyavahāra-Bālabhaṭṭi* (p.406);—and in *Viramitrodaya* (Vyavāhara, 89a).

VERSE CXII

This verse is quoted in *Smṛtitattva* (II, p. 229), which adds the following notes:—‘*Kāminīṣu*,’ when conversing with a woman in secret one may swear falsely for the purpose of satisfying her;—similarly for the purpose of bringing about a marriage, for obtaining food for cows, for obtaining fuel necessary for offerings, and for saving a Brāhmaṇa;—and in *Vyavahāra-Bālabhaṭṭi* (p. 406).

VERSE CXIII

This verse is quoted in *Mitākṣarā* (on 2. 73), which adds the following notes:—To the Brāhmaṇa he should administer the oath—‘If you tell a lie your truthfulness shall perish;’ to the Kṣātriya, ‘your conveyances and weapons shall be futile;’ to the Vaiśya, your cattle, seeds and gold shall be useless;’ to the Shūdra, ‘if you tell a lie all the sins shall accrue to thee.’ It adds that verse 102 provides an exception to the rule here laid down.

It is quoted in *Vyavahāramayūkha* (p. 19), and again on p. 38;—in *Parāsharamādhava* (Vyavahāra, p. 78);—in *Smṛtitattva* (II, p. 611), which adds the following notes:—The Brāhmaṇa he shall cause to take the oath in the form ‘what I say is quite true,’ and what he says after this should be accepted as true;—in *Smṛtisāroddhāra* (p. 336);—in *Kṛtyakalpataru* (62a);—and in *Viramitrodaya* (Vyavahāra, 88 b).

VERSE CXIV

This verse is quoted in *Aparārka* (p. 694);—the second half in *Smṛtitattva* (II, p. 611);—and in *Viramitrodaya* (Vyavahāra, 71b and 88b), which says that the touching of the head is to be done with the right hand.

VERSE CXV

See Atharva Veda 2.12; Chhāndogya Upaniṣad 6.16.1.

‘*Kṣipram*’—‘Within fourteen days’ (Medhātithi); ‘with-
in three fortnights’ (Rāghavānanda).

This verse is quoted in *Kṛtyakalpataru* (62b).

VERSE CXVI

“This story is told in Pañchavimsha Brāhmaṇa of the
Sāma Veda”—Hopkins.

VERSE CXVII

This verse is quoted in *Mitākṣarā* (on 2. 77), to the
effect that even though the case may have been decided, yet
if, even subsequently it is found out that the witnesses had
deposed falsely,—the decision should be upset;—in *Smṛti-
sāroddhāra* (p. 337);—in *Kṛtyakalpataru* (p. 65a);— and
in *Vīramitrodaya* (Vyavahāra, 39b).

VERSE CXVIII

This verse is quoted in *Aparārka* (p. 680), which
adds the following notes :—False evidence is given only through
these causes;—‘*lobha*’ is greed for wealth,—‘*moha*’ is mis-
take,—‘*ajñāna*’, imperfect knowledge,—‘*bālabhāva*’ extreme
youth;—in *Kṛtyakalpataru* (37a);—and in *Vīrami-
trodaya* (Vyavahāra, 50b).

It is quoted also in *Parāsharamādhava* (Vyavahāra,
p. 80).

VERSE CXIX

This verse is quoted in *Parāsharamādhava* (Vyava-
hārā, p. 82);—and in *Kṛtyakalpataru* (37a).

VERSE CXX

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 82);—and in *Mitākṣarā* (on 2.811), which adds the following notes:—‘*Lobha*’ is greed for wealth,—‘*moha*’, wrong information,—‘*bhaya*’, fear,—‘*maitrī*’, too much affection,—‘*kāma*’, longing for intercourse with women,—‘*krodha*’, anger. It adds that the 1,000 and other numbers refer to so many *copper paṇas*.

It is quoted in *Aparārka* (p. 680), which adds the following notes:—The numbers here mentioned refer to *kārṣāpaṇas*. Some people might think that there are two kinds of perjury—one through greed and the rest, for which the penalty shall be as prescribed by *Manu*, and another due to other causes, for which the penalty would be that prescribed by *Yājñavalkya* (2.81). But this would not be the right view, because as already shown by *Manu* (in 118), people commit perjury only through greed and other causes enumerated therein.

It is quoted in *Vivādachintāmaṇi* (p. 191), which says:—If the witness lie, through avarice, he should be fined 1,000 *paṇas*,—if through delusion, 250 *paṇas*,—if through fear 1,000 *paṇas*,—if through friendliness 1,000 *paṇas*;—and in *Kṛtyakalpataru* (37a), which says that ‘thousand’ *paṇas* are meant,—‘*mohāt*’ means ‘through absent-mindedness’—that ‘*pūrva sāhasa*’ stands for 250 *paṇas*,—‘*dvau madhyamau*’ means ‘*dvau madhyamau sāhasau*’, which means 1,000 *paṇas*,—‘*pūrvam*’ means ‘first amercement’, four times of which means 1,000 *paṇas*.

VERSE CXXI

This verse is quoted in *Aparārka* (p. 680);—in *Mitākṣarā* (on 2.81), which adds the following notes:—‘*Ajñāna*’ is imperfect knowledge,—and ‘*bālīshya*’, want of experience and knowledge;—in *Parāsharamādhava* (Vyavahāra

p. 82);—in *Vivādachintāmaṇi* (p. 191), which says—‘If the witness lies through sexual passion for some woman, he should be fined 2,500 *paṇas*,—if through anger, 2,000 *paṇas*,—if through ignorance, 200 *paṇas*;—and in *Kṛtyakalpataṛu* (37 b), which says ‘*triguṇam param*’ means ‘three times the middle amercement’, i. e., 1,500 *paṇas*,—*ajñānāt*’, from a wrong idea formed at the time of the transaction in question, —‘*bālīshya*’ means ‘majority just attained’, a *minor* not being admissible as a witness.

VERSE CXXII

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 82);—in *Vivādachintāmaṇi* (p. 191);—in *Smṛtichandrikā* (Vyavahāra, p. 51);—and in *Kṛtyakalpataṛu* (37 b).

VERSE CXXIII

‘*Pravāsayēt*’—‘Banish’ (all concur). But Medhātithi suggests ‘put to death’, as an alternative; this is accepted by Mitākṣarā (see below).

‘*Vivāsayēt*’—‘Should deprive him of his clothes (Medhātithi and Govindarāja),—‘or homestead’ (Medhātithi, alternative);—‘banish (without *fining*, as in the case of the other three castes)’ (Kullūka).

This verse is quoted in *Mitākṣarā* (on 2. 81), which adds the following notes:—This rule is meant for repeated offence, as is clear from the *present participle* affix in ‘*kurvāṇān*’ (which implies *habit*); on the three castes, Kṣattriya and the rest, the king should impose the aforesaid fine and then *put them to death*;—the root ‘*pravāsa*’ is used in the sense of *killing* in works dealing with political science; and this part of the law-book is a treatise on that science. This *putting to death* is of various kinds—cutting the lips, cutting the tongue and actual *killing*; which one

of these is to be adopted in any particular case will depend upon the nature of the case in regard to which the man may have given false evidence. The Brāhmaṇa, on the other hand, is to be fined and *banished*, removed from the kingdom; or '*vivāsayēt*' may mean *deprive him of his clothes*, strip him naked;—or again '*vāsa*' meaning the *dwelling house*, '*vivāsayēt*' may mean 'should deprive him of his house', his house should be demolished. In the case of the Brāhmaṇa also, if the offence is the first one of its kind, and the man is not found to have been actuated by any such sordid motive as 'greed' and the rest,—only simple fine is to be imposed; but if the offence is repeated, there is to be fine and also '*vivāsaṇa*', *i. e.*, banishment, or stripping naked, or rendering homeless; which one of these three is to be adopted will depend upon the character of the parties, the nature of the subject-matter of dispute and so forth. If the Brāhmaṇa is not found to have been actuated by greed or any such motive, if the offence is the first of its kind, and if the subject-matter of the dispute is a petty one,—then he also is to be only slightly fined, like the Kṣātriya and other lower castes; but if the subject-matter of the dispute is an important one, then he is to be *banished*. In the case of the offence being repeated, the punishment for all the castes is to be as prescribed by Manu.

This verse is quoted also in *Aparārka* (p. 680), which explains the meaning as follows:—The three lower castes are to be fined and banished, while the Brāhmaṇa is to be only banished, not fined;—though if the offence is repeated, or if the issues involved in the case are important, the Brāhmaṇa also may be fined.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 82);—in *Vyavahāra-Bālabhāṭṭī* (p. 119);—in *Vivāda-chintāmaṇi* (p. 191), which adds the note:—'If a Kṣātriya or a Vaishya or a Shūdra is found to depose falsely repeatedly, he should, in addition to the aforesaid fines, be banished

from the country,—and in the case of a Brāhmaṇa, he should be banished with all his belongings';—in *Kṛtyakalpataṛu* (37 b), which explains '*vivāsayēt*' as 'should be banished from the kingdom';—and in *Vīramitrodaya* (Vyavahāra, 57a), which adds the explanation that—persons of the three castes other than the Brāhmaṇa are to be fined and then *killed*—the 'killing' consisting either in cutting off the lips or lopping off the tongue or down-right killing, in accordance with the gravity of the offence;—the Brāhmaṇa is to be *banished* or *rendered naked*,—the verb '*vivāsayēt*' meaning 'deprived of *vāsa*, habitation or clothes'. It adds that all this refers to cases of repeated perjury.

VERSE CXXIV

This verse is quoted in *Mitākṣarā* (2. 26), as laying down the forms of 'death,' which means 'corporal punishment'; *Bālabhaṭṭi* adds that '*vrajēt*' means 'should go away from home or from the city';—in *Vivādaratnākara* (p. 630), which explains '*akṣataḥ*' as 'without corporal suffering';—in *Vīramitrodaya* (Rājānīti, p. 293), as laying down the spots of the body where corporal punishment is to be inflicted upon all offenders, except the Brāhmaṇa;—and in *Parāsharamādhava* (Āchāra, p. 399 and Vyavahāra, p. 155), as laying down the ten forms of corporal punishment.

VERSE CXXV

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 156);—in *Parāsharamādhava* (Āchāra, p. 399);—in *Vivādaratnākara* (p. 630), which adds that this should not be taken to be an exhaustive list;—and in *Vīramitrodaya* (Rājānīti, p. 293), which adds that the punishment should be inflicted upon that part of the body by which the crime might have been committed,

It has been quoted in *Mitāksarā* (2. 26), which makes the remark that has been reproduced in *Viramitrodaya*;—*Bālabhāṭṭi* adds the following notes :—‘*Dhana*’ is mentioned among the ‘*sthānas*’ with a view to indicate that when the crime committed pertains to wealth, the punishment also should pertain to that only; or it may be that the punishment here meant is different from ‘fine’ (which is what has gone before), and may be taken to stand for that physical pain which is caused by the confiscation of some property; in the crime of adultery the punishment should fall on the sexual organ,—in that of eating improper food, on the stomach, such as starvation and so forth,—in defamation, on the tongue, such as cutting it off,—in theft, on the hands,—in misbehaviour with the feet, such as walking ahead of a superior person, on the feet,—in trying to look at the king’s harem, on the eyes,—in stealthily smelling his scents, on the nose,—in eaves-dropping on the king’s councils, on the ears,—in the case of heinous crimes, on the body, i. e., death.

VERSE CXXVI

‘*Anubandham*’—‘Motive or frequency’ (Medhātithi and Govindarāja)—‘frequency’ (Kullūka and Nārāyaṇa).

‘*Sārāprādhaū*’—Nandana reading ‘*Sārāsāraū*,’ explains it as ‘strength or weakness of the offender.’

This verse is quoted in *Vivādaratnākara* (p. 627), which explains ‘*Sāra*’ as *strength* and ‘*anubandha*’ as ‘repetition of the improper act.’

VERSE LXXVII

This verse is quoted in *Vivādaratnākara* (p. 649).

VERSE CXXVIII

This verse is quoted in *Vivādaratnākara* (p. 649);—in *Parāsharamādhava* (Āchāra, p. 391), as prohibiting

the punishment of the innocent;—in *Parāsharamādhava* (Vyavahāra, p. 25);—in *Mitākṣarā* (2.1), to the effect that the non-investigation of cases as well as the wrong investigation of them,—both bring sin upon the king;—in *Nṛtimayūkha* (p. 59);—and in *Nṛsimhaprasāda* (Vyavahāra, p. 5a).

