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THE
WORKS
OF
SIR WILLIAM JONES.

WITH
THE LIFE OF THE AUTHOR,
BY
LORD TEIGNMOUTH.

IN THIRTEEN VOLUMES.

VOLUME VII.

LONDON:

PRINTED FOR JOHN STOCKDALI, PICCADILLY 3
AND JOHN WALKER, PATERNOSTER-ROW.

1807,

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CHARGE

TO THE

GRAND JURY,

AT CALCUTTA, DECEMBER 4, 1856.

GENTLEMAN OF THE GRAND JURY,

IT might perhaps be sufficient, if my address to you this day were confined to some short remarks on those offences, of which the prisoners named in the calendar are accused ; but such is the particularity of my own situation, that I cannot help feeling an inclination to take a wider range. Six years have elapsed, since the seat, which I have now the honour to fill, became vacant; and, in that interval, so many important events have happened in *India*, and so many interesting debates have been held in the parliament of *Britain*, on the powers and objects of this judicature, that I may naturally be expected to touch at least, though not to enlarge,

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on those events, all of which I have attentively considered, and on the result of those debates, at most of which I was present. Such expectations, if such have been formed, I should be very loth to disappoint; and, as I shall express my sentiments without reserve, you will hear them, I am confident, with perfect candour.

None of you, I hope, will suspect me of political zeal for any set of ministers in *England*, with which vice my mind has never been infected; nor of political attachments here, which in my station it will ever behove me to disclaim, if, in the character of a magistrate appointed to preserve the public tranquillity, I congratulate you, who are assembled to inquire into all violations of it, on the happy prospect of a general peace in every part of the world, with which our country is connected. The certain fruits of this pacification will be the revival and extension of commerce in all the dependencies of *Britain*, the improvement of agriculture and manufactures, the encouragement of industry and civil virtues, by which her revenues will be restored, and her navy strengthened, her subjects enriched and herself exalted : but it is to *India*, that she looks for the most splendid as well as most substantial of those advantages ; nor can she be disappointed, as long as the supreme executive and judicial

CHARGE TO THE GRAND JURY.

powers fhall concur in promoting the publick good, without danger of collifion or diminution of each other's dignity; without impediment, on the one fide, to the operations of government, or, on the other, to the due adminillration of juftice.

The intititution, gentlemen, of this court appears to have been mifapprehended : it was not, I firmly believe, intended as a cenfure on any individuals, who exift, or have exifted. Legislative provifions have not the individual for their object, but the fpecies ; and are not made for the convenience of the day, but for the regulation of ages. Whatever were the reafojis for its firft eftablifhment, of which I may not be fo perfectly apprized, I will venture to affure you, that it has been continued for one obvious reafon; that an extenfive dominion, without a complete and independent judicature, would be a phenomenon, of which the hiftory of the world affords no example. Juftice muft be adminiftered with effect, or fociety cannot long fubfift. It is a truth coeval with human nature, and not peculiar to any age or country, that power in the hands of men will fometimes be abufed, and ought always, if poffible, to be reftrained; but the reftrictions of general laws imply no particular blame. How many precautions have from time to time been ufed to render judges and jurors impartial,

and to place them above dependence ! Yet none of us conceive ourselves disgraced by such precautions. The object then of the court, thus continued with ample powers, though wisely circumscribed in its jurisdiction, is plainly this : that, in every age, the *British* subjects resident in *India* be protected, yet governed, by *British* laws; and that the natives of these important provinces be indulged in their own prejudices, civil and religious, and suffered to enjoy their own customs unmolested; and why those great ends may not now be attained, confidently with the regular collection of the revenues and the superintendency of the executive government, I confess myself unable to discover.

Another thing has been, if not greatly misconceived, at least very imperfectly understood ; and no wonder, since it requires some professional habits to comprehend it fully: I mean the true character and office of judges appointed to administer those laws. The use of law, as a science, is to prevent mere discretionary power under the colour of equity; and it is the duty of a judge to pronounce his decisions, not simply according to his own opinion of justice and right, but according to prescribed rules. It must be hoped, that his own reason generally approves those rules ; but it is the judgement of the law, not his own, which he delivers. Were judges

to decide by their bare opinions of right and wrong, opinions always unknown, often capricious, sometimes improperly biased, to what an arbitrary tribunal would men be subjected! In how dreadful a state of slavery would they live! Let us be satisfied, gentlemen, with law, which all, who please, may understand, and not call for equity in its popular sense, which differs in different men, and must at best be dark and uncertain.

The end of criminal law, a most important branch of the great juridical system, is to prevent crimes by punishment, so that the pain of it, as a fine writer expresses himself, may be inflicted on a few, but the dread of it extended to all. In the administration of penal justice, a severe burden is removed from our minds by the assistance of juries; and it is my ardent wish, that the court had the same relief in civil, especially commercial, causes; for the decision of which there cannot be a nobler tribunal than a jury of experienced men assisted by the learning of a judge. These are my sentiments; and I express them, not because they may be popular, but because I sincerely entertain them; for I aspire to no popularity, and seek no praise, but that which may be given to a strict and conscientious discharge of duty, without predilection

or prejudice of any kind, and with a fixed resolution to pronounce on all occasions what I conceive to be the law, than which no individual must suppose himself wiser.

The mention of my duty, gentlemen, leads me naturally to the particular subject of my charge, from which I have not, I hope, unreasonably deviated: but you are too well apprized of your duty to need very particular instructions; and happily no higher offences (except one larceny) appear in the calendar than some criminal frauds and a few assaults: one of them, indeed, is stated as very atrocious, and, if you consider that the frequency of small crimes becomes a serious evil in society, you will not think the more trivial complaints unworthy of your attention. Redress of wrongs must be given, or it will be taken; and the law wisely forbids the flighted attack upon the person of a subject, lest far worse mischief should ensue from the sudden ebullition of rage, or the slower, but more dangerous, operation of revenge.

Your powers, however, are not limited to this calendar, or even to the bills which may be preferred; for, whatever else shall come to your knowledge, it will be your part to present, and ours to hear attentively: thus, by a cordial

concurrence in preserving the publick peace, and bringing such as violate it to punishment, we shall contribute, in our respective stations, to the felicity of this great settlement, and to the prosperity of these provinces, in which the dearest interests of our common parent and country, *Great Britain*, are now essentially involved.

CHARGE

TO THE

GRAND

JURY,

AT CALCUTTA, JUNE 10, 2785.

GENTLEMEN,

W H E N I first addrest a Grand Jury of *Calcutta*, too soon after my arrival in this country for any distinct idea to be formed of all its inhabitants, the small number of prisoners, which, to my infinite joy, appeared in the calendar, gave me an opportunity of speaking at large on the institution of this court, and the principles of criminal justice, It is my turn to address you at the opening of the present session; but I have not, unfortunately, the same reason to rejoice, nor the lame excuse for expatiating on general topics: I may, nevertheless, without the impropriety of detaining you too long, touch on one or two subjects, which I have much at heart, and on which I cannot but flatter myself with a hope at your concurrence.

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If I may juftly, as I do fincerely conclude from my own obfervation at former fefions, that the Grand Juries of this capital will deferve the praife of intelligence and moderation, vigilance and humanity, I mull be perfuaded, that you, Gentlemen, have little need of inftruction in the difcharge of your important duty, and I confidently leave with you the few perfons, who are, I fee, imprifoned under accufations of petty crimes ; nor is it either expedient or becoming to point at particular cafes, of which I have no official knowledge.

One cafe, which has come regularly before me as a juftice of the peace, concerning the death of a *Slave girl* whom her mafter had beaten, I think it my duty to mention more at large; leaving to you the determination on facts from a view of all the circumftances, and declaring only my opinion of the law. A mafter may legally correct his fervant with moderation, and with a view to his amendment; nor, if the fervant thus corrected mould die by fome misfortune unforefeen, and unlikely to happen, would the mafter be guilty of any crime; but if the correction be immoderate, exceffive, unreafonable, cruel, the party may have, if he live, a reparation in damages; or, if he die, the mafter will be guilty of manflaughter or of murder, according to the circumftances; of manflaughter, if he have the

fatal blow in a sudden burst of passion, after violent provocation, with a weapon not likely to kill; of murder, if he had full time for deliberation and coolness of blood; and that, whether he intended to destroy life, or only to chastise immoderately; for the true sense of *malice*, to constitute this *horrible* crime, is MALICIOUSNESS of heart or a disposition to do mischief, which may be ascertained by comparing the fault with the correction; and the age and condition of the person stricken, with the force of the striker, and the danger of the instrument used by him. It is hardly needful to remark, that, in such cases, a servant and a Slave, if such a relation be known to our modern law, stand precisely on the same ground; as a lord, in feudal times, might indisputably have been convicted of murder for killing his villain or his wife.

In the present case, you will hear the witnesses on one side only; and it is recommended by great lawyers, lest enormous crimes should be smothered without a trial, that Grand Juries find such bills, as their consciences oblige them to find at all, for the highest degree in the scale, that the evidence fairly supports, leaving it to the Petty Jury, under the direction of the Court, in questions of law, either to hold the prisoner guiltless, or to ascertain the precise measure of his guilt by their verdict⁵ but you are not absolutely

found to follow this practice : you are bound to find the whole truth, as nearly as you can; and if the evidence amount not, in your conscientious opinion, to murder, you may reject the bill for that crime, and find another for manslaughter; nor ought it ever to be forgotten, that the great rule which all should observe, from the petty jurymen to the prince, is, to look on the crime and example with the eye of severity, but on the criminal, as far as possible, with the eye of compassion ; since it is the extremity of evil, says lord Bacon, " When mercy has no commerce with misery:" yet it must be added, that mercy is due to the publick, also, who may be great sufferers, if crimes actually committed escape unpunished.

Another case, Gentlemen, calls for your serious attention: a forgery has been committed, either by the person accused before me, or by his accuser ; which involves, not only the common guilt of that crime, *an intent to defraud another*, but also a design to *affect his personal rights* in the highest degree, and to abuse the process of this court by rendering it subservient to the purpose of imprisoning a man, who stood in the way of others ; and this attempt was to be forwarded by the basest subornation of perjury : it is a contest between two brothers for a large estate; both the accused and his accuser

are *Brdbmans* of fome rank, and have been active in oppofite interefts ; the low wretches, who forged the bond, have confefled their act, which was done, they fay, at the mitigation of the accused *Brahman*; who denies any knowledge of their perfons, and infifts that his enemy mud Have engaged them to ruin him. Your fagacity may enable you to difcover the truth ; but even in this cafe, you mull temper juftice with lenity, nor fuffer yourfelves to be influenced by the odioufnefs of the offence; and in all cafes of *forgery*, permit me to recommend indictments for the mifdemefnor only ; fince very ftrong arguments have been ufed, both at home and here, to prove that the rigour of our modern law in punifhing that crime with death, cannot be legally extended to thefe provinces. I give no decided opinion yet on that point, nor on another, which may be ftarted, whether, if the crime under confideration be a capital felony in *India*, an indictment will alfo lie as at common law, fince it has been held that *a felony merges or abforbs a mifdemefnor* ; but I am prepared to deliver my fentiments, and will deliver them fully, at a proper time.

I turn from thefe cafes, with full confidence both in your juftice and your benevolence, to a fubject which has greatly moved me, and on which the Grand Jury laft fummer prefented a ftrong addrefs to the Court; I mean the condi-

tion of prisoners for debt in the jail of Calcutta. It is much to be lamented that no method has yet been devised by *Cbrijkian* nations to keep defendants within the reach of justice, but that of confinement in a common prison, where bad habits are generally learned, and good ones generally discontinued ; where a debtor, perhaps faultless, is withheld from his occupations and from his family, whilst he remains miserable himself, and useless to the publick. I cannot help thinking, that a better mode might be adopted, with no considerable expence to the state or to individuals, especially if the debtors be workmen or artificers ; and imprisonment in this country, at this season, is to all a grievous calamity ; to many in every season from religious notions of a defilement, that reaches beyond the funeral pile, worse **than** instant death ; but, until the wisdom, goodness, and power of the legislature, shall cooperate for this end, we can only hope to mitigate an evil which we cannot prevent. You may be assured that no pains will be spared by us in promoting the object of the address which I have mentioned, that whatever can be legally done by the Court, will not be omitted ; and that, where our authority is limited, we will apply to the executive government here, or, if necessary, to the fountain of all authority at home. It may, perhaps, be within your **pro-**

vincc to fee that affliktion be not added to affliktion, and that prifoners be not haraffed by exorbitant demands : I would not intimate that any fuch are made by the prefent keeper of the jail, of whom I know no harm, and have heard a favourable character ; but following the fpirit of a benevolent ilatute, now, I believe, expired^ I carneftly exhort you to inquire, whether any kind of extortion has been committed, or any fees exacted beyond the moderate provifion of the law ; that, if fuch enormity hath been practifed, under the pretence of custom, the authors of it may be punifhed, and the fufferers by it relieved.

There is another fubjeft which has made a deep impreffion on my mind, and you will, I truſt, accompany, if not anticipate, my remarks on it: I mean the mifery of *domejiick bondage*, always afflicting enough in itfelf, and in this town often aggravated by the cruelty of mailers. Permit me here to requeſt, that you will not confider my obfervations on this head as relating to the death of the girl, for which *OJborne* is imprifoned; but his ad, whatever may be the guilt of it, muſt not preclude me from difcourfing on other acts of the fame nature, the confequences of which have not been fo dreadful. It is needleſs to expatiate on the law (if it be law) of private flavery; but I make no ſcruple to declare my own opinion, that *abſolute unconditional*

Slavery, by which one human creature becomes the *property* of another, like a horse or an ox, is happily unknown to the laws of *England*, and that no human law could give it a just sanction: yet, though I hate the word, the continuance of it, properly explained, can produce little mischief. I consider slaves as *servants under a contract* express' or implied, and made either by themselves, or by such persons, as are authorized by nature or law, to contract for them, until they attain a due age to cancel or confirm any compact that may be disadvantageous to them: I have *slaves*, whom I rescued from death or misery, but consider them as other *servants*, and shall certainly tell them so, when they are old enough to comprehend the difference of the terms. Slaves, then, if so we must call them, ought not to be treated more severely than servants by the year or by the month; and the correction of them should ever be proportioned to their offence: that it should never be wanton or unjust, all must agree. Nevertheless, I am assured, from evidence, which, though not all judicially taken, has the strongest operation on my belief, that the condition of slaves within our jurisdiction is beyond imagination deplorable; and that cruelties are daily practiced on them, chiefly on those of the tenderest age and (the weaker sex, which, if it would not give me

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pain to repeat^and you to hear, yet, for the honour of human nature, I should forbear to particularize: if I except the *Englifo* from this censure, it is not through partial affection to my own countrymen, but because my information relates chiefly to people of other nations, who like wife call themselves *Cbriftians*. Hardly a man or a woman exists in a corner of this populous town, who hath not at least one slave child, either purchased at a trifling price, or saved perhaps from a death, that might have been fortunate, for a life, that seldom fails of being miserable: many of you, I presume, have seen large boats filled with such children coming down the river for open sale at *Calcutta*; nor can you be ignorant, that most of them were stolen from their parents, or bought, perhaps, for a measure of rice in a time of scarcity, and that the sale itself is a defiance of this government, by violating one of its positive orders, which was made some years ago, after a consultation of the most reputable *Hindus* in *Calcutta*, who condemned such a traffic, as repugnant to their *Sastra*. The number of small houses in which these victims are pent, makes it, indeed, very difficult for the settlement at large to be apprized of their condition; and if the sufferers knew where or how to complain, their very complaints may expose them to still harsher

treatment; to be tortured, if remanded, or, if set at liberty, to starve. Be not, however, discouraged by the difficulty of your inquiries: your vigilance cannot but surmount it; and one great example of a just punishment, not capital, will conduce more to the prevention of similar cruelties, than the strongest admonition or severest verbal reproof. Should the Holders, through hardness of heart or confidence in their places of concealment, persist in their crimes, you will convince them, that their punishment will certainly follow their offence, and the most hardened of them will, no doubt, discontinue the contest. Here, again, I may safely promise you, that, whatever the Court can do in terminating this evil, will cheerfully be done; and if our concurrent labour should yet be found ineffectual, I confidently persuade myself, that such regulations of government will be adopted on our recommendation, as cannot fail of insuring future protection to the injured, support to the weak, and some consolation at least to the wretched: but I once more adjure you to dismiss these observations from your mind, when you deliberate on the case of *homicide*, to consider them as pointed solely at acts of cruelty, which make life miserable without causing the loss of it, and to find such bills as you cannot avoid finding, ac-

IB CHARGE TO THE GRAND JURY.

according to the whole evidence before you, and to your opinion, after our directions, of the law resulting from it.

The last offence which I shall mention to you is so general, that it may affect every part of our proceedings in this Court, and so atrocious, that human nature, in which a sense of religion seems inherent, starts at the name of it; I mean *the wilful violation of solemn oaths*, without the sanction of which, neither our fame, our properties, our freedom, or our lives can be long secure. Nevertheless, I have many reasons to believe, and none to doubt, that affidavits of every imaginable fact may as easily be procured in the streets and markets of *Calcutta*, especially from the natives, as any other article of traffick. I need not exhort you in general to prevent perjured witnesses, and their suborners of every class or persuasion, but will detain you a few moments longer with a remark or two on such inhabitants of these provinces, as profess a belief in GOD, and in *Mohammed*, whom they call his prophet. All the learned lawyers of his religion, with whom I have conversed in different parts of *India*, have assured me with one voice, that an oath by a *Musliman* is not held *binding on his conscience*, unless it be taken *in the express name of the Almighty*, and that even then it is incomplete, unless the witness, after having

given his evidence, fwear again *by the fame awful name*, that he *has fpoken* nothing but the truth. Nor is this abftrufe or refined learning, but generally known to *Mohammedans* of every degree, who are fully apprized, that an *imprecation* on themfclves and their families, even with the *Koran* on their heads, is in fact: no oath at all; and that, if, having fworn that they *will fpeak* truth, they ftill utter falfehoods, they can expiate their offence by certain religious aufferities; but that, if they forfwear themfelves in regard to evidence *already given*, they cannot, except by the divine mercy, efcape mifery in this world and in the next: it were to be wiflied, that the power of abfolution, afumed by the *Romijh* priefthood, were at leaft equally limited. My inquiries into the *Hindu* laws have not yet enabled me to give perfect information on thefubjecl: of *oaths* by the believers in *Brehma*`; but the firft of their law-books, both in antiquity and authority, has been tranflated into *Perfian* at my requeft ; and thence I learn, that the mode of taking evidence from *Hindus* depends on *thediJlincJio-i of their cajis*, but that the punifhment of falfe evidence extends rigoroufly to all, whether an oath be adminiftered or not; and many *Brahmans*, as well as other *Hindus* of rank, would rather perifh than fubmit to the ceremony of touching the leaf of the *Tulafi*, and the

water of the *Ganges*, which their *Sdjlras* either do not mention at all, or confine to petty caufes. It is ordained in the book of *Menu*, that a witnefs fhall turn his face to the eaft or to the north; and, as this rule, whatever may have given rife to it, is very ancient, a revival of it may have no inconfiderable effect: according to the fame legiflator, ' a, *Bráhma*n muft be fworn by his ' credit, a *CJhatri* by his arms, a *Vaifya* by his ' grain, cattle and gold, and a *Sudra* by every ' crime that can be committed ;' but the brevity of this text has made it obfcure, and open to different interpretations. The fubject is, therefore, difficult for want of accurate information, which, it is hoped, may in due time be procured, and made as publick as poffible. In general I obferve, that the *Hindu* writers have exalted ideas of criminal juftice, and, in their figurative ftyle, introduce the *per-Jón* of *Puni/hment* with great fublimity: ' Pun- ' ifhment,' fay they, ' with a black complexion and a red eye, infpires terror, but ' alarms the guilty only; Punifhment guards ' thofe who fleep, nourifhes the people, fecures ' the ftate from calamity, and produces the happyft confequences in a country, where it is ' juftly inflidted -, where unjuftly, the magiftrate ' cannot efcape cenfure, nor the nation, adverfity.'

Be it our care, Gentlemen, to avoid by all

means the flighted imputation of injustice among those, whom it is the lot of *Britain* to rule; and, by giving them personal security, with every reasonable indulgence to their harmless prejudices, to conciliate their affection, while we promote their industry, so as to render our dominion over them a national benefit: and may our beloved country in all its dependencies enjoy the greatest of national blessings, *good laws duly administered in settled peace!* for neither can the best laws avail without a due administration of them, nor could they be dispensed with effect, if the fears and passions of men were engaged by the vicissitudes of war, or the agitation of civil dissensions.

CHARGE

TO THE

GRAND JURY,

AT CALCUTTA, JUNE 10, 1787.



GENTLEMEN OF THE GRAND JURY,

I SHOULD exceed the bounds of my duty, and detain you too long from the discharge of yours, if I were to expatiate on the great variety of business, in which your diligent exertions at the present session may be highly beneficial to the settlement; and, indeed, whilst I hold in my hand this terrible catalogue of grievous offences, which must come under your consideration, I have ample materials for my address to you, without enlarging on such cases, as may probably be brought before you, but have not yet been made the subject of complaint before a magistrate.

The first crime, which appears in the calendar, and of which three persons are now accused, (the same number having been indicted last ses-

fion) is the moft atrocious, that man, as a rational creature and a member of civil fociety, can commit, Murder; but I will fpare your feelings as well as my own the pain of dwelling on one of the cafes, which you will hear but too foon; a cafe, fo horrible, that, if it be true, fcarce any punifhment of the offender would be too fevere, and, if falfe, the perjured accufers deferue the utmoft feverity of our law; which, in regard to perjuries affecting life, is, in my opinion, too lenient. Another foul murder has been committed near *Patna*, with every aggravation of the crime both in the motive and the manner of it: but there is no *direct* evidence againft the fuppofed murderer. The woman, who will repeat her fad ftory to you, actually faw her hufband, a native peafant, ftabbed by one foldier, while two held him; (and how highly it imports the honour of our government, that the natives be protected from the outrages of our foldiery, mull be obvious to all) but the night was too dark for her to diftinguifh their faces. Circumftances only have induced a fufpicion, that LA COSSE was the perpetrator of the crime; and they, it is true, may be fallacious; but, when many circumftances concur, they fometimes amount to proof at leaft as ftrong as the teftimony of witneffes: that the prifoner efaped from the guard, who were bringing him to the prefidency, he

excused, on his examination, by alledging a natural love of liberty, which,' he urged, was perfectly confident with innocence ; but, unless you believe him innocent, it seems the province of a petit jury to determine, whether all the concurrent circumstances indubitably prove him guilty. I proceed to offences far less dreadful in themselves, but almost equally deserving of your serious attention; for if any thing ought particularly to affect our minds, and make us all extremely circumspect in our passage through life, it is the alarming consideration, that not only the more violent emotions of anger and hate, but even unguarded and idle words, have a tendency toward bloodshed, and not unfrequently end in it. If this be the case with men of understanding and education, what must be expected from the uncontrolled passions, unimproved intellects, and habitual vices of the low multitude ? For this reason principally I never think lightly of the *petty complaint*; as they are called, which are brought before me : I know, that wrath and malice will have a vent; that they are better spent in a court of justice than in black and silent revenge; and that, if such serpents be not crushed in the egg, there can be no security against the mortal effects of their venom. You will attend, therefore, I am confident, even to *common faults*; (for I need

not mention such as were made with any criminal design) and consider no breach of the peace as trivial, the consequence of which may, possibly at least, be the shedding of human blood. This reasoning leads me to a subject of the highest importance to every community; and particularly (for many weighty reasons) to the inhabitants of this populous town: I mean those offences against good morals and good order, which spring from the dissolute manners of the populace, and branch out into all the disorders and evils, that can affect the comfort of social beings. *Excessive luxury*, with which the *Asiatics* are too indiscriminately reproached in *Europe*, exists indeed in our settlements, but not where it is usually supposed; not in the higher, but in the lowest, condition of men; in our servants, in the common seamen frequenting our port, in the petty workmen and shopkeepers of our streets and markets: there live the men, who, to use the phrase of an old statute,^{^*^} *by day and wake at night* for the purposes of gaming, debauchery, and intoxication. The inebriating liquors, which are extracted from common trees, and the stupifying drugs, which are easily procured from the fields and thickets, afford so cheap a gratification, that the lowest of mankind purchase openly, **with a small part of**

their daily gains, enough of both to incapacitate them by degrees for any thing that is good, and render them capable of any thing that is evil; and excess in following these poisons is so general, that, if the state had really been lighted up at the higher extremity, as it certainly is at the lower, it must inevitably have been consumed. The mischiefs, which this depravity occasions, it is needless to enumerate; but, until some ordinance can be framed, which shall be just in itself and conformable to the spirit of our laws (both which qualities ought to characterize every regulation in the *British* empire) the publick has no hope of security, gentlemen, but from your vigilance. Disorderly houses, and places of resort for drinking and gaming, are indictable as publick nuisances ; and, though it would be the work of many millions to eradicate the evil, yet a few examples of just punishment would have a salutary effect. You are too sensible, I am sure, of the advantages arising from a trial by jury in criminal cases, to wish for a power in any hands of *summary conviction*, which the legislature has not yet given, and which it always gives with reluctance; and I persuade myself, that the gentlemen of this settlement are too publick-spirited to decline the trouble, which may attend the execution of any useful law,

whether it be necessary to prosecute offenders by indictment, or to levy small penalties by action in the Court of Requests.

Since I have mentioned *gaming*, I must add, that it is a vice produced by laziness and avarice, and leading to distress, which aggravates, instead of palliating, the offences frequently committed in consequence of it. The moil common of those offences, among the lowest of the people, are *theft* and *robbery*; and, if it be true, as it was sworn before me, though not by a man who seemed worthy of much credit, that even the watch-houses in this town are the haunts of unrestrained and encouraged gamesters, we can expect little benefit from watchmen who thus discharge their important duties. In fact, if we had a well-ordered watch and ward in *Calcutta* (and that we have not, is become a constant subject of animadversion among the natives of higher rank) we should not have heard of robberies committed by ruffians masked and armed, such as a few months ago attacked a *Greek* merchant in his house, without ever being apprehended; nor of the *burglaries* committed by abandoned vagabonds and night-walkers, who pass through the usual stages of profligacy, from idleness and vice to poverty, and from poverty to a resolution of invading the property of the honest; after which, if they are unpunished, they pro-

ceed from crime to crime till they clofe their career in blood.

Having fpoken of the little credit, which I gave to the oath of a low native, I cannot refrain from touching upon the frequency of perjury; which feems to be committed by the meaneft and encouraged by fome of the better fort, among the *Hindus* and *Mufelmans*, with as little remorse as if it were a proof of ingenuity, or even a merit, inftead of being, by their own exprefs laws, as grievous a crime as man is capable of committing. I cannot name this offence without emotion; for (befides its natural enormity) it renders the difcharge of our publick duty both difficult and painful in the higheft degree : it is not in cafes, where *Hindus* or *Mufelmans* give evidence, that a fact is proved, becaufe it is fworn, and we are compelled to take a greater latitude in judging by probability and a comparifon of circumftances, than the ftrictnefs of *Englijh* judicature in general allows. With refpect to the *Mufelmans*, we can eftablifh no ftronger faction than the oath now adminiftered; but, as to the *Hindus*, I cannot relinquifh my opinion, that the moft folemn poffible form ought to be adopted, either by ordering all **the** witnefs, who are to give evidence, to be previoufly fworn by the *Brdhman*, our officer, **in one of their own temples, or by Twearing them**

in court before consecrated by brought from some altar of acknowledged holiness. The charter requires *the most binding form*, and we know from our own *Brahman*, that the present form is *not* the *most binding*; so that a doubt might be raised even on the legality of an indictment for violating an oath so taken. Until some change can be made (and change even from wrong to right has always its inconveniences) we must not forget to remind all *Hindu* witnesses from time to time, that false evidence even by their own *Shastras*, is the most heinous of crimes, and to adjure them by the name of GOD, (as a learned *Bráhma*n at *Nediya* assured me we were empowered to do, without shocking their prejudices) to speak the whole truth and nothing but the truth: but such, after all, is the corrupt state even of their erroneous religion, that, if the *most binding* form on the consciences of good men could be known and established, there would be few consciences to be bound by it; and, without exemplary punishments of actual perjury, subornation of it, and attempts to suborn, we shall never be able to administer justice among them with complete satisfaction. It has been urged, with specious good nature, " that punishments lose their effect: by a " frequent infliction of them; that pain becomes " familiar to the evil hearted; that every villain " indulges a hope of suffering in company; and

" that it is dangerous for the community to ' know, how few honeft men are among them:" but this is the language rather of benevolent fpeculation, than of attentive obfervation and experience ; for, as long as men exift in a ftate, who, without fearing GOD, fear the law, and without horror of a crime, tremble at the thought of punifhment, fo long it is neceffary, that all crimes clearly proved be certainly and ftridly punifhed; while few, it muft be hoped, will flaffer, and all will be warned. Could any thing induce me to wiifh, that you, gentlemen, were detained here from your other bufinefs longer than a week, it would be a defire of bringing to *immediate* pain and difgrace, fuch witneffes as may perjure themfelves during the remainder of the feffion.

That you fit only twice a year is alfo (if you will allow me to fpeak openly) an evil which I frequently lament; fince the neceffity of keeping accufed perfons within the reach of juftice obliges us to confine in prifon thofe who are charged with offences notailable, or who are unable to find fufficient bail; fo that, if a charge is made foon after the end of your fitting, the accufed muft remain fix months in cuftody; although it may afterwards be proved, that the accufation was fuggefted by malice and fupported by perjury. Such cafes, we muft hope, very feldom

occur; but so long an imprisonment, before conviction or even indictment, is not conformable to the benignity of our law: and permit me to request, that if any complaints be made to you of exactions or cruelty in the jailor and his servants, or of their loading prisoners with irons, except where there is imminent danger of an escape, especially if it be done with a view to extort money, you will pay a serious attention to the evidence adduced; so that our nation may never be justly reproached for inhumanity; nor the severity of misfortunes, loss of liberty, be heightened under our government by any additional hardship without redress.

CHARGE

TO THE

GRAND JURY;

AT CALCUTTA, DEC. 4, 1785



GENTLEMEN,

IF the unremitted vigilance of magistrates, the diligent attention of jurors, the approved excellence of our criminal laws, and the due infliction of adequate punishments, could prevent the commission of crimes in this great and increasing capital, I should not hold in my hand so long a catalogue of terrible offences, which are believed to have been committed within the last six months by persons under our jurisdiction ; offences, which comprize nearly all, that *can* be committed against the public justice, *tranquillity, convenience, and trade, or* against the *persons, houses* and *property* of individuals, in protecting which the publick is essentially interested. To discourse at large on each of those heads, as they occur to

me on inspecting the calendar, would certainly be superfluous; but it would ill become me to pass them over in silence; for the principles of our criminal jurisprudence, and the cases, in which they are applied, may not be fresh in your memories; and it cannot be reasonably expected, that you should study, as lawyers, the reports and treatises, however excellent, of KELYNG and HALE, FOSTER and BLACKSTONE, or the voluminous works, however accurate, of modern compilers: I will take, therefore, a middle course, and confine myself to short observations on those crimes only, of which the prisoners are specifically accused, so as to assist your recollection, and guide your judgement in finding or rejecting the several bills, that will, I know, be presented to you.

It gives me, in the first place, inexpressible pain, to see no fewer than *four* persons charged with so abominable an offence as corrupt *perjury*, or the *subornation* of it; and one of them, I observe with horror, is an *Armenian* by birth, and, in name, at least, a *Christian*: now, if all laws, human and divine, if all religions, the many false and the one true, be thus openly defied, we must abandon all hope of administering justice perfectly; and, as much as I blame severe corporal punishments, especially those which mutilate the offender's body, I must recommend a

degree of feverity, if the wickedness of man cannot be otherwise reformed. The cruel mutilations, practised by the native powers, are not only shocking to humanity, but wholly inconsistent with the mildness of our system ; nor do they conduce even to the end proposed by them ; since it is the *certainty*, not the *cruelty*, of punishment, that can operate on the fears of those, who fear nothing else : the old *Hindu* courts, from a fanciful notion of punishing the offending part, and depriving it of power to offend any more, would have cut out the *tongue* of a perjured man and amputated the *hand* of a thief or a forger ; while the *Mohammedan* punishments, inflicted at this day in the *Asiatick* dominions of *Britain*, are not less horrid, but have less appearance of reason. Happily we can see no such horrors in *Calcutta* ; but, as our house of correction, either through neglect or through want of laborious employment, would, I fear, be a house of laziness, as transportation is out of the question, and as the pillory alone would hardly be thought shameful to those, who have no sense of shame, it will be advisable to indict perjured men on the statute of ELIZABETH ; since, besides imprisonment for six months, it inflicts, on default of paying a considerable fine, the punishment of having *both ears nailed to the pillory*, which, though painful at the time and perpe-

tually ignominious, neither cruelly mangled the human frame, nor deprives the offender, should he repent and be industrious, of gaining a subsistence by honest labour. Such indictments will be the less exceptionable, because, if any Case should happen to be out of the statute, there may be a conviction, I presume, and consequently a sentence, as at common law.

Whatever be the cause, I cannot but believe, since it has been sworn before me by an *Englishman*, who demanded security for the peace, that there are streets in this populous town, and one especially near the *Faujdâr's* house, through which it is extremely perilous for quiet men to pass after sunset; they are inhabited, I am told, by low *European* tavern-keepers of all nations, and one of them, STEFANO an *Italian*, will be accused before you of a violent assault in his own tavern, of which the probable consequence might have been the death of an unoffending man. By the common law, which is always clearer and generally wiser than any statute, the keepers of taverns, who permit frequent disorders in them, or harbour persons of bad repute, may be indicted and fined as for a *common nuisance*, and open gaming-houses are equally offensive in the eye of law, as the haunts of profligate miscreants and a temptation to pernicious vices; yet both are **now** so numerous, that a peaceable native can

hardly flee without disturbance from brawls or affrays, and dread of nocturnal robberies. Venerable fathers of families have lately complained to me with extreme anguish, that their sons had been ruined in those seminaries of wickedness; yet so relaxed are the principles even of the richer natives, that actions have been brought by an opulent *Hindu* for money advanced solely to support a common gaming-house, in the profits of which he had a considerable share; and the transaction was avowed by him with as much confidence, as if it had been perfectly justifiable by our laws and by his own. From whatever cause those disorders proceed, whether from illicit gains accruing to unauthorized licensors and protectors, or from wilful negligence in the low servants of those, who are intrusted with the office of high constables, they are destructive of individuals, injurious to the publick, and deserving of your serious investigation.

Cheats, of which two or three appear next in the calendar, are usually reckoned offences against *publick trade*: to this head are also referred those deceitful practices and artful contrivances, by which even a wary individual may be defrauded of his money or goods; but you will consider some kind of artifice or device as essential to the criminality of a fraud; since a

mere palpable falſehood, which no man of ordinary underſtanding would implicitly believe, and an impoſition by means of it, which any man of ordinary prudence would have avoided, ſeems noo crime againſt the publick, who cannot feel themſelves injured, becauſe a fool happens to ſuffer by his folly. There is an offence, which moſt feriouſly affects the trade of the community, and which the common law puniſhed for that reaſon with fine and imprifonment; I mean that of buying the *whole* of any commodity *with a deſign to raiſe the price of it at the pleaſure of the buyer*; ſince, if that were allowed, the price of commodities would entirely depend on the diſcretion of one or two wealthy individuals: it appears from an ancient record, that ſo baſe a *deſign* is equally puniſhable, whether any of the commodity engroſſed be actually reſold, or not; and a combination of ſeveral rich men with ſo bad a view would, I doubt not, be held a miſdemefnor injurious to *pub lick trade*. Reaſon applies this principle to the engroſſing of *rice* and other *grain*; but good policy forbids the application of it in practice, eſpecially in theſe *Indian* provinces; for if, in the time of a mere dearth, ſuch engroſſers were puniſhed and their hoards diffipated, no reſſource would ordinarily be left againſt future calamity, and a ſecond bad ſeaſon might cauſe all the horrors of a

famine; but *coined filver* is a commodity of a less delicate nature; and, though the actual quantity of it in *Calcutta* may have been reduced by various causes, yet there is just ground for a suspicion, that the artifices of several combined and wealthy *Sarrafs*, or money-changers, have raised the discount, on the exchange of *goldmohrs* for filver, to so enormous a degree as to affect all commercial transactions in *Bengal*. Now, though it be difficult to give positive proof of such *intentions* and *combinations*, yet, if legal evidence of them be fairly obtained, the dread of imprisonment would operate more forcibly on the monied natives, especially the *Hindus*, than the fear of a pecuniary mulct or of public censure.

On the rules of law concerning *homicide*, we have unhappily had frequent occasions to deliver our concurrent opinions; but, a fatal error seeming still to prevail, that *an actual intention to kill* is essential to the crime of *murder*, I will recapitulate in few words the doctrine, on which I formerly enlarged. When you have certain evidence, that the person, who is said to have been killed, is *really dead* (for that fact should in the first place be incontrovertibly proved) you will consider, whether any act of the person accused was either the *cause*, or the *occasion*, of the death; next, whether it was a *lawful*, or an *un-*

lawful, act, and, if legal in itself, whether it was *reasonable* and *moderate*, or *violent* and *cruel* ; if *illegal*, whether it was done in a sudden burst of passion and with a weapon unlikely to destroy life, or *coolly* and with *apparent malignity of disposition*; for, in that case, if death ensue by an act, of which it might, though *not actually intended*, be the *probable consequence*, the offence will certainly be *murder* ; the essence of which is not merely a *design to kill*, but a *depraved and malignant heart* evinced by the coolness of the deed, or the danger of the instrument used, or any other circumstances, by which *malice* may plainly appear; you will too soon be called upon to apply these principles in a variety of cases; and it surely imports our honour as a great nation, and becomes our character as just men, that whoever deprives another of life should be openly tried, and either acquitted or condemned by those laws, from which he would have sought protection, if he had himself been injured.

Several natives have been committed for *burglarious entries* accompanied, in most instances, with actual *theft*; and, since the petit jury may in those cases convict of the *larciny* alone, if the proof of a *burglarious* act be deficient or doubtful, it will be right, as in cases of homicide, to find

your bills for the *capital* felony, when the evidence before you shall fairly support the charge ; but on *fimple* burglary, that is, when the felonious intent has not been executed, I must offer a few short observations. There are five ingredients in this offence, according to the five parts of its well-known definition, and relating to the circumstances of *time*, *place*, *breaking*, *entry*, and *intent*: the time must be *night*-, the place, a *dwelling-house*, or *parcel* of it; the *breaking*, either with some degree of *force*, or by *special implication* ; the entry, with *part of the body* at least, or with an *instrument* used by it; and the intent, to commit a *felony*. In respect: of time and intent the law is *very strict*; rather less strict as to the place; and still less, it should seem, as to the breaking and entry: now, in the case of HERI and SANCAR (whose crime, if they really be guilty, was highly aggravated by the gross violation of their duty as publick watchmen) you will probably have no doubt in regard to the *time* and *place*, and very little as to their *intent*, if you believe that they had rubbed their faces and bodies with white powder to look like *Europeans*; but, as to the *breaking* and *entry*, there are some doubts, which nothing but full evidence can remove. They were caught, it has been sworn, on the *terrace* of a

detached house inhabited by a *Hindu*, and built in the fashion of *Bengal*; and it is now believed, that they *began* with climbing into a small room, or *recefs*, communicating with a private apartment, and used for the purposes of a water-closet in a *London-house*, but enclosed by a breastwork of bricks, and open at the top, the nature of the place in this climate not admitting, without extreme inconvenience and even danger to the family, of such a covering as would exclude fresh air : the cornice over the door of the apartment was broken, together with part of the wall, either by accident in laying hold of it, or by design to facilitate the ascent on the terrace, which was itself enclosed by a balustrade. Although a terrace on a housetop, in the warm regions of *Asia*, has been immemorially considered as an apartment of the house both for conversation in the evening and for (lumber at night; although, like a varanda surrounded by rails or parapets, it is as much enclosed as the nature and design of it will allow; and although a nocturnal invasion either of a terrace or a varanda, in a country where doors and windows must be left open night and day, would occasion terror and generally be punished with instant death, if the *aiTailed* were better armed than the assailant; yet, in favour of life, it may forcibly

be urged, that the penal law of *England* ought not to be extended, by mere argument and analogy, to varandas and terraces; but whether the *place*, which has been described, was actually a room in the house, and whether the prisoners broke and entered it with a felonious intent, will best be determined by the petit jury; while the court will consider, whether an *entry* by night into such a place and with such a design be not as burglarious in the eye of our law as a mere descent by a chimney in *England*. As to the defence of the two watchmen, that they were only discharging their duty, instead of violating it, the law will never suffer itself to be insulted by such pretences; and, if it be proved, that VISHNURAM, (who attempted by the authority of the Company's badge to procure the release of his son-in-law and the associate, and even gave reason by his menaces to believe, that he meant to rescue them), *knew of the felonious design*, you will consider him as an accessory *after* the fact; or, as a *principal* in it, if he was constructively present by keeping guard near the house, while they broke and entered it. On this occasion I impute no blame to the two gentlemen, who act as high constables in *Calcutta*, except that they do not seem to have taken, as they certainly should have done, from the low natives, whom

they employ, fufficient fecurity for their good behaviour and for the faithful difcharge of their duty.

The *Armenian*, whom I mentioned under the head of perjury, being alfo charged with having *forged* the bond, to the due execution of which he pofitively fwore after ftrong and repeated warnings by an interpreter of his own nation, the great queftion again rifes, " Whether the mo-
" dem ftatute, which makes forgery capital, ex-
" tend, or not, to thefe *Indian* territories." On the fulleft confideration, I think the negative fupported by ftronger reafons than the affirmative : the ftatute in queftion feems to have been made on the fpur of the time ; its principal object was to fupport the paper-credit of *England*, which had juft before been affected by forgeries of bank-notes; and it contains expreffions, which feem to indicate a local operation; the punifhment, which it inflicts, goes beyond the law of nature, and the *Britijh* laws appear to have been introduced into *India* by a charter preceding the ftatute, fo far at leaft as to bring this country within the general rule. Neverthelefs, I ftill think the queftion debatable: I fee it, as I lately told the fenior judge, who agrees with me, rather with the light of the rifing, than with that of the meridian, fun; and the learned argument of

U CHARGE; TO THE GRAND JURY.

the judge, who differs from us, has rendered the point sufficiently doubtful, to make me wish for a decision of it by the highest authority at the fountain-head of justice: yet the reasons urged on the opposite side so far turn the scale, as to justify me in recommending an indictment on the statute of ELIZABETH, especially as a conviction on the modern statute would not at present be followed by execution; and if the person convicted should submit to a long imprisonment rather than exercise the power, which would be given him, of appealing to the king in council, it might end in his escaping any punishment, or in his being punished capitally at so distant a time, that the offence might be forgotten by the publick, and the great object of all penal statutes wholly frustrated.

Whenever it shall be my turn to address you, gentlemen, I will never desert from recommending to your serious attention the state of the gaol; the condition of the prisoners; the conduct of the gaoler and his servants. The facility of escaping from it has, I presume, since your memorial to the government on that subject, been wholly or nearly removed; but, even if the construction of the prison should render escapes easy, that would be a reason for the

sheriff and his officers to increase their vigilance in proportion to its necessity, instead of abating their diligence by violating positive law: now I hold it a violation of positive law to hamper any prisoners with irons before conviction, unless they behave in an unruly manner, or by some attempt or overt act induce a just suspicion of their intention to escape ; nor ought any discretionary power to be left to such persons, as must have the care of gaols, who are always men without education, and might easily be tempted to set a price on light fetters, or on a total exemption from them.

I conclude with observing, that, as three or four magistrates cannot possibly secure the peace of this important capital, so it is morally impossible, that all the petty offences committed in it from day to day can be legally and speedily punished, with due terror to other offenders, while two felonies only are holden in each year; and with expressing my firm persuasion, that, if any legislative provision should increase your trouble as grand jury-men, and that of the gentlemen, who serve on petit juries, you will all remember, that a degree of trouble is the price, which we pay for our common liberty; and that our common liberty, for which no price would

be dear, will then only fall, when our constitutional mode of trial shall be superseded by summary jurisdictions, but will totter, when *Englihmen* of education and property shall cease, through their love of ease, to show by their personal exertions a warm alacrity for the support of it.

CHARGE

TO THE

GRAND JURY,

AT CALCUTTA, JUNE 10, 1790.

GENTLEMEN,

I CANNOT have the pleasure, which I expected, of informing you, that few prisoners are named in the calendar : fewer, indeed, appear in it, than we have lately seen at our sessions; and among the offences with which they are charged, I perceive none, that seem to call for particular notice; none, that can here prove capital, except a case or two of felonious homicide and three or four of burglarious entries, on which I shall incidentally touch; and there certainly are none, on the nature and degrees of which you have not, on former occasions, received ample instruction from charges delivered by my brethren or by myself. It might therefore seem, that no materials occur for a charge at the'

opening of the present session, and that it might be sufficient to dismiss you, with declaring my perfect confidence in your vigilant attention to the whole extent of your duty ; but, since it has been usual to detain you a short time with the formal discourse, I take this opportunity of doing that, which has not, I believe, been anywhere done in any discourse either spoken or written, and which you will find, I am persuaded, neither useless nor unacceptable : having no dislike to novelty, when utility accompanies it, I propose to give you a concise, but, as far as I am able, a perspicuous, comment on the general form of the Oath, which you have taken, and on every material word, which occurs in it; nor will you imagine, that it is too clear to need illustration, when I assure you, that I did not myself understand it entirely, till I had very attentively read and very fully considered it; and that parts of it have appeared ambiguous to grand juries themselves, I know from the questions which have occasionally been put by them to the court, and often privately to me by some of them, who were my intimate friends. You will not hear from me any common topics on the function of oaths, which to men of education and principle would be needless and unbecoming; nor any display of antiquarian literature, which would here be idly ostentatious ; nor

any fubtil arid abftrufe doctrines, which my fubject will by no means require ; nor any exhortation to the confcientious difcharge of your office, which would, I know, be fuperfluous: it has truly, indeed, been faid, that " He, who " admonifhes another to do that which the other " actually does, rather commends than exhorts, " and only conveys applaufe in the form of an " admonition;" but I wifh to avoid addreffing you perfonally: I fhall fpeak to you as to a grand inqueft in the abftract, arid offer fuch rules as may be applièd to practice by all, who fhall at any time ferve their country in the character, which you now fuftain. It is not as a caufift, a metaphyfician, or an antiquary, but as a lawyer merely, that I fhall explain the true fenfe of your oath, at leaft as I underftand it 5 and I begin with a ruling principle, univerfally admitted, which you may confider as a key to the whole form, and which to fome parts of it will be clearly and forcibly applied.

The intention of that power, which impofes an oath, is the fole interpreter of its meaning, the guide of thofe, who take it, and the meafure of their duty. Now, fince your Oath is irhpofed by the law, the intent of the law muft be the pole-ftar, by which you are to direct your courfe. Your obligation in confcience depends, it is true, on your fincere opinion of that intent ;

but, fince the intention of the law is frequently fo deep as to elude a fuperficial view, you are bound in confcience to examine it minutely, and to feek affiftance from thofe, whofe office it is to difcover and to declare it, From the imperfection of all human things, it is not always poffible to avoid ambiguity of language; and the intention of the law may fometimes be larger, fometimes narrower, than the verbal expreffion. Of an intention more extenfive than the words I will give you one ftrong example: we take a prefcribed oath, as judges, that " we will to the " beft of our knowledge, (kill, and judgment, " *duly and jtcjlly* execute our offices, *and impar-* " *tially adminijler juftice* in every caufe, matter, " or thing, which ſhall come before us." To act *duly, juftly*, and *impartially* feems no more than what is required of Arbitrators, and might be thought confiftent with judgments given according to our own opinions of what is juft and right, or, in other words, according to our honeft difcretion; the very mode of judging, which, from a wife diftruft of human integrity, it is the chief ufe of eftablifhed law to preclude 5 and, fince the conftitutional, or publick, law, of which we know the intent, was the impofer of our oath, we interpret it conformably to that intent, and hold ourfelves bound, on queftions of *fact*, to give *true judgments according to the evidence*, and,

on questions merely *legal*, to decide *according to law*; even though, as men, we may in particular cases think the law too austere or too narrow, and may wish it changed by the only power that can change it; for we are to declare the law, not to make it. That the intent may not be less extensive than the popular sense of the words used, we shall see in your oath, when we come to the application of this introductory maxim.

Your oath, as you may have observed, is a single period consisting of four members or divisions; and it is *ct period* correctly so called, or in the form, as it were, of a *circle*; the awful phrase at the conclusion being manifestly connected in sense with the beginning of it: " So " may GOD help you, as you shall duly perform " the promises, which you call on him to attest, " and which are distinctly enumerated." The phrase, which makes the whole period *conditional* (for it is not *imperative*, as the first words of each division might seem to imply) is placed at the end, for the purpose of your kissing the gospel, as soon as the name of GOD has been pronounced, and thus making the whole oath your own, though it has only been read to you by the officer. I called it an awful phrase, because, though in form it invokes the supreme being as a defender, yet by implication it addresses Him as an avenger; and, though it openly expresses

a benediction, yet it virtually implies an imprecation; the expreffion could not be full, without railing too violent and too painful an image and filence, on this occalion as on many others; is more fublime than the ftrongeft eloquence. The period thus connected has this apparent meaning: " May the divine aid be granted to " you, if the promifes now made be performed ; " and withdrawn, if they be violated !" than which a fublimer idea could not enter the mind of man; fince it is a clear deduétion of reafon, that the bare fufpenfion of the divine energy but for a moment would caufe the infantaneous difolution of all worlds, and the tumultuous extinction of all, who inhabit them. You will readily believe, that I difclaim all idea even of the poffibility, that you fhould knowingly violate fuch promifes ; but (left any part of my fubject fhould pafs unnoticed) it is proper to obferve, that a diftinétion has been taken in the fecular or external forum, which the internal, or that of confcience, could never have made, between an oath, which is *afertive*, and relates to fome pad, pait or prefent, and an oath, which, is *promiffory*, and relates to fome future aft. A narrownefs, perhaps, in the old definition of perjury gave rife to the opinion, that it can only be committed in a legal fenfe by a falfe denial or by a falfe afertion; but it muft ftirely

appear ftrange, that, when half the bufinefs of our civil courts confifts in enforcing the performance of promifes or giving damages for the breach of them, our criminal courts fhould think it lefs than perjury to violate in any cafe, either by word or deed, a promife confirmed by the ftrongeft and holieft of fanftions: reafon furely diftates, that perjury may be committed both *in* the aft of fwearing by a falfe affertion, and *after* the aft by wilfully violating *in any refped* an oath previoufly taken; and the confciences of men ought not to be enfnared by fubtil diftinctions without any fubftantial difference. On this point, however, I need not infift; and I only mentioned it, becaufe it applies to the principal verbs in the four divifions of your oath, on which I now proceed to enlarge.

The firft condition is, that " you fhall diligently inquire, and make true prefentment, of all fuch matters and things, as fhall here be given you in charge, or otherwife come to your knowledge touching this prefent fervice."

Inquiry, or fearch and examination, is a word completely underftood in its popular fenfe; but it is here ufed with technical propriety, fince you are called *inquirors* by fome old writers, and the grand *inqueji* by many of the moderns; and in this fentence the ufe of it is the more proper, becaufe it not only comprehends the *examina-*

tion of witneffes en bills præfented to you by third perfons, but alio the *invejligation* of thofe matters, which may have attraçted your notice without the intervention of profecutors, and which you may yourfelves prefent to the court, after bills have been prepared at your rëqueft. With a fimilar defign of including both modes, the word *prefent merit* (as the refult of your *inquiry*) immediately follows 5 fince that word, which is very compreheniive, extends to *inditfments* by private individuals in the name of the king, and to thofe, which are commonly diftinguifhed as *prefentments* by the grand jury.

What the law underftands by *true*, we ſhall prefently fee, when we come to the fourth and laft member of the period ; but it is of great importance to explain the legal meaning of *diligence* and I am clearly of opinion, that it means in your cafe, the lame degree of care and induftry, that each of you would feverally apply to his own temporal affairs, or all of you collectively to fuch worldly interefts as might jointly concern you. I affume with confidence, that all fubjects of the fame dominion are engaged to one another by an *implied contrail*; a principle equally clear and ufeful, and leading to conclufions of the higheft moment in morality and politicks. Some writers on ethicks, who have been taught, that popular principles are not the way

to preferment, deny it; and, after deriding the notion of a contradt *without a name*, challenge us to produce a well-known forenfick name for the *facial contract*; but not to urge, that many valid and useful contrafts are *innominate*, the very name, which they call for, is comprized in' the epithet, which they ufe: it is the contrad of *fociety* or *partnerfliip*, differing only in extent, but not in kind, from the civil and private aflbciation univerfally known and praftifed. Now, fince a partner both receives and confers a benefit, fuch *diligence* is required of Him, as he would ufe in his own concerns, and the fame diligence is demandé of you for a fimilar reafon; not lefs, becaufe you are benefited by the laws of your country, under which you aft, and natural equity prefcribes, that every benefit fhould have an adequate return; not more, becaufe, at the fame time, you confer a benefit, and natural equity forbids, that a benefit fhould be burdenfome to thofe who confer it. Our law, which approximates to the perfection of reafon, impofes no burden, that is unreafonable; and, if any of you doubt in particular cafes (as fome in your fituation have naturally doubted) what ought to be the meafure of your care and attendance, you need only afk your own hearts, what degree

of them are due to your private affairs of importance*

Next come the *subjeEfs* of your inquiry and preferments under, two heads; firſt, ſuch as may be given you in charge; and, ſecondly, ſuch as may come to your knowledge independently of the charge, but relating to the preſent buſineſs, that is, to the legal redreſs of all publick wrongs, or the adminiſtration of criminal juſtice. In old times it was uſual, for all the articles of inquiry to be read at ſome length as part of the charge, after a general exhortation by the judge; and, if that mode had continued, the latter part of this diviſion, as included in the former, would have been ſuperfluous; whence we may infer, that the preſent form of your oath is not of the higheſt antiquity, though the following member of it be certainly very ancient, and the ſubſtance of the whole may be traced back to the time of the *Saxon* princes.

Of the ſecond condition, *that you ſhall keep ſecret et the kings counſel, your own, and that of your fellows*, the meaning might have been expreſſed with more perſpicuity. To declare at an improper time, and in an unfit place, what perſons have been indicted, might give traitors, confpirators, and other great offenders an opportunity of abſconding, before they could be apprehended,

or impel them perhaps to strike some desperate blow; and such a premature disclosure might defeat the purposes of the law. It appears from the book *of Affises*, that in the reign of EDWARD the Third a grand juror was indicted *as a felon* for such a discovery, but, as he was acquitted, the law remained undecided; and, though justice SHARDELOW declared, that in the opinion of some judges, a discovery by an inditor might be *treason* (meaning, I presume, where a *traitor* had been indicted, and the grand juror intended to facilitate his escape) yet the wisest judges in latter times have exploded and refuted the doctrine in GEORGE'S case, and hold such a discovery to be merely a great misprision accompanied with the guilt of perjury. The *counsel* or *purpose* of the king is formally comprised in every prosecution: it becomes in part your counsel, when you have unanimously concurred in finding the bill; and, when it has been found by a majority of your whole number, it is their counsel, which the dissentient must not disclose; for a grand juror, therefore, to reveal either his own ads and opinions, or those of his fellows, might have an effect equally dangerous; and, though the generality of your promise might, if its principal scope only were considered, be restrained to particular cases, yet it is the safer way

in all cafes, to maintain an impenetrable referve on all bufinefs begun or concluded, that is, on the form of the indictment, the evidence in fupport of it, and the fad: of its being found or rejected ; except when you bring in your bills or have occafion to confult the court.

Thirdly, you implore the divine help on condition, that *you prefent no perfon from hatred, malice, or illwill, nor leave any thing unprefented from fear, favour, or affection.* Thefe words are a paraphrafe on a ftronger and more elegant form preferved in the law of ETHELRED, by which the grand inqueft were compelled to fwear, that *they would accufe none, whom they believed innocent, nor conceal any, whom they thought guilty.* To be free from partial affections and preconceived opinions, from repentment and from regard, from all prepoffeffions that might incline you to reject bills, or to find them true, is a duty common to all who are concerned in the adminiftration of juftice; and though different motives are enumerated by way of example, yet the plain intent of the whole fentence is, that, from no motive whatfoever, neither from the darker paffions of envy or wrath, nor from the amiable affections of compaffion and benignity, fhall you bring the guiltlefs into trouble, nor fcreen probable guilt from a full and impartial

trial. You will remember and emulate on this occasion the sublime attributes of your guide, the Law, which cannot be more strongly expressed, than in the manly didion of the high-minded and eloquent ALGERNON SIDNEY:

" The good of a people ought to be fixed on a
 " more solid foundation than the fluctuating
 " will or fallible understanding of one or a few:
 " for this reason law is established, which no
 " passion can disturb. It is void of desire and
 " fear, of lust and anger ; it is pure dispassionate
 " mind; written reason, retaining some mea-
 " sure of the divine perfection: it enjoins
 " not that, which pleases a weak, frail man,
 " but, without any regard to persons, com-
 " mands what is good, and punishes evil in
 " all, whether noble or base, rich or poor,
 " high or low: it is deaf, inexorable, in-
 " flexible."

