

THE
SACRED LAWS OF THE ÂRYAS

AS TAUGHT IN THE SCHOOLS OF

ÂPASTAMBA, GAUTAMA, VÂSISHTHA,
AND BAUDHÂYANA

TRANSLATED BY

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PART II

VASISHTHA AND BAUDHÂYANA

Oxford

AT THE CLARENDON PRESS

1882

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C O N T E N T S.

	PAGE
INTRODUCTION TO VASISHTHA	xi
INTRODUCTION TO BAUDHÂYANA	xxix

VÂSISHTHA DHARMASÂSTRA.

General Rules	I
Four Castes	9
Lawful Occupations	11
Duty of Studying the Veda	17
Definitions	19
Purification	21
Origin of Castes	25
Impurity	27
Women	31
Rule of Conduct	34
Studentship	40
Householder	42
Hermit	45
Ascetic	46
Guests	49
Śrâddhas	51
Sacrifices	56
Initiation	57
Snâtaka	59
Study of the Veda	63
Saluting	67
Lawful and Forbidden Food	69
Adoption	75
Excommunication	77
Legal Procedure	79

	PAGE
Inheritance	84
Mixed Castes	93
Duties of a King	96
Penances	102
Secret Penances	124
Gifts	136

BAUDHĀYANA DHARMASĀSTRA.

Sources of the Law	143
Different Customs	146
Studentship	149
Snātaka	158
Waterpot	160
Purification	164
Lawful Livelihood	175
Impurity	177
Inheritance	178
Impurity	180
Forbidden Food	184
Sacrifices	186
Castes	196
The King	199
Criminal Law	201
Witnesses	202
Marriage	205
Veda-Study	208
Penances	211
Inheritance	224
Women	231
Householder	237
Snātaka	238
The Twilight Devotions	245
Bathing	249
Tarpana	252
Mahâyagñas	256

	PAGE
The Four Orders	258
The Offering to the Vital Airs	262
Eating	264
Srâddhas	266
The Procreation of Sons	271
Ascetic	273
Ways of Living for Householders	284
Hermits	291
Penances for a Student	294
Aghamarshana	296
Prasritiyâvaka	297
Kûshmândas	300
Kândrâyana	303
Anasnatpârâyana	307
Penances	310
Secret Penances	320
Rites securing Success	322
Parisishṭa on Adoption	334
INDEX TO PARTS I AND II (Vols. II and XIV)	337
Additions and Corrections	355

Transliteration of Oriental Alphabets adopted for the Trans-	
lations of the Sacred Books of the East	357

INTRODUCTION

TO

VASISHTHA.

THE *Vâsishthâ* Dharmaśâstra is, like that of Gautama, the last remnant of the *Sûtras* of a Vedic school, which, as far as our knowledge goes at present, has perished, together with the greater part of its writings. We owe the preservation of its Dharma-sûtra probably to the special law schools of India, which, attracted as it would seem by its title and the legend connecting it with *Vasishthâ* Maitrâvaruṇi, one of the most famous *Rishis* of the *Rig-veda* and a redoubtable champion of Brâhmanism, made it one of their standard authorities. The early existence of a legend according to which the *Vâsishthâ* Dharma-sûtra was considered either to be a work composed by the *Rishi* *Vasishthâ*, or at least to contain the sum of his teaching on the duty of man, is indicated by several passages of the work itself. For the Dharma-sûtra names *Vasishthâ*, or appeals to his authority on no less than three occasions. First, we find a rule on lawful interest, which is emphatically ascribed to *Vasishthâ*¹. 'Learn the interest for a money lender,' the *Sûtra* says, 'declared by the word of *Vasishthâ*; five mâshas (may be taken) for twenty (*kârshâpanas* every month).' Again, at the end of a long string of rules² which contain the observances to be kept by sinners who undergo *Krikkhâ* penances, *Vasishthâ*'s name is brought forward as the authority for them, and the last words are, 'Thus speaks the divine *Vasishthâ*.' Finally, the concluding *Sûtra* of the whole work³ gives

¹ *Vâsishthâ* Dharmaśâstra II, 51.

² *Vâsishthâ* Dharmaśâstra XXIV, 5.

³ *Vâsishthâ* Dharmaśâstra XXX, 11. Similar invocations of teachers at the end of *Sûtras* occur frequently, e.g. *Āsvalâyana Srauta-sûtra* XII, 15, 14; *Rig-vidhâna* V, 3, 4; *Yâska, Nirukta*, Roth, p. 216.

expression to the devotion felt by the author for the *Rîshi*, 'Adoration to Vasishth \bar{a} , Satayâtu, the son of Mitra and Varu \bar{a} and of Urvasî.' The epithets used in this last passage conclusively show that the Vasishth \bar{a} after whom the Dharma-sûtra is named, is the individual who, according to the Brâhmanical tradition, is the *Rîshi* of a large portion of the seventh *Mandala* of the Rig-veda and the progenitor of the Vâsishth \bar{a} clan of Brâhmans, and who in some hymns of the Rig-veda appears as the purohita or domestic priest of king Sudâs and the rival of Visvâmitra, and in other Sûktas as a half mythical being. For the verses Rig-veda VII, 33, 11-14 trace the origin of this Vasishth \bar{a} to the two sons of Aditi, Mitra and Varu \bar{a} , and to the Apsaras Urvasî, and contain the outline of the curious, but disgusting story of his marvellous birth, which Sâyana narrates more circumstantially in the commentary on verse 11. Moreover, the word Satayâtu, which in the Dharma-sûtra is used as an epithet of Vasishth \bar{a} , occurs Rig-veda VII, 18, 21 in close connexion with the *Rîshi*'s name. Sâyana explains it in his commentary on the latter passage as 'the destroyer of many demons,' or, 'he whom many demons seek to destroy,' and takes it as an epithet of the sage Parâsara, who is named together with Vasishth \bar{a} . It would, however, seem that, if the verse is construed on strictly philological principles, neither Sâyana's interpretation, nor that suggested by the Dharma-sûtra can be accepted, and that Satayâtu has to be taken as a proper name¹. But, however that may be, it is not doubtful that we may safely infer from the expressions used in the last sentence of the Dharma-sûtra, that the Vasishth \bar{a} to whom the invocation is addressed and the composition of the work is ascribed, either immediately or through the medium of pupils, is the individual named in the Rig-veda. The connexion of the Dharma-sûtra with one of the *Rîshis* of the Rig-veda which is thus established, possesses a particular interest and importance, because it corroborates the statement of Govindasvâmin, the commentator of Baudhâyana, that the Institutes of Vasishth \bar{a} were

¹ See Petersburg Dictionary, s. v. satayâtu.

originally studied by and authoritative for the *Bahvrikas*, the *Rîgvedins* alone, and afterwards became an authority for all *Brâhmans*¹. In the introduction to Gautama it has been shown that a similar assertion which Govinda makes with regard to the Gautama Dharma-sûtra can be corroborated by a considerable amount of external and internal evidence. It has been pointed out that not only the fact that the spiritual pedigrees of the *Khandoga* schools enumerate several Gautamas, but also the partiality for texts of the *Sâma-veda*, which the Institutes of Gautama show on several occasions, strongly support the tradition that the Gautamîya Dharmaśāstra originally was the exclusive property of a school of *Sâmavedins*. In the case of the *Vâsishṭha* Dharmaśāstra indications of the latter kind are, if not entirely wanting, at least very faint. The number of Vedic passages quoted is, no doubt, large; but few among them belong to the class of Mantras which are recited during the performance of *grihya* rites, and must be taken from the particular recension of the Veda to which the performer belongs. Besides, the texts of this description which actually occur, do not bear the mark of a particular Veda or *Sâkhâ*. The numerous texts, on the other hand, which are quoted in support or explanation of the rules, are taken impartially from all the three ancient Vedas. For this reason it would be dangerous to use the references to a dozen *Rikas* in chapters XVII and XXVI, as well as to the legend of *Suna/sepa*, which is told only in works belonging to the *Rig-*

¹ See Sacred Books of the East, vol. ii, p. xlix, note 2. As Govindasvâmin's statements possess a considerable importance, I give here the whole commentary on Baudhâya I, 1, 2, 6, according to my two MSS., C. I. and C. T.:

ननु किमिति व्यवस्था यावता मूलश्रुतिरेषामविशेषेण कल्पते यथा होलिका-
दीनां यथा वा बोधायनीयं धर्मशास्त्रं कैश्चिदेव पठ्यमानं सर्वाधिकारं भवति तथा
गोतमीयगोभिलीये छन्दोगैरेव पठ्यते [पठ्यते C. I.; पठ्यते C. T.] वासिष्ठं तु
बह्वचैः [1] अथ च सर्वाधिकाराणि [1] यथा वा गृह्यशास्त्राणि सर्वाधिकाराणि
तद्वदनुपनीतेन सह भोजनादीन्यपि समानानि [असमानि C. I.; अस्मानि
C. T.] भवन्तीत्याशङ्क्याह ॥ तत्र तत्र देशप्रामाण्यमेव स्यात् ॥६॥ एवं व्यवस्थि-
तविषयैव मूलश्रुतिः । किं त्विमामनुपपत्तिं न कल्पयतीत्यभिप्रायः । तस्माद्
व्यवस्थितविषयमेवानुष्ठानं तद्वर्जनं च ॥

veda, as a proof that the *Vāsishṭha* Dharmaśāstra is the work of a *Rigvedin*. Under these circumstances the three passages, mentioning *Vasishṭha*'s name, and especially the last which identifies him with the *Rishi* of the *Rig-veda*, have a particularly great importance, as they are the only pieces of internal evidence which can be brought forward in favour of Govindasvāmin's valuable statement. But the latter is, even without any further corroboration, credible enough, because no reason is apparent why Govinda should have invented such a story, and because his assertion fully agrees with the well-established facts known about the other existing Dharma-sūtras, which all were composed not for the benefit of the *Āryans* in general, but in order to regulate the conduct of particular sections of the Brāhmanical community.

There is, however, one point in Govindasvāmin's statement which requires further elucidation. He says that the *Bahvrikas*, i.e. the *Rigvedins* in general, formerly studied the *Vāsishṭha* Dharmaśāstra. It might, therefore, be inferred that the work possessed equal authority among the *Āsvalāyanīyas*, the *Sāṅkhāyanīyas*, the *Māṇḍūkāyanas*, and all the other schools of the *Rig-veda*, and that it belonged to the most ancient heirlooms of its adherents. That is, however, improbable for several reasons. For, first, neither the *Āsvalāyanīyas* nor the *Sāṅkhāyanīyas* of the present day study or attach any special importance to the *Vāsishṭha* Dharmaśāstra. Secondly, if the *Vāsishṭha* Dharmaśāstra had ever been the common authority on Dharma in all the different schools of the *Rig-veda*, it would be necessary to ascribe to it an antiquity which it clearly does not possess. All Sūtras were originally composed for a single school only. Where we find that the same Sūtra is adopted by several *Karāṇas*, as is the case with the Dharma-sūtra, which both the *Āpastambīyas* and the *Hairanyakesas* study, and with the *Kayana-sūtra*, which the *Bhāradvāgas* and the *Hairanyakesas* have in common, it is evident that the later school did not care to compose a treatise of its own on a certain subject, but preferred to take over the composition of an earlier teacher. If, now, a Sūtra on a certain

subject were acknowledged by all the schools of one Veda, it would follow that it must belong to the most ancient books of that Veda, and must have been adopted successively by all its later schools. In such a case the Sûtra must certainly show signs of its great antiquity. But if we look for the latter in the *Vâsishṭha* Dharma-sûtra, the trouble will be in vain. Though that work contains a good deal that is archaic, yet, as will be shown presently, its numerous quotations from Vedic writings and older Dharma-sûtras clearly prove that it does not belong to the oldest productions of its class, but takes even among the still existing Institutes of the Sacred Law only a secondary rank. Under these circumstances the correct interpretation of Govindasvâmin's words will be, that according to the Brâhmanical tradition, known to him, some school of *Rîgvedins*, the name of which he did not know, or did not care to give, originally possessed the *Vâsishṭha* Dharma-sâstra as its exclusive property, and that the work later, through the action of the special law schools, acquired general authority for all Brâhmins. It is a pity that no authentic information regarding the name of that school of *Rîgvedins* has been handed down. But, considering the fact that Vedic schools are frequently named after Vedic *Rîshis*, it seems not improbable that it was called after the *Vasishṭha* whose authority the Dharma-sûtra invokes, and that we may assume the former existence of a *Vâsishṭha* school, a *Sûtra-karana*, of the *Rig-veda*¹, founded perhaps by a teacher of the *Vâsishṭha* gotra. This conjecture, which, it must be confessed, is not supported by any corroborative evidence from the Brâhmanical tradition, will explain why the title-pages of this and of the first part speak of a school of *Vâsishṭha*.

The position of the *Vâsishṭha* Dharma-sûtra in Vedic literature can be defined, to a certain extent, by an analysis

¹ A school of *Vâsishṭhas*, belonging to the *Sâma-veda*, certainly existed in ancient times. I have formerly put forward a conjecture that the *Vâsishṭha* Dharma-sâstra might belong to that school (*Digest of Hindu Law Cases*, p. xxii, first edition). But Govindasvâmin's explicit statement makes it evident that it has to be abandoned.

of its numerous quotations from the *Samhitâs*, *Brâhmanas*, and the older *Sûtras*. By this means it will become evident that the work belongs to a period when the chief schools of the three ancient Vedas had been formed and some of the still existing *Dharma-sûtras* had been composed. Faint indications will be found which make it probable that the home of the school to which it belonged, lay in the northern half of India, north of the Narmadâ and of the Vindhya. As regards the quotations from the *Sruti*, the revealed texts of the Hindus, they are chiefly taken from the *Rig-veda* and from three recensions of the *Yagur-veda*. Passages from the *Rig-veda-samhitâ* are quoted IV, 21; XVII, 3-4; and XXVI, 5-7. With respect to the quotations in the latter chapter it must, however, be noted that its genuineness is, as will be shown in the sequel, not above suspicion. A *Brâhmana* of the *Rig-veda* seems to be referred to in XVII, 2, 32, 35. But the extracts, given there, agree only in part with the text of the *Aitareya*, and it is probable that they are taken from some lost composition of the same class. A curious *Sûtra*, II, 35, shows a great resemblance to the explanations of Vedic passages given by Yâska in the *Nirukta*¹. The passage points either to a connexion of the author with the school of the *Nairuktas* or, at least, to an acquaintance with its principles. Among the schools of the *Yagur-veda*, that of the *Kathas* is twice referred to by name, XII, 29; XXX, 5. But Professor Weber, who kindly looked for the quotations in the Berlin MS. of the *Kâthaka*, has not been able to find them. A third passage, I, 37, said to be taken from the *Kâturmâsyas*, i.e. the portion of a *Samhitâ* which treats of the *Kâturmâsya* sacrifices, actually occurs in the *Kâthaka*. But, as it is likewise found in the *Kâturmâsya-kânda* of the *Maitrâyanîyas*, it must remain uncertain from which of the two recensions of the Black *Yagur-veda* it has been quoted. The chapter on the duties of women, vers. 6-8, contains a

¹ This resemblance has not escaped *Krishnapandita*, who says in his commentary, निरुक्तमप्यस्य मन्त्रस्य दर्शयति ॥ लाङ्गलमित्यादि ॥ श्रुत्यनुक्रमपि निरुक्तसंगृह्णाति ॥

long quotation which, in spite of some small discrepancies, seems to have been taken from the Taittirīya-*samhitā* of the Black Yagur-veda. Passages of the Taittirīya *Āraṇyaka* are quoted or referred to X, 35 and XXIII, 23. The White Yagur-veda is mentioned several times as the Vāgasaneyi-*sākhā* or the Vāgasaneyaka. The former expression occurs III, 19 and XXIII, 13. The quotations, marked as taken from the Vāgasaneyaka, XII, 31, XIV, 46 are found in the Satapatha-brāhmaṇa, and another passage of the same work is quoted I, 45, without a specification of the source. A very clear proof that the author of the Dharma-sūtra knew the Vāgasaneyi-*samhitā* is furnished by the Mantra, given II, 34. The text, quoted there, occurs in three different *Sākhās*, that of the Vāgasaneyins, that of the Taittirīyas and the Atharva-veda, and in each shows a few *variae lectiones*. Its wording in the Vāgasaneyi-*samhitā* literally agrees with the version, given in the Sūtra. The Sāma-veda is referred to III, 19, and particular Sāmāns are mentioned in the borrowed chapter XXII, 9. A passage from the Nidāna, probably a work on Stomas and metres, which belonged to the Bhāllavins, an ancient school of Sāmavedins, occurs I, 14-16. An Upaniṣad, connected with the Atharva-veda, the Atharvasiras, is mentioned in the borrowed chapter XXII, 9, and the existence of the Atharva-veda is pre-supposed, also, by 'the vows called Siras,' which are alluded to in the suspicious chapter XXVI, 11, and are said to be peculiar to the Atharvavedins¹. The chapters, which are undoubtedly genuine, contain no allusion to the fourth Veda.

As regards the older works on Dharma, the author of the Institutes of Vasishṭha certainly knew and used a treatise, attributed to Yama, the Dharma-sūtras of Manu, Hārīta and Gautama, and perhaps that of Baudhāyana. With respect to two verses, which, as the Sūtra says, were proclaimed by Pragāpati, XIV, 24, 30, it is somewhat doubtful, if it is meant that they have been taken from a work, attributed to Pragāpati, or that they are merely utterances, supposed to have been made by that deity for the benefit

¹ See Baudhāyana Dharma-sūtra II, 8, 14, 2, note.

of mankind. The latter view seems, however, the more likely one, as it is customary in the *Smṛitis* to ascribe the revelation of social institutions, ceremonies, and penances to Pragâpati, who, in the older works, occupies much the same position as Brahmâ, the creator, in the later religious systems. It is not impossible that some of the references to Yama, e. g. XI, 20, have to be explained in the same manner. But other passages, attributed to Yama, e. g. XVIII, 13-16, seem to have been taken from a work which was considered the production of the Dharmarâga. Of course, none of the Yamasmṛitis, which exist in the present day, can be meant. The quotations from Manu are numerous¹. They have all been taken from a book attributed to a Manu, and possess a very high interest for the history of the present metrical Manusmṛiti. For the prose passage from the Mânava, given IV, 5, furnishes the proof that the author of the Vâsishthâ Dharmasâstra quotes from a Dharma-sûtra attributed to a Manu, while other quotations show that the Mânava Dharma-sûtra contained, also, verses, some of which, e. g. XIX, 37, were Trishubhs, and that a large proportion of these verses has been embodied in Bhrigu's version of the Manusmṛiti. Fifteen years ago² I first called attention to Vasishthâ's prose quotation from the Mânava, and pointed out that, if the MSS. of the Vâsishthâ Dharmasâstra were to be trusted, a small piece of the lost Mânava Dharma-sûtra, on which the present Manusmṛiti is based, had been found. The incorrectness and the defective state of the materials which I then had at my disposal did not allow me to go further. Since that time several, comparatively speaking, good MSS. of the Institutes of Vasishthâ and many inferior ones have been found, and all, at least all those which I have examined, give the quotation in prose exactly in the same form. The fact that Vasishthâ gives, in IV, 5, a prose quotation from Manu may, therefore, be considered as certain³. Moreover several of the best MSS.

¹ They occur Vâsishthâ Dharmasâstra I, 17; III, 2; IV, 5-8; XI, 23; XII, 16; XIII, 16; XIX, 37; XX, 18; XXIII, 43; XXVI, 8.

² Digest of Hindu Law Cases, p. xxxi, note, first edition.

³ Such, I suppose, will be the opinion of all European scholars. Those Hindus

show, by adding the particle 'iti' at the end of Sûtra 8, that the quotation from the Mânava is not finished with Sûtra 5, but includes the two verses given in Sûtras 6 and 7 and the second prose passage in Sûtra 8. Among the verses the first is found entire in the metrical Manusmṛiti, and the second has likewise a representative in that work, though its concluding portion has been altered in such a manner that the permission to slaughter animals at sacrifices has been converted into an absolute prohibition to take animal life. Sûtra 8, which again is in prose, has no counterpart in the metrical Manusmṛiti, as might be expected from its allowing 'a full-grown ox' or 'a full-grown he-goat' to be killed in honour of a distinguished Brâhmana or Kshatriya guest. A closely corresponding passage is found in the Satapatha-brâhmana, and a verse expressing the same opinion in the Yâgñavalkya Smṛiti, the versification of a Dharma-sûtra of the White Yagur-veda. As the last part of the quotation resembles the text of the Brâhmana and its language is very archaic, it is quite possible that, though belonging to the passage from the Mânava-sûtra, it contains a Vedic text, taken from some hitherto unknown Brâhmana which Manu adduced in support of his opinion. On this supposition the arrangement of the whole quotation would be as follows. Sûtra 5 would give the original rule of the author of the Mânava in an aphoristic form; Sûtras 6-7 would repeat the same opinion in verse, the latter being probably Slokas current among the Brâhmanical community; and Sûtra 8 would give the Vedic authority for the preceding sentences. This arrangement would be in strict conformity with the plan usually followed by the authors of Dharma-sûtras. But whether Sûtra 8 contains a second original aphorism of the Mânava Dharma-sûtra or a Vedic passage, it seems indisputable that the author of the Vâsishtīa Dharma-sûtra knew a treatise attributed to a teacher called Manu, which, like all other Dharma-sûtras, was partly written in apho-

who allow their religious convictions to get the better of their reason, will perhaps prefer Krishnapandita's ingenious, but unsound explanation of the words iti mânavam, by iti manumatam, 'such is the opinion of Manu.'

ristic prose and partly in verse. The passage furnishes, therefore, the proof for Professor Max Müller's conjecture that our metrical *Manusmṛiti*, like all the older works of the same class, is based on the *Dharma-sūtra* of a Vedic *Sūtra-karana*. In connexion with this subject it may be mentioned that the Institutes of *Vasishtha* contain, besides the above-mentioned passages, no less than thirty-nine verses¹, which are not marked as quotations, but occur in *Bhṛigu's* metrical *Manusamhitā*. Some of them present more or less important *variae lectiones*. Moreover, there are four verses which, though *Vasishtha* attributes them to *Hārīta* and *Yama*², are included in our *Manusmṛiti* and treated as utterances of the father of mankind. The bearing of both these facts on the history of the *Manusmṛiti* is obvious. But the frequency of the references to or quotations from *Manu* which *Vasishtha* makes, teaches another important lesson. Like the fact that *Manu* is the only individual author to whom *Gautama* refers³, it shows that in ancient times *Manu's* name had as great a charm for the *Brāhman* teachers as it has for those of the present day, and that the old *Mānava Dharma-sūtra* was one of the leading works on the subject, or, perhaps, even held that dominant position which the metrical *Manusmṛiti* actually occupied in the Middle Ages and theoretically occupies in our days. It is interesting to observe that precisely the same inference can be drawn from the early Sanskrit inscriptions. If these speak of individual authors of *Smṛitis*, they invariably place *Manu's* name first⁴.

Vasishtha gives only one quotation from *Hārīta*, II, 6. *Hārīta* was one of the ancient *Sūtrakāras* of the Black *Yagur-veda*, who is known also to *Baudhāyana*. From a passage which *Kṛishnapandita* quotes in elucidation of

¹ *Vāsishtā Dharmasāstra* I, 22; II, 3, 10, 27, 48; III, 5, 11, 60; V, 2; VI, 6, 8, 11, 13, 19; VIII, 7, 15; X, 21-22; XI, 27-28, 32, 35; XIII, 48; XIV, 13, 16, 18; XVI, 18, 33-34; XVII, 5, 8; XVIII, 14, 15; XIX, 48; XX, 18; XXV, 4-5, 7; XXVII, 3.

² *Vāsishtā Dharmasāstra* II, 6; XVIII, 14-15; XIX, 48.

³ *Sacred Books of the East*, vol. ii, p. lvii.

⁴ See e.g. the grant of *Dhruvasena* I, dated *Samvat*, i.e. *Guptasamvat* 207, Pl. i, l. 7; *Ind. Ant.*, vol. iv, p. 105.

Vasishthā XXIV, 6, I conclude that Hârîta was a Maitrâyaṇīya¹. The relation of the Vâsishthā Dharma-sûtra to Gautama and Baudhâyaṇa has already been discussed in the introduction to the translation of the former work². To the remarks on its connexion with Baudhâyaṇa it must be added that the third Prasna of the Baudhâyaṇa Dharma-sûtra, from which Vasishthā's twenty-second chapter seems to have been borrowed, perhaps does not belong to the original work, but is a later, though presumably a very ancient, addition to the composition of the founder of the Baudhâyaṇa school. The reasons for this opinion will be given below. If Baudhâyaṇa's third Prasna is not genuine, but has been added by a later teacher of that school, the interval between Baudhâyaṇa and the author of the Vâsishthā Dharma-sâstra must be a very considerable one. I have, however, to point out that the inference regarding the priority of Baudhâyaṇa to Vasishthā is permissible only on the supposition that Vasishthā's twenty-second chapter is not a later addition to the latter work, and that, though it is found in all our MSS., this fact is not sufficient to silence all doubts which might be raised with respect to its genuineness; for we shall see presently that other chapters in the section on penances have been tampered with by a later hand. It will, therefore, be advisable not to insist too strongly on the certainty of the conclusion that Vasishthā knew and used Baudhâyaṇa's work.

In the introduction to his translation of the *Vishnusmṛiti*³, Professor Jolly has pointed out two passages of Vasishthā which, as he thinks, have been borrowed from Vishnu, and prove the posteriority of the Vâsishthā Dharmasâstra, if not to the *Vishnusmṛiti*, at least to its original, the Kâṭhaka Dharma-sûtra. He contends that the passage Vasishthā XXVIII, 10-15 is a versification of the Sûtras of Vishnu LVI, which, besides being clumsy, shows a number of

¹ He says: तथा च हारीतः। तदेतद्वाङ्मयः पुत्राय[°णो नापुत्राय?] नाशिष्याय नासमाप्तिकाय नासंवत्सरोपिताय नाविदितकुलशीलाचाराय दद्यादित्याह भगवानयोनिको रश्मिसंभवो मित्तयुतो [?] मैत्रायणिरिति ॥

² Sacred Books of the East, vol. ii, pp. liii-lv.

³ Sacred Books of the East, vol. vii, p. xviii.

corruptions and grammatical mistakes, and that *Vasishtha* XXVIII, 18-22 has been borrowed from *Vishnu* LXXXVII. Professor Jolly's assertion regarding the second passage involves, however, a little mistake. For the first two Slokas, *Vasishtha* XXVIII, 18-19, describe not the gift of the skin of a black antelope, which is mentioned in the first six Sûtras of *Vishnu* LXXXVII, but the rite of feeding Brâhmans with honey and sesamum grains, which occurs *Vishnu* XC, 10. The three verses, *Vasishtha* XXVIII, 20-22, on the other hand, really are the same as those given by *Vishnu* LXXXVII, 8-10. It is, however, expressly stated in the *Vishnusrîti* that they contain a quotation, and are not the original composition of the author of the Dharma-sûtra. Hence no inference can be drawn from the recurrence of the same stanzas in the *Vâsishtha* Dharma-sûtra. As regards the other passage, *Vasishtha* XXVIII, 10-15, Professor Jolly is quite right in saying that it is a clumsy versification of *Vishnu*'s Sûtras, and it is not at all improbable that *Vasishtha*'s verses may have been immediately derived from the *Kâthaka*. The further inference as to the priority of the ancient *Kâthaka*-sûtra to *Vasishtha*, which Professor Jolly draws from the comparison of the two passages, would also be unimpeachable, if the genuineness of *Vasishtha*'s twenty-eighth chapter were certain. But that is unfortunately not the case. Not only that chapter, but the preceding ones, XXV-XXVII, in fact the whole section on secret penances, are, in my opinion, not only suspicious, but certainly betray the hand of a later restorer and corrector. Everybody who carefully reads the Sanskrit text of the Dharma-sûtra will be struck by the change of the style and the difference in the language which the four chapters on secret penances show, as compared with the preceding and following sections. Throughout the whole of the first twenty-four chapters and in the last two chapters we find a mixture of prose and verse. With one exception in the sixth chapter, where thirty-one verses form the beginning of the section on the rule of conduct, the author follows always one and the same plan in arranging his materials. His own rules are given first in the form of aphorisms, and after

these follow the authorities for his doctrines, which consist either of Vedic passages or of verses, the latter being partly quotations taken from individual authors or works, partly specimens of the versified maxims current among the Brāhmans, and sometimes memorial verses composed by the author himself. But chapters XXV–XXVIII contain not a single Sûtra. They are made up entirely of Anushûbh Slokas, and the phrases¹ ‘I will now declare,’ ‘Listen to my words,’ which are so characteristic of the style of the later metrical *Smṛitis* and of the *Purānas*, occur more frequently than is absolutely necessary. Again, in the first twenty-four and the last two chapters the language is archaic Sanskrit, interspersed here and there with Vedic anomalous forms. But in the four chapters on secret penances we have the common Sanskrit of the metrical *Smṛitis* and *Purānas*, with its incorrect forms, adopted in order to fit inconvenient words into the metre. Nor is this all. The contents of a portion of this suspicious section are merely useless repetitions of matters dealt with already in the preceding chapters, while some verses contain fragmentary rules on a subject which is treated more fully further on. Thus the description of the *Krikkhṛa* and *Kândrâyana* penances, which has been given XXI, 20 and XXIV, 45, is repeated XXVII, 16, 21. Further, the enumeration of the purificatory texts XXVIII, 10–15 is merely an enlargement of XXII, 9. Finally, the verses XXVIII, 16–22 contain detached rules on gifts, and in the next chapter, XXIX, the subject is begun once more and treated at considerable length. Though it would be unwise to assume that all genuine productions of the old Sûtrakâras must, throughout, show regularity and consistency, the differences between the four chapters and the remainder of the work, just pointed out, are, it seems to me, sufficient to warrant the conclusion that they do not belong to the author of the *Institutes*. Under these circumstances it might be assumed that the whole section is simply an interpolation. But that would be going too far. For, as other Dharma-sûtras show, one or even several chapters on secret penances belonged to such works.

¹ See XXV, 1; XXVII, 10; XXVIII, 10, 20.

Moreover, in the section on women, *Vasishtha* V, 3-4, the author makes a cross-reference to the *rahasyas*, the section on secret penances, and quotes by anticipation half a *Sloka* which is actually found in chapter XXVIII. The inference to be drawn from these facts is, that the section on secret penances is not simply a later addition intended to supply an omission of the first writer, but that, for some reason or other, it has been remodelled. The answer to the question why this was done is suggested, it seems to me, partly by the state of the MSS. of the *Vâsishtha* *Dharmasâstra*, and partly by the facts connected with the treatment of ancient works by the *Pandits*, which my examination of the libraries of Northern India has brought to light¹. MSS. of the *Vâsishtha* *Dharmasâstra* are very rare, and among those found only three are complete. Some stop with chapter X, others with chapter XXI, and a few in the middle of the thirtieth *Adhyâya*. Moreover, most of them are very corrupt, and even the best exhibit some *Sûtras* which are hopeless. These circumstances show clearly that after the extinction of the Vedic school, with which the work originated, the *Sûtra* was for some time neglected, and existed in a few copies only, perhaps even in a single MS. The materials on which the ancient Hindus wrote, the birch bark and the palm leaves, are so frail that especially the first and last leaves of a *Pothî* are easily lost or badly damaged. Instances of this kind are common enough in the *Gaina* and *Kasmîr* libraries, where the beginning and still more frequently the end of many works have been irretrievably lost. The fate of the *Vâsishtha* *Dharmasâstra*, it would seem, has been similar. The facts related above make it probable that the MS. or MSS. which came into the hands of the *Pandits* of the special law schools, who revived the study of the work, was defective. Pieces of the last leaves which remained, probably showed the extent of the damage done, and the *Pandits* set to work at the restoration of the lost portions, just as the *Kasmîrian* *Sâhebrâm* *Pandit* restored the *Nilamata-purâna* for *Mahârâga Ranavîrasimha*. They,

¹ See Report on a Tour in *Kasmîr*, *Journal of the Bombay Branch of the Royal Asiatic Society*, vol. xii, p. 33.

of course, used the verses which they still found on the fragments, and cleverly supplied the remainder from their knowledge of Manu and other *Smṛitis*, of the *Mahābhārata* and the *Purāṇas*. This theory, I think, explains all the difficulties which the present state of the section on secret penances raises. Perhaps it may be used also to account for some incongruities observable in chapter XXX. The last two verses, XXX, 9-10, are common-places which are frequently quoted in the *Mahābhārata*, the *Harivaṃsa*, the *Pañkātānta*, and modern anthologies. With their baldness of expression and sentiment they present a strong contrast to the preceding solemn passages from the *Veda*, and look very much like an unlucky attempt at filling up a break at the end of the MS. In connexion with this subject it ought, however, to be mentioned that this restoration of the last part of the *Vāsishṭha Dharmaśāstra* must have happened in early times, at least more than a thousand years ago. For the oldest commentators and compilers of digests on law, such as *Vigñānesvara*¹, who lived at the end of the eleventh century A. D., quote passages from the section on secret penances as the genuine utterances of *Vasishṭha*. These details will suffice to show why I differ from Professor Jolly with respect to his conclusion from the agreement of the verses of *Vasishṭha* XXVIII, 10-15 with the *Sūtras* of *Vishnu* LVI.