VERSE CXXIX

This verse is quoted in *Mitākṣarā* (1. 366), which, in quoting it, transposes, 'vāgdaṇḍam' and 'dhigdaṇḍam,'—such reading is more in keeping with Yajñaalkya's text (1. 356),—and it explains 'dhigadaṇḍa' as addressing such terms as 'fie upon thee,'—and 'vāgdaṇḍa' as 'pronouncing a terrible curse'.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 156); as laying down the order of sequence among the various forms of punishment; it explains *vāgdaṇḍa* as pronouncing a terrible curse (reproducing the exact words of *Mitākṣarā*) and 'dhigdaṇḍa' as 'chiding with such words as *fie* and the like.'

It is quoted in *Vivādaratnākara* (p. 630), which adds the following notes:—'vāgdaṇḍa', 'thou hast not done right,'—'dhigdaṇḍa', 'fie upon thee, damned sinner.'

It is quoted in *Vīramitrodaya* (Rājanīti, p. 273), which adds the following notes:—The first two forms of punishment are meant for light offences; 'vadhadaṇḍa' means *corporal punishment*, which has to be inflicted upon all except the Brāhmaṇas.

VERSE CXXX

This verse is quoted in *Vivādaratnākara* (p. 630), which explains *vadhēna* as 'beating;'—and in *Vyavahāra Bālabhaṭṭi* (p. 111).

VERSE CXXXI

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 115);—in *Vivādaratnākara* (p. 665), which explains the construction as 'those that are generally used, these I am going to describe, explain, for the purpose of transactions among men';—in *Hēmādri* (Vrata, p. 53);—and in *Nṛsimhaprasāda* (Dāna, p. 4 a).

VERSE CXXXII

The 'Trasareṇu', 'Triad,' consists of three diads, each 'diad' consisting of two 'anus' or atoms.

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 115);—in *Vivādaratnākara* (p. 665);—in *Smṛ-titattva* (II, p. 580); in *Hēmādri* (Vrata, p. 53);—and in *Nṛsimhaprasāda* (Dāna, p. 4 a).

VERSE CXXXIII

This verse is quoted in *Vivādaratnākara* (p. 666);—in *Parāsharamādhava* (Vyavahāra, p. 115);—in *Hēmādri* (Vrata, p. 53);—and in *Nṛsimhaprasāda* (Dāna 4 a).

VERSE CXXXIV

The *Kṛṣṇala* is the same as the *Raktikā* (Vern. *Ratti*), equivalent to 122 grammes or 1.875 grains.

"The fines in court were reckoned as so many *paṇas*, one *paṇa* being the same as a *karṣa* = 16 *Māṣa* = 80 *Kṛṣṇala*. Some of the weights mentioned are confined to gold—*Suvarṇa* and *Niṣka*; some to silver—*Purāṇa* and *Shatamāna*; and some are used for both—*kṛṣṇala*, *paṇa māṣa*, *pala*, *dharaṇa*, the last at times of copper."—Hopkins.

This verse is quoted in *Vivādaratnākara* (p. 666) which explains '*madhyah*' as 'neither large nor small';—and in *Parāsharamādhava* (Vyavahāra, p. 115), which adds that the name '*māṣa*' is applied to the sixteenth part of the '*suvarṇa*', and '*kṛṣṇala*' to the third part of the '*karṣa*', which latter is the fifth part of the '*māṣa*'. It remarks that '*karṣa*' is one of the names of silver.

It is quoted in *Hemādri* (Vrata, p. 53);—and in *Nṛsimhaprasāda* (Dāna, 4a).

VERSE CXXXV

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 115);—in *Vivādaratnākara* (p. 666), which adds that the construction is '*dashapālāni dharaṇam*';—in *Hemādri* (Vrata, p. 53);—and in *Nṛsimhaprasāda* (Dāna, 4a).

VERSE CXXXVI

"*Karṣa* = 16 *Māṣas* = 80 *Kṛṣṇalas*."—Buhler.

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 115), which adds that the names '*purāṇa*' and '*dharaṇa*' stand for the tenth part of a '*pala*' of silver; the name, '*māṣa*' as applied to silver, stands for the fortieth part of the '*karṣa*'.

It is quoted in *Vivādaratnākara* (p. 666), which explains the construction as '*dharaṇam rājatam purāṇa-shcha rājataḥ*'; and explains that '*kārṣāpaṇa*' and '*paṇa*' are the names of the copper '*karṣa*'.

It is quoted in *Mitākṣarā* (1.364 and 365), to the effect that '*dharaṇa*' is only another name for '*purāṇa*'; and adds the explanation that a piece of copper one *karṣa* in weight is called '*paṇa*', and also '*kārṣāpaṇa*';—in *Hemādri* (Vrata, p. 53);—and in *Nṛsimhaprasāda* (Dāna, 4a).

VERSE CXXXVII

This verse is quoted in *Vivādaratnākara* (p. 666);—in *Parāsharamādhava* (Vyavahāra, p. 115), which adds that the terms 'nīṣka' and 'shatamāna' are applied to one *pala* of silver;—in *Hemādri* (Vrata, p. 53);—and in *Nṛsiṃhaprasāda* (Dāna, 4a).

VERSE CXXXVIII

'*Sahasram*'—"Copper *paṇas* are meant"—Hopkins.

This verse is quoted in *Mitākṣarā* (1. 366), which remarks that the fines here prescribed pertain to offences committed unintentionally;—in *Aparārka*, (p. 592), which adds that these pertain to slight offences;—in *Vivādaratnākara* (p. 665);—in *Vīramitrodaya* (Rājanīti, p. 295), which reproduces the words of *Aparārka*;—in *Vyavahāra-Bālabhaṭṭi* (p. 938);—and in *Vivādachintāmaṇi* (p. 192), which says that the numbers refer to *copper kārṣāpaṇas*.

VERSE CXXXIX

'*Taddviguṇam*'—"Double of 5 p. c., i. e., 10 p. c." This is the explanation, accepted by all the commentators. But Medhātithi mentions 'others' as explaining the meaning to be 'double of the amount of the debt.' This latter would be more in keeping with what has gone before in verse 59.

This verse is quoted in *Vivādaratnākara* (p. 77), which adds the following notes :—The meaning is as follows: If the debt is at first denied, and subsequently admitted, then the debtor should be fined 5 per cent on the amount of debt; but if he does not admit it even subsequently—and yet the debt becomes proved by the evidence adduced,—then the man shall be fined the 'double of that,' i. e., 10 per cent. It

proceeds to add a note which serves to explain the inconsistency of this rule with what has gone in verse 59 :—the diversity is due to considerations of the nature of the debtor's motives.

It is quoted in *Vivādachintāmaṇi* (p. 34), which adds the explanation that 'when a debt is denied at first and subsequently admitted, the debtor is to be fined 5 per cent, and if the man continues to deny the debt which is subsequently proved, the fine is to be 10 per cent; and adds that this refers to cases where the debtor is poor;—and in *Kṛtyakalpataru* (81 a), which has the following explanation :—(a) If the man has denied the debt but admits it when sued in Court, then he is to be fined 5 p. c., (b) if he continues to deny it in the Court, but the debt is subsequently proved, then the fine is 10 per cent;—this refers to cases where the former denial has been based upon some misapprehension on the part of the debtor; the case where the denial is through perversity and intentional, has been dealt with under 59.

It is quoted in *Vīramitrodaya* (Vyavahāra, 111a), which explains the meaning to be 'when the man having denied the debt at first, admits it when sued and brought before the Court, he should pay a fine of 5 p. c. and if he continues to deny it, but is subsequently forced by evidence to admit, then 10 p. c.'

VERSE CXL

This rule, here attributed to Vashiṣṭha, actually occurs in Vashiṣṭha-Dharmashāstra, 2. 51.

"According to Kullūka, (on 142), Nārāyaṇa, Rāghavānanda and Nandana, this rule refers to a debt secured by a pledge, and the correctness of this view is proved by the parallel passage of Yājñavalkya (2. 37)."—Buhler.

This verse is quoted in *Vivādaratnākara*, p. 7), which explains 'māsāt' as 'after the lapse of one month,' and adds that this refers to debt that is secured by a pledge that can be enjoyed (by the creditor).

Smṛtitattva (p. 349) quotes the second half and adds that 'of 100 *kārṣāpaṇas*, the 'eightieth part' would be 20 *paṇas*.

It is quoted in *Prāyashchittavivēka* (p. 420), which explains '*ashūtibhāgam*' as 20 *paṇas*;—in *Smṛtisāroddhāra* (p. 325);—and in *Vīramitrodaya* (Vyavahāra, 91b), which says that this refers to cases of mortgage, and the meaning is that when 100 rupees have been advanced, the creditor should charge $1\frac{1}{4}$ rupee after the lapse of one month.

VERSE CXLI

This applies to debts not secured by a pledge—say Nārāyaṇa and Rāghavānanda;—according to Medhātithi this higher rate is permitted for those who have a large family to support and hence require a large income from their loan-transactions.

This verse is quoted in *Smṛtitattva* (p. 349), which adds that '*Dvikam*' means *two Purāṇas*;—in *Vivādaratnākara* (p. 8);—in *Prāyashchittavivēka* (p. 420), which explains '*Dvikam*' as *Purāṇas*;—and in *Kṛtyakalpataru* (81 a).

VERSE CXLII

This rule is quoted in *Vivādaratnākara* (p. 8), which adds the following notes:—'*Dvikam* means 'that in which two *Purāṇas* per month are charged'; so with '*triṇa*' and the other terms.—From the Brāhmaṇa, Kṣātriya, Vaiśya and Shūdra, one should charge an interest of two, three, four and five *Purāṇas* respectively, for every hundred of the debt;—in *Smṛtisāroddhāra* (p. 320);—and in *Kṛtyakalpataru* (67 b).

VERSE CXLIII

"According to Medhātithi Govindarāja and Nārāyaṇa, the last clause refers to pledges which are not used; but

Kullūka objects that this is contrary to the common practice of the *Shiṣṭas*; and Rāghavānanda refers to Yājñavalkya, 2.48. 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.”—Buhler.

The first part of this verse is quoted in *Vivādaratnākara* (p. 23), which explains ‘*sopakārē*’ as ‘what is used or enjoyed’;—in *Aparārka* (p. 659);—in *Vivādachintāmaṇi* (p. 15), which explains ‘*sopakārē*’ as ‘used’ or ‘enjoyed,’ and the mere fact of the thing having been used deprives the creditor of the interest, and if, through some act of the creditor, the article mortgaged loses its usefulness, the interest ceases;—in *Kṛtyakalpataru* (70a);—and in *Vīramitrodaya* (Vyavahāra, 95a).

VERSE CXLIV

Clothes etc. are meant, according to Medhātithi;—clothes, ornaments etc. according to Kullūka and Rāghavānanda;—beds and so forth, according to Nārāyaṇa, who adds that the ‘value’ stands for “the profit made by the use of the pledge” —(Buhler).

This verse is quoted in *Vivādaratnākara* (p. 24), which adds the following notes:—If the creditor uses the pledge without the debtor’s permission, then he loses only a half of the interest; but if he uses it, even though actually prohibited to do so, then he loses the whole interest;—if he does not give up the interest, then he should satisfy the pledger by paying him the price, fixed by valuation, of the use of the article pledged.

It is quoted in *Vyavahāramayūkha* (p. 76);—and in *Kṛtyakalpataru* (70 a), which adds that if the thing has been only half used, and has not undergone change, then the man loses only half the amount of his interest, but if the thing becomes changed, then he loses the whole amount of the interest.

VERSE CXLV

‘*Upanidhi*’—‘Anything lent through affection, for use’ (Medhātthi, Govindarāja, Kullūka and Rāghavānanda);—‘an additional pledge given in order to complete the security for the loan’ (Nārāyaṇa).

This verse is quoted in *Kṛtyakalpataṛu* (47a), which explains ‘*ādhi*’ as ‘pledged property’, and ‘*upanidhi*’ as property mortgaged and allowed to be used, such as agricultural land and so forth; it cannot stand for property in the form of a sealed packet, as such property cannot be used.

VERSE CXLVI

This verse is quoted in *Smṛtichandrikā* (Vyavahāra • p. 157).

VERSE CXLVII

This verse is quoted in *Smṛtitattva* (II, p. 222), which adds the following explanation:—‘If the rightful owner of a property looks upon his property being used by another, without his presenting it to him as a friendly gift, or some such thing,—and does not speak out, complain,—for ten years, then he is no longer entitled to receive it; i.e., his ownership over it ceases’;—in *Vyavahāra-Bālabhaṭṭi* (p. 101),—and in *Vīramitrodaya* (Vyavahāra, 65 b).

VERSE CXLVIII

This verse is quoted in *Aparārka* (p. 632), which adds that, if the user of the property knows that it rightfully belongs to another, then, even though he may have acquired ownership by legal usage (*vyavahārēṇa*), yet he should hand it over to the rightful owner;—in *Smṛtisāroddhāra* (p. 334);—in *Smṛtichandrikā* (Vyavahāra, p. 15b);—and in *Vīramitrodaya* (Vyavahāra, 66 a).

