

love'—and—'*prāptam*' as given to her, even after her marriage, by her brother and others.'

### VERSE CXCV

According to Nārāyaṇa and Kullūka what is said here refers also to the '*strīdhana*' described under 194.

This verse is quoted in *Vivādaratnākara* (p. 516), which adds the following notes:—'*Anvādhēyam*' is going to be defined later on,—Halāyudha holds that this verse is meant to show that the husband has no connection with the two kinds of property here mentioned, over which the married woman has absolute right, even during her husband's life-time.

It is quoted in *Vyavahāramayūkha* (p. 70) as laying down the persons who are to inherit the '*anvādhēya*' property of a woman;—in *Vyavahāra-Bālabhāṭṭī* (pp. 755 and 759);—and in *Vīramitrodaya* (Vyavahāra 216 b), which explains the force of the locative in '*patyau jīvati*' to express disregard, the meaning being that the husband has no rights over the property,—and adds that all brothers and sisters (married as well as unmarried) are equally entitled.

### VERSE CXCVI—CXCVII

'*Vasu*'—includes, according to Nārāyaṇa, all kinds of property, '*strīdhana*' as well as what is not '*strīdhana*'.

These verses are quoted in *Parāsharamādhava* (Vyavahāra, p. 373), which explains the meaning to be that on the death of a woman married by any of the forms of marriage here named, without leaving any heir—beginning from the daughter down to the son's son,—her property goes to her husband, and not to her mother or other relations,—while the property of an heirless woman, who has been married by the Āsura, Rākṣasa or Paishācha forms, goes to her parents.



They are quoted in *Aparārka* (p. 753), which remarks that the devolution of the property on the husband should be regarded as an optional alternative; it apparently takes 'āsūrādīsu' of verse 191 as including all those mentioned under 196.

They are quoted in *Vivādaratnākara* (p. 519), which explains 'aprajāsi' as 'childless'; and the verses to mean that (a) in the case of those married by the forms of marriage mentioned in 196, the property goes to the husband, and (b) in that of those married by the forms mentioned in 197, it goes to her father;—it goes on to remark that this refers to what the woman had received at the time of marriage.

They are quoted in *Vyavahāramayūkha* (p. 72);—in *Smṛtitattva* II (p. 186), which explains the meaning to be that the 'strīdhana' obtained at the time of the marriage under the forms mentioned in 196 goes to the husband, while that obtained at the time of marriage under the forms mentioned in 197 goes first to her mother, and in her absence to her father;—in *Vyavahāra-Bālabhāṭṭi* (p. 756);—in *Dāyākramasaṅgraha* (p. 23);—in *Vivādachintāmaṇi* (Culeutta, p. 143), which explains 'aprajāyām' as 'childless'; and by Jīmūtavāhana (*Dāyabhāga*, p. 141).

Verse 197 is quoted in *Vīramitrodaya* (Vyavahāra 219 a), which says that the 'mother' being placed first in the compound implies that the father is to inherit the property only after the mother.

### VERSE CXCVIII

This verse is quoted in *Madanapārijāta* (p. 667), which makes the following remarks :—The term 'strī' here stands for the *step-mother* and 'kanyā' for the *step-daughter*,—'Brāhmaṇi' stands for *higher caste* in general, so that the property of a *shūdra* step-mother will go to the daughter of her *Brāhmaṇi* or *Kṣattriyā* or *Vaiśhyā* co-wife,



that of the Vaishyā step-mother will go to the daughter of *Brāhmaṇī* or *Kṣattriṇī* co-wife, and that of the *Kṣattriṇī* step-mother to the daughter of the *Brāhmaṇī* co-wife,—inasmuch as the present text makes the property inheritable by the step-daughter of a higher caste, it follows that step-daughters of the lower caste are not entitled to inherit the property of the step-mother of a higher caste, so long as this latter has a son.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 372), to the effect that, when a woman dies childless, her property goes to the daughter of that co-wife of hers who is of a higher caste, and in the absence of such a daughter to the children of that daughter.

It is quoted in *Smṛtitattva* II (p. 186), which has the following notes:—In view of the qualification 'given by the father', the rule must be taken as referring to all that she receives from her father at other times than that of her marriage;—the term '*Brāhmaṇī Kanyā*' stands for daughter in general;—or the meaning may be that if a *Kṣattriṇī* or *Vaishyā* woman dies childless, her property goes to her step-daughter born of her *Brāhmaṇī* co-wife, and not to her husband.

It is quoted in *Mitākṣarā* (2. 145) to the effect that on the death of a childless woman her property goes to her step-daughter born of a co-wife of the higher caste, and in the absence of such a daughter, to the child of that daughter. It adds that the term '*Brāhmaṇī*' stands for the *higher caste*; so that the property of a childless *Vaishyā* woman goes to the daughter of her *Kṣattriṇī* co-wife. The *Bālambhaṭṭī* adds that the property goes to the *step-daughter*, not to the *step-son*; and it goes on to reproduce the exact words of *Madanapārijāta* and of *Parāsharamādhava*. It remarks that this rule is meant to be an exception to what has gone before, by which the property of the childless woman would go to her husband or brother, etc.;—further, that the term '*kathamchana*' is meant to include property even other than that received from her father.





It is quoted in *Vyavahāramayūkha* (p. 71), which adds that 'vā' here stands for 'cha'; so that the property is to be divided between the step-daughter and the step-daughter's child;—it has been held that the term '*Brāhmaṇī*' stands for *equal and higher castes*; but we find no authority for this.

It is quoted in *Aparārka* (p. 721), which adds the following notes:—'*Pitrā*', this is mentioned only by way of illustration;—'*Kanyā*', step-daughter;—again on p. 753;—and in *Dāyākramasaṅgraha* (p. 26).

### VERSE CXCIX

"Kullūka and Rāghavānanda take the first clause to refer to the property of a united family, and the second to the separate property of the husband.—But according to Nārāyaṇa and Nandana the translation should be as follows:—'Wives should never take anything (for their private expenses) from their husband's property destined for the support of their families, over which many have a claim, nor from their own property which is not *strīdhana*, without the consent of their husbands'."—Buhler.

This verse is quoted in *Vivādaratnākara* (p. 509), which adds the following notes:—The term '*Kutumba*' stands for the *family-property*; hence the meaning is that 'out of the property that belongs to many persons, women shall not make an extraction, withdrawal, without the consent of the owners of that property'; similarly '*svakāt*'—*i. e.*, out of the property that belongs exclusively to her husband, and not to the other members of the family, —she shall not make an extraction without the owner's consent.

It is quoted in *Vyavahāramayūkha* (p. 69), which explains '*nirhāra*' as *expenditure*;—and in *Vīramitrodaya* (Vyavahāra 215a), which explains '*nirhāra*' as '*vyaya*'.



## VERSE CC

Buhler mispresents *Nandana*, being misled by the wrong reading '*bhartrbhāvē*' (while the husband lives) for '*bhartra-bhāvē*' (on the death of the husband). There could be no division of the property by the heirs while the husband was alive.

This verse is quoted in *Madanapārijāta* (p. 686), which adds that '*Dhṛtam*' means 'possessed as her own private property, having been given to her as a loving present';—and in *Vyavahāramayūkha* (p. 70), which explains '*dhṛtam*' as 'presented to her by her husband or other relatives and worn by her.'

It is quoted in *Mitākṣarā* (2. 147) in support of the view that 'if a woman has been living apart from her husband, her property shall not be taken by her heirs';—in *Vivādaratnākara* (p. 509), which notes that the *Prakāsha* has stated that Medhātithi has explained the meaning to be that 'the heirs shall not take even those ornaments that may have been worn by the woman with her husband's consent, even though not actually given to her';—in *Aparārka* (p. 752), which adds that this refers to such ornaments as have been worn by the woman constantly;—in *Smṛtitattva* II (p. 184), which also reproduces the aforesaid remark of Medhātithi, that an ornament worn by the woman with her husband's consent becomes her property even though not actually given to her;—in *Smṛtisāroddhāra* (p. 332), which says that the phrase '*dhṛto bhavēt*' implies that what was not actually worn by her should be divided.

## VERSE CCI

This verse is quoted in *Smṛtitattva* II (p. 385), as enumerating persons not entitled to inheritance, and hence to the offering of funeral oblations;—in *Parāsharamādhava* (*Vyavahāra*, p. 201, and again on p. 366), where '*nirindriyāḥ*' is explained as 'whose organs have become deficient through



some disease';—in *Mitākṣarā*, (2. 140), which has the following notes;—'Nirindriya' is one whose organs have disappeared by reason of some disease;—these persons are debarred from inheritance, being entitled to mere subsistence and clothing; if they are not supported, his relations become degraded. The *Bālabhāṭṭi* adds the following explanations:—'Jātyandha-badhirāḥ' are those who are blind and deaf by birth,—'mūka' is one who is incapable from birth of uttering words,—thus are these two distinguished from 'nirindriya,' which means those who have lost some organ as the result of disease.

It is quoted in *Vivādaratnākara*, (p. 487), which adds the following notes:—The term 'jāti' is added with a view to denote incurability,—'jaḍa,' one who is incapable of distinguishing what is his own and what belongs to others,—'nirindriyāḥ' includes the lame and the like, who are not entitled to the performance of *śrauta* and *smārta* rites;—and in *Dāyākramasaṅgraha*, (p. 29).

It is quoted in *Vyavahāramayūkha*, (p. 73), which explains 'nirindriyāḥ' as devoid of the olfactory and other organs;—in *Vīramitrodaya* (Rājanīti, p. 40), which explains 'nirindriya' as one who has lost his organs through disease;—and in *Madanapārijāta*, (p. 682), which has the same explanation of 'nirindriya' and adds that all these men have no share in the property, but they have to be supported.

## VERSE CCII

'*Atyantam*'—'For life' (Medhātithi and Kullūka);—'at all' (taken with '*adadat*', 'not giving') [Nārāyaṇa].

This verse is quoted in *Mitākṣarā*, (2. 140) to the effect that if the persons mentioned in the preceding verse are not properly maintained the persons responsible become 'degraded,'—'*atyantam*' means 'for life'; it goes on to add that these persons are debarred from inheritance only if they are found



to have the said disqualifications *before* the division of the patrimony,—not after the partition has taken place; and that if the said disqualifications are subsequently removed by medication, they get their share in the property. It concludes by saying that the said disqualifications are applicable in the case of women also.

It is quoted in *Vivādaratnākara*, (p. 487), which adds the following notes :—‘*Sarvēṣām*,’ of the eunuch and the rest,—‘*atyantam*,’ for life;—in *Vyavahāramayūkha*, (p. 73), to the effect that those who are not entitled to inheritance are yet entitled to maintenance *throughout life*;—in *Parāshara-mādhava*, (Vyavahāra, p. 366), which explains ‘*atyantam*’ as ‘for life’;—in *Madanapārijāta*, (p. 682), which adds the following notes :—‘*Sarvēṣām*,’ those not entitled to inheritance,—‘*atyantam*,’ for life;—the said disqualifications are effective bars only if found before partition, not if they are found after partition, or if they are cured by medication, or if the necessary expiatory rites are duly performed;—in *Vyavahāra-Bālambhaṭṭi*, (p. 349 and 575);—and in *Vīramitrodaya*, (Vyavahāra, 221b).

### VERSE CCIII

‘*Kathañchana*.’—This indicates that the eunuch and the rest are not worthy to marry (Kullūka).

‘*Apatyam*.’—The *Kṣetrajā* son (Kullūka, Rāghavānanda and Nandana).

This verse is quoted in *Vivādaratnākara* (p. 488), which explains ‘*tantu*’ as *child*;—in *Aparārka* (p. 750), to the effect that marriage is legal for the persons enumerated in 201; it remarks that in view of the epithet ‘*jāti*’, ‘born’, in the term ‘*jātyandha*’, the present verse cannot be taken as referring to cases where the disabilities appear after marriage; it comes to the conclusion that the disability to inheritance cannot thus be due to their not marrying and hence not being able to perform religious rites; it must be due to the mere authoritative assertion of the law.





It is quoted in *Vīramitrodaya* (Samskāra, p. 195) as indicating that the marriage of the said persons is sanctioned.

### VERSE CCIV

This refers to a united family—as rightly remarked by Kullūka.

This verse is quoted in *Vivādaratnākara* (p. 507), which explains the meaning to be that, if after the death of the father, the eldest brother should happen to acquire some property by means of exceptional learning or such other means, in that property the acquirer shall have two shares, and each of the younger brothers one share, if they are devoted to study.

It is quoted in *Mitākṣarā* (2. 118), which notes the explanation of the verse as that 'on the death of the father, or even during the father's life-time, if *any* brother, eldest, youngest or the middle one, happen to die, his shares are to go to the other brothers, and that the implication is that wealth obtained from friends and so forth is partible',—and then goes on to criticise it as unwarranted, and concludes that the verse sets forth an exception to the general rule that property acquired by each brother separately is impartible.

It is quoted by Jīmūtavāhana (*Dāyabhāga*, p. 192), which adds that the younger brothers are as much entitled to inherit the property of the eldest brother as that of the father,—but with this difference that the father's property they inherit even when they are not learned, but to the brother's property only those are entitled who are learned.

### VERSE CCV

'*Apitryē*'.—This is construed by Nandaṇa as *apitryaḥ* in the sense 'since the division has not been made by the father';—this rule refers to acquisitions by trade (Medhātithi, Kullūka and Nārāyaṇa), by agriculture (Medhātithi, Kullūka and Nandaṇa), or service of the king (Medhātithi).



This verse is quoted in *Vivādaratnākara* (p. 507), which explains the meaning to be as follows:—In a case where all the brothers are unlearned, if they acquire wealth, this wealth, which is not inherited from the father, is to be divided equally among them, and there is not to be any additional share to any one on the ground of any additional amount of work that he may have done.

It is quoted in *Vyavahāramayūkha* (p. 57), which has the following notes:—‘*Īhā*,’ agriculture and the rest,—‘*apitryē*,’ which does not form part of the ancestral property.

It is quoted in *Aparārka* (p. 727);—and in *Vivāda-chintāmaṇi* (Calcutta, p. 137), which explains ‘*īhā*’ as ‘agriculture and the rest,’—and ‘*samaḥ*’ as ‘not unequal,’ which precludes the special share of 20 per cent.

## VERSE CCVI

“Instances in which land was given as *Vidyādhana* occur in the inscriptions, see, e. g. Indian Antiquary XII, p. 195b, l. 6.”—Buhler.

‘*Audvāhikam*’—Nandana is misrepresented by Buhler; he says nothing about ‘*strīdhana*’ here.—‘What is received at one’s marriage from the bride’s relatives’ (Medhātithi and Nārāyaṇa),—or ‘from anybody’ (Medhātithi, ‘others’).

‘*Mādhuparkikam*’.—‘Fee given for a sacrificial performance’ (Medhātithi);—‘any present, e. g., a silver vase, received along with the Honey-mixture’ (Kullūka, Nārāyaṇa).

This verse is quoted in *Vivādaratnākara* (p. 499), which adds the following notes:—‘*Vidyādhana*’ and ‘*audvāhika*’ are going to be described later on,—‘*Maitra*’ is what is obtained from a friend,—‘*Mādhuparkikam*’ is what is obtained as a mark of respect at the time of the offering of the Honey-mixture,—‘*tasyaiva bhavēt*’ should be impartible;—in *Dāyākramasaṅgraha* (p. 35);—and in *Vyavahāra-Bālabhāṭṭī* (p. 476).





It is quoted in *Vyavahāramayūkha* (p. 55);—in *Aparārka* (p. 724), to the effect that what one has acquired entirely by his learning he shall not give to his co-sharers;—in *Vivādachintāmaṇi* (Calcutta, p. 135), which explains ‘*maītram*’ as ‘what has been obtained as a friendly present’;—and ‘*Mādhuparkikam*’ as the *arhaṇā* offerings received at the time of *Madhuparka-offering*;—and by Jīmūtavāhana (*Dāyabhāga*, pp. 168 and 179).

## VERSE CCVII

This verse is quoted in *Aparārka* (p. 720), which explains ‘*Svakād amshāt*’ as ‘from the property acquired by the brothers’;—in *Smṛtitattva* II (p. 171), in the sense that one, who, by reason of his own capacity (to earn) is not desirous of any share in the ancestral property, shall be given some such thing as a seer of rice, and be separated from the family, as a safeguard against trouble arising from his sons and descendants;—and by Jīmūtavāhana (*Dāyabhāga*, p. 110).

## VERSE CCVIII

‘*Īhitalabdham*’.—‘Obtained by such labour as agriculture and the like’ (*Medhātithi*, *Kullūka* and *Nandana*);—or ‘by any occupation entailing trouble’ (*Nārāyaṇa*).

‘*Anupaghnan*’.—‘Without using’ (*Nandana*);—‘without living upon’ (*Rāghavānanda*);—‘without detriment to’ (*Kullūka*).

*Nandana* says that the rule given in this verse may be reconciled with that given in 205 by assuming that the latter presupposes that all brothers exert themselves according to their ability.—*Buhler*.

This verse is quoted in *Mitākṣarā* (2. 118), which explains ‘*Shramēṇa*’ as ‘by service, by fighting and so forth’;—and it reads the second line totally differently, the



meaning of which is 'that shall not be given to the co-sharers, nor what is gained by learning'.—The *Bālambhaṭṭi* adds that '*anupaghnan*' is to be construed as '*anupaghnatā*'.

It is quoted in *Aparārka* (p. 723), which explains '*śrama*' as 'soldiering, agriculture and so forth';—and '*ihā*' as 'work without much labour';—in *Vivādaratnākara* (p. 501);—in *Parāśharamādhava* (Vyavahāra, p. 377), which explains '*śrama*' as 'agriculture and so forth' and notes that '*pitṛdravyam*' here means 'undivided property';—in *Madanapārijāta* (p. 685), which explains '*śramēṇa*' as 'by service, soldiering and so forth';—by Jīmūtavāhana (*Dāyabhāga*, p. 178);—and in *Vīramitrodaya* (Vyavahāra 220b), which explains '*śramēṇa*' as 'by service and other means.'

## VERSE CCIX

This verse has been taken by Nārāyaṇa to imply that ancestral property may be divided by the sons even during the life-time of the father, even though the latter may be unwilling.

This verse is quoted in *Mitākṣarā* (2. 121), which explains the meaning as follows:—'If a property was acquired by the grandfather, but taken away by some one else and not redeemed during his life-time, when such property has been redeemed by the father (the grandfather's son), this is as good as 'self-acquired' by the father, and hence the father may not divide this with his sons, unless he is himself willing to do so'; and it takes this to imply that in the case of other kinds of ancestral property the sons may force partition on the father.—The *Bālambhaṭṭi* adds that '*svārjitam*' being explained as 'as good as self-acquired', the explanation of it given by Medhātithi—as 'acquired by his own learning &c.'—becomes unacceptable.

It is quoted in *Vivādaratnākara* (p. 461), which adds the following notes:—'*Paitrkam*', ancestral—'*anavāpyam*'



(which is its reading for 'anavāptam'), which is hard to be recovered by the father; such property being 'self-acquired' by the father, he shall not divide it with his sons, except when he is quite willing.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 339), which has the same explanation as *Mitākṣarā*;—in *Dāyatattva* (p. 9);—in *Nṛsimhaprasāda* (Vyavahāra 35a);—in *Vivāda-chintāmaṇi* (Calcutta, p. 126), to the effect that in regard to the property acquired by the father, independently of his ancestral property, sons have no voice, he himself being the sole disposer of it;—in *Vīramitrodaya* (Vyavahāra 177b), which explains 'svayamārjitaṃ', (1) as 'svayamarjitamiva', 'it is as if it were his self-acquired property'; and (2) as giving the reason for the law laid down, 'since,' 'it is his self-acquired property';—and says that 'akāmaḥ' implies that if the father so wishes, he may divide the property among his sons;—and by Jīmūtavāhana (*Dāyabhāga*, p. 201).

## VERSE CCX

This verse is quoted in *Mitākṣarā* (2. 139);—in *Madanapārijāta* (p. 678), to the effect that in the case noted there is no unequal division;—in *Aparārka* (p. 748), which adds that this prohibits only that unequal division which is in the form of additional shares for the eldest brother, —and not other kinds of unequal division; so that each brother obtains, on partition, that part of the property which was his when they entered into joint life.

It is quoted in *Vivādaratnākara* (p. 601), which adds the following notes:—'Saha jīvantah', living after joining together,—'samastatra vibhāgaḥ', i. e., there is to be no additional share for the eldest, and so forth.

It is quoted in *Vyavahāramayūkha* (p. 65), which mentions two opinions—one, is that which has been set forth in *Aparārka*, and another that there is to be absolutely equal division all round;—in *Nṛsimhaprasāda* (Vyavahāra,



p. 41b);—by Jimūtavāhana (*Dāyabhāga*, p. 342), which says that the equal partition is meant for brothers of the same caste as the father;—and in *Vīramitrodaya* (Vyavahāra 210a), which explains the implication of the last clause to be that there is no unequal division *due to seniority*, but there is unequal division on other grounds.

### VERSE CCXI

‘*Hīyētāṃshapradānataḥ*,’—‘On account of having become an outcast and so forth’ (Medhātithi),—‘by becoming an ascetic’ (Kullūka and Nandana),—‘by having emigrated’ (Nandana),—‘by becoming an eunuch after the first partition’ (Nārāyaṇa).

‘*Bhāgo na lupyatē*,’—‘His share must not be divided by his co-parceners among themselves’ (Nārāyaṇa); ‘the disposal of his share is prescribed in the next verse’ (Medhātithi, Rāghavānanda).

This verse is quoted in *Mitākṣarā* (2. 139), which explains the meaning as follows:—‘among united brothers, if, at the time of partition, one—either the eldest or the middle or the youngest—should happen to be disqualified from receiving his share—either by entering another stage of life or by committing such heinous sins as the killing of a Brāhmaṇa, or if he happen to die,—then his share is not lost, i. e., it has to be set aside, and not divided among his co-parceners.’

It is quoted in *Madanapārījāta* (p. 678), which adds the same explanation as *Mitākṣarā*; but as grounds of disqualification, it mentions ‘entering of another life-stage or becoming an outcast’; it adds that the next verse lays down what is to be done with the share thus set aside.

It is quoted in *Aparārka* (p. 749), which explains ‘*amshapradāna*’ as *partition*; and points out that ‘*hīyatē*’ means disqualification by reason of ‘renunciation’, ‘becoming an outcast’ and so forth; his share however is not lost, does not disappear,—it has to be determined and disposed of as laid down in the next verse.





It is quoted in *Vivādaratnākara* (p. 601), which explains as follows:—‘Hence among united brothers, if any one should take to renunciation, or by some such cause become deprived of his share, or should happen to die, his share does not disappear’;—and in *Dāyatattva* (p. 55).

It is quoted in *Vyavahāramayūkha* (p. 67), which explains ‘*hīyatē*’ as ‘by reason of entering another state or becoming an outcast’;—and in *Parāsharamādhava* (Vyavahāra, p. 362), which adds the following explanation:—‘Among united brothers, who are sons of different mothers, if any one,—either the eldest or the middle or the youngest—should be deprived of his share at the time of partition—by reason of his having gone to a foreign country and such other causes—his share does not disappear; it has to be set aside, and not divided among the co-parceners.’

### VERSE CCXII

The share of a deceased or disqualified united brother goes first to the reunited brothers of the full blood and to such sisters of the full blood as are not married, next to such brothers of the full blood as had not been reunited, and finally to the reunited half-brothers (*Medhātithi* and *Kullūka* and *Rāghavānanda*);—first to the reunited full brothers, secondly to the reunited half brothers, then to the full sisters (*Nārāyaṇa* and *Nandana*).

The said persons inherit the property only on the failure of sons, wives, daughters and parents (*Kullūka*, *Rāghavānanda* and *Nārāyaṇa*).

According to *Nārāyaṇa* what is here said refers to the property of one who dies before partition; but according to others to that of a reunited brother only.

This verse is quoted in *Mitākṣarā* (2. 139), which adds the following explanation:—‘This verse lays down the manner of disposing of the share set aside in accordance with the preceding verse; which is as follows:—The uterine



brothers shall divide it; *i. e.* it shall be divided equally among all his uterine brothers, those that were united with him as well as those not so united and those who may have gone to foreign lands; they should all come together and divide the said property equally among themselves;—also those step-brothers who had been united with him, and his uterine sisters; all these should divide it equally among themselves.—The *Bālabhātī* has the following notes:—That the *un-united* full brothers are meant by the first half is shown by the mention of the ‘united’ in the second half;—that the second half refers to *half* brothers is shown by the mention of ‘uterine’ brothers in the first half;—the half-brothers meant here must be understood to be of the same caste as the original owner.

It is quoted in *Madanapārijāta* (p. 679), which has the following notes:—The mention of ‘uterine’ in the first half and of ‘brothers’ in the second half indicate that the latter stands for *half-brothers*;—the mention of ‘united’ in the second half, and the omission of it in connection with the ‘uterine brothers’ indicate that the uterine brothers meant are those that were *un-united*. Thus then the meaning of this verse comes to be this:—The property that has been set aside as the share of the disqualified person, shall be divided equally by his un-united uterine brothers, who should all—even those who may have gone to other lands—come together for the division; as also the step-brothers of the same caste as the original owner, who were united with him, and also his uterine sisters. All these, beginning from the un-united uterine brothers and ending with the uterine sisters, should divide the property equally among themselves. That the half-brothers meant here are those of the same caste as the owner is shown by the fact that for the brothers of *different* castes, different shares have been laid down.

It is quoted in *Aparārka* (p. 749), which adds the following explanation—The said share should be taken by those uterine brothers who were united with the original owner, and



not those who were not united, even though they be his uterine brothers; if there be no *united* uterine brothers, then it shall be divided among all his uterine brothers equally—without any inequality due to seniority and so forth;—if there be no uterine brothers, then it shall go to the uterine sisters;—and if there be no uterine sisters, then it shall go to the step-sisters and step-brothers.

It is quoted in *Vivādaratnākara* (p. 601), which adds the 'following notes—' *Sodaryāḥ* ' qualifies ' *bhrātaraḥ* ' (of the second line); so that the meaning is that among his 'brothers' only those will divide the said property who fulfill the conditions of being both 'uterine' and 'united'; and also the uterine sisters who are *unmarried*.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 362), which explains the meaning to be that the said property shall be taken by the *un-united* uterine brothers, and the *united* half-brothers, and the uterine sisters,—all coming together, even those who may have gone to other lands; it being divided among these equally;—and in *Vivādachintāmaṇi* (Calcutta, p. 158), as countenancing the view that brothers, even though uterine, have no share, if they did not live jointly.

### VERSE CCXIII

This verse is quoted in *Mitākṣāra* (2. 126) as having been understood by some people to mean that 'misappropriation' of the entire property is wrong only for the eldest brother, and not for the younger brothers. This view, it says, is wrong; the verse clearly implying that, just as it is wrong for the eldest brother who is in the place of father for the younger brother to misappropriate the property, so it is also for the younger brothers, who are as 'sons' to the eldest brother.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 383), which takes it to mean that when even the eldest brother, who is independent, is held to commit a wrong if he does the



mis-appropriation, it is all the more culpable in the case of the younger brothers, who are not independent.