With the exception of the quotations, the *Vāsishṭha Dharmaśāstra* contains no data which could be used either to define its relative position in Sanskrit literature or to connect it with the historical period of India. The occurrence of the word *Romaka*, XVIII, 4, in some MSS., as the name of a degraded caste of mixed origin, proves nothing, as other MSS. read *Rāmaka*, and tribes called *Rāma* and *Rāmat* are mentioned in the *Purāṇas*. It would be wrong to assert on such evidence that the *Sūtra* belonged to the time when the Romans, or rather the Byzantines (*Rōmaioi*), had political relations with India. Nor will it be advisable to adduce the fact that *Vasishṭha*

¹ Thus *Vasishṭha* XXVIII, 7 is quoted in the *Mitāksharā* on *Yāgñavalkya* III, 298; XXVIII, 10-15 on *Yāgñavalkya* III, 309; and XXVIII, 18-19, 22 on *Yāgñavalkya* III, 310.

XVI, 10, 14, 15 mentions written documents as a means of legal proof, in order to establish the 'comparatively late' date of the Sûtra. For though the other Dharma-sûtras do not give any hint that the art of writing was known or in common use in their times, still the state of society which they describe is so advanced that people could not have got on without writing, and the proofs for the antiquity of the Indian alphabets are now much stronger than they were even a short time ago. The silence of Âpastamba and the other Sûtrakâras regarding written documents is probably due to their strict adherence to a general principle underlying the composition of the Dharma-sûtras. Those points only fall primarily within the scope of the Dharma-sûtras which have some immediate, close connexion with the Dharma, the acquisition of spiritual merit. Hence it sufficed for them to give some general maxims for the fulfilment of the *guzadharm*a of kings, the impartial administration of justice, and to give fuller rules regarding the half-religious ceremony of the swearing in and the examination of witnesses. Judicial technicalities, like the determination of the legal value of written documents, had less importance in their eyes, and were left either to the *desâkâra*, the custom of the country, or to the *Nîti* and *Artha-sâstras*, the Institutes of Polity and of the Arts of common life. It would, also, be easy to rebut attempts at assigning the *Vâsisht/ka* Dharma-sûtra to what is usually 'a comparatively late period' by other pieces of so-called internal evidence tending to show that it is an ancient work. Some of the doctrines of the Sûtra undoubtedly belong to an ancient order of ideas. This is particularly observable in the rules regarding the subsidiary sons, which place the offspring even of illicit unions in the class of heirs and members of the family, while adopted sons are relegated to the division of members of the family excluded from inheritance. The same remark applies to the exclusion of all females, with the exception of *putrikâs* or appointed daughters, from the succession to the property of males, to the permission to re-marry infant widows, and to the law of the *Niyoga* or the appointment of adult

widows, which *Vasishṭha* allows without hesitation, and even extends to the wives of emigrants. But as most of these opinions occur also in some of the decidedly later metrical *Smṛitis*, and disputes on these subjects seem to have existed among the various Brâhmanical schools down to a late period, it would be hazardous to use them as arguments for the antiquity of the *Sûtra*.

The following points bear on the question where the original home of the Vedic school, which produced the *Dharma-sûtra*, was situated. First, the author declares India north of the Vindhyas, and especially those portions now included in the North-western Provinces, to be the country where holy men and pure customs are to be found, I, 8-16. Secondly, he shows a predilection for those redactions of the *Veda* and those *Sûtras* which belong to the northern half of India, viz. for the *Kâṭhaka*, the *Vâgasaneyî-sâkhâ*, and the *Sûtras* of *Manu* and *Hârîta*. Faint as these indications are, I think, they permit us to conclude that the *Sûtra* belongs to a *Karana* settled in the north.

As regards the materials on which the subjoined translation is based, I have chiefly relied on the Benares edition of the text, with the commentary of *Krishna-pandîta Dharmâdhikârî*, and on a rough edition with the *varietas lectionum* from the two MSS. of the Bombay Government Collection of 1874-75¹, B. no. 29 and Bh. no. 30, a MS. of the Elphinstone College Collection of 1867-68, E. no. 23 of Class VI, and an imperfect apograph F. in my own collection, which was made in 1864 at Bombay. The rough edition was prepared under my superintendence by *Vâmanâkârya Ghalkîkar*, now teacher of Sanskrit in the Dekhan College, *Puna*. When I wrote the translation, the Bombay Government MSS. were not accessible to me. I could only use my own MS. and, thanks to the kindness of Dr. Rost, Colebrooke's MS., I. O. no. 913, from which the now worthless Calcutta editions have been derived either immediately or mediately. These materials belong to two groups. The Bombay MS. B., which comes from Benares, closely agrees with *Krishnapandîta*'s text; and E., though

¹ See Report on Sanskrit MSS. 1874-75, p. 11.

purchased at Pune, does not differ much from the two. Bh., which comes from Bhuj in *Kakh*, and my own MS. F. form a second group, towards which Colebrooke's MS., I. O. no. 913, also leans. Ultimately both groups are derived from one codex archetypus.

The first group of MSS. gives a fuller and in general a correcter text than the second. But it seems to me that the text of B., and still more *Krishnapandita's*, has in many places been conjecturally restored, and that the real difficulties have been rather veiled than solved. I have, therefore, frequently preferred the readings offered by the second group, or based on them my conjectural emendations, which have all been given in the notes. To give a translation without having recourse to conjectural emendations was impossible, as a European philologist is unable to avail himself of those wonderful tricks of interpretation which permit an Indian *Pandit* to extract some kind of meaning from the most desperate passages. In a few cases, where even the best MSS. contain nothing but a conglomerate of meaningless syllables or unconnected words, I have thought it advisable to refrain from all attempts at a restoration of the text, and at a translation. A critical edition of the *Vāsishtha Dharmaśāstra* is very desirable, and I trust that Dr. A. Führer, of St. Xavier's College, Bombay, will soon supply this want. *Krishnapandita's* commentary, for which he had not the aid of older *vrittis*, shows considerable learning, and has been of great value to me. I have followed him mostly in the division of the *Sūtras*, and have frequently given his opinions in the notes, both in cases where I agree with him and in those where I differ from him, but think his opinion worthy of consideration.

In conclusion, I have to thank Professors R. von Roth, Weber, and Jolly, as well as Dr. L. von Schröder, for the verification of a number of Vedic quotations, which they kindly undertook for me, as I was unable to use my own books of reference during the translation of the work.

VA S I S H T H A.

CHAPTER I.

1. Now, therefore, the desire to know the sacred law for their welfare (should arise) in (initiated) men.

2. He who knows and follows the (sacred law is called) a righteous man.

3. He becomes most worthy of praise in this world and after death gains heaven.

4. The sacred law has been settled by the revealed texts and by the tradition (of the sages).

5. On failure of (rules given in) these (two sources) the practice of the *Sishṭas* (has) authority.

6. But he whose heart is free from desire (is called) a *Sishṭa*.

7. (Acts sanctioned by) the sacred law (are those) for which no (worldly) cause is perceptible.

I. 1. The word 'now' serves, in this as in analogous cases, various purposes. It marks the beginning of the book, serves as an auspicious invocation (*maṅgala*), and indicates that something else, the initiation, must precede the study of the sacred law. 'Therefore' means 'because, after initiation, the neophyte is to be taught the prescribed rules regarding personal purification.'—*Krishṇapandita*. For the wording of the *Sūtra* compare the beginning of *Gaimini's Mīmāṃsā-sūtras*.

3-6. *Gautama I, 1-4; XXVIII, 48.*

7. The *Sūtra* contains a limitation of *Sūtra 5*. It indicates that the customs of the *Sishṭas*, for which worldly motives are perceptible, have no authority, and are not to be followed. The principle enunciated is one inculcated by the *Mīmāṃsakas* (P. M. S.

8. The country of the Âryas (Âryâvarta) lies to the east of the region where (the river Sarasvatî) disappears, to the west of the Black-forest, to the north of the Pâripâtra (mountains), to the south of the Himâlaya.

9. (According to others it lies to the south of the Himâlaya) and to the north of the Vindhya range (being limited east and west by the two oceans).

10. Acts productive of spiritual merit, and customs which (are approved of) in that country, must be everywhere acknowledged (as authoritative);

11. But not different ones, (i.e. those) of (countries where) laws opposed (to those of Âryâvarta prevail).

I, 3, 3-4). See also Âpastamba I, 1, 4, 5-10; I, 4, 12, 8; and Introduction, p. xxvii. *Krishnapandita* has misunderstood the Sûtra. He reads, against the MSS., *agrihyamânakârano* 'dharmaḥ, 'unlawful acts are those for which no motive, i.e. no sacred source such as the Vedas, is perceptible.'

8. The region where the river Sarasvatî disappears is the Patîâlâ district in the Pañgâb. The Pâripâtra mountains belong to the great Vindhya range, and are probably the hills in Mâlâvâ. The position of the Kâlakavana or Black-forest is not accurately known. But it must probably be sought in Bihâr. All the MSS. as well as *Krishnapandita* read in this Sûtra *prâgâdarsanât* instead of *prâgadarsanât*, 'to the east of the region where the river Sarasvatî disappears.' This circumstance gains some importance by the fact that the Mahâbhâshya on Pânini II, 4, 10, quotes the same definition of the Âryâvarta, giving, however, instead of *adarsanât* *prâgâdarsât*, 'to the east of Âdarsa, i.e. the Âdarsa mountains.' It seems to me not improbable that our Sûtra, too, had originally *prâgâdarsât*, and that some Pandit who knew nothing about the Âdarsa hills, but remembered Manu II, 21, and Baudhâyana I, 1, 25, where the word *vinasanât*, 'the disappearance of the Sarasvatî,' undoubtedly occurs, added the syllable na and forgot to correct the â, after *prâg*.

9. The translation follows *Krishnapandita*'s commentary, which recommends itself on account of the analogous definition of Âryâvarta given by Manu II, 22.

11. My translation follows the text given by *Krishnapandita* and

12. Some (declare the country of the Âryas to be situated) between the (rivers) Gaṅgâ and Yamunâ.

13. Others (state as) an alternative, that spiritual pre-eminence (is found) as far as the black antelope grazes.

14. Now the Bhâllavins quote also (the following) verse in the Nidâna :

15. 'In the west the boundary-river, in the east

B., and the explanation of the former, because it seems to me that the general sense which they give, is the correct one. I feel, however, not certain that the word *pratilomakadharmânâm*, 'of those countries where opposite laws prevail,' is more than a careless correction. The majority of the MSS. read *pratilomakakshadharmânâh* (*kalpadharmânâh*), which by itself is difficult of explanation. But, as the text of the next Sûtra contains an apparently superfluous phrase, I fear, we shall have to admit that the text is here disfigured by corruptions, which with our present MSS. it is impossible to remove with certainty.

12. *Krîṣṇapandita* reads this Sûtra 'etad âryâvartam ityâka-kshate gaṅgâyamunayor antaretyeke,' and takes it as one sentence, the subject of which is 'eke.' I feel no doubt that this explanation is utterly untenable, and that the first four words have nothing to do with this Sûtra, the second part of which occurs also in the Bau-dhâyana Dharma-sûtra I, 1, 27. My opinion is that they originally belonged to Sûtra 11, though the state of the MSS. at my disposal does not allow me to say how Sûtra 11 has to be corrected. The general sense of Sûtra 12 is, however, perfectly certain.

13. Manu II, 23 ; *Yâgñavalkya* I, 2. It deserves to be noted that the black antelope (black-buck), *Oryx cervicapra*, selects for its home the well-cultivated, rich plains of India only, and is entirely wanting in the sandy, mountainous or forest districts, which are now, just as in ancient times, the portion of the aboriginal tribes.

14. Regarding the Bhâllavins, see Max Müller, *History of Ancient Sanskrit Literature*, pp. 193, 364. *Krîṣṇapandita* thinks that Nidâna means *desanirṇaya*, 'the disquisition on the countries,' which is the title of a section which occurs in most modern compilations on law. But it will be safer to take it as the name of a Vedic work, identical with or similar to that quoted in *Saunaka's Brîhaddevatâ*, Weber, *Hist. Ind. Lit.*, p. 81.

15. *Sindhur vidhârâṇî* or *vidharâṇî*, as B. reads, cannot be

the region where the sun rises,—as far as the black antelope wanders (between these two limits), so far spiritual pre-eminence (is found).’

16. ‘Those religious acts which men, deeply versed in the knowledge of the three Vedas and acquainted with the sacred law, declare to be lawful, (are efficient) for purifying oneself and others.’

17. Manu has declared that the (peculiar) laws of countries, castes, and families (may be followed) in the absence of (rules of) the revealed texts.

18. Sinful men are, he who sleeps at sunrise or at sunset, he who has deformed nails or black teeth, he whose younger brother was married first, he who married before his elder brother, the husband of a younger sister married before the elder, the husband of an elder sister whose younger sister was married first, he who extinguishes the sacred fires, (and) he who forgets the Veda through neglect of the daily recitation.

taken with *Kṛishṇapandita*, as ‘the ocean,’ because in the latter sense *sindhu* is a masculine. It must be a boundary-river, probably the *Sarasvatî*. By *sūryasyodana*, ‘the region where the sun rises,’ the *udayagiri* or ‘mountain of the east’ may possibly be meant.

16. This verse, too, is marked as a quotation by the concluding word *iti*, though it is not necessary that it should be taken as a quotation from the *Nidâna*. Here, and in the sequel verses ending in *iti* are marked as quotations by hyphens.

17. Manu VII, 203 ; VIII, 41 ; Gautama XI, 20. *Gâti*, ‘castes,’ which sometimes, and perhaps as appropriately, has been translated by ‘tribes,’ denotes in my opinion those numerous subdivisions of the four great *varnas*, which we now find all over India, and which can be shown to have existed for a very long time. Usually the word ‘caste’ is also applied to them.

18. *Kṛishṇapandita* explains *vîrahâ*, ‘he who extinguishes the sacred fires,’ by ‘the destroyer of his sons or of his spiritual clients’

19. They state that there are five mortal sins (mahâpâtaka),

20. (Viz. violating) a Guru's bed, drinking (the spirituous liquor called) surâ, slaying a learned Brâhmana, stealing the gold of a Brâhmana, and associating with outcasts,

21. Either by (entering into) spiritual or matrimonial (connexion with them).

22. Now they quote also (the following verse): 'He who during a year associates with an outcast becomes (likewise) an outcast; not by sacrificing for him, by teaching him or by (forming) a matrimonial (alliance with him), but by using the same carriage or seat.'

23. A minor offence causing loss of caste (upa-pâtaka, is committed by him) who (after beginning an Agnihotra sacrifice) forsakes the sacred fires, and by him who offends a Guru, by an atheist, by him who takes his livelihood from atheists, and by him who sells the Soma (plant).

24. Three wives (are permitted) to a Brâhmana according to the order of the castes, two to a Kshatriya, one to a Vaisya and to a Sûdra.

(yagamâna); but the rules given below, XX, 11, and XXI, 27, in the section on penances, confirm the explanation given above.

20. Vishnu XXXV, 1-2. Guru means here the father, see below, XX, 15.

21. Vishnu XXXV, 3-5. Spiritual connexion, i.e. becoming the teacher or priest of an outcast, or his pupil or spiritual client (yagamâna).

22. Identical with Manu XI, 181. It must be understood that spiritual or matrimonial connexion with an outcast causes immediate degradation, as Vishnu states expressly.

23. Vishnu XXXVII, 6, 31; Gautama XXI, 11. Regarding the precise meaning of pratigahnuyât, 'offends,' see below, XXI, 27.

24-25. Manu III, 13; Yâgñavalkya I, 57; Pâraskara Grîhya-sûtra I, 4, 8-11.

25. Some declare (that twice-born men may marry) even a female of the Sûdra caste, like those (other wives), without (the recitation of) Vedic texts.

26. Let him not act thus.

27. For in consequence of such (a marriage) the degradation of the family certainly ensues, and after death the loss of heaven.

28. There are six marriage-rites,

29. (Viz.) that of Brahman (brâhma), that of the gods (daiva), that of the *Rishis* (ârsha), that of the Gandharvas (gândharva), that of the Kshatriyas (kshâtra), and that of men (mânusha).

30. If the father, pouring out a libation of water, gives his (daughter) to a suitor, that (is called) the Brâhma-rite.

31. If (the father) gives his daughter, decking her with ornaments, to an officiating priest, whilst a sacrifice is being performed, that is called the Daiva-rite.

32. And (if the father gives his daughter) for a cow and a bull, (that is called) the Ârsha-rite.

33. If a lover takes a loving female of equal caste, that (is called) the Gândharva-rite.

34. If they forcibly abduct (a damsel), destroying (her relatives) by strength (of arms), that (is called) the Kshâtra-rite.

35. If, after making a bargain (with the father, a

26-27. Manu III, 14-19. 28. Âpastamba II, 5, 11, 17-20.

30. Vishnu XXIV, 19; Âsvalâyana *Grihya-sûtra* I, 6, 1.

31. Vishnu XXIV, 20; Âsvalâyana *Grihya-sûtra* I, 6, 2.

32. Vishnu XXIV, 21; Âsvalâyana *Grihya-sûtra* I, 6, 3.

33. Vishnu XXIV, 23; Âsvalâyana *Grihya-sûtra* I, 6, 5.

34. Vishnu XXIV, 25; Âsvalâyana *Grihya-sûtra* I, 6, 8.

35. Vishnu XXIV, 24; Âsvalâyana *Grihya-sûtra* I, 6, 6.

suitor) marries (a damsel) purchased for money, that (is called) the Mânusha-rite.

36. The purchase (of a wife) is mentioned in the following passage of the Veda, 'Therefore one hundred (cows) besides a chariot should be given to the father of the bride.'

37. (It is stated) in (the following passage of) the *Kâturmâsyas*, 'She (forsooth) who has been bought by her husband (commits sin, as) afterwards she unites herself with strangers.'

38. Now they quote also (the following verse): 'Lost learning comes back ; when the family is lost all is lost. Even a horse becomes estimable on account of its pedigree ; therefore men marry wives descended from an (unblemished) family.'

39. The three (lower) castes shall live according to the teaching of the Brâhmaṇa.

36. *Sânkhâyana Grîhya-sûtra* I, 14 ; *Pâraskara Grîhya-sûtra* I, 8, 18 ; *Âpastamba* II, 6, 13, 12. Though *Vasishṭha's* quotation is less complete than *Âpastamba's*, still the following *Sûtras* show that he knew the conclusion of the passage, and does not take it as an authority for the sale of a daughter.

37. *Kṛishṇapandita* makes a mistake by connecting the word 'kâturmâsyeshu' with the next *Sûtra*. He is right in saying that 'the *Kâturmâsyas*' is the name of a book. It is, however, not a separate work, but the *kânda* or section of a Vedic work treating of the *Kâturmâsya* sacrifices (see Max Müller, *Hist. Anc. Sansk. Lit.*, p. 355). The particular work from which our quotation has been taken, is either the *Maitrâyâṇîya Samhitâ*, or the *Kâṭhaka*. For, as Dr. von Schroeder informs me, *Maitrâyâṇîya Samhitâ* I, 10, 11 reads 'anṛitam vâ eshâ karoti yâ patyuh krîtâ satyathânyais karati,' and the title of the *kânda* is *Kâturmâsyâni*. Professor Weber, *Ind. Stud.* V, 407, has found the same words in the *Kâturmâsya* section of the *Kâṭhaka* XXXVI, 5. In the translation I have added the beginning of the passage which *Vasishṭha* omits, according to the *Maitrâyâṇîya Samhitâ*.

39-41. *Gautama* XI, 25-27.

40. The Brâhmana shall declare their duties,
 41. And the king shall govern them accordingly.
 42. But a king who rules in accordance with the sacred law, may take the sixth part of the wealth (of his subjects),
 43. Except from Brâhmanas.
 44. It has been declared in the Veda, 'But he obtains the sixth part of (the merit which Brâhmanas gain by) sacrifices and charitable works.'
 45. (It is further stated in the Veda), 'The Brâhmana makes the Veda rich; the Brâhmana saves from misfortune; therefore the Brâhmana shall not be made a source of subsistence. Soma is his king.'
 46. Further (another passage says), 'After death bliss (awaits the king who does not oppress Brâhmanas).'

42. Vishnu III, 22-25. Though the ambiguous word dhana, 'wealth,' is used in the text, it seems not doubtful that Vasishtha alludes to the land-tax, which generally consists of one sixth of the produce.

43. Vishnu III, 26.

44. Vishnu III, 27-28. Pûrta, 'the merit gained by charitable works,' i. e. by planting trees, digging wells, and so forth. The words 'iti ha,' placed at the end of the Sûtra, indicate that it is a quotation, and that vigñâyate, 'it is declared in the Veda,' has to be understood from Sûtra 46. Gautama XI, 11, too, alleges that the rule is based on a Vedic passage.

45. Satapatha-brâhmana V, 4, 2, 3. Krishnapandita's division of the quotation into several Sûtras is unnecessary. His explanation of anâdya, which he takes to mean 'the first of all,' is wrong. He asserts that the Brâhmana is said 'to make the Veda rich,' because by sacrificing and so forth he fulfils its object and protects it. But the phrase is probably corrupt. If it is said that Soma is the king of the Brâhmanas, the object is to indicate that an earthly king is not their master, see Gautama XI, 1.

CHAPTER II.

1. There are four castes (*varna*), Brâhmanas, Kshatriyas, Vaisyas, and Sûdras.

2. Three castes, Brâhmanas, Kshatriyas, and Vaisyas, (are called) twice-born.

3. Their first birth is from their mother; the second from the investiture with the sacred girdle. In that (second birth) the Sâvitri is the mother, but the teacher is said to be the father.

4. They call the teacher father, because he gives instruction in the Veda.

5. They quote also (the following passage from the Veda) to the same (effect): 'Of two kinds, forsooth, is the virile energy of a man learned in the Vedas, that which (resides) above the navel and the other which below (the navel) descends downwards. Through that which (resides) above the navel, his offspring is produced, when he initiates Brâhmanas, when he teaches them, when he causes them to offer oblations, when he makes them holy. By that which resides below the navel the children of his body are produced. Therefore they never say to a Srotriya, who teaches the Veda, "Thou art destitute of offspring."'

II. 1-2. Vishnu II, 1-2; Manu X, 4.

3. Identical with Manu II, 169^a, 170^a, and Vishnu XXVIII, 37-38. The Sâvitri or the verse addressed to Savitri is found Rig-veda III, 62, 10.

4. Gautama I, 10; Manu II, 171.

5. The reading tathâpyudâharanti, which several of my MSS. give, seems to me preferable to Krîshnapandita's udâharati. Krîshnapandita explains sâdhu karoti, 'makes them holy,' by adhyâtma upadisati, 'teaches them transcendental knowledge.'

6. Hârîta also quotes (the following verse): 'No religious rite can be performed by a (child) before he has been girt with the sacred girdle, since he is on a level with a Sûdra before his (new) birth from the Veda.'

7. (The above prohibition refers to all rites) except those connected with libations of water, (the exclamation) Svadhâ, and the manes.

8. Sacred learning approached a Brâhmana (and said to him), 'Preserve me, I am thy treasure, reveal me not to a scorner, nor to a wicked man, nor to one of uncontrolled passions: so (preserved) I shall become strong.'

9. 'Reveal me, O Brâhmana, as to the keeper of thy treasure, to him whom thou shalt know to be pure, attentive, intelligent, and chaste, who will not offend thee nor revile thee.'

10. '(That man) who fills his ears with truth, who frees him from pain and confers immortality upon him, (the pupil) shall consider as his father and mother; him he must never grieve nor revile.'

11. 'As those Brâhmanas who, after receiving instruction, do not honour their teacher by their speech, in their hearts or by their acts, will not be profitable to their teacher, even so that sacred learning (which they acquired) will not profit them.'

6. Vishnu XXVIII, 40. Instead of *Krîshnapandîta's* 'yâvadvedo na gâyate,' 'yâvadvede na gâyate,' which occurs in several MSS. and in the parallel passages of Manu II, 172 and other Smritis, must be read.

7. Gautama II, 5. The rites referred to are the funeral rites.

8-9. Vishnu XXIX, 9-10, and introduction, p. xxiii; Nirukta II, 4.

10. Vishnu XXX, 47.

12. 'As fire consumes dry grass, even so the Veda, asked for, (but) not honoured, (destroys the enquirer). Let him not proclaim the Veda to that man, who does not show him honour according to his ability.'

13. The (lawful) occupations of a Brâhmana are six,

14. Studying the Veda, teaching, sacrificing for himself, sacrificing for others, giving alms, and accepting gifts.

15. (The lawful occupations) of a Kshatriya are three,

16. Studying, sacrificing for himself, and bestowing gifts ;

17. And his peculiar duty is to protect the people with his weapons ; let him gain his livelihood thereby.

18. (The lawful occupations) of a Vaisya are the same (as those mentioned above, Sûtra 16),

19. Besides, agriculture, trading, tending cattle, and lending money at interest,

20. To serve those (superior castes) has been fixed as the means of livelihood for a Sûdra.

21. (Men of) all (castes) may wear their hair arranged according to the customs fixed (for their family), or allow it to hang down excepting the lock on the crown of the head.

13. *Krishnapandita* wrongly connects the word *brâhmanasya* with the next Sûtra. For this and the next seven Sûtras, compare *Vishnu* II, 4-14.

14. *Krishnapandita* by mistake leaves out the word 'dânam.'

20. I read 'teshâm parikaryâ,' with the majority of the MSS., instead of *Krishnapandita*'s 'teshâm ka parikaryâ.'

21. In illustration of this Sûtra *Krishnapandita* quotes a verse of *Laugâkshi*, which states that Brâhmanas belonging to the *Vasishtha* family wore the top-lock on the right side of the head, and the members of the *Atri* family allowed it to hang down on

22. Those who are unable to live by their own lawful occupation may adopt (that of) the next inferior (caste),

23. But never (that of a) higher (caste).

24. (A Brâhmaṇa and a Kshatriya) who have resorted to a Vaisya's mode of living and maintain themselves by trade (shall not sell) stones, salt, hempen (cloth), silk, linen (cloth), and skins,

25. Nor any kind of dyed cloth,

26. Nor prepared food, flowers, fruit, roots, perfumes, substances (used for) flavouring (food); nor water, the juice extracted from plants; nor Soma, weapons, poison; nor flesh, nor milk, nor preparations from it, iron, tin, lac, and lead,

27. Now they quote also (the following verse): 'By (selling) flesh, lac, and salt a Brâhmaṇa at once becomes an outcast; by selling milk he becomes (equal to) a Sûdra after three days.'

28. Among tame animals those with uncloven hoofs, and those that have an abundance of hair, (must not be sold), nor any wild animals, (nor) birds, nor beasts that have tusks (or fangs).

29. Among the various kinds of grain they mention sesamum (as forbidden).

both sides, while the Bhrîgu shaved their heads, and the Âṅgirasas wore five locks (*kûṇḍâ*) on the crown of the head. Cf. Max Müller, *Hist. Anc. Sansk. Lit.*, p. 53.

22. Vishnu II, 15.

24. For this and the following four Sûtras, see Gautama VII, 8-21.

26. Rasâḥ, 'substances used for flavouring,' i. e. 'molasses, sugar-cane, sugar, and the like.'—*Kṛishnapandita*. See also note on Gautama VII, 9.

27. Identical with Manu X, 92.

29. Vishnu LIV, 18; Âpastamba I, 7, 20, 13. *Kṛishnapandita* wrongly connects this Sûtra with the preceding one.

30. Now they quote also (the following verse) :
'If he applies sesamum to any other purpose, but food, anointing, and charitable gifts, he will be born again as a worm and, together with his ancestors, be plunged into his own ordure.'

31. Or, at pleasure, they may sell (sesamum), if they themselves have produced it by tillage.

32. For that purpose he shall plough before breakfast with two bulls whose noses have not been pierced.

33. (If he ploughs) in the hot season, he shall water (his beasts even in the morning).

34. The plough is attended by strong males, provided with a useful share and with a handle (to be held) by the drinker of Soma ; that raises (for him) a cow, a sheep, a stout damsel, and a swift horse for the chariot.

35. The plough is attended by strong males, i. e. is attended by strong men and bullocks, provided with a useful share—for its share is useful (because) with the share it raises, i. e. pierces deep—and provided with a handle for the drinker of Soma,—for Soma reaches him,—possessing a handle for him. That raises a cow, a sheep, goats, horses, mules, donkeys and camels, and a stout damsel, i. e. a beautiful, useful maiden in the flower of her youth.

36. For how could the plough raise (anything for him) if he did not sell grain ?

30. Manu X, 91.

31. Manu X, 90.

34. *Vâgasaneyi-samhitâ* XII, 71. The translation follows the explanation given in the next *Sûtra* as closely as possible, though the latter is without doubt erroneous. The purpose for which *Vasishtha* introduces it, is to show that a Vedic text permits agriculture to a *Brâhmana* who offers Soma-sacrifices.

37. Substances used for flavouring may be bartered for (other) substances of the same kind, be it for one more valuable or for one worth less.

38. But salt must never (be exchanged) for (other) substances used for flavouring (food).

39. It is permitted to barter sesamum, rice, cooked food, learning, and slaves (each for its own kind and the one for the other).

40. A Brâhmaṇa and a Kshatriya shall not lend (anything at interest acting like) usurers.

41. Now they quote also (the following verses): 'He who acquiring property cheap, gives it for a high price, is called a usurer and blamed among those who recite the Veda.'

42. '(Brahman) weighed in the scales the crime of killing a learned Brâhmaṇa against (the crime of) usury; the slayer of the Brâhmaṇa remained at the top, the usurer sank downwards.'

43. Or, at pleasure, they may lend to a person who entirely neglects his sacred duties, and is exceedingly wicked,

44. Gold (taking) double (its value on repayment, and) grain trebling (the original price).

37-39. Gautama VII, 16-21.

40. Manu X, 117. *Krishnapandita* reads with MS. B., *vârdhushim* na dadyâtâm, and explains it by *vṛddhim* naiva prayogayêtâm, 'they shall not take interest.' I read with the other MSS. *vârdhushî*, and translate that term by 'usurers.' Below, Sûtra 42, *vârdhushi* is used likewise in this its usual sense.

43. Manu X, 117.

44-47. Vishnu VI, 11-17; Colebrooke I, Dig. LXVI, where 'silver and gems' have been added after gold, and *rasâh*, 'flavouring substances,' been translated by 'fluids.' The translation differs also in other respects, because there the Sûtras stand by themselves, while here the nouns in Sûtras 44 and 47 are governed by the preceding *dadyâtâm*, 'they may lend.' They, i. e. a Brâhmaṇa

45. (The case of) flavouring substances has been explained by (the rule regarding) grain,

46. As well as (the case of) flowers, roots, and fruit.

47. (They may lend) what is sold by weight, (taking) eight times (the original value on repayment).

48. Now they quote also (the following verses):
'Two in the hundred, three and four and five, as has been declared in the *Smṛiti*, he may take as interest by the month according to the order of the castes.'

49. 'But the king's death shall stop the interest on money (lent);'

50. 'And after the coronation of (a new) king the capital grows again.'

and a Kshatriya. The rule, of course, refers to other castes also, and to those cases where no periodical interest is taken, but the loan returned in kind.

47. The *Ratnākara* quoted by Colebrooke loc. cit. takes 'what is sold by weight' to be 'camphor and the like.' *Kṛishnapañḍita* thinks that 'clarified butter, honey, spirituous liquor, oil, molasses, and salt' are meant. But most of these substances fall under the term *rasāḥ*, 'flavouring substances.' The proper explanation of the words seems to be, 'any other substance not included among those mentioned previously, which is sold by weight.'

48. *Vishṇu* VI, 2, and especially *Manu* VIII, 142. The lowest rate of interest is to be taken from the highest caste, and it becomes greater with decreasing respectability. According to *Kṛishnapañḍita* and the commentators on the parallel passage of *Vishṇu*, *Manu*, and other *Smṛitis*, this rule applies only to loans for which no security is given—a statement which is doubtlessly correct.