The preceding member of the period containing a *negative* condition, you are lastly presented with it in *positive* form; that you *shall present all things* (not partially, but) *truly as they come to your knowledge, according to the best of your understanding*. Here we return to the phrase, with which we began, of a *true presentment* which you are bound to make, of all things relating to the business of the session, as truly as you are

enabled to make it, according to such evidence as you have before you, and by such an exertion of your intellectual powers, as all sensible men would apply to their own concerns; for so the law interprets in your case the superlative *heft*, not meaning, as in our, (for reasons not applicable to your) that painful and intense application of mind, with which a mathematician solves the most abstruse problem, or a judge decides the most intricate cause. The only remaining doubt is, what the law means by a *true preference*; for what the law means, must be the rule of our interpretation, and the measure of your duty. Sir MATTHEW HALE, whom I always name with applause, was of opinion, that if *probable* evidence be given for the king, the grand inquest ought to find the bill *true*; for it is but an accusation, that is, the denunciation of a person, who, as they verily believe, ought to be tried: this opinion has been attacked with some warmth; because the grand jury are sworn, it is laid, *to present the whole truth*, and, it is added erroneously, *nothing but the truth*, and ought, therefore, to have *the same persuasion*, that an indictment is true, with the petit jury, who take the same oath. I conceive the opinion of that great judge to be, if we rightly understand it, consonant to law. He could not mean a remote

and light probability, or flender furmife, but ufed the word *probable*, in a ftrbng and imphatidal fenfe, for an approximation to the truth as far as the grand jury can fafely aflert it. Probability has many fhades or degrees, from the weakeft, which borders on negation, to the ftrongeft, which touches the¹ confines of certainty; and he ufes the pofitive degree *intenfively*, as the word *diligent* is ufed by the *Roman* lawyers: that you, whb hear only one fide, fhould have *the fame* perfuafion with the petit jury,, who hear both fides, is impoffible; and the law requires no impoffibility. Nor is the word *true* invariably oppofed to *false*, but often, both in popular and technical language, means *correct* or *exact*, *faithful* or *just*: a verdid is *true*, when it is *exactly conformable to the evidence*, though many fuch verdicts have proved, in a ftrict and logical fenfe, unhappily false. To prevent mistakes the word is qualified, in the oath of petit jurors, by the phrafe *according to the evidence*, and in yours by the words as *the things Jhall come to your knowledge*. The law intends generally, that the guilty fhall be punifhed and the innocent juftified, but particularly, that you, gentlemen, fhould find on good grounds a juft accusation, and that the petit jury, having heard both accusation and defence, fhould weigh the whole

evidence and give their *verdict* or *true faying*, according to the preponderant fcale. LAMBARD applies the word *verdict* to an indictment, becaufe it is true, as far as evidence on one fide can eftablifh the truth. The refult of my reasoning is, that you ihould be perfuaded, as far as you have knowledge, that the accufation is juft, and the bill true *m fubftance*. As to mere form, it is not the intention of the law, that you fhould precifely afcertain the truth of it: for inftance, the offence muft be laid on a certain day before the *fefflori*, which is one day in law; but on what particular day is of no confequence; and what the law pronounces immaterial, cannot be material in confcience of which the law, as we have eftablifhed, is the guide. Again; the law fupposes, that atrocious offenders muft have abandoned the fear of GOD; yet a wretch, who had abandoned every thing elfe, confefled before his execution in the north of *England*, that, in the very moment before he murdered a fleeping man, he meditated on the awfulnefs of the divine Majefty, and implored on his knees a deliverance from temptation: had fuch a mixture of religion and wickednefs been proved before the grand inqueft, they would not iurely have thought themfelves bound by their oath, to put a negative on the formal phrafe in the indictment,

Let us now return to the calendar: when you find a bill for murder or burglary, as a regard for publick justice, and a tenderness for the party accused, may in many cases require, you conform to the intention of the law, and are not understood to assert the absolute verity, but to prefer a just accusation; leaving the petit jury, with the assistance of the court, to ascertain the precise degree of guilt; for it is neither consistent with the strict justice of the law, that a great offence should be stifled, nor with its provident benignity, that a man who must be acquitted and discharged if his case be found specially, should be liable many years afterwards, when all his witnesses may be dead, to an indictment for a capital crime. Nevertheless, if you believe on the evidence for the prosecution, that there was no malice, or that any one ingredient of burglary was out of the case, you are at liberty, no doubt, to reject the bills, and to call for others more agreeable to the truth; or, if you think the witnesses unworthy of credit, or their tale undeserving of belief, you may reject them altogether; but though in most cases you have a discretion, which the secrecy of your deliberations and resolves naturally encourages, yet you will remember,

that it must be a conscientious and legal discretion; like perfect gentlemen, you will not fear to say any thing that is true, nor dare to say any thing that is false; but will so act in every part of your duty, that the innocent may approach the tribunal without apprehension of danger, and the guilty leave it without complaining of injustice.

CHARGES

TO THE

GRAND JURY,

AT CALCUTTA, ~~DELIVERED~~ JUNE 9, 1799.

GENTLEMEN OF THE GRAND INQUEST,

IF any point of criminal law, a full discussion of which might serve to guide you in finding or rejecting bills, or in defining new ones to be prepared, either arose from facts within my private knowledge or could be collected from this calendar, you would not find me reluctant, merely for the sake of saving my own trouble or your time, in enlarging on it copiously to the best of my abilities; but no such point really occurs. There are only **two** commitments by myself, and those in cases of so little moment, (though it was impossible to pass them over without notice) that I had no doubt of bail being given by the parties committed; and, as to **the** treatment of prisoners

before conviction, (a subject, which I always had much at heart) I have the pleasure of believing, that the keeper of the prison is fully apprized of his duty on that head, and would on no account apply any rigorous mode of confinement to persons, whom the law presumes innocent and only detains for a fair trial, unless they should prove intractable and riotous, or had attempted an escape. As to the calendar, it specifies only twenty-fix new commitments, the other persons named in it having been indicted at a former session; and of that number, three are cases of homicide; two, of perjury; and one, of robbery; besides which there are several aggravated assaults, grand larcinies, and cheats or criminal frauds ; offences, on which the law (as far as you are concerned in knowing it) is either so clear in itself, or has been made so clear by concurrent opinions delivered from this bench, that it would at present be superfluous to expatiate on it: the rest are *petit larcinies*, *common assaults*, and *inferiour misdemeanors*; the comparative number of which in this calendar suggests one; topic, which I will very shortly discuss; requesting you to be assured, that I intend no disrespect: to any one living, even, if my opinion should differ (which I do not know) from that of

others present or absent: much less do I mean to insinuate, that you can fail to pay the utmost attention even to the most trivial cases, that can be brought before you; but, since the topic seems to me of great consequence, I shall enter upon it without reserve; not imperiously obtruding my judgment on yours, but calmly reasoning with you, as a man, who loves his country, should reason with men, who equally love it.

This then is the point, which I engage to maintain: that no penal case, how insignificant soever in itself, is below the serious attention of a grand inquest, who cannot but set a just value on our incomparable mode of trial by jury; because, if they once convince the publick, that they think slight offences below their notice, the necessities of that publick, to whom a number of small crimes are a great evil, will oblige them to wish for summary jurisdictions; and every summary jurisdiction is a blow on trials by jury, and consequently a step towards establishing arbitrary power.

It is agreed by all, who have coolly and impartially studied our noble constitution, as declared by many statutes from the great charter to the bill of rights, all which, you know, are solely re-

cognitions of our ancient publick law, that three peculiar advantages are conferred by that sacred law on the *people* of *England*, or on *all* *subjeBs*, who are not noble, but may, if they please, be independent; first, a distinct: unalienable third share of the legislative power; next, a right, coupled with a duty, of keeping and using arms for the defence of their persons and habitations, as well as of their several counties, when the sheriffs (shall call for their aid; thirdly, the right of being tried, when impleaded or accused, by their equals freely chosen, instead of appointed officers, to whom they cannot except. Now, should the time ever come (may it long, very long, be averted!) when the servants of the crown, through the blandishments of that patronage, with which they are usually intrusted, shall obtain over both legislative houses an influence limited only by their prudence in exerting it; and should the day ever come (which to me would seem no less disgraceful) when the counties of *England* shall be wholly unable to defend themselves against riots, insurrections, or invasions, without the support of a standing army, you must be sensible, that, in those events, the trial by jury would be the only anchor left, that could preserve our constitution from total shipwreck. Great then

muft be the importance of encouraging and cherilhing to the utmoft a mode of trial fo truly ineftimable; and you will allow me here to recite a paffage from Sir MATTHEW HALE, of whofe character, taking it all in all, we may very juftly fay, that it has never been equalled: " I have feen, fays that experienced " and virtuous man, I have feen arbitrary " practice ftill go from one thing to another: " the fines upon grand inquefts began: then they " fet fines upon the petit juries for not finding " according to the directions of the court; af- ' terwards the judges proceeded to fine jurors " in civil caufes, if they gave not a verdict: ac- " cording to direction even in points of fact." The inftance given by him is very ftrong; but it is the principle, which I apply; and we may thence infer, that, if any acknowledged fubjects of *Britain* (for a different faith or complexion can make no difference in juftice and right) (hall be tried, convicted, and punifhed by a fummary jurifdiction, however conftituted, for *petit larcinies, breaches of the peace, and other mifdemeanors, and all offences inferiour to felony*, it will be a fubfequent ftep to try them for *grand larciny* and for all *felonies within* the benefit of clergy; after which the transition to *felonies without* that benefit will not be

more abrupt than the third stride, which had actually come to the knowledge of the learned and excellent judge, whom I always name with honour and cite with confidence. The progress of arbitrary power is commonly slow at first, and imperceptible to all but the vigilant, like the creeping of a tiger at night in a brake; and it behoves us, by all decent and legal means, to guard posterity against that ultimate spring, from which nothing less than the doubtful horrors of civil war might be able to protect them.

The *convenience*, indeed, of summary jurisdictions I am ready to admit; but it might be still more *convenient* to part with other constitutional rights, which are attended with troublesome duties; and we must always remember what has often been said, that some inconvenience and trouble are the price, which free men must necessarily pay for their freedom. To conclude: though all, who hear me, have, I am persuaded, the same generous sentiments with myself on this point, yet I was desirous of impressing it forcibly on your minds; for, should our numerous fellow-subjects, who will, I trust, revisit their common country, carry back with them an indifference, contradicted at this distance from it, to the pri-

ciples of its publick law, fome future age (perhaps an age not very distant) may have juft occasion to exclaim: " It had been happy for us, " if a *Britijh* dominion had never been established in *Afia*?

INSTITUTES
OF
HINDU LAW:
OR,
THE ORDINANCES OF MENU,
ACCORDING TO THE
GLOSS OF CULLUCA.
COMPRISING THE
INDIAN SYSTEM OF DUTIES,
RELIGIOUS AND CIVIL.

VERBALLY TRANSLATED FROM THE ORIGINAL SANSKRIT.

WITH
A *PREFACE*,
BY SIR WILLIAM JONES*



THE PREFACE.

IT is a maxim in the science of legislation and government, that *Laws are of no avail without manners*, or, to explain the sentence more fully, that the best intended legislative provisions would have no beneficial effect; even at first, and none at all in a short course of time, unless they were congenial to the disposition and habits, to the religious prejudices, and approved immemorial usages, of the people, for whom they were enacted; especially if that people universally and sincerely believed, that all their ancient usages and established rules of conduct had the sanction of an actual revelation from heaven: the legislature of *Britain* having shewn, in compliance with this maxim, an intention to leave the natives of these *Indian* provinces in possession of their own Laws, at least on the titles of *contracts* and *inheritances*, we may humbly presume, that all future provisions, for the administration of justice and government in *India*, will be conformable, as far as the natives are affected.

by them, to the manners and opinions of the natives themselves; an object, which cannot possibly be attained, until those manners and opinions can be fully and accurately known. These considerations, and a few others more immediately within my province, were my principal motives for wishing to know, and have induced me at length to publish, that system of duties, religious and civil, and of law in all its branches, which the *Hindus* firmly believe to have been promulgated in the beginning of time by MENU, son or grandson of BRAHMA, or, in plain language, the first of created beings, and not the oldest only, but the holiest, of legislators; a system so comprehensive and so minutely exact, that it may be considered as the *Institutes* of *Hindu* Law, preparatory to the copious *Digest*, which has lately been compiled by *Pandits* of eminent learning, and introductory perhaps to a *Code*, which may supply the many natural defects in the old jurisprudence of this country, and, without any deviation from its principles, accommodate it justly to the improvements of a commercial age.

We are lost in an inextricable labyrinth of imaginary astronomical cycles, *Tugas*, *Mahayugas*, *Calpas*, and *Menivantaras*, in attempting to calculate the time, when the first M E N A, according to the *BrdhmenSy* governed this world,

and became the progenitor of mankind, who from him are called *Manavah*; nor can we, fo clouded are the old hiftory and chronology of *India* with fables and allegories, afcertain the precife age, when the work, now prefented to the Publick, was actually compofed : but we are in poffeffion of fome evidence, partly extrinfick and partly internal, that it is really one of the oldeft compofitionsexifting. FromatextofPARA'SARA, difcovered by Mr. DAVIS, it appears, that the vernal equinox had gone back from the *tenth* degree of *Bharam* to the *firfi* of *Aswini*, or *twenty-three degrees and twenty minutes*, between the days of that *Indian* philofopher, and the year of our Lord 499, when it coincided with the origin of the *Hindu* ecliptick; fo that PARASARA probably flourifhed near the clofe of the *twelfth* century before CHRIST: now PARA'SARA was the grandfon of another fage, named VA'SISHT'HA, who is often mentioned in the laws of MENU, and once as contemporary with the divine BHRĪGU himfelf; but the character of BHRĪGU, and the whole dramatical arrangement of the book before us, are dearly fictitious and ornamental, with a defign, too common among ancient lawgivers, of ftamping authority on the work by the introduction of fupernatural perfonages, though VASISHT'HA may have lived many generations before the ac-

tual writer of it; who names him, indeed, iti one or two places as a philofppher in an earlier period. The ftyle, however, and metre of this work (which there is not the fmalleft reafon to think affectedly obfolete) are widely different from the language and metrical rules of CA'LI-DA'S, who unqueftionably wrote before the beginning of our era ; and the dialeït of MENU is even obferved in many paflages to refemble that of the *Véda*, particularly in a departure from the more modern grammatical forms; whence it muft at firft view feem very probable, that the Jaws, now brought to light, were confiderably older than thofe of SOLON or even of LYCURGUS, although the promulgation of them, before they were reduced to writing, might have been coeval with the firft monarchies eftabliihed in *Egypt* or *AJia*: but, having had the lingular good fortune to procure ancient copies of eleven *Upanijhads* with a very perfpicuous comment, I am enabled to fix with more exactnefs the probable age of the work before us, and even to limit its higheft poffible age, by a mode of reafoing, which may be thought new, but will be found, I perfuade myfelf, fatisfactory; if the Publick fhall on this occafion give me credit for a few very curious fads, which, though capable of ftrict: proof, can at prefent be only afferted. The *Sanfcarii* of the three firft *Vidas* (I need not here

peak of the fourth,) that of the *Mdnava Dherma Safira*, and that of *jgie Purdnas*, differ from each other in pretty exact proportion to the *Latin* of NUMA, from whose laws entire sentences are preserved, that of APPIUS, which we see in the fragments of the Twelve Tables, and that of CICERO, or of LUCRETIUS, where he has not affected an obsolete style : if the several changes, therefore, of *Sanfcrit* and *Latin* took place, as we may fairly assume, in times very nearly proportional, the *Védas* must have been written about 300 years before these Institutes, and about 600 before the *Purdnas* and *Itibdfas*, which, I am fully convinced, were not the productions of VY AŚ A ; so that, if the son of PAR AŚ AR A committed the traditional *Védas* to writing in the *Sanfcrit* of his father's time, the original of this book must have received its present form about 880 years before CHRIST'S birth. If the texts, indeed, which VY AŚ A collected, had been actually written, in a much older dialect, by the sages preceding him, we must inquire into the greatest possible age of the *Védas* themselves: now 'one of the longest and finest *Upanijhads* in the second *Véda* contains three lists, in a regular series upwards, of at most forty-two pupils and preceptors, who successively received and transmitted (probably by oral tradition) the doctrines contained in that *Upanishad*; and, as the old *In-*

dian priests were students at *fifteen*, and instructors at *twenty-five*, we cannot allow more than ten years on an average for each interval between the respective traditions; whence, as these are *forty* such intervals, in two of the lists, between VYA'SA, who arranged the whole work, and AYA'SYA, who is extolled at the beginning of it, and just as many, in the third list, between the compiler and YA'JNYAWALCYA, who makes the principal figure in it, we find the highest age of the *Tajur Vêda* to be 1580 years before the birth of our Saviour, (which would make it older than the five books of MOSES) and that of our *Indian* lawcraft about 1280 years before the same epoch. The former date, however, seems the more probable of the two, because the *Hindu* sages are said to have delivered their knowledge orally, and the very word *Sruta*, which we often see used for the *Vêda* itself, means *what was heard*; not to insist, that CULLU'CA expressly declares the sense of the *Vêda* to be conveyed in the *language* of VYA'SA. Whether MENU, or MËNTJS in the nominative and MENO'S in an oblique case, was the same personage with MIKOS, let others determine: but he must indubitably have been far older than the work, which contains his laws, and, though perhaps he was never in *Crete*, yet some of his institutions may well have been adopted in that island, whence

LYCURGUS a century or two afterwards may have imported them to *Sparta*.

There is certainly a strong resemblance, though obscured and faded by time, between our MENEU with his divine Bull, whom he names as DHERMA himself, or the genius of abstract justice, and the MNEUES of *Egypt* with his companion or symbol, *Apis*; and, though we should be constantly on our guard against the delusion of etymological conjecture, yet we cannot but admit that MINOS and MNEUES, or *Mneuis*, have only *Greek* terminations, but that the crude noun is composed of the same radical letters both in *Greek* and in *Sanskrit*. ' That APIS and MNEUIS, says ' the Analyst of ancient Mythology, were both ' representations of some personage, appears from " the testimony of LYCOPHRON and his scholiast; ' and that personage was the same, who in *Crete* ' was styled MINOS, and who was also represented under the emblem of the *Minotaur*: ' DIODORUS, who confines him to *Egypt*, speaks ' of him by the title of the bull *Mneuis*, as the " first lawgiver, and says, " That he lived after ' the age of the gods and heroes, when a change " was made in the manner of life among men; that " he was a man of a most exalted soul, and a great " promoter of civil society, which he benefited " by his laws; that those laws were unwritten, and " received by him from the chief *Egyptian* deity

" HERMES, who conferred them on the world
 " as a gift of the higheft importance." He was
 ' the fame, adds my leaRed friend, with MEN'ES,
 " whom the *Egyptians* reprefented as their firft
 ' king and principal benefa:or, who firft facrificed
 ' to the gods, and brought about a great change
 ' in diet.' If MINOS, the fon of JUPITER,
 ' hom the *Cretans*, from national vanity,
 ' ight have made a native of their own
 ' fland, was really the fame perfon with MENU,
 the fon of BRAHMA', we have the good fortune
 to reflore, by means of *Indian* literature, the
 mod: celebrated fyftem of heathen jurifprudence,
 and this work might have been entitled *The*
Laws of MINOS; but the paradox is too Angular
 to be confidently afferted, and the geographical
 part of the book, with moft of the allufions to
 natural hiftory, mud indubitably have been
 written after the *Hindu* race had fettled to the
 fouth of *Himálaya*. We cannot but remark that
 the word MENU has no relation .whatever to the
Moon; and-that it was *the feventb*, not the firft
 fef that name, whom the *Brdhmens* believe to
 have been preferved in an ark from the general
 deluge: him they call the *Child of the Sun*, to
 diftinguifli him from our legiflator; but they
 affign to his brother Y A M A *the office* (which the
Greeks were pleafed to confer on MINOS) of
Judge in the fhades below.

The name of MENU is clearly derived (like *menes*, *mens*, and *mind*) Smm the root *men* to *under/land*; and it signifies, as all the *Vandits* agree, *intelligent*, particularly in the doctrines of the *Vêda*, which the composer of our *Dhenna Sdjira* must have studied very diligently ; since great numbers of its texts, changed only in a few syllables for the sake of the measure, are interperfed through the work and cited at length in the commentaries: the Publick may, therefore, assure themselves, that they now possess a considerable part of the *Hindu* scripture, without the dullness of its profane ritual or much of its mystical jargon. DA'RA SHUCU'H was persuaded, and not without found reason, that the first MENU of the *Brdbmens* could be no other person than the progenitor of mankind, to whom *Jezus*, *Christians*, and *Mufelmdns* unite in giving the name of ADAM ; but, whoever he might have been, he is highly honoured by name in the *Vêda* itself, where it is declared, that * whatever ' MENU pronounced, was a medicine for the ' foul;' and the sage VRIHASPETI, now supposed to preside over the planet *Jupiter*, says in his ' own law tract, that ' MENU held the first ' rank among legislators, because he had expressed ' in his code the whole sense of the *Veda*; that ' no code was approved, which contradicted ' MENU ; that other *Sdjiras*, and treatises ou

' grammar or logick, retained splendour so long
 ' only as MENU, who taught the way to just wealth,
 ' to virtue, and to final happiness, was not seen
 ' in competition with them;' VYASA too, the
 son of PARASARA before mentioned, has de-
 cided, that ' the *Veda* with its *Angds*, or the
 ' fix compositions deduced from it, the revealed
 "system of medicine, the *Puranas*, or sacred his-
 ' tories, and the code of MENU, were four works
 ' of supreme authority, which ought never to be
 ' shaken by arguments merely human.'

It is the general opinion of *Pandits*, that
 'BRAHMA' taught his laws to MENU in a *hun-
 dred thousand verses*, which MENU explained
 to the primitive world in the very words of the
 book now translated, where he names himself,
 after the manner of ancient sages, in the third
 person; Thus, in a short preface to the lawtrad: of
 NAREDA, it is asserted, that ' MENU, having
 ' written the laws of BRAHMA' in a hundred
 ' thousand *shlokas* or couplets, arranged under
 ' twenty-four heads in a *thousand* chapters, deli-
 ' vered the work to NAREDA, the sage among
 ' gods, who abridged it, for the use of mankind,
 ' in *twelve thousand* verses, and gave them to a
 ' son of BHRIGU, named SUMATI, who, for
 ' greater ease to the human race, reduced them
 ' to *four thousand*; that mortals read only the
 ' second abridgement by SUMATI, while the

* gods of the lower heaven, and the band of celestial musicians, are engaged in studying the primary code, beginning with the fifth verse, a little varied, of the work now extant on earth; but that nothing remains of NA'RED'S abridgement, except an elegant epitome of the *ninth* original title *on the administration of justice*? Now, since these institutes consist only of *two thousand six hundred and eighty-five* verses, they cannot be the whole work ascribed to SUMATI, which is probably distinguished by the name of the *Vridha*, or ancient, *Mdnava*, and cannot be found entire; though several passages from it, which have been preserved by tradition, are occasionally cited in the new digest.

A number of glosses or comments on MENU were composed by the *Munis*, or wise philosophers, whose treatises; together with that before us, constitute the *Dharmaśāstra*, in a collective sense, or *Body of Laws*; among the more modern commentaries, that called *Mēdhātithi*, that by GO'VINDARA'JA, and that by DHARANÍ-DHERA, were once in the greatest repute; but the first was reckoned prolix and unequal; the second, concise but obscure; and the third, often erroneous. At length appeared CULLU'CA BHATTA; who, after a painful course of study, and the collation of numerous manuscripts, produced a work, of which it may, perhaps, be said

very truly, that it is the fhorteft, yet the moft luminous, the leaft oftfcititious, yet the moft learned, the deepeft, yet the moft agreeable, commentary ever compofed on any author ancient or modern, *European* or *dfiatick*. The *Pandits* care fo little for genuine chronology, that none of them can tell me the age of CULLU'CA, whom they always name with applaufe; but he informs us himfelf, that he was a *Bráhmén* of the *Vá-rindra* tribe, whofe family had been long fettled in *Gaur* or *Bengal'*, but that he had chofen his refidence among the learned on the banks of the holy river at *Caji*. His text and interpretation I have almoft implicitly followed, though I had myfelf collated many copies of MENU, and among them a manufcript of a very ancient date: his glos is here printed in *Italicks*; and any reader, who may choofe to pafs it over as if unprinted, will have in *Roman* letters an exact verfion of the original, and may form fome idea of its character and ftructure, as well as of the *-fianferit* idiom, which muft neceffarily be preferved in a verbal tranflation; and a tranflation, not fcrupuloufly verbal, would have been highly improper in a work on fo delicate and momentous a fubject: as private and criminal jurifprudence.

Should a feries of *Bráhméns* omit, for three generations, the reading of MENU, their fa-

tserdotal clafs, as all the *Pandits* affure me, would in ftrictnefs be fltfeited; but they muft explain it only to their pupils of the three higheft clafles; and the *Brāhmen*, who read it with me, icquefted moft earneftly, that his name might be concealed; nor would he have read it for any confideration on a forbidden day of the moon, or without the ceremonies prefcribed in the fecond and fourth chapters for a lecture on the *Véda*: fo great, indeed, is the idea of fanctity annexed to this book, that, when the chief native magiftrate at *Banares* endeavoured, at my request, to procure a *Perjian* tranflation of it, before I had a hope of being at any time able to underftand the original, the *Pandits* of his court unanimoufly and pofitively refufed to affift in the work, nor fhould I have procured it at all, if a wealthy *Hindu* at *Gayà* had not caufed the verfion to be made by fome of his dependants, at the defire of my friend Mr. LAW. The *Perjian* tranflation of MENU, like all others from the *Sanfcrit* into that language, is a rude intermixture of the text, loofely rendered, with fome old or new comment, and often with the crude notions of the tranflator; and, though it exprefles the general fenfe of the original, yet it fwarms with errors, imputable partly to hafte, and partly to ignorance:

thus where *MENU* fays, *that emiffaries are the eyes of a prince*, the *Perfian* phrafe makes him afcribe/otfr eyes to the perfon of a king; for the word *cbdr*, which means *an emiffary* in *Sanfcrit*) figaifies *four* in the popular dialled.

The work, now prefented to the *European* world, contains abundance of curious matter extremely interefting both to fpeculative lawyers and antiquaries, with many beauties, which need not be pointed out, and with many blemifhes, which cannot be juftified or palliated. It is a fyftem of defpotifm and prieftcraft, both indeed limited by law, but artfully confpiis ing to give mutual fupport, though with mutual checks ; it is filled with ftrange conceits in metaphyficks and natural philofophy, with idle fuperftitions, and with a fcheme of theology moft obfcurely figurative, and confequently liable to dangerous mifconception; it abounds with minute and childifh formalities, with ceirionies generally abfurd and often ridiculous; the punifhments are partial and fanciful, for fome crimes dreadfully cruel, for others reprehenfibly flight; and the very morals, though rigid enough on the whole, are in one or two inftances (as in the cafe of light oaths and of pious perjury) unaccountably relaxed: neverthelefs, a

fpirit of fublime devotion, of benevolence to mankind, and of ^{ex}alhiable tendernefs to all sentient creatures, pervades the whole work; the ftyle of it has a certain aufere majefty, that founds like the language of legiflation and extorts a refpectful awe; the fentiments of independence on all beings but GOD, and the harfh admonitions even to kings, are truly noble; and the many panegyricks on the *Gdyatri*, the *Mother*, as it is called, of the *Féda*, prove the author to have *adored*(not the vifible material *fun*, but) *lhatdivine and incomparably greater light*, to ufe the words of the moft venerable text in the *Indian* fcripture, *which illumines all, delights all, from which all proceed, to which all mujl return, and which alon can irradiate* (not our vifual organs merely, but our fouls and) *our intelleSls*. Whatever opinion in fhort may be formed of MENU and his laws, in a country happily enlightened by found philofophy and the only true revelation, it muft be remembered, that thofe laws are actually revered, as the word of the 'Moft High, by nations of great importance to the political and commercial interefts of *Europe*, and particularly by many-millions of *Hindu* fubjects, whofe well directed induftry would add largely to the wealth of *Britain*, and who afk no more in return than protection for their perfons and places of abode,

justice In their temporal concerns, indulgence to the prejudices of their own religion, and the benefit of those laws, which they have been taught to believe sacred, and which alone they can possibly comprehend.

W. JONES.

THE
LAWS OF MENU,
SON OF BRAHMA.

CHAPTER THE FIRST.

On the Creation; with a Summary of the Contents.

I. *WLENU* fat reclined, with his attention fixed! on one object, *the fuprerne GOD*; when the divine Sages approached *him*, and, after mutual falutations in due form, delivered the following addrefs:

2. ' Deign, fovereign ruler, to apprize us of
' the facred laws in their order, as they muft be
' followed by all *the four* clafles, and by each of
' them, in their feveral degrees, together with the
' duties of every mixed clafs ;

'3. * For thou, Lord, *and thou only among*
' *mortals*, knoweft the true fenfe, the firft prin-
' ciple, *and* the prefcribed ceremonies, of this
' univerfal, fupernatural *Veda*, unlimited in ex-
" tent and unequalled in authority.'

4. H E , whose powers were measureless, being thus requested by the great Sages, whose thoughts were profound, saluted them all with reverence, and gave them a comprehensive answer, saying:
 ' Be it heard!

5. ' This universe existed only in the first divine idea yet unexpanded, as if involved in darkness, imperceptible, undefinable, undiscoverable by reason, and undiscovered by revelation, as if it were wholly immersed in sleep:

6. ' Then the sole self-existing power, himself undiscerned, but making this world discernible, with five elements and other principles of nature, appeared with undiminished glory, expanding his idea, or dispelling the gloom.

7. ' H E , whom the mind alone can perceive,
¹ whose essence eludes the external organs, who has no visible parts, who exists from eternity, even H E , the soul of all beings, whom no being can comprehend, shone forth in person,

8. ' H E , having willed to produce various
 * beings from his own divine substance, first with a thought created the waters, and placed in them a productive seed:

9. ' That seed became an egg bright as gold, blazing like the luminary with a thousand beams ; and in that egg he was born himself, in

' *the form* of BRAHMA', the great forefather of
' all fpirits.

10. ' The waters are called *ndrd*, becaufe
' they were the production of NARA, *or the*
' *spirit* of GOD; and, fince they were his firft
' *ayana, of place of motion*, he thence is named
' NA'RA'YANA, *or moving on the waters*.

II. ' From THAT WHICH is, the firft caufe,
' riot the object of fenfe, exifting *every where in*
' *fubfiance*, not exifting *to our perception*, without
' beginning or end, was produced the divine
4 male, famed in all worlds under the appellation
' of BRAHMA'.

12. ' In that egg the great power fat inactive
' a whole year *of the Creator*', at the clofe of which
' by his thought alone he caufed the egg to di-
' vide itfelf;

13. ' And from its two divifions he framed
' the heaven *above* and the earth *beneath*: in
' the midft *he placed* the fubtil ether, the eight
' regions, and the permanent receptacle of
' waters.

14. ' From the fupreme foul he drew forth
' Mind, exifting fubftantially though unper-
' ceived by fenfe, immaterial; and, *before mind*,
' *or the reaſoning power*, he produced confciouf-
' nefs, the internal monitor, the ruler;

15. ' And, *before them both*, he produced the

' great *principle of the foul, or firft expanjion of*
 ' *the divine idea*; and all vital forms endued
 ' with the three qualities of *goodnefs, paffion, and*
 ' *darknefs*; and the *five* perceptions of fenfe,
 ' and the five organs of fenfation.

16. ' *Thus, having at once pervaded, wth*
 ' emanations from the Supreme Spirit, the mi-
 ' nuteft portions of fix principles immenfely ope-
 ' rative, *confcioufnefs and the five perceptions*, He
 ' framed all creatures;

17. ' And fince the minuteft particles of vi-
 ' fible nature have a dependence on thofe fix
 ' emanations from GOD, the wife have accord'-
 ' ingly given the name of *sárira*, or *depending*
 ' *on fix, that is, the ten organs on confcioufnefs,*
 ' *and the five elements on as many perceptions,*
 ' to His *image or appearance* in vifible nature :

18. ' Thence proceed the great elements, en-
 ' dued with peculiar powers, the Mind with oper-
 ' ations infinitely fubtil, the unperifhable caufe
 ' of all apparent forms.

19. ' This *univerfe*, therefore, is compacted
 ' from the minute portions of thofe feven divine
 ' and adive principles, *the great Soul, or firft*
 ' *emanation, confcioufnefs, and five perceptions;*
 ' a mutable *univerfe* from immutable *ideas*.

20. ' Among them each fucceeding element
 ' acquires the quality of the preceding; and, ia

' as many degrees as each of them is advanced,
' with fo many properties is it faid to be en-
' dued.

21. ' HE too firft afligned to all creatures
' diftinf names, diftind ads, and diiftinct: occu-
' pations; as they had been revealed in the pre-
' exifting *Veda*:

22. ' H E , the fupreme Ruler, created an af-
' femblage of inferior Deities, with divine attri-
' butes and pure foulds; and a number of Genii
' exquisitely delicate; and he *prefcribed* the fa-
' crifice ordained from the beginning.

23. ' From fire, from air, and from the fun
' he milked out, *as it were*, the three primordial
' *Vedas*, named *Rich*, *Tajujb*, and *Saman*, for
' the due performance of the facrifice.

24. ' H E gave being to time and the divifions
' of time, to the ftars alfo, and to the planets, to
' rivers, oceans, and mountains, to level plains,
' and uneven valleys,

25. ' To devotion, fpeech, complacency, de-
' fire, and wrath, and to the creation, which
' fhall prefently be mentioned; for He willed the
' exiftence of all thofe created things.

26. ' For the fake of diftinguifhing aclions,
' He made a total difference between right and
' wrong, and enured thefe fentient creatures to
' pleafure and pain, *cold and beat*, and other op-
' pofite pairs.

ON THE CREATION ; WITH A

27. ^c With very minute transformable portions, called *mdtrds*, of the five elements, all this perceptible world was composed in fit order;

28. ' And in whatever occupation the supreme Lord first employed any vital soul, to that occupation the foolish soul attaches itself spontaneously, when it receives a new body again and again:

29. ' Whatever quality, noxious or innocent, harsh or mild, unjust or just, false or true, He conferred on any being at its creation, the same quality enters it of course *on its future births*;

30. ' As the seasons of the year attain respectively their peculiar marks in due time and of their own accord, even so the several parts of each embodied spirit *attend it naturally*.

31. ' That the human race might be multiplied, He caused the *Brahmen*, the *Cshatriya*, the *Vaishya*, and the *Siidra* (so named from the *scripture, protection, wealth, and labour*) to proceed from his mouth, his arm, his thigh, and his foot.

32. ' Having divided his own substance, the mighty power became half male, half female, *or nature affiive and passive*; and from that female he produced VIRAJ :

SUMMARY OF THE CONTENTS

33. ' Know Me, O most excellent of *Brahmens*, to be that person, whom the *iridic power* VIRAJ, having performed austere devotion, produced by himself; Me, the *secondary* framer of all this *visible world*.

34. ' It was I, who, desirous of giving birth to a race of men, performed very difficult religious duties, and first produced ten Lords of created beings, eminent in holiness,

35. ' MARICHI, ATRI, ANGIRAS, PITLASTYA, PULAHA, CRATU, PRACHE'TAS, or DAEBHA, VASISITHA, BHRIGU, and NA'RADA:

36. ' They, abundant in glory, produced seven other *Menus*, together with deities, and the mansions of deities, and *Mabar/his*, or great Sages, unlimited in power 5

37. ' Benevolent genii, and fierce giants, blood-thirsty savages, heavenly quirksters, nymphs and demons, huge serpents and makes of smaller size, birds of mighty wing, and separate companies of *Pitrs*, or progenitors of mankind;

38. ' Lightnings and thunder-bolts, clouds and coloured bows of INDRA, falling meteors, earth-rending vapours, comets, and luminaries of various degrees 5

39. ' Horse-faced fylctnsj apes' fifth, and a variety of birds, tame cattle, deer, men, and ravenous beasts with two rows of teeth;

40. ' Small and large reptiles, mths, lice,
' fleas, and common flies, with every biting
' gnat, and immoveable substances of distinct
' sorts.

41. ' Thus was this whole assemblage of fift-
' tionary and moveable bodies framed by those
' high-minded beings, through the force of their
' own devotion, and at my command, with fe-
1 parate actions allotted to each.

42. ' Whatever act is ordained for each of
' those creatures here below, *that* I will now de-
' clare to you, together with their order in re-
' spect to birth.

43. ' Cattle and deer, and wild beasts with
' two rows of teeth, giants, and blood-thirsty
' savages, and the race of men, are born from a
' fecundine:

44. ' Birds are hatched from eggs; fo
' are snakes, crocodiles, fish *without shells*,
' and tortoises, with other animal kinds, ter-
' restrial, *as chameleons*, and aquatick, *as Hell-*
' *fish*:

45. ' From hot moisture are born biting gnats,
' lice, fleas, and common flies; these, and what-
' ever is of the same class, are produced by
' heat.

46. All vegetables, propagated by seed or by
' slips; grow' from roots: some herbs, abound-

¹ ing in flowers and fruits, periph when the fruit
' is mature;

47. ' Other plants, called lords of the fofeft,
' have no flowers, but produce fruit; and, whe-
' ther they have flowers alfo, or fruit only',
' *large woody plants* of both forts afe named trees'

48. ' There are fhrubs with many ftalks from
' the root upwards, and reeds with fingle roots
' but united ftems, all of different kinds, and
' grafles, and *vines or* climbers, and creepers,
' which fpring from a feed or from a flip.

49. ' Thefe *animals and vegetables*. encircled
' with multiform darknefs, by reafon of paf-
' aftions, have internal confcience, and are fen-
' fible of pleafure and pain.

50. ' All tranfmigrations, recorded *in facred*
books, from the ftate of BRAHMA', to that of
plants, happen continually in this tremens
' dous world of beings; a world *always* tending
' to decay.

51. ' H E , whose powers are incomprehen-
' fible, having thus created both me and this
' univerfe, was again abfolved in the fupreme
' Spirit, changing *the time of energy* for *the time*
' *of repofe*.

52. ⁴ When that power awakes, (*for, though*
' *flumber be not predicable of the fole eternal*
' *Mind, infinitely wife and infinitely benevolent*)

' yet it is predicated of 'BRAHMA', *figuratively*, as
 ' a general property of life) then has this world
 ' its full expansion; but, when he awakes with
 ' a tranquil spirit, then the whole system fades
 ' away;

53. ' For, while he reposes, *as it were*, in
 ' calm sleep, embodied spirits, endued with prin-
 ' ciples of action, depart from their several affairs,
 ' and the mind itself becomes inert;

54. ' And, when they once are absorbed in
 ' that supreme essence, then the divine soul of
 ' all beings withdraws his energy, and placidly
 ' sleeps;

55. ' Then too this vital soul of created bodies,
 ' with all the organs of sense and of action, re-
 ' mains long immersed in the first idea or in
 ' darkness, and performs not its natural func-
 ' tions, but migrates from its corporeal frame:

56. ' When, being *again* composed of minute
 ' elementary principles, it enters at once into
 ' vegetable or animal life, it then assumes a *new*
 ' form.

57. ' Thus that immutable Power, by waking
 ' and reposing alternately, revivifies and destroys
 ' in eternal succession this whole assemblage of
 ' locomotive and immoveable creatures,

58. ' HE, having enacted this code of **laws**,
 ' himself taught it fully to me from the **beginning**:

' afterwards I taught it MARI'CHI and the *nine*
' other holy fages.

59. ' This *my Jon* BHRĪGU will repeat the
' divine code to you without omiffion; for that
' fege learned from me to recite the whole of
' it.'

60. BHRĪGU, great and wife, having thus
been appointed by MENU to promulge his laws,
addreffed all the *Rishis* with an affeptionate mind,
faying: ' Hear!

61. ' FROM this MENU, named SWA'Y-
' AMBHUVA, or *Sprung from the felfexifting*,
' came fix defcendants, other MENUS, *or per-*
' *feftly underjianding the fcripture*, each giving
' birth to a race of his own, all exalted in dig-
' nity, eminent in power;

62. ' SWA'RO'CHISHA, AUTTAMI, TA'MA-
' SA, RAIVATA likewife and CHA'CSHUSHA,
' beaming with glory, and VAIVASWATA, child
' of the fun.

63. ' The feven MENUS, (*or thofe first created*,
' *who are to be followed by feven more*) of whom
' SWA YAMBHUVAs the chief, have produced
' and fupported this world of moving and fta-
' tionary beings, each in his own *Antara*, or *the*
' *period of his reign*.

64. ' Eighteen *nimejhas*, or *twinklins of an*
' *eye*, are one *ca/ht'hd*; thirty *cafht'bds*, one *cala*;
' thirty *calds*, one *muhurta*: and juft fo many

' *muhúrtás* let mankind confider as the duration
' of their day and night,

65. ' The fun caufes the diftribution of day
' and night both divine and human 5 night being
' *intended* for the repofe of *various* beings,, and
' day for their exertion.

66. ' A month *of mortals* is a day and a night
' of the *Pitris* or *patriarchs inhabiting the moon* ;
' and the divifion *of a month* being into equal
' halves, the half beginning from the full moon
' is their day for aclions; and that beginning
' from the new moon is their night for (lumber;

67. ' A year *of mortals* is a day and a night
' of tye Gods, or *regents of the iiniverfe feated*
' *round the north pole*; and again their divifion
' is this: their day is the northern, and their
' night the fouthern, courfe of the fun.

68. ' Learn now the duration of a day and a
' night of BRAHMA, and of the feveral ages,
' which fhall be mentioned in order fcccinfly.

69. ' Sages have given the name of *Crita*
' to an age containing four thoufand years of the
' Gods; the twilight preceding it confifts of as
' many hundreds, and the twilight following it,
' of the fame number: .

70. ' In the other three *ages*, with their twi-
' lights preceding and following, are thoufands
' and hundreds diminifhed by one.

71, ' The divine years, in the four *human* ages

' juft enumerated, being added together, their
' film, *or* twelve thoufand, is called the age of
' the Gods; "

. 72. ' And, by reckoning a thoufand fuch di-
' vine ages, a day of BR AH MA ' may be known:
' his night has alfo an equal duration:

73. ' Thofe perfons beft know the divifions of
' days and nights, who underftand, that the day
' of BRAHMA', which endures to the end of a
' thoufand fuch ages, gives rife to virtuous exer-
' tions; and that his night endures as long as his
' day,

. 74. ' At the clofe of his night, having long
' repofed, he awakes, and, awaking, exerts intel-
' left, *or reproduces the great principle of ani-*
' *mation*, whose property it is to exift unperceived
' by fenfe:

75. ' Intellect, called into adion by his will
' to create worlds, performs *again* the work of
' creation; and thence *firft* emerges the fubtil
' ether, to which philofophers afcribe the quality
' of *conveying* found;

76. ' From ether, effecting a tranfmutation in
' form, fprings the pure and potent air, a vehicle
' of all fents; and air is held, endued with the
' -quality of touch ...

77. ' Then from air, .operating a change,
' rifes light *or fire*, making objects vifible, dif-
' pelling gloom, fpreading bright rays 5 *and* it is
' declared to have the quality of figure;

78. ' But from light, a change being effected,
 ' comes water with the quality of taste 5 and from
 ' water is *deposited* earth with the quality of
 ' fineness: such were they created in the begin-
 ' ning.

79. ' The beforementioned age of the Gods,
 ' or twelve thousand *of their* years, being multi-
 ' plied by seventy-one, *constitutes* what is here
 ' named a *Manwantara*, or the reign of a M E N U .

80. ' There are numberless *Manwantaras*;
 ' creations also and destructions of worlds, *innu-*
 ' *merable*: the Being supremely exalted performs
 ' all this, *with as much ease* as if in sport, again
 ' and again *for the sake of conferring happiness*.

81. ' In the *Crita* age the *Genius of truth* and
 ' right, *in the form of a Bull*, stands firm on
 ' his four feet; nor does any advantage accrue to
 ' men from iniquity;

82. ' But in the following ages, by reason of
 ' unjust gains, he is deprived successively of
 ' one foot ; and even just emoluments, through
 ' the prevalence of theft, falsehood, and fraud,
 ' are *gradually diminished* by a fourth part.

83. ' Men, free from disease, attain all sorts of
 ' prosperity and live four hundred years, in the
 ' *Crita* age; but, in the *Treta* and the succeed-
 ' ing ages, their life is lessened gradually by one
 ' quarter.

84. ' The life of mortals, which is mentioned
 ' in the *Veda*, the rewards of good works, and

' the powers of embodied fpirits, are fruits pro-
 ' portioned among men to the order of *the four*
 ' ages.

85. ' Some duties are performed by *good men*
 ' in the *Crita* age; others, in the *Treta*; fome,
 ' in the *Dwdpara*; others in the *Call*; in pro''
 ' portion as thofe ages decreafe in length.

86. ' In the *Crita* the prevailing virtue is de-
 ' clared to be devotion; in the *Tret*d, divine
 ' knowledge; in the *Dwdpara*, holy fages call
 ' facrifice the duty chiefly performed; in the
 ' *Cali*, liberality alone.

87. ' F O R the fake of preferving this univerfe,
 ' the Being fupremely glorious allotted feparate
 ' duties to thofe, who fprang refpectively from
 ' his mouth, his arm, his thigh, and his
 ' foot.

88. ' To *Brdhmens* he afligned the duties of
 ' reading the *Véda*, of teaching it, of facrificing,
 ' of aflifting others to iacrifice, of giving alms,
 ' *if they be rich*, and, *if indigent*, of receiving
 ' gifts:

89. ' To defend the people, to give alms, to
 ' facrifice, to read the *Véda*, to fhun the allure-
 ' ments of fenfual gratification, are in few words
 ' the duties of a *CJhatriya*:

90. ' To keep herds of cattle, to bellow lar-
 ' gefles, to facrifice, to read the fcripture, to carry
 ' on trade, to lend at intereft, and to culti-

ivate land, are prescribed or permitted to a
"Vaifya:

91. ' One principal duty the fupreme Ruler
 ' afligned to a *Sudra*; namely, to ferve the
 ' beforementioned clafles, without depreciating
 ' their worth.

92. ' Man is declared purer above the navel;
 ' -but the felf-exifting Power declared the pureft
 ' part of him to be the mouth:

93- ' Since the *Brahmen* frang from the moft
 ' excellent part, fince he was the firft born, and
 ' fince he polTeifes the *Veda*, he is by right the
 ' chief of this whole creation.

94. ' Him the Being, who exifts of himfelf,
 ' produced in the beginning from his own
 ' mouth; that, having performed holy rites, he
 ' might prefent clarified butter to the Gods, and
 ' cakes of rice to the progenitors of mankind, for
 ' the prefervation of this world:

95. ' What created being then can furpafs
 ' Him, with whose mouth the Gods of the fir-
 ' mament continually feaft on clarified butter,
 ' and the manes of anceftors, on hallowed cakes?

96. ' Of created things the moft excellent are
 ' thofe which are animated; of the animated,
 ' thofe which fubfift by intelligence; of the in-
 ' telligent, mankind; and of men, the facerdo-
 ' tal clafs.

97. ' Of priests, thofe eminent in learning; of

' the learned, those who know their duty; of
 ' those who know it, such as perform it virtu-
 ' ously; and of the virtuous, those who seek
 ' beatitude from a perfect acquaintance with
 ' scriptural doctrine.

98. ' The very birth of *Brahmens* is a constant
 ' incarnation of DHERMA, *God of justice*; for the
 ' *Brahmen* is born to promote justice, and to
 ' procure ultimate happiness.

99 ' When a *Brahmen* springs to light, he is
 ' born above the world, the chief of all creatures,
 ' assigned to guard the treasury of duties religious
 ' and civil,

100. • ' Whatever exists in the universe, is all
 ' in effect, though not in form, the wealth of the
 ' *Brahmen*; since the *Brahmen* is entitled to it
 ' all by his primogeniture and eminence of
 ' birth:

101. ' The *Brahmen* eats but his own food;
 ' wears but his own apparel; and bestows but
 ' his own in alms: through the benevolence
 ' of the *Brahmen*, indeed, other mortals enjoy
 ' life.

102. ' To declare the sacerdotal duties, and
 ' those of the other classes in due order, the sage
 ' MENU, sprung from the self-existing, pro-
 ' mulged this code of laws;

103. ' A code which must be studied with
 ' extreme care by every learned *Brahmen*, and

' fully explained to his difciples, but *mufl*
' *Be taught* by no other man *of an inferior*
' *clafs*.

104. ' The *Brahmen*, who ftudies this book,
' having performed facred rites, is perpetually
' free from offence in thought, in word, and in
' deed;

105. ' He confers purity on his living fa-
' mily, on his anceftors, and on his defendants,
' as far as the feventh perfon ; and He alone
' deferves to poffefs this whole earth.

106 ' This moft excellent code produces
' every thing aufpicious; this code increafes un-
' derftaading; this code procures fame and Ip-ng
' life; this code leads to fupreme blifs.

107. ' In this book appears the fyftem of law
' in its full extent, with the good and bad pro-
' perties of human actions, and the immemorial
' cuftoms of the four claffes.

108. ' Immemorial cuftom is tranfcendejif
' law, approved in the facred fcripture, and in the
' codes of divine legiflators: let every man, there-
' fore, of the three principal claffes, who has a,
' due reverence for the *fupreme* fpirit *which*
' *dwells in him*, diligently and conftantly obferve
' immemorial cuftom:

109. ' A man of the prieftly, military, or
' commercial clafs, who deviates from immemorial
' ufage, taftes not the fruit of the *Veda*; but, by

‘ an exact obfervance of it, he gathers that fruit
 ‘ in perfection.

n o . ' Thus have holy fages, well knowing
 ‘ that law is grounded on immemorial cuftom,
 ‘ embraced, as the reot of all piety, good ufages,
 ‘ long eftablifhed.

i n . ' The creation of this univerfe; the
 ‘ forms of inftitution and education, with the
 ‘ obfervances and behaviour of a ftudent in
 ‘ theology; the beft rules for the ceremony on
 ‘ his return from the manfion of his preceptor;

112 'The l?tw of marriage in general, and of
 ‘ nuptials in different forms ; the regulations for
 ‘ the great facraments, and the manner, prime-
 ‘ vally fettled, of performing obfequies;

113. ' The modes of gaining fubfiftence, and
 ‘ the rules to be obferved by the mafter of a fa-
 ‘ mily ; the allowance and prohibition of diet,
 ‘ with the purification of men and utenfils;

114.' Laws concerning women; the devo-
 ‘ tion of hermits, and of anchorets wholly intent
 ‘ on final beatitude, the whole duty of a king,
 ‘ and the judicial decifion of controverfies,

115. ' With the law of evidence and exami-
 ‘ nation; laws concerning hufband and wife,
 ‘ canons of inheritance; the prohibition of
 ‘ gaming, and the punifhments of criminals;

116. ' Rules ordained for the **mercantile and**

' fervile claffes, with the origin of thofe, that
 ' are mixed; the duties and rights of all the
 ' claffes in time of diftreffes for fubfifteice; and
 ' the penances for expiating fins ;

117, ' The feveral tranfmigrations in this
 ' univerfe, caufed by offences of three kinds, with
 ' the ultimate blifs attending good ad ions, on the
 ' full trial of vice and virtue ;

118. ' All thefe titles of law, promulgated by
 ' M E N U , and *occasionally* the cuftoms of different
 ' countries, different tribes, and different families,
 ' with rules concerning hereticks and companies
 ' of traders, are difcuffed in this code.

119.' Even as M E N U at my request formerly
 ' revealed this divine *Safra*, hear it now from
 ' me without any diminution or addition..

CHAPTER THE SECOND.

*On Education; or on the Sacerdotal Clafs, and the
Firjl Order.*

i. KNOW that fyftem of duties, which is revered by fuch as are learned in the *Vidas*, and impreffed, as *the means of attaining beatitude*, on the hearts of the juft, who are ever exempt from hatred and inordinate affection.

2. Self-love is no laudable motive, yet an exemption from felf-love is not *to be found* in this world; on felf-love is grounded the ftudy of fcripture, and the pradlice of actions recommended in it.

3. Eager defire *to act* has its root in expectation of fome advantage; and with fuch expectation are facrifices performed : the rules of religious aufterity and abftinence from fin are all known to arife from hope of remuneration.

4. Not a fingle act here below appears ever to be done by a man free from felf-love: whatever he performs, it is wrought from his defire of a reward.

5. ' He, indeed, who should perform in *discharging* these duties without any view to their fruit, would attain hereafter the state of the immortals, and, even in this life, would enjoy all the virtuous gratifications, that his fancy could suggest.

6. ' The roots of law are the whole *Vēda*^ the ordinances and moral practices of such as perfectly understand it, the immemorial customs of good men, and, in cases quite indifferent, felt satisfaction.

7. ' Whatever law has been ordained for any person by MENU, that law is fully declared in the *Veda*: for He was perfect in divine knowledge:

8. ' A man of true learning, who has viewed this complete system with the eye of sacred wisdom, cannot fail to perform all those duties, which are ordained on the authority of the *Vēda*.

9. ' No doubt, that man, who shall follow the rules prescribed in the *Sruti* and in the *Smṛiti*, will acquire fame in this life, and, in the next, inexpressible happiness :

10. ' By *Sruti*, or what was heard from above, is meant the *Veda*; and by *Smṛiti*, or what was remembered from the beginning, the body of law: those two must not be opposed by heterodox

' arguments; fince from thofe two proceeds the
' whole fyftem of duties.

I I . 'Whatever man of the three higheft:
' claffes, having addicted himfelf to heretical
' bdoks, fhall treat with contempt thofe two
' roots of law, he mull be driven, as an Atheift
' and a fcorner of revelation, from the company
' of the virtuous.

12. ' The fcripture, the codes of law, ap-
' proved ufage, and, *in all indifferent cafes*,
' felf-fatisfaction, the wife have openly declared
' to be the quadruple defcription of the juridical
' fyftem.

13. ' A knowledge of right is a fufficient in-
' centive for men unattached to wealth or to
' fenfuality; and to thofe who feek a knowledge
' of right, the fupreme authority is divine re-
' velation;

14. ' But, when there are two facred texts
' *apparently inconfejlent*, both are held to be law;;
' for both are pronounced by the wife to be valid
' and reconcilable;

15. ' Thus in the *Veda* are thefe texts: " let
' the facrifice be when the fun has arifen," and,
' before it has rifen," and, " when neither fun
' nor ftars can be feen:" the facrifice, there-
' fore, may be performed at any or all of thofe
' times.

16. ' He, whose life is regulated by holy
' texts, from his conception even to his funeral
' pile, has a decided right to study this code; but
' no other man whatsoever.

17. ' BETWEEN the two divine rivers *Sarawati*
' and *Dhrihadwati* lies the tract of land,
' which the sages have named *Brahmdverta*, be-
' cause it was frequented by Gods :

18. ' The custom, preferred by immemorial
' tradition in that country, among the four *pure*
' classes, and among those which are mixed, is
' called approved usage.

19. ' *Curucjkhra*, *Matfya*, *Panchdla*, or *Cd-*
' *nyacubja*, and *Surafena*, or *Mafhurd*, form the
' region, called *Brahmarfoi*, distinguished from
' *Brahmdverta*:

20. ' From a *Bráhmén*, who was born in that
' country, let all men on earth learn their several
usages.

21. ' That country, which lies between *Hima-*
wat and *Vindhya*, to the east of *Vinaśana_y* and
to the west of *Prayaga*, is, celebrated by the
' title of *Medhya-defa*, or *the central region*.

22. ' As far as the eastern, and as far as the
' western, oceans between the two mountains
just mentioned, lies the tract, which the sages
' have named *Aridverta*, or *inhabited by respect-*
' *able men*'

23. ' That land, on which the black antelope

' naturally grazes, is held fit for the performance
' of facrifices; but the land of *Mlech'has*, or
' *thofe who /peak barbaroufly*, differs widely from
' it.

24. ' Let the three firft claffes invariably
' dwell in thofe before-mentioned countries 5 but
' a *Sudra*, diftreffed for fubfiftence, may fojourn
' wherever he chufes.

25. ' Thus has the origin of law been flic-
' cinctly declared to you, together with the form-
' ation of this univerfe: now learn the laws
' of the feveral claffes.

26. ' WITH aufpicious acts prefcribed by the
' *Vida*, mult ceremonies on conception and fo
' forth, be duly performed, which purify the
⁴ bodies of the three claffes in this life, and *qualify*
' *them* for the next.