VERSE CXLIX

‘*Shāstrāntarēṇa*’—(Medhātithi, p. 965, l. 1)—This refers to Yājñavalkya, 2. 65. ‘*Vāsanasthamanākhyāya hastē nyasya yadarpayēt*’; and Nārada—‘*asaṅkhyātamavijñātam samudraṃ yannidhīyatē*.’

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 109), which adds that the term ‘*shrotriya*’ includes also all such persons who have their attention too much taken up by other things to allow their looking after their belongings;—in *Smṛtichandrikā* (Vyavahāra, p. 158), which notes the following reasons for neglect—(a) In regard to boundaries, people are apt to be lulled into security by the ease with which the boundary-line can be determined,—(b) in regard to women, their natural shyness lulls men into security,—(c) in the case of the king and the scholar, their minds are too much taken up with their temporal and spiritual concerns respectively;—and in *Vīramitrodaya* (Vyavahāra, 69 b).

VERSE CL

This verse is quoted in *Vivādaratnākara* (p. 23) [for whose explanatory note, see note on verse 144];—in *Aparārka* (p. 659), which adds that what is here laid down applies to cases where very little use has been made of the thing; in cases where the pledged thing has been very much used, no interest is to be paid; thus the reduction in the interest has to be determined by the extent of the use to which the thing may have been put;—and in *Kṛtyakalpataru* (70 a).

VERSE CLI

‘*Smṛtyantarē*’—(Medhātithi, p. 967, l. 30)—see Yājñavalkya (2. 39)—‘*Vastradhānyahiraṇyānām chatustri-dviguṇā parā*’, and in Nārada (107)—‘*Hiraṇyadhānyavas-trāṇām vṛddhirdvitrichaturguṇā*.’

This verse is quoted in *Mitākṣarā* (on 2. 39), which adds the following notes :—Capital invested for increase is called '*kusīda*',—the increase thereof is called '*vrddhi*';—and this never goes beyond, exceeds, the double,—if it is the first original investment ; in the case of the investment being one that has been transferred from one person to another, it *can* exceed the double,—as it becomes, in this case, a fresh transaction.—If we adopt the reading '*āhṛtā*' (in place of '*āhitā*'), the meaning would be that the amount cannot exceed the double only in the case where the interest is paid all at one time, and that in a case where it is paid by gradual instalments—daily, monthly or yearly,—it does exceed the double. It goes on—"The rule applies to cases where the loan has been advanced in one instalment, and is also paid back in one instalment ; in cases where the loan has been transferred to another person, or a fresh transaction is entered into by the same parties after certain additions and subtractions, the interest does go on accumulating even after the principal, along with the interest, has reached the amount which is double of the original principal.—On the second half of the verse it remarks that in the case of grains and roots and flowers and fruits, the quantity payable may become five times of the principal. It explains '*śhada*' as *agricultural products*, fruits, flowers etc.,—'*lava*' as the wool of sheep, the hair of the *chamarī* cow and so forth, —'*vāhya*' as 'bullocks, horses and the like.' Interest on these cannot go beyond five times the principal.

It is quoted in *Aparārka* (p. 643), which adds that the term '*sakṛt*' makes it clear that the amount can exceed the double, in a case where with the consent of the debtor the accrued interest is added on to the principal and a fresh transaction entered into. It adds that this applies only to transactions in *gold*.

It is quoted in *Vyavahāramayūkha* (p. 76), which adds that Vijñānēshvara and others have held that in a case where interest has been paid by instalments at intervals, the total amount of the amount to be paid ultimately may exceed the double,

It is quoted in *Vivādaratnākara* (p. 17), which adds the following explanatory notes :—‘*Dhānyē*’, barley, *vr̥hi* and the rest,—‘*sadē*’, fruits and other products from trees,—‘*lavē*’, wool of the sheep, hair of the *Chamarī* and so forth, the etymological meaning being ‘what is shorn’, ‘*lūyatē*’;—‘*vāhyē*’ ‘what is driven’, the horse and so forth;—if any of these things is lent on interest, like gold and silver,—the amount to be paid should not exceed five times the principal. It is just possible that some one may borrow a hundredweight of grains, or a hundred horses, on loan at the rate of 2 per cent interest;—such a debtor, even after a very long time, can repay only *five hundred*, not more. The present text lays down ‘five times’ as the limit in the case of grain; but Brhaspati has fixed this limit at ‘four times’; while ‘three times’ is the limit fixed by Viṣṇu, Marīchi, Vashiṣṭha and Hārīta. In view of these alternative limits, the decision in any particular case will have to be determined by the character of the debtor concerned, or the nature of the time, and consideration of scarcity or affluence.

This verse is quoted in *Nṛsimhaprasāda* (Vyavahāra, 18 b);—in *Smṛtisāroddhāra* (p. 326), which explains ‘*sada*’ as the produce of cultivation, other than, corn,—e. g., fruits and other things,—‘*vāhya*’ as ‘bullock and the rest’,—and ‘*lava*’ as ‘wool and the like’;—and in *Vivādachintāmaṇi* (p. 11), which says that at one transaction, in the case of gems and things of that kind also, the interest cannot go beyond the double;—that in grains etc. it can go upto five-fold; but in repeated transactions it can go beyond the said ‘double’; it notes the reading ‘*sakṛdāhitā*’; it explains ‘*vāhya*’ as ‘bullock and the like’,—‘*shada*’ as ‘field-produce,—‘*lava*’ as ‘that which is lopped off’, i. e., wool, except that of the sheep.

VERSE CLII

This verse is quoted in *Vivādaratnākara* (p. 14), which adds the following explanations :—Any interest, over and above what has been prescribed in the scriptures,—such as

2 per cent and so forth,—cannot be permitted, even though agreed to by the debtor;—why?—because they declare this to be the ‘usurious way’. If, under the stress of business, the creditor wishes to reap a large profit out of the debtor, then the utmost that he can recover is 5 per cent,—and not more, even though the debtor may have agreed to it;—and in *Kṛtyukalpataṛu* (p. 68 b).

VERSE CLIII

‘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 paid to me at one time”; but he shall not take the interest according to the agreement, if the year has passed’ (Kullūka and Rāghavānanda);—‘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’ (Govindarāja).

‘*Adrṣṭam*’—‘Not found (in the *Shāstras*)’ (Medhātithi, Kullūka and Rāghavānanda);—‘not accumulated (by the lapse of several months’ (Medhātithi, alternatively and Nārāyaṇa).

‘*Kālavṛddhiḥ*’—‘Periodical (*i.e.*, monthly) interest’ (Medhātithi, Govindarāja, Nārāyaṇa and Kullūka, who is not rightly represented by Buhler).—See Nārada—‘*Pratimāsam bhavanti yā vṛddhiḥ sā kālikā sṃtā*’ (‘*kālikā*’ being the technical name for *monthly interest*, *kālavṛddhiḥ*).

‘*Kāyikā*’—‘To be paid by bodily labour’ (Medhātithi),—or ‘by the use of a pledged animal or slave’ (Medhātithi, alternative, Kullūka, Rāghavānanda and Nandana).

This verse is quoted in *Vivādaratnākara* (p. 9), which adds the following notes:—‘*Atisāmvatsarī*’ is that which has gone beyond a year. The meaning is that if the creditor, suspecting an early repayment of the loan, should stipulate that the loan must continue for a certain time, then he cannot

stipulate for more than a year. Halāyudha, however holds the meaning to be that however much be the eagerness of the creditor to earn much interest, he should receive payment before one year passes, and not beyond that.—Nor should he receive an interest that is ‘*adr̥ṣṭā*,’ ‘not permitted by the scriptures.’—There are four kinds of interest not permitted,—*chakravṛddhi*, *kālavṛddhi*, *kāritā* and *kāyikā* ; these he should not take.

It is quoted in *Madanapārijāta* (p. 229) ;—in *Vidhana-pārijāta* (II, p. 252) ;—in *Nṛsimhaprasāda* (Āhnika, 36 a) ;—and in *Kṛtyakalpataru* (67 b), which adds the explanation.—‘The interest is to be calculated from the first month upto the end of the year, and not beyond that.’

VERSE CLIV

‘*Karaṇa*’—‘Written bond’ (Kullūka and Rāghavānanda) ;
 ‘—written bond and witnesses’ (Medhātithi).

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 193), which adds the following explanation:—‘When the time for repayment arrives, if the debtor, find himself unable to pay the whole amount due—the principal along with accrued interest,—and the creditor is unwilling to keep the loan hanging,—and should wish to renew the transaction on the same terms, he should pay the accrued interest and renew the bond, dated afresh with the new date.’

It is quoted in *Vivādaratnākara* (p. 72), as laying down one of the methods of ‘compound interest.’ It adds the following notes:—‘*Nirjitām*,’ legally due to the creditor ; of this accrued interest he should pay either the whole, or a part only, and add the remainder to the principal and renew the bond for the total ;—in *Nṛsimhaprasāda* (Vyavahāra, 19b) ;—in *Kṛtyakalpataru* (80a), which explains ‘*nirjitām*,’ as ‘determined to have already accrued to the creditor,’—and ‘*karaṇam parivartayēt*’ as ‘should write another document attested by fresh witnesses’ ;—and in *Vīramitrodaya* (Vyavahāra, 104a).



At the end of Adhyāya VIII, Mandlik has printed the following verse with Medhātithi's explanation thereupon—

अथ शक्तिविहीनः स्यात् ऋणी कालविपर्ययात्
शक्त्यपेक्षं ऋणं दाप्यं काले देशे यथोदयम् ॥

This verse, though commented upon by Medhātithi, has been omitted by all other commentators.

It is found in Nārada (131.) It is quoted in *Vivādaratnākara* (p. 71) as from Nārada; it explains '*Shaktivihīnaḥ*' as 'without ability to repay the debt,' and '*kālavipariyayāt*' as 'on account of famine and so forth.'

The verse is not Manu's, it is Nārada's; and it has been only quoted by Medhātithi and explained by him in course of his comment on verse 159.

VERSE CLV

This verse is quoted in *Vivādaratnākara* (p. 73), which adds the following notes:—'*adarshayitvā hiranyam*', not bringing up the gold for payment,—not even a single pice,—and hence not paying even the interest, he should add the accrued interest to the original principal, and making this total the new principal, he should enter it in the new bond that he should write. Though the entire interest is actually due to be paid at the time, yet, if he is unable to pay the whole, he may pay just that much of it which he may be able to pay;—this is what is meant by the clause '*yāvatī sambhavēt etc.*'

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 194), which adds the following explanation:—'*Hiranyam adarshayitvā*,—not having paid the interest that has been earned,—he should have it included in that same bond;—in *Kṛtya-kalpataṛu* (80a), which explains '*hiranyam adarshayitvā*' as 'not paying any part of the accrued interest to the creditor,' the meaning is that he should pay as much of the accrued interest as he can, and then make out a fresh document;—and in *Vīramitrodaya* (Vyavahāra, 104a).

VERSE CLVI

‘*Chakravṛddhi*’—‘Interest on wheeled carriage’ (Medhātithi, Govindarāja, Kullūka and Rāghavānanda);—‘compound interest’ (Nārāyaṇa as also ‘others’ in Medhātithi on verse 157).

This verse is quoted in *Vivādaratnākara* (p. 73), which gives a totally different explanation:—‘*Dēśhakālavyavasthitaḥ chakravṛddhim samārūḍhaḥ*’ means ‘having entered into an agreement regarding *chakravṛddhi*’ to the effect that “at such and such a place and time I shall take double this amount,”—if the creditor asks for repayment of his dues with compound interest, before the stipulated time, or at a place other than the stipulated one, then he shall not receive his dues with compound interest;—in *Kṛtyakalpataru* (80a), which explains ‘*samārūḍha*’ as ‘stipulated, agreed upon,’ and ‘*tatphalam*’ as *the effect of the chakravṛddhi*;—and in *Vīramitrodaya* (Vyavahāra, 104a).

VERSE CLVII

This verse is quoted in *Vivādaratnākara* (p. 11), which adds that the term ‘*Samudrayānakushalāḥ*’ stands for *all merchants*;—‘*dēśhakālārthadarshinaḥ*,’ those who know that in such and such a country such and such profit is to be made;—‘*adhigama*’ is ‘decision’ i. e., ‘by that is the interest to be determined;’—and in *Kṛtyakalpataru* (68a), which has the following notes:—‘*Samudrayānakushalāḥ*’ stands for tradesmen in general,—‘*dēśhakālārthadarshinaḥ*,’ one who knows what profit is obtained at what time,—‘*adhigama*’ is *decision, finding*.

VERSE CLVIII

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 185).