49-50. Both the reading and the sense of this verse, which in some MSS. is wanting, are somewhat doubtful. I read with my best MSS.,

râgâ tu mṛitabhâvena dravyavṛiddhim vinâsayet ।

punâ râgâbhishekena dravyamûlam ka vardhate ॥

and consider that it gives a rule, ordering all money transactions to be stopped during the period which intervenes between the death of a king and the coronation of his successor. I am, however, unable to point out any parallel passages confirming this

51. 'Hear the interest for a money-lender declared by the words of *Vasishtha*, five *mâshâs* for twenty (*kârshâpanas* may be taken every month); thus the law is not violated.'

CHAPTER III.

1. (*Brâhmanas*) who neither study nor teach the Veda nor keep sacred fires become equal to *Sûdras*;

2. And they quote a verse of *Manu* on this (subject), 'A twice-born man, who not having studied the Veda applies himself to other (and worldly study), soon falls, even while living, to the condition of a *Sûdra*, and his descendants after him.'

3. '(A twice-born man) who does not know the

view. *Krishnapandita*'s text shows two important various readings, '*bhrîtibhâvena*' and '*râgâbhîshikena*,' which I think are merely conjectures, unsupported by the authority of MSS. He explains the verse as follows: 'The king shall destroy, i. e. himself not take, the interest on money by giving [it away] as a salary. But, after thus giving away interest received, he may increase his capital by [an extra tax imposed on] the cultivators, i. e. take from them the highest rate, consisting of one-fourth of the produce.'

51. *Gautama* XII, 29; *Colebrooke* I, Dig. XXIV. The rule given in this *Sûtra* refers, as *Krishnapandita* correctly states, to loans, for which security is given. The rate is $1\frac{1}{4}$ per cent for the month, or 15 per annum; see the note to *Gautama* loc. cit. *Manu*, VIII, 140, especially mentions that this rate is prescribed by *Vasishtha*.

III. 1. I read *Sûdrasadharmânah*, 'equal to *Sûdras*,' instead of *sûdrakarmânah*, which occurs in MS. B. only. *Krishnapandita* explains the latter reading by *sûdravatkarma yeshu te sûdravatte-shvâkaranîyamityarthah*, 'shall be treated like *Sûdras*.' But the verses quoted in the following *Sûtras* show that the former reading is the better one.

2. Identical with *Manu* II, 168.

3. This and the following nine verses are, as the word '*iti*,' which the best MSS. give at the end of *Sûtra* 12, quotations.

Veda (can)not be (called) a Brâhmana, nor he who lives by trade, nor he who (lives as) an actor, nor he who obeys a Sûdra's commands, nor (he who like) a thief (takes the property of others), nor he who makes his living by the practice of medicine.'

4. 'The king shall punish that village where Brâhmanas, unobservant of their sacred duties and ignorant of the Veda, subsist by begging; for it feeds robbers.'

5. 'Many thousands (of Brâhmanas) cannot form a (legal) assembly (for declaring the sacred law), if they have not fulfilled their sacred duties, are unacquainted with the Veda, and subsist only by the name of their caste.'

6. 'That sin which dunces, perplexed by ignorance and unacquainted with the sacred law, declare (to be duty) shall fall, increased a hundredfold, on those who propound it.'

7. 'What four or (even) three (Brâhmanas) who have completely studied the Vedas proclaim, that must be distinctly recognised as the sacred law, not (the decision) of a thousand fools.'

8. 'Offerings to the gods and to the manes must always be given to a Srottriya alone. For gifts

Anṛk, 'who does not know the Veda,' means, literally, 'unacquainted with the *Rig-veda*.'

5. This verse, which is identical with Manu XII, 114, and the next two are intended to show that a Brâhmana who neglects the study of the Veda, is unfit to decide points of the sacred law, which are not settled either by the Smṛiti or the Śruti, and become a member of a parishad or 'Pañk.'

6. The verse contains a better version of Manu XII, 115.

7. Regarding the term Vedapârâga, see Gautama V, 20, note. Itareshâm, 'fools,' means literally, 'different from (those who have mastered the Vedas).'

bestowed on a man unacquainted with the Veda, reach neither the ancestors nor the gods.'

9. 'If a fool lives even in one's house and a (Brâhmaṇa) deeply learned in the Veda lives at a great distance, the learned man shall receive the gift. The sin of neglecting (a Brâhmaṇa is not incurred) in (the case of) a fool.'

10. 'The offence of neglecting a Brâhmaṇa cannot be committed against a twice-born man who is ignorant of the Veda. For (in offering sacrifices) one does not pass by a brilliant fire and throw the oblations into ashes.'

11. 'An elephant made of wood, an antelope made of leather, and a Brâhmaṇa ignorant of the Veda, those three have nothing but the name (of their kind).'

12. 'Those kingdoms, where ignorant men eat the food of the learned, will be visited by drought; or (some other) great evil will befall (them).'

13. If anybody finds treasure (the owner of) which is not known, the king shall take it, giving one sixth to the finder.

14. If a Brâhmaṇa who follows the six (lawful) occupations, finds it, the king shall not take it.

9-10. Regarding the crime of 'neglecting a Brâhmaṇa,' see Manu VIII, 392-393, where fines are prescribed for neglecting to invite to dinner worthy neighbours and Srotriyas.

10. A learned Brâhmaṇa resembles a sacrificial fire, see e.g. below, XXX, 2-3; Âpastamba I, 1, 3, 44.

11. Manu II, 157. *Kṛishṇapandita* and MS. B. give the ungrammatical construction which occurs in Manu and other Dharmaśāstras, while the other MSS. read more correctly, 'yaska kâshṭhamayo h. yaska karmamayo m.' &c.

13-14. This rule agrees exactly with Gautama X, 45; see also Vishnu III, 56-61. The matter is introduced here in order to show the prerogative of a learned Brâhmaṇa. Regarding the six lawful occupations, see above, II, 13-14.

15. They declare that the slayer commits no crime by killing an assassin.

16. Now they quote also (the following verses): 'An incendiary, likewise a poisoner, one who holds a weapon in his hand (ready to kill), a robber, he who takes away land, and he who abducts (another man's) wife, these six are called assassins (âtatâyin).'

17. 'He may slay an assassin who comes with the intention of slaying, even though he knows the whole Veda together with the Upanishads; by that (act) he (does) not (incur the guilt of) the slayer of a Brâhmana.'

18. 'He who slays an assassin learned in the Veda and belonging to a noble family, does not incur by that act the guilt of the murderer of a learned Brâhmana; (in) that (case) fury recoils upon fury.'

19. Persons who sanctify the company are, a *Trinâkiketa*, one who keeps five fires, a *Trisuparna*, one who (knows the texts required for) the four sacrifices (called *Asvamedha*, *Purushamedha*, *Sarvamedha*, and *Pitrîmedha*), one who knows the *Vâgasaneyi-sâkhâ* of the White Yagur-veda, one who knows the six *Ângas*, the son of a female married according to the Brâhma-rite, one who knows the first part of the *Sâma-veda Samhitâ*, one who sings the *Gyeshta-sâman*, one who knows the *Samhitâ* and the Brâhmana, one who studies (the treatises on) the sacred law, one whose ancestors to the ninth degree, both

15. Vishnu V, 189-192. The connexion of this subject with the main topic consists therein that it furnishes an instance where learning does not protect a Brâhmana.

17. I read with the majority of the MSS., 'api vedântapâragam,' instead of 'vedântagam rane,' as *Krishnapandita* has.

19. For the explanations of the terms left untranslated, see the

on the mother's and on the father's side, are distinctly known to have been Srotriyas, and learned men and Snâtakas.

20. (Four students of) the four Vedas, one who knows the *Mîmâmsâ*, one who knows the *Ângas*, a teacher of the sacred law, and three eminent men who are in three (different) orders, (compose) a (legal) assembly consisting at least of ten (members).

21. He who initiates (a pupil) and teaches him the whole Veda is called the teacher (*âkârya*).

22. But he who (teaches) a portion (of the Veda only is called) the sub-teacher (*upâdhyâya*);

23. So is he who (teaches) the *Ângas* of the Veda.

24. A *Brâhmana* and a *Vaisya* may take up arms in self-defence, and in (order to prevent) a confusion of the castes.

25. But that (trade of arms) is the constant (duty) of a *Kshatriya*, because he is appointed to protect (the people).

26. Having washed his feet and his hands up to

note on *Âpastamba* II, 8, 17, 22; *Gautama* XV, 28; and the notes on *Vishnu* LXXXIII, 2-21. Regarding the meaning of *Khandoga*, 'one who knows the first part of the *Sâma-veda Samhitâ*,' see Weber, *Hist. Ind. Lit.*, p. 63, note 59. 'One who knows the *Samhitâ* and the *Brâhmana*, i. e. of the *Rig-veda*.'—*Krishnapandita*. Regarding the various classes of *Snâtakas*, see *Âpastamba* I, 11, 30, 1-3.

20. *Manu* XII, 111. *Krishnapandita* reads *kâturvidyas trikalpî ka*, 'one who knows the four Vedas and one who knows three different *Kalpa-sûtras*.' My translation follows the reading of the MSS., *kâturvidyam vikalpî ka*, which is corroborated by the parallel passage of *Baudhâyana* I, 1, 8, '*kâturvidyam vikalpî ka*.' The explanation of the latter word is derived from *Govindasvâmin*. 'Men who are in three orders, i. e. a student, a householder, and ascetic,' see *Gautama* XXVIII, 49.

21-23. *Vishnu* XXIX, 1-2.

24. *Gautama* VII, 25.

25. *Vishnu* II, 6.

26-34. *Vishnu* LXII, 1-9.

the wrist, and sitting with his face turned towards the east or towards the north, he shall thrice sip water out of the Tirtha sacred to Brahman, (i.e.) the part of the hand above the root of the thumb, without uttering any sound ;

27. He shall twice wipe (his mouth with the root of the thumb);

28. He shall touch the cavities (of the head) with water ;

29. He shall pour water on his head and on the left hand ;

30. He shall not sip water while walking, standing, lying down or bending forward.

31. A Brâhmana (becomes pure) by (sipping) water, free from bubbles and foam, that reaches his heart,

32. But a Kshatriya by (sipping water) that reaches his throat,

33. A Vaisya by (sipping water) that wets his palate,

34. A woman and a Sûdra by merely touching water (with the lips).

35. Water (for sipping may) even (be taken) out of a hole in the ground, if it is fit to slake the thirst of cows.

36. (He shall not purify himself with water) which has been defiled with colours, perfumes, or flavouring substances, nor with such as is collected in unclean places.

30. *Krîshnapandîta* is probably right in thinking that the word *vâ*, 'or,' inserted before 'bending forward,' is intended to forbid other improper acts, gestures or postures, which are reprehended in other *Smritis*.

35. *Vishnu* XXIII, 43 ; *Manu* V, 128.

36. 'Collected in unclean places, e.g. in a burial-ground.'—*Krîshnapandîta*.

37. Drops (of saliva) falling from the mouth, which do not touch a limb of the body, do not make (a man) impure.

38. If, after having sipped water, he sleeps, eats, sneezes, drinks, weeps or bathes, or puts on a dress, he must again sip water,

39. Likewise, if he touches (that part of) the lips on which no hair grows.

40. No defilement is caused by the hair of the moustache (entering the mouth).

41. If (remnants of food) adhere to the teeth, (they are pure) like the teeth, and he is purified by swallowing those which (become detached) in the mouth.

42. He is not defiled by the drops which fall on his feet, while somebody gives to others water for sipping; they are stated to be equally (clean) as the ground.

43. If, while occupied with eatables, he touches any impure substance, then he shall place that thing (which he holds in his hand) on the ground, sip water and afterwards again use it.

44. Let him sprinkle with water all objects (the purity of) which may be doubtful.

45. 'Both wild animals killed by dogs, and fruit thrown by birds (from the tree), what has been spoilt by children, and what has been handled by women,'

37. Gautama I, 41.

38. Gautama I, 37.

39. Âpastamba I, 5, 16, 10.

40. Âpastamba I, 5, 16, 11.

41. Gautama I, 38-40.

42. Manu V, 142.

43. Vishnu XXIII, 55. 'Occupied with eatables,' i.e. 'eating.'—*Krishnapandita*.

45. Vishnu XXIII, 50. This and the following two Sûtras are a quotation, as appears from the use of the particle *iti* at the end of Sûtra 47.

46. 'A vendible commodity tendered for sale and what is not dirtied by gnats and flies that have settled on it,'

47. 'Likewise water collected on the ground that quenches the thirst of cows,—enumerating all these things, the Lord of created beings has declared them to be pure.'

48. Anything defiled by unclean (substances) becomes pure when the stains and the smell have been removed by water and earth.

49. (Objects) made of metal must be scoured with ashes, those made of clay should be thoroughly heated by fire, those made of wood should be planed, and (cloth) made of thread should be washed.

50. Stones and gems (should be treated) like objects made of metal,

51. Conch-shells and pearl-shells like gems,

52. (Objects made of) bone like wood,

53. Ropes, chips (of bamboo), and leather become pure (if treated) like clothes,

54. (Objects) made of fruits, (if rubbed) with (a brush of) cow-hair,

55. Linen cloth, (if smeared) with a paste of yellow mustard (and washed afterwards with water).

46. Manu V, 129.

47. Vishnu XXIII, 43.

48. Gautama I, 42. For the explanation of the term *amedhya*, 'unclean substances,' see Manu V, 135, and the passage from Devala translated in Professor Jolly's note on Vishnu XXIII, 38.

49. Gautama I, 29; Vishnu XXIII, 26, 33, 27, 18.

50-51. Gautama I, 30.

52. Gautama I, 31 and note; Vishnu XXIII, 4.

53. Gautama I, 33.

54. Vishnu XXIII, 28. Cups and bottles made of the shell of the cocoa-nut or of the Bilva (Bel) fruit and of bottle-gourds are meant.

55. Vishnu XXIII, 22.

56. But land becomes pure, according to the degree of defilement, by sweeping (the defiled spot), by smearing it with cowdung, by scraping it, by sprinkling (water) or by heaping (pure earth) on (it).

57. Now they quote also (the following verses): 'Land is purified by these four methods, by digging, burning, scraping, being trodden on by cows, and fifthly by being smeared with cowdung.'

58. 'A woman is purified by her monthly discharge, a river by its current, brass by (being scoured with) ashes, and an earthen pot by another burning.'

59. 'But an earthen vessel which has been defiled by spirituous liquor, urine, ordure, phlegm, pus, tears, or blood cannot be purified even by another burning.'

60. 'The body is purified by water, the internal organ by truth, the soul by sacred learning and austerities, and the understanding by knowledge.'

61. Gold is purified by water alone,

62. Likewise silver,

56. Vishnu XXIII, 56-57. *Krishnapandita* takes *upakarama*, 'heaping (pure earth) on (the defiled spot),' to mean 'lighting a fire on it' or 'digging it up.' The translation given above rests on the parallel passages of Gautama I, 32, and of Baudhâyana I, 5, 52, *bhûmes tu sammârganaprokshanopalepanâvastaranopalekhanair-yathâsthânam doshaviseshât prâtyatam*, 'land becomes pure, according to the degree of the defilement, by sweeping the (defiled) spot, by sprinkling it, by smearing it with cowdung, by scattering (pure earth) on it, or by scraping it.' *Bhûmi*, 'land,' includes also the mud-floor of a house or of a verandah.

57. Some MSS. have instead of *gharshât*, 'by scraping,' *varshât*, 'by rain;' see also note on Gautama I, 32.

58. Vishnu XXII, 91.

59. Vishnu XXIII, 5.

60. Identical with Manu V, 109, and Vishnu XXII, 92.

61-62. Vishnu XXIII, 7. *Krishnapandita* points out that these

63. Copper is cleansed by acids.
 64. The Tirtha sacred to the Gods lies at the root of the little finger,
 65. That sacred to the *Rishis* in the middle of the fingers,
 66. That sacred to Men at the tips of the fingers,
 67. That sacred to Agni (fire) in the middle of the hand,
 68. That sacred to the Manes between the forefinger and the thumb.
 69. He shall honour (his food at) the evening and morning meals (saying), 'It pleases me,'
 70. At meals in honour of the Manes (saying), 'I have dined well,'
 71. At (a dinner given on the occasion of) rites procuring prosperity (saying), 'It is perfect.'

CHAPTER IV.

1. The four castes are distinguished by their origin and by particular sacraments.
2. There is also the following passage of the Veda, 'The Brâhmana was his mouth, the Kshatriya formed his arms, the Vaisya his thighs; the Sûdra was born from his feet.'
3. It has been declared in (the following passage

two rules and that given in the next Sûtra refer to cases in which gold, silver, and copper have not been stained by impure substances.

63. Vishnu XXIII, 25.

64-68. Vishnu LXII, 1-4; Âpastamba II, 2, 3, 11.

69. Vishnu LXVIII, 42. The Sûtra is also intended to prescribe that the number of the daily meals is two only.

70. Manu III, 251.

71. The rites referred to are, according to *Krishnapandita*, marriages, feeding Brâhmanas, Nândîsrâddhas, and the like.

IV. 1. Manu I, 87.

2. Rig-veda X, 90, 12.

of) the Veda that (a Sûdra) shall not receive the sacraments, 'He created the Brâhmaṇa with the Gâyatrî (metre), the Kshatriya with the Trishubh, the Vaisya with the Gagatî, the Sûdra without any metre.'

4. Truthfulness, suppression of anger, liberality, abstention from injuring living beings, and the procreation of offspring (are duties common to) all (castes).

5. The Mânava (Sûtra states), 'Only when he worships the manes and the gods, or honours guests, he may certainly do injury to animals.'

6. 'On offering a Madhuparka (to a guest), at a sacrifice, and at the rites in honour of the manes, but on these occasions only may an animal be slain; that (rule) Manu proclaimed.'

4. Vishnu II, 17.

5. Mânavam, 'the Mânava (Sûtra),' means literally 'a work proclaimed by Manu' (manunâ proktam). It is probable that the work referred to by Vasishṭha is the lost Dharma-sûtra of the Mânava Sâkhâ, which is a subdivision of the Maitrâyanîyas, and on which the famous metrical Mânava Dharmasâstra is based. The words of the Sûtra may either be a direct quotation or a summary of the opinion given in the Mânava-sûtra. I think the former supposition the more probable one, and believe that not only Sûtra 5, but also Sûtras 6-8 have been taken bodily from the ancient Dharma-sûtra. For Sûtra 6 agrees literally with a verse of the metrical Manusmṛiti, and at the end of Sûtra 8 several MSS. have the word iti, the characteristic mark that a quotation is finished, while the language of Sûtra 8 is more antiquated than Vasishṭha's usual style. If my view is correct, it follows that the lost Mânava Dharma-sûtra consisted, like nearly all the known works of this class, partly of prose and partly of verse.

6. Identical with Manu V, 41; Vishnu LI, 64; and Sâṅkhâ-yana Grihya-sûtra II, 16, 1. I take pitṛdaivata, against Kul-lûka's and Krishnapandita's view, as a bahuvrîhi compound, and dissolve it by pitaro daivatam yasmimstat, literally 'such (a rite) where the manes are the deities.' The other explanation, '(rites)

7. 'Meat can never be obtained without injuring living beings, and to injure living beings does not procure heavenly bliss; therefore the (sages declare) the slaughter (of beasts) at a sacrifice not to be slaughter (in the ordinary sense of the word).'

8. 'Now he may also cook a full-grown ox or a full-grown he-goat for a Brâhmana or Kshatriya guest; in this manner they offer hospitality to such (a man).'

9. Libations of water (must be poured out) for all (deceased relatives) who completed the second year and (their death causes) impurity.

10. Some declare that (this rule applies also to children) that died after teething.

11. After having burnt the body (of the deceased, the relatives) enter the water without looking at (the place of cremation),

12. Facing the south, they shall pour out water with both hands on (those days of the period of impurity) which are marked by odd numbers.

to the manes or to the gods,' which is also grammatically correct, recommends itself less, because the rites to the gods are already included by the word *yagñe*, 'at a sacrifice.' As to the *Madhuparka*, see *Āpastamba* II, 4, 8, 8-9, and below XI, 1.

7. *Manu* V, 48, and *Vishnu* LI, 71, where, however, the conclusion of the verse has been altered to suit the *ahimsâ*-doctrines of the compilers of the metrical *Smṛitis*. The reason why slaughter at a sacrifice is not slaughter in the ordinary sense may be gathered from *Vishnu* LI, 61, 63.

8. *Satapatha-brâhmana* III, 4, 1, 2; *Yâgñavalkya* I, 109.

9-10. *Vishnu* XIX, 7; *Manu* V, 58. Regarding the length of the period of impurity, see below, *Sûtras* 16, 26-29.

11. *Vishnu* XIX, 6.

12. *Vishnu* XIX, 7; *Gautama* XIV, 40. 'On those days of the period of impurity which are marked by odd numbers,' i. e. 'on the first, third, fifth, seventh, and ninth, as has been declared by *Gautama*.'—*Kṛishnapandita*.

13. The south, forsooth, is the region sacred to the manes.

14. After they have gone home, they shall sit during three days on mats, fasting.

15. If they are unable (to fast so long), they shall subsist on food bought in the market or given unasked.

16. It is ordered that impurity caused by a death shall last ten days in the case of *Sapinda* relations.

17. It has been declared in the Veda that *Sapinda* relationship extends to the seventh person (in the ascending or descending line).

18. It has been declared in the Veda that for married females it extends to the third person (in the ascending or descending line).

19. Others (than the blood-relations) shall perform (the obsequies) of married females,

20. (The rule regarding impurity) should be exactly the same on the birth of a child for those men who desire complete purity,

21. Or for the mother and the father (of the child alone); some (declare that it applies) to the

14. Vishnu XIX, 16; Gautama XIV, 37.

15. Vishnu XIX, 14.

17. Vishnu XXII, 5.

19. Gautama XIV, 36; Pâraskara *Grîhya-sûtra* III, 10, 42. 'Others than the blood-relations,' i. e. 'the husband and his relatives.' The MSS. have another Sûtra following this, which *Krishnapandita* leaves out. *Tâska* teshâm, 'and they (the married females shall perform the obsequies) of those (i. e. their husbands and his *Sapindas*).' It seems to me very probable that the passage is genuine, especially as Pâraskara, *Grîhya-sûtra* III, 10, 43, has the same words.

20. Vishnu XXII, 1.

21. Gautama XIV, 15-16. The Sûtra ought to have been divided into two.

mother (only), because she is the immediate cause of that (event).

22. Now they quote also (the following verse) : 'On the birth (of a child) the male does not become impure if he does not touch (the female); on that (occasion) the menstrual excretion must be known to be impure, and that is not found in males.'

23. If during (a period of impurity) another (death or birth) happens, (the relatives) shall be pure after (the expiration of) the remainder of that (first period) ;

24. (But) if one night (and day only of the first period of impurity) remain, (they shall be pure) after two (days and nights) ;

25. (If the second death or birth happens) on the morning (of the day on which the first period of impurity expires, they shall be purified) after three (days and nights).

26. A Brâhmaṇa is freed from impurity (caused by a death or a birth) after ten days,

27. A Kshatriya after fifteen days,

28. A Vaisya after twenty days,

29. A Sûdra after a month.

30. Now they quote also (the following verses) : 'But (a twice-born man) who has eaten (the food) of a Sûdra during impurity caused by a death or a

23. Vishnu XXII, 35.

24. Vishnu XXII, 36.

25. Vishnu XXII, 37. *Kṛishnapandita* explains prabhâte, 'on the morning (of the day on which the first period of impurity expires),' in accordance with *Nandapandita*'s explanation of Vishnu's text by 'during the last watch (of the last night of the period of impurity).' See also the slightly different explanation of the identical words by Haradatta, Gautama XIV, 8.

26. Vishnu XXII, 1.

29. Vishnu XXII, 4.

birth, will suffer dreadful (punishment in) hell and be born again in the womb of an animal.'

31. 'A twice-born man who eats by appointment in the house of a stranger whose ten days of impurity, caused by a death, have not expired, after death will become a worm and feed on the ordure of that (man who fed him).'

32. It has been declared in the Veda, '(Such a sinner) becomes pure by reciting the *Samhitâ* of the Veda for twelve months or for twelve half-months while fasting.'

33. On the death of a child of less than two years or on a miscarriage, the impurity of the *Sapindas* lasts three (days and) nights.

34. Gautama (declares that on the former occasion they become) pure at once.

35. If (a person) dies in a foreign country and (his *Sapindas*) hear (of his death) after ten days (or a longer period), the impurity lasts for one (day and) night.

36. Gautama (declares that) if a person who has kindled the sacred fire dies on a journey, (his *Sapindas* shall) again celebrate his obsequies, (burning a dummy made of leaves or straw), and remain impure (during ten days) as if (they had actually buried) his corpse.

37. When he has touched a sacrificial post, a pyre, a burial-ground, a menstruating or a lately confined woman, impure men or (*Kândâlas* and so forth), he shall bathe, submerging both his body and his head.

32. Regarding the penance prescribed here, the so-called *anatsnatpârâyana*, see below XX, 46, and *Baudhâyana* III, 9.

33. *Vishnu* XXII, 27-30.

34. Gautama XIV, 44, and introduction to Gautama, p. liii.

36. Introduction to Gautama, pp. liii and liv.

37. *Vishnu* XXII, 69. *Krishnapandita* and MS. B. read *pûya*,

CHAPTER V.

1. A woman is not independent, the males are her masters. It has been declared in the Veda, 'A female who neither goes naked nor is temporarily unclean is paradise.'

2. Now they quote also (the following verse): 'Their fathers protect them in childhood, their husbands protect them in youth, and their sons protect them in age; a woman is never fit for independence.'

3. The penance (to be performed) by a (wife) for being unfaithful to her husband has been declared in the (section on) secret penances.

'pus,' instead of yûpa, 'a sacrificial post.' The reading is, however, wrong, because the parallel passages of most Smṛitis enjoin that a man who has touched a sacrificial post shall bathe. The cause of the mistake is probably a mere clerical error. The MSS. repeat the last word of this chapter, *apa ityapaḥ*. The reason is not, as *Krishṇapandita* imagines, that the author wishes to indicate the necessity of bathing when one touches a person who has touched some impure thing or person. It is the universal practice of the ancient authors to repeat the last word of a chapter in order to mark its end, see e.g. Gautama note on I, 61. If it is neglected in the earlier chapters of the *Vâsishṭha Dharma-sûtra*, the badness of the MSS. is the cause.

V. 1. *Vishṇu XXV, 12*. The second clause ought to have been given as a separate Sûtra. 'A female who no longer goes naked,' i. e. one who has reached the age of puberty. *Amṛitam*, 'is paradise,' i. e. procures bliss in this life and heaven after death through her children.

2. *Vishṇu XXV, 13*. Identical with *Manu IX, 3*.

3. 'The penance which has been ordained in case a wife is unfaithful to her husband, i. e. goes to a lover and so forth, must be performed in secret, i. e. in solitary places.'—*Krishṇapandita*. The explanation is clearly erroneous. *Rahasyeshu* cannot mean 'in secret' or 'in secret places.' It might refer either to a work or works called *Rahasyâni* or to the *rahasyâni prâyaścittâni*. As

4. For month by month the menstrual excretion takes away her sins.

5. A woman in her courses is impure during three (days and) nights.

6. (During that period) she shall not apply collyrium to her eyes, nor anoint (her body), nor bathe in water; she shall sleep on the ground; she shall not sleep in the day-time, nor touch the fire, nor make a rope, nor clean her teeth, nor eat meat, nor look at the planets, nor smile, nor busy herself with (household affairs), nor run; she shall drink out of a large vessel, or out of her joined hands, or out of a copper vessel.

7. For it has been declared in the Veda, 'When Indra had slain (*Vṛitra*) the three-headed son of *Tvashtri*, he was seized by Sin, and he considered himself to be tainted with exceedingly great guilt. All beings cried out against him (saying to him),

the next *Sûtra* contains a half-verse taken from the section on secret penances, XXVIII, 4, it is evident that *Vasishtha* here makes a cross-reference. Similar cross-references occur further on.

4. *Yâgñavalkya* I, 72, and below, XXVIII, 4.

5. *Vishnu* XXII, 72.

6. *Taitt. Samh.* II, 5, 1, 6-7. I read with the majority of the MSS., *grahâna nirîksheta* instead of *grîhân na nirîksheta*, which latter phrase *Kṛishnapandita* renders by 'she shall not look out of the house.' My reading is confirmed by his quotation from the *Smṛitimañgarî*, where *grahânâm nirîkshanam*, 'looking at the planets, i. e. the sun, moon,' &c., is forbidden. 'A large vessel,' i. e. an earthen jar.—*Kṛishnapandita*.

7. *Taitt. Samh.* II, 5, 1, 2-5. The name 'slayer of a learned *Brâhmana*' is applied to Indra, because *Vṛitra* is said to have been deeply versed in the Vedas. Regarding the 'proper season of women,' see *Manu* III, 46-48. In the clause 'That guilt of *Brâhmana*-murder appears,' &c., I read *âvir bhavati* with the majority of the MSS. For the prohibition to accept food from a *ragasvalâ*, see *Vishnu* LI, 16-17.

‘O thou slayer of a learned Brâhmaṇa! O thou slayer of a learned Brâhmaṇa!’ He ran to the women for protection (and said to them), ‘Take upon yourselves the third part of this my guilt (caused by) the murder of a learned Brâhmaṇa.’ They answered, ‘What shall we have (for doing thy wish)?’ He replied, ‘Choose a boon.’ They said, ‘Let us obtain offspring (if our husbands approach us) during the proper season, at pleasure let us dwell (with our husbands) until (our children) are born.’ He answered, ‘So be it.’ (Then) they took upon themselves (the third part of his guilt). That guilt of Brâhmaṇa-murder appears every month as the menstrual flow. Therefore let him not eat the food of a woman in her courses; (for) such a one has put on the shape of the guilt of Brâhmaṇa-murder.

8. (Those who recite the Veda) proclaim the following (rule): ‘Collyrium and ointment must not be accepted from her; for that is the food of women. Therefore they feel a loathing for her (while she is) in that (condition, saying), “She shall not approach.”’

9. ‘Those (Brâhmaṇas in) whose (houses) menstruating women sit, those who keep no sacred fire,

8. Taitt. Samh. II, 5, 1; 6. I read the text of this Sûtra as follows: ‘Tadâhuḥ—añganâbhyañganam evâsyâ na pratigrâhyam taddhi striyâ annam iti—tasmât tasyai ka tatra ka bîbhatsante meyam upâgâd iti.’ The MSS. give the following readings in the second clause: tasmât tasmai ka (B. Bh. E. F.), tatra na (F.), medhamupâgâd (Bh. F.), medha upâgâd (E.), seyamupâgâd (B.) *Kṛishnapandita* follows as usually MS. B. His explanation of the whole Sûtra is erroneous. ‘That is the food of women,’ i. e. that is as necessary to women as their food, because to beautify themselves is one of their duties.

9. The meaning of the Sûtra is that a Brâhmanical beggar must not accept any alms from Brâhmaṇas whose wives are in their

and those in whose family there is no Srottriya,—all these are equal to Sûdras.'

CHAPTER VI.

1. (To live according to) the rule of conduct is doubtlessly the highest duty of all men. He whose soul is defiled by vile conduct perishes in this world and in the next.

2. Neither austerities, nor (the study of) the Veda, nor (the performance of) the Agnihotra, nor lavish liberality can ever save him whose conduct is vile and who has strayed from this (path of duty).

3. The Vedas do not purify him who is deficient in good conduct, though he may have learnt them all together with the six Aṅgas; the sacred texts depart from such a man at death, even as birds, when full-fledged, leave their nest.

4. As the beauty of a wife causes no joy to a blind man, even so all the four Vedas together with the six Aṅgas and sacrifices give no happiness to him who is deficient in good conduct.

courses, who keep no sacred fire, and do not attend to the duty of Veda-study. Regarding sinners of the latter two kinds, see also Âpastamba I, 6, 18, 32-33.

VI. 1. Manu IV, 155. The word âkâra, which has been variously translated by 'conduct,' 'rule of conduct,' and 'good conduct,' includes the observance of all the various rules for every-day life, taught in the Smṛitis, and the performance of the prescribed ceremonies and rites.

4. I read with MSS. Bh. and E., *shadāṅgâstvakhilâḥ sayagñâḥ*. The reading of MS. B., which *Kṛishnapandita* adopts, *shadāṅgâḥ sakhilâḥ* means, 'together with the six Aṅgas, (and) the Khila (spurious) portions of the Veda.'

5. The sacred texts do not save from sin the deceitful man who behaves deceitfully. But that Veda, two syllables of which are studied in the right manner, purifies, just as the clouds (give beneficent rain) in the month of Isha.

6. A man of bad conduct is blamed among men, evils befall him constantly, he is afflicted with disease and short-lived.

7. Through good conduct man gains spiritual merit, through good conduct he gains wealth, through good conduct he obtains beauty, good conduct obviates the effect of evil marks.