27. ' By oblations to fire during the mother's
' pregnancy, by holy rites on the birth of the
' child, by the tonfure of his head with a lock
' of hair left on it, by the ligation of the facri-
' ficial cord, are the feminal and uterine taints of
' the three claffes wholly removed :

28. ' By ftudying the *Vida*, by religious ob-
' fervances, by oblations to fire, by the ceremony
' of *Traividia*, by offering to the Gods and
' Manes, by the procreation of children, by the
' five great facraments, and by folemn facrifices,
¹ this human body is rendered fit fo' a divine ftate.

29. ' Before the fection of the navel firing a
 ' ceremony is ordained on the birth of a male:
 ' he muft be made, while facred texts are pro-
 ' nounced, to tafte a little honey and clarified
 ' butter from a golden fpoon.

30. ' Let the father *perform or, if abfent*, caufe
 ' to be performed, on the tenth or twelfth day
 ' *after the birth*, the ceremony of giving a name;
 ' or on fome fortunate day of the moon, at a
 ' lucky hour, and under the influence of a ftar
 ' with good qualities.

31. ' The firft part of a *Brahmen's* compound
 ' name fhould indicate holinefs; of a *Cftiatriya's*,
 ' power; of a *Vaifyds*^ wealth; and of a *Sudrds*,
 ' contempt:

32. ' Let the fecond part of the prieft's name
 ' imply profperity; of the foldier's, prefervation;
 ' of the merchant's, nourishment; of the fer-
 ' vant's, humble attendance.

33. ' The names of women fhould be agree-
 ' able, foft, clear, captivating the fancy, aufpi-
 ' cious, ending in long vowels, refembling words
 ' of benediction.

34. ' In the fourth month the child fhould be
 ' carried out of the houfe *to fee the fun*: in the
 ' fixth month, he fhould be fed with rice; or that
 ' *may be done*, which, by the cuftom of the fa-
 ' mily, is thought moft propitious.

35 ' By the command of the *Vida*, the cere-

" many of tonfure fhould be legally performed
 † by the *three frjt* clafles in the firft or third year
 ‡ after birth.

36. ' In the eighth year from the conception
 ‡ of a *Bráhmén*, in the eleventh from that of a
 † *Cfhatriya*, and in the twelfth from that of a
 ‡ *Vaifya*, let the father inveft the child with the
 † mark of his clafs *i*

37. ' Should a *Brahmen*, or *his fathér for him*,
 † be defirous of his advancement in facred know-
 † ledge, a *CfImtriya* of extending his power, or
 † a *Vaifya* of engaging in mercantile bufinefs,
 † the inveftiture may be made in the fifth, fixth,
 † or eighth years refpedively.

38. ' The ceremony of inveftiture hallowed
 † by the *gáyatri* muft not be delayed, in the cafe
 † of a prieft, beyond the fixteenth year; nor,
 † in that of a foldier, beyond the twenty-fecond;
 † nor in that of a merchant, beyond the twenty-
 † fourth.

39. ' After that, *all youths of thefe* three claffy
 † who have not been invefted at the proper time,
 † become *vrđtyas*, or outcafts, degraded from the
 † *gayatri*, and contemned by the virtuous:

40. ' With fuch impure men, let no *Bráhmén*,
 † even in diftreffes for fubfiftence, ever form a
 † connexion in law, either by the ftudy of the
 † *Véda*, or by affinity.

41. ' Let ftudents in theology wear for

' *their mantles* the hides of black antelopes, of
 ' common deer, or of goats with *lower vejis* of
 ' worn *śana*, of *cjhumà*, and of wool, in the
 ' dired order of the clafles.

42. ' The girdle of a prieft muft be made of
 ' *munja*, in a triple cord, fsmooth and foft; that
 ' of a warrior muft be a bow firing of *miirvd*;
 ' that of a merchant, a triple thread of *sana*.

43. ⁴ If the *tnunja* be not procurable, their
 ' zones muft be formed *refpeftively* of the grafles
 ' *cufa*, *afmdntaca*, *valvaja*, in triple firings with
 ' one, three, or five knots, *according to the family*
 ' *cuftom*.

44. ' The facrificial thread of a *Brahmen*
 ' muft be made of cotton, fo as to be put on
 ' over his head, in three firings; that of a *CJha-*
 ' *triya*- of *sana* thread only; that of a *Vaisya* of
 ' woollen thread.

45. ' A prieft ought by law to carry a flaff of
 ' *Bilva* or *Palāḍ*, a foldier, ef *Bata* or *C'hadira*;
 a merchant of *Venu*, or *Vdumbara*:

46. ' The ftaff of a prieft muft be of fuch a
 ' length as to reach his hair; that of a foldier,
 ' to reach his forehead; and that of a merchant,
 ' to reach his nofe.

47. ' Let all the ftaves be ftraight, without
 ' fracture, of a handfome appearance, not likely
 ' to terrify men, with their bark perfeft, unhurt
 ' by fire •

48. ' Having taken a legal staff to his liking,
 ' and (landing opposite to the sun, let the stu-
 ' dent thrice walk round the fire from left to
 4 right, and perform, according to law, the cere-
 ' mony of asking food:

-49. ' The most excellent of the three classes,
 ' being girt with the sacrificial thread, iftut ask
 4 food with the respectful word *bhavati*, at the
 ' beginning of the phrase; those of the second
 ' class, with that word in the middle; and those
 ' of the third, with that word at the end.

50. ' Let him first beg food of his mother, or
 ' of his father, or of his mother's whole sister; and
 ' then of some other female who will not disgrace
 ' him.

51. ' Having collected as much of the desired
 ' food as he has occasion for, and having pre-
 ' sented it without guile to his preceptor, let
 ' him eat some of it, being duly purified, with
 ' his face to the east:

52. ' If he seek long life, he should eat with
 ' his face to the east; if exalted fame, to the
 ' south; if prosperity, to the west; if truth *and its*
 ' reward, to the north.

53. ' Let the student, having performed his
 ' ablution, always eat his food without distrac-
 4 tion of mind; and, having eaten, let him *thrice*
 4 wash his mouth completely, sprinkling with

water the *fix* hollow parts of his head, or his eyes, ears, and nostrils.

54. ' Let him honour all his food, and eat it without contempt; when he fees it, let him rejoice and be calm, and pray, that he may always obtain it.

55. ' Food, eaten constantly with respect, gives muscular force and generative power; but, eaten irreverently, destroys them both.

56. ' He must beware of giving any man what he leaves; and of eating any thing between *morning and evening*: he must also beware of eating too much, and of going anywhere with a remnant of his food unfollowed.

57. ' Excessive eating is prejudicial to health, to fame, and to future bliss in heaven; it is injurious to virtue, and odious among men: he must, for these reasons, by all means avoid it,

58. ' Let a *Brahmen* at all times perform the ablution with the pure part of his hand denominated from the *Veda*, or with the part sacred to the Lord of creatures, or with that dedicated to the Gods; but never with the part named from the *Pitris*:

59. ' The pure part under the root of the thumb is called *Brahma*; that at the root of the little finger, *Cadyay* that at the tips of the fingers,

‘ *Daiva*; and the part between the thumb and the
 ‘ index, *Pi try a*.

60. ‘ Let him first sip water thrice; then
 ‘ twice wipe his mouth; and lastly touch with
 ‘ water the fix *before mentioned* cavities, his
 ‘ breast, and his head.

61.-‘ He, who knows the law, and seeks
 ‘ purity, will ever perform his ablution with the
 ‘ pure part of his hand, and with water neither
 ‘ hot nor frothy, standing in a lonely place, and
 ‘ turning to the east or the north.

62. ⁴ A *Brahmen* is purified by water that
 ‘ reaches his bosom; a *Cfhatriya*^ by water de-
 ‘ fending to his throat; a *Vaishya*, by water
 ‘ barely taken into his mouth; a *Sûdra* by water
 ‘ touched with the extremity of his lips.

63. ‘ A youth of the three highest classes is
 ‘ named *upaviti*, when his right hand is extended
 ‘ *for the cord to pass over his head and be fixed on*
 ‘ *his left shoulder*; when his left hand is extended,
 ‘ *that the thread may be placed on his right shoulder*•,
 ‘ he is called *prachinaviti*, and *niviti*^ when it is
 ‘ fastened on his neck.

64. ‘ His girdle, his leathern mantle, his staff,
 ‘ his sacrificial cord, and his ewer, he must throw
 ‘ into the water, when they are worn out or
 ‘ broken, and receive others hallowed by mystical
 ‘ texts.

65. ‘ The ceremony of *cefanta*, or *cutting off*

' *the hair*, is ordained for a priest in the sixteenth
 ' **year** from conception; for a foldier, in the
 ' twenty-second; for a merchant, two years later
 ' than that.

66. ' The same ceremonies, *except that of the*
 ' *sacrificial thread*, must be duly performed for;
 ' women at the same age and in the same order,
 ' that the body may be made perfect; but with-
 ' out any texts from the *Vida*:

67. ' **The** nuptial ceremony is considered as
 ' the complete institution of women, ordained
 ' for them in the *Véda*, together with rever-
 ' ence to their husbands, dwelling first in their
 ' father's family, the business of the house, and
 ' attention to sacred fire.

68. ' Such is the revealed law of institution
 ' for the twice born; an institution, in which
 ' their second birth clearly consists, and which
 ' causes their advancement in holiness: now
 ' learn to what duties they must afterwards ap-
 ' ply themselves.

69. ' **THE** venerable preceptor, having girt
 ' his pupil with the thread, must first instruct
 ' him in purification, in good customs, in the
 ' management of the consecrated fire, and in the
 ' holy rites of morning, noon, and evening.

70. ' When the student is going to read the
 ' *Véda*, he must perform an ablution, as the law
 ' ordains, with his face to the north ; and hav-

' ing paid fcriptural homage, he mull receive in-
 ' ftruction, wearing a clean veft, his membra
 ' being duly compofed:

71. ' At the beginning and end of the le'cture,
 ' he muft always clafp both the feet of his pre-
 ' ceptor; and he muft read with both his hands
 ' clofed: (this is called fcriptural homage.)

72. ' With croffed hands let him clafp the
 ' feet of his tutor, touching the left foot with his
 ' left, and the right with his right, hand.

73. ' When he is prepared for the le'cture, *the*
 ' preceptor, conftantly attentive, muft fay:
 " hoa! read;" and, at the clofe of theleflbn, be
 ' muft fay: " take reft."

74. ' A *Brahmen*, beginning and ending a,
 ' lecture on the *Veda*, muft always pronounce to
 ' himfelf the fyllable *om*; for, unlefs the fyllable
⁴ *6m* precede, his learning will flip away from
 ' him; and, unlefs it follow, nothing will be
 ' long retained.

75. ' If he havefitten on culms of *cus'a* with
 ' their points towards the eaft, and be purified
 ' by *rubbing* that holy grafs on both his hands,
 ' and be further prepared by three fiippreffions of
 ' breath, *each equal in time tojivejhort vowels*, he
 ' then may fitly pronounce *om*.

76. ' BRAHMA' milked out, *as it were*, from
 ' the three *Védas*, the letter A, the letter U,
 ' and the, letter M, *which form by their coali-*

'tion the triliteral monofyllable, together with three
' myfterious words, *bhur*, *bhuvaḥ*, *svaḥ*, or *earth*,
' *sky*, *heaven*:

77. ' From the three *Védas* alfo the Lord of
' creatures, incomprehenfibly exalted, fuccef-
' lively milked out the three meafures of that,
' ineffable text, beginning with the word *tad*,
' and entitled *fdvitri* or *gayatra*.

78. ' A prieft who fhall know the *Véda*, and
' fhall pronounce to himfelf, both morning and
' evening, that fyllable, and that holy text pre-
' ceded by the three words, fhall attain the fanc-
' tity which the *Véda* confers;

79. ' And a twice born man, who fhall a
' thoufand times repeat thofe three (or *dm*, the
' *vydbritis*, and the *gdyatri*,) *wpixt* from the mul-
' titude, fhall be releafed in a month even from
' a great offence, as a fnake from his flough.

80. ' The prieft, the foldier, and the mer-
' chant, who fhall neglect: this myfterious text,
' and fail to perform in due feafon his peculiar
' ads of piety, fhall meet with contempt among
' the virtuous.

81. The three great immutable words, pre-
' ceded by the triliteral fyllable, and *followed by*
' the *gdyatri*, which confifts of three meafures,
' muft be confidered as the mouth, or *principal*
' *part*, of the *Veda* :

82. ⁴ Whoever fhall repeat, day by day for

‘ three years, without negligence, that faced
 ‘ text, shall *hereafter* approach the divine effence,
 ‘ move as freely as air, and as lumen and etherial form.

83. ‘ The triliteral monosyllable is *an emblem of*
 ‘ the Supreme; the suppression of breath with *a*
 ‘ mind fixed on GOD, are the highest devotion;
 ‘ but nothing is more exalted than the *gdyatri*:
 ‘ a declaration of truth is more excellent than
 ‘ silence.

84. ‘ All rites ordained in the *Veda*, oblations
 ‘ to fire, and solemn sacrifices, pass away; but
 ‘ that, which passes not away, is declared to be
 ‘ the syllable *om*, thence called *acjvara*; since it
 ‘ is *ajymiol of GOD* the Lord of created Beings.

85. ‘ The act of repeating his Holy Name is
 ‘ ten times better, than the appointed sacrifice; a
 ‘ hundred times better, when it is heard by no
 ‘ man; and a thousand times better, when it is
 ‘ purely mental:

86. ‘ The four domestic sacraments, which
 ‘ are accompanied with the appointed sacrifice,
 ‘ are not equal, though all be united, to a fix-
 ‘ teenth part of the sacrifice performed by a re-
 ‘ petition of the *gdyatri*:

87. ‘ By the sole repetition of the *gdyatri*, a
 ‘ priest may indubitably attain beatitude, let him
 ‘ perform, or not perform, any other religious
 ‘ act; if he be *Maitra*, or a friend to all creatures,

' **lie** is *july* named *Brdhmena*, or *united to th\$*
 ' **Great One**'

88. ' Itf restraining the organs, which run
 ' wild among ravifhing fenfualities, a wife man.
 • will apply diligent care, like a charioteer in
 • managing reftive horfes.

89. ' Thofe eleven organs, to which the firft
 ' **ages** gave names, I will comprehenfively enu-
 ' merate, as the law confiders them, in due
 ' order.

90. ' The nofe is the fifth, after the ears, the
 • skin, the eyes, and the tongue; and the organs
 ' of fpeech are reckoned the tenth, after thofe of
 ' excretion and generation, and the hands and
 • feet:

91. ' Five of them, the ear and the reft in
 ' fucceffion, learned men have called organs of
 ' fenfe ; and the others, organs of action:

92. ' The heart muft be confidered as the
 ' eleventh; which, by its natural property, com-
 ' prifes both fenfe and action; and which being
 fubdued, the other two fets, with five in each,
 ' are alfo controlled.

'93. ' A man, by the attachment of his organs
 ' to fenfual pleafure, incurs certain guilt; but,
 ' having wholly fubdued them, he thence attains
 ' heavenly blifs.

94. ' Defire is never fatisfied with the enjoy-

' ment of defired objeds; as the fire is not ap-
 ' peafed with clarified butter; it only blazei
 ' more vehemently.

95. ' Whatever man may obtain all thofe gra'
 ' tifications, or whatever man may refign them
 ' completely, the refignation of all pleafures is far
 ' better than the attainment of them.

96. ' The organs, being ftrongly attached to
 ' fenfual delights, cannot fo effectually be re-
 ' ftrained by avoiding incentives to pleafure, as
 ' by a conftant purfuit of divine knowledge.

97. ' To a man contaminated by fenfuality
 ' neither the *Pédas*, nor liberality, nor facrifices'
 ' nor ftridt obfervances, nor pious aufterities,
 ' ever procure felicity.

98. ' He muft be confidered as really tri-
 ' umphant over his organs, who, on hearing and
 ' touching, on feeing and tafting and fmelliftg,
 ' what may please or offend the fenfes, neither
 ' greatly rejoices nor greatly repines:

99. ' But, when one among all his organs fails,
 ' by that fingle failure his knowledge of G O D
 ' paffes away, as water flows through one hole in
 ' a leathern bottle.

100. ' Having kept all his members of *fenfe*
 ' and *aSlion* under control, and obtained alfo
 ' command over his heart, he will enjoy every
 ' advantage, even though he reduce not his body
 ' by religious aufterities.

101. ' At the morning twilight, let him ftand

' repeating the *gdyatri*, until he see the sun;
 ' and, at evening twilight, let him repeat it fitting
 ' until the stars distinctly appear:

102. ' He, who stands repeating it at the morn-
 ' ing twilight, removes *all unknown* nocturnal sin;
 ' and he, who repeats it fitting at evening twi-
 ' light, disperses the taint, that has *unknowingly*
 ' been contracted in the day;

103. ' But he, who stands not repeating it in
 ' the morning, and fits not repeating it in
 ' the evening, must be precluded, like a *Sūdra*,
 ' from every sacred observance of the twice born
 ' classes.

104. ' Near pure water, with his organs holden
 ' under control, *and* retiring with circumspection
 ' to some unfrequented place, let him pronounce
 ' the *gdyatriy* performing daily ceremonies.

105. ' IN reading the *Vedāṅgas*, or *grammar*,
 ' *profody*, *mathematicks*) *and* *Jo forth*, or even
 ' such parts of the *Veda*, as ought constantly to be
 ' read, there is no prohibition on particular days;
 ' nor in pronouncing the texts appointed for ob-
 ' lations to fire :

106. ' Of that, which must constantly be
 ' read, and is therefore called *Brahmaṣāra*,
 ' there can be no such prohibition ; and the ob-
 ' lation to fire, according to the *Vida*, produces
 ' good fruit, though accompanied with the text
 ' *vashat*, which *on other occasions* **must be** inter-
 ' mitted on certain days.

107. ' For him, who fhall perfift a whole year
' in reading the *Veda*, his organs being kept in
' fubjection, and his body pure, there will al-
' ways rife good fruit from his *offerings* of milk
' and curds, of clarified butter and honey.

108. ' L E T the twice born youth, who has
' been girt with the facrificial cord, collect wood
' for the holy fire, beg food of his relations,
' fleep on a low bed, and perform fuch offices as
' may pleafe his preceptor, until his return to the
' houfe of his natural father.

109. ' Ten perfons may legally be intruclcd
' in the *Vida*; the fon of a fpiritual teacher; a
' boy, who is afliduous; one who can impart
' other knowledge; one who is juft; one who is
' pure; one who is friendly; one who is power-
' ful; one who can beftow wealth; one who is
' honeft; and one who is related by blood.

' 10. ' Let not a fenfible teacher tell any
' *other* what he is not afked, nor what he is
' afked improperly; but let him, however in-
' telligent, acl: in the multitude, as if he were
' dumb:

111. ' Of the two perfons, him, who illegally
' afks, and him, who illegally anfwers, one will
' die, or incur odium.

112. ' Where virtue, and wealth *fufficient* to
' *fecure* it, are not found, or diligent attention' at
' *leaji* proportioned to the *holinefs* of the *fubject*)

' in that foil divine inftruction muft not be fawn:
' it would perifli, like fine feed in barren land.

113. ' A teacher of the *Vēda* mould rather die,
' with his learning, than fow it in fterile foil,
' even though he be in grievous diftreffs for fub-
' fiftence.

114. ' Sacred Learning, having approached a
' *Brahmen*, faid to him: ^UI am thy precious gem;
" preferve me with care; deliver me not to a
" fcorner; (fo *preferved* I hall become fupremely
" ftrong.)

115. " But communicate me, as to a vigilant
" depofitary of thy gem, to that ftudent, whom
" thou fhalt know to be pure, to have fubdued
" his paffions, to perform the duties of his order."

116. ' He, who fhall acquire *know/edge of the*,
' *Vēda*, without the affent of his preceptor, in-
' curs the guilt of ftealing the fcripture, and mail
' fink to the region of torment.

117. ' From whatever teacher a ftudent has
' received inftruction, either popular, ceremo-
' nial, or facred, let him firft falute his inftructor,
' when they meet.

118. ' A *Brahmen*, who completely governs
' his paffions, though he know the *gayatri* only,
' is more honourable than he, who governs not
' his paffions, who eats all *forts of food*, and fells
' ail *forts of commodities*, even though he know
' the three *Vēdas*.

119. ' When a fuperiour fits on a couch or

‘ bench, let not an inferiour fit on it' with him;
 ‘ and, if an inferiour be fitting on a couch, let
 ‘ him rise to salute a superiour.

120. ' The vital spirits of a young man mount
 ‘ upwards *to depart from him*, when an elder ap-
 ‘ proaches ; but, by rising and salutation, he re-
 ‘ covers them.

121. ' A youth, who habitually greets and
 ‘ constantly reveres the aged, obtains an increase
 ‘ of four things ; life, knowledge, fame, strength'

122. ' After the word of salutation, a *Brah-*
 ‘ *men* must address an elder, saying: " I am such
 ‘ an one;" pronouncing his own name.

123. ' If any persons, *through ignorance of*
 ‘ *the Sanscrit language*, understand not the im-
 ‘ port of his name, to them should a learned man
 ‘ say; " It is I ; " and in that manner he should
 ‘ address all *classes of women*.

124. ' In the salutation he should pronounce,
 ‘ after his own name, the vocative particle *bhós*
 ‘ for the particle *bhós* is held by the wife to have
 ‘ the same property with *names fully expressed*.

125. ' A *Brdhmen* should thus be saluted in
 ‘ return: " May'st thou live long, excellent
 ‘ man !" and, at the end of his name, the vowel
 ‘ and preceding consonant should be lengthened,
 ‘ *with an acute accent*, to three syllabick mo-
 ‘ ments, *or short vowels*.

126. ' That *Brahmen*, who knows not the

' form of returning a falutatipn, muft not be fa--
 ' luted by a man of learning: as a *Súdra*, even
 ' fo is he.

127./ Let a learned man afka prieft, when he
 ' meets him, if his devotion profpers; a warriour,
 ' if he is unhurt; a merchant, if his wealth is
 ' fecure; and one of the fervile clafs, if he
 ' enjoys good health; *ufmg refpettively the*
 ' words, *cus'alam*, *anámayam*, *cfhémam*, and
 ' 'arógyam.

128. ' He, who has juft performed a folemn
 ' facrifice and ablution, muft not be addrefled by
 ' his name, even though he be a younger man;
 4 but he, who knows the law, fhould accoft him
 6 with the vocative particle, or with *bhavat*, the
 ' pronoun of refped.

129. ' To the wife of another, and to any
 ' woman not related by blood, he muft fay,
 ' *bhavatiy* and amiable fifter."

130. ' To his uncles paternal and maternal, to
 ' his wife's father, to performers of the facrifice,
 ' and to fpiritual teachers, he muft fay: " I am
 ' fuch an one"—rifing up to falute them, even
 ' though younger than himfelf.

131. ' The fifter of his mother, the wife of
 ' his maternal uncle, his own wife's mother, and
 ' the fifter of his father, muft be faluted like the
 ' -wife of his father or preceptor: they are equal
 ' to his father's or his preceptor's wife,

132. ' The wife of his brother, if he be of
 ' the same class, must be saluted every day; but
 ' his paternal and maternal kinfwomen need only
 ' be greeted on his return from a Journey.

133. ' With the father of his father and of his
 ' mother, and with his own elder father, let him
 ' demean himself as with his mother; though
 ' his mother be more venerable than they.

134. ' Fellow citizens are equal for ten years;
 ' dancers and fingers, for five ; learned theolo-
 ' gians, for less than three; but persons related
 ' by blood, for a short time: *that is, a greater*
 ' *difference of age destroys their equality.*

135. ' The student must consider a *Brahmen*,
 ' though but ten years old, and a *C/hatriya*,
 ' though aged a hundred years, as father and
 ' son as between those two, the young *Bráhmén*
 ' is to be respected as the father.

136. ' Wealth, kindred, age, moral conduct,
 ' and, fifthly, divine knowledge, entitle men to
 ' respect; but that, which is last mentioned in
 ' order, is the most respectable.

137. ' Whatever man of the three *highert*
 ' classes possesses the most of those five, both in
 ' number and degree, that man is entitled to most
 ' respect; even a *Siidra*, if he have entered the
 ' tenth decade of his age.

138. ' Way must be made for a man in a
 ' wheeled carriage, or above ninety years old, or

afflicted with disease, or carrying a burden; for a woman; for a priest just returned from the mansion of his preceptor; for a prince, and for a bridegroom:

139. ' Among all those, if they be met at one time, the priest just returned home and the prince are most to be honoured; and of those two, the priest just returned should be treated with more respect than the prince.

140. ' That priest, who girds his pupil with the sacrificial cord, and afterwards instructs him in the whole *Veda*, with the law of sacrifice and the sacred *Upanishads*, holy sages call an *acbdrya*:

141. ' But he, who, for his livelihood, gives instruction in a part only of the *Veda*, or in grammar, and other *Vedāṅgas*, is called an *upddhydya*, or sublecturer.

142. ' The father, who performs the ceremonies on conception and the like, according to law, and who nourishes the child with his first rice, has the epithet of *guru*, or venerable.

143. ? He, who receives a stipend for preparing the holy fire, for conducting the *pāca* and *agnijhcoma*. and for performing other sacrifices, is called in this code the *ritwij* of his employer.

144. ' He, who truly and faithfully fills both ears with the *Veda*, must be considered as equal to a mother; He must be revered as a father; Him the pupil must never grieve.

145. ' A mere *dchárya*, or a teacher of the
 ' *gáyatri* only, furpafles ten *upddbyáyas*; a fa-
 ' ther, a hundred fuch *achdryas*; and a mother,
 ' a thoufand natural fathers.

146. ' Of him, who gives natural birth, and
 ' him, who gives knowledge of the whole *Véda*,
 ' the giver of facred knowledge is the more ve-
 ' nerable father ; fince the *fecond* or divine birth
 ' enfures life to the twice born both in this world
 ' and hereafter eternally.

147. Let a man confider that as a mere hu-
 ' man birth, which his parents gave him for
 ' their mutual gratification, and which he re-
 ' ceives after lying in the womb;

148. ' But that birth, which his principal
 ' *dchdrya* who knows the whole *Veda*, procures
 ' for him by his *divine mother* the *Gayatri*, is a
 ' true birth: that birth is exempt from age and
 ' from death.

149. ' Him, who confers on a man the be-
 ' nefit of facred learning, whether it be little or
 ' much, let him know to be here named *guru*,
 ' or *venerable father*, in confequence of that hea-
 ' venly benefit.

150. ' A *Brahmen*, who is the giver of fpiři-
 ' tual birth, the teacher of prefcribed duty, is by
 ' right *called* the father of an old man, 'though
 ' himfelf be a child.

151. ' CAVi, or / ^ / ^ r ^ , child of ANGiRAs,

' taught his paternaltuncles and coufins to read the
' *Vēda*, and, excelling them in divine knowledge,
' faid to them " little fons:"

152.- ' They, moved with repentment, afked
' the Gods the meaning of that *exprefſion*: and
' the Gods, being affembled, answered them;
" The child has addrefſed you properly 5

153. " For an unlearned man is in truth a
" child; and he, who teaches him the *Veda*, is
" his father: holy fages have always faid child
" to an ignorant man, and father to a teacher of
" ſcripture."

154. ' Greatnefs is not conferred by years,
' not by gray hairs, not by wealth, not by power-
' ful kindred; the divine foges have eſtabliſhed
' this rule : " Whoever has read the *Vedas* and
" their *Angas*, He among us is great."

155. ' The ſeniority of prieſts is from ſacred
' learning; of warriours, from valour; of mer-
' chants, from abundance of grain ; of the fervile
' claſs., only from priority of birth.

156. ' A man is not therefore aged, becauſe
' his head is gray: him, furely, the Gods confi-
' dered as aged, who, though young in years, has
' read and *underſtands* the *Veda*.

157. ' As an elephant made of wood, as an
' antelope made of leather, ſuch is an unlearned
' *Brahmen*: thoſe three have nothing but names,

158. ' As an eunuch is unproductive with

' women, as a cow with a cow is unprolifick, as
' liberality to a fool is ff uitlefs, fo is a *Bráhmen*
' ufelefs, if he read not the holjT texts.

159. ' Good inftruction muft be given with-
' out pain to the inftruced; and fweet gentle
' fpeech muft be ufed by a preceptor, who
' cherifhes virtue.

160. ' He, whose difcourfe and heart are
' pure, and ever perfectly guarded, attains all
' the fruit arifing from his complete courfe of
' ftudying the *Veda*.

16 I ' Let not a man be querulous, even
' though in pain : let him not injure another in
' deed or in thought; let him not even utter a
' word, by which his fellow creature may fuffer
' uneafinefs; fince that will obftruft his own
' progrefs to future beatitude.

162. ' A *Brahmen* mould constantly fhun
' worldly honour, as he would fhun poifon;
' and rather constantly feek difrefpect:, as he
' would feek neftar;

163. ' For though fcornd, he may fleep with
' pleafure; with pleafure may he awake; with
' pleafure may he pafs through this life: but the
' fcorner utterly perifhes.

164. ' Let the twice born youth, whose foul
' has been formed by this regular fucceffion of
' prefcribed afts, collecl by degrees, while he
' dwells with his preceptor, the devout habits
' proceeding from the ftudy of fcripture.

165. ' With various modes of devotion, and
 ' with austerities ordained by the law, must the
 ' whole *Ve'da* be read, and above all the sacred
 ' *Upanishads*, by him, who has received a new
 4 birth.

166. ' Let the best of the twice born classes,
 ' intending to practise devotion, continually re-
 ' peat the reading of scripture; since a repetition
 ' of reading the scripture is here styled the
 ' highest devotion of a *Bráhmen*:

167. ' Yes verily; that student in theology
 ' performs the highest act of devotion with his
 4 whole body to the extremities of his nails, even
 ' though he be so far from as to wear a chaplet
 ' of sweet flowers, who to the utmost of his abi-
 ' lity daily reads the *Véda*'

168. ' A twice born man, who, not having
 ' studied the *Véda*, applies diligent attention to
 ' a different and worldly study, soon falls, even
 ' when living, to the condition of a *Sudra*; and
 ' his descendants after him.

169. ' The first birth is from a natural mother;
 ' the second, from the ligation of the zone; the
 ' third, from the due performance of the sacri-
 ' fice; such are the births of him, who is usually
 ' called twice born, according to the text of the
 ' *Ve'da*:

170. ' Among them his divine birth is that,
 ' which is distinguished by the ligation of the
 ' zone and sacrificial cord; and in that birth the

‘ *Gáyatri* is his mother, and the *Achdrya*, his
 ‘ father.

171. ‘ Sages call the *A chaṛy* a father from his
 ‘ giving inftrudtion in the *Vida*: nor can any
 ‘ holy rite be performed by a young man before
 ‘ his investiture.

172. ‘ 7thill he be invejled with thefigns of his
 ‘ clafs, he muft not pronounce any facred text,
 ‘ except what ought to be ufed in obfequies to
 ‘ an anceftor; fince he is on a level with a *Súdra*
 ‘ before his new birth from the revealed fcrip-
 ‘ ture:

173. ‘ From him, who has been duly inverted,
 ‘ are required both the performance of devout
 ‘ acts, and the ftudy of the *Veda* in order, pre-
 ‘ ceded by ftated ceremonies.

174. ‘ Whatever fort of leathern mantle, fa-
 ‘ crificial thread, and zone, whatever ftaff, and
 ‘ whatever undcr-apparel are ordained, *as before*
 ‘ *mentioned*, for a youth of each clafs, the like
 ‘ muft alfo be ufed in his religious acts.

175. ‘ Thefe following rules muft a *Brabma-*
 ‘ *chdri*, or *jiudent in theology*, obferve, while he
 ‘ dwells with his preceptor; keeping all his
 ‘ members under control, for the fake of increaf-
 ‘ ing his habitual devotion.

176. ‘ Day by day, having bathed and being
 ‘ purified, let him offer frefh water to the Gods,
 ‘ the Sages, and the Manes; let him fhew refpect

' to die images of the deities, and faring wood
' fprthe oblation to fire.

177. ' Let him abstain from honey, from
' flesh meat, from perfumes, from chaplets of
' flowers, from fwfcet vegetable juices, from wo-
' men, from all fweet fubftances turned acid,
' and from injury to animated beings;

178. ' From unguents for his limbs, and from
' black powder for his eyes, from wearing fan-
' dais and carrying an umbrella, from fenfual
' defire, from wrath, from covetoufnefs, from
' dancing, and from Vocal and inftrumental
' mufick;

179. ' From gaming, from difputes, from de-
' traction, and from falfehood, from embracing
' or wantonly looking at women, and from dif-
' fervice to other men.

180. ' Let him fleep constantly alone: let
' him never waſte his own manhood; for he,
' who voluntarily waſtes his manhood, violates
' the rule of his order, *and becomes an avacirni*:

181. ' A twice born youth, who has involun-
6' tarily waſted his manly ſtrength during fleep,
' muſt repeat with reverence, having bathed and
' paid homage to the fun, this text of ſcripture;
" *Again let my ſtrength return to me*"

182. ' Let him carry water-pots, flowers,
' cow-dung, freſh earth, and *cusa-ghfe*, as much
6' as may be uſeful to his preceptor; and let him

' **perform** every **day the duty** of a religious men-
' dicant.

183. ' Each day muſt a *Brahmen* ſtudent re-
' ceive his food by begging, with due care, from
' the houſes of perſons renowned for diſcharging
' their duties, and not deficient in performing
' the ſacrifices, which the *Véda* ordains.

184. ' Let him not beg from the couſins of
' his preceptor; nor from his own couſins; nor
' from other kinfmen by the father's ſide, or by
' the mother's; but, if other houſes be not acceſ-
' ſible, let him begin with the laſt of thoſe in
' order, avoiding the firſt;

185. ' Or, if none of thoſe *houſes* juſt men-
' tioned can be found, let him go begging
' through the whole diſtrict: round the village,
' keeping his organs in ſubjection, and remain'
' ing ſilent: but let him turn away from luſh,
' as have committed any deadly ſin.

186. ' Having brought logs of wood from a
' diſtance, let him place them in the open air;
' and with them let him make an oblation to
' fire, without remiſſneſs, both evening and
' morning.

187. ' He, who for ſeven ſucceſſive days omits
' the ceremony of begging food, and offers, not
' wood to the ſacred fire, muſt perform the
' penance of an *avacirni*, unleſs he be afflicted
' with illneſs.

188. ' Let the ftudent perfift conftantly in
 ' fuch begging, but let him not eat the food of
 ' one perfon only: the fubfiftence of a ftudent
 ' by begging is held equal to falling *in religious*
 ' *merit*.

189. ' Yet, when he is afked on a folemn ad
 ' in honour of the Gods or the Manes, he may
 ' eat at his pleafure the food of a fingle perfon j
 ' obferving, however, the laws of abftinence and
 ' the aufterity of an anchoret: thus the rule of
 ' his order is kept inviolate.

190. ' This duty of a mendicant is ordained
 ' by the wife for a *Brahmen* only; but no fuch
 ' ad is appointed for a warriour or • for a mer-
 ' chant.

191. ' Let the fcholar, when commanded
 ' by his preceptor, and even when he has re-
 ' ceived no command, always exert himfelf in
 ' reading, and in all acts ufeful to his teacher.

192. ' Keeping in due fubjedion his body,
 ' his fpeech, his organs of fenfe, and his heart,
 ' let him ftand, with the palms of his hands
 ' joined, looking at the face of his preceptor.

193. ' Let him always keep his right arm
 ' uncovered, be always decently apparelled, and
 ' properly compofed ; and, when his inftructor
 ' fays " be feated," let him fit oppofite to his
 ' venerable guide.

194. ' In the prefence of his preceptor let

‘ him always eat lefs, and wear a coarfer mantle
‘ with worfe appendages: let him rife before, and
‘ go to reft after, his tutor.

195. ‘ Let him not anfwer his teacher's or-
‘ ders, or converfe with him, reclining on a bed;
‘ nor fitting, nor eating, no[^].ftanding, nor with
‘ an averted face.

196. ‘ But let him both *anfwer and converfe*,
‘ if his preceptor fit, (landing up ; if he ftand,
‘ advancing toward him ; if he advance, meeting
‘ him ; if he run, haftening after him.

197. ‘ If his face be averted, going round to
‘ front *him, from left to right*; if he be at a little
‘ diftance, approaching him ; if reclined, bending
‘ to him ; and, if he ftand ever fo far off, running
‘ toward him.

198. ‘ When his teacher is nigh, let his couch
‘ or his bench be always placed low: when his
‘ preceptor's eye can obferve him, let him not fit
‘ carelefsly at eafe.

199. ‘ Let him never pronounce the mere
‘ name of his tutor, even in his abfence; nor
‘ ever mimick his gait, his fpeech, or his
‘ manner.

200. ‘ In whatever place, either true but cen-
‘ forious, or falfe and defamatory, difcourfe is
‘ held concerning his teacher, let him there cover
‘ his ears, or remove to another place.

201. ' By cenfuriijg his- preceptor, though
 ' juftly, he will be born an afs; by falſely de-
 ' faming him, a dog; by uſing his goods with-
 ' out leave, a ſmall worm 5 by envying his merit,
 ' a larger infeſt or reptile,

202. ' He muſt not ferve his tutor by the in-
 ' tervention of another, while himſelf ſtands
 ' aloof; nor muſt he attend him in a paſſion, nor
 ' when a woman is near: from a carriage or
 ' raiſed feat he muſt deſcend to ſalute his
 ' heavenly direftor.

203. ' Let him not fit with his preceptor to
 ' the leeward or to the windward of him ; nor
 ' let him ſay any thing, which the venerable man
 ' cannot hear.

204. ' He may fit with his teacher in a car-
 ' riage drawn by bulls, horſes, or camels; on a
 ' terrace, on a pavement of ſtones, or on a mat
 ' of woven graſs; on a rock, on a wooden
 ' bench, or in a boat.

205. ' When his tutor's tutor is near, let
 ' him demean himſelf as if his own were
 ' preſent; nor let him, unleſs ordered by his
 ' ſpiritual father, proſtrate himſelf *in his pre-
 ' fence* before his natural father, or paternal uncle,

206. ' This is like wife ordained as his conſtan't
 ' behaviour toward his other inſtrudtors in ſci-
 ' ence; toward his elder paternal kinfmen; to'

' ward all, who may refrain him from sin, and
' all who give him salutary advice.

267. ' Toward men also, who are truly virtuous, let him always behave as toward his preceptor; arft in like manner toward the sons of his teacher," who are entitled to respect as *older men, and are not pupils*; and toward the paternal kinsmen of his venerable tutor.

208. ' The son of his preceptor, whether younger or of equal age, or a student, if he be capable of teaching the *Vida*. deserves the same honour with the preceptor himself, *when he is present* at any sacrificial act:

209. ' But he must not perform for the son of his teacher the duty of rubbing his limbs, or of bathing him, or of eating what he leaves, or of washing his feet.

210. ' The wives of his preceptor, if they be of the same class, must receive equal honour with their venerable husband; but, if they be of a different class, they must be honoured only by rising and salutation,

211. ' For no wife of his teacher must he perform the offices of pouring scented oil on them, of attending them while they bathe, of rubbing their legs and arms, or of decking their hair;

212. ' Nor must a young wife of his preceptor be greeted even by the ceremony of touch-

' ing his feet, if he have completed his twentieth
' year, or can distinguish virtue from vice. ^

213. l It is the nature of women in this world
' to cause the seduction of men; for which rea-
' son the wife are never unguarded in the com-
' pany of females:

214. i A female, indeed, is able to draw from
' the right path in this life not a fool only, but
' even a sage, and can lead him in subjection to
' desire or to wrath.

215. ' Let not a man, therefore, sit in a se-
' questered place with his nearest female rela-
' tions: the assemblage of corporeal organs is
' powerful enough to snatch wisdom from the
' wife.

216. ' A young student may, as the law di-
' rects, make prostration at his pleasure on the
' ground before a young wife of his tutor, saying:
" I am such an one;"

217. ' And, on his return from a journey, he
' must once touch the feet of his preceptor's
' aged wife, and salute her each day by prostra-
' tion, calling to mind the practice of virtuous
' men.

218. ' As he, who digs deep with a spade,
' comes to a spring of water, so the student, who
' humbly serves his teacher, attains the know-
ledge which lies deep in his teacher's mind

219. ' WHETHER his head be {horn, of his
 ' hair long, or one lock be bound above in a
 ' knot, let not the fun ever fet or rife, while he
 ' lies afleep in the village.

220. • ' If the fun fhould rife or fet, while he
 ' fleeps through fenfual indulgence, and knows
 ' it not; he muft faft a whole day repeating the
 ' *gāy airi*;

221. ' He, who has been furprifed afleep by
 ' the fetting or by the rifing fun, and performs
 ' not that penance, incurs great guilt.

222. ' Let him adore G O D both at funrife
 ' and at funfet, as the law ordains, having made
 ' his ablution and keeping his organs controlled;
 ' and, with fixed attention, let him repeat the
 ' text, which he ought to repeat, in a place free
 ' from impurity.

223. ' If a woman or a *Súdra* perform any
 ' aft leading to the chief temporal good, let the
 ' ftudent be careful to emulate it; and he may do
 ' whatever gratifies his heart, unlefs it be for-
 ' bidden by law:

224. ' The chief temporal good is by fome
 ' declared to confift in virtue and wealth; by
 ' fome, in wealth and lawful pleafure; by
 ' fome, in virtue alone; by others, in wealth
 ' alone ; but the chief good here below is an
 ' aflembly of all three: this is a fure decifion.

225. ' A TEACHER of the *Vēda* is the image
 ' of GOD ; a natural father, the image of BRAH-
 ' MA ' J a mother, the image of the father; an
 ' elder whole brother, the image of the soul:

226. ' Therefore, a spiritual and a natural fa-
 ' ther, a mother, and an elder brother, are not
 ' to be treated with disrespect, especially by a
 ' *Brahmen* though the student be grievously
 ' provoked.

227. ' That pain and care, which a mother
 ' and father undergo in producing and rearing
 ' children, cannot be compensated in an hundred
 ' years.

228. ' Let every man constantly do what may
 ' please his parents, and on all occasions what
 ' may please his preceptor: when those three
 ' are satisfied, his whole course of devotion is
 ' accomplished.

229. ' Due reverence to those three is con-
 ' sidered as the highest devotion; and without
 ' their approbation he must perform no other
 ' duty.

230. ' Since they alone are held equal to
 ' the three worlds; they alone, to the principal
 ' orders; they alone, to the three *Vedas*; they
 ' alone, to the three fires:

231. ' The natural father is considered as the
 ' *gdr̥bapatya*, or nuptial fire ; the mother, as the

‘ *dacjhina*, or ceremonial; the fpiritual guide, as
 ‘ the *dhavaniya*, or facrificial: this triad of fires
 ‘ is moft venerable.

232. ‘ He, who neglects not thofe three, when
 ‘ he becomes a houfekeeper will ultimately ob-
 ‘ tain dominion over the three worlds; and, his
 ‘ body being irradiated like a God, he will enjoy
 ‘ ftipreme blifs in heaven.

233. ‘ By honouring his mother he gains this
 ‘ *terrejirial* world; by honouring his father, the
 ‘ intermediate, or *etherial*; and, by affiduous at-
 ‘ tention to his preceptor, even the *celejlial* world
 ‘ of BRAHMA':

234. ‘ All duties are completely performed by
 ‘ that man, by whom thofe three are completely
 ‘ hoijoured 5 but to him, by whom they are dis-
 ‘ honoured, all other ads of duty are fruit-
 ‘ lefs.

235. ‘ As long as thofe three live, fo long he
 ‘ muft perform no other duty for *his own fake*;
 ‘ but, delighting in what may conciliate their af-
 ‘ fedlions and gratify their wifhes, he muft from
 ‘ day to day affiduoufly wait on them:

236. ‘ Whatever duty he may perioral in
 ‘ thought, word, or deed, with a view to the
 ‘ next world, without derogation from bis re-
 ‘ fpect to them, he muft declare to them his en-
 ‘ tire performance of it.

237. ' By honouring thofe three, without
 ' more, a man effectually does whatever ought
 ' to be done: this is the higheft duty, appearing
 ' before us like DHERMA himfelf,' and every
 ' other aft is an *Upadberma*, or fubordinate duty.

238. ' A believer in fcripture may receive
 ' pure knowledge even from a *Súdra*; a leffon
 ' of the higheft virtue, even from a *Chandala* ;
 ' and a woman bright as a gem, even from the
 ' bafeft family:

239. ' Even from poifon may neftar be taken;
 ' even from a child, gentlenefs of fpeech; even
 ' from a foe, prudent conduct; and even from an
 ' impure fubftance, gold.

240. ' From every quarter/therefore, muft
 ' be felected women bright as gems, knowledge,
 ' virtue, purity, gentle fpeech, and various liberal
 ' arts.

241. ' I N cafe of neceffity, a ftudent is re-
 ' quired to learn the *Veda* from one who is not
 ' a *Brahmen*, and, as long as that inftrudion con-
 ' tinues, to honour his inftructor with obfequious
 ' affiduity;

242. ' But a pupil, who feeks the incompa-
 ' rable path to heaven, fhould not live to the
 ' end of his days in the dwelling of a preceptor,
 ' who is no *Brahmen*, or who has not read all the
 ' *Vedas* with their *Angas*.

243. ' If he anxiously desire to pass his whole
 ' life in the house of a sacerdotal teacher, he
 ' must serve him with assiduous care, till he be
 ' released from his mortal frame:

244. ' That *Brāhmen*, who has dutifully at-
 ' tended his preceptor till the dissolution of his
 ' body, passes directly to the eternal mansion of
 ' GOD.

245. ' LET not a student, who knows his
 ' duty, present any gift to his preceptor *before his*
 ' *return home*; but when, by his tutor's per-
 ' mission, he is going to perform the ceremony
 ' on his return, let him give the venerable man
 ' some valuable thing to the best of his power;

246. ' A field, or gold, a jewel, a cow, or a
 ' horse, an umbrella, a pair of sandals, a stool,
 ' corn, cloths, or even any very excellent vege-
 ' table : thus will he gain the affectionate re-
 ' membrance of his instructor.

247. ' The student for life must, if his teacher
 ' die, attend on his virtuous son, or his widow,
 ' or on one of his paternal kinsmen, with the
 ' same respect, which he showed to the liv-
 ' ing:

248. ' Should none of those be alive, he must
 ' occupy the station of his preceptor, the seat, and
 ' the place of religious exercises; must conti-
 ' nually pay due attention to the fires," which he

' had consecrated; and must prepare his own
' soul for heaven.

249. ' The twice born man, who shall thus
' without intermission have passed the time of his
' studentship, shall ascend after death to the most
¹ exalted of regions, and no more again spring
' to birth in this lower world.

CHAPTER THE THIRD,

On Marriage; or, on the Second Order.

THE discipline of a student in the three
' *Vēdas* may be continued for thirty-fix years,
' in the house of his preceptor; or for half that,
' time, or for a quarter of it, or until he per-
' fectly comprehend them :

2. ' A student, whose rules have not been
' violated, may assume the order of a married
' man, after he has read in succession a *śākhā*,
' or branch, from each of the three, or from
' two, or from any one of them.

3. -' Being justly applauded for the perfect per-
' formance of his duty, and having received from
' his *natural or spiritual* father the sacred gift of
' the *Vēda*, let him sit on an elegant bed, decked
' with a garland of flowers; and let his father
' honour him, before his nuptials, with a present;
' of a cow.

4. ' Let the twice born man, having obtained
' the consent of his venerable guide, and having
' performed his ablution with stated ceremo-
' nies on his return home, as the law directs,

' espouse a wife of the same class with himself
' and endued with the marks of excellence.

5. ' She, who is not descended from his *paternal or maternal* ancestors within the sixth degree, and who is not *known by the family name* to be of the same primitive stock with his father or mother, is eligible by a twice born man for nuptials and holy union :

6. ' In connecting himself with a wife, let him studiously avoid the ten following families, be they ever so great, or ever so rich in kine, goats, sheep, gold, and grain:

7. ' The family, which has omitted prescribed acts of religion;- that, which has produced no male children; that, in which the *Vēda*, has not been read ; that, which has thick hair on the body; and those, which have been subject: to hemorrhoids, to phthisis, to dyspepsia, to epilepsy, to leprosy, and to elephantiasis.

8. ' Let him not marry a girl with reddish hair, nor with any deformed limb; nor one troubled with habitual sickness; nor one either with no hair or with too much ; nor one immoderately talkative; nor one with inflamed eyes;

9. ' Nor one with the name of a constellation, of a tree, or of a river, of a barbarous nation, or of a mountain, of a winged creature, a snake, or a Hare; nor one with any name raising and image of terror.

10. ' Let him chufe for his wife a girl,
 ' whose form has no defect;; who has an agree-
 ' able name; who walks *gracefully* like a pheni-
 ' copteros or like a young elephant; whose hair
 ' and teeth are moderate respectively in quan-
 ' tity and in size; whose body has exquisite
 ' softness.

II. ' Her, who has no brother, or whose fa-
 ' ther is not well known, let no sensible man
 ' espouse, through fear left, *in the former case*,
 ' her father should take her first son as his, own
 ' to perform his obsequies; or, *in the second*
 ' *case*, left an illicit marriage should be con-
 ' tracted.

12. ' For the first marriage of the twice born
 ' classes a woman of the same class is recom-
 ' mended; but for such, as are impelled by
 ' inclination to marry again, women in the di-
 ' rect order of the classes are to be preferred:

13. ' A *Sudra* woman only must be the wife
 ' of a *Sudra*; she and a *Vaishya*, of a *Vaishya* ; they
 ' two and a *Chatriya*, of a *Chatriya* -, those two
 ' and a *Brabmani*, of a *Bráhmen*.

14 ' A woman of the fervile class is not
 ' mentioned, even in the recital of any ancient
 ' story, as the first wife of a *Brahmen* or of a *Chha-*
 ' *triya* though in the greatest difficulty to find a
 ' suitable match.

15. ' Men of the twice born classes, who,

' throtrighweaknefsof intelled, irregularly marry
 ' women of the loweft clafs, very foon degrade
 ' their families and progeny to the ftate of *Sudras*:

16. ' According to ATKI and to (GO'TAMA)
 ' the fon of UTAT'HYA, he, who *thus* marries a
 ' woman of the fervile clafs, if *he be a priejl*, is
 ' degraded instantly; according to SAUNACA, on
 ' the birth of a fon, *if he be a warriour*; and,
 ' *if he be a merchant*, on the birth of a fon's fon,
 ' according to (me) BHRĪGU.

17. ' A *Brāhmen*, if he take a *Súdra* to his
 ' bed, *as his firji wife*, finks to the regions of tor-
 ' ment; if he beget a child by her, he lofes even
 ' his prietly rank :

18. ' His facrifices to the Gods, his oblations
⁴ to the Manes, and his hofpitable attentions to
 ' Grangers, muft be fupplied principally by her ;
 ' but the Gods and Manes will not eat fuch of-
 ' ferings; nor can heaven be attained by fuch
 ' hofpitality.

19. ' For the crime of him, who *thus illegally*
 ' drinks the moifture of a *Sudra's* lips, who is
 ' tainted by her breath, and who even begets a
 ' child on her body, the law declares no ex-
 ' piation'

20. ' Now learn compendioufly the eight
 ' forms of the nuptial ceremony ufed by the
 ' four claffes, fome good and fome bad in this
 ' world and in the next:

21. 'The ceremony of BRAHMA', of the *Devas*,
 ' of the *Rijhis*, of the *Prajdpatis*, of the *Afuras*,
 ' of the *Gandbarvas*, and of the *Racfiapas* -, the
 ' -eighth and last is that of the *Pifdcbas*.

22. ' Which of them is permitted by law to
 ' each class, and what are the good and 'bad pro-
 ' perties of each ceremony, all this I will fully
 ' declare to you, together with the qualities, good
 ' and bad, of the offspring.

23. ' Let mankind know, that *the four* in
 ' direct order are *by some held* valid in the case
 ' of a priest; the four last in that of a warrior;
 ' and the same four, except the *Racfhapa* mar-
 ' riage, in the cases of a merchant and a man of
 ' the fervile class:

24. ' Some consider the four first only as ap-
 ' proved in the case of a priest; one, that *oi Racjb-*
 ' *a/as*, as peculiar to the soldier; and, that *oi Afu-*
 ' *ras*, to a mercantile and a fervile man:

25. ' But in this code, three of *the four* are
 ' held legal, and two illegal: the ceremonies
 ' -of *Pifdcbas* and *Afuras* must never be per-
 ' formed.

26. ' For a military man the beforementioned
 ' marriages of *Gandbarvas* and *Racjhapas*, whether
 ' separate, or mixed, as when a girl is made cap-
 ' tive by her lover, after a victory over her kinf
 ' men, are permitted by law.

27. ' The gift of a daughter, clothed only with

' a fingle robe, to a man learned in the *Veda*,
 ' whom her father voluntarily invites and re-
 ' fpectfully receives, is the nuptial rite called
 ' *Brahma*.

28. ' The rite, which fages call *Daiva*, is
 ' the gift of a daughter, whom her father has
 ' decked in gay attire, when the facrifice is al-
 ' ready begun, to the officiating prieft, who per-
 ' forms that acl of religion'

29. ' When the father gives his daughter
 ' away, after having received from the bride-
 ' groom one pair of kine, or two pairs, for ufes
 ' prefcribed by law, that marriage is termed *A'rjha*.

30. ' The nuptial rite called *Prdjdpatya* is
 ' when the father gives away his daughter with
 ' due honour, faying diftinctly: " May both of
 " you perform together your civil and religious
 " duties!"

31. ' When the bridegroom, having given as
 ' much wealth as he can afford to the father and
 ' paternal kinfmen, and to the damfel herfelf,
 ' takes her voluntarily as his bride, that marriage
 ' is named *A'Jura*.

32. ' The reciprocal connection of a youth
 ' and a damfel, with mutual defire, is the mar-
 ' riage denominated *Gdndbarva*, contracted for
 ' the purpofe of amorous embraces, and proceed-
 ' ing from fenfual inclination.

33. ' The feizure of a maiden by force from

' her houfe, while ſhe weeps and calls for affift-
 ' ance, after her kinfmen and friends have
 ' been flain in battle, or wounded, and their
 ' houfes broken open, is the marriage ſtyled
 ' *Rdcjhafa*.

34. ' When the lover ſecretly embraces the
 ' damſel, either fleeping or fluffed with ſtrong
 ' liquor, or diſordered in her intellect, that fin-
 ' ful marriage, called *Paifdcba*, is the eighth and
 ' the baſeſt.

35. ' The gift of daughters in marriage by the
 ' facerdotal claſs is moſt approved, when they
 ' previoully have poured water into the hands
 ' of the bridegroom; but the ceremonies of the
 ' other claſſes may be performed according to
 ' their ſeveral fancies.

36. ' Among theſe nuptial rites, what qua-
 ' lity is aſcribed by MENU to each, hear now, y'
 ' *Brdhmens*, hear it all from me, who fully de-
 ' clare it!

37. ' The ſon of a *Brdhmi*, or wife by the
 ' firſt ceremony, redeems from fin, if he per-
 ' form virtuous ads, ten anceſtors, ten deſcend-
 ' ants, and himſelf the twenty-ſirſt perſon.

38. ' A ſon, born of a wife by the *Daiva*
 ' nuptials, redeems ſeven and ſeven in higher
 ' and lower degrees; of a wife by the *Arjha*,
 ' three and three; of a wife by the *Prdjdpatya*,
 ' fix and fix.

39. ' By four marriages, the *Brahma* and fo^d
 forth,, in direct order, are born fons illumined'
^d by the *Vida*, learned men, beloved by the
 ' learned,

40. ' Adorned with beauty, and with the
 ' quality of goodnefs, wealthy, famed, amply
 ' gratified with lawful enjoyments, perform-
 ' ing all duties, and living a hundred years: ∴

41. ; But in the other *four* bafe marriages,
 ' which remain, are produced fons acting cruelly,
 ' fpeaking falſely, abhorring the *Veda*, and the
 ' duties prefcribed in it.

42. ' From the blamelefs nuptial rites of men
 ' fprings a blamelefs progeny; from the repre-
 ' henſible, a reprehensible offspring: let mankind,
 ' therefore, fludiously avoid the culpable forms
 ' of marriage.

43. ' The ceremony of joining hands is ap-
 ' pointed for thoſe, who marry women of their
 ' own claſs; but, with women of a different
 ' claſs, the following nuptial ceremonies are to be
 ' obſerved:

44. ' By a *Cfhatriya*, on her marriage with a
 ' *Brdhmeny* an arrow muſt be held in her hand;
 ' by a *Vaifyà* woman, with a bridegroom of the
 ' *facerdotal* or *military claſs*, a whip; and by a
 ' *Sudra* bride, marrying a prieſt, a ſoldier, or a
 ' merchant, muſt be held the ſkirt of a mantle.