It is quoted in *Vivādaratnākara* (p. 478), which explains 'vinikurvīta' as 'should defraud,' and 'ajyēṣṭhaḥ' as 'not to be respected as the eldest brother';—and in *Vyavahāramayūkha* (p. 58), which remarks that the term 'jyēṣṭhaḥ' stands for all the heirs to a property, the meaning being that when the eldest also is held culpable, how much more so the younger brothers?

### VERSE CCXIV

'*Vikarmasthāḥ*.'—'Addicted to gambling, drinking and similar vices' (Kullūka and Rāghavānanda);—'who following despicable modes of living, such as cattle-breeding, serving shūdras and the like' (Nārāyaṇa).

'*Yautakam*.'—'Separate hoarding' (Medhātithi and Kullūka);—'shall not, out of the common property, give a dowry to his daughter' (Nandana).

The first half of this verse is quoted in *Aparārka* (p. 720 and p. 749);—in *Vivādaratnākara* (p. 486), where '*Vikarmasthāḥ*' is explained as 'addicted to gambling and so forth'—and it is noted that others have explained it as meaning 'behaving in a manner calculated to ruin the family';—in *Vyavahāramayūkha* (p. 73), in the sense that so long as well-behaved sons are present, the property cannot go to the ill-behaved ones;—and in *Vīramitrodaya* (Vyavahāra 222 a).

### VERSE CCXV

'*Saha utthānam*.'—'Joint acquisition—one earning by agriculture, another by receiving gifts, another by service, another taking care of what others bring in and so forth' (Medhātithi);—'joint concern,—such as joint trading and so forth' (Nārāyaṇa).—Explained by Jīmūtavāhana (*Dāyabhāga*, 2. 86) as '*effort* i.e., desire to have a division' (Hopkins).





This verse is quoted in *Vivādaratnākara* (p. 468), which explains 'utthānam' as 'action tending to the acquisition of wealth';—in *Aparārka* (p. 719 and p. 727) as an exception to the general that the father may make an unequal division;—and in *Vivādashintāmaṇi* (Calcutta, p. 129), which says that this refers to cases where the property has been acquired by the equal efforts of all the brothers, and hence it does not conflict with the text which lays down that the brothers are to accept without demur even an unequal partition among them by their father, of the property *acquired by him*.

### VERSE CCXVI

This verse is quoted in *Vivādaratnākara* (p. 538), which adds the following explanation.—If a son is born to the father after partition of the property between himself and his sons, then on the death of the father that son shall inherit the entire share of the father; but during his father's lifetime he shall be entitled to only a part of the father's property;—it adds that the particle 'ēva' has been added with a view to emphasise that the new-born son would not be entitled to any part of the share of the divided brothers.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 340), which explains 'pītryam' as 'belonging to the parents';—in *Madanapārijāta* (p. 655), which also adds the same explanation of 'pītryam';—in *Aparārka* (p. 729), which adds the explanation that 'if a son is born after partition has been made he shall take only his father's, not the brothers' property, and if there be no brothers, he shall share the father's property with those who may have lived jointly with his father';—in *Vyavahāramayūkha* (p. 46);—in *Vivādashintāmaṇi* (Calcutta, p. 159), which remarks that the first half of the verse having definitely made the new-born son the sole heir to the father's property, his joint brothers, mentioned in the second half, could be entitled to it only on the death of that new-born son;—in *Nṛsimhaprasāda*



(Vyavahāra 35a):—in *Smṛtisāroddharā* (p. 332);—and by Jīmūtavāhana (*Dāyabhāga*, p. 203), which explains the meaning to be as follows—‘If the father, after having divided his property among his sons and taken his own share, obtains another son, then the share taken by the father devolves upon this son, and if the father had been living with some other sons, then the new-born son shall receive his share out of the share of all those with whom the father may have been living.’

### VERSE CCXVII

“Kullūka, Nārāyaṇa and Nandana all three hold that the mother inherits only on failure of sons (grandsons and great-grandsons, adds Nandana), widows and daughters; but they disagree with respect to the sequence of the next following heirs: Kullūka holds that the mother and the father, whose right has been mentioned above, verse 85, follow next, inheriting conjointly, then brothers, afterwards brothers’ sons, and after them the paternal grandmother;—Nārāyaṇa gives the following order: 1. Mother, 2. Father, 3. Brothers, 4. Brothers’ sons, 5. Maternal grandmother.”—Buhler.

Hopkins is wrong in saying that verse 185 is not in Medhātithi’s text. As a matter of fact, Medhātithi’s gloss on that verse has shared the same fate as that on all the other important verses bearing upon inheritance.

This verse is quoted in *Mitākṣarā* (2. 135-136) as laying down the rights of the mother and grandmother to the son’s property. The *Bālabhaṭṭi* explains ‘*vṛttāyām*’, as ‘dying’.

It is quoted in *Aparārka* (p. 744);—in *Vivādaratnākara* (p. 591), which adds the following notes:—‘Childlessness’ meant here is ‘absence of sons and wife and others’;—the grandmother inherits only in the absence of father, brother or other *Sapindas*;—the father inherits in the absence of the mother;—‘*dāyādyam*’ means ‘property inheritable by heirs’.



It is quoted in *Vyavahāramayūkha* (p. 63) to the effect that in the absence of 'brothers' sons', the first claim is that of the grandmother;—and in *Smṛtitattva* II (p. 195) to the effect that in the absence of 'brothers' sons', the property goes to the grandfather, and in his absence, to the grandmother; the rights of the grandfather being superior to those of the grandmother, just as those of the father are superior to those of the mother.

### VERSE CCXVIII

According to Nārāyaṇa, this verse applies also to debts discovered after partition.

This verse is quoted in *Vivādaratnākara* (p. 525)—in *Parāsharamādhava* (Vyavahāra, p. 382);—in *Dāyakramasaṅgraha* (p. 54)—in *Nṛsimhaprasāda* (Vyavahāra 37b);—in *Vīramitrodaya* (Vyavahāra 220 a);—and by Jīmūta-vāhana (*Dāyabhāga*, p. 345.)

### VERSE CCXIX

'*Striyaḥ*'—'Female slaves' (Medhatithi);—'wives' (Nārāyaṇa).

• (a) '*Yogakṣemam* (b) *prachāram*'.—(a) 'agencies securing protection; such as councillors, parents, old ministers, who protect people against thieves; (b) pasture land' (Medhātithi, who is badly misrepresented by Buhler; Kullūka and Raghavānanda);—(a) 'means of gain, e. g., a royal grant, and means of protection, (b) and roads' (Nārāyaṇa);—(a) 'sources of gain, persons for whom one sacrifices, and means of protection, (b) path leading to fields,' (Nandana).

This verse is quoted in *Madanapārijāta* (p. 685), which adds the following notes—Only those clothes are impartible which are worn;—'*patram*,' conveyances, e. g., horses, palanquins and so forth; of these also those are not to be divided which have been in the constant use of any one exclusively;—or '*patra*' may be taken as 'property consisting of a written



document';—in *Dāyakrama-saṅgraha* (p. 37);—and in *Vīramitrodaya* (Vyavahāra 221 a), which explains 'patram' as conveyance.

It is quoted in *Mitākṣarā* (2. 118) as describing property that cannot be partitioned;—it goes on to add that of clothes those only are impartible which have been worn by some one; the clothes that were worn by the father should, on his death, be given away to persons fed at his *Shrāddha*. The *Bālabhāṭṭi* adds that the view of Medhātithi and *Kalpataṛu*—that valuable clothes are not included here—is to be rejected.

It is quoted in *Aparārka* (p. 725), which adds that the explanation by some people of 'patram' as conveyance is opposed to the text of Kātyāyana, by which the word stands for 'property entered in a written document.'

It is quoted in *Vivādaratnākara* (p. 504), which adds the following notes:—'Patram' is 'property entered in a written document,' as is clear from the texts of Kātyāyana; though *Halāyudha* has explained it to mean 'conveyance';—*Kṛtānnam*, flour and rice, says the *Pārijāta*;—'Striyāḥ,' those that are 'Samyukta,' attached to, any one in particular;—'Yogakṣēmam' stands for ministers and priests who are the agents of protection;—'Prachārāḥ,' paths for the passing of cattle;—*Halāyudha* has explained 'Yoga' as 'boats and such things' and 'Kṣēma' as 'forts and such means of safety.'

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 380), which has the following notes—'Clothes' that are worn;—the clothes worn by the father should, on his death, be given away to the persons fed at his *Shrāddha*.

## VERSE CCXXI

Medhātithi appears (from his remarks on 228) to have intentionally omitted to comment on 221—227.

This verse is quoted in *Vivādaratnākara* (p. 611);—in *Vīramitrodaya* (Rājanīti, p. 152);—and in *Vyavahāra-Bālabhāṭṭi* (p. 880).



### VERSE CCXXII

This verse is quoted in *Vivādaratnākara* (p. 611);— in *Vyavahāra-Bālambhaṭṭi* (p. 880);— and in *Vivādachintāmaṇi* (Calcutta, p. 166).

### VERSE CCXXIII

This verse is quoted in *Vivādaratnākara* (p. 610);— in *Parāsharamādhava* (Vyavahāra, p. 388), which explains ‘*apraṇībhīḥ*,’ as ‘by dice, leather-tablets, sticks and so forth,’ and ‘*prāṇībhīḥ*,’ as ‘by cocks and other animals’;—in *Smṛtitattva* (p. 27);—in *Aparārka*, p. 802;—in *Mitākṣarā* (2. 199);—in *Vīramitrodaya* (Rājanīti, p. 153), which adds the following notes—‘*Apraṇībhīḥ*’, with dice, tablets and so forth;—‘*prāṇībhīḥ*’ with rams, cocks and other animals;—‘gambling’ and ‘prize-fighting’ are names applicable to only such acts as are accompanied by betting; where there is no betting, the act is called ‘sport’ and not deprecated among people;—in *Smṛtisāroddhāra* (p. 333);—in *Nṛsimhaprasāda* (Vyavahāra, p. 44b); in *Vivādachintāmaṇi* (Calcutta, p. 166), which explains ‘*apraṇībhīḥ*’ as dice and the like— in *Smṛtichandrikā* (Vyavahāra, p. 19);—and in *Vīramitrodaya* (Vyavahāra 223b).

### VERSE CCXXIV

‘*Ghātayēt.*’—‘Shall cause to be flogged’ (Nārāyaṇa);— ‘shall cause their hands and feet to be cut off and so forth according to the gravity of the offence’ (Kullūka and Rāghavānanda).

This verse is quoted in *Aparārka* (p. 804), which notes that this refers to such gambling as is not done under the supervision of the King’s Officers;—in *Parāsharamādhava* (Vyavahāra, p. 392);—in *Mitākṣarā* (2. 202), which notes that all these rules pertain to such gambling as is accompanied by fraudulent practices, or is conducted without the guidance



of game-house-keepers appointed by the king ;—in *Vivādaratnākara* (p. 611) ;—and in *Vyavahāramayūkha* (p. 109), which explains ‘*dvijalīṅga*’ as consisting of the wearing of the sacred thread, the reciting of the Veda and so forth.

It is quoted in *Vīramitrodaya* (Rājanīti, p. 153), which explains the meaning to be that the king should inflict such corporeal punishment as the cutting off of the hands and feet, in accordance with the nature of the act actually committed, on those who themselves do the gambling and the betting, as also on those who as keepers of gaming houses, abet others to do it ;—‘*dvijalīṅginah*’ are men who wear the marks of the twice-born, such as the sacred thread, the sandal-paint and so forth ;—in *Nṛsinhaprasāda* (Vyavahāra 44, b) ;—in *Vivādachintāmaṇi* (Calcutta, p. 166) ;—and in *Smṛtisāroddhāra*, (p. 334).

### VERSE CCXXV

‘*Krūrān*’.—Nārāyaṇa and Rāghavānanda read ‘*kērān*’ and explain it as ‘men of crooked behaviour.’—Nandana reads ‘*kailān*’ and explains it as ‘men addicted to sporting.’

‘*Shaṇḍikān*’.—‘Liquor-vendors’ (Nārāyaṇa and Kūlluka) ;—‘Drunkards’ (Nandana).

This verse is quoted in *Vivādaratnākara* (p. 315), which adds the following notes :—‘*Kitavān*’, fraudulent gamblers ;—‘*kushīlavān*’, here stands for those men who are sharp enough to entrap even unwilling people ;—‘*kerān*’, go-betweens between strange couples ;—‘*pāṣaṇḍasthān*’, men belonging to the *Kṣapaṇaka* and other heretical sects ;—‘*Vikarmasthān*’, men addicted to entirely forbidden occupations ;—‘*shaṇḍikān*’, men addicted to excessive drinking.

It is quoted in *Vīramitrodaya* (Rājanīti, p. 153) ;—and in *Vyavahāra-Bālabhāṭṭi* (p. 880).





## VERSE CCXXVI

This verse is quoted in *Vivādaratnākara* (p. 315), which explains ‘*prachchhannataskarāḥ*,’ as men who are as bad as thieves;—in *Viramitrodaya* (Rājanīti, p. 153);—and in *Vyavahāra-Bālabhātṭi* (p. 880).

## VERSE CCXXVII

• This verse is quoted in *Vivādaratnākara* (p. 611);—in *Viramitrodaya* (Rājanīti, p. 153);—and in *Vyavahāra-Bālabhātṭi* (p. 880).

## VERSE CCXXVIII

“Rāghavānanda and Nandana point out that not only corporeal punishment (according to verse 224), but also a fine may be inflicted,”—(Buhler).

• This verse is quoted in *Vivādaratnākara* (p. 611), which explains ‘*yathēṣṭam*’ as ‘in accordance with the king’s wish’;—in *Viramitrodaya* (Rājanīti, p. 153), which adds the following notes:—‘*Yathēṣṭam*’ i. e. after duly examining the nature of the guilt, whatever punishment,—corporal or monetary,—the king decides to inflict, that is to be regarded as lawful;—and in *Vyavahāra-Bālabhātṭi* (p. 880).

## VERSE CCXXIX

• This verse is quoted in *Vivādaratnākara* (p. 658), which adds the following notes:—‘*Karmaṇā*,’ by such service as may be a proper recompense for the money owed;—the Brāhmaṇa is not to liquidate the debt by service; he must pay it off, by and bye;—and in *Vyavahāra-Bālabhātṭi* (p. 880).

## VERSE CCXXX

• This verse is quoted in *Vivādaratnākara* (p. 658), which adds that the term ‘*daridra*’ here stands for that impecunious



person who is unable to render any compensatory service ;—in *Parāsharamādhava* (Vyavahāra, p. 159);—and in *Vyavahāra-Bālabhāṭṭi* (p. 880).

### VERSE CCXXXII

This verse is quoted in *Aparārka* (p. 862), which adds the following notes :—‘*Prakṛtīnām*,’ of the various ‘members’ of the state;—‘*dvīṣṭēvinah*,’ those who serve persons disloyal to the king;—and in *Vivādaratnākara* (p. 370), which adds the following notes :—‘*Shāsana*’ here stands for royal proclamations;—‘*prakṛtīnām*,’ of the Minister and other members of the State;—‘*dūṣakān*,’ defamers without justification, those who attribute delinquencies, when in reality, there are none;—‘*dvīṣṭēvinah*,’ persons serving men inimical to the king.

### VERSE CCXXXIII

“Medhātithi and Kullūka refer this prohibition to cases which have been properly decided in the King’s Courts, while Nārāyaṇa thinks that it applies to orders passed by former kings.—Nandana gives a different explanation of the words ‘*tīritam*’ and ‘*anushīṣṭam*’.....according to which the former means ‘a cause or plaint declared to be just or unjust by the assessors,’ and the latter ‘a cause or plaint confirmed by witnesses.”—(Buhler).

This verse is quoted in *Smṛtitattva* (II, p. 231), which adds the following notes :—‘*Anushīṣṭam*,’ confirmed by witnesses and other evidence, and hence ‘*tīritam*,’ decided by the assessors;—such suit the king shall not reopen.

It is quoted in *Mitākṣarā* (2. 306), which explains the meaning to be that the king shall not have a suit reopened simply with a view to exact a heavier fine; he may however have a decided suit reopened when the losing party applies for reconsideration and stipulates that he would be prepared to pay a double fine in the event of the suit being again decided against him.





It is quoted in *Parāsharamādhava* (Vyavahāra, p. 161), which adds that the verse refers to cases where the finding of the Court has been accepted by the parties concerned;—in *Kṛtyakalpataru* (64 b), which has the following notes—‘*Tīritam*,’ decided and finished,—‘*anushīṣṭam*,’ deposited to by the witnesses,—‘*yatra kvachana*,’ in the village-assembly or other places;—and in *Vīramitrodaya* (Vyavahāra 38 b), which says 1,000 *Paṇas* are meant.

#### VERSE CCXXXIV

“Medhātithi and Kullūka think that the rule refers to cases where the cause of the unjust decision is not a bribe, because the punishment of corrupt judges has been prescribed above, verse 231;—But Nārāyaṇa and Rāghavānanda think that it applies to cases of bribery also, and that the fine shall vary according to the nature of the case, 1,000 *Paṇas* being the lowest punishment.”—Buhler.

This verse is quoted in *Kṛtyakalpataru* (65 a);—and in *Vīramitrodaya* (Vyavahāra 38 b).

#### VERSE CCXXXV

‘*Surāpah*.’—Refers to the *Brāhmaṇa* only (Medhātithi), to the *Kṣattriya* and the *Vaiśhya* also (Nārāyaṇa and Kullūka).

This verse is quoted in *Vivādaratnākara* (p. 634), which adds the following notes:—The ‘*taskara*’ here stands for the stealer of gold;—‘*prthak*’, severally;—and in ‘*Vyavahāra-Bālabhāṭṭī*’ (p. 116).

#### VERSE CCXXXVI

This verse is quoted in *Vivādaratnākara* (p. 634);—and in *Vyavahāra-Bālabhāṭṭī* (p. 116).



### VERSE CCXXXVII

This verse is quoted in *Vivādaratnākara* (p. 635) which adds that all this branding is to be done on the forehead;—in *Mitākṣarā* (2. 270), which adds that this is meant for those cases where the culprit is unwilling to perform the prescribed expiation;—in *Parāsharamādhava* (Vyavahāra, p. 304), which also adds the same remark;—in the *Aparārka* (p. 842);—in *Nṛsimhaprasāda* (Vyavahāra 42b);—in *Smṛtisāroddhāra* (p. 329);—and in *Vīramītrodaya* (Vyavahāra 152b), which says that all this penalty is meant for those who refuse to undergo the prescribed expiations.

### VERSE CCXXXVIII

This verse is quoted in *Vivādaratnākara* (p. 635), which adds the following notes:—‘*Asambhojyāḥ*’, i. e., people should not join with them in any convivial gatherings;—‘*asampāthyāḥ*’, they are unfit for teaching;—‘*asamyājyāḥ*’, unfit for sacrificing;—‘*avivāhinaḥ*’, not entitled to marry;—in *Vyavahāra-Bālabhāṭṭi* (p. 116);—and in *Prāyagshchittaviveka* (p. 37), to the effect that one who has committed a ‘heinous’ crime is not entitled to any of the acts to which the twice-born are entitled.

### VERSE CCXXXIX

This verse is quoted in *Vivādaratnākara* (p. 635), which adds the following notes:—‘*Jñāti*’ are paternal relations;—‘*sambandhi*’, maternal relations;—‘*kṛtalakṣaṇāḥ*’, branded;—‘*nirdayāḥ*’, undeserving of the sympathy of gentlemen, even when suffering from diseases;—‘*nirnamaskārāḥ*’, not deserving of salutations even though possessing seniority and such other qualifications.



# VERSE CCXL

‘*Uttama-sāhasam*’ see 8. 138.

This verse is quoted in *Vivādaratnākara* (p. 635);—in *Vyavahāramayūkha* (p. 102);—in *Mitākṣarā*, (under 2. 270);—and again under 3. 259, to the effect that the performance of expiatory rites is necessary even when the culprit has paid a fine for his guilt (the present text exonerating the man only from branding);—in *Vyavāhāra-Bālabhātṭi* (p. 117);—and in *Prāyashchittaviveka* (p. 120).

# VERSE CCXLI

This verse is quoted in *Vivādaratnākara* (p. 635);—and in *Vyavahāra-Bālabhātṭi* (p. 117).

# VERSE CCXLII

Persons who perform no penance shall have their property confiscated if the crime was unintentional, and if it was intentional, they shall be banished also. (Nārāyaṇa and Nandana).—There is to be confiscation of the entire property only in very bad cases, instead of the fine of 1,000 *Paṇas* prescribed under 240. (Kullūka and Rāghavānanda).

‘*Pravāsanam*.’—‘Death’ (Medhātithi, Kullūka and Nandana); ‘banishment’ (Nārāyaṇa and Rāghavānada, who criticise Medhātithi’s explanation).

This verse is quoted in *Vivādaratnākara* (p. 635);—and in *Vyavahāra-Bālabhātṭi* (p. 118).

# VERSE CCXLIII

This verse is quoted in *Vivādaratnākara* (p. 637);—in *Vyavahāra-Bālabhātṭi* (p. 1053);—and in *Prāyashchittaviveka* (p. 121), which says that what is forbidden is the confiscation of the property by the king for his own use, and not the taking of it for other purposes, such as is mentioned in the next verse.



### VERSE CCXLIV

This verse is quoted in *Vivādaratnākara* (p. 637);—in *Vyavahāra-Bālabhaṭṭī* (p. 1053);—and in *Prāyashchittaviveka* (p. 122), which says that the expiation here prescribed refers to the stealing of gold more than 16 *māṣas* in weight.

### VERSE CCXLV

*Cf.* Taittirīya Brāhmaṇa III, 1. 2. 7; also Manu 1. 98—101.

This verse is quoted in *Vivādaratnākara* (p. 638);—and in *Vyavahāra-Bālabhaṭṭī* (p. 1053).

### VERSE CCXLVI

This verse is quoted in *Vivādaratnākara* (p. 638);—and in *Vyavahāra-Bālabhaṭṭī* (p. 1053).

### VERSE CCXLVII

This verse is quoted in *Vivādaratnākara* (p. 638), which explains '*vikṛtam*' as being maimed of hands, feet and so forth;—and in *Vyavahāra-Bālabhaṭṭī* (p. 1053).

### VERSE CCXLVIII

This verse is quoted in *Parāsharamādhava* (Vyavahāra, p. 396) as prescribing the punishment for one who harasses a Brāhmaṇa.

### VERSE CCXLIX

This verse is quoted in *Vivādaratnākara* (p. 649), which explains '*niyachchhataḥ*' as 'encompassing the punishment of the guilty and acquittal of the not guilty.'

### VERSE CCL

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



VERSE CCLI

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

VERSE CCLII

*Cf.* 7. 69-70.

VERSE CCLIII

*Cf.* 8. 307, 386-387.

VERSE CCLIV

This verse is quoted in *Vivādaratnākara* (p. 294), which adds that the subject of '*parihīyatē*' is '*rājā*, the king; —and in *Vivādachintāmaṇi* (Calcutta, p. 80), which says that '*parihīyate*' is to be construed with '*saḥ*' understood.

VERSE CCLV

This verse is quoted in *Vivādaratnākara* (p. 294).

VERSE CCLVI

This verse is quoted in *Vivādaratnākara* (p. 289).

VERSE CCLVII

This verse is quoted in *Vivādaratnākara* (p. 291), which has the following notes:—'*Prachchhannavañchakāḥ*', those who commit burglaries by breaking through walls and so forth;—'*ātavyāḥ*', thieves who frequent the forests and commit thefts even during the day;—'*ādi*' is meant to include the thief living in one's neighbourhood and such others.



VERSE CCLVIII

‘*Aupadhikāḥ*’.—‘Deceitful persons, who say one thing and do another’ (Medhātithi);—‘those who extort money by threats’ (Kullūka and Rāghavānanda);—‘those who cheat by using false weights and measures’ (Nārāyaṇa and Nandana).

‘*Vañchakāḥ*’.—‘Cheats, those who promise to do some thing but don’t do it’ (Medhātithi);—‘those who pretend to change base metals into precious ones’ (Rāghavānanda and Kullūka);—‘men who take money under false pretences’ (Nārāyaṇa).

‘*Maṅgalādeshavṛttāḥ*’.—‘Astrologers and others who prescribe auspicious rites etc.’ (Medhātithi, Kullūka and Rāghavānanda);—‘men who live by reciting auspicious hymns’ (Nārāyaṇa);—“those who pronounce the auspicious formula ‘be it so’ (‘others’ in Medhātithi.)

‘*Bhadrāprēkṣaṇikāḥ*’.—‘Palmists who always praise the fortunes of others’ (Medhātithi);—Nārāyaṇa, reading ‘*bhadrāṣṭhchēkṣaṇikāḥ*’, explains ‘*bhadrāḥ*’ as ‘persons who tempt women’, and ‘*īkṣaṇikāḥ*’ as actors and the rest;—Kullūka and Rāghavānanda and Nandana adopt the same reading and explain ‘*bhadrāḥ*’ as ‘hypocritical men who pose as pious men and cheat people’ and ‘*īkṣaṇika*’ as palmists.

This verse is quoted in *Vivādaratnākara* (p. 291), which adds the following explanations:—‘*Aīkṣaṇika*’ (which is its reading for ‘*īkṣaṇika*’), is that fortune-teller who makes money by making false agreeable predictions.

VERSE CCLIX

‘*Mahāmātra*’.—‘Courtiers’ (Medhātithi);—‘Ministers’ (Nārāyaṇa);—‘elephant-drivers’ (Kullūka).

‘*Shilpopachārayuktāḥ*’.—‘Men living by such arts as painting and the like’ (Medhātithi and Kullūka);—Nārāyaṇa and Nandana, read ‘*shilpopakārayuktāḥ*’ and explain it as



people living by *shilpa*, the arts of painting and the rest, and by *upakāra*, hairdressing and other arts of the toilet; Nandana explains it as 'umbrella and fanmakers'.

This verse is quoted in *Vivādaratnākara* (p. 291), which adds the following notes :—' *Asamyak-kāriṇaḥ*,' who obtained their wages without honestly working for it ;—' *mahāmātrāḥ*,' chief officers of the king *who act dishonestly (asamyak-kāriṇaḥ)* ' through avarice.

### VERSE CCLX

This verse is quoted in *Vivādaratnākara* (p. 291), which explains, *anāryānāryalingināḥ* ' as persons who, while not being real religious students, pretend to be such and make money by it '.

### VERSE CCLXI

' *Protsādyā* '.—Nārāyaṇa and Govindarāja read '*protsāhya*' and explain it as 'causing them to be instigated';—Rāghavānanda, who adopts the same reading, explains it as "having inspired them with energy, by saying 'you must give up this livelihood and earn money by agriculture, trade and other lawful means'."

• ' *Anēkasamsthānairiḥ* '.—'Wearing various disguises' (Nārāyaṇa and Nandana);—'stationed in various places (Kullūka).

• This verse is quoted in *Vivādaratnākara* (p. 293).

### VERSE CCLXII

This verse is quoted in *Vivādaratnākara* (p. 293), which adds the following notes :—' *Abhikhyāpya*,' having got it proclaimed by the people ;—' *sāra* ' stands for the stolen property; hence the meaning is that the king should inflict the punishment in accordance with the nature of the property stolen ;—and in *Vivādachintāmaṇi* (Calcutta, p. 79), which explains ' *tēṣāṃ* ' as 'of the thieves,' and adds the explanation that 'the king should inflict punishment in accordance with the quality of the property stolen '.