8. A man who follows the rule of conduct established among the virtuous, who has faith and is free from envy, lives a hundred years, though he be destitute of all auspicious marks.

5. Isha is another name for Âsvina, the month September-October. Though the rainy season, properly so called, is over in September, still heavy rain falls in many parts of India, chiefly under the influence of the beginning north-east monsoon, and is particularly important for the Rabi or winter crops. I think, therefore, that it is not advisable to take, as *Kṛishṇapāṇḍita* does, *yathâ ishe 'bdâh* both with the first and the second halves of the verse, and to translate, 'As the clouds (in general remain barren) in the month of Isha, even so the texts of the Veda do not save from evil the deceitful man who behaves deceitfully. But that Veda, two syllables of which have been studied in the right manner, sanctifies, just as the clouds in the month of Isha, (which shed a few drops of rain on the day of the Svâti conjunction, produce pearls).' 'In the right manner,' i. e. with the due observance of the rules of studentship.

6. Identical with Manu IV, 157.

7. Manu IV, 156. By the 'inauspicious marks' mentioned in this verse, and the 'auspicious marks' occurring in the next, the various lines on the hands and feet &c. are meant, the explanation of which forms the subject of the *Sâṃudrika Sâstra*.

8. Identical with Manu IV, 158; *Vishṇu* LXXI, 92.

9. But a man who knows the sacred law shall perform in secret all acts connected with eating, the natural evacuations and dalliance with (his wife); business to be accomplished by speech or intellect, likewise austerities, wealth, and age, must be most carefully concealed.

10. And a man shall void both urine and fæces, facing the north, in the day-time, but at night he shall do it turning towards the south; for (if he acts) thus, his life will not be injured.

11. The intellect of that man perishes who voids urine against a fire, the sun, a cow, a Brâhmaṇa, the moon, water, and the morning or evening twilights.

12. Let him not void urine in a river, nor on a path, nor on ashes, nor on cowdung, nor on a ploughed field, nor on one which has been sown, nor on a grass-plot, nor in the shade (of trees) that afford protection (to travellers).

13. Standing in the shade (of houses, clouds, and so forth), when it is quite dark, and when he fears for his life, a Brâhmaṇa may void urine, by day and by night, in any position he pleases.

14. (Afterwards) he shall perform the necessary (purification) with water fetched for the purpose (from a tank or river, and with earth).

15. For a bath water not fetched for the purpose (may also be used).

16. (For the purpose of purification) a Brâhmaṇa

10. Vishṇu LX, 2. I read with the majority of the MSS., na rishyati.

11. Identical with Manu IV, 52.

12. Vishṇu LX, 3-22.

13. Identical with Manu IV, 51.

14. Vishṇu LX, 24.

15. I. e. one may bathe also in a tank or river.

shall take earth that is mixed with gravel, from the bank (of a river).

17. Five kinds of earth must not be used, viz. such as is covered by water, such as lies in a temple, on an ant-hill, on a hillock thrown up by rats, and that which has been left by one who cleaned himself.

18. The organ (must be cleaned by) one (application of) earth, the (right) hand by three, but both (feet) by two, the anus by five, the one (i.e. the left hand) by ten, and both (hands and feet) by seven (applications of earth).

19. Such is the purification ordained for householders; it is double for students, treble for hermits, but quadruple for ascetics.

20. Eight mouthfuls are the meal of an ascetic, sixteen that of a hermit, but thirty-two that of a householder, and an unlimited quantity that of a student.

21. An Agnihotrin, a draught-ox, and a student, those three can do their work only if they eat (well); without eating (much), they cannot do it.

22. (The above rule regarding limited allowances of food holds good) in the case of penances, of self-imposed restraint, of sacrifices, of the recitation of the Veda, and of (the performance of other) sacred duties.

18. Vishnu LX, 25.

19. Identical with Vishnu LX, 26, and Manu V, 137.

20-21. Identical with Âpastamba II, 5, 9, 13, and S. 21, with Sâṅkhâyaṇa Grîhya-sûtra II, 16, 5.

22. 'Penances (vrata), i.e. the *Krikkhras* and the rest; self-imposed restraint (niyama), i.e. eating certain food in accordance with a vow, and so forth, during a month or any other fixed period . . . sacred duties (dharma), i.e. giving gifts and the like.'—*Krishnapandita*.

23. The qualities by which a (true) Brâhmana may be recognised are, the concentration of the mind, austerities, the subjugation of the senses, liberality, truthfulness, purity, sacred learning, compassion, worldly learning, intelligence, and the belief (in the existence of the deity and of a future life).

24. One may know that bearing grudges, envy, speaking untruths, speaking evil of Brâhmanas, backbiting, and cruelty are the characteristics of a Sûdra.

25. Those Brâhmanas can save (from evil) who are free from passion, and patient of austerities, whose ears have been filled with the texts of the Veda, who have subdued the organs of sensation and action, who have ceased to injure animated beings, and who close their hands when gifts are offered.

26. Some become worthy receptacles of gifts through sacred learning, and some through the practice of austerities. But that Brâhmana whose stomach does not contain the food of a Sûdra, is even the worthiest receptacle of all.

27. If a Brâhmana dies with the food of a Sûdra in his stomach, he will become a village pig (in his next life) or be born in the family of that (Sûdra).

28. For though a (Brâhmana) whose body is nourished by the essence of a Sûdra's food may

24. *Krishnapañcāta* connects *brâhmanadûshanam*, translated above by 'speaking evil of Brâhmanas,' with *sûdralakṣhanam*, and renders the two words thus, 'the characteristics of a Sûdra which degrade a Brâhmana.'

25. 'Close their hands,' i. e. are reluctant to accept.

26. *Krishnapañcāta* takes *kimkit*, translated by 'some,' to mean 'somewhat,' 'to a certain degree,' i. e. neither very distinguished nor very despicable.

daily recite the Veda, though he may offer (an Agnihotra) or mutter (prayers, nevertheless) he will not find the path that leads upwards.

29. But if, after eating the food of a Sûdra, he has conjugal intercourse, his sons will belong to the giver of the food, and he shall not ascend to heaven.

30. They declare that he is worthy to receive gifts, who (daily) rises to recite the Veda, who is of good family, and perfectly free from passion, who constantly offers sacrifices in the three sacred fires, who fears sin, and knows much, who is beloved among the females (of his family), who is righteous, protects cows, and reduces himself by austerities.

31. Just as milk, sour milk, clarified butter, and honey poured into an unburnt earthen vessel, perish, owing to the weakness of the vessel, and neither the vessel nor those liquids (remain),

32. Even so a man destitute of sacred learning, who accepts cows or gold, clothes, a horse, land, (or) sesamum, becomes ashes, as (if he were dry) wood.

33. He shall not make his joints or his nails crack,

34. Nor shall he make a vessel ring with his nails.

35. Let him not drink water out of his joined hands.

36. Let him not strike the water with his foot or his hand,

37. Nor (pour) water into (other) water.

38. Let him not gather fruit by throwing brick-bats,

39. Nor by throwing another fruit at it.

40. He shall not become a hypocrite or deceitful.

32. Manu IV, 188. Read in the text 'evam gâ vâ' instead of 'evam gâvo.'

33. Gautama IX, 51.

35. Gautama IX, 9.

40. Manu IV, 177.

41. Let him not learn a language spoken by barbarians.

42. Now they quote also (the following verses): 'The opinion of the *Sishṭas* is, that a man shall not be uselessly active, neither with his hands and his feet, nor with his eyes, nor with his tongue and his body.'

43. 'Those *Brāhmanas*, in whose families the study of the Veda and of its supplements is hereditary, and who are able to adduce proofs perceptible by the senses from the revealed texts, must be known to be *Sishṭas*.'

44. 'He is a (true) *Brāhmaṇa* regarding whom no one knows if he be good or bad, if he be ignorant or deeply learned, if he be of good or of bad conduct.'

CHAPTER VII.

1. There are four orders,

2. Viz. (that of) the student, (that of) the householder, (that of) the hermit, and (that of) the ascetic.

3. A man who has studied one, two, or three Vedas without violating the rules of studentship, may enter any of these (orders), whichever he pleases.

4. A (professed) student shall serve his teacher until death;

5. And in case the teacher dies, he shall serve the sacred fire.

42. Manu IV, 177; Gautama IX, 50-51.

43. Manu XII, 109.

VII. 1-2. Gautama III, 2.

3. Gautama III, 1.

4. Vishnu XXVIII, 43.

5. Vishnu XXVIII, 46. I agree with *Krishnapandita* in thinking that the apparently purposeless particle 'and,' which is used in

6. For it has been declared in the Veda, 'The fire is thy teacher.'

7. (A student, whether professed or temporary), shall bridle his tongue ;

8. He shall eat in the fourth, sixth, or eighth hour of the day.

9. He shall go out in order to beg.

10. He shall obey his teacher.

11. He either (may wear all his hair) tied in a knot or (keep merely) a lock on the crown of his head tied in a knot, (shaving the other parts of the head.)

12. If the teacher walks, he shall attend him walking after him ; if the teacher is seated, standing ; if the teacher lies down, seated.

13. He shall study after having been called (by the teacher, and not request the latter to begin the lesson).

14. Let him announce (to the teacher) all that he has received (when begging), and eat after permission (has been given to him).

this Sûtra, indicates Vasishtha's approval of the rules given in other Smritis, according to which the student, on the death of the teacher, shall serve the teacher's son, a fellow-student, or the teacher's wife, and the service of the sacred fire is the last resource only. See Vishnu XXVIII, 44-45 ; Gautama III, 7-8.

6. These words form part of one of the Mantras which the teacher recites at the initiation of the student ; see e. g. Sâṅkhâ-yana Grîhya-sûtra.

7. Gautama II, 13, 22.

8. According to *Krishnapañita* a kâla, 'hour,' is the eighth part of a day.

9. Vishnu XXVIII, 9.

10. Vishnu XXVIII, 7.

11. Gautama I, 27 ; Vishnu XXVIII, 41.

12. Vishnu XXVIII, 18-22.

13. Vishnu XXVIII, 6.

14. Vishnu XXVIII, 10 ; Âpastamba I, 1, 3, 25.

15. Let him avoid to sleep on a cot, to clean his teeth, to wash (his body for pleasure), to apply collyrium (to his eyes), to anoint (his body), and to wear shoes or a parasol.

16. (While reciting his prayers) he shall stand in the day-time and sit down at night.

17. Let him bathe three times a day.

CHAPTER VIII.

1. (A student who desires to become) a householder shall bathe, free from anger and elation, with the permission of his teacher, and take for a wife a young female of his own caste, who does neither belong to the same Gotra nor has the same Pravara, who has not had intercourse (with another man),

2. Who is not related within four degrees on the mother's side, nor within six degrees on the father's side.

3. Let him kindle the nuptial fire.

15. Gautama II, 13.

16. Vishnu XXVIII, 2-3. The prayers intended are the so-called Sandhyâs, which are recited at daybreak and in the evening.

17. Gautama II, 8. 'Three times a day,' i.e. morning, noon, and evening. *Kṛishnapandita* thinks that he shall perform three ablutions at midday.

VIII. 1. Vishnu XXIV, 9; Gautama IV, 1-2. Regarding the bath at the end of the studentship, see Vishnu XXVIII, 42, and Professor Jolly's note.

2. Vishnu XXIV, 10; Gautama IV, 2.

3. Vishnu LIX, 1, and Professor Jolly's note. The fire intended is the *grîhya* or *smârta*, the sacred household fire, which according to this *Sûtra* must be kindled on the occasion of the marriage ceremony, while other *Smṛitis* permit of its being lighted on the division of the paternal estate.

4. Let him not turn away a guest who comes in the evening.

5. (A guest) shall not dwell in his house without receiving food.

6. If a Brâhmana who has come for shelter to the house of a (householder) receives no food, on departure he will take with him all the spiritual merit of that (churlish host).

7. But a Brâhmana who stays for one night only is called a guest. For (the etymological import of the word) atithi (a guest) is 'he who stays for a short while only.'

8. A Brâhmana who lives in the same village (with his host) and a visitor on business or pleasure (are) not (called guests. But a guest), whether he arrives at the moment (of dinner) or at an inopportune time, must not stay in the house of a (householder) without receiving food.

9. (A householder) who has faith, is free from covetousness, and (possesses wealth) sufficient for (performing) the Agnyâdheya-sacrifice, must become an Agnihotrin.

10. He (who possesses wealth) sufficient for (the expenses of) a Soma-sacrifice shall not abstain from offering it.

4. Vishnu LXVII, 28-29.

5. Vishnu LXVII, 30.

6. Vishnu LXVII, 33.

7. Identical with Vishnu LXVII, 34; Manu III, 102.

8. Vishnu LXVII, 35; Manu III, 105.

9. Vishnu LIX, 2. The Agnihotra which is here intended is, of course, the Srauta Agnihotra, to be performed with three fires. The Agnyâdheya is one of the Haviryagñas with which the Srautâgnihotrin has to begin his rites.

10. Vishnu LIX, 8.

11. (A householder) shall be industrious in reciting the Veda, offering sacrifices, begetting children, and (performing his other duties).

12. Let him honour visitors (who come) to his house by rising to meet them, by (offering them) seats, by speaking to them kindly and extolling their virtues,

13. And all creatures by (giving them) food according to his ability.

14. A householder alone performs sacrifices, a householder alone performs austerities, and (therefore) the order of householders is the most distinguished among the four.

15. As all rivers, both great and small, find a resting-place in the ocean, even so men of all orders find protection with householders.

16. As all creatures exist through the protection afforded by their mothers, even so all mendicants subsist through the protection afforded by householders.

17. A Brâhmana who always carries water (in his gourd), who always wears the sacred thread, who daily recites the Veda, who avoids the food of outcasts, who approaches (his wife) in the proper season, and offers sacrifices in accordance with the

11. I agree with *Kṛishnapandita* that the word 'and' used in this enumeration serves the purpose of calling to mind that there are other minor duties. The three named specially are the so-called 'three debts'; see below, XI, 48.

12. *Vishnu* LXVII, 45; *Gautama* V, 38-41.

13. *Vishnu* LXVII, 26.

14-17. *Vishnu* LIX, 27-30; *Manu* VI, 89.

15. Identical with *Manu* VI, 90.

17. 'Who always carries water (in his gourd)' (*nityodakti*) may also be translated, 'who always keeps water (in his house);' see *Āpastamba* II, 1, 1, 15. 'Who always wears the sacred thread'

rules (of the Veda, after death) never falls from Brahman's heaven.

CHAPTER IX.

1. A hermit shall wear (his hair in) braids, and dress (in garments made of) bark and skins;
2. And he shall not enter a village.
3. He shall not step on ploughed (land).
4. He shall gather wild growing roots and fruit (only).
5. He shall remain chaste.
6. His heart shall be full of meekness.
7. He shall honour guests coming to his hermitage with alms (consisting of) roots and fruit.
8. He shall only give, not receive (presents).
9. He shall bathe at morn, noon, and eve.
10. Kindling a fire according to the (rule of the) *Srâmanaka* (Sûtra), he shall offer the Agnihotra.
11. After (living in this manner during) six months,

may also mean 'who always wears his upper in the manner required at a sacrifice,' i.e. passes it over the left and under the right arm.

IX. 1. *Vishnu* XCIV, 8-9; *Gautama* III, 34. *Krishnapandita* takes *ķira*, 'bark,' to mean '(made of) grass,' e.g. of *Muñga* or *Balvaga*.

2. *Gautama* III, 33. The particle 'and' probably indicates that the hermit is not to enter any other inhabited place.

3. *Gautama* III, 32.

4. *Vishnu* XCV, 5.

5. *Vishnu* XCV, 7.

6. *Manu* VI, 8.

7. *Gautama* III, 30.

9. *Vishnu* XCV, 10.

10. *Gautama* III, 27. *Krishnapandita* and MSS. B. F. read *srâvanakena*, and the rest *âvarnakena*. I read *srâmanakena*, 'according to the rule of the *Srâmanaka* Sûtra,' in accordance with *Gautama*'s text. *Baudhâyana*, too, uses the same word.

11. *Manu* VI, 25.

he shall dwell at the root of a tree, keeping no fire and having no house.

12. He (who in this manner) gives (their due) to gods, manes, and men, will attain endless (bliss in) heaven.

CHAPTER X.

1. Let an ascetic depart from his house, giving a promise of safety from injury to all animated beings.

2. Now they quote also (the following verses): 'That ascetic who wanders about at peace with all creatures, forsooth, has nothing to fear from any living being.'

3. 'But he who becomes an ascetic and does not promise safety from injury to all beings, destroys the born and the unborn; and (so does an ascetic) who accepts presents.'

4. 'Let him discontinue the performance of all religious ceremonies, but let him never discontinue the recitation of the Veda. By neglecting the Veda he becomes a Sûdra; therefore he shall not neglect it.'

5. '(To pronounce) the one syllable (Om) is the best (mode of reciting the) Veda, to suppress the breath is the highest (form of) austerity; (to subsist on) alms is better than fasting; compassion is preferable to liberality.'

6. (Let the ascetic) shave (his head); let him have no property and no home.

X. 1. Manu VI, 39; Yâgñavalkya III, 61.

2. Manu VI, 40.

3. 'The born and the unborn,' i.e. his ancestors who lose heaven, and his descendants who lose their caste.

4. Manu VI, 39.

5. Manu II, 83.

6. Gautama III, 11, 22. The term parigraha, 'home,' includes the wife, the family, attendants, and a house.

7. Let him beg food at seven houses which he has not selected (beforehand),

8. (At the time) when the smoke (of the kitchen-fire) has ceased and the pestle lies motionless.

9. Let him wear a single garment,

10. Or cover his body with a skin or with grass that has been nibbled at by a cow.

11. Let him sleep on the bare ground.

12. Let him frequently change his residence,

13. (Dwelling) at the extremity of the village, in a temple, or in an empty house, or at the root of a tree.

14. Let him (constantly) seek in his heart the knowledge (of the universal soul).

15. (An ascetic) who lives constantly in the forest,

16. Shall not wander about within sight of the village-cattle.

17. 'Freedom from future births is certain for him who constantly dwells in the forest, who has subdued his organs of sensation and action, who has renounced all sensual gratification, whose mind is fixed in meditation on the Supreme Spirit, and who is (wholly) indifferent (to pleasure and pain).'

18. (Let him) not (wear) any visible mark (of his order), nor (follow) any visible rule of conduct.

19. Let him, though not mad, appear like one out of his mind.

20. Now they quote also (the following verses) :
'There is no salvation for him who is addicted to

7. Vishnu XCVI, 3.

8. Vishnu XCVI, 6; Manu VI, 56.

9. Vishnu XCVI, 13. It is very probable that the single garment mentioned in the Sūtra is, as *Kṛishṇapandita* thinks, a small strip of cloth to cover the ascetic's nakedness.

12-13. Vishnu XCVI, 10-12.

14. Manu VI, 43, 65.

20. I read 'ramyâvasathapriyasya,' with the majority of the MSS.

the pursuit of the science of words, nor for him who rejoices in captivating men, nor for him who is fond of (good) eating and (fine) clothing, nor for him who loves a pleasant dwelling.'

21. 'Neither by (explaining) prodigies and omens, nor by skill in astrology and palmistry, nor by casuistry and expositions (of the *Sāstras*), let him ever seek to obtain alms.'

22. 'Let him not be dejected when he obtains nothing, nor glad when he receives something. Let him only seek as much as will sustain life, without caring for household property.'

23. 'But he, forsooth, knows (the road to) salvation who cares neither for a hut, nor for water, nor for clothes, nor for the three Pushkaras' (holy tanks), nor for a house, nor for a seat, nor for food.'

24. In the morning and in the evening he may eat as much (food) as he obtains in the house of one *Brāhmaṇa*, excepting honey and meat,

25. And he shall not (eat so much that he is quite) satiated.

26. At his option (an ascetic) may (also) dwell in a village.

27. Let him not be crooked (in his ways); (let him) not (observe the rules of) impurity on account

21. Identical with Manu VI, 50.

22. *Vishnu* XCVI, 4. Identical with Manu VI, 57.

23. There are three Tīrthas called Pushkara; see Professor Jolly's note on *Vishnu* LXXXV, 1.

24. *Kṛṣṇapāṇḍita* thinks that this rule is a concession to those ascetics who are unable to subsist on one meal a day, as Manu VI, 55 prescribes.

25. Manu VI, 59.

26. Manu VI, 94-95.

27. The text is here probably corrupt. But I follow *Kṛṣṇapāṇḍita*. Several MSS. read *asatho*, 'he shall not be a rogue,' for *asavo*, 'he shall not observe the rules of impurity.'

of deaths (or births); let him not have a house; let him be of concentrated mind.

28. Let him not enjoy any object of sensual gratification.

29. Let him be (utterly) indifferent, avoiding to do injury or to show kindness to any living being.

30. To avoid backbiting, jealousy, pride, self-consciousness, unbelief, dishonesty, self-praise, blaming others, deceit, covetousness, delusion, anger, and envy is considered to be the duty of (men of) all orders.

31. A Brâhmana who wears the sacred thread, who holds in his hand a gourd filled with water, who is pure and avoids the food of Sûdras will not fail (to gain) the world of Brahman.

CHAPTER XI.

1. Six persons are (particularly) worthy to receive the honey-mixture (madhuparka),

2. (Viz.) an officiating priest, the bridegroom of one's daughter, a king, a paternal uncle, a Snâtaka, a maternal uncle, as well as (others enumerated elsewhere).

3. (A householder) shall offer, both at the morning and the evening (meals, a portion) of the prepared (food) to the Visve Devas in the (sacred) domestic fire.

30. Vishnu II, 16-17.

31. *Krishnapandita* believes that this Sûtra again refers to ascetics. But that is hardly possible, as ascetics are not allowed to wear a sacrificial thread (see above, Sûtra 18). I think that it is meant to emphatically assert that a Brâhmana who is free from the shortcomings enumerated in the preceding Sûtra, and who follows the rule of conduct, will obtain salvation, whether he passes through the order of Samnyâsins or not.

XI. 1-2. Gautama V, 27-30. The persons enumerated elsewhere are the teacher, the father-in-law, and so forth. Regarding the Snâtaka, see Âpastamba I, 11, 30, 1-4.

3. Vishnu LXVII, 1-3.

4. Let him give a Bali-offering to the (guardian) deities of the house,

5. (Thereafter) let him give a portion, one Pala in weight, to a Srotriya or to a student, (and afterwards an offering) to the manes.

6. Next let him feed his guests in due order, the worthiest first,

7. (Thereafter) the maidens, the infants, the aged, the half-grown members of his family, and pradâtâs,

8. Then the other members of his family.

9. (Outside the house) he shall throw (some food) on the ground for the dogs, *Kândâlas*, outcasts, and crows.

10. He may give to a Sûdra either the fragments (of the meal) or (a portion of) fresh (food).

11. The master of the house and his wife may eat what remains.

4. Vishnu LXVII, 4-22.

5. Vishnu LIX, 14; LXVII, 23, 27. *Krishnapandita* does not take 'agrabhâga' as a technical term, but explains it by 'a first portion, sufficient for a dinner, or as much as one is able to spare.'

6. Vishnu LXVII, 28, 36-38.

7. Vishnu LXVII, 39. The majority of the MSS. read *bâlavid-dhataruzapradâtâs* [tato]. *Krishnapandita* corrects the last word to *pradâtâ*, while the editor of the Calcutta edition writes *prabhritîms* [tato]. Both conjectures are inadmissible. As the same phrase occurs once more, below, XIX, 23 (where *Krishnapandita* writes *pradâtârah*), I think that it is not permissible to change the text. *Pradâtâh* must be the correct reading, and a technical name for a class of female relatives. Etymologically it may mean 'those who have been perfectly cleansed.' But I am unable to trace its precise technical import, and have left it untranslated.

8. Vishnu LXVII, 41.

9. Vishnu LXVII, 26.

10. Gautama V, 25, and note. 'A Sûdra, i. e. one who is his servant.'—*Krishnapandita*. It is, however, possible, that a visitor of the Sûdra caste is meant; see *Âpastamba* II, 2, 4, 19-20.

11. Vishnu LXVII, 41.

12. A fresh meal for which all (the same materials as for the first) are used (may be prepared), if a guest comes after the Vaisvadeva has been offered. For such a (guest) he shall cause to be prepared food (of a) particularly (good quality).

13. For it has been declared in the Veda, 'A Brâhmaṇa guest enters the house resembling the Vaisvânara fire. Through him they obtain rain, and food through rain. Therefore people know that the (hospitable reception of a guest) is a ceremony averting evil.'

14. Having fed the (guest), he shall honour him.

15. He shall accompany him to the boundary (of the village) or until he receives permission (to return).

16. Let him present (funeral offerings) to the manes during the dark half of the month (on any day) after the fourth.

17. After issuing an invitation on the day preceding (the Srâddha, he shall feed on that occasion) three ascetics or three virtuous householders, who are Srotriya, who are not very aged, who do not follow forbidden occupations, and neither (have been his) pupils, nor are (living as) pupils in his house.

18. He may also feed pupils who are endowed with good qualities.

19. Let him avoid men neglecting their duties,

12. Âpastamba II, 3, 6, 16; Gautama V, 32, 33. A guest, i. e. one to whom the definition given above, VIII, 6, 7, applies. I read according to my MSS. puna/pâko instead of puna/pâke.

14-15. Gautama V, 38.

16. Vishṇu LXXXVI, 1-2; Gautama XV, 3.

17. Vishṇu LXXXIII, 1; LXXXII, 2-4; LXXXIII, 5, 19; Gautama XV, 10; Âpastamba II, 7, 17, 4.

18. Âpastamba II, 7, 17, 6.

19. Gautama XV, 16, 18. The explanation of the word nagna,

those afflicted with white leprosy, eunuchs, blind men, those who have black teeth, those who suffer from black leprosy, (and) those who have deformed nails.

20. Now they quote also (the following verses): 'Now, if a (Brâhmaṇa) versed in the Vedas is afflicted with bodily (defects) which exclude him from the company, Yama declares him to be irreproachable. Such (a man) sanctifies the company.'

21. 'At a funeral sacrifice the fragments (of the meal) must not be swept away until the end of the day. For streams of nectar flow (from them, and the manes of) those who have received no libations of water drink (them).'

22. 'But let him not sweep up the fragments (of the meal) before the sun has set. Thence issue rich streams of milk for those who obtain a share with difficulty.'

23. 'Manu declares that both the remainder (in the vessels) and the fragments (of the meal) certainly are the portion of those members of the family who died before receiving the sacraments.'

24. 'Let him give the fragments that have fallen on the ground and the portion scattered (on the blades of Kusa grass), which consists of the wipings

'neglecting their duties,' is doubtful. I have followed *Kṛishṇa-pañḍita*, who quotes the *Mārkaṇḍeya Purāṇa* in support of his view. The word occurs in the same connexion, *Vishṇu* LXXXII, 27, where it is rendered by 'naked.' Possibly it may refer to ascetics who go entirely naked.

20. The *Sūtra* gives an exception to the preceding rule.

21. I read '*skyotante hi*' instead of '*skyotante vai*.'

22. 'Those who receive a share with difficulty,' i. e. the manes of uninitiated children, mentioned in the next verses.

23-24. *Vishṇu* LXXXII, 22; *Manu* III, 245-246. These rules, however, do not fully agree with the teaching of our *Manu-smṛiti*,

and water, as their food, to the manes of those who died without offspring and of those who died young.'

25. 'The malevolent Asuras seek an opportunity (to snatch away) that food intended for the manes, which is not supported with both hands;'

26. 'Therefore let him not offer it (to the Brâhmanas) without holding (a spoon) in his hand; or let him stand, holding the dish (with both hands, until) leavings of both kinds (have been produced).'

27. 'He shall feed two (Brâhmanas) at the offering to the gods, and three at the offering to the manes, or a single man on either occasion; even a very wealthy man shall not be anxious (to entertain) a large company.'

28. 'A large company destroys these five (advantages), the respectful treatment (of the invited guests, the propriety of) time and place, purity and (the selection of) virtuous Brâhmaṇa (guests); therefore he shall not (invite a large number).'

29. 'Or he may entertain (at a Srâddha) even a single Brâhmaṇa who has studied the whole Veda, who is distinguished by learning and virtue, and is free from all evil marks (on his body).'

as the latter assigns the fragments on the ground to honest and upright servants. Sûtra 24 I read with the majority of the MSS. 'lepanodakam' for 'lepamodakam,' and 'annam preteshu' for 'anupreteshu.'

25. Manu III, 225.

26. Manu III, 224. The meaning of the last clause seems to be that the sacrificer shall stand before the Brâhmanas until they have done eating.

27. Identical with Manu III, 125; see also Vishnu LXXIII, 3. The offering to the gods is the Vaisvadeva offering which precedes the Srâddha.

28. Identical with Manu III, 126.

29. Manu III, 129.

30. '(But) how can the oblation to the gods be made if he feeds a single Brâhmana at a funeral sacrifice? Let him take (a portion) of each (kind of) food that has been prepared (and put it) into a vessel;'

31. 'Let him place it in the sanctuary of a god and afterwards continue (the performance of) the funeral sacrifice. Let him offer that food in the fire or give it (as alms) to a student.'

32. 'As long as the food continues warm, as long as they eat in silence, as long as the qualities of the food are not declared (by them), so long the manes feast on it.'

33. 'The qualities of the food must not be declared as long as the (Brâhmanas who represent the) manes are not satiated. Afterwards when they are satisfied, they may say, "Beautiful is the sacrificial food."'

34. 'But an ascetic who, invited to dine at a sacrifice of the manes or of the gods, rejects meat, shall go to hell for as many years as the slaughtered beast has hairs.'

35. 'Three (things are held to) sanctify a funeral sacrifice, a daughter's son, the midday, and sesamum grains; and they recommend three (other things) for it, purity, freedom from anger and from precipitation.'

36. 'The eighth division of the day, during which the sun's (progress in the heavens) becomes slow, one must know to be midday; what is (then) given to the manes lasts (them) for a very long time.'

37. 'The ancestors of that man who has inter-

32. Identical with Vishnu LXXXII, 20, and Manu III, 237.

34. Manu V, 35.

35. Identical with Manu III, 235.

37. Vishnu LXIX, 2-4.

course with a woman after offering or having dined at a *Srâddha*, feed during a month from that (day) on his semen.'

38. 'A child that is born from (intercourse immediately) after offering a *Srâddha* or partaking of a funeral repast, is unable to acquire sacred learning and becomes short-lived.'

39. 'The father and the grandfather, likewise the great-grandfather, beset a descendant who is born to them, just as birds (fly to) a fig tree;'

40. '(Saying), "He will offer to us funeral repasts with honey and meat, with vegetables, with milk and with messes made of milk, both in the rainy season and under the constellation *Maghâ*."'

41. 'The ancestors always rejoice at a descendant who lengthens the line, who is zealous in performing funeral sacrifices, and who is rich in (images of the) gods and (virtuous) *Brâhmaṇa* (guests).'

42. 'The manes consider him to be their (true) descendant who offers (to them) food at *Gayâ*, and (by the virtue of that gift) they grant him (blessings), just as husbandmen (produce grain) on well-ploughed (fields).'

43. He shall offer (a *Srâddha*) both on the full moon days of the months *Srâvana* and *Âgrahâyaṇa* and on the *Anvash/akî*.

39-40. *Vishṇu* LXXVIII, 51-53.

41. 'Who lengthens the line,' i. e. who himself begets sons. Read instead of *nuyantam pitṛīkarmāṇi* (v. l. *muyantam* and *tri-pantah*), '*udyatam*.'

42. *Vishṇu* LXXXV, 4, 66-67.

43. *Srâvana*, i. e. July-August; *Âgrahâyaṇa*, i. e. *Mârgasîrsha* or November-December. *Anvash/akî* means the day following the *Ash/akâ*, or eighth day, i. e. the ninth day of the dark halves of *Mârgasîrsha*, *Pausha*, *Mâgha*, and *Phâlguna*. The form of the word is usually *anvash/akâ*.

44. There is no restriction as to time, if (particularly suitable) materials and (particularly holy) Brâhmanas are at hand, or (if the sacrificer is) near (a particularly sacred) place.

45. A Brâhmana must necessarily kindle the three sacred fires.

46. He shall offer (in them) the full and new moon sacrifices, the (half-yearly) Âgrayana Ishî, the Kâturmâsya-sacrifice, the (half-yearly) sacrifices at which animals are slain, and the (annual) Soma-sacrifices.

47. For all this is (particularly) enjoined (in the Veda), and called by way of laudation 'a debt.'

48. For it is declared in the Veda, 'A Brâhmana is born, loaded with three debts,' (and further, 'He owes) sacrifices to the gods, a son to the manes, the study of the Veda to the Rîshis; therefore he is free from debt who has offered sacrifices, who has begotten a son, and who has lived as a student (with a teacher).'