45. ' **LET the huſband approach his wife in**

‘ due. feafon, *that is, at the time Jit for pregnancy,*
 ‘ let him be conftantly fatified with' her alone;
 ‘ but, except on the forbidden days of the moon,?’
 ‘ he may approach her' being affectionately dif-
 ‘ pofed, *even out of due feafon,* with a defire of
 ‘ conjugal intercourfe.

46. ' Sixteen days and nights in each month,
 ‘ with four diftincl: days neglected by the vir-
 ‘ tuous, are called the natural feafon of women:

47. ' Of thofe fix teen, the four firft, the
 ‘ eleventh, and the thirteenth, are reprehended :
 ‘ the ten remaining nights are approved.

48. ' Some fay, that on the even nights are
 ‘ conceived fons; on the odd nights, daughters:
 ‘ therefore let the man, who wifhes for a fon,
 ‘ approach his wife in due feafon on the even
 ‘ nights;

49. ' But a boy is in truth produced by the
 ‘ greater quantity of the male ftrength; and a
 ‘ girl, by the greater quantity of the female 5 by-
 ‘ equality, an hermaphrodite, of a boy and a
 ‘ girl; by weaknefs or deficiency, is occafioned
 ‘ a failure of conception.

50. ' He, who avoids conjugal embraces on
 ‘ the *fix* reprehended nights and on eight others,
 ‘ is equal in chaftity to a *Brabmacbdr*), in which-
 ‘ ever of the *two next* orders he may live.

51. ' L E T no father, who knows the law, re-
 ‘ ceive a gratuity, however fmall, for giving his
 ‘ daughter in marriage; fince the man, who,

' through avarice, takes a gratuity *for that piif-*
' *pofe* is a feller of his offspring.

52. ' Whatever male relations, through de-
' lufion of mind, take poffeffion of a woman's
' property, be it only her carriages or her
' clothes, fuch offenders will fink to a region of
4 torment.

53. ' Some fay, that the bull and cow *given*
' in the nuptial ceremony of the *Rijhis*, are a
' bribe to the father; but this is untrue : a bribe
' *indeed*, whether large or fmall, is an actual fale
' of the daughter.

54. ' When money or goods are given to
' damfels, whofe kinfmen receive them not for
' their own ufe, it is no fale : it is merely a token
' of courtefy and affection to the brides.

55. ' Married women muft be honoured and
' adorned by their fathers and brethren, by their
' hufbands, and by the brethren of their hufbands,
' if they feek abundant profperity:

56. ' Where females are honoured, there
' the deities are pleafed; but where they are
' dishonoured, there all religious acts become
' fruitlefs.

57. ' Where female relations are made mi-
' ferable, the family of him, who makes them
' fo, very foon wholly periflies; but, where
' they are not unhappy, the family always in-
' creafes.

58. ' On whatever houfes the women of a fa-

‘ mily, not being duly honoured, pronounce an
 ‘ imprecation, thofe houfes, with all that belong
 ‘ to them, utterly perifh, as if deftroyed by a fa-
 ‘ crifice for the death of an enemy.

59. ‘ Let thofe women, therefore, be conti-
 ‘ nually fupplied with ornaments, apparel, and
 ‘ food, at feftivals and at jubilees, by men de-
 ‘ firous of wealth.

60. ‘ In whatever family the hufband is con-
 ‘ tented with his wife, and the wife with her
 ‘ hufband, in that houfe will fortune be affuredly
 ‘ permanent.

61. ‘ Certainly, if the wife be not elegantly
 ‘ attired, fhe will not exhilarate her hufband, and,
 ‘ if her lord want hilarity, offspring will not be
 ‘ produced.

62. ‘ A wife being gaily adorned, her whole
 ‘ houfe is embellifhed ; but, if fhe be deftitute of
 ‘ ornament, all will be deprived of decoration.

63. ‘ By culpable marriages, by omiffion of
 ‘ prefcribed ceremonies, by neglect of reading
 ‘ the *Vida*, and by irreverence toward a *Brah-*
 ‘ *men*, great families are funk to a low ftate :

64. ‘ So they are by praclifing manual arts, by
 ‘ *lending at intereft and other pecuniary tranfac-*
 ‘ *tions*, by begetting children on *Súdras* only,
 ‘ by traffick in kine, horfes, and carriages, by
 ‘ agriculture, and by attendance on a king.

65. ‘ By facrificing for fuch, as have no

' right to facrifice, and by denying a future com-
 ' penfation for good works, great families, being
 ' "deprived of facred knowledge, are quickly de-
 ' ftroyed ;

66. ' But families, enriched by a knowledge
 ' of the *Vida*, though poffeffing little temporal
 ' wealth, are numbered among the great, and
 ' acquire exalted fame.

67. ' L E T the houfe-keeper perform domeftic
 ' religious rites, with the nuptial fire, according
 ' to law, and the ceremonies of the five great fa-
 ' craments, and the feveral a6ls, which muft day
 ' by day be performed.

68. ' A houfe-keeper has five places of
 ' flaughter, *or where fmall living creatures may*
 ' *be flain*, his kitchen-hearth, his grind-ftone,
 ' his broom, his peftle and mortar, his water-
 ' pot; by ufing which, he becomes in bondage
 ' to fin:

69. ' For the fake of expiating *offences com-*
 ' *mitted ignorantly* in thofe places *mentioned* in
 ' order, the five great facraments were appointed
 ' by eminent fages to be performed each day by
 ' fuch as keep houfe.

70. ' Teaching and ftudying the fcripture is
 ' the facrament of the *Ve'da* ; offering cakes and
 ' water, the facrament of the Manes; an oblation
 ' to fire, the facrament of the Dekies; giving
 ' rice or other food to living creatures, the fa-

' sacrament of fpirits; receiving guefts with ho-
' nour, the facrament of men:.

71. ' Whoever omits not thofe five great ce-
' remonies, if he have ability *to perform them*, is
' untainted by the fins of the *five* flaughtering
' places, even though he conftantly refide at
' home;

72. ' But whoever cherifhes not five orders of
' beings, *namely*, the deities; thofe, who demand
' hofpitality 5 thofe, whom he ought by law to
' maintain; his departed fore-fathers; and him-
' felf; that man lives not, even though he breathe.

73. ' Some call the five facraments *ahuta* and
' *buta*, *prabuta*, *brdbmya-but*a, and *prdfita*:

74. ' *Abuta*, or unoffered, is divine ftudy;
' *buta*, or offered, is the oblation to fire; *prabuta*,
' or well offered, is the food given to fpirits ;
' *brabmya-but*a is refpeft fliewn to twice-born
' guefts ; and *prifita*, or well eaten, is the offer-
' ing of rice or water to the manes of aa-
' ceftors.

75. ' Let every man in this fecondorder em-
' ploy himfelf daily in reading the fcripture, and
' in performing the facrament of the Gods 5
' for, being employed in the facrament of deities,
' he fupports this whole animal and vegetable
' world;

76. ' Since his oblation of clarified butter, duly

' caft into the flame, afcends in fmoke to the fup;
 ' from the fun it falls in rain; from rain comes
 Vegetable food; and from fuch food animals
 ' derive their fubfiftence.

77. ' As all creatures fubfift by receiving fup-
 ' port from air, thus all orders of men exift by
 ' receivingfupport from houfe-keepers;

78. ' And, fince men of the three other or-
 ' ders are each day nourifhed by them with
 ' divine learning and with food, a houfe-keeper
 ' is for this reafon of the moft eminent order:

79. ' That order, therefore, muft be conftantly
 ' fuftained with great care by the man, who
 ' feeks unperifhable blifs in heaven, and in this
 ' world pleafurable fenfations; an order, which
 ' cannot be fuftained by men with uncontrolled
 ' organs.

80. ' The divine fages, the manes, the gods,
¹ the fpirits, and guefts, pray for benefits to maf-
 ' ters of families; let thefe honours, therefore,
 ' be done to them by the houfe-keeper, who
 ' knows his duty:

81. ' Let him honour the fages by ftudying the
 ' *Veda* ' the gods, by oblations to fire ordained
 ' by law; the manes, by pious obfequies; men,
 ' by fupplying them with food; and fpirits, by
 ' gifts to all animated creatures.

'2. ⁴Each day let him perform a *frdddba* with

' boiled rice and the-like, or with water, or with
 ' milk, roots, and fruit; for thus he obtains fa-
 ' vour from departed progenitors.

83. ' He may entertain one *Brahmen* in that
 ' sacrament among the five, which is performed
 ' for the *Pitnš*; but, at the oblation to all the
 ' Gods, let him not invite even a fingle prieft.

84. ' In his domeftic fire for dreffingthe food
 ' of all the Gods, after the prefcribed ceremony,
 ' let a *Bráhmen* make an oblation each day to
 ' thefe *following* divinities ;

85. ' Firft to AGNI, god of fire, and to the
 ' Lunar God, feverally; then, to both of them
 ' at once; next, to the afsembled Gods; and
 ' afterwards, to DHANWANTARI, God of Me-
 ' dicine;

86. ' To CUFTU', goddefs of the day, when the
 ' new moon is difcernible; to ANUMATI, god-
 ' defs of the day after the oppofition; to PRA-
 ' JA'PATI, or the Lord of Creatures; to
 ' DYAVA' and PRITHIVĪ, goddeffes of fky and
 ' earth ; and laftly, to the fire of the good fa-
 ' criice.

87. ' Having thus, with fixed attention, of-
 ' fered clarified butter in all quarters, proceeding
 ' from the eaft in a lbuthern direction, to INDRA,
 ' YAMA, VARUNA, and the god SÓMA, let him
 ' offer his gift to animated creatures :

88. ' Saying,"1 falute the *Maruts*" or *Winds*,

let him throw dreffed rice near the door; *facing*, " I falute the water gods," in water; and on his peftle and mortar, *faying*, " I falute the gods of large trees."

89. ' Let him do the like *in the north eajl*, or near his pillow, to SRI', the goddefs of bund-
 ance 5 *in the fouth weft*, or at the foot; of his
 " bed, to the propitious goddefs BHADRACA'LI';
 ' in the centre of his manfion, to BRAHMA' and
 ' his houfehold God ;

90. ' To all the Gods affembled, let him throw
 ? up his oblation in open air; by day, to the
 ' fpirits, who walk in light; and by night to
 ' thofe, who walk in darknefs :

91. ' In the building on his houfetop, *or behind*
 ' *his back*, let him caft his oblation for the wel-
 ' fare of all creatures; and what remains let
 ' him give to the *Pitriss* with his face toward
 ' the fouth:

92. ' The fhare of dogs, of outcafts, of dog-
 ' feeders, of finful men punifhed with elephan-
 ' tiafis or confumption, of crows, and of rep-
 ' tiles, let him drop on the ground by little and
 ' little.

93. ' A *Brahmen*, who thus each day fliall
 ' honour all beings, will go to the higheft region
 ' in a ftraight path, with an irradiated form.

94. ' When he has performed this duty of
 ' making oblations, let him caufe his gueft to

take food before himself; and let him give a
 ' portion of rice, as the law ordains, to the mēn-
 ' dicant, who studies the *Vēda*.

95. ' Whatever fruit shall be obtained **by that**
 ' student, as the reward of his virtue, when **he**
 ' shall have given a cow to his preceptor, accord-
 ' ing to law, the like reward of virtue shall be
 ' obtained by the twice born house-keeper, when
 ' he has given a mouthful of rice to the religious
 ' mendicant.

96. ' To a *Brāhmen*, who knows the **true**
 ' principle of the *Vēda*, let him present a portion
 ' of rice, or a pot of water garnished with fruit
 ' and flowers, due ceremonies having preceded 3

97. ' Shares of oblations to the gods, or to
 ' the manes, utterly perish, when presented,
 ' through delusion of mind, by men regardless
 ' of duty, to such ignorant *Brāhmens*, as are mere
 ' asses;

98. ' But an offering in the fire of a sacerdotal
 ' mouth, which richly blazes with true know-
 ' ledge and piety, will release the giver from
 ' distress, and even from deadly sin.

99. ' To the guest, who comes of his own
 ' accord, let him offer a seat and water, with
 ' such food as he is able to prepare, after **the**
 ' due rites of courtesy.

100. A *Brāhmen*, coming as a guest, and not
 ' received with just honour, takes to himself

all the reward of the house-keeper's former
 ' **virtue**, even though he had been so temperate
 ' as to live on the gleanings of harvests, and
 ' so pious as to make oblations in five distinct:
 ' fires.

101. ' Grains and earth to sit on, water to wash
 ' the feet, and, fourthly, affectionate speech are
 ' at no time deficient in the mansions of the
 ' good, *although they may be indigent.*

102. ' A Brahman, staying but one night as a
 ' guest, is called an *atit'hi*; since, continuing so
 ' a short time, he is *not* even a sojourner for a
 ' whole *tit'hi*, or *day of the moon.*

103. ' The house-keeper must not consider as
 ' an *atit'bi* a mere visitor of the same town, or
 ' a Brahman, who attends him on business, even
 ' though he come to the house, where his wife
 ' dwells, and where his fires are kindled.

104. ' Should any house-keepers be so sense-
 ' less, as to seek, on pretence of being guests,
 ' the food of others, they would fall after death,
 ' by reason of that business, to the condition of
 ' cattle belonging to the giver of such food.

105. ' No guest must be dismissed in the even-
 ' ing by a house-keeper: he is sent by the stir-
 ' ring gun; and, whether he come in fit season or
 ' unseasonably, he must not sojourn in the house
 without entertainment.

106. ' Let not himself eat any delicate food,

' without asking his guest to partake of it: the
' satisfaction of a guest will assuredly bring the
' house-keeper wealth, reputation, long life, and
' a place in heaven.

107. ' To the highest guests in the best form,
' to the lowest in the worst, to the equal, equally,
¹ let him offer feats, resting places, couches ;
¹ giving them proportionable attendance, when
' they depart; and honour, as long as they
' stay.

108. ' Should another guest arrive, when the
' oblation to all the Gods is concluded, for him
' also let the house-keeper prepare food, accord-
' ing to his ability; but let him not repeat his
' offerings to animated beings.

109. ' Let no *Bráhmén* guest proclaim his
' family and ancestry for the sake of an enter-
' tainment; for since he, who thus proclaims them,
' is called by the wife a *vdntaji*, or foulfeeding
' demon.

no. ' A military man is not denominated a
' guest in the house of a *Bráhmén*; nor a man
' of the commercial or servile class; nor his fa-
' miliar friend; nor his paternal kinsman; nor
' his preceptor:

in. ' But, if a warrior come to his house in
' the form of a guest, let food be prepared for
' him, according to his desire, after the before
' mentioned *Bráhméns* have eaten.

112. ' Even to a merchant or a labourer, ap-
 ' pfoaching his houfe in the manner of guefts
 ' let him give food, mowing marks of benevo-
 ' lence, at the fame time with his domefticks:

113. ' To others, as familiar friends, and the
 ' left before named, who come with affection
 ' to his place of abode, let him ferve a repaft
 ' at the fame time with his wife *and himfelf*,
 ' having amply provided it according to his bed
 ' means.

114. ' To a bride, and to a damfel, to the
 ' fick, and to pregnant women, let him give
 ' food, everi before his guefts, without heft-
 ' tation.

115. ' The idiot, who firft eats his own mefs,
 ' without having prefented food to the perfons
 ' juft enumerated, knows not, while he crams,
 ' that he will himfelf be food after death for ban-
 ' dogs and vultures.

116. ' After the repaft of the *Bráhmén* gueft,
 ' of his kinfmen, and his domefticks, the mar-
 ' ried couple may eat what remains un-
 ' touched.

117. ' The houfe-keeper, having honoured
 ' fpirits, holy fages, men, progenitors, and houfe-
 ' hold gods, may feed on what remains after
 ' thofe oblations.

118. ' He, who eats what has been Jrefled
 ' 'br himfelf only, eats nothing but fin ; a repaft

‘ on what remains, after the sacraments, is called
 ‘ the banquet of the good.

119. ‘ After a year from the reception of, a
 ‘ visitor, let the house-keeper again honour a
 ‘ king, a sacrificer, a student returned from his
 ‘ preceptor, a son in law, a father in law, and a
 ‘ maternal uncle, with a *madhuperca*, or present
 ‘ of honey, curds, and fruit.

120. ‘ A king or a *Brāhmen*, arriving at the
 ‘ celebration of the sacrament, are to be honour-
 ‘ ed with a *madhuperca*; but not, if the sacra-
 ‘ ment be over; this is a settled rule.

121.. ‘ In the evening, let the wife make an
 ‘ offering of the dressed food, but without pro-
 ‘ nouncing any text of the *Véda*: one oblation
 ‘ to the assembled gods, thence named *Vaifwa-*
 ‘ *déva*, is ordained both for evening and
 ‘ morning.

122. ⁴ FROM month to month, on the dark
 ‘ day of the moon, let a twice-born man having
 ‘ finished the daily sacrament of the *Pitr̥ś*, and
 ‘ his fire being blazing, perform the solemn
 ‘ *Jrddha*, called *pindnwdbdrya*:

123. ‘ Sages have distinguished the monthly
 ‘ *Jrddha* by the title of *anwdhdrya*, or *after*
 ‘ *eaten*, that is, eaten after the *pinda*, or ball of
 ‘ rice; and it must be performed with extreme
 ‘ care, and with fletti meat in the best condition,

124. ‘ What *Brāhmens* must be entertained ay

' **that** ceremony, and who muſt be accepted, how
' many are to be fed, and with what fort of food,
' on all thoſe articles without omiſſion, I will
' fully diſcoiirfe.

125. ' At the *frdddha* of the gods' he may
' entertain two *Brdhmens*; at that of his father,
' paternal grandfather, and paternal great grand-
' father, three; or one only at that of the gods,
' and one at that of his three paternal anceſtors;
' though he abound in wealth, let him not be
' folicitous to entertain a large company.

126.' A large company deſtroys theſe five ad-
' vantages; reverence to prieſts, propriety of
' time and place, purity, and the acquiſition of
' virtuous *Brdhmens*: let him not, therefore'
' endeavour to feed a ſuperfluous number.

127. ' This aſc: of due honour to departed
' ſouls, on the dark day of the moon, is famed by
' the appellation of *pitrya*, or anceſtral: the legal
' ceremony, in honour of departed ſpirits, re-
' wards with continual fruit a man engaged in
' ſuch obſequies.

128. ' Oblations to the gods and to anceſtors
' ſhould be given to a moſt reverend *Brahmen*,
' perfectly converſant with the *Veda*; ſince
' what is given to him produces the greateſt
' reward.

' 29. ' By entertaining one learned man at the
' oblation to the gods and at that to anceſtors, he

' gains more exalted fruit, than by feeding a multitude, who know not the holy texts.

130. ' Let him inquire into the ancestry, even in a remote degree, of a *Brdbme?i*, who has advanced to the end of the *Veda*: such a man, if sprung from good men, is a fit partaker of oblations to gods and to ancestors; such a man may justly be called an *atit'hi*, or guest.

131. ' Surely, though a million of men, unlearned in holy texts, were to receive food, yet a single man, learned in scripture, and fully satisfied with his entertainment, would be of more value than all of them together.

132. ' Food, consecrated to the gods and the manes, must be presented to a theologian of eminent learning; for certainly, when hands are smeared with blood, they cannot be cleaned with blood only, *nor can Jin be removed by the company of jinn ers*.

133. ' As many mouthfuls as an unlearned man shall swallow at an oblation to the gods and to ancestors, so many redhot iron balls must the giver of the *frdddba* swallow in the next world.

134. ' Some *Brdhmens* are intent on scriptural knowledge; others, on austere devotion; some are intent both on religious austerity and on the study of the *Veda*; others, on the performance of sacred rites:

135. ' **Obfations to the manes of ancestors**

' ought to be placed with care before such as are
' intent on sacred learning : but offerings to the
' gods may be presented, with due ceremonies,
' to *Bṛāhmens* of all the four descriptions.

136. ' There may be a *Brāhmen*, whose fa-
' ther had not studied the scripture, though the
' son has advanced to the end of the *Veda*; or
' There may be one, whose son has not read the
' *Veda*, though the father had travelled to the
' end of it:

137. ' Of those two let mankind consider him
' as the superiour, whose father had studied the
' scripture; yet, for the sake of performing rites
' with holy texts, the other is worthy of honour.

138. ' Let no man, at the prescribed obsequies,
' give food to an intimate friend ; since ad-
' vantage to a friend must be procured by gifts
' of different property : to that *Brahmen* let the
' performer of a *śrāddha* give food, whom he
' considers neither as a friend nor as a foe.

139. ' For him, whose obsequies and offer-
' ings of clarified butter are provided chiefly
' through friendship, no fruit is reserved in the
' next life, on account either of his obsequies or
' of his offerings.

140. ' The man, who, through delusion of
' intellect, forms temporal connexions by obse-
' quies, is excluded from heavenly mansions, as
' a giver of the *śrāddha* for the sake of friend-
' ship, and the meanest of twice-born men:

141. ' Sucfe a convivial prefent, by men of the
' three higheft claffes, is called the gift of *Pifacbas*,
' and remains fixed here below, like a blind cow
' in, one ftall

142. ' As a husbandman, having fown feed in
' a barren foil, reaps no grain, thus a performer
' of holy rites, having given clarified butter to
' an unlearned *Brdbmen*, attains no reward in
' heaven;

143. ' But a prefent made, as the law ordains,
' to a learned theologian, renders both the giver
' and the receiver partakers of good fruits in this
' world and in the next.

144. ' If no learned *Brahmen* be at hand,
' he may at his pleafure invite a friend to the
' *frdddba*, but not a foe, be he ever fo learned;
' fince the oblation, being eaten by a foe, lofes
' all fruit in the life to come.

145. ' With great care let him give food at
' the *frdddha* to a prieft, who has gone through
' the fcripture, but has chiefly ftudied the *Rig-*
' *vida*; to one, who has read all the branches,
' but principally thofe of the *Yajufh*; or to one,
' who has finifhed the whole, with particular at-
' tention to the *Sdman*:

146. ' Of that man, whose oblation has been
' eaten, after due honours, by any one of thofe
' three *Brdhmens*, the anceftors are constantly

' fatisfied as high as the feventh perfon' or to the
' *fixth degree.*

147. ' This is the chief rule in offering the
' *frdddha* to the gods and. to anceftors; but the
' following may be confidered as a fubfiduary
' rule, where no *fuch learned priefts* can be found,
' and is ever obferved by good men:

148. ' Let him entertain his maternal grand-
' father, his maternal uncle, the fon of his fifter,
' the father of his wife, his fpiritual guide, the
' fon of his daughter, or her hufband, his ma-
' ternal coufin, his officiating prieft, or the per-
' former of his facrifice.

149. ' For an oblation to the gods, let not the
' man, who knows what is law, fcrupuloufly in-
' quire into the parentage of a *Brahmen*; but for
' a prepared oblation to anceftors, let him exa-
' mine it with ftrid care.

150. ' Thofe *Brdbmens*, who have committed
' any inferiour theft or any of the higher crimes,
' who are deprived of virility, or who profefs a
' difbelief in a future ftate, MENU has pronounced
' unworthy of honour at a *frdddha* to the gods
' or to anceftors.

151. ' To a ftudent in theology; who has not
' read the *Veda*, to a man *punijhed for paff crimes*
' *by being* born without a prepuce, to a gamefter,
' and to fuch, as perform many facrifices for other

⁴ men, let him never give food at the sacred obsequies.

152. ' Physicians, imageworshippers for gain,
' fellers of meat, and such as live by low traffick,
' must be shunned in oblations both to the deities
' and to progenitors.

153. ' A public servant of the whole town, or
' of the prince, a man with whitlows on his
' nails, or with black yellow teeth, an opposer of
' his preceptor, a defiler of the sacred fire, and
' an usurer,

154. ' A phthifical man, a feeder of cattle,
' one omitting the five great sacraments, a con-
' temner of *Brdbmens*, a younger brother married
' before the elder, an elder brother not married be-
' fore the younger, and a man, who subsists by the
' wealth of many relations,

155. ' A dancer, one who has violated the
' rule of chastity in the first or fourth order, the
' husband of a *Súdra*, the son of a twice-married
' woman, a man who has lost one eye, and a
' husband in whose house an adulterer dwells,

156. ' One who teaches the *Véda* for wages,
' and one who gives wages to such a teacher,
' the pupil of a *Sudra*, and the *Sudra* preceptor,
' a rude speaker, and the son-of an adulteress,
' born either before or after the death of the
' husband,

157. ' A forfaker, without just cause, of

' his mother, father, or preceptor, and a i man
' who forms a connexion, either by fcripttljrai
' or connubial affinity, with great finners;

158. ' A houfeburner, a giver of poifon, ah
' eater of food offered by the fon of an adul-
' terefs, a feller of the moonplant, *afpecies of*
' *mountain rue*, z. navigator of the ocean, a poeti-
' cal encomiaft, an oilman, and a fuboraer of
' perjury,

159. ' A wrangler with his father, an em'
' ployer of gamefters for his own benefit, a
' drinker of intoxicating fpirits, a man punifhed
' for fin with elephantiafis, one of evil repute, a
' cheat, and a feller of liquids,

160. ' A maker of bows and arrows, the huf-
' band of a younger fifter married before the
' elder *of the whole blood*, an injurer of his friend,
' the keeper of a gaminghoufe, and a father in-
' ftructed in the *Véda* by his own fon,

161. ' An epileptick perfon, one who has the
' erylipelas or the leprofy, a common informer,
' a lunatick, a blind man, and a defpifer of fcrip-
' ture, muft all be fhunned.

162. ' A tamer of elephants, bulls, horfes,
' or eamels, a man who fubfifts by aftrology,
' a keeper of birds, and one who teaches the ufe
' of arms,

163. ' He, who diverts watercourfes, and he,
' who is gratified by obftructing them, he, who

' builds houfes for gain, a meffenger, and a planter
' *of trees for pay,*

164. ' A breeder of fporting dogs, a falconer, a
' . feducer of damfels, a fman delighting in mifchief,
' a *Brahmen* living as a *Siidra*, a facrificer to the
' inferiour gods only,

165. ' He, who obferves not approved cuf-
' toms, and he, who regards not prefcribed du-
' ties, a conftant importunate afker of favours,
' he, who fupports himfelf by tillage, a club-
' footed man, and one defpifed by the virtuous,

166. ' A fhepherd, a keeper of buffalos,
' the huiband of a twice-married woman, and
' the remover of dead bodies *for pay*; are to be
' avoided with great care.

167. ' Thofe loweftof *Brahmens*, whose man-
' ners are contemptible, who are not admiffible
' into company at a repaft, an exalted and learned
' prieft muft avoid at both *fráddhas*.

168. ' A *Brahmen*, unlearned in holy writ, is
' extinguifhed in an infant, like a fire of dry
' grafs: to him the oblation muft not be given; for
' the clarified butter muft not be poured on afliës.

169. ' WHAT retribution is prepared in the
' next life for the giver of food to men inad-
' miffible into company, at the *frdddba* to the
' gods and to anceftors, I will now declare with
' out omiffion.

170. ' On that food, which has been given

' to *Brdbmens*, who have violated the rules^of
 ' their order, to the younger brother married
 ' before the elder, and to the rest, who are not
 ' admiffible into company, the *Rac/hqfes* eagerly
 ' feaft.

171. ' He, who makes a marriage contraft
 ' with the connubial fire, while his elder brother
 ' continues unmarried, is called *perivettri*; and
 ' the elder brother, a *perivitti*:

172. ' The *perivettri*, the *perivitti*, the damfel
 ' thus wedded, the giver of her in wedlock, and,
 ' fifthly, the performer of the nuptial facrifice, all
 ' fink to a region of torment.

173. ' He, who Jafcivioufly dallies with the
 ' widow of his deceafed brother, though fhe be
 ' legally married to him, is denominated the huf-
 ' band of a *didhijhii*.

174. ' Two fons, named a *cunda* and *golaca*,
 ' are born in adultery; the *cutida*, while the hut-
 ' band is alive, and the *golaca*, when the hufband
 ' is dead:

175. ' Thofe animals begotten by adulterers,
 ' defstroy, both in this world and in the next,
 ' the food prefented to them by fuch, as make
 ' oblations to the gods or to the manes.

176. ' The foolifh giver of a *frdddha* lofes,
 ' in a future life, the fruit of as many admiffible
 ' guefts, as a *thief or the like* perfon, inadmittible
 ' into company/might be able to fee.

177. ' A blind man, placed where one with
' eyes might have seen, destroys the reward of
' ninety; he, who has lost one eye, of sixty; a
' leper, of a hundred; one punished with ele-
' phantiasis' of a thousand.

178. ' Of the gift at *zfrdddba* to as many
' *Brdbmens*, as a sacrificer for a *Sûdra* might be
' able to touch on the body, the fruit is lost to
' the giver, *if he invite such a wretch*;

179. ' And if a *Bráhmén*, who knows the
' ; *Vida*, receive through covetousness a present
' from such a sacrificer, he speedily sinks to per-
' dition, like a figure of unburnt clay in water.

180. ; Food, given to a feller of the moon-
' plant, becomes ordure in another world; to a
' physician, purulent blood; *and the giver will*
' *be a reptile bred in them*: if offered to an
' imageworshipper, it is thrown away; if to an
' usurer, infamous.

181. ' That, which is given to a trader, en-
' dures neither in this life nor in the next, and
' that bestowed on a *Bráhmén*, who has married
' a widow, resembles clarified butter poured on
' affixes as an oblation to fire,

182. ' That food, which is given to other base
' inadmissible men before mentioned, the wife
' have pronounced to be no more than animal oil,
' blood, flesh, skin, and bones.

183. ' Now learn comprehensively, by what

• *Brdhfnqts* a **company** may be purified, when if
 ' has been defiled by inadmissable persons; *Brâi-*
 ' *mens*, the chief of their class, the purifiers of
 ' every assembly.

184. ' Those priests must be considered as the
 ' purifiers of a company, who are most learned
 ' in all the *Vedas* and all their *Angas*^ together
 ' with their descendants, who have read the
 ' whole scripture:

185. ' A priest learned in the principal part of
 • the *Yajurveda*; one, who keeps the five fires
 ' constantly burning; one flailed in a principal
 ' part of the *Rigvéda*; one, who explains the fix
 ' *Veddingas*; the son of a *Brdhmh* or woman
 ' married by the *Bráhma* ceremony; and one,
 ' who chants the principal *Sáman*;

186. ' One, who propounds the sense of the
 • *Vedas*, which he learnt from his preceptor, a
 ' student, who has given a thousand cows for
 ' pious use and a *Brahmen* a hundred years old,
 ' must all be considered as the purifiers of a party
 ' at *zfrdddba*.

187. ' On the day before the sacred obsequies,
 ' or on the very day when they are prepared,
 ' let the performer of them invite, with due ho-
 ' nour, such *Brdhmens* as have been mentioned;
 ' usually one superiour, who has three inferiour
 ' to him.

188. ' The *Brahmen*) who has been invited to

' *fraddba* for departed anceftors, muft be con-
 ' tinually abftemious; he muft not even read the
 ' *Védaſj* and he, who performs the ceremony,
 ' muft act in the fame manner.

189. ' Departed anceftors, no doubt, are at-
 ' tendant on fuch invited *Brabmens* \ hovering
 ' around them like pure fpirits, and fitting by
 ' them when they are feated.

190. ' The prieft, who having been duly in-
 ' vited to a *frdddha*, breaks the appointment,
 ' commits a grievous offence, and, in his next
 ' birth, becomes a hog.

191. ' He who careſſes a *Sudra* woman, after
 ' he has been invited to facred obfequies, takes
 ' on himſelf all the fm, that has been committed
 ' by the giver of the repaft.

192. ' The *Pitriſh*, or *great progenitors*, are free
 ' from wrath, intent on purity, ever exempt
 ' from fenſual paſſions, endued with exalted qua-
 ' lities: they are primeval divinities, who have
 ' laid arms afide.

193. ' HEAR now completely, from whom
 ' they ſprang; who they are; by whom, and by
 ' what ceremonies, they are to be honoured.

194. ' The ſons of *MARI'CHI* and of all the
 ' other *RiJhiSy* who were the offspring of *MEN'FON*
 ' fon. of *BRAHMA*, are called the companies of
 ' *Pitris*, or *jorejatbers*.

195. ' The *Sdmafads*, who fprang from Vu
' RA'J, are declared to be the anceftors of the
' *Sddhyas*; and the *Agnijbwddtas*, who are
' famed among created beings as the children of
' MARI'CHI, to be the progenitors of the *ZVzws*.

196. ' Of the *Daityas*, the *Dánavas*, the
' *YacJbas*, the *Gandharvas*, the *Uragas*, or Ser-
' pents, the *Racfiáfes*, the *Garudas*, and the
' *Citmāras*, the anceftors of *Barhijbads* defcended
' from ATRI;

197. ' Of *Brdbmens*, thofe named *Sdmapas*;
' of *Cshatriyas*) the *Havijbmats* 5 of *Vaijyas*,
' thofe called *Ajyapas*; of *Súdras*, the *Suéalins*:

198. ' The *Sómapas* defcended from Me,
' BHRĪGU; the *Havijbmats*, from ANOIRAS;
' the *Ajyapas*, from PU[^]ASTYA; the *Sucdlins*,
¹ from VASISHT'HA.

199. ' Thofe who are, and thofe who are
' not, confumable by fire, called *Agtiidagdhas*,
' and *Anagnidagdbas*, the *Cdvyas*, the *Barbijbads*,
' the *Agnijhwdttas*, and the *Saumyas*, let man-
' kind confider as the chief progenitors of
' *Brábmens*.

200. ' Of thofe juft enumerated, who are
' generally reputed the principal tribes of *Pitrīs*,
' the fons and grandfons indefinitely, are alfo in
ⁱ this world confidered as great progenitors.

201, ' From the *Rifhis* come the P/frfe, or

' patriarchs; from the *Pitrts*, both *Divas* and
 ' *Ddnavas*; from the *Devas*, this whole world
 ' of animals and vegetables, in due order.

202. ' Mere water, offered with faith to the
 ' progenitors of men, in vessels of silver, or
 ' adorned with silver, proves the source of in-
 ' corruption.

203. ' An oblation by *Brdbmens* to their an-
 ? cestors transcends an oblation to the deities;
 ' because that to the deities is considered as the
 ' opening and completion of that to ancestors.

204. ' As a preservative of the oblation to the
 ' patriarchs, let the house-keeper begin with an
 ' offering to the gods; for the *Racjhafes* rend
 ' in pieces an oblation which has no such pre-
 ' servative,

205. ' Let an offering to the gods be made at
 ' the beginning and end of the *frdddha*: it must
 ' not begin and end with an offering to ances-
 ' tors; for he, who begins and ends it with an
 ' oblation to the *Pitris*, quickly perishes with his
 ' progeny.

206. ' L E T the *Bráhmén* smear with cow-
 ' dung a purified and consecrated piece of
 ' ground; and let him with great care select a
 ' place with a declivity toward the south:

207. ' The divine manes are always pleased
 ' with an oblation in empty glades, naturally

' clean, oh the banks of rivers, and in folitary
' fpots.

208. ' Having duly made an ablution with
' water, let him place the invited *Brdhmens*, who
' have alfo performed their ablutions, one by
' one, on allotted feats purified with rw/tf-grafs.

209. ' When he has placed them with re-
4 verence on their feats, let him honour them
1 (having firft honoured the gods) with fragrant
' garlands and fweet odours.

210. ' Having brought water for them with
' ntf'fl-grafs and *tila*, let the *Brahmen*, with the
' *Brdbmens*, pour theoblation, a\$ the law directs,
' on the holy fire.

211. ' Firft, as it is ordained, having fatisfied
' AGNI, SO'MA, YAMA, with clarified butter,
' let him proceed to fatisfy the manes of his pro-
' genitors.

212. ' If he have no confecrated fire, *as if be*
' *be yet unmarried, or bis wife bejitft deceafed*,
' let him drop the oblation into the hand of a
' *Brdbmen*; fince, what fire is, even fuch is a
' *Brdbmen*; as priests, who know the *Veda*, de-
' clare:

213. ' Holy fages call the chief of the twice-
' born the gods of obfequies, free from wrath,
' with placid afpefts, of a primeval race, em-
' ployed in the advancement of human creatures.

214. ' Having walked in order from east to
' fouth, and thrown into the fire all the ingre-
' dients of his oblation, let him sprinkle water
' on the ground with his right hand,

215. ' From the remainder of the clarified
' butter having formed three balls of rice, let him
' offer them, with fixed attention, in the same
' manner as the water, his face being turned to
' the fouth:

216. ' Then, having offered those balls, after
' due ceremonies and with an attentive mind, to
' *the manes of his father, his paternal grandfather,*
' *and great grandfather,* let him wipe the same
' hand with the roots of *cusā*, which he had be-
' fore used, for the sake of *his paternal ancestors in*
' *the fourth, fifth, and sixth degrees, who are the*
' *partakers of the rice and clarified butter thus*
' *wiped off.*

217. ' Having made an ablution, returning
' toward the north, and thrice suppressing his
' breath slowly, let him salute the gods of the
' six seasons, and the *Pitris* also, being well ac-
' quainted with proper texts of the *Vēda*.

218. ' Whatever water remains in his ewer,
' let him carry back deliberately near the cakes
' of rice; and, with fixed attention, let him
' smell those cakes, in order as they were offered:

219. ' Then, taking a small portion of the
' cakes in order, let him first, as the law directs,

' caufe the *Brdbmens* to eat of them, while they
' are feated.

220. ^c If his father be alive, let him offer
' the *frdddha* to his anceftors in *three* higher
' degrees; or let him caufe his own father to
' eat, as a *Brahmen*, at the obfequies:

221 ' Should his father be dead, and his
' grandfather living, let him, in celebrating the
' name of his father, *that is, in performing* 06-
' *fequies to him*, celebrate alfo his paternal great
⁴ grandfather;

222. ' Either the paternal grandfather may
' partake of the *frdddha* (fo has MENU declared)
' or the *graridfon*, authorized by him, may per-
' form the ceremony at his difcretion.

223. ' Having poured water, with *cus'a-grctk*
' and *tila*, into the hands of the *Brdbmens*, let
' him give them the upper part of the cakes, fay-
' ing, " *Swaddbd* to the manes !"

224. ' Next, having himfelf brought with both
' hands a *vefTel* full of rice, let him, ftill medi-
' tating on the *Pitris*, place it before the *Brab'*
¹ *mens without* precipitation.

225. ' Rice taken up, but not fupported with
' both hands, the malevolent *AJuras* ' quickly
' rend in pieces.

- 226. ' Broths, potherbs, and other éatables ac-
¹ companying the rice, together with milk and
' curds, clarified butter and honey' let him firft

' place on the ground, after he has made an ab-
 ' lution; and let his mind be intent on no other
 ' objed:

227. ' Let him add fpiced puddings, and
 ' milky mefles of various forts, roots of herbs and
 ' ripe fruits, favoury meats, and fweet fmelling
 ' drinks.

228. ' Then being duly purified, and with
 ' perfed prefence of mind, let him take up all
 ' the 'difties one by one, and prefent them in
 ' order to the *Brdbmens*, proclaiming their qua-
 ' lities.

229. ' Let him at no time drop a tear; let
 ' him on no account be angry; let him fay no-
 ' thing falfe; let him not touch the eatables
 ' with his foot; let him not even fhake the
¹ diflies:

230. 'A tear fends the mefles to reftlefs
 ' ghofts; anger, to foes; falfehood, to dogs;
 ' contad with his foot, to demons; agitation, to
⁴ finners.

231. ' Whatever is agreeable to the *Brdbmens*,
 ' let him give without envy; and let him dit
 5 courfe on the attributes of GOD: fuch dif-
 ' courfe is expected by the manes.

232. ' At the obfequies to anceftors, he muft
 ' let the *Brdbmens* hear paflages from the *Vida*,
 ' from the codes of law, from moral tales, from

' heroick poems, from the *Purdnas*, and from
' theological texts.

233. ' Himself being delighted, let him give
' delight to the *Brdhmens*, and invite them to
' eat of the provifions by little and little; at-
tracting them often with the drefled rice and
' other eatables, and mentioning their good pro-
' perties.

234. ' To the fon of his daughter, though a
' ftudent in theology, let him carefully give
' food at the *frdddba*; offering him a blanket
' from *Népàl* as his feat, and fprinkling the
' ground with *tila*:

235. ' Three things are held pure at fuch ob-
' fequies, the daughter's fon, the *Népàl* blanket,
and the *tila*; and three things are praifed in it
' by the wife, cleanliness, freedom from wrath,
' and want of precipitate hafte.

236. ' Let all the drefled food be very hot;
' and let the *Brdbmens* eat it in filence; nor let
' them declare the qualities of the food, even
' though afked by the giver.

237. ' As long as the mefles continue warm,
' as long as they eat in filence, as long as the
' qualities of the food are not declared by them'
' fo long the manes feaft on it.

238. ' What a *Bráhmen* eats with his head
⁴ covered, what he eats with his face to the

' fourth what he eats with sandals- on his feet,
' the demons assuredly devour.

239. ' Let not a *Chanddla*, a toweriboar, a
' cock, a dog, a woman in her courtes, or an eu-
' nuch, see the *Brdhmens* eating:

240. ' That, which any one of them sees at'
' the oblation to fire, at a solemn donation of
' cows and gold, at a repast given to *Brdb-*
' *mens*, at holy rites to the gods, and at the
' obsequies to ancestors, produces not the in-
' tended fruit:

241.>" The boar destroys it by his smell;
' the cock, by the air of his wings; the dog,
' by the cast of a look; the man of the lowest
1 class, by the touch. • '

242. ' If a lame man, or a man with one eye,
' or a man with a limb defective or redundant,
' be even a servant of the giver, him also let his
' matter remove from the place.

243. ' Should another *Brāhmen*, or a mendi-
' cant, come to his house for food, let him,
' having obtained permission from the invited
' *Brdhmens*' entertain the stranger to the best of
' his power.

244. ' Having brought together all the sorts
' of food, as dressed rice and the like, and
' sprinkling them with water, let him place them
' before the *Brdbmens*, who have eaten; drop'

' ping fome on the blades of *eus'a-gray*', which
' have beenfpread on the ground.

245. ' What remains in the diihes, and what
' has been dropped on the blades of *cus'a*, muft
' be confidered as the portion of deceafed *Brdb-*
mens, not girt with the facrificial thread, and
' of fuch as have deferted unreasonably the wo-
' men of their own tribe.

246. ' The refidue' that has fallen on the
' ground at the *frdddha* to the manes, the wife
' have decided to be the fliare of all the fervants,
' who are not crooked in their ways, nor lazy
' and ill-difpofed.

247. ' Before the pbfequies to anceftors as far
' as the fixth degree, they muft be performed to a
' *Brahmen* recently deceafed; but the performer
' of them muft *in that cafe* give the *frdddha*
' without the ceremony to the Gods, and offer
' only one round cake ; and *theſe pbfequies for a*
' *fingle ancejior* *ſhould be annually performed on*
¹ *the day of his death:*

248. ' When, *afterwards*, the obfequia to
' anceftors as far as the fixth degree, incluſively
' of him, are performed according to law, then
' muft the offering of cakes be made by the de-
' fcendants in the manner before ordained/*or the*
' *monthly ceremonies.*

249. ' THAT fool, who, having eaten of the

‘ *frdddba*, gives the refidue of it to a man of the
 ‘ fervile clafs, falls headlong down to the bell,
 ‘ named *Cdlafútra*.

250. ‘ Should the eater of a *Jraddha* enter,
 ‘ on the fame day, the bed of a feducing woman,
 ‘ his anceftors would fleep for that month on h\$
 ‘ excrement.

251. ‘ HAVING, by the word *fwaditam*, afked
 ‘ the *Brdhmens* if they have eaten well, let high
 ‘ give them, being fatified, water for an ablu-
 ‘ tion, and courteoufly fay to them: " Reft ei~
 ‘¹ ther at home"br here."

252. ‘ Then let the *Brdhmens* addrefs him,
 ‘ faying *fwadba*; for, in all ceremonies relating,
 ‘ to deceafed anceftors, the word *Swadbd* is the
 ‘ higheft benifon.

253. ‘ After that, let him inform thofe, who
 ‘ have eaten, of the food which remains ‘, and,
 ‘ being inftructed by the *Brdhmens*, let him dif-
 ‘ pofe of it, as they may direct

254. ‘ At the clofe of the *frdddba* to his an-
 ‘ ceftors, he muft afk, if the *Brdhmens* are fatif-
 ‘ fied, by the word *fwadita*; after that for his fa-
 ‘ mily, by the word *fufruta* 5 after that for his
 ‘ own advancement, by the word *fampanna*; after
 ‘ that, which has been offered to the gods, by the
 ‘ word *rucbita*.

255. ‘ The afternoon, the *cus'a-guSs*, the

' cleaning of the ground, the *Mas*, the liberal gifts
 ' of food, the due preparation for the repast,
 ' and the company of most exalted *Bráhmens*,
 ' are true riches in the obsequies to ancestors.

256. ' The blades of *cuśa*, the holy texts,
 ' the forenoon, all the oblations, *which will*
 ' *presently be enumerated*, and the purification
 ' before mentioned, are to be considered as
 ' wealth in the *Jrdddha* to the gods;

257. ' Such wild grains as are eaten by her-
 ' mits, milk, the juice of the moonplant, meat
 ' untainted, and fait unprepared by art, are held
 ' things fit, in their own nature, for the last men-
 ' tioned offering.

258. ' Having dismissed the invited *Brahmens*,
 ' keeping his mind attentive, and his speech
 ' suppressed, let him, after an ablution, look to-
 ' ward the ibuth, and ask these blessings of the
 ' *Pitrīs*:

259. " May generous givers abound in our
 " house! may the scriptures be studied, and pro-
 " geny increase, in it! may faith never depart
 " from us ! and may we have much to bellow on
 " the needy!"

260. ' Thus having ended the *Jrdddha*, let
 ' him cause a cow, a priest, a kid, or the fire,
 ' to devour what remains of the cakes; or let
 ' him cast them into the waters,

261. ' Some make the offering of the round
' cakes after the repast 'of the *Brdhmens*; some
' cause the birds to eat what remains, or cast it
' into water or fire.

262. ' Let a lawful wife, ever dutiful to her
' lord, and constantly honouring his ancestors,
' eat the middlemost of the three cakes, *or that*
' *offered to his paternal grandfather*, with due
' ceremonies, praying for offspring:

263. ' So may she bring forth a son, who
' will be longlived, famed, and strongminded,
' wealthy, having numerous descendants, endued
' with the best of qualities, and performing all
' duties religious and civil.

264. ' THEN, having washed both his hands
' and dipped water, let him prepare some rice
' for his paternal kinsmen; and, having given it
' them with due reverence, let him prepare food
' also for his maternal relations.

265. ' Let the residue continue in its place,
' until the *Brdhmens* have been dismissed; and
' then let him perform the *remaining* domestick
' sacraments.

266. ' WHAT sort of oblations, given duly to
' the manes, are capable of satisfying them for
' a long time or for eternity, I will now declare
' without omission.

267,. ' The ancestors of men are satisfied a

; whole month with *tila*, rice, barley, black len,-
 ; tils or vetches, water, roots, and fruit, given
 ' with prefcribed ceremonies;

268. ' Two months, with fifh; three months,
 ; with venifon; four, with mutton; five, with
 ; the flefh *oijucb* birds, as the twice-born may
 ' eat;

269. ' Six months, with the flefh of kids;
 ' feven, with that of fpotted deer; eight, with
 ; that of the deer, or antelope, called *ina* nine,
 ; with that of the *rum*:

,270. ; Ten months are they fatisfied with
 ; the flefh of wild boars and wild buffalos;
 ' eleven, with that of rabbits or hares, and of
 ' tortoifes; . . .

271. ' A whole year with the milk of cows,
 ' and food made of that milk; from the flefh of
 ' the long-eared white goat, their fatisfaction en-
 ' dures twelve years.

272. ' The potherb *cdlafdca*, the filh *tnabá-
 ' falca*', or the *diodon*, the flefh of a rhinoceros,
 ' or of an ironcoloured kid, honey, and all fuch
 ' foreftgrains as are eaten by hermits, are formed
 ' for their fatisfaction without end.

273. ' Whatever pure food, mixed with ho-
 ' ney, a man offers on the thirteenth day of the
 ' moon, in the feafon of rain, and under the lunar
 ' afterifm *Magba*, has likewise a ceafelefs duration.

274. " Oh ! may that, *mart*, *fay the manes*, be
 " born in our line, who may give us milky food,
 " With honey and pure butter, both on the thir-
 ' teenth of the nloon, and when the fhadow of
 " an elephant falls to the eaft!"

275. ' Whatever a man, endued with ftrong
 ' feith, pioufly offers, as the law has direfted,
 ' becomes a perpetual unperifhable gratification
 ' to his anceftors in the other world:

276. ' The tenth and fo forth, except the
 ' fourteenth, in the dark half of the month, are
 ' the lunar days moft approved for facred obfe-
 ' quies: as they *are*, fo *are* not the others.

277. ' He, who does honour to the manes,
 ' on even lunar days, and under' even lunar fta-
 ' tions, enjoys all his defires; on odd lunar days,
 ' and under odd lunar afterifms, he procures an
 ' illuftrious race.

278. ' As the latter, *or dark*, half of the month
 ' furpaflee, for the celebration of obfequies, the
 ' former, *or bright* half, fo the latter half of the
 ' day furpaffes, *for the fame purpofe*, the former
 ' half of it.

279. ' The oblation to anceftors muft be
 ' duly made, even to *the conclufion of it with*
 ' *the diftribution* to the fervants (or even to
 ' the clofe of life), in the form prefcribed,
 ' by a *Bráhmén* wearing fiis thread on his
 ' right fhoulder, proceeding from left to right,

' without reiniflhefe, and with cus a-graf' in hrs
' hand.

280. ' Obfequies mud not be performed by
' night; fince the night is called *rácfoaši* or in-
' *feftedby demons*; nor while the fun is rifing or
' fetting, nor when it has juft rifen.

281. ' A houfe-keeper, *unable to give a*
' *monthly repajl*, may perform obfequies here
' below, according to the facred ordinance, only
thrice a year, in the feafons of *hemanta*, *grih-*
' *ma*, and *verjha*; but the five facraments he
' muft perform daily.

282. ' The facrificial oblation, at obfequies to
' anceftors, is ordained to be made in no vulgar
' fire; nor mould the monthly *Jraddha* of that
' *Brahmen*, who keeps a perpetual fire, be
' made on any day except on that of the con-
' junction.

283. ' When a twice-born man, having per-
' formed his ablution, offers a fatisfaction to the
' manes with water only, *being unable to give a*
' *repajl*, he gains by that offering all the fruit
' of a *Jraddha*,

284. ' The wife call our fathers, *Vafus*; our
' paternal grandfathers, *Rudras*; our paternal great
' grandfathers, *A'dityas* (that is, *all are to be re'*
' *vered as deities*); and to this effect there is a
' primeval text in the *Veda*.

285. ' Let a man, who is able, continually

' feed on *vigbafa*, and continually feed on *am-*
' *rlta*: by *vigbafa* is meant the refidue of a repaft
' at obfequies; and by *amrita*, the refidue of a
' facrifice to the gods.

286. ' THIS complete fyftem of rules, for the
' five facraments and the like, has been de-
' clared to you: now hear the law for thofe
' means of fubfiftence, which the chief of the
' twice-born may feek.

CHAPTER THE FOURTH

On Economicks ; and Private Mora/s'



I. ' LET a *Brahmen*, having dwelt with a
' preceptor during the first quarter of a man's
' life, pass the second quarter of human life in
' his own house, when he has contracted a legal
' marriage.

2. ' He must live, with no injury, or with
' the least possible injury, to animated beings, by
' pursuing those means of gaining subsistence,
' which are strictly prescribed by law, 'except in
' times of distress:

3. ' For the sole purpose of supporting life,
' let him acquire property by those irreproacha-
' ble occupations, which are peculiar to his class,
' and unattended with bodily pain.

4. ' He may live by *r̥ita* and *am̐rita*, or, if
' necessary, by *m̐rita*, or *pram̐nta*, or even by *fa-*
' *tyam̐nta*; but never let him subsist by *śva-*
' *riti*:

5. ' By *r̥ita*, must be understood lawful glean-
' ing and gathering; by *am̐nta*, what is un-
' asked ; by *m̐rita*, what is asked as alms; tillage
' is called *pram̐nta*;

6. ' Traffick and money lending arc *fatydnrita*;
 ' even by them, *when he is deeply dijtrefed*[^] may
 ' he fupport life ; but fervice for hire is named
 ' *fwavntti*, or *dog-living*, and of courfe he muft
 ' by all means avoid it.

7. ' He may either ftore up grain for three
 ' years; or garner up enough for one year; or
 ' *colledfc* what may laft three days; or make no
 ' provifion for the morrow.

8. ' Of the four *Brdhmens* keeping houfe, who
 ' follow thofe four different modes, a preference
 ' is given to the laft in order fucceffively; as to
 ' him, who moft completely by virtue has van-
 ' quifhed the world:

9. ' One of them fubfifts by all the fix means
 ' of livelihood; another by three of them; a
 ' ⁴ third, by two only; and a fourth lives barely
 ' on continually teaching the *Veda*.

10. ' He, who fuftains himfelf by picking up
 ' grains and ears, muft attach himfelf to fome
 ' altar of confecrated fire, but conftantly per-
 ' form thofe rites only, which end with the
 ' dark and bright fortnights and with the fol-
 ' ftices,

11. ' Let him never, for the fake of a fub-
 ' fiftence, have recourfeto popular converfation;
 ' let him live by the conduct of a prieft, neither
 ' crooked, nor artful, nor blended *ivith the man-*
 ' ¹ *ners of the mercantile clafs.*

12. ' Let him, if he feek happinefs, be firm
' in perfect content, and check all de fire of ac-
' quiring more *than he pojfejfes*; for happinefs
' has its root in content, and difcontent is the root
• of mifery.

13. ' A *Brahmen* keeping houfe, and fup-
' porting himfelf by any of the *legal* means be-
' fore mentioned, muft difcharge *thcfc follozving*
' duties, which conduce to fame, length of life,
' and beatitude.

14. ' Let him daily without floth perform his
• peculiar duty, which the *Féda* prefcribes; for
' he, who performs that *duty*, as well as he is
' able, attains the higheft path to fupreme blifs.

15. ' He muft not gain wealth *by mujick or*
' *dancing*; or by any art that pleafes the fenfe;
' nor by any prohibited art; nor, whether he be
4 rich or poor, *mujl he receive gifts* indifcrimi-
' nately.

16. ' Let him not, from a felfifh appetite, be
' ftrongly addicted to any ferifual gratification;
' let him, by improving his intellect, ftudioufly
' preclude an excefiive attachment to fuch plea-
' fures, *even though lawful*.

17. ' All kinds of wealth, that may impede
' his reading the *Feda*, let him wholly abandon,
' perfifting by all means in the ftudy of fcrip-
' ture; for that will be found his moil beneficial
' attainment.

18. ' Let him pafs through this life, bringing
' his apparel, his difcourfe, and his frame of mind, ,
' to a conformity with his age, his occupations,
' his property, his divine knowledge, and his
' family,

19, ' Each day let him examine thofe holy
' books, which foon give increafe of wifdom;
' and thofe, which teach the means of acquiring
' wealth; thofe, which are falutary to life;
' and thofe *nigamas*, which are explanatory of
' the *Veda*;

20. ' Since, as far as a man ftudies completely
' the fyftem of facred literature, fo far only can
' he become eminently learned, and fo far may
' his learning fhine brightly.

21. ' The facramental oblations to fages, to
' the gods, to fpirits, to men, and to his anceftors,
' let him conftantly perform to the beft of his
' power.

22. ' Some, who well know the ordinances
' for thofe oblations, perform not always exter-
' nally the five great facraments, but continually
' make offerings in their own organs of *fenfation*
' and *intellect*:

23. ' Some conftantly facrifice their breath
' in their fpeech, *when they inftruct others, or*
' *praise GOD aloud*, and their fpeech in their
' breath, *when they meditate infUenceifcxctWing*

' in their speech and breath *thus employed* the
' unperishable fruit of a sacrificial offering:

24. ' Other *Bráhmens* incessantly perform
' those sacrifices with scriptural knowledge only;
1 seeing with the eye of divine learning, that
' scriptural knowledge is the root of every cere-
' monial observance.

25. ' Let a *Bráhmen* perpetually make obla-
' tions to consecrated fire, at the beginning and
' end of day and night, and at the close of each
' fortnight, *or at the conjunction and opposition*:

26. ' At the season, when old grain is usually
' consumed, let him offer new grain for a plen-
' tiful harvest; and at the close of the season, let
' him perform the rites called *adhvara*; at the
' solstices let him sacrifice cattle; at the end of
' the year, let his oblations be made with the
' juice of the moonplant;

27. Not having offered grain for the harvest,
' nor cattle *at the time of the solstices*, let no
1 *Bráhmen*, who keeps hallowed fire, and wishes
' for long life, taste rice or flesh;

28. ' Since the holy fires, not being honoured
' with new grain and with a sacrifice of cattle,
' are greedy for rice and flesh, and seek to de-
' vor his vital spirits,

29. ' Let him take care, to the utmost of his
' power, that no guest sojourn in his house un-

' honoured with a feat, with food, with a bed,
' with water, with efculent roots, and with fruit:

30. ' But, let him not honour with his con-
' versation fuch as do forbidden a&ts; fuch as
' fubfift, like cats, *by interejied craft*; fuch, as
' believe not the fcripture; fuch as oppugn it by
' fophifms; or fuch as live like rapacious water-
' birds.