### VERSE CCLXIII

This verse is quoted in *Vivādaratnākara* (p. 293), which adds the following notes :—‘*Pāpavinigrahaḥ*,’ prevention of theft ;—‘*pāpabuddhīnām*,’ people who are by nature inclined to be sinful ;—‘*nibhṛtam*,’ secretly.

### VERSE CCLXIV

This verse is quoted in *Vivādaratnākara* (p. 336), which adds the following notes :—‘*Apūpashālā*’ is the place where cakes are sold ;—‘*vēśha*,’ the house of the prostitute ;—‘*madyānnavikraya*,’ places where wines and grains are sold ;—‘*chaityavṛkṣa*,’ large tree ;—‘*samāja*,’ must be taken as standing for assemblages other than the ordinary ‘*sabhā*’ or meeting place, this latter having been already mentioned ; such other assemblages also are likely to be frequented by thieves ;—‘*prēkṣaṇa*’ are places of dancing and other amusements.

It is quoted in *Aparārka* (p. 841).

### VERSE CCLXV

This verse is quoted in *Aparārka* (p. 841) ;—and in *Vivādaratnākara* (p. 336), which explains ‘*Kārukāveṣha-nāni*’ as the shops of artisans.

### VERSE CCLXVI

This verse is quoted in *Aparārka* (p. 841) ;—and in *Vivādaratnākara* (p. 336), which adds the following notes :—‘*Gulmaiḥ*,’ companies of soldiers ;—these are qualified by the epithet ‘*sthāvarajaṅgamaiḥ*’ ; the meaning thus is ‘by companies of soldiers, located in a fixed place, as well as, operating in moving columns’ ;—‘*chāraiḥ* etc., for the prevention of theft the king should have all possible haunts of thieves watched by spies.





## VERSE CCLXVII

‘*Utsādayēt*’.—Govindarāja and Nārāyaṇa read ‘*utsāhayēt*’ ‘should incite them to commit crimes’.

## VERSE CCLXIX

‘*Mūlapraṇihitāḥ*’.—‘Who suspect the old thieves employed by the king’ (Kullūka and Rāghavānanda);—‘who have been sent by ministers and others staying in his kingdom’ (Nārāyaṇa);—‘who have discovered the root, i. e., the reasons of the proceedings of the spies’ (Nandana).

## VERSE CCLXX

This verse is quoted in the *Aparārka* (p. 849), which explains ‘*hoḍham*’ as ‘stolen property’,—and ‘*upakaraṇam*’ as implements of thieving.

## VERSE CCLXXI

‘*Bhāṇḍāvakashadāḥ*’.—‘Who give them room for concealing their implements’ (Kullūka);—‘who give them money for buying arms and other things, as also other shelter’ (Nārāyaṇa).

This verse is quoted in *Aparārka* (p. 849);—in *Vivādaratnākara* (p. 338), which adds the following notes:—‘*Bhakta*’, cooked food;—‘*bhāṇḍa*’, thieving implements other than arms;—‘*avakāsha*’ sheltering place;—and in *Vyavahāra-Bālabhāṭṭi* (p. 991).

## VERSE CCLXXII

This verse is quoted in *Aparārka* (p. 850);—in *Vivādaratnākara* (p. 341), which adds the following notes:—‘*Rāṣṭrādāhikṛtān*’ i. e. inhabitants of the village;—‘*dēshitān*’, deputed to guard the village;—‘*madhyasthān*’, those men who are looking on while people are being robbed



by thieves and harassed;—all these the king shall punish like thieves ;—in *Vyavahāra-Bālabhaṭṭi* (p. 991) ;—and in *Vivādashintāmaṇi* (Calcutta, p. 93).

### VERSE CCLXXIII

This verse is quoted in *Vivādashintāmaṇi* (p. 625), which adds the following notes :—‘ *Samaya* ’, scriptural conventions ;—‘ *dharmajīvanah* ’ Brāhmaṇa and the rest ;—‘ *āplo-ṣēt* ’, should burn i. e., inflict pain ;—and in *Vyavahāra-Bālabhaṭṭi* (p. 991).

### VERSE CCLXXIV

This verse is quoted in ‘ *Aparārka* ’ (p. 850), which explains ‘ *hitābhāṅgē* ’ (which is its reading for ‘ *hitābhāṅgē* ’ as the destroying of crops in a field belonging to others ;—in *Vivādashintāmaṇi* (p. 341), which adds the following notes—‘ *Grāmaghātē* ’ during village disturbances ;—‘ *hitābhāṅgē* ’, the breaking of dams set up for the protection of crops ;—‘ *moṣābhidarshana* ’, looking on theft being committed ;—‘ *nivāsyāḥ* ’, should be banished from the country ;—‘ *saparichhadāḥ* ’, along with their families and belongings ;—and in *Vyavahāra-Bālabhaṭṭi* (p. 991).

### VERSE CCLXXV

This verse is quoted in *Aparārka* (p. 853), which notes that ‘ *rājñah* ’ is to be construed with each of the other terms ;—again on p. 864, it adds the following notes :—‘ *Upajāpakāḥ* ’ supporters,—‘ *Vividhaiḥ daṇḍaiḥ* ’ i. e. every form of punishment should be inflicted in accordance with the nature of the offence.

It is quoted in *Mitākṣarā* (2. 302), which explains ‘ *vividhaiḥ daṇḍaiḥ* ’ as ‘ such penalties as confiscation of the entire property, cutting off of limbs and death ;—in *Vivādashintāmaṇi* (p. 367), which explains ‘ *koṣa* ’ as the ‘ king’s



amassed wealth',—and 'upajāpakān' as persons creating dissension in the kingdom (among the soldiers, 'virāṇām' which is its reading for 'arīṇām');—in *Vyavahāramayūkha* (p. 110);—in *Parāsharamādhava* (Vyavahāra, p. 395);—in *Vyavahāra-Bālabhātī* (p. 991);—and in *Vīramitrodaya* (Vyavahāra 225 b).

### VERSE CCLXXVI

This verse is quoted in *Mitākṣarā* (2. 275), as illustrating the principle that the severity of the penalty is to be determined by the seriousness of the offence;—in *Aparārka* (p. 845), which explains the meaning to be that the nails are to be fixed on the points where the two hands have been cut off;—in *Vivādaratnākara* (p. 316), which adds that when construed with 'shūlē nivēśhayēt', 'tēṣām' is to be taken as 'tān';—in *Vivādachintāmaṇi* (Calcutta, p. 86);—and in *Vīramitrodaya* (Vyavahāra 151 b).

### VERSE CCLXXVII

'*Angulīh*'—Rāghavānanda reads '*angulī*' (Dual) and explains that the thumb and the index-finger are meant;—the same view is held by Kullūka also;—according to Nandana, the 'two fingers' are the index and the middle fingers;—Medhātithi adopts the reading in the plural.

This verse is quoted in *Vivādaratnākara* (p. 321), which reads '*angulī*' (Dual) and explains it as the thumb and the index finger;—'*graha*', detection;—in *Parāsharamādhava* (Vyavahāra, p. 302), which explains the 'two fingers' as the thumb and the index finger;—in *Aparārka* (p. 845);—in *Mitākṣarā* (2. 274) to the effect that a pickpocket detected thrice should be put to death;—in *Vivādachintāmaṇi* (Calcutta, p. 87), which adds the following explanations—'If one is detected in untying cattle for stealing it, then, if it is the first offence of its kind, his fingers should be cut



off, in the second offence, his hands and feet, and in the third, death-penalty is to be inflicted ;—and in *Nṛsimhaprasāda* (Vyavahāra 42b).

### VERSE CCLXXVIII

‘*Agnidān*’.—‘Those who give fire to the thieves,—so that they may warm themselves, or for similar purposes’ (Medhātithi),—‘so that they may put fire to houses’ (Nārāyaṇa).

‘*Moṣaśya sannidhātṛṇ*’.—‘Receivers of stolen goods’ (Kullūka);—‘abettors of theft’ (Medhātithi and Nārāyaṇa).

This verse is quoted in *Vivādaratnākara* (p. 338), which adds the following notes:—‘*Avakāsha*’, lodging,—‘*agni*’, fire as helping the act of stealing,—‘*moṣaśya sannidhātṛṇ*’, those who help in bringing about conditions conducive to the stealing of property;—it adds that the cases referred to are those in which the culprit has not been led either by fear or by ignorance to do what he has done.

It is quoted in *Aparārka* (p. 849);—and in *Vyavahāra-Bālabhāṭṭī* (p. 991).

### VERSE CCLXXIX

This verse is quoted in *Vivādaratnākara* (p. 365), which adds the following notes—‘*Apsu*’, i. e., by drowning in water,—‘*shuddhavadhēna*’, by strangulation or such means of capital punishment, apart from water;—the penalty of ‘highest amercement’ is to be inflicted *along with* that of making him do the necessary repairs.

### VERSE CCLXXX

This verse is quoted in *Vivādaratnākara* (p. 320), which adds the following notes:—‘*Koṣṭhāgāram*’, granary,—‘*avichārayan*’, there should be no delay when once it has been ascertained that the man has committed the offence.



It is quoted in *Mitākṣarā* (2. 273), where *Bālambhaṭṭā* has the note that—‘*avichārayan*’ means *without delay*.

### VERSE CCLXXXI

This verse is quoted in *Vivādaratnākara* (p. 365), which adds the following notes :—‘*Pūrvaniviṣṭasya*’, which has been in existence already, *i. e.*, which has been used for bathing, drinking and so forth;—‘*āgama*’ the channel by which the tank is filled with water;—he who blocks or obstructs this should be fined with the ‘first amercement’.

### VERSE CCLXXXII

This verse is quoted in *Vivādaratnākara* (p. 221);—in *Vyāvahāramayūkha* (p. 97);—in *Parāsharamādhava* (Vyavahāra, p. 279);—in *Aparārka* (p. 765);—in *Vivādachintāmaṇi* (Calcutta, p. 63);—and in *Vīramitrodaya* (Vyavahāra 143 b).

### VERSE CCLXXXIII

This verse is quoted in *Aparārka* (p. 765), which explains ‘*paribhāṣaṇa*’ as ‘reproof’;—in *Vivādaratnākara* (p. 222), which explains ‘*paribhāṣaṇa*’ as reprimanding—‘don’t do this again’—without punishment,—‘*śodhyam*’, *i. e.*, by the person who committed the act under urgent necessity;—in *Vivādachintāmaṇi* (Calcutta, p. 63), which explains ‘*paribhāṣaṇa*’ as ‘warning *never do so again*—without any punishment’;—and in *Vīramitrodaya* (Vyavahāra 143 b).

### VERSE CCLXXXIV

This verse is quoted in *Smṛtitattva* (p. 535).



VERSE CCLXXXV

‘*Yaṣṭi*’.—‘The flag-staff of a village’ (Nārāyaṇa);—such poles as stand in tanks and other places’ (Kullūka).

‘*Pratimā*’.—‘Statues of men, the penalty for breaking the image of gods being death’ (Nārāyaṇa);—‘common images made of clay and so forth’ (Kullūka).

This verse is quoted in *Vivādaratnākara* (p. 363), which adds the following notes:—‘*Saṅkramaḥ*’, bridge built of wood and other materials for crossing over water, which is commonly known as ‘*Sāṅkam*’ (V. L. *Sāṅk*);—‘*dhvaja*’, that which marks a temple or such other places;—‘*Yaṣṭi*’, planted in market-places or tanks or houses;—‘*pratimā*’, images of gods,—‘*pratikuryāt*’, should restore to its former position.

It is quoted in *Aparārka* (p. 822);—in *Vivādachintāmaṇi* (Calcutta, p. 101), which adds the following notes—‘*Saṅkrama*’ is what is known as ‘*Sākama*’, ‘*dhvaja*’ is the *garuḍa-dhvaja* and like things dedicated to some deity,—‘*yaṣṭi*’ is the post marking a market-place,—‘*pratimā*’, image of some deity,—one who breaks any one of these things should be fined 500;—and in *Prāyascittaviveka* (p. 247).

VERSE CCLXXXVI

This verse is quoted in *Vivādaratnākara* (p. 362), which adds the following notes:—For spoiling unspoilt articles by adulterating them with defective articles,—for boring such gems as are broken by the boring,—and for the wrong boring of pearls and such gems,—the fine is the ‘first amercement’.

It is quoted in *Aparārka* (p. 821);—and in *Vivādachintāmaṇi* (Calcutta, p. 100).

VERSE CCLXXXVII

This verse is quoted in *Aparārka* (p. 825), which adds the following explanations:—That man suffers the ‘first





amercement' who deals with honest customers—who pay the right price—dishonestly, giving them cheaper articles; and the 'middle amercement' is the penalty for the man who, selling the right commodity, receives a higher or lower price.

It is quoted in *Vivādaratnākara* (p. 296), which adds the following explanation:—The man, who, receiving the same price from a number of purchasers, sells to them articles of varying qualities, suffers the 'first amercement'; and the man who sells commodities of the same quality to a number of persons, but charges them varying prices, suffers the 'middle amercement'. It goes on to quote Halāyudha as explaining (with Medhātithi) the verse to mean that the man who deals dishonestly; '*viṣamam*'—i.e. in exchanging things with a man, he, taking advantage of the needs of the other party, gives less of his own commodity and receives more of that of the other man, —when in reality both commodities are recognised to be of equal value,—or when the vendor, taking advantage of the needs of the customer, sells to him a cheaper article at a higher price,—he should suffer either the 'first' or the 'middle' amercement, according to the value of the commodity concerned.

It is quoted in *Vivādachintāmaṇi* (Calcutta, p. 80), which explains '*samaiḥ*' as 'ordinary', and adds the explanation —'One who replaces a valuable article by an ordinary one, should be fined 250 *Paṇas* if the other party is put to a loss of the seventh part of his outlay, and 500 *Paṇas* if the loss is the fifth part or more'.

### VERSE CCLXXXVIII

This verse is quoted in *Vivādaratnākara* (p. 630), which explains '*bandhanāni*' as 'places of imprisonment.'

### VERSE CCLXXXIX

This verse is quoted in *Vivādaratnākara* (p. 367);—in *Aparārka* (p. 853);—and in *Vyavahāra-Bālabhaṭṭi* (p. 919).



## VERSE CCXC

This verse is quoted in *Vivādaratnākara* (p. 362), which adds the following notes:—(a) In the case of ‘*abhichāras*’—the *Shyēna* and other murderous rites—performed against persons who have done no harm,—(b) in the case of ‘*mūlakarma*’—administering of medicines—done by persons with the intention of causing harm,—and (c) in the case of ‘*kṛtyā*’,—various kinds of sorcery, such as forcible transportation and the like,—the operator is to be fined 200.

It is quoted in *Aparārka* (p. 821);—and in *Vivādachintāmaṇi* (Calcutta, p. 100).

## VERSE CCXCI

Buhler remarks “all the commentators give more or less correct readings”,—and declares that the correct reading “seems to be” ‘*bījotkraṣṭā*’. This is amusing to read, when we find Medhātithi, Nārāyaṇa, Rāghvānanda, Nandana and Rāmachandra all adopting the reading ‘*bījotkraṣṭā*’.

This verse is quoted in *Vivādaratnākara* (p. 296), which adds the following notes:—‘*Abījavikrayī*’, one who sells, as seed, corn which is unfit for sowing,—‘*bījotkarṣī*’, one who forcibly takes out the seed that has been sown,—‘*maryāda-bhēdakaḥ*’, one who transgresses the customs of his country, caste and family, the scriptures and popular practices,—‘*vikṛtam vadham*’, corporal punishment in the form of the cutting off of ears and other limbs of the body.

It is quoted in *Aparārka* (p. 825), which explains ‘*abījavikrayī*’ as ‘one who sells as seed what is not seed’,—and ‘*bījotkraṣṭā*’ as ‘one who digs out seed that has been already sown’;—and in *Vivādachintāmaṇi* (Calcutta, p. 81), which adds the explanation—‘He who (a) sells as seed what is not seed, or (b) takes forcible possession of a field sown by another, or (c) breaks a local or tribal or family custom, or a scriptural or royal injunction, should have his ears and nose and other limbs cut off.



### VERSE CCXCII

This verse is quoted in *Mitākṣarā* (2. 297), which adds that it refers to cases where the gold belongs to a temple, or to a Brāhmaṇa or to the king;—in *Aparārka* (p. 862), which remarks that it refers to the case of a goldsmith stealing gold belonging to a Brāhmaṇa;—in *Vivādaratnākara* (p. 309), which explains 'Kaṇṭaka' as an open thief, and adds that people have held that the penalty prescribed being very heavy, it must refer to cases of repeated theft;—and in *Vīramitrodaya* (Vyavahāra 151b).

### VERSE CCXCIII

This verse is quoted in *Vivādaratnākara* (p. 324).

### VERSE CCXCIV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 278).

### VERSE CCXCV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 278), which explains 'vyasanam' as 'vyasanakāraṇam', 'source of trouble'—and adds that these are so only when they are defective.—It is quoted again on p. 319, where the same notes are repeated and 'prakṛtīnām' is explained as 'among the factors'.

### VERSE CCXCVI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 320).

### VERSE CCXCVII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 320).



VERSE CCXCVIII

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

VERSE CCXCIX

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

VERSE CCC

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 329).

VERSE CCCII

Cf. Aitareya Brāhmaṇa 7. 15.

VERSE CCCIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 19), where 'tējovṛttam' is explained as 'conduct in keeping with the portions of Indra and other gods.'

VERSE CCCIV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 19), where 'chaturah' is explained as the four months beginning with *Shrāvaṇa*.

VERSE CCCV

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 19), where 'aṣṭau' is explained as eight months beginning with *Mārgaśīrṣa*.

VERSE CCCVI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 19).





## VERSE CCCVII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 19).

## VERSE CCCVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 19).

## VERSE CCCIX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 19).

## VERSE CCCX

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 19).

## VERSE CCCXI

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 19), which adds the following explanation:—‘Just as the earth supports all sorts of beings, animate and inanimate, high and low,—so also does the king protect all men, those who are capable of paying taxes as well as the poor and the distressed; and this is called his *Pārthiva-vrata*’.

## VERSE CCCXII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 20), which adds the following notes:—‘*Atandritaḥ*’, free from idleness,—‘*stēnān*’, thieves.

## VERSE CCCXIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 151), which adds the following explanations:—‘*Parām āpadam*’ the worst calamity, brought about by the depletion of his treasury and by being attacked by a more powerful King;—even though fallen in such, the king should not ‘provoke the Brāhmaṇas to anger’, by forcibly seizing their property or by treating them with disrespect.



It adds that from 313 to 321, it is mere *Arthavāda*, and all that it means is that even when a Brāhmaṇa commits an offence, he should not be punished.

### VERSE CCCXIV

See Mahābhārata, *Mokṣadharmā* 12. 344, 55, 57-58, 60-61.

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 151).

### VERSE CCCXV

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 151).

### VERSE CCCXVI

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 151), which explains '*Brahma chaiva dhanam yēṣām*' as that for the Brāhmaṇa the Veda is the sole treasure, inasmuch as it is the Veda that accomplishes all prosperity for them, and becomes the means of acquiring wealth by teaching and sacrificing; and as such the Veda should be acquired and guarded;—what man, wishing to live, shall give trouble to such Brāhmaṇas?

### VERSE CCCXVII

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 151).

### VERSE CCCXVIII

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 151).

### VERSE CCCXIX

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 151).



### VERSE CCCXX

This verse is found in the Mahābhārata 12-78-28.

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 152).

### VERSE CCCXXI

“According to Rāghavānanda the statement that the Kṣātriyas sprang from the Brāhmaṇas is based on a Vedic passage. But Nārāyaṇa thinks that it alludes to a Paurāṇika story, according to which the Brāhmaṇas produced with the Kṣātriya females a new Kṣātriya race after the destruction of the second *varṇa* by Parashurāma.”—Buhler.

This verse is found in the Mahābhārata 5-15-34; 12-56-24.

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 152).

### VERSE CCCXXII

This verse is quoted in *Viramitrodaya* (Rājanīti, p. 143).

### VERSE CCCXXIII

Cf. Mahābhārata 6-17-11; also *Vikramāṇikacharita* 4-44-68.

This verse is quoted in *Rājanītiratnākara* (p. 40a).

### VERSE CCCXXVI

This verse is quoted in *Madanapārijāta* (p. 227);—and in *Parāsharamādhava* (Āchāra, p. 417), which explains the term ‘*vārtā*’ as standing for agriculture, trade and cattle-tending;—and in *Nṛsimhaprasāda* (Āhnikā 36a).

### VERSE CCCXXVII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 417)

### VERSE CCCXXVIII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 417).



VERSE CCCXXIX

This verse is quoted in *Madanapārijāta* (p. 227), which explains 'lohānām' as *metals*;—in *Parāsharamādhava* (Āchāra, p. 417);—and in *Nṛsimhaprasāda* (Āhnika, 36a, and Samskṛa 74a).

VERSE CCCXXX

This verse is quoted in *Madanapārijāta* (p. 227);—and in *Parāsharamādhava* (Āchāra, p. 417).

VERSE CCCXXXI

This verse is quoted in *Madanapārijāta* (p. 227), which explains 'bhāṇḍāṇām' as 'saleable commodities';—in *Parāsharamādhava* (Āchāra, p. 417);—and in *Nṛsimhaprasāda* (Āhnika 36a).

VERSE CCCXXXII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 417);—and in *Madanapārijāta* (p. 227).

VERSE CCCXXXIII

This verse is quoted in *Madanapārijāta* (p. 227);—and in *Parāsharamādhava* (Āchāra, p. 417).

VERSE CCCXXXIV

This verse is quoted in *Madanapārijāta* (p. 230);—in *Parāsharamādhava* (Āchāra, p. 418);—and in *Nṛsimhaprasāda* (Āhnika 36 b).

VERSE CCCXXXV

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 418).



## Adhyaya X

### VERSE I

• This verse is quoted in *Vīramitrodaya* (Samskāra, p. 512);—in *Samskāramayūkha* (p. 52), which says that this text contains three sentences (and statements)—(1) 'The three castes should learn from the *Brāhmaṇa* (this latter phrase being understood),' (2) 'The *Brāhmaṇa* alone shall expound', and (3) 'The other two castes—i. e. the Kṣattriya and the *Vaiśhya*—shall not do the expounding';—and in *Smṛtichandrikā* (Samskāra, p. 143), which says that this rule refers to normal times.

### VERSE III

• ' *Vaiśeṣyāt* '.—' Through pre-eminence,—of qualities ' (Medhātithi),—' of race ' (Govindarāja, Kullūka, Nārāyaṇa and Rāghavānanda).

• ' *Niyamasya dhāraṇāt* ',—' On account of the observance of the restrictive rules, i. e., those prescribed for the Accomplished student ' (Medhātithi, Govindarāja, Nārāyaṇa and Rāghavānanda);—' on account of his possessing superior knowledge of the Veda ' (Kullūka).

### VERSE V

• ' *Ānulomyēna* '.—' In the direct order, i. e., by a *Brāhmaṇa* on a *Brāhmaṇi* and so forth ' (Medhātithi, Govindarāja and Kullūka);—' the bridegroom being always older than the bride ' (Nārāyaṇa).



This verse is quoted in *Parāsharamādhava* (Āchāra, p. 511), which explains the meaning to be that children born of a Brāhmaṇa couple are Brāhmaṇa by caste; so also in the case of Kṣattrīya couples and so forth;—and in *Nṛsimhaprasāda* (Samskāra 76 a).

## VERSE VI

This verse is quoted in *Parāsharamādhava* (Āchārā, p. 512), which explains the meaning to be that the child born to a Brāhmaṇa from a legally married Kṣattrīya wife, is 'like the Brāhmaṇa', not quite a Brāhmaṇa,—its inferiority being due to the inferior caste of the mother.

## VERSE VII

"Regarding the term *Pārashava*, see above, 9.178. Govindarāja and Nārāyaṇa remark that the second name *Pārashava* is added in order to distinguish the *Niṣāda*, who is Pratiloma and subsists by catching fish."—Buhler.

## VERSE VIII

Buhler is not right in saying that "Medhātithi does not give this verse".

## VERSE IX

This verse is quoted in *Smṛtitattva* (p. 541).

## VERSE X

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 512), which adds that these are called '*apasada*,' 'base-born,' on account of their being devoid of the pure caste of the Father;—and in *Nṛsimhaprasādā* (Samskāra 76a).





## VERSE XI

This verse is quoted in *Smṛtitattva* (p. 540);—and in *Parāsharamādhava* (Āchāra, p. 513).

## VERSE XII

This verse is quoted in *Smṛtitattva* (p. 540);—and in *Parāsharamādhava* (Āchāra, p. 513).

## VERSE XIV

This verse is quoted in *Smṛtikāumudī* (p. 4), which adds the following notes:—‘*Anantarastrījāḥ*,’ born of wives of inferior castes;—‘*mātrdoṣāt*,’ by reason of the inferiority of the mother’s caste,—‘*anantaranāmnah*,’ named after the mother’s caste.

## VERSE XVI

“Kullūka thinks that the *Pratilomas* are enumerated once more in order to show that they are unfit to fulfil the duties of sons.”—Buhler.

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 513).

## VERSE XVII

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 514).

## VERSE XIX

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 56).

## VERSE XX

This verse is quoted in *Prāyashchittaviveka* (p. 87).



## VERSE XXII

“As ‘a’ and ‘i’ are constantly exchanged ‘*lichchhivi*’ may be considered as a vicarious form for ‘*lichchhavi*,’ and it may be assumed that the Manusamhitā considered the famous Kṣātriya race of Magadha and Nepal as unorthodox.”—(Buhler).

## VERSE XXVIII

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

## VERSE XXXI

“Kullūka thinks that the terms *vāhya* and *hīna* may either refer (a) to two sets of men or (b) to one only; (a) under the former supposition, the *Vāhyas* must be understood to be the *Pratiloma* offering of a *shūdra*, i. e., *Āyogavas*, *Kṣātr̥s* and *Chañḍālas*,—and the *Hīnas* the *Pratiloma* offspring of *Kṣātriya*s and *Vaiśhya*s i. e., *Sūtas*, *Māgadhas* and *Vaidehas*. Each of these two sets produce fifteen lower races by union with women of the four chief castes and of their own (verse 27);—(b) But if the two terms *vāhya* and *hīna* are referred to one set of males only, they must be understood to denote the ‘six *Pratilomas*, *Chañḍālas*, *Kṣātr̥s*, *Āyogavas*, *Vaidehas*, *Māgadhas* and *Sūtas*; and it must be assumed that the verse refers to unions between these six *Pratiloma* races alone. Then the lowest among them, the *Chañḍāla* may produce, with females of the five higher *Pratiloma* tribes, five more degraded races; the *Kṣātr̥* with the four above him, four; the *Āyogava* with the three above him; the *Vaideha*, two, and the *Māgadha* one. The total of  $5+4+3+2+1$  is thus 15.—Rāghavānanda agrees with this interpretation.—Nārāyaṇa, on the other hand, refers the terms *vāhya* and *hīna* to one set of males, the three *Pratilomas* springing from the *Shūdra*; and assumes that the verse refers to unions of these three with females of the four principal castes and of their own.”—Buhler.