49. Let him (ordinarily) initiate a Brâhmana in the eighth (year) after conception,

50. A Kshatriya in the eleventh year after conception,

51. A Vaisya in the twelfth year after conception.

52. The staff of a Brâhmana (student may) optionally (be made) of Palâsa wood,

44. Gautama XV, 5.

45. Vishnu LIX, 2.

46. Vishnu LIX, 4-9.

47. Manu IV, 257. I read *rinâsamstutam* with MS. E.

48. Taitt. Samh. VI, 3, 10, 5; Satapatha-brâhmana I, 7, 2, 11.

49-51. Vishnu XXVII, 15-17.

52-54. Vishnu XXVII, 29. Regarding other kinds of sticks, see Gautama I, 22-24.

53. (That) of a Kshatriya optionally of the wood of the Banyan tree,

54. (That) of a Vaisya optionally of Udumbara wood.

55. (The staff) of a Brâhmana shall (be of such a length as to) reach the hair,

56. (That) of a Kshatriya the forehead,

57. (That) of a Vaisya the (tip of the) nose.

58. The girdle of a Brâhmana shall be made of Muñga grass,

59. A bowstring (shall be that) of a Kshatriya,

60. (That) of a Vaisya shall be made of hempen threads.

61. The upper garment of a Brâhmana (shall be) the skin of a black antelope,

62. (That) of a Kshatriya the skin of a spotted deer,

63. (That) of a Vaisya a cow-skin or the hide of a he-goat.

64. The (lower) garment of a Brâhmana (shall be) white (and) unblemished,

65. (That) of a Kshatriya dyed with madder,

66. (That) of a Vaisya dyed with turmeric, or made of (raw) silk;

67. Or (a dress made of) undyed (cotton) cloth may be worn by (students of) all (castes).

68. A Brâhmana shall ask for alms placing (the word) 'Lady' first,

55-57. Vishnu XXVII, 22.

58-60. Vishnu XXVII, 18.

61-63. Vishnu XXVII, 20.

64-67. Vishnu XXVII, 19; Gautama I, 17-21. 'Unblemished,' i. e. new, without holes and seams.

68-70. Vishnu XXVII, 25. I. e. 'Lady, give alms;' 'Give, O lady, alms;' and 'Give alms, lady.'

69. A Kshatriya placing (the word) 'Lady' in the middle,

70. A Vaisya placing (the word) 'Lady' at the end (of the formula).

71. The time (for the initiation) of a Brâhmaṇa has not passed until the completion of the sixteenth year,

72. (For that) of a Kshatriya until the completion of the twenty-second,

73. (For that) of a Vaisya until the completion of the twenty-fourth.

74. After that they become 'men whose Sâvitṛi has been neglected.'

75. Let him not initiate such men, nor teach them, nor sacrifice for them; let them not form matrimonial alliances (with such outcasts).

76. A man whose Sâvitṛi has not been performed, may undergo the Uddâlaka-penance.

77. Let him subsist during two months on barley-gruel, during one month on milk, during half a month on curds of two-milk whey, during eight days on clarified butter, during six days on alms given without asking, (and) during three days on water, and let him fast for one day and one night.

78. (Or) he may go to bathe (with the priests) at the end of an Asvamedha (horse-sacrifice).

79. Or he may offer a Vrâtya-stoma.

71-73. Vishṇu XXVII, 26.

74. Vishṇu XXVII, 27. Sâvitṛi, literally 'the *Rik* sacred to Savitṛi' (Rig-veda III, 62, 10), means here 'the initiation,' see Gautama I, 12 note.

75. Âpastamba I, 1, 1, 28. The plural vivâhayeyuḥ, 'let them (not) form matrimonial alliances,' indicates that orthodox Brâhmaṇas must neither give their daughters to Patitasâvitṛikas nor take the daughters of such persons.

78. Gautama XIX, 9.

79. Gautama XIX, 8.

CHAPTER XII.

1. Now, therefore, the duties of a Snâtaka (will be explained).

2. Let him not beg from anybody except from a king and a pupil.

3. But let him ask, if pressed by hunger, for some (small gift) only, a cultivated or uncultivated field, a cow, a goat or a sheep, (or) at the last extremity, for gold, grain or food.

4. But the injunction (given by those who know the law) is, 'A Snâtaka shall not be faint with hunger.'

5. Let him not dwell together with a person whose clothes are foul;

6. (Let him not cohabit) with a woman during her courses,

7. Nor with an unfit one.

8. Let him not be a stay-at-home.

XII. 1. 'Now' marks the beginning of a new topic. 'Therefore,' i. e. because the duties of a Snâtaka have to be taught after those of a student.

2. Manu IV, 33; Gautama IX, 63.

3. Manu X, 113-114. 4. Manu IV, 34; Vishnu III, 79.

5. *Krishnapandita*, whom I have followed in the translation of this Sûtra, thinks that it indicates the obligation of wearing clean clothes, see e. g. Vishnu LXXI, 9. It seems to me, however, probable that its real sense is, 'Let him not cohabit with a woman during her courses,' and that the next Sûtra has to be read *nâragasvalayâ*, 'Nor with one of immature age.'

7. 'An unfit one,' i. e. 'one of low caste' (*hinâ*).—*Krishnapandita*. Probably a sick wife is meant, Gautama IX, 28.

8. Gautama IX, 53. *Krishnapandita* gives besides the above interpretation of the Sûtra from Haradatta's *Gautamiyâ Mitâksharâ*, another one, according to which it means, 'Let him not forsake his own family and enter another one (by adoption and so forth).' A third

9. Let him not step over a stretched rope to which a calf (or cow) is tied.

10. Let him not look at the sun when he rises or sets.

11. Let him not void excrements or urine in water,

12. Nor spit into it.

13. Let him ease himself, after wrapping up his head and covering the ground with grass that is not fit to be used at a sacrifice, and turning towards the north in the day-time, turning towards the south at night, sitting with his face towards the north in the twilight.

14. Now they quote also (the following verses): 'But Snâtakas shall always wear a lower garment and an upper one, two sacrificial threads, (shall carry) a staff and a vessel filled with water.'

15. 'It is declared, that (a vessel becomes) pure (if cleaned) with water, or with the hand, or with a stick, or with fire. Therefore he shall clean (his) vessel with water and with his (right) hand.'

16. 'For Manu, the lord of created beings, calls (this mode of cleaning) encircling it with fire.'

17. 'He who is perfectly acquainted with (the rules of) purification shall sip water (out of this vessel), after he has relieved the necessities of nature.'

18. Let him eat his food facing the east.

explanation is given by Nârâyana on Sâṅkhâya *Grihya-sûtra* IV, 12, 11, who takes it to mean, 'Let him not go from one house to the other.'

9. Gautama IX, 52; Vishnu LXIII, 42.

10. Vishnu LXXI, 17-18.

11-12. Vishnu LXXI, 35.

13. Gautama IX, 37-38, 41-43; Vishnu LX, 2-3.

14. Vishnu LXXI, 13-15.

18. Vishnu LXVIII, 40.

19. Silently let him swallow the entire mouthful, (introducing it into the mouth) with the four fingers and with the thumb ;

20. And let him not make a noise (while eating).

21. Let him approach his wife in the proper season, except on the Parva days.

22. Let him not commit a crime against nature (with her).

23. Now they quote also (the following verse): 'The ancestors of a man who commits an unnatural crime with a wedded wife, feed during that month on his semen. All unnatural intercourse is against the sacred law.'

24. It is also declared in the Kâtaka, '(When) the women (asked) Indra, "May even those among us, who are soon to be mothers, (be allowed to) cohabit with their husbands," he granted that wish.'

25. Let him not ascend a tree.

26. Let him not descend into a well.

27. Let him not blow the fire with his mouth.

28. Let him not pass between a fire and a Brâhmana,

29. Nor between two fires ;

30. Nor between two Brâhmanas ; or (he may do it) after having asked for permission.

31. Let him not dine together with his wife. For it is declared in the Vâgasaneyaka, 'His children will be destitute of manly vigour.'

19. *Krishnapandita* thinks that this rule refers to the first five mouthfuls only.

21. *Vishnu* LXIX, 1. The Parva days are the eighth, fourteenth, and fifteenth of each half-month.

25-27. *Gautama* IX, 32.

28. *Âpastamba* II, 5, 12, 6.

30. *Âpastamba* II, 5, 12, 7-8.

31. *Satapatha-brâhmana* X, 5, 2, 9 ; *Vishnu* LXVIII, 46.

32. Let him not point out (a rainbow calling it) by (its proper) name, 'Indra's bow.'

33. Let him call it 'the jewelled bow' (*mazidhanu*).

34. Let him avoid seats, clogs, sticks for cleaning the teeth, (and other implements) made of Palâsa wood.

35. Let him not eat (food placed) in his lap.

36. Let him not eat (food placed) on a chair.

37. Let him carry a staff of bamboo,

38. And (wear) two golden earrings.

39. Let him not wear any visible wreath excepting a golden one;

40. And let him disdain assemblies and crowds.

41. Now they quote also (the following verse): 'To deny the authority of the Vedas, to carp at the teaching of the *Rishis*, to waver with respect to any (matter of duty), that is to destroy one's soul.'

42. Let him not go to a sacrifice except if he is chosen (to be an officiating priest. But) if he goes, he must, on returning home, turn his right hand (towards the place).

43. Let him not set out on a journey when the sun stands over the trees.

32-33. Gautama IX, 22.

35. Vishnu LXVIII, 21.

37. Vishnu LXXI, 13.

39. Gautama IX, 32.

40. I read *sabhâsamavâyâmskâvagayeta*. The corrupt readings of Bh. *samavâyâska gaviyan* and of F. *samavâyâmska vakshîyanna* point to this version, the sense of which agrees with the parallel passages of other *Smritis*, see e. g. *Âpastamba* I, 11, 32, 19.

41. Vishnu LXXI, 83.

42. Gautama IX, 54-55, 66.

43. Vishnu LXIII, 9. According to *Krishnapandita* the time intended is midday.

34. Gautama IX, 44.

36. Gautama IX, 32.

38. Vishnu LXXI, 16.

44. Let him not ascend an unsafe boat, or (any unsafe conveyance).

45. Let him not cross a river, swimming.

46. When he has risen in the last watch (of the night) and has recited (the Veda) he shall not lie down again.

47. In the Muhūrta sacred to Pragâpati a Brâhmana shall fulfil some sacred duties.

CHAPTER XIII.

1. Now, therefore, the Upâkarman (or the rite preparatory to the study) of the Veda (must be performed) on the full moon day of the month *Srâvana* or *Praushthapada*.

2. Having kindled the sacred fire, he offers (therein) unground (rice) grains,

3. To the gods, to the *Rishis*, and to the *Khandas*.

4. Let them begin to study the Vedas, after having made Brâhmanas (invited for the purpose) wish 'welfare' (*svasti*), and after having fed them with sour milk,

5. (And continue the Veda-study) during four

44. Vishnu LXIII, 47.

45. Vishnu LXIII, 46. *Krishnapandita* omits this Sûtra which is found in the majority of the MSS.

46. Âpastamba I, 11, 32, 15; Vishnu XXX, 27.

47. Manu IV, 92; Vishnu LX, 1. The Muhūrta sacred to Pragâpati is the same as the Brâhma-muhūrta, and falls in the last watch of the night.

XIII. 1. Vishnu XXX, 1. *Srâvana*, July-August. *Praushthapada*, i. e. Bhâdrapada, August-September. *Krishnapandita* improperly combines this Sûtra with the next.

5. Gautama XVI, 2.

months and a half or during five months and a half.

6. After (the expiration of) that (period), he may study (the Vedas) during the bright half of each month,

7. But the supplementary treatises (Aṅgas) of the Veda at pleasure (both during the bright and the dark halves of each month).

8. Interruptions of the (Veda-study shall take place),

9. If it thunders during the twilight,

10. During (both) the twilights (of each day),

11. In towns where a corpse (lies) or *Kāṇḍālas* (stay).

12. At pleasure (he may study seated) in (a place) which has been smeared with cowdung and around which a line has been drawn.

13. (Let him not study) near a burial-ground,

14. (Nor) lying down,

15. Nor when he has eaten or received a gift at a funeral sacrifice;

16. And with reference to this (subject) they quote a verse of Manu, 'Be it fruit, or water, or

6-7. Manu IV, 98.

9. Āpastamba I, 3, 9, 20.

10. Gautama XVI, 12.

11. Gautama XVI, 19; Vishṇu XXX, 10. The above translation follows *Kṛishṇapāṇḍita's* gloss. But the Sūtra may also be taken differently: 'In (villages) where a corpse lies or a *Kāṇḍāla* stays (and) in towns.' For the prohibition to study in towns is mentioned by Gautama XVI, 45; Manu IV, 116; and Āpastamba I, 3, 9, 4.

12. Āpastamba I, 3, 9, 5. The rule refers to places, such as high-roads, where studying is ordinarily forbidden.

13. Vishṇu XXX, 15; Āpastamba I, 3, 9, 6.

14. Gautama XVI, 17.

15. Gautama XVI, 34.

16. Manu IV, 117 somewhat resembles the verse quoted. But

sesamum, or food, or whatever be the (gift) at a *Srâddha*, let him not, having just accepted it, recite the Veda; for it is declared in the *Smṛiti*, that the hand of a *Brâhmaṇa* is his mouth.'

17. (Let him not recite the Veda) while he runs, (nor) while a foul smell and the like (are perceptible, nor) on barren ground,

18. (Nor) when he has ascended a tree,

19. (Nor) in a boat or in a camp,

20. Nor after meals while his hands are moist,

21. (Nor) while the sound of a *Vâṇa* (is heard),

22. (Nor) on the fourteenth day (of each half-month, nor) on the new moon day, (nor) on the eighth day (of each half-month, nor) on an *Ashṭakâ*,

23. (Nor) while he stretches his feet out, (nor) while he makes a lap, (nor) while he leans against (something), nor (in any other unbecoming posture),

24. (Nor) close to his Gurus,

25. (Nor) during that night in which he has had conjugal intercourse,

26. (Nor) dressed in that garment which he had on during conjugal intercourse, except if it has been washed,

its altered form shows clearly that the *Mânava Dharmaśāstra* known to *Vasishṭha* differed from the work which at present goes by that name. Compare also *Sânkhâyana Grihya-sūtra* IV, 7, 55.

17. *Yâgñavalkya* I, 150; *Gautama* XVI, 19; *Manu* IV, 120.

18. *Āpastamba* I, 3, 11, 16.

19. *Vishṇu* XXX, 18; *Manu* IV, 121.

20. *Āpastamba* I, 3, 10, 25.

21. *Gautama* XVI, 7, and note.

22. *Vishṇu* XXX, 4; *Gautama* XVI, 37-38. The *Ashṭakâs* are the eighth days of the dark halves of the winter months, *Mârgaśīrsha*, *Pausha*, *Māgha*, and *Phâlguna*.

23. *Vishṇu* XXX, 17; *Manu* IV, 112. 26. *Manu* IV, 116.

27. (Nor) at the extremity of a village,
28. (Nor) after (an attack of) vomiting,
29. (Nor) while voiding urine or fæces.
30. (Let him not recite) the Rig-veda, the Yagur-veda, and (the Atharva-veda) while the sound of the Sâman melodies (is audible), nor (the Sâman while the other Vedas are being recited).
31. (Let him not study) before (his food is) digested,
32. (Nor) when a thunderbolt falls,
33. (Nor) when an earthquake happens,
34. Nor when the sun and the moon are eclipsed.
35. When a preternaturally loud sound is heard in the sky, when a mountain falls, (and) when showers of stones, blood or sand (fall from the sky, the Veda must not be read) during the twenty-four hours (immediately succeeding the event).
36. If meteors and lightning appear together, (the interruption shall last) three (days and) nights.
37. A meteor (alone and) a flash of lightning (alone cause an interruption lasting) as long as the sun shines (on that or the next day).
38. (If rain or other celestial phenomena come) out of season, (the Veda must not be read) during the twenty-four hours (immediately succeeding the event).

27. Gautama XVI, 18.

28. Vishnu XXX, 19.

29. Gautama XVI, 11. *Krishnapandita* improperly divides the Sûtra into two.

30. Vishnu XXX, 26.

31. Vishnu XXX, 21.

32-34. Vishnu XXX, 5; Gautama XVI, 22.

35. Gautama XVI, 22; Manu IV, 105, 115. *Krishnapandita* mentions *digdâha*, 'when the sky appears preternaturally red,' as a various reading for 'dignâda.'

38. Âpastamba I, 3, 11, 29.

39. If the teacher has died, (he shall not study the Veda) during three (days and) nights.

40. If the teacher's son, a pupil, or a wife (have died, he shall not study) during a day and a night.

41. Let him honour an officiating priest, a father-in-law, paternal and maternal uncles, (though they may be) younger than himself, by rising and saluting them,

42. Likewise the wives of those persons whose feet must be embraced, and the teacher's (wives),

43. And his parents.

44. Let him say to one acquainted with (the meaning of) a salute, 'I N. N. ho! (salute thee);'

45. But him who does not know it (he shall address with the same formula, omitting his name).

46. When a salute is returned, the last vowel (of the noun standing) in the vocative is produced to the length of three moras, and if it is a diphthong (e or o) changeable according to the Sandhi rules, it becomes ây or âv, e. g. bho, bhâv.

47. A father who has committed a crime causing loss of caste must be cast off. But a mother does not become an outcast for her son.

48. Now they quote also (the following verses):

39. Âpastamba I, 3, 10, 2-4.

40. Vishnu XXXII, 4.

42. The persons intended are, the teacher and so forth. See Âpastamba I, 4, 14, 7, note.

44. Gautama VI, 5.

45. Âpastamba I, 4, 14, 23. *Krishnapañāta* combines this Sûtra with the preceding.

46. Âpastamba I, 2, 5, 18. In returning a salute, the name of the person addressed is pronounced, and if it ends in a, the vowel is made pluta, while e and o are changed to âya and âva, e. g. Hare to Harâya.

47. Gautama XX, 1; XXI, 15; Âpastamba I, 10, 28, 9.

48. Manu II, 145.

‘The teacher (âkârya) is ten times more venerable than a sub-teacher (upâdhyâya), the father a hundred times more than the teacher, and the mother a thousand times more than the father.’

49. ‘A wife, sons, and pupils who are defiled by sinful deeds, must first be reprovèd, and (if they do not amend, then) be cast off. He who forsakes them in any other way, becomes (himself) an outcast.’

50. An officiating priest and a teacher who neglect to teach the recitation of the Veda, or to sacrifice, shall be cast off. If he does not forsake them, he becomes an outcast.

51. They declare that the male offspring of outcasts are (also) outcasts, but not the females.

52. For a female enters (the family of) a stranger.

53. He may marry such a (female) without a dowry.

54. ‘If the teacher’s teacher is near, he must be treated like the teacher (himself). The Veda declares that one must behave towards the teacher’s son just as towards the teacher.’

55. A Brâhmana shall not accept (as gifts) weapons, poison, and spirituous liquor.

56. Learning, wealth, age, relationship, and occupation must be honoured.

57. (But) each earlier named (quality) is more venerable than (the succeeding ones).

58. If he meets aged men, infants, sick men, load-carriers, women, and persons riding in chariots, he

49. Âpastamba I, 2, 8, 29-30.

50. Gautama XXI, 12.

51. Âpastamba I, 10, 29, 14.

53. Manu II, 238; Yâgñavalkya III, 261.

54. Vishnu XXVIII, 29, 31.

56. Vishnu XXXII, 16.

58-59. Vishnu LXIII, 51.

must make way (for them, i.e.) for each later (named before those enumerated earlier).

59. If a king and a Snâtaka meet, the king must make (way) for the Snâtaka.

60. All (must make way) for a bride who is being conveyed (to her husband's house).

61. Grass, room (for resting), fire, water, a welcome, and kind words never fail in the houses of good men.

CHAPTER XIV.

1. Now, therefore, we will declare what may be eaten and what may not be eaten.

2. Food given by a physician, a hunter, a woman of bad character, a mace-bearer, a thief, an Abhisasta, a eunuch, (or) an outcast must not be eaten,

3. (Nor that given) by a miser, one who has performed the initiatory ceremony of a Srauta-sacrifice, a prisoner, a sick person, a seller of the Soma-plant, a carpenter, a washerman, a dealer in spirituous liquor, a spy, a usurer, (or) a cobbler,

4. Nor (that given) by a Sûdra,

5. Nor (that given) by one who lives by his weapons,

6. Nor (that given) by the (kept) paramour of a

61. Âpastamba II, 2, 4, 14; Gautama V, 35-36.

XIV. 2. Vishnu LI, 7, 10-11. Dandîka, 'a mace-bearer,' may mean 'a police officer' or 'a messenger.' I read with MSS. Bh. and F. *shandha*, 'a eunuch,' instead of *satha*, 'a rogue,' the reading of the other MSS. and of *Krishnapandita*.

3. Vishnu LI, 8-9, 12, 19; Gautama XVII, 17. I write *sûkaka*, 'a spy,' instead of *sûkika*, 'a tailor,' according to the other *Smritis*, e.g. Vishnu LI, 12; Âpastamba I, 6, 18, 30

4. Âpastamba I, 6, 18, 13.

5. Âpastamba I, 6, 18, 19.

6. Vishnu LI, 16; Gautama XVII, 18. I read with the majority

married woman, or by a husband who allows a paramour (to his wife),

7. Nor (that given) by an incendiary,

8. Nor (that given) by (a ruler) who does not slay those worthy of capital punishment,

9. Nor (food) offered publicly with these words, 'Who is willing to eat?'

10. Nor food given by a multitude of givers, or by harlots, and so forth.

11. Now they quote also (the following verse): 'The gods do not eat (the offerings) of a man who keeps dogs, nor of him whose (only) wife is of the Sûdra caste, nor of him who lives in subjection to his wife, nor of (a husband) who (permits) a paramour (of his wife to reside) in his house.'

12. He may accept (the following presents even) from such (people, viz.) firewood, water, fodder, Kusa grass, parched grain, (food) given without asking, a vehicle, (shelter in) the house, small fish, millet, a garland, perfumes, honey, and meat.

13. Now they quote also (the following verse): 'For the sake of a Guru, when he desires to save his wife (and family from starvation), when he wishes to honour the gods or guests, he may accept (presents) from anybody; but let him not satisfy his (own hunger) with such (gifts).'

of the MSS. *yaskopapatim* [pattim F.] manyate, instead of B.'s and *Krishnapandita's yaskopari manyate*.

9. *Âpastamba* I, 6, 18, 17.

10. *Vishnu* LI, 7. 'And so forth (iti), i. e. by cruel men and the like.'—*Krishnapandita*.

11. *Vishnu* LI, 15.

12. *Gautama* XVII, 3; *Vishnu* LVII, 10.

13. *Vishnu* LVII, 13; *Manu* IV, 251.

14. Food given by a hunter who uses the bow must not be rejected.

15. For it is declared in the Veda, 'At a sacrificial session (sattra), which lasted one thousand years, Agastya went out to hunt. He had sacrificial cakes prepared with the meat of beasts and fowls good (to eat).'

16. With reference to this (subject) they quote also some verses proclaimed by Pragâpati, 'Pragâpati (the Lord of created beings) has declared that food freely offered and brought (by the giver himself) may be eaten, though (the giver) be a sinful man, provided the gift has not been asked for beforehand.'

17. 'Food offered by a man who has faith must certainly be eaten, even though (the giver) be a thief, but not that given by (a Brâhmaṇa) who sacrifices for many and who initiates many.'

18. 'The manes do not eat during fifteen years (the food) of that man who disdains a (freely offered gift), nor does the fire carry his offerings (to the gods).'

19. 'But alms, though offered without asking, must not be accepted from a physician, from a hunter, from a surgeon or a (very) wicked man, from a eunuch, and from a faithless wife.'

20. Fragments of food left by other persons than the teacher must not be eaten,

21. Nor remnants of one's own (meal) and food touched by leavings,

15. Manu V, 22-23. I connect *vighñâyate* with this Sûtra, instead of with the preceding one, as *Kṛishnapandita* does.

16. Vishṇu LVII, 11; Manu IV, 248; Âpastamba I, 6, 19, 14.

18. Vishṇu LVII, 12; Manu IV, 249; Âpastamba I, 6, 19, 14.

19. Âpastamba I, 6, 19, 15.

20. Vishṇu XXVIII, 11.

22. Nor (food) defiled by contact with a garment, hair, or insects.

23. But at pleasure he may use (such food) after taking out the hair and the insects, sprinkling it with water, dropping ashes on it, and (after it has been declared) fit for use by the word (of a Brâhmana).

24. With reference to this (subject) they quote also some verses proclaimed by Pragâpati, 'The gods created for Brâhmanas three means of purifying (defiled substances), viz. ignorance (of defilement), sprinkling (them) with water, and commending (them) by word of mouth.'

25. 'Let him not throw away that food which, at a procession with images of the gods, at weddings, and at sacrifices, is touched by crows or dogs.'

26. 'After the (defiled) portion has been removed, the remainder shall be purified, liquids by straining them, but solid food by sprinkling it with water.'

27. 'What has been touched by the mouth of a cat is even pure.'

28. (Cooked food which has become) stale (by being kept), what is naturally bad, what has been placed once only in the dish, what has been cooked more than once, raw (food), and (food) insufficiently cooked (must not be eaten).

29. But at pleasure he may use (such food) after pouring over it sour milk or clarified butter.

22. Âpastamba I, 5, 16, 28; Gautama XVII, 9.

23. Vishnu XXIII, 38; Yâgñavalkya I, 189.

24. Yâgñavalkya I, 191.

26. Vishnu XXIII, 30. *Krishnapandita* thinks that *plâvanena*, 'by straining them (through a cloth),' may also mean 'by heating them on the fire.'

28. Gautama XVII, 13, and note, 15-16.

29. Manu V, 24.

30. With reference to this (subject) they quote also some verses proclaimed by Pragâpati, 'A Brâhmana shall not eat clarified butter or oil which drips from the nails (of the giver). Yama has declared such (food to be) impure; (to eat it is as sinful) as to partake of cow's flesh.'

31. 'But fatty substances, salt, and condiments proffered with the hand do not benefit the giver, and he who partakes of them will eat sin.'

32. 'Let him give, therefore, such substances placed on a leaf or on grass, but never with his hands or in an iron vessel.'

33. For eating garlic, onions, mushrooms, turnips, Sleshmântaka, exudations from trees, the red sap flowing from incisions (in trees or plants), food pecked at by crows or worried by dogs, or the leavings of a Sûdra, an Atikrikkhira (penance must be performed).

34. (Let him not drink) the milk of a cow that is in heat, nor of one whose calf has died,

35. Nor that which cows, buffalo-cows, and goats give during the first ten days (after giving birth to young ones),

36. Nor water collected at the bottom of a boat.

37. Let him avoid wheat-cakes, (fried) grain, porridge, barley-meal, pulse-cakes, oil, rice boiled in milk, and vegetables that have turned sour (by standing),

33. Vishnu LI, 34, 36; Gautama XVII, 32-33. Regarding the Atikrikkhira penance, see below, XXIV, 1.

34. Vishnu LI, 40. For other explanations of the term sandhinî, 'a cow that is in heat,' see Âpastamba I, 5, 17, 23; Vishnu LI, 40.

35. Vishnu LI, 39. The Sûtra implies that the milk of other animals must not be drunk under any circumstances.

37-38. Vishnu LI, 35, 42.

38. Likewise other kinds of (sour) food prepared with milk and barley-flour.

39. Among five-toed animals, the porcupine, the hedgehog, the hare, the tortoise, and the iguana may be eaten,

40. Among (domestic) animals those having teeth in one jaw only, excepting camels.

41. And among fishes, the long-nosed crocodile, the Gavaya, the porpoise, the alligator, and the crab (must not be eaten),

42. Nor those which are misshaped or have heads like snakes,

43. Nor the bos Gaurus, the Gayal, and the Sarabha,

44. Nor those that have not been (specially mentioned (as fit for food),

45. Nor milch-cows, draught-oxen, and animals whose milk teeth have not dropped out.

46. It is declared in the Vâgasaneyaka, that (the flesh of) milch-cows and oxen is fit for offerings.

47. But regarding the rhinoceros and the wild boar they make conflicting statements.

48. And among birds, those who seek their food by scratching with their feet, the web-footed ones, the Kalaviṅka, the water-hen, the flamingo, the

39. Gautama XVII, 27. Haradatta on Âpastamba and Gautama explain svâvidh, 'the porcupine,' to be a kind of boar, and salyaka, 'the hedgehog,' to be 'the porcupine.'

40. Vishṇu LI, 30; Manu V, 18.

41-42. Gautama XVII, 36; Âpastamba I, 5, 17, 38-39.

43. Âpastamba I, 5, 17, 29.

44. Manu V, 11, 17.

45. Gautama XVII, 30-31.

46. Âpastamba I, 5, 17, 31.

48. Gautama XVII, 34-35; Vishṇu LI, 28-31. I read mân-dhâla, 'the flying fox,' while Kṛishṇapandita gives mâghâra, a

Brahmanî duck, the Bhâsa, the crow, the blue pigeon, the osprey, the Kâtaka, the dove, the crane, the black partridge, the grey heron, the vulture, the falcon, the white egret, the ibis, the cormorant, the peewit, the flying-fox, those flying about at night, the woodpecker, the sparrow, the Railâtaka, the green pigeon, the wagtail, the village-cock, the parrot, the starling, the cuckoo, those feeding on flesh, and those living about villages (must not be eaten).

CHAPTER XV.

1. Man formed of uterine blood and virile seed proceeds from his mother and his father (as an effect) from its cause.

2. (Therefore) the father and the mother have power to give, to sell, and to abandon their (son).

3. But let him not give or receive (in adoption) an only son ;

4. For he (must remain) to continue the line of the ancestors.

5. Let a woman neither give nor receive a son except with her husband's permission.

6. He who desires to adopt a son, shall assemble

reading which he cannot explain. The MSS. read as follows : B. E. mâghâra, Bh. F. mâdhâm, I. O. 913 (*â/âbh*)ândha (naktam). Haradatta on Âpastamba I, 5, 17, 33 explains plava, 'the water-hen,' to be a kind of heron, called also saka/abila.

XV. 1-9. Vyavahâramayûkha IV, 5, 16 ; Colebrooke V, Digest CCLXXIII ; Dattakamimâmsâ IV, 14 ; V, 31-40.

3. Colebrooke, Mitâksharâ I, 11, 11 ; Dattakamimâmsâ IV, 2-3.

4. Dattakamimâmsâ IV, 4. I.e. to offer funeral sacrifices to his ancestors and to have sons who do it after him.

5. Dattakamimâmsâ I, 15 ; IV, 9.

6. Colebrooke, Mitâksharâ I, 11, 13, and note ; Dattakamî-

his kinsmen, announce his intention to the king, make burnt-offerings in the middle of the house, reciting the Vyâhr̥tis, and take (as a son) a not remote kinsman, just the nearest among his relatives.

7. But if a doubt arises (with respect to an adopted son who is) a remote kinsman, (the adopter) shall set him apart like a Sûdra.

8. For it is declared in the Veda, 'Through one he saves many.'

9. If, after an adoption has been made, a legitimate son be born, (the adopted son) shall obtain a fourth part,

10. Provided he be not engaged in (rites) procuring prosperity.

mâmsâ II, 51; Dattakaṇḍrikâ II, 11. 'To the king,' i.e. to the person who holds the village, either to the king of the country or to the feudal chief (Thâkor) who holds it under the sovereign. 'Reciting the Vyâhr̥tis,' i.e. saying with the first oblation *Om bhûh svâhâ*, with the second *Om bhuvaḥ svâhâ*, with the third *Om svaḥ svâhâ*, and with the fourth *Om bh., bh., sv. svâhâ*; see Vyavahâramayûkha IV, 5, 42. 'A not remote kinsman, just the nearest among his relatives,' i.e. a boy as nearly related as possible, in the first instance a Sapinda, on failure of such a one, a Samânodaka or a Sagotra.

7. Dattakamîmâmsâ II, 18; Dattakaṇḍrikâ II, 11. 'If a doubt arises,' i.e. if the adopter afterwards feels uncertain regarding the caste or other qualifications of his adopted son. 'Set him apart like a Sûdra,' i.e. shall neither have him initiated nor employ him for any sacred rites.

8. Dattakaṇḍrikâ II, 11.

9. Colebrooke, Mitâksharâ I, 11, 24. Dattakamîmâmsâ X, 1; Dattakaṇḍrikâ II, 11; V, 17. For the explanation of the term 'a fourth part,' see Colebrooke, Mitâksharâ I, 77.