VERSE CLIX

‘*Vṛthādānam*’—‘Gifts promised in jest, or to clowns, bards and such persons’ (Medhātithi, Nārāyaṇa and Kullūka)

—‘gifts promised not for religious purpose, but to singers and the like’ (Nandana).—

“Vashiṣṭha (16.31) gives this verse as a well-known quotation. So Gautama (12.41).” Hopkins.

This verse is quoted in *Vivādaratnākara* (p. 57), which adds the following notes:—The term ‘*prātibhāvyam*’ refers here to sureties of both kinds—surety for *appearance*, and surety for *trust*;—‘*vr̥thādānam*’ is *useless gifts*;—‘*ākṣikam*,’ that due to gambling;—‘*saurikam*,’ that due to wine-drinking;—the ‘gambling’ and ‘drinking’ meant here are of the *improper* kind;—and in *Kṛtyakalpataru* (76b).

VERSE CLX

The first half of this verse is quoted in *Vivādaratnākara* (p. 57), which adds that ‘*darshanapratibhāvyā*’ includes the surety for *trust* also [this is clear from Yājñavalkya, 254, where both are put on the same footing]—the second half is quoted on p. 43. where ‘*dānapratibhū*’ is explained as ‘the surety who had promised *I shall pay*,’—and ‘*dāyādān*’ as ‘sons.’

(1) ‘*Darshana-pratibhū*’ is the person standing surety with the promise ‘I shall produce this man when required’;—(2) *Pratyayapratibhū* is one who says ‘give him the loan on my trust’;—(3) *Dānapratibhū*—who says ‘give him the loan, which, if he does not pay, I shall pay.’

The verse is quoted in *Kṛtyakalpataru* (74a and 76b).

VERSE CLXI

This verse is quoted in *Vivādaratnākara* (p. 43), which takes it as putting the question which is answered in the next verse. It adds the following notes:—‘*Adātari*’, *i. e.*, a surety other than the one for payment (*i. e.*, the surety for appearance and the surety for trust),—being ‘*viññātoprakṛti*’—*i. e.*, being known to have stood surety after having received something in pledge from the debtor; and thus having its character fully known;—if such

a surety dies,—‘*kēna hētunā*’—by what means—is the ‘*dātā*’—the man who advanced the loan, the creditor,—to receive back the debt? The work goes on to quote Halāyudha as explaining the term ‘*viññatoprakṛti*’ as “being known that he became the *lagnaka* (?) on receiving a *pledge*”, and regarding the verse as denying the creditor’s right to receive payment from the surety’s heirs on his death. But remarks that the net result of both explanations is the same.

This verse is quoted in *Kṛtyakalpataru* (74 a), which has the following notes:—‘*Adātari*’, a surety other than *Dānapratibhū*,—‘*dātā*’, the creditor,—‘*viññatoprakṛti*’, one whose solvency is well known.

VERSE CLXII

‘*Alandhanah*’—Qualifies the surety (Medhātithi, Govindarāja and Nārāyaṇa);—it qualifies the surety’s heir (Rāghavānanda);—Nandana reads ‘*alaksitah*’ and explains it as ‘if the surety who received the money is not found.’

This verse is quoted in *Vivādaratnākara* (p. 43), as providing the answer to the question put in the preceding verse. It adds the following explanation:—If the surety, to whom money had been handed over (*nirādiṣṭa*) by the debtor, is ‘*alandhanah*’,—i. e., he has really got the money,—then, on his death, the ‘*nirādiṣṭah*’—i. e., the son of the surety to whom money had been handed over—should pay the debt out of his own property. The term ‘*nirādiṣṭah*’ is applied figuratively to the son.

It is quoted in *Kṛtyakalpataru* (74 a), which has the following notes:—‘*Nirādiṣṭadhana*’, is the surety to whom enough money had been handed over by the creditor, to cover the amount of surety involved,—‘*alandhanah*’, possessed of sufficient property,—the second ‘*nirādiṣṭa*’ stands for the son of the person who had stood surety and has since died; the meaning being that the son should make good the debt for which his father had stood surety.

VERSE CLXIV

This verse is quoted in *Kṛtyakalpataru* (65 b), which adds the following explanation:—An agreement, even though formally put in writing, has no legal force, if it is contrary to the laws and customs prevalent among business-men; and such an agreement cannot be enforced,—such agreement, for instance, as where a man who has children agrees to bequeath all his property to a stranger.

It is quoted also in *Vīramitrodaya* (Vyavahāra, 21 b and 39 b), which has the following notes—‘*Pratiṣṭhita*’, free from the defect of being impossible and unknown and so forth,—‘*bhāṣā*’, proposition, statement,—is not ‘*satya*’, accepted by the king or the court,—‘that statement which is contrary to all rules of business, even though it be established by evidence, oral and documentary, should not be accepted’; e.g., the statement that ‘this man has promised his entire property to me’,—when the man concerned is one who has got sons and other successors.

VERSE CLXV

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 162), which explains ‘*Yoga*’ as ‘obtain another’s property, without any right to it, by means of begging and such other means’;—‘*ādhamana*’ as ‘pledge’;—and the compound ‘*Yogādhamanam*’ as ‘*Yogē ādhamanam*’, ‘pledging of what does not rightly belong to one.’

It is quoted in *Vyavahāramayūkha* (p. 90), which explains ‘*Yoga*’ as ‘fraud’; and adds that the king shall nullify every transaction in connection with which he detects some fraud;—in *Kṛtyakalpataru* (65b) which explains ‘*upādhi*’ as *fraud*,—‘*yogā*’ as ‘deceit’;—and in *Vīramitrodaya* (Vyavahāra, 39b), which has the following notes:—‘*Adhamana*’ is pledge,—‘*yoga*’ is deceit,—‘*upādhi*’ is fraud;—and adds that all fraudulent transactions are null and void.

VERSE CLXVI

This verse is quoted in *Vivādaratnākara* (p. 53), which adds the term '*svataḥ*', which means 'out of their own property', and implies that in a case where even among divided co-sharers, if one has contracted a debt for the purpose of the maintenance of all co-sharers, and he, for some reason or other, such as death and so forth, is unable to repay it—then the debt should be paid by all the other co-sharers.

It is quoted in *Aparārka* (p. 647);—in *Smṛtitattva* (II, p. 178), which explains '*svātaḥ*' as 'from his own property';—in *Kṛtyakalpataru* (76a);—and in *Vīramitrodaya* (Vyavahāra, 110 a), which says that the explanation given by the '*Vṛttikāra*' is that 'when a man who borrowed the money goes away or dies, and the money was spent by him for his family, then the debt is to be repaid *even* by such of his collaterals as may have been living separately from him,—what to say, regarding those who might have been living with him. It demurs to this explanation and quotes the explanation of the '*Mahābhāṣya*' as that separated collaterals, like the uncle and so forth, should repay the debt out of their own property.

VERSE CLXVII

'*Adhyadhīmaḥ*'—'Servant' (Medhātithi and Nārāyaṇa);—'slave' (Kullūka);—'Youngest brother and one in some such position (Rāghavānanda).

This verse is quoted in *Smṛtitattva* (II, p. 232) as indicating the necessary character of the maintaining of the family;—in *Vivādaratnākara* (p. 55), which explains '*Adhyadhīma*' as 'servants and others,' and '*jyāyān*' as 'the master';—in *Parāsharamādhava* (Vyavahāra, p. 164), to the effect that a debt cannot be repudiated if it has been contracted for the support of the family, even if it may have been contracted by a dependant without the master's

permission;—in *Kṛtyakalpataru* (76 b), which explains 'adhyadhīnaḥ' as 'the slave and the like';—and in *Vīramitrodaya* (Vyavahāra, 40a), which explains 'adhyadhīnaḥ' as 'son, nephew, slaves and so forth.'

VERSE CLXVIII

This verse is quoted in *Smṛtitattva* (II, p. 231);—in *Kṛtyakalpataru* (65 b);—and in *Vīramitrodaya* (Vyavahāra, 39 b and 60 a).

VERSE CLXIX

'*Kulam*'—'Judge' (Kullūka and Govindarāja)—'undivided family' (Nārāyaṇa and Rāghavānanda);—'member of a family' (Nandana, who is misrepresented by Hopkins, who wrongly translates 'Kulīnaḥ' (?) as friend).

VERSE CLXX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 275).

VERSE CLXXI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 275).

VERSE CLXXII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 275), which adds the following notes:—'*Svādānāt*', 'by taking what is his own legally, such as taxes and so forth';—'*varṇasamsargāt*', 'by marriages and such relationships contracted by the Brāhmaṇa' and other castes with persons of their own respective castes'; the '*samsarga*' of different castes is not meant, as that would lead to the evil of 'mixed castes'.

VERSE CLXXIII

This verse is quoted in *Nṛsimhaprasāda* (Vyavahāra, 2 b).

VERSE CLXXIV

This verse is quoted in *Kṛtyakalpataru* (6 b);—and in *Vīramitrodaya* (Vyavahāra, 39 a).

VERSE CLXXV

Hopkins refers to *Ṛgveda* 1. 32. 3 for a similar imagery.

This verse is quoted in *Nṛsimhaprasāda* (Vyavahāra, 2 b);—in *Kṛtyakalpataru* (4 a);—and in *Vīramitrodaya* (Vyavahāra, 39 a).

VERSE CLXXVI

This verse is quoted in *Kṛtyakalpataru* (80 b.)

VERSE CLXXVII

Cf. 8. 49, and 9. 229 ; also 8. 415.

This verse is quoted in *Mitākṣarā* (2. 43), which explains the meaning to be that “the debtor should make himself ‘*samam*’, equal, to the creditor by putting an end to the relation of creditor and debtor”;—in *Aparārka* (p. 146), which explains the meaning to be that “even by doing some work for the creditor, the debtor should make himself equal, similar, to the creditor, by becoming free from debt”;—in *Vivādaratnākara* (p. 70), which adds the following explanation :—The debtor, who is either of the same caste with, or of a lower caste than, the creditor, should, even by means of working, clear off his debt, and thereby render himself *equal* to the creditor. So long as the debt is not paid off, there is an *inequality* between them—one being the *creditor* and

the other the *debtor*; but when by means of work, the debt has been paid off, both of them become 'equal'.—But if the debtor belongs to a *higher* caste, he should not be made by the creditor to work for him.

It is quoted also in *Vyavahāramayūkha* (p. 89);—in *Kṛtyakalpataru* (79b), which explains '*samam kuryāt*' as 'remove his *indebtedness*, which puts him in a position lower than that of his creditor, by doing such work for the latter as would suffice to liquify the amount of debt'—'*shrēyān*' is 'one belonging to a higher caste' and also 'one possessed of higher qualifications';—and in *Vīramitrodaya* (Vyavahāra, 104 b), which also has the same explanation.

VERSE CLXXVIII

'*Pratyaya*'—'Inference and supernatural proof' (*Medhātithi*);—'inference, oaths and so forth' (*Govindarāja*);—'oaths' (*Nārāyaṇa* and *Nandana*).

This verse is quoted in *Vivādaratnākara* (p. 618).

VERSE CLXXIX

This verse is quoted in *Kṛtyakalpataru* (82b), which explains '*mahāpakṣa*' as one who has a large family;—in *Parāsharamādhava* (Vyavahāra, p. 204);—and in *Vivādaratnākara* (p. 85), which explains '*mahāpakṣa*' as 'one having a large family',—and '*nikṣēpam*' as '*nikṣēpyam*', i. e., the *thing deposited*;—and in *Vivādachintāmaṇi* (p. 36), which explains '*mahāpakṣa*' as 'one who has a large number of relatives.'

VERSE CLXXX

This verse is quoted in *Vivādaratnākara* (p. 86), which explains '*dāyaḥ*' as *depositing* and '*grahaḥ*' as *receiving*;—in *Parāsharamādhava* (Vyavahāra, p. 205), which explains '*dāyaḥ*' as *giving, depositing*,—and '*grahaḥ*' as *receiving*;—and in *Vīramitrodaya* (Vyavahāra, 113 b).

VERSES CLXXXI—CLXXXII

These verses are quoted in *Aparārka* (p. 664);—and in *Vivādaratnākara* (p. 94), which explains them to mean that—‘If the person who calls himself the Depositor demands the deposit from the person called the Deposit-holder, —and the latter denies it, saying ‘nothing was deposited with me’,—and there are no witnesses to the transaction ;—then the king, with a desire to ascertain the facts, should have recourse to the following stratagem:—Through spies of the proper age and appearance, trustworthy in word and appearance, he should by some pretext deposit his own gold with the accused person ;—after some days, he should have that deposit demanded from him.