## VERSE XXXII

‘*Dasyu*’—‘One of the tribes described under verse 45’ (Medhātithi, Govindarāja and Kullūka);—‘one of this above-mentioned 15 Pratiloma races’ (Nārāyaṇa and Nandana).

## VERSE XXXV

‘*Vaidehikāt*’—‘From a Vaidehika father, by women of the Kārāvara and Niṣāda castes (Medhātithi and Kullūka);—by women of the Vaideha caste’ (Govindarāja).

## VERSE XXXVIII

‘*Mūlavyasanavrttimān*’—‘Who lives by executing criminals.’ (Govindarāja and Rāghavānanda);—‘who lives by digging roots for selling them as medicines or for curing ‘homorhoids’ (Nārāyaṇa and Nandana).

## VERSE XLI

‘This verse is quoted in *Vyavahāra-Bālabhāṭṭī* (p. 570).

## VERSE XLII

‘*Yugē yugē*’—‘In successive births’ (Medhātithi, Nārāyaṇa and Nandana);—‘in each of the ages of the world’ (Kullūka).

## VERSE XLIII

This verse is quoted in *Smṛitattva* II (p. 268) to the effect that even in modern times *Kṣattriyas* can become degraded to *shūdrahood*.

## VERSE XLVII

This verse is quoted in *Aparārka* (p. 119).



VERSE XLVIII

“Govindarāja quotes a verse of Yama according to which the *Chūchuka* is the son of a Vaishya by a Kṣatriya female and the *Madgu* the offspring of a Shūdra and a Kṣatriyā.”—Buhler.

This verse is quoted in the *Aparārka* (p. 119.)

VERSE LIV

“Govindarāja and Nārāyaṇa take the beginning of the verse differently—Their food shall be given to them by others in a broken vessel.”—Buhler.

VERSE LV

‘*Chihnitāḥ*’—‘Distinguished—by a thunder-bolt or some such weapon carried on the shoulder’ (Medhātithi),—“by sticks and so forth (Govindarāja),—‘by iron ornaments and peacock’s feathers’ (Nārāyaṇa),—‘branded on the forehead and other parts of the body’ (Rāghavananda).

VERSE LXII

This verse is quoted in *Aparārka* (p. 119):—and in *Nṛsimhaprasāda* (Prāyashchitta 7b.)

VERSE LXIV

If the daughter of a Brāhmaṇa from a Shudrā female and all their descendants marry Brāhmaṇas, the offspring of the sixth female descendant of the original couple will become a Brāhmaṇa (Medhātithi, Govindarāja, Kullūka and Rāghavananda).—If the son of a Brāhmaṇa from a Shūdra female marries a similar girl possessed of excellent virtues and if his descendants go on doing the same, the child born of the sixth generation will become a Brāhmaṇa (Nārāyaṇa and Nandana.)



VERSE LXVI

‘*Anāryāyām*’—‘A Shūdra female’ (Medhātithi, Govindarāja, Kullūka, Rāghavānanda and Nandana);—‘the daughter of a Vrātya and the like’ (Nārāyaṇa).

‘*Yadṛchchhayā*’—‘By chance, *i. e.* even on an unmarried one’ (Medhātithi and Govindarāja);—‘unknowingly (Nārāyaṇa).

VERSE LXVII

This verse is quoted in ‘*Vīramitrodaya*’ (Samskāra, p. 396).

VERSE LXVIII

This verse is quoted in *Vīramitrodaya* (Samskāra, p. 396).

VERSE LXXIV

‘*Brahmayonisthāḥ*’—‘Intent upon the source of the Veda’ (Medhātithi),—‘Intent upon the means of union with Brahman’ (Kullūka);—‘of pure Brahmanical race’ (Nārāyaṇa and Rāghavānanda);—‘who abide by what springs from the Veda, *i. e.* the sacred law,—or who are the abode of the Veda’ (Nandana).

VERSE LXXV

This verse is quoted in *Vīramitrodaya* (Paribhāṣā, p. 45).

VERSE LXXVI

This verse is quoted in *Madanapārījāta*, (p. 215);—in *Mitākṣarā*, (1. 118) to the effect that three out of the six functions are conducive to merit and these are to be practised as means of livelihood; so that while the former are obligatory; the latter are not so;—in *Parāsharamādhava* (Āchāra, p. 140), to the same effect;—in *Vyavahāra-Bālabhāṭṭī*, (p. 424);—and in *Samskāramayūkha* (p. 122).



## VERSE LXXVII

This verse is quoted in *Nṛsimhaprasāda* (Āhnika, 37a).

## VERSE LXXIX

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 397), to the effect that the wielding of weapons for the protection of the weak is the duty of the Kṣātriya only;—and in *Mitākṣarā* (1. 119).

## VERSE LXXX

‘*Vārtā*,’—‘Trade’ (Nandana);—‘trade and cattle-tending’ (Kullūka);—‘trade, cattle-tending and agriculture’ (Govindarāja).

## VERSE LXXXI

This verse is quoted in *Madanapārijāta* (p. 231);—in *Vīramitrodaya*, (Rājanīti, p. 13), to the effect that *Kingship* is not altogether forbidden to the Brāhmaṇa;—and in *Nṛsimhaprasāda* (Āhnika, 36b).

## VERSE LXXXII

Nārāyaṇa thinks that ‘*Kṛṣi*’ means here that agriculture whereat the Brāhmaṇa himself does not do any manual work; but Govindarāja and Kullūka reject this view.

This verse is quoted in *Mitākṣarā*, (3. 35), to the effect that, in abnormal times for purposes of livelihood the Brāhmaṇa may have recourse to the functions of the Vaishya, but never to those of the *Shūdra*;—in *Madanapārijāta*, (p. 232);—and in *Nṛsimhaprasāda* (Āhnika, 36b).





## VERSE LXXXIII

This verse is quoted in *Aparārka*, (p. 936), to the effect that even when taking to the Vaishya's livelihood, the Brāhmaṇa shall avoid cultivating land himself;—and in *Parāsharamādhava* (Āchāra, p. 426), as prohibiting the Brāhmaṇa's cultivation of land by himself.

## VERSE LXXXIV

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 426);—and in *Aparārka*, (p. 937) as supplying the reason for forbidding land-cultivation by the Brāhmaṇa.

## VERSE LXXXVI

This verse is quoted in *Madanapārijāta*, (p. 232), which explains 'vyapohēta' (which is its reading for 'apohēta') as 'should avoid' i. e. 'should not sell'; it adds that 'rāsa' having been already mentioned, 'lavaṇa' is mentioned again for the purpose of indicating that the selling of salt is more blameworthy.

## VERSE LXXXVII

This verse is quoted in *Madanapārijāta*, (p. 232), which adds that 'vyapohēta' of the preceding verse is to be construed with all that follows;—in *Mitākṣarā*, (3. 38); —and in *Samskāramayūkha*, (p. 123), which says that 'all these should not be sold.'

## VERSE LXXXVIII

The second half of this verse is quoted in *Mitākṣarā* (3. 38), which adds the following notes:—'Dadhi and kṣīra' stand for all preparations of milk and curd; 'ghṛtam' for all oily substances;—in *Madanapārijāta* (p. 232),



which adds that '*kṣaudram*' stands for *bees-wax*, honey itself being mentioned separately ('*madhu*');—and in *Samskāramayūkha* (p. 123).

### VERSE LXXXIX

This verse is quoted in *Madanapārijāta* (p. 232);—in *Aparārka* (p. 931), which adds that this prohibition is meant for the Brāhmaṇa only;—in *Mitākṣarā* (3. 38);—and in *Samskāramayūkha* (p. 123).

### VERSE XC

'*Shuddhān*'—'unmixed' (Medhātithi, Govindarāja, Kullūka and Rāghavānanda);—'white' (Nandana);—'of good quality' (Nārāyaṇa).

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 431) as permitting the selling of sesamum. It notes on this point two views—(a) that what is said here refers to *exchanging*, and (b) that it permits the selling only for the purpose of paying off a debt not otherwise payable;—and it prefers the latter.

It is quoted in *Mitākṣarā* (3. 39), which adds that '*dharma*' stands for such necessities as medication and the like.

### VERSE XCI

This verse is quoted in *Aparārka* (p. 933);—in *Mitākṣarā* (3. 39), to the effect that the selling of sesamum otherwise than what is mentioned in the preceding verse is sinful;—in *Parāsharamādhava* (Āchāra p. 431);—and in *Samskāramayūkha* (p. 124).

### VERSE XCII

This verse is quoted in *Mitākṣarā* (3. 40);—in *Parāsharamādhava* (Āchāra p. 422);—in *Aparārka* (p. 934), where it is pointed out that this refers to a Brāhmaṇa who





has not performed the requisite expiatory rites;—again on p. 1046;—in *Smṛtīattva* (p. 353)—in *Madanapārijāta* (p. 232);—in *Samskāramayūkha* (p. 124);—in *Nṛsimhaprasāda* (Āhnika 36b);—and in *Prāyashachittaviveka* (p. 427), which says that only strong deprecation is what is meant.

## VERSE XCIII

This verse is quoted in *Madanapārijāta* (p. 232);—in *Mitākṣarā* (3. 40)—and in *Samskāramayūkha* (p. 124), which explains ‘*itarēṣām*’ as ‘all aforesaid articles except milk’;—and adds that all this refers to normal times.

## VERSE XCIV

This verse is quoted in *Mitākṣarā* (3. 39), which adds the following notes:—‘*Kṛtānna*’ is cooked food, and this should be exchanged with cooked food; it notes the reading ‘*Kṛtānnañchākṛtannēna*’, and explains it as ‘cooked food should be exchanged for uncooked rice and other grains’.

It is quoted in *Aparārka* (p. 933);—in *Madanapārijāta* (p. 233), which explains ‘*nimātavyāḥ*’ as ‘should be exchanged’;—in *Parāsharamādhava* (Āchāra p. 431), which adds that the law laid down regarding the selling of sesamum applies to that of *rasas* also;—in *Samskāramayūkha* (p. 124);—and in *Prāyashachittaviveka* (p. 429).

## VERSE XCV

This verse is quoted in *Aparārka* (p. 934), which explains ‘*jyāyasī vṛtti*’ as the ‘functions of the Brāhmaṇa.’

## VERSE XCVI

This verse is quoted in *Vivādaratnākara* (p. 363), which adds the explanation that—‘if the Vaishya or other lower castes should have recourse to the modes of living



ordained for the higher castes, he should have all his property confiscated and then banished from the kingdom;—and in *Vivādachintāmaṇi* (Calcutta p. 101).

### VERSE XCVII

This verse is quoted in *Mitākṣarā* (3.41);—in *Aparārka* (p. 935);—in *Madanapārijāta* (p. 233), to the effect that even in times of distress it is better for the Brāhmaṇa to stick to his own functions than take to others;—and in *Samskāramayūkha* (p. 123).

### VERSE XCVIII

This verse is quoted in *Madanapārijāta* (p. 233).

### VERSE XCIX

This verse is quoted in *Madanapārijāta* (p. 233).

### VERSE C

This verse is quoted in *Mitākṣarā* (3. 35);—and in *Madanapārijāta* (p. 233), which notes that the verb '*kurvīta*' means 'should perform'.

### VERSE CI

This verse is quoted in *Madanapārijāta* (p. 233);—in *Aparārka* (p. 935);—in *Smṛtitattva* I (p. 353);—in *Smṛtitattva* II (p. 362);—and in *Prāyashchittaviveka* (p. 408).

### VERSE CII

This verse is quoted in *Aparārka* (p. 935);—in *Madanapārijāta* (p. 233);—in *Parāsharamādhava* (Prāyashchitta, p. 326);—in *Smṛtitattva* II (p. 362);—and in *Prāyashchittaviveka* (p. 409).



### VERSE CIII

This verse is quoted in *Madanapārijāta* (p. 233);—in *Aparārka* (p. 935);—in *Smṛtitattva* II (p. 362), which notes that Kullūka Bhaṭṭa explains 'jvalanāmbusamāh' as 'like water and fire';—in *Parāsharamādhava* (Āchāra, p. 183), which notes that the reading is 'agarhitāt';—in *Parāsharamādhava* (Prāyashchitta p. 326);—and in *Prāyashchittaviveka* (p. 409).

### VERSE CIV

This verse is quoted in *Smṛtitattva* I (p. 353);—in *Aparārka* (p. 935);—in *Parāsharamādhava* (Prāyasahchitta p. 326);—in *Parāsharamādhava* (Āchāra p. 183);—in *Madanapārijāta* (p. 233);—and in *Yatidharmasaṅgraha* (p. 75).

### VERSE CV

See *Aitarēya Brāhmaṇa* 7. 13—16.

This verse is quoted in *Aparārka* (p. 935);—and in *Parāsharamādhava* (Prāyasahchitta p. 326).

### VERSE CVI

This verse is quoted in *Parāsharamādhava* (Prāyashchitta p. 326);—and in *Aparārka* (p. 935).

### VERSE CVII

This verse is quoted in *Aparārka* (p. 935);—and in *Parāsharamādhava* (Prāyashchitta p. 326).

### VERSE CVIII

See *Mahābhārata* 12. 141. 28 etc. seg.

This verse is quoted in *Aparārka* (p. 935);—in *Madanapārijāta* (p. 234), which explains 'shvajāghanī' as the loins of a dog;—and in *Parāsharamādhava* (Prāyashchitta p. 326).



## VERSE CIX

This verse is quoted in *Aparārka* (p. 935).

## VERSE CX

This verse is quoted in *Aparārka* (p. 936);—and in *Prāyashchittaviveka* (p. 408).

## VERSE CXI

This verse is quoted in *Aparārka* (p. 936);—in *Mitākṣarā* (3. 35);—and in *Prāyashchittaviveka* (p. 404).

## VERSE CXIII

*Cf.* 4. 84, which is rescinded by this verse, according to Govindarāja and Kullūka.

‘*Kuṇḍam*’.—‘Pots, kettles, wooden stools, and the like’ (Medhātithi);—‘Beds and seats and such articles of small value’ (Govindarāja);—‘also grain and clothes’ (Kullūka, Rāghavānanda and Nandana);—‘Brass, copper and other common metals’ (Nārāyaṇa).

‘*Tyāgamarhati*’.—‘The realm of such a king should be abandoned by the Brāhmaṇas’ (Medhātithi, Govindarāja, Nārāyaṇa and Rāghavānanda);—‘such a king is to be excluded from teaching and sacrifices’ (Nandana);—‘must be left to himself, i. e. not asked again’ (Kullūka).

## VERSE CXV

‘*Lābhaḥ*’.—‘Friendly present’ (Medhātithi, Govindarāja and Kullūka);—‘acquisition of treasure-trove’ (Nārāyaṇa and Nandana).

‘*Jayah*’.—‘Conquest in war’ (Medhātithi);—‘winning law-suits’ (Nandana).





‘*Prayogaḥ*.’—‘Money-lending,’ (Medhātithi);—‘Teaching’ (Nandana),

‘*Karmayogaḥ*.’—‘Trade and agriculture’ (Medhātithi);—‘Sacrificing for others’ (Nandana).

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 309), which adds the following explanations:—‘*Āyaḥ*’, ancestral property,—‘*lābhaḥ*’, finding of a treasure-trove;—inheriting ancestral property, finding of treasure-trove and purchase are for all the four castes, ‘conquest’ is for the Kṣatriya alone,—‘*prayoga*’ is lending money on interest,—and ‘*karmayoga*’ is trade and agriculture;—these two are for the Vaishya only;—and ‘acceptance of gifts from righteous persons’ is for the Brāhmaṇa only.

It is quoted in *Parāsharamādhava* (Vyavahāra, p. 330);—in *Smṛititattva* II (p. 350), which adds the following notes:—‘*Dāya*’ is inheritance of ancestral property,—‘*lābha*’ is finding of treasure-trove and such things,—‘*jaya*’ is conquest of war,—‘*prayoga*’ is money-lending,—‘*karmayoga*’ is trade, agriculture, sons and daughters;—in *Vidhānapārijata* II (p. 245);—in *Mitākṣara* (2.113);—in *Hemādri* (Shrāddha, p. 525);—in *Hemādri* (Dāna, p. 41), which explains ‘*prayoga*’ as ‘monetary transaction for earning interest,’ and ‘*karmayoga*’ as ‘officiating as priests at sacrifices’;—and in *Nṛsimhaprasāda* (Āhnikā 37a).

### VERSE CXVI

“Govindarāja thinks that teaching for a stipulated fee is also permissible under this rule.”—Buhler.

This verse is quoted in *Aparārka* (p. 936);—and in *Mitākṣarā* (3. 42), both of which read ‘*giriḥ*’ for ‘*dhṛtiḥ*’; ‘*giriḥ*’ is explained by Nandana as ‘selling’ of fruits and roots growing on hills.’

### VERSE CXVIII

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 263).



## VERSE CXIX

This verse is quoted in *Vīramitrodaya* (Rājanīti p. 263).

## VERSE CXX

“According to Medhātithi, the first line refers to the profits of subjects dealing in corn or in gold. From the former the king may take, in times of distress, one-eighth, and from the latter one-twentieth; the second line indicates that artisans who, according to verse 7. 138, in ordinary times, furnish one piece of work in each month, may be made to work more for the king.—According to Govindarāja and Kullūka, husband-men shall give from the increments on grain one-eighth (instead of one-twelfth, and in the direst distress one-fourth, according to verse 118), from all increments on gold and so forth amounting to more than a *Kārṣāpana*, one-twentieth, instead of one-fiftieth, as prescribed above, 7. 130.—Nārāyaṇa says that the tax on grain is to be one-fourth in the case of Shūdras, and one-eighth in the case of Vaishyas, that the tax on every thing else is to be at least one *Kārṣāpana* ‘in twenty,’ and that artisans who work for wages shall pay the same rate.”—Buhler.

This verse is quoted in *Vīramitrodaya* (Rājanīti, p. 263), which adds that the verb ‘*dadyuh*’ is to be supplied.

## VERSE CXXI

This verse is quoted in *Aparārka* (p. 161).

## VERSE CXXIII

The first half of this verse is quoted in *Aparārka* (p. 161);—in *Mitāksarā* (1. 120);—and the whole verse in *Parāsharamādhava* (Āchāra p. 421), to the effect that the highest duty of the Shūdra is saving the Brāhmaṇa, that of the Kṣatriya and the Vaishya being meant only as a means of liveli-



hood;—in *Vidhānanapārijāta* II (p. 728);—in *Samskāra-mayūkha* (p. 126);—and in *Vīramitrodaya* (Paribhāṣā, p. 46), which explains ‘*vishīṣṭam*’ as ‘excellent,’ as conducive to both *merit* and *livelihood*, and ‘*niṣphalam*’ as ‘very little effective,’ as conducive to *livelihood only*.

### VERSE CXXV

This verse is quoted in *Varṣakriyākaumudī* (p. 571), which explains ‘*pulākāḥ*’ as ‘chaff,’—‘*parichchhadāḥ*’ as ‘umbrellas, beddings and so forth,’—and adds that the intention appears to be that all this should be given to such *Shūdras* as are one’s servants.

### VERSE CXXVI

‘*Na pātakam*’—‘no sin, in eating garlic and other forbidden vegetables and fruits’ (Govindarāja and Kullūka),—‘in keeping a slaughter-house’ (Rāghavānanda),

This verse is quoted in *Vīramitrodaya* (Samskāra p. 134);—and in *Nirṇayasindhu* (p. 235).

### VERSE CXXVII

This verse is quoted in *Smṛtitattva* II (p. 381), as prohibiting for *Shūdras* the performance of rites accompanied with the reciting of *mantras*;—and in *Shāntimayūkha* (p. 2), which quotes Medhātithi’s view that ‘this verse entitles *Shūdras* only to Fasts and such acts as are done without the use of Vedic *mantras*, and it is not meant that they are to do even those acts that require the use of *mantras*, but they are not to use *mantras*,’—and says that this view is not correct, because to Fasts and other such acts they are entitled by virtue of the injunctions of those acts themselves, and the present verse would be superfluous.



VRRSE CXXIX

This verse is quoted in *Smṛtitattva* (p. 353);—and in *Varṣakriyākauṃdī* (p. 571), which adds that there would be nothing wrong in the Shūdra amassing wealth for the benefit of 'Brāhmaṇas and others.'



## Adhyāya XI

### VERSES I and II

• ‘*Gurvartham*’.—‘For the purpose of maintaining his Teacher’ (Govindarāja, Kullūka and Rāghavānanda);—‘in order to procure the fee for his Teacher’ (Nārāyaṇa).

These verses are quoted in *Madanapārījāta* (p. 468), which adds the following notes :—‘*Sāntānika*,’ ‘for the sake of offspring’;—‘*Sarvavēdasa*,’ ‘one who has given away all his belongings’;—‘*upatāpī*,’ one who is ill;—this is meant to permit only that much of wandering on the road and other deviations without which alms cannot be obtained.

• It is quoted in *Aparārka* (p. 77);—and in *Parāsharamādhava* (Āchāra p. 429), which adds the following notes :—‘*Sāntānika*,’ one who seeks wealth for the purpose of marrying with a view to obtaining children;—‘*Sarvavēdasa*,’ one who has been reduced to penury on having performed the sacrifice at which all his belongings have been given away as the sacrificial fee,—‘*pitṛmātrartham*,’ one who seeks to serve his parents,—‘*svādhyāyārthi*,’ who seeks wealth for the keeping up of the teaching of the Veda,—‘*upatāpī*,’ invalid;—the compound ‘*svādhyāyārthyupatāpī*’ is to be expounded as ‘the *upatāpī*, invalid, as along with the *svādhyāyārthi*,’ i. e., both of these.

It is quoted in *Hemādri* (Shrāddha p. 354, and Dāna p. 30), which explains ‘*sāntānikān*’ as ‘those who seek to marry for the purpose of begetting offspring’,—‘*abhvaga*’ as ‘one who has started on a pilgrimage’,—‘*sārvavēdasa*’ (which is its reading for ‘*sarvavēdasa*’) as ‘one who is performing sacrifice at which one’s entire property is given away as the sacrificial fee,—and ‘*upatāpī*’ as an ‘invalid’.



### VERSE III

According to Kullūka, the meaning is that 'to these most excellent Brāhmaṇas food together with presents must be given inside the sacrificial enclosure';—according to *Nārāyaṇa*, 'the nine mendicants mentioned in verses 1 and 2 shall always receive what they ask for, and other mendicants ordinary food only, but that if they beg at the performance of a sacrifice, other property also must be given to them'.

[*Verse VI of Kullūka is omitted by Medhātithi and the other commentators; but the numbering of Māṇḍlik and Buhler has been retained.*]

### VERSE VII

This verse is quoted in *Aparārka* (p. 165);—and in *Parāsharamādhava* (Āchāra p. 157), to the effect that the Soma-sacrifice is to be performed only by one who is rich enough for the purpose.

### VERSE VIII

This verse is quoted in *Aparārka* (p. 165);—and in *Mitākṣarā* (1. 124), to the effect that a man devoid of wealth should not perform the Soma-sacrifice.

### VERSE IX

This verse is quoted in *Aparārka* (p. 283);—and in *Hemādri* (Dāna p. 40).

### VERSE X

This verse is quoted in *Aparārka* (p. 283).

वृद्धौ च मातापितरौ साध्वी भार्या शिशुः सुतः ।

अप्यकार्यं शतं कृत्वा भर्तव्या मनुब्रवीत्—





This verse is not commented upon by the Commentators; it is quoted by Medhātithi under 2. 189, and in several important *Nibandhas*.

It is quoted in *Aparārka* (p. 283);—in *Mitākṣarā* (1.224) to the effect that one who abandons his wife and children stands on the same footing as one who abandons his parents;—again on 2. 175, as indicating the obligatory character of the duty of maintaining one's family-members;—the *Bālabhāṭṭi* adds the following notes:—‘*Vṛddhau*’, over 80 years old, —‘*śiṣhuḥ*’, less than 16 years old,—‘*Akāryaśatam*’, many such reprehensible acts as receiving improper gifts and so forth.

It is quoted in *Smṛtitattva* I (p. 349);—in *Smṛtitattva* II (p. 361) as mentioning persons who must be supported;—in *Parūsharamādhava* (Āchāra p. 186);—and in *Parāsharamādhava* (Prāyashchitta, p. 384), which adds that this refers to abnormal times of distress.

## VERSE XII

According to Nārāyaṇa and Nandana, ‘the king’ is the agent to be understood with the verb ‘*āharēt*’, ‘may take’;—this being supported by a parallel passage in the Mahābhārata which ends with ‘*Yajñārthampārthivo harēt*’.

## VERSE XIV

According to Medhātithi, Kullūka and Rāghavānanda, this refers to Kṣatriyas as well as Brāhmaṇas;—according to Govindarāja it refers to the former alone.

## VERSE XV

‘*Ādānamityāḥ*’.—‘Men of all castes who constantly amass wealth’ (Medhātithi and Nārāyaṇa);—‘Brāhmaṇas who always accept gifts’ (Kullūka, Govindarāja and Rāghavānanda).



## VERSE XVI

This verse is quoted in *Mitākṣarā* (2. 275), where *Bālambhaṭṭī* has the following notes:—‘*Bhakta*’ is food; ‘*saptamē bhaktē*,’ on the fourth day;—‘*ashvastanavidhānēna*,’ in such a way that there may be nothing left over for the second day;—‘*hinakarmaṇah*,’ from a man whose religious acts are very poor.—It is quoted again under (2-43), where the meaning is explained as that ‘if, in the absence of food, a man has gone without food for three days, he should wrest from a man deficient in religious acts just enough for one day.’

It is quoted in *Aparārka* (p. 938), which explains the meaning as—‘if a man has gone without food for six meals, then at the time of his seventh meal, he should take by force just enough for the day from a man of lower caste and also from one who is deficient in religious acts.’

It is quoted in *Smṛititattva* II (p. 352), to the effect, that if a man has gone without six meals, he may steal food; and notes that this sanction implies that one may even perform the Vaishvadēva rites with such stolen food.

## VERSE XVII

This verse is quoted in *Mitākṣarā* (2.43), to the effect, that if, under circumstances mentioned in the preceding verse, one has stolen food, he should confess if asked;—and in *Aparārka* (p. 938), to the effect that the food spoken of in the preceding verse, may be taken from the threshing-yard and other places.

## VERSE XVIII

This is quoted in *Aparārka* (p. 938), as an exception to what has gone in the preceding two verses.

## VERSE XXIV

This verse is quoted in *Aparārka* (p. 165);—in *Parāśharamādhava* (Āchāra p. 185);—and in *Hemādri* (Dāna, p. 60).



### VERSE XXV

This verse is quoted in *Mitākṣarā* (1.127), which explains 'bhāsa' as the *Shakunta* bird.

### VERSE XXVI

This verse is quoted in *Hēmādri* (Shrāddha p. 1035).

### VERSE XXVII

This verse is quoted in *Aparārka* (p. 167);—in *Mitākṣarā* (3.265), which explains 'abdaparyayē' as 'at the end of the year';—and in *Prayāshchittavivēka* (p. 393).

### VERSE XXVIII

This verse is quoted in *Aparārka* (p. 167).