31. ' With oblations to the gods and to an-
' ceftors, let him do reverence to *Brdhmens* of the
' fecond order, who are learned in theology, who
' have returned f home from their preceptors,
' after having performed their religious duties
' and fully ftudied the *Véda*; but men of an op-
1 pofite defcription let him avoid,

32. ' Gifts muft be made by each houfe-
' keeper, as far as he has ability, to religious
' mendicants, though heterodox; and a juftpor-
' tion muft be referyed, without inconvenience
' to his family, for all fentient beings, *animal and*
' *vegetable*.

33. ' A prieft, who is matter of a family, and
' pines with hunger, may feek wealth from a
' king of the *military clafs*, from a facrificer, or
' his own pupil, but from no perfon elfe, *unlefs*
' *all other helps fail*: thus will hejbew his respect
' for the law.

34. ' Let no prieft, who keeps houfe, *and is*
' *able to procure food*, ever wafte himfelf with

' **hunger**; npr, when' he has any fubftance, let
' him wear old or fordid clothes.

35. ' His hair, naife, and beard, being clipped;
' *bis paffions* fubdued; his mantle, white; his
' body, pu'e ; let him diligently occupy himfelf
' in' reading the *Véda*, and be conliantly intent
' on fuch acts, as may be falutary to him.

36. ' Let him carry a ftaff of *Fenu*, an ewer
' with water in it, a handful of cus'tf-g'rafs, or a
' copy of the *Féda*; with a pair of bright golden
' rings in his ears.

37. ' He muft not gaze 01% the fun,, whether
' rifing or getting, or eclipfed, or reflected in
' water, or advanced to the middle of the fky.

38. ' Over a ftring, to which a calf is tied, let
' him not ftep; nor let him run, while it rains;
' nor let him look on his own image in water;
' this is a fettled rule,

39. ' By a mound of earth, by a cow, by an
' idol, by a *Bráhmen*, by a pot of clarified but-
' ter, or of honey, by a place where four ways
' meet, and by large trees well known in the
' diftrict, let him pafs with his right hand to-
' ward them.

40. ' Let him not, though mad with defire,
' approach his wife, when her courfes appear;
' nor let him then fleep with her in the fame
' bed:

41. ' Since the knowledge, **the** manhood, the

' ftrength, the eyefight, eveft the vital fpirit, of
' him, who approaches his wife thus defiled, ut-
' terly perifhj

42. ' But the knowledge, the manhood, the
' ftrength, the fight, and the life of him, who
' avoids her in that ftate of defilement' are greatly
' increafed.

43. ' Let him neither eat with his wife, nor
' look at her eating, or sneezing, or yawning, or
' fitting carelefsly at her eafe;

44. ' Nor let a *Brahmen*, who defires manly
' ftrength, behold her fetting off her eyes with
' black powder, or fcenting herfelf with ef-
' fences, or baring her bofom, or bringing forth
' a child.

45. ' Let him not eat his food, wearing only
' a fingle cloth; nor let him bathe quite naked;
' nor let him eject urine or feces in the high-
' way, nor on afhes, nor where kine are grazing,

46. ' Nor on tilled ground, nor in water, nor
' on wood raifed for burning, nor, *unlefs.be* be in
' great need, on a mountain, nor on the ruins of
' a temple, nor at any time on a neft of white
' ants,

47. ' Nor in ditches with living creatures in
' them, nor walking, nor ftanding, nor on the
' bank of a river, nor on the fummit of a moun-
' tain:

48. ' Nor let him ever ever; them, looking at

' *things moved by the wind, or at fire, or at a*
 ' *priest, or-at the fun, or at water, or at cattle ;*

49. ' But let him void his excrements, having
 ' covered the earth with wood, potherbs, *dry*
 ' leaves and grafs, or the like, carefully fuppreff-
 ' ing his utterance, wrapping up his breaft and
 ' his head:

50. ' By day let him void them with his face
 ' to the north; by night, with his face to the
 ' fouth; at funrife and funfet, in the fame man-
 ' ner as by day;

51. ' In the made or in darknefs, whether by day
 ' or by night, let a *Bráhmén* eafe nature with his
 ' face turned as he pleafes; and in places where
 ' he fears injury to life *from xvild beajls or from*
 ' *reptiles.*

52. ' Of him, who fhould urine againft fire,
 ' " againft the fun or the moon, againft a twice-
 ' born man, a cow, or the wind, all the facred
 ' knowledge would perifh.

53. ' Let him not blow the fire with his
 ' mouth; let him not fee his wife naked; let him
 ' not throw any foul thing into fire; nor let him
 warm his feet in it;

54, ' Nor let him place it *in a chafing dijh*
 ' *under his bed*; nor let him ftride over it; nor
 ' let him keep it, *while bejleeps*, at his feet: let
 ' him do nothing, that may be injurious to life.

55, ' At the time of funrife or funfet, let him

' not eat, nor travel, nor lie down to rest; let
 ' him not idly draw lines on the ground; nor
 ' let him take off his own chaplet of flowers.

' 56. ' Let him not cast into water either urine
 ' or ordure, nor saliva, nor cloth, or any other
 ' thing, soiled with impurity, nor blood, nor any
 ' kinds of poison.

57. ' Let him not sleep alone in an empty
 ' house; nor let him wake a sleeping man *fue-*
 ' *Hour to himself in wealth and in learning-*, nor
 ' let him speak to a woman at the time of her
 ' courses; not let him go to perform a sacrifice,
 ' unattended by an officiating priest.

58. ' In a temple of consecrated fire, in the
 ' pasture of kine, in the presence of Brahmins,
 ' in reading the *Veda*, and in eating his food, let
 ' him hold out his right arm uncovered.

59. ' Let him not interrupt a cow while she is
 ' drinking, nor give notice to any, whose milk or
 ' water she drinks; nor let him, who knows right
 ' from wrong, and sees in the sky the bow of
 ' INDRA, show it to any man.

60. ' Let him not inhabit a town, in which
 ' civil and religious duties are neglected; nor, for
 ' a long time, one in which diseases are frequent:
 ' let him not begin a journey alone: let him not
 ' reside long on a mountain.

61. ' Let him not dwell in a city governed by
 ' a Sudra king' nor in one surrounded with men

' unobfervant of their duties, nor in one abound'
 ' ing with professed hereticks, nor in one fwarm-
 ' ing with lowborn outcasts.

62. ' Let him eat no vegetable, from which
 ' the oil has been extracted; nor indulge his ap-
 ' petite to satiety; nor eat either too early or too
 ' late; nor *take any food* in the evening, if he
 ' have eaten to fulness in the morning.

63. ' Let him make no vain corporeal exer-
 ' tion: let him not sip water *taken up* with his
 ' *closed* fingers: let him eat nothing *placed* in
 ' his lap: let him never take pleasure in asking
 ' idle questions.

64. ' Let him neither dance nor sing, nor
 ' play on musical instruments, *except in religious*
 ' *rites* ; nor let him strike his arm, or gnash his
 ' teeth, or make a braying noise, though agitated
 ' by passion.

65. ' Let him not wash his feet in a pan of
 ' mixed yellow metal; nor let him eat from a
 ' broken dish, nor where his mind is disturbed
 ' with anxious apprehensions.

66. ' Let him not use either flippers or clothes,
 ' or a sacerdotal firing, or an ornament, or a gar-
 ' land, or a waterpot, which before have been
 ' used by another.

67. ' With untrained beasts of burden let him
 ' not travel ; nor with such, as are oppressed by
 ' hunger or by disease' nor with such as have

‘ imperfect horns, eyes, or hoofs; nor with such
 ‘ as have ragged tails;

68. ‘ But let him constantly travel with beads
 ‘ well trained, whose pace is quick, who bear all
 ‘ the marks of a good breed, who have an agree-
 ‘ able colour, and a beautiful form; giving them
 ‘ very little pain with his whip,

69. ‘ The fun in the sign of *Canya*, the smoke
 ‘ of a burning corse, and a broken feat, must
 ‘ be shunned: he must never cut his own hair
 ‘ and nails, nor ever tear his nails with his teeth.

70. ‘ Let him not break mould or clay *without*
 ‘ cause: let him not cut grafts with his nails; let
 ‘ him neither indulge any vain fancy, nor do any
 ‘ act, that can bring no future advantage:

71. ‘ He, who *thus idly* breaks clay, or cuts
 ‘ grafts, or bites his nails, will speedily sink to
 ‘ ruin; and so *Jball* a detractor, and an unclean
 ‘ person.

72. ‘ Let him use no contumelious phrase:
 ‘ let him wear no garland except on his hair: to
 ‘ ride on the back of a bull or cow, is in all
 ‘ modes culpable.

73. ‘ Let him not pass, otherwise than by the
 ‘ gate, into a walled town, or an inclosed house;
 ‘ and by night let him keep aloof from the roots
 ‘ of trees.

74. ‘ Never let him play with dice: let him
 ‘ not put off his sandals with his hand: let him

not eat, while he reclines on a bed, nor What
" is placed in his hand, or on a bench;

75. ' Nor, when the fun is fet, let him eat
' any thing mixed with *tila*; nor let him ever in
' this world fleep quite naked; nor let him go
' any whither with a remnant of food in his
6 mouth.

76. ' Let him take his food, having fprinkled
' his feet with water; but never let him fleep
' with his feet wet: he, who takes his food with
' his feet fo fprinkled, will attain long life.

77. ' Let him never advance into a place un-
' diftinguifhable by his eye, or nor eafily paffable:
' never let him look at urine or ordure; nor let
' him pafs a river *Jwimming* with his arms.

78. ' Let not a man, who defires to enjoy long
' life, ftand upon hair, nor upon afhes, bones, or'
' potflierds, nor upon feeds of cotton, nor upon
' hufks of grain.

79. ' Nor let him tarry *even under the finde*
' *of the fame tree* with outcafts for great crimes,
' nor with *Cbanddlas*, nor with *Puccafas*, nor
' with idiots, nor with men proud of wealth, nor
' with *wafhermen and other* vile perfons, nor with
' *Jntyavafdyins*.

80. ' Let him not give *even temporal* advice
' to a *Súdra*; nor, *except to his ownfervant*, what
' remains from his table; nor clarified butter, of
f which part has been offered *to the gods* 5 nor let

' him *in per fon* give Ipiritual counfel to fuch a
' man, nor *perfonally* inform him of the legal ex-
' piation for his fin:

81. ' Surely he, who declares the law to a fer-
' vile man, and he, who intrudts him in the
' mode of expiating fin, *except by the intervention*
' *of a priejl*, finks with that very man into the
hell named *Afamvrita*.

82. ' Let him not ftroke his head with both
' hands ; nor let him even touch it, while food
' remains in his mouth; nor without *bathing it*,
' let him bathe his body.

83. ' Let him not *in anger* lay hold of hair, or
' finite any one on the head ; nor let him, after
' his head has been rubbed with oil, touch *with*
' *oil* any of his limbs.

84. ' From a king, not born in the military
' clafs, let him accept no gift, nor from fuch as
' keep a flaughterhoufe or an oilprefs, or put out
' a vintner's flag, or fubfift by the gain of profti-
' tutes:

85. ' One oilprefs is as bad as ten flaughter-
' houfes; one vintner's flag, as ten oilprefles; one
' proftitute, as ten vintner's flags; one *fuch*
' king, as ten proftitutes;

86. ' With a flaughterer, *therefore*, who em-
ploys ten thoufand flaughterhoufes, a king, net
' *afoldier by birth*, is declared to be on a level;
' and a gift from him is tremendous'

87. ' He, who receives a present from an avaricious king and a transgressor of the sacred ordinances, goes in succession to the following twenty-one hells:

88. ' *Tamifra, Andhatdmifra, Mabaraurava, Raurava, Naraca, Cdlafutra, and Mabdnaraca;*

89. ' *Sanjivana, Mahdvichi, Tapana, Samprattand, Sanhdta, Sacacola, Cudmala, putimrittica;*

90. ' *Lobafaricu, or iron/piked, and Rijifia, Panfbdna, the river Salmali, Afipatravana, or the fivordleavedforejl, and Loh'dngdraca, or the pit of redbot charcoal*

91. ' *Brdbmens, who know this law, who speak the words of the Veda, and who seek bliss after death, accept no gifts from a king.*

92. ' *LET the housekeeper wake in the time sacred to BRA'HMI, the goddesses of speech, that is, in the last watch of the night: let him then reflect on virtue and virtuous emoluments, on the bodily labour, which they require, and on the whole meaning and very essence of the Veda.*

93. ' *Having risen, having done what nature makes necessary, having then purified himself and fixed his attention, let him stand a long time repeating the gayatri for the first or morning twilight; as he must, for the last or evening twilight, in its proper time.*

94. ' *By continued repetition of the gayatri at the twilights, the holy pages acquire length of*

' days, perfect knowledge, reputation during life'
 ' fame after death, and celestial glory.

95. ' Having duly performed the *updcarma*,
 ' or *domejiic ceremony with facred fire*, at the fult
 ' moon of *Srdvana* or of *Bhddra*, let the *Brdh-*
 ' *men*, fully exerting his intellectual powers, read
 ' the *Védas* during four months and one fort-
 ' night:

96. ' Under the lunar afterifm *Pujhya*, or on
 ' the first day of the bright half of *Magha*, and
 ' in the first part of the day, let him perform, out
 ' of the town, the ceremony called the *utferga* of
¹ the *Védas*.

97. ' Having performed that ceremony out of
 ' town, as the law directs, let him defist from
 ' reading for one *intermediate* night winged with
 ' two days, or for that day and that following
 ' night only;

98. ' But after that *intermiJion*, let him atten-
 ' tively read the *Vidas* in the bright fortnights;
¹ ' and in the dark fortnights let him constantly
 ' read all the *Viddngas*.

99. ' He must never read the *Veda* without
 ' accents and letters well pronounced; nor ever
 ' in the prefence of *Su'dras*; nor, *having begun-*
 ' *to read it* in the last watch of the night, must
 ' he, though fatigued, fleep again.

100. ' By the rule juft mentioned let him
 ' continually, with his faculties exerted, read the
 ' *Mantra*', or holy texts, compofed in regular

' measures; and, when he is under no restraint,
 ' Let him read both the *Mantras* and the
 ' *BrthmanaSy* or chapters on the attributes of
 ' GOD.

101. ' Let a reader of the *Vēda*, and a teacher
 ' of it to his pupils, in the form prescribed, al-
 ' ways avoid reading on the following prohibited
 ' days.

102. ' By night, when the wind meets his
 ' ear, and by day when the dull is collected,
 ' he must not read in the season of rain; since both
 ' those times are declared unfit for reading, by
 ' such as know when the *Vēda* ought to be read.

103. ' In lightning, thunder, and rain, or
 ' during the fall of large fireballs on all sides, at
 ' such times M E N U has ordained the reading of
 ' scripture to be deferred till the same time next
 ' day.

104. ' When the priest perceives those acci-
 ' dents occurring at once, while his fires are kindled
 ' for *morning and evening* sacrifices, then let him
 ' know, that the *Vēda* must not be read; and
 ' when clouds are seen gathered but of season.

105. ' On the occasion of a preternatural
 ' sound from the sky, of an earthquake, or an
 ' obscuration of the heavenly bodies, even in due
 ' season, let him know, that his reading must be
 ' postponed till the proper time:

106. ' But if, while his fires are blazing,
 ' the sound of lightning and thunder is heard

‘ *without rain*, his reading muſt be diſcontinued,
 ‘ only while the phenomenon laſts; the remain-
 ‘ ing event, *or rain alſo*, happening, it muſt ceaſe
 ‘ for a night and a day.

107. ‘ The reading of ſuch, as wiſh to attain
 ‘ the excellent reward of virtue, muſt continually
 ‘ be ſuſpended in towns and in cities, and always
 ‘ where an offenſive ſmell prevails.

108. ‘ In a diſtrict, through which a corpeſe
 ‘ is carried, and in the preſence of an unjuſtper-
 ‘ ſon, the reading of ſcripture muſt ceaſe; *and*
 ‘ while the ſound of weeping is heard 5 and in a
 ‘ promiſcuous aſſembly of men.

109. ‘ In water, near midnight, and while the two
 ‘ natural excretions are made, or with a remnant
 ‘ of food in the mouth, or when the *frddha* has
 ‘ recently been eaten, let no man even meditate
 ‘ in his heart *on the holy texts*.

n o . ‘ A learned *Brahmen*; having received an
 ‘ invitation to the obſequies of a ſingle anceſtor,
 ‘ muſt not read the *Véda* for three days; nor
 ‘ when the king has a ſon born; nor when the
 ‘ dragon's head cauſes an eclipse.

i n . ‘ As long as the ſcent and unctuofity of
 ‘ perfumes remain on the body of a learned
 ‘ prieſt, who has partaken of an entertainment,
 ‘ ſo long he muſt abſtain from pronouncing the
 ‘ texts of the *Véda*

112. ‘ Let him not read loling on a couch,

' **nor** with his feet raised on a bench, nor with
 ' his thighs crossed, nor having lately swallowed
 ' meat, or the rice and other food *given* on the
 ' birth or death of a relation;

113. ' Nor in a cloud of duft, nor while ar-
 ' rows whiz, *or a lute founds*, nor in either of the
 ' twilights, nor at the conjunction, nor on the
 ' fourteenth day, nor at the opposition, nor on the
 ' eighth day, of the moon :

114. ' The dark lunar day destroys the spi-
 ' ritual teacher; the fourteenth destroys the
 ' learner ; the eighth and the day of the full
 ' moon destroy *all remembrance* of Scripture; for
 ' which reasons he must avoid reading on those
 ' lunar days.

115. ' Let no *Brahmen* read, while duft falls
 ' like a flower, nor while the quarters of the
 ' firmament are inflamed, nor while fkakak
 ' yell, nor while dogs bark or yelp, nor while
 ' asses or camels bray, nor while men in company
 ' chatter.

116. ' He must not read near a cemetery, near
 ' a town, or in a pasture for kine; nor in a
 ' mantle worn before at a time of dalliance;
 ' nor having just received the present usual at
 ' obsequies:

117. ' Be it an animal, or a thing inanimate,
 ' or whatever be the gift at *zfrdddba*, let him
 ' not, having lately accepted it, read the *Veda*;

' for fuch a *Brāhmen* is faid to have his mouth
' in his hand.

118. ' When the town is befet by robbers, or
' an alarm has been raifed by fire, and all in ter-
' rors from ftrange phenomena, let him know,
' that his lecture muft be fufpended till the due
' time *after the caufe of terror has ceafed*,

119. ' The fufpenfion of reading fcripture,
' after a performance of the *updcarma* and *utferga*,
' muft be for three whole nights, *by the man WHO*
' *feeks virtue more than knowledge* ; alfo for one
' day and night, on the eight lunar days which
' follow thofe ceremonies, and on the nights at
' the clofe of the feafons.

120. ' Never let him read on horfeback, nor
⁴ on a tree, nor on an elephant, nor in a boat,
' nor on an afe, nor on a camel, nor {landing on
' barren ground, nor borne in a carriage;

121. ' Nor during a verbal altercation, nor
' during a mutual aflault, nor with an army, nor
' in battle, nor after food, *while his hand is*
' *moijt from wafing*, nor with an indigeftion,
' nor after vomiting, nor with four eructations;

'22. ' Nor without notice to a gueft juft ar-
' rived, nor while the wind vehemently blows,
' nor when blood gufties from his body, nor
' when it is wounded by a weapon.

123. ' While the ftrain of the *Sáman* meets
' his ear, he fhall not read the *Rich*, or the *Ta-*

'*jujh*; nor any part of the *Vida*, wheri he has
' juft concluded the whole; nor *any other party*
when he has juft finiflied the book entitled
' *A'ranyaca*;

124 ' The *Rigveda* is held facred to the gods;
' the *YajurvJda* relates to mankind; the *Sama-*
' *vêda* concerns the manes of anceftors, and the
' found of it, *when chanted*, raifes therefore a
' notion of fomething impure.

125. ' Knowing this *collection of rules*, let the
' learned read the *Vêda* on every *lawful* day,
' having firft repeated in order the pure eifence
' of the three *Vedas*, namely, the *pranava*, the
' *vydbritis*) and the *gayatri*

126. ' If a beaft ufed in agriculture, a frog, a
' cat, a dog, a fnake, an ichneumon, or a rat, pafs
' between *the leEturer and his pupil*, let him know,
' that the ledture mull be intermitted for a day
' and a night.

127. ' Two occafions, when the *Vêda* muft
' not be read, let a *Brâhmen* conftantly obferve
' with great care ; *namely*, when the place for
' reading it is impure, and when he is himfelf
' unpurified.

128. ' O N the dark night of the moon, and
' on the eighth, on the night of the full moon,
' and on the fourteenth, let a *Brâhmen*, who keeps
' houfe, be continually chafte as a ftudent in theo-
' logy, even in the feafon of nuptial embraces.

' 129. ' Let Mm not bathe, having juft eattn;
 ' nor while he is afflicted with difeafe; nor ia
 ' the middle of the night} nor with many
 ' clothes; nor in a pool ox water imperfelly
 ' known.

130. ' Let him not intentionally pafs over the
 ' fhadow of facred images, of a natural or fpiri-
 ' tual father, of a king, of a *Brahmen*, who keeps
 ' houfe, or of any reverend perfonage; nor of at
 ' redhaired or *copper coloured* man; nor of one,
 ' who has juft performed a facrifice.

131. ' At noon or at midnight, or having catca
 ' fleili at *Bifrdddha*, or in either of the twilights,
 ' let him not long tarry, where four ways meet.

132. ' Hemuft not Hand knowingly near oil and
 ' other things, with which a man has rubbed his
 ' body, or water, in which he has waflied him-
 ' felf, or feces and urine, or blood, or mucus, or
 ' any thing chewed and fpitten out, or any thing
 ' vomited.

'33. ' Let him fhew no particular attention to
 ' his enemy, or his enemy's friend, to an unjuft
 ' perfon, to a thief, or to the wife of another
 ' man;

134. ' Since nothing is known in this world
 ' fo obftructive to length of days, as the
 ' culpable attention of a man to the wife of
 ' another.

135, ' Never let him, who defires an increafe

' of wealth, despise a warriour, a serpent, or a
' priest verfed in fcripttire, how mean foever
' *they may appear*;

136. ' Since thore three, when contemned,
' may defstroy a man; let a wife man therefore
' always beware of treating thofe three with con-
' tempt:

137. ' Nor fhould he despise *even* himfelf'on
' account of previous mifcarriages : let him pur-
' fue fortune till death, nor ever think her hard
' to be attained.

138. ' Let him fay what is true, but let him
' fay what is pleafing; let him fpeak no difagree-
' able truth, nor let him fpeak agreeable falfe-
' hood: this is a primeval rule.

139. ' Let him fay " well and good," or let
' him fay, " well" only; but let him not main-
' tain fruitlefs enmity and altercation with any
' man.

140. ' Let him not journey too early in the
' morning or too late in the evening, nor too
' near the midday, nor with an unknown com-
' panion, nor alone, nor with men of the fervile
' clafs.

141. ' Let him not infult thofe, who want a
' limb, or have a limb redundant, who are un-
' learned, who are advanced in age, who have
' no beauty, who have no wealth, or who are of
' an ignoble race.

142. ' Let no priest, unwaſhed after food,
' touch with his hand a cow, a *Brahmen*, or fire;
' nor, being in good health and unpurified, let
' him even look at the luminaries in the firma-
' ment:

143. ' But, having accidentally touched them
' before his purification, let him ever ſprinkle,
' with water in the palm of his hand, his organs
' of ſenſation, all his limbs, and his navel.

144. ' Not being in pain from diſeaſe, let him
' never without cauſe touch the cavities of his
' body; and carefully let him avoid his concealed
' hair.

145. ' Let him be intent on *thoſe propi-*
' *tious obſervances which lead to good fortune,*
' and on the diſcharge of his cuſtomary duties,
' his body and mind being pure, and his members
' kept in ſubjection; let him conſtantly without
' remiſſions repeat the *gayatrī*, and preſent his
' oblation to fire :

146. ' To thoſe, who are intent on good for-
' tune and on the diſcharge of their duties, who
' are always pure, who repeat the holy text and
' make oblations to fire, no calamity happens.

147..: ' in due ſeaſon let him ever ſtudy the
' ſcripture without negligence; for the ſages
' call that his principal duty: every other duty
' is declared to be ſubordinate.

148. ' By reading the *Vēda* continually' by

' purity of body and mind, by rigorous de-
 ' votion, and by doing no injury to animated
 ' creatures, he brings to remembrance his former
 ' birth:

149. ' A *Brahmen*, remembering his former
 * birth, again reads the *Vēda*, and, by reading it
 ' constantly, attains bliss without end.

150. ' On the days of the conjunction and
 ' opposition, let him constantly make those obla-
 ' tions, which are hallowed by the *gayatri*, and
 ' those, which avert misfortune; but on the
 ' eighth and ninth lunar days of the three dark
 * fortnights after the end of *Agrabdyan*, let him
 ' always do reverence to the manes of ancestors.

151. ' Far from the mansion of holy fire, let
 ' him remove all ordure; far let him remove
 ' water, in which feet have been washed; far
 ' let him remove all remnants of food, and all fe-
 ' minal impurity.

152. ' AT the beginning of each day let him
 ' discharge his feces, bathe, rub his teeth, apply
 ' a collyrium to his eyes, adjust his dress, and
 ' adore the gods.

153. ' On the dark lunar day, and on the
 ' other monthly *parvans*, let him visit the images
 ' of deities, and *Brahmens* eminent in virtue, and
 ' the ruler of the land, for the sake of protection,
 ' and those whom he is bound to revere.

154. ' Let him humbly *et venerable men,

' who *vifit* him, and give them his own featj Jet
 ' him fit near them, elofing the palms of his
 ' hinds; and when they depart, let' him walk
 ' fome way behind them.

155. ' Let him practife without intermiffion
 ' that fyftem of approved ufages, which is the
 ' root of all duty religious and civil, declared at
 ' large in the fcripture and facred lawtractey to'
 ' gether with the ceremonies peculiar to each
 ' act;

156. ' Since by fuch practice long life is at-
 ' tainedj by fuch practice *is gained* wealth un'
 ' perifhable; fuch practice baffles every mark of
 ' ill fortune :

- 157. ' But, by an oppofite practice, a man
 ' furely finks to contempt in this world, has al'
 ' ways a large portion of mifery, is afflicted with
 ' difeafe and fhortlived;

.158. ' While the man, who is obfervant of
 ' approved ufages, endued with faith in fcrip-
 ' ture, and free from a fpirit of detraction, lives
 ' a hundred years, even though he bear no
 ' bodily mark of a prosperous life.

159 Whatever act depends on another man,
 ' **1** that let him carefullj fhun; but whatever
 ' depend' on himfelf, to that let him ftudiously
 ' attend:

160, ALL, THAT DEPENDS ON ANOTHER,

' GIVES PAIN; AND ALL, THAT DEPEND' ON
 ' HIMSELF, GIVES PLEASURE; let him know
 ' this to be in few words the definition of pleasure and pain,

161. ' When an ad, *neither prescribed nor*
 ' *prohibited*, gratifies the mind of him, who performs it, let him perform it with diligence;
 ' but let him avoid its opposite.

162. ' Him, by whom he was initiated with
 ' the sacrificial thread, him, who explained the
 ' *Veda* or even a part of it, his mother, and his
 ' father, natural or spiritual, let him never oppose;
 ' nor priests, nor cows, nor persons truly
 ' devout.

163. ' Denial of a future state neglect of the
 ' scripture, and contempt of the deities, envy and
 ' hatred, vanity and pride, wrath and severity,
 ' let him at all times avoid.

164. ' Let him not, when angry, throw a
 ' stick at another man, nor flog him with any
 ' thing; unless he be a son or a pupil: those
 ' two he may chastise for their *improvement in*
 ' learning.

165 ' A twice-born man' who barely at
 ' faults a *Brabmen* with intention to harm him,
 ' shall be whirled about for a century in the hell
 named *Tamifra*;

166 ' But having in him anger, and

' by defign, even with a blade of grafs, he fhall
' be born, in one and twenty transmigrations,
' from the wombs of impure quadrupeds.

167. ' He, who, through ignorance of the
' law, fheds blood from the body of a *Brabmen*,
' not engaged in battle, fhall feel exceffive pain
' in his future life:

168. ' As many particles pf duft as the blood
' fhall roll up from the ground, for fo many years
' fhall the fhedder of that blood be mangled by
' other animals in his next birth.

169. ' Let not him then, who knows *this law*,
' even affault a *Brdbmen* at any time, nor ftrike
' him even with grafs, nor caufe blood to gush
' from his body.

170. ' EVEN here below an unjuft man attains
' no felicity; libr he, whofe wealth proceeds from
' giving falfe evidence; nor he, who conftantly
' takes delight in mifchief.

171. ' Though oppreffed by penury, in con-
' fequence of his righteous dealings, let him never
' give his mind to unrighteoufnefs; for he may
' obferve the fpecdy overthrow of iniquitous and
' fiaful men.

172. ' Iniquity, committed in this world,
' produces not fruit immediately, *bitty* like the
' earth, *in due Jeafon*; and, advancing by little
' and little, it eradifhtes the man, who committed
' it.

173. ' Yes; iniquity, once committed, laſis
 ' not of producing fruit to him, who wrought
 ' it; if not in his own perſon, yet in his ſons 5
 ' or, if not in his ſons, yet in his grandſons:

174. ' He grows rich for a while through
 ' unrighteouſneſs; then he beholds good things;
 ' then it is, that he vanquiſhes his foes; Jbut he
 ' perishes at length from his whole root up-
 ' wards.

175. ' L E T a man continually take pleaſure
 ' in truth, in juſtice, in laudable pradices, and in
 ' purity; let him chaſtife thoſe, whom he may
 ' chaſtife, in a legal mode; let him keep in ſub-
 ' jection his ſpeech, his arm, and his appetite:

176. ' Wealth and pleaſures, repugnant to
 ' law, let him Ihun; and even lawful ads, which
 ' may cauſe future pain, or be offenſive to man'
 ' kind.

177. ' Let him not have nimble hands, reſt-
 ' leſs feet, or voluble eyes; let him not be crooked
 ' in his ways; let him not be flippanſt in his
 ' ſpeech, nor intelligent in doing miſchief.

178. ' Let him walk in the path of good men;
 ' the path, in which his parents and Tore|||hers
 ' walked: while he moves in that path, ffl can
 ' give no offence,

179. ' W I T H an attendant on confecrated
 ' fire, a performer of holy iMfc? arid a teacher, of
 ' the Veda, with his maternal uncle, with his

' gueft or a dependant, with a child, with a
' man either aged or fick, with a phyfician,
' with his paternal kindred, with his relations by
' marriage, and with coufins on the fide of his
' mother,

180. ' With his mother herfelf, or with his
' father, with his kinfwomen, with his brother,
' with his fon, his wife, or his daughter, and
' with his whole fet of fervants, let him have no
' ftrife.

181. ' A houfe-keeper, who fhuns altercation
' with thofe *juft mentioned*, is releafed from all
' fecret faults; and, by fiipprefling all fuch dif-
' putes, he obtains a victory over the following
' worlds;

'82. ' The teacher of the *Veda* fecures him
' the world of BRAHMA; his father, the world
' *of the Sun, or of the Prdjapetis*; his gueft, the
' world of INDRA; his attendance on holy fire,
' the world of *Devas*;

'83. ' His female relations, the world of ce-
' leftial nymphs; his maternal coufins, the world
' of the *Vifvadevas*; his relations by affinity, the
' world of waters; his mother and maternal
' uncre give him power on earth;

'184. ' Children, old men, poor dependants,
' and fick perfons, muft be confidered as rulers
1 of the pure ether this eluir brother, as equal

' to his father; his Wife and son, as his own
' body;

185. ' His assemblage of fervante, as his own
' shadow; his daughter, as the highest object of
' tendernefs: let him, therefore, when offended
' by any of those, bear the offence without in-
' dignation.

186. ' THOUGH permitted to receive presents,
' let him avoid a habit of taking them; since,
' by taking many gifts, his divine light soon
' fades.

187. ' Let no man of sense, who has not fully
' informed himself of the law concerning gifts of
' *particular* things, accept a present, even though
' he pine with hunger.

188. ' The man, who knows not that law,
' yet accepts gold or gems, land, a horse, a
' cow food, raiment, oils or clarified butter,
' becomes mere ashes, like wood consumed by
' fire:

189. ' Gold and gems burn up his nourish-
' ment and life ; land and a cow, his body; a
' horse, his eyes; raiment, his skin; clarified
' butter, his manly strength; oils, his progeny.

190. ' A twice-born man, void of true devo-
' tion, and not having read the *Vida*, yet eager
' to take a gift, sinks down together with it, as
' with a boat of stone in deep water.

191. ' Let him then, who knows not
 ' law, be fearful of presents from this or that
 ' giver; since an ignorant man, even by a small
 ' gift, may become helpless as a cow in a bog.

192. ' Let no man, apprized of this law, pre-
 ' sent even water to a priest, who acts like a cat,
 ' not to him, who acts like a bittern, nor to **him**,
 ' who is unlearned in the *Veda*

193. ' Since property, though legally gained,
 ' if it be given to either of those three, becomes
 ' prejudicial in the next world both to the giver
 4 and receiver:

194. ' As he, who tries to pass over deep
 ' water in a boat of stone, sinks to the bottom,
 ' so those two ignorant men, the receiver and the
 ' giver, sink to a region of torment.

195. ' A covetous wretch, who continually
 ' displays the flag of virtue, a pretender, a de-
 ' luder of the people, is declared to be the man,
 ' who acts like a cat: he is an injurious hypo-
 ' crite, a detractor from the merits of all men.

196. ' A twice-born man, with his eyes de-
 ' jeeted, morose, intent on his own advantage,
 ' fly, and falsely demure, is he, who acts like a
 ' bittern.

197. ' Such priests, as live like bitterns, and
 ' such as demean themselves like cats, fall by
 ' that sinful conduct into the hell called *And-
 ' hatāmifra*.

1898 L E T no man, having committed fin,
 ' flrform a penance, under the pretext of auftere
 ' devotion, difguiling his crime under fictitious
 ' religion and deceiving both women and low men;

199. ' Such impoftors, though *Brahmens*, are
 ' defpifed, in the next life and in this, by all who
 ' pronounce holy texts; and every religious aft
 ' fraudulently performed goes to evil beings,

200. ' He, who has no right to diftinguiftung
 ' marks, yet gains a fubfiftence by wearing fatfe
 ' marks of diftinction, takes to himfelf the fin
 ' committed by thofe who are entitled to fuch
 ' marks, and mail again be born from, the yramh
 ' of a brute animal,

201. ' N E V E R let him bathe in the pool of
 ' another man; for he, who bathes in it *without*
 ' *licence*' takes to himfelf a fmall portion pf the
 ' fins, which the maker of the pool has committed.

202. ' He, who appropriates to his own ufe
 ' the carriage, the bed, the feat, the well, the gar-
 ' den, or the houfe of another man, who has not
 ' delivered them to him, aflumes a fourth part
 ' of the guilt of their owner,

203. ' In rivers, in ponds dug by holy per-
 ' fons, and in lakes, let him always bathe; in
 ' rivulets alfo, and in torrents.

204. ' A W I S E man mould conftantly dif-
 ' charge all the moral duties, though he perform
 ' not conftantly the ceremonies of religion; fince

' he falls low, if, while he performs ceremonial
' ads only, he discharge not 'his moral duties,

205. ' NEVER let a priest eat part of a sacri-
' fice not- begun with texts of the *Vêda*, nor of
' one performed by a common sacrificer, by a
' woman, or by an eunuch:

206. ' When those persons offer the clarifies
' butter, it brings misfortune to good men, and
' raises averfion in the deities; fuch *oblations*,
' therefore, he muft carefully fhun.

207. ' Let him never eat the food of the in-
' fane, the wrathful, or the fick; nor that, on
' which lice have fallen ; nor that, which has
' defignedly been touched by a foot;

508. ' Nor that, which has been looked at
' by the flayer of a priest, *ar by any other deadly*
' *Jinner*, or has even been touched by a woman
' in her courfes, or pecked by a bird, or ap-
' proached by a dog;

209. ' Nor food which has been fmelled by a
' cow; nor particularly that, which has been
proclaimed *for all comers*; nor the food of af-
' fociated knaves, or of harlots; nor that, which
' is contemned by the learned in fcripture;

210. ' Nor that of a thief or a public finger,
' of a carpenter, of an ufurer, of one who has
' recently come from a facrifice, of a niggardly
' churl, or of one bound with fetters;

211. ' Of one publickly defamed, of an eu-

'nuch, of an unchafte woman, or of a hypocrite;
 ' nor any fweet thing turned acid, nor what has
 ' been kept a whole night > nor the food of a fcr-
 ' vile man, nor the orts of another;

212. ' Nor the foocbfiof a phyfician, or of a
 ' hunter, or of a diftioneft man, or of an eater of
 ' orts; nor that of any cruel perfon; nor of a
 ' woman in childbed; nor of him, who rifes
 ' prematurely from table to make an ablution;
 ' nor of her, whofe ten days of purification have
 ' not elapfed;

213. ' Nor that, which is given without due
 ' honour to honourable men; nor any flefti,
 ' which has not been facrificed; nor the food of
 ' a woman, who has neither a hufband nor a fon;
 ' nor that of a foe, nor that of the whole town'
 ' nor that of an outcaft, nor that on which any
 ' perfon has fneezed 5

214. ' Nor that of a backbiter, or of a falfe
 ' witnefs; nor of one, who fells the reward of
 ' his facrifice; nor of a publick dancer, or a
 ' tailor; nor of him, who has returned evil ft'
 ' good;

'15.' Nor that of a blackfmith, or a man of
 ' the tribe called *Nijhdda*, nor of a ftageplayer,
 ' nor of a worker in gold or in cane, nor of him
 ' who fells weapons ;

216. ¹ Nor of thofe, who train hunting dogs,
 ' or fell fermented liquor; nor of him who

' walhes clothes, or who dyes them; nor of aiiy
 ' malevolent perfon; nor of one, who ignorantly
 ' fuffers an adulterer to dwell under his roof;

217. ' Nor of thofe, who knowingly bear with
 ' the paramours of thei^Awn wives, or are con-
 ' ftantly in fubjection to women; nor food given
 ' for the dead before ten days of purification
 ' have paffed; nor any food whatever, but that
 ' which fatisfies him.

218. " Food given by a king, impairs his
 ' manly vigour ;. by one of the fervile clafs, his
 ' divine light; by goldfmiths, his life; by
 ' leatherscutters, his good name:

219. ' Given by *cooks and the like* meaii ar-
 ' tifans,: it deftroys his offspring; by a wafhetr
 ' man, his mufcular ftrength; but the food of
 ' knavifh affociates and harlots excludes hiai
 ' from heaven:

220. ' The food of a phyfician is purulent;
 ' that of a libidinous woman, femiqsdj that of an
 ' ufurer, fecuctnt; that of a,weapon killer, filthy:

221, ' That of all iothers, mentioned in order,
 " whoife food muft never beitafted' is held equal
 ' by the wife to the fkin, bones, and hair, of the
 ' dcadw'

222; ' Having unknowingly iwalloweA the
 ' food of any fuch perfons, he muft fafl; during
 ' three days ; hut, having eaten it knowingly, he
 ' muft perform the fame harfh penance, as if he

' had tasted any feminal impurity, ordure, of
' urine.

223. ' Let no learned priest eat the dressed
' grain of a fervile man, who performs no pa-
' rental obsequies; but eggiaving no other means.
' to live, he may take from him raw grain enough
' for a single night.

124. ' The deities, having well confided the
' food of a niggard, who has read the scripture,
' and that of an ufurer, who bestows gifts libe-
' rally, declared the food of both to be equal in
' quality;

225. ' But BRAHMA, advancing toward the
' gods, thus addressed them; " Make not that
' equal, which in truth is unequal; since the
' food of a liberal man is purified by faith, while
' that of a learned miser is defiled by his want of
' faith in what he has read"

226. ' Let each *wealthy* man continually and
' sedulously perform sacred rites, and consecrate
' pools or gardens with faith; since those two
' acts, accomplished with faith and with riches
' honestly gained, procure an unperishable re-
' ward.

227. ' If he meet with fit objects of benevo-
' lence; let him constantly bestow gifts on them,
' both at sacrifices and consecrations, to the best
of his power and with a cheerful heart ;

228. ' Such a gift, how small soever, be-

' flowed on request without grudging, passes to
' a worthy object, who will secure the giver from
' all evil. . '

229. ' A giver of water obtains content; a
' giver of food, extreme bliss; a giver of *tila*,
' desired offspring; a giver of a lamp, unblemished
' eyefight;

230. ' A giver of land obtains landed property;
' a giver of gems or gold, long life; a
' giver of a house, the most exalted mansion; a
' giver of fiiver, exquisite beauty;

231. ' A giver of clothes, the same station
' with CHANDRA; a giver of a horse, the same
' station with Aswi; a giver of a bull, eminent
' fortune; a giver of a cow, the mansion of
' SU'RYA;

232. ' A giver of a carriage or a bed, an excellent
' comfort; a giver of safety, supreme dominion;
' a giver of grain, perpetual delight; a
' giver of scriptural knowledge, union with GOD:

233. ' Among all those gifts, of silver, food,
' kine, land, clothes, *tila*, gold, clarified butter,
' and the rest, a gift of spiritual knowledge is
' consequently the most important;

234. ' And for whatever purpose a man bestows
' any gift, for a similar purpose he shall receive,
' with due honour, a similar reward.

235. ' Both he, who respectfully bestows a
' present, and he who respectfully accepts it,

' fhall go tp a feat of blifs; but, if they act
' otherwife, to a region of horror:

236. ' L E T not a man be proud of his rigor-
' ous devotion; let him not, having facrificed,
' utter a falfehood ; let him not, though injured,
' infult a prieftj having made a donation, let him
' never proclaim it:

237. ' By falfehood, the facrifice becomes
' vain; by pride, the merit of devotion is loft;
' by infulting priefls, life is diminifhed; and by
' proclaiming a largefs, its fruit is deftroyed.

238. ' GIVING no pain to any creature, let
' him coiled virtue by degrees, for the fake
' of acquiring a companion to the next world, as
' the white ant by degrees builds his neft ;

239. ' For, in his paflage to the next world'
' ; neither his father, nor his rnother, nor his wife,
' ; nor his fon, nor his kinfmen, will remain in his
' cpnipany: his virtue alone will adhere to him.

240. ' Single is each man born; fingle he
' dies; finite he receives the reward of his
' good, and fingle the punifliment of his evil,
' **deeds:**

241. ' When he leaves his corfe, like a, log or
' a lump of clay, on the ground, his kindred re-
' tire with averted faces; but his virtue accom-
' panies his foul.

342. ' Continually, therefore, by degree' let
' him colleft virtue, for the fake of fecuring an

' infeparable companion; fince with virtue for
 ' his guide, he will traverse a gloom, how **hard**
 ' to be traversed!

243. ' A man, habitually virtuous, whose of-
 ' fences have been expiated by evotion, is in-
 ' stantly conveyed after death to the higher
 ' world, with a radiant form and a body of ethe-
 ' real substance.

244. ' HE, who seeks to preserve an exalted
 ' rank, must constantly form connexions with
 ' the highest and best families, but avoid the
 ' worst and the meanest.

245. ' Since a priest, who connects himself
 ' with the best and highest of men, avoiding the
 ' lowest and worst, attains eminence; but sinks,
 ' by an opposite conduct, to the class of the fer-
 ' vile.

246. ' He, who perseveres in good actions,
 ' in subduing his passions, in bestowing largesses,
 ' in gentleness of manners, who bears hardships
 ' patiently, who associates not with the magni-
 ' fiant, who gives pain to no sentient being, ob-
 ' tains final beatitude.

247. ' WOOD, water, roots, fruit, and food
 ' placed before him without his request, he may
 ' accept from all men; honey also, and protect-
 ' tion from danger.

248. ' Gold, or other alms, voluntarily
 ' brought and presented; but unasked and un-

' promifed, BRAHMA confidered as receivable
' even from a finner:

249. ' Of him, who fhall difdain to accept
' fuch alms, neither will the manes eat the fune-
' ral oblations for fifteen years, nor will the fire
' convey the burnt facrifice to the gods.

250. ' A bed, houfes, blades of *cuſa*, per-
' fumes, water, flowers, jewels, buttermilk,
' ground rice, fifli, new milk, flefh-meat, and
' green vegetables, let him not proudly rejett.

251. ' When he wifhes to relieve his natural
' parents or fpiritual father, his wife or others,
' whom he is bound to maintain, or when he is
' preparing to honour deities or gueſts, he may
' receive gifts from any perſon, but muſt not
' gratify himſelf with fuch prefents:

252. ' If his parents, however, be dead, or if
' he live without them in his own houſe, let
' him, when he ſeeks nourifhment for himſelf,
' receive prefents invariably from good men
' alone.

253. ' A labourer in tillage, a family friend,
' a herdfman, a flave, a barber, a poor ftranger
' offering his humble duty, are men of the fer-
' vile claſs, who may eat the food of their fupe-
' riors:

254. ' As the nature of the poor ftranger is,
' as the work is, which he defires to perform,
' and as he may have moſt reſpect to the *majter*

‘ of the house, even thus let him offer his service;
 ‘ vice;

235.. 'For he, who ascribes himself to
 ‘ worthy men in a manner contrary to truth,
 ‘ is the moil finful wretch in this world: he
 ‘ is the worst of thieves, a stealer of minds.

256. ' All things have their sense ascer-
 ‘ tained by speech; in speech they have their
 ‘ basis; and from speech they proceed: con-
 ‘ sequently, a falsifier of speech falsifies every
 ‘ thing.

257. ' WHEN he has paid, as the law directs,
 ‘ his debts to the fages, to the manes, and to the
 ‘ gods, *by reading the scripture, begetting, a fort,*
 ‘ *and performing regular sacrifices,* he may resign
 ‘ all to his son of mature age, and reside in his
 ‘ family house, with no employment, but that of
 ‘ an umpire.

258. ' Alone, in some solitary place, let him
 ‘ constantly meditate on the divine nature of the
 ‘ soul, for by such meditation he will attain hap-
 ‘ piness.

259. ' TH US has been declared the mode, by
 ‘ which a *Bráhmén*, who keeps house, must con-
 ‘ tinually subsist, together with the rule of de-
 ‘ votion ordained for a pupil returned from his
 ‘ preceptor; a laudable rule, which increases the
 ‘ bell of *the three* qualities.

266. A prfeft, who liyes always by ihefe
' rules, who knows the ordinances of the *Veda*,
who is freed from the bondage of fin, fhall be
' abforhed in the divine eflence.

CHAPTER THE FIFTH.

On Diet, Purification, and Women.



1. ' THE fages, having heard thofe laws
' delivered for the conduct of houfekeepers, thus
' addreffed the highminded BHRJĹGU, who pro-
' ceeded *in a former birth* from the genius of
' fire.

2. ' How, Lord, can death prevail over *Bráb-*
' *mens*, who know the fcriptural ordinances,
' and perform their duties, as they have been de-
1 clared?'

3. ' Then he, whose difpofition was perfect
' virtue, even BHRĹIGU, the fon of MENU, thus
' anfwered the great *Rtfbist* € Hear, from what
' fin proceeds the inclination of death, to deftroy
' the chief of the twice-born:

4. ' .Through a neglect of reading the *Veda*,
' through adefertion of approved ufages, through
' fupine remiffhefs *in performing holy rites*, and
' through various offences in, diet, *the genius of*
' death becomes eager to deftroy them.

5. ' Garlick, onions, leeks, and mufhrooms

' (which no twice-born man muſt eat), aHd'ali
' vegetables raiſed iojking,

6. ' Red gums oJPtins, exuding from trees,
' and juices from wounded ftems, the fruit *f'elu*,
' and the thickened milk of a cow within ten
' days after her calving, a pried muſt avoid with
' great care,

7. "Ricepudding boiled with *tila*, frumenty,
' ricemilk, and baked bread, which have not
' been firſt offered to ſome deity, fleihmeat alſo,
' the food of gods, and clarified butter, which
' have not firſt been touched, while holy texts
"" were recited,

8. ' Freſti milk from a cow, whoſe ten days
' are not paſſed, the milk of a camel, or any qua-
' druped with a hoof not cloven, that of an ewe,
' and that of a cow in heat, or whoſe calf is dead
' or abſent from her,

9. ' That of any foreſt beaſt, except the but
' falo, the milk of a woman, and any thing na-
' turally ſweet but acidulated, muſt all be care-
fully fhunned;

10. ' But among ſuch acids, buttermilk may
' be ſwallowed, and every preparation of butter-
' milk, and all acids extracted from pure flowers,
' roots, or fruit *not cut ivitb iron*.

11' Let every twice-born man avoid carni'
' vorous birds, and ſuch as live in towns, and
' quadrupeds with uticloven hoofs, except thoſe

' allowed by the *Veda*, and the bird called *tit-*
' *tibba-*,

12. ' The farrow, water bird *plava*, the
' *phenicopteros*, the *cbacravdea*, the breed of the
' towncoek, the *farafa*, the *rajjuvala*, the wood-
' pecker, and the parrot, male and femile;

13. ' Birds, that ftrike with their beaks, web-
' footed birds, the *coyafbti*, thofe, who wound
' with ftrong talons, and thofe, who dive to de-
' vour fifh: let him avoid meat kept at a flaughtcr
' houfe, and dried meat,

14. ' The heron, the raven, the *c'hanjana*, all
' amphibious fifheaters, tame hogs, and fifh of
' every fort, *but thofe exprefsly permitted*.

15. ' He, who eats the flefh of any animal, is
' called the eater of that animal itfelf; and a fifli-
' eater is an eater of all flefli; from fifh, there-
' fore, he muft diligently abftain:

16. ' Yet the two fifh, called *pdt'Mna* and
' *róbita*, may be eaten *by theguejis*, when offered
' at a repaft in honour of the gods or the manes;
' and fo may the *rdjiva*, the *fxnbatunda*[^] and the
' *Jamaica* of every fpecies.

17. ' Let him not eat the flefh of any folitary
' animals, nor of unknown beafts or birds, though
' by general words declared eatable, nor of any
' creature with five claws;

18. ' The hedgehog and porcupine' the lizard
' *godba*, the *gandaca*, the tortoise, and the rabbit

' or bare, wife Jegiflatqfs declare lawful food
' among fivetoed animals; and all quadrupeds,
' camels excepted, h have but one row of
teeth,

19, ' The twiceborn man, who has inten-
' tionally eaten a mufhroom, the flefli of a tame
' hog, or a town cock, a leek, or an onion, or
' garlick, is degraded immediately;

30. ' But having undefignedly tailed either of
' thofe fix things, he rauff perform the penance
' fdntapana, or the cbdndrayana, which anchorets
pradtife: for other things he muft faft a whole
' day.

21. ' ' One of thofe harfh penances, called pra
' japatya, the twice-born man muft perform an-
' nually, to purify hirn from the unknown taint
' of illicit food; but he muft do particular penance
' for fuch food intentionally eaten.

22, ' BEASTS and birds of excellent forts may
' be flain by Brdbmens for facrifice, or for the
' fuftenance of thofe, whom they are bound to
' fuppprt; fince A GASTYA did this of old,

23. ' No doubt, in the primeval facrifices by
' holy men, and in oblations by thofe of the
' prieffly and military tribes, the nefh of fuch
' beaffs and birds, as may fye legally eaten, was
' prefented to the deities,

24.. ' That, which may be eaten pr drunk,
' When frefh, without blame, may be, fwallbwed,

' if touched with oil, though it has been kept a
' whole night; and so may the remains of ck-
' rified butter:

25. ' And every mefs prepared with barley or
' wheat, or with drefled milk, may be eaten by
' the twiceborn, although not fprinkled with
' oil

26. ' Thus has the food, allowed or forbidden
' to a twiceborn man, been comprehenfively
' mentioned: I will now propound the *fpecial*
' rules for eating and for avoiding flefh meat.

27. ' He fhould tafte meat, which has been
' hallowed for a facrifice with appropriated texts,
' and, *once only*, when a prieft fhall defire him,
' and when he is performing a legal aft, or in
' danger of lofing life.

28. ' For the fuftenance of the vital fpirit,
' BRAHMA created all this *animal and vegetable*
' *System and all, that is* moveable or immoveable,
' that fpirit devours.

29. ' Things fixed are eaten by creatures with
locomotion; toothlefs animals, by animals with
' teeth; thofe without hands, by thofe to whom
' hands were given; and the timid, by the bold'

30. ' He, who eats *according to law*, commits
' no fin, even though every day he tafte the flefh
' of fuch animals, as may lawfully be tafte;
' fince both animals, who may be eaten^ and

' thofe, who eat thofe, were equally created by
' BRAHMA'.

31. ' It is delivered as le of the gods, that
' meat muft be fwallowed only for the purpofe
' of facrifice; but it is a rule of gigantick de-
' mons, that it may be fwallowed for any other
' purpofe.

32. ' No fin is committed by him, who, hav'
' ing honoured the deities and the manes' eats
' fleihmeat, which he has bought, or which he
' has himfelf acquired, or which has been given
' him by another;

33. ' Let no twiceborn man, who knows the
' law, and is not in urgent diftreft, eat flefh
' without obferving this rule; for he, unafcle to
' fave himfelf, will be devoured in the next
' world by thofe animals, whofe flefh he has thus
' illegally fwallowed.

34. ' The fin of him, who kills deer for gain,
' is not fo heinous, with refpect to *the punijh-*
' *ment in* another life, as that of him, who eats
' flefhmeat in vain, or *not previoujly offered as a*
' *facrifice*:

35. ' But the man, who, engaged *in holy rites*
' according to law, refufes to eat it, fhall fin in
' another world, for twenty-one births, to the
' ftate of a beaft.

36. ' Never let a prieft eat the flefli of cattle

' unhallowed with *mantras*, but let him eat it,
 ' obferving the primeval rule, when it has become
 ' hallowed with that texts of the *Vida*

37. ' Should he have an earnest desire to taste
 ' flesh meat, he may gratify his fancy by form-
 ' ing the image of some bead with clarified but-
 ' ter thickened, or he may form it with doughy
 ' but never let him indulge a wish to kill any
 ' beast in vain:

38. ' As many hairs as grow on the beast, so
 ' many similar deaths shall the slayer of it, for
 ' his own satisfaction in this world, endure in the
 ' next from birth to birth.

39. ' By the self-existing in person were beasts
 ' created for sacrifice; and the sacrifice was or-
 ' dained for the increase of this universe: the
 ' slaughterer, therefore, of beasts for sacrifice is
 ' in truth no slaughterer.

40. ' Gramineous plants, cattle, timber trees,
 ' amphibious animals, and birds, which have been
 ' destroyed for the purpose of sacrifice, attain in
 ' the next world exalted births.

41. ' On a solemn offering to a guest, at a
 ' sacrifice, and in holy rites to the manes or to
 ' the gods, but on those occasions only, may
 ' cattle be slain: this law *MENU* enacted.

42. ' The twiceborn man, who, knowing the
 ' meaning and principles of the *Vēda*, slays cattle
 ' on the occasions mentioned, conveys both him-
 ' self and those cattle to the summit of beatitude.

43 ' Let no twiceborn man, whole mind *is*
 ' improved by learning, hurt animals without the
 ' function of scripture, ever^{er} though inⁱⁿ preffing
 ' distrefs, whether he live in his own houle,
 ' inⁱⁿ in that of his preceptor, or in a foreft.

" ' That hurt, which the scripture ordains'
 ' and which is done in this world of moveable
 ' and immoveable creatures, he muft confider as
 ' no hurt at all; fince law fhone forth from *the*
 ' light of the scripture.

45. ' He, who injures animals, that are not
 ' injurious, from a wifh to give himfelf pleafure,
 ' adds nothing to his own happinefs, living or
 ' dead;

46 ' While he, who gives no creature wil-
 ' lingly the pain of confinement or death, but
 ' feels the good of all *fentient beings*, enjoys blifs
 ' without end.

47. ' He, who injures no animated creature,
 ' fhall attain without hardfhip whatever he
 ' thinks of, whatever he ftrives for, whatever he
 ' fixes his mind on.

48. ' Flefhmeat cannot be procured without
 ' injury to animals, and the flaughter of animals
 ' obftructs the path to beatitude; from flefh-
 ' meat, therefore, let man abftain:

- 49. ' Attentively confidering the formation of
 4 bodies, and the death or confinement of em-
 '" bodied fpirits, let him abftain from eating flefh-
 ' meat of any kind.