VERSE CLXXXIII

This verse is quoted in *Aparārka* (p. 664);—and in *Vivādaratnākara* (p. 94), which continues the explanation (see last note)—‘If the man admit the deposit and surrender it exactly in the condition in which it had been deposited—neither more nor less,—then the king should conclude that the former deposit, the subject-matter of the dispute, had not been made over to him, and he should be acquitted of the charge brought against him by the other party.

VERSE CLXXXIV

This verse is quoted in *Aparārka* (p. 664), which explains the meaning to be that the man should be punished by being made to surrender the two deposits as also their values.

It is quoted in *Vivādaratnākara* (p. 94) which explains the meaning to be as follows—“If, however, the man does not surrender the gold deposited by the king’s spies, then the king should regard the charge as proved against him and should make him surrender also the former deposit, the subject-matter of the former charge.”

It is quoted also in *Parāsharamādhava* (Vyavahāra, p. 209), to the effect that if, relying on his power, the depository does not surrender the deposit, he should be punished by the king and forced to deliver it.

VERSE CLXXXV

This verse is quoted in *Vivādaratnākara* (p. 87), which adds the following explanation :—If the depositor is living, deposits, sealed or open, should never be given by the depository to any such near relative of the depositor as may have a share in the property,—during the absence of the depositor himself; for if the said relative happen to die, the deposits become lost, *i. e.*, they do not reach the depositor himself; though if the relative does not die, they may perhaps reach him. So that in the event of the relative's death, it would be open to the original depositor to demand from the depository the value of the deposits; and in order to guard against this, the depository should always return the deposits to the depositor himself, while he lives.

It is quoted in *Kṛtyakalpataru* (83a).

VERSE CLXXXVI

This verse is quoted in *Vivādaratnākara* (p. 87), which adds the following explanation :—On the death of the depositor, if the depository deliver the deposit to the depositor's heir, he should not be blamed either by the king or by the dead man's relatives. The term '*svayamēva*' implies that during the depositor's life-time, he should not deliver it to the heir, even though asked to do so by the latter;—and that on his death he should give it to the heir even without being asked to do so;—and in *Vivādachintāmaṇi* (p. 37).

VERSE CLXXXVII

“According to Nārāyaṇa, the verse refers to cases where one believes a deposit to be with another, but has not made it

over himself; according to Govindarāja and Kullūka, to cases where there may be error. Govindarāja and Kullūka think that the person who should act in the manner described is the king, and they explain ‘*anvichchhēt*’ by ‘he should decide.’ Nārāyaṇa and Rāghavānanda, on the other hand, think that the depositor should act thus.”—Buhler.

This verse has been omitted entirely by Medhātithi; neither the verse nor its commentary is found in the Mss.

This verse is quoted in *Vivādaratnākara* (p. 94), according to which the verse refers to what the depositories should do; it means that ‘the depository should keep the deposit honestly and lovingly; all the more so if the depositor is found to be a man of thoroughly good character.’

It is also quoted in *Parāsharamādhava* (Vyavahāra, p. 209), which says that this lays down what should be done by the successor of the depositor, if the depository does not of his own accord, surrender the deposit, after the depositor’s death.

VERSE CLXXXVIII

The second half of this verse is quoted in *Vivādaratnākara* (p. 86), which adds the explanation that if the deposit has been handed over to the depository *sealed*,—then, unless the latter extracts anything from it, he shall incur no blame; but if he does extract anything, then he certainly becomes open to censure. In the case of an unsealed deposit, on the other hand, even though he may have extracted something, if he delivers it before the depositor, he does not incur blame.

VERSE CLXXXIX

This verse is quoted in *Aparārka*, (p. 663), which adds that if out of the property, the man extracts not even a small part (then he shall not have to make it good);—in

Vivādaratnākara (p. 88), which also adds—‘if out of the deposited property, the depository does not extract, take out, anything ;’— in *Parāsharamādhava* (Vyavahāra, p. 206), which adds—‘if he extract even the smallest part of the deposit, then he shall have to make it good ;’—and in *Vivādachintāmaṇī* (p. 37), which says that in a case where the deposit-holder takes for himself a portion of the deposit and keeps the remainder secretly in some other place with a view to evade the return of the trust,—then he is to be made to refund the entire deposit.

It is quoted in *Kṛtyakalpataru* (p. 83 a), which explains ‘*tasmāt na samharati*’ as ‘does not take for himself any part of the deposit.’

VERSE CXC

‘*Sārvaiḥ upāyaiḥ*’— ‘All kinds of evidence, the four expedients of kindness and the rest, and also in the case of wicked people, beating and imprisoning’ (Medhātithi, who is not rightly represented by Buhler);— ‘the four expedients of kindness and so forth’ (Govindarāja, Kullūka and Rāghavānanda);—‘spies and the like’ (Nārāyaṇa).

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 208), as laying down punishment for the depositor and depository if proved to be dishonest;—in *Kṛtyakalpataru*, (84a);—and in *Vīramitrodaya* (Vyavahāra, 113 a).

VERSE CXCI

This verse is quoted in *Aparārka* (p. 663);—and in *Vivādaratnākara* (p. 91), which adds the following explanation:—The depository, who, even when asked to do so, does not surrender the deposit,—or the other party who demands the deposit, without having delivered it,—both of these should be punished like a thief, if the property involved is a large one;

but if it is a small one, then they have to be fined the value of the deposit in question, and the depository is to be forced to surrender the deposit also.

It is quoted in *Vyavahāramayūkha* (p. 84);—in *Parāsharamādhava* (Vyavahāra, p. 208);—in *Vivādachintāmaṇi* (p. 39), which notes that in the same text the Matsyapurāṇa reads ‘*dviguṇam damam*’; it says that Manu’s rule is meant for cases where the persons concerned are poor and well-behaved;—in *Kṛtyakalpataru* (83 b);—and in *Vīramitrodaya* (Vyavahāra, 113 a), which explains ‘*shāsyau*’ as ‘should be punished and fined.’

VERSE CXCI

This verse appears to be a mere repetition of 191. According to Medhātithi, 191 lays down two alternative punishments—corporal punishment (thief’s penalty) and fine; and 192 excludes the ‘thief’s punishment’ by specifying the fine only. He repudiates the explanation that has been attributed to him by Hopkins—*viz.*, 192 is for the sake of freeing the *Brāhmaṇa* from the corporal punishment prescribed in 191. Nor is there anything in Medhātithi to show that he takes 192 as referring to fresh offences,—a view that has been attributed to him by Buhler.—Both these views are found in Kullūka.

‘*Upavidhi*’—‘Sealed deposit’ (Kullūka);—‘something lent in a friendly spirit’ (Medhātithi, who repudiates, in the present context, the technical meaning of ‘sealed deposit.’)

‘*Avishēṣeṇa*’—‘Irrespective of the character of the property or the caste of the person’ (Medhātithi);—‘irrespective of caste’ (Nārāyaṇa and Nandana).

This verse is quoted in *Vivādaratnākara* (p. 92), which adds the following explanation:—The reiteration of ‘fine equal in value to the deposit’ here—to the exclusion of the ‘thief’s penalty,’ with which it has been coupled in the preceding

verse,—should be understood as meant for the case where the misappropriator of the deposit is a Brāhmaṇa. The terms ‘*tathā*’ and ‘*avishēṣeṇa*’ mean that all that has been said in regard to the misappropriation of the deposit, should be understood to be applicable to that of the *Upanidhi* also,—the misappropriation of both standing on the same footing.

It is quoted also in *Vyavahāramayūkha* (p. 85);—in *Kṛtyakalpataṛu* (83b);—and in *Vīramitrodaya* (Vyavahāra, 113 a).

VERSE CXCI

This verse is quoted in *Vivādaratnākara* (p. 92), which adds the following notes:—‘*Upadhābhiḥ*,’ by fraud;—‘*sahāya*’ is one who helps in the misappropriation of other’s property by fraud;—‘*prakāśham*,’ in the public square and such places;—it is quoted again at p. 316;—in *Vivādachintāmaṇi* (p. 39), which explains ‘*upadhā*’ as ‘fraud’—‘*sahāya*’ as ‘abettor in the fraudulent appropriation,’—and ‘*vadha*’ as ‘beating, imprisonment and so forth;—and in *Kṛtyakalpataṛu* (84 a).

VERSE CXCV

This verse is quoted in *Aparārka* (p. 664), which explains ‘*vibruvan*’ as ‘telling what is not true;’—in *Vivādaratnākara* (p. 94), which adds the following notes:—‘*Vibruvan*,’ declaring it to be more when it was less; from a parity of reasoning, it follows that if the depository also declares the deposit to be less where it was really more, he also should be fined;—and in *Kṛtyakalpataṛu* (85 a).

VERSE CXCV

This verse is quoted in *Vīramitrodaya* (Vyavahāra 113 b), which has the following notes:—‘*Dāya*,’ handing over, pledging, depositing,—‘*graha*,’ receiving the deposit.

VERSE CXCVI

This verse is quoted in *Vivādaratnākara* (p. 95), which adds the following notes :—‘*Akṣiṇvan*,’ not harassing the person who is believed to have been the holder of the deposit ;—and in *Parāsharamādhava* (Vyavahāra, p. 209), which explains ‘*aprakṣiṇvan*’ (which is its reading for ‘*akṣiṇvan*’), as ‘not chastising.’

VERSE CXCVII

This verse is quoted in *Vivādaratnākara* (p. 103), which explains the phrase ‘*na tam nayēt sākṣyam*’ as ‘should place no confidence in him’ ;—in *Nṛsimhaprasāda* (Vyavahāra, 26 b) ;—in *Vivādachintāmaṇi* (p. 41), which explains ‘*sākṣyam*’ as ‘trustworthy evidence’ ;—in *Kṛtyakalpataru* (85 b), which explains ‘*na tam nayēt sākṣyam*’ as ‘no trust is to be placed in him’—and in *Vīramitrodaya* (Vyavahāra, 115 b).

VERSE CXCVIII

This verse is quoted in *Vivādaratnākara* (p. 103), which adds the following notes :—‘*Avahāryo bhavēt*,’ should be fined ;—‘*svānvayaḥ*’ (which is its reading for ‘*sānvayaḥ*’) a son or some relation of the rightful owner ;—‘*ṣaṭshatam*,’ six hundred *pañas* ;—‘*niranvayaḥ*,’ not related to the rightful owner ;—‘*anapasarah*,’ means *the removing of the property from the owner’s house* ;—and the man who does this and sells what belongs to another should be fined six hundred *pañas*. If this seller is not a relative of the owner,—and if the removing of the property from the owner’s house has been done, not by any person related to the owner, but by the seller himself,—then he should be punished like a thief. If however the removing has been done by some one else, but the selling is done by the owner’s relative, then the fine may be even more than six hundred *pañas*.—The author of

Kalpataru has explained ‘*apasara*’ as the justification for moving the article from the owner’s possession—such as its being a gift and so forth *by which property moves away from the owner’s possession* (*apasarati anēna*); and he who has no such justification is ‘*anapasara*’; and this writer adds that this view has the support of Bhāguri, Medhātithi and the *Vṛttikāra*.

It is quoted in *Vivādashintāmaṇi* (p. 41) which has the following notes:—‘*Avahāryaḥ*,’ should be made to give up,—‘*sānvayaḥ*’ belonging to the family of the owner of the property concerned,—‘*niranvayaḥ*,’ not a member of the owner’s family,—‘*anapasaraḥ*,’ ‘who has not received the property by any equitable method of acquisition, such as ‘gift and the like’—‘*ṣaṭshatam*,’ he is to be fined 600 *paṇas*;—and in *Kṛtyakalpataru* (85 b), which explains ‘*avahāryaḥ*’ as ‘should be made to pay,’—‘*sānvayaḥ*,’ as ‘along with his brothers and relatives,’—‘*ṣaṭshatam*,’ *i. e.*, 600 *paṇas*.—It goes on to say what has been quoted in *Vivādaratnākara* (above).

VERSE CXCIX

Buhler wrongly asserts that “Nandana omits this verse.”

This verse is quoted (as Nārada’s) in *Vivādashintāmaṇi* (p. 40);—and in *Kṛtyakalpataru* (86 a).

VERSE CC

This verse is quoted in *Aparārka* (p. 635), which says that what is meant is that what is proof of ownership is, not mere possession, but possession accompanied by ‘title’—*i. e.*, something that indicates actual ownership.

VERSE CCI

This verse is quoted in *Vivādaratnākara* (p. 103), which adds the following notes:—‘*Vikrayāt*,’ from the market-place;—‘*Kulasannidhau*,’ in the presence of trustworthy traders and brokers;—‘*Nyāyataḥ*,’ qualifies ‘*krayēṇa*’;—‘*vishuddhaḥ*’ (which is its reading for ‘*vishuddham*,’) faultless;—‘*labhatē dhanam*,’ i. e., from the seller;—and in *Kṛtyakalpataṛu* (85 b), which has the following notes:—‘*Vikrayāt*,’ from the ‘market place,’ the word being explained as ‘*vikrīyatē asmin iti vikrayaḥ*,’—‘*kulasannidhau*,’ in the presence of a number of business-men,—‘*nyāyataḥ*’ is to be construed with ‘*krayēṇa*,’ and means a *bona fide* purchase, on payment of the proper price.