### VERSE XXIX

This verse is quoted in *Aparārka* (p. 167);—and in *Smṛtitattva* II (p. 87.)

### VERSE XXX

This verse is quoted in *Aparārka* (p. 168);—in *Smṛtitattva* II (p. 87);—and in *Parāsharamādhava* (Āchāra, p. 684), which explains 'sāmparāyikam' as future effect, in the shape of accession to Heaven and so forth;—in *Hēmādri* (Dāna p. 88), which explains 'sāmparāyikam' as 'pertaining to the other world' i.e., supernatural;—in *Shrāddhakriyākaumḍī* (p. 288);—in *Dānamayūkha* (p. 8);—in *Yatidharmasaṅgraha* (p. 8);—in *Samskārdratnamālā* (p. 14);—in *Smṛtisāraddhāra* (p. 306);—in *Vīramītrodaya* (Paribhāṣā, p. 29 and 71), to the effect that the secondary course is effective only when the primary one is impossible,—it explains 'prabhuh' as 'capable' and 'sāmparāyikam'



as 'pertaining to the other world';—in *Varṣakriyākauṃḍī* (p. 352);—in *Hemādri* (shrāddha, p. 452);—and in *Nityāchārāpradīpa* (p. 9 and 196), which explains the meaning to be that 'so long as one is able to adopt the primary course, he is not entitled to the adopting of the secondary one'.

### VERSE XXXI

This and the following verses rescind the rules given above "(9. 290)."—Buhler.

### VERSE XXXII

This verse is quoted in *Aparārka* (p. 232).

### VERSE XXXIV

This verse is quoted in *Aparārka* (p. 232).

### VERSE XXXV

'*Vidhātā*'.—'Creator' (Medhātithi and Nārāyaṇa);—'performer of the prescribed rites' (Govindarāja and Kullūka);—'one who is able to do, to undo and to change' (Rāghavānanda);—'the performer of magic rites' (Nandana);—

'*Shāsitā*',—'Punisher, controller, adviser'—of the king (Medhātithi),—'of his sons and pupils' (Kullūka);—'instructor in the sacred law' (Nārāyaṇa);—'the instigator of incantations' (Nandana).

'*Vaktā*'.—'One who gives wholesome advice' (Medhātithi);—'the teacher', (Govindarāja and Nārāyaṇa);—'the expounder of the sacred law' (Kullūka and Rāghavānanda).

### VERSE XXXVI

See 2, 172; 5. 155; 9. 18.





## VERSE XXXVIII

'*Prājāpatyam*'.—'Dedicated to Prajāpati' (Govindarāja, Kullūka, Nārāyaṇa and Rāghavānanda);—the epithet is merely laudatory; or it may mean 'neither very good nor very inferior' (Medhātithi);—

## VERSE XLI

'*Vīra*'.—'Son' (Govindarāja, Kullūka, Nārāyaṇa and Rāghavānanda);—'a Kṣatriya' (Nandana);—'a deity' (suggested by Rāghavānanda).

This verse is quoted in *Aparārka* (p. 1154), which adds the following notes :—The construction is '*māsamagnīm apavidhya*';—'*vīra*' is the sacrificer;—if the omission lasts longer than a month, the man should perform the 'Three monthly Goghna expiation';—in *Vidhānapārijāta* II (p. 115);—in *Parāsharamādhava* (Prāyashchitta p. 425);—and in *Prāyashchittavivēka* (p. 391), which explains '*apavidhya*' as 'abandoning',—'*vīrahatyā*' as 'murdering the sacrificer'.

## VERSE XLII

This verse is quoted in *Aparārka* (p. 168);—and in *Hemādri* (Dāna, p. 60).

## VERSE XLIII

This verse is quoted in *Aparārka* (p. 168).

## VERSE XLIV

This verse is quoted in *Mitākṣarā* (3. 220), which notes that the use of the general term '*naraḥ*' implies that what is here said is applicable to the case of men born of reversed parentage; such general sins as those of killing



and the like being possible in their case also ;—in *Parāsharamādhava* (Āchāra p. 50), which adds that the verse is indicative of those sins that accrue from the omission, through sloth, of the obligatory duties ;—in *Parāsharamādhava* (Prāyashchitta p. 6) ;—in *Prāyashchittavivēka* (p. 10), which says that the meaning is that the act is *sinful*, and hence involves expiation ;—and in *Smṛtisāroddhāra* (p. 351).

### VERSE XLV

Cf. Aitarēya Brāhmaṇa 7. 28.

This verse is quoted in *Madanapārijāta* (p. 705), which quotes a Vedic text to the effect that once Indra gave away certain sages to be devoured by the ‘*Shālāvṛka*’ dogs, for which sinful act Prajāpati ordained for him the expiatory rite called ‘*Upahavya*’, which is taken as implying that for *intentional* offences also there is ‘*expiation*’.

It is quoted in *Mitākṣarā*, (3. 226), as indicating that expiatory rites are to be performed in the case of intentional offences also,—and *not* that the sin accruing from such offences is wiped off by these rites, in the case of ‘*degrading*’ offences.

It is quoted in *Parāsharamādhava*, (Prāyashchitta, p. 152), to the effect that in the case of intentional offences, there can be expiation, only according to some authorities, not all ;—and in *Prāyashchittavivēka*, (p. 18), which says that stress is meant to be laid upon ‘*akāmakāḥ*’ as it is only for *unintentional* delinquencies that there is expiation, and in reference to ‘*Shrutividarshanāt*,’ it quotes the Shruti-passage describing the story of Indra and the Shālāvṛkas.

### VERSE XLVI

This verse is quoted in *Mitākṣarā*, (3. 226), to the effect that the sin accruing from ‘*non-degrading*’ offences even when intentional, is wiped off by the performance of expiatory



rites;—in *Aparārka*, (p. 1040)—in *Madanapārijāta*, (p. 705);—in *Prāyashchittavivēka*, (p. 18), which says that all that is meant by the mention of ‘*Vedābhyāsa*’ is that the expiation of *unintentional* delinquencies is lighter than that for *intentional* ones,—it explains ‘*prthagvidhaiḥ*’ as ‘other kinds of expiation’;—and in *Smṛtisāroddhāra*, (p. 354).

### VERSE XLVII

This verse is quoted in *Madanapārijāta*, (p. 774), which adds the following notes:—‘*Daivāt*, *i.e.* for the sake of some offence committed during the present life,—or for that of some offence the antenatal committing of which is indicated by the presence, in the person, of such defects as consumption, rotten nails, black teeth and so forth,—one should perform the expiatory rites prescribed by Vashiṣṭha; but the expiation performed should be that prescribed for the presence of the said defects, not that for the offences of which those defects are known to be the effects,—e.g. the presence of rotten nails has been held to be the effect of stealing gold in a previous life, or consumption is held to be the effect of Brāhmaṇa-slaughter committed in a previous life.

It is quoted in *Nṛsimhaprasāda*, (*Prāyashchitta*, p. 2a);—and in *Prāyashchittavivēka*, (p. 141 and 148), as forbidding association with sinners.

### VERSE XLVIII

This verse is quoted in *Prāyashchittavivēka*, (p. 6).

### VERSE LI

‘*Vāḍapahārakah*.’—‘Stealer of speech,—*i.e.* one who learns the Veda by stealth’ (Govindarāja, Kullūka and Rāghavānanda);—‘a plagiarist’ (Nārāyaṇa).

[The additional verse, relating to the ‘stealer of a lamp’ has been translated by Buhler as part of the text; it has



been so accepted by *Rāghavānanda* and *Rāmachandra*, but not by the other commentators. We have followed the text of *Medhātithi* here; hence from this verse onward our verse-numbering will be one less than that in *Buhler*. This additional verse is quoted in *Smṛtitattva*, (p. 248).

### VESSE LIII

This verse is quoted in *Mitākṣarā*, (3. 220), to the effect that the omission of an expiatory rite involves sin;—in *Parāsharamādhava* (*Prāyashchitta*, p. 3) to the same effect.—in *Smṛtitattva*, (p. 473);—and in *Prāyashchittavivēka*, (p. 17).

### VERSE LIV

Cf. 9. 235.

This verse is quoted in *Madanapārijāta*, (p. 786).—in *Aparārka*, (p. 1044), which adds that ‘*surā*’ stands here for the ‘*Paiṣṭī*’ i. e. liquor distilled from grains;—in *Nṛsimhaprasāda*, (*Prāyashchitta*, 3 b);—and in *Prāyashchittavivēka*, (p. 39 and 140).

### VERSE LV

‘*Guroshchālīkanirbandhaḥ*.’—‘Wrongfully going to law against the teacher’ (*Medhātithi*), or ‘falsely accusing the teacher’ (*Medhātithi*, *Govindarāja* and *Kullūka*);—‘Repeatedly doing what is disagreeable to the teacher’ (*Nārāyaṇa* and *Nandana*).

This verse is quoted in *Parāsharamādhava* (*Prāyashchitta*, p. 419), as enumerating offences on the same footing as *Brāhmaṇa*-slaughter;—in *Aparārka* (p. 1047), which adds the following notes:—On the occasion of the examination of the disputed superiority of qualifications of two rivals, if the Judge pronounces a false judgment, this act is as sinful as the killing of a *Brāhmaṇa*; ‘*ālīkanirbandha*’ is false



accusation;—and in *Madanapārijātā* (p. 807), which adds the explanation that ‘when a man without knowing the four Vedas, represents himself to the king as knowing them,—and some one is asked to examine the validity of the claim— if this latter should make a false report, the sin incurred by him is equal to that involved in Brāhmaṇa-slaughter’.

It is quoted in *Prāyashchittavivēka* (p. 177), which adds the following notes—‘*Anṛtañcha samutkarṣe*’ means the misrepresentation of oneself as possessing qualities which are not really possessed, *e.g.*, when a Shūdra says ‘I am a Brāhmaṇa’ and wears the sacred thread,—or misrepresentation regarding the qualifications of another person *e.g.*, if one were to say of a learned Brāhmaṇa that he knows nothing,—this is equal to ‘Brāhmaṇa-murder’;—*i.e.* involves the twelve-year penance;—this refers to cases of *intentional* and *repeated* acts,—‘*paishuna*’ is backbiting to the king, and ‘*guroḥ &c.*’ is false accusation of one’s father.

### VERSE LVI

This verse is quoted in *Mitāksarā* (3.231), to the effect that though the offences here enumerated have been placed by Yājñavalkya in the same category as ‘Brāhmaṇa-slaughter’, while Manu classes them with ‘wine-drinking’,—yet all that this implies is that there are alternative expiatory rites.

It is quoted in *Aparārka* (p. 1047), as placing on the same footing as ‘wine-drinking’, such offences as ‘forgetting’ and ‘reviling’ the Veda and the killing of a friend; and the meaning of this is that there are alternative expiatory rites;—it explains ‘*anādyam*’ as uneatable on account of bad smell and the like.

It is quoted in *Parāsharamādhava* (Prāyashchitta p. 293) in support of the view that these offences are ‘*anupātakas*’ ‘ancillary sins’, as distinguished from ‘*upapātakas*’ ‘minor sins’.



It is quoted in *Madanapārījata* (p. 807), which makes the same remark as *Mitākṣarā*;—and again on p. 825, where the following notes are added:—According to *Smṛti-mañjarī*, ‘*garhita*’ stands for onions and such other forbidden food, and ‘*anādyā*’ for impure food; while according to *Kalpataru* ‘*garhita*’ stands for such food as, though not forbidden by the scriptures, is deprecated by the people:—‘*anādyam*’, garlic and such things;—the eating of these things is equal to wine-drinking, only when it is done intentionally.

It is quoted in *Prāyashchittavivēka* (p. 177), which has the following notes—‘*Brahmōjjhatā*’ means ‘forgetting the Veda through neglect of proper study,’—‘*Vedanindā*’, passing deprecatory remarks against the words and contents of the Vedas—‘*Suhradvadha*’, murdering of a friend other than the Brāhmaṇa,—‘*garhitānna*’ is ‘food of the lowest born,’—‘*garhitādyā*’, is forbidden food, e.g., mushrooms and so forth, of which repeated eating is meant here. It notes the reading ‘*garhitānādyā*’ as adopted, by *Kalpataru*, which explains ‘*garhita*’ as ‘what is forbidden by the scriptures’, and ‘*anādyā*’ as ‘what is very much deprecated among the people, such as garlic &c.’

### VERSE LVII

This verse is quoted in *Mitākṣarā* (3. 265), as referring to the stealing of property belonging to the Brāhmaṇa;—in *Parāsharamādhava* (Prāyashchitta p. 421);—in *Apārarka* (p. 1048);—and in *Prāyashchittavivēka* (p. 177 and 344), which has the following note—‘Deposit’, belonging to the Brāhmaṇa.

### VERSE LVIII

This verse is quoted in *Mitākṣarā* (3. 231), to the effect that the ‘intercourse’ meant here is the actual consummation of the act, as is clear from the use of the term



‘*rētaḥśēka*’;—in *Aparārka* (p. 1048), which also adds that if the intercourse ceases before actual emission, the offence is not equal to the ‘violation of the Teacher’s bed’;—in *Parāsharamādhava* (Prāyashchitta p. 251), which adds that this refers to cases where the act is repeated for fifteen days;—in *Madanapārījāta* (p. 844), which notes that the use of the expression ‘*rētaḥśeka*’ indicates that if the act ceases before emission, it involves an expiation lighter than that in the case of ‘the violation of the Teacher’s bed’;—and in *Prāyashchittavivēka* (p. 177), which has the following notes—‘*Svayonyāsu*’, Sapiṇḍa-women, and such women as are blood-relations of one’s father or mother,—‘*kumārīṣu*’ Brāhmaṇa virgins,—‘*Antyajāsu*’, Chāṇḍāla and other low-born girls,—‘*Sakhyuḥ strīṣu*’, wives of Brāhmaṇa friends,—‘*putrastrīṣu*’, wives of sons born of wives of different castes, or wives of sons other than the ‘body born’.

### VERSE LIX

This verse is quoted in *Prāyashchittavivēka* (p. 192), which has the following notes—‘*Ayājya-samyājya*’, includes improper gifts and teaching also,—‘*tyāga*’ of parents, i.e. neglecting to take care of them,—‘*Svādhyāya-tyāga*’, forgetting the Veda that has been learnt,—‘*agnityāga*’, through slothfulness,—‘*sutatyāga*’, neglecting his feeding and education,—‘*cha*’ is meant to include the ‘abandoning of the wife’ also.

### VERSE LX

This verse is quoted in *Prāyashchittavivēka* (p. 192), which has the following notes—‘*Parivittitā*’, of the elder brother who remains without wife and fire while his younger brother has taken both,—‘*parivēdana*’ of the younger brother, in the said circumstances,—‘*cha*’ indicates that



these two 'offences' apply in the case of *sisters* also,—the marrying of one's daughter to either of the two persons just mentioned,—and officiating as priest at marriages and other rites of the said two persons.

## VERSE LXI

'*Vratalopanam*'.—'Breaking a vow voluntarily taken' (Medhātithi and Nārāyaṇa):—'breaking the vow of Studentship' (Govindarāja, Kullūka and Rāghavānanda).

This verse is quoted in *Prāyashchittavivēka* (p. 192), which has the following notes—'*Kanyāyā dūṣaṇam*' calling a virgin a 'non-virgin', or piercing with the finger her private parts,—'*vārdhusitvam*' (which is its reading for '*vārdhūṣyam*') for the Brāhmaṇa or the Kṣātriya,—'*vrātā chyutiḥ*' (which is its reading for '*vratalopanam*'), '*avakīrṇitvam*', sexual delinquency of the Religious Student,—'*dāraṇām*', even such as have not been married by one,—'*apatyasya*', of the various kinds of children.

## VERSE LXII

See 10. 20.

This verse is quoted in *Prāyashchittavivēka* (p. 192), which has the following notes—'*Vrātyatā*', whose Upanayana has not been performed at the prescribed age, and one who has not performed the Soma-sacrifice,—'*bāndhavyāga*', abandoning, without reason, of *Sapinda* and other relatives,—'*bhṛtakādhyāpana*' (which is its reading for '*bhṛtyādhyāpana*'), imparting knowledge in exchange for wages received—'*bhṛtādhyāyana*', learning under a Teacher who teaches for wages received,—'*apaṇyānām vikrayaḥ*' selling of lac and other things even once, and repeated selling of milk and other things,—this is an 'offence' for the Brāhmaṇa.



VERSE LXIII

‘*Mahāyantrapravartanam.*’—‘Executing great mechanical works, e. g., constructing dams across rivers in order to stop the flow of water’ (Medhātithi, Govindarāja, Kullūka and Rāghavānanda);—‘making machines for the killing of large animals, such as boars’ (Nārāyaṇa);—‘making such machines as sugar-mills and the like’ (Nandana).

‘*Stryājīvaḥ.*’—‘Subsisting on one’s wife’s earnings by making her enter service’ (Nārāyaṇa and Nandana);—‘by turning her into a harlot’ (Kullūka);—‘maintaining oneself by the separate property of his wife’ (Medhātithi);—‘living on money obtained by selling his wife’ (Rāghavānanda).—Nandana who reads ‘*himsrauṣadhistṛyupājīvaḥ*’ (for ‘*himsrauṣadhīnām stryājīvaḥ*’), explains the compound as ‘subsisting either on money earned by the sale of noxious herbs, or on the earnings of one’s wife.’

This verse is quoted in *Prāyashchittavivēka* (p. 192), which has the following notes—‘*Sarvakarēṣu adhikārah,*’ employment in mines,—‘*mahāyantrapravartanam,*’ working of oil and other mills, or of machines for the sharpening of weapons and so forth,—‘*rauṣadhīnām hinsā,*’ destroying the crops,—‘*stryājīvaḥ,*’ living on the earnings of women,—‘*abhichāra,*’ doing of *japa*, *homa* and such acts with the motive of bringing harm to others,—‘*mūlakarma,*’ rites for captivating other persons and such other purposes.

VERSE LXIV

See 3. 118.

‘*Ninditānna.*’—‘Forbidden food’ (Medhātithi and Kullūka);—‘food given by persons from whom it should not be accepted, e. g. by a king, a gambler and so forth’ (Nārāyaṇa, Rāghavānanda and Nandana).’

This verse is quoted in *Prāyashchittavivēka* (p. 192), which has the following notes—The cutting of many trees.



for purposes of fuel,—cooking for one's own benefit, not for the purpose of offerings to Vishvêdêvas,—'ninditâna,' the food given by tribes or thieves and such people.

### VERSE LXV

This verse is quoted in *Smṛtitattva* (p. 538);—and in *Prāyashchittavivêka* (p. 192), which has the following notes—'anāhitāgnitā', omitting to kindle the fires by Shrauta or Smārta rites, when one has the capacity to lay them,—'stēyam,' appropriating of articles other than gold, slaves, horses, silver, land and deposits,—'ṛṇānām anapakriyā,' the non-payment of debts due to Gods, Rsis and Piṭrs,—'asachchhāstrādhigamanam,' the study of heterodox literature.—'Kaushilavasya krīyā,' constant addiction to dancing, singing and music.

### VERSE LXVI

This verse is quoted in *Prāyashchittavivêka* (p. 192), which has the following notes—'Kupya,' articles of copper and so forth,—and the Brāhmaṇa serving a drunkard man or woman.

### VERSE LXVII

This verse is quoted in *Mitākṣarā* (3. 242);—in *Madanapārijāta* (p. 924);—in *Nṛsimhaprasāda* (Prāyashchitta 30a);—and in *Prāyashchittavivêka* (p. 42 and 464), which explains 'rujaḥ krtyā' as 'causing pain,'—'aghrēya' as garlic and the like,—'jaihmyam' as dishonest dealings with friends,—'Maithunam pumsī,' as 'vulgarity.'

### VERSE LXVIII

This verse is quoted in *Mitākṣarā* (3. 242);—in *Madanapārijāta* (p. 924);—in *Nṛsimhaprasāda* (Prāyashchitta 30a);—and in *Prāyashchittavivêka* (p. 42 and 465).





## VERSE LXIX

This verse is quoted in *Mitākṣarā* (3. 242);—in *Madanapārijāta* (p. 924);—in *Nṛsimhaprasāda* (Prāyashchitta 30a);—and in *Prāyashchittavivēka* (pp. 42, 403, 424 and 465.)

## VERSE LXX

This verse is quoted in *Aparārka* (p. 1129), which adds that this refers to such 'insects' as have no bones;—in *Mitākṣarā* (3. 242);—in *Madanapārijāta* (p. 924);—in *Nṛsimhaprasāda* (Prāyashchitta 30a);—and in *Prāyashchittavivēka* (pp. 42, 238 and 465), which explains '*madyā-nugatabhojanam*' as 'such fruits and roots and other things as are brought up at the time of drinking wine,—and '*adhairyam*,' as 'being too much perturbed at even a very slight loss.'

## VERSE LXXII

The first half of this verse is quoted in *Parāshara-mādhava* (Prāyashchitta, p. 399).

It is quoted in *Madanapārijāta* (p. 787);—in *Aparārka* (p. 1053), to the effect that the man should place a human skull on the top of a flag;—in *Mitākṣarā* (3. 243), which explains the first half as prescribing living in the forest and the phrase '*kṛtvā shavashirodhvajam*' as meaning that the man shall carry a staff placing at its top the skull of the man murdered by him;—in *Shuddhikaumdā* (p. 241), which says that the year meant here is the '*sāvana*' one;—and in *Prāyashchittavivēka* (p. 62 and 522), which says that he is to have recourse to 'begging alms' only when wild growing fruits are not available.



### VERSE LXXIII

“According to the Bhaviṣya Purāṇa, which Kullūka and Rāghavānanda quote, these two penances and that mentioned in the next verse are to be performed by a Kṣatriya who slew a Brāhmaṇa,—those ending in death by an offender who, himself destitute of good qualities, killed a learned *Shrotriya*, and the lighter ones by an eminent king who unintentionally caused the death of a worthless Brāhmaṇa.” (Buhler).

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 405), which adds that the various alternatives here laid down are to be understood to vary with such circumstances of each case as that of the act being intentional or otherwise, the person killed being learned or ignorant and so forth;—in *Aparārka* (p. 1060), which explains ‘*viduṣām*’ as ‘persons prescribing the expiation for him’; and adds that in the absence of such persons he should voluntarily make himself the target of persons who may be engaged in fighting.

It is quoted in *Mitākṣarā* (3. 244) as indicating that there is freedom of choice for the man who has committed the offence;—again under 2. 247, where the meaning is explained as the man should throw himself into the fire by plunging into it headlong three times.

### VERSE LXXIV

‘*Svarjitā*.’—‘*Svarjit*’ is the name of a sacrifice, according to Nārāyaṇa and Kullūka;—according to others the term is only an epithet of ‘*gosavēna*.’

‘*Trivṛtā*.’—Qualifies the ‘*Agniṣṭut*’, according to Medhātithi;—but, stands for a distinct sacrifice, the *Trivṛtstoma*, according to Govindarāja and Nārāyaṇa.

For the *Gosava* see Kātyāyana-shautasūtra 22.11.3;—for the *Abhijit*, Āshvalāyana-shautasūtra 8.5.13;—for the *Agniṣṭut*, Ibid 9.7.22—25.



This verse is quoted in *Mitākṣarā* (3. 248);—and in *Parāsharamādhava* (Prāyashchitta, p. 405).

### VERSE LXXV

This verse is quoted in *Prāyashchittavivēka* (p. 172).

### VERSE LXXVI

This verse is quoted in *Mitākṣarā* (3. 250);—in *Aparārka* (p. 1061), which adds the following notes :—One who is unable to provide property enough for his lifelong maintenance, should give a house with furniture, and if unable to give this latter, he should give away all that he possesses ;—in *Madanapārijāta* (p. 802), which also adds the same note;—in *Parāsharamādhava* (Prāyashchitta, p. 399), which adds that the rule is that one who is sonless shall give away his entire property, while one who has a son shall give only a house with furniture ;—and in *Nṛsimhaprasāda* (Prāyashchitta 6 a.)

### VERSE LXXVII

This verse is quoted in *Mitākṣarā* (3. 249), to the effect that the food to be eaten should be ‘*haviṣya*’ only ;—and in *Aparārka* (p. 1060), which adds that ‘*niyatāhāra*’ means that the food should be either small in quantity or of ‘*haviṣya*’ kind only ;—the man becomes purified by reciting the text of the Veda three times,—or by being restrained in food and going along the Sarasvatī from its mouth upwards to its source.

### VERSE LXXVIII

This verse lays down an option regarding observances during the twelve years of penance (verse 72)—according to Medhātithi, Govindarāja and Kullūka ;—according to Nārāyaṇa it provides a general rule for all penances.





This verse is quoted in *Mitākṣarā* (3. 243), which says that this is an option to what has been said in verse 72;—in *Madanapārijāta* (p. 788), which also adds that this lays down an option;—and in *Parāsharamādhava* (Prāyashchitta, pp. 399—400), which notes that the 'vā' of the '*Kṛtavāpanah*' indicates that 'shaving' is an option to the wearing of matted locks.

### VERSE LXXIX

This verse is quoted in *Madanapārijāta* (p. 797), which adds the following explanation:—Here the text lays down separately, (a) 'immediate surrendering of his life for the sake of a Brāhmaṇa,' and (b) 'saving of the cow and the Brāhmaṇa'; from which it follows that—(a) if the man succeeds in saving the cow or the Brāhmaṇa, he becomes purified, even though his own life may have been saved, and (b) even though he may not succeed in saving the cow or the Brāhmaṇa, he becomes purified, if he has tried his best and lost his life in the attempt to save them.

It is quoted in *Aparārka* (p. 1058), which adds the following notes:—This is to be taken in connection with the 'Twelve years penance'; even though the man may not succeed in saving the cow or the Brāhmaṇa, if he has tried his best, and perishes in the attempt, he becomes purified; and if he has succeeded in saving them, he becomes purified, even though he may not have lost his life in the attempt.

It is quoted in *Mitākṣarā* (3. 244), which adds that 'saving the Brāhmaṇa' and 'perishing for the sake of the Brāhmaṇa' are two distinct things.

### VERSE LXXX

This verse is quoted in *Mitākṣarā* (3. 246).

### VERSE LXXXI

This verse is quoted in *Mitākṣarā* (3. 244) as summing up the twelve years' penance.



VERSE LXXXII

This verse is quoted in *Mitākṣarā* (3. 224), which adds the following notes :—‘*Bhūmideva*’ are Brāhmaṇas, the sacrificial priests,—‘*naradēva*’ is the king of these priests, i. e. the master of the sacrifice ;—in an assembly of all these —‘*Shiṣṭvā*,’ having proclaimed, his ‘*ēnaḥ*,’ guilt,—he shall take the final bath of the *Ashvamēdha* sacrifice, if permitted by the aforesaid persons, and thus become purified.

It is quoted in *Aparārka* (p. 1057), which adds the following notes :—‘*Bhūmidevāḥ*,’ Brāhmaṇas,—‘*Naradeva*,’ the annointed *Kṣattriya*,—at an assembly of these persons,—‘*svam ēnaḥ*,’ his guilt, of Brāhmaṇ-slaying,—‘*shiṣṭvā*,’ having proclaimed,—and taking the *avabhṛtha* bath,—he becomes purified.