10. 'Rites procuring prosperity,' i.e. Srâddhas, expiatory rites, &c. See also above, III, 71, and Gautama XI, 17. According to *Krîṣṇapandita* the estate is in this case to be divided equally between the legitimate son and the adopted son. An entirely

11. He who divulges the Veda (to persons not authorised to study it), he who sacrifices for Sûdras, (and all those) who have fallen from the rank of the highest caste (shall be excommunicated by the ceremony of) emptying the water-vessel.

12. A slave or the son of a wife of a lower caste, or a relative not belonging to the same caste, who is destitute of good qualities, shall fetch a broken pot from a heap of vessels unfit for use, place Kusa grass, the tops of which have been cut off, or Lohita grass (on the ground), and empty the pot for the (outcast, overturning it) with his left foot;

13. And the relatives of the (outcast), allowing their hair to hang down, shall touch him who empties (the pot).

14. Turning (when they leave) their left hands towards (that spot), they may go home at pleasure.

15. Let them not afterwards admit the (excommunicated person) to sacred rites.

16. Those who admit him to sacred rites become his equals.

17. But outcasts who have performed (the prescribed) penance (may be) readmitted.

18. Now they quote also (the following verse):

different explanation, 'Provided (the estate) may not have been expended in acts of merit,' is given Dattakāṇḍrikā V, 17-18. It is doubtlessly erroneous, for 'the estate' is nowhere mentioned in the preceding Sûtras.

11. Gautama XX, 1.

12. Gautama XX, 4. 'For the (outcast),' i. e. pronouncing his name, and saying, 'I deprive N. N. of water.'

13. Gautama XX, 5. *Kṛishnapandita* takes the Sûtra differently, but his explanation is refuted by the parallel passage of Gautama and Haradatta's commentary thereon.

14. Gautama XX, 7.

15. Gautama XX, 8-9.

‘Let him walk before those who readmit him, like one gamboling and laughing. Let him walk behind those who excommunicate him, like one weeping and sorrowing.’

19. Those who strike their teacher, their mother, or their father may be readmitted in the following manner, either after being pardoned by the (persons offended) or after expiating their sin.

20. Having filled a golden or an earthen vessel (with water taken) from a sacred lake or river, they pour (the water) over him, (reciting the three verses) ‘Ye waters are’ &c.

21. All the (other ceremonies to be performed on the) readmission of one who has bathed (in this manner) have been explained by (those ordained on) the birth of a son.

CHAPTER XVI.

1. Now (follow the rules regarding) legal proceedings.

2. Let the king (or) his minister transact the business on the bench.

3. When two (parties) have a dispute, let him not be partial to one of them.

20. Gautama XX, 10-14. I read ‘punyahradât,’ instead of ‘pûrnâhradât,’ as the MSS. and *Krishnapandita* have. The passage of the Veda referred to occurs Rig-veda X, 9, 1.

21. I. e. the person readmitted shall receive all the various sacraments just like a new-born child.

XVI. 2. Vishnu III, 72-73. *Krishnapandita* gives a second explanation of the Sûtra, which also appears admissible, ‘Let the king transact the business on the bench, taking counsel (with learned Brâhmanas as assessors);’ see Vishnu III, 72.

3. Translated as above the Sûtra is nearly equivalent to Gautama

4. Let him reason properly regarding an offence ; finally the offence (will become evident thereby).

5. He who properly reasons regarding an offence, in accordance with the sum of the science of the first two castes, is equitable towards all created beings.

6. And let him protect what has been gained ;

7. (Likewise) the property of infants (of the) royal (race).

XI, 5. But the phrase 'when two parties have a dispute' may also indicate, as *Kṛishnapandita* suggests, that the king or judge shall not promote litigation, see Gautama XIII, 27. As *Kṛishnapandita* states, the Sûtra may, however, mean also, 'When one case is being argued, let him not begin another (without finishing the first);' see Manu VIII, 43. Owing to the particular nature of the Sûtra style and the inclination of the Brâhmanical mind to double-entendres, I do not think it improbable that the author may have intended, both in this and in the preceding Sûtras, that his words should be interpreted in two ways.

4. Gautama XI, 23-24. I divide the words of the text, as follows, 'yathâsanam (i. e. yathâ-âsanam) aparâdhohi; antena aparâdhah,' and interpolate syât at the end of the first clause.

5. *Kṛishnapandita* wrongly divides this Sûtra into two, and wrongly adopts the reading of MSS. B. and E., consequently he obtains a sense only by the most astonishing tricks of interpretation. I read with MSS. Bh. and F., yathâsanam aparâdhohyâdya-varṇayor vidyântatah, to which the reading of I. O. 913 âdya-varṇayor vidhânatah points also. The meaning of the expression, 'according to the sum of the science of the first two castes,' I take to be according to the rules of sacred learning and of the mîmâṃsâ, which is peculiar to the Brâhmanas and of logic (ânvikshiki) and polity (dandanîti), which are peculiar to or at least recommended to the particular attention of the Kshatriyas.

6. I read with MSS. Bh. and F., sampannam ka rakshayet. I consider this Sûtra to contain an admonition addressed to the king for himself; see Manu VII, 99. *Kṛishnapandita* and B. read sapatratnam ka rakshayet, 'Let him protect that which is attested by writings,' i. e. the donations of former kings, attested by writings; see Vishnu III, 83.

7. *Kṛishnapandita* thinks that the rule refers to the property of

8. (Likewise the property) of persons unfit to transact legal business (minors, widows, and so forth).

9. But if (a minor) comes of age, his property must be made over to him.

10. 'It is declared in the *Smṛiti* that there are three kinds of proof which give a title to (property, viz.) documents, witnesses, and possession; (thereby) an owner may recover property which formerly belonged to him (but was lost).'

11. From fields through which (there is a right of) road (a space sufficient for the road) must be set apart, likewise a space for turning (a cart).

12. Near new-built houses (and) other things (of the same description there shall be) a passage three feet broad.

13. In a dispute about a house or a field, reliance (may be placed on the depositions of) neighbours.

14. If the statements of the neighbours disagree, documents (may be taken as) proof.

the infant children of a hostile king who has been conquered and slain. It is, however, not improbable that it has a wider sense, and exhorts the king to look after the property of the children of his predecessor and of deceased feudal barons.

8-9. Gautama X, 48; Vishnu III, 65.

10. *Yâgñavalkya* II, 22.

11. *Krishnapandita* quotes in illustration of this *Sûtra* the following passage of *Saṅkha* and *Likhita*: 'In a field through which (there is a right of) road, (space) for the road must be set apart, and on the king's high-road a space sufficient for turning a chariot.'

12. *Arthântareshu*, 'near other things (of the same description),' means, according to *Krishnapandita*, 'near pleasure-gardens and the like.' No doubt, buildings of all kinds, fenced or walled gardens, and so forth are meant. I read *tripâdamâtram*.

13. *Manu* VIII, 258, 262; *Yâgñavalkya* II, 150, 152, 154.

15. If conflicting documents are produced, reliance (may be placed) on (the statements of) aged (inhabitants) of the village or town, and on (those of) guilds and corporations (of artisans or traders).

16. Now they quote also (the following verse): 'Property inherited from a father, a thing bought, a pledge, property given to a wife after marriage by her husband's family, a gift, property obtained for performing a sacrifice, the property of reunited coparceners, and wages as the eighth.'

17. Whatever belonging to these (eight kinds of property) has been enjoyed (by another person) for ten years continuously (is lost to the owner).

18. They quote also (a verse) on the other side: 'A pledge, a boundary, and the property of minors, an (open) deposit, a sealed deposit, women, the property of a king, (and) the wealth of a Srottriya are not lost by being enjoyed (by others).'

19. Property entirely given up (by its owner) goes to the king.

20. If it be otherwise, the king with his ministers and the citizens shall administer it.

15. Manu VIII, 259.

16. In translating *anvâdheya* by 'property given to a wife by her husband or his family after marriage,' I have followed *Krishna-panḍita's* explanation. It may, however, mean also 'a deposit to be delivered to a third person' (*anvâhita* or *anvâdhi*). *Pratigraha*, 'a gift,' is elsewhere explained as 'property promised, but not actually given.'

17. *Yâgñavalkya* II, 24; see also *Vishnu* V, 187; *Manu* VIII, 148.

18. Identical with *Manu* VIII, 149; *Yâgñavalkya* II, 25.

19. *Manu* VIII, 30.

20. 'If it be otherwise,' i.e. if the owner gave his property up temporarily only, e.g. went on a journey or a pilgrimage, leaving it without anybody to take care of.

21. A king will be superior even to Brahman if he lives surrounded by servants (who are keen-eyed) like vultures.

22. But a king will not be exalted if he lives surrounded by servants (who are greedy) like vultures.

23. Let him live surrounded by servants (who are keen-eyed) like vultures, let him not be a vulture surrounded by vultures.

24. For through his servants blemishes become manifest (in his kingdom),

25. (Such as) theft, robbery, oppression, and (so forth).

26. Therefore let him question his servants beforehand.

27. Now (follow the rules regarding) witnesses :

28. Srotriyas, men of unblemished form, of good character, men who are holy and love truth (are fit to be) witnesses,

29. Or (men of) any (caste may give evidence) regarding (men of) any (other caste).

30. Let him make women witnesses regarding women ; for twice-born men twice-born men of the same caste (shall be witnesses), and good Sûdras for Sûdras, and men of low birth for low-caste men.

31. Now they quote also (the following verse) :
'A son need not pay money due by a surety, anything idly promised, money due for losses at play or for spirituous liquor, nor what remains unpaid of a fine or a toll.'

32. 'Depose, O witness, according to the truth ; expecting thy answer, thy ancestors hang in suspense ;

28. Vishnu VIII, 8 ; Yâgñavalkya II, 68 ; Manu VIII, 62-63.

29. Yâgñavalkya II, 69.

30. Manu VIII, 68.

31. Vishnu VI, 41 ; Manu VIII, 159 ; Yâgñavalkya II, 47.

(in accordance with its truth or falsehood) they will rise (to heaven) or fall (into hell).'

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

34. 'He kills five by false testimony regarding a maiden; he kills ten by false testimony regarding kine; he kills a hundred by false evidence regarding a horse, and a thousand by false evidence regarding a man.'

35. (Men) may speak an untruth at the time of marriage, during dalliance, when their lives are in danger or the loss of their whole property is imminent, and for the sake of a Brâhmana; they declare that an untruth spoken in these five cases does not make (the speaker) an outcast.

36. Those who give partial evidence in a judicial proceeding for the sake of a relative or for money, deprive the ancestors of their spiritual family and those of their natural family of their place in heaven.

33. Identical with Manu VIII, 93.

34. Identical with Manu VIII, 98. Regarding the explanation of the words 'he kills,' see Manu VIII, 97, and Haradatta on Gautama XIII, 14.

35. Gautama XXIII, 29. Between this and the preceding Sûtras the MSS. as well as *Krîshnapandita* insert another one, which is so corrupt that I am unable to translate it. *Krîshnapandita*'s explanation is opposed to all rules of interpretation, and not worth giving.

36. This verse, too, is corrupt, though the general sense is not doubtful. I read *svaganasyârthe yadi vârtahetoḥ pakshâsrayenaiva vadanti kâryam*—te *sabdavamsasya kulasya pûrvân svargasthitâm-stânapi pâtayanti*. 'The ancestors of their spiritual family,' i. e. the teacher, the teacher's teacher, and so forth.

CHAPTER XVII.

1. The father throws his debts on the (son) and obtains immortality if he sees the face of a living son.

2. It is declared in the Veda, 'Endless are the worlds of those who have sons; there is no place for the man who is destitute of male offspring.'

3. There is a curse (in the Veda), 'May our enemies be destitute of offspring.'

4. There is also (the following) passage of the Veda, 'May I obtain, O Agni, immortality by offspring.'

5. 'Through a son he conquers the worlds, through a grandson he obtains immortality, but through his son's grandson he gains the world of the sun.'

6. There is a dispute (among the wise; some say), 'The son belongs to the husband of the wife;' (and some say), 'The son belongs to the begetter.'

7. With respect to this (matter) they quote also on both sides verses like the following:

8. (Some say), 'If (one man's) bull were to beget a hundred calves on another man's cows, they would belong to the owner of the cows; in vain would the bull have spent his strength.'

XVII. 1. Identical with Vishnu XV, 45; Manu IX, 107; Colebrooke V, Dig. CCCIV.

2. The latter part of the quotation occurs Aitareya-brâhmana VII, 3, 9.

3. Rig-veda I, 21, 5.

4. Rig-veda V, 4, 10; Taittirîya-saṃhitâ I, 4, 46, 1.

5. Identical with Manu IX, 137, and Vishnu XV, 46.

6. The same point is argued Manu IX, 31-56.

8. Identical with Manu IX, 50.

9. (Others say), 'Carefully watch the procreation of your offspring, lest strangers sow seed on your soil; in the next world the son belongs to the begetter; (by carelessness) a husband makes (the possession of) offspring in vain.'

10. If amongst many brothers who are begotten by one father, one have a son, they all have offspring through that son; thus says the Veda.

11. If among many wives of one husband, one have a son, they all have offspring through that son; thus says the Veda.

12. Twelve (kinds of) sons only are noticed by the ancients.

13. The first (among these is the son) begotten by the husband himself on his legally married wife.

14. The second is the son of a wife (who is begotten) on failure of the (first) on a (wife or widow duly) authorised (thereto, by a kinsman).

15. The third is an appointed daughter.

9. Âpastamba II, 6, 13, 7.

10. Vishnu XV, 42.

11. Vishnu XV, 41.

12. Colebrooke V, Dig. CXCI; Vishnu XV, 1. Elsewhere the expression *purâṇadrishâh*, 'noticed by the ancients,' has been taken to mean 'seen in the Purâṇa' ('the holy writ,' Colebrooke).

13. Colebrooke V, Dig. CXCI; Vishnu XV, 2.

14. Colebrooke V, Dig. CCXXX; Vishnu XV, 3.

15. Colebrooke V, Dig. CCIII; Mitâksharâ I, 11, 3; Vyavahâra Mayûkha IV, 4, 43. The curious fact that Vasishṭha here calls the appointed daughter a son may perhaps be explained by a custom which, though rarely practised, still occurs in Kasmîr, and by which a brotherless maiden is given a male name. A historical instance of this kind is mentioned in the Râgatarāṅgî, where it is stated that Kalyâṇadevî, princess of Gauḍa and wife of king Gayâpîḍa, was called by her father Kalyâṇamalla. When I collated this passage with the help of a Kasmîrian, I was told that a certain Brâhmana, still living in Srinagar, had changed the

16. It is declared in the Veda, 'A maiden who has no brothers comes back to the male ancestors (of her own family); returning she becomes their son.'

17. With reference to this (matter there is) a verse (to be spoken by the father when appointing his daughter), 'I shall give thee a brotherless damsel, decked with ornaments; the son whom she may bear, shall be my son.'

18. The fourth is the son of a remarried woman.

19. She is called remarried (*punarbhû*) who leaving the husband of her youth, and having lived with others, re-enters his family;

20. And she is called remarried who leaving an impotent, outcast or mad husband, or after the death of her husband takes another lord.

21. The fifth is the son of an unmarried damsel.

22. They declare that the son whom an unmarried damsel produces through lust in her father's house, is the son of his maternal grandfather.

name of his only child, a daughter called *Amrî*, to the corresponding masculine form, *Amargû*, in order to secure to himself through her the same spiritual benefits as if he had a son. It seems to me not improbable that *Vasishtha's* Sûtra alludes to the same legal fiction, and that he recommends in the first instance that the father is to make his daughter a son by changing her name, and next to secure for himself her son, by the verse quoted Sûtra 17.

16. Colebrooke V, Dig. CCIII, where the preceding Sûtra has been placed after this. Compare *Rig-veda* I, 124, 5.

17. Colebrooke V, Dig. CCXVI; *Mitâksharâ* I, 11, 3; *Dâyabhâga* X, 4; *Vyavahâra Mayûkha* IV, 4, 43; *Vishnu* XV, 5.

18. *Vishnu* XV, 7.

19. *Nârada* XII, 48 (Jolly), where, however, *kaumâram patim* has been wrongly translated by 'an infant husband.'

20. *Manu* IX, 175.

21. Colebrooke V, Dig. CCLIX; *Vishnu* XV, 10.

22. Colebrooke V, Dig. CCLIX; *Vishnu* XV, 11.

23. Now they quote also (the following verse):
'If an unmarried daughter bear a son begotten by
a man of equal caste, the maternal grandfather has
a son through him; he shall offer the funeral cake,
and take the wealth (of his grandfather).'

24. (A male child) secretly born in the house is
the sixth.

25. They declare that these (six) are heirs and
kinsmen, preservers from a great danger.

26. Now among those (sons) who are not heirs,
but kinsmen, the first is he who is received with
a pregnant bride.

27. (The son of a damsel) who is married pregnant
(is called) a son received with the bride (*sahodha*).

28. The second is the adopted son,

29. (He) whom his father and his mother give
(in adoption).

30. (The son) bought is the third.

31. That is explained by (the story of) *Sunah-
sepa*.

32. 'Harisandra, forsooth, was a king. He
bought the son of *Agîgarta Sauyavasi*.

33. The fourth is (the son) self-given.

24. *Vishnu* XV, 13.

25. 'From a great danger,' i.e. 'from the danger of losing
heaven through failure of the funeral oblations.'

26. *Vishnu* XV, 15.

28. *Vishnu* XV, 18.

29. *Vishnu* XV, 19.

30. *Vishnu* XV, 20.

32. The MSS. and editions read the last word of the *Sûtra* as
follows: B. *vikriyya*; Ben. ed. *vikriya*; Bh. E. F. *vikrâya*; Calc.
ed. and I. O. 913 *vikrâyya svayam kṛitavân*. I believe that, as
the letters *ka* and *va* are constantly mistaken by the copyists the
one for the other, the original reading was *kikrâya*. Regarding
the story told in this *Sûtra* and continued below, *Sûtra* 35, see
Max Müller, *History of Ancient Sanskrit Literature*, pp. 408-416
and 573-588.

33. *Vishnu* XV, 22.

34. That is (likewise) explained by (the story of) Sunaḥsepa.

35. 'Sunaḥsepa, forsooth, when tied to the sacrificial stake, praised the gods; there the gods loosened his bonds. To him spoke (each of) the officiating priests, "He shall be my son." He did not agree to their (request. Then) they made him make (this) agreement, "He shall be the son of him whom he chooses." Visvâmitra was the Hotri priest at that (sacrifice). He became his son.'

36. The son cast off is the fifth.

37. (He is called so) who, cast off by his father and his mother, is received (as a son).

38. They declare that the son of a woman of the Sûdra caste is the sixth. These (six) are kinsmen, not heirs.

39. Now they quote also (the following rule): 'These (last-mentioned) six (sons) shall take the heritage of him who has no heir belonging to the first-mentioned six (classes).

40. Now (follow the rules regarding) the partition of the (paternal) estate among brothers :

41. And (let it be delayed) until those (widows) who have no offspring, (but are supposed to be pregnant), bear sons.

42. Let the eldest take a double share,

43. And a tithe of the kine and horses.

36-37. Colebrooke V, Dig. CCXC; Vishnu XV, 24-25.

38. Colebrooke V, Dig. CCXCII; Dattakandrikâ V, 14; Vishnu XVII, 27; Manu IX, 178-179; Gautama XXVIII, 39.

40. Colebrooke V, Dig. L; Vyavahâra Mayûkha IV, 4, 37.

41. Colebrooke V, Dig. CXVII; Vyavahâra Mayûkha IV, 4, 37.

42-45. Colebrooke V, Dig. L; Dâyaabhâga II, 41; Gautama XXVIII, 9 and 5-7.

44. The goats, the sheep, and the house belong to the youngest,

45. Black iron, the utensils, and the furniture to the middlemost.

46. Let the daughters divide the nuptial present of their mother.

47. If a Brâhmana has issue by wives belonging to the Brâhmana, Kshatriya, and Vaisya classes respectively;

48. The son of the Brâhmana wife shall receive three shares,

49. The son of the Kshatriya wife two shares,

50. The other (sons) shall inherit equal shares.

51. And if one of the (brothers) has gained something by his own (effort), he shall receive a double share.

52. But those who have entered a different order receive no share,

53. Nor (those who are) eunuchs, madmen, or outcasts.

54. Eunuchs and madmen (have a claim to) maintenance.

55. The widow of a deceased person shall sleep

46. Colebrooke V, Dig. CCCCXCII; Dâyabhâga IV, 2, 15; Vishnu XVII, 21.

47-50. Colebrooke V, Dig. CLIV; Vishnu XVIII, 1-5.

51. Colebrooke V, Dig. LXXV, CXXXVIII, CCCLVI; Dâyabhâga II, 41; Vyavahâra Mayûkha IV, 7, 8. 'By his own effort,' i.e. by learning or disputations with learned men, by bravery in battle, &c.

52. Colebrooke V, Dig. CCCXXXVIII; Mitâksharâ II, 8, 7; 10, 3; Vyavahâra Mayûkha IV, 11, 5. The persons intended are a perpetual student, a hermit, and ascetic.

53. Vyavahâra Mayûkha IV, 11, 10.

54. Vyavahâra Mayûkha IV, 11, 10; Vishnu XV, 33.

55. 'Practising religious vows,' i.e. 'eating only once a day, and so forth.'—*Krishnapandita*.

on the ground during six months, practising religious vows and abstaining from pungent condiments and salt.

56. After the completion of six months she shall bathe, and offer a funeral oblation to her husband. (Then) her father or her brother shall assemble the Gurus who taught or sacrificed (for the deceased) and his relatives, and shall appoint her (to raise issue to her deceased husband).

57. Let him not appoint a (widow who is) mad, ill-conducted, or diseased,

58. Nor one who is very aged.

59. Sixteen years (after maturity is the period for appointing a widow);

60. Nor (shall an appointment be made) if the (male entitled to approach the widow) is sickly.

61. Let him approach (the widow) in the muhūrta sacred to Pragâpati, (behaving) like a husband, without (amorously) dallying with her, and without abusing or ill-treating her.

62. Let her obtain (the expenses for) food, raiment, baths, and unguents from (the estate of) her former (husband).

63. They declare that a son begotten on (a widow who has) not been (duly) appointed, belongs to the begetter.

56. Gautama XVIII, 4-7. The Gurus intended are the teacher, sub-teachers (upādhyâya), and officiating priests.

57. Avarâm, 'ill-conducted,' may also mean 'out of her mind through grief or any other passion.' The former explanation has been adopted by *Krishnapandita*, whom I have followed above.

61. Manu IX, 60. Regarding the muhūrta sacred to Pragâpati, see above, XII, 47.

63. Gautama XVIII, 9-12.

64. If she was (appointed, the child belongs) to both the males connected with the appointment.

65. No appointment (shall be made) through a desire to obtain the estate.

66. Some say, 'Or, one may appoint (a widow out of covetousness), after imposing a penance.'

67. A maiden who has attained puberty shall wait for three years.

68. After three years (have passed), she may take a husband of equal caste.

69. Now they quote also (the following verses) : 'But if through a father's negligence a maiden is here given away after the suitable age has passed, she who was waiting (for a husband) destroys him who gives her away, just as the fee which is paid too late to the teacher (destroys the pupil).'

70. 'Out of fear of the appearance of the menses let the father marry his daughter while she still runs about naked. For if she stays (in the house) after the age of puberty, sin falls on the father.'

64. Gautama XVIII, 13. 'To both the males connected with the appointment,' i.e. to the deceased husband for whose sake the appointment is made, and to the natural father of the child, to whom the widow is made over.

65. Colebrooke, *Mitāksharâ* II, 1, 11. *Krishnapandita* thinks that the *Sûtra* forbids an appointment which is made with the intention to secure the estate or a share of the estate of the natural father, from whom the *kshetrâgâ* son inherits also (*Yâgñavalkya* II, 127). But it seems equally probable that it is intended to prevent a widow from agreeing to an appointment in order to obtain control over her husband's estate.

66. *Krishnapandita* thinks that the rule refers to all cases of appointment.

67-68. *Vishnu* XXIV, 40, and note.

70. Gautama XVIII, 23.

71. 'As often as the courses of a maiden, who is filled with desire, and demanded in marriage by men of equal caste, recur, so often her father and her mother are guilty of (the crime of) slaying an embryo; that is a rule of the sacred law.'

72. 'If the betrothed of a maiden die after she has been promised to him verbally, and by (a libation of) water, but before she was married with (the recitation of) sacred texts, she belongs to her father alone.'

73. 'If a damsel has been abducted by force, and not been wedded with sacred texts, she may lawfully be given to another man; she is even like a maiden.'

74. 'If a damsel at the death of her husband had been merely wedded by (the recitation of) sacred texts, and if the marriage had not been consummated, she may be married again.'

75. The wife of an emigrant shall wait for five years.

76. After five years (have passed), she may go (to seek) her husband.

77. If for reasons connected with spiritual or with money matters she be unwilling to leave her home, she must act in the same manner as if (her husband were) dead.

78. In this manner a wife of the Brâhmana caste who has issue (shall wait) five years, and one who has no issue, four years; a wife of the Kshatriya caste who has issue, five years, and one who has no issue, three years; a wife of the Vaisya caste who

71. Colebrooke IV, Dig. XVI; Dâyabhâga XI, 2, 6; Yâgñavalkya I, 64.

72. Colebrooke IV, Dig. CLXXIV.

75-76. Colebrooke IV, Dig. CLVI, where the Sûtras have been altered intentionally; Gautama XVIII, 15-12.

has issue, four years, and one who has no issue, two years; a wife of the *Sûdra* caste who has issue, three years, and one who has no issue, one year.

79. After that among those who are united (with her husband) in interest, or by birth, or by the funeral cake, or by libations of water, or by descent from the same family, each earlier named person is more venerable than the following ones.

80. But while a member of her family is living, she shall certainly not go to a stranger.

81. Let the *Sapindas* or the subsidiary sons divide the heritage of him who has no heir of the first-mentioned six kinds.

82. On failure of them the spiritual teacher and a pupil shall take the inheritance.

83. On failure of those two the king inherits.

84. But let the king not take (the estate) of a *Brâhmana*.

85. For the property of a *Brâhmana* is a terrible poison.

86. 'Poison they do not call the (worst) poison; the property of a *Brâhmana* is said to be the (most destructive) poison. Poison destroys only one person, but the property of a *Brâhmana* (him who takes it) together with sons and grandsons.'

79. The persons intended are, (1) brothers united in interest with her husband and other coparceners, (2) separated brothers of the husband, (3) separated blood-relations of the husband within six degrees, (4) separated blood-relations of the husband within fourteen degrees, and (5) persons bearing the same family name or, in the case of *Brâhmanas*, descended from the same *Rîshi*.

81. Gautama XXVIII, 21; *Vishnu* XVII, 10. The subsidiary sons are those mentioned above, 26-38, who under ordinary circumstances do not inherit; see also above, *Sûtra* 39, and Gautama XXVIII, 34.

82. *Âpastamba* II, 6, 14, 3.

83-84. *Vishnu* XVII, 13.

87. He should give it to men who are well versed in the three Vedas.

CHAPTER XVIII.

1. They declare that the offspring of a Sûdra and of a female of the Brâhmana caste becomes a *Kândâla*,

2. (That of a Sûdra and) of a female of the Kshatriya caste, a *Vaina*,

3. (That of a Sûdra and) of a female of the Vaisya caste, an *Antyâvasâyin*.

4. They declare that the (son) begotten by a Vaisya on a female of the Brâhmana caste becomes a *Râmaka*,

5. (The son begotten by the same) on a female of the Kshatriya caste, a *Pulkasa*.

6. They declare that the (son) begotten by a Kshatriya on a female of the Brâhmana caste becomes a *Sûta*.

7. Now they quote also (the following verse): 'One may know by their deeds those who have been begotten secretly, and to whom the stigma of springing from unions in the inverse order of the castes attaches, because they are destitute of virtue and good conduct.'

87. *Vishnu* XVII, 14.

XVIII. 1. *Vishnu* XVI, 6.

4. *Kṛishnapandita* reads *Romaka*, 'a Roman,' for *Râmaka*, and the B. MS. supports him. The other MSS., including I. O. 913, give the reading adopted above. I prefer it, as there is no reason to assume that the *Vâsishtha* *Dharmasâstra* belongs to the late period when the Hindus had become aware of the existence of the Roman empire. On the other hand, it may be urged that *Romaka* is a correction which would easily suggest itself to a Pandit, who was unable to find a parallel passage in which the word *Râmaka* occurs.

6. *Vishnu* XVI, 6.

7. *Manu* X, 40.

8. (Children) begotten by Brâhmanas, Kshatriyas, and Vaisyas on females of the next lower, second lower, and third lower castes become (respectively) Ambasht^{has}, Ugras, and Nishâdas.

9. (The son of a Brâhmana and) of a Sûdra woman (is) a Pârasava.

10. They declare that the condition of a Pârasava is that of one who, though living, is (as impure) as a corpse.

11. Some call that Sûdra race a burial-ground.

12. Therefore (the Veda) must not be recited in the presence of a Sûdra.

13. Now they quote also the (following) verses, which Yama proclaimed :

‘The wicked Sûdra-race is manifestly a burial-ground. Therefore (the Veda) must never be recited in the presence of a Sûdra.’

14. ‘Let him not give advice to a Sûdra, nor what remains from his table, nor (remnants of) offerings (to the gods); nor let him explain the holy law to such a man, nor order him (to perform) a penance.’

15. ‘He who declares the law to such a man, and he who instructs him in (the mode of) expiating (sin), sinks together with that very man into the dreadful hell, (called) *Asamvrita*.’

16. ‘If ever a worm is produced in an open wound (on his body), he shall purify himself by the Prâgâpatya penance, and give gold, a cow, (and) a garment as presents (to Brâhmanas).’

8. Gautama IV, 16.

10. I omit the words *sava iti mrîtâkhyâ*, ‘a corpse is another name for one who has died,’ as an interpolation.

11. Âpastamba I, 3, 9, 9.

12. Vishnu XXX, 14.

14-15. Identical with Manu IV, 80-81.

16. A Prâgâpatya penance, i. e. a *Krikkhra*, see below, XXI, 20.

17. Let him not approach a wife of the *Sûdra* caste after he has built the fire-altar for a *Srauta*-sacrifice.

18. For a *Sûdra*-wife who belongs to the black race, (is espoused) for pleasure, not in order to fulfil the law.

CHAPTER XIX.

1. The particular duty of a king is to protect (all) beings; by fulfilling it (he obtains) success (in this world and in the next).

2. Those learned (in the sacred law) declare that to be free from fear and pity is, indeed, a life-long sacrificial session (*sattra*, to be performed by the king).

3. Therefore let him appoint a domestic priest to (perform the rites) obligatory on the order of householders.

4. It is declared in the *Veda*, 'A realm where a *Brâhmana* is appointed domestic priest, prospers;'

5. For thus both (the special duties of a king and those of a householder) will be fulfilled,

6. And (the king alone is) unable (to do both).

7. Let the king, paying attention to all the laws of countries, (subdivisions of) castes (*gâti*) and families, make the four castes (*varna*) fulfil their (respective) particular duties.

The verse belongs rather to the section on penances, and seems to have been entered here merely because it stood in Yama's text with the other two, and the author, to use a homely Indian comparison, 'did not disdain to catch a fish, though he went to fetch water.'

XIX. 1. *Vishnu* III, 2.

2. *Manu* VIII, 306.

3. *Vishnu* III, 70.

4. *Gautama* XI, 14.

7. *Vishnu* III, 3; *Gautama* XI, 20.

8. Let him punish those who stray from (the path of duty).

9. But punishment must be awarded in cases of assault and abuse after (due consideration of) the particular place and time (where and when the offence was committed), of the duties, age, learning (of the parties), and the seat (of the injury),

10. In accordance with (the precepts of) the (sacred) records and with precedents.

11. Let him not injure trees that bear fruit or flowers.

12. (But) he may injure them in order to extend cultivation and (for sacrifices).

13. The measures and weights of objects necessary for households must be guarded (against falsification).

14. Let him not take property for his own use from (the inhabitants of) his realm.

15. The measures and price (of such property) only shall be liable to deductions (in the shape of taxes).

8. Vishnu III, 37.

9. Gautama XII, 51. *Krīṣṇapandīta* has two Sūtras instead of one, and reads the second *himsākrośayoḥ kalpaḥ*. The majority of the MSS. have, however, *kalpā(h)*, which I consider to be a mistake for *kalpyaḥ*, 'must be awarded.'

11. Vishnu V, 55-56. The meaning of the Sūtra is that the king is to punish those who commit such acts.

12. The explicit permission to cut down trees for sacrificial purposes is given Vishnu LI, 63.

13. Manu VIII, 403.

14-15. The translation of these two Sūtras is not certain, because the words *nīhāra* and *naihārika* are not found elsewhere in the sense which has been attributed to them here. Still I think it very probable that *Krīṣṇapandīta*'s explanation *nirhāra* and *nirhāre sādhu* is right, and that the king is exhorted not to take the property of his subjects by force, but to levy taxes according to the value or the measure of the articles sold.