VERSE CCII

This verse is quoted in *Vivādaratnākara* (p. 103), which adds the following notes:—‘*Mūlam*,’ the original seller, who sold the article which did not belong to him;—if he is ‘*anāhārya*,’ incapable of being produced by the purchaser, by reason of his being in a foreign country;—but the purchaser is one who had made his purchase openly,—then this latter is not to be punished;—but the actual owner shall receive back his property which had been fraudulently sold.

It is quoted in *Vyavahāramayūkha* (p. 87), which reading ‘*anāhārya*’ for ‘*anāhāryam*,’ explains it as ‘not producing;’—the meaning being ‘even though the buyer is unable to produce the original seller, if his purchase is found to be *bona fide* by reason of its having been done in public.’

It is quoted in *Aparārka* (p. 776), which adds the following explanation:—‘*Mūlam*’ is the original seller;—if he is incapable of being produced by reason of his whereabouts being unknown.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 215), which adds that the rightful owner is to receive his property from the purchaser, only on paying to him one half of the price that had been paid for it;—this opinion being based upon a clear declaration to that effect by Kātyāyana;—in *Vivādashintāmaṇi* (p. 43), which adds the following explanation:—‘Where the selling has been done openly,—and yet the original owner proves his claim to the property concerned,—and the property concerned is not returnable, by reason of its having been exported to foreign lands, and so forth—then the *bona fide* purchaser is not to be punished, but he is to be made to refund the price to the real owner’;—and in *Kṛtyakalpataṛu* (86 a).

VERSE CCIII

‘*Tirohitam*’—‘Concealed’—‘in cloth or some such cover’ (Medhātithi and Nārāyaṇa),—‘in the earth’ (Nandana),—‘covered with paint’ (Govindarāja, Kullūka and Rāghavānanda).

This verse is quoted in *Vivādaratnākara* (p. 199), which reads *samsṛṣṭam rūpam* for ‘*samsṛṣṭarūpam*’ and adds the following notes:—‘*Anyat*’, saffron and such costly things,—‘*anyēna*’ the Kusumbha flower and such cheaper things,—‘*samsṛṣṭam*’, adulterated,—‘*rūpam*’, commodity,—‘*sāva-dyam*’, defective,—this last is meant to include all defects other than those just specified;—‘*nyūnam*’, less in weight—‘*durē*’, being at a distance and hence incapable of having its defects detected,—‘*tirohitam*’, covered by cloth or some such thing;—and in *Kṛtyakalpataṛu* (110 a).

VERSE CCIV

“Yet he has emphatically inveighed against the sale of women 3. 51, 9. 98”—says Hopkins. But he forgets that ‘*shulka*’ is not *price*. Buhler also has been similarly misled,

VERSE CCVI

This verse is quoted in *Aparārka* (p. 836);—in *Vivādaratnākara* (p. 118), which adds the following notes:—‘*Svakarma parihāpayēt*,’ i. e., through sickness or such causes, a part of the sacrificial fee shall be paid to him, after duly considering the total fee payable for the entire sacrifice and the part of the work that may have been done by him;—in *Parāsharamādhava* (Vyavahāra, p. 222), which explains ‘*sahakartṛbhiḥ*’ as ‘by his colleagues’;—in *Vivādachintāmaṇi* (p. 48), which says that ‘if a priest, through disease or other disability, is unable to perform his work, then he is to be paid his fee in proportion to the work actually done by him;—in *Kṛtyakalpataru* (89 b);—and in *Vīramitrodaya* (Vyavahāra, 120 a), which explains ‘*sahakartṛbhiḥ*’ as ‘by his collaborators,’—or the meaning may be ‘he should be paid his share of the fee, *along with*, at the same time as, the other priests are paid.’

VERSE CCVII

‘*Kārayēt*’—‘The sacrificer should have it done by another priest’ (Medhātithi);—‘the defaulting priest should have it done by another (Nārāyaṇa, Kullūka, Rāghavānanda and Nandana).

This verse is quoted in *Aparārka* (p. 837);—in *Parāsharamādhava* (Vyavahāra, p. 222), which explains ‘*anyēna*’ as ‘by some from among that group of priests to which he himself belongs’;—in *Vivādaratnākara* (p. 118);—in *Vivādachintāmaṇi* (p. 49), which says—‘if the priest leaves his work after having received the fee after the midday rites, then he is to return the entire fee, and get the work completed by his son or others;—and in *Kṛtyakalpataru* (89 b).

VERSE CCVIII

This verse is quoted in *Vivādaratnākara* (p. 119) which adds the following notes :—‘*Pratyamshadakṣiṇāḥ*’ (which is its reading for ‘*pratyāṅgadakṣiṇāḥ*’), the fees that have been prescribed for a particular priest, in connection with particular sections of an elaborate sacrifice; *e. g.*, at the ceremony of anointment two golden vessels are given to the *Adhvaryu* priest ;—in regard to these, the question is—Is the whole of that special fee to be taken by that one priest in reference to whom it has been prescribed? Or that individual is only the formal recipient, and the fee has to be equally divided among all the priests taking part in the performance?

It is quoted in *Kṛtyakalapataru* (90 a), which explains ‘*pratyamshadakṣiṇā*’ (which is its reading for ‘*pratyāṅgadakṣiṇā*’) as ‘the fees that have been prescribed as the special shares of particular priests’, and it adds that this rule is meant to raise the question whether when, *e. g.*, two gold *Prakāśhas* are prescribed as to be given at the *Abhiṣēchanīya Rites*, to the *Adhvaryu*,—are the two articles to be taken by that priest, or are they to be divided among all the priests concerned?

VERSE CCIX

This verse is quoted in *Vivādaratnākara* (p. 120), which adds the following notes :—For the followers of certain rescensions it is laid down in connection with the fire-kindling rites that the *Adhvaryu* is to receive the chariot, the *Brāhmaṇa* priest a swift horse, the *Udgātṛ* priest, the cart in which the *Soma* is carried.—‘*Krayē*’ means at the purchase of *Soma*.—Hence the answer to the question raised in the preceding verse is that the special fee prescribed for a particular priest is to be given to that priest only; as it is only thus that the ‘*giving*’ would be done in its real sense; the mention of the priests in the texts prescribing the fees could not but be for this perceptible purpose; while in any other case such naming would have to be taken only as serving some transcendental purpose.

This verse is quoted also in *Parāsharamādhava* (Vyavahāra, p. 221), to the effect that it is only the general fee prescribed in connection with the performance as a whole that it is to be divided among the priests,—not so the special fee prescribed in connection with a particular priest, who alone is to receive this latter fee;—and in *Kṛtyakalpataṛu* (90a), which says that this answers the question raised in the preceding verse, the answer being that wherever the texts prescribe a certain article as to be given to a particular person, it has to be given to that person only.

VERSE CCX

The total fee being 112, the shares are 56, 28, 16, 12 (Medhātithi);—the total being 100, the shares are 48, 24, 16, 12 (Rāghavānanda, Nārāyaṇa and Kullūka); [Buhler wrongly puts the last figure as 8];—the total fee shall be divided into 25 shares and the several classes shall receive 12, 6, 4 and 3 respectively.

This verse is quoted in *Vivādaratnākara* (p. 118), which adds the following notes:—At the *Jyotiṣṭoma*, 100 cows have been laid down as the fee for the 16 priests; and the present rule prescribes what part of it is to be given to which priest; the four 'principal' priests—e. g., the *Hotṛ*, *Adhvaryu*, *Brāhman* and *Udgāṭṛ*—are '*ardhinaḥ*', entitled to one half; with a view to the total available, this 'one half' must be understood to be 48; so that 48 cows are to be given to the principal priests;—the next class, consisting of the *Mantrāvaruṇa*, *Pratiprasthāṭṛ*, *Brāhmaṇachchhansi* and *Prastotṛ* are to receive half of the 'half-sharers', i. e., 24 cows have to be given to these;—the next class, consisting of the *Achchhāvāka*, *Nēṣṭṛ*, *Agnādhra* and *Pratihartṛ*, are entitled to a third part of the 'half-sharers'; so that they are to receive 16 cows;—the last class, consisting of the *Grāvastotṛ*, *Netṛ*, *Potṛ* and *Subrahmanya*, are to receive a quarter of the 'half-sharers'; so that these receive 12 cows.—This division, it adds, is based upon the text '*ardhino dīkṣayati*' which actually names the priests '*ardhinaḥ*', 'half-sharers', and so forth.

It is quoted in *Mitākṣarā* (2. 265), which lays down the same classification and division as the *Vivādaratnākara*. It raises the following question :—“This division cannot be acceptable, as we find neither any convention to the effect, nor is the fee of the nature of capital jointly raised, nor is there any Vedic text actually prescribing such shares. So that, under the circumstances, the most equitable division would be that every one should receive an equal share, according to the rule laid down in *Mīmāṃsā-sūtra*—‘*Samam syāt ashrutatvāt*’, ‘it must be equal, as nothing else has been directly prescribed’; or that each one should receive what is due to him in consideration of the work actually done by him.”—It answers this objection as follows :—Unless we accept the division suggested, we cannot account for the names ‘*ardhinaḥ*’ (half sharers), ‘*Tṛtīyinaḥ*’ (third sharers), and ‘*Pādinah*’ (quarter sharers), which we find in a text in connection with the *Dvādashāha* sacrifice, which has the *Jyotiṣṭoma* for its archetype; these names would be meaningless if they were not taken as indicating the share of the priests in the sacrificial fee.

It is quoted in *Aparārka* (p. 837), which adds that though the first class of priests gets only 48, which is not quite *half* of 100, yet it is very close to it; hence they may be called ‘Half sharers’; it has the same division as in *Mitākṣarā*.

It is quoted in *Smṛtitattva* (p. 739);—and in *Kṛtyakalpataru* (90 a), which adds the following explanation :—‘*Sarvēṣām*’, among the sixteen priests engaged in the sacrifice, out of the 100 cows, the prescribed sacrificial fee, one half is to go to the principal priests, viz., Hotṛ, Brāhmaṇa, Adhvaryu and Udgātṛ; even though they may receive a little less than the exact one half, they may be called ‘*ardhinaḥ*’, ‘Halfers’; the second set, consisting of the Maitrāvaruṇa, Brāhmaṇa-chchhamsin, Pratiprasthātṛ and Prastotṛ, are entitled to half of what is received by the former set; the third set, consisting

of the *Achchhāvāka*, *Agnīdhra*, *Nestṛ* and *Pratihartṛ*, receive the third part of what is received by the first set;—and the fourth set, consisting of the *Grāvastut*, *Netṛ*, *Unnetṛ* and *Subrahmanya*, receive the fourth part of what is received by the first set.

VERSE CCXI

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 221), which remarks that this distribution pertains to only cases where the thing to be divided is mentioned as common to all;—in *Kṛtyakalpataru* (90 a);—and in *Vīramitrodaya* (Vyavahāra, 119 b), which says that this refers, *not* to the fee that is prescribed for individual preists, but to the *common fee* of 1200 cows, which is prescribed for all the officiating priests.

VERSE CCXII

‘*Kartāhamētat karmēti*’—(Medhātithi, p. 1009, l. 5).—The text of Nārada (4. 10-11) is—

‘*Kartāhamētat karmēti pratilābhēchchhayā cha yat Apātrē pātramityuktē kāryē vā dharmasamhitē Yaddattam syādavijñānādadattam tadapi smṛtam.*’

This verse is quoted in *Vivādaratnākara* (p. 137), which explains the meaning to be—‘If the man begs money for the performance of a pious act, but having got it, he does not do the act, then the gift should be recovered from him.’

It is quoted in *Smṛtitattva* (II, p. 348), to the effect that when money has been given to a Brāhmaṇa who has begged it for the purpose of performing a sacrifice or some such act,—but he does not do such an act,—then the money is to be taken back from him;—and in *Kṛtyakalpataru* (94 a).

VERSE CCXIII

‘*Samsādhayēt*’—‘If he tries to enforce the fulfilment of the promise by a complaint before the king’ (Medhātithi);—‘if he tries to obtain the money forcibly or refuses to refund it’ (Kullūka, Rāghavānanda and Govindarāja);—‘if he should withhold the repayment’ (Rāmachandra, who reads ‘*Sandhārayēt*’);—‘if the man should really perform the act for which he had begged, then the man who had promised to pay, but did not pay, (or having paid, took it back), should be made to pay to him a *Suvarṇa*, by way of fine, for not fulfilling his promise’ (Nandana, who has been misrepresented by Hopkins).