VERSE LXXXVII

This verse is quoted in *Mitākṣarā* (3. 251), according to which ‘*avijñāta garbha*’ indicates the stage of pregnancy before the sex of the child has been determined ;—it adds that though the fact of the child in the womb belonging to the Brāhmaṇa-caste would make the offender liable to the expiation for Brāhmaṇa-slaying,—yet, in as much as the possibility of the child being female might lead one to think that the guilt of killing a female would be a ‘minor sin,’ and hence involve a lighter expiation,—it becomes necessary to emphasise the necessity of performing the heavier expiation.

It is quoted in *Prāyashchittavivēka* (pp. 87, 179 and 228), which adds the explanation that, having killed the Brāhmaṇa embryo, *before its sex has been determined*, one should perform the rites laid down in connection with Brāhmaṇa-murder,’ as also for killing a Kṣattriya or a Vaishya—while they are performing a sacrifice,—and also for killing an ‘*ātrēyī*,’ i. e., a Brāhmaṇī.



# VERSE LXXXVIII

This verse is quoted in *Mitākṣarā* (3. 244), which adds the following notes:—This refers to cases where the false evidence leads to the death of men;—‘*pratirabhya*,’ becoming passionately angry with;—‘*nikṣēpa*,’ the deposit placed by a Brāhmaṇa,—‘*strī*’ here stands for the wife of a person who has taken the fires, who is endowed with the quality of being devoted to her husband and so forth;—in *Prāyashchittavivēka* (p. 179);—and in *Vīramitrodaya* (Vyāvahāra 56b).

# VERSE LXXXIX

‘*Iyam*’.—According to some this refers to verse 72, and these people hold that “in the case of wilful murder the penance has to be made severer by doubling or trebling the term of twelve years.”—Buhler.

This verse is quoted in *Mitākṣarā* (3. 226), where it is put forward (by the Pūrvapakṣin) in support of the view that in the case of *wilful* murder there is no expiation at all;—but the *Siddhānta* view is that ‘*iyam*’ refers to the ‘Twelve Years’ Penance mentioned before (verse 72), and the latter half of the verse does not entirely deny all expiation; since several texts have definitely prescribed *expiation* by death in such cases.—It is quoted again under 3. 243, in support of the view that the ‘Twelve Years’ Penance is meant to meet cases of unintentional murder;—in *Vyavahāra-Bālabhāṭṭī* (p. 77);—in *Nṛsiṃhaprasāda* (Prāyashchitta 2a);—in *Smṛtisāroddhāra* (p. 354), which says that this precludes only the ‘Twelve Years Penance,’ and not all kinds of expiation, as *suicide* is actually laid down as the expiation for intentional Brāhmaṇa-murder;—and in *Prāyashchittavivēka* (p. 65), which says that the meaning is that the ‘Twelve Years’ and other penances are precluded from intentional Brāhmaṇa-murder, and the implication is that there is no expiation for it.





## VERSE XC

The liquor here meant is that distilled from ground grains, according to Mēdhātithi, Govindarāja and Kullūka;—according to Nārāyaṇa the death-penance is meant for all twice-born men partaking of liquor distilled from grains, and by Brāhmaṇas who have drunk any of the three kinds of liquor described under verse 95.

‘*Mohāt*’.—Nandana reads ‘*amohāt*’ and explains it as ‘not unintentionally’, ‘intentionally.’

This verse is quoted in *Mitākṣarā* (3. 253), which explains ‘*mohāt*’ as meaning ‘ignorance of scriptural injunctions’.—It enters into a long discussion regarding the exact connotation in the present context, of the term ‘*surā*,’ and comes to the conclusion that it stands for the liquor distilled from ground grains; the partaking of which is equally heinous for all the three higher castes,—the drinking of the other two kinds, that distilled from molasses and that from honey, being sinful for the Brāhmaṇa only.

It is quoted in *Madanapārijāta* (p. 815), which adds the following notes:—‘*Mohāt*’ stands for ‘ignorance of the scriptures,’ and not for ‘ignorance of the nature of the liquid drunk’;—‘*agnivarnām*,’ ‘heated to the extent of becoming red-hot’;—in *Nṛsimhaprasāda* (Prāyashchitta 9a);—and in *Prāyashchittavivēka* (p. 93), which explains ‘*agnivarnām*’ as ‘hot as fire,’ and quotes Jikana to the effect that ‘*mohāt*’ means ‘intentionally.’

## VERSE XCI

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 412), which adds that this refers to the same case as the preceding verse; i.e. to the intentional drinking of liquor distilled from grains;—and in *Prāyashchittavivēka* (p. 93), which says that the ‘milk’ and ‘clarified butter’ meant are those of the cow only.



## VERSE XCII

This verse is quoted in *Mitākṣarā* (3. 254), which adds that this refers to a case where wine has been drunk by mistake and then vomitted;—again, as referring to a case where the wine has been taken unintentionally but thrown out, after it has merely touched the palate.

It is quoted in *Parāśharamādhava* (Prāyashchitta, p. 412), to the same effect,—i. e. as referring to a case where the wine has only touched the palate;—in *Nṛsimhaprasāda* (Prāyashchitta 9b);—and in *Prāyashchittavivēka* (p. 98), which says that this refers either to cases of *unintentional* but repeated drinking of the *Gauḍī* and *Mādhvī* wines, or to those of *intentional* drinking, only once, of those wines.

## VERSE XCIII

This verse is quoted in *Vīramitrodaya* (Āhnika p. 548);—in *Aparārka* (p. 1044), which adds the following notes:—‘Being the refuse of grains’ is applicable only to that liquor which is distilled from ground grains, and not to those distilled from molasses and honey, as neither of these two latter is ‘grain,’ which name is applicable only to *Vṛīhi* and other corns; thus then the drinking of liquor distilled from grains is forbidden for all twice-born men, and the other two kinds for the Brāhmaṇa only.

It is quoted in *Mitākṣarā* (3. 253), firstly to the effect that ‘*Surā*’ is the name of that liquor which is distilled from grains;—secondly to the effect that this liquor is forbidden for all the three higher castes, while that distilled from honey or molasses is forbidden for the Brāhmaṇa only;—in *Prāyashchittavivēka* (p. 89), which adds that ‘*annānām*’ stands not only for *rice*, but for barley, wheat and other grains also,—hence it is that the wine produced by the fermentation of grains is called ‘*Surā*’;—and in *Smṛtisāroddhāra* (p. 355), to the effect that the name ‘*Surā*’ directly denotes wine made from grains only.



VERSE XCIV

‘*Madhvī*.’—‘Distilled from honey’ (Medhātithi);—  
‘distilled from Madhūka flowers (Kullūka);—‘distilled either  
from grapes and from Madhūka flowers or from honey’  
(Nārāyaṇa).

This verse is quoted in *Aparārka* (p. 1044), which adds  
that the liquor distilled from grains is here made an example  
of prohibited drink; which means that this is the principal  
kind of liquor, and the other two are only secondary; it is  
for this reason that though all the three are equally forbidden  
for the Brāhmaṇa, the former alone is forbidden for the  
Kṣātriya and the Vaiśya.

It is quoted in *Mitākṣarā* (3. 253), to the effect that  
liquor distilled from grains is the principal kind of liquor;—and  
again, in the sense that the sin involved in the drinking of  
liquor distilled from honey and molasses is as heavy as that  
in drinking that distilled from grains.

It is quoted in *Parāsharamādhava* (Prāyashchitta, p.  
411), which notes that the name ‘*Surā*’ is applied primarily  
to liquor distilled from grains only, and only indirectly to  
those distilled from honey and molasses;—in *Vīramītro-*  
*dāya* (Āhnikā, p. 548);—in *Madanapārījāta* (p. 814), which  
notes that ‘*dvijottama*’ stands for Brāhmaṇas; hence the  
meaning is that all kinds of liquor are forbidden for the  
Brāhmaṇa from his very birth;—in *Prāyashchittavivēka* (p.  
89) in support of the view that the name ‘*Surā*’ applies to  
wines of all the three kinds;—and in *Smṛtisāroddhāra* (p. 355)  
to the effect that the name ‘*Surā*’ applies directly to these three  
kinds of wine only, and only figuratively to other kinds.

VERSE XCV

This verse is quoted in *Mitākṣarā* (3. 253), as implying  
that it is for the Brāhmaṇa alone that all the three kinds of  
liquor are equally forbidden;—in *Aparārka* (p. 1069), to the



effect that (a) the *Surā* is to be avoided by all the twice-born, even before initiation, (b) the *Mādhvī* and the *Gaudī* are to be avoided by the Brāhmaṇa at all times; but by the Kṣattriya and the Vaishya only during the period of studentship.

It is quoted in *Smṛtitattva* (p. 225);—in *Vīramitrodaya* (Āhnika 548);—in *Madanapārijāta* (p. 814), to the effect that the *Mādhvī* and the *Gaudī* are forbidden only for the Brāhmaṇa, not for the Kṣattriya and the Vaishya; but they are forbidden for all the three higher castes during the period of studentship;—and in *Smṛtisāroddhāra* (p. 355).

### VERSE XCVI

This verse is quoted in *Vīramitrodaya* (Āhnika, p. 548).

### VERSE XCVII

This verse is quoted in *Vīramitrodaya* (Āhnika p. 548).

### VERSE XCIX

This verse is quoted in *Parāsharamādhava* (Prāyashchitta p. 414);—and in *Prāyashchittavivēka* (p. 117).

### VERSE C

‘*Tapasaiva tu.*’—“Kullūka thinks that it indicates that, while a Brāhmaṇa must never be slain by the king, other Āryans also may perform austerities.—According to Rāghavānanda it refers to the optional recitation of the *Gāyatri* 700,000 times;—according to Nārāyaṇa to other penances, even such as end in death;—Govindarāja takes it as referring to those prescribed in the next verse.”—Buhler.

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 414), which adds the following notes:—The alternative of ‘killing’ is meant for one who is a Brāhmaṇa in name only, while ‘austerity’ is for one who is endowed with such qualities as being devoted to sacrifices and so forth. It





goes on to add that the death-penalty is meant for cases of intentional stealing; *unintentional* stealing of gold being possible in cases where a man steals a piece of cloth, to which (unknown to him) a piece of gold may be tied. It adds that the particular 'austerity' is meant as described by Manu himself in the next verse.

It is quoted in *Aparārka* (p. 1079), which adds that the term '*viprah*' does not preclude the other castes; it is emphasised only with a view to indicate that what is here stated is an exception to the general prohibition 'the Brāhmaṇa shall not be killed'; this general prohibition is of that act of killing to which one is prompted by mere passion; in the case in question the killing is done as an act of justice, and at the request of the culprit himself. In fact the omission of this act of justice would involve the king in sin.

It is quoted in *Mitākṣarā* (3. 267), which adds the following note—On being struck once, if the culprit dies, he becomes absolved from his sin; but even if he do not die when struck, he becomes absolved from the sin;—and again, to the effect that the killing of the Brāhmaṇa under the said circumstances is permissible;—and in *Prāyashchittavivēka* (p. 117).

### VERSE CI

"According to Nārāyaṇa this verse refers to an unintentional offence; according to Kullūka and Rāghvānanda, to the theft of a small sum."—Buhler.

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 415), as describing the 'austerity' mentioned in the preceding verse;—and in *Aparārka* (p. 1080), which remarks that this refers to a case where the gold stolen belonged to a Brāhmaṇa devoid of good qualities, or where the theft has been committed by a Brāhmaṇa possessing good qualities in times of distress for the support of his family;—and that in a case where one without qualities has stolen gold belonging



to a Brāhmaṇa with good qualities, in large quantities, or for such evil purposes as gambling and the like, the expiation must be one that ends in the culprit's death.

### VERSE CIII

This verse is quoted in *Aparārka* (p. 1083), which adds the following notes:—The culprit should openly proclaim his offence of having violated his Guru's bed;—‘*sūrmī*’ is a female image made of iron or some such metal.

It is quoted in *Parāsharamādhava* (Prāyashchitta, p. 255);—in *Madanapārijāta* (p. 836 and 837), which notes that there are two expiations prescribed here:—(a) lying down upon a heated iron-bed, and (b) embracing the red hot image;—in *Nṛsimhaprasāda* (Prāyashchitta 11a);—and in *Prāyashchittavivēka* (p. 137), which explains ‘*gurutalpāḥ*’ (which is its reading for ‘*gurutalpī*’) as ‘*guroḥ talpam talpam yasya*,’ ‘*sūrmī*’ as an iron image.

### VERSE CIV

This verse is quoted in *Mitākṣarā* (3. 259), which offers the following explanation:—He should himself cut off his testicles and the organ, take them in his hands and go away straight onwards towards the South-West, till his body falls off; it adds that the man should go towards the South-West backwards and with eyes bandaged.

It is quoted in *Madanapārijāta* (p. 836), which also adds that the man should go backwards and with eyes closed;—in *Aparārka* (p. 1083);—in *Parāsharamādhava* (Prāyashchitta, p. 253);—in *Nṛsimhaprasāda* (Prāyashchitta, p. 11a);—and in *Prāyashchittavivēka* (p. 137), which says that the ‘cutting’ should be done with a razor as distinctly prescribed by *Shankha-Likhita*.



VERSE CV

This verse is quoted in *Madanapārijāta* (p. 840);—and in *Prāyashchittavivēka* (p. 140), which says that this refers to unintentional intercourse with the *guru-patnī* who is unchaste.

VERSE CVIII—CXVI

These verses are quoted in *Parāsharamādhava* (Prāyashchitta, p. 191), which adds that this refers to the case of intentionally killing a cow belonging to a Brāhmaṇa;—in *Madanapārijāta* (p. 860), which notes that what is laid down in verses 108 to 113 refers to cases of intentional killing of a cow belonging to the Kṣātriya, and what is declared in verses 115 and 116 to cases of killing any cow belonging to a Brāhmaṇa. It goes on to add the following notes:—Since the text mentions no other food, the man should live upon fruits and roots only; or the meaning may be that ‘*anēna vidhinā*’ (of verse 115) refers to the two months’ course detailed in the foregoing verses; and the sense is that the man who is unable to give ten cows with a bull should give away all his belongings. When however one unintentionally kills a cow, young and well-fed, belonging to a Brāhmaṇa, he should observe the *three-monthly* penance prescribed by Aṅgiras.

They are quoted also in *Smṛtitattva* (p. 519);—in *Smṛtisāroddhāra* (p. 358);—and in *Prāyashchittavivēka* (pp. 196—197), which says that this refers to the ordinary killing of the cow, and *not* to its killing for sacrifices;—and adds the following explanation:—He should shave his head, cover himself with the skin of the cow he has killed, and drink gruel of barley cooked in cow’s urine; and thus live in the cow-pen, for one month, and during the next two months he should fast during the day and eat a little in the evening,—‘*vīrāsana*’ is sitting without any support,—‘*abhishasta*’ attacked,—‘*bhayaih*’ by dangerous animals,—



‘*sarvaprāṇaiḥ*’ (which is its reading for ‘*sarvāpāṇaiḥ*’), to the best of his power—‘*gām na kathayēt*’, with a view to have her driven away,—‘*sucharītavrataḥ*’, he who has followed these restrictions in the right manner,—he should give ten cows along with one bull.

Verse 115 only is quoted in the *Shuddhikaumḍī* (p. 241).

### VERSE CXVII

This verse is quoted in *Mitākṣarā* (3. 265), as referring to cases of intentionally committed offences, and as standing for the ‘Three Years Penance’;—in *Aparārṅkā* (p. 1105), which also notes that this stands for the ‘Three Years Penance’;—in *Parāsharamādhava* (Prāyashchitta, p. 425) as referring to the ‘Three Years Penance’;—in *Prāyashchittavivēka* (p. 394 and 463);—and in *Smṛtisāroddhāra* (p. 362), which says that ‘*ētat*’ stands for the ‘Three monthly Penance’ prescribed for cow-killing.

### VERSE CXVIII

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 436);—in *Vidhānapārijāta* (p. 507);—in *Nirṇayasindhu* (p. 191);—in *Vīramitrodaya* (Samskāra, p. 554);—in *Aparārṅkā* (p. 1140), which notes that what is emphasised here is (a) that the ass should be one-eyed, and (b) that the entire procedure of the *Pākayajña* sacrifice laid down in *Gṛhyasūtra* should be carried out;—in *Madanapārijāta* (p. 909), which explains ‘*pākayajñavidhānēna*’ as the entire procedure consisting of the ‘*Parīsamūhana*’ and ‘*Paryuṣaṇa*’ and ending with the ‘Principal offerings’ to *Vāta* and the other deities;—it notes that the ‘night’ meant is that of *Amāvāsyā* day;—and in *Smṛtisāroddhāra* (p. 363).





## VERSE CXIX

This verse is quoted in *Madanapārijāta* (p. 909), which notes that (a) according to *Aparārka* the ‘*ājya—homa*’ should begin with ‘*Vātāya svāhā*’ and end with ‘*Vahnayē-svāhā*’ and after these ‘Principal offerings’ there should be one more offering of *Ājya* with the mantra ‘*Samāsiñchantu etc.*,’—(b) while according to *Smṛtimanjārī*, after the ‘Principal offerings,’ the offering of clarified butter with the mantra ‘*Samasiñchantu etc.*,’ should be made to Suvarchala and other deities;—so that in view of these two views, this is a case of option.

It is quoted in *Parāsharamādhava* (Prāyashchitta, p. 436);—and in *Aparārka* (p. 1140), which adds the following notes:—The first offerings to be made are the offerings of *Ājya* with the mantras ‘*Vātāya svāhā*’ and so forth;—the time for the offering is the ‘night,’ and that on the *Amāvāsyā* day.

## VERSE CXX

This verse is quoted in *Aparārka* (p. 1140), which explains that this ‘emission of the seed’ is meant to be ‘in a woman’;—and in *Madanapārijāta* (p. 909.)

## VERSE CXXII—CXXIII

These verses are quoted in *Aparārka* (p. 1141), as laying down an ‘yearly penance’ for the unchaste student;—in *Mitākṣarā* (3. 280), as referring to the case where the woman with whom the student has miscondacted himself is either the wife of an *unlearned* Brāhmaṇa or that of a *learned* Vaishya; the expiation in the case of the wife of a *learned* Brāhmaṇa or *learned* Kṣātriya consisting of the three or two years penance.

They are quoted in *Parāsharamādhava* (Prāyashchitta, p. 436);—in *Prāyashchittavivēka* (p. 387);—and in *Smṛti-sāroddhāra* (p. 363).



VERSE CXXIV

The 'Jātibhramshakara' offences have been enumerated above in verse 67.

This verse is quoted in *Mitākṣarā* (3. 254),—and again under 3. 290);—in *Smṛtitattva* (p. 542);—in *Parāsharamādhava* (Prāyashchitta p. 441), as laying down the expiation common to all 'Jātibhramshakara' offences;—and in *Prāyashchittavivēka* (pp. 464 and 542), which says that when the offence is committed *intentionally*, the penance to be performed is the *Sāntapana*, and when it is committed *unintentionally*, it is *Prājāpatya*.

VERSE CXXV

The 'Sankarīkaraṇa', 'apātrīkaraṇa' and 'malinīkaraṇa' offences have been enumerated above, under verses 68, 69 and 70.

This verse is quoted in *Mitākṣarā* (3. 290);—and in *Prāyashchittavivēka* (p. 403 and 431).

VERSE CXXVI

This verse is quoted in *Mitākṣarā* (3. 266-267), as referring to such Vaishyas and Shūdras as are possessed of only a few good qualities;—it explains the term '*vṛtta*' as qualities of the heart and so forth, such as 'reverence for superiors, purity, cleanliness, truthfulness, control of organs and goodwill towards all';—and in the *Prāyashchittavivēka* (p. 215).

VERSE CXXVII

This verse is quoted in *Mitākṣarā* (3. 266);—in *Parāsharamādhava* (Prāyashchitta, p. 73);—and in *Prāyashchittavivēka* (pp. 215 and 534).



### VERSE CXXVIII

According to Medhātithi and Rāghavānanda this verse only reiterates what has been prescribed in verse 126, all the details of which are meant to be observed in the present connection;—but according to Govindarāja and Kullūka, the special details, of carrying the skull and so forth, which are not expressly mentioned here, are not meant here.

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 128);—and in *Prāyashchittavivēka* (pp. 216 and 534).

### VERSE CXXIX

“According to Govindarāja and Kullūka, the two penances are to be performed optionally, in case a virtuous Vaishya has been killed unintentionally.—Medhātithi says that the first penance is to be performed for the murder of a Vaishya who was less distinguished than the one referred to in verse 126.—Nārāyaṇa thinks that the verse refers to a Vaishya engaged in the performance of a sacrifice, and that the particle ‘*vā*’ takes the place of the cupola, and thus one penance only is prescribed.”—Buhler.

This verse is quoted in *Prāyashchittavivēka* (pp. 216 and 534), which explains ‘*ekashatam*’ as ‘a hundred and one’.

### VERSE CXXX

This verse is quoted in *Prāyashchittavivēka* (pp. 216 and 534).

### VERSE CXXXI

This verse is quoted in *Aparārka* (p. 1130), which adds that this refers to intentional repetitions of the act;—and in *Mitākṣarā* (3. 270) as laying down the ‘Six-monthly Penance’ for the killing of all the animals mentioned collectively.



## VERSE CXXXII

“According to Govindarāja, Kullūka, Nārāyaṇa and Rāghavānanda, these penances are to be performed if the animal has been killed unintentionally.—According to Medhātithi they have to expiate the slaughter of a single animal.—The choice among the four penances depends, according to Kullūka and Rāghavānanda, on the strength of the offender, according to Govindarāja and Nārāyaṇa, on his caste and other circumstances.”—Buhler.

This verse is quoted in *Mitākṣarā* (3. 270), as laying down the penances for the killing of each of the animals severally ;—in *Aparārka* (p. 1131) as referring to the killing of a cat ;—and in *Madanapārijāta* (p. 949), which explains ‘*upasparsha*’ as *bathing*, and adds that this refers to unintentional killing ; intentional killing involves double the expiation here prescribed.

## VERSE CXXXIII

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 67) ;—in *Aparārka* (p. 1132), which explains ‘*palāla*’ as paddy-stalks without grains ;—in *Mitākṣarā* (3. 273) ;—in *Madanapārijāta* (p. 950), which adds that the ‘*palālabhāra*’ and ‘one *māṣa* of *Sīsaka*’ are optional alternatives ;—and in *Prāyashchittavivēka* (p. 527), which says that the gift prescribed removes the sin of the killing.

## VERSE CXXXIV

This verse is quoted in *Parāsharamādhava* (Prāyashchitta p. 64), which adds that this refers to cases where the offender is a wealthy person ;—and in *Prāyashchittāvivēka* (p. 240).





## VERSE CXXXV

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 62), which notes that this refers to cases where the offender is a wealthy person unable to do any fasting;—in *Aparārka* (p. 1132);—in *Mitākṣarā* (3. 272);—in *Madanapārijāta* (p. 950);—and in *Prāyashchittavivēka* (p. 239).

## VERSE CXXXVI

This verse is quoted in *Parāsharamādhava* (Prāyashchitta p. 69);—in *Mitākṣarā* (3. 271);—and in *Prāyashchittavivēka* (p. 230), which explains the meaning to be that for the killing of an ass, a ram or a goat, one should give a one year old bullock.

## VERSE CXXXVII

This verse is quoted in *Aparārka* (p. 1132);—in *Mitākṣarā* (3. 272);—in *Madanapārijāta* (p. 950);—and in *Prāyashchittavivēka* (pp. 232 and 527), which says that this refers to *unintentional* killing, and that once only.

## VERSE CXXXVIII

This verse is quoted in *Aparārka* (p. 1128), which explains 'anavasthitāḥ' as 'not faithful to their husbands,' i. e., 'adulterous';—and in *Prāyashchittavivēka* (p. 227).

## VERSE CXXXIX

This verse is quoted in *Prāyashchittavivēka* (pp. 30 and 50) which explains the meaning to be that, if the offender is not in a position to give the male cow or other things prescribed, he becomes absolved from the sin by performing the *Kṛchchhra* penance.



## VERSE CXL

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 66);—and in *Prāyashchittavivēka* (p. 241), which explains the meaning to be that for the *unintentional* killing of 1,000 insects with bones, or a cartful of boneless insects, one should perform the 'six-monthly penance', which Manu has prescribed in connection with the killing of a Shūdra; if it is done *intentionally*, then the 'one year penance' is to be performed.

## VERSE CXLI

'*Kiñchit*.'—'One paṇa' (Nārāyaṇa);—'eight handfuls of grain' (Nandana).

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 66);—and in *Prāyashchittavivēka* (p. 241), which says that this refers to the killing of only *one* insect.

## VERSE CXLII

'*Rkshatam*.'—'One hundred verses, the *Gāyatrī* and the like' (Kullūka);—'the *Gāyatrī* itself repeated a hundred times' (Nārāyaṇa).

This verse is quoted in *Mitākṣarā* (3. 276);—in *Padrāsharamādhava* (Prāyashchitta, p. 434), which notes that this refers to the cutting of trees etc., other than that for sacrificial purposes;—in *Aparārka* (p. 1134), which notes that '*puspitānām*' goes with '*vīrudhām*';—in *Madanapārijāta* (p. 920), which notes that there is nothing wrong in cutting the trees etc., for the purposes of the five great sacrifices and other religious purpose;—and in *Prāyashchittavivēka* (p. 243), which says that this refers to the cutting of trees with very few fruits.

## VERSE CXLIII

This verse is quoted in *Aparārka* (p. 1138), which adds that '*ghātē*,' 'on cutting,' is to be construed with





this verse;—and in *Prāyashchittavivēka* (p. 242), which explains ‘*anāḍya*’ as *shaktu* and the rest,—‘*rasa*’ as ‘molasses and the like,’—‘*phala*’ as ‘the jujube and so forth,’—‘*pুষpa*’ as the *Madhūka* and the rest,—if one kills the insects produced in these things *unintentionally*, one should eat clarified butter and then fast for a day.

## VERSE CXLVI

‘*Anirdēshyam.*’—‘What is stated in the first half is not to be prescribed in the case of the *intentional* drinking of *Vāruṇī*’ (Medhātithi and Nandana);—‘Any expiation involving death shall not be prescribed even in the case of the intentional drinking of *Vāruṇī*’ (Nārāyaṇa and others.)

This verse is quoted in *Aparāka* (p. 1074), which explains the meaning to be—‘The intentional drinking of *Surā* is an offence for which no expiation can be prescribed by any Assembly; it has to be found out by the offender himself.’ It adds that the re-performance of the sacramental rites in itself cannot absolve the man from the sin; these rites have to be performed after the man has undergone the expiation specifically prescribed for wine-drinking.

It is quoted in *Mitākṣarā* (3. 255), which adds that the sacramental rites are to be performed after the performance of the *Tapta-Kṛchchhra*.

It is quoted in *Parāyashchittavivēka* (p. 100), which explains the second half to mean that ‘if one drinks wine *intentionally*, then the expiation just prescribed will not serve his purpose, his only expiation will consist in giving up his life.’

## VERSE CXLVII

This verse is quoted in *Aparārka* (p. 1074), which explains that ‘*payah*’ here stands for *milk*;—again on p. 1160, where it is added that this refers to cases where the water has been drunk and vomitted by women or children, and



it was contained in a vessel that had contained wine, but was not wet with it, so that the water had not imbibed either the taste or the smell of the liquor.