16.
17. On the march against the enemy the army which consists of companies of ten, shall be able to perform a double (duty).
18. In every (camp) there shall be places where water is distributed.
19. Let him make one hundred men at the least engage in battle.
20. The wives (of slain soldiers) shall be provided for.
21.
22. A ferry shall be taken away (from a river) in which there is no water.
23. A Srotriya is free from taxes, (and so are) a servant of the king, one who has no protector,

16. The Sûtra has been left out, as the text is corrupt, and I am unable to suggest any emendation. *Krishnapandita's* explanation is not worth giving.

17. 'The army which consists of companies of ten,' i.e. the lowest subdivision of which consists of ten parts, viz. one elephant, one chariot, two horsemen, and three foot soldiers. Such a body is called a patti. The larger divisions, like the *senâ mukha*, 'battalion,' &c., are formed by three, nine, or twenty-seven patts. Though I am unable to adduce any positive proof for it, *vâha* must, according to the connexion in which it stands, be a synonym of patti. 'The double duty' of the army is, according to *Krishnapandita*, marching and fighting.

21. The Sûtra is utterly corrupt, and cannot be restored with the help of the MSS. at my disposal. It probably referred to the amount of duties to be levied on goods sold in the market.

22. The meaning of the Sûtra seems to be, that on those rivers, where the water either runs off or is very low during the dry season, the ferrymen must not be allowed to exact a toll from people crossing without their help. Such a rule would not be superfluous, as most Indian rivers are perfectly fordable between December and June, but impassable without boats in the other five months.

23. *Âpastamba* II, 10, 26, 10, 12-17; *Manu* VIII, 394. *Krishna-*

one who has left (the order of householders), an infant, a very aged man, a young man (who studies), and *pradâtâs* ;

24. (Moreover widows) who return to their former (family), unmarried maidens, and the wives of servants,

25. He who swims with his arms (across a river in order to escape payment of a toll at a ferry) shall pay one hundred times (the amount due).

26. No taxes (shall be paid) on the usufruct of rivers, dry grass, forests, (places of) combustion, and mountains ;

27. Or those who draw their subsistence from them may pay (something),

28. But he shall take a monthly tax from artisans.

29. And when a king has died, let him give what is required for the occasion.

pandita correctly points out that, though according to I, 43, all *Brâhmanas* are to be free from taxes, the *Srotriya* or *Vaidik* is mentioned once more in order to show that a king, however distressed, must not take anything from him (Manu VII, 133). *Kṛṣṇapandita* reads instead of *pradâtâs*, *pradâtârah*, 'very liberal men.' Manu loc. cit. exempts 'those who confer great benefits on priests of eminent learning' from paying taxes. His emendation would, therefore, be acceptable if the word *pradâtâh* did not occur in the same connexion above, XI, 7.

24. *Âpastamba* II, 10, 26, 11.

25. I read with the majority of the MSS. *bâhubhyâmuttarañkha-tagunam* *dadyât*.

26. *Kṛṣṇapandita* explains *dâha*, '(places of) combustion,' by *agni*, 'fire.' I am not certain what he means thereby. To me it seems most probable that *Vasishtha* intends 'a place of cremation' (*dâhasthala*), though it is just possible to refer the expression to the jungle fires, which the aboriginal tribes light in the forests, in order to sow their *Nâglî* in the ground manured by the ashes.

28. *Gautama* X, 31.

29. *Kṛṣṇapandita* refers this and the following five *Sûtras* to

30. It is hereby explained that (his) mother (must receive) maintenance.

31. Let the king maintain the paternal and maternal uncles of the chief-queen,

32. As well as her other relatives.

33. The wives of the (deceased) king shall receive food and raiment,

34. Or if they are unwilling, they may depart.

35. Let the king maintain eunuchs and madmen,

36. Since their property goes to him.

37. Now they quote also a verse proclaimed by Manu, which refers to duties and taxes, 'No duty (is paid) on a sum less than a *Karshâpana*, there is no tax on a livelihood gained by art, nor on an infant, nor on a messenger, nor on what has been received as alms, nor on the remnants of property left after a robbery, nor on a *Srotriya*, nor on an ascetic, nor on a sacrifice.'

the case where a king has conquered a foreign country ; compare also *Vishnu* III, 47-48. I think that *Sûtras* 30-31 conclusively show that these rules are intended to regulate the conduct of a king on the death of his predecessor and his own accession to the throne.

34. *Krishnapandita* thinks that the queens unwilling to accept a bare subsistence may go wherever they like. I think the word used in the text points rather to their becoming ascetics.

35. This rule refers apparently to eunuchs and insane persons left with money, but without near relatives, with whom they are united in interest. *Vishnu* III, 65.

37. I translate the one word *sulka* by 'duties and taxes.' The term has a great many different meanings in the law books, and is in this verse apparently used in two senses. *Krishnapandita* is of a different opinion, and thinks that the persons named are free from paying a *sulka* in case they trade. The chief objection is that trading ascetics and *Srotriyas* are not known to the ancient writers, though they are common enough in modern India.

38. A thief becomes free from guilt by entering (the royal presence) after (his deed and asking to be punished).

39. But according to some (lawyers) he (who is caught) with weapons in his hands, with stolen goods in his possession, or covered with wounds is proved (to be a criminal).

40. In case (a criminal) worthy of punishment is allowed to go free, the king shall fast during one (day and one) night;

41. (And) his domestic priest during three (days and) nights.

42. If an innocent man is punished, the domestic priest (shall perform) a *Krikkhra* penance;

43. (And) the king (shall fast) during three (days and) nights.

44. Now they quote also (the following verses): 'The slayer of a learned Brâhmaṇa casts his guilt on him who eats his food; an adulterous wife on her (negligent) husband; a student and a sacrificer on an (ignorant) teacher (and officiating priest); and a thief on the king (who pardons him).'

45. 'But men who have committed offences and have received from kings the punishment (due to them), go pure to heaven, and (become) as holy as the virtuous.'

46. 'The guilt falls on the king who pardons an

38. This Sûtra apparently alludes to a penitent thief who confesses his crime and asks for punishment; see below, XX, 41.

39. Manu IX, 270; Nârada V, 29-33 (Jolly). As given in the MSS. and by *Krishnapandita*, the Sûtra is doubtlessly corrupt. I read *vraṇasampanno vyapadishah*.

44. Identical with Manu VIII, 317.

45. Identical with Manu VIII, 318.

offender. If he causes him to be slain, he destroys sin in accordance with the sacred law.'

47. 'It is ordained that kings become at once pure (by bathing) when they have done acts causing death. They are likewise (pure while engaged in business) not causing death. Time is the reason for that.'

48. And with reference to this (matter) they quote a verse proclaimed by Yama, 'No taint of impurity, forsooth, falls on kings, on those engaged in practising vows, or on those engaged in the performance of sacrificial session (sattra); for (the first) are seated on the throne of Indra, (and the others) are always equal to Brahman.'

CHAPTER XX.

1. A penance (shall be performed) for an offence committed unintentionally.

2. Some (declare that it shall be performed) also for (a fault) committed intentionally.

3. 'The spiritual teacher corrects the learned; the king corrects the evil-minded; but Yama, the son of Vivasvat, forsooth, punishes those who offend secretly.'

4. And among those (sinful persons), let him who slept at sunrise stand during the (following) day and recite the verse sacred to Savitri.

47. Vishnu XXII, 48; Manu V, 94.

48. Identical with Manu V, 93. 'Those engaged in practising vows' are, according to Kullûka and *Krishnapandita*, students learning the Veda.

XX. 1-2. Manu XI, 45; Yâgyñavalkya III, 226.

4. 'Among those,' i.e. the sinful men (enasvinaḥ) enumerated above, I, 18; Vishnu LIV, 11.

5. Let him who slept at sunset remain in a sitting posture during the (next) night, likewise (reciting the *Gâyatri*).

6. But let a man with deformed nails or black teeth perform a *Krikkhra* penance of twelve days' duration.

7. He whose younger brother married first shall perform a *Krikkhra* penance during twelve days, marry and take to himself even that (woman whom his brother wedded).

8. Now he who has taken a wife before his elder brother shall perform a *Krikkhra* penance and an *Atikrikkhra* penance, give (his wife) to that (elder brother), marry again, and take (back) the same (woman whom he wedded first).

9. The husband of a younger sister married before her elder sister shall perform a *Krikkhra* penance during twelve days, marry and take to him that (elder sister).

10. The husband of an elder sister married after the younger one shall perform a *Krikkhra* penance and an *Atikrikkhra* penance, give (his wife) to that (husband of the younger sister and marry again).

5-10. *Manu* XI, 201.

6. Regarding the *Krikkhra* penance, see below, XXI, 20.

7-8. *Vishnu* LIV, 16. According to *Krishnapandita* both brothers shall perform penances. The elder brother shall marry after his penance is finished. The younger one shall offer his wife to the elder, in order to atone for the slur put upon the elder. The latter shall accept her for form's sake and return her to the younger brother, who must once more wed her. Regarding the *Atikrikkhra* penance, see below, XXIV, 2.

10. *Vishnu* LIV, 16. *Krishnapandita* thinks that he should marry another wife, but adds that others say that, after offering his wife to the husband of the younger sister and receiving his permission, he should wed her once more.

11. We shall declare below (the penance prescribed for) him who extinguishes the sacred fire.

12. He who has forgot the Veda (by neglecting to recite it daily), shall perform a *Krikkhra* penance of twelve days' duration, and again learn it from his teacher.

13. He who violates a Guru's bed shall cut off his organ, together with the testicles, take them into his joined hands and walk towards the south ; wherever he meets with an obstacle (to further progress), there he shall stand until he dies.

14. Or, having shaved all his hair and smeared his body with clarified butter, he shall embrace the heated (iron) image (of a woman). It is declared in the Veda that he is purified after death.

15. The same (expiation is prescribed if the offence was committed) with the wife of the teacher, of a son, and of a pupil.

16. If he has had intercourse with a female (who is considered) venerable in the family, with a female friend, with the female friend of a Guru, with an Apapâtra female, or with an outcast, he shall perform a *Krikkhra* penance during three months.

17. The same (penance must be performed) for eating food given by a *Kândâla* or by an outcast. Afterwards the initiation (must be performed) once more; but the tonsure and the rest may be omitted.

11. See below, XXI, 27.

12. Vishnu LIV, 13.

13. Gautama XXIII, 10.

14. Gautama XXIII, 9, 11.

15-16. Gautama XXIII, 12.

16. *Krishnapandita* explains *sakhîm*, 'a female friend,' by 'a woman who has affection (for the offender), i.e. a sister and so forth.' Apapâtras are low-caste people, whose vessels must not be used ; see *Âpastamba* I, 1, 3, 25, note.

18. And with reference to this (matter) they quote a verse proclaimed by Manu, 'The tonsure, (the tying on of) the sacred girdle, (the wearing of) a staff, and the begging of alms, these acts may be omitted on a second initiation.'

19. If (a Brâhmana) intentionally (drinks) other spirituous liquor than that distilled from rice, or if he unintentionally (drinks) spirituous liquor extracted from rice (surâ), he (must perform) a *Krikkhra* and an *Atikrikkhra*, and, after eating clarified butter, be initiated again.

20. The same (expiation is prescribed) for swallowing ordure, urine, and semen.

21. If a Brâhmana drinks water which has stood in a vessel used for (keeping) spirituous liquor, he becomes pure by drinking, during three days, water (mixed with a decoction) of lotus, Udumbara, Bilva, and Palâsa (leaves).

22. But a Brâhmana who repeatedly (and intentionally partakes) of liquor extracted from rice, shall drink (liquor of) the same (kind) boiling hot. 'He becomes pure after death.'

23. We will declare (who must be considered) the slayer of a learned Brâhmana (*bhrûnahan*). He is called *Bhrûnahan* who kills a Brâhmana or destroys an embryo (the sex of) which is unknown.

24. 'For embryos (the sex of) which is unknown

18. Identical with Manu XI, 152, and Vishnu LI, 5.

19-20. Manu XI, 151; Vishnu LI, 2. Regarding the other of liquors, see Manu XI, 95-96.

21. Manu XI, 148.

22. Gautama XXIII, 1.

23. Gautama XXII, 13. It must be understood a real Brâhmana who knows the Veda is meant.

24. 'Therefore they offer burnt-oblations for the production of males,' i. e. they perform the *Pumsavana*, one of the sacraments;

become males; therefore they offer burnt-oblations for the production of males.'

25. Let the slayer of a learned Brâhmana kindle a fire and offer (therein the following eight oblations, consisting of portions of his own body),

26. The first (saying), 'I offer my hair to Death, I feed Death with my hair;' the second (saying), 'I offer my skin to Death, I feed Death with my skin;' the third (saying), 'I offer my blood to Death, I feed Death with my blood;' the fourth (saying), 'I offer my flesh to Death, I feed Death with my flesh;' the fifth (saying), 'I offer my sinews to Death, I feed Death with my sinews;' the sixth (saying), 'I offer my fat to Death, I feed Death with my fat;' the seventh (saying), 'I offer my bones to Death, I feed Death with my bones;' the eighth (saying), 'I offer my marrow to Death, I feed Death with my marrow.'

27. (Or) let him (fight) for the sake of the king, or for the sake of Brâhmanas, and let him die in battle with his face turned (to the foe).

28. It is declared in the Veda, '(A murderer) who remains thrice unvanquished or is thrice defeated (in battle) becomes pure.'

29. 'A sin which is openly proclaimed becomes smaller.'

see e.g. Âsvalâyana I, 13. The Sûtra is marked as a quotation, and probably belongs to some Vedic work.

25. Âpastamba I, 9, 25, 12.

27. Gautama XXII, 8.

28. Âpastamba I, 9, 24, 21.

29. Taken by itself the Sûtra would seem to refer to the maxim that a free confession reduces the guilt of the offender (Manu XI, 228). But on account of the next Sûtra it is necessary to assume, with *Krîṣṇapandita*, that half the guilt of a crime, of which another man justly accuses an offender, falls on the accuser, while the

30. To this (effect) they quote also (the following verse): 'By saying to an outcast, "O thou outcast!" or to a thief, "O thou thief!" a man incurs a guilt as great as (that of the offender). (If he) falsely (accuses anybody of such offences), his guilt will be twice as great.'

31. In like manner having slain a Kshatriya, he shall perform (a penance) during eight years,

32. For (killing) a Vaisya during six (years),

33. For (killing) a Sûdra, during three (years),

34. For killing a female of the Brâhmana caste who is an Âtreya, and a Kshatriya or a Vaisya, engaged in a sacrifice (the same penance must be performed as for killing a learned Brâhmana).

35. We will explain (the term) Âtreya. They declare that she who has bathed after temporary uncleanness is an Âtreya.

36. 'For if (the husband) approaches her at that (time), he will have offspring.'

offender's guilt becomes less by the publication of his misdeed. It is, however, not improbable that the text is here defective, and one or several Sûtras have been left out.

30. Gautama XXI, 17-18.

31. Vishnu L, 12. The text is here evidently defective. The Sûtra or Sûtras left out must have contained the description of another penance for the murder of a Brâhmana, which is mentioned in nearly all the Smritis (see Vishnu L, 1-6, 15, and the parallel passages). Its chief conditions are, that the murderer is to live separate for twelve years, and to subsist on alms given by people who are acquainted with his crime. Without such an additional rule this and the following Sûtras are utterly unintelligible.

32. Vishnu L, 13.

33. Vishnu L, 14.

34. Vishnu L, 7, 9.

36. The author means to say that the word âtreya is derived from atra, 'at that time,' and the verb i, 'to approach.' The etymology is worthy of the Nirukta.

37. (For killing a female of the Brâhmana caste) who is not an Âtreya, (the penance prescribed) for the murder of a Kshatriya (must be performed),

38. (For killing) a female of the Kshatriya caste, (the penance prescribed) for the murder of a Vaisya,

39. (For killing) a female of the Vaisya caste, (the penance prescribed) for the murder of a Sûdra.

40. (For killing) a female of the Sûdra caste (let him perform) during one year (the penance prescribed for the murder of a Brâhmana).

41. If a man has stolen gold belonging to a Brâhmana, he shall run, with flying hair, to the king, (exclaiming) 'Ho, I am a thief; sir, punish me!' The king shall give him a weapon made of Udumbara wood; with that he shall kill himself. It is declared in the Veda that he becomes pure after death.

42. Or (such a thief) may shave off all his hair, anoint his body with clarified butter, and cause himself to be burnt from the feet upwards, in a fire of dry cowdung. It is declared in the Veda that he becomes pure after death.

43. Now they quote also (the following verses): 'Hear, (how) the bodies of those who having committed various crimes died a long time ago, and were (afterwards) born again, are (marked);'

37-40. Gautama XXII, 17.

41. Vishnu LII, 1-2. *Kṛishnapandita* remarks that *Sûlapâni* explains *audumbaram*, 'made of Udumbara wood,' by 'made of copper,' and that the weapon intended is a club. The last remark is probably true, as the parallel passages of the other *Smṛitis* state that the thief is to take a club to the king, with which he is to be struck.

42. *Âpastamba* I, 9, 25, 6.

44. 'A thief will have deformed nails, the murderer of a Brâhmana will be afflicted with white leprosy, but he who has drunk spirituous liquor will have black teeth, and the violator of his Guru's bed will suffer from skin diseases.'

45. Property received from outcasts, after forming alliances with them either by (teaching) the Veda (and by sacrificing) or by marriage, must be relinquished. Let him not associate with such (men).

46. It is declared in the Veda that (he who has associated with outcasts) becomes pure by reciting the *Samhitâ* (of his Veda), proceeding in a northerly direction and fasting.

47. They quote also (a verse) to this (effect), 'A sinner is liberated from guilt by tormenting his body, by austerities, and by reciting the Veda; he becomes also free by bestowing gifts. That has been declared in the Veda.'

CHAPTER XXI.

1. If a *Sûdra* approaches a female of the Brâhmana caste, (the king) shall cause the *Sûdra* to be tied up in *Vîrana* grass and shall throw him into a fire. He shall cause the head of the Brâhmanî to be shaved, and her body to be anointed with butter; placing her naked on a black donkey, he shall cause her to be conducted along the highroad. It is declared that she becomes pure (thereby).

44. Manu XI, 49; Vishnu XLV, 4, 5, 6.

45. Vishnu LIV, 28.

46. Manu XI, 194.

XXI. 1-5. Gautama XXIII, 15. *Krishnapandita* reads, instead of *prâsyet*, 'he shall throw,' *prâsyet*, and explains it by *dâhayet*, 'he shall cause to be burnt.' It must be understood that these

2. If a Vaisya approaches a female of the Brâhmana caste, (the king) shall cause the Vaisya to be tied up in Lohita grass and shall throw him into a fire. He shall cause the head of the Brâhmanî to be shaved, and her body to be anointed with butter; placing her naked on a yellowish donkey, he shall cause her to be conducted along the highroad. It is declared in the Veda that she becomes pure (thereby).

3. If a Kshatriya approaches a female of the Brâhmana caste, (the king) shall cause the Kshatriya to be tied up in leaves of Sara grass and shall throw him into a fire. He shall cause the head of the Brâhmanî to be shaved, and her body to be anointed with butter; placing her naked on a white donkey, he shall cause her to be conducted along the highroad. It is declared in the Veda that she becomes pure (thereby).

4. A Vaisya who offends) with a female of the Kshatriya class (shall be treated) in the same manner,

5. And a Sûdra (who offends) with females of the Kshatriya or Vaisya castes.

6. If (a wife) has been mentally unfaithful to her husband, she shall live on barley or rice boiled in milk during three days, and sleep on the bare ground. After the three days (have expired), the (husband) shall offer eight hundred burnt-oblations, (reciting) the Sâvitri (and the Mantra called) Siras, while she is immersed in water. It is declared in the Veda that she becomes pure (thereby).

extreme punishments are to be inflicted in particularly bad cases only.

6. 'Afterwards in order to purify her who is immersed in water, i. e. has plunged into water, he shall offer eight hundred, i. e. (such)

7. If (a wife) has held an (improper) conversation (with another man), she must perform the same penance during a month. After (the expiration of) the month, (the husband) shall offer four times eight hundred burnt-oblations, (reciting) the Sâvitri (and the Mantra called) Siras, while she is immersed in water. It is declared in the Veda that she becomes pure (thereby).

8. But if (a wife) has actually committed adultery, she shall wear during a year a garment smeared with clarified butter, and sleep on a mat of Kusa grass, or in a pit filled with cowdung. After (the expiration of) the year, (the husband) shall offer eight hundred burnt-oblations, (reciting) the Sâvitri (and the Mantra called) Siras, while she is immersed in water. It is declared in the Veda that she becomes pure (thereby).

9. But if she commits adultery with a Guru, she is forbidden (to assist her husband) in (the fulfilment of) his sacred duties.

10. But (these) four (wives) must be abandoned, (viz.) one who yields herself to (her husband's) pupil or to (his) Guru, and especially one who attempts

a number of burnt-oblations with the Siras, i. e. (the words) "Om, ye waters, who are splendour, juice, and ambrosia," &c., which are joined to the Gâyatri.'—*Kṛishnapandita*. The Siras, or 'head,' is again mentioned below, XXV, 13; see also *Vishnu* LV, 9. This and the following two rules refer to offences committed with males of equal caste.

9. *Yâgñavalkya* I, 70. *Colebrooke* IV, Dig. LXXVI, where a different reading, *vyavâyatîrthagamanadharmebhyaḥ*, has been adopted, and the *Sûtra* has been combined with the next. The first clause may also be translated, 'If she actually commits adultery, (and especially) if she converses with a Guru.'

10. *Colebrooke* loc. cit.; *Manu* IX, 80; *Yâgñavalkya* I, 72.

the life of her lord, or who commits adultery with a man of a degraded caste.

11. That woman of the Brâhmana caste who drinks spirituous liquor, the gods will not admit (after death) to the same abode with her husband; losing all spiritual merit she wanders about in this world and is born again as a leech or a pearl-oyster.

12. The wives of Brâhmanas, Kshatriyas, and Vaisyas who commit adultery with a Sûdra may be purified by a penance in case no child is born (from their adulterous intercourse), not otherwise.

13. (Those who have committed adultery) with a man of lower caste shall perform a *Krikkhra* penance, succeeded by one, two, or three *Kândrâyanas*.

14. Faithful wives who are constantly pure and truthful (reside after death) in the same abodes with their husbands; those who are unfaithful are born as jackals.

15. Half the body of the husband falls if his wife

11. Colebrooke IV, Dig. CXIII, where *sûkarî*, 'a sow,' is read instead of *suktikâ*, 'a pearl-oyster.'

13. Manu XI, 178. *Krishnapandita* states correctly that *kândrâyanottaram*, 'succeeded by one, two, or three *Kândrâyanas*,' may also mean 'following one, two, or three *Kândrâyanas*,' and that the number of *Kândrâyanas* to be performed depends on the caste of the person with whom the adultery was committed. Thus a Brâhmanî must perform one *Krikkhra* and one *Kândrâyana* for adultery with a Kshatriya, one *Krikkhra* and two *Kândrâyanas* for adultery with a Vaisya, and one *Krikkhra* and three *Kândrâyanas* for adultery with a Sûdra. His view that the rule refers to wives who commit the sin without intent or against their will, is open to doubt. It is probably an alternative, to be adopted in lighter cases, for the public punishment prescribed above, XXI, 1-3. Regarding the *Kândrâyana*, see below, XXIV, 44.

14. Colebrooke IV, Dig. CVIII; Manu V, 164-165.

15. Manu IX, 80; *Yâgñavalkya* I, 73.

drinks spirituous liquor. No purification is prescribed for the half which has fallen.

16. If a Brâhmana unintentionally commits adultery with the wife of a Brâhmana, (he shall perform) a *Krikkhra* penance in case (the husband) fulfils the religious duties (of his caste), and an *Atikrikkhra* penance in case (the husband) does not fulfil his religious duties.

17. The same (penances are prescribed) for Kshatriyas and Vaisyas (for adultery with women of their respective castes).

18. If he kills a cow, let him perform, during six months, a *Krikkhra* or a *Taptakrikkhra*, dressed in the raw hide of that (cow).

19. The rule for these two (penances is as follows):

20. 'During three days he eats in the day-time (only), and during the (next) three days at night (only), he subsists during (another) period of three days on food offered without asking, and (finally) he fasts during three days.' That is a *Krikkhra* penance.

21. 'Let him drink hot water during three days; let him drink hot milk during the (next) three days; after drinking during (another) period of three days hot clarified butter, he shall subsist on air during the (last) three days.' That is a *Taptakrikkhra* penance.

22. And he shall give (to a Brâhmana) a bull and a cow.

23. Now they quote also (the following verse): 'Through killing a spotted deer, a he-goat, and

16. Vishnu LIH, 2.

18. Vishnu L, 16-24; Gautama XXII, 18.

20. Vishnu XLVI, 10.

21. Vishnu XLVI, 11.

23. The above translation follows the commentary of Krishna-

a bird three maladies (befal men), viz. jealousy, hunger, and old age; (therefore) let him (who is guilty of such an offence) perform (a penance) during ninety-eight (days).'

24. Having slain a dog, a cat, an ichneumon, a snake, a frog, or a rat, let him perform a *Krikkhra* penance of twelve days' duration, and give something (to a Brâhmana).

25. But having slain a quantity of boneless animals, equal to the weight of a cow, let him perform a *Krikkhra* penance of twelve days' duration, and give something (to a Brâhmana).

26. But (the same penance must be performed) for each single (slain animal) that possesses bones.

27. He who extinguishes the (sacred) fires shall perform a *Krikkhra* penance of twelve days, and cause them to be kindled again (by priests engaged for the occasion).

28. He who falsely accuses a Guru shall bathe, dressed in his clothes, and ask his Guru's pardon. It is declared in the Veda that he becomes pure by the Guru's forgiving him.

29. An atheist shall perform a *Krikkhra* penance of twelve days' duration, and give up his infidelity.

pandita, who further states that the penance to be performed shall consist of a diet of barley gruel. I feel by no means certain that his interpretation, especially that of the last clause, is correct. Possibly *ash/ânavatim âharet* may mean 'he shall offer ninety-eight oblations.'

24. *Vishnu* L, 30, 31.

25. *Gautama* XXII, 21. 'Something' means eight handfuls of grain.

26. *Gautama* XXII, 22.

27. *Vishnu* LIV, 13; *Gautama* XXII, 34.

28. *Vishnu* LIV, 14; *Yâgñavalkya* III, 283.

29-30. *Vishnu* LIV, 15.

30. But he who receives subsistence from infidels (shall perform) an *Atikrikkhra* penance (and not repeat his offence).

31. (The rule applicable to) a seller of Soma has been explained hereby.

32. A hermit, on violating the rules of his order, shall perform a *Krikkhra* penance of twelve days' duration, and continue (the observances obligatory on him) in a great forest.

33. Ascetics, (offending in the same manner) as hermits, shall perform for a protracted period (the vow of regulating the quantity of their food according to) the growth of the moon, and shall again be initiated, in accordance with (the rules of) the Institutes applicable to them.

CHAPTER XXII.

1. Now, indeed, man (in) this (world) speaks an untruth, or sacrifices for men unworthy to offer a sacrifice, or accepts what ought not to be accepted, or eats forbidden food, or practises what ought not to be practised.

31. Vishnu LIV, 17.

33. The penance prescribed appears to be similar to the *Kāṇḍāyana*. The offender must eat one mouthful on the first lunar day, two on the second, and so forth. But it is not clear for how long a period the rule is to be observed. The *Sūtra* is interesting as it furnishes corroborative evidence for Pāṇini's statement (IV, 3, 110) that *Bhikshu-sūtras* which contained the rules applicable to *Bhikshus* formerly existed.

XXII. 1. As this chapter is almost identical with and probably copied from *Baudhāyana* III, 10, and *Gautama* XIX, the division of the *Sūtras* has not been made in accordance with *Krishna-pāṇḍita's* commentary, but agrees with that of the chapter in *Gautama's Dharmaśāstra*. The notes to the translation of the

2. They are in doubt if he shall perform a penance for such (a deed), or if he shall not do it.

3. (Some) declare that he shall not do it,

4. Because the deed does not perish.

5. (The correct view is, that) he shall perform (a penance), because it is enjoined in the revealed texts,

6. 'He who offers a horse-sacrifice conquers all sin, he destroys the guilt of the murder of a Brâhmana.'

7. (Moreover), 'Let an Abhisasta offer a Gosava or an Agnishrut-sacrifice.'

8. Reciting the Veda, austerity, a sacrifice, fasting, giving gifts are the means for expiating such a (blamable act).

9. (The purificatory texts are) the Upanishads, the Vedântas, the Samhitâ-text of all the Vedas, the (Anuvâkas called) Madhu, the (hymn of) Aghamar-

latter work must be consulted for the explanation of the more difficult passages.

5-7. The text appears here to be corrupt. After Sûtra 5, Baudhâyana III, 10, 6 (Gautama XIX, 7), Punaḥ stomena yageta punaḥ savanamâyântîti vigñâyate, 'It is declared in the Veda, "Let him offer a Punaḥstoma-sacrifice, (those who offer it) again come to partake of (the libations of) Soma,"' has been left out. This omission caused the insertion of the words tasmâkkrutinidarsanât [darsanât, Bh. F.], ('because it is enjoined in the revealed texts,') at the end of Sûtra 5. The proof that the sixth Sûtra of Baudhâyana has been accidentally omitted is furnished by the fact that several MSS. of Vasishṭha read iti ka after yo 'svamedhena yagata (Vas. XXII, 6). This ka has no meaning, except if another Vedic passage preceded Sûtra 6. In order to escape this difficulty, Kṛishnapandita writes yo 'svamedhena yagata iti, and begins the next Sûtra with iti ka, which he explains by 'moreover.'

9. Kṛishnapandita gives before 'Vedântas' another word vedâdayaḥ, which he explains by 'the Vedas, Smṛitis, and Purânas.'

shana, the Atharvasiras, the (Anuvâkas called) Rudras, the Purusha-hymn, the two Sâmans called Râgana and Rauhinēya, the Kûshmândas, the Pâvamânîs, and the Sâvitṛî.

10. Now they quote also (the following verse): 'He who performs once in each season the offerings to Vaisvânara and Vratapati and the Pavitreshî sanctifies ten ancestors.'

11. To live on milk alone, as if one were fasting, to eat fruit only, (to live on) barley gruel prepared of a handful of grain, to eat gold, to drink Soma (are modes of subsistence which) purify.

12. All mountains, all rivers, holy lakes, places of pilgrimage, the dwellings of Rishis, cowpens, and temples of the gods (are) places (which destroy sin).

13. A year, a month, twenty-four days, twelve days, six days, three days, a day and a night are the periods (for penances).

14. These (acts) may be optionally performed when no (particular penance) has been prescribed,

15. (Viz.) for great sins difficult (penances), and for trivial faults easy ones.

16. The *Krikkhra* and the *Atikrikkhra* (as well as) the *Kândrâyana* are penances for all (offences).

CHAPTER XXIII.

1. If a student has approached a woman, he shall slay in the forest, in a place where four roads meet,

10. *Krishnapandita* takes the last word *dasapûrusham* to mean ten ancestors and ten descendants.

11. 'As if one were fasting,' i. e. in small quantities.—*Krishnapandita*.

XXIII, 1. Gautama XXIII, 17.

(kindling) a common fire, an ass for the Rakshas (the goblins),

2. Or he may offer an oblation of rice (*karu*) to Nirriti (the goddess of hell).

3. Let him throw into the fire (four oblations consisting) of that (sacrificial food, saying), 'To Lust svâhâ; to him who follows his lust svâhâ; to Nirriti svâhâ; to the divine Rakshas svâhâ.'

4. If, before returning home (from his teacher, a student) voluntarily defiles himself, sleeps in the day-time, or practises any other vow (than that of studentship), the same (penance must be performed).

5. If he has committed a bestial crime, he shall give a white bull (to a Brâhmaṇa).

6. The guilt incurred by a bestial crime with a cow, has been explained by the (rule regarding) the killing of a female of the Sûdra caste.

7. A student breaks his vow by performing funeral rites,

8. Excepting those of his mother and his father.

9. If a (student) is sick, he may eat, at his pleasure, all that is left by his teacher as medicine.

10. If (a student) who is employed by his teacher (to perform some duty), meets with his death, (the teacher) shall perform three *Krikkhra* penances.