50. The man, who forfakes not the law,
 ' and eats not flefhmeat, like a bloodthirfty de-
 ' mon, fhall attain good will in this world, and
 ' {halt not be afflicted with maladies,

51., ' He, who confents to the death of an
 ' animal; he, who kills it; he, who diffects it;
 ' he, who buys it 5 he, who fells it; he, who
 ' drefles it; he, who ferves it up; and he, who
 ' makes it his food; thefe are eight principals in
 ' the flaughter.

52. ' Not a mortal exifts morefmfui than he_f
 ' who, without an oblation to the manes or the
 ' gods, defires to enlarge his own flefh with the
 ' flefh of another creature.

53. ' The man, who performs annually, for a
 ' hundred years, an *afwamedba*, or *facrifice of a*
 ' ¹ *horfe*, and the man, who abftains from flefh-
 ' meat, enjoy for their virtue an equal reward.

54. ' By fubfifting on pure fruit and on roots,
 ' and by eating fuch grains as are eaten by her-
 ' mits, a man reaps not fo high reward, as by
 ' carefully abftaining from animal food.

55. " Me he (*mán fa*) will devour in the next
 " world, whose flefh I eat in this life:" *thus fhould*
 ' *a fiejheater fpeai*, and thus the learned pro-
 ' nounce the true derivation of the word *mdnfa*,
 ' or flefh.

56. ' In lawfully tafting meat, in drinking fer-

' mented liquor, in careffing wbm̄ea, there is no
 ' turpitude; for to fuch enjoyments men are na-
 ' turally prone: but a virtuous abftindpe from
 ' them produces a fignal compenfation.

57. ' Now will I promulgate the rules of pu-
 ' rification for the dead, and the modes of puri-
 ' fying inanimate things, as the law prefcribēfr
 ' them for the four claffes in due order.

58. ' When a child has teethed, and when,
 ' after teething, his head has been fhorn, and
 ' when he has been girt with his thread, and
 ' when, being full grown, he dies, all his kindred
 ' are impure: on the birth of a child the law is
 ' the fame.

59. ' By a dead body, the *fapindas* are ren-
 ' dered impure in law for ten days, or until
 ' *the fourth day, when* the bones have been
 ' gathered up, or for three days, or for one day
 ' only, according to the qualities of the de-
 ' ceafed:

60. ' Now We relation of the *fapindas*, or
 ' men connected by the funeral cake, ceafes with
 ' thefeventh perfon, or in *thefixth degree of af-*
 ' *cent or defcent*, and that of *famánódaças*, or
 ' thofe connected by an equal oblation of water,
 ' ends only, when their births and family names
 ' are no longer known.

61. ' As this impurity, by reafon of a dead

' kinfman, *fa* ordained for *fapindas*, even thus it
 ' is ordained on a childbirth, for thofe who feek
 ' abfolut purity'

62. ' Uncleannefs, on account of the dead, is
 ' ordained for all; but on the birth of a child,
 ' for the mother and father *t* impurity, for tea
 ' days after the childbirth, affects the mother
 ' only; but the father, having bathed, becomes
 ' pure,

63. ' A man,, having Rafted his manhdoon, is
 ' purified by bathing; but, after begetting a
 ' child on a *parapúrvd*, he muft meditate for three
 ' days on his impure ftate.

64. ' In one day and night, added to nights
 ' three times three, the *fapindas* are purified after
 ' touching the corpf; but the *famdnodacas*, in
 ' three days.

65. ' A pupil in theology, having performed
 ' the ceremony of burning his deceafed precep-
 ' tor, becomes pure in ten nights: he is equal,
 ' in that cafe, to the *fapindas*, *wtif* carry out the
 ' dead'

66. ' In a number of nights, equal to the num-
 ' ber of months from conception, a woman is pu-
 ' rified on a mifcarriage; and a woman in her
 ' courfes is rendered pure by bathing, when her
 ' effufion of blood has quite flopped.

67. '' For deceafed male childrerf, whose
 heads have not been fhorn, purity is legally

' obtained in one night ; but for thofe, on whom
' that ceremony has teen performed, a purifica-
' tion of three nights is required.

, 68. ' A dead child under the age of two
' years, let his kinfroen czfry out having decked
' him *withbfowers*, and bury him in pure ground,
' without coilecting his bones *at a future time*:

69. ' Let no ceremony with fire be performed
' for him, nor that of fprinkling water; but his
' kindred, having left him like a piece of wood
' in theToreft, (hall be unclean for three days,

70. ' For a child under the age pf three years,
' the ceremony with water fhall not be perform-
' ed by his kindred; but, if his teeth be com-
' pletely grown, or a name have been given him,
' JIihey may perform it, or not, *at their option*.

71. ' A fellow ftudent in theology being dead,
' three days of impurity are ordained; and, on
' the birth of a *famdnodaca*, purification is re-
' quired for three nights..

72. ' The rations of *betrothed but unmarried*
' damfels, are in three days made pure; and, in
6 as many, are their paternal kinfmen purified
' *after their marriage*:

73' ' Let them eat vegetable food without
' factitious, *that is, only with native*, fait; let
' them bathe for three days at intervals; let
' .them tafte no fleflimeat; and let them fleep
' apart on the ground.

74. ' This rule, which ordains impurity by
 ' reason of the dead, relates to the case of one
 ' dying near his kinsmen; but, in the case of one
 ' dying at a distance, the following rule must be
 ' observed by those, who share the same case, and
 ' by those, who share only the same water:

75. ' The man, who hears that a kinsman is
 ' dead in a distant country, becomes unclean, if
 ' ten days after the death have not passed, for
 ' the remainder of those ten days only;

76. ' But, if the ten days have elapsed, he is
 ' impure for three nights, and, if a year have
 ' expired, he is purified merely by touching
 ' water.

77. ' If, after the lapse of ten days, he know
 ' the death of a kinsman, or the birth of a male
 ' child, he must purify himself by bathing to-
 ' gether with his clothes.

78. ' Should a child, whose teeth are not
 ' grown, or should a *Jamdnodaca*, die in a distant
 ' region, the kinsman, having bathed with his
 ' apparel, becomes immediately pure.

79. ' If, during the ten days, another death
 ' or another birth intervene, a *Bráhmén* remains
 ' impure, only till those ten days have elapsed.

80. ' A spiritual teacher being dead, the sages
 ' declare his pupil impure for three days; but
 ' for a day and a night, if the son or wife of

' the teacher be deceafed: fuch is the facred or-
' dinance.

81. ' For a reader of the whole *Véda*, who
' dwells in the fame houfe, a man is unclean three
' nights; but for a maternal uncle, a pupil, an
' officiating prieft, and a diftant kinfman, only
' one night winged *with two days*.

82. ' On the death of a military king, in
' whose dominion he lives, *his impurity lofts*
' while the fun or the ftars give light; but it *lofts*
' a whole day, on the death of a prieft, who has
' not read the whole *Féda*, or of a fpiritual
' guide, who has read only part of it, with its
' *Angas*.

83. ' A man of the facerdotal clafs becomes
' pure in ten days; of the warlike, in twelve; of
' the commercial, in five; of the fervile, in a
' month.

84. ' Let no man prolong the days of impu-
' rity; let him not intermit the ceremonies to be
' performed with holy fires; while he performs
' thofe rites, even though he be *zfapinda*, he is
' not impure.

85. ' He, who has touched a *Cbanddla*, ct wo-
' man in her courfes, an outcaft for deadly fin,
' a newborn child, a corpfe, or one who has
' touched a corpfe, is made pure by bathing.

86. ' If, having fpinkled his mouth with

' water, and been long intent on his devotion, he
 ' fee an unclean perfon, let him repeat, as well
 ' as he is able, the folar texts of the *Veda*, and
 ' thofe, which confer purity.

87. ' Should a *Bráhmén* touch a human bone
 ' moift with oil, he is purified by bathing; if it
 ' be not oily, by ftroking a cow, or by looking
 ' at the fun, having fpinkled his mouth duly
 ' with water.

88. ' Aftudent in theology mail not perform
 ' the ceremony of pouring water at obfequies,
 ' until he have completed his courfe of religious
 ' afts; but if, after the completion of them, he
 ' thus make an offering of water, he becomes
 ' pure in three nights.

89. ' For thofe, who difcharge not their pre-
 ' fcribed duties, for thofe, whofe fathers were of
 ' a lower clafs than their mothers, for thofe, who
 ' wear a drefs of religion unauthorized by the
 ' *Vida*, and for thofe, who *illegally* kill them-
 ' felves, the ceremony of giving funeral water is
 ' forbidden by law;

90. ' And for women imitating fuch here-
 ' ticks, as wear an unlawful drefs, and for fuch
 ' women as live at their own pleafure, or have
 ' caufed an abortion, or have ftricken their huf-
 ' bands, or have drunk any fpirituous liquor.

91. ' A ftudent violates not the rules of his
 ' order, by carrying out, when dead, his own

' instructor in the *Vedas*, who inverted him with
 ' his holy cord, or his teacher of particular
 ' chapters, or his reverend expounder of their
 ' meaning, or his father, or his mother.

92. ' Let men carry out a dead *Siidra* by the
 ' fouthern gate of the town; but the twiceborn,
 ' in due order, by the western, northern, and
 ' eastern gates.

93. ' No taint of impurity can light on kings
 ' or students in theology, *while employed in dis-*
 ' *charging their feveral duties*, nor on those who
 ' have actually begun a sacrifice; for the first are
 ' then placed on the seat of INDRA, and the others
 ' are always equally pure with the celestial spirit.

94. ' To a king, on the throne of magnani-
 ' mity, the law ascribes infant purification, be-
 ' cause his throne was raised for the protection
 ' of his people and the supply of their nourish-
 ' ment:

95. ' It is the same with *the kin/men* of those,
 ' who die in battle, after the king has been slain,
 ' or have been killed by lightning, or legally by
 ' the king himself, or in defence of a cow, or of a
 ' priest; and with all those, whom the king
 ' wishes to be pure.

96. ' The corporeal frame of a king is com-
 ' posed of particles from SÓMA, AGNI, SU'RYA,
 ' PAVANA, INDRA, CUVE'RA, VARUNA, and
 ' YAMA, the eightguardian deities of the world:

97. ' By thofe guardians of men in fubftance
 ' is the king pervaded, and he cannot by law be
 ' impure; fince by thofe tutelar gods are the
 ' purity and impurity of mortals both caufed
 ' and removed.

98. ' By a foldier, difcharging the duties of
¹ his clafs, and flain in the field with brandifhed
 ' weapons, the higheft facrifice is, in that in-
 ' ftant, complete; and fo is his purification: this
 ' law is fixed.

99. ' A prieft, having performed funeral rites,
 ' is purified by touching water; a foldier, by
 ' touching his horfe or elephant, or his arms; a
 ' hufbandman, by touching his goad, or the
 ' halter of his cattle; a fervant, by touching his
 ' ftaff.

100. ' This mode of purifying *Japindas*, O
 ' chief of the twiceborn, has been fully declared
 ' to you! learn now the purification required
 ' on the death of kinfmen lefs intimately con-
 ' nefted.

101. ' A *Brahmen*, having carried out a dead
 ' *Brahmen*, though not *afapinda*, with the affec-
¹ tion of a kinfman, or any of thofe nearly re-
 ' lated to him by his mother, becomes pure in
¹ three days;

102. ' But, if he tafte the food offered by
 ' their *fapindas*, he is purified in ten days \ **and**

' in one day, if he neither partake of their food|
' nor dwell in the same house.

103. ' If he voluntarily follow a corpse, whe-
' ther of a paternal kinsman or of another, and
' afterwards bathe with his apparel, he is made
' pure by touching fire and tallow clarified
' butter.

104. ' Let no kinsman, whilst any of his own
' clans are at hand, cause a deceased *Bráhmén* to
' be carried out by a *Sudra*; since the funeral
' rite, polluted by the touch of a fervile man, ob-
' lustrates his passage to heaven,

105. ' Sacred learning, austere devotion, fire,
' holy aliment, earth, the mind, water, smearing
' with cowdung, air, prescribed acts of religion
' the sun, and time, are purifiers of embodied
' spirits;

106. ' But of all pure things, purity in ac-
' quiring wealth, is pronounced the most ex-
' cellent: since he, who gains wealth with clean
' hands, is truly pure; not he, who is purified
' merely with earth and water,

107. ' By forgiveness of injuries, the learned
' are purified 5 by liberality, those who have ne-
' glected their duty; by pious meditation, those
' who have secret faults; by devout austerity,
' those who well know the *Véda*.

108. ' By water and earth is purified what

€ ought to be made pure; a river, by its current;
 ' a woman, whose thoughts have been impure,
 ' by her monthly discharge; and the chief of
 ' twiceborn men, by fixing his mind wholly on
 ' GOD.

109. ' Bodies are cleaned by water; the mind
 ' is purified by truth; the vital spirit, by theology
 ' and devotion; the understanding, by clear
 ' knowledge.

no. ' Thus have you heard me declare the
 ' precise rules for purifying animal bodies:
 ' hear now the modes of restoring purity to va-
 ' rious inanimate things.

111. ' Of brilliant metals, of gems, and of
 ' every thing made with stone, the purification,
 ' ordained by the wife, is with ashes, water, and
 ' earth.

112. ' A golden vessel, not smeared, is cleaned
 ' with water only; and every thing produced in
 ' water, *as coral, shells, or pearls*, and every stony
 ' substance, and a silver vessel not enshaded.

113. ' From a junction of water and fire arose
 ' gold and silver; and they two, therefore, are
 ' best purified by the elements, whence they
 ' sprang.

114. ' Vessels of copper, iron, brass, pewter,
 ' tin, and lead, may be fitly cleaned with ashes,
 ' with acids, or with water.

115. ' The purification ordained for all sorts

' of liquids, is by ftirring them with *cus a-grafs*;
 ' for cloths folded, by fprinkling them with hal-
 ' lowed water; for wooden utenfils, by planing
 ' them;

116. ' For the facrificial pots to hold clarified
 ' butter and juice of the moonplant, by rubbing
 ' them with the hand, and wafhing thsm, at the
 ' time of the facrifice:

117. ' Implements to wafh the rice, to con-
 ' tain the oblations, to caft them into the fire, ta
 ' coiled, winnow, and prepare the grain, muft be
 ' purified with water made hot.

118. ' The purification by fprinkling is or-
 ' dained for grain and cloths in large quantities;
 ' but, to purify them in fmall parcels, *which a*
 ' *man may eafily carry*, they muft be wafhed.

119. ' Leathern utenfils, and fuch as are made
 ' with cane, muft generally be purified in the
 ' fame manner with cloths; green vegetables,
 ' roots, and fruit, in the fame manner with
 ' grain;

120. ' Silk and woollen fluff, with faHne
 ' earths; blankets from *Ne'pala*, with pounded
 ' *arifhtas*, or *nimba* fruit; vefts and long drawers,
 ' with the fruit of the *Bilva*; mantles of *cfhuma*,
 ' with white muftardfeeds.

121.. ' Utenfils made of fhells or of horn, of
 ' bones or of ivory, muft be cleaned by him,
 ' who knows the law, as mantles of *cjliumd* are

' purified, with the addition of cow's urine or of
' water.

122. ' Grafts, firewood, and straw, are purified
' by sprinkling them with water; a house, by
' rubbing, brushing, and smearing with cow-
' dung; an earthen pot, by a second burning:

123. ' But an earthen pot, which has been
' touched with any spirituous liquor, with urine,
' with ordure, with spittle, with pus, or with
' blood, cannot, even by another burning, be
' rendered pure.

124. ' Land is cleansed by five modes; by
' sweeping, by smearing with cowdung, by
' sprinkling with cows' urine, by scraping, or by
' letting a cow pass a day and a night on it.

125. ' A thing nibbled by a bird, smelt at by
' a cow, shaken with a foot, sneezed on, or de-
' filed by lice, is purified by earth scattered over
' it.

126. ' As long as the scent or moisture, caused
' by any impurity, remain on the thing soiled,
' so long must earth and water be repeatedly used
' in all purifications of things inanimate.

127. ' The Gods declared three pure things
' peculiar to *Brahmens*; what has been defiled
' without their knowledge, what, in cases of
' doubt, they sprinkle with water; and what they
' commend with their speech.

128. ' Waters are pure, as far as a cow

' goes to quench her thirst in them, if they flow
' over clean earth, and are fullied by no im-
' purity, but have a good scent, colour, and
' taste.

129, ' The hand of an artist *employed in his*
' *art* is always pure; so is every vendible com-
' modity, when exposed to sale; and that food is
' always clean, which a student in theology has
' begged and received : such is the sacred rule.

130, ' The mouth of a woman is constantly
' pure; a bird is pure on the fall of fruit, which
' he has pecked; a sucking animal, on the flow-
' ing of the milk; a dog, on his catching the
' deer:

131, ' The flesh of a wild beast slain by dogs,
' MENU pronounces pure; and that of an ani-
' mal slain by other carnivorous creatures, or by
' men of the mixed class, who subsist by hunt-
' ing.

132. ' All the cavities above the navel are pure,
' and all below it, unclean; so are all excretions,
' that fall from the body.

133. ' Gnats, clear drops from the mouth of
' a speaker, a shadow, a cow, a horse, sunbeams,
' dust, earth, air, and fire, must all be considered
' as clean, even when they touch an unclean
' thing.

13'. ' For the cleansing of vessels, which have
' held ordure or urine, earth and water must be

' ufed, as long as they are needful; and the
 i fame for cleaning the twelve corporeal impu-
 ' rities:

135. ' Oily, exudations, feminal fluids, blood,
 ' dandruff, urine, feces, earwax, nailparings,
 ' phlegm, tears, concretions on the eyes, and
 ' fweat, are the twelve impurities of the human
 ' frame.

136. ' By the man, who defires purity, one
 ' piece of earth *together with water* muft be ufed
 ' for the conduit of urine, three, for that of the
 ' feces; fo, ten for one hand, *that is, the left*;
 ' then feven for both: *but, if neceffary, more muft*
 € *be ufed.*

137. ' Such is the purification of married men;
 ' that of ftudents muft be double; that of her-
 ' mits, triple; that of men wholly reclufe, qua-
 ' druple.

138. ' Let each man fprinkle the cavities of
 ' his body, and tafte water in due form, when
 ' he has difcharged urine or feces; when he is
 ' going to read the Veda; and, invariably, before
 ' he takes his food;

139. ' Firft, let him thrice tafte water; then
 ' twice let him wipe his mouth, if he *be of a*
 ' *twiceborn clafs*, and defire corporeal purity; but
 ' a woman or feryile man may once refpectively
 ' make that ablution.

140. ' *Sudras*, engaged in religious duties,
' muft perform each month the ceremony of
' (having their heads; their food muft be the
' orts of *Brahmens*; and their mode of purifica-
' tion, the fame with that of a *Vaifya*'

1'1. ' Such drops of water, as fall from the
' mouth on any part of the body, render it not
' unclean ; nor hairs of the beard, that enter the
' mouth ; nor what adheres awhile to the teeth.

142. ' Drops, which trickle on the feet of a
' man holding water for others, are held equal to
' waters flowing over pure earth: by them he is
' not defiled.

143. ' He, who carries in any manner an
' inanimate burden, and is touched by any thing
' impure, is cleaned by making an ablution,
' without laying his burden down.

144. ' Having vomited or been purged, let
' him bathe and tafte clarified butter, but, if he
' have eaten already, let him only perform an
' ablution: for him, who has been connected
' with a woman, bathing is ordained by law.

145. ' Having flumbered, having ineezed,
' having eaten, having fpitten, having told un-
' truths, having drunk water, and going to read
' facred books, let him, though pure, wafh his
' mouth.

146. ' This perfect fyftem of rules for puri-

‘ fyꝋng men of all clafles, and for cleanfing inani-
 ‘ mate things, has been declared to you: hear
 ‘ now the laws concerning women.

1'7. ' By a girl, or by a young woman, or
 ‘ by a woman advanced in years, nothing muft
 ‘ be done, even in her own dwelling place, ac-
 ‘ cording to her mere pleafure:

148. ' In childhood muft a female be de-
 ‘ pendent on her father; in youth, on her hut-
 ‘ band ; her lord being dead, on her fons ; *iffhe*
 ‘ *have no fons, on the near kinfmen of her huf-*
 ‘ *band';if he left no kinfrnen, on thofe of her*
 ‘ *father; if fie have no paternal kinfmen, on the*
 ‘ *fovereign:* a woman muft never feck inde-
 ‘ pendance.

149. ' Never let her wiith to feparate herfelf
 ‘ from her father, her husband, or her fons 5 for,
 ‘ by a feparation from them, fhe expofes both
 ‘ families to contempt.

150. ' She muft always live with a cheerful
 ‘ temper, with good management in the affairs
 ‘ of the houfe, with great care of the houfehold
 ‘ furniture, and with a frugal hand in all her ex-
 ‘ pences.

151. ' Him, to whom her father has given
 ‘ her, or her brother with the paternal affent, let
 ‘ her obfequioufly honour, while he lives; and,
 ‘ when he dies, let her never neglect him.

152. ' The recitation of holy texts, and the
'sacrifice ordained by the lord of creatures,
'are used in marriages for the sake of pro-
curing good fortune to brides; but the first
' gift, or *troth plighted*, by the husband is
' the primary cause *and origin* of marital do-
' minion.

153. ' When the husband has performed the
' nuptial rites with texts of the *Vêda*, he gives
' bliss continually to his wife here below, both
' in season and out of season; and he will give
' her happiness in the next world.

154. ' Though inobedient of approved
' usages, or enamoured of another woman, or
' devoid of good qualities, yet a husband must
' constantly be revered as a god by a virtuous
' wife.

155. ' No sacrifice is allowed to women apart
' from their husbands, no religious rite, no fast-
' ing: as far only as a wife honours her lord, so
' far she is exalted in heaven.

156. ' A faithful wife, who wishes to attain
' in heaven the mansion of her husband, must
' do nothing unkind to him, be he living or
' dead:

157. ' Let her emaciate her body, by liv-
' ing voluntarily on pure flowers, roots, and
' fruit; but let her not, when her lord is de-

' ceafed, even pronounce the name of another
' man'

158. ' Let her continue till death forgiving
' all injuries, performing harfli duties, avoiding
' every fenfual pleafure, and cheerfully pradifing
' the incomparable rules of virtue, which *have*
' been followed by fuch women, as were devoted
' to one only huiband.

159. ' Many thoufands of *Brdbtnens*, having
' avoided fenfuality from their early youth, and
' having left no iffue in their families', have af-
' cended, *neverthelefs*, to heaven;

160. ' And, like thofe abftemious men, a vir-
' tuous wife afcends to heaven, though flie have
' no child, if, after the deceafe of her lord, flie
' devote herfelf to pious aufterity:

161. ' But a widow, who, from a wifh to
' bear"children, flights her deceafed hulband by
' *marrying again*, brings difgracc on herfelf here
' below, and fhall be excluded from the feat of
' her lord.

162. ' Iflue, begotten on a woman by any
' other *than her hujband*, is here declared to be
' no progeny of hers; no more than a child, be-
' gotten on the wife of another man, *belongs to*
' *the begetter*: nor is a fecond hulband allowed,
' in any part of this code, to a virtuous woman.

163. ' She, who neglefs her former (*fkrva*)

' lord, though of a lower class, and takes another'
 ' {para) of a higher, becomes despicable in this
 ' world, and is called *parapúrva*, or *one who had*
 ' *a different bujband before*.

164. ' A married woman, who violates the
 ' duty, which she owes to her lord, brings in-
 ' famy on herself in this life, and, *in the next*,
 ' shall enter the womb of a bhakal; or be af-
 ' flicted with *elephantiasis*, and other diseases
 ' which punish crimes;

165. ' While she, who flights not her lord,
 ' but keeps her mind, speech, and body, devoted
 ' to him, attains his heavenly mansion, and by
 ' good men is called *fádhvī*, or *virtuous*.

166. ' Yes; by this course of life it is, that a
 ' woman, whose mind, speech, and body are
 ' kept in subjection, acquires high renown in
 ' this world, and, in the next, the same abode
 ' with her husband.

167. ' A twiceborn man, versed in sacred or-
 ' dinances, must burn, with hallowed fire and fit
 ' implements of sacrifice, his wife dying before
 ' him, if she was of his own class, and lived by
 ' these rules:

168. ' Having thus kindled sacred fires, and
 ' performed funeral rites to his wife, who died
 ' before him, he may again marry, and again
 ' **light** the nuptial fire.

169. ' Let him not cease to perform day by
' day according to the preceding rules, the five
' great sacraments; and, having taken a lawful
' comfort, let him dwell in his house during the
' second period of his life.

CHAPTER THE SIXTH.

On Devotion; or on the Third and Fourth Orders.



I. ' HAVING thus remained in the order
' of a housekeeper, as the law ordains, let the
' twiceborn man, who had before completed his
' studentliip, dwell in a forest, his faith being
' firm and his organs wholly subdued.

2. ' When the father of a family perceives
' his muscles become flaccid and his hair gray,
' and sees the child of his child, let him then
' seek refuge in a forest:

3. ' Abandoning all food eaten in towns, and
' all his household utensils, let him repair to the
' lonely wood, committing the care of his wife
' to her sons, or accompanied by her, *if she chuse*
' *to attend him.*

' ' Let him take up his consecrated fire, and
' all his domestick implements of making obla-
' tions to it, and, departing from the town to
' the forest, let him dwell in it with complete
' power over his organs *of sense and of action.*

5. ' With many forts of pure food, fuch as
' holy fages ufed to eat, with green herbs, roots,
' and fruit, let him perform the five great facra-
' ments before mentioned, introducing them with
' due ceremonies.

6. ' Let him wear a black antelope's hide, or
' a Vgfture of bark; let him bathe evening and
' morning; let him fuffer the hairs of his head,
' his beard, and his nails to grow continually.

7. ' From fuch food, as himfelf may eat, let
' him, to the utmoft of his power, make offer-
' ings and give alms; and with prefents of
' water, roots, and fruit, let him honour thofe,
' who vifit his hermitage.

8. ' Let him beconftantly engaged in reading
' the *Veda*; patient of all extremities, univer-
' fally benevolent, with a mind intent on the
' Supreme Being ; a perpetual giver, but no re-
' ceiver of gifts 5 with tender affection for all
' animated bodies.

9. ' Let him, as the law directs, make obla-
' tions on the hearth with three facred fires ; not
' omitting in due time the ceremonies to be
' performed at the conjunction and oppofition of
' the moon.

10. ' Let him alfo perform the facrifice or-
' dained in honour of the lunar conftellations,
' make the prefctibed offering of new grain, and

' folemnfee holy rites every four months' and at
' the winter and fummer folftices.

11. ' With pure grains, the food of ancient
' fages, growing in the vernal and autumnal fea-
' fons, and brought home by himfelf, let him fe-
' verally make, as the law ordains, the oblations
' of cakes and boiled grain;

12. ' And, having prefented to the gods that
' pureft oblation, which the wild woods pro-
' duced, let him eat what remains, together
' with fome native fait, which himfelf collefled.

13. ' Let him eat green herbs, flowers,
' Yoots, and fruit, that grow on earth or in
' water, and the productions of pure trees, and
' oils formed in fruits.

14. ' Honey and flefhmeat hemuft avoid, and
' all forts of mufhrooms, the plant *bbuJlrJna*,
' that named *fighrca*, and the fruit of fleh-
' *mataca*.

15. ' In the month *Afwina* let him caft
' away the food of fages, which he before had
' laid up, and his vefture, then become old, and
' his herbs, roots, and fruit.

16. ' Let him not eat the produce of ploughed
' land, though abandoned by any man, *who owns*
' it, nor fruit, and roots produced in a town,
' even though hunger oppreffes him.

17. ' He may eat what is mellowed by fire,

' and he may eat what is ripened by time: and
 ' either let him break hard fruits with a (tone, or
 ' let his teeth ferve as a pebble.

18. ' Either let him pluck enough for a day,
 ' or let him gather enough for a month; or let
 ' him collect enough for fix months, or lay up
 enough for a year.

19. ' Having procured food, as he is able, he
 ' may eat it at eve or in the morning; or he
 ' may take only every fourth, or every eighth,
 ' fuch regular meal;

20. ' Or, by the rules of the lunar penance, he
 ' may eat a mouthful lefs each day of the bright,
 ' and a mouthful more each day of the dark, fort-
 ' night; or he may eat only once, at the clofe of
 ' each fortnight, a mefs of boiled grains:

21. ' Or he may conftantly live on flowers
 ' and roots, and on fruit matured by time, which
 ' has fallen fporitaneoufly, ftrictly obferving the
 ' laws ordained for hermits.

22. ' Let him Aide backwards and forwards on
 ' the ground; or let him ftand a whole day on tip-
 ' toe; or let him continue in motion riling and
 ' fitting alternately; but at funrife, at noori, and
 ' at funfet, let him goto the waters and bathe.

23. ' In the hot feafon let him fit expofed to
 ' five fires, *four blazing around him wiith the fun*
 ' *above*; in the rains, let him ftand uncovered,
 ' *without even a mantle*, where the clouds pour

' *the heavieft* flowers; in the cold feafon, let
 ' him wear humid vefture; and let him increafe
 ' by degrees the aufterity of his devotion ;

2'. ' Performing his ablution at the three
 ' *Savanas*, let him give fatisfaction to the manes
 ' and to the gods; and, enduring harftier and
 ' harftier mortifications, let him dry up his bodily
 ' frame.

25. ' Then, having repofited his holy fires, as
 ' the law directs, in his mind, let him live with-
 ' out external fire, without a manfion, wholly
 ' filent, feeding on roots and fruit;

26. ' Not folicitous for the means of gratifi-
 ' cation, chafte as a ftudent, fleeping on the
 ' bare earth, in the haunts of pious hermits,
 ' without one felfifh affection, dwelling at the
 ' roots of trees.

27. ' From devout *Brdhmens* let him receive
 ' alms to fupport life, or from other houfe-
 ' keepers of twiceborn claffes, who dwell in the
 ' foreft;

28. ' Or the hermit may bring food from a
 ' town, having received it in a bafket of leaves,
 ' in his naked hand, or in a potfherd 5 and then
 ' let him fwallow eight mouthfuls.

29. ' Thefe and other rules muft *a. Brāhmen*,
 ' who retires to the woods, deliegently practife;
 ' and, for the purpofe of uniting his foul with
 ' the divine fpirit, let him ftudy the various *upa-*

' *nifhads of fcripture, or chapters on the. effence and attributes of Gad,*

30. • Which have been ftudied with reverence by anchorites verfed in theology, and by houfe-keepers' who dwelt afterwards in forefts, for the fake of increafing their fubiime knowledge and devotion, and for the purification of their bodies.

31. ' Or, *if be has any incurable, difeafe,* let him advance in a ftraight path, towards the invincible *north eaftern* point, feeding on water and air, till his mortal frame totally decay, and his foul become united with the Supreme.

32. ' A *Brahmen*' having fhuffled off his body by any of thofe modes, which great fages practifed, and becoming void of sorrow and fear, rifes to exaltation in the divine effence.

33 ' HAVING thus performed religious airs in a foreft during the third portion of his life, let him become a *Sannyafi* for the fourth portion of it, abandoning all fenfual affections, and wholly repofing in the Supreme Spirit:

3'. ' The man, who has paffed from order to order, has made oblations to fire *on his refpective changes of ftate,* and has kept his members in fubjection, but, tired *with fo long a courfe*

' of giving alms and making offerings, thus re-
 ' poses himself entirely on GOD, shall be raised
 ' after death to glory.

35. ' When he has paid his three debts *to the*
 ' *fates, the manes, and the gods*, let him apply
 ' his mind to final beatitude; but low shall He
 ' fall, who presumes to seek beatitude, without
 ' having discharged those debts:

36. ' After he has read the *Védas* in the form
 ' prescribed by law, has legally begotten a son,
 ' and has performed sacrifices to the bed of his
 ' power, he *has paid his three debts*, and may then
 ' apply his heart to eternal bliss;

37. ' But if a *Brahmen* have not read the
 ' *Véda*, if he have not begotten a son, and if he
 ' have not performed sacrifices, yet shall aim at
 ' final beatitude, he shall sink to a place of de-
 ' gradation.

38. ' Having performed the sacrifice of PRA-
 ' JAPETI, accompanied with a gift of all his
 ' wealth, and having reposed in his mind the sa-
 ' crificial fires, a *Brahmen* may proceed from his
 ' house, *that is, from the second order*, or he may
 ' proceed even from the first, to the condition of
 ' a *Sannyasi*

39. ' Higher worlds are illuminated with the
 ' glory of that man, who passes from his house,
 ' into the fourth order, giving exemption from

' fear to all animated beings, and pronouncing the
' *myftick words* of the veda:

' 0. ' To the *Brahmen*, by whom n6f even
' the fmalleft dread has been occafioned to fen-
' tient creatures, there can be no dread from any
' quarter whatever, when he obtains a feleafe
' from his mortal body.

41. ' Departing from' his houfe, taking with
' him pure implements, *bis waterpot and ftaff*,
' keeping filence, unallured by defire of the ob-
' jects near him, let him enter into the fourth
' order.

' 2. ' Alone let him conftantly dwell, for the
' fake of his own felicity: obferving the happi-
' nefs of a folitary man, who neither forfakes
' nor is forfaken, let him live without a compa-
' nion.

43. ' Let him have no culinary fire, no domi-
' cil; let him, *when very hungry*, go to the town
' for food; let him patiently bear difeafe; let
' his mind be firm; let him ftudy to know'
' God, and fix his attention on God alone'

' '. ' An earthen waterpot, the roots of large
' trees, coarfe vefture, total folitude, equanimity
' toward all creatures, thefe are the character-
' istics of a *Bráhmen* fetfree.

' 5. ' Let him not wifh for death; let him not
' wifh for life; let him expect his appointed
' time, as a hired fervant expects his wages.

46 ' Let him advance his foot purified by
 ' looking down, lest *he touch any thing impure*;
 ' let him drink water purified by fasting with
 ' a cloth, lest *he hurt himself* let him, if he
 ' *thinks to speak*, utter words purified by truth;
 ' let him by all means keep his heart purified.

'7- • Let him bear a reproachful speech with
 ' patience; let him speak reproachfully to no
 ' man; let him not, on account of this frail *and*
 ' *feverish* body, engage in hostility with any one
 ' living.

48' ' With an angry man let him not in his
 • turn be angry; abused, let him speak mildly;
 ' nor let him utter a word relating to vain illu-
 ' sory things and confined within seven gates,
 ' *the five organs of sense, the heart, and the intel-*
 ' *lect*; or *be involved with three above and three*
 ' *below it*,

'9. ' Delighted with meditating on the su-
 ' preme Spirit, fitting fixed in such meditation,
 ' without needing any thing earthly, without one
 ' sensual desire, without any companion but his
 ' own soul, let him live in this world seeking the
 ' bliss of the next.

50. ' Neither by explaining omens and pro-
 ' digies, nor by skill in astrology and palm-
 ' estry, nor by casuistry and expositions of
 ' holy texts, let him at any time gain his daily
 ' support.

51. ' Let him not go near a house frequented
' by hermits, or priests, or birds, or dogs, or
' other beggars.

52. ' His hair, nails, and beard being clipped,
' bearing with him a dish, a staff, and a water-
' pot, his whole mind being fixed on G Q D, let
' him wander about continually, without giving
' pain to *animal or vegetable* beings.

53. ' His dishes must have no fracture, nor
' must they be made of bright metals: the puri-
' fication ordained for them must be with water
' alone, like that of the vessels for a sacrifice.

54. ' A gourd, a wooden bowl, an earthen
' dish, or basket made of reeds, has MENU, foil
' of the Self-existing, declared fit vessels to re-
' ceive the food of *Brahmens* devoted to God.

55. ' Only once a day let him demand food;
' let him not habituate him to eat much at a
' time; for an anchorite, habituated to eat much,
' becomes inclined to sensual gratifications.

56. ' At the time when the smoke of kitchen
' fires has ceased, when the pebble lies motion-
' less, when the burning charcoal is extinguished,
' when people have eaten and when dishes are
' removed, *that is, late in the day*, let the *Sannyasi* always beg food.

57. ' For missing it, let him not be sorrowful;
' nor for gaining it, let him be glad; let him

' **care only for** a sufficiency to support life but
' let him not be anxious about his utensils.

58. ' Let him constantly disdain to receive food
' after humble reverence; hence, by receiving it
' in consequence of an humble salutation, a *sannyasi*,
' though free, becomes a captive.

59. ' By eating little and by sitting in so-
' litary places, let him restrain those organs,
' which are naturally hurried away by sensual
' desires.

60 ' By the coercion of his members, by the
' absence of hate and affection, and by giving no
' pain to sentient creatures, he becomes fit for
' immortality'

61. ' Let him reflect on the transmigrations
' of men caused by their sinful deeds, on their
' downfall into a region of darkness, and their
' torments in the mansion of Y A M A;

62, ' On their separation from those, whom
' they love, and their union with those, whom
' they hate, on their strength overpowered
' by old age, and their bodies racked with
' disease;

63. ' On their agonizing departure from this
' corporeal frame, their formation again in the
' womb, and the glidings of this vital spirit
' through ten thousand millions of uterine
' passages;

64. ' On the misery attached to embodied spirits from a violation of their duties; and the unperishable bliss attached to them from their abundant performance of all duties, religious and civil.

65. ' Let him reflect also, with exclusive application of mind, on the subtle indivisible essence of the supreme spirit, and its complete existence in all beings, whether extremely high or extremely low.

66. ' Equal-minded towards all creatures, in what order soever *he may have been* placed, let him fully discharge his duty, though he bear not the visible marks of his order: the visible mark, or mere name, of his order is by no means an effective discharge of his duty;

67. ' As, although the fruit of the tree *cataca* purify water, yet a man cannot purify water by merely pronouncing the name of that fruit: *he must throw it, when pounded, into the jar.*

68. ' For the sake of preserving minute animals by night and by day, let him walk, though with pain to his own body, perpetually looking on the ground.

69. ' Let a *Sannyāsi*, by way of expiation for the death of those creatures, which he may have destroyed unknowingly by day or by night,

' make fix fuppreffions of his breath, having duly
' bathed :

70. ' Even three fuppreffions of breath made
' according to the divine rule, accompanied with
' the triverbal phrafe [*bhurbhitvah fwah*) and the
' triliteral fyllable (dm), may be confidered as the
' higheft devotion of a *Brāhmen*.

71. ' For as the drofs and impurities of me-
' tallick ores are confumed by fire, thus are the
' finful acts of the human organs confumed by
' fuppreffions of the breath, *while the myftick*
' *words, and the meafures of the gsyatrī are re-*
' *vo'vedin the mind.*

72. ' Let him thus by fuch fuppreffions of
' breath burn away his offences; by reflecting
' intenfely on the fteps of afcent to beatitude, *let*
' *him deftroy fin*; by coercing his members, let
' him refrain all fenfual attachments ; by medi-
' tating on *the intimate union of his ownfold and the*
' *divine effence*, let him extinguifh all qualities
' repugnant to the nature of G O D .

73. ' Let him obferve, with extreme applica-
' tion of inind, the progrefs of this internal fpirit
' through various bodies, high and low; *a pro-*
' *greffs hard to be difcerned by men with unim-*
' *proved intellects,*

74. ' He, who fully underftands the perpetual
' omniprefence of G O D , can be led no more cap-

' tive by criminal acts; but he, who possesses *toot*
 ' that sublime knowledge, shall wander again
 ' through the world.

75. ' By injuring nothing animated, by sub-
 ' duing all sensual appetites, by devout rites or-
 ' dained in the *Veda*, and by rigorous mortifica-
 ' tions, men obtain, even in this life, the state of
 ' beatitude.

76. ' A mansion with bones for its rafters and
 ' beams; with nerves and tendons, for cords;
 ' with muscles and blood, for mortar; with
 ' skin, for its outward covering; filled with no
 ' sweet perfume, but loaded with feces and
 ' urine;

77. ' A mansion infested by age and by for-
 ' mator, the seat of malady, harassed with pains,
 ' haunted with the quality of darkness, and in-
 ' capable of lasting long; such a mansion of the
 ' vital soul let its occupier always cheerfully
 ' quit:

78. ' As a tree leaves the bank of a river,
 ' when it falls in, or as a bird leaves the branch
 ' of a tree at his pleasure, thus he, who leaves
 ' his body by necessity or by legal choice, is de-
 ' livered from the ravening shark, or crocodile,
 ' of the world.

79. ' Letting his good acts descend (by the
 ' law of the *Veda*) to those, who love him, and

' **his evil** deeds, to thofe, who hate him, he may attain, through devout meditation, the eternal
' ĩpirit.

80. '• When, having well confidered the nature and confequence of fin, he becomes averfe
' from all fenfual delights, he then attains blifs
' in this world; blifs, which fhall endure after
' death.

81. ' Thus, having gradually abandoned all
' earthly attachments, and indifferant to all pairs
' of oppofite things,, *as honour and difhonour, and*
' *the like*, he remains abforbed in the divine ef-
' fence.

82. ' All, fliat has now been declared, is ob-
' tained by pious meditation ; but no man, who
' is ignorant of the fupreme ĩpirit, can gather
' the fruit of mere ceremonial ads.

83. ' .Let him conftantly ftudy that part of the
' *Veda*, which relates to facrifice; that, which
' treats of fubordinate deities; that, which re-
' veals the nature of the fupreme GOD; and
' whatever is declared in the *Upani/hads*.

84. ' This holy fcripture is a fure refuge even
' for thofe, who underftand not its meaning,
' and of courfe for thofe, who underftand it; this
' *Veda* is a fure reflburce for thofe, who feek blifs
' above; this/5 *a fure reffource* for thofe, who
' feek blifs eternal.

85. ' That *Brahmen*, who becomes a *Sannydhi*
 ' by "this discipline, *announced* in due order,
 ' flakes off fin here below, and reaches the moft
 ' high.

86. ' This *general* law has been revealed to
 ' you for anchorites with fubdued minds:
 ' now learn the particular difcipline of thofe,
 ' who become reclufes according to, the *Veda*,
 ' that is, of *anchorites* in the *firft* of the four
 ' degrees.

87. ' The ftudent, the married man, the
 ' hermit, and the anchorite, are the offspring,
 ' though in four orders, of married men keeping
 ' houfe;

88. ' And all, or even any, of thofe or'
 ' ders, affumed in their turn, according to the
 ' facred ordinances, lead the *Bráhmén*, who
 ' acts by the preceding rules, to the higheft
 ' manfion:

89. ' But of all thofe, the houfekeeper, ob-
 ' ferving the regulations of the *Sruti* and *Smriti*,
 ' may be called the chief ; fince he fupports the
 ' three *other orders*.

90. ' As all rivers, female and male, run to
 ' their determined place in the fea, thus men of
 ' all *other* orders repair to their fixed place in
 ' the manfion of the houfekeeper.

91. ' By *Brahmens*, placed in thefe four or-

' ders, a tenfold fyftem of duties muft eaer be
' fedulowfly practifed:

92. ' Content, returning good for evil, te-
1 fiftance to fenfual appetites, abftinence from
' illicit gain, purification, coercion of the organs,
' knowledge of fcripture, knowledge of the fu-
' preme fpirit, veracity, and freedom from wrath,
' form their tenfold fyftem of duties. '

93. ' Such *Brahmens*, as attentively read the
' ten precepts of duty, and after reading, eare-
' fully practife them, attain the mod exalted
' condition.

9'. ' A *Brahmen*, having practifed, with or-
' gans under command, this tenfold fyftem of
' duty, having heard the *Upanijhads* explained,
' as the law direds, and who has difcharged his
' three debts, may become an anchorite, *in the*
' *boufe of his fon*, according to the *Veda*;

95. ' And, having abandoned all ceremonial
' ads, having expiated all his offences, having
' obtained a command over his organs, and hav-
' ing perfectly underftood the fcripture, he may
' live at his eafe, while the houfehold affairs are
' conducd by his fon.

96. ' When he thus has relinquifhed all forms,
' is intent on his own occupation, and free from
' every other defire, when, by devoting himfelf
' to God, he has effaced fin, he then attain the
' fupreme path of glory.

97. 'THIS fourfold regulation for the fa-
' cerddtal clais, has thus been made Known to
' you; a juft regulation, producing endlefs fruit
' after death : next ' learn the duty of kings. or
' the military clafs.'

CHAPTER THE SEVENTH.

*On Government, and publick Law; or on the
Military Clafs.*

I. ' I WILL fully declare the duty of kings; *and*
' *Jhozv* how a ruler of men ſhould conduct him-
' ſelf, in what manner he was framed, and how
' his ultimate reward *may be attained by him.*

1. ' By a man of the military clafs, who has
' received in due form the inveſtiture, which the
' *Véda* preſcribes, great care muſt be uſed to
' maintain the whole *aſſemblage of laws.*

3. ' Since, if the world had no king, it would
' quake on all ſides through fear, the ruler of this
' *univerſe*, therefore, created a king, for the main-
' tenance of this ſyſtem, both religious and civil,

' Forming him of eternal particles drawn
' from the ſubſtance of INDRA, PAVANA, YÁ-
' YÁ-MA, SU'RYA, of AGNI and VARUNA, of
' CHANDRA and CUVE'RA:

5. ' And ſince a king was compoſed of par-
' ticles drawn from thoſe chief guardian deities,
' he confequently ſurpaſſes all mortals in glory.

6. ' Like the fun, he burns eyes and-hearts;
' nor can any human creature on earth even gaze
' on him.

7. ' He *is* fire and air; he, both fun and moon;
' he, the god of criminal justice; he, the genius
' of wealth; he, the regent of waters; he, the
' lord of the firmament.

8. ' A king, even though a child, must not
' be treated lightly, from an idea that he is a
' mere mortal: no; he is a powerful divinity,
' who appears in a human shape.

9. ' Fire burns only one person, who carelessly
' goes too near it; but the fire of a king in wrath
' burns a whole family, with all their cattle and
' goods.

10. ' Fully considering the business before
' him, his own force, and the place, and the time,
' he assumes in succession all sorts of forms, for
' the sake of advancing justice.

11. ' He, sure, must be the perfect essence of
' majesty, by whose favour Abundance rises on
' her lotos, in whose valour dwells conquest; in
' whose anger, death.

12. ' He, who shows hatred of the king,
' through delusion of mind, will certainly perish;
' for speedily will the king apply his heart to
' that man's perdition.

13. ' L E T the king prepare a just compensa-
' tion for the good, and a just punishment for the

' bad the rule of ftrict juftice let him never tranfgrefs.,

14. ' For his ufe BRAHMA' formed in *the beginning of time* the genius of punifhmENT, with ' A body of pure ligHt,, his Own fog, even abftract ' criminal juftice, the protector of all created ' things:

15. ' Through fear of that genius all fentisnt ' brings, whether fixed or locomotive, are fitted ' *for* natural enjoyments and fwerve not from ' duty.

16. ' When the king, therefore, has folly cnp- ' fidered place and time, and his own ftrength, ' and the diving ordinance, let him juftly inflict ' punifhment on all thofe, who act unjuftly,

17, ' fyinijhment is an active ruler ; he is the ' true manager of publick affairs; he is the dif- ' penfer of laws; and wife men call him the ' fponfor of all the four orders for the difchsyrges ' of their feveral duties'

18. ' Punifhment governs all mankind; pu- ' nifhm[^]t alone preserves them; punifhment ' wakes, while their guards are afleep ; the wife ' confider punifhment as the perfection of juftice.

19. 'when rightly and confiderately inflicted ' it makes all the people happy; but, inflicted ' without full confideration, it; wholly deftroys ' ~~them all.~~

so, ' If the king were not without infolence,

' to punish the guilty, the stronger would roast
 ' the weaker, like fish, on a spit; (or, *according*
 ' *to one reading*, the stronger would oppress the
 ' weaker, like fish in their element;)

2 \. ' The crow would peck the consecrated
 ' offering of rice; the dog would lick the clarified
 ' butter; ownership would remain with none;
 ' the lowest would overstep the highest.

22. ' The whole race of men is kept in order
 ' by punishment; for a guiltless man is hard to
 ' be found: through fear of punishment, indeed,
 ' this universe is enabled to enjoy its blessings;

23. ' Deities and demons, heavenly songsters
 ' and cruel giants, birds and serpents, are made
 ' capable, by just correction, of their several en-
 ' joyments.

2'. ' All classes would become corrupt; all
 ' barriers would be destroyed, there would be
 ' total confusion among men, if punishment
 ' either were not inflicted, or were inflicted un-
 ' duly:

25. ' But where punishment, with a black
 ' hue and a red eye, advances to destroy sin,
 ' there, if the judge discern well, the people are
 ' undisturbed,

26. ' Holy sages consider as a fit dispenser of
 ' criminal justice, that king, who invariably
 ' speaks truth, who duly considers all cases,
 ' who understands the sacred books, who knows
 ' the distinctions of virtue, pleasure, and riches;

27. ' Such a king, if he juftly inflict legal pti-
 ' nifhments, greatly increafes thofe three means
 ' of happinefs; but punifhment itfelf fhall de-
 ' froy a king, who is crafty, voluptuous, and
 ' wrathful:

28. ' Criminal juftice, the bright effence of
 ' majefty, and hard to be fupported by men with
 ' unimproved minds, eradicates a king, who
 ' fwerves from his duty, together with all his
 ' race;

29. ' Punifhment fhall overtake his caftles,
 ' his territories, his peopled land with all fixed
 ' and all moveable things, that exift on it: even
 ' the gods and the fages, *who lafe their oblations*,
 ' will be afflicted and afcend to the fky.

30. ' Juft punifhment cannot be inflicted by
 ' an ignorant and covetous king, who has no
 ' wife and virtuous afliftant, whofe underftand-
 ' ing has not been improved, and whofe heart is
 ' addicted to fenfuality;

31. ' By a king, wholly pure, faithful to his
 ' promife, obfervant of the fcriptures, with good
 ' afliftants and found underftanding, may pu-
 ' nifhment be juftly inflicted.

32. ' Let him in his own domains act with
 ' juftice, chaftife foreign foes with rigour, be-
 ' have without duplicity to his affectionate
 ' friends, and with lenity to *Brahmens*.

33. ' Of a king thus difpofed, even though
 ' he fubfift by gleanings, *or be his treafure ever*.

'fo finally the fame is far fpread in the world,
' like a drop of oil in water;

34. ' But of a king with a contrary difpofition, with paffions unfubdued, *be his riches ever*
' fo great, the fame is contracted in the world,
' like clarified butter in the fame element.

35. ' A king was created as the protetor of
' all thofe claffes and orders, who, from the firft
' to the laft, difcharge their feveral duties;

36. ' And all, that muft be done by him, for
' the protection of his people, with the affiftance
' of good minifters, I will declare to you, as the
' law direfts, in due order.

37. ' L E T the king, having rifen at early
' dawn, refpectfully attend to *Brahmens*, learned
' in the three *Védas*, and in the fcience of ethicks;
' and by their decifion let him abide.

38. ' Conftantly muft he fhew refpect: to
' *Brahmens*, who have grown old, *both in years*
' *and in piety*, who know the fcriptures, who *in*
' *body and mind* are pure; for he, who honours
' the aged, will perpetually be honoured even by
' cruel demons:

39. ' From them, though he may have ac-
' quired modeft behaviour *by his own good fenfe*
' *and by ftudy*, let him continually learn habits
' of modefty and compofure; fince a king, whose
' demeanour is humble and compofed, never
' perifhes.

40. ' While, through want of such humble
' virtue, many kings have perished with all
' their possessions, and, through virtue united
' with modesty, even hermits have obtained
' kingdoms.

41. • ' Through want of that virtuous humi-
' lity VE'NA was utterly ruined, and so was the
' great king NAHUSHA, and SUDA'SA, and YA-
' VANA (or, by a different readings and SUDA'SA,
' the son of PIYAVANA), and SUMAC'HA, and
' NIMI;

' 2. ' But, by virtues with humble behaviour,
' PRĪT'HU and MENU acquired sovereignty;
' CUVE'RA, wealth inexhaustible; and Vis-
' WA'MITRA, son of GADHI, the rank of a priest,
' *though born in the military class.*

' 3. ' From those, who know the three Védas,
' let him learn the triple doctrine comprised in
' them, together with the primeval science of
' criminal justice and sound policy, the system of
' logic and metaphysics, and sublime theological
' truth; from the people he must learn the theory
' of agriculture, commerce, and other practical arts.

' 4. ' Day and night must he strenuously ex-
' ert himself to gain complete victory over his
' own organs; since that king alone, whose or-
' gam are completely subdued, can keep his peo-
' ple firm to their duty.

' 5. With extreme care let him shun eighteen

' vices, *ten proceeding from love of pleasure*
 ' eight springing from wrath, and all ending is
 ' *misery* ;

46. ' Since a king, addicted to vices arising
 ' from love of pleasure, must lose both his wealth
 ' and his virtue, and, addicted to vices arising
 ' from anger, he may lose even his life from the
 ' *publick refetment*.

47. ' Hunting, gaming, sleeping by day, cen-
 ' suring rivals, excess with women, intoxication,
 ' singing, instrumental musick, dancing, and use-
 ' less travel, are the tenfold fet of vices produced
 ' by love of pleasure:

48. ' Talebearing' violence, insidious wounds
 ' ing, envy, detraction, unjust seizure of pro-
 ' perty, reviling, and open assault, are in like
 ' manner the eightfold fet of vices, to which
 ' anger gives birth,

' 9. ' A selfish inclination, which all wise men
 ' know to be the root of those two fets, let him
 ' suppress with diligence: both fets of vices are
 ' constantly produced by it.,

50. ' Drinking, dice, women, and hunting,
 ' let him consider as the four most pernicious in
 ' *the fet, which love of pleasure occasions*:

51. ' Battery, defamation, and injury to pro-
 ' perty, let him always consider as the three most
 ' heinous in the fet, which arises from wrath;

52. ' *And* in this fevenfold aflemblage of vices,
 ' too frequently prevailing in all kingdoms, let
 ' an enlightened prince confider the firft, and
 ' fo forth in order, as the raoft abominable in
 ' each fet.

53. ' On a comparifon between death and
 ' vice, the learned pronounce vice the more
 ' dreadful; fince, after death, a vicious man finks
 ' to regions lower and lower, while a man, free
 ' from vice, reaches heaven.

54. ' The king muft appoint feven or eight
 ' minifters, who muft be fworn *by touching afa-*
 ' *cred image and the like*; men, whofe anceftors
 ' were fervants of kings; who are verfed in the
 ' holy books; who are perfonally brave; who
 ' are fkilled in the ufe of weapons; and whofe
 ' lineage is noble.

55. ' Even an ad eafy in itfelf is hard fome-
 ' times to be performed by a fingle man, efpeci-
 ' ally if he have no affiftant near: how much
 ' harder *muft it be to perform alone the biifnefs* of
 ' a kingdom with great revenues!

56. ' Let him perpetually confult with thofe
 ' minifters on peace and war, on his forces, on
 ' his revenues, on the protection of his people,
 ' and on the means of bellowing aptly the
 ' wealth, which he has aquired :

57. ' Having afcertain'd the feveral opinions

' of his counfellors, *firft* apart and *then* collec-
 ' tively, let him do what is moft beneficial for
 ' him in publick affairs.

58. ' To one learned *Brahmen*, diftinguifhed
 ' among them all, let the king impart his mo-
 ' mentous counfel, relating to fix *principal* ar-
 ' tides.

59. ' To him, with full confidence, let him
 ' intruft all tranfadtions; and with him, having
 ' taken his final refolution, let him begin all his
 ' meafures.

60. ' He muft likewife appoint other officers;
 ' men of integrity, well informed, fteady, habi-
 ' tuated to gain wealth by honourable means, and
 ' tried by experience.

61. ' As many officers as the due performance
 ' of his bufinefs requires, not flothful men, *but*
 ' *adtive*, able, and well inftructed, fo many and
 ' no more, let him appoint.

62. ' Among thofe let him employ the brave,
 ' the fkilful, the well-born, andt he honeft, in his
 ' mines *of gold or gems*, and in other fimilar
 ' works *for amaffing wealth*; but the puffillani-
 ' mous, in the receffes of his palace.

63. ' Let him likewife appoint an ambaflador
 ' yerfed in all the *Saftras*, who underftands
 ' hints, external figns, and actions, *whofe band*
 ' *and heart are pure*, *whofe abilities* are great,
 ' and *whofe birth was illuftrious*:

64. 'That royal ambaffador is applauded
'moft, who is generally beloved, pure within
 ' and without, dextrous in bufinefs, and endued
 ' With an excellent memory; who knows coun-
 ' tries and times, is handfome, intrepid, and elo-
 ' quent.

65. ' The forces of the realm muft be imme-
 ' diately regulated by the commander in chief;
 ' the actual infliction of punifhment, by the offi-
 ' cer of criminal juftice; the treafury and the
 ' country, by the king himfelf; peace and War,
 ' by the ambaffador;

66. ' For it is the ambaffador alone, who
 ' unites, who alone disjoins the united; that is,
 ' he tranfacts the bufinefs, by Which kingdoms
 ' are at Variance or in amity.