It is quoted in *Parāsharamādhava* (Prāyashchitta, p. 349), which adds that this refers to cases of unintentional repeated drinking of the water ;—and in *Prāyashchittavivēka* (p. 324), which says that 'payah' means *milk*; 'Shankhapuspī' is a particular herb.

### VERSE CXLVIII

'Vidhivat'—'Pronouncing a benediction on the giver' (Govindarāja and Kullūka);—'at the Sautrāmaṇi sacrifice' (Nandana).

This verse is quoted in *Aparārka* (p. 1164.)

### VERSE CXLIX

This verse is quoted in *Mitākṣarā* (3. 255), which remarks that this refers to the case of a Soma-sacrificer *unintentionally* smelling the liquor; if it is intentional, the expiation is to be doubled;—in the *Madanapārijāta* (p. 822), which also remarks that this refers to unintentional smelling; intentional smelling involving double the said expiation;—in *Aparārka* (p. 1164);—in *Parāsharamādhava* (Prāyashchitta, p. 349), as referring to the case of the smelling of the mouth of the man who has drunk wine;—and in *Nṛsimha-prasāda* (Prāyashchitta 9 b).

### VERSE CL

This verse is quoted in *Mitākṣarā* (3. 254), as referring to cases where the twice-born eats *dry* grain 'which has come into contact with liquor;—in *Aparārka* (p. 1074), where 'surāsamspṛṣtam' is explained as 'that in which the taste of liquor is absent e. g. water contained in a vessel which had contained liquor; the eating of what bears the





taste of liquor being as bad as the drinking of liquor itself; it adds that here also the re-initiation is to *follow* the prescribed expiatory rites;—again on p. 1164;—in *Nirṇaya-sindhu* (p. 191);—in *Vidhānapārījāta* (p. 488);—in *Vīramitrodaya* (Samskāra p. 545);—in *Parāsharamādhava* (Prāyashchitta p. 298);—in *Prāyashchittavivēka* (p. 104);—and in *Samskāraratnamālā* (p. 279), which says that the ‘*punaḥ samskāra*’ is always to be preceded by the performance of the *Tapta-Kṛchchra*.

## VERSE CLI

This verse is quoted in *Smṛtitattva* (p. 556);—in *Aparārka* (p. 1075);—in *Smṛtikaumḍī* (p. 37), as laying down in what respects the expiatory sacrament differs from the ordinary initiatory sacrament;—in *Prāyashchittavivēka* (p. 104), which says that all this refers to things that had come into contact with wine sometime in the past;—and in *Gadādhara-paddhati* (Kāla p. 325).

## VERSE CLII

*Cf.* 4. 222.

This verse is quoted in *Aparārka* (p. 1167);—in *Mitākṣarā* (3. 291), which adds that this refers to intentional and repeated acts;—and in *Prāyashchittavivēka* (pp. 269 and 281), which says that this refers to *unintentional* eating.

## VERSE CLIII

This verse is quoted in *Mitākṣarā* (3. 291).

## VERSE CLIV

This verse is quoted in *Aparārka* (p. 1164);—and in *Parāsharamādhava* (Prāyashchitta p. 296).



## VERSE CLV

‘*Ajñātam*’.—‘Unknown’ (Medhātithi);—‘unintentionally’ (Govindarāja and Rāghavānanda);

‘*Bhaumāni kavakāni*’.—To be taken together according to Medhātithi; separately, according to Rāghavānanda, who takes ‘*bhaumāni*’ as ‘mushrooms growing on the ground,’ and ‘*Kavakāni*’ as ‘mushrooms growing on trees’.

This verse is quoted in *Aparārka* (p. 1166), which adds that the expiation here prescribed is for the eating of mushrooms growing on the ground, not those growing on trees;—and in *Prāyashchittavivēka* (p. 285).

## VERSE CLVI

*Cf.* 5. 19-21.

For the *Tapta-Kṛchchhra* see 11. 215.

This verse is quoted in *Aparārka* (p. 1166);—and in *Mitākṣarā* (3. 291).

## VERSE CLVII

‘*Ekāhañchodākē vasēt*’.—This is to be done, on the fourth day (Medhātithi),—on any one of the three fasting days (Govindarāja and Kullūka),—on the first day (Nārāyaṇa).

This verse is quoted in *Aparārka* (p. 1144), which explains ‘*Māsika*’ as standing for the *Shrāddha* that is done every month during the first year on the date of death, and *not* for the *Amāvāsyā shrāddha*;—and in *Prāyashchittavivēka* (p. 307), which says that this refers to the act being *unintentional*, and adds that ‘*māsikānnam*’ refers to food given at all after-death *shrāddhas*,—and that what is meant by ‘*ekāhamudākē vasēt*’ is that ‘he should fast for three days and live on water on the fourth day.’

## VERSE CLIX

This verse is quoted in *Madanapārijāta* (p. 932), to the effect that on eating the *uchchhiṣṭa* of the cat and other



animals one should drink the *Brāhmīsuvarchalā* for one day ;—in *Prāyashchittavivēka* (p. 320), which explains '*Brāhmīsuvarchalā*' as the yellow sun-flower,—the offender should pass one day living on this ;—and adds that this refers to cases where the act is *unintentional* ; where it is done intentionally, the penance should be kept for *three* days ;—and in *Shuddhikaumdi* (p. 316).

### VERSE CLX

'*Shodhanaiḥ*.'—'Penance' (Medhātithi, Govindarāja, Kullūka and Rāghavānanda) ;—'purgative decoctions' ('others' in Medhātithi, Nārāyaṇa and Nandana).

This verse is quoted in *Smṛtitattva* (p. 548) ;—and in *Prāyashchittavivēka* (p. 342).

### VERSE CLXII

This verse is quoted in *Mitākṣarā* (3. 265) ;—in *Mādanapārijāta* (p. 874), which adds the following notes :—'*Dhana*' stands for valuables other than gold,—'*dviḥjottama*,' Brāhmaṇa,—his '*svajāti*' is Brāhmaṇa ;— this refers to cases where the Brāhmaṇa has stolen ;—in *Parāsharamādhava* (*Prāyashchitta* p. 427) ;—and in *Prāyashchittavivēka* (p. 342), which explains '*anna*' as *cooked* food, and '*dhana*' as *cattle*.

### VERSE CLXIII

This verse is quoted in *Mitākṣarā* (3. 265), which notes that it refers to a case where the quantity of water stolen is such as could be obtained for 250 *Paṇas* ;—and in *Mādanapārijāta* (p. 876), which notes that this refers to the stealing of men belonging to Kṣattriya and other castes ; the stealing of the Brāhmaṇa being regarded as on the same footing as the stealing of gold ;—'*vāpi*' and '*kūpa*' have been added as qualifications for the purpose of excluding water.



contained in jars and other vessels. It quotes *Aparāṅka* as holding that the expiation here prescribed refers to the 'stealing' of tanks and wells full of water,—and also the above-mentioned remark of *Mitākṣarā*. It adds that this expiation is to be performed after the stolen article has been returned to the owner.

It is quoted in *Prāyashchittavivēka* (p. 344), which says that '*manuṣya*' and '*strī*' stand here for male and female slaves.

### VERSE CLXIV

This verse is quoted in *Mitākṣarā* (3. 265), as referring to the stealing of such things of small value as tin, lead and the like,—which thus becomes excluded from the expiation prescribed for 'theft' in general;—and in *Madanapārijāta* (p. 874), as referring to the stealing of lead, tin and other things worth less than 25 *Paṇas*.

### VERSE CLXV

This verse is quoted in *Mitākṣarā* (3. 265), as referring to cases where the quantity of food stolen is just enough for one meal;—and in *Madanapārijāta* (p. 875), which has the same note, and adds that, in as much as the 'conveyance' and other things have been mentioned in the same context, these also should be understood to be of just that value which would be equivalent to the value of a single meal.

### VERSE CLXVI

This is quoted in *Mitākṣarā* (3. 265), which adds that since the expiation here prescribed is thrice as heavy as that prescribed in the proceeding verse, the 'grass' and other things mentioned here should be taken to be of that quantity which would be obtainable at a price three times that of the single meal.



It is quoted in *Aparārka* (p. 1110), which notes that this refers to the stealing of 'grass' and other things whose value is three times that of the single meal of one man;—in *Madanapārijāta* (p. 875);—and in *Prāyashchittavivēka* (p. 345), which explains '*Shuṣkāṇna*' as 'rice &c.', and adds that the 'two days penance' is for stealing grains sufficient for two meals, for stealing more than that, there should be heavier expiation.

### VERSE CLXVII

This verse is quoted in *Mitākṣarā* (3. 265), which adds that, inasmuch as the expiation is twelve times as heavy as that prescribed in 165, the articles mentioned should be understood to be twelve times the value of the single meal;—in *Madanapārijāta* (p. 875), which makes the same remark;—in *Nṛsimhaprasāda* (Prāyashchitta 74a);—and in *Prāyashchittavivēka* (p. 341), which explains '*Kaṇānnatā*' as 'living on small pieces of grain'.

### VERSE CLXVIII

This verse is quoted in *Madanapārijātā* (p. 875);—and in *Mitākṣarā* (3. 265), which notes that, since the expiation is thrice as heavy as that prescribed in 165, it should be understood as referring to the stealing of the things mentioned, when their value is three times that of the single meal.

### VERSE CLXX

This verse is quoted in *Smṛtitattva* (p. 544);—in *Parāshaṭamādhava* (Prāyashchitta, p. 252), as referring to cases where the act is repeated for one month;—and again on p. 264, where it says that it refers to cases of repeated acts when *unintentional*, but a single act when *intentional*;—also in *Prāyashchittavivēka* (pp. 181 and 187), which says



that this refers to cases other than those where the intercourse has been within the forbidden circle,—it explains 'Svayoniṣu' as 'one's own paternal and maternal relatives'—'antyajāṣu' as 'Chañḍāla women',—and 'Gurutalpavratam' as the 'twelve years penance.'

### VERSE CLXXI

This verse is quoted in *Vīramitrodaya* (Samskāra, p. 714);—in *Nirṇayasindhu* (p. 198);—in *Vidhānapārijāta* (p. 691);—and in *Parāsharamādhava* (Āchāra, p. 470), which has the following notes:—'The term 'bhaginī' qualifies 'pitr̥ṣvasēyī' and the rest,—'āptasya' qualifies 'the mother's brother', after which 'daughter' is to be understood; 'āptasya' means 'Sapinda'; the 'mother' is one who has been married by the 'gāndharva' and other forms of marriage;—in the term 'pitr̥ṣvasēyī' also the 'pitṛṣvasā', 'father's sister' meant is one who is still within the limits of 'Sapinda' relationship, and who had been married by the Gāndharva form;—it is only when the term is taken in this sense that the qualification 'bhaginī' has some significance.

It is quoted in *Nṛsiṃhaprasāda* (Samskāra 52a);—and in *Smṛtichandrikā* (Samskāra, p. 187), which explains 'āptasya' (which is its reading for 'tanayām') as 'a near sapinda'.

### VERSE CLXXII

This verse is quoted in *Vīramitrodaya* (Samskāra, p. 714);—in *Nirṇayasindhu* (p. 198);—the first half in *Parāsharamādhava* (Āchāra, p. 470).

This verse is quoted in *Smṛtichandrikā* (Samskāra, p. 187).

### VERSE CLXXIII

This verse is quoted in *Aparārka* (p. 1149), as referring to the act done intentionally and repeatedly;—and in *Parāsharamādhava* (Prāyashchitta, p. 272).





## VERSE CLXXIV

This verse is quoted in *Parāsharamādhava* (Prāyashchitta p. 276);—and in *Prāyashchittavivēka* (p. 369).

## VERSE CLXXV

This verse is quoted in *Madanapārijāta* (p. 348), which adds the following notes:—By doing the act unintentionally the man ‘falls’, ‘*patati*’, i. e. becomes sinful; hence the repetition of the act involves the ‘Twelve Years’ Penance’;—when done intentionally, the act makes the man turn into the same caste; hence the repetition of this would involve expiation by death; which however applies only to the act repeated during a long period of time.

It is quoted in *Aparārka* (p. 1121), which notes that the said ‘equality’ involves expiation by death;—in *Smṛtitattva* (p. 543);—in *Parāsharamādhava* (Prāyashchitta, p. 88), as referring to cases of intentional continuation of the act for a long time;—and in *Prāyashchittavivēka* (pp. 160, 187, 258, 412), which says that this prescribes the ‘Twelve Years’ Penance’ for the *unintentional* eating of the Chāṇḍāla’s food;—that the accepting of gifts also that is meant is twenty-four unintentional repetitions of the acceptance.

## VERSE CLXXVI

The second half of this verse is quoted in *Mitākṣarā* (1. 70), and again under 3. 265, as laying down the ‘Three Years’ Penance’ and such other penances for the woman’s offence of adultery with a man of the higher caste;—and in *Aparārka* (p. 98);—and the first half is quoted in *Parāsharamādhava* (Prāyashchitta, p. 285), which explains that the first half of the verse lays down what is to be done by the husband of the offending woman, and the second half what is to be done by the woman herself;—and in *Prāyashchittavivēka* (p. 370), which says that the meaning is that



the husband should keep her in a room, without toilet or bath, meanly dressed, sleeping on the ground, with food just enough to keep her alive,—all this till her next menstruation.

### VERSE CLXXVII

This verse is quoted in *Aparārka* (p. 1125);—and in *Prāyashchittavivēka* (p. 373), which says that this refers to her fourth repetition of the act, done against her wishes.

### VERSE CLXXVIII

‘*Vṛṣālī*’—‘*Chāṇḍālī*’ (Medhātithi and Kullūka);—‘a Shūdra woman’ (Govindarāja and Nārāyaṇa).

This verse is quoted in *Mitākṣarā* (3. 260), which explains ‘*vṛṣālī*’ as *Chāṇḍālī*;—and in *Prāyashchittavivēka* (p. 363), which says that this lays down the expiation for the marrying of a *Shūdra girl*, in a manner not sanctioned by the scriptures.

### VERSE CLXXIX

This verse is quoted in *Prāyashchittavivēka* (p. 141).

### VERSE CLXXX

“Govindarāja and Nārāyaṇa explain the verse differently:—‘He who associates with an outcast by sacrificing for him, or by forming a matrimonial alliance with him, himself becomes an outcast after a year, but not by using the same carriage or seat, or eating with him.’—Buhler.

This verse is quoted in *Madanapārijāta* (p. 849), which explains the meaning as follows:—‘By associating with an outcast on conveyances, seats and dinners after one year,—but by associating with him in sacrificing, teaching and the like, he becomes an outcast, not after one year, but immediately’.





It is quoted in *Aparārka* (p. 1087), which offers the following explanation:—By associating in any way with a known outcast, himself becomes an outcast; that is, becomes like him;—there are some acts in which associating with the outcast makes one an outcast, irrespective of all other considerations; and such acts are ‘sacrificing, teaching and marrying’; each of these acts by itself makes the associator an outcast;—the acts of going on the same conveyance, sitting together and eating, on the other hand, do not by themselves make him an outcast; they do so through other acts.

It is quoted in *Mitākṣarā* (3. 261), as meaning that only such acts as those of ‘travelling together and so forth’ make one an outcast by being continued for one year;—it adds that ‘sitting’ includes ‘sleeping’ also. It remarks that the passage is to be construed as follows:—‘*Samvatsarēṇa patati patitena sahācharan yānāsanāshanāt*’; and ‘*Yājñādhīyāpanādyaunāt na tu samvatsarēṇa patati, kintu sadya ēva*’; and concludes thus—‘By sacrificing and other acts the man becomes an outcast at once, while by sleeping and other acts he becomes so only by continuing it for one year’.

It is quoted in *Prāyashchittavivēka* (pp. 149 and 156), which construes ‘*Yāñāsanāshanāt*’ as ‘*Yānasanāshanāt utpannam samyogam ācharan*’,—and adds that these three, when done all together and intentionally, do degrade the man.

### VERSE CLXXXI

This verse is quoted in *Madanapūrijāta* (p. 851), which notes that in all these cases the lightness or heaviness of the expiation will depend upon the caste and capacity of the person concerned;—in *Mitākṣarā* (3. 261);—in *Parāshara-madhava* (*Prāyashchitta*, p. 23), which defines ‘*samsarga*’ as travelling together, sitting together and so forth;—in *Prāyashchittavivēka* (pp. 141 and 165), which says that this refers to the *Mahāpātakas* only,—and that ‘*Patita*’ here stands for the mere ‘offender’ or ‘sinner’ (not literally, the outcast);—and in *Smṛtisāroddhāra* (p. 356).





This verse is quoted in *Mitākṣarā* (3. 296), to the effect that the aforesaid offering should be made after the offenders have taken a bath in a sacred tank;—in *Nirṇayasindhu* (pp. 402 and 409);—in *Smṛtitattva* (p. 472);—and in *Madanāpārījāta* (p. 966), which explains ‘*prāsyēyuh*’ as ‘should throw’.





## VERSE CLXXXVIII

This verse is quoted in *Mitākṣarā* (3. 260), which explains that this prescribes the 'Twelve Years' Penance,' halved in consideration of the sex of the offender;—and that in reference to an *unintentional* offence.

It is quoted in *Aparārka* (p. 99).

## VERSE CLXXXIX

This verse is quoted in *Prāyashchittavivēka* (p. 141).

## VERSE CXC

This verse is quoted in *Aparārka* (p. 1209), which remarks that the phrase '*vishuddhānapi dharmataḥ*' clearly indicates that the expiations laid down in connection with the murder of women and other crimes do really serve to remove the sin involved.

It is quoted in *Parāsharamādhava* (Prāyashchitta, p. 155), as indication of the view that in the case of heinous crimes, even after the prescribed expiration has been gone through, the offender is not fit for being associated with, even though for all spiritual purposes he may have become 'purified';—in *Prāyashchittavivēka* (p. 21);—and in *Yatidharmasaṅgrāha* (p. 109), which explains '*na samvasēt*' to mean that 'one should not associate with them in eating or any such act.'

## VERSE CXCI

See 2. 38.

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 433), as laying down the expiation for the '*Vrātya*';—in *Madanapārijāta* (p. 871), which adds that—(a) in the case of the omission being due to the absence of an initiator, the expiation should be that prescribed by Manu and Yājñavalkya, and (b) in the case of omission being due to no such



unavoidable circumstances, nor in times of distress, it should be 'Three Years' Penance' prescribed under the section on cow-slaughter.

It is quoted in *Aparārka* (p. 1107), which explains '*trīn kṛchchhrān*' as meaning—(1) The *Prājāpatya*, (2) the *Kṛchchhra* and (3) the *Atikṛchchhra*;—in *Mitākṣarā* (3. 265), as laying down what should be done when one has become a '*vrātya*';—in *Vīramitrodaya* (Samskāra, p. 350);—and in *Prāyashchittavivēka* (p. 384.)

### VERSE CXCI

This verse is quoted in *Aparārka* (1107.)

### VERSE CXCI

This verse is quoted in *Vidhānapārijāta* II (p. 476);—in *Nirṇayasindhu* (p. 49);—in *Aparārka* (p. 1150);—in *Mitākṣarā* (3. 290), which adds that this surrendering should be done in every case before the performance of the expiation specially prescribed for the act;—in *Madanapārijāta* (p. 925), which notes that '*japyēna*' refers to the 300 repetitions of the *Sāvitrī* laid down in the next verse;—in *Shrāddhakriyākauṇḍī* (p. 222), which says that this clearly implies that the religious act that the man does with the ill-gotten wealth also becomes vitiated to that extent;—in *Prāyashchittavivēka* (pp. 403 and 415);—and in *Vīramitrodaya* (Vyavahāra 165 a), to the effect when a man acquires property by methods not sanctioned by the scriptures, he does not obtain any legal possession of that property, and hence his sons also have no claims to inherit that property.

### VERSE CXCI

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 430), as referring to cases where both the *giver* and the *gift* are unfit and improper;—in *Aparārka* (p. 1150),



to the effect that 'residence in the cow-pen' is an essential factor in the expiation;—in *Mitākṣarā* (3. 290), which adds the following notes:—The repetition of the *Sāvitrī* here prescribed is to be done daily, as is clear from the Accusative ending in 'māsam' which denotes *duration*;—and in *Prāyashchittavivēka* (p. 403).

### VERSE CXCV

- This verse is quoted in *Smṛtitattva* (p. 473).

### VERSE CXCVI

'*Viprēṣu satyam uktvā.*'—'Having truly promised to the Brāhmaṇas that he would never again accept an improper gift' (Kullūka);—'having told the truth to the Brāhmaṇas regarding his offence and the consequent penance' (Nārāyaṇa and Nandana).

- This verse is quoted in *Smṛtittava* (p. 473).

### VERSE CXCVII

This verse is quoted in *Nirṇayasindhu* (p. 383);—in *Aparārka* (p. 1152), which explains '*antya karma*' as the '*antyēṣṭi*,' and adds that this refers to one who does the acts on hire, and not merely with a religious motive; and that it refers to the Brāhmaṇa who performs the death-rites for the Kṣātriya and other castes;—the '*Ahīna*' is the name for all those *Ahargana* sacrifices which begin with the '*Dvirātra*' and end with the '*Dvādasharātra.*'

It is quoted in *Parāsharamādhava* (Prāyashchitta, p. 429), as laying down the expiation for officiating at sacrifices performed by those who should not perform them;—and in *Madanapārijāta* (p. 917), which adds the following notes:—'*Antya karma*,' the rites performed on the cremation ground,—'*parēṣām*,' non-sapiṇḍas or *shūḍḍas*,—in the case of the former it is repetition that is reprehensible, and in that of the latter,



even the first act;—‘*abhichāra*,’ ‘murderous rite,’ is reprehensible, when it is performed against one who has not done any similar act against the man;—the ‘*Ahīna*’ is a particular kind of sacrifice.

It is quoted in *Samskāramayūkha* (p. 122);—and in *Prāyashchittavivēka* (p. 247), which says that, as ‘*hīna*’ means ‘unrighteous,’ ‘*ahīna*’ means ‘righteous,’ and hence what is forbidden is ‘magical rites against righteous persons.’

### VERSE CXCVIII

‘*Vedam viplāvya*.’—‘Having taught the Veda to people who should not be taught’ (Medhātithi, Govindarāja, Kullūka and Nandana);—‘having wrongly interpreted the Veda or perverted its sense by omitting *anusvāras* etc.’ (Nārāyaṇa);—‘having intentionally forgotten the Veda’ (Rāghavānanda).

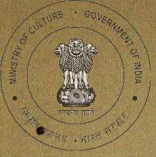
This verse is quoted in *Madanapārijāta* (p. 918), which adds the following notes:—If the man abandons one who comes to him seeking safety from some danger, or for the prescription of an expiation,—‘*Vedam viplāvya*,’ i. e., reading it within hearing of the Chāṇḍāla or other such persons, or on days unfit for study.

It is quoted in *Aparārka* (p. 1152), to the effect that when a man comes to one in the hope of obtaining shelter for his life, and the latter, though capable of saving him, refuses to do so,—similarly one who reads the Veda from an improper person, or in an improper place, or at an improper time,—or learns it from or teaches it to an unqualified person,—both these should live on barley for one year.

### VERSE CXCVI

This verse is quoted in *Mitākṣarā* (3. 277);—in *Aparārka* (p. 1135);—and in *Prāyashchittavivēka* (pp. 11 and 448).





## VERSE CC

See above 3. 151 *et. seq.* for '*Apāṅktyas*'; and *Shuklayajurveda-samhitā* (8. 13) for the *Shākala-homas*.

This verse is quoted in *Aparārka* (p. 1153), which notes that the '*Apāṅktyas*' have been described by Manu himself under the section on '*shrāddhas*';—and in *Mitākṣarā* (3. 286), and again under 3. 289, where it is added that the particular expiation to be performed is to be determined by considerations of the caste of the offender and such other circumstances.

## VERSE CCI

This verse is quoted in *Aparārka* (p. 1184), which adds that in the case of the offence being *unintentional*, the expiation is to consist of *bathing only*;—and in *Prāyashchittavivēka* (p. 462).

## VERSE CCII

This verse is quoted in *Mitākṣarā* (3. 293), which adds the following notes—'*Vinā adbhikḥ*', when there is no water near at hand,—'*shārīram*,' the passing of urine and stools;—it adds that this refers to cases where the act has been done *unintentionally*.

It is quoted in *Aparārka* (p. 1187), which explains '*Shārīram*' as the passing of urine and stools;—and in the *Prāyashchittavivēka* (p. 456), which explains '*Shārīram*' as 'the passing of urine or stools,' and says that it refers to cases where the man omits the use of water on account of dire urgency.

## VERSE CCIII

This verse is quoted in *Smṛtitattva* (p. 809);—in *Nirṇayasindhu* (pp. 84 and 345);—in *Vīramitrodaya*





(Samskāra, p. 579);—in *Madanapārijāta* (p. 957), to the effect that in the case of the omission of those *Shrāuta* and *Smārta* rites for which no specific expiation is prescribed, the *fasting* here laid down serves as the expiation; and where a specific expiation has been prescribed, it has to be done *along with* this fasting;—in *Aparārka* (p. 1188), which explains ‘*abhojanam*’ as *fasting*, and adds the same note as the above;—in *Parāsharamādhava* (Prāyashchitta p. 443), which adds that this fasting has to be done along with the rites specifically prescribed;—in *Mitākṣarā* (3. 242);—in *Prāyashchittavivēka* (pp. 286 and 368), which says that this refers to a single omission,—and explains ‘*Snātaka*’ as ‘house-holder’;—and in *Samskāraratnamālā* (p. 357), which says that this refers to cases of *unintentional* omission.

#### VERSE CCIV

This verse is quoted in *Aparārka* (p. 1185);—and in *Parāsharamādhava* (Prāyashchitta, p. 355), as laying down fasting.

#### VERSE CCV

This verse is quoted in *Aparārka* (p. 1185).

#### VERSE CCVI

*Cf.* 4. 165, 167-169.

This verse is quoted in *Aparārka* (p. 223).

#### VERSE CCVIII

This verse is quoted in *Smṛtitattva* (p. 479);—in *Mitākṣarā* (3. 280), which remarks that when bleeding is brought about, it must involve both ‘threatening’ (*avagūraṇa*) and ‘striking’ (*nipātana*),—as without these there could be



no *wounding*; but in the case of bleeding, the expiation would be '*Kṛchchhrātīkṛchchhra*' (which is prescribed for the bleeding), and not '*Kṛchchhra*' and '*Atīkṛchchhra*' also (which are prescribed separately for 'threatening' and 'striking' respectively);—and in *Prāyashchittavivēka* (p. 464).

### VERSE CCIX

This verse is quoted in *Prāyashchittavivēka* (p. 42).

### VERSE CCXI

This verse is quoted in *Parāsharamādhava* (*Prāyashchitta*, p. 25), as describing the form of the '*Prājāpatya*' penance;—again on p. 460 to the same effect;—in the *Madanapārijāta* (p. 710);—in *Aparārka* (p. 1236);—in *Śrītatva* (p. 481 and p. 541);—in *Prāyashchittavivēka* (p. 508);—and in *Saṃskāraratnamālā* (p. 781).