4. Manu XI, 121.

5. Vishnu LIHI, 7; Gautama XXII, 36.

6. Vishnu LIHI, 3; Gautama XXIII, 12.

7. Manu V, 88.

8. Manu V, 91.

9. The object of the Sûtra is to permit during sickness a relaxation of the rules regarding forbidden food. Hence a sick student may eat honey, meat, &c.

10. Yâgñavalkya III, 283. 'Meets with his death,' e.g. is killed by a wild animal or a snake, while collecting fuel in the forest.

11. If a student eats meat which has been given to him as leavings (by his teacher), he shall perform a *Krikkhra* penance of twelve days' duration, and afterwards finish his vow.

12. The same (penance must be performed) if he eats food given at a *Srâddha* or by a person who is impure on account of a recent death or birth.

13. It is declared in the Veda, that honey given without asking does not defile (a student) of the *Vâgasaneyi-sâkhâ*.

14. For him who committing suicide becomes an *Abhisasta*, his blood-relations (*sapinda*) shall not perform the funeral rites.

15. He is called a suicide who destroys himself by means of wood, water, clods of earth, stones, weapons, poison, or a rope.

16. Now they quote also (the following verse): 'The twice-born man who out of affection performs the last rites for a suicide, shall perform a *Kândrâyana* penance together with a *Taptakrikkhra*.'

17. We shall describe the *Kândrâyana* below.

18. A fast of three days (must be performed) for resolving to die by one's own hand.

11. *Manu* XI, 159; *Yâgñavalkya* III, 282; see also *Âpastamba's* discussion on the subject, I, 1, 4, 5.

12. *Manu* XI, 158.

13. This *Sûtra* may also mean, 'It is declared that, according to the *Vâgasaneyaka*, honey given (to a student) without his asking for it does not defile him.' But a parallel passage of *Devala*, which *Kṛishnapandita* quotes, makes, I think, the version given above appear preferable. In either case the passage is explained by the fact that, according to the *Satapatha-brâhmana*, *Svetaketu*, one of the great teachers of the White *Yagur-veda*, strongly pleaded for the use of honey; see *Weber, Indische Studien* X, 123 seq.

14. *Vishnu* XXII, 56; *Gautama* XIV, 12.

16. *Vishnu* XXII, 58-59.

17. See below, *Sûtra* 45.

19. 'He who attempts suicide, but remains alive, shall perform a *Krikkhra* penance during twelve days. (Afterwards) he shall fast for three (days and) nights, being dressed constantly in a garment smeared (with clarified butter), and suppressing his breath, he shall thrice recite the *Aghamarshana* ;'

20. Or, following the same rule, he may also frequently recite the *Gâyatri* ;

21. Or, having kindled a fire, he may offer clarified butter with the *Kûshmândas*.

22. 'And the guilt (of) all (offences) excepting mortal sins is removed thereby.'

23. Now he may also sip water in the morning, thinking of (the Mantra), 'May fire and wrath and the lords of wrath protect me,' &c., and meditating on his sin ; (then) he may mutter the *Vyâhrîtis* that end with *satya* (truth), prefixing (the syllable) *Om* (to each), or he may recite the *Aghamarshana*.

24. If he touches a human bone to which fat still adheres, he becomes impure during three (days and) nights ;

25. But (on touching a bone) to which no fat adheres, a day and a night,

26. Likewise if he has followed a corpse (to the burial-ground).

27. If he passes between men reciting the *Veda*, he shall fast during a day and a night.

28. (Those who recite the *Veda*) shall sprinkle each other with water and stay away (from their houses) during three (days and) nights.

22. Regarding the efficacy of the *Kûshmânda* texts, see above, XXII, 9.

23. The text occurs *Taitt. Âr. X, 24, 1.*

24-25. *Manu V, 87; Vishnu XXII, 75.*

26. *Manu V, 101.*

28. *Gautama I, 58.*

29. (The same penance must be performed) for a day and night, if a dog, a cat, or an ichneumon pass quickly (between those who recite the Veda).

30. If he has swallowed the flesh of a dog, a cock, a village pig, a grey heron, a vulture, a Bhâsa, a pigeon, a man, a crow or an owl, (he must) fast during seven days, (and thus) empty his entrails; (afterwards he must) eat clarified butter, and be initiated again.

31. 'But a Brâhmaṇa who has been bitten by a dog, becomes pure, if he goes to a river that flows into the ocean, (bathes there), suppresses his breath one hundred times, and eats clarified butter.'

32. 'Time, fire, purity of mind, water, looking at the sun, and ignorance (of defilement) are the six means by which created beings are purified.'

33. It is declared in the Veda that, on touching a dog, a *Kândâla*, or an outcast, he becomes at once pure, if he bathes, dressed in his clothes.

34. If (while reciting the Veda) they hear noises

29. Gautama I, 59.

30. Vishnu LI, 3-4; Gautama XXIII, 4-5; Manu XI, 157. The Sûtra is badly corrupted in *Krishnapandita's* edition. I read *kaṅka* instead of *vaṅka*, leave out *vâyasa* after *bhâsa*, and change *kâkolûkânâm sâdane* to *kâkolûkamâmsâdane*. The latter change is absolutely necessary; firstly, because the penances for killing dogs and men have been given above; secondly, because the word *mânusha* requires a noun which it qualifies at the end of the compound; thirdly, because the penance which is prescribed, fasting until the entrails are empty, is absurd for murder, but appropriate for eating forbidden food; and fourthly, because the parallel passages of other *Smṛitis* actually do prescribe it for eating the flesh of excessively impure animals and for cannibalism. The change of *amâ* to *ânâ* is a very common mistake in Devanâgarî MSS.

31. Vishnu LIV, 12.

32. Vishnu XXII, 88.

33. Âpastamba I, 5, 15, 16.

made by outcasts or *Kândâlas*, they shall sit silent and fasting during three days ;

35. Or if they repeat that (text of the *Gâyatri*) at least one thousand times, they become pure ; thus it is stated in the *Veda*.

36. By this rule (the penance to be performed by) those who teach or sacrifice for vile men has been explained. It is declared in the *Veda* that they become pure by also relinquishing the fees (which they received).

37. By this same (rule the penance prescribed for) an *Abhisasta*, (one accused of a heinous crime,) has been explained.

38. (If he has been accused of) killing a learned *Brâhmaṇa*, let him subsist during twelve days on water (only), and fast during (another) twelve days.

39. If he has falsely accused a *Brâhmaṇa* of a crime which causes loss of caste, or of a minor offence which does not cause loss of caste, he shall subsist during a month on water (only), and constantly repeat the (*Rikas* called) *Suddhavatis* ;

40. Or he may go to bathe (with the priests) at (the conclusion of) a horse-sacrifice.

41. By this (rule the penance for) intercourse with a female of the *Kândâla* caste has been declared.

42. Now (follows the description of) another *Krikkhra* penance, applicable to all (men), where (the rule given above) has been altered.

43. On one day (let him eat) in the morning (only), on the (following) day at night (only), on the (next) day food given without asking, and on the (fourth) day (let him) fast ; the succeeding (three) periods of

36. *Vishnu* LIV, 25, 28.

39. *Yâgñavalkya* III, 286.

38. *Yâgñavalkya* III, 287.

41. *Vishnu* LIII, 5, 6.

four days (must be passed) in the same manner. Wishing to show favour to the Brāhmanas, Manu, the chief among the pillars of the law, has thus described the *Sisukrikkhra* (the hard penance of children) for infants, aged, and sick men.

44. Now follows the rule for (the performance of) the *Kāndrāyana* (lunar penance).

45. On the first day of the dark half (of the month) let him eat fourteen (mouthfuls), let him diminish the (number of) mouthfuls (each day by one), and continue in this manner until the end of the fortnight. In like manner let him eat one mouthful on the first day of the bright half, and (daily) increasing (the number of) mouthfuls, continue until the end of the fortnight.

46. Meanwhile let him sing *Sāmans*, or mutter the *Vyāhritis*.

47. A month during which he thus performs a *Kāndrāyana*, the *Rishis* have called by way of laudation, 'a means of purification' (*pavitra*). It is prescribed as an expiation of all (offences) for which no (special penance) has been mentioned.

CHAPTER XXIV.

1. Now (follows the description of) an *Atikrikkhra* penance.

2. Let him eat as much as he can take at one (mouthful, and follow the rules given) above for a *Krikkhra*, (viz.) to eat during three days in the morning, (during another three days) in the evening, (during further three days) food given without

44-47. Vishnu XLVII. It must be understood that during the bright half of the month the number of mouthfuls must be increased every day by one.

XXIV. 1-2. Gautama XXVI, 18-19. 'Above,' i. e. XXI, 20.

asking, and to fast during the last three days. That is an Atikrikkhra.

3. A Krikkhra penance (during the performance of which one) subsists on water (only is called) a Krikhrâतिक्रिक्खरा.

4. The peculiar observances (prescribed during the performance) of Krikkhra penances (are as follows):

5. 'Having cut his nails, (the performer) shall cause his beard and all his hair to be shaved off, excepting the eyebrows, the eyelashes, and the lock at the top of the head; (wear) one garment only; he shall eat blameless food; what one obtains by going to beg once (is called) blameless food; he shall bathe in the morning, at noon, and in the evening; he shall carry a stick (and) a waterpot; he shall avoid to speak to women and Sûdras; carefully keeping himself in an upright or sitting posture, he shall stand during the day, and remain seated during the night.' Thus speaks the divine Vasishtha.

6. Let him not instruct in these Institutes of the sacred law anybody but his son or a pupil who stays (in his house at least) for a year.

7. The fee (for teaching it) is one thousand (panas), (or) ten cows and a bull, or the worship of the teacher.

CHAPTER XXV.

1. I will completely explain the purification of those whose guilt has not been made public, both from great crimes and for minor offences.

3. Gautama XXVI, 20; see also Vishnu XLVI, 13-14.

4-5. Gautama XXVI, 6, 8; Vishnu XLVII, 24-25.

6. The MSS. read in the beginning of this Sûtra, satayânudeti or satayâtudeta, while *Krîshnapañña*, probably as a guess, writes satapâ nudati. I do not think that his correction is satisfactory, and propose in its stead, sa tadyadetad (dharmaśāstram).

2. A penance prescribed in (the section on) secret (penances) is for an Agnihotrīn, an aged and a learned man, who have subdued their senses ; but other men (must perform the expiations) described above.

3. Those constantly engaged in suppressing their breath, reciting purificatory texts, giving gifts, making burnt-oblations, and muttering (sacred texts) will, undoubtedly, be freed from (the guilt of) crimes causing loss of caste.

4. Seated with Kusa grass in his hands, let him repeatedly suppress his breath, and again and again recite purificatory texts, the Vyāhṛtis, the syllable Om, and the daily portion of the Veda.

5. Always intent on the practice of Yoga, let him again and again suppress his breath. Up to the ends of his hair and up to the ends of his nails let him perform highest austerity.

6. Through the obstruction (of the expiration) air is generated, through air fire is produced, then through heat water is formed ; hence he is internally purified by (these) three.

7. Neither through severe austerities, nor through the daily recitation of the Veda, nor through offering sacrifices can the twice-born reach that condition which they attain by the practice of Yoga.

8. Through the practice of Yoga (true) knowledge is obtained, Yoga is the sum of the sacred law, the practice of Yoga is the highest and eternal austerity ; therefore let him always be absorbed in the practice of Yoga.

XXV. 4. Read prāṇâyâman in the text.

5. The MSS. read at the end of this verse, tapas tapyatam uttamam, while *Kṛishnapandita* gives tapas tapyât tu uttamam. The correct reading is probably tapas tapyatu uttamam.

9. For him who is constantly engaged in (reciting the syllable) Om, the seven Vyâhr̥itis, and the three-footed Gâyatrî no danger exists anywhere.

10. The Vedas likewise begin with the syllable Om, and they end with the syllable Om, the syllable Om is the sum of all speech; therefore let him repeat it constantly.

11. The most excellent (portion of the) Veda, which consists of one syllable, is declared to be the best purificatory text.

12. If the guilt of all sins did fall on one man, to repeat the Gâyatrî ten thousand times (would be) an efficient means of purification.

13. If, suppressing his breath, he thrice recites the Gâyatrî together with the Vyâhr̥itis together with the syllable Om and with the (text called) Siras, that is called one suppression of breath.

CHAPTER XXVI.

1. If, untired, he performs three suppressions of his breath according to the rule, the sins which he committed during a day and a night are instantly destroyed.

2. Seated during the evening prayer, he removes by (three) suppressions of his breath all guilt which

9. I read with the MSS. bhayam for bhave.

10. Manu II, 74.

13. Identical with Vishnu LV, 9. Regarding the text called Siras, see above, XXI, 6.

XXVI. 1. The verb dhârayet, 'performs,' seems to be used in order to indicate that, according to the Yogasâstra, three Prânâyâmas make one Dhâranâ; see Yâgñavalkya III, 201.

2-3. Regarding the position at the Sandhyâ prayers, see also above.

he incurred during the day by deeds, thoughts, or speeches.

3. But standing during the morning prayer, he removes by (three) suppressions of his breath all guilt which he incurred during the night by deeds, thoughts, or speeches.

4. But sixteen suppressions of breath, accompanied by (the recitation of) the Vyâhr̥itis and the syllable Om, repeated daily, purify after a month even the slayer of a learned Brâhmana.

5. Even a drinker of spirituous liquor becomes pure, if he mutters the (hymn seen) by Kutsa, 'Apanah̥ śosukad agham,' and (the hymn seen) by Vasishtha (which begins with the word) 'Prati,' the Mâhitra (hymn), and the Suddhavatis.

6. Even he who has stolen gold becomes instantly free from guilt, if he once mutters (the hymn beginning with the words) 'Asya vâmasya' and the Sivasamkalpa.

7. The violator of a Guru's bed is freed (from sin) if he repeatedly recites the (hymn beginning) 'Havish pântam agaram' and that (beginning) 'Na tam amhaḥ' and mutters the hymn addressed to Purusha.

8. Or plunging into water he may thrice mutter the Aghamarshana. Manu has declared that the (effect is the) same as if he had gone to bathe at a horse-sacrifice.

4. Identical with Manu XI, 249; see also Vishnu LV, 2.

5. Identical with Manu XI, 250. The Vedic texts mentioned are Rig-veda I, 97, 1; VII, 80; X, 185; VIII, 84, 7-9.

6. Manu LI, 251. The Vedic texts alluded to are Rig-veda I, 164; and an Upanishad.

7. Identical with Manu XI, 252. The Vedic texts mentioned are Rig-veda X, 88; X, 126; X, 90.

8. Manu XI, 260-261; Vishnu LV, 7.

9. An offering consisting of muttered prayers is ten times more efficacious than a sacrifice at which animals are killed; a (prayer) which is inaudible (to others) surpasses it a hundred times, and the mental (recitation of sacred texts) one thousand times.

10. The four Pākayagñas and those sacrifices which are enjoined by the rules of the Veda are all together not equal in value to the sixteenth part of a sacrifice consisting of muttered prayers.

11. But, undoubtedly, a Brāhmaṇa reaches the highest goal by muttering prayers only; whether he perform other (rites) or neglect them, he is called a Brāhmaṇa who befriends all creatures (maitra).

12. The sins of those who are intent on muttering prayers, of those who offer burnt-oblations, of those who are given to meditation, of those who reside in sacred places, and of those who have bathed after performing the vows called Siras, do not remain.

13. As a fire, fanned by wind, burns brighter, and (as its flame grows) through offerings (of butter), even so a Brāhmaṇa who is daily engaged in

9. Manu II, 85; Vishṇu LV, 19. The term ārambhayagña, translated by 'an offering at which animals are slain,' is taken by *Krishnapandita* to mean pāthayagña, 'an offering consisting of Vedic mantras recited aloud.' The word may be taken in several ways, but the various reading vidhiyagña in Manu's verse induces me to adopt the translation given above.

10. Identical with Manu II, 86, and Vishṇu LV, 20. Regarding the four Pākayagñas, see Professor Jolly's note on Vishṇu. In my opinion the four classes of rites huta, ahuta, prahuta, and prāṣita are meant.

11. Identical with Manu II, 87.

12. 'After performing the vows (called) Siras,' i. e. those which are known in the Upanishads, which are called agnidhârana and so forth, and whose head (siras) consists in the worship of the teacher.—*Krishnapandita*. *Mundaka Upanishad* III, 2, 10.

muttering sacred texts shines with a brilliant lustre.

14. The destruction of those who fulfil the duty of daily study, who constantly restrain themselves, who mutter prayers and offer sacrifices has never been known (to happen).

15. Let him who is desirous of purification repeat, though he be charged with all sins, the divine (Gâyatri), at the most one thousand times, or one hundred times as a medium (penance), or at least ten times (for trivial faults).

16. A Kshatriya shall pass through misfortunes which have befallen him by the strength of his arms, a Vaisya and Sûdra by their wealth, the highest among twice-born men by muttered prayers and burnt-oblations.

17. As horses (are useless) without a chariot, as chariots (are useless) without horses, even so austerity (is useless) to him who is destitute of sacred learning, and sacred learning to him who practises no austerities.

18. As food mixed with honey, or honey mixed with food, even so are austerities and learning, joined together, a powerful medicine.

19. No guilt taints a Brâhmaṇa who possesses learning, practises austerities, and daily mutters sacred texts, though he may constantly commit sinful acts.

CHAPTER XXVII.

1. If a hundred improper acts, and even more, have been committed, and the (knowledge of the)

14. Manu IV, 146.

XXVII. 1-2. Manu XI, 247.

Veda is retained, the fire of the Veda destroys all (the guilt) of that man just as a (common) fire consumes fuel.

2. As a fire that burns strongly consumes even green trees, even so the fire of the Veda destroys one's guilt caused by (evil) deeds.

3. A Brâhmana who remembers the Rig-veda is not tainted by any guilt, though he has destroyed these (three) worlds and has eaten the food of all, (even of the most sinful) men.

4. If (a Brâhmana) relies on the power of the Veda, he cannot find pleasure in sinful acts. Guilt (incurred) through ignorance and negligence is destroyed, not (that of) other (intentional offences).

5. If a hermit subsisting on roots and fruit practises austerities in a forest, and (a householder) recites a single *Rik*, the merit of the acts of the one and of the other is equal.

6. Let him strengthen the Veda by (studying) the Itihâsas and Purâṇas. For the Veda fears a man of little learning, (thinking) 'He will destroy me.'

7. The daily recitation of the Veda and the performance, according to one's ability, of the series of Mahâyagñas quickly destroy guilt, even that of mortal sins.

8. Let him daily perform, without tiring, his particular rites which the Veda enjoins. For if he does that according to his ability, he will reach the most blessed state.

9. Through sacrificing for wicked people, through teaching them, through intermarrying with them, and through receiving gifts from them, (learned)

3. Identical with Manu XI, 262.

8. 'The most blessed state,' i. e. final liberation, or moksha.

Brâhmanas do not contract guilt, for (a learned Brâhmaṇa) resembles a fire and the sun.

10. I will now declare the purification prescribed for (eating) food, regarding which doubts have arisen, whether it may be called fit to be eaten or not. Listen to my words!

11. Let a Brâhmaṇa drink during three days the astringent decoction of the Brahmasuvarṅkalâ plant, unmixed with salt or pungent condiments, and (a decoction of) the Saṅkha pushpî plant, together with milk.

12. Let him drink water, after boiling in it Palâsa and Bilva leaves, Kusa grass, and (leaves of) lotuses and Udumbara trees; after three days and no more he becomes pure.

13. (Subsisting) during one day on each (of the following substances), cow's urine, cowdung, milk, sour milk, butter, and water in which Kusa grass has been boiled, and fasting on the seventh day purify even (him who fears that he has partaken of the food of) a Svapâka.

14. He who lives during five days on cow's urine, cowdung, milk, sour milk, and clarified butter, is purified by means of (that) Pañḍikagavya, (the five products of the cow.)

15. He who, in accordance with the rule, uses barley (for his food), becomes pure even by ocular proof. (For) if he is pure, those (barley grains) will be white, if he is impure they will be discoloured.

16. (If he makes) three morning meals of food

12. Vishnu XLVI, 23. I read abhogyabhogyasamgñake.

13. Vishnu XLVI, 19.

15. The rule is described by Vishnu XLVIII.

16. The meaning of the Sûtra is that each mode of subsistence is to be continued during three days.

fit for a sacrifice and three evening meals in like manner, and if food given without asking (is his subsistence) in the same manner, (he will thus perform) three fasts.

17. Now if he is in haste to make (himself pure), (let him) subsist on air during a day, and pass the night standing in water; (that penance) is equal to a Prâgâpatya (*Krikkhra*).

18. But if at sunrise he mutters the Gâyatrî eight thousand times, he will be freed from all mortal sins, provided he be not the slayer of a Brâhmana.

19. He, forsooth, who has stolen (the gold of a Brâhmana), has drunk spirituous liquor, has slain a learned Brâhmana, or has violated his Guru's bed, will become free from all (these) mortal sins if he studies the Institutes of the sacred law.

20. For unlawful acts, for unlawful sacrifices, and for great sins (let him perform) a *Krikkhra* and a *Kândrâyana*, which destroy all guilt.

21. Let him add daily one mouthful (to his food) during the bright (half of the month), let him diminish it (daily by one mouthful) during the dark (half), and let him fast on the new-moon day; that is the rule for the *Kândrâyana* (or lunar penance).

CHAPTER XXVIII.

1. A woman is not defiled by a lover, nor a Brâhmana by Vedic rites, nor water by urine and ordure, nor fire by consuming (impure substances).

18. Ash/asahasram, 'eight thousand times,' may also mean 'one thousand and eight times.'

21. See above, XXIII, 44-47.

XXVIII. 1. 'Is not defiled by a lover,' i.e. does not become irrevocably an outcast, but may be restored to her position after

2-3. A wife, (though) tainted by sin, whether she be quarrelsome, or have left the house, or have suffered criminal force, or have fallen into the hands of thieves, must not be abandoned; to forsake her is not prescribed (by the sacred law). Let him wait for the time of her courses; by her temporary uncleanness she becomes pure.

4. Women (possess) an unequalled means of purification; they never become (entirely) foul. For month by month their temporary uncleanness removes their sins.

5. Women belong first to three gods, Soma (the moon), the Gandharva, and Fire, and come afterwards into the possession of men; according to the law they cannot be contaminated.

6. Soma gave them cleanliness, the Gandharva their melodious voice, and Fire purity of all (limbs); therefore women are free from stains.

7. Those versed in the sacred law state that there are three acts (only) which make women outcasts, (viz.) the murder of the husband, slaying a learned Brâhmaṇa, and the destruction of the fruit of their womb.

8. A calf is pure when the milk flows, a bird when it causes fruit to fall, women during dalliance, and a dog when he catches a deer.

9. Pure is the mouth of a goat and of a horse, pure is the back of a cow, pure are the feet of a Brâhmaṇa, but women are pure in all (limbs).

performing a penance, provided her lover was a man of equal caste.—*Kṛishṇapandita*.

2-3. For the last clause compare *Yâgñavalkya* I, 72.

4. See above, V, 3-4.

5. *Pâraskara Grîhya-sûtra* I, 4, 16.

6. *Yâgñavalkya* I, 71.

8. *Vishṇu* XXIII, 49.

7. *Yâgñavalkya* I, 72.

9. *Vishṇu* XXIII, 40.

10. I will now declare the purificatory texts (which are found) in each Veda ; by muttering them or reciting them at a burnt-oblation (men) are doubtlessly cleansed (from sin).

11. (They are) the Aghamarshana, the Devakṛita, the Suddhavatīś, the Taratsamas, the Kûshmândas, the Pâvamântis, and the Durgâsâvitṛī ;

12. The Atīshaṅgas, the Padastobhas, and the Sâmans (called) Vyâhṛiti, the Bhârunda Sâmans, the Gâyatra (Sâman), and the Raivata ;

13. The Purushavrata and the Bhâsa, and likewise the Devavrata (Sâmans), the Abliṅga, the Bârhaspatya, the hymn addressed to Vâk, likewise the *Rikas* (called) Madhu ;

14. The Satarudriya, the Atharvasiras, the Trisuparna, the Mahâvrata, the Gosûkta, and the Asvasûkta, and the two Sâmans (called) Suddhâsuddhīya.

15. The three (Sâmans called) Âgyadohas, the Rathantara, the Agnervrata, the Vâmadevyā, and the Brihat, being muttered, purify (all) living beings. (He who sings them) may obtain the recollection of former existences, if he desires it.

16. Gold is the firstborn of Fire, through Vishnu exists the earth, and the cows are children of the

10-15. Vishnu LVI, and preface, p. xviii. The explanation of the various terms used will be found in the notes to Professor Jolly's translation of Vishnu.

12. MSS. and *Krishnapandita*, Abhishaṅgâh. *Krishnapandita* and MS. B. bhâradandâni ; E. bhâdâni ; Bh. and F. omit vv. 12 and 13 a.

13. *Krishnapandita* and B. artvigam ; Bh. E. F. as above. The Bhâsa begins, according to *Krishnapandita*, agne vratapate.

14. *Krishnapandita* and B. indrasuddhe ; Bh. E. F. suddham-suddhena.

Sun; he who bestows as gifts gold, a cow, and land will obtain rewards without end for them.

17. A cow, a horse, gold, (and) land, bestowed on an unlearned Brâhmaṇa who neglects his sacred duties, prevent the giver (from attaining heaven).

18-19. (If he presents), on the full moon of the month of Vaiśākha, (to) seven or five Brâhmaṇas, black or white sesamum grains (mixed) with honey, (saying), 'May the king of justice (Yama) rejoice!' or (expressing) some other (wish) which he may have in his mind, the guilt which he has incurred during his (whole) life will instantly vanish.

20. But hear (now) the reward of the merit acquired by that man who gives the skin of a black antelope, to which the hoofs are (still) attached and the navel of which is adorned with gold, covering it with sesamum grains.

21. 'Without doubt he has bestowed (through that gift) the four-faced earth, together with its caves filled with gold, and together with its mountains, groves, and forests.'

22. 'He who, placing on the skin of a black antelope, sesamum, gold, honey, and butter, gives it to a Brâhmaṇa, overcomes all sin.'

17. Manu IV, 190, 193-194. *Krîṣṇapandita* and MSS. B. and E. read *uparudanti dâtâram*, MSS. Bh. and F. *uparundanti*. I change the latter reading to *uparundhanti*.

18-19. *Vishṇu* XC, 10.

20-22. *Vishṇu* LXXXVII, 8-10, and Professor Jolly's preface, p. xviii.

21. 'The four-faced earth,' i. e. the earth which is surrounded by the four oceans.

CHAPTER XXIX.

1. Through liberality (man) obtains all his desires,
2. (Even) longevity, (and he is born again as) a student of the Veda, possessed of beauty.
3. He who abstains from injuring (sentient beings) obtains heaven.
4. By entering a fire the world of Brahman (is gained).
5. By (a vow of) silence (he obtains) happiness.
6. By staying (constantly) in water he becomes a lord of elephants.
7. He who expends his hoard (in gifts) becomes free from disease.
8. A giver of water (becomes) rich by (the fulfilment of) all his desires.
9. A giver of food (will have) beautiful eyes and a good memory.
10. He who gives a promise to protect (somebody) from all dangers (becomes) wise.
11. (To bestow gifts) for the use of cows (is equal to) bathing at all sacred places.
12. By giving a couch and a seat (the giver becomes) master of a harem.
13. By giving an umbrella (the giver) obtains a house.

XXIX. 4. This Sûtra, which recommends self-cremation, is of some importance, as it confirms the teaching of the Purâṇas and explains the accounts of the Greeks regarding the self-immolation of Brâhmaṇas who visited Europe.

9. Vishṇu XCII, 21.

12. Vishṇu XCII, 27; Manu IV, 232. 'Master of a harem,' i. e. the possessor of many beautiful wives and concubines.

14. He who gives a house obtains a town.

15. He who gives a pair of shoes obtains a vehicle.

16. Now they quote also (the following verses):
‘Whatever sin a man distressed for livelihood commits, (from that) he is purified by giving land, (be it) even “a bull’s hide.”’

17. ‘He who gives to a Brâhmana a vessel filled with water for sipping, will obtain after death complete freedom from thirst and be born again as a drinker of Soma.’

18. ‘If a gift of one thousand oxen fit to draw a carriage (has been bestowed) according to the rule on a perfectly worthy man, that is equal to giving a maiden.’

19. ‘They declare that cows, land, and learning are the three most excellent gifts. For to give learning is (to bestow) the greatest of all gifts, and it surpasses those (other gifts).’

20. ‘A learned man who, free from envy, follows this rule of conduct which procures endless rewards, and which through final liberation frees him from transmigration ;’

21. ‘Or who, full of faith, pure, and subduing his

14. Vishnu XCII, 31.

15. Vishnu XCII, 28.

16. Vishnu XCII, 4. *Krishnapandita* quotes a passage of the *Matsya-purâna* according to which ‘a bull’s hide’ is a measure equal to 140 square hastas ; see, however, notes to Vishnu loc. cit. and V, 183.

17. Manu IV, 229.

18. Read in the text *vidhivaddânam kanyâdânena tatsamam*.

19. *Krishnapandita* wrongly makes two *Sûtras* out of this verse.

20. *Krishnapandita* and MS. B. read, against the metre and sense, *yoginâm sampûritam vidvân*, another reading *yoginâm sammatam vidvân*. F. reads *ṣonasaṃyurimam vidvân*. I read *yo’na-sûyurimam vidvân*.

senses, remembers or even hears it, will, freed from all sin, be exalted in the highest heaven.'

CHAPTER XXX.

1. Practise righteousness, not unrighteousness; speak truth, not untruth; look far, not near; look towards the Highest, not towards that which is not the Highest.

2. A Brâhmana is a fire.

3. For the Veda (says), 'Agni, forsooth, is a Brâhmana.'

4. And how is that?

5. And it is also declared in the Kâthaka, 'On that (occasion) the body of the Brâhmana who represents the sacrificial seat is the altar, the vow to perform the rite is the sacrifice, the soul is the animal to be slain, the intellect the rope (with which the animal is bound), the mouth of (the Brâhmana) who represents the seat is the Âhavanîya fire, in his navel (is the Dakshinâ fire), the fire in his abdomen is the Gârhapatya fire, the Prâna is the Adhvaryu priest, the Apâna the Hotri priest, the Vyâna the Brahman, the Samâna the Udgâtri priest, the organs of sensation the sacrificial vessels. He who knowing this offers a sacrifice to the organs through the organs.' . . .

6. Now they quote also (the following verses): 'An offering placed in the mouth-fire of a Brâh-

XXX. 2. See above, III, 10.

3. Satapatha-brâhmana I, 4, 22.

5. *Krîshnapandita* divides the passage into thirteen Sûtras, and connects tatra, 'on that occasion,' with the preceding Sûtra. 'On that (occasion),' i. e. if a Brâhmana is fed.

mana which is rich in Veda-fuel, protects and saves the giver and (the eater) himself from sin.'

7. 'But the offering made through the mouth of a Brâhmana, which is neither spilt nor causes pain (to sentient creatures), nor assails him (who makes it), is far more excellent than an Agnihotra.'

8. After performing a mental sacrifice at which meditation (takes the place of the sacred) fire, truthfulness (the place of) the sacred fuel, patience (the place of) the oblation, modesty (the place of) the sacrificial spoon, abstention from injuring living beings (the place of the) sacrificial cake, contentment (the place of) the sacrificial post, (and a promise of) safety given to all beings which is hard to keep (the place of) the reward given to the priests, a wise man goes to his (eternal) home.

9. The hair of an aging man shows signs of age, (and) the teeth of an aging man show signs of age, (but) the desire to live and the desire for wealth do not decay even in an aging man.

7. Manu VII, 84; Yâgñavalkya I, 315. *Krîshnapandita's* reading, *nainam adhyâkate ka yah*, which occurs also in B., is nonsense. I read with Bh. *nainam adhyâpatekka yat*, and take *adhyâpatet*, 'assails (the giver),' in the sense of 'troubles him by causing the performance of penances, on account of mistakes committed.' Manu's version, *na vinasyati karhihit*, 'and never perishes,' is of course an easier one, but it seems to me doubtful whether it is older than *Vasishtha's*.

8. The passage, which is probably a quotation from an Upanishad, is very corrupt in the MSS. and *Krîshnapandita's* text. I correct it as follows:

Dhyânâgniḥ satyopakayanam kshântyâhutiḥ
 sruvamhrîḥ puroḍâsamahimsâ samtoshô
 yûpaḥ krikkhram bhûtebhyo 'bhayadâkshinyam iti
 krîtvâ kratum mânasam yâti kshayam budhaḥ.

But I am not confident that all the difficulties have been removed.

10. Happiness (is the portion) of that man who relinquishes (all) desire, which fools give up with difficulty, which does not diminish with age, and which is a life-long disease.

11. Adoration to Vasishtha Satayâtu, the son of Mitra and Varuṇa and Urvasî!