This verse is quoted in *Vivādaratnākara* (p. 137), which explains the meaning to be—‘if, through annoyance or greed, he should accomplish the purpose (*artham sādhayēt*), then he should be fined by the king one *Suvarṇa*.’

It is quoted also in *Aparārka* (p. 782), which adds the following explanation:—‘If on being asked to refund, the man, through annoyance or greed, does not refund the money, but complain before the king with a view to establish the fact that the gift should not be taken back,—then he should be forced to refund the money’;—and in *Kṛtyakalpataru* (94 a).

VERSE CCXV

‘*Kṛṣṇala*’—‘Of gold, silver or copper, according to the nature of the case’ (Medhātithi and Govindarāja); Kullūka also has ‘*suvarṇādi*’, ‘gold and others’, and not ‘gold’ only. Buhler has misrepresented him.

This verse is quoted in *Mitākṣarā* (2. 198);—in ‘*Vyavahāramayūkha*’ (p. 92);—in *Parāsharamādhava* (Vyavahāra, p. 233), which notes that this is meant for a case where the hired man has left the work

half undone; if he has done more than half, then only the wages have to be withheld (and there is to be no fine);—in *Aparārka* (p. 797), which notes that he should not receive the wages of even that part of the work which he may have done;—and in *Kṛtyakalpataru* (102 a), which explains ‘*anārtah*’ as not suffering from any disability imposed either by royal command or by supernatural causes.

VERSE CCXVI

This verse is quoted in *Nṛsimhaprasāda* (Vyavahāra, 24 a):—in *Kṛtyakalpataru* (102 a), which adds the explanation that the man who had stopped the work through some disability—if, on recovery, he comes and completes the stipulated work, then, if it were done after a lapse of time, he should receive his wages.

VERSE CCXVII

This verse is quoted in *Aparārka* (p. 797), which explains ‘*Yathoktam*’ as ‘as agreed upon’;—in *Mitākṣarā* (2. 198), to the effect that—‘if the man,—on recovery, if he has been ill, or even while he is in perfect health,—does not complete the task of which only a little is left undone,—either himself or through some one else,—then he should not be given any wages at all’;—and in *Kṛtyakalpataru* (102 a), which explains ‘*kārayēt*’ as gets it done by another person’, and ‘*alponasyāpi*’ as ‘even though only a very little be wanting in the completion of the work.’

VERSE CCXIX

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 253), which explains ‘*satyēna*’ as ‘by swearing’;—in *Mitākṣarā* (2. 187), which adds that this applies to cases where the cause of action is slight;—in *Vivādaratnākara* (p. 182), which adds the following notes:—‘*Grāma*’, is well-known;—‘*dēsha*’ consists of a group

of villages, a district;—‘*saṅgha*’ is a corporation composed of several persons following one ‘*dharma*,’ living in different places. It is also quoted in *Kṛtyakalpataru* (107 a);—and in *Vīramitrodaya* (Vyavahāra, 132 a).

VERSE CCXX

“According to ‘others’ mentioned by Medhātithi, ‘four *Suvarṇas*, or six *Niṣkas*, or one *Shatamāna*; Kullūka and Rāghavānanda also think it possible that three separate fines may be inflicted according to the circumstances of the case.”
—Buhler.

This verse is quoted in *Vivādaratnākara* (p. 182), which adds the following notes:—‘*Nigrhya*,’ having him hauled up;—‘*chatuḥsuvarṇān*’ qualifying ‘*ṣaṭ niṣkān*’ means ‘six of those *Niṣkas* which consists of 4 *Suvarṇas* each’; the epithet ‘*chatuḥsuvarṇān*’ being added for the exclusion of the other two measures of the ‘*Niṣkas*’ that are found in the *Shāstras*—viz. (a) ‘the *Niṣka* consists of 108 *Suvarṇas*,’ (b) ‘the *Niṣka* consists of 5 *Suvarṇas*.’—‘*Shatamāna*’ consists of 320 *Raktikās*.

It is quoted in *Mitākṣarā* (2. 187), which notes that herein Manu mentions four penalties—(1) Banishment (verse 219), (2) fine of four *Suvarṇas*, (3) fine of 6 *Niṣkas* and (4) fine of one *Shatamāna*; and any one of these may be inflicted in accordance with the peculiar circumstances of each case, such as the caste, the capacity and other things of the persons concerned.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 253), which also regards the four as distinct penalties, to be determined according to the caste, learning and other qualifications of the persons concerned;—in *Kṛtyakalpataru* (107 a), which says that ‘*Shatamāna*’ is equal to 320 *Rattis*;—and in *Vīramitrodaya* (Vyavahāra, 132 a).

VERSE CCXXI

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 253);—in *Vivādaratnākara* (p. 182), which explains ‘*Jāṭisamūha*’ as ‘community of several castes’:—in *Kṛtya-kalpataru* (107 a);—and in *Vīramitrodaya* (Vyavahāra, 132 a), which adds that the penalty to be imposed in each case is to be determined by considerations of caste, learning and other qualifications of the culprit.

VERSE CCXXII

‘According to Medhātithi, Govindarāja and Kullūka, the rule refers to things which are not easily spoilt, such as land, copper etc., not to flowers, fruit and the like;—according to Nārāyaṇa, to grain and seeds.’—Buhler.

This verse is quoted in *Mitākṣarā* (2. 177), which adds that this refers to such things as get spoilt by use,—e. g., houses beds, seats etc;—and *not* to seeds, metals, beasts of burden, gems, slave-girls, milking animals and slaves, for whom Yājñavalkya prescribes a period of 10, 1, 5, 7, 30, 3 and 15 days respectively. It goes on to add that the provision here made is applicable to only those cases where the commodity was purchased without proper examination; in cases where it has been duly tested and examined before purchase, the transaction cannot be rescinded.—The verse is quoted again on 2. 254.

It is quoted in *Aparārka* (p. 831);—in *Vivādaratnākara* (p. 190), which adds the following notes:—‘*Anushayaḥ*,’ *desire to withdraw*, or, as some people hold, *repentance*;—‘*dadyāt*,’ *should return*,—i.e. the buyer to the seller;—‘*ādadīta*,’ *should take back*, i.e., the seller from the buyer;—this refers to such things as are likely to be spoilt by use, such as houses, fields, conveyances and so forth,—as also seeds; but not metals, beasts of burden and such other things.

It is quoted in *Smṛtitattvā* (p. 515), which adds that what is stated here refers to things other than those enumerated by *Yājñavalkya* (2. 177) ;—in *Vyavahāra-Bālabhaṭṭī* (p. 947);—in *Vivādashintāmaṇi* (p. 88);—and in *Kṛtyakalpataru* (108 b).

VERSE CCXXIII

This verse is quoted in *Mitākṣarā* (2. 258);—in *Aparārka* (p. 831) ;—and in *Vivādaratnākara* (p. 199), which adds that the fine meant is 100 *paṇas* ;—in *Vivādashintāmaṇi* (p. 88) ;—and in *Kṛtyakalpataru* (108 b).

VERSE CCXXIV

This verse is quoted in '*Vyavahāra-Bālabhaṭṭī*' (p. 1019).

VERSE CCXXVI

This verse is quoted in *Vīramitrodaya* (Samskāra, p. 741), to the effect that the *mantric* marriage rites are meant only for those girls who are entitled to the name '*Kanyā*' (virgin), i. e., those whose generative organs have not been 'penetrated' ;—and in *Vyavahāra-Bālabhaṭṭī* (p. 1019).

VERSE CCXXVII

This verse is quoted in *Vīramitrodaya* (Samskāra, p. 585), to the effect that 'marriage' is accomplished on the reaching of the seventh step ;—and again at p. 836, to the effect that the taking of the 'seven steps' is absolutely essential.

It is quoted in *Smṛtitattva* (p. 893), to the effect that the taking of the seven steps constitutes an essential factor in the sanctificatory rite of marriage;—again in *Smṛtitattva* (II, p. 107), to the same effect;—again at p. 130, where the following notes are added—‘*niṣṭhā*,’ means *completion*, of ‘wife-hood,’—‘*saptamē pādē*,’ i.e., on the seven steps being reached by the girl;—in *Vyavahāra-Bālabhāṭṭī* (p. 529);—in *Smṛtichandrikā* (Samskāra, p. 222);—and in *Hārālatā* (p. 52) which has the following notes:—‘*Niyatam*,’ i.e., bringing about wife-hood, all the other details being mere accessories.

VERSE CCXXVIII

This verse is quoted in *Vivādaratnākara* (p. 191), which adds the following notes:—‘*Yasmin yasmin*,’ the repetition of this general pronoun implies that even in transactions other than sales,—such as loan and so forth,—if there is ‘desire to withdraw’ or ‘repentance,’ the same rules are to be followed as those laid down in connection with the Rescission of Sales,—such as returning, receiving back, fine of 600 *paṇas* and so forth, in accordance with the circumstances of each case; ‘*anēna*,’ i.e., by the method laid down in connection with the Rescission of Sales and Purchases;—in *Vivādachintāmaṇi* (p. 88);—and in *Kṛtyakalpātara* (108 b).

VERSE CCXIX

This verse is quoted in *Vivādaratnākara* (p. 170), which adds that ‘*pashuṣu*’ stands for such cattle as form the subject-matter of dispute;—in *Parāsharamādhava*, (*Vyavahāra*, p. 262), which explains ‘*vivādam*’ as method of settling the dispute;—and in *Kṛtyakalpātara* (104 b).

VERSE CCXXX

This verse is quoted in *Vivādaratnākara*, (p. 171) which says:—If there is anything remiss in the safety of the cows during the day, the '*vaktavyatā*,' responsibility, blame, lies on the keeper; if it is at night, then on the owner;—but if the '*yogakṣēmam*' (which is its reading for '*yogakṣēmē*,' i. e.) the agreement between the keeper and the owner, is 'otherwise,' then during the night also, the keeper is responsible.

It is quoted in *Aparārka* (p. 772), which explains '*vaktavyatā*' as fault or blame;—and in *Smṛtitattva* (p. 530), which quotes Kullūka, who explains the second half as meaning that 'if during the night also the cattle are in charge of the keeper, then if there is any thing wrong, the blame lies on the keeper';—and in *Vivādachintāmaṇi*, (p. 81).

VERSE CCXXXI

This verse is quoted in *Vivādaratnākara* (p. 170), which adds the following notes:— '*Kṣīrabhṛtaḥ*,' whose wages consist of milk only;— '*duhyad dashato varām*,' he should milk that cow (for himself) which is the best among ten cows;— '*sā*,' the said milk of the one cow;— '*pālē*,' for the cowherd;— '*abhṛtē*,' who is not paid any thing else in the shape of fooding, clothing, and so forth.

This is quoted in *Aparārka*, (p. 772) which adds the following explanation:—That keeper of the cattle who has his wages paid in milk, shall, with the owner's permission, milk the best cow among ten milch cows, taking that for himself,—this being the 'wage' of the cattle-keeper who does not receive wages in any other form;—in *Vivādachintāmaṇi* (p. 80), which explains '*Kṣīrabhṛtaḥ*' as 'one whose wages are paid in the form of milk only';—he shall milk the best of ten cows;— '*abhṛtē*,' the keeper who gets no fooding and clothing,—and notes that this refers to the keeper of

milk-cattle only :—in *Kṛtyakalpataṛu*, (104 b), which explains '*Kṣīrabhṛtaḥ*' as 'one whose wages consist of milk only; he shall milk for himself that cow which may be the best among ten cows—but only once;—'*abhṛtē*' one who receives no food or clothing;—and in *Viramītrodaya* (Vyavahāra, 136 b), which says that the milk of the best among ten cows is to be taken by the cowherd only when he receives nothing else as wages.

VERSE CCXXXII

'*Kṛmībhiḥ*'—'A special kind of worm called *Ārohakas*' (Medhātithi);—'snakes and so forth' (Rāghavānanda).

This verse is quoted in *Aparārka* (p. 773), which adds that the keeper is to make good the loss by paying the price of the animal lost;—and that '*nāsha*' of the animal here meant is its being not found, lost;—in *Mitākṣarā* (2. 164), as describing the loss of cattle through carelessness;—in *Vivādaratnākara* (p. 173), which adds the following notes :—'*Naṣtam*,' stolen;—'*vināṣtam*,' destroyed—by whom?—'*by worms*';—the 'dog' stands for other animals also;—'*viṣamē*,' place difficult of access; such as the hill-top and so forth;—'*puruṣakārēṇa*,' care and means of rescue adopted by the keeper;—in *Vivādachintāmaṇi* (p. 81), which has the following notes :—'*Naṣtam*' stolen by thieves and others,—i. e., what became lost for want proper care on the part of the keeper,—this negligence being the reason why the man should be made to make good the loss;—in *Kṛtyakalpataṛu*' (105a), which says that '*shva*' in '*shvahaṭam*' stands for carnivorous animals in general;—and in *Viramītrodaya* (Vyavahāra, 1362), which explains '*viṣamē*' as 'in an inaccessible place,' and '*hīnm puruṣakārēṇa*' as 'what has been destroyed for want of that care which was possible for man to give.'