### VERSE CCXII

This verse is quoted in *Prāyashchittavivēka* (p. 513), which says that this penance requires *seven* days for its completion;—and in *Saṃskāraratnamālā* (p. 782).

### VERSE CCXIII

This verse is quoted in *Mitākṣarā* (3. 320), which notes that the quantity of food here prescribed being less than even a 'handful', this must refer to cases where the person concerned is strong enough to live upon that quantity of food;—in *Aparārka* (p. 1238), which adds that there is to be option between 'a morsel' and 'a handful',—the one to be adopted being dependent upon the strength of the offender and upon the nature of the offence;—and in *Madanapārijāta* (p. 715), which explains '*trīṇi tryahāni*' as *nine days*.



## VERSE CCXIV

This verse is quoted in *Madanapārijāta* (p. 735), which explains the meaning to be that 'he should live for three days each upon water, milk, and clarified butter and air';—thus the penance being completed in twelve days;—in *Prāyashchittavivēka* (p. 511), which says that the 'drinking of hot air' is done by inhaling the vapour emanating from hot milk; and that this penance is completed in twelve days;—in *Samskāraratnamālā* (p. 782);—and in *Yatidharmasaṅgraha* (p. 7).

## VERSE CCXV

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 26), as describing the form of the 'Parāka' penance;—in *Smṛtitattva* (p. 546);—and in *Prāyashchittavivēka* (p. 514).

## VERSE CCXVI

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 240), as laying down the 'three times bathing' as part of the 'Chāndrāyāna' penance;—in *Madanapārijāta* (p. 742), where 'trīṣaṇam' is explained as the three 'saṇdhyās', morning, evening and mid-day;—in *Aparārka* (p. 1243), which adds that this penance is called 'barley-shaped' and 'ant-shaped', the latter when it is begun on the first day of the darker fortnight;—and in *Prāyashchittavivēka* (p. 516).

## VERSE CCXVII

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 241), which notes that this is the 'Barley-shaped' *Chāndrāyāna* as distinguished from the 'ant-shaped' one described in the preceding verse. [When the penance begins on the first day of the brighter fortnight it is called 'Barley-shaped', and when begun on the first day of the





bright fortnight, it is called 'Ant-shaped'. In verse 216, *Aparārka* and *Madanapārijāta* read *shuklē kṛṣṇē*, making the beginning in the brighter fortnight];—and in *Prāyashchittavivēka* (p. 516).

## VERSE CCXVIII—CCXIX

These verses are quoted in *Aparārka* (p. 1243);—in *Mitākṣarā* (3. 325), which add that in the *Yatichāndrāyana* and other penances, it is not necessary to follow the movements of the moon; so that there would be no harm if the beginning were made on even the fifth day of the *lunar* month, if that happened to be the first day of the *solar* month;—and in *Prāyashchittavivēka* (p. 517).

## VERSE CCXX

This verse is quoted in *Mitākṣarā* (3. 325);—in *Prāyashchittavivēka* (p. 517);—and in *Hemādri* (Kāla, p. 23), which says that it is the '*Sāvana*' month that is meant here.

## VERSE CCXXII

This verse is quoted in *Aparārka* (p. 1230), and again on p. 1246 (the first half only);—in *Mitākṣarā* (3. 314), which remarks, with reference to the second half, that it is not meant to be an exhaustive enumeration: it is only illustrative;—in *Madanapārijāta* (p. 748);—and in *Nṛsimhaprasāda* (Prāyashchitta 37 b).

## VERSE CCXXIII

This verse is quoted in *Madanapārijāta* (p. 748)—which adds the following notes:—Thrice during the day and thrice during the night; this rule regarding six baths is applicable to those fit for it physically; so that the number of baths may be increased or decreased. In *Tapta-Kṛchchhra* penance there is a single bath;—in *Aparārka* (p. 1230);—and in *Nṛsimhaprasāda* (Prāyashchitta 38 a).



CCXXIV

‘*Vratī syāt.*’—‘Should resolve to abstain from what is forbidden by cultured men’ (Medhātithi);—‘should wear the Muñja-girdle, a staff and so forth’ (Govindarāja and Kullūka).

This verse is quoted in *Madanapārijāta* (p. 748);—in *Aparārka* (p. 1230);—and in *Nṛsimhaprasāda* (Prāyashchitta 38a).

VERSE CCXXV

This verse is quoted in *Aparārka* (p. 1230), which notes that in all these penances, the capacity of the penitent is to be taken into consideration;—in *Madanapārijāta* (p. 748);—and in the *Nṛsimhaprasāda* (Prāyashchitta 38a).

VERSE CCXXVI

This verse is quoted in *Nṛsimhaprasāda* (Prāyashchitta, 31b);—in *Smṛtisārodhāra* (p. 352), which explains ‘*ṛtaiḥ*’ as standing for the *Kṛchckhra* and the rest;—and in *Prāyashchittavivēka* (p. 502).

VERSE CCXXVII

This verse is quoted in *Smṛtitattva* (p. 483);—in *Pārasharamādhava* (Prāyashchitta, p. 336);—and in *Prāyashchittavivēka* (p. 29), which says that the mention of ‘*āpadī*’ implies that ‘making gifts’ is the secondary alternative for ‘Vedic study and austerities’; and notes that this refers to sins other than that of *killing*.

VERSE CCXXIX

‘*Sharīram.*’—‘The soul in the body’ (Medhātithi, Govindarāja and Kullūka);—‘the subtle body’ (Nārāyaṇa).





## VERSE CCXXX

This verse is quoted in *Prāyashchittavivēka* (p. 30).

## VERSE CCXXXII

This verse is quoted in *Prāyashchittavivēka* (p. 11).

## VERSE CCXXXIII

This verse is quoted in *Smṛtitattva* (p. 487).

## VERSE CCXXXVII

This verse is quoted in *Smṛtitattva* (p. 835).

## VERSE CCXXXIX

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 454).

## VERSE CCXLI

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 454).

## VERSE CCXLV

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 172); and again on p. 379.

## VERSE CCXLVI

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 454).

## VERSE CCXLVIII

This verse is quoted in *Mitākṣarā* (3. 302), which adds that this refers to cases where the penitent is unable to give





cows;—and in *Aparārka* (p. 44 and p. 1216), which adds that this is destructive of all heinous offences; and declares that what is here expressly stated implies also such observances as celibacy, truthfulness, sleeping on the ground, eating only *haviṣya* food and so forth.

### VERSE CCXLIX

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 457).

### VERSE CCL

This verse is quoted in *Mitākṣarā* (3. 304), which remarks that this refers to a case where a person with excellent qualifications has stolen the gold belonging to a man with absolutely no good qualities.

### VERSE CCLI

This verse is quoted in *Mitākṣarā* (3. 305), which says that this refers to cases of *unintentional* offences;—and in *Parāsharamādhava* (Prāyashchitta, p. 458).

### VERSE CCLII

The two verses mentioned are *R̥gveda* 1. 24. 14 and 7. 89. 5.

This verse is quoted in *Madanapārijāta* (p. 993), which adds that as the number of repetitions is not mentioned, the texts have to be recited at all times, except when the man's time may be taken up by other necessary acts;—it remarks that what is stated here refers to cases of repeated offence.

It is quoted in *Mitākṣarā* (3. 306), which makes the same remarks as *Madanapārijāta*.





## VERSE CCLIII

This verse is quoted in *Parāsharamādhava* (Prāyashchitta p. 174);—in *Mitākṣarā* (3. 307), which explains ‘*apratigrāhyam*’ as ‘poison, weapons, liquors, and things belonging to outcasts’;—in *Madanapārijāta* (p. 994);—and in *Prāyashchittavivēka* (p. 415).

## VERSE CCLV

The second half of this verse is quoted in *Mitākṣarā* (3. 307) as referring to cases of passing urine, semen and such things in water.

## VERSE CCLVI

This verse is quoted in *Mitākṣarā* (3. 305) as referring to cases of intentional offence;—and in *Parāsharamādhava* (Prāyashchitta p. 457).

## VERSE CCLVII

This verse is quoted in *Parāsharamādhava* (Prāyashchitta p. 457);—in *Madanapārijāta* (p. 982), as referring to cases of *intentional* repeated acts;—and in *Prāyashchittavivēka* (p. 501).

## VERSE CCLVIII

This verse is quoted in *Mitākṣarā* (3. 302), which notes that it applies to cases of the *unintentional* slaying of the learned Brāhmaṇa, or to those of the *intentional* repetition of the slaying of others;—in *Madanapārijāta* (p. 972), as referring to the *intentional once* slaying of the learned Brāhmaṇa, or to the *unintentional repeated* slaying of the unlearned Brāhmaṇa;—in *Parāsharamādhava* (Prāyashchitta, p. 456);—and in *Nṛsimhaprasāda* (Prāyashchitta 32a).





## VERSE CCLIX—CCLX

These verses are quoted in *Madanapārijāta* (p. 746).

## VERSE CCLXI

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 174).



## Adhyaya XII

### VERSE I—IV

These verses are quoted in *Madanapārijāta* (p. 692), which adds the following notes:—‘*Trividhasya*’, the three kinds, highest, middling, and lowest,—‘*tryadhiṣṭhānasya*’ which has three substrata, in the shape of mind, speech and body,—‘*dashalakṣaṇayuktasya*’, the ten distinguishing features of ‘*paradravyābhidyāna*’ and the rest going to be described below (verses 5-7);—of this ‘*dehin*’ know the mind to be the ‘instigator’;—in *Nṛsimhaprasāda* (Prāyashchittā 41 a);—and verse (3) only in *Prāyashchittavivēka* (p. 12).

### VERSE V

‘*Vitathābhinivēśhaḥ*’.—‘Adherence to false doctrines’ (Medhātithi);—‘constant deep hatred’ (‘others’ in Medhātithi).

This verse is quoted in *Madanapārijāta* (p. 692);—in *Aparārka* (p. 997);—in *Nṛsimhaprasāda* (Prāyashchitta 41 a);—in *Hemādri* (Kāla p. 632);—and in *Smṛtisāroddhāra* (p. 88).

### VERSE VI

This verse is quoted in *Madanapārijāta* (p. 692);—in *Aparārka* (p. 998);—in *Nṛsimhaprasāda* (Prāyashchitta 41 a);—in *Hemādri* (Kāla, p. 632);—and in *Smṛtisāroddhāra* (p. 88).

### VERSE VII

This verse is quoted in *Madanapārijāta* (p. 692); in *Aparārka* (p. 998), which adds that the ten kinds of sinful acts,



proceeding from the mind, speech and body, when committed intentionally and repeatedly, should be understood to be what leads to the man being born in such bodies as those of the *Chāṇḍāla* and the like; but of the same kinds of acts, when done unintentionally, the results are different;—in *Nṛsimha-prasāda* (Prāyashchitta 41 a);—in *Hemādri* (Kāla, p. 632);—and in *Smṛtisāroddhāra* (p. 88).

### VERSE VIII

This verse is quoted in *Madanapārijāta* (p. 692);—and in *Prāyashchittavivēka* (p. 12).

### VERSE IX

This verse is quoted in *Madanapārijāta* (p. 692);—in *Smṛtitattva* (p. 480);—in *Mitākṣarā* (3. 68), in support of the view that mental acts lead to the soul being born in particular kinds of bodies;—and in *Prāyashchittavivēka* (p. 6).

### VERSE X

This verse is quoted in *Nirṇayasindhu* (p. 454);—in *Aparārka* (p. 951);—in *Parāsharamādhava* (Āchāra, p. 553);—in *Madanapārijāta* (p. 374);—and in *Nṛsimha-prasāda* (Samskāra 70 a).

### VERSE XI

This verse is quoted in *Parāsharamādhava* (Āchāra, p. 553).

### VERSE XII

'*Kṣētrajña*'.—Nandana\* is misrepresented by Buhler; he also takes the word in the sense of the *jīvātmā*.



‘*Bhūtātāmā*’.—The body (Medhatithi, Govindarāja, Kūlluka and Rāghavānanda);—‘The soul in the form of the material substances and other non-sentient things’ (Nārāyaṇa);—‘the sense-organs and the rest’ (Nandana, who is again misrepresented by Buhler).

### VERSE XIII

‘*Jīvasanjñāḥ*’.—Nandana is again misrepresented by Buhler; his words are ‘*Jīvāt sañjñā jñānam yasya*,’ which means ‘that which derives consciousness from the *Jīva*,’ and not ‘who fully knows the *Jīvas*,’ as Buhler puts it.

### VERSE XIV

‘*Vyāpya*.’—‘Pervade’ (Govindarāja),—‘rest on’ (Kūlluka);—‘Conceal through illusion’ (Nārāyaṇa).

### VERSE XV

‘*Sharīrataḥ*’.—‘From the supreme soul’ (Medhātithi and Nārāyaṇa);—‘from the body of qualified Brahman’ (Rāghavānanda),—‘from the Root Evolvent which is the body of the supreme soul’ (‘others’ in Medhātithi).

### VERSE XVII

“Kūlluka and Nandana assume that the subject of both clauses is ‘*duṣkṛtino jīvāḥ*’.—Buhler.

“According to Nandana the meaning of the verse is—‘The individual souls, having suffered by means of that body the torments of Yama, are dissolved, on the termination of those sufferings in those very five elements according to the proportion of their works’,—Buhler.



## VERSE XIX

‘*Pashyatah.*’—‘Examine’ (Medhātithi and Kullūka);  
—‘by their presence, cause to be performed’ (Raghavānanda).

## VERSE XXIV

This verse is quoted in *Parāsharamādhava* (Prāyashchitta p. 487);—and in *Nṛsimhaprasāda* (Prāyashchitta, 40 b.)

## VERSE XXV

This verse is quoted in *Parāsharamādhava* (Prāyashchitta p. 487);—and in *Nṛsimhaprasāda* (Prāyashchitta, 40 b.)

## VERSE XXVI

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 487);—and in *Nṛsimhaprasāda*, (Prāyashchitta 40 b.)

## VERSE XXVII

This verse is quoted in *Aparārka* (p. 999), which has the following notes:—‘*Prīti*’ is *sukha*, happiness; what brings about this happiness is ‘*prītisamyuktam*’;—*shuddhābham*, the source of faultless knowledge,—this is ‘*Sattva*.’

## VERSE XXXII

‘*Adhairyam*’—‘Impatience’ (Medhātithi);—‘Want of contented disposition’ (Nārāyaṇa).

## VERSE XXXIX

This verse is quoted in *Madanapārijāta* (p. 693).





## VERSE XL

This verse is quoted in *Madanapārijāta* (p. 693);—in *Parāsharamādhava* (Prāyashchitta, p. 488);—and in *Nṛsimhaprasāda* (Prāyashchitta 41 a.)

## VERSE XLI

This verse is quoted in *Madanapārijāta* (p. 693);—in *Parāsharamādhava* (Prāyashchitta, p. 488);—and in *Nṛsimhaprasāda* (Prāyashchitta, 41 a.)

## VERSE XLII

This verse is quoted in *Aparārka* (p. 1,000);—in *Madanapārijāta* (p. 693);—in *Parāsharamādhava* (Prāyashchitta, p. 488);—and in *Nṛsimhaprasāda* (Prāyashchitta 41 a.)

## VERSE XLIII

This verse is quoted in *Aparārka* (p. 1,000);—in *Madanapārijāta* (p. 693);—in *Parāsharamādhava* (Prāyashchitta p. 488);—and in *Nṛsimhaprasāda* (Prāyashchitta 41 a.)

## VERSE XLIV

‘*Chārāṇah*’—‘Bards, singers etc.’ (Medhātithi);—‘rope-dancers’ (Nārāyaṇa),—‘a class of mythological beings’ (Rāghavānanda.)

This verse is quoted in *Aparārka* (p. 1000), which adds that the variation in the resultant condition is due to variations in the being’s past acts;—in *Madanapārijāta* (p. 693);—in *Parāsharamādhava* (Prāyashchitta, p. 488);—and in *Nṛsimhaprasāda* (Prāyashchitta 41 a.)



### VERSE XLV

This verse is quoted in *Aparārka* (p. 1,000);—in *Madanapārijāta* (p. 693);—in *Parāsharamādhava* (Prāyashchitta p. 488);—and in *Nṛsimhaprasāda* (Prāyashchitta, 41 a).

### VERSE XLVI

This verse is quoted in *Aparārka* (p. 1000);—in *Madanapārijāta* (p. 693);—in *Parāsharamādhava* (Prāyashchitta, p. 488);—and in *Nṛsimhaprasāda* (Prāyashchitta 41 a).

### VERSE XLVII

This verse is quoted in *Aparārka* (p. 1,000);—in *Madanapārijāta* (p. 694);—in *Parāsharamādhava* (Prāyashchitta p. 488);—and in *Nṛsimhaprasāda* (Prāyashchitta 41 a).

### VERSE XLVIII

This verse is quoted in *Aparārka* (p. 999);—in *Madanapārijāta* (p. 694);—in *Parāsharamādhava*, (Prāyashchitta, p. 488);—and in *Nṛsimhaprasāda* (Prāyashchitta 41 a).

### VERSE XLIX

‘*Vedas*’.—‘Verbal text’ (Medhātithi);—‘Personification of the Veda’ (‘others’ in Medhātithi, Govindarāja and Kullūka).

This verse is quoted in *Aparārka* (p. 999);—in *Madanapārijāta* (p. 694), which notes that the terms ‘Veda’ and ‘vatsara’ stand for the respective presiding Deities;—in *Parāsharamādhava* (Prāyashchitta, p. 488);—and in *Nṛsimhaprasāda* (Prāyashchitta 41 a).





## VERSE L

‘*Mahān*’.—‘Supreme soul’ (Medhātithi);—‘the deity presiding over the *Mohat-tattva* of the Sāṅkhyas’ (Govindarāja and Kullūka).

This verse is quoted in *Aparārka* (p. 999);—in *Madanapārijāta* (p. 694);—in *Parāsharamādhava* (Prāyashchitta, p. 489);—and in *Nṛsimhaprasāda* (Prāyashchitta 41 a).

## VERSE LI

This verse is quoted in *Madanapārijāta* (p. 694);—and in *Parāsharamādhava* (Prāyashchitta, p. 489).

## VERSE LV

This verse is quoted in *Madanapārijāta* (p. 700);—and in *Mitākṣarā* (3. 208).

## VERSE LVI

This verse is quoted in *Mitākṣarā* (3. 208);—and in *Parāsharamādhava* (Prāyashchitta, p. 510).

## VERSE LVII

This verse is quoted in *Mitākṣarā* (3. 208), which explains ‘*lūtā*’ as the spider, and ‘*sarāṭa*’ as the lizard;—and in *Parāsharamādhava* (Prāyashchitta, p. 511).

## VERSE LVIII

This verse is quoted in *Mitākṣarā* (3. 208).

## VERSE LX

This verse is quoted in *Parāsharamādhava* (Prayashchitta p. 492 and p. 511).



## VERSE LXI

This verse is quoted in *Mitākṣarā* (3. 213);—in *Parāsharamādhava* (Prāyashchitta, p. 511);—and in *Nṛsimha-prasāda* (Samskāra 74a).

## VERSE LXII

‘*Rasam*’.—‘Juice of sugar-cane’ (Kullūka);—‘quick-silver’ (Nārāyaṇa).

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 511).

## VERSE LXIII

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 511).

## VERSE LXIV—LXVII

These verses are quoted in *Parāsharamādhava* (Prāyashchitta, p. 512).

## VERSE LXVIII

This verse is quoted in *Mitākṣarā* (3. 211);—and in *Parāsharamādhava* (Prāyashchitta, p. 512).

## VERSE LXIX

This verse is quoted in *Mitākṣarā* (3. 216);—in *Madanapārījāta* (p. 702);—and in *Parāsharamādhava* (Prāyashchitta, p. 512).

## VERSE LXXI

This verse is quoted in *Mitākṣarā* (3. 220), in the sense that the man neglecting his duties suffers the same tortures as the *Ulkāmukha* and the rest.





## VERSE LXXII

This verse is quoted in *Mitākṣarā* (3. 220) in the same sense as the above.

## VERSE LXXXV

‘*Ātmajñānam*.’—‘Knowledge of the Supreme Soul, taught in the Upaniṣads’ (Medhātithi, Govindarāja, Kullūka and Nandana);—‘Meditation’ (Nārāyaṇa).

## VERSE LXXXVIII

This verse is quoted in *Mitākṣarā* (3. 58);—and in *Aparārka*, (p. 1033).

## VERSE LXXXIX

This verse is quoted in *Aparārka* (p. 1033);—and in *Mitākṣarā* (3. 58).

## VERSE XC

This verse is quoted in *Aparārka* (p. 1033).

## VERSE XCI

‘*Ātmayājñi*.’—‘Who realises the presence of all deities in himself’ (Medhātithi and Govindarāja);—‘he who performs the Jyotiṣṭoma and other sacrifices in the manner of the Brahmārpana’ (Kullūka and Nandana and Rāghavānanda).

## VERSE XCII

This verse is quoted in *Mitākṣarā* (3.58) which explains ‘*Vēdābhyāsa*’ as ‘repeating the Praṇava, *Om*’;—and in *Yatidharmasāṅgraha* (p. 26).





## VERSE XCIII

‘*Kṛtakṛtyaḥ*’—‘All whose ends have been accomplished’ (Medhātithi);—‘who has done all he ought to do’ (Govindarāja).

## VERSE XCIV

This verse is quoted in the *Smṛtichandrikā* (Samskāra p. 129).

## VERSE XCV

‘*Prētya*’—‘Having acquired excellence’ (Medhātithi);—‘after death’ (‘others’ in Medhātithi, Govindarāja and Kullūka).

## VERSE XCVI

This verse is quoted in *Aparārka* (p. 12.)

## VERSE XCVII

This verse is quoted in *Vīramitrodaya* (Samskāra p. 500);—in *Nṛsimhaprasāda* (Samskāra, 46b);—and in *Smṛtichandrikā* (Samskāra, p. 128).

## VERSE XCVIII

‘*Prasūtirguṇakarmataḥ*’.—An obscure word, the different readings for which disgusted even Medhātithi. For the various explanations see Buhler.

## VERSE XCIX

Cf. 3. 76.



VERSE CI

This verse is quoted in *Parāsharamādhava* (Prāyashchitta, p. 172);—and in *Smṛtichandrikā* (Samskāra, p. 129).

VERSE CII

This verse is quoted in *Vīramitrodaya* (Samskāra p. 510);—and in *Smṛtichandrikā* (Samskāra p. 132).

VERSE CIII

‘*Ajñēbhyaḥ*’.—‘Entirely ignorant’ (Medhātithi and Nārāyaṇa), ‘who have not read the Veda’ (Nandana),—‘who have learnt a little’ (Govindarāja and Kullūka).

‘*Granthinaḥ*’.—‘Forgetful students’ (Kullūka and Nandana),—‘those who learn the verbal text alone and do not ponder over the meaning’, (Medhātithi, Govindarāja and Nārāyaṇa).

This verse is quoted in *Smṛtitattva* II (p. 73), which adds the following notes:—‘*Granthinaḥ*,’ who can read only with the help of the book,—‘*Dhāriṇaḥ*,’ who can read without the help of the book,—‘*Jñāninaḥ*,’ who have studied the scriptures and know their meaning.

VERSE CIV

This verse is quoted in *Vīramitrodaya* (Samskāra, p. 512);—and in *Smṛtichandrikā* (Samskāra, p. 144).

VERSE CV

‘*Shāstram*’.—‘Veda’ (Govindarāja and Nārāyaṇa);—‘Veda and Smṛti’ (Medhātithi),—‘Smṛti’ (Kullūka).



## VERSE CVI

This verse is quoted in *Aparārka* (p. 22);—and in *Smṛtitattva* (p. 511).

## VERSE CVIII

This verse is quoted in *Aparārka* (p. 21);—and in *Smṛtichandrikā* (Samskāra, p. 7), which explains ‘*Dharmēsu*’ as ‘the sources of the knowledge of Dharma.’

## VERSE CIX

‘*Śrutipratyakṣahētavaḥ*.’—‘Those who have learnt the Vedic text, also facts of perception and reasonings’, or ‘those for whom the perceptible Vedic texts are the sole means of discriminating virtue and vice’ (Medhātithi);—‘who are the cause of the teaching of the subjects perceptible in the Veda’ (Govindarāja),—‘who are the causes of making the revealed texts perceptible by reciting them’ (Kullūka);—‘those for whose knowledge and exposition of the Law, the causes consist of Hearing and Perception by the senses’ (Nandana).

This verse is quoted in *Smṛtichandrikā* (Samskāra p. 6) as defining the ‘*Shiṣṭa*.’

## VERSE CX

This verse is quoted in *Nityāchāraprādīpa* (p. 69).

## VERSE CXI

This verse is quoted in *Mitākṣarā* (3. 301) as describing the constitution of the Assembly or Court; it adds the following notes:—‘*Haitukah*’, who is conversant with the essential principles of the Mimāṃsā,—‘*tarkī*’, who is





expert in the science of reasoning ;—in *Madanapārijāta* (p. 774), which adds the following notes :—‘ *Hētukah* ’ (which is its reading for ‘ *haitukah* ’), expert in inference ;—‘ *tarkī* ’, one who is expert in ‘ *Tarka* ’, which is the name given to that process of reasoning by which one comes to the correct conclusion on a definite question, by rejecting all other possible alternatives ; the ‘ *tarka* ’ ‘argumentation’ meant here is one that does not go against the Vedic scriptures.

It is quoted in *Smṛtitattva* II (p. 199), which adds the following notes—‘ *Traividyah* ’, one who knows the three Vedas,—‘ *haitukah* ’, one who acts in a reasonable manner ; —and in *Aparārka* (p. 22).

### VERSE CXII

This verse is quoted in *Mitākṣarā* (3. 300) as prescribing a second kind of ‘ Assembly ’ ;—in *Aparārka* (p. 21) ;—and in *Smṛtichandrikā* (Samskāra, p. 8).

### VERSE CXIII

This verse is quoted in *Mitākṣarā* (3. 300), which notes that which particular form of the ‘ Assembly ’ is to be got together in a particular case should depend upon the gravity of the offence to be tried.

### VERSE CXVI

This verse is quoted in *Aparārka* (p. 1027).

### VERSE CXVII

This verse is quoted in *Aparārka* (p. 1027).





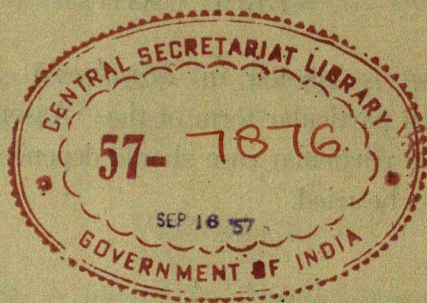
## VERSE CXVIII

‘*Ātmani*’.—‘In the supreme self’ (Kullūka and Nandana),—‘in his own individual self’ (Govindarāja).

‘*Sadasat*’.—‘The products and the causes, or the intelligent and the non-intelligent’ (Nandana),—‘that which has shape and which is shapeless’ (Govindarāja),—‘that which comes into existence and perishes,’ or ‘that which is an absolute non-entity and that which is eternal’ (proposed by Medhātithi).

This verse is quoted in *Aparārka* (p. 1027).

[ END ]



K2