67. ' In the tranfaction of affairs let the am-
 ' baffador comprehend the vifible figns and hints,
 ' and difcover the ads, of the foreign king, by
 ' the figns, hints, and acts of his confidential fer-
 ' vants, and the meafures, which that king wifhes
 ' to take, *by the character and conduct of his mi-*
 ' nifters.

68. ' Thus, having learned completely from his
 ' ambaffador *all the defigns of the foreign prince,*
 ' let the king fo apply his vigilant care, that he
 ' bring no evil on himfelf.

69. ' LET him fix his abode in a diftrict con-
 ' taining open champaigns; abounding with

grain; inhabited chiefly by the virtuous; hot infected with maladies; beautiful to the fight; forrounded by fubmiffive mountaineers, forefters, or other neighbours; a country, in which the fubjects may live at eafe.

70. ' There let him refide in a capital' having, by way of a fortrefs, a defert rather more *than twenty miles round it*, or a fortrefs of earth, a fortrefs of water, or of frees, a fortrefs of armed men, or a fortrefs of mountains'

71. ' With all poffible Gare let him fecure a fortrefs of mountains; for, among thofe juft mentioned, a fortrefs of mountains has many tranfeendent properties.

72. ' In the three fitft of them live wild beafts, vermin, and aquatick animals; in the three laft, apes, men, and gods, in order as they ate named:

73. ' As enemies hurt then' not in the fhelter of their feveral abodes, thus foes hurt not a king, who has taken refuge in his *durga*, or *place of difficult accefs*.

74. ' One bowman, placed *on* a wall, is a match in war for a hundred enemies; and a hundred, for ten thoufand; therefore is a fort recommended'

75. ' Let that fort be fupplied with weapons, with money, with grain, with beafts, with

Brahmens, with artificers, with engines, with
grafs, and with water'

76. ' In the centre of it let him raife his own
palace, well finifhed in all its parts, com-
pletely defended, habitable in every feafon,
brilliant with white *ftucco*, furrounded with
water and trees:

77. ' Having prepared it for his manfion, let
him chufe a confort of the fame clafs with him-
felf, endued with all the bodily marks of excel-
lence, born of an exalted race, captivating his
heart, adorned with beauty and the beft qua-
lities.

78. ' HE muft appoint alfo a domeftick prieft,
and retain a performer of facrifices, who may
folemnize the religious rites of his family, and
tholẽ performed with three facred fires.

79. ' Let the Jring make facrifices, accompa-
nied with gifts of many different kinds; and,
for the full difcharge of his duty, let him give
the *Brahmens* both legal enjoyments and mo-
derate wealth.

80. ' His annual revenue he may receive
from his whole dominion through his collec-
tors; but let him in this world obferve the di-
vine ordinances; let him adt as a father to his
people.

81. ' Here and there he muft appoint many

forts of intelligent supervisors, who may inspect all the acts of the officers engaged in his business.

82. ' To *Brāhmins* returned from the mansions of their preceptors, let him show due respect; for that is called a precious unperishable gem, deposited by kings with the sacerdotal class: §

83. ' It is a gem, which neither thieves or foes take away; which never perishes: kings must, therefore, deposit with *Brāhmins* that indestructible jewel of respectfulness.

84. ' An oblation in the mouth, or hand, of a *Brāhmin*, is far better than offerings to holy fire: it never drops; it never dries; it is never consumed.

85. ' A gift to one not a *Brāhmin* produces fruit of a middle standard; to one, who calls himself a *Brāhmin*, double; to a well read *Brāhmin*, a hundred thousand fold; to one, who has read all the *Vedas*, infinite.

86. ' Of a gift, made with faith in the *Sdfira*,¹ to a person highly desiring it, the giver shall indubitably gain the fruit after death, be the present small or great.

87. ' A KING, while he protects his people, being defied by an enemy of equal, greater, or less force, must by no means turn his face from

¹ battle, but muſt remember the duty of; his mili-
' tary claſs:

88. ' Never to recede from combat, to pro-
' tect the people, and to honour the prieſts, is,
' the higheſt duty of kings, and infurect their fe-
' licity.

i 89. ' Thoſe rulers of the earth, w^ho, deſirous
' of defeating each other, exert their utmoſt
length in battle, without ever averting their
' faces, aſcend after death direſtly to heaven.

90. ' L E T no man, engaged in combat, ſmite
' his foe with ſliarp weapons concealed *in wood*,
' nor with arrows miſchievouſly barbed, nor with
' poiſoned arrows, nor with darts blazing with fire;

91. ' Nor let him *in a car or on horſeback*,
' ſtrike his enemy alighted on the ground; nor
' an effeminate man; nor one, who ſues for life
' with cloſed palms; nor one, whoſe hair is looſe
' *and obſcured* *his fight*; nor one, who fits down
' *fatigued*; nor one, who ſays, " I am thy cap-
' tive;"

92. ' Nor one, who fleeps; nor one, who has
' loſt his coat of mail; nor one, who is naked}
' nor one, who is diarmed; nor one, who is a
' ſpectator, but not a combatant; nor one, who
' is fighting with another man:

93. ' Calling to mind the duty of honourable
' men, let him never ſlay one, who has broken

' his weapon; nor one, who is *afflicted .with.pri-*
 ' *Vateforroiv*, nor one, who has been grievously
 ' wounded; nor one, who is terrified; nor one,
 ' Who turns his back.

9'. ' The foldier, indeed, who, fearing and
 ' turning his back, happens to be slain by his
 ' foes in an engagement, shall take upon himself
 ' all the sin of his commander, whatever it be.

95. ' And the commander shall take to him[^]
 ' self *the fruit of* all the good conduct, which the
 ' foldier, who turns his back and is killed, had
 ' previously stored up for a future life.

96. ' GARS, horses, elephants, umbrellas, ha-
 ' biliments, *except the jewels which may adorn*
 ' *them*, grain, cattle, women, all sorts of li-
 ' quids and metals, except gold and silver, are
 ' the lawful prizes of the man who takes them
 ' in war;

97. ' But of those prizes the captors must lay
 ' the most valuable before the king: such is
 ' the rule in the *Véda* concerning them; and
 ' the king should distribute among the whole
 ' army what has not been separately taken.

98. ' Thus has been declared the blameless
 ' primeval law for military men: from this law
 ' a king must never depart, when he attacks his
 ' foes in battle.

99. ' What he has not gained/row *his foe*, let
 ' him strive to gain; what he has acquired, let

' him preserve with care; what he preserve, let
 ' him augment; and what he has augmented, let
 ' him bestow on the deferring.

100' This is the fourfold rule, which he
 ' must consider as the sure means of attaining,
 ' the great object of man, *happiness*; and let him
 ' practice it fully without intermission, without
 ' indolence:

101' What he has not gained, let him strive
 ' to gain by military strength; what he has ac-
 ' quired, let him preserve by careful inspection;
 ' what he has preserved, let him augment by
 ' legal modes of increase; and what he has aug-
 ' mented, let him dispense with just liberality.

102. Let his troops be constantly exercised ;
 ' his prowess; constantly displayed; what he
 ' ought to secure, constantly secured; and the
 ' weakness of his foe, constantly investigated.,,

103. By a king, whose forces are always
 ' ready for action, the whole world may be kept
 ' in awe ; let him then, by a force always ready,
 ' make all creatures living his own.

104. Let him act on all occasions without
 ' guile, and never with insincerity; but, keeping
 ' himself ever on his guard, let him discover the
 ' fraud intended by his foe.

105. Let not his enemy discern his vulner-
 ' able part, but the vulnerable part of his enemy.
 ' let him well discern: like a tortoise, let him,

draw in his members under *the hell* of oricealment, and diligently let him repair any breach, that may be made in it.

106. ' Like a heron, let him muse on gaining advantages; like a lion, let him put forth his strength; like a wolf, let him creep towards his prey; like a hare, let him double to secure his retreat.

107. ' When he thus has prepared himself for conquest, let him reduce all opposers to submission by negotiation and three other expedients, *namely, presents, division, and force of arms:*

108. ' If they cannot be refrained by the three first methods, then let him, firmly but gradually, bring them to subjection by military force.

109. ' Among those four modes of obtaining success, the wise prefer negotiation and war for the exaltation of kingdoms.

no. ' As a husbandman plucks up weeds and preserves his corn, thus let a king destroy his opponents and secure his people.

III. ' That king, who, through weakness of intellect, rashly oppresses his people, will, together with his family, be deprived both of kingdom and life :

112. ' As, by the loss of bodily sufferance, the lives of animated beings are destroyed, thus, by the distress of kingdoms, are destroyed even the lives of kings.

113. ' FOR the fake of protecting his domi-
 ' nions, let the king perpetually obferve the fol-
 ' lowing rules; for, by proteécting his dominions,
 ' he will increafe his own happinefs.

114. ' Let him place, as the protectors of
 ' his realm, a company of guards, commanded
 ' by an approved officer, over two, tjiree, five,
 ' or a hundred diftrids, *according to their extent.*

115. ' Let him appoint a lord of one town
 ' with its diftrict, a lord of ten towns., a lord of
 ' twenty, a lord of a hundred, and a lord of a
 ' thoufand.

116. ' Let the lord of one town certify of his
 ' own accord to the lord of ten towns any *robberies,*
 ' *tumults, or other evils, which arife in his dit-*
 ' *trie!;, and which he cannot fupprefs;* and the
 1 lord of ten, to the lord of twenty:

117. ' Then let the lord of twenty towns no-
 ' tify them to the lord of a hundred; and let the
 ' lord of a hundred tranfmit the information
 ' himfelf to the lord of a thoufand townfhips'

118. ' Such food, drink, wood, and other ar-
 ' tides, as by law fhould be given each day to
 ' the king by the inhabitants of the townfhip,
 ' let the lord of one town receive *as bis per-*
 1 *quijite:*

119. ' Let the lord of ten towns enjoy the
 ' produce of two ploughlands, *or as much ground*
 ' *as can be tilled with two ploughs, each drawn by*
 ' *fix bulls*; the lord of twenty, that of five ploughs

' lands; the lord of a hundred, that of a [^]fillage
' or fmall town ; the lord of a thoufand, that of
' a large town.

120. ' The affairs of thofe *townjh*ips, either
' jointly or feparately tranfacted, let another mi-
' nifter of the king infped; who fhould be well
affected, and by no means remifs.

121. ' In every large town or city, let him
' appoint one fuperintendent of all affairs, ele-
' vated in rank, formidable in power, diftin-
' guifhed as a planet among ftars:

j22. ' Let that governor from time to time
' furvey all the reft in perfon, and, by means of
' his emiffaries, let him perfectly know their con-
' duct in their feveral diftricts.

123. ' Since the fervants of the king, whom
' he has appointed guardians of diftricts, are ge-
' nerally knaves, who feize what belongs to other
' men, from fuch knaves let him defend his
' people:

12'. ' Of fuch evilminded fervants, as wring
' wealth from fubjects attending them on bufi-
' nefs, let the king confifcate all the poffeffions,
' and banifh them from his realm,

125. ' FOR women, employed in the fervice
' of the king, and for his whole fet of menial
' « fervants, let him daily provide a maintenance,
' in proportion to their ftation and to their
' work:

106. 'One *pana* of copper muftbegiveft *each*
 ' day as wages to the loweft fervant, with two
 ' cloths for apparel every half year, and a *dróna*
 ' of jjjrain every month; to the higheft *mujl* be
¹ given wages in the ratio of fix to one.

127. ' Having afcertained the rates of pur-
 ' chafe and fale, *the length* of the way, the ex-
 ' pences of food and of condiments, the charges
 ' of fecuring the goods carried, and the neat pro-
 ' fits of trade, let the king oblige traders to pay
 ' taxes on their faleable commodities:

128. ' After full confideration, let a king fo
 ' levy thofe taxes continually in his dominions-,
 ' that both he and the merchant may receive a
 ' juft compenfation for their feveral acts.

129. ' As the leech, the fuckling calf, and
 ' the bee, take their natural food by little and
 ' little, thus muft a king draw from his domi-
 ' nions an annual revenue.

130. ' Of cattle, of gems, of gold and filver,
 ' added each year to the capital flock, z. fiftieth
 ' part may be taken by the king; of grain, an
 ' eighth part, a fixth, or a twelfth, according to
 ' the difference of the foil, and the labour neceffary
¹ to cultivate it.

131. ' He may alfo take a fixth part of the
 ' clear annual increafe of trees, flefhmeat, honey,
 ' clarified butter, perfumes, medical fubftances,
 ' liquids, flowers, roots, and fruit,

132. ' Of gathered leaves, pothefis, grafi
' utenfils ma'e with leather or cane, earthen pots,
' and all things made of ftone.

133' ' A king, even though dying *wiih want*,
' muft not receive any tax from a *Bráhmén*
' learned in thq *Védas*, nor fuffer fuch a *Bráhmén*,
' refiding in his territories, to be afflicted witfy
' hunger:

13'. ' Of that king, in whofe dominion a
f learned *Bráhmén* is afflicted with hunger, the
' whole kingdom will in a fhort tiine be afflicted
' with famine.

135. ' The king, having afcertained his know-r
' ledge of fcripture and good morals, muft allot
' him a fuitable maintenance, and protect him
' on all fides, as a father protects his own fon:

136. ' By that religious duty, which fuch a
' *Brahmen* performs each day, under the full pro-
' tedtion of the fovereign, the life, wealth, and
' dominions of his protetor ihall be greatly in-
' creafed.

137. ' Let the king order a mere trifle to be,
' paid, in the name of the annual tax, by the
' meaner inhabitants of his realm, who fubfift
' by petty traffick:

138. ' By low handicraftfmen, artificers, and
' fervile men, who fupport themfelves by labour'
' the king may caufe work to be done fpr a day
in each month.

139.' 'Let him not cut up his own **root** by
 ' *taking no revenue*, nor the root of other men by
 ' excess of covetousness; for, by cutting up his
 ' own root *and theirs*, he makes both himself and
 ' them wretched.

140. ' Let him, considering the *diversity of*
 ' cases, be *occasionally* sharp and *occasionally* Mild,
 ' since a king, duly sharp and mild, becomes
 ' universally approved.

1'1. ' When tired of overlooking the affairs
 ' of men, let him assign the station *officer* an in-
 ' *pector* to a principal minister, who well knows
 ' his duty, who is eminently learned, whose pas-
 ' sions are subdued, and whose birth is exalted.

1'2. ' Thus must he protect his people, dis-
 ' charging, with great exertion and without lan-
 ' guor, all those duties, which the law requires,
 ' him to perform.

1'3. ' That monarch, whose subjects are car-
 ' ried from his kingdom by ruffians, while they
 ' call aloud for protection, and he barely looks on
 ' them with his ministers, is a dead, and not a
 ' living, king.

144. ' The highest duty of a military man is
 ' the defence of his people, and the king, who
 ' receives the consideration just mentioned, is
 ' bound to discharge that duty.

1'5. ' HAVING risen in the last watch of the
 ' night, his body being pure, and his mind atten-

' tive, having made oblations to lire, and frown
 ' due refpect to the priests, let him enter his hall
 ' decently fplendid:

146. ' Standing there, let him gratify his fub'
 ' jects, before he difmifs them, *with kind looks*
 ' *and words*) and, having difmiffed them all, let
 ' him take fecret council with his principal mi-
 ' nifters:

1'7. ' Afcending up the back of a mountain,
 ' or going privately to a terrace, a bower, a fo-
 ' reft, or a lonely place, without lifteners, let him
 ' confult with them unobferved.

148. ' That prince, of whofe weighty fecrets
 ' all afsemblies of men are ignorant, mail attain
 ' dominion over the whole earth, though *at firjt*
 ' he poffeffs no treafure.

1'9. ' At the time of confultation, let him
 ' remove the ftupid, the dumb, the blind, and the
 ' deaf, talking birds, decrepit old men, women,
 ' and infidels, the difeafed and the maimed;

150. ' Since thofe, who are difgraced *in this*
 ' *life by reafon of fins formerly committed*, are apt
 ' to betray fecret council; fo are talking birds;
 ' and fo above all are women: them he mult, for
 ' that reafon, diligently remove.

151. ' At noon or at midnight, when his fa-
 ' tiges have ceafed, and his cares are difperfed,
 ' let him deliberate, with thfje minifters or alone,
 ' on virtue, lawful pleafure, and wealth;

152. ' On the means of reconciling the ac-
 ' quifition of them, when they oppofe each
 ' other; on bellowing his daughters in marriage;
 ' and on preferring his fons *from evil by the bejl*
 ' *education-*,

153. ' On fending ambafladors and meflèn-
 ' gers; on the probable events of his meafures';
 ' on the behaviour *of his women* in the private
 apartment; and on the acts even of his own
 ' emifTaries.

154. ' On the whole eightfold bufinefs of kings,
 ' relating to the revenue, to their expences, ta
 ' the good or bad conduct of their minifters, to
 ' legiflation in dubious cafes, to civil and crimi-
 ' nal juftice, and to expiations for crimes, let
 ' him reflect with the greateft attention; on hitf
 ' five forts of fpits, or active and artful youths,
 ' degraded anchorets, diftreffed hufbandmen, der-
 ' cayed merchants, and fictitious penitents,
 ' whom he muft pay and fee privately; on the
 ' good will or enmity of *his neighbours*, and on
 ' the ftate of the circumjacent countries.

155. ' On the conduct of that foreign prince;
 ' who has moderate ftrength *equal to one ordi-*
 ' *nary foe, hit no match for two*; on the defigns of
 ' him, who is willing *and able* to be a conqueror;
 ' on the condition of him, who is pacifick, *but'a*
 ' *match even for the former unallied*; and on that of
 ' his *natural* enemy, let him feduloufly meditate:'

156. ' *Thok four powers, who, in one word,*
' *are the root or principal firength, of the coun-*
' *tries round him, added to eight others, who are*
' *called the branches, and are as many degrees of*
' *allies and opponents varioujly dijlinguifhed, are*
' *declared to be twelve chief objects of the royal*
' *confederation;*

157. ' And five other heads, namely, their mi-
' nifters, their territories, their ftrong holds,
' their treafuries, and their armies, being applied
' to each of thofe twelve, there are in all, toge-
' ther with them, feventy-two foreign objects to
' be carefidly inveftigated,

158. ' Let the king confider as hoftile to him
' the power immediately beyond him, and the
' favourer of that power; as amicable, the power,
' next beyond his *natural* foe; and as neutral,
' the powers beyond that circle:

159. ' All thofe powers let him render fubfer-
' vient to his intereft by mild meafures and the
' other *three* expedients *before mentioned*, either
' feparate or united, but principally by valour and
' policy *in arms and negotiation*,

160. ' Let him conftantly deliberate on the
' fix meafures of a military prince, *namely*, wag-
' ing war, and making peace or alliance, march-
' ing to battle, and fitting encamped, diftribut-
' ing his forces, and feeking the protection of a
' more powerful monarch:

161. ' Having confidered the pofture of affairs, let him occasionally apply to it the measure of fitting inactive, or of marching to action, of peace, or of war, of dividing his force, or of seeking protection.

162. ' A king muft know, that there are two forts of alliance and war; two, of remaining encamped, and of marching; two, likewise, of dividing his army, and of obtaining protection from another power.

163. ' The two forts of alliance, attended with prefent and future advantages, are held to be thofe, when he acts in conjunction with his ally, and when he acts apart from him.

164. ' War is declared to be of two forts; when it is waged for an injury to himfelf, and when it is waged for an injury to his ally, with a view to harafs the enemy both in feafon and out of feafon.

165. ' Marching is of two forts, when destructive acts are done at his own pleafure by himfelf apart, or when his ally attends him.

166. ' The two forts of fitting encamped are, *firft*-, when he has been gradually weakened by the divine power, or by the operation of paffions, and, *fecondly*, when, to favour his ally, he remains in his camp.

167. ' A detachment commanded by the king in perfon, and a detachment commanded by a general officer, for the purpofe of carrying fome

' important point' are declared by those, who
 ' well know the fix measures, to be the two
 ' modes of dividing his army.

168. ' The two modes of seeking protection,
 ' that his powerful support may be proclaimed in
 ' all countries, are, *first* when he wishes to be
 ' secure from apprehended injury, and, *next*, when
 ' his enemies actually assail him.

169. ' When the king knows with certainty,
 ' that at some future time his force will be greatly
 ' augmented, and when, at the time present, he
 ' sustains little injury, let him then have recourse
 ' to peaceful measures;

170. ' But, when he sees all his subjects con-
 ' siderably firm in strength, and feels himself
 ' highly exalted in power, let him protect his do-
 ' minions by war.

171. ' When he perfectly knows his own
 ' troops to be cheerful and well supplied, and
 ' those of his enemy quite the reverse, let him
 ' eagerly march against his foes;

172. ' But, when he finds himself weak in
 ' beasts of burden and in troops, let him then sit
 ' quiet in camp, using great attention, and paci-
 ' fying his enemy by degrees.

173. ' When a king sees his foes stronger in
 ' all respects than himself, let him detach a part
 ' of his army, *to keep the enemy amused*, and se-
 ' cure his own safety *in an inaccessible place* ;

17'. ' But, when he is in all places aflailafrle'
 ' by the hoftile troops, let hirfffpeedily feek the
 ' protection of a juft and powerful monarch.

175. ' Him, who can keep in fubjection both
 ' his own fubjects and his foes, let him conftantly
 ' footh by all forts of attentive refpect, as he
 ' would honour his father, natural or fpiritual:

176. ' But if, even in that fituation, he find
 ' fuch protection a caufe of evil, let him alone,
 ' though[^]veak, wage vigorous war without fear'

177. ' By all thefe expedient let a politick
 ' prince aft'with fuch wifdom, that neither allies'
 ' neutral powers, nor foes, may gain over him
 ' any great advantage.

178. ' Perfectly let him confider the ftate of
 ' his kingdom both actually prefent and proba-
 ' bly future, with the good arid bad parts of all his
 ' aSions:

179. ' That king fhall never be overcome by
 ' his enemies, who forefees the good and evil to
 ' enfue from his meafures; who, on prefent oc-
 ' cafions, takes his refolution with prudent fpeed,
 ' and who weighs the various events of his paff
 ' conduit.

180. ' Let himfo arrange all his affairs, that no
 ' ally, neutral prince, or enemy, may obtain any
 ' advantage over him: this, in few words, is the
 ' fum of political wifdom.

181 ' WHEN the king begins his march

‘ againſt the domains his foe, let him gradually
 ‘ advance, in the following manner, againſt the
 ‘ hoſtile metropolis.

182. ‘ Let him ſet out on his expedition in the
 ‘ fine month of *Mdrgasirfha*, or about the month
 ‘ of *Pbdlguna* and *Cbaitra*, according to the
 ‘ number of his forces, that he may find autum-
 ‘ nal or vernal crops in the country invaded by
 ‘ him:

183. ‘ Even in other ſeaſons, when he Miſ a
 ‘ clear proſpect: of victory, and when any diſaſter
 ‘ has befallen his foe, let him advance with the
 ‘ greater part of his army.

184. ‘ Having made a due arrangement of
 ‘ affairs in his own dominions, and a diſpoſition
 ‘ fit for his enterpriſe, having provided all things
 ‘ neceſſary for his continuance in the foreign
 ‘ realm, and having ſeen all his ſpies diſpatched
 ‘ with propriety,

185. ‘ Having ſecured the three fort of ways,
 ‘ over water, on plains, and through foreſts, and
 ‘ placed his fixfold army, *elephants, cavalry,, cars,*
 ‘ *infantry, officers, and attendants*, in complete
 ‘ military form, let him proceed by fit journies
 ‘ toward the metropolis of his enemy.

186. ‘ Let him be much on his guard againſt
 ‘ every ſecret friend in the ſervice of the hoſtile
 ‘ prince; and againſt emiſſaries, who go and re-

' turn; for in such **frieds** he may find very
' dangerous foes.

187. ' On his march let him form his troops,
' either like a staff, *or in an even column*; like a
' wain, *or in a wedge with the apex foremost*; like
' a boar, *or in a rhomb with the van and rear*
' *narrow and the centre broad*; like a Macara or
' *feamonsfer*, that is, *in a double triangle with*
' *apices joined*; like a needle, *or in a long line*; or
' like the bird of VISHNU, *that is, in a rhomboid*
' *with the wings far extended*:

188. ' From whatever side he apprehends
' danger, to that side let him extend his troops;
' and let him always conceal himself in the midst
' of a squadron formed like a lotos flower.

189. ' Let him cause his generals and the
' chief commander *under himself* to act in all
' quarters; and from whatever side he perceives
' a design of attacking him, to that side let him
' turn his front.

190. ' On all sides let him station troops of
' foldiers, in whom he confides, distinguished by
' known *colours and other* marks; who are ex-
' cellent both in sustaining a charge and in
' charging, who are fearless and incapable of de-
' fection.

191. ' Let him at his pleasure order a few
' men to engage in a close phalanx, or a large

' number of warriors *iqjfeofe* ranks? and) having
 ' formed them in *a long line like* a needle, of in
 ' *three divifions like* a thunderbolt, let him give
 ' orders for battle.

192. ' On a plain, let him fight with his
 ' armed cars and horfes; on watery places, with
 ' manned boats and elephants; on ground full
 ' of trees and fhrubs, with bows; on cleared
 ' ground, with fwords and targets, and other
 ' weapons.

193. ' Men born in *Carucjhétra*, near *Indra-*
 ' *prejl'ba*, in *Matjya*, or *Viráta*, in *Pancbdla* or
 ' *Cdnyacubja*, and in *Surafena*, in the diftrict of
 ' *Mat'burd*, let him caufe to engage in the van;
 ' and men, *born in other countries*, who are tall
 ' and light.'

19'. ' Let him, when he has formed his
 ' troops in array, encourage them *with jbort ani-*
 ' *mated fpeeches*; and then, let him try them
 ' completely: let him know likewife, how his
 ' men feverally exert themfelves, while they
 ' charge the foe.

195. ' If he block up his enemy, let him fit
 ' encamped, and lay wafte the hoftile country;
 ' let him continually fpoil the grafs, water, and
 ' wood of the adverfe prince.

196. ' Pools, wells, and trenches let him de-
 ' ftroy: let him harafs the foe by day, and alarm
 ' him by night.

197. ' Let him fecr bring over to his party
 ' all fuch *leaders* as he can fafely bring ovfer;
 ' let him be informed of all, that his enemies
 ' are doing; and, when a fortunate moment is
 ' offered by heaven, let him give battle, puffing
 ' on to conquett and abandoning fear:

198. ' Yet he fliould be more fedulous to re-
 ' duce his enemy by negotiation, by well applied
 ' gifts, and by creating divifions, ufing either all
 ' St fome of thofe methods, than by hazarding at
 ' any time a decifive action,

199. ' Since victory or defeat are not furely
 ' forefeen on either fide, when two armies en-
 ' gage in the field: let the king then, *if other ex-*
 ' *pedients prevail*, avoid a pitched battle;

200. ' But fhould there be no means of ap-
 ' plying the three *beforementioned* expedients, let
 ' him, after due preparation, fight fo valiantly,
 ' that his enemy may be totally routed.

201. ' HAVING conquered a country, let him
 ' refpect the deities adored in it, and their virtu-
 ' ous priefts; let him alfo diftribute largeffes Ar-
 ' *the people*, and caufe a full exemption from ter-
 ' rour to be loudly proclaimed.

202. ' When he has perfectly afcertained
 ' the conduft and intentions of all the van-
 ' quiflied, let him fix in that country a prince
 ' of the royal race, and give him prccife in-
 ' ftructions.

203. ' Let him establish the laws of the conquered nation as declared *in their books*; and let him gratify the new prince with gems and other precious gifts.

204. ' The seizure of defirable property, though it cause hatred, and the donation of it, though it cause love, may be laudable or blameable on different occasions:

205. ' All this conduct of human affairs is considered as dependent on acts ascribed to the deity, and on acts ascribed to men; now the operations of the deity cannot be known by any intensifications of thought, but those of men may be clearly discovered.

206. ' OR the victor, considering an ally, territory, and wealth as the triple fruit of conquest, may form an alliance with the vanquished prince, and proceed in union with him, using diligent circumspection.

207. ' He should pay due attention to the prince, who supported his cause, and to any other prince in the circumjacent region, who checked that supporter, so that, both from a well-wisher and from an opponent, he may secure the fruit of his expedition.

208. ' By gaining wealth and territory a king acquires not so great an increase of strength, as by obtaining a firm ally,

' who, though weak, may hereafter be powerful.

209. ^f That ally, though feeble, is highly estimable, who knows the whole extent of his duties, who gratefully remembers benefits, whose people are satisfied, or *who has a gentle nature*, who loves his friend, and perseveres in his good resolutions.

210. ' Him have the fates declared an enemy hard to be subdued, who is eminently learned, of a noble race, personally brave, dextrous in management, liberal, grateful, and firm.

211. ' Goodnature, knowledge of mankind, valour, benignity of heart, and incessant liberality, are the assemblage of virtues, which adorn a neutral prince, *whose amity must be courted*.

212. ' Even a fabulous and fertile country, where cattle continually increase, let a king abandon without hesitation for the sake of preserving himself:

213. ' Against misfortune, let him preserve his wealth; at the [expense of his wealth, let him preserve his wife; but let him at all events preserve himself even at the hazard of his wife and his riches.

214. ' A wife [prince, who finds every sort of calamity rushing violently upon him, should

‘ have recourse to all juft expedients, united or
 ‘ feparate:

.215. ‘ Let him confider the bufinefs to be
 ‘ expedited, the expedients collectvely, and
 ‘ himfelf who muft apply them; and, taking re-
 ‘ fuge completely in thofe three, let him ftrenu-
 ‘ oufly labour for his own profperity.

216. ‘ HAVING confulted with his mi-
 ‘ nifters, in the manner before prefcribed, on
 ‘ all this *mafs of publick affairs*; having ufed ex-
 ‘ ercife *becoming a warriour*, and having bathed
 ‘ *after it*, let the king enter at noon his pri-
 ‘ vate apartments for the purpofe of taking
 ‘ food,

217. ‘ There let him eat lawful aliment, pre-
 ‘ pared by fervants attached to his perfon, who
 ‘ know the difference of times and are incapable
 ‘ of perfidy, after it has been proved innocent *by*
 ‘ *certain experiments*, and hallowed by texts of
 ‘ the *Vêda* repulfive of poifon.

218. ‘ Together with all his food let him
 ‘ fwallow fuch medical fubftances as refill
 ‘ venom; and let him constantly wear with
 ‘ attention fuch gems, as are known to repel
 ‘ it.

219. ‘ Let his females, well tried and atten-
 ‘ tiye, their drefs and ornaments having been
 ‘ examined, *leff fome weapon fhould be concealed*

' in them, do him humble service with fans, water, and perfumes:

220. ' Thus let him take diligent care, when he goes out in a carriage or on horseback, when He lies down to rest, when he sits, when he takes food, when he bathes, anoints his body with odorous essences, and puts off all his habiliments.

221. ' After eating, let him divert himself with his women in the recesses of his palace; and, having idled a reasonable time, let him again think of publick affairs :

222. ' When he has dressed himself completely, let him once more review his armed men, with all their elephants, horses, and cars, their accoutrements, and weapons.

223. ' At sunset, having performed his religious duty, let him privately, but well armed in his interior apartment, hear what has been done by his reporters and emissaries:

224. ' Then, having dismissed those informers, and returning to another secret chamber, let him go, attended by women, to the inmost recesses of his mansion for the sake of his evening meal;

225. ' There, having a second time eaten a little, and having been recreated with musical strains, let him take rest early, and rise refreshed from his labour'

226. ' THIS perfect fyftem of rules let a king, free from illnefs, obferve; but, when really afflicted with difeafe, he may intruft all thefe affairs to his officers.'

CHAPTER THE EIGHTH.

On Judicature; and on Law, Private and Criminal.

1. ' A KING, desirous of inspecting judicial proceedings, must enter his court of justice, composed and fedate in his demeanour, together with *Bráhmens* and counfellors, who know how to give him advice:

2. ' There, either fitting or {landing, holding forth his right arm, without ostentation in his drefs and ornaments, let him examine the affairs of litigant parties.

3. ' Each day let him decide causes, one after another, under the eighteen *principal* titles of law, by arguments and rules drawn from local usages, and from written codes:

' ' Of those *titles*, the first is debt, on loans for consumption; *the Jecond*, deposits, and loans for use; *the third*, sale without ownership; *the fourth*, concerns among partners; *the 'fifth'* subtraction of what has been given ;

5. ' *The fixth*, nonpayment of wages or hire;

' *the feventh*, nonperformance of agreements; *the*
' *eighth*, refciffion of fale and purchafe; *the ninth*,
' difputes between matter and fervant;

6. ' *The tenth*, contefts on boundaries; *the*
' *eleventh and twelfth*, aflault and flander; *the*
' *thirteenth*, larceny; *the fourteenth*, robbery and
' other violence ; *theffteenth*, adultery;

7. ' *The Jixteenth*, altercation between man
' and wife, and their feveral duties ; *the feven-*
' *teenth*, the law of inheritance; *the eighteenth*,
' gaming with dice and with living creatures:
' thefe eighteen titles of law are fettled as the
' groundwork of all judicial procedure in this
' world.

8. ' Among men, who contend for the mod
' part on the titles juft mentioned, *and on a few*
' *mifcellaneous heads not comprifed under them*,
' let the king decide caufes juftly, obferving pri-
' meval law;

9. ' But, when he cannot infpeel: fuch affairs
' in perfon, let him appoint, for the infpedtion of
' them, a *Bráhmén* of eminent learning:

10. ' Let that chief judge, accompanied by
' three afleflors, fully confider all caufes brought
' before the king, and having entered the court-
' room, let him fit or ftand, *but not move back-*
' *wards and forwards*.

11. ' In whatever country three *Brábmens*,
' particularly fkilled in the three feveral *Vedas*,

' fit together with the very learned *Brahmen* appointed by the king, the wife call that *ajfembty*
' the court of BRAHMA' with four faces.

12. ' WHEN justice, having been wounded by
' iniquity, approaches the court, and the judges
' extract not the dart, they also shall be wounded
by it.

13. . Either the court must not be entered by
judges, parties, and witneffes, or law and truth
' must be openly declared: that man is criminal,
' who either says nothing, or says what is
' false or unjust.

14. ' Where justice is destroyed by iniquity,
' and truth by false evidence, the judges, who
' basely look on without giving redress, shall also
' be destroyed.

15. ' Justice, being destroyed, will destroy;
' being preserved, will preserve: it must never,
' therefore, be violated' " Beware, O judge, lest
" justice, being overturned, overturn both us
« and thyself

16. ' The divine form of justice 'is represented
' as *Vrlfha*, or a bull, and the gods consider him,
' who violates justice, as a *Vrifhala*, or one who
' flays a bull: let the king, therefore, and his
' judges beware of violating justice.

17. ' The only firm friend, who follows men
' even after death, is justice: all others are ex-
' tinct with the body.

18. ' Of injustice *indecifions*, on a quarter foils
 ' on the party in the caufe; one quarter, on his
 ' witneffes; one quarter, on all the judges; and
 ' one quarter on the king;

19. ' But where he, who deferves condemna-
 ' tion, (hall be condemned, the king is guiltlefs,
 ' and the judges free from blame: an evil deed
 ' fhall recoil on him, who committed it.

20. ' A *Bráhmén* fupported only by his clafe,
 ' and one barely reputed a *Bráhmén*, but without
 ' performing any facerdotal ads, may, at the
 ' king's pleafure, interpret the law to him: fo
 ' may the two middle daffes-, but a *Súdra*, in no
 ' cafe whatever.

21. ' Of that king, who ftupidly looks on,
 ' while a *Súdra* decides caufes, the kingdom it-
 ' felf fhall be embarraffed, like a cow in deep
 ' mire.

22. ' The whole territory, which is inhabited
 ' by a number of *Súdras*, overwhelmed with
 ' atheifts, and deprived of *Bráhméns*, muft
 ' fpeedily perifh afflicted with dearth and dif-
 ' eafe.

23. ' L E T the king or his judge, having feat-
 ' ed himfelf on the bench, his body properly
 ' clothed and his mind attentively fixed, begin
 ' with doing reverence to the deities, who guard
 ' the world; and then let him enter on the trial
 ' of caufes:

33' ON JUDICATURE 5 AND ON LAW,

2'. ' Underftanding what is expedient or in-
' Expedient, but confidering only what is law or
' not law, let him examine all difputes between
' parties, in the order of their feveral claffes.

25. ' By external figns let him fee through
' the thoughts of men ; by their voice, colour,
' countenance, limbs, eyes, and action:

• 26. ' From the limbs, the look, the motion of
' the body, the gefticulation, the fpeech, the
' changes of the eye and the face, are difco-
' vered the internal workings of the mind.

27. ' T H E property of a ftudent and of an
' infant, whether by defcent or otherwife, let the
' king hold in his cuftody, until the owner ftiall
' have ended his ftudentfhip, or until his infancy
' fhall have ceafed *in hisjixteenth year*:

28. ' Equal care muft be taken of barren wo-
' men, of women without fons, *whofe hujbands*
' *have married other wives*, of women without
' kindred, or whofe hufbands are in diftant
' places, of widows true to their lords, and of
' women afflicted with illnefs.

29. ' Such kinfmen, as, *by any pretence*, ap-
' propriate the fortunes of women during their
' lives, a juft king muft punifh with the feverky
' due to thieves.

30. ' Three years let the king detain the pro-
' perty of which no owner appears, *after a dif-*
' *tinct proclamation*: the owner, appearing within

' the three years, may take it; but, after that term, the king may confiscate it.

31. ' He, who says " This is mine," must be duly examined; and if, *before he inspect it*, he declare its form, number, and other circumstances, the owner must have his property;

32, ' But, if he show not at what place and time it was lost, and specify not its colour, shape, and dimensions, he ought to be amerced:

33. ' The king may take a sixth part of the property so detained by him, or a tenth, or a twelfth, remembering the duty of good kings.

34. ' Property lost by one man, and found by another, let the king secure, by committing it to the care of trustworthy men; and those whom he shall convict of stealing it, let him cause to be trampled on by an elephant.

35. ' From the man, who shall say with truth, " This property, which has been kept, belongs to me," the king may take a sixth or twelfth part, *if he having secured it*;

36. ' But he, who shall say so falsely, may be fined either an eighth part of his own property, or else in some small proportion to the value of the goods falsely claimed, a just calculation having been made.

37. ' A learned Brahmen, having found a treasure formerly hidden, may take it with-

out any deduction; fince he is the loft of
 • all;

38. ' But of a treafure anciently repofited un-
 ' der ground, which *any other fubjeSt* or the king
 ' has difcovered, the king may lay up half in
 ' his treafury, having given half to the *Brdb-*
 ' *mens*.

39. ' Of old hoards, and precious minerals
 ' in the earth, the king is entitled to half by
 ' reafon of his general protection, and becaufe he
 ' is the lord paramount of the foil.

' 0. ' To men of all claffes, the king mull re-
 ' ftore their property, which robbers have
 ' feized; fince a king, who takes it for himfelf,
 ' incurs the guilt of a robber.

' 1. ' A king, who knows the revealed law,
 ' muft enquire into the particular laws of claffes,
 ' the laws *or ufages* of diftricts, the cuftoms of
 ' traders, and the rules of certain families, and
 ' eftablifh their peculiar laws, *if they be not repug-*
 ' *nant to the law of GOD*;

' 2. ' Since all men, who mind their own cut
 ' tomary ways of proceeding, and are fixed in
 ' the difcharge of their feveral duties, become
 ' united by affection with the people at large,
 ' even though they dwell far afunder.

' 3. ' Neither the king himfelf nor his officers
 ' muft ever promote litigation; nor ever neglect
 ' a lawfuit intituted by others.

' ' ' ' As a hunter traces the lair of a wounded
' beaft by the drops of blood; thus let a king
' inveftigate the true point of juftice by delibe-
' rate arguments:

' 5. ' Let him fully confider the nature of
' truth, the ftate of the cafe, and his own perfon;
' and, next, the witneffes, the place' the mode,
' and the time; firmly adhering to all the rules
' of practice:

46. ' What has been practifed by good men
' and by virtuous *Brdbrenns*, if it be not incon-
' fiftent with the legal cuftoms of provinces ar
' diftricts, of clafles and families, let him 'fta-
' f blifh.

' 7. ' WHEN a creditor fues before him for
' the recovery of his right from a debtor, let him
' caufe the debtor to pay what the creditor fhall
' prove due.

' 8. ' By whatever lawful means a creditor
' may have gotten poffeffion of his pwp, pro-
' perty, let the king ratify fuch payment by the
' debtor, though obtained even by compulfory
' means:

49. ' By the mediation of friends, by fuit in
' court, by artful management, or by diftreis, a
' creditor may recover the property lent j ,and,
' fifthly, by legal force.

50. ' That creditpr, who recovers his right

' from his debtor, muſt not be' rebuked By the
' king for retaking his own property.

51. ' In a ſuit for a debt, which the defendant
' denies, let him award payment to the creditor
' of what, by good evidence, he ſhall prove due,
' and exact a ſmall fine, *according to the circum-*
' *ſtances of the debtor.*

52. ' On the denial of a debt, which the de-
' fendant has in' court been required to pay, the
' plaintiff muſt call a witneſs who was preſent at
' the place of the loan, or produce other evidence,
' *as a note and the like.*

53. ' The plaintiff, who calls a witneſs not
¹ preſent at the place, *where the contract was*
' *made* or, having knowingly called him, di-
' claims him as his witneſs; or who perceives
' not, that he afferts confuſed and contradictory
facts;

54. ' Or who, having ſtated what he deſigns
' to prove, varies afterwards from his caſe; or
' who, being queſtioned on a fact, which he had
' before admitted, refuſes to acknowledge that
' very fact;

55. ' Or who has converſed with the witneſſes
' in a place unfit for ſuch converſation; or who
declines anſwering a queſtion properly put;
' or who departs from the court;

56. ' Or who, being ordered to ſpeak, ſtands
' mute; or who proves not what he has alledged;

' or who knows not what is capable or incapable
' of proof; *fiich a plaintiff* fhall fail in that fuit.

57. ' Him, who has'faid, " I have witneffs,"
' and, being told to produce them, produces them
' not, the judge muft on this account declare non-
' futed.

58. ' If the plaintiff delay to put in his plaint,
' he may, *according to the nature of the cafe*, be
' corporally punifhed or juftly amerced; and, if
' the defendant plead not within three fort-
' nights, he is by law condemned.

59. ' In the double of that fum, which the
' defendant falſely denies, or on which the com-
' plainant falſely declares, fhall thofe two men,
' wilfully offending againft juftice, be fined by
' the king.

60. ' When a man has been brought into
' court by a fuitor for property, and, being called
' on to anfwer, denies the debt, the caufe fhould
' be decided by the *Bráhmen* who represents the
' king, having heard three witneffes at leaft.

61. ' WHAT fort of witneffes muft be pro'
' duced by creditors *and others* on the trial of
' caufes, I will comprehenſively declare; and in
' what manner thofe witneffes muft give true
' evidence.

62. ' Married houſekeepers, men with male
' iffue, inhabitants of the fame diftricT:, either of
' the military, the commercial, or the fervile

clafs, are competent, when called by the party, to give their evidence; not any perfons indiscriminately, except *in fuch cafes of urgency as willfoon be mentioned.*

63. Juft and fenfible men of all the *four* claffes may be witneffes on trials; men, who know their whole duty, and are free from covetoufnefs: but men of an oppofite charader the judge muft rejett.

6'. Thofe rauft not be admitted who have a pecuniary jntereft; nor familiar friends; nor menial fervants; nor enemies ; nor men formerly perjured; nor perfons grievoufly difeafed; nor thofe, who have committed heinous offences,

65. The king cannot be made a witnefs; nor *cooks, and the like* mean artificers; nor publick dancers and fingers; nor a priett of deep learning in fcripture; nor a ftudent in theology; nor an anchoret fecluded from all worldly connexions;

66. Nor one wholly dependent; nor one of bad fame; nor one, who follows a cruel occupation ; nor one, who ads openly againft the law; nor a decrepit old man; nor a child; nor one man only, *unlefs he be diftinguifhed for virtue*; nor a \yretch of the loweft mixed clafs; nor one, who has loft the organs of fenfe;

67. ' Nor one extremely grieved; nor one
 ' intoxicated; nor a madman; nor one tormented
 ' with hunger or thirst; nor one oppressed by
 ' fatigue; nor one excited by lust; nor one in-
 ' flamed by wrath; nor one who has been con-
 ' victed of theft;

" 68. ' Women should regularly be witnesses for
 1 women 5 twiceborn men, for men alike twice-
 ' born; good servants and mechanics, for ser-
 ' vants and mechanics; and those of the lowest
 ' race, for those of the lowest;

69. ' But any person whatever, who has po-
 ' sitive knowledge of *transactions* in the private
 ' apartments of a house, or in a forest, or at a
 ' time of death, may give evidence between the
 ' parties:

70. ' On failure of *witnesses duly qualified*,
 i evidence may *in such cases* be given by a wo-
 ' man, by a child, or by an aged man, by a pu-
 ' pil, by a kinsman, by a slave, or by a hired
 ' servant;

71. ' Yet of children, of old men, and of the
 ' diseased, who are all apt to speak untruly, the
 ' judge must consider the testimony as weak;
 ' and, *much more*, that of men with *disordered*
 ' minds;

72. ' In all cases of violence, of theft **and** adul-
 ' tery, of defamation **and** assault, lie must not

32 ON JUDICATURE; AND ON LAW,

' examine **too** strictly the competence of wit-
' nefses.

73. ' If there be contradictory evidence, let
' the king decide by the plurality of credible wit-
¹ nefses; if equality in number, by superiority in
' virtue; if parity in virtue, by the testimony of
' such twiceborn men, as have best performed
' publick duties.

74. ' Evidence of what has been seen, or of
' what has been heard, *as Jlander and the like*,
' given by those who saw or heard it, is admis-
' sible; and a witness, who speaks truth in those
' cases, neither deviates from virtue nor loses his
' wealth:

75. ' But a witness, who knowingly says any
' thing, before an assembly of good men, different
' from what he had seen or heard, shall fall head-
' long, after death, into a region of horror, and
' be debarred from heaven.

76. ' When a man sees or hears any thing,
¹ without being then called upon to attest it, yet,
' if he be *afterwards* examined as a witness, he
' must declare it, exactly as *it was* seen, *and* as
' *it was* heard.

77. ' One man, untainted with covetousness
' *and other vices*, may in *some cases* be the sole
' witness, and will have more weight than **many**
' **women** because female **understandings** are apt

' to waver; or than many other men, who have
' been tarnished with crimes.

78. ' What witnesses declare naturally, or
' *without bias*, must be received on trials; but
' what they improperly say, from some unna-
' tural bent, is inapplicable to the purposes of
' justice.

79. " T H E witnesses being assembled in the
' middle of the courtroom, in the presence of the
' plaintiff and the defendant, let the judge ex-
' amine them, after having addressed them *all*
' together in the following manner:

80. " What ye know to have been trans-
' acted in the matter before us, between the
' parties reciprocally, declare at large and with
' truth; for your evidence in this cause is re-
' quired."

81. ' A witness, who gives testimony with
' truth, shall attain exalted feats of beatitude
' above, and the highest fame here below: such
' testimony is revered by BRAHMA⁷ himself.

82. ' The witness, who speaks falsely shall be
' fast bound *under water*, in the *snaky* cords of
' VARUNA, and be wholly deprived of power
' to escape torment during a hundred transmigra-
' tions; let mankind, therefore, give no false tes-
' timony.

83. ' By truth is a witness cleared from sin;
' by truth is justice advanced: truth must,

f therefore, be fpokeri by wknefles of every
' clafs.

8'. ' The fdul itfelf is its own witnefs; the
' foul itfelf is its owi' refuge: offend not thy
' confcious foul, the fupreme internal witnefs of
' men!

85. ' The finful have faid in their hearts:
" None fees us." Yes; the gods diftinctly fee
' them; and fo does the fpirit within their
' breads.

86. ' The guardian deities of the fitftflatnent,
' of the earth, of the waters, of the humctn hecrt,
' of the moon, of the fun, and of fire, of puhifli-
' ment after death, of the winds, of night, of both
' twilights, and of juftice, perfeftly know the
' ftate of all fpirits clothed with bodies.

87. ' In the forenoon let the judge, being pu-
' rifled, feverally call on the twiceborn, being
' purified alfo, to declare the truth, in the pre-
' fence of *fozne image a fynbol* of the divinity,
' and of *Brdbmens*, while the witnefses turn their
' faces either to the north or to the eaft.

88. ' To a *Brahmen* he muft begin with fay-
' irig, " Declare;" to a *CJbariya*, with faying,
"Declare the truth;" to a *Vaifya*, with com-
' pkring perjury to the crime of ftealiftg kine,
' grain, or gold 5 to a *Sudra*, with comparing it
' *in fortie or all of the following fentetices*, to fevery
' crime, that men can commit.

89. " WHATEVER places of torture have
 " been prepared for the flayer of a priest, for the
 " murderer of a woman or of a child, for the in-
 " jurer of a friend, and for an ungrateful man,
 " thofe places are ordained for a witnefs, who
 " gives falfe evidence.

90. " The fruit of every virtuous act, which
 " thou haft done, O good man, fince thy birth,
 " fhall depart from thee to dogs, if thoU deviate
 " in fpeech from the truth.

91. " O friend to virtue, that fupremè fpirit,
 " which thou believ'ft one and the fame with thy-
 " felf, refides in thy bpfom perpetually, and is an
 " allknowing infpektor of thy goodnefs of of thy
 " wickednefs.

92. " If thou beeft not at variance, *byfpeak-*
 " *ihgfalfely*, with Y A M A, or the fubduer of all,
 " with V A I V A S W A T A, or the puniiher, with
 " that great divinity, who dwells in thy breaft, go
 " not *ori a pilgrimage* to the river *Gangk*, nor to
 " the plains of C U R U, *for thou haft no need of*
 " *expiation*.

93. " Naked and {horn, tormented with
 " hunget and thirft' and deprived of fight, fhall
 " the man, who gives falfe evidence, go with a
 " potfherd to beg food at the door of his enemy.

9'. " Headlong, in utter darknefs, fhall the
 " impious wretch tumble into hell, who, being
 " interrogated in a judicial inquiry, afltoer' one
 " l' queftion falfe'ly'

95. ' He, who in a court of juſtee gives an
 " imperfect account of any tranſaction' or afferts
 " a fact of which he was no eyewitneſs, ſhall re-
 " ceive pain *inſtead of pleaſure*, and reſemble a
 " man, who eats fiſh *with eagerneſs* and ſwallows
 " the ſharp bones.

96. " The gods are acquainted with no better
 " mortal in this world, than the man,, of whom
 " the intelligent ſpirit, which pervades his body'
 " has no diſtruſt, when he prepares to give evi-
 " dence.

97. " Hear, honeſt man, from a juſt enume-
 " ration in order, how many kinſmen, in evi-
 " dence of different forts, a falſe witneſs kills, or
 " *incurs the guilt of killing*;

98. " He kills five by falſe teſtimony concern-
 " ing cattle in general; he kills ten by falſe teſ-
 " timony concerning kine ; he kills a hundred
 " by falſe evidence concerning Jiorſes, and a thou-
 " ſand by falſe evidence concerning the human
 " race :

99. " By ſpeaking falſely in a cauſe concern-
 " ing gold, he kills the born and the unborn; by
 " ſpeaking falſely concerning land, he kills every
 " thing animated: beware then of ſpeaking falſely
 " in a cauſe concerning land!

100. " The judges have held falſe evidence
 " concerning water, and the poſſeſſion or enjoy-
 " ment of women, equal to falſe evidence con-
 " cerning land; and it is equally criminal in

'« caufes concerning *pearls and other* precious
 " things formed in water, and concerning all
 ' things made of ftone. ' "

101, " Marking well all the murders, which
 ' are comprehended in the crime of perjury, de-
 " clare thou the whole truth with precifion, as *it*
 " was heard, *and as it was feen by thee.*"

102. ' *Brdhrnens*, who tend herds of cattle,
 ' who trade, who praftife mechanical arts, who
 ' profefs dancing and finging, who are hired
 ' fervants or ufurers, let the judge exhort and
 i examine as if they were *Súdras*.

103. ' IN fome cafes, a giver of falfe evi-
 ' dence from a pious motive, even though he
 ' know the truth, fhall not lofe a feat in heaven:
 ' fuch evidence wife men call the fpeech of the
 ' gdds.

10'. ' Whenever the death of a man, *who*
 i *had not been a grievous offender*, eitlier of the
 ' fervile, the commercial, the military, or the fa-
 ' cerdotal, clafs, would be occafioned by true evi-
 ' dence, *from the known rigour of the king, even*
 ' *though the fault arofe from inadvertence or error*,
 ' falfehood may be fpoken: it is even preferable
 ' to truth.

105. ' Such *witneffes muft*. offer, as oblations to
 ' SARASWATI', cakes of rice and milk addrefled
 ' to the goddefs of fpeech ; and thus will they

MS ON JUDICATURE; AND ON LAW,

' fully expiate that venial sin of benevolent false'
hood:

106. ' Or such a *witnefs* may pour clarified
" butter into the holy fire, according' to the fa-
" cred rule, hallowing it with the texts called
" *cufbmdnda*, or with those which relate to V A -
" RUN A, beginning with *ud*; or with the three
" texts appropriated to the water-gods.

107. ' A M A N, who labours not under illness,
" yet comes not to give evidence in cases of loans
" and the like, within three fortnights *after due*
" *fummons*, (shall take upon himself the whole
" debt, and pay a tenth part of it as a fine *to the*
" *king*.

108. ' The witness, who has given evidence,
" and to whom, within seven days after, a *misfor-*
" *tune* happens *from* disease, fire, or the death of
" a kinsman, (shall be condemned to pay the debt
" and a fine'

109. ' IN cases, where no witness can be had,
" between two parties opposing each other, the
" judge may acquire a knowledge of the truth by
" the oath of the parties ; or if he cannot *other-*
" *wise* perfectly ascertain it.

110. ' By the seven great *Rijhis*, and by tire
" deities themselves, have oaths been taken for
" the purpose of judicial proof; and even V A -
" SISHT'HA, being *acmfcd* by VISWA'MITRA of

murder, took an oath before the king SUDAMAN, son of PIYAVANA.

111. ' Let no man of fence[^]ake an oath in
' *vain, that is, not in a court of justice*, on a trifling
' occasion; for the man, who takes an oath in
' vain, shall be punished in this life and in the
' next:

112. ' To women, however, at a time of dal-
' liance, or on a proposal of marriage, in the
' case of grafts or fruit eaten by a cow, of wood
' taken for a sacrifice, or of a promise made for
' the preservation of a *Brahmen*, it is no deadly
' sin to take a light oath.

113. ' Let the judge cause a priest to swear
' by his veracity; a soldier, by his horse, or ele-
' phant, and his weapons; a merchant, by his
' kine, grain, and gold; a mechanic or servile
' man, by *imprecating on his own head, if he*
' *speaks falsely*, all possible crimes;

114. ' Or, on great occasions, let him cause the
' party to hold fire, or to dive under water, or
' feverally to touch the heads of his children and
' wife:

115. ' He, whom the blazing fire burns not,
' whom the water soon forces not up, or who
' meets with no speedy misfortune must be held
' veracious in his testimony on oath.

116. ' Of the sage VATSA, whom his younger

' *half* brother formerly attacked, as *thefon* of a
' *fervile* woman, the fire, which pervades the
' world, burned not even a hair, by reafon of his
' perfedt veracity.

117. ' WHENEVER falfe evidence has been
' given in any fuit, the king muft reverfe the
' judgment; and whatever has been done, muft
' be confidercd as undone.

118. ' Evidence, given from covetoufnefs,
' from diftraftion of mind, from terrour, from
' friendfhip, from luft, from wrath, from igno-
' ranee, and from inattention, muft be held in-
' valid.

119. ' T H E diftinctions of punifhment for a
' falfe witnefs, from either of thofe motives, I
' will now propound fully and in order:

120. ' If he fpeak falfeiy through covetouf-
' nefs, he fhall be fined a thoufand *panas*; if
' through diftraftion of mind, *two hundred and*
' *fitty*, or the loweft amercement; if through ter-
' rour, two mean amercements; if through
' friendfhip, four times the loweft;

121. ' If through luft, ten times the loweft
' amercement; if through wrath, three times
' the next, *or middlemojl*; if through ignorance
' two hundred complete; if through inatten-
' tion, a hundred only.

122. ' Learned men have fpecified thefe pu-

' nifhments, *which* were ordained by fage legifla-
 ' tors for perjured witnefls, with a view to pre-
 ' vent a failure of juftice and to refrain iniquity'

123. ' Let a juft prince banifh men of the
 ' three *lower* claffes, if they give falfe evidence;
 ' having firft levied the fine; but a *Bráhmén* let
 ' him only banifh.