VERSE CCXXXIII

This verse is quoted in *Aparārka*, (p. 772), which explains 'Kilviṣi' (its reading being 'na pālastatra kilviṣi,' for 'na pālo dādumarhati') as 'blame-worthy';— in *Mitākṣarā* (2.164) to the effect that the keeper should not be made to pay to the owner the value of such cattle as are carried away by thieves 'by force,' i. e., openly, by beat of drums and so forth;—provided that he reports it to the owner at the same time and places (this latter being added in *Bālabhātṭi* as explaining the latter half of the verse);—in *Vivādachintāmaṇi*, (p. 81) which explains 'dēshē' as 'place where a search could be made;';—and in *Kṛtyakalpataru*, (105a);—and in *Vīramitrodaya* (Vyavahāra, 137a), which explains 'vighuṣya' as 'with a flourish of the trumpet' and so forth,—'dēshē' as at 'the place where the master lives',—and *kālē* as 'immediately after the robbery'.

VERSE CCXXXIV

This verse is quoted in *Mitākṣarā* (2. 164), to the effect that if the cattle placed in charge of a keeper should die by chance, then he should make over its ear and other things to the owner;—where *Bālabhātṭi* adds the following notes:— 'Charma', skin;—'bālān', hairs, as indicating the death of the animal;—'basti,' a part of the urinary organ;— 'snāyu' is fat;—'pūyāni' is another reading;—'rochanā', the yellow pigment in the cow's eyes;—all these should be shown to the owner of the cattle;—when these die; and other parts of its body also should be brought up; such as the horns, hoofs and so forth, which would indicate the particular animal that may have died. If we read 'Ankāmshecha,' it would mean the marks made on the body of the animal should be shown; in the reading 'ankāni' or 'aṅgāni,' the meaning would be that while showing the marks, he should hand over the ears &c.

It is quoted in *Vivādaratnākara* (p. 175), which notes that all that is meant by mentioning the 'ears' &c. is that the distinguishing features of the dead animal should be shown. It explains '*mṛtēṣu*' as 'in the case of those dying at a distance', and '*aṅgāni*' as such comparatively lasting parts of the body as the horns and so forth. It notes that '*aṅgādi*' is another reading for '*aṅgāni*', in which case '*ādi*' stands for such other *signs of this animal* as may be well known.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 265), as laying down that in the case of animals dying by chance, its ear &c. should be shown to the owner ;—in *Vyavahāramayūkha* (p. 96), as laying down sure evidence of the death of cattle ; it explains '*aṅka*' as the horn and so forth, 'as explained by Madana';—and in *Vīramitrodaya* (Vyavahāra, 137 a), which notes the readings '*aṅgādi*', '*aṅgāni*' and '*aṅkādi*',—it explains '*aṅka*' as 'such marks of recognition as the horn, the ears and so forth',—and adds that '*ādi*' is meant to include *witnesses*.

VERSE CCXXXV

This verse is quoted in *Aparārka* (p. 773):—in *Vivādaratnākara* (p. 175), which notes that 'goats and sheep' stand for all such animals as are liable to be attacked by wolves'; and explains '*Samruddhē*' as *attacked* ;—in *Parāsharamādhava* (Vyavahāra, p. 265), which adds the following notes :—'*Anāyati*', not coming to ward off the attack,—'*yām*', animal belonging to the category of 'goats and sheep';—this pertains to cases where the attack takes place in easily accessible places; in the case of its coming in a place which is inaccessible, no blame attaches to the keeper ;—in *Kṛtyakalpataru* (105 b) ;—and in *Vīramitrodaya* (Vyavahāra, 137 a), which explains '*anāyati*' as 'if he does not come to avert the danger.'

VERSE CCXXXVI

This verse is quoted in *Vivādaratnākara* (p. 175), which explains 'mithaḥ' as 'herded together';—'tatra' i. e., on the death of the cow;—in *Parāsharamādhava* (Vyavahāra, p. 265), which explains 'avaruddhānām' as 'herded together by the keeper';—and in *Aparārka* (p. 773).

VERSE CCXXXVII

This verse is quoted in *Aparārka* (p. 774), which adds the following notes:—'Shamyā' is the piece of wood which serves as the bolt keeping the bullock fixed to the yoke,—and the distance covered by the throwing of this piece of wood is what is called 'Shamyāpāta.'

It is quoted in *Vivādaratnākara* (p. 231), which, reading 'Samyāpātāḥ' (in place of 'Shamyāpātāḥ') notes that the 'Sami' is a wooden bolt, and three times the distance covered by the throwing of it should be the extent of the pasture-land round the village, and three times this should be the pasture-land surrounding a city.

It is quoted in *Vyavahāramayūkha* (p. 96), which explains 'paīhāra' as 'land reserved for the grazing of cattle';—and in *Vyavahāra-Bālabhaṭṭi* (p. 817).

VERSE CCXXXVIII

This verse is quoted in *Mitākṣarā* (2. 162), to the effect that this impurity pertains only to cases where the crops are not fenced.

VERSE CCXXXIX

This verse is quoted in *Mitākṣarā* (2. 162) as laying down the necessity of fencing fields and gardens; and *Bālabhaṭṭi* adds the following notes:—'Tatra', round the field,—the fence should be so high that even a tall animal

like the camel should not be able to see the crops from the other side;—‘*mukhānugam*’, enabling the mouth of the dog or the hog to reach the crops,—‘*mukhonantam*’ is another reading;—the meaning is as follows:—One should build a fence, like a wall, round the field, which should be so high that the camel may not be able to see the crops; and if there are any holes there, large enough to enable the dog or the hog to thrust its mouth into it, then all these should be securely closed up: If we read ‘*vā vārayēt*’, then the second half is to be taken as laying down another method of having the fence.

VERSE CCXL

‘*Vārayēt*’—Rāmachandra reads ‘*chārayēt*’ and takes the whole verse as a single sentence—‘If the cattle-keeper *takes the cattle to graze* in a field that is fenced, he shall be fined along with his master.’

This verse is quoted in *Vivādaratnākara* (p. 232), which reads ‘*chārayēt*’ for ‘*vārayēt*’; it explains the meaning of the verse to be—‘The field on the road-side or on village precincts being duly fenced, if its crops are eaten (this clause is to be added), then the keeper of the cattle is to be fined one hundred (*pañas*), and the stray cattle is to be caught and tied up.’

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 266), which adds the following notes:—When a field on the road-side has been duly fenced, if cattle break through the fence and destroy the crops, the keeper of the cattle is to be fined a hundred *pañas*; similarly when a field on the precincts of a village has been duly fenced, if cattle break into it and eat the crops, the keeper is to be fined a hundred *pañas*. This indicates that there is to be no punishment if the field is unfenced.

It is quoted in *Aparārka* (p. 771), which explains the meaning to be that when the field on the road-side and other such places has been duly fenced, if it is damaged by

cattle which is attended by their keeper, then the keeper is to be fined one hundred; but if the cattle is unattended it shall be driven off;—and in *Vīramitrodaya* (Vyavahāra, 137 b), which explains '*pathi kṣētrē*' as 'in a field close by the path,'—and '*grāmāntīyē*' as 'lying on the outskirts of the village.'

VERSE CCXLI

This verse is quoted in *Aparārka* (p. 769), which adds the following—'The meaning of the verse is as follows:—With the exception of those fields which have been specifically mentioned by Manu to be such that for damaging their crops cattle are *not* to be punished;—if the crops of any other fields happen to be damaged, then the keeper is to be fined one *kārṣāpaṇa* and a quarter';—this should be understood as referring to repeated and serious damage:—'and in all cases of damage to crops by cattle, the estimated produce of the field damaged should be given to the owner.'

It is quoted in *Vivādaratnākara* (p. 234), which adds the following notes:—'*Anyēṣu*,' in the case of fields other than those lying on the outskirts of the village and so forth;—the 'cattle' (to be fined) should here be taken as standing for the *keeper* of the cattle;—it being impossible for the *cattle* to pay a fine; the fine should be understood to be a *paṇa* and a *quarter* for each head of cattle;—and in *Vivādachintāmaṇi* (Calcutta, p. 65), which explains '*anyēṣu*,' as 'lying at a distance.'

VERSE CCXLII

This verse is quoted in *Vivādaratnākara* (p. 239), which explains '*dēva-pashu*' as 'cattle dedicated to the gods';—in *Aparārka* (p. 771);—in *Parāsharamādhava* (Vyavahāra, p. 268), which explains '*vr̥ṣa*' as (a) '*mahokṣa*,' i. e., 'large bull,' or (b) 'bulls dedicated by the

rite called *vr̥ṣotsarga*’;—and in *Smṛtitattva* (p. 530), which adds that the cattle mentioned here, if they do any damage, are simply to be driven away;—and in *Vyavahāra-Bālabhāṭṭi* (p. 811);—and in *Vivādachintāmaṇi* (Calcutta p. 68), which explains ‘*vr̥ṣān*’ as ‘breeding bulls.’

VERSE CCXLIV

This verse is quoted in *Vivādaratnākara* (p. 176);—and in *Vīramitrodaya* (Vyavahāra, 139a).

VERSE CCXLV

This verse is quoted in *Vivādaratnākara* (p. 201), which adds the following notes :—‘*Nayēt*’, ‘should find out’;—‘*sētu*’ here stands for any mark of boundary,—where these are ‘*sapṛakāsha*,’ i. e., quite perceptible by reason of water having dried up;—the word ‘*Jyēṣṭha*’ also should be taken as standing for any time which makes it possible for the boundary-marks to be perceived.

It is quoted in *Aparārka* (p. 758), which adds the following notes :—The term ‘*grāma*’ should be taken including cities, fields and houses in regard to which boundary-disputes arise, so that boundary-disputes fall into these four classes;—when the text mentions the month of ‘*Jyēṣṭha*’, it does not mean that it must be done during that month; all that it means to imply is *convenience*, that month being the most convenient for the purpose of determining boundaries;—‘*sētu*’ stands for bunds and other boundary-marks;—in *Vivādachintāmaṇi* (p. 92);—and in *Vīramitrodaya* (Vyavahāra, 142 a), which says that the month of ‘*Jyēṣṭha*’ is mentioned only by way of illustration; all that is meant is that it shall be done at a time when the boundary-marks may be perceptible,—and that ‘*grāma*’ stands for *city* also.

VERSE CCXLVI

This verse is quoted in *Mitākṣarā* (2. 151) as describing *visible* boundaries;—in *Vivādaratnākara* (p. 202);—in *Parāsharamādhava* (Vyavahāra, p. 270);—in *Vivādachintāmaṇi* (p. 73);—and in *Vīraṃitrodaya* (Vyavahāra, 139 b).

VERSE CCXLVII

This verse is quoted in *Vivādaratnākara* (p. 202), which adds the following notes:—‘*Gulmāḥ*’, branchless shrubs,—‘*vallyaḥ*’; the *guḍūchī* and other creepers,—‘*sthālāni*’, artificial earth-mounds,—‘*kubjaka gulma*’, bushes of *kubjaka* (Rose).

It is quoted in *Mitākṣarā* (2. 151), whereon *Bālabhaṭṭi* has the following notes:—‘*Gulma*’ is shrub without branches, or merely grass-clump,—‘*sthala*’ is artificially elevated ground,—‘*daṇḍakagulma*’ (which is one reading for ‘*kubjakagulma*’) is not the right reading, the correct one being ‘*kupyakagulma*’, which means ‘such shrubs as are related to (used in the cleaning and polishing of) copper and other metals (except gold and silver)’;—‘*tathā*’, i. e., ‘on this being done’;—and in *Vivādachintāmaṇi* (p. 93).

VERSE CCXLVIII

This verse is quoted in *Vivādaratnākara* (p. 202), which adds the following notes:—‘*Taḍāga*’, large water-reservoirs,—‘*vāpī*’, smaller tanks,—‘*udapāna*’ wells,—‘*prasravaṇa*’, water-streams other than rivers.

It is quoted in *Mitākṣarā* (2. 151), where *Bālabhaṭṭi* adds the following notes:—‘*Udapāna*’, well,—‘*vāpī*’, long ponds with stone-walls,—‘*prasravaṇa*’, springs;—and in *Vivādachintāmaṇi* (p. 93).