124. ' MENU, fon of the Selfexiftent, has
 ' named ten places of punifhment, which are ap-
 ' propriated to the three *loiver* claffes; but a
 ' *Bráhmén* muft depart from the realm unhurt *in*
 ' *any one of them*:

125. ' The part of generation, the belly, the
 ' tongue, the two hands, and, fifthly, the two
 ' feet, the eye, the nofe, both ears, the property,
 ' and, *in a capital cafe*, the whole body.

126. ' Let the king, having confidered and
 ' afcertained the frequency of a fimilar offence,
 ' the place and time, the ability of the criminal
 ' *to pay or fuffer*, and the crime itfelf, caufe pu-
 ' nifhment to fall on thofe alone, who deferve it.

127. ' Unjuft punifhment deftroys reputation
 ' during life, and fame after death; it even ob-
 ' ftructs, in the next life, the path to heaven: un-
 ' juft punifhment, therefore, let the king by all
 ' means avoid.

128. ' A king, who inflicts punifhment on
 ' fuch as deferve it not, and inflifts no punifh-
 ' ment on fuch as deferve it, brings infamy on

' himself, while he lives, and fhall fink, when he
' dies, to a region of torittent.

129. ' Firft, let him punifh by gentle admo-
' nition 5 afterwards, by harfh reproof; thirdly,
' by deprivation of property; after that, by cor-
' poral pain:

130. ' But, when even by corporal punilh-
' ment he cannot refrain fuch offenders, let
' him apply to them all the four modes with
' rigour.

131. ' THOSE names of copper, filver, and
' gold weights, which are commonly ufed among
' men, for the purpofe of worldly bufinefs, I will
' now comprehenfively explain.

132. ' The very fmall mote, which may be
' difcerned in a funbeam palling through a lat«'
c tice, is the lead vifible quantity, and men call it
' *trafar'enn*:

133. ' Eight of thofe *trafarénus* are fuppofed
' equal in weight to one minute poppyfeed;
' three of thofe feeds are equal to one black mut
' tardfeed; and three of thofe laft, to a white
' muftardfeed:

13'. ' Six white muftardfeeds are equal to a
' middle fized barleycorn; three fuch barleycorns
' to one *ractica*, or feed of the *Gun/a*; five *rac-*
' *ticas* of gold are one *mdjba*, and fixteen fuch
' *mafhas*, *onefuverna*;

135. ' *Touxfuvernas* make a *pala*; ten *palas*,

' a *dbarana*; but two *raSticas* of filver, weighed
' together, are cohfidered as one *mdjbaca*;

136. ' Sixteen of thofe *maf hacas* are a filver
' *dbarana*, or *purdna*; but a *carjha*, or eighty *rac-*
' //tttf, of copper, is called a *pana* or *carjhdpana*.

137. ' Ten *dbaranas* of filver are known by
¹ the name *of a fatamdna*; and the weight of four
' *fuvernas* has alfo the appellation of a *nijhca*.

138. ' Now two hundred and fifty *panas* are
' declared to be the firft or *lowejl* amercement;
' five hundred of them are confidered as the
' mean; and a thoufand, as the higheft.

139. ' A DEBT being admitted by the de-
' fendant, he muft pay five in the hundred, *as a*
' *fine to the king*; but, if it be denied *and proved*,
^c twice as much: this law was enacted by
' MENU.

1'0. ' A LENDER of money may take, inad-
' dition to his capital, the intereft allowed by
' VASISHT'HA, *that is*, an eightieth part of a
' hundred, or *one and a quarter*, by the month, *if*
' *behave a pledge*;

1'1. ' Or, *if be have no pledge*, he may take
' two in the hundred *by the month*, remember-
' ing the duty of good men : for, by *thus* taking
' two in the hundred, he becomes not a finner for
' gain.

1'2. ' He may thus take, *in proportion to tfce*

'*rifh, and In the direct order of the daftes, two*'
 ' *in the hundred from a priejl, three from a fol-*
 ' *dier, four from a merchant, and five jaww a me-*
 ' *cbanick, or fervile man, but never more, as in-*
 ' *tereft by the month.*

' 143. ' *If he take a beneficial pledge, or a pledge*
 ' *to te ufed for his profit, he mud have no other*
 ' *intereft on the loan; nor, after a great length*
 ' *of time, or when the profits have amounted to*
 ' *the debt, can he give or fell fuch a pledge,*
 ' *though he may ajfign it in pledge to another,*

1 ' '. ' *A pledge to be kept only muft not be*'
 ' *ufed by force, that s againji confent: the*
 ' *pawnee fo ufing it muft give up his whole in-*
 ' *tereft, or muft fatisfy the pawner, if it befpoiled*
 ' *or worn out, by paying him the original price*
 ' *of it 5 otherwife, he commits a theft of the*
 ' *pawn.*

145. ' *Neither a pledge without limit, nor a*
 ' *depojit, are loft to the owner by lapfe of time;*
 ' *they are both recoverable, though they have*
 ' *long remained with the bailee.*

146. ' *A milch cow, a camel, a riding horfe,*
 ' *a bull or other beafi, which- has been fent to be*
 ' *tamed for labour, and other things ufed with*
 ' *friendly arient, are not loft, by length of time to*
 ' *the owner.*

1'7. ' *In general, whatever chattel the -owner*

fees enjoyed by others for ten year\$, while,
 " though prefent, he fays nothing, that chattel he
 ' fhall not recover:

1'8. ' If he be neither an idiot, nor an infant
 ' under the full age of fifteen years, and if the
 ' chattet be adverfely poffeffed in a place, where
 ' he may fee it, his property in it is extinEt by
 ' law, and the adverfe poffeffbr (hall keep it.

1'9. ' A pledge, a boundary of land, the pro-
 ' perty of an infant, a depofit either open or in
 ' a cheft fealed, female flaves, the wealth of a
 ' king, and of a learned *Brahmen*, are not loft in
 ' confequence of adverfe enjoyment.

150. ' The fool, who fecretly uſes a pledge
 ' without, *though not againſt*, the aſſent of the
 ' owner, fhall give up half of his intereſt, as a
 ' compenfation for ſuch uſe.

151. ' INTEREST on money, received at once,
 ' *not month by month, or day by day, as it ought*,
 ' muſt never be more than enough to double the
 ' ¹ debt, *that is, more than the amount of the princi-*
pal paid at the ſame time: on grain, on fruit,
 ' on wool or hair, on beaſts of burden, *lent to*
be paid in the ſame kind of equal value, it muſt
 ' not be more than enough to make the debt
 ' quintuple.

15a. ' Stipulated intereſt beyond the legal
 ' rate, and different from the *preceding* rule, is

' invalid; and the wife call it an ufurious way of
' *lending*: the lender is entitled *at mojt* to five in
' the hundred.

153. ' Let no lender *for a month, or for two or*
' *three months, at a certain intereft*, receiye *fuch*
' intereft beyon' the year; nor any intereft, which
' is unapproved; nor intereft upon intereft by
' *previous agreement* 5 nor monthly intereft ex-
' ceeding in time the amount of the principal;
' nor intereft exacted from a debtor *as the price of*
' *the rijky when there is no publick danger or dif*
' *trefs*; nor immoderate profits from a pledge to
' be ufed by way of intereft,

15'. ' He, who cannot pay the debt *at the*
' *fixed time*, and wifhes to renew the contract,
' may renew it in writing, *with the creditor's*
' *ajfent*, if he pay all the intereft then due;

155. ' But if, *by fome unavoidable accident*, he
' cannot pay the whole intereft, he may infer as
' *principal* in the renewed contrad fo much of
' the intereft accrued as he ought to pay.

156. ' A lender at intereft on *the rifk* of fafe
' carriage, who has agreed on the place and time,
' fhiall not receive fuch intereft, if *by accident* the,
' goods are not carried to the place, or within the
' time:

157. ' Whatever intereft, or *'fticctpf the rifk*,
' fhiall be fettled *between tbe-pitrtiefyby* men well

1 acquainted with fea voyages or journies by
 ' land, with times and with places, fuch intereff
 ' fliall have legal force.

158. ' *THE* man, who becomes furety for the
 ' appearance of a debtor in this world, and pro-
 ' duces him not, fhall pay the debt out of his
 ' own property;

159. ' But money, due by a furety, or idly
 ' promifed *tomuficians andaftrejfes*, or loft at play,
 ' or due for fpirituous liquors, or what remains
 ' utipaid of a fine or toll, the fon of *the furety or*
 ' *debtor* fhall not *in general* be obliged to pay:

160. ' Such is the rule in cafes of a furety for
 ' appearance *or good behaviour*; but, if a furety
 ' for payment fhould die, the judge may compel
 ' even his heirs to difcharge the debt.

161. ' On what account then is it, that, after
 ' the death of a furety other than for payment,
 ' the creditor may *in one cafe* demand the debt
 ' *of the heir*, all the affairs of the deceafed being
 ' known and proved?

162. ' If the furety had received money from
 ' the debtor, and had enough to pay the debt, the
 ' fon of him, who fo received it, fhall difcharge
 ' the debt out of his *inherited* property: this is
 ' a facred ordinance.

163. ' A contract made by a perfon intoxicate
 ' ed or infane, or grievoufly difordered, or wholly
 ' dependent, by an infant or a decrepit old mag

' or *in-the name of another* by a person without
' authority, is utterly null

16'. ' That plaint can have no effect, though
' it may be supported by evidence, which contains
' a cause of action inconsistent with positive law
' or with settled usage.

165. ' When the judge discovers a fraudulent
' pledge or sale, a fraudulent gift and acceptance,
' or in whatever other case he detects fraud, let
' him annul the whole transaction,

166. ' If the debtor be dead, and if the money
' borrowed was expended for the use of his
' family, it must be paid by that family, divided
' or undivided, out of their own estate.

167. ' Should even a Father make a contract
' *in the name of his absent majesty* for the behoof of
' the family, that master, whether in his own
' country or abroad, shall not rescind it,

168. ' What is given by force *to a man who*
' *cannot accept it legally*, what is by force enjoyed,
' by force caused to be written, and all
' other things done by force *or against free consent*
' *fent*, MENU has pronounced void.

169, ' Three are troubled by means of others,
' *namely* witnesses, sureties, and inspectors of
' causes, and four called wealth flowly, with benefit
' to others, a *Brdbmen*, a moneylender, a
' merchant, and a king.

170, ' Let no king, how indigent forever'

' take anything, which ought not to be taken;
 ' nor let him, how wealthy foever, declN? taking
 ' that, which he ought to take, be it ever fo
 «fmall:

171. ' By taking what ought not to be taken,
 ^and by refufing what ought to be received, the
 ' king betrays his own weaknefs, and is loft both
 ' in this world and in the next;

172. ' But by taking his due, by adminiftering
 ' juftice, and by protefting the weak, the king
 ' augments his own force, and is exalted in the
 ' next world and in this.

173. ' Therefore, let the king, like Y A M A,
 ' refigning what may be pleafing or unpleafing
 ' to himfelf, live by the ftrift rules *pi* Y A M A,
 ' his anger being repreffed, and his organs kept
 ' in fubjection.

17'. ' That evilminded king, who, through
 ' infatuation, decides caufes with injuftice, his
 ' enemies, *through the difaffection of his people*
 ' quickly reduce to a ftate of dependence;

175. ' But him, who fubduiftg both luft and
 1 wrath, examines caufes with juftice, his people
 ' naturally feek, as rivers the ocean.

176' ' T H E debtor, who complains before the
 ' king, that his creditor has recovered the debt by
 ' his own legal aft, *as beforementioned*, lhall be
 ' compelled by the king to pay a quarter of the

' *fum as afine*, and the creditor fhall be left in
' poffeffion of his own;

177. ' Even by perfonal labour fhall the
' debtor pay what is adjudged, if he be of the
' fame clafs with the creditor, or of a lower; but
' a debtor of a higher clafs muft pay it *according*
' *to his income* by little and little.

178. ' By this fyftem of rules let the king de-
' cide, with equal juftice, all difputes between
' men oppofing each other, having afcertained
' the truth by evidence or the oaths of the
' parties,

179. ' A SENSIBLE man fhould make a de-
' pofit with fome perfon of high birth, and of
' good morals, well acquainted with law, habi-
' tually veracious, having a large family, wealthy
' and venerable,

180. ' Whatever thing, and in whatever man-
' ner, a perfon fhall depofit in the hands of an-
' other, the fame thing, and in the fame manner,
' ought to be received back by the owne': a
' the delivery was, *fq rnugt be* the receipt. .

181- ' He, who reftores not to the depofitor,
' on his requeft, what has been depofited, *may*
' firft be tried by the judge *in the following man*
' *ner*, the depofitor himfelf being abfent.

183. ' On failure of witneffes, let the judge
' actually depofit gold, or *precious things*, with

' the defendant by the artful contrivance of spies,
' who have passed the age of childhood and
' whose persons are engaging:

183 should the defendant rectify that de-
' posit in the manner and shape, in which it was
' bailed by the spies, there is nothing in his hands,
' for which others can justly accuse him ;

184. But if he restore not the gold, or pre-
' cious things, as he ought, to those emiffaries,
' let him be apprehended and compelled to pay
' the value of both deposits: this is a settled rule.

185. A deposit, whether sealed up or not,
1 should never be redelivered, while the depositor
' is alive, to his heir apparent or presumptive:
' both sorts of deposits, indeed, are extinct, or
' cannot be demanded by the heir, if the depositor
' die, in that case; but not, unless he die, for,
' should the heir apparent keep them, the depositor
' him/elf may sue the bailee:

186. But, if a depositary by his own free
' act shall deliver a deposit to the heir of a de-
1 ceased bailor, he must not be harassed with
f claims of a similar kind, either by the king, or
' by that heir 5

187. And, if similar claims be made, the king
' must decide the questions after friendly admo-
' nition, without having recourse to artifice; for,
' the honest disposition of the man being proved,
' the judge must proceed with mildness..

188. 'Such is the mode of pertaining the right in all these cases of a deposit: in the case of a deposit sealed up, the bailee shall incur no censure *on the redelivery*, unless he have *altered the fcolor* taken out from something.

189. 'If a deposit be seized by thieves, or destroyed by vermin or washed away by water, or consumed by fire, the bailee shall not be obliged to make it good, unless he took part of it for himself.

190. 'The defendant, who denies a deposit, and the plaintiff, who asserts it, let the king try by all sorts of expedients, and by the modes of ordeal prescribed in the *Véda*'

191. 'He, who restores not a thing really deposited, and he, who demands what he never bailed, shall both, *for a second offence*, be punished as thieves, *if gold, pearls, or the like be demanded* \ or, *in the case of a trifling demand*, shall pay a fine equal to the value of the thing claimed:

192. 'For the first offence, the king shall compel a fraudulent depositary, without any distinction between a deposit under seal or open, to pay a fine equal to its value.

193. 'That man, who, by false pretences, gets into his hands the goods of another shall, together with his accomplices, be punished by various degrees of whipping or mutilation, or even by death.

194 Regularly, a depofit (hall be produced,
 ‘ the fame in kind and quantity as it was bailed,
 ‘ by the fame and to the fame perfon, by
 ‘ whom andfr om whom it was receivedand be -
 ‘ fore the fame pompany, *who were witnejfes to*
 ‘ *the depofit*: he who produces it in a different
 ‘ manner, ought to be fined;

195. ' But a thing, privately depofited, fhould
 ‘ be privately reftored by;and to the perfon, by
 ‘ and from whom it was received: as the bail-
 ‘ ment was, *iojhauldbe* the delivery, *according /'*
 ‘ *a rule in the Véda.*

196. ' Thus let the king decide caufes con-
 ‘ cerning a depofit, or a friendly loan for ufe,
 ‘ without flhowing rigour to the depofitary.

197. ; H I M , who fells the property of another
 ‘ man, without the affent of the owner, the
 ‘ judge {hall not admit as a competent witnefs,
 ‘ but fhalt treat as a thief, who pretends that he
 ‘ has committed no theft:

198. ' If, indeed, he be a near kinfman of **the**
 ‘ owner, he fhall be fined fix hundred *panas*; but,
 ‘ if he be neither his kinfman nor a claimant
 ‘ under him, he commits an offence equal to
 ‘ larceny,

199. ' A gift or fale, thus made by any otheif
 ‘ than the true owner, mull, by a fettled rule
 ‘ be confidered, in judicial proceedings, as **not**
 ‘ made.

200. ' Where occupation *for a time* fhall be proved, but no fort of title fhall appear, *the fale cannot be fupported*: title, not occupation, is effential to its fupport; *and* this rule *alfo* is fixed.

201. ' He, who has received a chattel, by purchase in open market, before a number of men, juftly acquires the abfolute property, by having paid the price of it, *if he Can produce the vendor*;

202. ' But, if the vendor be not producible, and the vendee prove the publick fale, the latter muft be difmiffed by the king without punifhment; and the former owner, who loft the chattel, may take it back *on paying the vendee half its value*.

203. ' One commodity, mixed with another, fhall never be fold as *unmixed*-, nor a bad commodity, as good; nor lefs *than agreed on*; nor any thing kept at a diftance or concealed, *lejl fome defeSt in it fhould be difcovered*,

204. ' If, after one damfel has been fhown, another be offered to the bridegroom, *who had purchafed leave to marry her from her next kinfman*, he may become the hufband of both for the lame price: this law MENU ordained.

205. ' The kinfman, who gives a damfel in marriage, having firft openly told her blemifhs, whether fhe be infane, or difordered with ele-

‘ phantiafis, or defiled by connexion with a man,
 ‘ fhall fuffer no punifhment.

206. ‘ IF an officiating prieft, actually engaged
 ‘ in a facrifice, abandon his work, a fhare only,
 ‘ in proportion to his work done, fhall be given
 ‘ to him by his partners in the bufinefs, *out of*
 ‘ *their common pay*:

207. ‘ But, if he difcontinue his work *without*
 ‘ *fraud*, after the time of giving the facrificial
 ‘ fees, he may take his full fhare, and caufe what
 ‘ remains to be performed by another prieft.

208. ⁱ Where, on the performance of folemn
 ‘ rites, a fpecifick fee is ordained for each part of
 ‘ them, fhall he alone, who performs that part,
 ‘ receive the fee, or fhall all the priefts take the
 ‘ perquifites jointly ?

209. ‘ *Atfome holy rites*, let the reader of the
 ‘ *Tajurvéda* take the car, and the *Brahmd*, or fu-
 ‘ perintending prieft, the horfe; or, *on another*
 ‘ *occafion*, let the reader of the *IVgvéda* take the
 ‘ horfe, and the chanter of the *Samaveda* receive
 ‘ the carriage, in which the purchafed materials
 ‘ of the facrifice had been brought.

210. ‘ *A hundred cows being dijtributabh*
 ‘ *among Jixteen priefts*, the four chief, or *firft fet*,
 ‘ are entitled to *near half, or forty-eight* ; the next
 ‘ four, to half of that number; the third fet, to
 ‘ a third part of it; and the fourth fet, to a quar-
 ‘ ter :

211. ' According to this rule, *or in proportion*
 ' *to the work*, rauft allotments of fhares be given
 ' to men here below, who, *though* in conjunction,
 ' perform their feveral parts of the bufinefs.

212. ' SHOULD money or goods be given, *or*
 ' *promifed as a gift*, by one man to another, who
 ' afks it for fome religious ad:, the gift fhall
 ' be void, if that ad be not afterwards per-
 ' formed:

213. ' If the money be delivered, and the re-
 ' ceiver, through pride or avarice, refufe *in that*
 ' *cafe* to return it, he fhall be fined *one fuverna*
 ' by the king, as a punifhment for his theft.

21'. ' Such, as here declared, is the rule or-
 ' dained for withdrawing what has been given :
 ' I will, next, propound the law for nonpayment
 ' of wages.

215. ' THAT hired fervant or workman, who,
 ' not from any diforder but from indolence, fails
 ' to perform his work according to his agree-
 ' ment, fhall be fined eight *racticas*' and his
 ' wages or hire fhall not be paid.

216. ' But, if he be really ill, and, when re-
 ' ftored to health, fhall perform, his work accord-
 ' ing to his original bargain, he fhall receive his
 ' pay even for a very long time:

217. ' Yet, whether he be fick or well, if the
 ' work ftipulated be not performed *by another for*
 ' *him or by himfelf* his whole wages are forfeited,

‘ though the work want but a little of being com-
 ‘ plete.

218. ‘ This is the general rule concerning
 ‘ work undertaken for wages or hire: next, I
 ‘ will fully declare the law concerning fuch men
 ‘ as break their promifes.

219. ‘ T H E man, among the traders and other
 ‘ inhabitants of a town or diftrict, who breaks a
 ‘ promife through avarice, though he had taken
 ‘ an oath to perform it, let the king banifh from
 ‘ his realm:

220. ‘ Or, *according to circumjlances*, let the
 ‘ judge, having arretted the promifebreaker,
 ‘ condemn him to pay fix *nijhcas*, or four fu-
 ‘ vernas, or one *Jatamdna* of filver, or all three *if*
 ‘ *he deferve fuch a fine*.

221. ‘ Among all citizens and in all claffes,
 ‘ let a juft king obferve this rule for impofing
 ‘ fines on men, who fhall break their engage-
 ‘ ments.

222. ‘ A M A N , who has bought or fold any
 ‘ thing in this world, *that has a fixed price, and*
 ‘ *is not perijhable, as land or metals*, and wifhes to
 ‘ refcind the contract, may give or take back
 ‘ fuch a thing within ten days;

223. ‘ But, after ten days, he fhall neither
 ‘ give nor take it back: the giver or the taker,
 ‘ *except by confent*, (hall be fined by the king fix
 ‘ hundred *panas*.

' 224. ' The king himfelf fhall take a fine of
 ' ninety-fix *panas* from him, who gives a ble-
 ' miflied girl *in marriage for a reward*, without
 ' avowing her blemifh;

225. ' But the man, who, through malignity,
 ' fays of a damfel, that five is no virgin, fhall be
 ' fined a hundred *panas*, if he cannot prove her
 ' defilement.

226' ' The holy nuptial texts are applied
 ' folety to virgins, and no where on earth to
 ' girls, who have loft their virginity; fince thofe
 ' women are *in general* excluded from legal cere-
 '[monies:

227. ' The nuptial texts are a certain rule in
 ' regard to wedlock; and the bridal contract is
 ' known by the learned to be complete *and irre-*
 ' *vocable* on the feventh ftep *of the married pair*,
 ' *band in band, after thofe texts have been pro-*
 ' *nounced.*

228. ' By this law, in all bufinefs whatever
 ' here below, mod the judge confine, within the
 ' path of rectitude, a perfon inclined to refcind
 ' his contract of fale and purchafe.

229. ' I NOW will decide exactly, according
 ' to principles of law, the contefts ufually arifing
 ' from the fault of fuch as own herds of cattle,
 ' and of fuch as are hired to keep them.

230. ' By day the blame falls on the herdf-
 ' man; by night on the owner, *if tie cattle be fed*

' *and kept in*¹ his own houle; but, if the
' place of their food and cuftody be different, the
' keeper incurs the blame.

231. ' That hired fervant, whofe wages are
' paid with milk, may, with the aflent of the
' owner, milk the beft cow out of ten: fuch are
' the wages of herdfmen, unlefs they be paid in
' a different mode.

232. ' The herdiman himfelf fhall make good
' the lofs of a beaft, which through his want of
' due care has ftrayed, has been deftroyed by
' reptiles, or killed by dogs, or has died by falling
' into a pit;

233. ' But he fhall not be compelled to make
' it good, when robbers have carried it away, if,
' after frefli proclamation and purfuit, he give
' notice to his matter in a proper place and
' feafon.

23'. ' When cattle die, let him carry to his
' matter their ears, their hides, their tails, the fkin
' below their navels, their tendons, and the li-
' quor exuding from their foreheads; let him
' alfo point out their limbs.

235. ' A flock of goats or of fheep being at-
' tacked by wolves, and the keeper not going to
' *repel the attack*, he (hall be refponfible for every
' one of them, which a wolf fhall violently kill;

236. ' But, if any one of them, while they
' graze together near a wood, and the fhepherd

' keeps them in order, (hall be fuddenly killed by
 ' a wolf fpringing on it, he fhall not in that cafe
 ' be refponfible.

237. ' On all fides of a village or fmall town,
 ' let a fpace be left for pafure, in breadth either
 ' four hundred cubits, or three calls of a large
 ' ftick; and thrice that fpace round a city or
 ' confiderable town:

238. ' Within that pafure ground, if cattle
 ' do any damage to grain in a field uninclofed
 ' with a hedge, the king fhall not punifh the
 ' herdfman.

239. ' Let the owner of the field enclofe it
 ' with a hedge *of thorny plants*, over which a
 ' camel could not look; and let him flop every
 ' gap, through which a dog or a boar could thruft
 ' his head.

2'0. ' Should cattle attended by a herdfman,
 ' do mifchief near a highway, in an enclofed
 ' field or near the village, he fhall be fined a
 ' hundred *panas*; but againft cattle, which have
 ' no keeper, let the owner of the field fecure it.

2'1. ' In other fields, the *owner of cattle doing*
 ' *mifchief* {hall be fined one *pana* and a quarter-
 ' but, in all places, the value of the *damaged*
 ' grain muft be paid: fuch is the fixed rule con-
 ' cerning a hufbandman.

2'2. ' For damage by a cow before ten day'
 ' have paffed fince her calving, by bulls kept for

‘ impregnation, and by cattle confecirated to the
 ‘ deity, whether attended *ot* unattended, MENU
 ‘ has ordained ho fine.

2'3. ' If land be injured by the fault of the
 ‘ farmer himself, *as, if he fails to fow it in dui*
 ‘ *time*, he fhall be fined ten times as much as the
 ‘ *kings' fhare of the crop, that might otherwije*
 ‘ *have been raifed*; but only five times as much,
 ‘ if it was the fault of his fervants without hi'
 ‘ knowledge.

2''. ' Thefe rules let a juft prince obferve in
 ‘ all cales of tranfgreffion by matters, their cattle,
 ‘ and their herdfmen.

2'5' ' IF a conteft arife between two vil-
 ‘ lages, *or landholders*, concerning a boundary,
 ‘ let the king, *or his judge*, afcertain the limits
 ‘ in the month of *Jyaiht'ba*, when the land-
 ‘ marks are feen more diftinctly.

2'6. ' *When boundaries firfl are ejlablified*,
 ‘ let ftrong trees be planted on them, *Vatas*,
 ‘ *Pippalas*, *Paid/as*, *Sdlrnalis*, *Sdlas*, or *Tdlas*;
 ‘ or fuch trees (*like the Udumbara or Vajradru*)
 ‘ as abound in milk 5

2'7. ' Or cluftering fhrubs, or *Vinus* of differ-,
 ‘ ent forts, or *SdrnZ*-trees, and creepers, or *Saras*,
 ‘ and clumps of *Cubjacas* : and mounds of earth
 ‘ fhould be raifed on them; fo that the land-
 ‘ mark may not eafily perifh:

2'8. ' Lakes and wells, pools and dreams,
' ought alfo to be made on the common limits,
' and temples dedicated to the gods.

249. ' The perfons concerned, reflecting on
' the perpetual trefpafles committed by men here
' below through ignorance of boundaries,.fhould
' caufe other landmarks to be concealed *under*
' *ground*:

250. ' Large pieces of ftone, bones, tails of
' cows, bran, afhes, potflierds, dried cowlung,
' bricks and tiles, charcoal, pebbles, and fand,

251. ' And fubftances of all forts, which the
' earth corrodes not even in a long time, fhould
' be placed *in jars* not appearing *above ground* on
' the common boundary.

252. ' By fuch marks, or by the courfe of a
' ftream, and long continued pofTeffion, the
' judge may afcertain the limit between the lands
' of two parties in litigation:

253. ' Should there be a doubt, even on the
' infpection of thofe marks, recourfe muft be
' had, for the decifion of fuch a conteft, to the
' declarations of witneffes,

254. ' Thofe witneffes muft be examined
' concerning the landmarks, in the prefence of
' all the townfmen or villagers, or of both the
' contending parties:

255. ' What the witneffes, thus affembled

' and interrogated, fhall pofitively declare con-
' cerning the limits, muft be recorded in writing,
' together with all their names.

256. ' Let them, putting earth on their
' heads, wearing chaplets of red flowers 'and
' clad in red mantles, be fworn by *the reward*
' of all their feveral good actions, to give
' correct evidence concerning the metes and
' bounds.

257. ' Veracious witnefles, who give evidence
' as the law requires, are abfolved from their
' fins; but fuch, as give it unjuftly, fhall each be
' fined two hundred *panas*.

258. ' If there be no witnefles, let four men,
' who dwell on all the four fides of the two vil-
' lages, make a decifion concerning the boundary,
' being duly prepared, *like the witneffe*, in the
' prefence of the king.

259. ' If there be no fuch neighbours on all
' fides, nor any men, whofe anqueftors had lived
' there fince the villages were built, nor other
' inhabitants of towns, who can give evidence on
' the limits, the judge muft examine the follow-
' ing men, who inhabit the woods;

260. ' Hunters, fowlers, herdfmen, fifhers,
' diggers for roots, catchers of fnakes, gleaners,
' and other forefters ;

261. ' According to their declaration, when

'they are duly examined, let the king with
' precision order landmarks to be fixed on the
' boundary line between the two villages.

262. ' As to the bounds of arable fields,
' wells or pools, gardens and houses, the testi-
' mony of next neighbours on every side must
be considered as the best means of decision:

263. ' Should the neighbours say any thing
' untrue, when two men dispute about a land-
' mark, the king shall make each of those wit-
' nesses pay the middlemost of the three usual
' amercements.

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

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

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

267. ' A SOLDIER, defaming a priest, shall be
' fined a hundred *panas*; a merchant, *thus offend*'

¹ *ing*, an hundred and fifty, or two hundred:
 " *but, fon fuch an offence*, a mechanick or fervile
 " man fhall be whipped.

268. ' A prieft (hall be fined five hundred, if
 ' he flander a foldier; twenty-five, if a merchant;
 ' and twelve, if he flander a man of the fervile
 ' clafs.

269. ' For abufing one of the fame clafs, a
 ' twiceborn man fhall be fined only twelve; but
 ' for ribaldry not to be uttered, even that *and*
 ' *every fine* fhall be doubled.

270. ' A onceborn man, who infults the
 ' twiceborn with grofs invectives, ought to have
 ' his tongue flit; for he fprang from the lowed
 ' part of BRAHMA':

271. ' If he mention their name and claffes with
 ' contumely, *as if he fay " Ob! DE'VADATTA,*
 ' *'thourefule of Brahmens/'anironfyle*, ten fingers
 ' long, fhall be thruft red hot into his mouth'

272. ' Should he, through pride, give inftruc-
 ' tion to priefts concerning their duty, let the
 ' king order fome hot oil to be dropped into his
 ' mouth and his ear.

273. ' He, who falſely denies, through info-
 ' lence, the facred knowledge, the country, the
 ' clafs, or the corporeal inveſtiture *of a man equal*
 ' *in rank*, fhall be compelled to pay a fine of two
 ' hundred *panas*.

27'. ⁱ If a man call another blind with S

' eye, or lame, or defective in any fimilar way,
 ' he fhall pay the fmall fine of one *pana*. even
 ' though he fpeak truth.

275. ' Helhallbe fined a hundred, who defames
 ' his mother, his father, his wife, his brother, his
 ' fon, or jhis preceptor; and he, who gives not
 ' his preceptor the way.

276. ' For *mutual* abufe by a prieft and a fol-
 ' dier, this fine muft be impofed by a learned
 ' king; the loweft amercement on the prieft, and
 ' the middlemoft on the foldier.

277. ' Such exaftly, *as before mentioned*, muft
 ' be the punifhment of a merchant and a mecha-
 ' nick, in, refpect of their feveral clafles, except
 ' the flitting of the tongue: this is a fixed rule of
 ' punifhment.

278. ' THUS fully has the law been declared for
 ' the punifhment of defamatory fpeech:, I will,
 ' next, propound the eftablifhed law concerning
 ' aflault and battery,

279. ' With whatever member a lowborn man
 ' fhall aflault or hurt a fuperiour, even that mem-
 ' ber of his muft be flit, *or cut more or lefs in pro-*
 '*portion to the injury*: this is an ordinance of
 ' MENU,

280. ' He, who raifes his hand or a ftaff
 ' againft another', fhall have his hand cut; and
 ' he, who kicks another in wrath, fhall have an
 ' incifion made in his foot,

281. ' A, man of the loweft clafs, who fball
 ' infolently place himfelf on the fame feat with
 ' one of the higheft, (hall either be banifhed with
 ' a mark on his hinder parts, or the king ihall
 ' caufe a gafh to be made on his buttock;

282. ' Should he fpit on him through pride,
 ' the king (hill order both of his lips to be gafbed;
 ' fhould he urine on him, his penis; fhould he
 ' break wind againft him, his anus.

283. ' If he feizt the *Brahmen* by the locks,
 ' or by the feet, or by the beard, or by the throat,
 ' or by the fcrotum, let the king without hefita-
 ' tion caufe incifions to be made in his hands,

284. ' If any man fcratch the fkin of his
 ' equal in clafs, or fetch blood from him, he fhall
 ' be fined a hundred *panas*; if he wound a muf-
 ' cle, fix *niftcas* • but, if he break a bone, tet
 ' him be instantly banifhed.

285. ' ACCORDING to the ufe and value of
 ' all great trees, muft a fine be kt for injuring
 ' them : this is an eftablifhed rule.

286. ' IF a blow, attended with much pain,
 ' be given either to human creatures or cattle,
 ' the king fhall inflit on the ftriker a punifhment
 ' as heavy as the prefumed fuffering.

287. ' IN all cafes of hurting a limb, wound-
 ' ing, or fetching bood, the affailant fhall pay
 ' the expence of a perfeft cure; or, on his

'failure, both full damages and a fine to the
'fame amount.

288. ' H E , who injures the goods of another,
' whether acquainted or unacquainted with the
' owner of them, fhall give fatisfaction to the
' owner, and pay a fine to the king equal to the
' damage,

289. ' If injury be done to leather or to lea-
' thern bags, or to utenfils made of wood or clay'
the fine fhall be five times their value.

290. ' T H E wife reckon ten occafions, in re-
' gard to a carriage, its driver, and its owner, on
' which the fine is remitted; on other occafions
' a fine is ordained by law:

291. ' The nofecord or bridle being cut, by
' *fome accident without negligence*, or the yoke
' Being fnapped, on a fudden overturn, or run-
' ning, againft any thing *without fault*, the axle
' being broken, or the wheel cracked;

292. ' On the breaking of the thongs, of the
' halter, or of the reins, and when the driver
' has called aloud to make way, *on thefe occa-
' Jimis* has M E N U declared that no fine fhall be
' fet :

293. ' But, where a carriage has been over-
' turned by the unfkilfulnefs of the driver, there,
' in the cafe of any hurt, the mafter fhall be
' fined two hundred *panas*.

29'. ' If the driver be *ftilful* *but negligent* the driver alone (hall be fined; and thofe in the -carriage fhall be fined each a hundred, if the driver be clearly unfkilful.

295. ' Should a driver, being met in the way by, another carriage or by cattle, kill any animal *by bis negligence*, a fine fhall, without doubt, be impofed *by the following rule*:

296. ' For killing a man, a fine, equal to that for theft, fhall be instantly fet; half **that** amount, for large brute animals, as for a **bull** or cow, an elephant, a camel, or a horfe;

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

298. ' For an afs, a goat, or a fheep, the **fine** muft be five filver *majhas* -, and one *mdjha*, **for** killing a dog or a boar,

299. ' A WIFE, a fon, a fervant, a pupil, and a *younger* whole brother, may be cõrrected, when they commit faults, with a rope or the fmall fhoot of a cane;

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

361, ' This law of aflault and battery **hat**

been completely declared: I proceed to declare the rule for the fettled punifliment of theft.

302. ' IN reftraining thieves and robbers, let the king ufe extreme diligence ; fmce, by re-draining thieves and robbers, his fame and hict domain are increafed.

303' ' Conftantly, no doubt, is that king to be honoured, who bellows exemption from fear; fince he performs, *as it zvere*, a perpetual facrifice, giving exemption from fear as a conftant facrifical prefent.

304. ' A fixth part of *the reward for* virtuous deeds, performed by the whole people, belongs to the king, who protects them; but, if he protect them not, a fixth part of their iniquity lights op'him.

,305' ' Of *the reward for* what every fubject reads in the *Vēda*, for what he facrifices, for what he gives in charity, for what he performs in worfhip, the king juftly takes a fixth part in confequence of protection.

306. ' A king, who acts with juftice in defending all creatures, and flays only thofe, who ought to be (lain, performs, *as it were*, each day a facrifice with a hundred thoufand gifts;

307- ' But a king, w ho gives no fuch protection, yet receives taxes in kind or in value, market duties and tolls, the fmall daily prefents

for his househoM, add fines for offences; falls
 " directly *on his death* to a region of horror'

308; ' That king, who gives no protection;
 yet takes a fixth part of the grain as his reve'
 ' nue, wife men have corifidered as a prince,
 ' who draws to him the foulnefs of all his
 ' " peöple.

309. ' Be it knowt, that a monarch, who
 ' pays no regard to the fcriptures, who denies a
 ' future ftate, who ads with rapacity, who pro'
 ' teds not his people, yet fwallows up their pofc
 ' feffions, will fink low indeed *after death*.

310. ' WITH great care and by three methods
 ' let him refrain the unjuflj by imprifonment,
 ' by confinement in fetters, and by various kinds
 ' or corporal punifhment;

311. ' Since, by refraining the bad, and by
 ' encouraging the good, kings are perpetually
 ' made pure, as the twiceborn are purified by
 ' facrificing.

312. ' A KING, who feeks benefit to his own
 ' foul, muft always forgive parties litigant, chil-
 ' dren, old men, and fick perfons, who inveigh
 ' againft him:

313. ' He, who forgives perfons in pain;
 ' when they abufe him, (hall on that account be
 ' exalted in heaven ; but he, who excufes them
 ' not, through the pride of dominion, fliall for
 ' that reafoa fink into hell.

314 ' T H E ftealer of gold from a *priefi* muft
 5 run haftiljr to tjie king, with loofened hair,
 ' proclaiming the theft, and adding: " 'fhuf
 ' have I finned; punifh me."

315. ' He muft bear on his fhotllder a peftle
 ' of ftone, or a club of *chadira-poocty* or a jave-
 ' lin pointed at both ends, or an iron mace:

316. ' Whether the king ftrike him with it, or
 ' difmife him unhurt, the thief is then abfolved
 ' from the crime; but the king, if he punifh him
 ' not, fhall incur the guilt; of the thief.

317.- ' The killer of a ptieft, or *dejiroyer* of an
 ' embryo, cafts his guilt on the willing eater of
 f his provifions; an adulterous wife, on her *neg-*
 ' *ligent* hufband; a bad fcholar and facrificer, on
 ' their ignorant preceptor; and a thief, on the
 ' *forgiving* prince J

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

319. ' H E , who fteals the rope or the waterpot
 ' from a well, and he, who breaks down a cittern,
 ' fhall be fined a *mḍ/Iia* of gold; and that, *which*
 ' *he has taken or injured*, he muft reftore to its
 ' former condition.

320.' ' Corporal punifhment fhall be inflitied
 ' on him, who fteals more than ten *cumbbas* of
 1 grain (a *cumbba* is twenty *dronas*, and a *drona*,

‘ two hundred *palas*): for lefs he muft be fined
 ‘ eleven times as much, and fliall pay tō the
 ‘ owner the amount of his property.

321. ‘ So fhall corporal punifhment be in-
 ‘ flided for ftealing commodities ufually fold by
 ‘ weight, or more than a hundred head of cattle,
 ‘ or gold, or filver, or coftly apparel:

322. ‘ For ftealing more than fifty *pala*^it
 ‘ is enacted that a hand fhall be amputated; for
 ‘ lefs, the king fhall fet a fine eleven times as much
 ‘ as the value.

323. ‘ For ftealing men of high birth, and
 ‘ women above all, and the moft precious gems,
 ‘ as *diamonds or rubies*, the thief deferves capital
 ‘ punifhment.

324. ‘ For ftealing large beafts, weapons, or
 ‘ medicines, let the king inflict *adequate* punifh-
 ‘ ment, confidering the time and the act.

325. ‘ For taking kine belonging to priests,
 ‘ and boring their noftrils, or for ftealing their
 ‘ other cattle, the offender fhall instantly lofe half
 ‘ of one foot.

326. ‘ For ftealing thread, raw cotton, mate-
 ‘ rials to make fpirituous liquor, cowdung, mo-
 ‘ laffes, curds, milk, buttermilk, water, or grafs,

327. ‘ Large- canes, bafkets of canes, fait of
 ‘ every kind, earthenpots, clay or afhes,

328. ‘ Fifh, birds, oil, or clarified butter, flefh-
 ‘ meat, honey, or any thing, as *leather, born, or*
 ‘ *ivory*, that came from a beaft,

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

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

331. ' But for corn, potherbs, roots, and fruit, unenclosed by a fence, the fine is a hundred *panasy* if there be no sort of relation *between the thief and owner* \ or half a hundred, if there be such relation.

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

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

33'. ' With whatever limb a thief commits the offence by any means in this world, *as if he break a wall with his hand or his foot*, even that limb shall the king amputate, for the prevention of a familiar crime.

335. ' NEITHER a father, nor a preceptor, nor

' a friend, nor a mother, nor a wife, nor a son,
' nor a domestick priest, must be left unpunished
' by the king, if they adhere not with firmness
' to their duty.

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

337. ' But the fine of a *Sûdra* for theft shall be
' eightfold; that of a *Vaishya*, sixteenfold; that
' of a *Çhatriya*, two and thirtyfold.

338. ' That of a *Brahmen*, four and sixtyfold,
' or a hundredfold complete, or even twice four
' and sixtyfold ; each of them knowing the na-
' ture of his offence.

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

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

341. ' A twiceborn man, who is travelling,
' and whose provisions are scanty, shall not be

'fined, for taking only two fugar canes, or
' two efculent roots, from the field of another
' man.

3'2. ' He, who ties the unbound, or loofeg
' the bound, *cattle of another*', and he, who takes
' a flave, a horfe, or a carriage *without permiffion*,
' fhall be punifhed as for theft.

3'3. ' A king, who, by *enforcing* thefe latos,
' refrains men from committing theft, acquires
' in this world fame, and, in the next, beatitude.

3''. ' L E T riot the king, who ardently de-
' fires a feat with INDRA, and wifhes for glory,
' which nothing can change or diminifh, endure
' for a moment the man, who has committed
' atrocious violence, as by robbery, arfon, or ho-
' micide.

345. ' He, who commits great violence,
' muft be confidered as a more grievous offender
' than a defamer, a thief, or a ftriker with a ftaff:

346. ' That king, who endures a man con-
' victed of fuch atrocity, quickly goes to perdi-
' tion and incurs publick hate.

347. ' Neither on account of friendfhip, nor
' for the fake of great lucre, fhall the king dif-
' mifs the perpetrators of violent afts, who fpread
' terroiir among all creatures.

348. ' T H E twiceborn may take arms, when
' their duty is obftructed by force; and when,

' in fome evil time, a difafter has befallen the
' twiceborn clafles;

3'9. ' And in their own defence; and in a
' warforjuft caufe; and in defence of a woman
' or a prieft: he, who kills juftly, commits no
' crime.

350. ' Let a man, without hefiation, flay
' another, *if he cannot otherwife efcape*, who af-
' fails him with intent to murder, whether young
' or old, or his preceptor, or a *Bráhmén* deeply
' verfed in the fcripture.

351. ' By killing an aflaflin, who attempts to
' kill, whether in publick or in private, no crime
' is committed by the flayer: fury recoils upon
' fury.

352. ' M E N , who commit overt ácls of adul-
' terous inclinations for the wives of others, let
' the king banifh from his realm, having pu-
' nifhed them with fpch bodily marks, as excite
' averfion;

353. ' Since adultery caufes, to the general
' ruin, a mixture of clafles among men: thence
' arifes violation of duties; and thence is the
' root of felicity quite deftroyed.

35'. ' A man, before noted for fuch an of-
' fence, who converfes in fecret with the wife of
' another, fhall pay the firft of the three ufual
' amercements;

355. ' But a man, not before noted, who thus

' converſcs with her for ſome reaſonable cauſe,
 ' ſhall pay no fine; ſince in him there is no trunk
 ' greffion.

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

357. ' To fend her flowers or perfumes' to
 ' ſport and jell with her, to touch her apparel
 ' and ornaments, to fit with her on the ſame
 ' couch, are all held adulterous adts on his part,

358. ' To touch a married woman on *her*
 ' *breajls* or any *other* place, which ought not to
 ' be touched, or, being touched unbecomingly
 ' by her, to bear it complacently, are adulterous
 ' adts with mutual affent.

359. ' A man of the fervile claſs, who com-
 ' mits adual adultery with the wife of a prieſt,
 ' ought to ſuffer death: the wives, indeed, of
 ' all the four claſſes muſt ever be moſt eſpecially
 ' guarded.

360. ' Mendicants, encomiaſts, men prepared
 ' for a ſacrifice, and *cooks and other* artifans,
 ' are not prohibited from ſpeaking to married
 ' women,

361. ' Let no man converſe, after he has been
 ' forbidden, with the wives of others: he, who
 ' ¹ thus converſes, *after a hujband or father has*
 ' forbidden *him*, ſhall pay a fine of *one fuverna*.

362. ' Thefe laws relate not to the wives of
 ' publick dancers or fingers, or of fuch bafe men,
 ' as live by intrigues of their wives 5 men who
 ' either carry women to others, or, lying con-
 ' cealed at home, permit them to hold a culpable
 ' „intercourfe:

363. ' Yet he, who has a private connexion
 ' with fuch women, or with fervant girls kept
 ' by one mailer, or with female anchorets *of an*
 ' *heretical religion*, ihall be compelled to pay a
 6 fmall fine.

364. ' He, who vitiates a damfel without her
 ' confent, fhall fuffer corporal punifhraent in-
 ' ftantly; but he, who enjoys a willing damfel,
 ' Ihall not be corporally punifhed, if his dafs be
 ' the fame with hers.

365. ' From a girl, who makes advances to
 ' a man of a high clafs, let not the king take the
 ' fmalleft fine 5 but her, who firft addrefles a low
 ' man, let him conftrain to live in her houfe well
 ' guarded.

366. ' A low man, who makes love to a
 ' damfel of high birth, ought to be punifhed cor-
 ' porally; but he, who addreffes a maid of equal
 ' rank, fhall give the nuptial prefent *and marry*
 i *her*, if her father pleafe.

367. ' OF the man, who through infolence
 ' forcibly contaminates a damfel, let the king
 ' instantly order two fingers to be amputated,

' **and** condemn him to pay a fine of fix hundred *panas*:

368. ⁱ A man of equal rank, who defiles a
' confenting damfel, fhall not have his fingers
' amputated, but fhall pay a fine of two hundred
' *panas*, to refrain him from a repetition of his
' offence.

369. ' A damfel, polluting another damfel,
' muft be fined two hundred *panas*, pay the
' double value of her nuptial prefent, and receive
' ten lafhes with a whip;

370. ' But a woman, polluting a damfel, fhall
' have her head instantly fhaved, and two of her
' fingers chopped off; and fhall ride, mounted
' on an afs, *through the publick Jlreet*.

371. ¹ SHOULD a wife, proud of her family
' and the great qualities of her kinfmen, actually
' violate the duty, which fhe owes to her lord,
' let the king condemn her to be devoured by
' dogs in a place much frequented;

372. ' And let him place the adulterer on an
' iron bed well heated, under which the execu-
' tioners fhall throw logs continually, till the fin-
' ful wretch be there burned *to death*.

373. ' OF a man, once convicted, and a year
' after guilty *of the Jame crime*\ the fine muft be
' doubled; *Jo it mujl*, if he be connected with
' the daughter of an outcaft or with a *Chdnddli*
' woman.

,37', ' A mechanick or fervile man, having
 ' an adulterous connexion with a woman of a
 ' twice-born clafs, whether guarded at home or
 ' unguarded, *Jball thus be punijhed*: if fhe was
 ' unguarded, *he fhall lofe the part offending*, and
 ' his whole fubftance; if guarded, *and a prieflefs*,
 ' every thing, *even his life*.

375. ' *For adultery with a guarded prieflefs*, a
 ' merchant fhall forfeit all his wealth after impri-
 ' fonment for a year ; a foldier fhall be fined a
 ' thoufand *pan as*, and be fhaved with *the urine*
 ' *of anafs*;

376. ' But, if a merchant or foldier commit
 ' adultery with a woman of the facerdotal clafs,
 ' whom her hufband guards not at home, the
 ' king fhall only fine the merchant five hundred,
 ' and the foldier a thoufand:

377. ' Both of them, however, if they com-
 ' mit that offence with a prieftefs *not only* guarded
 ' *but eminent for good qualities*, fhall be punifhed
 ' like men of the fervile clafs, or be burned in a
 ' fire of dry grafs or reeds,

378. ' A *Brahmen*, who carnally knows a
 ' guarded woman without her free will, muft be
 ' fined a thoufand *panas*; but only five hundred
 ' if he knew her with her free confent.

379. ' Ignominious tonfure is ordained, in-
 ' f {lead of capital punifhment, for an adulterer of

' the priestly clafs, where the punifhment of
' other clafles may extend to los of life.

380. ' Never (hall the king flay a *Bráhmén*,
' though convicted of all poffible crimes: let
' him banifh the offender from his realm; but
' with all his property fecure and his body un-
' hurt:

381. ' No greater crime is known on earth
' than flaying a *Bráhmén*; and the king, there-
' fore, muft not even form in his mind an idea
' of killing a prieft.

382. ' . If a merchant converfe criminally
' with a guarded woman of the military, or a
' foldier with one of the mercantile, clafs, they
' both deferve the fame punifhnient as in the
' cafe of a prieftlefs unguarded:

383. ' But a *Bráhmén*, who fhall commit
' adultery with a guarded woman of thofe two
' clafles, muft be fined a thoufand *panas*; and,
' for the like offence with a guarded woman
' of the fervile clafs, the fine of a foldier or a
' merchant fhall be alfo one thoufand.

38'. ' For adultery with a woman of the mi-
' litary clafs, if unguarded, the fine of a mer-
' chant is five hundred; but a foldier, *for the*
' *converfe of that fiffen:e*, muft be fhaved with
' urine, or pay the fine *juft mentioned*.

£85. ' A prieft fhall pay five hundred *panas*\

' if he conned himself criminally with an un-
 ' guarded woman of the military, commercial, or
 ' fervile clafs; and a *thoufnd, for fuch a connection*
 ' with a woman of a vile *mixed* breed.

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

387. ' By fuppreffing thofe five in his domi-
 ' nion, he gains royalty paramount over men of
 ' the fame kingly rank, and fpreads his fame
 ' through the world.

388. ' THE facrificer, who forfakes the **offi-**
 ' dating prieft, and the officiating prieft, who
 ' abandons the facrificer, each being able to do
 ' his work, and guilty of no grievous offence,
 ' fhall each be fined a hundred *panas*.

389. ' A mother, a father, a wife, and a foil
 ' fhall not be forfaken: he, who forfakes either
 ' of them, unlefs guilty of a deadly fin, fhall pay
 ' fix hundred *panas* as a fine to the king.

390. ' LET not a prince, who feeks the good
 ' of his own foul, *hajiily and alone* pronounce
 ' the law, on a difpute concerning any legal ob-
 ' fervance, among twiceborn men in their feveral
 ' orders;

391. ' But let him, after giVing them due ho-
 ' nour according to their merit, and, at firftj hav-

' ing ipothed them by mildnef\$, apprise them of
' their duty with the afliftance of *Brdhmens*.

392. 'THE.priest, who gives an entertainment
' to twenty men of the three firft clafles, without
' inviting his next neighbour, and his neighbour
' next but one, if both be worthy of an invita-
' tion, fhall be fined one *mafia* of filver.

393. ' A *Brähmen* of deep learning in the
' *Véda*, who invites not another *Brähmen*, both
' learned and virtuous, to an entertainment *given*
' *onfome occafion* relating to his wealth, *as the*
1 *marriage of his child, and the like*, fhall be made
1 to pay him twice tſye value of the repaft, and
' be fined a *mafia* of gold.

39'. ^c NEITHER a blind man, nor an idiot,
' nor a cripple, nor a man full feventy years
' old, nor one who confers great benefits on
' priests of eminent learning, fhall be compelled
' by any *king* to pay taxes.

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

396. ' L E T a wafherman wafli *the clothes of*
1 *bis employers* by little and little, *or piece by piece*,
' *andnothajlily*, on a fmooth board of *Sdlmali-*
1 *ysrood*; let him never mix *the clothes of one*

' *perfon* with *the* clothes of *another*, nor fuffer any
' *but the owner* to wear them,

397. ' L E T a weaver, who has received ten
' *palas* of cotton-thread, give them back increafed
' to eleven *by the rice-water and the like ufed in*
' *weaving*: he, who does otherwife, fhall pay a
' fine of twelve *panas*.

398. ' As men verfed in cafes, of tolls, and ac-
' quainted with all marketable commodities, fhall
' eftablifh the price of faleable things, let the king
' take a twentieth part of *the profit on/ales at*
' that price.

399. ' Of the trader, who, through avarice,
' exports commodities, of which the king juftly
' claims the preemption, or on which he has laid
' an embargo, let the fovereign confifcate the
' whole property.

'00. ' Any feller or buyer, who *fraudulently*
' paffes by the toll office at *night* or any other
' improper time, or who makes a falfe enume-
' ration *of the articles bought*, fhall be fined eight
' times as much as their value.

401. ' Let the king eftablifh rules for the fale
' and purchafe of all marketable things, having
' duly confidered whence they come, *if imported*
' and, *if exported*, whither they muft be fent;
' how long they have been kept; what may be
' gained by them; and what has been expended
' on them

'02. ' Once in five nights, or at the clofe of
 ' every half month, *according to the nature of the*
 ' *commodities*, let the king make a regulation for
 ' market prices in the prefence of thofe *expe-*
 ' *rienced men*:

403. ' Let all weights and meafures be well
 ' afcertained by him; and once in lix months let
 ' him re-examine them.

404. ' The toll at a ferry is one *pana* for an
 ' empty cart; half a *pana*, for a man with a
 ' load; a quarter, for a heaft ufed in agriculture,
 ' or for a woman; and an eighth, for an un-
 ' loaded man.

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

406. ' For a long paflage, the freight rauf
 ' be proportioned to places and times 5 but
 ' this muft be underftood of paflages up and
 ' down rivers: at fea there can be no fettled
 ' freight.

407. ' A woman, who has been two months
 ' ¹ pregnant, a religious beggar, a forefter in the
 ' third order, and *Brdbmens*, who. are ftudents in
 ' -theology,, fhall not be obliged to pay toll for
 ' their paflage.

'08. ' Whatever fhall be broken in a boat, by

' the fault of the boatmen, shiall be made good
' by those men collectively; each paying his
' portion,

409. ' This rule, ordained for such as pass
' rivers in boats, relates to the culpable neglect:
' of boatmen on the water: in the case of inevi-
' table accident, there can be no damages re-
' covered.

410. ' T H E king should order each man of the
' mercantile class to practise trade, or money-
' lending, or agriculture and attendance on
' cattle; and each man of the fervile class to act
' in the service of the twiceborn.

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

' 12. ' A *Brahmen*, who, by his power and
' through avarice, shall cause twicebornmen,
' girt with the sacrificial thread, to perform fer-
' vile acts, *such as washing his feet*, without their
' consent, shall be fined by the king six hundred
' panas;

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

' 1 ' : ' A *Siidra*, though emancipated by his
 ' mafter, is not releafed from a ftate of fervitude;
 ' for of a ftate, which is natural to him, by whom
 ' can he be diverted?

' 15. ' THERE are fervants of feven forts;
 ' one made captive under a ftandard *or in battle*,
 ' one maintained in confideration of fervice, one
 ' born of a female flave in the houfe, one fold, or
 ' given, or inherited from anceftors, and one en-
 ' flaved by way of punifhment *on his inability to*
 ' pay *a large fine*.

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

' 417. ' A *Brahmen* may feize without hefita-
 ' tion, *if he be dijirejfed for a fubfiflence*, the
 ' goods of his *Sudra* flave; for, as that flave can
 ' have no property, his mafter may take his
 ' goods.

' 18. ' With vigilant care fhould the king ex-
 ' ert himfelf in compelling merchants and me-
 ' chanicks to perform their refpective duties;
 ' for, when fuch men fwerve from their duty,
 ' they throw this world into confufion.

' 19. ' Day by day muft the king, *though en-*
Pgaged in forenfick bufinefs, confider the great
 ' obje:dz of publick meafrTs, and inquire into the

' ftate of his carriages, *elephants, borfes, and cars,*
' his conftant revenues and neceffary expenfes,
' his mines *of precious metals or gems,* and his
' treafury:

' 20. ' Thus, bringing to a conclufion all thefe
' weighty affairs, and removing *from his realm*
' *and from himfelf* every taint of fin, a king
' reaches the fupreme path of beatitude/

END OF THE FIFTH VOLUME.

